

Salton Community Services District

SPECIAL MEETING *Minutes*

August 30, 2023

Closed Session 12:00 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
Oracio Lemus, Leadman
Stephen Prager, Park Supervisor

1. CALL TO ORDER: 12:27 pm

2. ROLL CALL:

**Michelle Gilmore- Late
Michael Friese- Present
Manuel Ramos- Present**

**Lidia A. Sierra- Present
Dale Johnson- 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 for each person.

No Comments

4. CLOSED SESSION ITEMS:

- A. 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)

- B. CONFERENCE WITH LEGAL COUNSEL-Existing Litigation Pursuant to Government Code Section 54956.9(d)(1) Roxana Chavez v. Salton Services Community District, et al. Imperial County Superior Court Case No.: ECU002702
- C. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: JALYNDA ELLEN ALEXANDER, Petitioner, vs. SALTON COMMUNITY SERVICES DISTRICT Respondent, Immanuel Ramos; Manuel Henry Ramos Real Parties in Interest. (Imperial County Superior Court Case # ECU003061)
- D. 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.
- E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: (Interim General Manager)

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

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

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

A. 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).

The Board voted to approve the settlement offered by David Dale. It would require the District to do two things: 1. Pay \$25,000.00 to Mr. Dale for his lost wages and so forth. 2. Adopt a policy that racist comments by anyone will result in a ten-minute adjournment and the clearing of the meeting room during that time. The settlement was approved unanimously by the four Directors who were present.

B. CONFERENCE WITH LEGAL COUNSEL-Existing Litigation Pursuant to Government Code Section 54956.9(d)(l) Roxana Chavez v. Salton Services Community District, et al. Imperial County Superior Court Case No.: ECU002702

- **NO REPORTABLE ACTION**

C. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: JALYNDA ELLEN ALEXANDER, Petitioner, vs. SALTON COMMUNITY SERVICES DISTRICT Respondent, Immanuel Ramos; Manuel Henry Ramos Real Parties in Interest. (Imperial County Superior Court Case # ECU003061)

- **The Board took a Vote as to whether to provide a defense to Emmanuel Ramos, Manuel Henry Ramos, and Michelle Gilmore. Those individuals recused themselves from voting. There were only three board members present who were Director Johnson, Director Sierra, and Director Friese. Director Friese voted to defend, Director Sierra voted not to defend, and Director Johnson voted to defend. Failed to the lack of a majority.**

D. 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.

- **NO REPORTALE ACTION.**

**E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: (Interim General Manager)**

- **NO REPORTABLE ACTION.**

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.

John Connelly: I just want to know about the trees going out to the homes that Lidia is involved with.

10. BOARD MEMBER COMMENTS:

President Gilmore- No Comment

Vice President Friese- He expressed his concern about LAFCO's threat to dissolve the district. Gave an example of another district that was dissolved and annexed into a similar district. Explained that if SCSD were to be dissolved, it is possible it might not be part of Imperial County but instead annexed to another district that handles wastewater, for example, Seely County Water District or Heber Public Utility District.

Director Ramos- No Comment

Director Sierra- No Comment

Director 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 July 19, 2023.
Vice President Friese motioned to approve the July 19, 2023, Minutes with the changes mentioned. Director Ramos seconded the motion.**

Roll Call:

**Michelle Gilmore Yes Lidia Sierra Yes
Michael Friese Yes Dale Johnson Yes
Manuel Ramos Yes**

Motion Passes 5-0

- B. Approve the Minutes for the Special Meeting of July 27, 2023.
Vice President Friese motioned to approve the July 27, 2023, Minutes with the change mentioned. Director Ramos seconded the motion.

Roll Call:

**Michelle Gilmore Yes Lidia Sierra Yes
Michael Friese Yes Dale Johnson Yes
Manuel Ramos Yes**

Motion Passes 5-0

- C. Approve the Minutes for the Special Meeting of August 2, 2023.

- D. Approve demands for the month of July 2023.

Vice President Friese motioned to approve items C and D. Director Ramos seconded the motion.

Roll Call:

**Michelle Gilmore Yes Lidia Sierra Yes
Michael Friese Yes Dale Johnson Yes
Manuel Ramos Yes**

Motion Passes 5-0

- E. Approval of Slovak Baron Empey Murphy & Pinkney LLP, Attorney at Law. Demand in the amount of (\$12,778.00) for July.

Vice President Friese motioned to approve item E. Director Ramos seconded the motion.

Roll Call:

**Michelle Gilmore Yes Lidia Sierra No
Michael Friese Yes Dale Johnson Yes
Manuel Ramos Yes**

Motion Passes 4-1

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

14. UNFINISHED BUSINESS:

15. NEW BUSINESS:

- A. Discussion re: Behavioral Health MOU with Salton Community Services District
Only discussion no vote.

B. Discussion and Approval of the Proposal for the Desert Shores Community Park for the Soccer Park Project Phase 1.

Director Johnson motioned to approve the Proposal for the Desert Shores Community Park for the Soccer Park Project Phase 1. Director Ramos seconded the motion.

Roll Call:

**Michelle Gilmore Yes Lidia Sierra Yes
Michael Friese Yes Dale Johnson Yes
Manuel Ramos Yes**

Motion Passes 5-0

C. Discussion and Approval of the amended contract for Phase 1 Desert Shore Park Grass Project.

Vice President Friese motioned to Approve the Amended Contract for Phase 1 Desert Shores Park Grass Project. Director Ramos seconded the motion.

Roll Call:

**Michelle Gilmore Yes Lidia Sierra Yes
Michael Friese Yes Dale Johnson Yes
Manuel Ramos Yes**

Motion Passes 5-0

D. RESOLUTION NO 2023-08-30-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SALTON COMMUNITY SERVICES DISTRICT ADOPTING A RECORDS RETENTION POLICY.

Vice President Friese motioned to approve Resolution No. 2023-08-30-01. Director Johnson seconded the motion.

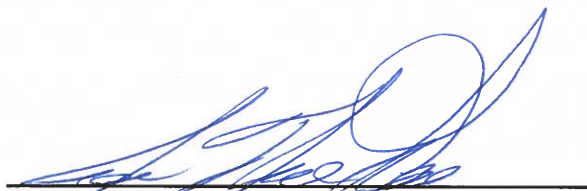
Roll Call:

**Michelle Gilmore Yes Lidia Sierra Yes
Michael Friese Yes Dale Johnson Yes
Manuel Ramos Yes**


Motion Passes 5-0

17. ADJOURNMENT:

Adjournment at 3:48 pm



Sonia Thania Garcia, Secretary of the Board



Michelle Gilmore, President 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.