



**Tulare Public Cemetery District
Regular Board Meeting Minutes
Thursday, August 24, 2023**



A REGULAR BOARD MEETING OF THE TULARE PUBLIC CEMETERY DISTRICT WAS HELD ON THURSDAY, AUGUST 24, 2023, AT 1:00 PM IN THE CONFERENCE ROOM, LOCATED AT 900 E. KERN AVENUE, TULARE, CA.

BOARD MEMBERS PRESENT: Chairman Carlos Ramos, Vice Chairman James Pennington, Trustees Xavier Avila and Stephen Present

BOARD MEMBERS ABSENT: Secretary Alberto Aguilar

STAFF PRESENT: District Manager Clara Bernardo, Ground Supervisor David Faria and Legal Counsel Thomas Degn

1. CALL TO ORDER:

The Regular Board Meeting was called to order at 1:01 pm by Chairman Carols Ramos

2. ROLL CALL:

Carlos Ramos, James Pennington, Xavier Avila and Stephen Present

3. PLEDGE OF ALLEGIANCE:

Trustee Xavier Avila led the Pledge of Allegiance

4. MOMENT OF SILENCE IN MEMORY OF THOSE WHO HAVE PASSED

5. RECONGNITION OF VISITORS:

Four public members in attendance

6. PUBLIC COMMENTS:

No public comments

7. TRUSTEE COMMENTS:

Four trustees made comments

8. OPEN SESSION- AUDIT REPORTS, ITEMS OF INTEREST & GENERAL BUSINESS

(All items are subject for discussion and possible action by the Board.)

8.1- Ground Supervisor report:

David reported that he is going to terminate the Social Vocational Services Contract. The crew is behind schedule. The dirt pile at the North J Cemetery has been removed and the grounds will be grated.

A demo electric mower will be arriving soon.

8.2- Approve Minutes for Regular Board meeting of July 27, 2023:

Avila motioned and Pennington seconds to approve minutes of July 27, 2023. Vote (4-0) motion passes

8.3- Approval of June 2023 Financials:

Avila motioned and Pennington seconds to approve June 2023 Financials pending review by the Audit Committee. Vote (4-0) motion passes



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8.4- Endowment Care Fee:

Clara reported the Endowment Care Fee for \$7,500 Tall Stone area at the Kern Cemetery does not meet the Health and Safety code requirements. The required Endowment Care Fee is 6%, and in 2024 it will increase again to 10%. Board discussed to meet the requirements effective immediately.

8.5- Out of District Policy:

Presant motioned and Ramos seconds to have District Manager Clara Bernardo create an Out of District Policy. Vote (4-0) motion passes

8.6- Disinterment Fee:

Avila motioned and Pennington seconds, to approve, research, and prepare a policy that will allow family members that have already paid for a disinterment fee to be able to petition the board for a reduction for the disinterment fee. The reduction fee will not drop below \$2,700 and it is on a case by case bases. The policy is not set at this time. The motion is simply to make a draft and present it to the board in a week. Vote (3-0-1) Presant abstain motions passes.

Avila motioned to refund Caroline Wong \$2,700, Pennington seconds. Vote (3-1) Presant nay

8.7- Update on status of court order restitution from Jose Ortega for damage to headstones.
Legal counsel Thomas Degn gave a brief update. No action taken by the board.

8.8- Stanley Creelman- Agricultural Lease:

Board reviewed lease agreement, no action was taken

8.9- CAPC Education Seminar:

Bernardo announced an office training in Sacramento. Lydia applied for a scholarship for CAPC and got approved. Avila motioned and Pennington seconds to send Lydia and Clara to the CAPC Education Seminar in Sacramento. Vote (4-0) motion passes

8.10- Tree Removal-Kern:

Avila motioned and Pennington seconds to approve Sanchez Brothers to remove a tree on Kern. Vote (4-0) motion passes

8.11- Bank of the Sierra-CD:

Ramos discussed there has been a problem with the bank providing documentation regarding the CD. Board decided to withdraw CD at the three months maturity date. Avila motioned and Presant seconds to withdraw and place funds into another institution. Vote (4-0) motion passes

9.- FUTURE AGENDA ITEMS REQUEST:

9.1- work hours for yard crew



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10- DISTRICT MANGER'S REPORT:

Bernardo reported she has not received the financial numbers for July from the county which did not allow for an Audit Committee Meeting.

11- CLOSED SESSION:

11.1-District Manager's Review

11.2-Conference with Legal Counsel-Significant Exposure to Litigation

Significant Exposure to Litigation (Government Code § Section 54956.9(b) (Two Matters)

At 3:19 pm - Board moved to closed session

At 4:10 pm - Board had nothing to report

ADJOURNMENT:

Chairperson Ramos adjourned the meeting at 4:10 pm

Respectfully Submitted,

Board Secretary



**Tulare Public Cemetery District
Special Board Meeting Minutes
Thursday, August 31, 2023**



A SPECIAL BOARD MEETING WAS HELD ON THURSDAY, AUGUST 31, 2023, AT 1:00 PM, IN THE CONFERENCE ROOM LOCATED AT 900 E. KERN AVENUE, TULARE, CA.

BOARD MEMBERS PRESENT: Chairman Carlos Ramos, Vice Chairman James Pennington, Secretary Alberto Aguilar, Trustees Xavier Avila and Stephen Present.

BOARD MEMBERS ABSENT: None

STAFF PRESENT: District Manager Clara Bernardo

1. CALL TO ORDER:

The Special Board Meeting was called to order at 1:01 pm by Chairman Carols Ramos

2. ROLL CALL:

Carlos Ramos, James Pennington, Alberto Aguilar, Xavier Avila and Stephen Present

3. PLEDGE OF ALLEGIANCE:

Trustee James Pennington led the Pledge of Allegiance

4. MOMENT OF SILENCE IN MEMORY OF THOSE WHO HAVE PASSED

5. RECONGNITION OF VISITORS:

Two visitors

6. PUBLIC COMMENTS:

No public comments

7. TRUSTEE COMMENTS:

Four trustee made comments

8. OPEN SESSION ITEMS:

(All items are subject for discussion and possible action by the Board)

8.1- Endowment Care Fee Update:

Bernardo reported the current cremation burials Endowment Care Fees are \$195, but the Heath and Safety Code states Endowment Care Fees need to be \$200, and the Rose Garden is currently at \$75 and it needs to increase to \$100. No action taken by the Board.

Chairman Ramos called for a recess of the board at 1:30 pm to contact legal counsel about permitting public participation during the items on the agenda. Chairman returned at 1:33 pm, announced the public could participate and resumed to open session.



**Tulare Public Cemetery District
Special Board Meeting Minutes
Thursday, August 31, 2023**



8.2 - Five-year planning:

The Board decided to allow everyone in attendance at the meeting to participate with suggestions or recommendations to develop a strategic five-year plan to improve the operation of the cemetery district. There were a total of 56 suggested items submitted for consideration that were posted on a flip chart, and then grouped into the following categories:

1. Options for cremations and burials
2. Automated gates at both cemeteries and fencing
3. Develop charter for Audit Committee
4. Overall policy and procedures handbook
5. North and Kern expansion
6. Revenue production
7. Tree master plan and Landscaping

The board decided to prioritize the above recommendation and to have another meeting to set forth the guidelines and time frame to accomplish the recommended goals. Trustee Alberto Aguilar and Audit Committee member, Linda Maloy volunteered to develop a charter for the Audit Committee.

9. ADJOURNMENT OF SPECIAL BOARD MEETING:

Chairman, Carlos Ramos adjourned meeting at 3:30 pm

Respectfully Submitted,

Board Secretary

SANDOVAL CONCRETE

LIC. #1036111
 Richard Sandoval, Owner
 Tulare, CA 93274
 Cell (559) 467-9406

PROPOSAL AND ACCEPTANCE

PROPOSAL SUBMITTED TO <i>KERN CEMETERY</i>		PHONE <i>559-686-5544</i>	DATE <i>Aug 29-2023</i>
STREET <i>900 EAST KERN AVE</i>		JOB NAME <i>TULARE Public CEMETERY</i>	
CITY, STATE, AND ZIP CODE <i>TULARE, CA 93274</i>		JOB LOCATION <i>900 EAST KERN AVE</i>	
ARCHITECT <i>DAVID</i>	DATE OF PLANS <i>Aug 25-2023</i>	COUNTY OF <i>TULARE</i>	JOB PHONE <i>559-686-5544</i>

We hereby submit specifications and estimates for:

PHASE I = SOUTH SIDE OF CEMETERY DRIVEWAY APPROACH
 $24' \times 16' = 384$ sqft, DEMO & REPAIR WITH
 6 BAGG CONCRETE MIX - SANDOVAL CONCRETE WILL HAVE
 FOR A 7" SLAB

SOUTH SIDE CEMETERY ON SUMNER ST SIDEWALK REPAIR
 $12.5' \times 8.5' = 106$ sqft DEMO & REPAIR

TOTAL COST WITH ALSO REPAIRING TX2 SIDEWALK
 ON RST IS **\$12,000.00**

PHASE II FUTURE DRIVEWAY ON SOUTHSIDE CEMETERY
 $24' \times 16' = 384$ sqft SANDOVAL CONCRETE TO PUT ALL
 PERMITS, CALL ALL INSPECTIONS - PAY ALL MATERIALS
 AND LABOR
 COST FOR THIS APPROACH IS \$9,000.00

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Twenty-One thousand Dollars = _____ dollars (\$ *21,000.00*)

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workman-like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature *SANDOVAL*

Note: This proposal may be withdrawn by us if not accepted within 3 days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance _____

Signature _____

Signature _____

Evergreen Landscape and Sprinklers Inc.

1633 Zumwalt Ave Phone: 559-685-1579
 Tulare, CA 93274


PROPOSAL

Date	Estimate #
8/31/2023	9606

Name / Address
TULARE CEMETERY 900 E. KERN AVE. TULARE, CA 93274

JOB LOCATION
CONCRETE REPAIR BID INCLUDES PREVAILING WAGES

Project	Terms
	Due on receipt

Description	Qty	Rate	Total
L.F. CURB AND GUTTER PAN REMOVED AND REPLACED, AS PER CITY SPECS. ALONG SONORA ST.	23	65.00	1,495.00
SQ. FT. CONCRETE SIDEWALK REMOVED AND REPLACED, AS PER CITY SPECS. ALONG SONORA ST.	72	15.00	1,080.00
SQ. FT. SIDEWALK REMOVED AND REPLACED, AS PER CITY SPECS. ON R ST.	12	25.00	300.00
SQ. FT. CONCRETE DRIVE APPROACH REMOVED AND REPLACED, AS PER CITY SPECS. ON SONORA ST.	288	20.00	5,760.00
CITY PERMIT/ENCROACHMENT PERMIT (DRIVE APPROACH)	1	340.00	340.00
CITY PERMIT/ENCROACHMENT PERMIT (SIDEWALK)	1	318.00	318.00
CITY PERMIT/ENCROACHMENT PERMIT (CURB AND GUTTER)	1	338.00	338.00
TRAFFICE CONTROL PLAN AND SET UP	1	450.00	450.00
		Total	 \$10,081.00

Signature _____

Evergreen Landscape and Sprinklers Inc.

1633 Zumwalt Ave Phone: 559-685-1579
 Tulare, CA 93274

PROPOSAL

Date	Estimate #
8/31/2023	9607

Name / Address
TULARE CEMETERY 900 E. KERN AVE. TULARE, CA 93274

JOB LOCATION
ADDITIONAL BID BID INCLUDES PREVAILING WAGES

Project	Terms
	Due on receipt

Description	Qty	Rate	Total
SQ. FT. CONCRETE DRIVE WAY CUT BACK TO SET NEW GATE POSTS, AS PER CITY PSECS, ON SONORA ST.	72	15.00	1,080.00
SQ. FT. CONCRETE SIDEWALK REMOVED AND REPLACED, AS PER CITY SPECS. ON SONORA ST.	24	15.00	360.00
SQ. FT NEW CONCRETE DRIVE APPROACH INSTALLED, AS PER CITY SPECS. ON SONORA ST.	288	17.00	4,896.00
NO CITY PERMIT FEE, IF WORK IS DONE SAME TIME AS BID # 9606	1	0.00	0.00
Total			\$6,336.00

Signature _____



CSLB Lic. # A777434 SBE #20916
 DIR #1000001173 WBE #14110042
 23494 Road 196 Lindsay, CA 93247
 Office: 559-562-7802 Fax: 559-562-7902

Proposal

Date	Proposal #
9/18/2023	56878

Tulare Cemetery
 900 E Kern Ave
 Tulare, CA 93274



PO Number	Rep	Project	Job Name		
	NS	Concrete	TC01-PW (Concrete repair)		
Description	Qty	U/M	Unit	Rate	Total
Sonora Ave Entrance: Saw cut and remove existing damaged concrete approach, Install new 21' wide approach with ADA wings and 16' of sidewalk total of 531 sq.ft.. patch back asphalt at curb and gutter. Total for Project				* 23,410.00	23,410.00
Additional approach on Sonora Ave to maintenance yard: Remove and install 24' approach with ADA wings total of 410 sq.ft. Total for Project				18,040.00	18,040.00
S. R Street Remove and replace concrete sidewalk 45 sq.ft. Total for Project if done with other project noted above				* 3,560.00	3,560.00
Non-Taxable				* 0.00%	0.00
We look forward to doing business with you.			Total		\$45,010.00

* \$26,970-

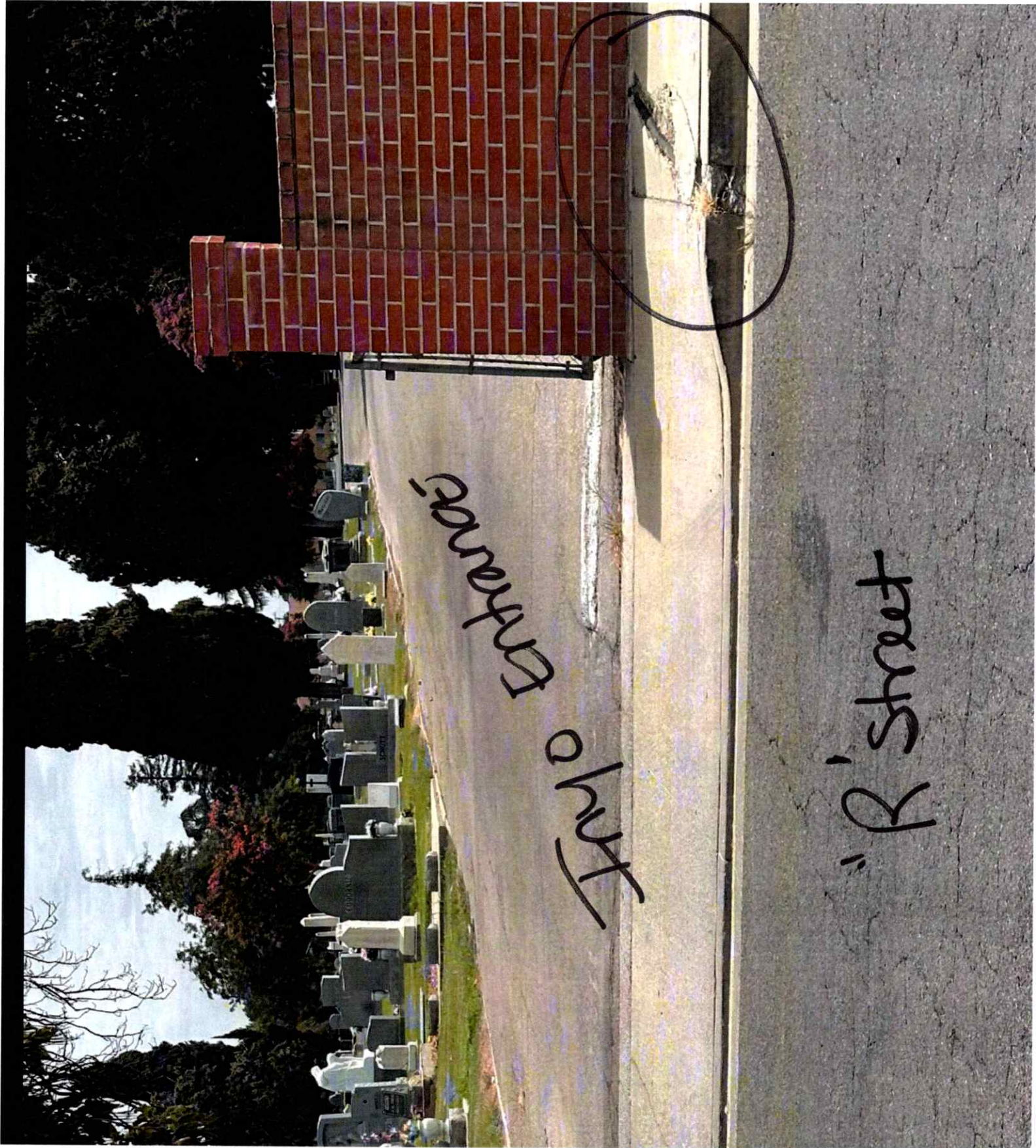
Any alteration or deviation from the above involving extra costs will only be executed upon written orders for the same, and will become an extra charge over and above the estimate. All agreements must be made in writing. This proposal is only good for 30 days. All material is guaranteed.

ACCEPTANCE OF PROPOSAL

By signing this proposal I am confirming that I am in agreement of the following:

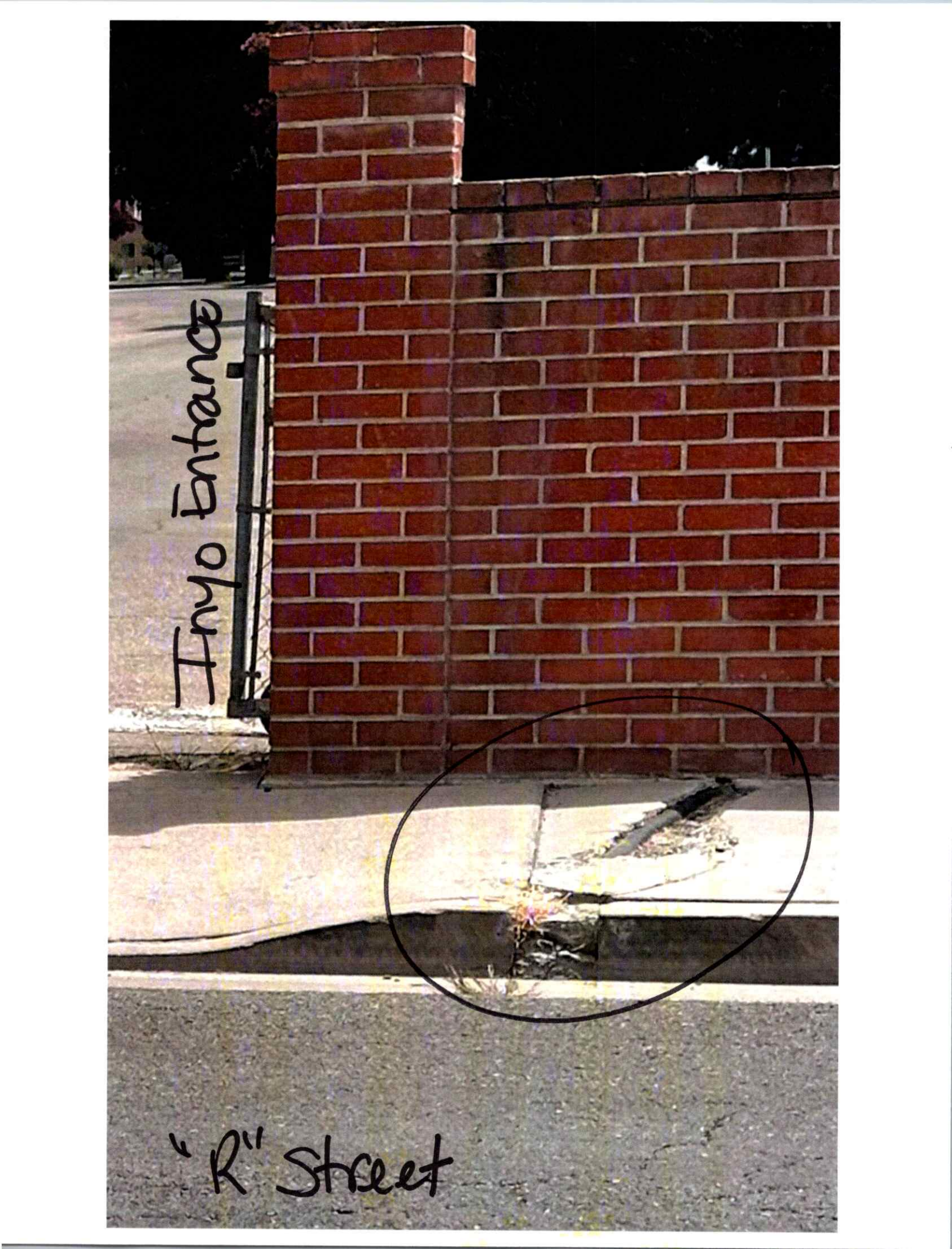
The price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to perform the work specified. Payment will be made in full upon completion. I understand that a Finance Charge of 1 1/2% per month, which is 18% Annual Percentage Rate will be charged on past due payments. I also agreed that, if collection is made by suit or otherwise we agree to pay interest per month after 30 days, along with collection costs, including attorney's fees as may be adjudged by court.

Signature _____



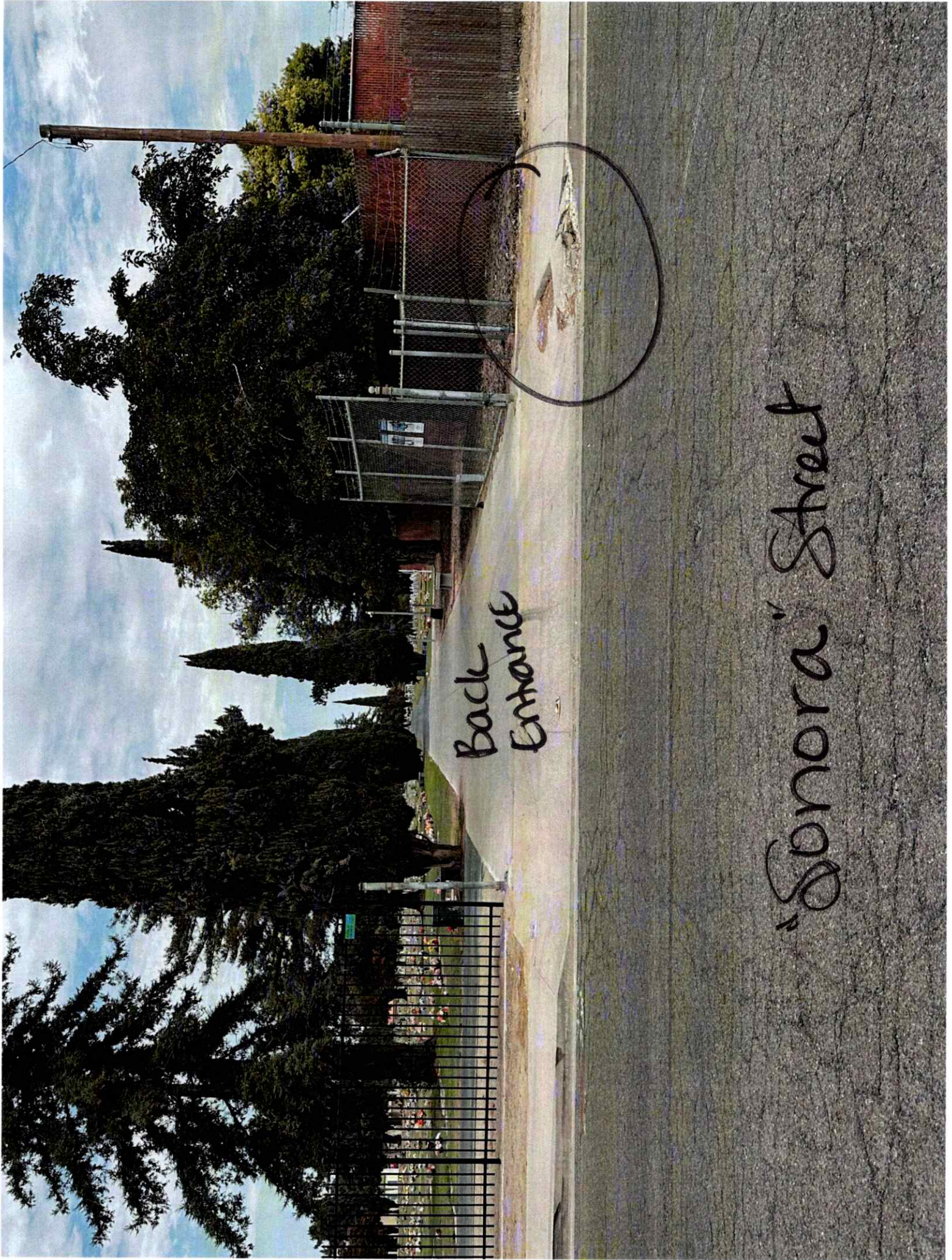
Entrance
10th St

"R Street"



Fryo Entrance

"R" Street



Back
Entrance

"Sonora" Street



! "Sonora" street

Residency Requirement and Out-of-District Resident Eligibility

The Tulare Public Cemetery District is a "District" cemetery, supported in part by the residents and taxpayers of the District. We will be in strict compliance at all times with the CA Health and Safety Code, Sections 9060 and 9061, which mandate the residency requirements, and "Out of District" eligibility requirements, for interment in a District cemetery.

Like other public cemetery districts, Tulare Public Cemetery District is regulated by local, state, and federal law, specifically, the California Health and Safety code 9000-9093, which pertains to Public Cemeteries. The District has specific boundaries within Tulare County, and, accordingly, its services are primarily limited to current and qualifying former residents of the District, current and qualifying former taxpayers of the District, and/or family members of those already interred in the District. More information regarding persons that may qualify for interment in the District is below:

1. Purchasing and Burial Legal Requirements

The District **requires** proof of residency to purchase burial rights and determine residency status of the purchaser or deceased, (P.O. Box does not qualify). All documentation used for verification must have the same legal names and addresses as the purchaser or decedent and must be within the last thirty days (30) and/or currently valid. Verification of residency is determined by one item from each category below and is required (all verification documents must be current or as of the date of passing):

- Category 1, Legal Identification:
 - Valid Driver's License
 - Valid CA State issued Identification
 - Military Identification
- Category 2, Property Ownership Documentation or Lease Agreement:
 - Residential lease [rental agreement] which includes the property address, the names of authorized occupants when occupants are specified on the rental/lease agreement.
 - Property tax bill, current.
- Category 3, Banking Statements and Utility bills (not wireless or mobile):
 - Electric or Gas Bill
 - Water & Trash bill,
 - Bank statement.
- Category 4 (in the case of a burial):
 - Death Certificate to verify address at time of passing.

Additional documentation may be required for further verification. Additional documentation may include, but is not limited to:

- Court documents, including proof of various types of legal custodianship, power of attorney, or living trusts,
- Billing statements,
- Other documents.

2. Exceptions

The only exception to California and District residency requirements are made for immediate family members, in the case of purchase or burial, and are assessed a non-resident fee. Immediate family members are defined as:

- Spouse, Mother, Father, Sister, Brother, Child, Grandchild, Grandparent
- Any combination of relation previously listed recognized by legal adoption and marriage (legal documentation is required to be presented for or verification).

3. Non-Resident, Previously Purchased

If you are **not** a resident of our tax district but have previously purchased burial rights or are eligible to be buried because of close immediate family relations, there is an additional non-resident fee that must be paid before any burials are scheduled.

4. Close Family Relation, Resident

If you are a resident, but do not own burial rights and are an immediate family member of a person with burial rights, you may be buried within their site at their discretion, but the above requirements still apply.

5. Non-Resident

“Non-Resident” is an ineligible resident, currently not paying property taxes for the support of the Cemetery District. If you are a non-resident but have an immediate family member residing in the tax district or buried in the District Cemetery, this may make you eligible to purchase. However, a nonresident fee or a partial non-resident fee will be added to all purchases or burials for all non-residents.

Family Member is defined by California Health & Safety Code §9002 (f) as: any spouse, by marriage or otherwise, domestic partnership, child, or stepchild, by natural birth or adoption, parent, brother, sister, half-brother, half-sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or any person denoted by the prefix “grand” or “great,” or the spouse of any of these persons.

Proof of relationship is required.

Determination of whether the person qualifies for In-District or Out-of-District interment shall be made at time of purchase of the interment right, regardless of whether the right is purchased at-need or pre-need. The charge for Out-of-District interment Fee paid as a pre-need is refundable, if the person to be interred becomes eligible for In-District interment at time of burial.