

**PALM SPRINGS CEMETERY DISTRICT
MINUTES**

REGULAR BOARD OF TRUSTEE MEETING

DATE: July 9, 2026

TIME: 2:00 P.M.

PLACE: 31-705 Da Vall Drive, Cathedral City, California 92234

1. **CALL TO ORDER** Meeting was called to order by Trustee Radigan-Brophy at 2:00 P.M.

2. **ROLL CALL**

Present: Tim Radigan-Brophy, Chairperson
LaFaye M. Platter, Secretary
Lynn T. Mallotto, Treasurer
Michael V. Smith, Vice Chairperson
Jan M. Pye, Member

Also Present: Kathleen Jurasky, District Manager
Kendall Levan, Attorney- Kane, Ballmer & Berkman

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENTS** – None

5. **CONFIRMATION OF AGENDA** Motion was made by Trustee Mallotto, seconded by Trustee Smith to approve the agenda as presented. Motion carried, roll call 5-0 Mallotto, Platter, Pye, Smith and Radigan-Brophy.

6. **CONSENT CALENDAR**

Motion was made by Trustee Mallotto, seconded by Trustee Smith to pull the minutes; agenda items 6a 1-3 for discussion. Motion carried, roll call 5-0 Mallotto, Platter, Pye, Smith and Radigan-Brophy.

Motion was made by Trustee Mallotto, seconded by Trustee Platter to approve the remaining items on the Consent Calendar as presented. Motion carried; roll call 5-0 Mallotto, Platter, Pye, Radigan-Brophy and Smith.

Motion was made by Trustee Mallotto, seconded by Trustee Platter to approve the minutes as amended, as such amendments were shown by track changes provided to the Board at the meeting: May 14, 2026 minor grammatical corrections. May 28, 2026 moved Trustee Smith stating that he would be out of town and unable to attend the June 11, 2026 meeting, to follow closed session. June 11, 2026 Item 7.a. Fourth Amendment was in the packet and approved with modifications that were requested at the meeting, Item 7.c. and Item 7.d. reiterating the items that were on the agenda and approved, correction to Item 8 Trustee Smith was not in attendance, and the motion was made by Trustee Platter, Item 18 to change the next regular meeting to July 9, 2026. Motion carried; roll call 5-0 Mallotto, Platter, Pye, Radigan-Brophy and Smith.

7. **ADMINISTRATIVE CALENDAR**

a. **District Investments General Overview & Update – Neal Wilson, Wealth**

Consulting Group – Receive and File Mr. Wilson reported the combined portfolio value on July 8, 2026 was \$12,162,569.00 and approximately 13.49% of the total holding \$1,640,750.00 are scheduled to mature before year-end. He stated upon maturity, these funds will be assessed for reinvestment in accordance with the District's approved investment policy.

Mr. Wilson further stated the District's overall portfolio remains well-diversified and in full compliance with applicable state and local investment regulations. Following a discussion the report was received and filed.

b. **Discussion and Approval to Cancel August 13, 2026 Regular Board Meeting** Following a discussion, motion was made by Trustee Mallotto, seconded by Trustee Smith to cancel the August 13, 2026 board meeting. Motion carried; roll call 5-0 Mallotto, Platter, Pye, Radigan-Brophy and Smith.

7. ADMINISTRATIVE CALENDAR - continued

c. Discussion and Possible Approval to Change the Date of October 8, 2026 Regular Board Meeting Due to Conflict with California Association of Public Cemeteries (CAPC) Education Seminar and Area Meeting - No action taken.

d. California Association of Public Cemeteries (CAPC) Education Seminar and Area Meeting October 8-10, 2026, in Burlingame, CA (San Francisco) No one attending - No action needed.

e. Da Vall Drive & McCallum Way Exterior Wall Extension at DMP – Update District Manager Jurasky reported that MSA Consulting, Inc. is preparing the final drawings with modifications to add a gate to match the existing gates on Da Vall Drive and Ramon Road. When drawings are completed, a Request for Proposals will be prepared and submitted as required to seek construction bids.

f. Phase 2 Burial Sites Development Expansion at DMP – Update District Manager Jurasky reported that she and Edgar Archila, Grounds Supervisor met with MSA Consulting, Inc. (MSA) to review the drawing plans for the project and some changes were made. MSA will make the requested changes and submit the revised drawing plans to the District for our review. She stated the construction permit for the project expired and needed to be extended. She reported that an extension request was made and approved by the Cathedral City building Department. The fee for the extension was \$4,743.72 and extended to permit until January 29, 2027. When drawings are completed and approved by the District, a Request for Proposals will be prepared and submitted as required to seek construction bids.

8. LEGISLATIVE CALENDAR

a. Resolution 7-2026, Adopting an Amended Conflict of Interest Code of the District Attorney Levan explained the provisions and new filing requirements. She stated that she revised and amended the Conflict of Interest Code for the District to mirror the Fair Political Practices Commission (FPPC) model code. Attorney Levan reported the only change to the code is Exhibit “B” Officials Who Manage Public Investments which designates District officials who manage public investments, which include members of the Board of Trustees. She said the amended Conflict of Interest Code needs to be filed with the Riverside County Board of Supervisors. Once approved by the Board, District Manager Jurasky will submit Resolution 7-2026, Adopting an Amended Conflict of Interest Code of the District and attachments to the Riverside County Board of Supervisors.

Following a discussion, motion was made by Trustee Smith, seconded by Trustee Mallotto to approve Resolution 7-2026, Adopting an Amended Conflict of Interest Code of the District. Motion carried; roll call 5-0 Mallotto, Platter, Pye, Radigan-Brophy and Smith.

9. TRUSTEE AND ATTORNEY SIGNATURES All documents and checks were signed as needed by the Trustees and attorney.

10. BOARD DEVELOPMENT – None

11. PUBLIC HEARING CALENDAR – None

12. COMMITTEES

13. REPORTS

a. Trustee Report – None

b. District Manager – None

14. FUTURE AGENDA ITEMS

- a. **Discussion in 2027/2028 Possible Cap on PSCD Monthly Employer Contribution for Employee Health Insurance Premiums** No action taken
- b. **Postcard Survey Mailing to the Community to Determine Pre-Planning Needs** No action taken
- c. **Marketing/Advertising** No action taken
- d. **Future Long-Range Planning – PSCD Staff** No action taken
- e. **Trustee Meeting Attendance Compensation** No action taken

15. CLOSED SESSION - READING OF THE SAFE HARBOR LANGUAGE Safe Harbor language was read by attorney Kendall Levan. Convened into Closed Session at 2:28 P.M.

a. Conference with Legal Counsel – Existing Litigation

Re: Zenergy Capital LLC, Trustee of the Caliente Conservancy Trust vs. Palm Springs Cemetery District et al. Superior Court of California for the County of Riverside, Case No. CVPS2406355 Pursuant to California Government Code Section 54956.9(d)(1)

b. Conference with Real Property Negotiators

Re: Real Property Negotiations Pursuant to California Government Code Section 54956.8

Property: Property Located at Corner of Da Vall Drive and Ramon Road, City of Rancho Mirage, CA; Assessor Parcel Nos. 670230017-4 / 670230019-6;

Possessory Interest Assessment Nos. 009618001 / 009617999

District Negotiators: Board of Trustees of the Palm Springs Cemetery District and Kendall D. Levan, General Legal Counsel

Negotiating Parties: Mario J. Gonzales, Managing Member, Da Vall Center, LLC; President/CEO RM Da Vall, LLC

Under Negotiation: Both Price and Terms of Payment

c. Conference with Legal Counsel – Anticipated Litigation

Re: Initiation of Litigation (1 Item)

Pursuant to California Government Code Section 54956.9(d)(4)

Returned to Open Session at 3:16 P.M.

16. CLOSED SESSION ANNOUNCEMENT At its meeting held on July 9, 2026, the Board of Trustees reconvened in Open Session after meeting in Closed Session.

During the Closed Session meeting, the Board of Trustees discussed Closed Session Agenda Item No. 15.b. (Conference with Real Property Negotiators – Real Property Negotiations Pursuant to California Government Code Section 54956.8) and voted unanimously 5-0 directing the District's real property negotiator to advise the Developer that the District is not interested in negotiating modifications to the Lease Agreement with Da Vall Center, LLC including, but not limited to, any lease extension or option or any other requested modifications to the Lease Agreement.

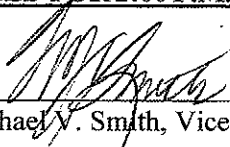
There is no other reportable action taken in Closed Session under California Government Code Section 54957.1.

17. ADJOURNMENT Meeting was adjourned by Trustee Radigan-Brophy at 3:17 P.M.

18. NEXT REGULAR BOARD MEETING IS SCHEDULED FOR 2:00 P.M., THURSDAY, SEPTEMBER 10, 2026

DATE: _____

9/10/2026


Michael V. Smith, Vice Chairperson