

Coachella Valley Public Cemetery District

Regular Meeting
Tuesday, June 8, 2021
8:00 AM

A Trustees Meeting of the Governing Board of the Coachella Valley Public Cemetery District (CVPCD) was held at Coachella Valley Community Trust – 45-149 Smurr Street, Indio, CA 92201, on Tuesday, June 8, 2021 at 8:00 a.m. Pursuant to the Executive Order N-29-20 as a result of COVID 19, the meeting was also conducted via Zoom. Meeting information posted was as follows: Meeting ID: 876 8163 1893 Passcode: 1234

CALL TO ORDER:

Judy Vossler called the meeting to order at 8:05 a.m., those in attendance were as follows:

Directors Present: Judy Vossler, Vice-Chair, Trustees Marcos Coronel, John Rios, Bruce Underwood

Directors Absent: Ernesto Rosales, Chair (excused absence)

Add'l Participants: Josh Bonner, General Manager; Kathryn Herrera, Clerk of the Board, and Carlos Campos, District Counsel with Best Best & Kreiger LLP

Add'l Participants via Zoom: Betsy Adams and Glen Lazof of Regional Government Services, Laurie LoFranco of Keenan& Associates

Add'l Participant for Public Comment: Susie Del Toro

FLAG SALUTE

Led by Trustee Underwood

MOMENT OF SILENCE

PUBLIC COMMENT: Susie Del Toro requested an update for security and the schedule for posting security camera signage. Trustees thanked Mrs. Del Toro for her participation and for the installation of wreaths on Memorial Day.

ADDITIONS TO THE AGENDA:

No additions requested.

Request for movement of Agenda Items.

Request to remove Items 1.8 & 1.9 of the Consent Calendar and place under 2.13 and 2.14 of Action Items

Request to move to Closed Session immediately after Item 2.3

Motion: Rios

2nd: Coronel

Discussion: None

Yes: Coronel, Rios, Underwood, Vossler

No: None

Absent: Rosales

Abstain: None

****Motion Carries****

CONSENT CALENDAR: BOARD MINUTES AND FINANCE AND ADMINISTRATION

1.1 Trustee Minutes

Regular Meeting – Tuesday, May 11, 2021

Special Meeting – Friday, May 14, 2021

Special Meeting – Friday, May 28, 2021

1.2 Finance and Administration

Approval of Expenditures Check Nos. #25004-25093;

50130-50135; EFT Cks dated 5/5 thru 5/28/2021

April 2021 Investment Report (Tabled from May 11, 2021 Meeting)

1.3 Extension of temporary administrative services from Office Team

Retain one (1) temporary office administrative support position contracted through Office Team until which time as an additional FTE can be added to office staff.

1.4 Agreement to Retain Keenan & Associates as Employee Benefits Broker

Request to authorize the General Manager to enter into a contract with Keenan & Associates to represent the District as its official Broker of Record effective July 1, 2021. Keenan & Associates to be granted the authority to represent the District in placing its benefit coverage and negotiating with carriers on behalf of the District.

1.5 Customer Agreement to Purchase Burial Property Consideration to add Purchase Agreement with Cemetery Policies for electronic execution and storage to Management Software

Utilize an independent form 'Buyer/Seller Agreement' to record customer agreement with CVPCD policy associated with Pre Need purchases.

1.6 Endowment Management

Wells Fargo Advisors recommendation of additional signers and use of professional financial management firm for advisal on financial investment and portfolio management when needed

1.7 Temporary Bathrooms

Extension of Burrtec Agreement for temporary restroom unit and Request for Board revaluation for further development and permanent structure of additional Public Restroom

1.8 Addition of Office Position – Cemetery Services Coordinator**

Request to remove the Senior Administrative Assistant classification and replace with the Cemetery Services Coordinator

1.9 Addition of Maintenance Technician**

Create position of Groundskeeper and authorize the hiring of one full time employee for classification

**Items 1.8 & 1.9 were moved to Trustees Action Items 2.13 & 2.14 as per the motion below:

Motion: Coronel: Motion to approve the consent Calendar with the exception of Items 1.8 and 1.9
2nd: Rios
Discussion: Inquiry on items 1.2 & 1.6; Specific inquiries on Item 1.2 were related to Southwest Networks and billable rate; Arroyo Road Service billing and services provided and Workers Compensation payment approval procedure due to amount. Endowment Management inquiries were on cash investments; clarification from GM was provided to Trustees that the item on calendar for approval was strictly to add signers and seek quotes for professional investment and portfolio management and investment account advice. Underwood also had a question on an annual expenditure for Wells Fargo.
Yes: Coronel, Rios, Underwood, Vossler
No: None
Absent: Rosales
Abstain: None
Motion Carries

TRUSTEES ACTION ITEMS

2.1 Resolution No. 100 Fixing the Employer Contribution Under the Public Employees' Medical and Hospital Care Act at an Equal Amount for Employees and Annuitants.

The District with assistance from Regional Government Services and Keenan & Associates presented a 125 Cafeteria Plan benefit for the District's employees which required adoption of the Public Employees Medical and Hospital Care Act (PEMCHA) Resolution fixing the District's contribution, the PEMCHA established minimum (minimum rate), at an equal amount for employees and annuitants (District retirees meeting certain statutory requirements).

The California Public Employees' Retirement System (CalPERS) established the minimum rate, which is adjusted annually by CalPERS based on consumer price index changes. For calendar year 2021, the minimum rate is \$143/month. CalPERS has notified contracting agencies that the minimum rate for calendar year 2022 will be \$149/month.

For eligible retirees, a Health Reimbursement Account (HRA) will be established. The HRA will be brokered by Keenan & Associates and administered by MidAmerica. For employees, health insurance will be available through the new 125 Cafeteria Plan benefit, set at \$1,400/month per employee, effective August 1, 2021.

2.2 Clarification of District Provided Benefits for Employees and Eligible Retirees

Resolution No. 101 presented is to provide a comprehensive description of the District's health benefit program for its employees and eligible retirees by amending Section 8.2 of the District's 2011 Employee Handbook ("Handbook"), and repealing any conflicting resolutions.

Implementation:

1) Section 125 Cafeteria Plan. The 125 Cafeteria Plan will permit the District to provide employees with an allowance. Employees will be permitted to pay for their share of the premium (if any) through pre-tax payroll deductions.

2) Retiree Health Premium Reimbursement Plan. A retiree Health Premium Reimbursement Plan in the form of a health reimbursement arrangement (“HRA”) to permit the District to reimburse Tier 1 and Tier 2 retirees for medical premiums in excess of the Statutory Minimum up to the amount described above.

The Section 125 Cafeteria Plan document will be brought forward for Board approval at the July meeting. The Retiree Health Premium Reimbursement Plan documents were approved with the adoption of Resolution No. 100.

Motion: Coronel: to Approve Resolution 100 (Item 2.1)- Fixing the Employer Contribution Under the Public Employees’ Medical and Hospital Care Act At An Equal Amount For Employees And Annuitants.

2nd: Underwood

Discussion: Implementation of a 125 Cafeteria Plan establishing a cafeteria with medical, dental, vision, life insurance, FSA account, and voluntary benefits, to be brought forth in the August meeting. Benefit administration software - Building Blocks to be in place for electronic tracking at no cost. The two (2) resolutions adopted will allow for the 125 Cafeteria Plan to be written. GM advised Trustees of a half-day Orientation with staff for review of Employee Handbook and Benefits. August 1 is set as the effective date of the 125 Cafeteria Plan.

Yes: Coronel, Rios, Underwood, Vossler

No: None

Absent: Rosales

Abstain: None

****Motion Carries****

Motion: Coronel: to Approve Resolution 101 (item 2.2)- Resolution Of The Board Of Trustees Of The Coachella Valley Public Cemetery District Clarifying The Health Care Benefit Program For District Employees And Eligible Retirees

And

Amending Section 8.2 Of The Employee Handbook

2nd: Underwood

Discussion: None

Yes: Coronel, Rios, Underwood, Vossler

No: None

Absent: Rosales

Abstain: None

****Motion Carries****

Note: Although Chairman Ernesto Rosales was absent from the meeting, Trustee Coronel requested to note for Minutes that he approves Items 2.1 & 2.2

2.3 Amendment to Bylaws to Allow Regular Meeting Schedule To Be Adopted by Resolution and Resolution Adopting 2021-2022 Meeting Schedule

This agenda item includes two proposed resolutions to amend the current Bylaws to allow the annual regular Board of Trustee Meeting schedule to be set by Resolution and to set the 2021-2022 Regular Meeting schedule of the Board.

Motion: Underwood: to approve the Resolution marked Resolution No. 103 Resolution of the Board of Trustees of the Coachella Valley Public Cemetery District Amending the District Bylaws to Allow for Annual Regular Board of Trustees Meeting Schedule to be Adopted by Resolution

2nd: Coronel

Discussion: All comments on other Bylaw revisions are still being received

Yes: Coronel, Rios, Underwood, Vossler

No: None

Absent: Rosales

Abstain: None

****Motion Carries****

Motion: Coronel: to approve the Resolution marked Resolution No. 102 Resolution of the Board of Trustees of the Coachella Valley Public Cemetery District Setting the Regular Board of Trustees Meeting Schedule for 2021-2022.

2nd: Rios

Discussion: Appropriate dates to include years for clarification.

Yes: Coronel, Rios, Underwood, Vossler

No: None

Absent: Rosales

Abstain: None

Trustee Meeting Schedule approved:

Friday, July 9th 2021, 8:00 AM

Friday, August 6th 2021, 8:00 AM

Friday, September 3rd 2021, 8:00 AM

Friday, October 1st 2021, 8:00 AM

Friday, November 12th 2021, 8:00 AM

Friday, December 10th 2021, 8:00 AM

Friday, January 7th 2022, 8:00 AM

Friday, February 4th 2022, 8:00 AM

Friday, March 4th 2022, 8:00 AM

Friday, April 1st 2022, 8:00 AM

Friday, May 13th 2022, 8:00 AM

Friday, June 10th 2022, 8 AM

****Motion Carries****

Open Session adjourned for Closed Session; Close Session convened at 8:52 a.m.

CLOSED SESSION ITEMS

4.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation, pursuant to Government Code Section 54956.9(d)(2)/(e) (1)
One (1) potential case

4.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation, Pursuant to Government Code Section 54956.9(4)
One (1) Potential Cases

4.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation, Pursuant to Government Code Section 54956.9(4)
One (1) Potential Cases

4.4 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(THREAT OF LITIGATION)
Initiation of Litigation, Pursuant to Government Code Section 54956.9(4)
Two (2) Potential Cases

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation, pursuant to Government Code Section 54956.9(d)(2)/(e)(1)
Two (2) potential cases

4.5 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

Closed session adjourned; Open Session convened at 9:34 a.m.

Attorney Carlos Campos reported: Direction was received, no reportable action
Attorney Carlos Campos reported: Trustee Rios was excused at 9:25 a.m.

TRUSTEES ACTION ITEMS (resume)

2.4 Cemetery Park Hours and Weekend Coverage

Modify our existing agreement with Southwest Security for additional coverage and employ maintenance for weekend shift coverage

Motion: Coronel: motion to approve the estimate from Southwest Security for unarmed presence 7 days a week, hours of 5 p.m. - 7 p.m. in order to enforce cemetery clearance and to stop ingress after hours. Additionally, to add one maintenance operation employee for Saturday and Sunday.

2nd: Underwood

Discussion: The estimate for security presence (2 guards) to enforce the exit of cemetery grounds and stop ingress, once job is complete and grounds are cleared our current security contract will take over, completion of High Optic camera installation needs to be done in order for real time monitoring.

Yes: Coronel, Underwood, Vossler

No: None

Absent: Rios, Rosales

Abstain: None

****Motion Carries****

2.5 Communication and Social Media Policy 14:00

Consider adoption of a Communication and Social Media Policy for staff in order to reduce confusion and to determine acceptable behavior online. Social Media Policy to describe how employees should conduct themselves online in order to protect company reputation and inspire employees to advocate for the company in appropriate forums and in designated and well-defined roles.

Motion: Coronel: approval subject to grammar and formatting modifications and Social Media Policy to be added to verbiage in the Employee Handbook

2nd: Underwood. 19:58

Discussion: Legal Counsel to review, Employees to possibly resign on a bi-annual basis

Yes: Coronel, Underwood, Vossler

No: None

Absent: Rios, Rosales

Abstain: None

****Motion Carries***

2.6 Storage of Headstones 21:17

Discussed recommendation to dispose of the outdated/damaged headstones within 24 hours if not claimed after replacement process and dispose of headstones currently in Cemetery possession

Coronel requested to table item for future agenda.

2.7 Equipment Review

Review of equipment listed as decommission and approval to sell at auction and/or dispose as dictated by County/State guidelines to clear off capitol assets.

Motion: Underwood

2nd: Coronel

Discussion: None

Yes: Coronel, Underwood, Vossler

No: None

Absent: Rios, Rosales

Abstain: None

****Motion Carries****

2.8 Re-Purposing of District Asset – Housing Structure 30.24

Explore use of one of the three building structures as additional administrative office which would include a conference/board room and additional office space

Motion: Coronel: motion to includes \$15,000.00 allowance for repurposing/repairing. AdHoc Committee created to include Coronel and Underwood
2nd: Underwood.
Discussion: The use of the building could be temporary and GM is to report back with total repurposing cost. Underwood requested a visit to location.
Yes: Coronel, Underwood, Vossler
No: None
Absent: Rios, Rosales
Abstain: None
****Motion Carries****

2.9 Headstone Production for Outside Vendors

Review cost for CVPCD cement operation of pouring headstone borders for outside vendors

Motion: Coronel: to end the practice and provide 30-day notice to vendors
2nd: Underwood
Discussion: Unpredictable nature of work flow makes it difficult to continue practice.
Yes: Coronel, Underwood, Vossler
No: None
Absent: Rios, Rosales
Abstain: None
****Motion Carries****

Trustee Rosales in support of stopping practice altogether.

2.10 Fiscal Year 2021/2022 Budget Update #2

Motion: Coronel: to receive and file report as provided
2nd: Underwood and Vossler concur. Budget package to be reviewed during August Trustee meeting.
Yes: Coronel, Underwood, Vossler
No: None
Absent: Rios, Rosales
Abstain: None
****Motion Carries****

2.11 Discussion on Adopting an Ordinance Increasing Board of Trustees' Compensation for Attending Meetings

Item brought forth by Best Best and Krieger for discussion only. Discussion led by Albert Maldonado and Carlos Campos with BB&K. Prior to adoption of Ordinance, public needs to be made aware of the intention to increase Board Compensation, Occurrence Compensation and Reimbursement via news publication.

Trustees concur that the Trustee stipend is to increase to \$110.00 if legally possible and direct BB&K to explore.

Trustees concur to remain at a maximum of four Trustee Meetings per month.

Trustees concur reimbursement to include speaking engagements (approval required), conference attendance and training.

Payment Cap is to be set at \$440.00 per month per Trustee.

AdHoc Underwood and Vossler to meet with Legal Counsel.

Finance Committee (Underwood) to meet with GM and report back.

2.12 California Association of Public Cemeteries 1:31:32

Request to Continue Membership with The California Association of Public Cemeteries (CAPC) which represents public cemetery operations across California.

Motion: Coronel: motion to not renew membership but further explore at non-member rate

2nd: Underwood

Discussion: Vossler suggest attending meetings at a non-member rate and if necessary, report back for future consideration for membership.

Yes: Coronel, Underwood, Vossler

No: None

Absent: Rios, Rosales

Abstain: None

****Motion Carries****

2.13 Addition of Office Position – Cemetery Services Coordinator 1.49.23

Request to fill vacant office staff position

Motion: Coronel

2nd: Underwood

Discussion: Pay range to be amended from 33 to 36, \$33.40-35.97 per hour and is a Senior Management position; experience to include six (6) years of increasing responsibility, mid-level proficiency in Spanish language, provide monetary incentive to promote education and fill position immediately.

Yes: Coronel, Underwood, Vossler

No: None

Absent: Rios, Rosales

Abstain: None

****Motion Carries****

2.14 Addition of Maintenance Technician

Request to open position for an entry level maintenance technician position and authorize immediate hiring of one (1) FTE for this classification.

Motion: Underwood

2nd: Coronel
Discussion: Conditional employment to accept any shift as directed, immediate hire, undersell to Maintenance Technician 2
Yes: Coronel, Underwood, Vossler
No: None
Absent: Rios, Rosales
Abstain: None
Motion Carries

INFORMATIONAL ITEMS

3.1 Security Ad-hoc Committee

Coronel: no items to report

3.2 Information Technology Ad-Hoc Committee

Tablets for office use are under review.

3.3 Office Operations Ad-Hoc Committee

Vossler and Coronel express gratitude to temporary staff, GM continues to provide Trustees with weekly updates, June 15th front doors to reopen along with following state guidelines.

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

Underwood will work with GM as the AdHoc committee, Coronel requested an update on the Audit being provided by David Farnsworth.

3.5 COVID-19 District Protocols

Underwood reported as of June 15, the state will lift many restrictions in place due to Covid-19, Cal OSHA will require masks only if employees are not vaccinated. Trustees will review deep cleaning procedures at the next meeting once actual guidelines are released. GM to investigate and report back with information.

3.6 Maintenance Operations

Headstones were discussed. Unacceptable timelines to have broken cement borders on headstones. Authority was given to GM to correct the issue.

TRUSTEE COMMENTS

Coronel reported that the Assembly Bill brought forth by Assemblyman Eduardo Garcia has passed and is being moved to the State Senate with regard to funeral cost assistance. He also reported his desire to create a cemetery foundation prior to the end of his term.

Underwood commended General Manger for including Jason Wilberts, staff, in upcoming education conference.

General Manager Comment: Two additional seats available for any Trustee to attend the Greater Coachella Valley Chamber of Commerce Business Awards Dinner at 5:00 p.m., Tuesday, June 22, 2021 in

Indian Wells. Ernesto Rosales will be honored as Community Volunteer of the Year. Additionally, Cemetery District General Manager Bonner has been Invited to join the GCV Chamber of Commerce Board of Directors.

ADDITION TO AGENDA

Based on the information provided by the General Manager and the invitation to join the GCV Chamber of Commerce Board, a request for motion to add Emergency Agenda Action Item 2.15 - Approval of General Manager as CVPCD representative for the GCV Chamber of Commerce.

Motion: Coronel: motioned to have the General Manager accept the board seat with the GCV Chamber of Commerce and to approve Josh Bonner, General Manager as Coachella Valley Public Cemetery District Representative with the GCV Chamber of Commerce and to include a \$500.00 allowance. Kathy, there are other chambers so we should be specific with the Chamber name.

2nd: Underwood

Yes: Coronel, Underwood, Vossler

No: None

Absent: Rios, Rosales

Abstain: None

****Motion Carries****

ADJOURNMENT

NEXT MEETING TIME, DATE AND LOCATION

Next regular scheduled Trustee Meeting is: July 9, 2021 8 a.m.

Respectfully Submitted,

Kathryn Herrera

Clerk of the Board

Approved: 7/9/2021 BOT Meeting