

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



FROM: Supervisor Marion Ashley
On behalf of the THIRD DISTRICT

SUBMITTAL DATE:
December 9, 2014

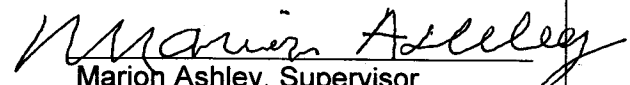
SUBJECT: Increase Number of Members of the Board of Trustees of the Murrieta Valley Cemetery District

RECOMMENDED MOTION: That the Board of Supervisors:

1. Conduct a public hearing pursuant to Health and Safety Code section 9025 to consider Resolution 14-10-28-1 of the Board of Trustees of the Murrieta Valley Cemetery District requesting an increase in the number of members of the Murrieta Valley Cemetery Board of Trustees from three to five;
2. Close the public hearing; and
3. Adopt Resolution No. 2014- 233 increasing the number of members of the Board of Trustees of the Murrieta Valley Cemetery District from three to five.

BACKGROUND: The Murrieta Valley Cemetery District (District) is an independent special district formed in 1938 to meet the specific need of cemetery services in the community of Murrieta. The governing Board of Trustees currently has three members. The District owns and operates one cemetery (Laurel Cemetery). On October 28th, 2014, the Board of Trustees of the District adopted Resolution 14-10-28-1 (Resolution) requesting the Board of Supervisors increase the number of members of the Board of Trustees from three to five. The District thereafter submitted the Resolution to the Board of Supervisors for consideration in accordance with Health and 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 the five member Board of Trustees; (2) the increase will help reduce the risk of any possible delayed issue resolution that a three member Board of Trustees 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); and (3) a five member Board of Trustees will quickly and efficiently build the confidence and trust of the residents living in the community of Murrieta.


Marion Ashley, Supervisor,
On behalf of the THIRD DISTRICT

Prev. Agn. Ref.:

District: 3rd

Agenda Number:

9-1

Departmental Concurrence

NOTICE OF PUBLIC HEARING

(Murrieta Valley Cemetery District Board of Trustees)

NOTICE IS HEREBY GIVEN that on December 9, 2014 at 9:00 a.m., or as soon thereafter as the matter may be heard, the County of Riverside Board of Supervisors will meet in the County Administrative Center, Board Chambers, First Floor, 4080 Lemon Street, Riverside, CA, 92501, to conduct a public hearing to consider adoption of a resolution increasing the number of members on the Murrieta Valley Cemetery District Board of Trustees from three (3) to five (5). A complete copy of the resolution is available for review in the office of the Clerk of the Board at the address provided below.

NOTICE IS FURTHER GIVEN that at the above noticed time and place interested persons will be given an opportunity to be heard. At any time before the date and time set forth above for the public hearing, interested persons may also submit written comments regarding the proposed increase in the number of members on the Murrieta Valley Cemetery District Board of Trustees to the Clerk of the Board at 4080 Lemon Street, Riverside, CA, 92501, during their hours of operation. The office of the Clerk of the Board is open Monday through Friday, 8p.m.-5 p.m. (excluding holidays). The Clerk of the Board can be reached via phone at 951.955.1069 or via email at cob@rcbos.org.

Legal Publication Date: November 28, 2014

1 **BOARD OF SUPERVISORS**

COUNTY OF RIVERSIDE

2 **RESOLUTION NO. 2014-233**

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

7 **WHEREAS**, Healthy and Safety Code section 9020 et seq., allows for the creation of a
8 governing board of trustees to administer a public cemetery district. These trustees are appointed
9 by the board of supervisors of the county within which the cemetery district is located;

10 **WHEREAS**, pursuant to Health and Safety Code section 9025, the number of trustees of
11 a public cemetery district may be increased from three (3) to five (5) by the board of supervisors
12 upon a resolution adopted by the board of trustees requesting such increase and thereafter
13 submitted to the board of supervisors for consideration;

14 **WHEREAS**, the Board of Supervisors of the County of Riverside (Board of
15 Supervisors) appointed the existing Board of Trustees of the Murrieta Valley Cemetery District
16 (District);

17 **WHEREAS**, on October 28, 2014 the Board of Trustees of the District adopted
18 Resolution 14-10-28-1 (District Resolution) requesting the Board of Supervisors increase the
19 number of members of the Board of Trustees from the three (3) to five (5) and thereafter
20 submitted the District Resolution to the Board of Supervisors for consideration;

21 **WHEREAS**, a copy of the District Resolution is attached hereto as Exhibit "A" and
22 incorporated herein by this reference; and

23 **WHEREAS**, pursuant to Health and Safety Code section 9025 (b), within 60 days of
24 receiving the District Resolution adopted pursuant to Health and Safety Code section 9025 (a),
25 the Board of Supervisors shall consider the District Resolution at a noticed public hearing; and
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1 **WHEREAS**, the Board of Supervisors considered the District Resolution at a public
2 hearing on December 9, 2014, notice of which was published in accordance with Health and
3 Safety Code section 9025 (b) and Government Code section 6061;

4 **WHEREAS**, pursuant to Health and Safety Code section 9025 (b), the Board of
5 Supervisors mailed notice of the public hearing at least ten (10) days before the hearing to the
6 District and any other person who filed written request for notice with the Clerk of the Board;

7 **WHEREAS**, the District Board of Trustees believe this request is necessary for the
8 following reasons: (i) the array of services that the residents are offered at the District would be
9 better represented through the five (5) member Board of Trustees; (ii) the increase will help
10 reduce the risk of any possible delayed issue resolution that a three (3) member Board of
11 Trustees might experience should two (2) of those members be out sick or on vacation at the
12 same time (this would result in the required quorum not being met prolonging any resolution of a
13 resident's concerns or policy and procedure matters); and (iii) a five(5) member Board of
14 Trustees will quickly and efficiently build the confidence and trust of the residents living in the
15 community of Murrieta; and
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18 **WHEREAS**, the Board of Supervisors has received and considered any written or oral
19 comments regarding the District Resolution.

20 **NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County
21 of Riverside assembled in regular session on December 9, 2014 that the number of members of
22 the Board of Trustees of the Murrieta Valley Cemetery District is hereby increased from three
23 (3) to five (5) members.
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RECEIVED

OCT 31 2014

by: Supervisor Stone
French Valley Office

RESOLUTION 14-10-28-1

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE MURRIETA VALLEY CEMETERY DISTRICT**

WHEREAS, Murrieta 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 size of the Board and the compensation of the Board members; and

WHEREAS, the Board of Trustees of the Murrieta Valley Cemetery District hereby request that the Riverside County Board of Supervisors increase the number of the Murrieta 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 Murrieta Valley Cemetery District Board of Trustees does hereby pass and adopt this resolution as of the date shown.

Motion by: Mary Johnson

Second by: E.F. Vollbrecht

Vote: Yes 2 No 1

E.F. Vollbrecht
E.F. Vollbrecht, Chairperson

October 28, 2014
Date

Connie McConnell
Connie McConnell, Vice-Chairperson

October 28, 2014
Date

Mary Johnson
Mary Johnson, Trustee

October 28, 2014
Date

CERTIFICATE OF SECRETARY

I, Debra Ross, Secretary of the Murrieta Valley Cemetery District, hereby certify that the above is a true and correct copy of, Resolution 14-10-28-1. Passed and adopted by the Board of Trustees of Murrieta Valley Cemetery District on the 28th day of October 2014.


Debra Ross, Secretary