**TEMECULA PUBLIC CEMETERY DISTRICT**

**BOARD OF TRUSTEES**

**REGULAR MEETING**

**41911 C Street**

**Temecula, California 92592**

**MAY 18, 2017**

**8:00 a.m.**

**MINUTES**

1. **Call To Order : 8:03 a.m.**
2. **Pledge of Allegiance, Led by Trustee Reese**
3. **Roll Call**

* Chair Vanderhaak, Vice Chair Qualm, Trustee Dugan, Trustee Davis, Trustee Reese General Manager, Cindi Beaudet, Foreman, Joe Sands.
* **Motions To Excuse: Trustee Qualm**
* **Visitors***:* ~~Don Turcotte~~, ~~Southwest Construction,~~ ~~Rancon Real Estate, Nancy Hughes,~~ Legal Counsel~~, Steve Quintanilla and or Joseph Meeks~~, Benjamin Jones, Robert Lee
* **Public Comments:** 8:05 a.m.-8:08 a.m. nobody present from the public.

At this time, members of the public are invited to address the Board concerning any items on the Agenda, or on any other matters that are not on the Agenda but are within the subject matter jurisdiction of the District. Request must be submitted in person prior to the start of the meeting. Each individual will be allowed 5 minutes to address the Board of Trustees; in accordance with State Law, (Brown Act) all items to be acted on must be posted 72 hours in advance.

Deputy General Counsel Lee requested that the Board approve addition of an urgency item to the closed session agenda pursuant to Government Code Section 54954.2(b)(2), for anticipated litigation based on a potential property dispute. The Board made the two findings required under Section 54954.2(b)(2), which are (a) that there is a need to take immediate action and (b) that the need for action came to the attention of the District subsequent to the agenda being posted 72 hours prior to the meeting.

A motion was made by Trustee Reese to add the urgency item to the closed session, seconded by Trustee Dugan and passed 4/0.

1. **CLOSED SESSION ITEMS**

**A.\*CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**(Government Code Section 54956.8)**

Property: Assessor’s Parcel No. 924-360-002, Temecula, CA 92592

Agency negotiator: Nancy Hughes

Purchasing parties: Mission Hills Development

In Escrow

**B.\*CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Temecula Public Cemetery District v. Albert Salazar, Ana Luz Salazar, Romulo Ramirez, and Does 1-10, inclusive; Riverside County Superior Court Case No. RIC1507434

Preliminary draft settlement agreement sent to opposing counsel. 7/

**Closed session announcements: Reporting out Government Code 54957.1**

The District and Albert Salazar have entered into a fully executed Amended and Restated Settlement Agreement in the lawsuit entitled Temecula Public Cemetery District v. Albert Salazar, Case No. RIC 1507434, and the District’s Board has ratified a revised deadline date of May 22, 2017 proposed by Mr. Salazar by which he must file certain applications with the County under Section 3 of the Agreement. The Agreement, as finalized and ratified, provides for the dedicated Lemon Hills Drive roadway easement to be realigned slightly to curve around Salazar’s packing house to allow for its development by the District as an access road to its planned new public cemetery. The agreed-upon realignment calls for the northern terminus of the roadway to be moved east by 14 feet, and for the roadway to then gradually curve back to its original location in the southern portion of the roadway and to end at its originally planned southern terminus. Salazar is required to file applications with the County by May 22, 2017 to simultaneously request summary vacation of the existing easement and to offer to dedicate the a new easement in the realigned location. Upon completion of that process, the District will move forward with developing the roadway as required by the Agreement and its conditional use permit. Thereafter, upon reimbursement by Salazar of the District’s additional incremental expenses incurred in constructing the roadway in its realigned location, the District will be able to dismiss the litigation.

**C. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATE LITIGATION**

**Initiation of litigation pursuit to paragraph (4) of subdivision (d) of Section 54956.9: One potential case.**

1. **Consent Calendar: Motion was made by Trustee Davis to accept the consent calendar as presented, seconded by Trustee Dugan and passed 4/0**

All matters on the Consent Calendar are considered routine and may all be approved by one motion. Any member of the Board or the public may request an item be removed from the Consent Calendar for discussion or separate action. Unless otherwise specified in the request to remove an item from the Consent Calendar, all items shall be considered immediately following action on the remaining items on the Consent Calendar.

1. **Approval of Minutes**

R*ecommendation:* That the Board approve the minutes of the Regular Board Meeting of April 20, 2017.

1. **Approval of Check Registers**

*Recommendation:* That the Board approves the April 2017 Check Register Nos. 101100, 101200 and 101300.

C. **Approval of Bookkeeper Report**

*Recommendation:* That the Board receive and file the April 2017 Bookkeeper Report.

1. **Action Items**

A**. Legislation Day Reports: Written reports distributed**

*Recommendation:* That the committee members presents their reports to the Board.

B. **Fiscal Year 2017-2018 Proposed Budget: Reviewed first draft.**

*Recommendation:* That the Trustees reviews and discusses first Proposed Budget.

C. **Annual Planning Meeting: Date has been changed to July 22, 2017 @ 9:00 a.m.**

*Recommendation:* That the Trustees considers moving the Annual Board meeting to July or August to accommodate the GM in receiving all year-end financial reports.

1. **Financial Report: Motion was made by Trustee Dugan to receive and file the April financials, seconded by Trustee Reese and passed 4/0.**

A. April 2017 Balance Sheet

B. April 2017 Profit and Loss

C. April 2017 Wells Fargo Investments; principle and interest

8**. General Managers Reports: Presented**

1. April 2017 Revenues

B. April 2017 Plot Inventories

C. April Depletion

D. April Calendar

E. Davis Headstone

F. Medical Resolution Act/ Nyhart Actuarial

G. Storm Game 05/25/2017@7:00 pm

H. Trustee Vanderhaak to be re-appointed to the Board, 06/17

I. Trustee Dugan to be re-appointed to the Board, 08/17

J. SDRMA Letter of Support

K. Constituent complaint about refund of Endowment upon sell back to the District.

9**. Foreman Reports**

1. Upright monuments

**Job to be started by June 21, 2017, Joe to contact the historical society by June 10, 2017**

1. Bathroom Upgrades

**Joe to change out toilet to ADA**

1. Broken water lines

10**. General Counsel Reports**

**None**

11**. Fiscal Year 2016-2017 Subcommittee’s**

1. 52 acre Cemetery Property (Dugan, Qualm, Reese**)**
2. Landscape Plan (Vanderhaak, Beaudet)

C. Cenotaph (Dugan, Beaudet)

D. Investment (Qualm, Vanderhaak, Davis)

E. Conference Liaison (Qualm, Vanderhaak)

F. Policies (Dugan, Qualm, Reese)

G. General Price List (Vanderhaak, Beaudet, Davis)

12. **Future Trustee Agenda Items**

Solar

**Federal Reserve money**

**Grants**

13. **Board Comment: None**

14. **Announcements:**

**Memorial Day Service will be held at the committal center in the lower parking lot, Monday, May 29, 2017 @ 10:00 a.m.**

**Governance Academy, July 9-12, 2017**

1. Next Regular Board Meeting –June 15, 2017

15. **Adjournment: Motion was made by Trustee Davis to adjourn the regular board meeting at 10:45 a.m. seconded by Trustee Reese, passed 4/0.**