

SALTON COMMUNITY SERVICES DISTRICT

Board Meeting Agenda

January 19, 2022

Closed Session 9:00 a.m.

Open Session 10:00 a.m.

1209 Van Buren Ave.

Salton City, CA 92275

www.saltoncsd.ca.gov

BOARD OF DIRECTORS:

Mr. Dale Johnson, President
Mr. Manuel H. Ramos, Director
Ms. Nancy Pieper, Director
Mr. Rogelio Flores, Director
Ms. Lidia A. Sierra, Director

STAFF:

Sandra Davis, Interim General
Manager
Cristina Flores, Board Secretary

1. CALL TO ORDER: 9:00 a.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 ISSUES:

- I.** Public Employee Release Pursuant to Government Code 54957
- II.** Public Employee Appointment Pursuant to Government Code 54957-Interim General Manager
- III.** Conference with Labor Negotiators Pursuant to Government Code Section 54957.6; Agency Representative District Legal Council Robert Patterson Unrepresented Employee; Interim General Manager

5. OPEN SESSION: 10:00 a.m.

6. PLEDGE OF ALLEGIANCE: Dale Johnson, President

7. ANNOUNCEMENT OF CLOSED SESSION ACTIONS:

8. PRESENTATIONS/ PUBLIC APPEARANCES:

- I. Presentation by Jurg Heuberger Executive Office of LAFCO

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. Personal attacks on individuals, slanderous comments, or comments which may invade an individual's personal privacy, are prohibited. 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.

10. 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.

- I. Approval of the Minutes for the Regular Meeting November 17, 2021.
- II. Approval of the Minutes for the Special Meeting December 3, 2021.
- III. Approval of the Minutes for the Regular Meeting December 15, 2021
- IV. Approval of the Minutes for the Special Meeting December 21, 2021
- V. Approval of Katherine Turner, Attorney at Law Demand in the Amount of (\$1200.00) for November 2021.
- VI. Approval of Craig Weber, Attorney at Law Demand in the Amount of (\$450.00) for the Months of November and December 2021
- VII. Approval of SBEMP (Robert Patterson) Attorneys at Law Demand in the Amount of (\$2,394.00) for the Month of December 2021
- VIII. Current Demands for the Months of November and December 2021

11. REPORTS: All reports are posted on the bulletin board and are available for review.

- I. General Manager's report provided in the Directors' packet.
- II. Finance Officer's report provided in the Directors' packet.
- III. Fire Department's report provided in the Directors' packet.
- IV. Field Foreman's report provided in the Directors' packet.

12. MEMBERS OF THE BOARD REPORTS: AD HOC COMMITTEES

- I. Parks and Recreation: (Dale Johnson)

- II. Channel Maintenance:
- III. SCSD Outreach Program: **On Hold**

12.1 ORGANIZATION REPORT:

13. OLD BUSINESS:

14. NEW BUSINESS:

- I. Motion to Discuss Salton Community Services District Board Members Bylaws.
- II. Motion to Approve Nancy Pieper Recommendation to Seat Carlene Ness to the Architectural Committee.
- III. Motion to Approve Rogelio Flores Recommendation to Seat Veleta Scott to the Architectural Committee.
- IV. Motion to Approve Lidia A. Sierra Recommendation to Seat Mike Friese to the Architectural Committee.
- V. Motion to Approve Manuel H. Ramos Recommendation to Seat Erick Cervantes to the Architectural Committee.
- VI. Motion to Retain Urban Futures to Perform Analysis and Reporting Regarding District Finance.
- VII. Motion to Approve Temporary Employment Agreement with Interim General Manager.
- VIII. Motion to Approve **Resolution No. 2022-01-01**. Providing for Time, Place, and Rules for Regular and Special Meetings.
- IX. Motion to Elect President and Vice President for the 2022 Calendar Year.

15. URGENCY ITEMS TO BE ADDED:

16. ADJOURNMENT:



Cristina Flores, Board Secretary

1/14/2022 10:22 AM

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.



1209 Van Buren Avenue, Suite 1
POST OFFICE BOX 5268
SALTON CITY, CALIFORNIA 92275-5268
TELEPHONE: (760) 394-4446
FAX: (760) 394-4242
scsd@saltoncsd.ca.gov

Serving the West Shores of the Fabulous Salton Sea

General Manager's Report

December 2021

1. Working with L.A.F.C.O. to finalize SAP
2. Working with NV5 for force main replacement
3. New Directors were seated
4. Day to Day operations



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Serving the West Shores of the Fabulous Salton Sea
January 2022 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. Annual Wastewater samples to lab
6. Checked all trouble Lines SC and Desert Shores.
7. Jet and vacuumed several lines in Salton City.
8. Service aerators at TRC Ponds
9. Camera thru Gravity Lines in SC.
10. 51 mark and locate tickets
11. Service aerators Lansing Facility
12. Service aerators Desert shores Facility
13. Checked High Level Lights at all Stations Monthly
14. Repaired sewer lateral 777 Molokai SC.
15. Installed new security cameras at all treatment facilities and both parks

**SALTON COMMUNITY SERVICES DISTRICT
FINANCE OFFICER'S REPORT
For period ending December 2021**

		Change from last month	Change from last year	% Change from last year
<u>GENERAL FUND:</u>				
Checking Accounts - Pacific Premier (may include deposits in transit)	\$124,747.09	\$4,449.31	\$89,055.92	
Local Agency Investment Fund (LAIF) Operations Account	\$37,859.58	\$0.00	\$0.00	
Local Agency Investment Fund Reserve Account	\$3,176.62	\$0.00	\$0.00	
Local Agency Investment Fund - Street Light Fees	\$19,229.47	\$0.00	\$0.00	
Local Agency Invest. Fund - Fire Dept. Fees (Funds trf. to GF ckng. for FD us	\$0.00	\$0.00	\$0.00	
Due to SM for GF portion of payroll & retirement in Oct		\$0.00	\$0.00	
Total General Fund Balance Available	\$185,012.76	\$4,449.31	\$89,055.92	92.81%
<u>SEWER MAINTENANCE:</u>				
Checking Account - Pacific Premier (may include deposits in transit)	\$82,750.24	(\$257,453.32)	\$55,399.09	
Local Agency Investment Fund (LAIF) Operations Account		\$0.00	\$0.00	
Local Agency Investment Fund (LAIF) Reserve Account		\$0.00	\$0.00	
Local Agency Investment Fund (LAIF) Capital Reserve		\$0.00	\$0.00	
USDA/NADBank - Pacific Premier Loan Payment Account	\$72,496.15	(\$100,001.42)	(\$99,991.04)	
Due from GF for exp. paid for GF portion of payroll & retirement in Oct		\$0.00	\$0.00	
Total Sewer Maintenance Fund Balance Available	\$155,246.39	(\$357,454.74)	(\$44,591.95)	-22.31%
<u>SEWER CONSTRUCTION:</u>				
Checking Account - Pacific Premier (may include deposits in transit)	\$4,260.62	\$0.04	(\$24.53)	
Bond Redemption Fund - Pacific Premier	\$0.00	\$0.00	\$0.00	
Local Agency Investment Fund (LAIF) Operations Account	\$1,173.80	\$0.00	\$0.00	
Local Agency Investment Fund (LAIF) Capacity Reserve	\$15,461.39	\$0.00	\$0.00	
Time Certificates of Deposits	\$0.00	\$0.00	\$0.00	
Total Sewer Construction Fund Balance Available	\$20,895.81	\$0.04	(\$24.53)	-0.12%
<u>INVESTMENT RECAP:</u>				
Demand Deposits	\$284,254.10	(\$353,005.39)	\$127,757.09	
LAIF Balance	\$76,900.86	\$0.00	(\$101,736.17)	
Certificates of Deposits	\$0.00	\$0.00	(\$301,282.77)	
Total Deposits and Investments	\$361,154.96	(\$353,005.39)	(\$275,261.85)	
Change from previous report	(\$266,243.27)	(\$353,005.39)	(\$266,243.27)	

-43.25%

As Finance Officer of the Salton Community Services District, I certify that the District has sufficient cash flow to meet all budgeted and anticipated expenses in the next six months.

Paige Petrie



PMIA/LAIF Performance Report as of 01/13/22



PMIA Average Monthly Effective Yields⁽¹⁾

Dec	0.212
Nov	0.203
Oct	0.203

Quarterly Performance Quarter Ended 12/31/21

LAIF Apportionment Rate ⁽²⁾ :	0.23
LAIF Earnings Ratio ⁽²⁾ :	0.0000625812849570
LAIF Fair Value Factor ⁽¹⁾ :	0.997439120
PMIA Daily ⁽¹⁾ :	0.22%
PMIA Quarter to Date ⁽¹⁾ :	0.21%
PMIA Average Life ⁽¹⁾ :	340

Pooled Money Investment Account Monthly Portfolio Composition ⁽¹⁾ 12/31/21 \$181.4 billion

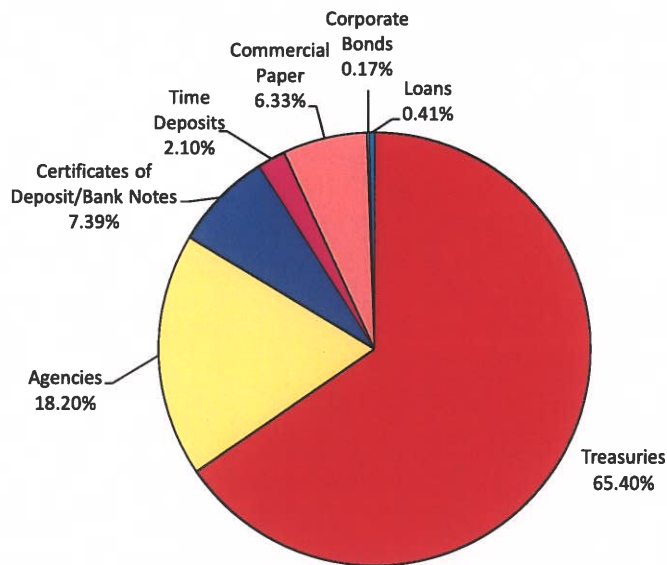


Chart does not include \$6,716,000.00 in mortgages, which equates to 0.001%. Percentages may not total 100% due to rounding.

Daily rates are now available here. [View PMIA Daily Rates](#)

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

Source:

⁽¹⁾ State of California, Office of the Treasurer

⁽²⁾ State of California, Office of the Controller

Imperial Irrigation District

The following are Sewer Maintenance Charges paid in the Month of January (for December)

<u>Account Number</u>	<u>Address (Description)</u>	<u>Amount</u>	<u>Item #</u>
50007893	2273 CLEVELAND DR (TR 570/BL 4/LT 1) (Shop)		6-6502
50391443	762 SALTON DRIVE (Thomas R Cannell sewer ponds)		6-6502
50053804	WEST S COOLIDGE 1¼SD (Desert Shores sewer ponds)		6-6502
50811216	2119 MARS AVE (TR 624A BL 7 LT 29) (Lansing Ponds)		6-6502
50008017	212 DESERT SHORES DR (Lift Station #1)		6-6502
50008036	235 DESERT SHORES DR (Lift Station # 2)		6-6502
50007993	CORNER OF CORONADO & PALM (Lift Station # 5)		6-6502
50349623	2948 LETO AVE (TR 765/BL 4/LT 1) (Lift Station # 6)		6-6502
50274645	2866 MEDITERRANEAN AVE (Lift Station # 7		6-6502
50053786	2812 & 16 PACIFIC STREET (TR 546/BL 4/LT 6&7) (Lift Station #8)		6-6502
50007977	SEA GARDEN AVE (TR 576-A/BL 2/LT 19) (Lift Station # 10)		6-6502
50063692	975 SEA PORT (TR 576-A/BL 1/LT 41) (Lift Station # 12)		6-6502
50007969	2635 SALTON BAY DR (TR 576/BL 2/LT 18) (Lift Station # 13)		6-6502
50007959	2542 SEA VIEW DR (TR 541/BL 17/LT 18) (Lift Station # 15)		6-6502
50805317	2502 Treasure DR (TR 541/BL 14/LT 6) (Lift Station # 16)		6-6502
50007941	TR 679 & SPA & RV PARK (Lift Station # 17-18)		6-6502
50007933	MARINA & CRYSTAL (Lift Stations # 19-20)		6-6502
50377292	2243 SEA VIEW AVE (TR 526/BL 19/LT 2) (Lift Station # 21)		6-6502
50007925	708 PLAZA AVE (TR 585 BL 5 LT 21) (Lift Station # 22-A - standby)		6-6502
50391441	708 PLAZA AVE (TR 585/BL 5/LT 21) (Lift Station #22-B)		6-6502
50007907	2161 PALM WAY (TR 584/BL 10/LT 10&11) (Sta. #23 & Lansing Ponds)		6-6502
50391442	821 LUNAR/MARS AVE (TR 624-A/BL 10/LT 21) (Sta. #24-480 volt)		6-6502
50007916	821 LUNAR/MARS AVE (TR 624-A/BL 10/LT 21) (Sta. #24-240 volt/standby)		6-6502
50638777	1209 Van Buren (TR573 Bl 26 Lt 11) Ste. # 1 (Office - meter #5)		6-6502
50638757	1209 Van Buren (TR573 Bl 26 Lt 11) Ste. #4 (Office - meter #2)		6-6502
50638778	1209 Van Buren (TR573 Bl 26 Lt 11) Ste. #2 (Library) merer #1		6-6502
50782673	1209 Van Buren (TR573 Bl 26 Lt 11) Ste. #3 (Office - meter #4)		6-6502
Total Sewer Maintenance to IID		0.00	

Coachella Valley Water District

The following are Sewer Maintenance Charges paid in the Month of January (for December)

<u>Account Number</u>	<u>Address (Description)</u>	<u>Amount</u>	<u>Item #</u>
106235-143472	2273 CLEVELAND AVENUE (Shop)	17.39	6-6501
273739-732666	SEWER JET TRUCKS (New sewer jet - Unit #55)	47.57	6-6501
273741-732668	PORTABLE L-180 (Old sewer jet - Unit #54)	82.57	6-6501
597961-732634	1209 Van Buren Sute.1 Tr 573 Bl 26 Lt 11 (Office)	28.42	6-6501
597959-732636	1209 Van Buren Ste. 1 Tr 573 Bl 26 Lt 11 (Irrigation)	30.49	6-6501
709725-767758	116 Construction(Truck portable water meter)	125.00	6-6501
Total Sewer Maintenance to CVWD		331.44	

Imperial Irrigation District

The following are General Fund charges paid in the month of January (for December)

<u>Account Number</u>	<u>Service Address (Description)</u>	<u>Amount</u>	<u>Item Number</u>
50053794	1007 HWY 86 & MONTEREY (Monterey Ave. entrance lights)		6-2003
50039659	CORNER SW OF DS&SCOTT (DS Drive entrance lights)	12.34	6-2003
50007900	Salton City Street Lights	2,342.86	6-2003
50696333	1520 Nile Dr. (Salton Fire Station)		6-3203
50007986	1240 HARBOR DR (Salton City Park)		6-5103
50356177	57 PALM DR (Desert Shores Park)	118.58	6-5303
50778496	83 Desert Shores Dr. (Ambulance Building)		6-3211
Total General Fund to IID		2,473.78	

Coachella Valley Water District

The following are General Fund Charges paid in the Month of January (for December)

<u>Account Number</u>	<u>Service Address (Description)</u>	<u>Amount</u>	<u>Item Number</u>
645615-117834	1520 Nile Dr. (Salton Fire Station)	0.00	6-3202
106457-145806	LOT 21 BLK 18 TR 525 (Salton City Park)	72.98	6-5102
100569-101606	PALM DRIVE, LOT 2 (Desert Shores Park)	48.58	6-5302
710799-100642	220 Desert Shores Dr.(Ambulance Building)	27.76	6-3210
Total General Fund to CVWD		\$149.32	



Slovak Baron Empey Murphy & Pinkney LLP

1800 E. Tahquitz Canyon Way
Palm Springs, CA 92262
Fed. I.D. #33-0833010

Telephone (760) 322-2275 Facsimile (760) 322-2107

January 6, 2022

Received by
SCSD

JAN 14 2022

Board Secretary

Salton Community Services District
ATTN: Mitch Mansfield, General Manager
PO Box 5268
Salton City, CA 92275
PERSONAL & CONFIDENTIAL

Our file no:
Salton Community Svcs District

Professional services through: 12/31/2021 Invoice No. 68572

Professional Services:

			<u>Hrs/Rate</u>	<u>Amount</u>
12/21/2021	RLP	Drive to and attend meeting; telephone conference with Directors regarding completion of form 700	4.20 210.00/hr	882.00
12/22/2021	RLP	telephone conference with Mr. Hueberger; arrange meeting	1.20 210.00/hr	252.00
12/28/2021	RLP	attend zoom meeting; review documents; draft request for items on agenda and documents	2.50 210.00/hr	525.00
12/29/2021	RLP	research, review and analyze legal documents; discussions with potential consultants;	2.00 210.00/hr	420.00
12/30/2021	RLP	Review and analyze rate study and other documents regarding recent developments	1.50 210.00/hr	315.00

For Professional Services Rendered: 11.40 \$2,394.00

Previous Balance: \$63.00

Accounts Receivable Transactions:

10/21/2019 Payment received from Salton Community Services District - thank you. Check No. 2252 (\$63.00)

Total Payments and Adjustments: (\$63.00)

Amount

BALANCE DUE - PLEASE SUBMIT PAYMENT:

\$2,394.00

Name	User Summary	Hours	Rate	Amount
Robert L Patterson		11.40	210.00	\$2,394.00

INTERIM GENERAL MANAGER EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT (this "Agreement") is entered into as of the 19th day of January, 2022, between the Board of Directors of the Salton Community Services District (the "District" or the "Board of Directors") and James Parks (the "Interim General Manager" or the "Employee"). The above-named parties hereby mutually agree and promise as follows:

I. TERM.

The District hereby employs the Employee as Interim General Manager for a term of six months (the "Term"), unless the Agreement is renewed in a writing executed by the parties.

II. SALARY.

Interim General Manager's salary shall be _____ (\$_____) per year, which sum shall be paid at such intervals and pursuant to the procedures regularly established, and as they may be amended by the District in its sole discretion.

III. DUTIES

Employee shall perform the duties of the Interim General Manager as prescribed by the policies of the District. In addition to the powers and duties set forth in the District policies, the Interim General Manager shall have such powers and duties which are delegated to him by the Board of Directors. In particular, the Interim General Manager is charged with immediately advertising and soliciting applications for a qualified and experienced permanent General Manager of the District in such manner as is reasonable and customary in the judgment of the Interim General Manager and presenting candidates to the Board of Directors for consideration and approval at regular meeting(s) as early as possible. The Interim General Manager shall execute all powers and duties in accordance with the policies adopted by the Board of Directors and the State of California Government Code.

IV. INTERIM GENERAL MANAGER AND BOARD OF DIRECTORS RESPONSIBILITIES.

The Interim General Manager shall be the chief executive officer of the District. As such, the Interim General Manager shall have the responsibility for implementing Board of Directors policy, whereas the Board of Directors shall retain the responsibility for formulating and adopting said policy.

V. OTHER DUTIES.

The Interim General Manager (or designee) shall: (1) review all policies proposed to the Board of Directors and make appropriate recommendations to the Board of Directors; (2) periodically evaluate employees as provided for by California law and District policy; (3) advise the Board of Directors of possible sources of funds that might be available to implement present or contemplated District programs or services and in particular addressing questions presented by the Imperial County Local Area Formation Committee; (4) maintain and improve his professional competence by available means,

including subscription to and reading of appropriate periodicals, and joining and participating in appropriate professional associations and their activities; (5) establish and maintain an appropriate community relations program; and (6) act with respect to all employer-employee matters and report to the Board of Directors regarding the same including, but not limited to, solicitation, hiring, retention, discipline and dismissal. Notwithstanding that a designee of the Interim General Manager may perform said duties, the Interim General Manager shall be the person ultimately responsible to the Board of Directors for the proper implementation of the duties and responsibilities described in this Agreement.

VI. OUTSIDE ACTIVITIES.

Interim General Manager may undertake outside business activities for compensation provided they do not interfere with Interim General Manager's normal duties and are done only during non-business hours, personal leave or holiday time and are not done with any employees, public officials, vendors or contractors of the District. Under no circumstances shall such outside activities create a conflict of interest with the duties of the Interim General Manager and the interests of the District.

VII. EVALUATION.

Interim General Manager shall meet with the Board of Directors in closed session as requested by the Board of Directors to review the Interim General Manager's performance and to discuss the Board of Directors' evaluation of said performance. Notwithstanding, the failure to conduct such evaluation shall not inhibit any party's ability to terminate this Agreement pursuant to Section VIII below.

VIII. TERMINATION.

A. At-Will Employment

Interim General Manager shall serve at the will and pleasure of the Board of Directors and may be removed from office (terminated) at any time for any reason or no reason upon a majority vote of the Board of Directors. Nothing in this Agreement shall prevent the Board of Directors from terminating this Agreement and the services of Interim General Manager at its sole discretion.

B. Termination for Cause

Termination shall be for "cause" if District Manager: (i) acts in bad faith and to the detriment of the District; (ii) refuses or fails to act in accordance with any specific direction or order of the Board of Directors; (iii) continues in the poor performance of his duties despite Board of Directors efforts to correct any deficiencies; (iv) exhibits misconduct or dishonesty in regard to his employment; or (v) is convicted of a misdemeanor or felony crime.

C. Resignation

If Interim General Manager desires to resign his position, he will provide the Board of Directors with at least thirty (30) calendar days' notice, in writing.

D. Expiration of Agreement

Unless renewed in a writing signed by the Employee and the District, this Agreement shall expire upon expiration of the Term.

E. Statutory Obligations; Abuse of Office or Position.

Pursuant to Government Code section 53243, et seq. if Interim General Manager is convicted of a crime involving an abuse of his/her office or position, all of the following shall apply: (1) if Interim General Manager is provided with administrative leave pay pending an investigation, Interim General Manager shall be required to fully reimburse such amounts paid;

(2) if the District pays for the criminal legal defense of Interim General Manager (which would be in its sole discretion, as it is generally not obligated to pay for a criminal defense), Interim General Manager shall be required to fully reimburse such amounts paid; and (3) if this Agreement is terminated, any cash settlement related to the termination that Interim General Manager may receive from the District shall be fully reimbursed to the District. For this Section, abuse of office or position means either: (1) an abuse of public authority, including waste, fraud, and violation of the law under color of authority; or (2) a crime against public justice, including a crime described in Title 7 commencing with section 92 of the Penal Code.

IX. FRINGE BENEFITS.

A. Time Off. Interim General Manager shall be provided with paid time off, including vacation, sick leave and paid holidays as provided by District policies.

B. Health Benefits: Interim General Manager shall receive same health benefits as other management employees.

C. CaIPERS. Interim General Manager shall receive the same Ca1PERS benefit as other management employees.

D. Professional Membership. The District shall pay the Interim General Manager's dues for his membership in the organizations as are agreed upon with the Board of Directors.

E. Exclusive Consideration. All compensation, benefits and comparable payments to be provided to the Interim General Manager under this Agreement shall be less withholdings required by law and shall be provided subject to any rules, regulations, agreements, or policies established by the Board of Directors, as amended from time to time at its discretion. The Interim General Manager shall be entitled to no benefits and compensation other than as set forth above.

X. GENERAL PROVISIONS.

A. This Agreement supersedes any and all other agreements, either oral or written, between the parties hereto with respect to the employment of the Interim General Manager by the District and contains all of the covenants and agreements between the parties with respect to the employment of Interim General Manager by the District.

B. Each party agrees and acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein and that any agreement,

statement, or promise not contained in this Agreement shall not be valid or binding on either party.

C. Any modifications of this Agreement will be effective only if made in writing and signed by both the Interim General Manager and the District.

D. If any provision of this Agreement is held by a Court of competent jurisdiction to be invalid, void or unenforceable, the remaining provision shall nevertheless continue in full force and effect without being impaired or invalidated in any way.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT on the 19th day of January, 2022.

James C. Parks

SALTON COMMUNITY SERVICES DISTRICT

Board President

ATTEST

Board Secretary



SALTON COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS' BYLAWS

1. OFFICERS OF THE BOARD OF DIRECTORS

- 1.1 The officers of the Board of Directors are the President and Vice President.
- 1.2 The President of the Board of Directors shall serve as chairperson at all Board meetings. The President shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion.
- 1.3 In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the President and Vice President are both absent, the remaining members shall select one amongst themselves to act as chairperson for the meeting.
- 1.4 The President and Vice President of the Board shall be elected annually at the first regular meeting in December and the term of office shall commence immediately upon election and continue until replaced.

2. MEETINGS

- 2.1 Study session and regular meetings of the Board of Directors shall commence at 10:00 a.m. on the second and third Wednesday of each calendar month in the District Office located at 1209 Van Buren Ave. Suite 1, Salton City unless otherwise directed by the Board of Directors. Additional study sessions/workshops or special meetings may be called to address important District business.
- 2.2 Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for their absence. Failure to attend three (3) consecutive meetings may result in removal from the Board of Directors by action of the Board.

- 2.3 No Board action may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act.
- 2.4 Pursuant to the Brown Act:
- a. Board Members may briefly respond to statements or questions from the public; and
 - b. Board Members may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information,
 - c. The President of the Board or a Board majority in open session may take actions to direct staff to place a matter on a future agenda.
- 2.5 The President shall conduct all meetings in a manner consistent with the policies of the SCSD. All comments shall be directed to the President. The President shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board and shall announce the Board's decision on all subjects. The President shall vote on all motions except in the case of a conflict of interest.
- 2.6 A majority of the Board shall constitute a quorum for the transaction of business. A majority of the Board is sufficient to do business; however, motions must be passed unanimously if only three attend. When there is no quorum for a regular meeting, the President, Vice President, or any Board member shall adjourn such meeting, or, if no Board member is present, the Board Secretary shall adjourn the meeting.
- 2.7 A roll call vote, if required by law or contract, shall be taken upon votes on ordinances and resolutions, and shall be entered in the minutes of the Board showing those Board members voting aye, voting no, and those abstaining or absent. Unless a Board member states that they are not voting because of a conflict of interest and steps down from the dais prior to the discussion of the items, his or her silence shall be recorded as an affirmative vote and vote of abstention shall be recorded as an abstention.
- 2.8 Any person attending a public meeting of the Board of Directors may record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding that the recording cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings.
- 2.9 All video tape recorders, still and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speaker's podium once the meeting begins. The President retains the discretion to alter these guidelines, including the authority to require that all video tape recorders, still and/or motion picture cameras be located in the back of the room.

3. AGENDAS

- 3.1 The General Manger shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may call the General Manager and request an item to be placed on the regular meeting agenda no later than 3:30 p.m. two weeks prior to the meeting date. The General Manager shall establish a SCSD Policy to guide staff in preparation of meeting agendas.**
- 3.2 A block of not to exceed 30 minutes time shall be set aside to receive general public comments. Comments on agenda items should be held until the appropriate item is called. Public comment shall be directed to the President of the Board and limited to three (3) minutes unless extended or shortened at the President's discretion.**
- 3.3 Those items on the SCSD Agenda, which are considered to be of a routine and non-controversial nature, are placed under "Consent Calendar Items". These items shall be approved, adopted, and accepted, etc. by one motion of the Board of Directors. For example, approval of Minutes, approval of Resolutions accepting developer improvements, minor budgetary items, status reports, and routine SCSD operations.**
 - a. Board members may request that any item listed under "Consent Calendar" be removed from the "Consent Calendar", and the Board will then take action separately on that item. A member of the public will be given an opportunity to comment on the "Consent Calendar", however, only a member of the Board for discussion, will typically be heard after other "Consent Calendar" items are approved unless the President orders an earlier or later time.**
 - b. A Board member may ask questions on any item on the Consent Calendar. When a Board member has a minor question for clarification concerning a consent item, which will not involve extended discussion, the item may be discussed for clarification and the questions will be addressed along with the rest of the "Consent Calendar". Board members are encouraged to seek clarifications prior to the meeting if possible.**
 - c. When a Board member wishes to pull an item simply to register a dissenting vote, the Board member shall inform the presiding officer that they wish to register a dissenting vote without discussion. These items will be handled along with the rest of the Consent Calendar, and the Board Secretary will register a "NO" vote in the minutes.**

4. PREPARATION OF MINUTE AND MAINTENANCE OF TAPES

- 4.1 The minutes of the Board shall be kept by the Board Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted in paragraphs with proper subheadings;
- 4.2 The Board Secretary shall be required to make a record only of such business as was actually passed upon by a vote of the Board and except as provided in Section 4.3 below, shall not be required to record any remarks Board members or any other person;
- 4.3 Any Director may request for inclusion into the minutes brief comments pertinent to an agenda item, only at the meeting in which the item(s) is discussed.
- 4.4 Written materials delivered to the Board at the meeting that were not contained in the Board Agenda Packet for review by the Board prior to the meeting shall not be included in the meeting minutes.
- 4.5 Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the Board Secretary shall compile a summary of the testimony of the witnesses.
- 4.6 Any electronic media of a SCSD meeting made for whatever purpose, by direction of the SCSD, shall be subject to inspection pursuant to the California Public Records Act. SCSD tape and film records may be erased thirty (30) days after the taping or the recording.

5. MEMBER OF THE BOARD OF DIRECTORS

Directors shall prepare themselves to discuss agenda items at the meeting of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings.

- 5.1 Information that is exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.
- 5.2 Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.
- 5.3 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should not create barriers to the implementation of said action.
- 5.4 At the President and/or General Manager's discretion, the District Counsel shall act as parliamentarian.

6. AUTHORITY OF DIRECTORS

- 6.1 The Board of Directors is the unit of authority within the SCSD. Apart from their normal function as part of this unit, Directors have no individual authority. As individuals, Directors may not commit the SCSD to any policy, act or expenditure.
- 6.2 Directors do not represent any fractional segment of the community, but are, rather, a part of the body, which represents and acts for the community as a whole.
- 6.3 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the SCSD are to be delegated to the professional staff members of the SCSD by the General Manager.

7. DIRECTOR GUIDELINES

- 7.1 Board members, by making a request to the General Manager, shall have access to information relative to the operation of the SCSD, including but not limited to statistical information, information serving as the basis for certain actions of Staff, justification for Staff recommendations, etc. If the General Manager cannot provide the requested information in a timely manner, a reason of information deficiency, or major interruption of work schedules, workloads, and priorities, then the General Manager shall inform the individual Board member why the information is not or cannot be made available.
- 7.2 In handling complaints from residents, property owners within the SCSD, or other members of the public, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the General Manager for processing and the SCSD's response, if any.
- 7.3 Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, should confer directly with the General Manager.
- 7.4 When approached by SCSD personnel concerning specific SCSD policy, Directors should direct inquiries to the General Manager. The chain of command should always be followed.
- 7.5 Directors and General Manager should develop a working relationship so that current issues, concerns and SCSD projects can be discussed comfortably and openly.
- 7.6 When responding to constituent requests and concerns, Directors should respond to individuals in a positive manner and route their questions and/or concerns to the General Manager, or in their absence, to the Board Secretary.

- 7.7 Directors are responsible for monitoring the SCSD progress in attaining its goals and objectives, while pursuing its mission.

8. DIRECTOR COMPENSATION

- 8.1 Effect June 20, 2018, each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each Board meeting they attend that relates to SCSD business, including special meetings. The District feels Workshops/ Study Sessions are vital to the District. Workshops/Study Sessions are on a strictly voluntary basis and the Board Members will not be compensated for such nor required to attend although Board Members are highly encouraged to attend.
- 8.2 Director compensation shall not exceed two days in any calendar month.
- 8.3 In no event shall Director's compensation exceed \$100.00 per meeting, or \$200.00 per month.
- 8.4 Each Board member is entitled to reimbursement for their expenses incurred in the performance of the duties required or authorized by the Board.
- a. It is the policy of the SCSD to exercise prudence with respect to hotel/motel accommodations. It is also the policy of the SCSD for Board members and staff to stay at the main hotel/motel location of a conference, seminar, or class to gain maximum participation and advantage of interaction with others whenever possible. Actual hotel/motel costs shall be reimbursed. Personal phone calls are not reimbursable.
 - b. Any Director traveling on SCSD business shall receive reimbursement on transportation and lodging expense, if warranted.

9. COMMITTEES

- 9.1 As is customary with Board meetings, all committees shall meet within the jurisdictional boundaries of the SCSD except in an emergency.
- a. **AD HOC COMMITTEES**
The Board shall appoint such ad hoc committees as may be deemed necessary or advisable. The duties of the ad hoc committee shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made or at any time that there are no activities.
 - b. **STANDING COMMITTEES**
The Board may create standing committees at its discretion. Standing committees shall be advisory committees to the Board of Directors and shall not commit the SCSD to any policy, act or expenditure. Each standing committee may consider SCSD related issues, on a continuing basis, assigned to it by the Board of Directors. The Board of Directors shall appoint committee members.

All standing committees shall be conducted as public meetings in accordance with the Brown Act and Sections 2, 3, and 4, of these Bylaws. Summary notes for each meeting of each committee shall be forwarded to the Board of Directors as public record.

10. CORRESPONDENCE DISTRIBUTION POLICY

Time permitting, pertinent and necessary documents shall be accumulated and delivered to the Board of Directors with agenda packets. The General Manager shall establish policy and procedures for receiving, processing and distribution of SCSD correspondence.

11. CONFLICTS AND RELATED POLICY

State laws are in place, which attempt to eliminate any action by a Board member or the SCSD that may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. Law, which regulate conflicts, are very complicated. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with District Legal Counsel and/or the Fair Political Practices Commission (FPPC) at (916)322-5660, prior to the day of the meeting, if they have a question about a particular agenda item.

11.1 Conflict of Interest

Each Director is encouraged to review the SCSD Conflict Code on an annual basis. The general rule is that an official may not participate in the making of a governmental decision if it is: (1) reasonably foreseeable that the decision will have a (2) material financial effect on the (3) official or a member of his or her family or on an economic interest of the official, and (4) the effect is distinguishable from the effect on the public generally. Additionally, the FPPC regulations relating to interests in real property have recently been changed. If the real property in which the Director has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is now deemed to be directly involved in the decision.

11.2 Interest in Contracts, Government Code Section 1090

The prohibitions of Government Code Section 1090 provide that the Board of Directors may not contract with any business in which another Board member has financial interest.

11.3 Incompatible Office

The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent

actions, to the detriment to the other public interest, their discharge by one person is incompatible with that interest.

12. BOARD MEMBER VACANCY

The Community Services SCSD law specifically states in Government Code 61042, subd. (c):

Any vacancy in the office a member elected to the board of directors shall be filled pursuant to Section 1780.

Government Code 1780 states the options for filling a Board vacancy.

Should the board of directors choose to fill a vacancy by appointment (allowed by law) the following process in addition to the required actions may include:

- 12.1 The notice is posted in compliance with Government Code 1780 which provides that the remaining Board members may fill the vacancy by appointment and that a notice be posted at three (3) SCSD posting locations at least fifteen (15) days before the appointment is made.
- 12.2 The notice may be published in a newspaper of general circulation.
- 12.3 Within 30 days of vacancy notice and receipt of applications call a special meeting for applicant interview process.
- 12.4 The appointment is to be made within 60 days of effective resignation.
- 12.5 At next regular meeting hold nominations to fill the vacancy. The successful candidate will receive a motion, second, and a two-thirds majority of votes cast.
- 12.6 The appointee will take the Oath of Office and is encouraged to participate in timely orientation.
- 12.7 Should the Board President vacate the position for any reason, at the next regular meeting the Board of Directors will elect new officers. Vice President will assume President's duties until new officers are elected.

13. EVALUATIONS

Board Members are required to evaluate the performance of General Manager on an annual basis ONE month prior to date of hire anniversary.

14. CONTINUING EDUCATION

Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve SCSD operation. Subject to budgetary constraints, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the SCSD.

15. BOARD BY-LAW REVIEW POLICY

Subject to 3.1, the Board Bylaw Policy shall be reviewed annually at the first regular Board meeting in December. The review shall be provided by District Counsel and ratified by Board action.

16. RESTRICTIONS ON RULE

The rules contained herein are guidelines and shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with State and Federal laws.

RESOLUTION NO. 2022-01-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SALTON COMMUNITY SERVICES DISTRICT REGARDING REGULAR
AND SPECIAL MEETINGS OF THE BOARD OF DIRECTORS**

WHEREAS, the Salton Community Services District adopted Resolution No. 2021-01-01 providing for time, place and rules for regular and special meetings.

WHEREAS, the District Board of Directors wishes to adopt this resolution to replace Resolution No. 2021-01-01 and to supersede any conflicting rule, policy or Bylaw; and

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

Section 1. **Regular Meetings.** All regular meetings of the Board shall be held at Salton Community Services District Administrative Office located at 1209 Van Buren Ave, Salton City, California; commencing at _____ open session; _____ closed session, if necessary. Regular meetings of the Board shall be held on the _____ of every month. If known in advance, that a quorum of the board shall be absent from any regular meeting, the Secretary of the Board may cancel the meeting, and shall cause a written notice to be posted at all posting locations within twenty-four (24) hours of the regular meeting.

Section 2. **Special Meetings.** Special meetings of the Board shall be called at any time by the President or a majority of the Board. The Board shall not add any non-agenized item to the agenda of a special meeting.

Section 3. **Agendas.** The agenda for all board meetings and committee meetings shall contain a brief, general description of each item of business to be transacted or discussed during the meeting. The description of an agenda item is adequate if it is sufficiently clear and specific to alert a person whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information about the item.

Section 4. **Posting.** The agenda of all Board meeting and all committee meetings shall be posted in the following locations:

On the exterior, front door of the Salton Community Services District Administration Office in Salton City; (2) on the internet website.

Section 5. **Submittal of agenda items.** All items to be considered for the agenda shall be (1) received by the Secretary of the Board no later than Noon the preceding Thursday; (2) description of agenda item and back up information proposing recommendation/action must be in writing; (3) agenda items shall be submitted by Board Members, General Manager, Secretary of the Board, (4) only three (3) items shall be placed on the agenda by each individual.

Section 3. ANNUAL REVIEW

Each year the Board shall review this resolution to determine its effectiveness and the necessity for its continued operation. Upon conclusion of its review, the Board may take any action it deems appropriate concerning this resolution. Nothing herein shall preclude the Board from taking action on the resolution at times other than upon conclusion of the annual review.

Section 4. EFFECTIVE DATE

This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED BY the Board of Directors of the Salton Community Services District, Salton City, California, held on the 19th day of January, 2022, by the following vote:

YES	NO
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

, President of the Board of Directors

ATTEST:

, Secretary of the Board of Directors

SALTON COMMUNITY SERVICES DISTRICT

Board Meeting Minutes

November 17, 2021

Closed Session 9:00 a.m.

Open Session 10:00 a.m.

1209 Van Buren Ave.

Salton City, CA 92275

www.saltoncsd.ca.gov

BOARD OF DIRECTORS:

Mr. Dale Johnson, President
Ms. Barbara Quiroz, Vice President
Mr. Chris Klontz, Director
Mr. John Connelly, Director
Ms. Nancy Pieper, Director

STAFF:

Mitch Mansfield, General Manager
Cristina Flores, Board Secretary
Paige Petrie, Finance Officer

1. CALL TO ORDER: 9:00 a.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 ISSUES:

I. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Potential exposure to litigation pursuant to Cal. Gov. Code 54956.9 (d)(2)
(1 Matter)

II. PUBLIC EMPLOYEE APPOINTMENT

Government Code Section 5495

Adjourned to Closed Session at 9:01am

5. OPEN SESSION: 10:00 a.m.

6. PLEDGE OF ALLEGIANCE: Dale Johnson, President

7. ANNOUNCEMENT OF CLOSED SESSION ACTIONS:

No Action Taken

8. PRESENTATIONS/ PUBLIC APPEARANCES:

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. Personal attacks on individuals, slanderous comments or comments, which may invade an individual’s personal privacy, are prohibited. 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.

10. 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.

- I. Approval of the Minutes for the Regular Meeting October 2021.
- II. Approval of Katherine Turner, Attorney at Law Demand in the Amount of (\$800.00) for October 2021.
- III. Current Demands for the Months of October 2021.
Director Klontz Motioned to Approve Consent Calendar Items.
Director Pieper 2nd the Motion.
Roll Call Vote:

Vice President Quiroz	Absent	Director Connelly	Yes
Director Klontz	Yes	Director Pieper	Yes
President Johnson	Yes		

11. REPORTS: All reports are posted on the bulletin board and are available for review.

- I. General Manager’s report provided in the Directors’ packet.
- II. Finance Officer’s report provided in the Directors’ packet.
- III. Fire Department’s report provided in the Directors’ packet.
- IV. Field Foreman’s report provided in the Directors’ packet.

12. MEMBERS OF THE BOARD REPORTS: AD HOC COMMITTEES

- I. Parks and Recreation. (Dale Johnson)
- II. Channel Maintenance (Barbara Quiroz)
- III. SCSD Outreach Program (Barbara Quiroz and John Connelly) **On Hold**

12.1 ORGANIZATION REPORT:

13. OLD BUSINESS:

14. NEW BUSINESS:

- I. Motion to Approve Updated Employee Policy and Benefits Guide.
Director Klontz Motioned to Approve Updated Employee Policy and Benefits Guide Director Connelly 2nd the Motion.

Roll Call Vote:

Vice President Quiroz	Absent	Director Connelly	Yes
Director Klontz	Yes	Director Pieper	Yes
President Johnson	Yes		

- II. Motion to Approve the Addition of Line Items 4-1126 Burrtec Revenue and 6-2300 Burrtec Expenses to the 2021-2022 Salton Community Services District Budget.

Director Klontz Motioned to Approve the Addition of Line Items 4-1126 and 6-2300 Burrtec Expenses to the 2021-2022 Salton Community Services District Budget Director Connelly 2nd the Motion.

Roll Call Vote:

Vice President Quiroz	Absent	Director Connelly	Yes
Director Klontz	Yes	Director Pieper	Yes
President Johnson	Yes		

15. URGENCY ITEMS TO BE ADDED:

- I. Motion to Approve Salton Community Services District Professional Services Agreement with Chrissy Gallegos for Fiscal Year 2020-2021 Annual Audit Representation.
Director Connelly Motioned to Approve Salton Community Services District Professional Services Agreement with Chrissy Gallegos for Fiscal Year 2020-2021 Annual Audit Representation Director Klontz 2nd the Motion.

Roll Call Vote:

Vice President Quiroz	Absent	Director Connelly	Yes
Director Klontz	Yes	Director Pieper	Yes
President Johnson	Yes		

16. ADJOURNMENT: 10:08 a.m.

Dale Johnson, Board President

Cristina Flores, Board Secretary

11/30/2021 1:22 PM

Upon written request, these Minutes 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.

SALTON COMMUNITY SERVICES DISTRICT

Special Board Meeting Minutes

December 03, 2021

Closed Session 9:00 a.m.

Open Session 10:00 a.m.

1209 Van Buren Ave.

Salton City, CA 92275

www.saltoncsd.ca.gov

BOARD OF DIRECTORS:

Mr. Dale Johnson, President
Ms. Barbara Quiroz, Vice President
Mr. Chris Klontz, Director
Mr. John Connelly, Director
Ms. Nancy Pieper, Director

STAFF:

Mitch Mansfield, General Manager
Cristina Flores, Board Secretary
Paige Petrie, Finance Officer

1. **CALL TO ORDER:** 9:01 a.m.

2. **ROLL CALL:**

3. **CLOSED SESSION ISSUES:**

I. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Potential exposure to litigation pursuant to Cal. Gov. Code 54956.9 (b)(1)
(1 Matter)

Adjourned to Closed Session at 9:01am

4. **OPEN SESSION:** 10:04 a.m.

5. **PLEDGE OF ALLEGIANCE:** Dale Johnson, President

6. **ANNOUNCEMENT OF CLOSED SESSION ACTIONS:** A Settlement Has Been Reached Between Salton Community Services District and Mitch Mansfield. His Last Day of Employment is December 3, 2021, the Board Appoints Sandra Davis as Interim General Manager with Bumping Rights Back to Original Position if Necessary and a Financial Settlement Has Been Approved in Alignment With Severance Obligations.

7. **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.

- I. Approval of the Minutes for the Regular Meeting November 2021.
No Action Taken

8. NEW BUSINESS:

- I. Swearing in of New Board Members
New Board Members Manuel H. Ramos, Lidia Armida Sierra and Rogelio Flores Robles took Oath and were Sworn in By Delia Ruiz Vargas Public Notary at 10:05am

16. ADJOURNMENT: 10:17 a.m.

Dale Johnson, Board President

Cristina Flores, Board Secretary

12/9/2021 1:41 PM

Upon written request, these Minutes 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.

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SALTON COMMUNITY SERVICES DISTRICT

Board Meeting Minutes

December 15, 2021

Closed Session 9:00 a.m.

Open Session 10:00 a.m.

1209 Van Buren Ave.

Salton City, CA 92275

www.saltoncsd.ca.gov

BOARD OF DIRECTORS:

- Mr. Dale Johnson, President
- Mr. Manuel H. Ramos, Director
- Ms. Nancy Pieper, Director
- Mr. Rogelio Flores, Director
- Ms. Lidia A. Sierra, Director

STAFF:

- Sandra Davis, Interim General Manager
- Cristina Flores, Board Secretary

1. CALL TO ORDER: 9:00 a.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.

Director Manuel H. Ramos Motioned to Adjourn December 15, 2021 Regular Board Meeting Lidia A. Sierra 2nd the Motion.

Roll Call Vote:

Director Sierra	Yes	Director Ramos	Yes
Director Flores	Yes	President Johnson	No
Director Pieper	No		

4. CLOSED SESSION ISSUES:

- I. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Potential exposure to litigation pursuant to Cal. Gov. Code 54956.9 (d)(2) (1 Matter)
- II. Public Employee Performance Evaluation Cal. Gov. Code 54957 (Interim General Manager)**

5. OPEN SESSION: 10:00 a.m.

6. PLEDGE OF ALLEGIANCE: Dale Johnson, President

7. ANNOUNCEMENT OF CLOSED SESSION ACTIONS:

8. PRESENTATIONS/ PUBLIC APPEARANCES:

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. Personal attacks on individuals, slanderous comments, or comments which may invade an individual's personal privacy, are prohibited. 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.

10. 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.

- I. Approval of the Minutes for the Regular Meeting November 2021.
- II. Approval of the Minutes for the Special Meeting December 2021.
- III. Approval of Katherine Turner, Attorney at Law Demand in the Amount of (\$800.00) for November 2021.
- IV. Approval of Craig Weber, Attorney at Law Demand in the amount of (\$450.00) for December 2021
- V. Current Demands for the Months of November 2021.

11. REPORTS: All reports are posted on the bulletin board and are available for review.

- I. General Manager's report provided in the Directors' packet.
- II. Finance Officer's report provided in the Directors' packet.
- III. Fire Department's report provided in the Directors' packet.
- IV. Field Foreman's report provided in the Directors' packet.

12. MEMBERS OF THE BOARD REPORTS: AD HOC COMMITTEES

- I. Parks and Recreation: (Dale Johnson)
- II. Channel Maintenance:
- III. SCSD Outreach Program: **On Hold**

12.1 ORGANIZATION REPORT:

13. OLD BUSINESS:

14. NEW BUSINESS:

- I. Motion to Discuss Salton Community Services District Board Members Bylaws.
- II. Motion to Approve Authorizing the General Manager to Sign Any Agreements Necessary to Receive Funding From The County of Imperial, In Compliance with the Approved MOU Dated October 20, 2021.
- III. Motion to Approve **Resolution 2021-12-01**, Reaffirming General Manager to Update Banking Services and Deposit or Secure All Money Belonging to, or in the Custody of the District and Documenting Signor Privileges of Said Accounts with Pacific Premier Bank.
- IV. Motion to Elect President and Vice President for the 2022 Calendar Year.

15. URGENCY ITEMS TO BE ADDED:

16. ADJOURNMENT: 9:14 a.m.

Dale Johnson, Board President

Cristina Flores, Board Secretary

1/3/2022 10:52 AM

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.

SALTON COMMUNITY SERVICES DISTRICT

Special Board Meeting Minutes

December 21, 2021

Open Session 10:00 a.m.

1209 Van Buren Ave.

Salton City, CA 92275

www.saltoncsd.ca.gov

BOARD OF DIRECTORS:

Mr. Dale Johnson, President
Mr. Manuel H. Ramos, Director
Ms. Nancy Pieper, Director
Mr. Rogelio Flores, Director
Ms. Lidia A. Sierra, Director

STAFF:

Sandra Davis, Interim General
Manager
Cristina Flores, Board Secretary

1. **CALL TO ORDER:** **10:00 a.m.**

2. **ROLL CALL:**

3. **PLEDGE OF ALLEGIANCE:** **Dale Johnson, President**

4. **PRESIDENTS COMMENT:** **Dale Johnson, President**

5. **PUBLIC COMMENTS:**

Pursuant to California Government Code Section 54954.3, the public has the right to address the board regarding any agenda closed session items 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.

See Attached

6. **NEW BUSINESS:**

- I. Motion to Approve Contract with SBEMP, Attorneys At Law, as District Legal Counsel in the Amount of **(\$300.00)** Per Hour Attorney Time and **(\$150.00)** Per Hour for Paralegal Time.

Director Pieper Motioned to Approve Contract with SBEMP, Attorneys at Law, as District Legal Counsel in the Amount of (\$300.00) Per Hour Attorney Time and (\$150.00) Per Hour for Paralegal Time Director Ramos 2nd the Motion.

Roll Call Vote:

Director Sierra Yes Director Ramos Yes

Director Flores	Yes	President Johnson	No
Director Pieper	Yes		

- II.** Motion to Approve Authorizing the General Manager to Sign Any Agreements Necessary to Receive Funding From The County of Imperial, In Compliance with the Approved MOU Dated October 20, 2021.
Director Pieper Motioned to Approve Authorizing the General Manager to Sign Any Agreements Necessary to Receive Funding From The County of Imperial, In Compliance with the MOU Dated October 20, 2021 Director Sierra 2nd the Motion.

Roll Call Vote:

Director Sierra	Yes	Director Ramos	Yes
Director Flores	Yes	President Johnson	Yes
Director Pieper	Yes		

- III.** Motion to Approve **Resolution 2021-12-01**, Reaffirming General Manager to Update Banking Services and Deposit or Secure All Money Belonging to, or in the Custody of the District and Documenting Signor Privileges of Said Accounts with Pacific Premier Bank.
Director Flores Motioned to Approve Resolution 2021-12-01, Reaffirming General Manager to Update Banking Services and Deposit or Secure All Money Belonging to the District and Documenting Signor Privileges of Said Accounts with Pacific Premier Bank Director Sierra 2nd the Motion.

Roll Call Vote:

Director Sierra	Yes	Director Ramos	Yes
Director Flores	Yes	President Johnson	Yes
Director Pieper	Yes		

7. ADJOURNMENT: 10:37a.m.

Dale Johnson, Board President

Cristina Flores, Board Secretary

1/4/2022 8:19 AM

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.

Good morning!

I would like to commend the President of the Board and the Interim General Manager for cancelling the adjourned meeting from December 15, 2021, as pursuant to Government Code 54954.2 (b) (3), if an adjourned meeting occurs after more than 5 days after the prior meeting, a new agenda for that adjourned meeting must be posted 72 hours in advance of the adjourned meeting. Kudos to you both for catching this as it prevents the district from lack of compliance of the Ralph M. Brown Act; this is important as the adjourned meeting's legality is questionable on many levels which is why the previous District legal counsel resigned stating and I quote "I will not risk losing my law license because everything they are trying to do is illegal".

Request to add items to the agenda as urgency items that do not fall under the definition of urgency items pursuant to the Ralph M. Brown Act such as Request for motions to "replace the finance officer", motion to hire new legal counsel, motion to post for the hiring of a new GM. While these items are important for the district they are not considered urgent items pursuant to the Ralph M. Brown Act.

The motion to "replace the finance officer" is not only distasteful and disrespectful, but outside the scope of the Board of Directors pursuant to the SCSO Policy and Procedures as staff, outside of the General Manager, are hired by the General Manager and work for the General Manager, not the board. Such motions appear to express that the board of directors would be attempting to humiliate staff in open meeting. This clearly indicates an issue in terms of behavior of certain Directors when it comes to current staff. The SCSO Bylaws Section 5 item 5.2 states that the Directors shall, at all times, conduct themselves with courtesy to each other, to staff and to members of the audience present at Board Meetings. SCSO Bylaws Section 7 item 7.5 Directors and General Manager should develop a working relationship so that current issues, concerns, and SCSO projects can be discussed comfortably and openly. Not responding to emails, not accepting responsibility to fill out form 700's as required, not filling out the document needed so that each director can be the signers on the checks, which is crippling the district by not allowing bills to be paid, refusing to attend a meeting to provide a bit of district history only to turn around and then state that the district staff hasn't provided sufficient training for the directors to do their jobs are just a few of the things that show that some directors are not even attempting to perform their duties as publicly elected officials. Some of the directors have not only avoided working with the Interim GM but have made it very clear inside the district building and outside in the community that they are in no way willing to work with current staff. Some are rude, disrespectful and have broken the Ralph M. Brown Act by coming to decisions as a majority and doing so not within the district's open or closed meetings. These actions are putting the district at risk of severe liability, but also some of these behaviors put individual directors at risk of being sued directly and due to their actions of not following policy or CA Government Code, they will not have protection under the district's liability insurance. Sadly, they continue to put themselves at risk even though a representative from the district's insurance company came to meet with them on December 6, 2021 and explained this to them.

Certain board member's actions indicate a huge lack of respect to staff. They choose not to allow the current staff to show their merit and value and blatantly choose to base the staff's value on hearsay from select community members who just so happen to have their own personal agendas. They do not know how much devotion and loyalty that current staff have put into this district and this community.

Until now, I, having worked for or with the district for almost 6 years have never witnessed a member or members of the board behave so unprofessionally with current staff who have went out of their way to be welcoming and open with them. It is very clear that there are personal agendas and as a board of director, you were not elected to this board to settle personal vendettas, but to do what is best for this community.

I challenge this board of directors to uphold their oaths, their bylaws and the CA Government Code. I challenge this board to stop being influenced by the rumors in the community and set aside it's discord for the current staff as the majority of this board has not worked with the staff on any level to know their work ethics, skills and dedication. I challenge this board to do the right thing, to be respectful, to represent the entire community in a positive manner and above all be accountable and responsible in the requirements of them as board of directors. Your failure to meet the challenges noted above could most certainly be the undoing of this district.

In closing, I would again like to thank the President of this board and the Interim General Manager for protecting not only the district, but the board members from district liability and/or civil liability. Your decision to proceed as you have chosen shows that you are dedicated to the district and wish to protect the district from liability and save public funds from potentially being wasted on the risk of unnecessary liability; I also commend your behavior to protect certain board members of civil liability although they have made no effort to attempt to establish a working relationship with you. This is a wonderful example of doing the right thing.

Thank You!

By Chrissy Gallegos

December 21, 2021 Special Meeting – Public Comments