

RESOLUTION NO. MSR-17-16 / SOI-184B

A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND ADOPTING A MUNICIPAL SERVICE REVIEW; MAKING DETERMINATIONS AND REVISING THE SPHERE OF INFLUENCE FOR OAK GROVE CEMETERY DISTRICT

WHEREAS, Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56425 et seq.), the Fresno Local Agency Formation Commission is required to review and update, as necessary, spheres of influence (SOI) of local agencies not less than once every five years; and

WHEREAS, Government Code Section 56430 directs the commission to conduct a review of municipal services not later than the time it considers an action to establish or update a SOI in accordance with Section 56425; and

WHEREAS, the executive officer prepared a Municipal Service Review (MSR) update for the Oak Grove Cemetery District with the recommendation to revise the District's SOI to conform to its current service area; and

WHEREAS, notice of the commission's hearing on the subject MSR was duly given in a publication of general circulation as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and at the time and in the form and manner provided by law; and

WHEREAS, on October 11, 2017, the commission conducted the noticed public hearing, and received the draft MSR update which reported that the District's annual general fund deficit had accumulated to \$353,952 by end of fiscal year 2014-15, and the District's 2015-16 fiscal year budget anticipated an increase of the deficit by \$13,317; and

WHEREAS, the commission expressed concern about the District's lack of a balanced budget and its growing fund balance deficit, and directed staff to confer with the Fresno County Auditor-Controller/Treasurer-Tax Collector about this item and return to the commission with its findings at a later date; and

WHEREAS, at the noticed public meeting, held on December 13, 2017, the commission reconvened, heard, discussed, and considered all relevant evidence, including but not limited to the Municipal Service Review, environmental documentation, and all testimony, correspondence, and exhibits received during the public hearing process, all of which are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does hereby DETERMINE AND ORDER as follows:

Section No. 1. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines find that the MSR prepared for Oak Grove Cemetery District is Categorically Exempt from the provisions of CEQA under Section 15306, "Information Collection."

ADOPTED THIS 13th DAY OF DECEMBER 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MAGSIG, QUINTERO, PARRA, LOPEZ, SILVA

NOES: NONE

ABSENT: NONE

Section No. 2. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that the proposed SOI reduction is Categorically Exempt from the provisions of CEQA under Section 15061(b) (3), "General Rule" where it can be seen with certainty that a reduction of the District SOI will not have an effect on the existing environment.

ADOPTED THIS 13th DAY OF DECEMBER 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MAGSIG, QUINTERO, PARRA, LOPEZ, SILVA

NOES: NONE

ABSENT: NONE

Section No. 3. Find that the Municipal Service Review prepared for Oak Grove Cemetery District is complete and satisfactory, satisfies State law, and adopt the MSR.

Section No. 4. Find that approval of the proposed sphere of influence revision is based on sufficient evidence consistent with State Law, including, but not limited to, Fresno LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section No. 5. Pursuant to Government Code section 56425 make the required determinations for the sphere of influence:

- a. Approve a SOI reduction coterminous with the District's service area, as depicted on Attachment A.
- b. Determine that the District's budget deficit described in the MSR is deleterious to the orderly and efficient operation of a public agency and direct the District to take action within the next six months to reduce its general fund deficit and manage its financial affairs in a resilient and sustainable manner;
- c. Direct the District to report its actions in writing to the Fresno LAFCo no later than June 13, 2018.
- d. Advise the District that failure to perform these actions—or to provide Fresno LAFCo with a record of their timely completion—may result in the commission initiating proceedings leading to the dissolution of the District or its consolidation with an adjacent cemetery district.

ADOPTED THIS 13th DAY OF DECEMBER 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MAGSIG, QUINTERO, PARRA, LOPEZ, SILVA

NOES: NONE

ABSENT: NONE

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

CERTIFICATION

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission, Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the commission at a noticed public hearing held on the 13th day of December 2017.

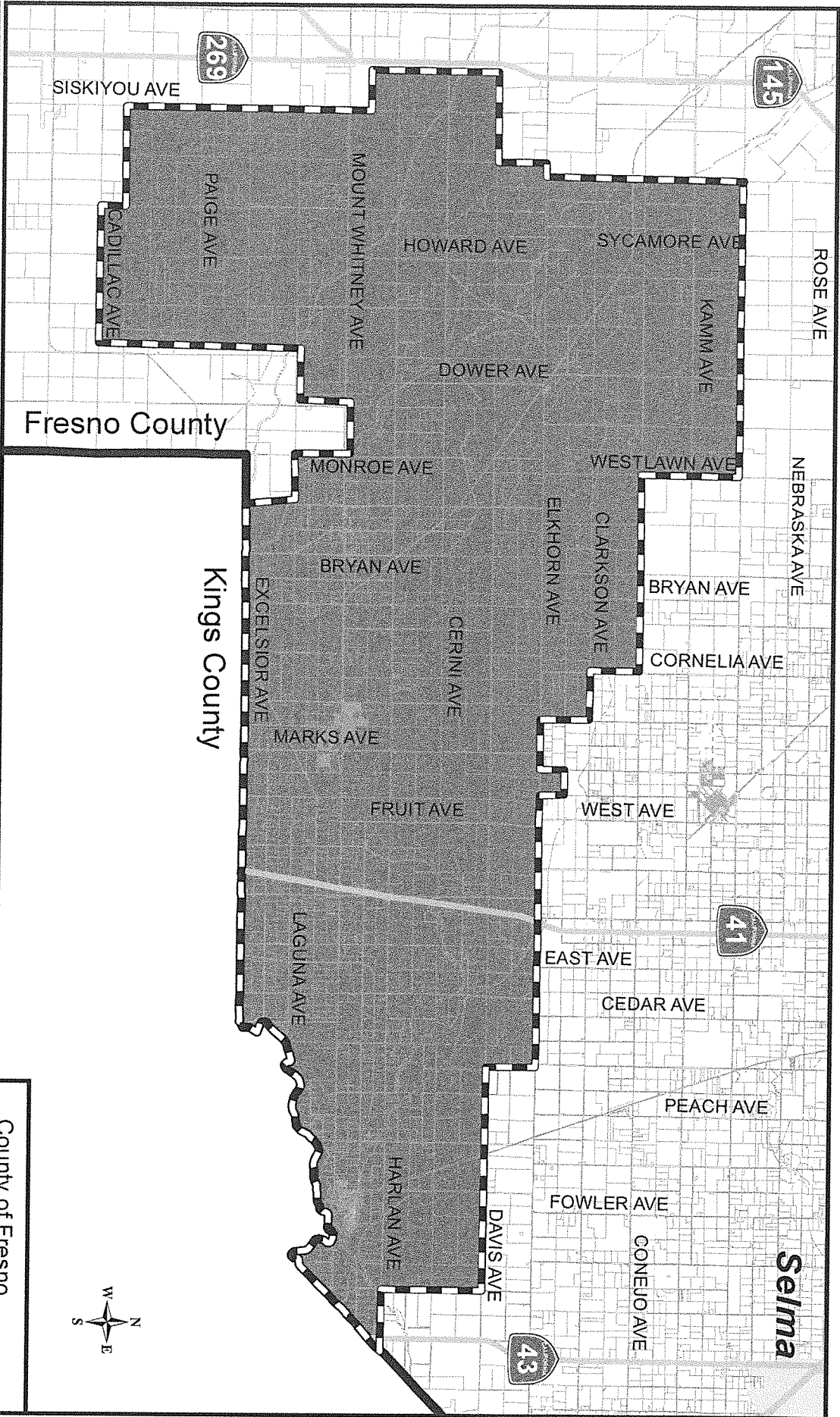


David E. Fey, Executive Officer
Fresno Local Agency Formation Commission

ATTACHMENT A

Oak Grove Cemetery District

Authorized services: burial & interment of human remains



Fresno Local Agency Formation Commission

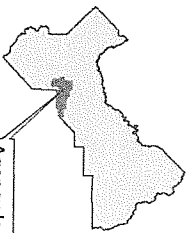


District SOI



District service area

County of Fresno



Agency location

Formation: 1971

Sphere updated: 12/13/2017

District area: 108,575 acres

Sphere area: 108,575 acres

Map prepared: 01/03/2018