

**ORANGE COUNTY CEMETERY DISTRICT**  
**Board of Trustees**  
**April 7, 2020**

**MINUTES**

The regular monthly meeting of the Orange County Cemetery District Board of Trustees was called to order via teleconference by Chair Hatch 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 Chair Noel Hatch  
Roll Call by Board Secretary, Mary Funk.

PRESENT:	Noel Hatch, Chair	Fifth District
	Maribel Marroquin, Vice Chair	First District
	Kelly Rivers	Second District
	William E. Nelson	Third District
	Cynthia Ward	Fourth District

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

ALSO PRESENT:   Legal Counsel Steve Quintanilla

**PUBLIC COMMENTS - None**

**CONSENT CALENDAR**



- A.    Approval of Minutes – Regular Board Meeting, March 3, 2020.
- B.    Approval of Minutes – Emergency Meeting, March 18, 2020
- C.    Approval of Minutes – Emergency Meeting, March 20, 2020
- D.    Approval of April 2020 Check Registers (Claims) Nos. 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165 and 166.
- E.    Approval of revisions to the 2020 Investment Policy.

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

**MANAGER REPORTS**

**A.    Interments and Interment Space Sales Reports – February 2020**

The following interment and interment space sales for February 2020 were reviewed:

ANAHEIM	Interments	5 (3 Urn)	<u>2019-2020</u>	<u>2018-2019</u>
 Chair	 Secretary		55 (36 Urn)	45 (23 Urn)

	Lot Sales	3	26	18
EL TORO	Interments	61 (28 Urn)	476 (172 Urn)	409 (150 Urn)
	Lot Sales	57	554	472
SANTA ANA	Interments	31 (7 Urn)	215 (55 Urn)	238 (36 Urn)
	Lot Sales	23	115	183
TOTAL	Interments	97 (38 Urn)	746 (263 Urn)	692 (209 Urn)
	Lot Sales	83	695	673

GM Deutsch stated that for the upcoming March and April reports, the Board should expect to see the numbers to go down due to all of the Coronavirus restrictions. GM Deutsch asked if the Board had any other questions regarding the Manager Reports Items A through E. The Board had no additional questions, on the Manager's Reports.

**B. Financial Reports – February 2020**

No additional discussion

**C. Investment Portfolio Changes – March 2020**

No additional discussion

**D. Capital Projects Update**

No additional discussion

**E. SDRMA Credit Incentive Program & Loss Prevention Fund**

No additional discussion

**UNFINISHED BUSINESS – None**

**NEW BUSINESS**

**A. Coronavirus (COVID-19) Update and Action Items**

**1. COVID-19 Local State of Emergency Update**

GM Deutsch explained that all of the board report attachments are a compilation of reports put together with Counsel Quintanilla to show that the District is complying with all orders and requirements and that the District is taking the necessary actions to protect our employees and the public in general. Some of the orders don't apply to the District, but Counsel Quintanilla thought it was important to have them all available for review to track where all the rules and regulations are coming from. The cities were included because they can impose regulations that would impact District operations. The one possible change is that we are no longer providing chairs with graveside setups as the chairs are a source of possible contamination as they are typically transferred from one service to the next. Trustee Ward asked if we are ADA compliant with not providing chairs for those who cannot stand. GM Deutsch said Managers are having families sign a document so they understand what the COVID-19 requirements are. We are also telling families to bring their own chairs that they know are safe. All of the families have understood this. Counsel Quintanilla said this would be considered a reasonable accommodation under the circumstances.

  
Chair

  
Secretary

## 2. Teleworking Policy Approval and Implementation

GM Deutsch explained that many government agencies have been working to keep their employees productive and safe by conducting non-essential business electronically from home. The District is doing likewise, but teleworking applies only to the office staff. The staff discussed what aspects of daily business could be accomplished at home. This includes correcting records and attaching documents to the electronic records, as well as any projects that involve Word or Excel documents. The office staff have reduced appointments which makes it more practical for additional staff to work from home. This policy can be used throughout the year, regardless of whether or not the District is in an emergency situation. Because we are an essential business we are able to maintain full employment. GM Deutsch said that the policy was reviewed by legal counsel. Employees must sign a form acknowledging that they have received the policy and will abide by it. Counsel Quintanilla noticed that in a number of Counties it is practically mandatory to engage in teleworking under the current circumstances.

Trustee Ward asked about what happens to the documents after they are scanned and attached to the electronic record. GM Deutsch and Administrative Manager Funk answered that the documents are stored electronically both on the Cemsites server and on the District's common drive which is backed up weekly. Original certificates are sent to the families when they are issued. Original permits are sent to the health department. The copies which we are scanning are destroyed after they are scanned, saved and attached.

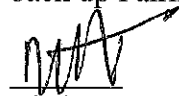
Chair Hatch asked if teleworking would become a normal part of District activity. GM Deutsch stated that the finance department may utilize it to some degree, but for the most part teleworking would only occur in emergency situations.

**MOTION:** of Vice Chair Marroquin, seconded by Trustee Rivers and carried by a roll call vote of 5-0, approved the Teleworking Policy.

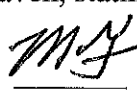
## 3. Santa Ana Cemetery Sunday Closures

GM Deutsch said that at Santa Ana Cemetery we share property with Fairhaven and St. John's Church. It is helpful if we are all on the same page as far as COVID-19 restrictions. He also noted that Cemeteries like Rose Hills is open only for services and not for visitation. Other cemeteries are also restricting access to varying degrees. Counsel Quintanilla said that burying a full body is an essential service, but everything else is not. Visitation and even the graveside service itself, is not essential. GM Deutsch said that they have monitored visitation at all the parks, and there have been issues occurring at Santa Ana Cemetery with visitors not complying with the Coronavirus guidelines for social distancing and gathering size limitations. Sundays appear to be the worst day for these violations. In an effort to curb these gatherings District Staff have implemented the closure of the Santa Ana Cemetery on Sundays in coordination with Fairhaven Memorial Park, beginning on April 5, 2020.

When asked for their opinions, Vice Chair Marroquin deferred to whatever GM Deutsch recommends is best. Trustee Ward said that if Fairhaven is closed for the weekend, we should back up Fairhaven, stating that if our gates are open, people will find their way into Fairhaven.



Chair



Secretary

Trustee Rivers agreed, stating that all three cemeteries should be closed on the weekends. Trustee Nelson also deferred to the General Manager's opinion. Trustee Hatch agreed that if closures occur, they should be for all three cemeteries or none at all. GM Deutsch stated that the District has purchased signs to let people know that the cemetery will be closed on the weekend. GM Deutsch recommends that we put advance notice out on the grounds about the upcoming closures for visitation. GM Deutsch stressed that this is temporary and agrees that we should be consistent and close all three cemeteries.

Secretary Mary Funk asked about the Saturday service that is already scheduled at El Toro for this upcoming Saturday. GM Deutsch said that the security company will escort the family members who want to attend burial in and out of the park.

Counsel Quintanilla will draft a new emergency order to include all three cemeteries and make it a full weekend closure.

**MOTION:** of Vice Chair Marroquin, seconded by Trustee Rivers and carried by a vote of 5-0, ratified the April 1, 2020 Emergency Order of the General Manager of the Orange County Cemetery District for the full weekend closures of the Santa Ana Cemetery, Anaheim Cemetery and El Toro Memorial Park.

**B. Orange County LAFCO Dues Reapportionment For Special Districts**

GM Deutsch explained OCLAFCO recently approved a new Special Districts Dues Reapportionment structure. This has not been updated since 2001. Currently the District only pays \$2,000 annually. The proposed rate for the District would be \$3,397 annually and will be effective for the 2020-21 fiscal budget. GM Deutsch thanked Trustee Nelson who was an advocate for non-enterprise special districts. His efforts over the past two years helped to reduce the proposed dues from the initial recommended amount of \$5,947 to the agreed rate of \$3,397. Trustee Nelson noted that the original recommendation was also scheduled to have regular annual increases. Eventually the District's dues would have reached approximately \$11,000. The work of Trustee Nelson and the Ad Hoc Committee saved the District thousands of dollars.

GM Deutsch explained that staff will need to submit the attached vote casting sheet to ISDOC by April 24, 2020.

GM Deutsch said, that while we rarely utilize LAFCO, the District could potentially need their services if we have to annex utilities into our service area. We pay these dues for those kinds of services and benefits.

The Board thanked Trustee Nelson for all his efforts in negotiating this dues reapportionment.

**MOTION:** of Vice Chair Marroquin, seconded by Trustee Rivers and carried by a roll-call vote of 5-0, approved the proposed OC LAFCO Dues Reapportionment for Special Districts.

**C. Orange County LAFCO Regular Special District Member Seat**

GM Deutsch explained that the nomination period is now open for the OC LAFCO Regular

  
Chair

  
Secretary

Special District Member Seat. If the Board would like to nominate anyone, the 2020 Nomination Form must be received by LAFCO by Friday, May 8<sup>th</sup> at 3:00 p.m. The District must also submit the “Declaration of Qualification to Vote” to designate the authorized regular voting member and the alternate voting member. This form must also be returned to OC LAFCO no later than May 8<sup>th</sup> at 3:00 p.m. Previously, the Board has designated the Board Chair as the Regular Voting Member and the Vice Chair as the Alternate Voting Member.

None of the Trustees had any nominations to recommend for the seat and they approved by acclamation of staff’s recommendation Chair Hatch to be the Regular Voting Member and Vice Chair Marroquin to be the Alternate Voting Member.

**D. Award of Contract for Santa Ana Cemetery Asphalt and Cement Curb Project**

GM Deutsch stated that the Capital Improvements Budget includes funds to remove the existing deteriorating asphalt curbs and roadways at Santa Ana Cemetery. GM Deutsch stated that about 80 to 90% of the roads have issues. In addition, there are three areas of the grounds which flood during heavy rains, so the project will include the placement of retention basins with perforated pipe drains to filter the water. The District recommended each contractor walk the job site prior to the submittal of the their proposals. Five responsible bids were received by the District on March 31<sup>st</sup>. The apparent lowest responsible bidder is Ben’s Asphalt of Santa Ana at a cost of \$929,950. This amount does not include any contingency and GM Deutsch recommended that the District include a 5% contingency of \$46,497, bringing the total authorized amount for the project to \$976,447. If the contingency is not spent it will go back in to the fund balance.

The project will be done in three stages so the cemetery does not have to be shut down. It should take about three months with a completion date in mid-August. GM Deutsch also explained that the difference in costs between the low and high bidders can primarily be attributed to the greater overhead costs of the larger general contractors who were bidding on the project.

GM Deutsch explained that due to recommended changes after exposing sections of the deteriorating asphalt and further drainage studies, the cost of the project has come in higher than what was originally anticipated. In order to fund the project, the Board will need to take action to transfer additional funds from the Unassigned General Fund Balance. Since there is only \$635,000 available in the approved Capital Improvement Budget, staff is requesting that \$350,000 be transferred from the Unassigned General Fund Balance to the Structures and Improvements Fund Account 4200.

Chair Hatch asked if this was Counsel Quintanilla’s contract or if it was provided by the contractor. GM Deutsch stated that he worked directly with Steve’s staff to develop this contract. Chair Hatch also asked when GM Deutsch anticipates a start date, with the current Coronavirus restrictions. GM Deutsch said construction projects are allowed to continue. The construction company needs to comply with social distancing and protection practices. We would also monitor to make sure they are abiding by the requirements. Chair Hatch assumed their staff would be wearing masks. GM Deutsch said that in that line of business, they would probably be wearing masks anyway.

GM Deutsch said the District is very familiar with all of these contractors and can feels confident that the bids are realistic and responsible, covering all the points of the project.

  
Chair

  
Secretary

**MOTION:** of Vice Chair Marroquin, seconded by Trustee Nelson and carried by a roll-call vote of 5-0, approved the following:

1. Authorized the transfer of \$350,000 from the Unassigned General Fund Balance to the Building and Improvements (4200) Fund in the Approved 2019-20 District Budget, and
2. Approved the award of the construction project to Ben’s Asphalt, for the removal of the deteriorating asphalt curbs and roadways, replacing the curbs with concrete and repaving the roads, and installation of three drainage tanks at the Santa Ana Cemetery in the amount of \$929,950, and authorize the General Manager to execute the requisite contract and approve any change orders up to 5% of the contract or \$46,498.

**ITEMS FOR FUTURE AGENDAS – None**

Vice Chair Marroquin suggested that we look into using Webex or Zoom at next Board Meeting and hold a video conference. GM Deutsch stated that he will check with everyone to see about using Zoom virtual meeting or a similar platform.

Chair Hatch would like to see an update on the progress of the new cemetery development. GM Deutsch stated the District may need to involve local government officials regarding the status of the state Veterans Cemetery.

**BOARD COMMENTS - None**

**ANNOUNCEMENTS**

GM Deutsch stated he was hoping we could still have Memorial Day Programs, but has stopped any of the planning, as it is probably not a good idea to have even the planning committee members meet. GM Deutsch asked the Board for their feedback on whether or not to hold Memorial Day programs. Trustee Rivers stated that she believes we should cancel all Memorial Day Programs this year. Vice Chair Marroquin, Trustee Nelson, and Trustee Ward all agreed that they should be canceled.

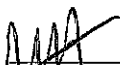
Chair Hatch stated that this is consistent with what everyone is doing. GM Deutsch has not seen any Memorial Day cancelations yet, but we will let our planning partners know that the events are canceled. GM Deutsch said we will still put flags out to honor our veterans as usual.


The next regular meeting will be held on **Tuesday, May 5, 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 11:18 a.m.

  
 \_\_\_\_\_  
 Chair

  
 \_\_\_\_\_  
 Secretary

  
 \_\_\_\_\_  
 Chair

  
 \_\_\_\_\_  
 Secretary