

# Artesia Cemetery District

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

## Board of Trustees

Trustee Rene Treviño

Trustee Linda Gonzalez

## District Manager

Antonio Mendoza

## SPECIAL MEETING OF THE BOARD OF TRUSTEES

### MINUTES

August 29, 2019

4:00 P.M.

### 4:00 P.M. CLOSED SESSION

**CALL TO ORDER-** 4 p.m.

**ROLL CALL-** Present: Trustee Gonzalez and Acting Chair Rene Treviño

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS-** No public comments.

### **RECESS TO CLOSED SESSION**

1. Conference with Legal Counsel--Potential Initiation of Litigation Pursuant to Government Code Section 54956.9 (4) One Potential Case
2. General Legal Counsel Notice of Resignation

### **RECONVENE TO OPEN SESSION**

The Board was unable to take any action on item 2.

The Board directed the District Manager to research and create a written plan on how to proceed with the work.

### **ORAL CLOSED SESSION ANNOUNCEMENT AND/OR ACTION FROM CLOSED SESSION TO BE TAKEN IN OPEN SESSION**

### **ACTION ITEMS**

1. Addendum to Agreement by and between Artesia Cemetery District and Pro Builders Design Consultant.

Martin Rodriguez stated that he wanted clarification from the Board on their agreement to direct the District Manager to develop a plan of action; He received a records submission from Phoebe, Sup. Hahn's Office Assistant; Stated that the letter from the executive office does not state that the project was related to public works, or that it required a bid, or that it needed to be reported to the DIR, or that it referenced Labor and Compensation; He needs clarification from the Cemetery District; Job could be performed by a Subcontractor; wants to know how all the requirements came about; Feels that the Addendum should be voided; Addendum is an attempt to escape out of the Contract; Has done everything that has been asked; Job is 75% complete and wants an explanation;

Acting Chair Trevino stated that the Board had been advised by different experts in the field that state that the Board needs to move forward towards a different direction.

Approved: September 12, 2019

Martin Rodriguez stated that the plans have been pulled from the LA County. Plans will not be handed over to the District.

Jesus Santoyo stated that the plans were not a part of the contract and that the Contractors have gone above and beyond; It is not that they do not want to do the job; It is that they cannot sign the Addendum; No one will bond a job once it is commenced, it is a process; It is difficult to meet last minute requirements; They are willing to sign by starting the contract over and by pulling permits, outside of this request, Contractors are unable to do much because no insurance will bond them; Requested to know from the District Manager if the Contractors were going to be included/considered in the plan.

Acting Chair Treviño stated that the Board has directed the District Manager to develop a plan in writing with Legal Counsel that will protect the Cemetery District. This is taxpayer money and there are specific rules and regulations that need to be followed.

Martin Rodriguez stated that someone dropped the 'ball' and does not know if it was the Supervisor's office, Nick, Board of Trustees, or the District Manager; it's worked its way down; Does not mind walking away but will mind if a refund is requested or if fingers are pointed. Contractors have not called the Supervisor's office to discuss what has occurred. It all starts at the top with Nick or the District Manager because he was not experienced enough; He reviewed what is included in a contractor's public job packet and process; Requested that finger pointing stop.

Trustee Gonzalez stated that the Contractors had informed the Board that the work would be completed in 6 weeks. If the work had been completed within 6 weeks, they would not be meeting today. Contractors stated their reasons for delays. They want to leave a positive impact.

Acting Chair Treviño stated that we must finish this in a different way than what we started. We were told that we did not need permits. We are now in a different situation. The District Manager will come back with a plan of action after his research. We are dealing with public funds and we need to go by the letter of the law. He thanked the Contractors for attending the meeting.

Meeting was adjourned at 5:20 p.m. to the next Regular Meeting of the Board of Trustees on Thursday, September 12, 2019, at 4:00 p.m.