

**MORONGO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS**

11207 OCOTILLO STREET. MORONGO VALLEY, CA 92256

**REGULAR BOARD MEETING MINUTES**

6:00 p.m. Regular Business

**January 18, 2023**

Covington Park – MPR

11165 Vale Drive

Morongo Valley, CA 92256

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

*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.*

**A. CALL TO ORDER**

The Regular Board Meeting of January 18, 2023, was called to order at 6:00 PM.

**B. ROLL CALL**

1. Jennifer Henning, President – Present
2. James Ronald Whitney, Vice President – Present
3. Jonny Tolbert, Director – Present
4. Christina Gorke, Director – Present
5. Michael Emory, Director – Present

**C. PLEDGE OF ALLEGIANCE**

Director Gorke leads.

**D. PUBLIC COMMENTS**

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 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 the form on our website, or raise your hand. There will also be a one (1) minute Public Comment period before each agenda item.

No Public Comment

**E. 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 January 18, 2023.

Concerns were expressed by Director Tolbert on items H-9 and public employee performance evaluation in closed session.

**MOTION:** President Henning Motioned to approve the agenda of the Regular Board Meeting of January 18, 2023, with proper formatting amendments made.

**SECOND:** Director Gorke.

**ROLE CALL:** Director Gorke – Aye, Director Whitney - Aye, President Henning – Aye, Director Tolbert – Nay, Director Emory – Aye.

**RESULT:** Motion passes 4/1 vote.

## **F. AGENCY REPORTS**

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

Sheriff Scalise reported that thanks to the Morongo Valley Fire Department we had a search and rescue about three weeks ago for Mr. Otto. We started a large-scale search and within 6 hours we had 40 volunteers throughout the county including as far as Chino Hills and our west-end stations. We had our Sheriff's aircraft and California Highway Patrol's helicopter overhead for several hours. Great group effort with the Fire Department, thank you for welcoming us into your station. We had a great ending. Mr. Otto was found and was flown to the Desert Regional Medical Center where he is currently receiving treatment. Great corporative efforts between the departments. Operation Dust Devil is currently in its fifth week. During week four they spent a large amount of time in the Morongo Basin. Just during that one week 615 citizen contacts and a dozen citations were written, and several vehicles were towed for various violations. As of the end of week four, we are out of the area, but it is continuing the area rotates weekly. Scheduled to be back within the next week or two. We had a call for a missing person, Mr. Edge, a few weeks ago he was found after a lengthy search with minor injuries. Community awareness statewide there is a rash of catalytic converter thefts, we have had 2 incidents where the homeowner ran into armed suspects stealing their catalytic converters. Be vigilant and know your neighbor.

### **2. General Manager / Fire Chief Report – James Brakebill**

For the kitchen update, Captain Ryan McEachen reported he has a hood inspection scheduled for next Wednesday they are going to deep clean the hood and get it certified, and get it up to date that is part of the paperwork that needs to be turned into the county as this becoming a food host facility

with catering options. I forgot that there is a fly fan above the door, so I am not going to need to purchase a new one. But I did turn it on and verify that it works. I do believe there is a method for triggering it to turn on, but that feature is usually tied to the door which currently is not. The back door does need to be replaced so I'm working on a quote this week to get it replaced. We will probably do it as an in-house project just cut out the door and put in a pre-hung door from Home Depot. Part of the paperwork I'm turning in next week once I get the hood inspection done involves a scale drawing of the kitchen which I have one of the entire property but I need something a bit more detailed about the kitchen that also lists out the items in the kitchen so I need to research a contractor or a designer that can draft that up. I'm still working on trying to get ahold of the fire department auxiliary to move the stuff out of the kitchen. The goal is to get it from there over into that building sometime between now and next week. I've got a list of items back at the firehouse that I know I need to purchase like some shelving. Still playing phone tag with the Ecolab guy to work the soap dispenser system that goes above the three-compartment sink. I've reached out to Mr. Stogner to help us with a couple of outlets that need to be switched out. Chief Brakebill stated that he was not here for the Christmas event, but he thanked Buddy for hosting it because as I go throughout the town, I still get people as of this morning who say what a great time they had. I talked to my contact on the Marine Corps base to see if we can get the toys for tots. All the full-time staff performance evaluations have been signed and put in their files. I do want to comment that in all my 45 years this search and rescue was the best I've ever seen with agencies working together and coordinating everything, I'm in the process of writing a letter to your captain to let him know how professional everyone was working together and it was just awesome to see multiple agencies coming together. Calls for service we had a total of 69 calls this month. 3 calls for fires, 54 were for rescue and emergency medical service, 1 call for hazardous materials, 10 were service calls and good intent and 1 was a false alarm.

**3. Cash / Check Disbursements & Credit Card Purchases for December – Director Tolbert**

Director Tolbert reported for the month of December the CSD spent a total of \$107,659.97. That is \$26,489.67 less than the previous month. Bills outside of our normal monthly bills were \$8,097.97 to Fire App Solutions (engine repairs), \$2,500.00 Lexipol (grant writing), \$1,431.99 H&S Mobile Fire (annual inspection), \$1,278.29 West Coast Fire Sales, \$490.00 Hi-Desert Air (new gas valve), \$434.99 Parker Lumber (chainsaw parts), \$60.00 Englander Investigations, for a total of \$14,293.24 meaning

our normal monthly bills were \$93,366.73. That is a little higher than usual, and the reason for that is we had 3 pay periods last month. Instead of 2 like in most months. As of December 31<sup>st</sup>, we had \$623,646.89 in reserves. Currently, we use 6 accounts to hold our reserves. As of December 31<sup>st</sup>, we had \$ 410,891.35 in our bank account. Only one account draws interest, which would be our Money Market account.

#### **G. 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 Regular Board Meeting of December 21, 2022.

After some discussion, it was decided that the meeting minutes of December 21, 2022, be corrected and brought back for approval at the next Regular Board Meeting on February 15, 2023.

#### **H. NEW BUSINESS**

1. RESOLUTION 23-01 AB 361 RECERTIFICATION

The Board of Directors discussed and approved Resolution 23-01 recertifying remote board meetings under AB 361.

**MOTION:** President Henning motioned to approve Resolution 23-01 AB 361 recertification.

**SECOND:** Director Gorke.

**RESULT:** Motion passes 5/0 vote.

2. MID-YEAR BUDGET REVIEW

Director Tolbert presented the Mid-Year Budget stating that the MVCSD is currently operating \$229,000 over the six-month budget. There were a lot of expenditures that we are making up for in the last few years including deferred maintenance, and things that were left to expire that were unfortunately not brought to the board. SCBAs and fire turnouts have a shelf life, unfortunately, we had some of those that needed to be replaced. After further discussion, the Board of Directors decided to table this item for the next board meeting.

3. MVCSD DRIVER SAFETY POLICY

Chief Brakebill presented the Board of Directors with the Mongo Valley Community Services District Driver Safety Policy after some discussion the Board of Directors approved and voted to implement this policy.

**MOTION:** Director Emory motioned to approve the driver safety policy.

**SECOND:** Director Gorke.

**RESULT:** Motion passes 5/0 vote.

4. FIRE CHIEF / GENERAL MANAGER PRESENTATION AND DISCUSSION REGARDING RECOMMENDED CSD PRIORITY ACTION ITEMS

Chief Brakebill presented the Board of Directors with the top ten priorities for the MVCSD during 2023. After learning that the MVCSD phones and voicemail have not been working, connecting our voicemail to google voice was suggested. The board asked to make a promise to have the phones fixed by the end of day on January 19, 2023. The Board of Directors discussed and decided to have Chief Brakebill audit the list and have it prioritized with what needs to be done immediately. It was mentioned to discuss at the next board meeting to change the CSD powers.

5. FIRE CHIEF/GENERAL MANAGER PRESENTATION FOR ON-CALL GRANT SUBMISSION AND PROJECT MANAGEMENT SERVICES; DISCUSS DEVELOPING A REQUEST FOR PROPOSALS

Currently, we are using Lexipol which specializes in fire grants. This time we're applying for the AFG which is the assistance to firefighter grant. We are attempting to get a new self-contained breathing apparatus. This grant will reimburse us \$1500 of the grant writing cost if we are rewarded with it. It was further discussed to have Chief Brakebill bring his top 3 favorite grant writing firms along with Lexipol and present it to the board at the next board meeting.

**MOTION:** Vice President Whitney motioned to develop RFP to solicit grant-writing firms for CSD-related matters.

**SECOND:** Director Emory.

**RESULT:** WITHDRAWN.

6. SELECT STUDY SESSION DATES AND AGENDA TOPICS

President Henning has stated that it would be wise to have a study session which would be a special meeting open to the public to address goals and outcomes. After discussion, it was decided to have a study session on February 8, 2023, at 6:00 pm via zoom. It was stated that the agenda items be given to Chief Brakebill by January 30, 2023. Director Gorke will share on Facebook and get the word out to have more of an audience presence.

7. RESOLUTION 23-02 SCHEDULE OF FEES

Chief Brakebill presents to the Board of Directors with resolution 23-02 schedule fees which is the County Fire comes out with new response costs.

**SCOPE OF RESOLUTION:** Director Tolbert reads the first 3 whereases, waiving further reading.

**MOTION:** Director Emory Motioned to approve the resolution proposed by Chief Brakebill to adopt San Bernardino's new fee schedule.

**SECOND:** Vice President Whitney.

**RESULT:** Motion passes 5/0 vote.

8. REVIEW OF SUNSHINE ORDINANCE NO. 2014-01

**MOTION:** Director Emory motioned to dismiss this item.

**SECOND:** Director Tolbert.

**RESULT:** Motion Passes 5/0 vote.

9. DISCUSSION AND SELECTION OF NEW LEGAL COUNSEL FOR THE CSD

After some discussion, President Henning presented the board with a proposal letter from Best Best & Krieger to review. Director Tolbert expressed his concern about not needing new legal counsel. Director Gorke questioned the lack of other proposals that were not presented. Concerns were also expressed about the price increase compared to what is being paid now.

**MOTION:** Vice President Whitney motioned to bring BB and K on with Shauna R. Amon as lead council subject to advanced deposit or trust account not to exceed \$2500 and or a retainer not to exceed \$500 a month to begin immediately.

**SECOND:** Director Emory.

**ROLE CALL:** Director Gorke – Nay, Vice President Whitney- Aye, President Henning – Aye, Director Tolbert – Nay, Director Emory - Aye

**RESULT:** Motion passes 3/2 vote.

## **I. CONTINUED BUSINESS**

### **1. WEST COAST ARBORIST PIGGYBACK CONTRACT**

During the last meeting, it was discussed by the board to have the attorney look over the contract. Once a finalized contract with BB & K is in place Chief Brakebill will move forward.

### **2. MAINTENANCE PERSONNEL TRUCK USAGE**

The Board of Directors were provided with four options for a maintenance vehicle including a lease, buying new, or buying used, also included in the options was a raise in personnel salary.

**MOTION:** President Whitney motioned for a lease at Chief Brakebill's discretion not to exceed \$389 per month.

**SECOND:** Director Emory.

**ROLE CALL:** Director Gorke – Nay, Vice President Whitney – Aye, President Henning – Aye, Director Tolbert – Nay, Director Emory – Aye.

**RESULT:** Motion passes 3/2 vote.

## **J. CLOSED SESSION**

The Regular Closed Session of the Board of Directors of January 18, 2023, was called to order by President Henning at 9:26 PM, with Vice President Whitney, Director Tolbert, Director Gorke, Director Emory, and Chief Brakebill present.

The meeting convened into Closed Session to discuss the following items as listed on the Regular Closed Session Meeting Agenda:

### **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

[Government Code Section 54957(b)(1)]

Title: General Manager/ Fire Chief

### **CONFERENCE WITH LABOR NEGOTIATORS**

(Government Code Section 54957.6)

District Designated Representative: Steven M. Kennedy, General Counsel

Employee Organization: Unrepresented Employee: General Manager / Fire Chief

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant Exposure to Litigation [Government Code Section 54956.9(d)(2)]  
One potential case

**K. ANNOUNCEMENT OF REPORTABLE CLOSED SESSION ACTIONS**

No announcements of reportable closed session at this time.

**L. INDIVIDUAL DIRECTOR REPORTS**

1. President Henning

Nothing to report.

2. Vice President Whitney

Nothing to report.

3. Director Tolbert

Thank you to the men and women of the Morongo Valley Fire Department thank you to chief Brakebill and Mrs. Chavez for all the hard work they have put in to keep this district running. In the last week, I have witnessed bad timed management from members of this board. I heard complaints tonight on items about board packets not getting to them until yesterday. I had a meeting on Friday with Chief Brakebill and Mrs. Miller at that time it was brought up that there was a meeting between Chief Brakebill, our attorney, and President Henning that for whatever reason President Henning could not attend or did not attend. The agenda was not put out prior because it was not signed by President Henning until three hours prior to when it needed to legally be posted. Members of this board are not doing their job. Members of this board are overstepping their authority and if things don't change this district and this board are going to be in a lot of trouble.

4. Director Gorke

We have our first crochet club meeting coming up on February 5<sup>th</sup> from 2 pm to 4 pm. It is open to professional crocheters, newbies, and people who just want to

come and have snacks and chat. So, I'm hoping that we will have more things happening at the community center. I've reached out to Kirsten Miller who is a Morongo Valley resident that is helping me do that because I am not a crocheter myself, but she had an interest in doing that. Hopefully, we'll find other activities to bring to the community center.

5. Director Emory

I don't have any reports, but I do have comments. First, I too would like to thank the Fire Department and members of the administrative staff and everybody who contributes, not just that's paid to do so but who dedicates their time to this board. That's everybody on this board. I think we serve at the pleasure of this community, and I think everyone has passion and I applaud everyone's passion. I recognize that passionate proclivities tend to exert themselves at different times and I would just ask and strongly recommend that A) I know that we are new, but everyone's spirit is here for the right reasons. B) that we show respect to each other because we are all putting in the time and regardless of the difference of opinions were here to drive the best outcomes. And the last point would just be there are a lot of cleanups that has to be done but I think even though we have a difference of opinions we can certainly get there if we all work together and that is the prevailing spirit.

**M. ANNOUNCEMENTS**

1. Next Regular Board Meeting February 15, 2023.

**N. ADJOURNMENT**

The CSD Board of Directors adjourned at 9:26 PM.

Moved:        Second:        Vote: Unanimous