

**ORANGE COUNTY CEMETERY DISTRICT
Board of Trustees
December 3, 2019**

MINUTES

The regular monthly meeting of the Orange County Cemetery District Board of Trustees was called to order by Chair Ward at 10:04 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 Nelson.
Roll Call by Board Secretary, Mary Funk.

PRESENT:	Cynthia Ward, Chair	Fourth District
	Noel Hatch, Vice Chair	Fifth District (Arrive at 10:07)
	Maribel Marroquin	First District
	William E. Nelson	Third District

ABSENT:	Kelly Rivers	Second District
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STAFF:	Tim Deutsch, General Manager
	Brenda Manriquez, Finance and Accounting Manager
	Mary Funk, Board Secretary

ALSO PRESENT: Steve Quintanilla, General Counsel

PUBLIC COMMENTS - None

Trustee Nelson stated that he would have to leave the meeting no later than 11:30 a.m. and asked if two items could be added to the January 2020 Board Meeting agenda. He would like the Board to discuss the strategy for presenting the development of the new cemetery at Gypsum Canyon to the Anaheim City Council, as the District will need their support for zoning changes. Trustee Nelson is concerned that the new cemetery may lack support if there is no Veterans component. Trustee Nelson would also like the Board to discuss financing the new cemetery development. He would like to bring someone in who can explain the options to the full board and also discuss doing a District assessment as a way to generate funding for the project.

Vice Chair Hatch arrived at 10:07.

CONSENT CALENDAR

- A. Approval of Minutes – Regular Board Meeting, November 5, 2019.
- B. Approval of December 2019 Check Registers (Claims) Nos. 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 and 98.


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- C. Approval to amend the “Accountant” position to “Finance & Accounting Manager” to the District’s list of officials required to comply with Conflict of Interest Codes

MOTION: of Trustee Nelson, seconded by Trustee Marroquin and carried by a vote of 4-0 (Trustee Rivers absent for the vote), approved the Consent Calendar.

GENERAL MANAGER REPORTS

Interments and Interment Space Sales Reports – October 2019

The following interment and interment space sales for October 2019 were reviewed:

			<u>2019-2020</u>	<u>2018-2019</u>
ANAHEIM	Interments	5 (4 Urn)	30 (20 Urn)	23 (14 Urn)
	Lot Sales	0	10	12
EL TORO	Interments	57 (13 Urn)	244 (85 Urn)	189 (72 Urn)
	Lot Sales	84	322	248
SANTA ANA	Interments	26 (8 Urn)	96 (24 Urn)	117 (22 Urn)
	Lot Sales	16	46	90
TOTAL	Interments	88 (25 Urn)	370 (129 Urn)	329 (108 Urn)
	Lot Sales	100	378	350

GM Deutsch stated that there were no surprises as far as the numbers go. So far, the District has been able to make up for the lack of sales at Santa Ana Cemetery.

Financial Reports – October 2019

November Investment Portfolio Changes

Capital Projects Update

The Board had no concerns regarding these Board reports, so no comments were made.

The Strategic Plan Dashboard

GM Deutsch noted that the new deferred compensation plan approved by the Board is now in place. Employee contributions and the employer match were made on the last pay period. GM Deutsch thanked the Board for approving the plan.

FY 2018-19 Independent Auditor’s Report Update

Brenda Manriquez explained that typically the auditors attend the December meeting to present the final audit. However, there were a few delays from the County getting needed information on Other Postemployment Benefits (OPEB) and in determining the value of the land that was transferred to the District by the County. She also explained that now that the District has transitioned to producing a Comprehensive Annual Financial Report (CAFR), a final CAFR must be issued by the audit firm and submitted to GFOA by December 31 of each year. To carry on the Board’s process of reviewing the CAFR prior to auditor issuance, we are electing to submit the complete draft CAFR to the Finance and Investment Committee for review and comment. This will allow the District to submit our application for the GFOA CAFR award by December 31, 2019. Kinnaly Soukhaseum, Partner from Eide Bailly LLP, will attend the


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January Board Meeting to present the final audit to the full Board. The Board expressed no concerns about this process.

Trustee Nelson asked what the land valuation was. Brenda Manriquez replied that the new land is valued at approximately \$30,000 an acre, which translates to approximately \$8.5 million. GM Deutsch noted that from a funding, borrowing and investing perspective this asset will only help the District. Brenda Manriquez said the audit will include more notes about the land and its valuation.

UNFINISHED BUSINESS

Board Policy Manual Review

Counsel Quintanilla provided 13 policies with blacklined changes for the Board to review. The policies have been arranged in a new Article format. The Board reviewed each Article as follows:

Article 100 – Governance: This included the Legislative Action Policy. Counsel Quintanilla stated that policy serves as a guideline giving the board discretion to change. He also explained that Trustees may send letters on District letterhead, but they must use a disclaimer that the content of the letter is their personal opinion. Trustee Nelson requested that Counsel Quintanilla add language that authorizes the General Manager to submit letters if there is not sufficient time to get Board approval.

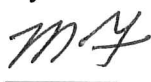
Article 110 – Transparency: This includes the Records Retention Policy and Schedule. Counsel Quintanilla explained that this policy defines how long the District must keep records before they can be destroyed. There was also some discussion about how long emails must be kept. Trustee Marroquin had heard at a CAPC conference that all emails must be kept for a minimum of two years. Counsel Quintanilla said that with respect to emails, you must look at the content, as that will determine whether or not an email must be saved and for how long. GM Deutsch also noted that the physical records are reviewed annually according to the records retention schedule and destroyed accordingly.

Article 130 – Risk Management: This includes the Incident Report Policy and Tort Claims Policy. Counsel Quintanilla explained that these policies used to be combined as a single policy but they are now separate policies. The Incident Report Policy ensures proper documentation of incidents which could give rise to liability against the District due to personal injury or property damage. The Tort Claims Policy exists to inform the public that before they may sue the District, they must first file a tort claim against the District that meets the requirements of the California Tort Claims Act.

Article 140 – Finance: This includes the Public Works Contracts Policy and the Purchasing Procedures Policy. Counsel Quintanilla explained that, although the District is not required to have a Public Works Contracts Policy, we have chosen to adopt this policy because it is consistent with the public contract code and we believe it is best practice with the use of public funds. The Purchasing Procedures Policy is very comprehensive when compared to most other public agencies. Brenda Manriquez asked about the Sole Source provision in the Purchasing Procedures Policy and if that would ever apply to the District. GM Deutsch stated the only time



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he might see it being used is for historical renovations or possibly for disinterment services as the number of vendors willing to do this is very limited. There was also some discussion on whether or not the District must accept the lowest bid. Counsel Quintanilla said the District is only obligated to accept the lowest responsible bidder. The District would need to document why a particular contractor would not qualify as a responsible bidder. That determination can be made by the General Manager for bids up to \$25,000. For bids over \$25,000, the Board would need to decide.

Article 150 – Employee Policies: This includes the Military Leave Policy; the Substance Abuse Policy; and the Use of District Vehicles Policy. Counsel Quintanilla explained that the Military Leave Policy is not mandatory and all leave is unpaid. It is primarily used for those who are in the Reserves. GM Deutsch stated that currently no staff are in the Reserves. Counsel Quintanilla reported that there were no recommended changes to the Substance Abuse Policy. On the Use of District Vehicles, GM Deutsch requested that the language be changed from vehicles being stored in “secured garages” to “secured locations” since El Toro Memorial Park does not have garage space for the van and the truck. Counsel Quintanilla noted that on the Use of District Vehicles policy he added language prohibiting cell phone use and requiring a valid driver’s license. Vice Chair Hatch asked if there had ever been any accidents or tickets from staff using District vehicles. GM Deutsch reported that there have been no incidents that have resulted in a moving violation in a public right-of-way.

Article 170 – Interments: This includes the Residency Determination Policy; the Interment Rights Policy, the Temporary Markers Policy; and the Memorial Markers and Niche Plate Special Requirements and Specifications Policy. Chair Ward asked if citizenship has anything to do with determining residency. GM Deutsch answered that we do not require customers to be U.S. citizens. We only require that they reside in Orange County. Vice Chair Hatch asked how deaths of homeless people are handled. GM Deutsch stated that that would be a case for the public administrator to determine. For the Interment Rights Policy, Counsel Quintanilla explained that much of what was deleted from this policy in the blackline format was actually moved to other policies. He also stated that since health and safety codes do not address temporary markers, the only changes he made to this policy was to streamline the text. For the Memorial Markers Policy, Counsel Quintanilla took our existing specification sheet and wrote that out as a policy.

Counsel Quintanilla stated that the adoption of Orange County Cemetery District Resolution 2019-10 will be used to formally adopt all the policies discussed at this Board Meeting with all changes noted.

MOTION: of Trustee Nelson, seconded by Trustee Marroquin and carried by a vote of 4-0 (Trustee Rivers absent for the vote), adopted Orange County Cemetery District Board of Trustees Resolution No. 2019-10, amending, repealing, readopting and adopting various 2019 policies of the Orange County Cemetery District.



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NEW BUSINESS**Strategic Planning Request for Proposal**

GM Deutsch explained that the District has never put out a formal Request for Proposal before for the selection of a strategic planning consultant. In putting this RFP together, GM Deutsch said he looked at several sources and combined elements to produce this document. Vice Chair Hatch asked who would receive the RFP. GM Deutsch replied that Trustee Marroquin had a suggestion and would be providing him with the contact information. Jim McComb, who produced the last strategic plan would receive it. GM Deutsch stated that there are also a couple of members within CSDA who are potential candidates. Vice Chair Hatch also asked at GM Detusch hopes to accomplish with a strategic plan. GM Deutsch replied that it should serve as a road map for the District to follow for the next five years. Vice Chair Hatch said that he expects a bit of transition as Santa Ana Cemetery becomes less active and we develop a new cemetery. GM Deutsch said that staffing will be a key component of the plan as we must consider the budget and the quality of service we want to provide. The Board also recommended that the RFP be posted on the California Special Districts Association website. Chair Ward requested that language be added specifying that the planner address how they will reach out to key stakeholders for feedback. She said it would be difficult to get an accurate state of assessment without this information. GM Deutsch said he would add this to the RFP. GM Deutsch said he is hoping for Board approval of the consultant by the February 4 Board meeting.

MOTION: of Trustee Nelson, seconded by Trustee Marroquin and carried by a vote of 4-0 (Trustee Rivers absent for the vote), approved the Request for Proposal for a Strategic Planning Consultant with the changes noted in the discussion.

Election of Officers

GM Deutsch explained that the Board needed to elect officers for the 2020 calendar year. Trustee Nelson stated that he would like to nominate Vice Chair Hatch to be the 2020 Board Chair. Vice Chair Hatch asked about the responsibilities of the Chair. Chair Ward stated that the main responsibility is simply to lead the meeting and stay for a few minutes afterwards to sign documents. The Chair also reviews the time sheets and credit card expenses of the General Manager. Attendance at other District events remains at his discretion and he is not required to attend other functions. Vice Chair Hatch stated that he would accept the nomination.

MOTION of Trustee Nelson, seconded by Chair Ward, and carried by a vote of 4-0 (Trustee Rivers absent for the vote), elected Noel Hatch as Chair of the Board of Trustees for the 2020 calendar year.

For Vice Chair of the Board of Trustees, Chair Ward nominated Trustee Maribel Marroquin to serve as Vice Chair for the 2020 calendar year. Trustee Marroquin accepted the nomination.

MOTION of Chair Ward, seconded by Trustee Nelson, and carried by a vote of 4-0 (Trustee Rivers absent for the vote), elected Maribel Marroquin as Vice Chair of the Board of Trustees for the 2020 calendar year.


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ITEMS FOR FUTURE AGENDAS

The members of Board would like to discuss funding for the development of the new cemetery and whether the District should consider an assessment as a means of generating funding. They would also like to discuss the best way to make the District’s case to the Anaheim City Council that a new public cemetery should be built at the Gypsum Canyon site.

BOARD COMMENTS

Dia de los Muertos – Santa Ana Cemetery and Anaheim Cemetery, Nov. 2, 2019

Chair Ward reported that these were great events for both cemeteries. She stated her favorite part is seeing people’s reaction when they are told that everything is free.

Veterans Day Program – El Toro Memorial Park, November 11, 2019

Trustee Nelson, Vice Chair Hatch and Trustee Marroquin all reported that they attended this event. Attendance was surprisingly higher than expected at approximately 225 to 250 people. The need for good speakers was discussed and Vice Chair Hatch stated that he would explore possibilities for the District’s next Memorial Day speaker.

ANNOUNCEMENTS

The Angel of Hope Candlelight Service will be on December 6th at 7:00 p.m.

The next ISDOC Executive Committee Meeting will be held on December 10, 2019. Trustee Nelson will attend.

Wreaths Across America will take place at El Toro Memorial Park on Saturday, December 14th at 9:00 a.m. Board Secretary Mary Funk reported that a large donation for the purchase of wreaths had been made by the Elks of Mission Viejo. She had learned from Mike Heddleston, a coordinator for the event, that they have sold 1,097 wreaths, which is way beyond what had been done in past years. We will be close to covering every veteran in the park with a wreath this year.

The Longest Night Homeless Memorial Service will take place at Anaheim Cemetery on Saturday, December 21st. The event will run from 4 pm to 6 pm. Chair Ward plans to attend and stated if you have never been to one it is a very emotional tribute.

The next ISDOC Quarterly Meeting will be held on January 30, 2020 in Fountain Valley.

The next regular meeting will be held on **Tuesday, January 7, 2020**, 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 11:39 a.m.



Chair



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