

**PALM SPRINGS CEMETERY DISTRICT  
MINUTES  
VIDEO TELECONFERENCE REGULAR  
BOARD OF TRUSTEE MEETING**

**DATE:** June 10, 2021

**TIME:** 2:00 P.M.

**PLACE:** 31-705 Da Vall Drive, Cathedral City, California 92234

1. **CALL TO ORDER** The meeting was called to order by Chairperson Pye at 2:00 P.M.

2. **ROLL CALL**

Present: Jan M. Pye, Chairperson  
William G. Kleindienst, Vice Chairperson  
Tim M. Radigan-Brophy, Secretary  
Lynn T. Mallotto, Treasurer.

Also, Present: Kathleen Jurasky, District Manager  
Steven B. Quintanilla, Quintanilla & Associates

Trustee Pye requested that agenda item 6a be moved to follow Closed Session

3. **PUBLIC COMMENTS** Trustee Pye read the Public Comments Statement

Brad Anderson stated he resides in the city of Rancho Mirage, CA. Mr. Anderson expressed his concerns regarding the possibility of not being notified of special board meeting, and requested that he be placed on a notification list.

He stated his concerns regarding the correctness of the May 13, 2021 meeting minutes, and said he hopes the Board will not approve them.

He said he wants to comment on agenda item 6a when addressed, and that is it.

4. **CONFIRMATION OF AGENDA** Motion was made by Trustee Kleindienst, seconded by Trustee Mallotto to approve the Agenda as presented. Motion carried; vote 4-0 Kleindienst, Mallotto, Pye and Radigan Brophy.

Trustee Pye asked District Manager Jurasky if NSF checks have increased due to COVID-19 job losses. District Manager Jurasky stated the district hasn't seen an increase, and in fact this one is the first NSF check in a few years. She reported the dollar amount is \$3,988.63, and staff has been in contact with the family to get it rectified.

5. **CONSENT CALENDAR** Motion was made by Trustee Kleindienst, second by Trustee Radigan-Brophy to approve the Consent Calendar as presented. Motion carried; roll call 4-0 Kleindienst, Mallotto, Pye and Radigan-Brophy.

Agenda item 6a was moved to follow closed session.

6. **ADMINISTRATIVE CALENDAR** b. **Authorized Signature List for Riverside County** District Manager Jurasky explained the purpose of the Authorized Signature List, and stated she would contact the Trustees to make arrangements for them to sign.

**6. ADMINISTRATIVE CALENDAR - Continued**

**c. Review for Discussion and Approval – Allocation of Funds for 2021-2022 Development Projects** District Manager Jurasky reviewed the development projects and costs. Following a discussion motion was made by Trustee Kleindienst, seconded by Trustee Radigan-Brophy to approve the Allocation of Funds for 2021-2022 Development Projects. Motion carried; roll call 4-0 Kleindienst, Mallotto, Pye and Radigan-Brophy.

**d. Review for Discussion and Approval - Future 2021-2024 Development Projects** District Manager Jurasky reviewed the future development projects. Following a discussion motion was made by Trustee Kleindienst, seconded by Trustee Radigan-Brophy to approve the Future 2021-2024 Development Projects. Motion carried; roll call 4-0 Kleindienst, Mallotto, Pye and Radigan-Brophy.

**e. Review for Discussion and Approval – 2021-2022 Schedule of Charges** District Manager Jurasky reviewed the schedule of charges, explained which charges were increasing and why. Following a discussion motion was made by Trustee Kleindienst, seconded Mallotto to approve to the 2021-2022 Schedule of Charges. Motion carried; roll call 4-0 Kleindienst, Mallotto, Pye and Radigan-Brophy.

**f. Review for Discussion and Approval – 2021-2022 Proposed Budget** District Manager Jurasky reviewed the 2021-2022 proposed budget and explained the significant 2020-2021 increases to income and expenses was due to COVID-19 interments. She stated the 2021-2022 budget is reflective slight increases due to increases from vendors. Following a discussion motion was made by Trustee Kleindienst, seconded Mallotto to approve to the 2021-2022 Schedule of Charges. Motion carried; roll call 4-0 Kleindienst, Mallotto, Pye and Radigan-Brophy.

Following further discussion District Manager Jurasky and Trustee Mallotto will schedule a date and time to meet and discuss possible future increases in operational costs.

**g. East 40 Acres Lease Agreement - Update** No action taken

**7. LEGISLATIVE a. Resolution 5-2021, Transfer Interment Rights & Costs from PN to ACO & GF** Motion was made by Trustee Kleindienst, seconded by Trustee Mallotto to approve Resolution 6-2020 transferring \$14,791.88 from PreNeed Fund, 51265 to the General Fund, 51270 and \$3,900.00 from PreNeed Fund, 51265 to Accumulative Capital Fund, 51275. Motion carried, roll call 4-0. Kleindienst, Mallotto, Pye and Radigan-Brophy.

**b. Resolution 4-2021, 2021-2022 Budget Adoption** Following a discussion motion was made by Trustee Kleindienst, seconded by Trustee Mallotto to approve Resolution 4-2021, 2021-2022 Budget Adoption. Motion carried, roll call 4-0. Kleindienst, Mallotto, Pye and Radigan-Brophy.

**8. TRUSTEE SIGNATURES AND ATTORNEY** District Manager Jurasky will contact Trustees and attorney to arrange for signature completion.

**9. BOARD DEVELOPMENT** – None

**10. PUBLIC HEARING CALENDAR** – None

**11. COMMITTEE REPORTS** Trustee Pye asked Trustee Kleindienst if the Palm Springs Historical Society had executed the license agreement. Trustee Kleindienst reported their last meeting didn't have a quorum, so they could not act. He stated it will be on their next agenda.

**12. REPORTS a. Trustee Report** Trustee Pye reported she had asked District Manager Jurasky to contact Supervisor Perez's office to find out if there are any considerations for a fifth PSCD board member appointment.

**b. District Manager 1. Grounds Man – Hire** District Manager Jurasky reported she had selected a new grounds man to hire, and she is waiting on the report for the background check.

**2. AMVET Post 66 Memorial Day Event at DMP** District Manager Jurasky reported the event was well attended, however some in attendance complained there wasn't any printed programs, and the event seemed to be focused on the 20<sup>th</sup> anniversary of the LGBTQ monument rather than Memorial Day.

**13. FUTURE AGENDA ITEMS a. Discussion in 2021/2022 Possible Cap on PSCD Monthly Employer Contribution for Employee Health Insurance Premiums** No action taken

**b. Postcard Survey Mailing to the Community to Determine Pre-Planning Needs** No action taken

**c. Marketing/Advertising** No action taken

**d. Review for Discussion and Possible Approval the Concept of Public Restrooms – Veteran Chapel** No action taken

**e. Lease Agreement Property Taxes January 2022** No action taken

**f. PSCD Master Plan Discussion – Desert Memorial Park**

Following a discussion regarding future agenda items District Manager Jurasky was directed to remove items 13d and 13f from future agendas.

**14. CLOSED SESSION - READING OF THE SAFE HARBOR** Safe Harbor language was read by attorney Steve Quintanilla. Convened into Closed Session at 2:29 P.M.

**a. Conference with Real Property Negotiators**

**Property: Assessor Parcel No. 670-130-016 located at Desert Memorial Park**

**District Negotiators: District Manager Kathleen Jurasky and General Legal Counsel Steven B. Quintanilla**

**Negotiating Parties: AT&T and the Palm Springs Cemetery District**

**Under Negotiation: Proposed Lease's Rent and Payment Terms**

Trustee Pye excused herself from the meeting after agenda item 14a was addressed due to a possible conflict of interest with item 14b.

**b. Public Employee Performance Evaluation (Pursuant to Government Code Section 54957)**  
**Title: General Legal Counsel**

Returned to Open Session at 3:30 P.M.

**15. CLOSED SESSION ANNOUNCEMENT** Attorney Quintanilla stated there are no reportable actions taken.

6. **ADMINISTRATIVE CALENDAR** - Continued - Agenda item 6b was moved to follow closed session

Trustee Pye asked if there are any public comments for agenda item 6b.

Brad Anderson stated he as a public citizen asked the Board at prior meetings to seek bids for legal counsel services, and he feels the Board is going to approve the agreement despite his opposition.

Mr. Anderson said the closed session item referred to legal counsel as an “employee”, and he is not.

**b. Review for Discussion and Possible Approval General Legal Counsel Legal Services Agreement** Attorney Quintanilla stated that under the Brown Act legal counsel is considered an employee for the purposes of closed session matters and labor negotiations. He stated before a motion can be made the terms of the agreement that are being considered must be read for the record.

He presented the proposed standard rates for General Services in place for other public agencies and for PSCD will be \$200.00 per hour for senior attorneys, \$185.00 per hour for junior attorneys, \$150.00 per hour for paralegals and \$75.00 per hour for law clerks. Also, rates for Litigation Services will be senior attorneys \$250.00 per hour, junior attorneys \$200.00 per hour, paralegals \$150.00 per hour and law clerks \$150.00 per hour. He stated the Districts will only be charged actual costs not time for all reimbursement of expenses without any mark-ups.

Trustee Pye acknowledged the typographical errors and stated they have now adverse effects on the contract, and she believes it is good agreement. Trustee Kleindienst concurred.

Following a discussion motion was made by Trustee Pye, seconded by Trustee Kleindienst to approve the General Legal Counsel Legal Services Agreement with typographical errors corrected. Motion carried; vote 4-0 Kleindienst, Mallotto, Pye and Radigan Brophy.

16. **OPEN SESSION**

17. **ADJOURNMENT** Meeting was adjourned by Trustee Pye at 3:39 P.M. The next regular board meeting via ZOOM is scheduled for 2:00 P.M., Thursday, July 8, 2021.

DATE: 8/3/21

  
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Tim Radigan-Brophy, Secretary