

NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

A REGULAR MEETING OF THE BOARD OF DIRECTORS WILL BE HELD AT THE
NEWBERRY COMMUNITY CENTER 30884 NEWBERRY ROAD, NEWBERRY
SPRINGS, CALIFORNIA ON

November 18, 2025 at 6:00 P.M.

In compliance with the American with Disabilities Act and Government Code section 54954.2, if you need special assistance to participate in the District Meeting or other services offered by the District, please contact the District Office at (760) 257-3613. Normal office hours are Wednesday, Thursday and Friday from 12 p.m. until 4 p.m.

AGENDA

6:00 P.M. PUBLIC SESSION

Call the Meeting to Order- Pledge of Allegiance

Roll Call: Director Deel, Director Matson, Director Roberts, Director Springer,
Director Unger

1. Approval of Agenda

2. Approval of Minutes

A. Regular Board Meeting Draft Minutes of October 28, 2025

3. Public Comments: *Anyone wishing to address any matter pertaining to District business listed on the agenda or not, may do so at this time. However, the Board of Directors may not take action on items that are not on the agenda. The public comment period may be limited to three (3) minutes per person. Any member may speak on any agenda item at the time the agenda item is discussed by the Board of Directors. (Comments will be included in the Supporting Documents if written Reports are submitted to the GM or Secretary by meeting time).*

A. General Public

B. Agency Reports *(to be included in the Supporting Documents written Reports must be submitted to GM or Secretary)*

1. Sheriff Captain Ron Markegard
2. CHP- Captain Meeker

4. NCS D Reports

(to be included in the Supporting Documents written Reports must be submitted to GM or Secretary)

- A. General Manager – GM Vanek
- B. Fire Department - Chief Lanier
- C. Financial Reports – GM/Treasurer Vanek - Balance Sheet, Budget vs Actuals
- D. Directors Comments (1 min.) Yermo Days is November 8, 2025

5. Agenda Items- Discussion/Possible Action

A. Establish Rates for Use of Park and Revise Facility use Agreement Policy; Discussion Possible Action; Submitted by Director Matson and Director Deel; Continued from October 28th Meeting

**B. Cadiz Water Project, Discussion/Possible Action;
Submitted by Director Deel and Director Matson**

Director Deel- IF the Cadiz Water Project is successful, Newberry Springs could benefit from their pumping water from Fenner Gap through Newberry Springs to Barstow, Victorville and beyond. We just have to figure out how. Appoint Confirmation of NCS D Adhoc Committee. Volunteers are Karen Grey, Mike Matson, Paul Deel, Robert Shaw, Robert springer, and Ted Stimpfel.

C. Does this CSD Board Need to Take a Class to Understand What the Brown Act (the Law in California) says? Discussion/Possible Action; Submitted by Director Unger

In the October 28, 2025 CSD Board Meeting, Director Deel accused Director Unger of a Brown Act violation during the October 20th Cadiz Water public meeting at the Assembly of God Church. At that meeting, Director Unger simply asked the program presenter if PowerPoint slides of the presentation would be available.

Asking this question did not constitute a Brown Act violation because per Gov. Code §54952.2(c), a “meeting” does *not* include attendance at a community meeting that is open to the public so long as the CSD Board members do *not* discuss among themselves matters within the CSD’s jurisdiction. The three CSD Directors did not do this. Further, Director Unger’s question was addressed to the presenter and not to Directors Deel and Matson. Conclusion: There was no Brown Act violation by Director Unger.

Why is this important? The Brown Act, which is the law in California, is intended to prevent public officials from making “backroom deals” in private, outside of official public Board meetings. CSD Directors, as public officials, are required to understand and to obey the Brown Act. The questions for this Board are 1) Do we, as CSD Directors, actually understand what the Brown Act says? 2) Do we, as Directors, intend to comply with the law? 3) Does this Board need to take another class to properly understand the Brown Act?

D. What options are available to a Newberry Springs Property Owner who has a neighbor with an excessive amount of trash visible on their nearby property? Discussion Only; Submitted by Director Unger

This question was asked by a Pistachio Festival Vendor who owns property in Newberry Springs and who is concerned about the negative impact to the value of his property.

**E. Department of Forestry and Fire Protection Agreement;
Discussion/Possible Action: Submitted by Fire Chief Lanier**

**6. Approve Bills Paid and Presented; Discussion/Possible Action;
GM/Treasurer Vanek.**

7. Unfinished and New Business

Parkland Implementation Committee named at the regularly scheduled November meeting.

8. Adjournment

I, Lillian Plascencia

Print name



Signature

declare under penalty of perjury that I am a Board member or designated Staff member of the Newberry Community Services District and that this agenda was posted at least 72 hours prior to the meeting on a District office Display Board and on the District's Website at www.NewberryCSD.net.