

**City of Garden Grove**

**INTER-DEPARTMENT MEMORANDUM**

To: Matthew J. Fertal  
Dept: City Manager  
Subject: ADOPTION OF A RESOLUTION IN SUPPORT OF ASSEMBLY BILL 1453 (QUIRK-SILVA) REGARDING THE SOUTHERN CALIFORNIA VETERANS CEMETERY

From: Maria Stipe  
Dept: City Manager  
Date: March 11, 2014

OBJECTIVE

To provide a resolution of the City Council of the City of Garden Grove, in support of Assembly Bill 1453 and in favor of the establishment of the Southern California Veterans Cemetery in Orange County for City Council consideration and approval.

BACKGROUND

Assembly Member Quirk-Silva has introduced AB 1453, which would direct the Department of Veterans Affairs to apply to the United States Department of Veterans Affairs State Cemetery Grant Program for the construction of a Southern California Veterans Cemetery in Orange County.

In addition, AB 1453 would:

- Allow all honorably discharged veterans and their spouses and children eligibility for internment in the cemetery. A fee would be imposed for each spouse or child interred in the cemetery.
- Create the Southern California Veterans Cemetery Master Development Fund. All money received for the design, development, and construction of the cemetery would be deposited into this fund.
- Create the Southern California Veterans Cemetery Perpetual Maintenance Fund. All funds received would be allocated for the cemetery's maintenance.
- Authorize the cemetery administrator to accept donations of personal property to be used for the maintenance and beautification of the cemetery.

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DISCUSSION

California is home to more veterans than any other state in the nation with a majority of those veterans residing in Southern California. According to the National Cemetery Administration, the closest regional option for Orange County veterans is the Riverside Veterans Cemetery, which offers neither a convenient location nor a long term solution for the large number of Orange County veterans and their families. Despite the fact that Orange County is home to Army, Navy and Marine bases, Orange County has been identified as the state's largest county without a veterans cemetery.

FINANCIAL IMPACT

No direct impact.

RECOMMENDATION

It is recommended that the City Council:

- Adopt the attached resolution in support of Assembly Bill 1453 and in favor of the establishment of the Southern California Veterans Cemetery in Orange County.

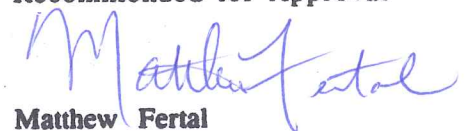


MARIA STIPE  
Deputy City Manager

Attachment 1: Resolution

Attachment 2: Bill Text-AB 1453 Southern California Veterans Cemetery

**Recommended for Approval**



**Matthew Feral**  
City Manager



California  
LEGISLATIVE INFORMATION

AB-1453 Southern California Veterans Cemetery. (201

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CALIFORNIA LEGISLATURE— 2013–2014 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1453**

**Introduced by Assembly Member Quirk-Silva**

**January 09, 2014**

An act to add Chapter 9.5 (commencing with Section 1410) to Division 6 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1453, as introduced, Quirk-Silva. Southern California Veterans Cemetery.

The Department of Veterans Affairs is created in state government and the Secretary of Veterans Affairs is the head of the department. Under existing law, the Department of Veterans Affairs, in voluntary cooperation with the Shasta County Board of Supervisors and the boards of supervisors of specified northern California counties, is required to design, develop, and construct a state-owned and state-operated Northern California Veterans Cemetery.

This bill would require the department, in voluntary cooperation with the Orange County Board of Supervisors and city councils of other participating southern California cities, to design, develop, and construct a state-owned and state-operated Southern California Veterans Cemetery. The bill would make all honorably discharged veterans and their spouses and children eligible for interment in the cemetery. The bill would impose a fee of \$\_\_\_\_\_ for each spouse or child interred in the cemetery.

The bill would create the Southern California Veterans Cemetery Master Development Fund, a continuously appropriated fund, and would require all moneys received for the design, development, and construction of the cemetery to be deposited in this fund. By creating a continuously appropriated fund, the bill would make an appropriation. The bill would also create the Southern California Veterans Cemetery Perpetual Maintenance Fund and would direct all moneys received for the maintenance of the cemetery, including those moneys received for the interment of a spouse or child.

The bill would make proposals for the construction, placement, or donation of monuments and memorials to the cemetery subject to review by a specified advisory committee and subject to final approval by the Secretary.

The bill would authorize the cemetery administrator to accept donations of personal property to be used for the maintenance or beautification of the cemetery. The bill would require cash donations to be deposited into the Northern California Veterans Cemetery Donations Fund, a continuously appropriated fund created by this bill, and would require the cash donations to be expended for the maintenance and repair of the facility, as specified. By creating a continuously appropriated fund, the bill would make an appropriation.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Chapter 9.5 (commencing with Section 1410) is added to Division 6 of the Military and Veterans Code, to read:

**CHAPTER 9.5. Southern California Veterans Cemetery**

**1410.** (a) (1) The department, in voluntary cooperation with the Orange County Board of Supervisors and the city councils of other participating southern California cities as specified in Section 1412, shall design, develop, and construct a state-owned and state-operated Southern California Veterans Cemetery, which shall be located in Orange County, California.

(2) The department shall oversee and coordinate the design, development, and construction of the cemetery.

(3) For purposes of this chapter, "department" means the Department of Veterans Affairs.

(b) (1) All honorably discharged veterans and their spouses and children are eligible for internment in the cemetery. A fee of \_\_\_\_ dollars (\$\_\_\_\_) shall be charged for each spouse or child interred in the cemetery. This fee shall not exceed the reasonable costs to the department for internment in the cemetery.

(2) For the purposes of this subdivision, the department shall adopt regulations to specify the eligibility requirements for interment in the cemetery. These regulations shall be adopted pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(3) All fees received pursuant to paragraph (1) shall be deposited in the Southern California Veterans Cemetery Perpetual Maintenance Fund created pursuant to Section 1412.

**1412.** (a) For the purposes of Section 1410, the Orange County Board of Supervisors may join with the city councils of cities within Orange County wishing to participate in the design, development, and construction of the cemetery.

(b) All moneys received for the design, development, and construction of the cemetery shall be deposited in the Southern California Veterans Cemetery Master Development Fund, which is hereby created in the State Treasury. Notwithstanding Section 13340 of the Government Code, money in the fund is continuously appropriated to the department for the purpose of designing, developing, constructing, and equipping the cemetery. Moneys appropriated by the Legislature for these purposes shall also be deposited in the fund.

(c) (1) All moneys received for the maintenance of the cemetery, including moneys received pursuant to subdivision (b) of Section 1410, shall be deposited in the Southern California Veterans Cemetery Perpetual Maintenance Fund, which is hereby created in the State Treasury. Any state funding for the annual maintenance of the cemetery shall be appropriated by the Legislature in the annual Budget Act.

(2) It is estimated that, after the construction of the cemetery, \_\_\_\_ dollars (\$\_\_\_\_) should be appropriated annually by the Legislature in the annual Budget Act or the participating southern California counties, or both, to the department for the operating costs of the cemetery.

(3) Total expenditures for operations and maintenance should not be more than \_\_\_\_ dollars (\$\_\_\_\_) per fiscal year, as appropriated in the annual Budget Act.

**1414.** (a) Proposals for the construction, placement, or donation of monuments and memorials to the cemetery shall be subject to review by an advisory committee comprised of the cemetery administrator, representatives from Orange County, local veterans' service organizations, and others as approved by the secretary.

(b) All proposals for the construction, placement, or donation of monuments and memorials to the cemetery shall be subject to the final approval of the secretary.

(c) The department shall adopt regulations for the policies and procedures to be followed with respect to the design, placement, and approval of monuments and memorials proposed to be placed on the cemetery grounds. These regulations shall be adopted pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

**1416.** (a) Notwithstanding Section 11005 of the Government Code, the cemetery administrator, subject to the approval of the secretary, may accept donations of personal property, including cash or other gifts, to be used for the maintenance or beautification of the cemetery.

(b) Cash donations made pursuant to subdivision (a) shall be deposited into the Northern California Veterans Cemetery Donations Fund, which is hereby created. Notwithstanding Section 13340 of the Government Code, money in the fund is continuously appropriated to the department for the maintenance and repair of the facility or, subject to the approval of the secretary, for a specified cemetery maintenance or beautification project designated by the donor.