

Artesia Cemetery District
Meeting Location: 11142 Artesia Blvd., Cerritos, CA 90703

REGULAR MEETING OF THE BOARD OF TRUSTEES

Monday, May 18, 2020
4:00 P.M

TELECONFERENCED MEETING

MINUTES

1. CALL TO ORDER

Vice Chair Wada called the meeting to order at 4:02 p.m.

2. ROLL CALL

PRESENT: All Board Members present

3. PLEDGE OF ALLEGIANCE

Trustee Stewart led the Pledge of Allegiance

4. INVOCATION

Trustee Gonzalez led the invocation.

5. AGENDA

Trustee Gonzalez made a motion to approve the agenda. Trustee Palhinha seconded. **Unanimous approval.**

6. PUBLIC COMMENT

Mr. Sam Virgen, Norwalk resident, requested permission to have his mother's monument chapel "capilla" installed. Vice-Chair Wada informed Mr. Virgen that Mr. Mendoza will respond to him in writing with a decision once they have consulted with the attorney.

7. CLOSED SESSION

Vice Chair Wada read the following Closed Session items for discussions:

1. CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Pursuant to Government Code Section 54956.9. Two Potential Cases:

Facts and Circumstances: To discuss two employee complaints of harassment, retaliation, and hostile work environment.

2. CONFERENCE WITH LEGAL COUNSEL--Potential Initiation of Litigation Pursuant to Government Code Section 54956.9 (4) One Potential Case

Trustee Palhinha motioned to move to Closed Session. Seconded by Trustee Stewart. **Unanimous approval**

The Board of Trustees entered Closed Session at 4:19 p.m.

The Board of Trustees reconvened into Open Session at 6:10 p.m.

8. CLOSED SESSION ANNOUNCEMENTS

No reportable action(s) taken in Closed Session.

9. DISTRICT MANAGER'S REPORT

A. ACD UPDATE

District Manager informed the Board that the Gopher machine has a new engine and runs smooth. Staff is working on lifting and cleaning Veteran headstone and a flag will be placed on each Veteran's grave so that they are acknowledged for Memorial Day weekend. He was able to receive a 3rd Signage bid and will be presented at next month's budget meeting for the Board's consideration. Has been participating in Webinars. Informed Board that public restroom is complete. Provided an update on COVID-19 ACD rules. Due to everything going on, we will not be having a Memorial Day gathering/event. A Memorial Day wreath will be ordered. Asked the Board, if interested, to stop by to take a picture separated (social distancing) with masks. The District Manager will post a Public Advisory throughout the cemetery.

Trustee Stewart motioned to accept the District Managers report. Seconded by Trustee Palhinha.

Unanimous approval

B. FINANCE/TREASURER'S REPORT

Vice Chair Wada suggested that the District Manager report expenditures, income for past month, and projected ending balance at the front of the report. He also suggested that if the District Manager wants to bring anything else to the Board regarding the financial report, he may do so. He would like that Trustees ask individual questions for clarification regarding report at the end.

District Manager reviewed the financial report.

Trustee Palhinha motioned to accept the District Manager's Financial/Treasurer's Report. Seconded by Trustee Stewart. **Unanimous approval**

10. CONSENT ITEMS

A. MINUTES: April 9, 2020 Board of Trustees Regular Meeting Minutes

Recommendation: Staff recommends that the Board review, make edits, and approve minutes of the Regular Board Meeting of April 9, 2020.

B. MINUTES: April 24, 2020 Board of Trustees Special Meeting Minutes

Recommendation: Staff recommends that the Board review, make edits, and approve minutes of the Special Board Meeting of April 24, 2020.

Trustee Stewart motioned to approve Consent Item A: April 9, 2020 Board of Trustees Regular Meeting Minutes and Consent Item B: April 24, 2020 Board of Trustees Special Meeting Minutes. Seconded by Trustee Palhinha. **Unanimous approval**

11. ACTION ITEMS

A. BOARD OF TRUSTEE REORGANIZATION

Item was requested by Trustee Palhinha.

Trustee Palhinha nominated Vice Chair Wada to the position of Chair of the Board. Trustee Stewart seconded. **Unanimous approval**

Trustee Palhinha nominated Trustee Stewart to the position of Vice Chair of the Board. Seconded by Chair Wada. **Unanimous approval**

12. BOARD COMMENTS

Trustee Palhinha reported that this was a glorious meeting. They talked about things that are important for the cemetery and is proud of Tony (District Manager). Stated that Tony came on board with nothing, no money and to imagine a new director coming on board and finding out that people did not leave any money, almost a million dollars from the Endowment. Stated that there were no resources, and we (ACD) must pay for that; Tony worked towards it. Mentioned that the District Manager was able to increase in all departments. He was able to present an agenda that is easy to read and is proud of Tony. Congratulated Tony and Ana for a job well done. Thanked the Board for demonstrating that they are a very friendly committee. Thanked Chair Wada for running a good meeting and is proud of him. Trustee Palhinha ended by stating that Mr. Quintanilla did a wonderful job explaining everything in detail. Congratulated and thanked Tony and Ana.

Trustee Gonzalez did not have any comments.

Vice Chair Stewart stated that she was proud on how everyone is handling this; she does not think that it was anything that any of the Board expected to encounter when they signed up for this. But the fact that they can all have discussions and address their concerns is a great environment to be around. She is proud to be on this team of people and is very humbled by the reorganization. Thanked Trustee Osvaldo Palhinha and mentioned that this has been such a good experience and is excited to continue this path.

Chair Wada reviewed the Board of Trustees manual regarding the Chair position. Stated that the Chair organizes the meeting and assigns seating, nothing more than that and that it needs to be made clear. This way, every Board Member has an equal say in the podium. All Board Members have the authority to place anything they want on the agenda. He wanted to throw out a philosophical thought, in terms of organizing and running a meeting. He reported that in his discussions with the former Chair, one of the philosophies that the former Chair had was that Board meetings should be run similar to how school districts and city council meetings run. In city council meetings, the City Manager only speaks when spoken to. He stated that both District Manager and Secretary look at the operation from a different perspective than the Board, given the different roles they play; he would be very interested and hopes that his colleagues would share this feeling, that as they discuss issues that the two of them (Tony & Ana) would feel very free in speaking up and offering their opinions to guide the Board to make good informed decisions. Trustee Members show up every once in a while, to the cemetery and come to Board Meetings but the folks that are on the ground, boots on the ground are Tony and Ana; he thinks their input should be valued.

Chair Wada suggested that in order to keep the timing of their meetings in an efficient manner, that if a Board Member sees something on the agenda, or have a question to feel free to contact Tony and ask him those questions beforehand; it could be a question about the budget, it might be typo on the Minutes, so that rather than spending time on these issues in the Board meeting they can be corrected or responded to beforehand.

Chair Wada brought the Rosenberg's Rules of Order to the Board's attentions which gives the Board a roadmap on how meetings should be run and how to do certain activities. Rosenberg's Rules of Order is an abridged version of Robert's Rules of Order which is much more easily understandable and was provided to the Board by Attorney Quintanilla; it is a 4-page blueprint. Mentioned that a couple of meetings ago when there was a call to approve the agenda that he tabled an item. Instructions on how to do that are in those rules. All Board Members have copies and if Board Members do not have a copy, to please let Tony know so that they may receive a copy.

Chair Wada reported that they need to schedule a Special Meeting to do the District Manager's evaluation and to hire an attorney. He asked Attorney Quintanilla if he was going to stay as the district's attorney; the Board needs an item to approve the extension of a contract for Mr. Quintanilla and thinks it needs to be a Closed Session item, perhaps at the next board meeting. He asked if it needed to be a Special Meeting. Will leave it to the District Manager to work out the details. Requested a budget line item to cap attorney expenses for the year so that the Board knows where they stand; informed Mr. Quintanilla that the Board would need to know in a timely manner where they stand in terms of charges so that they can keep it under control.

Chair Wada also requested that the District Manager provide the Board "Meeting Dates" so that everybody is reminded about upcoming dates and place on their calendar. If they need to change, they can adjust off it so that everyone will be on the same page.

Chair Wada's Message to All Trustees: "All of your opinions are valued. We may not necessarily agree on everything. I had a boss that told me one time, he said, "If everybody likes you, you are not doing your job." That is the same things with these meetings. We all come from different positions in life, different perspectives, different philosophies, different backgrounds, but everybody brings value to the table. I would like everybody to feel free to express their opinion at any given point in time with the understanding from everybody, that when we are in discussion, it could be a heated discussion, it is nothing personal. The end objective is for the betterment of the Cemetery District and to serve our constituents. Now, I say all this, but I have to demonstrate to you as your Chair that this is how I basically believe, and it's only going to be over the course of time that I can hopefully, earn your confidence. It doesn't mean that I am not going to make mistakes. I expect to be called out if I make a mistake or if I don't represent you in a manner that you would like for me to do. Feel free to just give me any feedback that you would like. My last comment is, the gentleman that spoke during Public Comments, we promised he would have a letter from us in five to seven days, I believe, in response to the email that he sent. I realize that this is a chargeable task, but I really would like the District Manager and the Attorney to work together to compose a letter that could be sent to this gentleman. I could do it, but quite frankly, I am very tired over the activities that I have participated in over the last few weeks in working to get a resolution on the matters that we have faced. Also, I would feel more confident that appropriate codes can be cited if information is coming from the lawyer. With that, I would like to call for a motion to adjourn the meeting until Thursday June 11th and I would like to do this in the memory of former Mayor and current City Council Member Jim Edwards. He passed away on Mother's Day. For those of you who knew Jim, you know what I am talking about. For those of you who didn't know him, we are talking about an exquisite gentleman who represented the community with great integrity. He served two terms on the city council. Then, was termed out of office. Sat out and served another term, and unfortunately, passed away just three weeks after he was re-elected. What a great gentleman. May I have a motion to adjourn?"

Trustee Gonzalez requested further information on the gentleman who spoke on the "capilla."

Trustee Gonzalez motioned to adjourn the meeting at 6:36 p.m. Seconded by Trustee Palhinha.

Unanimous approval