

Coachella Valley Public Cemetery District

Board of Trustees Meeting Minutes

Friday, July 12, 2024

8:00 a.m.

A meeting of the governing Board of the Coachella Valley Public Cemetery District (CVPCD) was held at the CVPCD Executive Office, located 82847 Avenue 52, Coachella, CA 92236 on Friday, July 12, 2024, at 8:00 a.m.

Public Notices were posted by the Clerk of the Board on Monday, July 8, 2024, at the following locations:

1. CVPCD Executive Office – 82847 Avenue 52, Coachella, CA 92236
2. The CVPCD website – <http://coachellacemetery.org>

CALL TO ORDER, ROLL CALL

Chair Ernesto Rosales called the meeting to order at 8:00 a.m., those in attendance were as follows:

Trustees present:

Ernesto Rosales, Chair

Judy Vossler, Vice-Chair

Marcos Coronel, Trustee

Bruce Underwood, Trustee

John Rios, Trustee

Additional participants:

Josh Bonner, General Manager

Sherry Winder, Finance Analyst/Clerk of the Board

Carlos Campos, General Counsel

Glenn Miller, Southwest Landscape & Maintenance

Additional participants for public comment:

None

FLAG SALUTE

MOMENT OF SILENCE

PUBLIC COMMENT:

Public Comment was received from Rosie Cruz via email and was distributed to the Board of Trustees.

GM Bonner reviewed the request regarding the public's use of additional pop-up tents during summer services. While understandable, the request was found to be against policy. Counsel Campos noted that the Board has the option to request an addition to the agenda as an urgency item, considering the timing of the request.

ADDITIONS TO THE AGENDA:

1) Informational Item 4.2

Constituent Survey

Consideration of content in survey for Master Plan

2) Closed Session Item 6.1

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

3) Action Item 3.7

Canopy Request to Review Current Policy

Per Public Comment

GM Bonner reviewed the addition to agenda items, confirming that all had been approved by Counsel Campos.

Motion: Vossler – Move to approve
Second: Underwood
Yes: Rosales, Vossler, Coronel, Underwood, Rios
Abstain: None
No: None
Absent: None
Motion passed.

1. PRESENTATIONS

1.1 Presentation by Southwest Landscape

Turf remediation update and the anticipated impacts of planned treatments

Glenn Miller from Southwest Landscape & Maintenance reviewed the recommendation for nut grass remediation treatment. He explained that the application will take place over two (2) days, with no watering required the day before, during application, and the day after application. As a result, treated areas will go without water for four (4) days during the summer heat, leading to brown spots. GM Bonner noted the recommended treatment costs \$2,800, and the public will be notified via social media, security, and signage.

2. CONSENT CALENDAR

2.1 Trustee Minutes

a. Board Meeting – June 14, 2024

2.2 Finance and Administration

a. Approval of Expenditures – Checks and ACH transactions as detailed June 2024

b. Investment Report

c. Budget to Actual June 2024, with end of year executive budget adjustments

Motion: Vossler – Move to approve
Second: Underwood
Yes: Rosales, Vossler, Coronel, Underwood, Rios
Abstain: None
No: None
Absent: None

Motion passed.

3. ACTION ITEMS

3.1 Adoption of Resolution 129 to Amend Conflict of Interest Code

Biennial review and update to the Conflict of Interest Code

Staff Report Recommendation: *Adopt Resolution No. 129 amending the Conflict of Interest Code of Coachella Valley Public Cemetery District and directing that such amendment be submitted to the Riverside County Board of Supervisors as the District's code-reviewing body (Gov. Code § 82011) requesting approval of the amendment as required under Government Code section 87303.*

GM Bonner noted that this was a regular biannual review of the Conflict of Interest Code. Counsel Campos reviewed the disclosure categories for both staff and Trustees. He noted that this routine periodic review was to verify updates of staff positions, with no areas of concern being identified. During the ensuing Board discussion, Trustee Coronel requested that all staff positions continue to be designated as required reporters. Counsel Campos responded that the Attorneys had concluded through their review that it was no longer necessary to have all staff members in this role. Trustee Coronel reiterated his preference to maintain all staff as required reporters and only update with new positions and titles.

Motion: Vossler – Move for approval as presented
Second: Underwood
Yes: Rosales, Vossler, Underwood, Rios
Abstain: None
No: Coronel
Absent: None
Motion passed.

3.2 CAPC Board Seat Nomination

Nomination for California Association of Public Cemeteries

Staff Report Recommendation: *Staff remains neutral on legislative appointments and nominations but does recognize the advantages of having a presence on the CAPC Board, including advocacy, policy influence, and access to industry leaders that benefits the District.*

GM Bonner thanked Chair Rosales for his service and reviewed that Chair Rosales' term approaching renewal, requiring Board approval for his nomination to a second term. Chair Rosales expressed his desire to be nominated for the second term.

Motion: Vossler – Motion to approve nomination
Second: Underwood
Yes: Rosales, Vossler, Coronel, Underwood, Rios
Abstain: None
No: None
Absent: None
Motion passed.

3.3 Niche Vase Liability Definitions

Policy to cover purchase of niche vases and installation

Staff Report Recommendation: *Adopt the terms of purchase as presented in Exhibit A.*

GM Bonner noted that liability regarding niche vases, particularly concerning broken or damaged vases, had not been previously discussed. He then reviewed the policy recommendation. Board discussion ensued.

Motion: Coronel – Move for approval
Second: Vossler
Yes: Rosales, Vossler, Coronel, Underwood, Rios
Abstain: None
No: None
Absent: None
Motion passed.

Trustee Coronel recused himself prior to Item 3.4.

3.4 Cell Tower Lease Opportunities

Potential to work with a broker to secure a future lease(s)

Staff Report Recommendation: *Due to the complex and specialized nature of these contracts, staff recognizes the value in having an independent consultant aide with both the pursuit and contractual terms of a cellular lease. Should the Board wish to pursue this revenue opportunity, staff recommends contracting with a specialty firm.*

(Trustee Coronel recused himself from this conversation and left the Board room for the duration of the conversation.)

GM Bonner stated that Trustee Coronel brought the item to staff and discussed the proposal to work with a broker to have the District listed on a “friendly site” list. The broker would advocate on behalf of the District in exchange for a commission from the cell tower lease revenue. GM Bonner noted that Board approval would be required, as being selected as an eligible site would involve providing land for tower construction. Board discussion ensued.

No action was taken. The Board directed GM Bonner to investigate possibilities.

(Trustee Coronel returned.)

3.5 CSDA Board Election

California Special District Association ballot consideration

Staff Report Recommendation: *Staff remains neutral on legislative election actions.*

GM Bonner reviewed that the District is part of CSDA Southern Network, where a seat is becoming available. He noted that it was up to the Board to decide whether they would participate in the voting process, and if so, whom they wished to vote for. Board discussion ensued.

Motion: Coronel – Vote for Jason Dafforn
Motion died for lack of a second.

Motion: Rios – Vote for Incumbent, Jo Mackenzie
Second: Vossler
Yes: Rosales, Vossler, Rios
Abstain: None
No: Coronel, Underwood
Absent: None
Motion passed.

3.6 Adjustment to Employer Cafeteria Plan Contribution

Consideration of adjusting District contribution

Staff Report Recommendation: *Due to historically high levels of inflation over the past three years and the rapid escalation of costs specific to health care insurance, as well as anticipated price escalations between now and 2026 on our collective coverages, staff is recommending an increase of 20% to the District's monthly contribution to the cafeteria plan. This would increase the employer contribution to \$1,800 per month.*

GM Bonner reviewed this item was discussed at the May planning session. He noted that the current cafeteria plan provides \$1,400 per month and has been effective since February 2021. Due to significant increases in health care premiums, staff recommended an increase to \$1,800 per month for the cafeteria plan. GM Bonner stated that implementing this adjustment would require an amendment by Resolution and requested direction from the Board on how they would like staff to proceed. Board discussion ensued. Trustee Coronel proposed an alternative, the District increasing the amount to 10% of the current rate. Vice Chair Vossler expressed that employees were an important asset and need to be cared for.

Motion: Vossler – Approve staff recommendation
Second: Coronel
After discussion, Trustee Coronel withdrew his motion to second.

Second: Underwood
Yes: Rosales, Vossler, Underwood, Rios
Abstain: None
No: Coronel
Absent: None
Motion passed.

3.7 Canopy Request to Review Current Policy

Urgency Item Added Per Public Comment

GM Bonner reviewed that the public has requested additional canopies at services during summer months, noting that the current policy does not allow for this accommodation. Board discussion ensued, during which Counsel Campos advised against making a one-time policy exception. GM Bonner suggested implementing a temporary exception, pending a review of current policy. The Board requested that staff work with legal counsel to develop a liability waiver for families to sign during the temporary period, and to return to the Board with any needed policy revision recommendations.

Motion: Coronel – Move for approval with staff recommendation for a temporary exception, permitting the installation of up to three (3) family-provided canopies per service, each not exceeding 10x10 in size, provided that the family signs a liability waiver

Second: Vossler

Yes: Rosales, Vossler, Coronel, Underwood, Rios

Abstain: None

No: None

Absent: None

Motion passed.

4. INFORMATIONAL ITEMS

4.1 Headstone Liability

Definitions of “Neglect” as contained in the General Rules

GM Bonner reviewed this item was being brought to the Board due to concerns over the application of the current policy. The District assumes responsibility for broken headstones, typically occurring under vehicles used by District vendors for tree services. There have been cases where headstones are cracking under normal use, possibly due to their quality. GM Bonner proposed a provision mandating that all headstones must be 100% granite and meet specified minimum weight thresholds for both single and double headstones. The Board requested that staff prepare a policy recommendation based on this proposal.

4.2 Constituent Survey

Consideration of content in survey for Master Plan

GM Bonner presented the constituent survey prepared by the Master Plan consultants, which will be distributed to the public via Constant Contact and Funeral Homes. The survey will utilize Survey Monkey for anonymous responses, with suggested unique identifiers to prevent duplicate submissions. It will be available in both English and Spanish. The Board expressed satisfaction with the survey structure. Vice-Chair Vossler inquired about the possibility of local Chambers distributing the survey as well, which GM Bonner confirmed could be arranged. Trustee Coronel proposed adding five governance-related questions to the survey. GM Bonner recommended addressing governance questions separately due to the survey’s current length and alignment with the consultant’s scope of work. The Board indicated interest in conducting a scientific study for a governance survey and suggested reaching out to Scott White at Visit Greater Palm Springs.

5. TRUSTEE/GENERAL MANAGER COMMENTS

5.1 Trustee Comments and Event/Function Report Out

Chair Rosales expressed gratitude to the board for their support of his nomination for CAPC. He congratulated GM Bonner for his upcoming CSDA GM of the Year award and thanked the Board and staff for their support of the process. GM Bonner thanked him and stated that he views it as a District of the Year award.

Vice-Chair Vossler congratulated GM Bonner on his award and Trustee Underwood on his appointment as commissioner to LAFCO. She also commended Finance Analyst Winder for her efficient, timely and responsive work.

Trustee Coronel congratulated GM Bonner on his award and expressed appreciation for the Board and their interactions. He reported attending CSDA Legislative Days, an American Society for Public Administration luncheon where Supervisor Perez briefly recognized the District in his speech, and a Community Forum on the Healthcare District Agreement with Tenet, which discussed a non-compete clause restricting board decisions on revenue usage. Trustee Coronel noted that the adopted budget currently shows a deficit, which GM Bonner attributed to the asphalt replacement project. He acknowledged the District’s progress and commended the staff for effectively reducing the budget deficit. Referring to the recent Riverside County Grand Jury investigation into Special Districts, he suggested that the District respond to their inquiries, noting that while the District was not named in the investigation, they have already addressed all highlighted issues. GM Bonner requested Trustee Coronel provide him with the information for responding. Trustee Coronel congratulated Trustee Underwood on his appointment and commented on CAPC including the District newsletter in their newsletter.

Trustee Underwood attended the Palm Desert State of the City and the Greater Coachella Valley Chamber of Commerce Installation Dinner, where he had the opportunity to meet the co-owner of Aziz Farms. He expressed gratitude to those who supported him in his appointment to LAFCO. Trustee Underwood is anticipating the CSDA Annual Conference, where GM Bonner will be recognized as GM of the Year. He also expressed enthusiasm for Chair Rosales’ interest in continuing his role on the CAPC Board. Trustee Underwood emphasized the importance of strategically considering health insurance and costs for the future, noting its significance for everyone. He expressed interest in discussing the preferences between staff and director voting in upcoming decisions.

Trustee Rios congratulated GM Bonner on his upcoming GM of the Year award and expressed gratitude for his outstanding work. Regrettably, Trustee Rios noted that he would be unable to attend the presentation.

5.2 General Manager Report

GM Bonner reported an agreement had been reached with Aziz Farms to remove all palm trees, acknowledging Trustee Underwood for facilitating the connection with the vendor. The vendor has submitted a timeline for road construction, though potential delays may occur pending confirmation of federal funding. Copies of the revised Brown Act guide from the League of Cities were distributed to all Trustees for inclusion in their Policy binders. GM Bonner expressed gratitude to Assemblymember Wallis’ office for their letters of thanks regarding recent event sponsorships. He proposed a review of Trustee compensation and sought permission from the Board to work with legal counsel on recommendations. The District was honored to be selected as the recipient of the 2024 CSDA Exceptional Public Outreach & Advocacy Award for the “What to Expect” video series, and GM Bonner thanked and congratulated the Board for their efforts in producing the series. GM Bonner noted that he will start working on the State of the District governance videos for DDLM viewing and requested Trustees to inform Chair Rosales if they wish to speak on specific topics. Trustee Coronel mentioned his interest in discussing landscaping and governance. Vice-Chair Vossler commended the excellent quality of the GM Reports.

A recess was called at 10:03 a.m.
The meeting resumed at 10:06 a.m.

Chair Rosales adjourned the meeting to closed session at 10:06 a.m.

6. CLOSED SESSION ITEMS

6.1 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

The Board reconvened from closed session at 10:20 a.m., and Counsel Campos reported that direction was received but no reportable actions were taken.

7. ADJOURNMENT

Meeting adjourned at 10:22 a.m.

NEXT MEETING TIME, DATE AND LOCATION

Regular Board Meeting

Friday, August 9, 2024

8:00 a.m.

Coachella Valley Public Cemetery District Executive Office

82847 Avenue 52

Coachella, CA 92236

Respectfully Submitted,
Sherry Winder
Clerk of the Board

Approved: _____ BOT Mtg.