

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



FROM: Supervisor Kevin Jeffries

SUBMITTAL DATE: August 14, 2013

SUBJECT: Increase Number of Trustees on Elsinore Valley Cemetery District

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2013-216 directing the Clerk of the Board to set and notice a public hearing for September 10, 2013, on the matter of increasing from three (3) to five (5) the number of seats on the Elsinore Valley Cemetery District Board of Trustees. Said notice shall be published in a newspaper of general circulation and mailed to the Elsinore Valley Cemetery District, as well as to any other person that has made a written request for such notice, at least 10 days before the public hearing; and
2. At the conclusion of the public hearing :
 - a) Adopt Resolution No. 2013-217 increasing the number of trustees on the Elsinore Valley Cemetery District Board from three (3) to five (5) and setting the expiration dates of their terms of office.

BACKGROUND: Since the Elsinore Valley Cemetery District ("District") was established, the Board of Trustees has had three members. On July 10th, 2013, the Board of Trustees of the Elsinore Valley Cemetery District approved to increase the number of members from three to five and directed that the Board of Trustees' resolution approving the increase be submitted to the Board of Supervisors in accordance with Health & Safety Code section 9025.

The District Board of Trustees believe this request is necessary for the following reasons: (1) The array of services that the residents are offered at the District would be better represented through a five member Board of Trustees because the population has grown to a much larger, more diverse demographic within the District's geographic boundary since formation; (2) The increase will help reduce the risk of any possible delayed issue resolutions that a three member Board might experience should two of those members be out sick or on vacation at the same time. This would result in the required quorum not being met prolonging any resolution of a resident's concerns or Policy and Procedure matters; (3) When the residents are represented properly by the Board of Trustees for any Special District, it quickly and efficiently builds the confidence and trust of the residents living in that District; and (4) A five Member Board would also prevent any possible coercion among a three member board and insure that the specific responsibilities of the Board are being established and supporting the structure of the District.

Kevin Jeffries
Supervisor, First District

FORM APPROVED COUNTY COUNSEL
BY: TIFANY NORTH
DATE: 8/13/13

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3 RESOLUTION NO. 2013-216

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
5 DIRECTING THE CLERK OF THE BOARD TO NOTICE AND SET FOR PUBLIC HEARING THE
6 MATTER OF INCREASING FROM THREE (3) TO FIVE (5) THE NUMBER OF SEATS ON THE
7 ELSINORE VALLEY CEMETERY DISTRICT BOARD OF TRUSTEES.

8
9 WHEREAS, Health and Safety Code section 9020 et seq., allows for the creation of a governing
10 board of trustees to administer a public cemetery district. These trustees are appointed by the board(s) of
11 supervisors; and


12 WHEREAS, Health and Safety Code section 9025 states that the number of trustees of a public
13 cemetery district may be increased from three to five, by the Board of Supervisors upon a resolution
14 adopted by the Board of Trustees and submitted to the Riverside County Board of Supervisors; and

15 WHEREAS, on July 10, 2013, the Board of Trustees approved a resolution seeking to increase in the
16 number of seats on the Board of Trustees from three (3) trustees to five (5) and directed that the resolution
17 be submitted to the Board of Supervisors; and

18 WHEREAS, a copy of the Elsinore Valley Cemetery District Board of Trustees Resolution 13-07 1-
19 is attached hereto and incorporated herein by reference; and

20 WHEREAS, Government Section 9025 (b) states that within 60 days of receiving the board of
21 trustees' resolution adopted pursuant to subdivision (a), the Board of Supervisors must consider the
22 resolution at a noticed public hearing; and

23 WHEREAS, the Board of Trustees of the Elsinore Valley Cemetery District believes an increase in
24 the number of trustees is necessary for the following reasons: (1) The array of services that the residents are
25 offered at the District would be better represented through a five member Board of Trustees because the
26 population has grown to a much larger, more diverse demographic within the District's geographic
27 boundary since formation; (2) The increase will help reduce the risk of any possible delayed issue
28 resolutions that a three member Board might experience should two of those members be out sick or on

FORM APPROVED COUNTY COUNSEL
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1 vacation at the same time. This would result in the required quorum not being met prolonging any
2 resolution of a resident's concerns or Policy and Procedure matters; (3) When the residents are represented
3 properly by the Board of Trustees for any Special District, it quickly and efficiently builds the confidence
4 and trust of the residents living in that District; and (4) A five Member Board would also prevent any
5 possible coercion among a three member board and insure that the specific responsibilities of the Board are
6 being established and supporting the structure of the District.

7 NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Riverside
8 assembled in regular session on August 20, 2013 that a public hearing be scheduled for September 10,
9 2013.

10 BE IT FURTHER RESOLVED THAT Clerk of the Board shall publish notice of the public hearing
11 in a newspaper of general circulation in accordance with Health & Safety Code section 9025 (b) and
12 Government Code section 6061. Said notice is to be published in at least one newspaper of general
13 circulation within the jurisdiction of the District at least 10 days before the public hearing. In addition, the
14 Clerk of the Board shall mail the notice at least 10 days before the hearing to the District and any other
15 person who has filed written request for notice with the Clerk of the Board of Supervisors.

**Elsinore Valley Cemetery District
RESOLUTION OF THE BOARD OF TRUSTEES**

RESOLUTION # 13-07 1

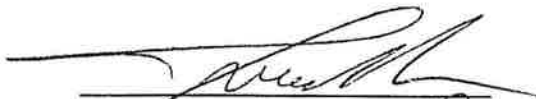
WHEREAS, Elsinore Valley Cemetery District is a public agency duly formed and operating under the Public Cemetery District Law set forth in the California Health and Safety Code §9001; and

WHEREAS, the Code establishes the terms and conditions upon which the District will operate, including but not limited to, the compensation of the Board members; and

WHEREAS, the Board of Trustees of the Elsinore Valley Cemetery District hereby request that the Riverside County Board of Supervisors increase the number of the Elsinore Valley Cemetery Board of Trustees from three (3) to five (5) in accordance with the California Health and Safety Code § 9025 (a);

NOW, BE IT RESOLVED, the Elsinore Valley Cemetery District Board of Trustees does hereby pass and adopt this resolution as of the date here.

Motion by Trustee Buckley Seconded by Trustee Jackson Vote: Yes 3 No _____



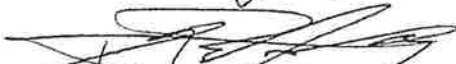
Tim Underdown, Chairperson

July 10th, 2013
Date



Marilyn Jackson, Trustee

July 10th, 2013
Date



Thomas Buckley, Trustee

July 10th, 2013
Date

CERTIFICATE OF SECRETARY

I, Denice Enochs, Secretary of the Board of Trustees of the Elsinore Valley Cemetery District hereby certify that the above is a true and correct copy of, Resolution #13-07 1. Passed and adopted by the Board of Trustees of Elsinore Valley Cemetery District on the 10th day of July 2013.



SECRETARY OF THE BOARD