

**Coachella Valley Public Cemetery District  
Board of Trustees Meeting Minutes  
October 13, 2020**

A Regular Board Meeting of the Governing Board of the Coachella Valley Public Cemetery District (CVPCD) was held at the District Office, 82-925 Avenue 52, Coachella, CA 92236, on Tuesday, October 13, 2020. Pursuant to the Executive Order N-29-20 as a result of COVID 19, this meeting was conducted via teleconference by Zoom.

Meeting ID: 815 4906 6921 Password: 720555

Public Notice: Public notice was posted on the District Website and at the Cemetery Office on Friday, October 9, 2020 by 2:00 PM by the Clerk of the Board.

**CALL TO ORDER, ROLL CALL**

Chairman Ernesto Rosales called the meeting to order at 8:04 am, those in attendance were as follows:

Directors Present: Ernesto Rosales, Chair, Judy Vossler, Vice-Chair, and John Rios, Trustee

Directors Present via Zoom: Trustees Bruce Underwood & Marcos Coronel\*\* (joined 8:34 a.m.)

Directors Absent: None

Add'l Participants present: Lee Kestell, General General Manager, and Kathryn Herrera, Clerk of the Board

Add'l Participants via zoom: Carlos Campos, District Counsel with Best, Best & Kreiger

Add'l Participant for Public Comment: Susie Del Toro, attended in person

**FLAG SALUTE**

**MOMENT OF SILENCE**

**PUBLIC COMMENT**

Susie Del Toro with Freedom Flags for Family purchased signs for posting with regards to security cameras in preparation of Veterans Day services. The cemetery will post by 10/16/2020 and reimburse Ms. Del Toro for signage. Ms. Del Toro also brought up the gopher issue. Additionally, thanked the cemetery for the trimming around the headstones.

Bruce Underwood inquired on 2 RFP's: Investments and Roads. These 2 items have already been approved in a previous Board Meeting.

## **ADDITIONS TO THE AGENDA**

None

## **CONSENT CALENDAR**

### **Board Minutes and Finance and Administration**

Chair Bruce Underwood requested the items listed below be brought forward for approval as separate items.

#### **Board Minutes**

##### **1.1 Special Meeting – September 15, 2020**

Motion: Vossler  
2<sup>nd</sup>: Underwood  
Discussion: None  
Yes: Rios, Rosales, Underwood, Vossler  
No: None  
Absent: Coronel  
Abstain: None

##### **1.2 Finance and Administration**

Approval of Expenditures Check Nos. #24436 – 24529

Underwood had an inquiry on check no. 24491 payable to McKeever Water Well in the amount of \$36,819.00 – General Manager Kestell reported of the emergency situation in July due to pump failure – expense approved by the chair and vice chair. All is repaired and working.

#### **Investment Report**

Underwood inquired about unfunded liabilities. He requested consistent future reporting. Investment report was approved.

Motion: Vossler  
2<sup>nd</sup>: Rios  
Discussion: As per above  
Yes: Rios, Rosales, Underwood, Vossler  
No: none  
Absent: Coronel  
Abstain: None

## **BOARD ACTION ITEMS**

### **2.1 Dia de los Muertos Virtual Event Proposal**

Annual Dia De Los Muertos has been cancelled due to the COVID 19 Pandemic, thus, a proposal from SR Social media was presented to the board for a Virtual Dia De Los Muertos. A representative from SR Social Media was not present. The board established a sub-committee of Chair Ernesto Rosales, General Manager Lee Kestell and Community Member Susie Del Toro. The sub-committee was directed to review the proposal and set a budget to not exceed \$7,000.00 and get legal approval for the contract.

Motion: Vossler  
2<sup>nd</sup>: Underwood  
Discussion: As per above  
Yes: Rosales, Underwood, Vossler  
No: Rios  
Absent: Coronel  
Abstain: None

## **2.2 Dia de los Muertos Budget approval – Riverside County Sheriff Department**

The estimate submitted from Riverside County Sheriff Department for the dates 10/31, 11/1, 11/2 is for crowd control and enforcement for 30 hours of sheriff service for the weekend of Dia de los Muertos. Budget approved for \$10,000.00.

Motion: Underwood  
2<sup>nd</sup>: Vossler  
Discussion: None  
Yes: Rios, Rosales, Underwood, Vossler  
No: none  
Absent: Coronel  
Abstain: None

## **2.3 Press Release for Dia De Los Muertos**

Press release submitted by Vice Chair Vossler to be used as a fact sheet for the event sub-committee. The sub-committee can edit as needed for the 2020 Dia de los Muertos event. Per Vossler, De Ann Lubell, local public relations agent will use her media list and distribute on behalf of sub-committee/cemetery at no charge.

Press release accepted by Board.

\*\* 8:34 a.m. Chair Coronel present at this point in time.

## **INFORMATIONAL ITEMS**

### **3.1 General Manager Update**

Request by General Manager Kestell to move this agenda item to closed session

**Board convened to Closed session at 8:36 am for the purposes listed below:**

#### **CLOSED SESSION**

The District may adjourn to a closed session to consider litigation matters, personnel matters, or other matters as provided for in the Ralph M. Brown Act (Section 54940 et seq. of the Government Code).

### **4.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)

Four (4) potential cases

**4.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)  
Three (3) potential case

**10:02 a.m. reconvened to General Session**

Action from closed session reported via Carlos Campos Legal Counsel with Best, Best and Krieger:  
Received direction from board and no reportable action was taken on items 4.1 & 4.2 Additionally an urgency item was added to closed session after the agenda was posted. Legal Counsel requests a motion to add to closed session agenda:

**4.3 PUBLIC EMPLOYER APPOINTMENTMENT – GENERAL MANAGER**

As directed by Legal Counsel

- Motion: Rios
- 2<sup>nd</sup>: Vossler
- Discussion: None
- Yes: Coronel, Rios, Rosales, Underwood, Vossler
- No: None
- Absent: None
- Abstain: None

**Board reconvened to Closed Session at 10:08 am for the purposes listed below:  
PUBLIC EMPLOYER APPOINTMENTMENT – GENERAL MANAGER**

**10:28 a.m. board reconvened to general session**

Carlos Campos Legal Counsel with Best, Best and Krieger reported the following announcement:  
Received Letter of Resignation from General Manager Kestell effective December 11, 2020. The District will start searching for replacement.

**BOARD/GENERAL MANAGER UPDATE/COMMENT**

None

**ADJOURNMENT**

Meeting adjourned at 10:30 a.m.

**NEXT MEETING TIME, DATE AND LOCATION**

Next scheduled meeting is: November 10, 2020 - 8:00 am, Cemetery Office.

Respectfully Submitted,  
Kathryn Herrera, Clerk of the Board  
Coachella Valley Cemetery District  
Approved: 11/10/2020 BOD Mtg