

TO: LAFCO Commissioners

FROM: Javier Camarena, Assistant Executive Officer

SUBJECT: MSR NO. 2019-02, SOI UPDATE 2019-02: MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE HILLS FERRY, KNIGHTS FERRY, AND PATTERSON CEMETERY DISTRICTS

INTRODUCTION

This proposal was initiated by the Local Agency Formation Commission in response to State mandates that require the Commission to conduct municipal service reviews and sphere of influence updates for all cities and special districts at least once every five years. The current review covers the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts. The previous update for these districts was adopted September 24, 2014.

DISCUSSION

There are three Public Cemetery Districts in Stanislaus County: Hills Ferry, Knights Ferry, and Patterson Cemetery Districts. The Districts were organized under the California Health and Safety Code Section 9000 et. seq. Pursuant to State law, Cemetery Districts are legally authorized to provide standard cemetery functions including land acquisition, cemetery maintenance, and grounds keeping. A Board of Trustees, appointed by the Stanislaus County Board of Supervisors, governs each of the Districts.

The Municipal Service Review and Sphere of Influence Update process provides an opportunity for the Districts to share accurate and current data, accomplishments and information regarding the services they provide. LAFCO Staff sent the previously approved Municipal Service Review and Sphere of Influence document to each of the Cemetery Districts for their comments, revisions and updated information. LAFCO Staff also reviews the Districts' most recent audits, current budget, and previous five years of reports from the State Controller's office. Once this data was collected, a revised Municipal Service Review and Sphere of Influence Update document was drafted.

The proposed Municipal Service Review and Sphere of Influence document is attached to this report as Exhibit 1. The relevant factors as set forth by the Cortese-Knox-Hertzberg Act are discussed for each District. No changes are being proposed for the Districts' Spheres of Influence.

ENVIRONMENTAL REVIEW RECOMMENDATION

Pursuant to the California Environmental Quality Act (CEQA), the adoption of a municipal service review is considered to be categorically exempt from the preparation of environmental documentation under a classification related to information gathering (Class 6 - Regulation §15306). Further, LAFCO's concurrent reaffirmation of an existing sphere of influence qualifies for a General Exemption as outlined in CEQA Regulation §15061(b)(3), which states:

The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

As there are no land use changes, boundary changes, or environmental impacts associated with

the Municipal Service Review and Sphere of Influence Update, a Notice of Exemption is the appropriate environmental document.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted, the Commission should consider choosing one of the following options:

- Option 1:** APPROVE the Municipal Service Review and Sphere of Influence Update for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts.
- Option 2:** DENY one or more of the updates.
- Option 3:** If the Commission needs more information, it should CONTINUE this matter to a future meeting (maximum 70 days).

RECOMMENDED ACTION

Approve Option 1. Based on the information presented, Staff recommends approval of Municipal Service Review and Sphere of Influence Update for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts. Therefore, Staff recommends that the Commission adopt Resolution No. 2019-16, which:

1. Determines that the Municipal Service Review and Sphere of Influence Update qualifies for a General Exemption from further California Environmental Quality Act (CEQA) review based on CEQA Regulations §15306 and §15061(b)(3);
2. Makes determinations related to the Municipal Service Review and Sphere of Influence Update as required by Government Code §56425 and §56430; and,
3. Determines that the Spheres of Influence for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts should be affirmed as they currently exist.

Attachments:

- Municipal Service Review and Sphere of Influence Update for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts
- Draft Resolution No. 2019-16