

CHINO VALLEY INDEPENDENT FIRE DISTRICT
Board of Directors Special Board Meeting

MINUTES
March 29, 2021

TELECONFERENCE MEETING ANNOUNCEMENT

President Ramos-Evinger opened the meeting at 4:00 p.m. and stated that all future Fire Board meetings will be held remotely in a hybrid format, with only Board Members and essential staff 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. She explained the process for members of the public to participate in the meeting and provide public comment. President Ramos-Evinger also announced that the meeting would be recorded.

ROLL CALL

All Board Members were present.

OPEN SESSION

President Ramos-Evinger called the Open Session to order.

FLAG SALUTE

Vice President Kreeger.

INVOCATION

Keith Roby, Fire District Chaplain

CHANGES TO THE AGENDA

President Ramos-Evinger asked if there were any changes to the agenda.

Clerk of the Board Sandra Heney stated there were no changes to the agenda.

PUBLIC COMMUNICATIONS

President Ramos-Evinger asked if there was any Public comment.

Clerk of the Board Heney stated there were no requests to speak.

ADJOURN TO CLOSED SESSION

President Ramos-Evinger read the closed session items and adjourned to Closed Session.

CONFERENCE WITH LABOR NEGOTIATOR

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

CONFERENCE WITH LABOR NEGOTIATOR

Meet with Board previously appointed negotiators (Fire Chief Tim Shackelford, Finance Director Steve Heide and Human Resources Director Kristi Kuchwara regarding negotiations between the Chino Valley Professional Firefighters, Local 3522 (CVPPF) Safety Unit and the Chino Valley Fire District per Government Code Section 54957.6.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Letter, dated March 8, 2021, from Derick Dornan, Juan-Carlos Parra, Kyle Williams & Rosa Yotti.

President Ramos-Evinger asked if there was any Public comment.

Clerk of the Board Heney stated there were no requests to speak.

RE-OPEN TO OPEN SESSION

President Ramos-Evinger re-opened to Open Session at 5:32 p.m.

ROLL CALL

All Board Members were present.

REPORT OUT OF CLOSED SESSION

President Ramos-Evinger asked Legal Counsel to report out of closed session.

Legal Counsel stated the Board had conversations regarding labor negotiations, they gave direction to the labor negotiators and there was discussion regarding the threatening litigation. He further stated no action was taken.

OLD BUSINESS

None.

NEW BUSINESS

1. **APPOINTMENT OF DISTRICT NEGOTIATOR FOR NON-SAFETY NEGOTIATIONS**

Purpose is for the Board to discuss appointment of labor negotiators for negotiations with the Teamsters Local 1932, Non-Safety Unit employees.

Fire Chief Tim Shackelford stated that on March 9, 2021, the District received correspondence from Teamsters Local 1932 expressing their desire to begin the negotiations process for a successor MOU.

Fire Chief Shackelford also stated that he would like the Board to consider appointing Human Resources Director Kristi Kuchwara, Finance Director Steve Heide, Attorney Oliver Yee of LCW and himself as negotiators.

RECOMMENDATION: It is recommended that the Board of Directors appoint labor negotiators for negotiations with the Teamsters Local 1932, Non-Safety Unit employees.

President Ramos-Evinger asked if there was any Public comment.

Clerk of the Board Heney stated there were no requests to speak.

President Ramos-Evinger asked if there was any Board comment.

There was no Board comment.

Moved by Vice President Kreeger, seconded by Board Member Williams, carried by a 5-0 voice vote for the Board of Directors to approve appointing Human Resources Director Kristi Kuchwara, Finance Director Steve Heide, Attorney Oliver Yee of LCW and Fire Chief Tim Shackelford as labor negotiators for negotiations with the Teamsters Local 1932, Non-Safety Unit employees.

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

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: None.

2. **APPOINTMENT OF DISTRICT NEGOTIATOR FOR SAFETY NEGOTIATIONS**

Purpose is for the Board of Directors to discuss appointment of labor negotiators for negotiations with the Chino Valley Professional Firefighters, Local 3522 (CVPF) Safety Unit.

Fire Chief Shackelford stated negotiations with Local 3522 have been ongoing with previously appointed negotiators including himself, Finance Director Heide and Human Resources Director Kristi Kuchwara. He further stated that staff would like to request the Board consider including Oliver Yee of LCW as well to continue on with negotiations.

RECOMMENDATION: It is recommended that the Board of Directors appoint labor negotiators for negotiations with the Chino Valley Professional Firefighters, Local 3522 (CVPF) Safety Unit.

President Ramos-Evinger asked if there was any Public comment.

Clerk of the Board Heney stated that there were no requests to speak.

President Ramos-Evinger asked if there was any Board comment.

There was no Board comment.

Moved by Vice President Kreeger, seconded by Board Member Luth, carried by a 5-0 voice vote that the Board of Directors approve appointing Human Resources Director Kristi Kuchwara, Finance Director Steve Heide, Attorney Oliver Yee of LCW and Fire Chief Tim Shackelford as labor negotiators for negotiations with the Chino Valley Professional Firefighters, Local 3522 (CVPF) Safety Unit.

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

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: None.

3. **CORRESPONDENCE FROM DERICK DORNAN, JUAN-CARLOS PARRA, KYLE WILLIAMS & ROSA YOTTI DATED MARCH 8, 2021.**

Purpose is for the Board of Directors to discuss correspondence dated March 8, 2021 from Derick Dornan, Juan-Carlos Parra, Kyle Williams & Rosa Yotti.

Legal Counsel Jeff Ballinger stated that the Board received correspondence from several individuals that alleged that the Board has taken actions that are unlawful and unconstitutional with regard to Board Member Williams.

Legal Counsel Jeff Ballinger stated that this specifically relates to censure actions and other actions the Board has taken in response to Board Member Williams' past behavior over the last two years, approximately.

Legal Counsel Jeff Ballinger stated that he has reviewed the letter, as well as the cases and statutes that are cited in the letter, and has concluded that there is no merit to the claims that the Board is required to rescind or otherwise modify the actions that they have previously taken.

Legal Counsel Jeff Ballinger also stated that it is entirely within the Board's discretion as to what types of actions the Board may wish to take in the future.

RECOMMENDATION: It is recommended that the Board of Directors review and discuss correspondence from Derick Dornan, Juan-Carlos Parra, Kyle Williams & Rosa Yotti dated March 8, 2021 and take any necessary action, or provide direction to staff.

President Ramos-Evinger asked if there was any public comment.

Clerk of the Board Heney stated there was no public comment.

President Ramos-Evinger asked if there was any Board comment.

Director Williams stated that he would like a more detailed report in regards to how the statutes in the letter are not relevant.

Director Williams also requested for Best, Best & Krieger to make it clear in regards to showing why these statutes are not relevant and why the Fire District is exempt.

Director Williams commented that when he came on Board it was not his idea to cause problems or make things difficult.

Director Williams referenced a threatening letter he received from a Board member and how he feels that he was being "singled out". He also talked about his belief that there was voting against him to show that the Board were going to be unified in going after him because of one member and how he feels now there are four against one but actually six against one.

Vice President Kreeger attempted to keep Director William on topic and asked him how his comments were related to the new business item.

Director Williams responded to Vice President Kreeger screaming. Director Williams stated he was not the one who "stole money from the constituents." Director Williams screamed at Vice President Kreeger to keep his mouth shut several times and referred to him as a thief.

President Ramos-Evinger asked Director Williams to keep on topic and not attack the other Board Members. She had to remind Director Williams to stay on topic and re-read the purpose of the agenda item.

Director Williams stated he wanted to be understood, that he doesn't like what is going on, and would like to be treated like a regular Board Member, including having all the same benefits and abilities to act like a Board Member.

President Ramos-Evinger reminded Director Williams that the Board was discussing the letter that was received and how they will proceed with the letter.

Director Williams stated to the Board that he would like to put this stuff behind them forever.

Director Luth asked Legal Counsel Jeff Ballinger for the options from a legal perspective to respond to the letter.

Legal Counsel Jeff Ballinger stated the options and recommended the Board respond in writing.

Director Luth stated his support for a written response from Legal Counsel.

Director DeMonaco also supported a written response.

Vice President Kreeger also supported a written response.

Vice President Kreeger commented to Director Williams that if he wanted to be treated like a regular Board Member, that he would need to treat the other Board members appropriately as well.

Vice President Kreeger also stated to Director Williams that what he said to him was “vile, inaccurate and disgusting”. He also stated that he couldn’t believe he would scream that way to him, and hopes Director Williams goes back and views the recording of the meeting.

Legal Counsel Jeff Ballinger stated their office would prepare a response letter and do their best to complete it by April 8.

President Ramos-Evinger also asked Legal Counsel if the letter dated March 8 is available for the public so the public is aware of what the Board is discussing,

Legal Counsel Jeff Ballinger stated that the March 8th letter is a public record and available to the public.

President Ramos-Evinger also supported a written response from Legal Counsel.

Moved by Director Luth, seconded by Board Member DeMonaco, carried by a 5-0 voice vote that the Board of Directors approve Legal Counsel to prepare a letter in response to correspondence from Derick Dornan, Juan-Carlos Parra, Kyle Williams & Rosa Yotti dated March 8, 2021.

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

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: None.

BOARD COMMITTEE REPORTS/BOARD COMMENTS

Director Williams had no comment.

Director Luth a had no comment.

Director DeMonaco commented on giving Director Williams final notice of cease and desist of his hostile actions towards him. He further stated to Director Williams that he does not want him to touch him, be in the vicinity of him, and to please stay away from him.

Director DeMonaco stated that after the Board meeting on March 10, 2021, he was on a very important phone call and was startled when Director Williams came up behind his back and started talking. He further stated he did not know Director Williams was there and that Director Williams did not have his mask on.

Director DeMonaco stated to Director Williams that it was very inappropriate based on all the past events, including battery which he has filed a police report, and numerous occasions where Director Williams has accused him of wrong doing and of being a felon accusing him of writing a letter he never wrote.

Director DeMonaco stated to Director Williams that he does not trust him, believes he has anger management issues, and that these issues have surfaced numerous times over the past two and a half years since he has been on the Board. He further stated to Director Williams that he has been censured four times and some censures have included notes references attributing to a hostile and harassing work environment.

Director DeMonaco stated that as a Board Member he is entitled to a hostile free work environment and may pursue the fullest extent of the law if Director Williams' persistence to harbor a hostile work environment continues towards him.

Vice President Kreeger expressed his condolences for the loss of City of Chino and family of Council Member Mark Hargrove.

Vice President Kreeger stated to Director Williams that he has been trying to help him. He also stated to Director Williams that with him screaming at him, he will consider asking President Ramos-Evinger to remove himself from offering to serve as a liaison for meetings with the Fire Chief.

Vice President Kreeger stated to Director Williams that he has accused the Board of talking about censures in violation of the Brown Act and reminded him that the Board has taken these actions based on his behaviors at Board Meetings.

President Ramos-Evinger also expressed her condolence to the City of Chino and family of Council Member Mark Hargrove.

President Ramos-Evinger commented on the lack of respect demonstrated while in public view. She further stated there are allegations that are one sided that do not hold merit.

President Ramos-Evinger stated that there is a way they can communicate with one another and be respectful while conducting business for the public.

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President Ramos-Evinger stated the importance of maintaining composure and controlling anger and maintaining professionalism and respect.

President Ramos-Evinger wished everyone a happy Easter.

ADJOURNMENT

The meeting was adjourned at 6:02 p.m. to a Regular Meeting of the Board of Directors of the Chino Valley Independent Fire District to be held on Wednesday, April 14, 2021 at 6:00 p.m. at the Fire District Training Center located at 5092 Schaefer Avenue, Chino, CA 91710.

APPROVED AND ADOPTED THIS 14th DAY OF April 2021.



Sandra Heney, Clerk of the Board



Sarah Ramos-Evinger, President