

Salton Community Services District
REGULAR MEETING *Minutes*

June 21, 2023

Closed Session 1:00 p.m.

Open Session 2:00 p.m.

1209 Van Buren Ave.

Salton City, CA 92275

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 Dunning, Field foreman
Stephen Prager, Park Supervisor

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 each person.

4. CLOSED SESSION ITEMS:

- A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9) Name of case:
SALTON COMMUNITY SERVICES DISTRICT, a California special district,
Plaintiff, vs. MITCHELL EDWARD MANSFIELD, an individual; and DOES 1-
50, inclusive (Imperial County Superior Court Case # ECU002875
- B. Notice of Filing of Discrimination Complaint: Civil Rights Department, State of
California, Business, Consumer Services and Housing Agency David Dale vs.
Salton Community Services District (Ms. Lydia A. Sierra) (Case Number: 202210-
18578217; EEOC Number: 37A-2023-01476)

C. 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: 2:00pm**

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

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

The board changed the order of the announcements item A was moved to C.

A. **Mr. Mansfield defaulted failed to respond to the lawsuit so the district is taking his defaults and the district will be following through on that.**

B. **Regarding both matters the board met with the Labor Employment Attorney from our firm. Who is advising the district and got an update one of them is a new matter of a potential case that case involves potential threat of litigation by another employee that involves allegations concerning the conduct of one of our board members Lidia Sierra. The board was advised by Labor attorney about the potential consequences of this potential litigation involving the conduct of Ms. Sierra. The district has an obligation to protect employees and provide them with a decent, safe, and mentally-healthy workplace and that is the concern here. When board member Sierra has engaged in conduct which is disrespectful and discriminatory towards one of the employees. Now a second employee has made a complaint of discriminatory and disrespectful conduct. The existing matter is with the Civil Rights Department State of California Business Consumer Services and housing agency. The administrative action was brought through with the state agency by having one of the employees make a complaint against this individual obviously the state acted. They did elect to file an administrative claim against the Salton Community Services District based on the conduct of Lidia Sierra. As Ms. Sierra is not presently named in that administrative action, we don't know what's going to happen with the most recent claim that has been made. It could be that she is named like the one form David Dale only the district will be named obviously this creates the potential that this district is going to have to pay for conduct that has been continuing and ongoing issue and this director has been advised in the past. The Board has been presented with a draft of a letter to Ms. Sierra recommending that she be censured further stating that she will not be entitled to a legal defense for any further unlawful conduct by Ms. Sierra.**

9. 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.

Lizabeth Flowers- If we don't defend her in the Lawsuit and she comes out showing that she was falsely accused or its not valid. Can she sue the district for not defending her I am assuming I can be wrong that was likely in her contract? When signing up to be a board member. Have we sought any further grants? For anything in terms of you know trees sewer systems. Have we been searching for grants if so, which ones have we come up with? And we get a list of grants.

Christina Sutton- I just wanted to take some time to introduce our new interpreter she comes very highly recommended she is very professional her name is Ms. Esmeralda Garcia. This is her first day with us and thank you again for joining us and welcome to the family.

10. BOARD MEMBER COMMENTS:

Michelle Gilmore- *President Gilmore presented information regarding LAFCO monthly meetings, as well as pointing out printed handouts of the minutes from the March 23rd LAFCO meeting were available on the front table. This was done because of repeated comments from some community members that feel the District is not letting the community know what LAFCO thinks. President Gilmore also explained that it was not the district's responsibility to constantly keep the community updated or informed regarding LAFCO. Anyone in the community can avail themselves of most LAFCO information just by going on LAFCO's webpage. The District received a letter from LAFCO and President Gilmore asked Thania Garcia, Board Secretary to read it to the audience. Ms. Garcia was poised to read then letter when Vice President Friese asked if he could read the letter. With permission, Vice President Friese read the letter.*

Michael Friese- *Mr. Patterson on the non-defense that is going forward from now on and it is not retroactive.*

Manuel Ramos *No Comment*

Lidia Sierra *No Comment*

Dale Johnson *No Comment*

11. CONSENT CALENDAR ITEMS:

Consent calendar items are expected to be routine and non-controversial, to be acted upon by the board of directors at one time without discussion. If any board member requests that an item be removed from the consent calendar, it will be removed so that it may be acted upon separately.

- A. Approve the Minutes for the Regular Meeting of May 17, 2023.
- B. Approve demands for the month of May 2023.
- C. Approval of Slovak Baron Empey Murphy & Pinkney LLP, Attorney at Law. Demand in the amount of **(\$11,628.50)** for May.
Vice President Friese motioned to approve consent calendar items for the month of May. Director Ramos second the motion.

ROLL CALL:

President Gilmore Yes Director Sierra No
Vice President Friese Yes Director Johnson Yes
Director Ramos Yes

12. REPORTS:

- A. Interim General Manager's report
- B. Finance Officer's report
- C. Field Foreman's report
- D. Park Supervisor's report

13. MEMBERS OF THE BOARD REPORTS: STANDING COMMITTEE:

- A. Architectural Committee Report
Plan was tabled for next month's meeting did not meet the CC&Rs.

14. UNFINISHED BUSINESS:

15. NEW BUSINESS:

- A. Discussion and Approval for the Proposals to purchase trees for the Thomas R. Cannel (TRC) Wastewater Treatment Facility.
- B. Discussion and Approval for the Request of Proposal (RFP) Packet submitted by the Hermann Design Group.
- C. Michelle Gilmore to nominate a new member to the Architectural Committee.
- D. Discussion and Approval for the Proposals regarding the Crystal Lake Repair.
Director Ramos motioned to table items A to D for next meeting. Vice President Friese second the motion

ROLL CALL:

President Gilmore Yes Director Sierra Yes
Vice President Friese Yes Director Johnson Yes
Director Ramos Yes

Motion Passes 5-0

E. Discussion and approval for the Geotechnical Report Proposals for Expansive Soil regarding the Salton Community Services District Office.

Director Johnson motion to approve PETRA to conduct the Geotechnical Report Proposals for Expansive Soil. Vice President Friese second the motion.

ROLL CALL:

President Gilmore Yes

Director Sierra Yes

Vice President Friese Yes

Director Johnson Yes

Director Ramos Yes

Motion Passes 5-0

F. Discussion and Approval of A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SALTON COMMUNITY SERVICES DISTRICT APPROVING THE 2023-2024 PARCEL FEES ON LAND LOCATED IN THE DISTRICT TO PROVIDE FOR THE COLLECTION OF SOLID WASTE GENERATED FROM RESIDENTIAL USE OF SUCH PARCELS AND OPT-OUT PROGRAM FOR THE DISTRICT AND ITS CONSTITUENTS.

Vice President Friese motioned to approve Resolution No. 2023-06-21-01.

Director Johnson second the motion.

ROLL CALL:

President Gilmore Yes

Director Sierra Yes

Vice President Friese Yes

Director Johnson Yes

Director Ramos Yes

Motion Passes 5-0

G. Discussion and Approval for the Proposed Budget FY 2023-2024.

Director Johnson motioned to approve the Proposed Budget FY 2023-2024.

Vice President Friese second the motion.

ROLL CALL:

President Gilmore Yes

Director Sierra Abstain

Vice President Friese Yes

Director Johnson Yes

Director Ramos Yes

Motion Passes 4-1

16. ADJOURNMENT:

Meeting Adjourned at 3:25pm



Sonia Thania Garcia, Secretary of the Board



Michelle Gilmore, Board President