

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



**FROM:** Supervisor Kevin Jeffries

**SUBMITTAL DATE:** September 4, 2013

**SUBJECT:** Increase Number of Trustees on Elsinore Valley Cemetery District

**RECOMMENDED MOTION:** That the Board of Supervisors:

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:** The board adopted Resolution 2013-216 setting the stage for a public hearing on 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.

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

2 RESOLUTION NO. 2013-217

3  
4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE  
5 INCREASING FROM THREE (3) TO FIVE (5) THE NUMBER OF SEATS ON THE ELSINORE  
6 VALLEY CEMETERY DISTRICT BOARD OF TRUSTEES  
7

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

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

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

17 WHEREAS, a copy of the Elsinore Valley Cemetery District Board of Trustees Resolution 13-07  
18 was submitted to the Board of Supervisors on August 20, 2013 with Board of Supervisors Resolution No.  
19 2013-216; and

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

21 WHEREAS, on August 20, 2013 in Resolution No 2013- 216 the Board of Supervisors scheduled a  
22 public hearing for September 10, 2013 and directed the Clerk of the Board to provide published notice in  
23 accordance with Health and Safety Code section 9025 (b) and Government Code section 6061; and

24 WHEREAS, the Board of Trustees of the Elsinore Valley Cemetery District believes an increase in  
25 the number of trustees is necessary for the following reasons: (1) The array of services that the residents are  
26 offered at the District would be better represented through a five member Board of Trustees because the  
27 population has grown to a much larger, more diverse demographic within the District's geographic  
28

FOR APPROVED COUNTY CLERK  
BY: JEFFANY N. NORTH  
DATE: 9/13/13

1 boundary since formation; (2) The increase will help reduce the risk of any possible delayed issue  
2 resolutions that a three member Board might experience should two of those members be out sick or on  
3 vacation at the same time. This would result in the required quorum not being met prolonging any  
4 resolution of a resident's concerns or Policy and Procedure matters; (3) When the residents are represented  
5 properly by the Board of Trustees for any Special District, it quickly and efficiently builds the confidence  
6 and trust of the residents living in that District; and (4) A five Member Board would also prevent any  
7 possible coercion among a three member board and insure that the specific responsibilities of the Board are  
8 being established and supporting the structure of the District.

9       NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Riverside  
10 assembled in regular session on September 10, 2013 that the number of trustees on the Elsinore Valley  
11 Cemetery District Board of Trustees is increased from three (3) to five (5) members.

**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 10<sup>th</sup>, 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

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, September 10, 2013, at 9:30 a.m.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
 Nays: None  
 Absent: None  
 Date: August 20, 2013  
 xc: Supvr. Jeffries, District, COB

Kecia Harper-Ihem  
 Clerk of the Board  
 By:   
 Deputy

**3-1**

COUNTY OF RIVERSIDE COUNTY CLERK  
 BY:   
 DATE: 8/13/13  
 TIFANY NORTH

2  
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  
BY:  TIFFANY N. NORTH  
DATE: 9/13/13



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.

16 ROLL CALL:

17 Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
18 Nays: None  
19 Absent: None

20 The foregoing is certified to be a true copy of a resolution duly  
adopted by said Board of Supervisors on the date therein set forth.

21 KECIA HARPER-IHEM, Clerk of said Board

22 By  Deputy  
23  
24  
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**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.

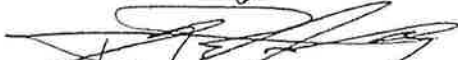
Motion by Trustee Buckley Seconded by Trustee Jackson Vote: Yes 3 No \_\_\_\_\_

  
\_\_\_\_\_  
Tim Underdown, Chairperson

\_\_\_\_\_  
July 10<sup>th</sup>, 2013  
Date

  
\_\_\_\_\_  
Marilyn Jackson, Trustee

\_\_\_\_\_  
July 10<sup>th</sup>, 2013  
Date

  
\_\_\_\_\_  
Thomas Buckley, Trustee

\_\_\_\_\_  
July 10<sup>th</sup>, 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 10<sup>th</sup> day of July 2013.

  
\_\_\_\_\_  
SECRETARY OF THE BOARD