

CHINO VALLEY INDEPENDENT FIRE DISTRICT

Regular Meeting of the Board of Directors

MINUTES

June 10, 2020

TELECONFERENCE MEETING ANNOUNCEMENT

President Luth opened the meeting at 5:00 p.m. and stated that all future Fire Board meetings will be held in a hybrid format, with some District members present, until further notice in accordance with the California Governor's executive Order N-29-20; guidance from the California Department of Public Health; and in an effort to combat the spread of COVID-19. He explained the process for members of the public to participate in the meeting and provide public comment. President Luth also announced that the meeting would be recorded.

ROLL CALL

All Board Members were present.

OPEN SESSION

President Luth called the Open Session to order.

ADJOURN TO CLOSED SESSION

President Luth read the Closed Session items and adjourned to Closed Session.

CONFERENCE WITH LABOR NEGOTIATORS

Meet with Board previously appointed negotiators (Fire Chief Tim Shackelford, Finance Director Steve Heide, Human Resources Director Kristi Kuchwara and Frances Rogers, LCW) regarding negotiations between Teamsters Local 1932, Non-Safety Unit employees and the Chino Valley Fire District per Government Code Section 54957.6.

CONFERENCE WITH LABOR NEGOTIATORS

Meet with previously appointed negotiators (Fire Chief Tim Shackelford, Finance Director Steve Heide and Human Resources Director Kristi Kuchwara) regarding negotiations between the unrepresented part-time employees and the Chino Valley Fire District per Government Code Section 54957.6

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8, the Board of Directors will meet with its designated negotiator, Fire Chief Tim Shackelford, regarding real property owned by the City of Chino Hills and located on an undeveloped parcel located on the south side of Soquel Canyon at the intersection of Soquel Canyon and Pipeline Avenue. The Board of Directors will instruct the District's negotiators concerning the price and terms of payment.

RE-OPEN TO OPEN SESSION

President Luth re-opened to Open Session.

President Luth opened the meeting at 6:00 p.m. and stated that all future Fire Board meetings will be held in a hybrid format, with some District members present, until further notice in accordance with the California Governor's executive Order N-29-20; guidance from the California Department of Public Health; and in an effort to combat the spread of COVID-19. He explained the process for members of the public to participate in the meeting and provide public comment. President Luth also announced that the meeting would be recorded.

ROLL CALL

All Board Members were present.

REPORT OUT OF CLOSED SESSION

Legal Counsel Jeff Ballinger reported that there was nothing to report out of Closed Session.

FLAG SALUTE

President Luth.

INVOCATION

Ruben Estrada, Fire District Chaplain.

CHANGES TO THE AGENDA

President Luth asked Clerk of the Board Heney and Board Members if there were any changes to the agenda.

Clerk of the Board Heney stated that there were no changes.

PUBLIC HEARING

ADOPT RESOLUTION NO. 2020-07 APPROVING THE 2020-21 ORIGINAL BUDGET

Purpose is for the Board to review, approve and adopt Resolution No. 2020-07, formally adopting the 2020-21 Original Budget.

President Luth opened the Public Hearing.

Finance Director Heide presented his report on the 2020-21 Original Budget.

President Luth asked the Clerk of the Board if there were any requests for public comment.

There was no public comment.

President Luth closed the Public Hearing.

President Luth requested any Board comment.

Director Williams stated he felt that the Board should adopt the budget.

Director Kreeger, Director DeMonaco, and Vice President Ramos-Evinger thanked the Finance staff for their work on the budget.

There was a consensus by the Board of Directors that the Fire District eliminate the State of the Fire District event this year including eliminating the cost of filming the video. There was also discussion of the possibility of other smaller options at a minimal cost to the Fire District.

Moved by Director DeMonaco, seconded by Vice President Ramos-Evinger, carried by a 5-0 voice vote for the Board of Directors to adopt Resolution No. 2020-07 Approving the 2020-21 Original Budget.

AYES: BOARD MEMBERS: Luth, Ramos-Evinger, DeMonaco, Kreeger, and Williams.

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: None.

PRESENTATIONS / ANNOUNCEMENTS

President Luth announced that due to the current COVID-19 pandemic, the Board of Directors invited the service award recipients to participate in the presentation remotely and regretted that they could not formally recognize them in-person.

Employee Service Awards

Administrative Secretary Ariana Cisneros – 5 years

President Luth recognized and thanked Administrative Secretary Ariana Cisneros for her 5 years of service to the District.

Office Technician Donna Rohrer – 5 years

President Luth recognized and thanked Office Technician Donna Rohrer for her 5 years of service to the District.

Captain Andrew Simpson – 10 years

President Luth recognized and thanked Captain Andrew Simpson for his 10 years of service to the District.

Captain Bryan Turner – 10 years

President Luth recognized and thanked Captain Bryan Turner for his 10 years of service to the District.

Engineer Daniel Fry – 10 years

President Luth recognized and thanked Engineer Daniel Fry for his 10 years of service to the District.

Engineer Bobby Pope – 10 Years

President Luth recognized and thanked Engineer Bobby Pope for his 10 years of service to the District.

Engineer Travis Young – 15 Years

President Luth recognized and thanked Engineer Travis Young for his 15 years of service to the District.

Fire Inspector Jim Powderly – 15 Years

President Luth recognized and thanked Fire Inspector Jim Powderly for his 15 years of service to the District.

Battalion Chief Jeremy Ault – 20 Years

President Luth recognized and thanked Battalion Chief Jeremy Ault for his 20 years of service to the District.

Captain Mike O' Toole – 20 Years

President Luth recognized and thanked Captain Mike O' Toole for his 20 years of service to the District.

PUBLIC COMMUNICATIONS

President Luth asked if there were any requests to speak from the Public.

Resident Brad Goldman stated the following:

Good afternoon members of the public, fire staff of Chino Valley Fire District, Fire Chief Shackelford, [and] President Luth. I first wanted to thank the Fire District for all the hard work they've continued to do in these challenging times. This year started with a disease that was far away and of no risk to America, then within three months had completely changed every part of our day-to-day activities. This year, we are facing two pandemics: one that has been around for six months, and one that has been around since 1619, when the first enslaved person arrived on our shores. Both of these pandemics have caused the world to stop and listen.

One of these pandemics has an easy and straightforward answer. It should be over in the next 12 to 18 months, when a vaccine has been developed and widely distributed. The other has reached into every part of our society. This year will be the defining moment for generations to come. Now is the time for all elected officials and anyone else with the power to make a change to stop and listen. They must listen, not only to news and social media, but they must also go out into the streets to listen to all people. In the coming months, public service will be under a magnifying glass of public scrutiny. This will be a time where any and all concerns must be heard and fully acknowledged, no matter your individual feelings or belief. I ask that you all take the time and listen to the words of our people, who our youths have brought into the streets. Now is the time for us to rise above and come together for the healing of our community and all of its residents. With that being said, I please ask all of you, as members of the Chino Valley, to consider coming to one of the weekly protests on Grand & Peyton, sometime around 2-3 in the afternoon, and just see our youth. It is a very emotional and heartwarming thing to see our students and our residents of all different backgrounds coming together and – we've all seen the violent footage of George Floyd's death, and it has shaken us to our cores. If it hasn't, you must stop and consider something within yourselves. I appreciate your time, and with that I have one final comment. I don't normally do this, but I'd like to offer a prayer.

Resident Brad Goldman said a prayer.

LIAISON REPORTS TO FIRE DISTRICT (County 4th District, City of Chino, City of Chino Hills, Fire Foundation, Fire Safe Council, School District

Clerk of the Board Heney announced that there was one liaison report from San Bernardino County 4th District Supervisor Curt Hagman.

San Bernardino County 4th District Supervisor Curt Hagman gave an update on the state of COVID-19 in San Bernardino County, as well as an update on advancements in technology across different fire departments in the County. San Bernardino County 4th District Supervisor Curt Hagman also thanked the Fire District for participating in the first ever Joint Incident Command Center that was housed in San Bernardino.

San Bernardino County 4th District Supervisor Curt Hagman asked the Board if they had any questions.

Director Williams stated the following:

I do have a question. Mr. Hagman, my name is Winn Williams, and I'm a director here. Can you hear me okay?

San Bernardino County 4th District Supervisor Curt Hagman stated that he could.

Director Williams stated the following:

Okay. A couple of days ago, I was in a Home Depot, and it seemed like about 2 out of 3 people in there weren't wearing masks. And it concerns me; is the county - I realize that it's not in the county, it's in the city - is the County able to mandate that people wear masks in environments like that?

San Bernardino County 4th District Supervisor Curt Hagman thanked Director Williams for his question and provided an overview on the County-wide mask order. He also provided information on the latest health order that allows any business in the County to require that their patrons use a face covering to enter.

Director Williams stated the following:

Well I just wanted to say thank you for all the effort and everything the County - and you - personally are putting in to this pandemic. It is scary, and hopefully we get it over it pretty soon. It seemed like this 'George Floyd thing' knocked the pandemic out of the limelight. But I don't want to see it come roaring back or anything myself. Thank you for the update? Have you heard anything about the vaccine, how they're doing? The trials on the vaccine?

San Bernardino County 4th District Supervisor Curt Hagman stated that he had not heard of any news.

CONSENT CALENDAR

President Luth asked if anyone from the Board would like to pull an item from the Consent Calendar for discussion.

Director Williams pulled Items 6, 9, and 10 from the Consent Calendar.

1. **MINUTES**

Minutes – May 13, 2020 – Regular Board Meeting
Minutes – May 27, 2020 – Special Board Meeting

2. **MONTHLY DISTRICT REPORT**

Month of April 2020

3. **MONTHLY FINANCIAL REPORT**

Monthly Financial Report – May 2020

4. **MONTHLY TREASURER'S REPORT**

Monthly Treasurer's Report for the Period Ending: April 2020

5. **WARRANTS**

Warrants for March 2020 #51331 through #51489

6. **BOARD MEETINGS/TRAVEL – AUTHORIZATION TO ATTEND CONFERENCE, MEETING OR TRAINING**

Approval for Board participation in teleconference and remote meetings for liaison assignments and meetings defined in the Board policy due to governor's order No. N-29-20 for the period of 7/1/20 through 7/31/20.

7. PURCHASE OF KNG DIGITAL DASH MOBILE RADIOS

Purpose is to review and approve the proposed purchase of KNG digital dash mobile unit radios.

8. PURCHASE OF MOTOROLA APX 6000 DIGITAL RADIOS

Purpose is to review and approve the proposed purchase of Motorola APX 6000 digital hand held radios.

9. RESOLUTION NO. 2020-06 APPROVING CAL FIRE FY2020-21 CONTRACT AGREEMENT NO. 2020-01

Purpose is for the Board of Directors to review and approve Resolution No. 2020-06, approving Agreement No. 2020-01 with the California Department of Forestry and Fire Protection (Cal Fire) from July 1, 2020, through June 30, 2021.

10. AGREEMENT NO. 2020-02 PROFESSIONAL SERVICES AGREEMENT WITH MESSINA AND ASSOCIATES

Purpose is to review and approve an extension of a Professional Services Agreement with Messina and Associates for leadership development and executive and supervisory coaching.

RECOMMENDATION: Approve Consent Calendar Item Numbers 1 through 10 as presented.

President Luth asked Clerk of the Board Heney if there were any public comments on the Consent Calendar.

Clerk of the Board Heney stated that there were no public comments.

President Luth asked for Board comment.

There was no Board comment.

Moved by Vice President Ramos-Evinger, seconded by Director Kreeger, carried by a 5-0 voice vote for the Board of Directors to approve the Consent Calendar #1-5, 7-8 as presented.

**AYES: BOARD MEMBERS: Luth, Ramos-Evinger, DeMonaco, Kreeger, and Williams.
NOES: BOARD MEMBERS: None.
ABSTAIN: BOARD MEMBERS: None.
ABSENT: BOARD MEMBERS: None.**

Director Williams stated the following:

I think it's time that I be put back into the fold. I don't understand why you keep me out. It has been proven by one of the investigations you did on me that I had a right to ask for the two copies that I did; there was a lot of trouble by it. Why do you persist on holding me out?

President Luth: That has nothing to do with the item.

Director Williams: It does have something to do with the item, because I'm not getting any. I'm not getting any of the liaisons and the stuff we're talking about here.

President Luth: Is there a motion to approve Item number 6?

President Luth informed Director Williams that his comments did not relate to the item on the agenda.

Moved by Vice President Ramos-Evinger, seconded by Director Kreeger, carried by a 5-0 voice vote for the Board of Directors to approve Consent Calendar Item #6 as presented.

AYES: BOARD MEMBERS: Luth, Ramos-Evinger, DeMonaco, Kreeger, and Williams.
NOES: BOARD MEMBERS: None.
ABSTAIN: BOARD MEMBERS: None.
ABSENT: BOARD MEMBERS: None.

Director Williams asked for the total cost of the Cal Fire contract.

Director Kreeger provided him with the total cost listed in the staff report.

Director Williams stated he had trouble with his computer and wasn't able to see the total cost.

Moved by Director Williams, seconded by Director Kreeger, carried by a 5-0 voice vote for the Board of Directors to approve the Consent Calendar Item #9 as presented.

AYES: BOARD MEMBERS: Luth, Ramos-Evinger, DeMonaco, Kreeger, and Williams.
NOES: BOARD MEMBERS: None.
ABSTAIN: BOARD MEMBERS: None.
ABSENT: BOARD MEMBERS: None.

Director Williams asked for the total cost of the agreement with Messina and Associates.

Human Resources Director Kristi Kuchwara provided him with the hourly rate and maximum cost as stated in the staff report.

Director Williams stated the following:

In regards to that, this issue, I'm going to ask that we not approve it on the basis of the fact that Mr. Messina has made some statements that we needed to do. Specifically, the statement was that we 'needed to make sure we control our [the District's] brand, keep our good name' and so on. Under the circumstances, I don't feel that the Board is interested in keeping a good name and keeping a brand and so on. So we're not following his advice, so why go after it [a new agreement] if we're not going to follow it? In regards to that, I say this: It has been shown by a \$35,000 investigation that I had a right to ask for the two copies that caused all the problems. You [the Board] refuse to turn it around and say 'we're sorry; we're going to put you back in the fold, we're going to give you some of the things that the other Board members get.' Why do you continue to keep me out? There's no reason for it; I don't understand it.

Director Kreeger, Vice President Ramos-Evinger, Director DeMonaco, and President Luth stated their support for the work Mike Messina has performed for the Fire District over the years and the positive value in his service, and for renewing the agreement.

Moved by Director Kreeger, seconded by Director DeMonaco, carried by a 4-1 voice vote for the Board of Directors to approve the Consent Calendar Item #10 as presented.

AYES: BOARD MEMBERS: Luth, Ramos-Evinger, DeMonaco, and Kreeger.

NOES: BOARD MEMBERS: Williams.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: None.

OLD BUSINESS

None.

NEW BUSINESS

11. CSDA BOARD OF DIRECTORS ELECTION BALLOT-TERM 2021-2023; SEAT C – SOUTHERN NETWORK

Purpose is for the Board of Directors to confirm the Fire District's desire to participate in the current CSDA Board Election for 2020 and cast a vote for a candidate for Seat "C" in the Southern Network.

Clerk of the Board Heney stated that the Fire District has received an official voting ballot from CSDA for a current vacancy on the Board of Directors within the Southern Network. Each network has three seats represented and elected by the CSDA membership. Chino Valley Fire District is included in the Southern Network.

Clerk of the Board Heney stated that the Fire District is a current member of CSDA. The CSDA Board of Directors is the governing body responsible for all policy decisions effecting CSDA's member services and legislative programs. In addition, CSDA Board Members are involved in responding to pending legislation and other public policy documents that may impact the operation of special districts.

Clerk of the Board Heney stated that attached to the agenda packet was the CSDA ballot for voting consideration. Any independent special district, with current membership in CSDA, is eligible to cast one vote. The ballot is due to CSDA by 5:00 p.m. on July 10, 2020.

Clerk of the Board Heney stated that the four candidates are Ronald Coats with East Valley Water District, Daniel Jagers with Beaumont-Cherry Valley Water District, Greg Mills with Serrano Water District and incumbent Arlene Schafer with Costa Mesa Sanitary District.

RECOMMENDATION: It is recommended that the Board of Directors confirm the Fire District's desire to participate in the current CSDA Board Election for 2020 and cast a vote for one candidate for Seat "C" in the Southern Network.

President Luth asked if there was any Public comment.

There was no public comment.

President Luth asked if there was any Board comment.

Director DeMonaco recommended that the Board cast a vote for Arlene Schafer.

Vice President Ramos-Evinger agreed that the Board should cast a vote for Arlene Schafer

Moved by Director DeMonaco, seconded by Vice President Ramos-Evinger, carried by a 5-0 voice vote for the Board of Directors to participate in the current CSDA Board Election for 2020 and cast a vote for Arlene Schafer for Seat "C" in the Southern Network.

AYES: BOARD MEMBERS: Luth, Ramos-Evinger, DeMonaco, Kreeger, and Williams.
NOES: BOARD MEMBERS: None.
ABSTAIN: BOARD MEMBERS: None.
ABSENT: BOARD MEMBERS: None.

FIRE CHIEF'S COMMENTS

Fire Chief Shackelford stated that the Fire District has provided office space and parking spots at Fire Station 63 for Chino Police Officers serving the Preserve Area. This partnership will improve service to the community.

Fire Chief Shackelford stated that President Luth, Vice President Ramos-Evinger, Director DeMonaco, and Director Kreeger attended CSDA Legislative Days virtual event from May 18th through May 22nd.

Fire Chief Shackelford stated that a virtual Badge Pinning ceremony for our new Firefighter/Paramedics took place at the Training Center on May 21st.

Fire Chief Shackelford stated that Director Kreeger participated in Congressman Gil Cisneros' "Cisneros in Your City: Chino Hills" Zoom conference on May 22nd.

Fire Chief Shackelford stated that he and Director DeMonaco attended the CONFIRE Board of Directors meeting on June 5th in Loma Linda.

Deputy Chief Atkinson gave an update regarding the drought-tolerant landscape project at Station 63.

Fire Chief Shackelford stated that the District Administration office will be closed on Friday, July 3rd, in observance of Independence Day.

Fire Chief Shackelford stated that the City of Chino's Fireworks Spectacular has been canceled.

BOARD COMMITTEE REPORTS/BOARD COMMENTS

Director Winn Williams stated the following:

Thank you very much. I have a question for our attorney [Legal Counsel Jeff Ballinger]. The question I have, Jeff, is – can you tell me where it is okay for the attorney, the Fire Chief, and the President of the Board to go after one of the Board Members without approval of the other Board Members? That's all I ask of you.

Legal Counsel Jeff Ballinger stated that this is the time for Board Member comments, and that it was not "question-and-answer driven".

Director Winn Williams stated the following: Well, it's a thing where I'm asking you to show me, black and white, at some point in time, where that is an approved situation. Okay? If you would, I'd appreciate it. And isn't it time we wrap this up? You know, I predicted this about a year ago – that I would be off [without liaison assignments] and you guys were going to treat me this way the whole time I'm on the Board. And it's happened. Harvey [President Luth], I thought you were going to put this behind us, and we were gonna work as a group, and you're not interested in it. And Sarah [Vice President Ramos-Evinger], you asked me to resign [during] my second meeting, and then you make comments twice because I asked our attorney, who has a Jew name, if he celebrates Christmas. And you make a big deal out of that, but you don't think a thing about asking me to resign on my second meeting. What's the matter with you? You're going to be our President next year; you need to act decent. And the rest of you need to understand – I didn't do anything wrong. You [the District] paid \$35,000 – I even voted no on that investigation – you paid \$35,000 for an investigation that proved that I had a right to ask for those two copies that you made such an issue of. And now the four of you stick together and I feel that – you're just like I said, long ago – you're like the schoolyard gang. As long as you stick together, and you work against me-. Do you want me to grovel? Do you want me to get down on my knees [and say] 'oh, I'm so sorry'? I didn't do anything wrong. You did it wrong. You didn't do right by me, but you're not willing to accept that. And because I'm not willing to grovel and say 'oh, I'm so sorry', you're not willing to put it behind us and put me on the Board as a regular member. And you're just gonna keep it going and going and going.

Every one of you owes me an apology. The Clerk of the Board owes me an apology for causing me the trouble. The Chief owes me an apology for causing me the trouble. I told you I was going to do this, I'll do it every meeting, until you guys decide you want to have a cohesive Board. And that's the way it's going to be. I'm sorry, but I'm not going to back down. I have a brand too – I have the Winn Williams brand, and I have to protect it. And it comes after the Fire District brand. And I intend to escalate this up, because people need to know what you guys are about. I don't know why you did that investigation on me, but it didn't turn out the way you wanted it, because you buried it in the Consent Calendar – I couldn't believe that. You wouldn't even talk about it. I don't know what it's going to take to make you guys understand that you've done your wrong, but you're going to hear about it a lot unless you put me back on and we work as a unit, the way we should. I didn't do anything wrong: I said that, I'll say it again and again and again. You're thinking I'm wrong now because I'm talking about it the way I am. Well, get used to it, because you're going to hear about it every meeting. That's all I have to say. Thank you.

Director Mike Kreeger stated the following:

Winn, I'm appalled at the words you just used here in the meeting – discussing somebody's heritage is disgusting, is wrong – it's appalling that you just did that. If you learned nothing over the last two weeks, you should have learned that. I think your speech you just gave is the exact reason why you are not - in my view because I'm only going to speak for myself – why I'm not in favor of putting you back on any committee representing this District right now. I'm appalled, Winn. I am. You keep mentioning this 35-page letter, this investigation: go back and read it, Winn, because it clearly says that you were wrong.

Director Kreeger stated that he attended the Chino City Council meetings, the Chino Hills City Council meeting, the CVUSD Board meeting, the CSDA Legislation Days, a meeting with the Fire Chief, and various webinars.

Director Kreeger stated that he is proud of District staff and the Chino Valley community during these times.

Director DeMonaco stated the following:

I'd like to concur with Director Kreeger on what he said about being appalled. I'm appalled as well. But I just wanted to make a comment about that the investigation. Thorough minutes of all our meetings are online. It's all transparent, it's available to the public, and I urge the public to read it, to take a look at it, and you can see exactly what's occurred and what the outcome was on those. We don't have to belabor those; the public can make their own decision, and I encourage the public to do that.

Director DeMonaco congratulated all service award recipients.

Director DeMonaco stated that he attended the SB County Board of Supervisors meeting, the Chino City Council meetings, the CSDA Legislative Days, the CONFIRE JPA Board of Directors meeting, and a CSDA Fiscal Committee meeting.

Director DeMonaco restated his desire for more detailed information from the February 19 Special Board meeting and workshop open session part of the meeting that is usually provided by the workshop facilitator and consultant.

Vice President Ramos-Evinger stated that she was happy to see Board Members and District staff in a face-to-face setting.

Vice President Ramos-Evinger stated that she attended the CSDA Legislative Days, the CVFD Badge Pinning ceremony, and thanked IT staff for being able to broadcast the event.

Vice President Ramos-Evinger stated that she also attended Chino Hills City Council meetings, the Finance Committee meeting, the agenda review meeting, and a CSDA Professional Development meeting.

Vice President Ramos-Evinger congratulated all service award recipients, and wished all fathers a Happy Father's Day and everyone a happy Fourth of July.

President Luth stated he attended Chino City Council meetings, CSDA Legislative Days, a SB County Airports Commission meeting, the CVFD budget workshop meeting, and a Finance Committee meeting.

President Luth congratulated the members of Fire Station 63 that were recognized at the Chino City Council meeting, and all service award recipients.

President Luth stated the following:

Please pass along our apologies to Isaac [Legal Counsel Isaac Rosen] – I'm a little embarrassed for those comments. And my last comment would be if anybody is interested in actually reading what Director Williams is talking about, it's in the minutes from November 13, 2019. It's on page 20 of the actual investigation, but you need to read pages 20 & 21, which are on pages 110-111 of the minutes; that'll give you a little information that you need to know regarding his comments.


ADJOURNMENT

The meeting was adjourned at 7:15 p.m. to a Regular Meeting of the Board of Directors of the Chino Valley Independent Fire District to be held on Wednesday, July 8, 2020 at 6:00 p.m. at District Headquarters Office located at 14011 City Center Drive, Chino Hills, CA 91709.

Meeting location subject to teleconference based on current Governor's executive order N-29-20.

APPROVED AND ADOPTED THIS 8th DAY OF JULY 2020.


Sandra Heney, Clerk of the Board


Harvey Luth, President