

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

203



FROM: Executive Office

SUBMITTAL DATE:
June 26, 2007

SUBJECT: 2006-2007 Grand Jury Report: Elsinore Valley Cemetery District Flood Control

RECOMMENDED MOTION: That the Board instruct the Riverside County Flood Control and Water Conservation District to forward to the Executive Office – within 30 days – a draft of the Board's response to the findings and recommendations of the Grand Jury that pertain to the Department's operational areas; and direct the Executive Office to submit draft responses to the Board within 60 days.

BACKGROUND: The attached report has been issued by the Grand Jury.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to matters under the control of the Board, and that a response be provided to the Presiding Judge of the Superior Court within 90 days.

Draft responses received from the affected department will be consolidated and presented for the Board's consideration; the response ultimately approved by the Board will then be forwarded to the Grand Jury as required by statute.

Attachment

Gary M. Christmas
GARY M. CHRISTMAS
Deputy County Executive Officer

H:\DGRANT\GJURY\30dayFlood5.07.doc

FINANCIAL DATA

Current F.Y. Total Cost: \$ N/A
Current F.Y. Net County Cost: \$
Annual Net County Cost: \$

In Current Year Budget:
Budget Adjustment:
For Fiscal Year:

SOURCE OF FUNDS:

Positions To Be Deleted Per A-30
Requires 4/5 Vote

C.E.O. RECOMMENDATION:

APPROVE

BY *Kenneth M. Mohr*
Kenneth M. Mohr

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District:

Agenda Number:

3.10

Departmental Concurrence



CONFIDENTIAL

RIVERSIDE COUNTY GRAND JURY

(951) 955-8990 OFFICE • (951) 955-8989 FAX

June 11, 2007

Riverside County Board of Supervisors
4080 Lemon Street, 1st Floor
Riverside, CA 92501

CONFIDENTIAL

Subject: 2006-07 Grand Jury Report:
Elsinore Valley Cemetery District Flood Control

Dear Board Members:

Please note that Penal Code Section 933 et seq., specifies that you respond within ninety days. Further, it specifies that this report be kept **confidential for a minimum of two working days** prior to public release. The contents of this report will be made public after the close of business **June 13, 2007**.

Sincerely,

John B. Todd, Foreperson
2006-07 Riverside County Grand Jury

JBT:gs
Attach.

Rec'd 6-11-07
Board Response due
by 9-9-07
to Presiding Judge

2006-2007 GRAND JURY REPORT

Elsinore Valley Cemetery District

Flood Control

Background

The Elsinore Valley Cemetery was originally founded in 1896. The Elsinore Valley Cemetery District was formed on March 8, 1926. The District Office is located at 18170 Collier Avenue, Lake Elsinore, CA 92530, where it maintains the 26.5-acre cemetery. Currently, the cemetery includes a 160-vault columbarium and space for approximately 2000 graves. The cemetery averages 100 interments a year.

The Cemetery District serves an area of 96 square miles including all or part of the cities of Lake Elsinore, Canyon Lake, Perris and unincorporated areas in northern Wildomar, Sedco Hills, Lakeland Village, Meadowbrook, and Quail Valley (See Exhibit #1). The District is located within Riverside County Flood Control and Water Conservation District Zone 3 (Zone 3) (Exhibit #2).

The budget of the Elsinore Valley Cemetery District for FY 2006-2007 is \$668,000. General Reserve totals \$666,100. Cemetery revenue sources include interment fees and income from Zone 3 property tax receipts.

The voters of Zone 3 approved Proposition F in 1986, authorizing the sale of 8 million dollars in bonds to finance flood mitigation improvements in the Lake Elsinore area. Planning documents called for eleven specific priority projects, including the Arroyo del Toro Channel, which is in an area including the cemetery and subject to uncontrolled flooding.

Heavy rainfall in January 2005, coupled with a series of factors, (e.g., previous filling of a retention basin, paving of previously permeable soil, and California Department of Transportation (CalTrans) lack of culvert maintenance and debris clearance) resulted in flooding of the cemetery.

After floodwaters subsided, the Federal Emergency Management Agency (FEMA), unlike municipal and county agencies, provided substantial financial assistance to repair flood damage to cemetery property.

Findings

1. Elsinore Valley Cemetery District board members began an ongoing correspondence with their County Supervisor in August 2004, stating concerns regarding the failure of City and County authorities to address flood control issues in the cemetery area of the city. Copies of these letters were sent to the Lake Elsinore City Council. City and County officials took no documented responsive action to address the concerns of the cemetery district.
2. Municipal, county, and state agencies (City of Lake Elsinore, Riverside County Flood Control District, and Caltrans) exhibited lack of interagency communication, lack of coordination of responsibilities, and a lack of cooperative corrective action concerning flood mitigation in the Arroyo del Toro area.
3. Proposition F contained an allocation of monies for flood control mitigation in the Arroyo del Toro Channel area immediately adjacent to the Elsinore Valley Cemetery District. During our investigation witnesses stated that the planners of the 1986 Lake Elsinore Flood Control Bond Issue, by deliberately disregarding inflation, substantially underestimated the cost of completing the project. Of the eleven projects authorized, only four were completed at twice the initial estimates for the entire bond issue. Consequently, 18 years later, the taxpayers in Zone 3 are still paying for undelivered flood control improvements.

Recommendations

Riverside County Board of Supervisors
Riverside County Flood Control and Water Conservation District
City of Lake Elsinore -
City Manager, City Council, City Planner & City Engineer

1. The Board of Supervisors (BOS) and the City of Lake Elsinore initiate procedures to ensure that complaints are answered in writing in a timely manner by the appropriate agency or official having direct responsibility.
2. County and municipal elected officials develop and enforce policy requiring all agencies/departments subject to their control to communicate, coordinate, and cooperate in areas of mutual concern.
3. BOS both identify and commit sufficient funds now, or present Zone 3 voters with a bond issue initiative for their consideration, to finish Arroyo Del Toro Channel Flood Control Project. Any action must factor in inflation estimates.