

Coachella Valley Public Cemetery District
Board of Trustees Special Meeting Minutes
October 15, 2021
8:00 AM

A Trustees Meeting of the Governing Board of the Coachella Valley Public Cemetery District (CVPCD) was held at Renaissance Esmeralda Resort & Spa, Toulon Conference Room, located at 44400 Indian Wells Lane, Indian Wells, CA 92210 on Friday October 15, 2021 at 8:00 a.m.

Public Notices were posted by the Clerk of the Board on Tuesday, October 12, 2021, at the following locations:
District Administrative Building - 82925 Avenue 52 Coachella, CA 92236
The Esmeralda Resort & Spa - 44400 Indian Wells Lane, Indian Wells, CA 92210
The District Website - <http://coachellacemetery.org/>

CALL TO ORDER, ROLL CALL

Chairman Ernesto Rosales called the meeting to order at 8:02 a.m., those in attendance were as follows:

Trustees Present:

Ernesto Rosales, Chair
Judy Vossler, Vice-Chair

Trustees:

Marcos Coronel,
John Rios
Bruce Underwood

Directors Absent:

None

Additional Participants:

Josh Bonner, General Manager
Matt McCue, CVPCD Consultant
Kathryn Herrera, Clerk of the Board
Carlos Campos, District Counsel with Best, Best & Kreiger

Additional Participant for Public Comment:

None

FLAG SALUTE

Led by Carlos Campos

MOMENT OF SILENCE

PUBLIC COMMENT

Josh Bonner shared comments from Kathleen Jurasky, General Manager of Desert Memorial Cemetery, regarding employee salaries and trustee compensations. Trustee Coronel replied that Palm Springs Cemetery Trustees compensation schedule is higher than that of CVPCD Trustees.

ADDITIONS TO THE AGENDA

As per Government Code section 54956, no other business was considered for addition to the Agenda.

CONSENT CALENDAR

- 1.1 Trustee Minutes
 - a. Special Meeting – July 23, 2021
 - b. Regular Meeting – August 6, 2021
 - c. Regular Meeting – September 3, 2021

- 1.2 Finance and Administration
 - a. Approval of Expenditures
 - a. August 2021:
Check Nos.25250-25304; 50146-50149
EFT dated 8/2-8/30/2021 – totaling \$254,081.41
 - b. September 2021:
Check Nos.25305-25381
EFT dated 9/8-9/30/2021 - totaling \$221,488.59
 - b. Investment Report – June 2021 (final)
 - c. Investment Report – July 2021
 - d. Investment Report – August 2021
 - e. Financial Statement – Budget to actual Comparison

- 1.3 Approval of Trustee Compensation for Trustee Underwood
California Special District Association Annual Conference Attendance

- 1.4 Approval of Trustee Compensation for Trustee Coronel
Training Courses Related to Board of Trustee Duties

- 1.5 Approval of Financial Investment Advisory Services
Approval of Investment Advisory Contract with Chandler Asset Management.

- 1.6 Approval of Purchase of Permanent Trash Receptacles for District Grounds
Approve Purchasing Trash Receptacles from Trashcans Unlimited

- 1.7 Adoption of Project Guidance and Timelines for Board Policy Manual
Direction and Guidance to Best Best and Krieger to Draft Board Policy Manual

- 1.8 Approval to Decommission Landscape Maintenance Equipment
Decommission of Equipment No Longer Used Due to New Landscape Agreement

- 1.9 Approval of Credits for September 2021

Motion: Coronel; Motion to approve the Consent Calendar as presented.

2nd: Vossler

Discussion: None

Yes: Coronel, Rios, Rosales, Underwood, Vossler

No: None

Abstain: Coronel abstained from a vote on item 1.4

Motion carries, consent calendar approved

ACTION ITEMS

2.1 Approval of ORDINANCE NO. 10-2021

Limiting Compensation for Members of the Board of Trustees

Motion: Coronel; Motion to approve and proceed to second reading for Ordinance No. 10-2021 AN ORDINANCE OF THE COACHELLA VALLEY PUBLIC CEMETERY DISTRICT REGARDING INCREASING COMPENSATION FOR MEMBERS OF THE BOARD OF TRUSTEES.

2nd: Rios

Discussion: Per Legal Counsel Campos, Ordinance will come back in 30 days, compensation limit is \$400.00 per month, compensation can be waived, Coronel requested a claim form/expense form, Legal Counsel Campos advised that the reimbursement policy will be brought back to Trustees and counsel will examine other documents.

Yes: Coronel, Rios, Rosales, Underwood, Vossler

No: None

Abstain: None

For the record: Best Best & Krieger due diligence to examine any other additional documents for compliance of the new ordinance.

****Motion carries, action item 2.1 approved****

2.2 Discussion of RESOLUTION NO. 107

Meeting Compensation and Occurrences Compensation Policies

Motion: Coronel; Motion to approve Resolution 107 RESOLUTION OF THE BOARD OF TRUSTEES OF THE COACHELLA VALLEY PUBLIC CEMETERY DISTRICT ESTABLISHING AN OCCURENCES COMPENSATION POLICY AND AMENDING THE MEETING COMPENSATION POLICY.

2nd: Rios

Discussion: Compensation Policy effective immediately, Coronel request Trustees to submit claim form for reimbursement.

Yes: Coronel, Rios, Rosales, Underwood, Vossler

No: None

Abstain: None

****Motion carries, action item 2 2 approved****

2.3 Adopt Resolution #112 to Amend Conflict of Interest Code

Amend the Conflict of Interest Code Pursuant to the Political Reform Act of 1974

Motion: Coronel; Motion to approve Resolution 112 RESOLUTION OF THE BOARD OF TRUSTEES OF THE COACHELLA VALLEY PUBLIC CEMETERY DISTRICT TO AMEND TO AMEND THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

2nd: Rios

Discussion: All Trustees and Employees listed as designated positions are required to submit and file Form 700

Yes: Coronel, Rios, Rosales, Underwood, Vossler

No: None

Abstain: None

****Motion carries, action item 2.3 approved****

2.4 Adoption of Committees for 2021-2022 Fiscal Year
Termination and Adoption of New Board Committees

Legal Counsel Campos recommended that previous committees formed be eliminated prior to reconsidering any new committees moving forward.

Motion: Underwood;

2nd: Coronel

Discussion: Coronel mentioned that the committees created were due to the legal necessity, additionally requests that the newly created Ad Hoc committee meet with Veterans group regarding existing Memorial which was initially formed and created by the American Legion and former General Manager Bret Kestell. Rosales requested that clarity of maintenance is needed, and Cemetery should retain ownership and thank all who were responsible for the creating Memorial. General Manager Bonner advised Trustees that although the American Legion is responsible for upkeep, Cemetery employees maintain and upkeep the Memorial.

*Substitute Motion based on Legal Counsel's recommendation Coronel request revision of motion, all Trustees concur.

2nd Motion: Coronel; Motion to terminate all previous committees.

2nd: Underwood

Discussion: None

Yes: Coronel, Rios, Rosales, Underwood, Vossler

No: None

Abstain: None

Motion carries, to terminate all previously formed committees

Motion: Coronel; Motion to form Veterans Ad Hoc Committee

2nd: Underwood

Discussion: create committees in order to proceed with future events and to reach out to VAFW and/or any other organization regarding ownership and maintenance of Memorial. (Coronel & Vossler designated to committee)

Yes: Coronel, Rios, Rosales, Underwood, Vossler

No: None

Abstain: None

**Motion carries, two new Ad Hoc Committees are formed **

2.5 Designating the General Manager as Authorized Representative for the Coachella Valley Mountains Conservancy Grant for CVPCD's Water Management System Project
Adoption of a Resolution Entering Into Funding Agreement with the Coachella Valley Mountains Conservancy

Motion: Vossler; Motion to approve Resolution 111 RESOLUTION OF THE COACHELLA VALLEY PUBLIC CEMETERY DISTRICT AUTHORIZING ENTERING INTO A FUNDING AGREEMENT WITH THE COACHELLA VALLEY MOUNTAINS CONSERVANCY AND AUTHORIZING AND DESIGNATING THE GENERAL MANAGER FOR THE WATER MANAGEMENT SYSTEM PROJECT.

2nd: Underwood
Discussion: The grant will reimburse CVPCD \$54,100.00, the total districts contribution will be approximately \$16,000.00. Trustees and General Manager thanked Coronel for his contribution to this project funding.
Yes: Coronel, Rios, Rosales, Underwood, Vossler
No: None
Abstain: None
Motion carries, action item 2.5 approved

2.6 Approval of Contract for Automated Irrigation System Purchase and Installation
Approval of Contract for Automated Irrigation System Installation with Vintage Landscaping

Motion: Coronel; Motion to approve Vintage Landscape proposal
2nd: Underwood
Discussion: Coronel requested the landscape proposal submitted by Vintage be thoroughly reviewed with no ambiguity, additionally Vintage Landscape will be responsible for install and training of Nissho and CVPCD staff. Legal Counsel Campos indicated a seven (7) day termination clause and warranty will be included in the contract.
Yes: Coronel, Rios, Rosales, Underwood, Vossler
No: None
Abstain: None
Motion carries, action item 2.6 approved

2.7 Revisions to the District's Headstone Agreement

Motion: Coronel; Motion to approve the revision to the Districts Headstone Agreement. Additionally, all related policies are to come back for review within 60 days for clean-up.
2nd: Rios
Discussion: General Manage Bonner advised Trustees that CVPCD is legally liable for over 16,000 headstones
Yes: Coronel, Rios, Rosales, Underwood, Vossler
No: None
Abstain: None
Motion carries, action item 2.7 approved and attached as exhibit 'A'

2.8 Revisions to the Districts Headstone Policy

Motion: Coronel; Motion to approve the new Headstone Policy.
2nd: Rios
Discussion: Policy effective January 1, 2022 and as of this date CVPCD will no longer provide cement pouring services. Coronel questioned if the new policy would reduce the current setting fees, Rosales advised that CVPCD will still have to provide setting services. General Manage Bonner advised Trustees that a fee study is upcoming.
Yes: Coronel, Rios, Rosales, Underwood, Vossler
No: None
Abstain: None
Motion carries, action item 2.8 approved. Policy and samples attached as exhibit 'B'

2.9 Reconsideration of the Cafeteria Plan Employee Payout

Motion: Vossler; Motion to approve cash out option up to 50% of the \$1,400.00 cafeteria plan, cash out option will be taxed.

2nd: Coronel

Discussion: A \$1,400.00 benefit plan for employees was previously approved, unused benefits can be cashed out. General Manager Bonner advised trustees through onboarding process employees were erroneously advised of a payout option on unused benefits and that Regional Government Services recommended no cash out policy. Legal Counsel advised if approved Trustees would have to adopt the new policy. Vossler recalls Trustees voted no on payout option. Trustees also advised that they had previously approved to eliminate the IRA contribution program with Wells Fargo Advisors and no longer allow employees to contribute via payroll sponsorship.

Yes: Coronel, Rios, Rosales, Underwood, Vossler

No: None

Abstain: None

General Manager Bonner will work with Legal Counsel on a resolution that will come back for Trustee approval.

****Motion carries, action item 2.9 approved****

2.10 Review of Cemetery Closing Time

Motion: Underwood; Motion to approve 5:00 p.m. Cemetery Office closing time effective November 8, 2021.

2nd: Vossler

Discussion: General Manager Bonner advised Trustees of low traffic after 5 p.m. Coronel advised that office size has been tripled and online payment service will soon be available.

Yes: Coronel, Rios, Rosales, Underwood, Vossler

No: None

Abstain: None

****Motion carries, action item 2.10 approved****

INFORMATIONAL ITEMS

3.1 Security Ad-hoc Committee

Rosales no new information to report.

Coronel advised Trustees of an experience he encountered with the Maxwell Security staff. Contracted security service to begin November 8, 2021, this contract service includes clearing of the grounds by sundown.

3.2 Information Technology Ad-Hoc Committee

Vossler no new information to report.

Coronel advised that Adobe software issues have been rectified, Microsoft Teams software being used by staff. Dual monitors were purchased for all office stations and have been installed.

3.3 Office Operations Ad-Hoc Committee

Vossler and Coronel no new information to report.

3.4 FY-2019/2020 Audit/Budget Ad-Hoc Committee

Underwood reported that financial dashboard will be implemented, profit and loss budget was included in this month's Trustee Packet thanks to Matt McCue, CVPCD Consultant.

- 3.5 Maintenance Operations
Rosales and Coronel no new information to report

TRUSTEE/GENERAL MANAGER COMMENTS

Rosales thanked employee Kathryn Herrera for the transition into the new role and assistance with training new employees. The new lowering kits are a huge progress for the Cemetery. The new lowering kits allow family to view the lowering of the casket into the vault at their preselected location, whereas previously the vault and casket were preset in a location away from the preselected lot and family were not allowed to be present for lowering due to the use of heavy machinery and possibility of a cave-in.

Coronel visited Cemetery Office and met with new staff and Cemetery Services Manager, he was impressed and looks forward to the financial dashboards. Coronel reached out to CSDA to profile General Manager Bonner, subsequently GM Bonner will be profiled in a full-page ad for Movers and Shakers. Coronel also nominated Bonner for consideration as manager of the year.

MCCue reports that the financial annual reporting to county and state are up to date. 2021 Audit is out for proposals and will be extended. Cemsites office software training has taken place and integrated into tracking of revenue cycle. CSDA will recognize Special Districts in need of Covid Relief Funds, 100,000,000 has been allocated for relief for Special Districts. The deadline to submit losses of revenue is 10/15/2021. District will submit for reimbursement in the amount of \$75,000.00. Dashboard in place, the investment services mentioned in Consent Calendar business we will begin, and we will work with Chandler Investment. CVPCD will obtain all funds from the County and take back control of funds in order to invest. Financial part of the contract with Regional Government Services will be coming to close immediately.

Bonner reports that AV install and aesthetics will be completed next week in order for the board room to be fully functional by the November Trustee Meeting date. Thanks to maintenance staff Jason Wilberts and Omar Jimenez for working through staff shortage, preparation for DDLM, reseeding, irrigation, and burial services. Shoring device is now in use, this device is being used to prevent the possibility of cave-ins at the burial site, automatic lowering kits are being used which significantly improves services the District provides to grieving families. We will soon see a significant financial impact directly related to the use of the new devices as these devices only require up to two staff for lowering and the opportunity to preinstall vaults to which will also reduce the labor load. New uniforms are in and are being embroidered. Sectional signage has been installed throughout the Cemetery. Nissho Landscape has started landscape services as per Contract, newly replaced pressure pump is complete and staff continues to stay busy. Website development is in progress and will be presented at next meeting.

Underwood reported that Matt McCue, CVPCD Consultant has been reappointed for the Finance Committee for CSDA at state level while representing the CVPCD.

Break before closed session 9:45 a.m.
Adjourn to closed session 10:05 a.m.

CLOSED SESSION ITEMS:

- 5.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)
Two (2) Potential Case(s)

Reconvene to Open Session at 10:52 a.m. Legal Counsel Campos reported direction received, no reportable action.

Trustees convened to a Strategic Planning Session led by Bob Marra where they discussed numerous items including the strength, weaknesses, opportunities, threats, priorities for the Coachella Valley Public Cemetery, and long-range planning for the Board of Directors to review for implementation. A follow up planning session will ensue.

ADJOURNMENT

NEXT MEETING TIME, DATE AND LOCATION

Next regular scheduled Trustee meeting is: November 12, 2021 and scheduled to take place in the Administration Office located at 82847 Avenue 52, Coachella, CA 92236

Respectfully Submitted,

Kathryn Herrera,

Clerk of the Board

Approved: Nov. 12, 2021 BOD Mtg

EXHIBIT 'A'
Coachella Valley Public Cemetery District
Headstone Setting Agreement

This Headstone Setting Agreement does not apply to the purchase of a headstone from the Coachella Valley Public Cemetery District ("Cemetery"). which is purchased independent of the Cemetery. The headstone setting payment is only for the setting of the headstone that requires headstones to be pre-set in concrete to afford a concrete border on all four sides with a flower cup incorporated in the concrete.

The Board of Trustees of the Coachella Valley Public Cemetery District does authorize

(Purchaser) _____ **Relationship to deceased** _____

to place a headstone on the grave of _____

Lot _____, Block _____, Unit, . Purchaser and all other parties concerned agree to the following:

As the headstone, concrete boarder and flower cup are the property of the Purchaser, all parties agree that at no time shall they hold the Cemetery responsible for any damage, theft or deterioration, including the cracking of the concrete border which may occur following the installation of said headstone on this grave. All repairs or replacement must be done at the Purchaser's or family's sole cost and expense, unless the damage is solely caused by the District. Notwithstanding the previous, the Cemetery will replace the concrete border if there is cracking in the concrete border within 30 days of installation. Moreover, if at any time the headstone becomes separated and/or dislodged from the concrete border, the Cemetery will evaluate whether to replace and/or repair the concrete border in its sole and absolute discretion.

If at any time the Purchaser or family decides to change the headstone for any reason, it will be the responsibility of the Purchaser or family to replace the headstone and pay the current headstone setting fee.

Unless requested by Purchaser or family at the time the headstone setting fee is paid, the Cemetery will not be responsible to notify the Purchaser or family when the headstone arrives or is set.

Payment of the setting fee for all headstones is required **before** delivery to the cemetery and is separate and apart and **not** included in the cemetery burial charges.

Please no beveled edges or boarders, polished or not. If an edge or boarder is beveled, polished or not, the Cemetery will not be responsible any cracking or workmanship.

Only one (1) headstone per lot is allowed

Single Setting Fee \$200.00

Double Setting Fee \$300.00

*By initializing here [____] you are acknowledging that you have read and understand the Cemetery Rules for Decoration of Graves and the Marker Rules and Regulations for the Cemetery.

I authorize and have the authority to approve the setting of said headstone.

Name _____

Signature _____

Date executed _____

Prices, Terms and conditions subject to change without notice.

Revised 10 /2021

EXHIBIT 'B'

Headstone Memorials Rules

To ensure consistency within the Coachella Valley Public Cemetery District (CVPCD), we have established a set of rules to maintain the orderly appearance of headstone memorials.

Headstones may be granite, bronze or other material that is approved by an authorized representative of the Board of Trustees. No marble headstones are permitted. No above ground headstones are permitted.

The following memorials are acceptable at the CVPCD:

Granite with 3" Sanded, Washed or Flamed Border

Single Sites	18" x 30"
Double Sites	18" x 42"
Cremation, 1/4 or 1/2 Lots	16" x 26"

Any manufactured or fabricated reproductions of a picture on or recessed into the headstone will be subject to approval by the District. Prior to setting of the headstone, an agreement to hold the cemetery and its employees harmless shall be executed by the owner of the burial right or authorized representative and, if applicable, the funeral director supplying the headstone.

With Concrete Borders

As of January 1st, 2022, the CVPCD will no longer perform cement setting for headstones. Families may, at their own discretion, have an outside vendor perform a concrete setting for their memorial marker. In these instances, the following specifications will apply:

Single Sites	12" x 24"
Double Sites	14"x36"
Cremation, 1/4 or 1/2 Lots	10"x20"

All headstones must be rectangular with smoothly cut edges on all four sides and preset in 5" concrete with a 3" border on all sides.