

**PALM SPRINGS CEMETERY DISTRICT
MINUTES
BOARD OF TRUSTEE MEETING**

DATE: April 10, 2014

TIME: 2:00 P.M.

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

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

2. **ROLL CALL**

Present: Jan Pye, Chair
Lenny Pepper, Vice Chair
George Stettler, Treasurer
Jane Alcumbrac, Member

Also Present: Kathleen Jurasky, District Manager
Nicholas Hermsen, Green, de Bortnowsky & Quintanilla

Absent: John M. Lea, Secretary

Motion was made by Trustee Stettler, seconded by Trustee Pepper to approve the absence of Trustee Lea who is on vacation. Motion carried, vote 4-0.

3. **PUBLIC COMMENTS** – None

4. **CONFIRMATION OF AGENDA** District Manager Jurasky informed the Board of a letter she received date April 9, 2014 from Ronak N. Patel, Deputy County Counsel for the County of Riverside regarding possessory interest tax litigation. Trustee Pye requested that this be added to the agenda as urgency item 6i.

District Manager Jurasky also informed the Board that she needed to discuss an urgent personnel matter with anticipated exposure to litigation. Trustee Pye requested that this added to the agenda as urgency item 12b.

Motion was made by Trustee Stettler, seconded by Trustee Pepper to approve adding these urgency items to the agenda. Motion carried, vote 4-0.

Motion was made by Trustee Pepper, seconded by Trustee Stettler to approve the Agenda with the addition of the two urgency items. Motion carried, vote 4-0.

5. **CONSENT CALENDAR** Motion was made by Trustee Pepper, seconded by Trustee Alcumbrac to approve the Consent Calendar as presented. Motion carried, roll call 4-0.

6. **ADMINISTRATIVE CALENDAR** a. **District Investment General Overview & Update – Neal Wilson, Vice President of Investments Union Banc** Neal Wilson gave a general overview and reported that the District's investments are doing well due to the current status of the bond market.

b. **Review for Discussion and Approval Professional Services Agreement - Neal Wilson, Vice President Investments Union Banc** For clarification Neal Wilson explained that Union Banc (Banc with a "C") is the investment side of the Union Bank company. Following a discussion the Board authorized District Manager Jurasky, Trustees Stettler and Pepper the investment sub-committee to review and approve the Professional Services Agreement prepared by attorney Quintanilla.

6. ADMINISTRATIVE CALENDAR – continued

c. Review for Discussion and Approval Changes to District Investment Policy No action taken. This item will be voted on under item 7c.

d. Asbestos Removal – Floor Tiles Laundry Room in Apartment Building District Manager Jurasky informed the Board that the asbestos test conducted revealed that the tiles on the laundry room floor of the apartment (approximately 70 sq. ft.) contain asbestos of less than 1%, and must be removed before demolition can take place. She reported that the tiles were removed by Brickley Environmental on March 28, 2014 at a cost of \$1,150.00. She stated that no EPA or AQMD filings were necessary because the content of asbestos was less than 1%.

e. Review for Discussion and Approval Proposals for Demolition of Old Office and Apartment Buildings Motion carried, roll call 4-0. District Manager stated that there were six inquiries and only one proposal in the amount of \$47,575.00 from G & M Construction was submitted.

Following a discussion Trustee Pye requested that this item (6e) be moved to follow item 6h to allow staff time to contact G & M Construction for explanation of “ACM”.

f. Discussion and Possible Approval to Use an Employment Agency to Hire - Office Assistant No action taken

g. Review for Discussion and Possible Approve Ghostly Graveyard Tours – DMP District Manager gave an overview of what the tour would involve. Following a discussion District Manager Jurasky was directed obtain more information i.e. security etc. and place this item on a future agenda.

h. Old Office & Apartment Buildings CC Fire Department Training & Demolition Update District Manager Jurasky reported that the CC Fire Department is waiting on permits be pulled by the demolition contractor.

Steven Quintanilla, Green, de Bortnowsky & Quintanilla arrived at 2:25 p.m.

Nicholas Hermsen, Green, de Bortnowsky & Quintanilla left at 2:25 p.m.

e. Review for Discussion and Approval Proposals for Demolition of Old Office and Apartment Buildings – continued: Staff reported that ACM stands for “Asbestos Containing Material” Following additional discussion motion was made by Trustee Stettler, seconded by Trustee Pepper directing District Manager Jurasky to negotiate a reduction in the proposal amount of \$47,575.00, and if the negotiation is unsuccessful the proposed amount is approved. Motion carried, roll call 4-0.

i. Urgency Item: Letter dated April 9, 2014 from Ronak N. Patel, Deputy County Counsel for the County of Riverside Attorney Steve Quintanilla explained what the “Possessory Interest Tax Litigation” entailed, and why the letter was sent from County Counsel for the County of Riverside. Following a discussion attorney Quintanilla recommended that the Board take no action, and wait for a request for assistance from the Riverside County Treasurer.

7. LEGISLATIVE a. Resolution 03-2014, Designating Neal Wilson of Union Banc as the District’s Broker and Investment Advisor Attorney Quintanilla gave an explanation of Resolution 03-2014. Following a discussion motion was made by Trustee Stettler, seconded by Trustee Pepper to approve Resolution 03-2014, Designating Neal Wilson of Union Banc as the District’s Broker and Investment Advisor. Motion carried, vote 4-0.

b. Resolution 04-2014, Designating Board Vice Chair and Board Treasurer as Authorized Signatories Regarding the District’s Investment Account with Union Banc Following a discussion motion was made by Trustee Pye, seconded by Trustee Stettler to approve Resolution 04-2014, Designating Board Vice Chair and Board Treasurer as Authorized Signatories Regarding the District’s Investment Account with Union Banc. Motion carried, vote 4-0.

7. **LEGISLATIVE** - continued

c. **Resolution 05-2014, Palm Springs Cemetery District Board of Trustees Adopting an Investment Policy**
Attorney Quintanilla gave an explanation of Resolution 05-2014. Following a discussion motion was made by Trustee Pye, seconded by Trustee Alcumbrac to approve Resolution 05-2014, Palm Springs Cemetery District Board of Trustees Adopting an Investment Policy. Motion carried, vote 4-0.

8. **BOARD DEVELOPMENT** a. **Investments - Health & Safety Code 9066 and Government Code 53601**
No action taken

9. **PUBLIC HEARING CALENDAR** - None

10. **REPORTS** a. **Trustee Report** Pye reported that District Manager Jurasky was nominated and reelected as president of the CAPC for a second year. She also stated that District Manager Jurasky is really liked and respected by the members and Board of CAPC. Attorney Quintanilla stated that she is also highly respected by Supervisor John Benoit's office.

Trustee Pye also stated that the presentation given by attorney Quintanilla at the CAPC Annual Conference in Oxnard, CA was informative and well received.

b. **Manager Report** - District Manager Jurasky showed the Board the newspaper article in the Desert Sun which featured a story about influential women city officials, and Trustee Pye was one of them.

District Manager Jurasky reminded the Board of the CAPC Local Area Meeting being held at 10:00am, Thursday, April 17, 2014 at Desert Memorial Park.

11. **FUTURE AGENDA ITEMS** a. **Discussion in 2014/2015 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. **Strategic Planning Study Session** No action taken

12. **CLOSED SESSION - READING OF THE SAFE HARBOR LANGUAGE** Safe Harbor language was read by attorney Steven Quintanilla. Convened into Closed Session at 2:53 P.M.

a. Public Employee Performance Evaluation Pursuant to Government Code Section 54957(b)
Title: District Manager

b. Personnel Matter: Anticipated Exposure to Litigation Pursuant to Government Code Section 54957

13. **CLOSED SESSION ANNOUNCEMENTS** Returned to Open Session at 3:01 P.M. No reportable action

14. **ADJOURNMENT** Meeting was adjourned by Trustee Pye at 3:02 P.M. The next regular board meeting is scheduled for 2:00 P.M., Thursday, May 8, 2014.

DATE: 5-8-14


Jane Alcumbrac, Member