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**Salton Community Services District
Resolution 2007-6-3**

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**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SALTON
COMMUNITY SERVICES DISTRICT CENSURING BOARD MEMBER
JAMES G. BARRET FOR UNACCEPTABLE CONDUCT**

WHEREAS, the Salton Community Services District (the “District”) has a legal duty and responsibility to respond to complaints of harassment and improper treatment of District employees and residents; and

WHEREAS, James G. Barrett is a member of the District’s Board of Directors; and

WHEREAS, the District has received several complaints from District employees and residents concerning Board Member Barrett’s behavior towards them; and

WHEREAS, these written complaints presented to the District are potential legal liability; and

WHEREAS, the complaints state that Board Member Barrett engaged in conduct toward employees of the District that constituted unlawful harassment and exposed the District to legal liability; and

WHEREAS, the Board of Directors does not condone or approve unlawful harassments as disclosed by the complaints and finds it necessary and prudent to declare its strong disapproval of such conduct; and

WHEREAS, the Board of Directors further determines the adoption of the resolution is necessary and appropriate to protect the employees of the District, assure them that such conduct will not be tolerated, and prevent such conduct from being repeated.

NOW, THEREFORE, IT IS RESOLVED by the Board of Directors of the Salton Community Services District as follows:



Section 1. The Board of Directors hereby finds and determines that, based on the various complaints, Board Member James G. Barrett did engage in a pattern of unlawful harassment towards District employees and residents including, but not limited to the following:

- A. Board Member Barrett created a hostile work environment based on his conduct toward employees on several occasions. The district employees complained that they felt harassed, intimidated, and humiliated by Board Member Barrett's behavior which we conclude reasonably interfered with their job duties.
- B. Board Member Barrett's website states untruths and misinformation about the personnel, residents and directors; consequently, causing mistrust and animosity within the District.
- C. Board Member Barrett made false accusations against employees at the Salton Community Services District's monthly meetings.
- D. Board Member Barrett verbally attacked residents, and District employees.
- E. Without the Board's approval, Board Member Barrett gave performance evaluation of an employee and provided the same to the members of the fire department.
- F. Board Member Barrett took attorneys/client confidential information and posted it on the website and provided it to the general public.

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- G. Board Member Barrett at monthly meetings was rude, disrespectful, overbearing, disruptive and demeaning to directors and the audience who attended the meetings. He constantly gave legal advice and legal opinions without the benefit of a law degree.
- I. Based on the foregoing factors and the information available, there is credible, substantial verification to conclude that District's employees and residents were subjected to unlawful harassment.

Section 2. The Board of Directors finds that this conduct, in addition to being improper, unprofessional and unacceptable, exposes the District to legal claims. Thus, the SCSD Board of Directors also finds that, in committing the acts described herein, Board Member Barrett was acting solely as an individual, without any authorization or ratification by the Board of Directors and contrary to the legitimate interests of the District.

Section 3. The Board of Directors hereby censures Board Member Barrett for the conduct described herein and expresses the strongest possible disapproval and disavowal thereof.

Section 4. The Board of Directors regards Board Member Barrett's behavior to be outside the course and scope of his performance as a member of the SCSD Board of Directors, beyond any ability of the District to control, and outside the scope of the District's duty to defend and indemnify.

Section 5. The Board of Directors advises that Board Member Barrett should participate in sensitivity training and anger management training. The District shall pay the costs of the training programs requested herein.

Salton Community Services District Resolution 2007-6-3

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Section 6. No employee or resident shall be subject to any retaliation for having made a complaint regarding the conduct of Board Member Barrett.

Section 7. It is the intent of the Board of Directors, in the event of future improper and unprofessional conduct by Board Member Barrett in violation of the terms of this Resolution, to pursue any and all remedies available by law to prohibit or prevent such conduct.

President Robert Butler	_____	AYE	_____	NAY
V.P. Shirley Palmer	_____	AYE	_____	NAY
Stanley Rouhe	_____	AYE	_____	NAY
David Urbanoski	_____	AYE	_____	NAY
James Barrett	_____	AYE	_____	NAY

PASSED, APPROVED AND ADOPTED this 19TH day of June, 2007, by the Board of Directors of the Salton Community Services District.

Attest:

**Rosa Reagles, Assistant General Manager &
Secretary to the Board of Directors**
Salton Community Services District

Robert Butler,
President Board of Directors
Salton Community Services District

