

HEBER PUBLIC UTILITY DISTRICT

REPORT TO THE BOARD OF DIRECTORS

MEETING DATE: January 15, 2026

FROM: Madeline Dessert, General Manager

SUBJECT: Appoint a Member of the Public to Serve on the Heber Public utility District Board of Directors to Serve the Unexpired Term Ending December 2026

BACKGROUND

After reviewing the applications, the Board can take action to select a candidate to fill the unexpired term of the vacant board seat ending December 2026.

The following candidates have completed the Candidate Information sheets within the timeline requested. I have called each candidate to request that they attend the Regular meeting of January 15, 2026. The item is on the agenda as follows:

Qualified candidates who have submitted a Candidate Information Sheet by the deadline of January 15, 2026 will be given three (3) minutes to introduce themselves and present their qualifications to the Board. In alphabetical order:

1. Curry, Sarah J.
2. Figueroa, Samuel E.
3. Godinez, Anthony
4. Silva, Richard B.

The Board President will call for Nominations to fill the vacant Board seat. Upon a majority vote by the Board an appointment will be made.

The newly appointed Board Member will be sworn in and to sign appropriate documents on the Regular meeting of February 19, 2026. The newly appointed Board Member will begin their service at the February 19, 2026 Board of Directors meeting.

ALTERNATIVES

1. Do not select a member of the public to serve the unexpired term of the vacant seat on the HPUD board. Should the Board postpone this decision, and the timeline expires, this will result in the candidate being brought before the County Board of Supervisors who will appoint.
2. Request a Special Meeting to address the appointment which will allow the Board of Directors to appoint a candidate and meet the legal timeline to do so.
3. Provide alternative direction to staff.

Respectfully Submitted,
Madeline Dessert

General Manager


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GOVERNMENT CODE - GOV

TITLE 1. GENERAL [100 - 7931.000] (*Title 1 enacted by Stats. 1943, Ch. 134.*)

DIVISION 4. PUBLIC OFFICERS AND EMPLOYEES [1000 - 3599.84] (*Division 4 enacted by Stats. 1943, Ch. 134.*)

CHAPTER 4. Resignations and Vacancies [1750 - 1782] (*Chapter 4 enacted by Stats. 1943, Ch. 134.*)

ARTICLE 2. Vacancies [1770 - 1782] (*Article 2 added by Stats. 1943, Ch. 134.*)

1780. (a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled pursuant to this section.

(b) The district shall notify the county elections official of the vacancy no later than 15 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later.

(c) The remaining members of the district board may fill the vacancy either by appointment pursuant to subdivision (d) or by calling an election pursuant to subdivision (e).

(d) (1) The remaining members of the district board shall make the appointment pursuant to this subdivision within 60 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall 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. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(e) (1) In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(f) (1) If the vacancy is not filled by the district board by appointment, or if the district board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, then the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held, may appoint a person to fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, or the city council or board of supervisors may order the district to call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the city council or board of supervisors calls the election.

(g) (1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the district board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, then the district board shall call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(h) (1) Notwithstanding any other provision of this section, if the number of remaining members of the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy, or may call an election to fill the vacancy.

(2) The board of supervisors or the city council shall only fill enough vacancies by appointment or by election to provide the district board with a quorum.

(3) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold the office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(4) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(5) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election.

(Amended by Stats. 2007, Ch. 343, Sec. 4. Effective January 1, 2008.)