

# NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

## Minutes of the Regular Board Meeting on January 27, 2026 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.

After invocation by Rose Beardshear, the meeting was called to order at **6:01 P.M.**

The Pledge of Allegiance was led by Director Deel.

**Present were** Director Deel, Director Matson, Director Roberts, Director Unger, and Director Springer joined the meeting at 6:10 P.M.

**Also present:** General Manager Vanek, Fire Chief Lanier, and members of the public.

### 1. Approval of Agenda

Director Matson moves that the board change the term Sanction to Censure in Item 5.B. Director Unger declines to revise his agenda item. Motion fails due to lack of a 2<sup>nd</sup>.

Motion by Director Unger to approve the agenda as presented, 2<sup>nd</sup> by Director Roberts.

**Vote:** Ayes: 4 Directors Deel, Matson, Unger, and Roberts.

Noes: 0

Absent: 1 Director Springer

### 2. Approval of Minutes

Motion by Director Matson; 2<sup>nd</sup> by Director Roberts to approve the regular meeting draft minutes from December 16, 2025.

**Vote:** Ayes: 3 Directors Deel, Matson, and Roberts.

Noes: 1 Director Unger

Absent: 1 Director Springer

**Director Springer joined the meeting at 6:10 P.M.**

**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 (Included in the Supporting Documents)**

1. Sheriff -- Captain Ron Markegard and Lieutenant Eric Mellow

**4. NCSD Reports (Included in the Supporting Documents)**

- 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.)
- E. Cadiz Water Project Committee - Director Springer

**Director Matson-** Attended Yermo CSD special meeting regarding the County Fire District possibly taking over their fire department. Newberry has to bring in revenue to sustain our fire department and CSD or we will be next.

**Director Springer-** The county fire district will not help Yermo for free, they may give a great presentation but it's not always as it seems. The community votes will decide the fate of Yermo Fire Department.

**Director Unger-** Thanks the public for attending our meeting, we had a good turnout.

**Director Deel-**

**5. Agenda Items- Discussion/Possible Action**

**A. Budget Committee; Discussion/Action; Submitted by Director Deel**

Director Roberts and Director Deel have volunteered to be on this AdHoc committee. They will meet with Staff to produce a Budget for July 2026- June 30, 2027.

Motion by Director Unger to approve the Budget committee 2<sup>nd</sup> by Director

**Roberts.**

**Vote:** Ayes 5 Directors Deel, Matson, Springer, Unger, and Roberts

Noes 0

Absent 0

**B. Motion to Sanction President Paula Deel for violation of the Brown Act regarding Agenda Item 5F (Revision to Policy 1020 - Conflict of Interest) at the December 16, 2025 CSD Board meeting.**

**Submitted by Director Unger**

President Deel illegally prevented public discussion of only this one of the six total Agenda items by requiring a "Motion to Continue" before allowing Board discussion of the legally-submitted Agenda item. Preventing the public from discussion or comment is a violation of the Brown Act. President Deel must immediately cease and desist from preventing discussion on legally-submitted Agenda items.

**RECOMMENDED ACTION:** Sanction President Deel and request that she Cease and Desist from this behavior in the future.

Motion by **Director Unger** to continue and address Item B, 2<sup>nd</sup> by **Director Deel.**

**Vote:** Ayes 1 Director Unger

Noes 4 Directors Deel, Matson, Springer, and Roberts.

Absent 0

**C. Authorization to Collaborate with Cadiz, Inc. on EDA FY25 Disaster Supplemental Readiness Grant Application--Discussion/Possible Action; Submitted by Director Springer and Rose Beardshear**

Cadiz, Inc. has offered to utilize its professional grant-writing team to assist the Newberry Community Services District (NCSD) in applying for a "Readiness" grant under the U.S. Economic Development Administration (EDA) FY 2025 Disaster Supplemental Notice of Funding Opportunity (NOFO). This specific grant path provides up to \$500,000 for planning and capacity building. If awarded, these funds would allow the NCSD to hire independent environmental and hydrogeology experts to evaluate the technical feasibility and community impact of utilizing water from the Cadiz project.

Motion by Director Roberts to discuss and approve Authorization to Collaborate with Cadiz, Inc. on EDA FY25 Disaster Supplemental Readiness Grant Application , 2<sup>nd</sup> by Director Deel.

Ted Stimpfel- in reading over the grant application he found that the NCSD does not qualify for this grant.

**Vote:** Ayes 0

Noes 5 Directors Deel, Matson, Springer, Unger, and Roberts

Absent 0

- D. That the board of Directors authorize the District's General Manager and District Counsel to: 1.) File a petition for a workplace Restraining Order against Director Jack Unger and an injunction prohibiting workplace violence/harassment pursuant to code of Civil Procedure 527.8. 2.) Represent the District in all subsequent court hearings related to this matter to ensure the safety of Board Member Mike Matson, District staff, and the public.**

**Discussion/Possible Action; Submitted by Director Matson**

California Code of Civil Procedure 527.8 allows an employer to seek a court order to protect employees from unlawful violence or a "credible threat of violence." For the purposes of this law, elected officials of a public agency are defined as "employees" and the district is defined as the "employer."

The District has a legal and ethical obligation to provide a safe environment for its officials and staff. Recent actions by Board Member Jack Unger have exceeded the bounds of political speech and have entered the realm of "credible threats of violence" and "harassment" as defined by statute.

Motion by Director Matson to discuss and approve Item D, 2<sup>nd</sup> by Director Roberts.

**Vote:** Ayes: 4 Directors Deel, Matson, Roberts, and Director Springer

Noes: 1 Director Unger

Absent: 0

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

- A. Regular meeting Bills Paid and Presented of November 18, 2025 - Dec 16, 2025, as corrected.
- B. Regular meeting Bills Paid and Presented December 16, 2025 - January 23, 2026, as Presented

Motion by Director Unger to approve Bills paid and presented 2<sup>nd</sup> by Director Springer

**Vote:** Ayes 5 Directors Deel, Matson, Springer, Unger, and Roberts  
Noes 0  
Absent 0

## 7. Unfinished and New Business

Meeting of the North Property Pre-Planning Meeting  
Meeting of the Parkland Committee Meeting (Waiting for final documents from Carlos.)  
Cadiz Water Project Committee Meeting 2/17/26  
Regular NCSD Meeting is 2/24/2026  
Schedule Zoom meetings with potential Attorneys  
Yermo Fire Department possible annexation  
CSD Kitchen Inspection by the Health Department  
Ballfield Lights

**-Closed Session-**

**Public Employee Performance Evaluation – General Manager  
Gov. Sec. Code 54954.5(e) per Policy 2175 (in Supporting Documents) Discussion/Possible Action; Submitted by Director Deel**

Directors went into closed session at **8:26pm** and returned at **9:27pm** with no reportable action.

**8. Adjournment**

Motion to Adjourn by Director Springer; 2<sup>nd</sup> by Director Roberts.

**Vote:** Ayes 5 Directors Deel, Matson, Springer, Unger

Noes 0

Absent 0

**Meeting adjourned at 9:28 PM.**

**The next Regular Meeting is scheduled for February 24, 2026**

*Paula Deel*  
\_\_\_\_\_  
President Deel

*3/27/26*  
\_\_\_\_\_  
Date

*Kaylen Vanek*  
\_\_\_\_\_  
General Manager Vanek

*3/27/2026*  
\_\_\_\_\_  
Date