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**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)**  
**EXECUTIVE OFFICER'S REPORT**

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AGENDA ITEM NO. 7

**DATE:** September 13, 2017

**TO:** Fresno Local Agency Formation Commission

**FROM:** David E. Fey, Executive Officer 

**BY:** George Uc, Senior LAFCo Analyst

**SUBJECT:** **Consider Adoption:** Municipal Service Review and Sphere of Influence Update for Parlier Cemetery District

**Recommendation:** Adopt the Municipal Service Review update prepared for Parlier Cemetery District and update the District's spheres of influence by taking the following actions:

- A. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines find that the MSR prepared for Parlier Cemetery District is Categorically Exempt from the provisions of CEQA under Section 15306, "Information Collection."
- B. Find that the Municipal Service Review prepared for Parlier Cemetery District is complete and satisfactory.
- C. Find that the written determinations and recommendations included within the Municipal Service Review and Sphere of Influence update for Parlier Cemetery District satisfy State Law.
- D. Pursuant to Government Code Sections 56425 and 56430 make the required determinations and recommendations for the Municipal Service Review and Sphere of Influence update, and adopt the Municipal Service Review prepared for the subject District, and update the Sphere of Influence for the said District by reaffirming the existing boundaries.

**Executive Summary**

The Parlier Cemetery District ("District") was formed in 1926 to provide burial and interment of human remains to meet the cultural, economic, religious, and social needs within the Parlier area. The District is an independent special district governed by a five-member board of trustees. The attached Municipal Service Review (MSR, Attachment B) provides supportive evidence and recommends the affirmation of the District's current SOI. Staff recommends that the Commission affirm the current sphere of influence (SOI).

Parlier Cemetery District General Manager, Nanci Tapia, actively participated in the development of the MSR and was provided a copy of this report.

## **Cemetery Districts**

The California Legislature authorized the creation of public cemetery districts in 1909 through California Public Cemetery District Law, (Health and Safety Code section 9000 *et seq.*). This law was revised in its entirety and recodified effective January 1, 2004. The Public Cemetery District Law provides broad statutory authority for public cemetery districts to own, improve, expand, and operate public cemeteries.<sup>1</sup>

There are 12 cemetery districts in County of Fresno: Clovis, Coalinga-Huron, Dunlap, Fowler, Kingsburg, Oak Grove, Parlier, Reedley, Sanger/ Del Rey, Selma, Squaw Valley, and Washington Colony.

In accordance with Government Code section 56066, Fresno County is the principal county for Parlier Cemetery District and LAFCo is responsible for updating the SOI for the District consistent with section 56425(g). In order to update the agency's SOI, Fresno LAFCo has prepared the attached service review in accordance with section 56430.

## **Parlier Cemetery District - Discussion & Summary of Determinations**

The Parlier Cemetery District is an independent special district governed by a five-member board of trustees, and functions independently from the County. At the time this report was prepared there were four active trustees, and one vacant seat on the District board. The MSR makes recommendation for the District to seek interested candidates to fill the current board seat vacancy. The major functions of the trustees are to set policy, define goals and objectives, and adopt rules and regulations as the custodians of the District's property. The board has an appointed District General Manager to carry out District policy, direct the agency's operations, provide daily supervision of staff and facilities, and administer the District's expenditures. The District's General Manager is assisted by two grounds persons.

The District's service area and sphere of influence (SOI) are coterminous and encompasses 12,681 acres. The District's boundaries are generally bounded by Central Avenue on the north, Bethel Avenue on the west, Rose Avenue on the south, and Lac Jac Avenue on the east (see Figure 1) as shown on Exhibit A.

The largest growth area anticipated to occur inside the District's service will likely be generated by the City of Parlier. According to the ACS U.S. census tracts/block group units located within the District, there is an estimated total population of 17,334 people inside the District's boundaries.<sup>2</sup> The County of Fresno and City of Parlier are the land use authorities for territory inside the District's service area. The Fresno County General Plan designates majority of the land within the District for agricultural uses. Parlier's General Plan Land Use Element designates urban uses for the areas inside the City and its SOI.

City of Parlier's incorporated boundaries include 1,499 acres, while the Parlier's SOI encompasses 5,516 acres. There are 4,017 acres within Parlier's SOI suitable for future urban development. Approximately 220 acres of land west of Academy Avenue, south of Parlier

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<sup>1</sup> Health and Safety Code (HSC) section 9000.

<sup>2</sup> Calculated Population by LAFCo; 4 US census tracts, 11 block group unites within the District. January 31, 2017.

Avenue down to Huntsman Avenue are outside the District's service area and inside Selma Cemetery District's service area.

The District's infrastructure consists of one 11-acre cemetery facility located at 7932 South Mendocino Avenue, Parlier, CA 93648. The District annually averages 50 to 60 interments. The District also owns two land parcels situated immediately northwest and southeast of the existing cemetery planned for future cemetery use. The two parcels combined total to 2.7-acres of land reserved for future development. The District owns its office building, a shop, equipment, and machinery needed to provide burial and interment services. The District informed LAFCo that the cemetery facility has a 20-year capacity.

Using the Commission's 20 to 25-year planning horizon for SOIs, District management does not expect any boundary growth or activities to occur. The District's growth is restricted on all sides by other similar cemetery districts. LAFCo expects that growth of District facilities will occur through expansion of its existing facilities or the purchase/lease of real property within the District boundaries. The MSR update recommends the Commission to consider updating the District's SOI by reaffirming the existing boundaries.

#### District Revenue

The District's primary source of revenue is the annual property tax charged to all parcels within the District's boundaries. The District receives its share of the 1% property tax based on its pre-Proposition 13 level of taxation through the Fresno County Auditor-Controller/Treasurer-Tax Collector. The District also receives revenue from plot sales, services rendered, intergovernmental agreements, and land interest generated by sold plots, operation grant funding, contributions, and capital grants. For the 2015-16 fiscal year, the District budget amounted to \$241,600.

The District's general fund budget ending in June 30, 2016, projected a surplus of \$402. District revenue is increase by \$6,193 compared to 2014/2015. The District does not anticipate user rates to increase from earlier years.

The District has an established endowment fund. The purpose of the Endowment Care Fund is to create a fund, the principal of which may never be used for any purpose, but which generates interest income which is then used for the perpetual care and maintenance of district cemeteries. Once deposits are made into the Endowment Care Fund, they can never be withdrawn or refunded to contributors. The District shows approximately \$380,160 in its nonspendable and restricted fund balance at the time the financial audit was performed.

#### Water Resources, Sustainable Groundwater Management Act

The cemetery obtains its irrigation water source from one underground well located at the cemetery's premise. The District informed LAFCo that its 11-acre facility is sectioned into 10 divisions for irrigation purposes. The District informed LAFCo that it irrigates one division at a time for approximately a half hour and irrigates about three divisions per day. The District irrigates Mondays, Wednesdays, and Fridays from 6:00 a.m. to 12:00 p.m. During the dry years, the District reduces its watering schedule. The District informed LAFCo other than irrigation time management, it does not track specific information as it relates to groundwater pumping.

The District's facilities are in solely in the Central Kings Groundwater Sustainability Agency (CKGSA). The District informed LAFCo that it does not actively engage in groundwater recharge programs, nor has it entered into any participation agreements with any of the GSAs overlapping the District's boundaries. Under State statute, a GSA is responsible for developing and implementing a groundwater sustainable plan (GSP) to meet the sustainability goal of the basin to ensure that it is operated within its sustainable yield, without causing undesirable results.<sup>3</sup> As such, LAFCo anticipates that within the next five years the local GSAs will work with all cemeteries that rely on groundwater pumping to establish recharge programs to offset and balance groundwater usage within the groundwater table.

Parlier Cemetery District is represented by Consolidated Irrigation District and Fresno County as it pertains to participation with future recharge programs, and interaction with the CKGSA.<sup>4</sup> Likewise, CKGSA and its member agencies together will undertake the implementation of state legislation within the portion of the Kings Sub-basin underlying the GSA's boundary.<sup>5</sup>

### **Comments Received- MSR Public Review Period**

Pursuant to LAFCo policy 107-03, the draft MSR shall be posted on the Commission's website with a minimum 21-day public review period. The public review period provides an opportunity for local agencies and public to submit written comments as it pertains to information presented in the draft MSR. On August 23, 2017, the Parlier Cemetery District's MSR was made available for public review. No public comments have been received to date.

### **Summary/Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to review and update, as necessary, special districts' Spheres of Influence (SOIs) every five years. Prior to, or in conjunction with an agency's SOI update, LAFCo is required to conduct a *Municipal Service Review* (MSR) for each agency.

MSRs provide a comprehensive review of the services provided by a city or district and present recommendations with regard to the condition and adequacy of these services and whether or not modifications to a city's or district's SOI is necessary. MSRs can be used as informational tools by LAFCo and local agencies in evaluating the efficiencies of current district operations and may suggest changes in order to better serve the public.

SOI updates may involve an affirmation of existing SOI boundaries or recommend modifications to SOI boundaries. LAFCo is not required to initiate changes to an SOI based on determinations and recommendations of the service review, although it does have the power to do so.

State law requires that the Commission adopt written MSR determinations for each of the following seven criteria:

1. Growth and population projections for the affected area.
2. Location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

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<sup>3</sup> California Department of Water Resources, SGM Sustainable Groundwater Management, <http://www.water.ca.gov/groundwater/sgm/gsa.cfm>.

<sup>4</sup> LAFCo communication with CID General Manager, May 4, 2017.

<sup>5</sup> California Department of Water Resources, SGMA Portal, <http://sgma.water.ca.gov/portal/gsa/all>.

3. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

As part of the SOI update, the Commission is required to consider the following four criteria and make appropriate determinations in relationship to each:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

The attached MSR present these determinations with District information and the analysis used in support of the Commission's determinations and recommendations.

### **Environmental Determination**

The California Environmental Quality Act ("CEQA") requires that the Commission undertake and review an environmental analysis before granting approval of a project, as defined by CEQA. MSRs are categorically exempt from the preparation of environmental documentation under a classification related to information gathering (Class 6 - Regulation section 15306), which states: "Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource." MSRs collect data for the purpose of evaluating municipal services provided by the agencies. There are no physical changes to the environment created by these studies.

There is no possibility that this MSR and SOI update may have a significant effect on the environment because there are no proposed changes to the environment.