

**HEBER PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS**

**1078 Dogwood Rd., Suite 104
Heber, CA, 92249**

Thursday, October 20, 2022 at 6:00 p.m.

MINUTES

Members of the public may attend this meeting in person or via the application Zoom.

THIS MEETING WILL BE HELD IN PERSON, AND IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20 ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE RALPH M. BROWN ACT (*California Government Coe Section 5485950, et Seq.*), and the *Federal Americans with Disabilities Act.*

THE HEBER PUBLIC UTILITY DISTRICT ADOPTED RESOLUTION 2021-12 PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY PROCLAMATION DATED MARCH 4, 2021 AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE HEBER PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS FOR THE PERIOD OF THIRTY DAYS PURSUANT TO BROWN ACT PROVISIONS.

THIS MEETING WILL BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY ATTEND THE BOARD MEETING IN PERSON OR VIA THE APPLICATION, ZOOM UNTIL FURTHER NOTICE. YOU MAY ALSO CALL INTO THE MEETING, FOR AUDIO ONLY PARTICIPATION, BY CALLING 1 (669) 900-6833 OR 1 (760) 336-1572.

ZOOM MEETING INFORMATION:

WEBSITE: <https://zoom.us/join>

MEETING ID: 796-978-5637

CALL IN PHONE NUMBER: 1 (669) 900-6833 or 1 (760) 336-1572

The District recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the District (760-482-2440) two working days prior to the meeting with any special requests for reasonable accommodation.

1. **CALL TO ORDER: President Garcia called the meeting to order at 6:00pm.**
2. **ROLL CALL:** Those attending the meeting included President Garcia, Vice-President Sandoval, Director Diaz-Molina, and Director Matus. Director Tabarez was absent. Also in attendance were General Manager, Laura Fischer, General Counsel, Steve Walker, Finance Manager, Adriana Amezcua, and Office Manager/Board Secretary, Moises Cardenas.
3. **PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by President Garcia.**
4. **APPROVAL OF AGENDA: Vice President Sandoval made a motion to approve the agenda with tabling items from Old Business 9-A and 9-B from the agenda. Director Diaz-Molina seconded the motion.**

The motion was approved by a roll call vote of 3-1-1

AYES: Vice-President Sandoval, Director Diaz-Molina, Director Matus

NOES: President Garcia

ABSENT: Director Tabarez

5. **PUBLIC COMMENTS:**

Gildardo Delgado, 14 Pheasant Ct., Heber, CA 92249- Mr. Delgado presented a letter in Spanish to the Board of Directors requesting copies for the expenditures of the last 5 years for the festivals done in the past 5 years. HPUD will respond to his request.

The Board may set time limits on the amount of time any speaker can use to address the Board. Members of the public are allowed to make comments about anything not listed on the agenda. If the comments concern an agenda item, they must wait until that item is up for discussion. If you wish to address the Board, please speak to the Board Clerk or General Manager during the meeting and when recognized by the President of the Board address the Board. The Board can't take action on any item not on the agenda.

6. **CONSENT AGENDA: Vice-President Sandoval made a motion to approve the Consent Agenda, Director Diaz-Molina seconded the motion.**

The motion was approved by a roll call vote of 4-0-1.

AYES: President Garcia, Vice-President Sandoval, Director Diaz-Molina, Director Matus

NOES:

ABSENT: Director Tabarez

- A. Adopt Resolution 2022-17 Proclaiming a local emergency, ratifying the proclamation of a State of Emergency by Proclamation Dated March 4, 2021 and authorizing remote teleconference meetings of the Heber Public Utility District Board of Directors for the period of thirty days pursuant to Brown Act.
- B. Approve the Minutes for the Regular Meeting of September 15, 2022, the Special Meeting of October 5, 2022, and the Special Meeting of October 14, 2022.
- C. Approve Current Demands for September 2022.

7. REPORTS:

A. President and Director's Comments

1) Director Diaz-Molina thanked staff for organizing the Fall Fiesta.

2) Vice-President Sandoval thanked Mr. Delgado for his comments to the board, he also stated he was not satisfied with the service CR&R has provided which is why he moved to pull those items from the Agenda.

B. Operations Report for September 2022

The Operations Report was presented with no additional comments.

C. General Manager's Report

The General Manager's Report was presented with no additional comments.

D. Grants Update

The Grants Update was presented with no additional comments.

E. Fall Fiesta Update

The Fall Fiesta Update was presented with comments from the Board of Directors thanking staff.

8. NEW BUSINESS: Discussion and Possible Action

A. Information Only First Quarter FY 2022-2023 Budget Review – Finance Manager

The Finance Manager presented the First Quarter FY 2022-2023 Budget Review with no additional comments.

B. Information Only Regarding SB 552 Drought Planning for Small Water Suppliers and Rural Communities– General Manager

The General Manager presented the SB 552 Drought Planning for Small Water Suppliers with some questions from the Board.

9. OLD BUSINESS: Discussion and Possible Action

A. Adopt Resolution 2022-19 Approving the Amended and Restated Agreement Between the Heber Public Utility District and CR&R Incorporated for Integrated Solid Waste Management Services – General Manager

- B. Direct Staff to Administer the Proposition 218 Process for Solid Waste Collection Rates and Set a Public Hearing on January 19, 2023 for the Heber PUD's Consideration of the Proposed Rate Schedule – General Manager

ITEMS 9-A AND 9-B WERE TABLED AT THE BEGINNING OF THE MEETING DURING APPROVAL OF THE AGENDA.

- C. Second Reading of Ordinance 2022-02, Repealing Ordinance 220 of the Codified Ordinances of the Heber Public Utility District, and Adoption of Ordinance 2022-02 Via Resolution 2022-18 – General Manager

Vice-President Sandoval made a motion to conduct second reading of Ordinance 2022-02, repealing Ordinance 220 of the Codified Ordinances of the Heber PUD and to Adopt Ordinance 2022-02 Via Resolution 2022-18. Director Matus seconded the motion.

The motion was approved by a roll call vote of 4-0-1.

AYES: President Garcia, Vice-President Sandoval, Director Diaz-Molina, Director Matus

NOES:

ABSENT: Director Tabarez

10. ANNOUNCEMENTS:

Board of Supervisors meets every Tuesday. You can listen and watch the proceedings <https://imperialcounty.org/bosagendas>.

CSDA newsletter is available at www.csda.net

Upcoming Educational Opportunities:

2022 Board Secretary / Clerk Conference – Seaside, CA

11. CLOSED SESSION: A motion was made to go into Closed Session at 6:43pm by Vice-President Sandoval, seconded by Director Diaz-Molina.

The motion was approved by a roll call vote of 4-0-1.

AYES: President Garcia, Vice-President Sandoval, Director Diaz-Molina, Director Matus

NOES:

ABSENT: Director Tabarez

To ensure privacy during Closed Session, we will observe the following procedures:

- A separate, private Zoom meeting for Closed Session will be created.
- Once a motion to move to Closed Session is approved, participants joining Closed Session will exit the public meeting and join the private Closed Session meeting.
- Once Closed Session is complete, participants will leave the private zoom meeting and re-join the public and adjournment.

- A. Public Employee Performance Evaluation (Government Code Section §54957)
Title: General Manager

No reportable action taken in Closed Session.

There was a motion to go back into Open Session at 7:54 by Vice-President Sandoval, seconded by Director Diaz Molina.

The motion was approved by a roll call vote of 4-0-1.

AYES: President Garcia, Vice-President Sandoval, Director Diaz-Molina, Director Matus

NOES:

ABSENT: Director Tabarez

12. ADJOURNMENT: Motion to adjourn at 7:55pm was made by Vice-President Sandoval, seconded by Director Diaz- Molina.

The motion was approved by a roll call vote of 4-0-1.

AYES: President Garcia, Vice-President Sandoval, Director Diaz-Molina, Director Matus

NOES:

ABSENT: Director Tabarez

Minutes for the Regular Meeting for October 20, 2022 were prepared by Moises Cardenas, Clerk of the Board.