

**HEBER PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS**

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

Thursday, July 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 Code 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:** Meeting called to order by President Garcia at 6:14pm.
- 2. ROLL CALL:** Those attending the meeting included President Garcia, Director Tabarez, Director Diaz-Molina, Director Matus, and Vice President Sandoval was present via Zoom. Also in

attendance were General Manager, Laura Fischer, General Counsel, Steve Walker, Finance Manager, Adriana Amezcua, and Office Manager, Moises Cardenas.

3. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by President Garcia.
4. **APPROVAL OF AGENDA:** Motion to approve the agenda was made by Director Tabarez, seconded by Vice President Sandoval.

The motion was approved by a roll call vote of 5-0.

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

NOES: None

ABSENT: None

5. **PUBLIC COMMENTS:**

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.

- Diahna Garcia-Ruiz, 23 E Main St, Heber, CA- Mrs. Garcia-Ruiz gave a comment regarding Ordinance 222, which restricts Alcohol sale and consumption at HPUD Parks and Facilities, she wanted it to be waived for her 'Cheladafest' which will be happening on September 17, 2022.

6. **CONSENT AGENDA:** There was a motion to modify and approve the consent agenda. Director Tabarez suggested that items 8-A and 8-B be added into the Consent Agenda, and that items 6-B and 6-D be pulled from the Consent Agenda and Moved prior to Item 7.

6.A. Adopt Resolution 2022-10 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.

6.B. Approve Current Demands for June 2022.

8.A. Authorize the Submittal of a Request for Proposal for Urban Greening Grant Tree Planting Project; and Upon Receipt of Proposals, Authorize the General Manager to Award the Contract to the Lowest, Responsive and Responsible Bidder for the Tree Planting Project – General Manager

8.B. Approve the Theme and Scope of the Heber Fall Fiesta 2022 – General Manager

The motion to approve item 6.A, 6.B, 8.A, and 8.B was made by Director Tabarez and seconded by Vice-President Sandoval.

The motion was approved by a roll call vote of 5-0.

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

NOES: None

ABSENT: None

6.B. Approve the Minutes for the Regular Meeting of June 16, 2022.

There were some questions from the Board about the minutes of June 16, 2022. There was a motion to approve item 6-B was made by Director Tabarez seconded by Vice President Sandoval.

The motion was approved by a roll call vote of 5-0.

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

NOES: None

ABSENT: None

6.D. Cancel the Regularly Scheduled Board meeting in August 2022.

There were some questions from the Board regarding canceling the August meeting. There was a motion to approve item 6-D was made by Director Tabarez seconded by Vice President Sandoval.

The motion was approved by a roll call vote of 5-0.

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

NOES: None

ABSENT: None

7. REPORTS:

A. President and Director's Comments-

There were no additional comments made by the Board.

B. Operations Report for May 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. Children's Park Update-

The Children's Park Update was presented with no additional comments.

E. Grants Update-

The Grants Update was presented with no additional comments.

8. NEW BUSINESS: Discussion and Possible Action

Items 8-A and 8-B were moved and approved under Item 6: Consent Agenda.

9. OLD BUSINESS: Discussion and Possible Action

A. Adopt Resolution Number 2022-09 Adopting a Five-Year Program of Projects for Capital Improvement for FY 2022-23– General Manager

There was a motion to approve item 9-A (with one edit to the heading FY 2021-22) was made by Vice President Sandoval seconded by Director Tabarez.

The motion was approved by a roll call vote of 5-0.

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

NOES: None

ABSENT: None

- B. Adopt Resolution Number 2022-08 Adopting Reserve Guidelines and Budget for Fiscal Year 2022-23 – General Manager

There was a motion to approve item 9-A was made by Director Tabarez seconded by Vice-President Sandoval.

The motion was approved by a roll call vote of 5-0.

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

NOES: None

ABSENT: None

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.csdanet

Upcoming Conference Opportunities:

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

11. **CLOSED SESSION:** There was a motion to go into Closed Session at 6:47pm by Director Tabarez seconded by Vice-President Sandoval.

The motion was approved by a roll call vote of 5-0.

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

NOES: None

ABSENT: None

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

There was a motion to end Closed Session at 7:16pm by Director Tabarez seconded by Vice-President Sandoval.

The motion was approved by a roll call vote of 5-0.

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

NOES: None

ABSENT: None

General Counsel reported that during Closed session a motion was made by Director Sandoval, seconded by Director Matus to acknowledge that the General Manager, Laura Fischer, was not going

to extend her employment contract; to approve the job description for the General Manager; and to direct staff to start the recruitment process to hire the next General Manager. Motion passed with a vote of 5-0.

12. ADJOURNMENT: There was a motion to adjourn at 7:18pm by Director Tabarez seconded by President Garcia.

The motion was approved by a roll call vote of 5-0.

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

NOES: None

ABSENT: None

Minutes for the Regular Meeting for July 21st, 2022 were prepared by Moises G. Cardenas, Clerk of the Board.