

**RESOLUTION NO. 2025-02**

**A RESOLUTION OF THE MURRIETA VALLEY CEMETERY DISTRICT BOARD OF TRUSTEES MODIFYING THE POLICY REGARDING USE OF SHORING WHEN NOT REQUIRED BY CALIFORNIA DEPT OF INDUSTRIAL RELATIONS CAL/OSHA**

**WHEREAS**, the Murrieta Valley Cemetery District (the “District”) is a special district duly organized and existing under and by virtue of the California Public Cemetery District Law, codified in Health and Safety Code Sections 9000 *et seq.*; and

**WHEREAS**, Health and Safety Code Section 9020 provides that the Board of Trustees (the “Board”) shall serve as the legislative body of the District, govern the District, and establish policies for the operation of the District; and

**WHEREAS**, the District has a Policy and Procedure Manual that includes a Safety Handbook section; and

**WHEREAS**, the Safety Handbook section 9(b) states “*District approved shoring must be used for excavations over 5’ in depth.*”; and

**WHEREAS**, in an effort to promote process efficiency in grave excavations and backfills, maintain safety, mitigate risk exposure, minimize operating expense, and remain in compliance with California Department of Industrial Relations CalOSHA section 1541(a)1 the Board wishes to modify the existing policy to state “*District approved shoring must be used for excavations over 5’ in depth if an employee will be working in the grave*” thereby reducing the unnecessary movement and use of a shoring device. An addendum to the same policy shall be added to indicate that an open grave to be left unattended shall be covered; and a grave to be left open overnight shall have shoring in place and a cover securely fastened to the shoring device.

**NOW, THEREFORE, be it resolved by the Board of Trustees of the District as follows:**

**Section 1. Recitals.**

That the Recitals set forth above are true and correct.

**Section 2. Updating the Policy and Procedure Manual to remain in compliance with the California Department of Industrial Relations CalOSHA section 1541(a)1 while reducing the unnecessary use of shoring, as well as add direction for safeguarding an unattended open grave.**

The District Policy and Procedure Manual, Safety Handbook section 9(b), as it pertains to double-depth grave excavations, is updated to state: *“District-approved shoring must be used for excavations over 5’ in depth if an employee will be working in the grave.”* and section 9(c) updated to state: *“Any full, single or double-depth grave to be left open overnight must have shoring in place and covering secured to the shoring device.”*

**Section 3. Severability.**

That the Board of Trustees declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution shall remain in full force and effect.

**Section 4. Repeal of Conflicting Provisions.**

That all the provisions heretofore adopted by the Board of Trustees that are in conflict with the provisions of this Resolution are hereby repealed.

**Section 5. Effective Date.**

That this Resolution shall take effect immediately upon its adoption.

**Section 6. Certification.**

That the Secretary of the Board of Trustees shall certify to the passage and adoption of this Resolution, enter the same in the book for original resolutions of the District, and make a minute of passage and adoption thereof in the records of the proceedings of the Board of Trustees, in the minutes of the meeting at which this Resolution is passed and adopted.

**PASSED, APPROVED AND ADOPTED** by the Board of Trustees of the Murrieta Valley Cemetery District at a regular meeting duly held on the \_\_\_\_\_ day of \_\_\_\_\_ 2025, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Chelsea Richi, Board Secretary

\_\_\_\_\_  
Jennifer Mejares-Pham,  
Board Chair

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Steven B. Quintanilla, General Counsel