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Sam Randall
General Manager

ORANGE COUNTY CEMETERY DISTRICT

August 24, 2005

Hon. Fredrick P. Horn
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

RE: Responses to 2004-05 Grand Jury Report

Dear Judge Horn:

Pursuant to California Penal Code Section 933 and 933.05, responses to Findings and Recommendations from the Orange County Grand Jury 2004-05 report "Orange County Cemetery District" are herewith submitted.

I hope these responses to the Findings and Recommendations are satisfactory; however, if clarification or additional information is needed, please contact Sam Randall, General Manager, at (949) 951-9102.

Sincerely,

A handwritten signature in cursive script that reads "Vivien Owen".

Vivien Owen, Chairman
Board of Trustees

CEMETERY LOCATIONS

Anaheim Cemetery
1400 E. Sycamore St.
Anaheim, CA 92805
(714) 535-4928

El Toro Memorial Park
25751 Trabuco Rd.
Lake Forest, CA 92630
(949) 951-8244

Santa Ana Cemetery
1919 E. Santa Clara Ave.
Santa Ana, CA 92705
(714) 953-2959

**Response to Findings and Recommendations to
2004-2005 Orange County Grand Jury Report
“Orange County Cemetery District”**

RESPONSE TO FINDINGS:

7.1 *Sprinklers vs. Hand Watering: The Santa Ana and Anaheim Cemeteries do not have sprinkler systems. El Toro Memorial Park has a partial sprinkler system. The grand jury questions whether hand-watering is cost effective and an efficient use of labor.*

Response to Finding #7.1: Agrees with finding.

7.2 *Endowment Study: According to OCCD’s preliminary endowment study endowment funds are adequate until the year 2025. The grand jury has reservations about the adequacy of a one-time and preliminary study.*

Response to Finding #7.2: Agrees with finding.

7.3 *Management Structure: El Toro and Anaheim cemeteries have cemetery managers; Santa Ana, the largest of the cemeteries, does not. Inconsistencies in work assignments and management structure contribute to personnel tension.*

Response to Finding #7.3: Disagrees wholly with finding.

It is the position of the Board that it is not necessary to have the same management structure at each cemetery. The management structure is not determined by the size of the facility, but rather by special requirements, unusual situations or circumstances that require a higher level of management expertise.

7.4 *Safe and Adequate Employee Facilities: El Toro Memorial Park groundskeepers are eating in a area where 1) food could be affected by toxins, and where 2) there are no facilities for personal hygiene. According to Cal OSHA, it is the responsibility of an employer to prohibit eating in an environment where food could be contaminated.*

Response to Finding #7.4: Agrees with finding.

- 7.5 *Gravesite Location Database:*** 1) Anaheim and Santa Ana cemeteries are not linked to OCCD's electronic database for gravesite locations and 2) the OCCD website, unlike some cemeteries, does not post a list of deceased persons' graves. Even with an on-site burial book at each location, it is impossible for relatives and genealogists to get real-time information about the people and locations of OCCD burial spaces.

Response to Finding #7.5: Agrees with finding.

- 7.6 *Training Employees:*** OCCD does not require managers and lead workers to get training in employee management skills or employee communication. This lack of training contributes to the personnel misunderstandings and conflicts observed by the grand jury.

Response to Finding #7.6: Disagrees partially with finding

The Board requires managers to attend all State and Federal mandated training. The lead workers who are part of the Grounds keeping unit have not been included in this mandatory training.

- 7.7 *Ceremony Schedules on Website:*** OCCD does not use its website to post information about public ceremonies held at the three cemeteries; therefore, Orange County residents cannot inform themselves.

Response to Finding #7.7: Agrees with finding.

- 7.8 *Groundskeepers Setting Grave Markers:*** OCCD groundskeepers are still required to assist the outside contractor who sets grave markers, even though the contractor was hired to safeguard OCCD from workers' compensation claims related to employee injuries from setting grave markers.

Response to Finding #7.8: Agrees with finding.

7.9 *Unattractive Maintenance Facility at Neighboring Cemetery:* It is difficult for Santa Ana Cemetery to sell burial spaces that overlook a neighboring cemetery's unsightly maintenance area (shed, tractors, tools, and other equipment).

Response to Finding #7.9: Agrees with finding.

7.10 *Board of Trustees Meetings:* Most board meetings are held at El Toro Memorial Park, OCCD headquarters, and only occasionally at the two other cemeteries. The practice limits trustee awareness of the unique issues, needs, and employees of each of the OCCD cemeteries.

Response to Finding #7.10: Disagrees partially with finding

In the Board's opinion, the practice of holding most regular meetings at the District Headquarters does not limit their awareness of the unique issues and needs of the other cemeteries. The Board is kept apprised of what is happening in the other cemeteries through meetings with staff and written correspondence and, therefore, believes they are aware of any unique issues and needs of the other cemeteries.

RESPONSE TO RECOMMENDATIONS:

- 8.1 *Sprinklers vs. Hand Watering:* Recommend the district make a cost/benefits analysis of sprinklers versus hand-watered cemetery lawns and gardens.**

Response to Recommendation #8.1: The recommendation has not been implemented but will be implemented in the future.

An automated irrigation system design and cost benefit analysis for the Santa Ana Cemetery will be completed by mid-October. Since the El Toro Memorial Park is over 80% automated, the small areas that are hand watered do not pose a significant labor issue and, therefore, will not be scheduled for study. The main irrigation costs associated with the Anaheim Cemetery is electricity to operate the pump and delivery system in the District owned well. These costs would not be appreciably lower with automated sprinklers; however, there would be a benefit through a more efficient use of manpower. A cost benefit study will be developed with a target date of March 1, 2006.

- 8.2 *Endowment Study:* Recommend OCCD do an annual endowment study to ensure adequate funds to maintain all three cemeteries in perpetuity.**

Response to Recommendation #8.1: The recommendation has not been implemented but will be implemented in the future.

The Board of Trustees acknowledges that the endowment study was not designed as a “one time only” document, but rather a tool for long-term financial planning and the study will be updated periodically.

- 8.3 *Management Structure:* Recommend OCCD establish the same management structure at all three cemeteries.**

Response to Recommendation #8.3: The recommendation will not be implemented because it is not warranted as stated in the Board’s response to the findings.

The management structure is determined by factors other than acreage. The District's needs as well as those of the public are unique at each site.

8.4 *Safe and Adequate Employee Facilities:* Recommend OCCD require El Toro Memorial Park groundskeepers to eat in a safe area that has adequate facilities for personal hygiene.

Response to Recommendation #8.4: The recommendation has been implemented.

The eating area for the employees at the El Toro Memorial Park has been remodeled to include paint, new light fixtures, flooring and lockers. A new sink with hot water availability has also been installed. Any material that could possibly be a contaminate has been placed into proper storage or moved into another facility.

8.5 *Gravesite Location Database:* Recommend OCCD 1) accelerate the process of linking Santa Ana and Anaheim cemeteries to the gravesite location database, and 2) establish a modified version of the database on the OCCD website for the use of genealogists and relatives of the deceased.

Response to Recommendation #8.5: The recommendation has been partially implemented.

The Santa Ana Cemetery is now linked to the District's burial management system with full access to the database. The Anaheim Cemetery will be linked this fiscal year in conjunction with the construction of the new office site.

The second phase of Recommendation 8.5 which was to establish a modified version of the database on the website for use of genealogists and relatives of the deceased will require further analysis and coordination with the system provider and also software engineer. A determination as to the feasibility of this issue will be provided by February 28, 2006.

8.6 *Training Employees:* Recommend OCCD require training of all managers and lead workers in employee management skills and employee communications.

Response to Recommendation #8.6: The recommendation has not been implemented but will be implemented in the future.

Managers and lead workers will be required to attend training in management skills and employer/employee communications. This training will take place during fiscal year 2005/06

8.7 *Ceremony Schedules on Website:* Recommend OCCD communicate with Orange County residents by providing website information and schedules related to OCCD's public ceremonies, dates, and times.

Response to Recommendation #8.7: The recommendation has not been implemented but will be implemented in the future.

The recommendation will be implemented prior to Veterans Day, November 11, 2005, which will be the next District ceremony. From this date forward, programs such as the Pearl Harbor Observance, Memorial Day, and the Candlelight Vigil at the Angel of Hope Monument will be placed on the website along with any other special ceremonies or events that the Cemetery District sponsors.

8.8 *Groundskeepers Setting Grave Markers:* Recommend OCCD review if the weightlifting limitations for OCCD groundskeepers are being exceeded when they help the contractor to install grave markers.

Response to Recommendation #8.8: The recommendation has not been implemented but will be implemented in the future.

The recommendation will be implemented by November 1, 2005. Cemetery staff will review safety plans and job descriptions to incorporate maximum lifting limitations as recommended by OSHA and the District's Risk Management Consultant.

- 8.9 *Unattractive Maintenance Facility at Neighboring Cemetery:* Recommend OCCD initiate discussions with Santa Ana's neighboring cemetery with the goal of improving the look of neighbor's unsightly maintenance area.**

Response to Recommendation #8.9: The recommendation has been implemented.

Staff has initiated discussion with neighboring cemetery regarding improving the look of their maintenance area. Some planting and screening in the front of the area has been accomplished

- 8.10 *Board of Trustees Meetings:* Recommend the OCCD Board of Trustees—in order to heighten their awareness of the unique issues, needs, and employees of each OCCD cemetery—hold their monthly meetings, throughout the year, on a continuously rotating basis among the three cemetery locations.**

Response to Recommendation #8.10: The recommendation will not be implemented because it is not warranted.

It is the position of the Board of Trustees that rotating the regular monthly meetings to different locations would create an undue hardship for the public. The need for public access and participation would override any benefit derived from rotating the meetings. The Board will, however, continue to hold meetings at the other cemeteries, periodically.