

**ORANGE COUNTY CEMETERY DISTRICT  
Board of Trustees  
May 3, 2022**

**MINUTES**

The regular monthly meeting of the Orange County Cemetery District Board of Trustees was called to order via video conference by Chair Kelly River at 10:00 a.m., in the Board Room of the Orange County Cemetery District, 25751 Trabuco Rd., Lake Forest, CA 92630.

The Pledge of Allegiance was led by Trustee Hatch.  
Roll Call by Board Secretary, Mary Funk.

PRESENT:	Kelly Rivers, Chair	Second District
	Cynthia Ward, Vice Chair	Fourth District
	Maribel Marroquin-Waldram	First District
	Vladimir A. Anderson	Third District
	Noel Hatch	Fifth District

STAFF:	Tim Deutsch, General Manager
	Brenda Manriquez, Finance and Accounting Manager
	Mary Funk, Board Secretary

ALSO PRESENT: Steve Quintanilla, General Counsel  
 Oliver Yee, Legal Counsel – Liebert, Cassidy, Whitmore  
 Jim Mickartz, James Micartz Architect  
 Larry Ryan, RJM Design Group  
 Craig Sensenbach, RJM Design Group  
 Tamara McClory, RJM Design Group

**PUBLIC COMMENTS - None**

**INTRODUCTION OF TRUSTEE VLADIMIR A. ANDERSON**

Chair Rivers welcomed new Trustee Vladimir A. Anderson to his first Board Meeting and stated how happy the Board is that he is here. GM Deutsch also thanked Mr. Anderson both for his service in the Marine Corps and as a Police Officer. GM Deutsch said that he was able to attend Trustee Anderson’s swearing in ceremony at Supervisor Wagner’s office and was also able to give him a tour of all three cemeteries as well as the Gypsum Canyon property. Trustee Anderson stated that he is a “worker bee” and is looking forward to being able to contribute and support the Board and the District to the best of his ability.

**CONSENT CALENDAR**

- A. Approval of Minutes – Regular Board Meeting, April 5, 2022.
- B. Approval of the May 2022 Check Registers (Claims) Nos. 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, and 176.

  
 Chair

  
 Secretary

O.C.C.D. – Minutes

May 3, 2022

C. Acceptance of Quarterly Investment Report for March 31, 2022..

**MOTION:** of Trustee Hatch, seconded by Vice Chair Ward and carried by a roll-call vote of 5-0, approved the Consent Calendar.

At 10:06 a.m. the Board adjourned to Closed Session.

**CLOSED SESSION**

Conference with Labor Negotiators pursuant to Government Code Section 54957.6(a):  
 District designated representative: Chief Negotiator Oliver Yee, General Counsel Steven B. Quintanilla.

Employee Organization: Groundskeeping Unit (Service Employees International Union Local 721 CTW-CLC).

The Board reconvened from Closed Session at 11:05 a.m. Counsel Quintanilla stated that no reportable action took place.

**MANAGER REPORTS**

**A. Interments and Interment Space Sales Reports – March 2022**

The following interment and interment space sales for March 2022 were reviewed:

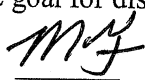
			<u>2021-2022</u>	<u>2020-2021</u>
ANAHEIM	Interments	13 (11 Urn)	72 (55 Urn)	89 (58 Urn)
	Lot Sales	8	44	48
EL TORO	Interments	99 (29 Urn)	717 (218 Urn)	722 (220 Urn)
	Lot Sales	136	1,137	918
SANTA ANA	Interments	12 (6 Urn)	180 (78 Urn)	244 (79 Urn)
	Lot Sales	7	51	99
TOTAL	Interments	124 (46 Urn)	969 (351 Urn)	1,055 (357 Urn)
	Lot Sales	151	1,232	1,065

GM Deutsch reported that monthly interment space sales and interment services continue to remain high at El Toro Memorial Park and per the norm at Anaheim Cemetery and Santa Ana Cemetery.

At Anaheim Cemetery staff performed 13 interments and sold 5 niches and 3 in-ground cremation spaces. Santa Ana Cemetery performed 12 interments and sold 1 niche and six in-ground cremation spaces.

El Toro Memorial Park had 136 space sales including 109 casket spaces, 22 niches, and 5 in-ground cremation spaces. El Toro is ahead of last year’s sales by 219 spaces year-to-date. Eighty percent of the Pre-Need sales at El Toro were for full casket spaces. Prior to the pandemic, the goal for district-wide sales and services was to hit or surpass the 1,000 mark by

  
 Chair

  
 Secretary

O.C.C.D. – Minutes

May 3, 2022

the end of the fiscal year. El Toro alone has already surpassed that mark with 1,137 spaces sold year-to-date and there is still one more quarter to report. Similarly, year-to-date, El Toro has completed 717 interments and will likely reach or exceed 1,000 interments by the end of the fiscal year.

District-wide, in terms of the number of interment services conducted year-to-date, the District is behind by 86 interments. In terms of sales, the District is well ahead of last year's numbers by 167 space sales.

In terms of revenue, we are fortunate to have the numbers at El Toro, whose revenues also cover expenses at the other two cemeteries. Brenda Manriquez will cover revenue from property tax distributions in the next report.

**B. Financial Reports – March 2022**

Brenda Manriquez reported that each month she sounds like a broken record with revenues from interment space sales far exceeding budget expectations. As of March 31<sup>st</sup>, the District is already almost \$300,000 higher in expected revenues from space sales than what was projected for the entire year. In March, the District received a small amount of property tax revenue, but received about \$800,000 in property taxes in April, which will appear on next month's report.

For expenses Brenda Manriquez stated that the 1400 Account is over budget, but this may be resolved before the end of the fiscal year by pulling from other accounts to get things in the proper "buckets". Most of the other variances are due to timing of invoices.

There were no new equipment expenses. Expenses in the 4200 Account for Buildings & Improvements is mostly for the new cemetery development and the first progress payment for Horizons Construction for the Cemetery Improvement projects at the three existing cemeteries. There was also a payment of \$12,150 which was the 50% deposit on the new cement trash cans for all three cemeteries.

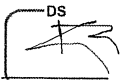
The Balance Sheet shows over \$4 million in Pre-Need Deposits. This is listed as a liability because we are holding these funds for families and will be used when future interments occur. Brenda Manriquez also noted that they will be looking at the unassigned fund balance before the end of the fiscal year to see what can be transferred over to Land Development.

**C. Interest Rates – March 2022**

GM Deutsch reported that rates either remained stagnant or went up slightly. The only exception was the fund for Stifel Endowment Income, which dropped slightly as we are purchasing short term investments to keep assets liquid. The new investments purchased had lower rates than what had matured.

**D. Investment Portfolio Changes – April 2022**

GM Deutsch stated that the report gives a summary of all the investments that matured and those that were purchased in the month of April. The District is trying to balance its five-year ladder and working with Sandra Wheeler from Stifel to accomplish this. GM Deutsch sends email notifications to the Trustees regularly on recent investment activity. The report also shows investments that will be occurring over the next six months.



Chair



Secretary

O.C.C.D. – Minutes

May 3, 2022

**E. Capital Projects Update**

GM Deutsch reported that there were not a lot of changes under the Capital Projects and Fixed Asset Accounts Report. Studies are continuing on the Gypsum Canyon property by LSA, RJM, and Huitt-Zollars. The Development team is continuing to prepare for submittal to the City of Anaheim Planning Department. GM Deutsch is also working with the County on a reimbursement agreement for everything related to the installation of the flagpole. Vice Chair Ward asked who is paying for the flagpole. GM Deutsch replied the we are funding the upfront costs, but the County will reimburse us later. Vice Chair Ward heard that the Veterans might be paying this expense. GM Deutsch stated that he was contacted by Veteran Brian Chuchua about paying for a flag pole on the site, but he wanted it to be 400 feet tall. GM Deutsch explained that the City had already approved the 100 foot pole that the County had recommended. He suggested that if he wanted to donate funds, it should go to the actual development of the Veterans Cemetery.

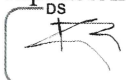
GM Deutsch also informed the Board that there are just a few minor punch list items that need to be completed on the Cemetery Improvement Project, which should be easily done before retention is released to Horizons Construction.

**NEW BUSINESS****A. Gypsum Canyon Cemetery Development – Building & Chapel Architectural Services**

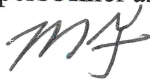
GM Deutsch, Architect James Mickartz and Larry Ryan, Craig Sensenbach and Tamara McClory from RJM Design Group presented a proposal for the development of building and chapel architectural services for Gypsum Canyon. Jim Mickartz showed a preliminary floor plan for the office building that would serve the new public cemetery. It had an option for a chapel/community room to be added at a later date. GM Deutsch stated that Jim has always done an outstanding job for the District in providing architectural drawings. Larry Ryan stated that RJM has enjoyed more than 30 years working in partnership with James Mickartz adding they have great collaboration. The other architectural services will include outdoor committal service structures, and maintenance and breakroom facilities for groundskeeping staff. GM Deutsch said that all materials will be non-combustible. Larry Ryan added that they are hoping to submit to the City of Anaheim in July or August.

Trustee Hatch asked if these design services are for the public cemetery only. GM Deutsch confirmed that we are not designing anything for the future veterans cemetery. This is for the public cemetery only. As far as the Veterans Cemetery is concerned, legislation is moving forward allowing CalVet to study the site.

Trustee Ward commented that she noticed the floorplan had an office for the General Manager. She asked if the District is planning to move its location from Lake Forest to Gypsum Canyon. GM Deutsch explained that while the office is labeled on the floor plan as the General Manager's office, it will actually also be utilized by both Finance and Accounting Manager, Brenda Manriquez and Administrative Manager, Mary Funk as GM Deutsch would like to have an Executive presence at the site during all office hours. The intent of the design is to allow for expansion of personnel as the cemetery becomes more active.



Chair



Secretary

O.C.C.D. – Minutes

May 3, 2022

**MOTION** of Trustee Hatch, seconded by Chair Rivers, and carried by a vote of 5-0, approved the proposal and authorized the General Manager to execute the requisite professional service agreement with James Mickartz Architect in the amount of \$38,500.

**B. Gypsum Canyon Cemetery Development Grading and Utility Engineering Feasibility Services Proposal**

GM Deutsch stated that Huitt-Zollars has put forth a proposal for supplemental grading and utility engineering feasibility and design services for the Gypsum Canyon Site. This will move the project forward by providing all the documents regarding such issues as mass grading, utilities, roadways, and bridge crossings that the City of Anaheim will need to review in order to approve the project. GM Deutsch explained that Huitt-Zollars role has expanded with GMU fine tuning the design of the keyway and grading elevations so the overall site balances for earthwork. By investing in balancing total site geotechnical requirements now for both the public and the veterans parcels, we can eliminate issues of concern for LSA and CEQA requirements in regards to dirt hauling.

GM Deutsch also noted that Steve Quintanilla prepared to MOUs outlining used for the Police and Firefighters Section and for the Allied Veterans Section. The business plan submitted included updated costs with disclaimers about what the District is and is not responsible for. The goal is to get through the plan process and this best prepares us for submittal to the City of Anaheim. Larry Ryan stated that when RJM first began to work with the County of Orange on the development of the upper pad for the Veterans Cemetery, the County wanted it turnkey and ready for cemetery development. This would mean that mass grading must be included for the Veterans parcel. RJM is being very judicious in identifying what those costs are.

Trustee Hatch noted that how this project is going to be paid for is a lynch pin in if it moves forward. GM Deutsch said that we did get the property at no cost and in return we will need to provide grading to some degree on the upper pad. This will require further conversations with the County CEO's office.

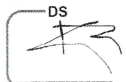
Trustee Hatch stated that since this could potentially be quite costly it is best to address these concerns now.

**MOTION** of Trustee Hatch, seconded by Trustee Ward, and carried by a vote of 5-0, approved the proposal and authorized the General Manager to execute the requisite professional service agreement with Huitt-Zollars, Inc. in the amount of \$196,500.

Trustee Hatch left at the meeting at 11:53 a.m.

**C. Electrical & Lighting Installation for Flag Pole Proposal Approval**

GM Deutsch explained that the District has been tasked with coordinating the installation of the 100' flag pole at the Gypsum Canyon site, but the District will eventually be reimbursed for costs associated with the flag pole's installation. There will be five lights to illuminate the flag so it can fly 24 hours a day, seven days a week. We are currently working with the City of



Chair



Secretary

O.C.C.D. – Minutes

May 3, 2022

Anaheim to install temporary power. The pole comes in three sections and will be assemble on-site. The contractor must also be registered with the Department of Industrial Relations and pay prevailing wages. Since there are very few vendors who have the necessary experience, the project could not be put out for public bid. Larry Ryan with RJM noted that the contractor, we would like to select, Pacific Interior Electric, which is based locally in Anaheim Hills, has been very responsive and interested in the project.

**MOTION** of Chair Rivers, seconded by Trustee Anderson, and carried by a vote of 4-0 (Trustee Hatch absent for the vote), approved the proposal to Pacific Interior Electric in the amount of \$41,700 and authorized the General Manager to execute the requisite construction contract.

**D. Equipment Purchase Approval**

GM Deutsch explained that the Board must approve purchases that are over \$25,000. Included in the 2021-22 budget is the purchase of a new Gator for El Toro Memorial Park. The Gators are the green utility vehicles that you see staff driving to transport equipment and supplies around the park. Cemetery Manager, Bud Bales has obtained a purchase order from from Deere & Company for the purchase of a new ProGator 2030A through the National Joint Powers Alliance also known as Sourcewell. Through this program the District will save about 24%. The cost to the District is \$32,117.71. GM Deutsch noted that with supply issues we do not expect to receive the Gator until the next fiscal year.

**MOTION** of Chair Rivers, seconded by Trustee Marroquin-Waldram, and carried by a vote of 4-0 (Trustee Hatch absent for the vote), approved the purchase of the John Deere ProGator 2030A in the amount of \$32,117.71 to Deere & Company and authorized the General Manager to execute the purchase order.

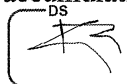
**E. Board Acceptance of Construction Project – Cemetery Improvement Project**

GM Deutsch explained that he and Jim Mickartz did the final walk-through of the Cemetery Improvement Project for all three cemeteries and only found a few minor punch list items that need to be completed. Typically on smaller projects, the District hold 5% retention until the Notice of Completion is filed and the 30-day waiting period is complete. GM Deutsch said he doesn't anticipate any problems. GM Deutsch explained for new Trustee Anderson that typically on capital projects, the board will award the contract and then accept the project upon completion.

**MOTION** of Vice Chair Ward, seconded by Trustee Anderson, and carried by a vote of 4-0 (Trustee Hatch absent for the vote), accepted the Cemetery Improvement Project and authorized the General Manager to release the retention amount of \$10,631.23 to Horizons Construction Co. Int'l., once the Notice of Completion is filed and the waiting period is completed.

**F. Part-Time Employee Annual Leave**

GM Deutsch explained that over the past few months, the County of Orange has been preparing to transition to a new payroll processing system called Workforce. As part of the preparation District staff have been reviewing all payroll codes and noticed a discrepancy in annual leave accumulation. Part-time employees typically receive 50% of the same benefit afforded to full-



Chair



Secretary

O.C.C.D. – Minutes

May 3, 2022

time employees. However, they do not accumulate any annual leave. The District does provide, as required by AB 1522, sick leave. However, our part-time employees only accrue 1 hour of sick leave for every 30 hours worked and the maximum accrual is only 48 hours. Furthermore, they are not allowed to use more than 24 hours in a calendar year. If a part-time employee needs to take a day off or take any kind of vacation, it is without pay.

Staff would like to propose the addition of a new annual leave program for part-time employees that supplements the existing sick time they are already accruing. Like full-time employees, the part-time annual leave schedule would be based on years of service with a bi-weekly accrual rate that, when combined with the bi-weekly sick leave accrual rate, is equivalent to approximately 50% of the full-time employee annual leave accrual rate. If the Board agrees, it is important to approve this now, so the changes can be incorporated into the new Workforce payroll system.

**MOTION** of Vice Chair Ward, seconded by Chair Rivers, and carried by a vote of 4-0 (Trustee Hatch absent for the vote), approved the creation of the Part-Time Annual Leave Program and authorized the General Manager to implement the program effective May 6, 2022 (Pay Period 11).

#### **GENERAL COUNSEL REPORT**

Steve Quintanilla welcomed Trustee Anderson to the Board and briefly explained how the cemetery is governed by the Health and Safety Code.

#### **ITEMS FOR FUTURE AGENDAS**

Vice Chair Ward said that she would like to be informed on how potential water restrictions might impact our development at Gypsum Canyon.

#### **BOARD COMMENTS**

##### **A. ISDOC Quarterly Meeting, April 28, 2022 – 11:30 a.m. (Virtual)**

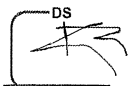
Chair Rivers reported that both she and Finance and Investment Manager Brenda Manriquez joined that virtual meeting. She said that CSDA gave a presentation and talked about how to get grants and the benefits of membership in the association. Brenda Manriquez said she was interested to learn that CSDA will be rolling out their own investment pool and they seemed very excited about it.

GM Deutsch also announced that Trustee Anderson has signed up for the Special District Leadership Foundation Academy that will be held in Napa in September. This will allow the District to maintain its Platinum status as we work to renew both our Transparency Certificate and our District of Distinction status. GM Deutsch also commented that CSDA was a huge help in special districts being allowed to receive reimbursements for COVID expenses.

#### **ANNOUNCEMENTS**

##### **A. CSDA Special District Legislative Days, Sacramento, CA – May 17-18, 2022**

No one from the District will be attending this event.



Chair



Secretary

O.C.C.D. – Minutes

May 3, 2022

**B. Memorial Day Program, May 30, 2022 at 10:00 a.m., Santa Ana Cemetery**  
Trustee Marroquin-Waldram will be attending the Santa Ana Memorial Day Program.

**C. Memorial Day Program, May 30, 2022 at 11:00 a.m., Anaheim Cemetery**  
Vice Chair Ward will be attending the Anaheim Memorial Day Program.

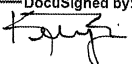
**D. Memorial Day Program, May 30, 2022 at 11:00 a.m., El Toro Memorial Park**  
Chair Rivers, Trustee Anderson and Trustee Hatch will be attending El Toro Memorial Park's Memorial Day Program.

GM Deutsch reminded the Trustees that the Finance and Investment Committee will meeting on Wednesday, May 25<sup>th</sup> at 10:00 a.m.

Legal Counsel Steve Quintanilla reminded staff that a Notice of Adjournment must be posted within 24 hours since the Board will be adjourning the meeting to May 17, 2022.

The next regular meeting will be held on **Tuesday, May 17, 2022**, at 10:00 a.m., at the Orange County Cemetery District, 25751 Trabuco Rd., Lake Forest, CA 92630.

There being no further business, the meeting was adjourned at 12:16 p.m.

DocuSigned by:  
  
9f1D565887734DB...  
Chair

  
Secretary

  
Chair

  
Secretary