

Salton Community Services District
REGULAR MEETING *MINUTES*

May 17, 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, IGM
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:

President Gilmore Present
Vice President Friese Present
Director Ramos Present

Director Johnson Present
Director Sierra Present

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.

Imari Kariotis- I would like to ask a question about the existing Litigation against Mitch Mansfield. Is the District going after Mansfield for the moneys that he was given for his Golden Parachute? And then I am going to ask is David Dale suing us because, I just got the agenda 20 min ago I had to come from Riverside from work, so I am trying to figure all this out. I know that litigation and attorney fees are expensive, and I glanced down and its \$8,000.00. what is the \$8,000.00 is billed for? But that's a lot I know some of the members that voted for mitch golden parachute are still on this board, and I am hoping they recuse themselves because they voted yes.

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 - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (One potential case)

Vice President Friese motioned to move Item A from Close Session to be the last item. Director Ramos second the motion.

ROLL CALL:

President Gilmore Yes Director Johnson Yes

Vice President Friese Yes Director Sierra Yes

Director Ramos Yes

Motion Passes 5-0

5. OPEN SESSION: 2:00pm

6. PLEDGE OF ALLEGIANCE: Michelle Gilmore, President

7. ANNOUNCEMENT OF CLOSED SESSION ACTIONS:

- **Close Session Item 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. Complaint has been filed against Mr. Mansfield who was the former General Manager of the District. The complaint alleges that Mr. Mansfield behest a payment to himself in the amount of \$192,000.00 plus a promise \$500.00 per month in health care for his life. This was voted on by the then board of Directors on December 3rd at the time the**

new board of Directors where being sworn in and the complaint is a public Document to them from the court and the district has copies of it and the case has been assign to Judge L. Brooks Aderholt and to read the causes of action for the case is the complaint for intentional misrepresentation breach of covenant of good faith and fair dealing violation of Government Code Section 1090 rescission and restitution declared for relief on enrichment and conversion and a jury trial has been requested the lawsuit was served to Mr. Mansfield he has not responded to the complaint at this time he has more time within which he to respond to the complaint.

- **Close Session Item 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) No reportable action on this matter.**
- **Close Session Item C CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (One potential case) No reportable action.**

8. PRESENTATIONS/ PUBLIC APPEARANCES:
No Presentation

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.

Imari Kariotis- I am trying to figure out the billable hours for your attorney for the month of April comes to \$8,000.00. I been told that I cannot have his billable hours or the minutes he spoke with anybody because it is against his client attorney privilege. I think that you guys should be able to say that you spoke with him for 30 minutes and it should be a record that anyone in this community can look at because \$8,000.00 is a lot of money and considering that

their all-crying poor. I would like to know what its being spent on litigation stuff I would like to know there are 16 billable days you don't work on Friday you don't work on Saturday you don't work on Sunday sometimes you are not open on Mondays. So, if you divide that down that's a lot of money a day so I would really like to request that there is a way to have daily billable hours for this attorney.

Jose Luis Fuentes- Legal counsel to Rostros y Corazon non- profit organization based here in Salton City. I have reviewed your agenda and what is glaringly missing I don't know how you can miss this is any report from LAFCO you have a meeting coming up with LAFCO you already can be dissolved and there is no report to the community all we hear from you all is that we need more money to pay your debt but no solutions on how you are going to solve LAFCO issues and the hearing that coming up no notice to the folks here about the meeting no plans no nothing. General Manager or Intern General Manager what are you doing besides sitting on your and likewise Mr. Ramos what are you doing and President, Vice President, Ms. Sierra, Director Johnson nothing on the agenda there. So, we would like to get some feedback as to what you are going to do on the hearing that is coming up or the update that's coming up next week with LAFCO and let the people know what the meeting is what the timing is.

Director Lidia A. Sierra- Add the outcome of the LAFCO Meeting on next Agenda

Director Sierra motioned to add an update of the LAFCO meeting on next agenda. President Gilmore second the motion.

ROLL CALL:

President Gilmore Yes

Director Johnson Yes

Vice President Friese Yes

Director Sierra Yes

Director Ramos Yes

Motion Passes 5-0

John Connelly- One of the Public Comments that was brought up was about the lawyer fees and we cannot see the layers fees. Has the Board member seen them? So only one person on the board that has seen the lawyers' fees should it not be a monthly thing to look at the hours for the lawyers' fees. I would like for the board to look at the lawyer's fees on a monthly basis to see how much we are spending to see how much we are spending.

10. BOARD MEMBER COMMENTS:

President Gilmore- this is a contingent meeting. We had a district provided workshop back in March 11 this is a workshop this is a workshop with the people that did the rate study. We gave out information in both English and Spanish trying to reach out to make sure the community was informed. Information was in English and Spanish and only 23 people.

Vice President Friese- I just want to clarify that this 2 o'clock hearing will be recessed and continued at 7pm to give everybody an opportunity to speak. There is going to be basically an afternoon and evening session and it's all considered one long session.

Director Ramos- No Comment

Director Johnson- I just have to bring up the prop 218 as they are we have a fixed rate every time we do this it's what it's going to cost us down the line and that what we go through. Let's say you did get enough votes against it the county will take over I bet you sewer rates are way high. That's all I got for you.

Director Sierra- Since the time this meeting we moved it from 7 to 2pm I have not seen so many residences in this room. I would like to thank everyone today and invite you to continue attending this meeting. It's important for our residence be aware of what happen here. And also, I would like to know if the residence need the translation services or are you ok or are you ok with the English.

Salvador- Good afternoon, everyone my comment is why we are so little people you guys should have done a public meeting for this area for us because all the people are still working and for me the time is ridicules because no one will stop work to attend the meeting. Another situation the people in desert shores that is where I live the people that live, they are farm workers 5pm would be a good time. Because the workers will get out of work 3 or 3:30pm they will have time to get home shower, eat and come to the meeting it is just a suggestion.

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 April 2023.
- B. Approve demands for the month of April 2023.
- C. Approval of Slovak Baron Empey Murphy & Pinkney LLP, Attorney at Law. Demand in the amount of (\$8,114.45) for April.
**Vice President Frieese motion to approve the Consent Calendar Items.
Director Ramos second the motion.**
ROLL CALL:
President Gilmore Yes Director Johnson Yes
Vice President Frieese Yes Director Sierra Yes
Director Ramos Yes

Motion Passes 5-0

12. REPORTS:

- A. Interim General Manager's report
Good afternoon, everyone my name is Emmanuel Ramos, and I am the Interim General Manager. One of the reports I want everyone to know Ryan Kelly from Imperial County, Belen Leon and Israel Hernandez from Air Quality Control Department came to the office to discuss expanding the grass area for the Grant. Not only the one we already have for \$200,000.00 but expanding a little bit more to beautify the park. The Desert Shore Park Grant deadline has been extended due to Ryan Kelly and the Air Quality Control departments willingness to provide additional funding for the additional improvements to the Desert Shore Park Project to add grass around the canopy. On May 8, 2023, we had a zoom meeting with Hermann Group Design and Israel Hernandez Air Quality Control Department discussing the Desert Shores grass and tree placement and the discussion of the cost and tree placement. The Hermann Design Group is willing to edit the park design and add the additional grass project to the design. RCAC is talking with TKE regarding the Technical Assistant Reports for the Grant funding for the Force Main Repairs, Lift Station Repairs, and Wastewater Treatment Facility Expansion. And lastly, we have a Grant for trees that right now is on hold because the Hermann Design Group make

the irrigation design, so we are going to be around June where they start planting the 70 trees in Desert Shores Park.

B. Finance Officer's report

Good afternoon, so the Revenue Report for the month of April General Fund we received \$109,404.78. \$102,2033.48 was from Imperial County for General fund for property taxes \$7,171.30 are from the rental and Burrtec contract. Sewer Maintenance received \$326,668.60, \$314,223.74 were from Sewer User fees from Imperial County. The expenses for the month of April General Fund were \$24,752.18 Sewer Maintenance \$189,613.73 for your total expenses for the month \$214,365.91. With that being said we came under overall budget by 5% for the month of April. This fiscal year to date we are currently 35% under the overall approved budget for this fiscal year. There was a 7% increase over the month of March because the Station 2 Control Panel total Capital Improvement Project came in at \$28,191.00. Lansing Pond 4 Capital Improvement Project \$20,604.19 so fiscal year to date the District has spent \$65,255.91 in Capital Improvements. We are continuing to work with the auditors to complete Fiscal 2021 and Fiscal 2022 audits Provided the State Controller with the 2022 GCC Report which is the Government Compensation California Report we are waiting for them to Publish. We are continuing to draft the Fiscal Year 2023-2024 Budget to present next month for approval there will be a Study Session. Comparison thus far General Managers wages have been decreased by 68% over las fiscal year. Sewer Maintenance Wages decrease by 13% over last Fiscal Year, Clerical Wages decreased by 37% over last Fiscal Year for an overall 3% decrease of operating expenses over last Fiscal Year.

C. Field Foreman's report

Please See Attached Report

D. Park Supervisor's report

Please See Attached Report

13. MEMBERS OF THE BOARD REPORTS: STANDING COMMITTEE:

A. Architectural Committee Report

We had had a total of 4 submissions 3 out of the four where approved. The one that was approved was because the living area Sq footage did not meet the 800sqft stated in the CC&Rs. I tried contacting the owners of the property to make changes to the site

plans. It was tabled for next Architectural Committees and then the committee will be going dark. We do need President Gilmore to select someone to seat for the Committee.

14. UNFINISHED BUSINESS:

15. NEW BUSINESS:

- A. PUBLIC HEARING – FIRST READING OF ORDINANCE NO. 2023-05-17 ADJUSTING SEWER USER FEES PURSUANT TO SEWER STUDY BY RURAL COMMUNITY ASSISTANCE CORP.
- B. DISCUSSION AND APPROVAL OF AN ORDINANCE NO. 2023-05-17 OF THE BOARD OF DIRECTORS OF THE SALTON COMMUNITY SERVICES DISTRICT ESTABLISHING RATES FOR WASTEWATER SERVICE FEE.
- C. CEQA Determination: The adoption for sewer rates is statutorily exempt from the California Environmental Quality Act (“CEQA”). Public Resources Code Section 21080(b)(8) and State CEQA Guidelines Section 15273(a)
**PROP 218 POSPONED FOR JULY 19, 2023, MEETING.
PLEASE REFER TO THE RECORDING FOR THE PUBLIC
HEARING COMMENTS.**

16. ADJOURNMENT:

Vice President Friese motion to adjourn the meeting at 7:25pm. Director Ramos second the motion. Unanimous


Michelle Gilmore, President of the Board


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.



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Serving the West Shores of the Fabulous Salton Sea
May 2023 Monthly Sewer Maintenance Report

1. Daily Station and Plant Checks
2. Monthly Safety Meeting
3. Monthly Wastewater and lab samples.
4. Monthly Reports to Water Quality
5. Sta. #2 New Panel installed and fully operational
6. Checked all trouble Lines SC and Desert Shores.
7. Jet and vacuumed several lines in Salton City.
8. Service Check valves Sta. 24
9. Camera thru Gravity Lines in SC.
10. Multiple mark and locate tickets
11. Service aerators Lansing Facility
12. Service aerators TRC Facility
13. Checked High Level Lights at all Stations Monthly
14. Install new submersible pump sta.#20
15. De-weeding continues at all pond facilities.
16. Routine maintenance continues at all Lift stations.

Park report for May 2023

Both parks are open and being maintained. Since last report , Desert Shores Park lighted field has been used almost every Thursday & Tuesday.

The soccer players have been great about turning off the lights after using the field.

The basket ball hoop nets have been replaced In Desert Shores Park. There has been some vandalism in the women's bathroom at Desert Shores Park. The sink faucet had been torn apart and the cold water cartridge had been removed. Repairs were made the next day. The park host at Desert Shores is doing a great job.

Salton City has lost its park host last week. The bathroom maintenance has been taken over by myself until a new park host can be found.

The old walkway at the entry to Salton City Park has been removed and repaired. (Park

was closed on May 8th & reopened on May 12th for this repair.(photos)

On May 6th, the Imperial Vally Resource Management Agency(IVRMA) was to hold a clean up event at Salton City Park. They held their event but decided to set up on a piece of property on the south west corner of South Marina & Harbor Dr. property not owned by SCSD. According to IVRMA the event went well. IVRMA left a stack of approximately 100 plus tires on this site. As of 1:00 pm on May 9th I was told the tires would be picked up by end of day.

As of Wednesday morning(10th) tires were still there. After multiple attempts to talk to the IVRMA supervisor they assured me the tires would be gone by Wednesday afternoon.

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To: Stephen Prager sprager@saltoncsd.ca.gov

Date: Tue, May 9, 2023, 12:37 PM

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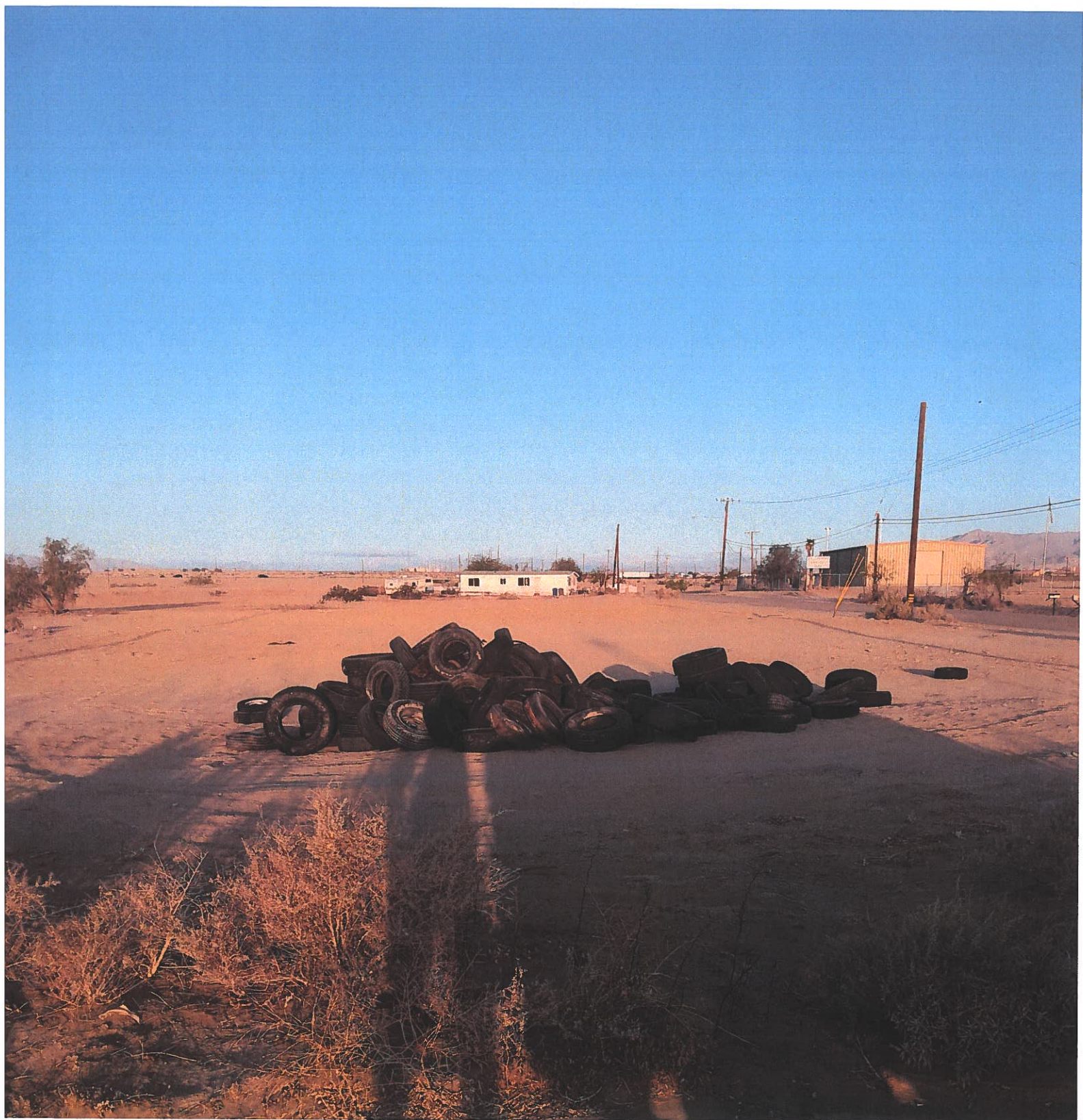
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Tires on 5/10 s .marina & harbor

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