

*Salton Community Services District*

**SPECIAL MEETING *Agenda***

**June 25, 2023**

**Closed Session 12:00 p.m.**

**Open Session 1:00 p.m.**

**1209 Van Buren Ave.**

**Salton City, CA 92275**

**[www.saltoncsd.ca.gov](http://www.saltoncsd.ca.gov)**

**BOARD OF DIRECTORS:**

Michelle Gilmore, President  
Michael Friese, Vice President  
Manuel Ramos, Director  
Lidia A. Sierra, Director  
Dale Johnson, Director

**STAFF:**

Emmanuel Ramos, Interim General Manager  
Thania Garcia, Board Secretary  
Christina Sutton, Finance Officer  
Robert Patterson, Legal Counsel

**1. CALL TO ORDER: 1:00 p.m.**

**2. ROLL CALL:**

**3. PUBLIC COMMENTS:**

Pursuant to California Government Code Section 54954.3, the public has the right to address the board regarding any closed session items listed on the **closed session agenda** prior to the board adjourning into closed session. Anyone who wishes to address the Board, please come to the microphone. Public comments are limited to (3) minutes for each person.

**4. CLOSED SESSION ITEMS:**

A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:(One potential case)

**5. OPEN SESSION: 2:00 pm**

**6. PLEDGE OF ALLEGIANCE: Michelle Gilmore, President**

**7. ANNOUNCEMENT OF CLOSED SESSION ACTIONS:**

**8. PUBLIC COMMENTS:**

Pursuant to California Government Code Section 54954.3 members of the public may address the Board at this time on any items of public interest that are within the Board's subject matter jurisdiction. The Ralph M. Brown Act, however, prohibits the Board from taking action on any matter not appearing on the agenda. Those who wish to address the Board should come to the microphone. Members of the public will be given three (3) minutes to address the board on any items of public interest.

**9. NEW BUSINESS**

**A. Resolution No. 2024-06-25-01**

**Discussions and approval A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SALTON COMMUNITY SERVICES DISTRICT ESTABLISHING A POLICY ALLOCATING THE COST OF NEW SEWER LINE CONSTRUCTION TO LOTS CURRENTLY LACKING SEWER LINES.**

**B. Discussion and approval to use the Salton Community Services District board room as a community cooling station.**

**Only for Discussion, no vote will be taken**

**C. Discussion for the potential master plan for Desert Shores Park and Salton City Community Park.**

**10. ADJOURNMENT:**

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**Sonia Thania Garcia, Secretary of the Board**

Upon written request, this agenda will be made in appropriate alternative format to persons with disabilities as required by Section 202 of the American with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the Secretary of the Board at least 72 hours before the meeting. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at 1209 Van Buren St, Suite 1, Salton City, California 92275.

**RESOLUTION NO. 2024-06-25-01**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE SALTON COMMUNITY SERVICES DISTRICT ESTABLISHING A  
POLICY ALLOCATING THE COST OF NEW SEWER LINE CONSTRUCTION  
TO LOTS CURRENTLY LACKING SEWER LINES**

**WHEREAS**, the District operates and maintains a sewer collection and treatment system within certain areas in Imperial County and enacts resolutions and ordinances establishing the district’s current sewer user fees (the “Sewer User Fees”) pursuant to applicable law, including, but not limited to, California Health and Safety Code section 5471 for the purpose of operating and maintaining the existing sewer system; and

**WHEREAS**, the current Sewer User Fees were adopted based on a study as required by Proposition 218 prepared by an engineer that identifies the uses of the Sewer User Fees, dated January 2023, and which does not provide that the Sewer User Fees will be used to extend sewer lines to properties not currently having immediate availability of sewer services; and

**WHEREAS**, the District also collects sewer standby fees from properties enjoying immediate availability of sewer services but which are not identified as being intended to pay for the extension of sewer lines to properties not having immediate availability to the same; and

**WHEREAS**, the only potential source of funding for sewer lines to properties not having sewer lines in the street immediately in front of the property is the general fund;

**WHEREAS**, the District general fund is limited and already dedicated to existing uses and cannot be called on to finance new sewer construction to currently unserved areas of the district;

**WHEREAS**, the customary, best practice and legal requirement is for private development to incur the cost to install utilities to serve the private development.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SALTON COMMUNITY SERVICES DISTRICT AS FOLLOWS:**

Section 1. The Board of Directors hereby finds and determines that the forgoing Recitals are true and correct and are incorporated herein by this reference.

Section 2. The District does not have a source of funds available to install new sewer lines for private development on lots that do not have functioning sewer lines in the public right of way fronting the lot, which can be readily connected. Therefore, the cost of installing new sewer lines for private development on lots that do not have functioning sewer lines in the public right of way fronting the lot shall be borne solely by the property owner as an unwaivable condition of receiving sewer service. The district shall not install new sewer lines for private development on lots that do not have functioning sewer lines in the public right of way fronting the lot. Approval of building permits should not be issued by the County of Imperial for construction on lots that do not have functioning sewer lines in the public right of way fronting the lot, as well as all other utilities, including but not limited to water and electricity. Furthermore, the Architectural Committee may not issue approvals for the improvement of lots that do not have functioning sewer lines in the public right of way fronting the lot or all other utilities, including but not limited to water and electricity. Notwithstanding the foregoing, the district shall not be obligated to install sewer lines to properties that have been provided a building permit or Architectural Committee approval if the lots do not have functioning sewer lines in the public right of way fronting the lot as well as all other utilities including but not limited to water and electricity. This policy may only be modified or changed by a resolution or ordinance of the District Board of Directors, specifically identifying a legally available source of funding for the entire installation of sewer lines in the public right of way and compliance with all other legal and engineering requirements.

Section 3. In the event of a conflict between these resolutions and any other resolution previously adopted by the District Board of Directors, these resolutions shall control and supersede the contrary or conflicting resolution or resolutions. Such contrary resolutions shall be deemed rescinded and of no further force or effect from the date of adoption of these resolutions including but not limited to resolution 87-3.

**PASSED AND ADOPTED BY** the Board of Directors of the Salton Community Services District, Salton City, California, held on the 25<sup>th</sup> day of June, by the following vote:

	YES	NO
Michelle Gilmore, President	_____	_____
Michael Friese, Vice President	_____	_____
Manuel Ramos, Director	_____	_____
Lidia Sierra, Director	_____	_____
Dale Johnson, Director	_____	_____

\_\_\_\_\_  
Michelle Gilmore, President of the Board of Directors

ATTEST:

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Sonia Thania Garcia, Secretary of the Board of Directors