

**HEBER PUBLIC UTILITY DISTRICT
and the
HEBER MEADOWS CFD 2005-1
BOARD OF DIRECTORS**

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

Thursday, April 21, 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:

- The meeting of the Heber Public Utility District was called to order at 6:03pm, by Vice-President Sandoval.

2. WELCOME NEW DIRECTOR:

- Ceremonial Swearing in of Recently Appointed Director Delfino Matus.

3. ROLL CALL:

- Those attending the meeting included President Garcia, Vice-President Sandoval, Director Matus, Director Tabarez, and Director Diaz-Molina. President Garcia arrived at 6:05. Also in attendance were: General Manager, Laura Fischer and General Counsel, Steve Walker.

4. PLEDGE OF ALLEGIANCE:

- The Pledge of Allegiance was led by President Garcia.

5. APPROVAL OF AGENDA:

- Motion to approve the agenda was made by Director Tabarez, seconded by Director Diaz-Molina. Motion passed 5-0.
AYES: President Garcia, Vice-President Sandoval, Director Matus, Director Tabarez, Director Diaz-Molina.
NOES: None.
ABSENT: None.

6. PUBLIC COMMENTS: NONE

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.

7. CONSENT AGENDA:

- A. Adopt Resolution 2022-03 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 March 17, 2022.
- C. Approve Current Demands for March 2022.
- D. Authorize the General Manager to Request Quotes for Landscaping Services for Parks Budget Analysis and Development
- E. Acting as the Board of Directors of the Heber Meadows CFD 2005-1, Authorize the General Manager to Submit a Request for Proposal for a Community Facilities District Consultant
- F. Authorize the Board President to sign a letter in support of Assembly Bill 2440 to Assembly Member Quirk, Chair of Environmental Safety and Toxic Materials Committee.

G. Waive Ordinance 222 to allow the sale and consumption of alcohol at Tito Park for a one-day event on May 20, 2022, to help raise fund for Heber Little League.

- President Garcia made a motion to approve the Consent Agenda as presented. The motion died for a lack of second.

Director Tabarez made a motion to approve items A-E and G, excluding item F. Director Diaz-Molina seconded the motion.

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

NOES: None.

ABSENT: None.

The motion passed 5-0.

Item 7 was called for discussion and Mr. Matt Gray and Mr. Victor Carrillo, representatives of CR&R answered questions from the Board. No action was taken on item 7, thus the item died.

8. REPORTS:

A. President and Director's Comments

- President Garcia and Vice President Sandoval thanked staff for their efforts at the Easter Egg Hunt. They expressed their appreciation to the senior citizens for stuffing 6,000 eggs.
- Vice President Sandoval made a comment regarding item 7-G to discuss a policy change to allow staff to waive Ordinance 222. Diahna Garica-Ruiz, a member of the audience and co-founder of Proyecto Heber, commented about the Ordinance stating that there should be signage regarding alcohol consumption.

B. Operations Report for February 2022

- Report was presented without additional comment

C. General Manager's Report

- Report was presented.

D. Grants Update

- Report was presented

E. Third Quarter Budget Update

- Report was presented to the Board

9. NEW BUSINESS: Discussion and Possible Action

A. Information Only Regarding Services Provided by CR&R Waste Hauler – General Manager

- CR&R's Sustainability Specialist Matthew Gray presented about CR&R's improvements to service in the town site of Heber.

B. Adopt the Calendar of Meetings Necessary to Review the Proposed Fiscal Year 2022-2023 Budget – General Manager

- The Board of Directors gave direction to staff to hold the Budget Review meetings on Thursday, June 2nd and Wednesday, June 8th.

- C. Authorize the General Manager to Execute Documents Necessary to Enroll the District in the California Low Income Household Water Assistance Program – General Manager
- A motion to approve was made by Director Tabarez, seconded by Vice President Sandoval. Motion passed with a vote of 5-0.
AYES: President Garcia, Vice President Sandoval, Director Matus, Director Tabarez, Director Diaz-Molina
NOES: None.
ABSENT: None.
- D. Modify the Reserve Resolution to Include Required Match for AB 617 Urban Greening Grants – General Manager
- A motion to approve was made by Director Tabarez, seconded by Director Diaz Molina. Motion passed with a vote of 5-0.
AYES: President Garcia, Vice-President Sandoval, Director Matus, Director Tabarez, Director Diaz-Molina
NOES: None.
ABSENT: None.

10. OLD BUSINESS: Discussion and Possible Action

- A. Authorize the General Manager to Execute a Construction Contract with Pyramid Construction in an Amount not to Exceed \$105,536 to Construct 14,2100 sq. ft. of Asphalt at the Water Treatment Plant – General Manager
- A motion to approve was made by Vice-President Sandoval, seconded by Director Tabarez.
Motion passed with a vote of 5-0.
AYES: President Garcia, Vice-President Sandoval, Director Matus, Director Tabarez, Director Diaz-Molina
NOES: None.
ABSENT: None.
- B. Information Regarding the Bid Results for the Construction of the Children’s Park Improvement Project - General Manager
- Information was given regarding the bids for Children’s Park. No direction was given to staff.
- C. Award Construction Contract to the Lowest, Responsive and Responsible Bidder for the Parking Lot Paving Project at the Recreation Center and Modify the Capital Improvement Project Budget and Reserve Resolution as Necessary – General Manager
- A motion to approve was made by Vice President Sandoval, seconded by Director Tabarez. Motion passed with a vote of 5-0.
AYES: President Garcia, Vice-President Sandoval, Director Matus, Director Tabarez, Director Diaz-Molina
NOES: None.
ABSENT: None.

11. 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 Conference Opportunities:

Legislative Days, May 17-18 in Sacramento

Annual Conference & Exhibitor Showcase, August 22-25 in Palm Desert

12. CLOSED SESSION:

A motion to enter closed session was made at 7:19pm by Director Tabarez, seconded by Vice President Sandoval. The motion passed 5-0.

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

NAY: None.

ABSENT: None.

A. Conference with Legal Counsel – Anticipated Litigation –
(Government Code Section §54956.9(b)) 1 matter

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

A motion to end closed session was made by Director Tabarez, seconded by Vice-President Sandoval. The motion passed with a vote of 5-0.

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

NOES: None.

ABSENT: None.

The Board came out of closed session at 7:45pm.

Attorney Steve Walker, reported that there was a motion made by Director Tabarez, seconded by Vice-President Sandoval to ratify settlement of Molina claim. The motion passed with a vote of 5-0.

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

NOES: None.

ABSENT: None.

13. ADJOURNMENT:

The meeting was adjourned at 7:50pm.

Minutes for the Regular Meeting of April 14, 2022, were prepared by Moises Cardenas, Office Manager.

Heber Public Utility District is an equal opportunity provider and employer.

