

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.

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.

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.”*

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.

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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