

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

DATE: November 14, 2019

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**

District Manager Jurasky reported that she had not heard from Trustees Freet and Kleindienst that they would not be attending today's meeting.

Present: Jan M. Pye, Chairperson
Lynn T. Mallotto, Treasurer
Tim M. Radigan-Brophy, Member

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

Not Present: Bary A. Freet, Member, Secretary
William G. Kleindienst, Vice Chairperson

3. **PUBLIC COMMENTS** – None

4. **CONFIRMATION OF AGENDA** Motion was made by Trustee Mallotto, seconded by Trustee Radigan-Brophy to approve the Agenda as presented. Motion carried; vote 3-0 Mallotto, Pye and Radigan-Brophy.

Trustee Freet arrives at 2:01PM

Attorney Quintanilla reported that an urgency item regarding potential exposure to litigation which came to the attention of the District Manager after the posting of the agenda needs to be added for discussion under "Closed Session". Motion was made by Trustee Freet, seconded by Trustee Mallotto to approve adding the urgency item to the agenda under Closed Session. Motion carried, vote 4-0 Freet, Mallotto, Pye and Radigan-Brophy.

Trustee Kleindienst arrived at 2:02PM

5. **CONSENT CALENDAR** Motion was made by Trustee Freet, seconded by Trustee Mallotto to approve the Consent Calendar excluding the financials and minutes. Motion carried; roll call 5-0 Freet, Kleindienst, Mallotto, Pye and Radigan-Brophy.

Motion was made by Trustee Kleindienst, seconded by Trustee Radigan-Brophy to approve the Minutes on Consent Calendar as presented. Motion carried; roll call 3-0 Freet, Kleindienst and Radigan-Brophy. Trustees Mallotto and Pye abstained citing their absence from the meeting.

Trustee Pye stated that she had questions regarding items on the financials and requested they be pulled for discussion. She referred to page 5b 1 of 6 check #22766 in the amount of \$453.67 paying the District Manager's cell phone, and asked why it was higher than normal. District Manager Jurasky reported that when she was traveling in Europe it was due to PSCD emails and text messages that exceed the AT&T plan. She reported it was originally higher, however she contacted AT&T and was able to negotiate a reduction.

She also asked about the legal invoice stating the last one was for July 2019. District Manager Jurasky reported the August invoice was recently received.

5. CONSENT CALENDAR - Continued

Trustee Pye inquired about the three lots repurchased, and why they happen. District Manager Jurasky stated the generally they are repurchased because the person has moved out of the area with plans of being interred in the area of relocation, or they are in need of cash. She explained the when repurchases take place the endowment care is not refundable, and the District resales them at the current rates.

Trustee Pye also referred to page 5b 3 of 6 check #22806 in the amount of \$9,860.00 made payable to MSA Consulting, Inc. District Manager Jurasky reminded the Board that MSA purchased RGA and PSCD has an agreement with RGA for the exterior renovation and new interment sites sections plans. So, now payments are being made to MSA.

She also inquired about the issues with Carbonite Back-up services, and if they have been resolved. District Manager Jurasky reported that the back-up is currently working properly.

Following the inquires and answers motion was made by Trustee Kleindienst, seconded by Trustee Radigan-Brophy to approve the Financials on Consent Calendar as presented. Motion carried; roll call 5-0 Freet, Kleindienst, Malotto, Pye and Radigan-Brophy.

Trustee Kleindienst stated that he may have a conflict of interest addressing item 6a due to the fact that his wife's company the Escrow Connection does business with the East 40 Acres lessee, and he left the meeting at 2:09PM.

6. ADMINISTRATIVE CALENDAR a. East 40 Acres Lease Agreement – Letter of Intent and Proposed Project Update, Bert Garland, Garland Commercial Group and Bennion Deville Commercial and Jane Alcumbrac, Bennion Mr. Garland reintroduced himself and stated that they're here to give a progress report and some bullet points of where the project is headed. He stated that they have the support of the City of Rancho Mirage, planning commission and city staff.

He stated that they have agreed with Mario Gonzales to designate 4 acres on the corners of Da Vall Drive and Ramon Road as payment for his leasehold. He further stated that Mr. Gonzales would have two years to build out the 4 acres parcel, or if not, it would revert back the Garland and partners.

Mr. Garland shared with the Board the letter of intent with Mr. Gonzales, specific plans being prepared by Kimley-Horn, project timeline and proposed site plan with possible tenants. He states that Pacific Western would be the lead construction bank.

He stated that the current lease is for 45 years with a 25-year extension option, he requested a total of a 90-year lease agreement based on their lender's requirements.

District Manager Jurasky reminded the Board that there were discussions in prior years of bringing cable, fiber optics internet to the cemetery property during the development of the 40-acre parcel. She stated that she wanted to make sure this was still part of the development.

Following a review of the site plan, discussion with questions and answers Trustee Pye stated that this item will be placed on the January 9, 2020 board meeting.

Mr. Garland and Mrs. Alcumbrac thanked to Board for allowing the presentation.

Trustee Kleindienst returned to the meeting at 2:32:PM

Following a Trustee Pye appointed Trustees Freet and Malotto to an ad hoc East 40 Acres sum-committee for the purpose of reviewing the current lease agreement and the materials presented today. They will give their recommendations to the Board at the January 9, 2020 board meeting.

b. Review for Discussion and Approval - DMP Tamarisk Trees Removal Proposals Following a review and discussion of the proposals motion was made by Trustee Freet, seconded by Trustee Mallotto to approve the proposal from West Coast Arborists, Inc. in the amount \$79,000.00 for the Tamarisk trees removal at DMP. Motion carried, roll call 5-0. Freet, Kleindienst, Mallotto, Pye and Radigan-Brophy.

c. Landscape Maintenance Agreement Renewal Request - Kirkpatrick Landscaping, Inc. Following a review and discussion of the proposal from Kirkpatrick Landscaping, Inc motion was made by Trustee Freet, seconded by Trustee Mallotto to approve going out to bid for the District's Landscaping Maintenance.

d. CAPC Annual Conference February 20-22, 2020 in Oxnard, CA Following a discussion motion was made Trustee Freet, seconded by Trustee Mallotto to approve Trustees and District Manager Jurasky attending CAPC Annual Conference in Oxnard, CA. This approval is to include all necessary expenses. Motion carried, roll call 5-0. Freet, Kleindienst, Mallotto, Pye and Radigan-Brophy.

e. Review for Discussion and Approval – Trustee Annual Year-End Meeting Luncheon Following a discussion motion was made by Trustee Freet, seconded by Trustee Mallotto to approve scheduling the Trustee Annual Year-End Meeting Luncheon for 11:30 A.M board meeting and luncheon immediately following. Thursday, December 12, 2019 at Spencer's Restaurant. District Manager Jurasky was directed to handle the scheduling with the restaurant and invitations to Neal Wilson, Rob Dennis, CPA, Steve Quintanilla, Q&A Law Firm and select Q&A staff. Motion carried, roll call 5-0. Freet, Kleindienst, Mallotto, Pye and Radigan-Brophy.

7. **LEGISLATIVE CALENDAR** – None

8. **TRUSTEE SIGNATURES AND ATTORNEY** Trustees signatures were completed.

9. **BOARD DEVELOPMENT** – None

10. **PUBLIC HEARING CALENDAR** – None

11. **COMMITTEE REPORTS** – None

12. **REPORTS** a. **Trustee Report** Trustee Mallotto reported that Neal Wilson the District's investment advisor had contacted her and gave her an update on the status of the investment accounts. She stated that he said the funds are doing well, and he's being safe and conservative with the portfolio investments. She further stated that there is one CD coming due in December 2019, and that Neal is pleased with the overall investment performance.

Trustee Pye stated that CSDA Legislative Days in Sacramento are May 19-20, 2020, and suggested that a Board member attend with District Manager Jurasky. Trustee Mallotto stated that she may be able to attend.

b. District Manager Report

1. **Strategic Plan Dashboard** District Manager Jurasky reviewed the strategic plan dashboard and explained the status of each item. Following a discussion Trustee Pye appointed Trustees Kleindienst and Freet to the District Manager evaluation ad hoc sub-committee. They are to develop an evaluation document and to presentation to the Board before April 2020.

2. **Dia de los Muertos ~ Day of the Dead Event at DMP** District Manager Jurasky reported that the event was a day of family fun; amazing artwork from the students and everyone seemed to be enjoying themselves. Very nice turnout, larger than in prior years and the weather was great. She further reported that one family who has a son interred here participated for the first time by doing a fresh flower floral tapestry that was absolutely amazing.

She stated that the face painters from Agape Salon did not participate this year, however will return next year.

13. **FUTURE AGENDA ITEMS** a. Discussion in 2020/2021 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 No action taken
- d. Review for Discussion and Possible Approval the Concept of Public Restrooms – Veteran Chapel No action taken
- e. PSCD Maser Plan – Desert Memorial Park No action taken

14. **CLOSED SESSION - READING OF THE SAFE HARBOR LANGUAGE** – Safe Harbor language was read by Steven Quintanilla the District's general legal counsel. Convened into Closed Session at 3:19 P.M.

a. Conference with Legal Counsel – Regarding Potential Initiation of Litigation Pursuant to Government Code Section 54956.9: (one case)

Returned to Open Session at 3:32 P.M.

15. **CLOSED SESSION ANNOUNCEMENT**– No reportable action

16. **OPEN SESSION** – None

17. **ADJOURNMENT** Meeting was adjourned by Trustee Pye at 3:32 P.M. The next board meeting is scheduled for 11:30 A.M., Thursday, December 12, 2019 at Spencer's Restaurant in Palm Springs, CA.

DATE: 12/12/19


Bary A. Freet, Secretary