

HEBER PUBLIC UTILITY DISTRICT

REPORT TO BOARD OF DIRECTORS

MEETING DATE: February 17, 2022

FROM: Laura Fischer, General Manager

SUBJECT: Accept the Resignation of Director Cardenas, and Determine a Course of Action to Fill the Vacant Seat on the Board.

ISSUE:

Shall the Board Accept the Resignation of Director Cardenas, and Select a Course of Action to Fill the Vacant Seat on the Board?

GENERAL MANAGER'S RECOMMENDATION:

It is recommended that the Board of Directors accept the resignation of Director Cardenas and start the process to appoint a member of the community to serve the unexpired balance of Mr. Cardenas' term, which is December 2022.

FISCAL IMPACT: None.

DISCUSSION:

On February 8, 2022, I received the resignation letter from Director Cardenas. It is attached for your consideration. Mr. Cardenas has served as a Director since 2017 and his term is set to expire in 2022. Also attached to this report is Government Code 1780.

The Board has 60 days from the date of the resignation to either fill the vacancy or call for a special election. The Special election must be more than 130 days after the date the District calls the election. Due to the timing of the resignation, it is too late to have a special election on the June 7th primary date. Thus the only alternative is to appoint to fill the vacant position meeting the State Election Codes.

HPUD needs to notify the County elections official of the vacancy within 15 days of the effective date of the resignation (Gov. Code 1780 (b)).

HPUD must post a notice of the vacancy in three or more conspicuous places in the district at least 15 days before the District Board makes the appointment.

Resignation Date: 2/8/22

Notice to County Due: 2/23/22

Post Notices of Vacancy: 2/18/22

Appoint a Member of the Public to the Board: 3/17/22

PROCESS TO APPOINT A MEMBER OF THE PUBLIC:

The HPUD will publish and post the Notice of Vacant Elected Position and request interested persons submit a candidate information sheet. The Board can also contact

specific members of the public and request that they submit a Candidate Information Sheet to the Board Secretary.

- The Board asks interested members of the public, who legally reside within the HPUD boundaries and are registered to vote, to submit a Candidate Information Sheet to the Board Secretary no later than Thursday, March 10th at 5:00 pm.
- Any completed Candidate Information Sheet would be public.
- At the March 17, 2022 Board meeting, the Board could then consider making an appointment of someone who submitted a Candidate Information Sheet.

If the Board receives multiple Candidate Information Sheets, the Board can invite the candidates to the March 17th meeting, ask the candidates questions in open session. After asking questions and meeting with the candidates, the President will open the item for a motion to appoint to the vacant position.

- A Board member may make a motion to appoint one of the members of the public who has submitted a letter of interest or other member of the public who meets the eligibility criteria.
- If there is a second to the motion, followed by an affirmative vote of at least three Board members, the motion carries, and the appointee will be sworn in at that time.
- If there is a motion and a second and the potential appointee fails to receive at least three affirmative votes, the motion fails.
- A Board member may then move to appoint a different appointee and go through the same process.

I have attached the Notice of Vacancy, and Candidate Information Sheet for your consideration. HPUD staff will ensure that this notice gets posted at the HPUD office, Rec Center, Post Office, Kennedy's Market, I. V. Press and Calexico Chronical. We will have the notice posted by the 18th.

CONCLUSION:

As Director Cardenas resigned from the Heber Public Utility District Board effective February 8, 2022, and the term is set to expire at the end of 2022, and there is not sufficient time to meet the June primary election dates; staff recommends the following:

Accept the resignation of Director Cardenas and begin the process to solicit interest and completed Candidate Information Sheets prior to the March 17th meeting when the Board will appoint a member of the public to fill the vacant position. This appointment will expire in December 2022.

Respectfully Submitted,

Laura Fischer,
General Manager

Attachments: Cardenas Letter of Resignation
Government Code 1780
Notice of Vacant Elected Position
Candidate Information Sheet

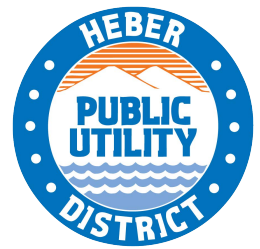
Heber Public Utility District

1078 Dogwood Rd., Suite 103

Heber, CA 92249

(760)482-2440

www.heber.ca.gov



PUBLIC NOTICE OF VACANCY

Interested persons are hereby notified that pursuant to Government Code 1780 (b) there is a vacancy effective February 8, 2022 on the:

Heber Public Utility District

Board of Directors

Pursuant to Government Code 1780 (b), the Board of Directors of the Heber Public Utility District intends to appoint a qualified person to the Board for this vacancy.

The appointment will fill a shortened term ending December 2022.

The seat will go to election in November 2022 for a full four- year term.

The current members of the Board of Directors will interview applicants in open session at a meeting on March 17, 2022.

Applications are available at the Heber Public Utility District Office located at:

1078 Dogwood Road, Suite 103

760-482-2440

and online

www.heber.ca.gov

Applicants must meet the following requirements:

Any person, regardless of sex, who is 18 years of age or older, a citizen of the state, resides within the Heber Public Utility District boundaries, a registered voter, and who is not disqualified by the Constitution or laws of the state from holding a civil office, is eligible to be elected or appointed a member of a governing board without further qualifications.

Applications are due by: March 10, 2022 to the Board Secretary by 5:00 p.m.

110 School Rd; P.O. Box 650, Miranda, California 95553

Telephone: (707) 943-1789 Fax: (707) 943-1921

<http://sohumusd.com>

"Intelligence plus character - that is the goal of true education." - Martin Luther King Jr.

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1078 Dogwood Road, Suite 103
Heber, CA 92249
(760) 482-2440 Office Phone
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CANDIDATE INFORMATION SHEET

Heber Public Utility District

Please fill out and return by 5:00 pm on March 10, 2022 to 1078 Dogwood Road, Suite 103, Heber, CA 92249. You may also email to Raquel Carrillo Board Secretary at: rrcarrillo@heber.ca.gov.

Date: _____

(Last Name) (First Name) (Initial)

Mailing Address: _____ Phone: _____

Home Address: _____ Phone: _____

E-mail: _____

Occupation and Employer: _____

No. of Years Residing in District: _____

Are you a registered voter? Yes _____ No _____

If yes, what address? _____

1. Do you have prior experience serving on a governing board?

Please list such prior experience.

2. Have you attended any of the HPUD Board meetings or community events? Please list them.

3. Describe any other community or business activities in which you have participated. describe your role, and whether your work was volunteer or employment-related

4. Why do you want to be a HPUD Board member?

