

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

362



FROM: Executive Office

SUBMITTAL DATE:
September 1, 2009

SUBJECT: Response to 2008-2009 Grand Jury Report: Palo Verde Cemetery District

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve with or without modifications the attached response to the Grand Jury's recommendations regarding the Palo Verde Cemetery District;
- 2) Direct the Clerk of the Board to immediately forward the Board's finalized response to the Grand Jury, the Presiding Judge and the County Clerk-Recorder (for mandatory filing with the State).

BACKGROUND: On July 14, 2009, the Board directed staff to prepare a draft of the Board's response to the Grand Jury's report regarding the Palo Verde Cemetery District. The Executive Office prepared a response to the item pertinent to the County. The Executive Office was advised that the Palo Verde Cemetery District, Blythe City Manager and the Blythe Redevelopment Agency will respond to items 1-2 and 4-11.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to the matters under the control of the Board, and that a response be provided to the Presiding Judge of the Superior Court within 90 days.

H:\COURTY\09days\responsePWCD\11-8109.doc

Gary Christmas
GARY CHRISTMAS
Chief Deputy County Executive Officer

| | | | |
|-----------------------|-------------------------------|--------|-------------------------|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ N/A | In Current Year Budget: |
| | Current F.Y. Net County Cost: | \$ | Budget Adjustment: |
| | Annual Net County Cost: | \$ | For Fiscal Year: |

| | |
|-------------------------|---|
| SOURCE OF FUNDS: | Positions To Be Deleted Per A-30 <input type="checkbox"/> |
| | Requires 4/5 Vote <input type="checkbox"/> |

C.E.O. RECOMMENDATION: APPROVE

BY: *Jay E. Orr*
Jay E. Orr

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone and Ashley
Nays: None
Absent: None
Date: September 1, 2009
xc: E.O., District, Grand Jury, Presiding Judge, ACR(2)

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: 3.11 – 07/14/09 | **District:** | **Agenda Number:**

3.10

Dept Recomm: Policy
Per Exec. Cfo: Policy
Consent Consent

Departmental Circumstance

PALO VERDE CEMETERY DISTRICT
Response to Findings and Recommendations

FINDINGS:

The Palo Verde Cemetery District, Blythe City Manager and Blythe Redevelopment Agency will respond to Finding numbers 1, 2 and 4 through 11.

Number 3:

The Riverside County Board of Supervisors, as the appointing authority for district trustees, failed to provide instruction to trustees in their areas of responsibilities and fiduciary obligations.

Response:

Respondent disagrees wholly with the finding.

The Board of Supervisors followed Board Policy A-21 (attached) in appointing trustees to the Palo Verde Cemetery District. This policy provides guidance on the roles and responsibilities of trustees to the Palo Verde Cemetery District.

RECOMMENDATIONS:

The Palo Verde Cemetery District, Blythe City Manager and Blythe Redevelopment Agency will respond to Recommendation numbers 1, 2 and 4 through 11.

Number 3:

The Riverside County Board of Supervisors should improve its vetting process for potential district trustees and provide them with written basic instructions on their fiduciary responsibility.

Response:

The recommendation will not be implemented because it is not reasonable. Board Policy A-21 provides appropriate guidance on this issue. See attached.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

| <u>Subject:</u> | <u>Policy Number</u> | <u>Page</u> |
|---|--------------------------|-------------|
| ADVISORY BOARDS, COMMISSIONS AND COMMITTEES | A-21 | 1 of 1 |

Policy:

Board policy regarding the establishment, appointments to, governance, and periodic review and dissolution of the Board of Supervisors' various advisory boards, commissions, and committees ("advisory groups") is summarized and contained in a resolution entitled "Adopting Uniform Rules and Procedures for Advisory Committees, Board and Commissions of the County of Riverside." A copy of the most recent version of this resolution is attached, and shall be replaced with successive versions of the resolution as approved by the Board from time to time in the course of county business.

Reference:

- Minute Order dated 03/11/1975
- Minute Order 3.16 of 05/31/1983
- Minute Order 3.14a-b of 04/20/1993
- Minute Order 3.13 of 09/19/1995
- Minute Order 3.29 of 11/17/1998
- Minute Order 3.2 of 02/16/1999
- Minute Order 3.5 of 04/05/2005
- Minute Order 3.7 of 11/07/2006