



LOCAL AGENCY FORMATION COMMISSION

Dave Braun, Executive Officer

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DATE: January 19, 2022 NEW MATTERS #6A

TO: LAFCO Commissioners

FROM: ^{DB} Dave Braun, Executive Officer

SUBJECT: MUNICIPAL SERVICE REVIEW (MSR) REPORT FOR THE
MADERA CEMETERY DISTRICT AND CHOWCHILLA
CEMETERY DISTRICT

PROPOSAL

Pursuant to California Government Code Section 56430, staff has facilitated the preparation of a Municipal Service Review (MSR) for the Madera Cemetery District and the Chowchilla Cemetery District in Madera County (hereafter "report" or "study"). Each district has been evaluated separately under its own service review and included in separate chapters of the report. At this hearing the Commission will receive the Executive Officer's report and presentation, make findings pursuant to the California Environmental Quality Act (CEQA Guidelines Section 15000 *et seq.*), and consider adoption of written determinations as required by California Government Code Section 56430.

BACKGROUND

Municipal Service Review

A Municipal Service Review is a comprehensive study designed to better inform LAFCO, local agencies, and the community about the provision of municipal services. Service reviews present and analyze information about governance structures and efficiencies of service providers and may identify opportunities for greater coordination between providers.

Municipal Service Reviews may be utilized by local, regional, and state agencies to make informed decisions about county service providers within each agency's statutory authority and responsibilities. Agencies under review may use the determinations and recommendations presented to pursue changes to services or as a basis for updating legal boundaries. However, LAFCO is not required to initiate any changes to a Sphere of Influence (SOI) based on the findings of a service review.

The Municipal Service Review presented in the report has been prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56000 *et. seq.*) and is part of the Madera County LAFCO's program to review the Spheres of Influence of all qualifying local government agencies (cities/special districts).

Legal Authority

California Government Code Section 56430 requires the Madera County Local Agency Formation Commission (LAFCO) to conduct comprehensive Municipal Service Reviews (MSRs or service reviews) in conjunction with its mandatory review of the Spheres of Influence (SOI) of local government agencies in Madera County (Section 56425). As part of this process, the Commission is required to prepare a written statement of its determinations as provided in Government Code Section 56430. The State Office of Planning and Research has issued advisory guidelines to assist LAFCOs as they endeavor to comply with this requirement.

Since 1971 LAFCOs have been required to develop and adopt a Sphere of Influence for each city and special district. A Sphere of Influence (SOI) is defined by Government Code Section 56076 as "a plan for the probable physical boundaries and service area of a local agency, as determined by the commission."

MSR for the Cemetery Districts

The Municipal Service Review (MSR) report examines the two Cemetery Districts in Madera County. Each district has been evaluated separately under its own service review. The current Sphere of Influence for each district is shown on Figure 1-1 in the MSR report.

Government Code Section 56430 was amended by the adoption of Senate Bill (SB) 244 to provide that a Municipal Service Review consist of a written statement on LAFCO's determinations with respect to each of the following:

- Growth and population projections for the affected area;
- The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the Sphere of Influence;
- Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or adjacent contiguous to the sphere of influence;
- Financial ability of agencies to provide services;
- Status of, and opportunities for, shared facilities;
- Accountability for community service needs, including governmental structure and operational efficiencies;
- Any other matter related to effective or efficient service delivery, as required by Commission policy.

Summary of Process

The Municipal Service Review (MSR) report for the Cemetery Districts is the product of many months of research and analysis involving public agencies, LAFCO staff, and consultants. To assist with the preparation of the MSR, the Executive Officer contracted with Precision Civil Engineering. The information, determinations, and recommendations presented in this study are based on the following resources.

- Answers by the districts to a questionnaire prepared by Precision Civil Engineering;
- Personal communications with district staff;
- A review of district annual Reports, district public records and boundary maps;
- Review of pertinent literature and Internet research.

The report provides a 'snapshot' in time of each of the two cemetery districts. A Municipal Service Review does not result in actual changes or reorganization of the districts. Rather the MSR is the beginning of a process in which the Commission considers technical information, receives comments, and considers the Executive Officer's report and recommendations. The only immediate action by the Commission is the adoption of required written determinations ("resolution making determinations"). Following such action the Commission may direct staff to prepare additional studies, recommendations for changes or reorganization, or an update to the Sphere of Influence of an affected district.

Environmental Review

As a study of local government, a Municipal Service Review is exempt from CEQA under Section 15306 of the State CEQA Guidelines (Categorical Exemption, Information Collection, Class 6), which provides exemption for data collection, research, experimental management, and resource evaluation activities that do not result in a serious or major disturbance to an environmental resource. The Municipal Service Review for the Cemetery Districts was prepared strictly for information gathering purposes as part of a study possibly leading to an action that LAFCO has not yet approved, adopted, or funded (*Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code*).

ANALYSIS

Background

The MSR includes four sections made up of an Introduction, Special District Background, Madera Cemetery District, and Chowchilla Cemetery District. Because each district is evaluated individually, the Commission will need to adopt written determinations (seven factors) for each district examined pursuant to Government Code Section 56430. These seven factors make up the structure of the report, and discussions of these factors provide the principal analysis for each district.

DETERMINATIONS

Below is a summary of the Municipal Service Review determinations as presented in the report.

Madera Cemetery District

- 3.1. Overall, the District's five cemeteries are in good condition and infrastructure at the facilities appear adequate to provide efficient services.
- 3.2. Most facilities have adequate future interment capacity (between 50 percent and 63 percent). The Arbor Vitae Cemetery and Raymond Cemetery are nearing capacity at 32 percent and 50 percent, respectively. The Raymond Cemetery, however, has very few burials per year.
- 3.3. The District is attempting to establish a location for a new cemetery in eastern Madera County near the Madera Ranchos and Riverstone Development.
- 3.4. Planning for future development of lands for interment use appears adequate. The District's cemeteries' infrastructure needs or deficiencies are typical of public cemeteries in California.
- 3.5. Population in this District's service area is expected to be approximately 124,334 by 2030. The population estimate assumes a constant growth rate, which may not continue to be accurate due to the current uncertainties surrounding the COVID-19 pandemic and other unforeseen factors.
- 3.6. The Madera Cemetery District appears to be well-managed.
- 3.7. The District uses appropriate cost avoidance methods, but opportunities for cost avoidance are limited.
- 3.8. District management provides training to employees on safe work practices to avoid injuries, accidents, and damage to equipment. District equipment is repaired immediately when damage occurs.
- 3.9. The District has not shared resources with other cemetery districts in Madera County or outside of the County nor has it identified a need to do so.
- 3.10. The resources of the District are well-managed. Staff and equipment are currently spread across the district to appropriately provide service to each of the five cemeteries within the District. Sharing these employees and equipment may result in a disruption of efficient services rendered to the families the District serves.
- 3.11. Consolidation with adjacent cemetery districts is not supported or recommended since neither cost savings nor an increased efficiency of services would be realized.

- 3.12. District boundaries and Sphere of Influence as adopted in 1944 and amended in 2008 are adequate and appropriately sized.
- 3.13. It is recommended that the District consider annexation of the underserved area in southeast Madera County into its District. No additional governmental structure options would be beneficial for the Madera Cemetery District at this time.

Chowchilla Cemetery District

- 4.1 Overall, the District is in good condition and infrastructure at its one facility appears adequate to provide efficient services.
- 4.2 The District identified that its roads are in need of repair.
- 4.3 The District's cemetery infrastructure needs or deficiencies are typical of public cemeteries in California.
- 4.4 Population in the Chowchilla Cemetery District's service area is expected to be approximately 21,488 by 2030. The population estimate assumes a constant decline rate that may not continue to be accurate due to the current uncertainties surrounding the COVID-19 pandemic and other unforeseen factors.
- 4.5 The Chowchilla Cemetery district appears to be well-managed.
- 4.6 The District uses appropriate cost avoidance methods. Opportunities for cost avoidance are limited since most of its expenditures consist of employee salaries and benefits and the District employs limited staff.
- 4.7 It is not feasible to share facilities with other districts and sharing equipment and employees is expensive and inefficient.
- 4.8 While the Chowchilla Cemetery District Board of Trustees maintains a good rapport with all other cemetery districts and offers assistance if needed, the opportunities for shared facilities are limited for the District.
- 4.9 Consolidation with adjacent cemetery districts is not supported or recommended since neither cost savings nor an increased efficiency of services would be realized.
- 4.10 District boundaries and Sphere of Influence as adopted in 1944 are adequate and appropriately sized.
- 4.11 No governmental structure options would be beneficial for the Chowchilla Cemetery District at this time.

SPHERE OF INFLUENCE DETERMINATIONS

Below is a summary of the Sphere of Influence Determinations presented in this study for each cemetery district.

Madera Cemetery District

The current Sphere of Influence (SOI) boundary of the Madera Cemetery District is appropriate and necessary. The District can provide well-planned and efficient services in this territory, and the current location of the SOI is a benefit to those who receive services.

It is recommended that the Sphere of Influence of the Madera Cemetery District remain as currently configured.

Chowchilla Cemetery District

The current Sphere of Influence (SOI) boundary of the Chowchilla Cemetery District is appropriate and necessary. The District can provide well-planned and efficient services in this territory, and the current location of the SOI is a benefit to those who receive services.

It is recommended that the Sphere of Influence of the Chowchilla Cemetery District remain as currently configured.

RECOMMENDATION

Staff recommends that the Commission take the following action:

- A. Make a finding pursuant to the California Environmental Quality Act (CEQA Guidelines Section 15000 et seq. and Public Resources Code Sections 21083 and 21084) that the Municipal Service Review presented in the report for the Madera Cemetery District and Chowchilla Cemetery District is exempt from CEQA under Section 15306 of the State CEQA Guidelines (Categorical Exemption, Information Collection, Class 6), which provides exemption for data collection, research, experimental management, and resource evaluation activities which will not result in a serious or major disturbance to an environmental resource, and that these studies are for information gathering purposes and are part of a report leading to an action which a public agency has not yet approved, adopted, or funded.
- B. Approve Resolution **adopting** the MSR Determinations and Recommendations for the Madera Cemetery District, finding that the MSR is accurate and deliberate in its evaluation of the identified services; and **adopting** the Recommendations for the Sphere of Influence, confirming that the Sphere of Influence is appropriate and will not be altered at this time.

- C. Approve Resolution **adopting** the MSR Determinations and Recommendations for the Chowchilla Cemetery District, finding that the MSR is accurate and deliberate in its evaluation of the identified services; and **adopting** the Recommendations for the Sphere of Influence, confirming that the Sphere of Influence is appropriate and will not be altered at this time.

Attachments:

- Exhibit A - LAFCO Resolution, Madera Cemetery District
- Exhibit B - LAFCO Resolution, Chowchilla Cemetery District
- Exhibit C - Cemetery District MSR

EXHIBIT A

BEFORE THE
MADERA LOCAL AGENCY FORMATION COMMISSION
STATE OF CALIFORNIA

In the Matter of

Resolution No. 2022-

MADERA CEMETERY DISTRICT
MUNICIPAL SERVICE REVIEW

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A RESOLUTION APPROVING THE
MADERA CEMETERY DISTRICT
MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE

WHEREAS, the Madera Local Agency Formation Commission (“Madera LAFCO”) is required, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended, Government Code Sections 56000 *et seq.* (the “Act”) to periodically conduct municipal service reviews in conjunction with updating the spheres of influence for local governmental agencies; and

WHEREAS, the Madera LAFCo has caused a municipal service review to be conducted for the Madera Cemetery District; and

WHEREAS, The Madera LAFCo Executive Officer has recommended that the Commission adopt the Determinations and Recommendations in the Final Municipal Service Review for the Madera Cemetery District; and

WHEREAS, the Commission has received and reviewed the Executive Officer’s recommendation and has reviewed the Municipal Service Review.

**NOW, THEREFORE, THE MADERA LOCAL AGENCY FORMATION
COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER AS
FOLLOWS:**

1. The Commission finds pursuant to the California Environmental Quality Act (CEQA Guidelines Section 15000 et seq. and Public Resources Code Sections 21083 and 21084) that the Municipal Service Review report for the Madera Cemetery District is exempt from CEQA under Section 15306 of the State CEQA Guidelines (Categorical Exemption, Information Collection, Class 6).
2. The Commission adopts the Determinations and Recommendations as presented in this Municipal Service Review as LAFCO's policy regarding municipal services for the Madera Cemetery District, pursuant to California Government Code Section 56430.
3. The Commission adopts the Sphere of Influence Recommendations in this Municipal Service Review, pursuant to California Government Code Section 56425, confirming the current location of the Sphere of Influence for the Madera Cemetery District to be appropriate

The foregoing Resolution was adopted this 19th day of January 2022, by the

following vote:

Chairman Ahmed Voted: _____

Commissioner Poythress Voted: _____

Commissioner Rodriguez Voted _____

Commissioner Wheeler Voted: _____

Commissioner Young Voted: _____

Chairman, Local Agency Formation Commission

ATTEST:

Executive Officer, LAFCO

Approved as to Legal Form:

Legal Counsel

EXHIBIT B

BEFORE THE
MADERA LOCAL AGENCY FORMATION COMMISSION
STATE OF CALIFORNIA

In the Matter of

Resolution No. 2022-

CHOWCHILLA CEMETERY)	A RESOLUTION APPROVING THE
DISTRICT)	CHOWCHILLA CEMETERY
MUNICIPAL SERVICE REVIEW)	DISTRICT MUNICIPAL SERVICE
)	REVIEW AND SPHERE OF
)	INFLUENCE

WHEREAS, the Madera Local Agency Formation Commission (“Madera LAFCO”) is required, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended, Government Code Sections 56000 *et seq.* (the “Act”) to periodically conduct municipal service reviews in conjunction with updating the spheres of influence for local governmental agencies; and

WHEREAS, the Madera LAFCo has caused a municipal service review to be conducted for the Chowchilla Cemetery District; and

WHEREAS, The Madera LAFCo Executive Officer has recommended that the Commission adopt the Determinations and Recommendations in the Final Municipal Service Review for the Chowchilla Cemetery District; and

WHEREAS, the Commission has received and reviewed the Executive Officer’s recommendation and has reviewed the Municipal Service Review.

NOW, THEREFORE, THE MADERA LOCAL AGENCY FORMATION

COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER AS

FOLLOWS:

1. The Commission finds pursuant to the California Environmental Quality Act (CEQA Guidelines Section 15000 et seq. and Public Resources Code Sections 21083 and 21084) that the Municipal Service Review report for the Chowchilla Cemetery District is exempt from CEQA under Section 15306 of the State CEQA Guidelines (Categorical Exemption, Information Collection, Class 6).
2. The Commission adopts the Determinations and Recommendations as presented in this Municipal Service Review as LAFCO's policy regarding municipal services for the Chowchilla Cemetery District, pursuant to California Government Code Section 56430.
3. The Commission adopts the Sphere of Influence Recommendations in this Municipal Service Review, pursuant to California Government Code Section 56425, confirming the current location of the Sphere of Influence for the Chowchilla Cemetery District to be appropriate

The foregoing Resolution was adopted this 19th day of January 2022, by the

following vote:

Chairman Ahmed Voted: _____

Commissioner Poythress Voted: _____

Commissioner Rodriguez Voted _____

Commissioner Wheeler Voted: _____

Commissioner Young Voted: _____

Chairman, Local Agency Formation Commission

ATTEST:

Executive Officer, LAFCO

Approved as to Legal Form:

Legal Counsel