

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

REGULAR BOARD MEETING MINUTES

Video Conference via "Zoom"

Information on how to join a Zoom meeting is on our website
(morongocsd.specialdistrict.org)

6:00 p.m. Regular Business

March 18, 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 March 18, 2020 was called to order at 5:59 PM.

B. ROLL CALL

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

All Directors were present via Electronic Zoom Meeting.

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 February 18, 2020

President Swarat stated there needed to be a change to item "G.5.2." from Duty Officer Compensation to Duty Officer Compensation and Duty Worked. Administrative Assistant, Sydney Anderson, also mentioned that there needed to be an emergency add on to the agenda. A declaration of Local Emergency; Resolution Number 2020-01 was added to the Agenda under item G.9

There was also a mistake on the agenda under item H.1. The approval of the minutes stated the wrong meeting date. This needed to be changed to approval of the minutes for the Regular Board Meeting of February 18, 2020.

E. PUBLIC COMMENTS ON AGENDA ITEMS

The Board of Directors now takes time to consider your comments on items which are on the agenda. The President will recognize you at the appropriate time in order to assist in the orderly and timely conduct of the meeting. When called upon to speak, please state your name and residence. Comments will be limited to three (3) minutes or less. If you wish to comment on an agenda item or non-agenda items during Public Comment, fill out a Request to Speak form and give it to the General Manager. There will also be a one (1) minute Public Comment period before each agenda item.

There were no public comments at this time.

F. PUBLIC COMMENTS ON NON-AGENDA ITEMS

The Board takes time to consider public comments on items of concern not on the agenda. When you are called to speak, please limit your comments to three (3) minutes or less. The Board is prohibited by law from taking action or entering into active discussion or deliberation on items not listed on the agenda. [Gov. Code Section 54954.2(a)(2)]

There were no public comments at this time.

G. AGENCY REPORTS

1. Sheriff's Report – San Bernardino County Sheriff's Representative

Sergeant Smoot was not in attendance.

2. Smith Marion & Co. Financial Statements and Independent Auditors' Report for the Fiscal Year Ended June 30, 2019 – Smith and Marion Co. Representative Kendra Dockham

Representative Kendra Dockham was not in attendance.

3. Director of Operation's Report – Gerald Yearsley

Director of Operations Yearsley reminded the Board of Directors that the 700 Forms were due to the office by March 19, 2020. He also reminded the public that there was still time for nominations for the Chuck Osborne Award. Director of Operations Yearsley reported that the Morongo Valley Community Services District was not awarded the Park Grant. He reported the fire calls and discussed the training logs.

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

SECOND: Director Tolbert Seconds.

RESULT: Motion to pass with a 5-0 Vote.

4. Risk Management and Public Relations Ad Hoc Committee Report – Directors Klimowicz and Brook

There was nothing to report at this time.

5. Director of Operations Ad Hoc Committee – President Swarat and Director Brook

1. Public Workshop on How to Conduct an Evaluation

It was stated that during the Regular Board Meeting of February 18, 2020 the Board of Directors approved changing to open Public Workshop on how to conduct an evaluation to March 9, 2020. This date could not be kept. Director Brook stated she would send Administrative Assistant, Sydney Anderson the Director of Operations job description and contract to be forwarded to the Board of Directors. After some discussion among the Board of Directors, Chief Yearsley and Chief Brakebill, it was agreed to hold the Public Workshop on March 25, 2020 at 6:00 PM online via Zoom.

2. Duty Officer Compensation and Duty Worked

President Swarat stated that it is recommended that the Board of Directors discuss both the current/back pay of Duty Officer Compensation as well as duty hours worked. Director Tolbert expressed his concerns regarding this stating that, the District has never had Duty Officer pay and they don't have a Duty Officer who runs 24 hours. It was stated by President Swarat that the Director of Operations, Gerald Yearsley, does not currently have a contract. Director Brook walked the Board of Directors through the handout the AD HOC Committee created. Director Tolbert stated that he would like to see the Director of Operations Contract mentioned in the handout. Directors of Operations Yearsley stated that he had a verbal contract with the previous General Manager, Roxanne Brazell, in which he would work four ten-hour days. Director Brook stated that Chief Yearsley was being compensated for ten hours a day, he needed to be compensated for the remaining fourteen in which he was the Duty Officer for the past two-and-a-half-year period. Director Tolbert expressed the concern for this payout stating that Director of Operations Yearsley received a bonus last year during strike team season. Director Brook stated that Director of Operations, Gerald Yearsley, was providing a Duty Officer and would like to be compensated for it as well as the previous days he works as the Duty Officer. She stated that some days he was acting Duty Officer may have been reimbursed last year with his bonus and the Ad Hoc Committee would take that into consideration. Director Brook stated that if the Director of Operations, Gerald Yearsley, were to receive the full amount owed, it would be \$249,800. Director Brook urged that the Board of Directors come to an agreement with the Director of Operations. If an agreement is reached, Gerald Yearsley would hold the district harmless in perpetuity and settle all labor connected disputes. If this agreement is not reached, he could seek legal remedies for the full amount owed to him. Director of Operations Yearsley agreed to a compensation of 33% resulting in the amount of \$82,425. Director Tolbert stated that he does not agree with the numbers. Director Campos stated that Chief Yearsley was brought on to secure appropriate personnel for the Duty officer positions, why was this never completed? Director Brook stated Chief Yearsley attempted to do searches, but no qualified candidate was available and there is no money in the budget. Director Campos asked, in years past we've had captains and other members be Duty Officers, why was this not utilized? Director of Operations Yearsley stated that this was not true and the Board got rid of everyone who could perform the Duty Officer jobs. Director Tolbert stated that previous Engineers acted as Duty Officers. He questioned that if Director of Operations was spending 24 hours a day being the Fire Chief when was he acting as the General Manager, how did he earn the \$24,000? Director Brook stated that he did it during the time he was here. He was providing General Manager services Monday through Thursday and Duty Coverage Friday through Sunday. Director Tolbert stated that he disagreed. It was stated they would discuss future compensation during the next budget. Director Campos stated that he insists there be an appropriate contract to prevent this from happening again. A member of the community was concerned that Chief Yearsley did not have the appropriate qualifications. Director Brook stated that this will be put on the agenda for next month.

MOTION: President Swarat motioned to compensate Mr. Yearsley the \$82,425 for the duty coverage he has provided and up to June.

SECOND: Director Klimowicz Seconds

ROLL CALL: President Swarat Aye, Director Brook Aye, Director Campos Aye, Director Klimowicz Aye, Director Tolbert Nay.

RESULT: Motion to pass with a 4-1 Vote.

6. Fire Apparatus Driving Parameters Ad Hoc Committee -Directors Brook and Tolbert
Director of Operations Gerald Yearsley gave a brief report stating that the Brush Patrol was currently out of service. There was nothing further to report.

7. Morongo Valley Community Services District and Fire Department Funding Ad Hoc Committee – President Swarat and Director Campos
President Swarat stated that the Morongo Valley Fire Department is expecting more calls with COVID-19, also, there will be more protocols in place due to COVID-19.

8. Morongo Valley Sport’s League – Carl “Buddy” Stogner
Mr. Stogner stated that due to COVID-19 Pandemic, the circus he previously arranged will be postponed. He also postponed the Easter Egg Hunt and Softball season until further notice. It was discussed that the Board will bring back how much the carnival would have to pay to utilize our land at a future Regular Board Meeting.

9. State of Local Emergency Resolution
Administrative Assistant Sydney Anderson read Resolution NO. 2020-01 declaring a State of Local Emergency for the Morongo Valley Community Service District and Fire Department and the Morongo Valley Covington Park. This resolution closed down the Park Grounds and Covington Park Building until further notice due to the COVID-19 Pandemic. However, the CSD office is still open. EMS Coordinator/Captain Gorter spoke on this stating that due to COVID-19 the Morongo Valley Fire Department will be following strict protocol to ensure the safety of the fire personnel and community. All fire personnel will be in full PPE’s (Personal Protective Equipment) for any dispatched call. He stated that the Fire Department will be closed to all visitors including any field trips, ride-alongs, family visits, etc.

H. CONSENT CALENDAR

Items on the consent calendar are considered to be 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 Regular Board Meeting of **February 18, 2020**
Director Klimowicz stated there were a few errors. These errors have been fixed and a copy of the corrected minutes can be found on the Morongo Valley CSD website.

MOTION: Director Tolbert motioned to approve the Regular Board Meeting Minutes of January 21, 2020 with the errors corrected.

SECOND: Director Brook Seconds.

RESULT: Motion to pass with a 5-0 Vote.

2. Cash/Checks Disbursements & Credit Card Purchases - \$67,865.16
The Board of Directors discussed the Cash/Check Disbursements and Credit Card Purchases for the month of February.

MOTION: Director Tolbert motioned to approve the Cash/Checks Disbursements and Credit card Purchases for the month of February.

SECOND: Director Brook Seconds.

RESULT: Motion to pass with a 5-0 Vote.

I. CLOSED SESSION MEETING

Conference regarding Labor Negotiators
(Government Code Section 54957.6)

District Designated Representative: Gary Yearsley, Fire Chief

Employee Organization: Morongo Valley Professional Firefighters, IAFF Local 5028

1. Adopt and Sign 2015 MOU
2. Review negotiations

The Board of Directors went into Closed Session at 7:34 PM.

Report out on Closed Session Meeting

The Board of Directors returned from Closed Session at 7:52 PM. President Swarat stated the MOU from 2015 has been review and has been accepted as the absolute copy and will be used as the bare copy. The Board of Directors are going to review and look over the negotiations and it will be discussed with the Union at the next Regular Board Meeting.

A resident of Morongo Valley, Charlie Patterson, stated that the community had an informal meeting while the Board of Directors were in Closed Session, the community is concerned that the best of the community is not being looked out for.

-----END OF ADMINISTRATIVE ITEMS-----

J. INDIVIDUAL DIRECTOR REPORTS

President Swarat- Thanked Brittany and Sydney for making this Board Meeting successful.

Vice President Brook- She misses all the students at the school and hopes they are doing well and keeping up with their education.

Director Klimowicz- Thanked everyone in the community for coming.

Director Tolbert- Thanked the Chief for writing the COVID-19 Resolution.

Director Campos- Gave out his thoughts and prayers to the Fire Department for putting their safety out to help our community. He stated to the community to take care of themselves.

Morongo Valley Community Services District

K. ANNOUNCEMENTS

1. Next Regular Board Meeting: April 15, 2020

L. ADJOURNMENT

The Regular Board Meeting of March 18, 2020 was adjourned at 8:09 PM.