

**MORONGO VALLEY COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS**  
11207 Ocotillo Street  
Morongo Valley, CA 92256

**REGULAR BOARD MEETING MINUTES**

Phone Conference via "Zoom"

**Call:** 1 (669) 900-6833   **Meeting ID:** 5069667982   **Password:** 629875

In an effort to keep all public input/questions organized and to ensure that each person's input/question is heard, please use this Google form to ask a question or provide input. [Gov. Code Section 54954.2(a)(2)] for Public Comments on Agenda Items and Public Comments on Non-Agenda Items use the following link.

<https://docs.google.com/forms/d/e/1FAIpQLSd3NSqx96p7XhFGvmiGTh6m5kCAGuGOSMQWWzrTquOQpjAgg/viewform?ts=5ebc5e59>

The questions and comments will be read aloud during the July 15, 2020 MVCSD Zoom board meeting. Public input/questions will be conducted through this written Google Form method in alignment with the Order of the Health Officer of the County of San Bernardino for the Control of COVID-19 dated April 23, 2020 and still in effect. More information on how to join a Zoom Meeting or access Public Comments is on our website.

<https://morongocsd.specialdistrict.org/>

6:00 p.m. Regular Business

**July 15, 2020**

The Morongo Valley Community Services District complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call (760) 363-6454.

Materials related to any items on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection during normal business hours at the CSD Main Office, 11207 Ocotillo Street, Morongo Valley, CA 92256.

Government Code Section 54954.2 (a)(3) [Brown Act] – States that, "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda".

**A. CALL TO ORDER**

**The Regular Board Meeting of July 15, 2020 was called to order at 5:59 PM.**

**B. ROLL CALL**

1. Gayl Swarat, President **X**
2. Kristina Brook, VicePresident **X**
3. Matthew Campos, Director **X**
4. Laurie Klimowicz, Director **X**
5. Johnny Tolbert, Director **X**

**C. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was led by President Swarat.**

#### D. APPROVAL OF THE AGENDA

The Board generally considers items in the order listed on the agenda. However, items may be considered in any order as established by the direction of the Board. Under certain circumstances, new agenda items may be added by a two-thirds vote of the Board. [Gov. Code Sec. 54954.2(b)(2)]

1. Agenda for the Regular Board Meeting of July 15, 2020

**President Swarat added an Action Item under the Director of Operations Ad Hoc Committee to review and approve the Director of Operations Job Description and Employment agreement. Item H2 was added as a complaint on a Board Member.**

**MOTION:** Director Brook motioned to approve the Amended Regular Board Meeting Agenda of July 15, 2020.

**SECOND:** Director Klimowicz Seconds.

**RESULT:** Motion passed with a 5-0 Vote.

#### E. AGENCY REPORTS

1. Sheriff's Report – San Bernardino County Sheriff's Representative  
**The Sheriff was not in attendance.**

2. Director of Operation's Report – Gerald Yearsley  
**Director of Operations Yearsley spoke about the monthly calls and run reports. He also spoke about the Morongo Valley CSD and Fire Department's insurance stating the there was a 2% increase.**

**MOTION:** Director Brook motioned to approve the Director of Operations Report.

**SECOND:** Director Tolbert Seconds.

**RESULT:** Motion passed with a 5-0 Vote.

3. Risk Management and Public Relations Ad Hoc Committee Report – Directors Klimowicz and Brook  
**President Swarat stated that she created signs that will be posted around the Fire Station stating that due to COVID-19 there are to be no visitors. She mentioned to the public that COVID is very real and everyone should take it seriously. Director Brook mentioned that maybe President Swarat should add the Public Health Laws to the signs.**

4. Director of Operations Ad Hoc Committee – President Swarat and Director Brook  
**Director Brook read the Director of Operations Job Description explaining were she added in Chief Brakebill and the Attorney's advice. Director Brook moves to approve the Director of Operations Job Description. Director Tolbert stated that it is illegal for the Board of Directors to be apart of CSD operations and the description needed to be rewritten. Director Campos stated that he encourages everyone to vote, having only one position is not a proper chain of command as well as it is a lot of work for one person. Having one position has not saved any money with the issues that have risen because of it. He stated that we do not need a full time General Manager. He believes that this a part time General Manager would be appropriate.**

**MOTION:** Director Tolbert motioned to accept the Director of Operations Job Description with the removal of the first sentence in paragraph two and the removal of "taking minutes that are also recorded at the meetings" from item thirty-four.

**SECOND:** Director Campos seconds.

**ROLE CALL:** President Swarat **NAY**, Vice President Brook **NAY**, Director Campos **AYE**, Director Klimowicz **NAY**, Director Tolbert **AYE**.

**RESULT:** Motion does not pass with a 2-3 vote.

**MOTION:** Director Brook motioned to accept the Director of Operations Job Description with the removal of the first sentence in paragraph two.

**SECOND:** Director Klimowicz seconds.

**ROLE CALL:** President Swarat **AYE**, Vice President Brook **AYE**, Director Campos **NAY**, Director Klimowicz **AYE**, Director Tolbert **NAY**.

**RESULT:** Motion passed with a 3-2 vote.

After some discussion about the Director of Operations Employment Agreement. It was agreed to strike "\$37.50 per hour" under 2.A, and to add a half hour lunch under 2.B so it reads "Employee is a salary position who is expected to work Monday – Thursday from 8:00 AM – 6:30 PM (10 ½ hours per days 4 days per week = 40 hours)." It was agreed to change "expense account" to petty cash.

**MOTION:** Director Brook motioned to approve the amended Director or Operations Agreement.

**SECOND:** President Swarat Seconds.

**ROLE CALL:** President Swarat **AYE**, Vice President Brook **AYE**, Director Campos **NAY**, Director Klimowicz **AYE**, Director Tolbert **NAY**.

**RESULT:** Motion passed with a 3-2 vote.

5. Fire Apparatus Driving Parameters Ad Hoc Committee - Directors Brook and Tolbert  
**Director Tolbert Questioned if the Brush Patrol and the Brush Engine were running. Director of Operations Yearsley reported that the Brush Patrol needs body work and the Medic Engine needs it's AC fixed other than that they both need routine maintenance.**
6. Morongo Valley Community Services District and Fire Department Funding Ad Hoc Committee – President Swarat and Director Campos  
**There was nothing to report at this time.**
7. Morongo Valley Sport's League – Carl 'Buddy' Stogner  
**Buddy reported that there is not going to be any sports for the rest of the year. However, depending on how things are going with the pandemic he may try to have a winter softball team.**

## F. CONSENT CALENDAR

Items on the consent calendar are routine matters or formal documents covering previous District Board instruction. Items may be acted on by one motion of the Board unless a Board Member requests a separate discussion and/or action on an item.

1. Minutes of the Special Board Meeting of June 23, 2020  
**MOTION:** Director Brook motioned to approve the Minutes of the Special Board Meeting of June 23, 2020 with no changes.  
**SECOND:** Director Klimowicz Seconds.  
**RESULT:** Motion passed with a 5-0 vote.
2. Minutes of the Adjourned Regular Board Meeting of June 24, 2020  
**MOTION:** Director Klimowicz motioned to approve the Adjourned Regular Board Meeting of June 24, 2020 with no changes.  
**SECOND:** Director Campos Seconds.  
**RESULT:** Motion passed with a 5-0 vote.
3. Cash/Checks Disbursements & Credit Card Purchases for June - \$157,874.58  
**MOTION:** Director Brook motioned to approve the Cash/Checks Disbursements & Credit Card Purchases for June.  
**SECOND:** Director Klimowicz Seconds.  
**RESULT:** Motion passed with a 5-0 Vote.

## G. CONTINUED BUSINESS

### 1. 2020 – 2021 Fiscal Year Proposed Budget

During the June 23, 2020 Special Board Meeting the Board of Directors created another option for the 2020 – 2021 Budget. A committee consisting of Director of Operations Yearsley, Director Campos, Ms. Miller and Don Krouse created an additional Budget option. Director Tolbert spoke about concerns regarding not saving money with only one position for the General Manager and Fire Chief. Director Campos stated that Budget number five could be amended to remove one engineer and use our captain as an engineer. This would allow for more money to be put towards a part time General

Manager which is what the community tends to be leaning more towards. Director Brook moved for acceptance of Budget number four.

**MOTION:** Director Brook motioned to accept budget number four for fiscal year 2020 – 2021.

**SECOND:** President Swarat Seconds.

**ROLE CALL:** President Swarat **AYE**, Vice President Brook **AYE**, Director Campos **NAY**, Director Klimowicz **AYE**, Director Tolbert **NAY**.

**RESULT:** Motion passed with a 3-2 vote.

## **2. Park Closure Information**

The Morongo Valley Community Services District is abiding by San Bernardino County Orders as well as have passed their own Resolution closing the Covington Park completely. During the Regular Board Meeting of May 20, 2020, the Morongo Valley Community Services District agreed to discuss opening Covington Park each Regular Board Meeting until it was safe to reopen. Director of Operations Yearsley stated that the CDC is suggesting that community centers and parks remain closed to help reduce the spread of COVID-19. He suggested that the Board of Directors discuss this matter every 90 days rather than each month unless there is a significant change that would allow for Covington Park to reopen. It was agreed upon by the Board of Directors that they would revisit this item during the Regular Board Meeting in October.

## **3. District Observed Holidays**

Director of Operations Yearsley stated that there was an employee who would rather keep Cesar Chavez Day as an approved Holiday.

**MOTION:** Director Brook motioned to approve adding Cesar Chavez Day to the list of approved Holidays.

**SECOND:** Director Klimowicz Seconds.

**RESULT:** Motion passed with a 5-0 vote.

## **H. NEW BUSINESS**

### **1. Cal Chambers Preferred Membership**

Director of Operations spoke about Cal Chambers explaining that they are an HR expert and business advocate who run a Labor Law Helpline. After some discussion among the Board of Directors it was agreed that Cal Chambers preferred membership would not be ideal for the Morongo Valley CSD.

### **2. Complaint on a Board Member**

President Swarat stated that one of the CSD employees was being harassed and stalked by Johnny Tolbert. She stated that this employee has been with the company for 14 years and he is afraid to come forward. Director Tolbert attempted to explain that he had not spoken to Mr. Gonzales in some time. President Swarat stated that since Director Tolbert would not stop speaking, she was having Chief Brakebill remove Director Tolbert from the Zoom meeting. Chief Brakebill removed Director Tolbert from the Zoom meeting. President Swarat stated that Board Members are not allowed to speak to CSD employees. Board Members are supposed to bring all issues to the Director of Operations. She stated that Director Tolbert was harassing this employee over 4<sup>th</sup> of July weekend. A community member then stated that they needed to allow Mr. Tolbert back into the meeting before the conversation continued. Director Campos stated that he had issues with President Swarat making accusations about Director Tolbert without him being allowed into the meeting. He continued with Director Tolbert should be allowed to rebut and defend himself. Director Campos stated that the Board Members have been asked to drive by the park to keep an eye on how things were going, so you cannot make any accusations about someone driving by, this is how they found out about vandalism and other issues. President Swarat stated she would allow Director Tolbert into the meeting after she spoke about her side. She then allowed Director Tolbert back into the meeting. Director Tolbert stated that he does not

Speak to Heleodoro unless he is across the street at his neighbor's house. He also stated that he has not spoken to him in quite a while. He asked who told such lies. President Swarat stated that he will never know who told her and now he is aware of this issue.

**I. CLOSED SESSION MEETING**

**1. Conference Regarding Labor Negotiators**

(Government Code Section 54957.6)

District Designated Representative: Gerald Yearsley, Fire Chief

Employee Organization: Morongo Valley Professional Firefighters, IAFF Local 5028

**The Board of Directors went into closed session at 7:30 PM.**

**J. REPORT OUT ON CLOSED SESSION MEETING**

**1. Report out on Conference regarding Labor Negotiations**

**President Swarat reported that all five Board Members agreed on the MOU. They voted to accept it and are ready to sign.**

Alison Ni- stated that she would love for there to be a community committee. She feels that there is a disconnect between the Board of Directors and the Public. The Board does not properly engage with the public. President Swarat stated that she believes this would be a great idea and it should be added to the next regular board meetings agenda.

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*END OF ADMINISTRATIVE ITEMS*

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**K. INDIVIDUAL DIRECTOR REPORTS**

1. President Swarat – Advised everyone to please take COVID seriously. Masks are government mandated and everyone should be wearing them.
2. Vice President Brook – Thanked Mr. Yearsley for posting his certifications on the website. She also really likes Alison's idea of a community committee. She asked that the public stop with the cyber bullying and stated that she will take legal action if it does not stop.
3. Director Klimowicz – Stated that she believes they got a lot accomplished and would love to see a community committee. God Bless everyone.
4. Director Tolbert – He thanked the fire staff and office staff he appreciates how hard everyone has been working.
5. Director Campos – Thanked both sides of the house who work so hard to keep this going. Emotions are high because of everything going on; however, he is very proud with how things are going. He thanked all the citizens for attending the meeting.

MORONGO VALLEY COMMUNITY SERVICES DISTRICT

**L. ANNOUNCEMENTS**

1. Next Regular Board Meeting: August 19, 2020

**M. ADJOURNMENT**

Move: Director Campos Second: Director Klimowicz Vote 5/0

I certify under penalty of perjury under California State Law that the foregoing agenda for the Morongo Valley CSD Board of Directors meeting was posted in the District Office Bulletin Board, the Covington Park Bulletin Board, and the Morongo Valley Café window not less than 72 hours prior to the meeting.