

2017

# MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE STUDY

FOR THE YOLO CEMETERY DISTRICTS:

Capay Cemetery District  
Cottonwood Cemetery District  
Davis Cemetery District  
Knights Landing Cemetery District  
Mary's Cemetery District  
Winters Cemetery District

PUBLIC REVIEW DRAFT JUNE 30, 2017



**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

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**Project Name:** MSR/SOI for Yolo Cemetery Districts

LAFCo Project No. S-048

Conducted By: Yolo Local Agency Formation Commission  
625 Court Street, Suite 203  
Woodland, CA 95695

Date: June 30, 2017

**District Included:**

Subject Agency:	<b>Capay Cemetery District</b>
Agency Address:	24727 County Road 22 Esparto, CA 95627
Agency Contact Person:	Barbara Smith, Clerk
Date Last MSR/SOI Adopted	May 16, 2011

Subject Agency:	<b>Cottonwood Cemetery District</b>
Agency Address:	29220 County Road 24A Winters, CA 95694
Agency Contact Person:	Myrna Spiva, Trustee
Date Last MSR/SOI Adopted	May 16, 2011

Subject Agency:	<b>Davis Cemetery District</b>
Agency Address:	820 Pole Line Road Davis, CA 95618
Agency Contact Person:	Christi Postlethwaite, Office Manager
Date Last MSR/SOI Adopted	July 26, 2012

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

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Subject Agency:	<b>Knights Landing Cemetery District</b>
Agency Address:	P.O. Box 97 Knights Landing, CA 95645
Agency Contact Person:	Mardella Archer, Secretary
Date Last MSR/SOI Adopted	May 16, 2011

Subject Agency:	<b>Mary's Cemetery District</b>
Agency Address:	12020 County Road 98 Woodland, CA 95695
Agency Contact Person:	Linda Tolson, Secretary
Date Last MSR/SOI Adopted	May 16, 2011

Subject Agency:	<b>Winters Cemetery District</b>
Agency Address:	415 Cemetery Drive Winters, CA 95694
Agency Contact Person:	Sheila Cabahal, Manager
Date Last MSR/SOI Adopted	May 16, 2011

**Contents**

**MSR/SOI BACKGROUND** ..... 1

    ROLE AND RESPONSIBILITY OF LAFCO ..... 1

    PURPOSE OF A MUNICIPAL SERVICE REVIEW ..... 1

    PURPOSE OF A SPHERE OF INFLUENCE ..... 2

    DISADVANTAGED UNINCORPORATED COMMUNITIES ..... 3

    ORGANIZATION OF MSR/SOI STUDY ..... 3

    California Health and Safety Code Regarding Public Cemetery Districts ..... 3

**CAPAY CEMETERY DISTRICT AGENCY PROFILE** ..... 6

    AFFECTED AGENCIES ..... 7

**CAPAY CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW** ..... 8

    POTENTIALLY SIGNIFICANT MSR DETERMINATIONS ..... 8

    1. GROWTH AND POPULATION ..... 8

    2. DISADVANTAGED UNINCORPORATED COMMUNITIES ..... 9

    3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES ..... 9

    4. FINANCIAL ABILITY ..... 11

    5. SHARED SERVICES AND FACILITIES ..... 14

    6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES ..... 15

    7. OTHER ISSUES ..... 17

**CAPAY CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY** ..... 18

    SPHERE OF INFLUENCE MAP(S) ..... 18

**COTTONWOOD CEMETERY DISTRICT AGENCY PROFILE** ..... 19

    AFFECTED AGENCIES ..... 20

**COTTONWOOD CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW** ..... 21

    POTENTIALLY SIGNIFICANT MSR DETERMINATIONS ..... 21

    1. GROWTH AND POPULATION ..... 21

    2. DISADVANTAGED UNINCORPORATED COMMUNITIES ..... 22

    3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES ..... 22

    4. FINANCIAL ABILITY ..... 24

    5. SHARED SERVICES AND FACILITIES ..... 27

    6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES ..... 28

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

---

7. OTHER ISSUES .....	30
COTTONWOOD CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY .....	30
SPHERE OF INFLUENCE MAP(S) .....	30
DAVIS CEMETERY DISTRICT AGENCY PROFILE .....	31
AFFECTED AGENCIES.....	32
DAVIS CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW .....	33
POTENTIALLY SIGNFICANT MSR DETERMINATIONS.....	33
1. GROWTH AND POPULATION.....	33
2. DISADVANTAGED UNINCORPORATED COMMUNITIES.....	34
3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES .....	34
4. FINANCIAL ABILITY .....	36
5. SHARED SERVICES AND FACILITIES .....	39
6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES .....	39
7. OTHER ISSUES .....	41
DAVIS CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY .....	41
SPHERE OF INFLUENCE MAP(S) .....	41
KNIGHTS LANDING CEMETERY DISTRICT AGENCY PROFILE.....	42
AFFECTED AGENCIES.....	43
KNIGHTS LANDING CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW.....	44
POTENTIALLY SIGNFICANT MSR DETERMINATIONS.....	44
1. GROWTH AND POPULATION.....	44
2. DISADVANTAGED UNINCORPORATED COMMUNITIES.....	45
3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES .....	45
4. FINANCIAL ABILITY .....	47
5. SHARED SERVICES AND FACILITIES .....	50
6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES .....	51
7. OTHER ISSUES .....	53
KNIGHTS LANDING CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY.....	54
SPHERE OF INFLUENCE MAP(S) .....	54
MARY'S CEMETERY DISTRICT AGENCY PROFILE .....	55
AFFECTED AGENCIES.....	56

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

---

MARY’S CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW .....	57
POTENTIALLY SIGNIFICANT MSR DETERMINATIONS.....	57
1. GROWTH AND POPULATION.....	57
2. DISADVANTAGED UNINCORPORATED COMMUNITIES.....	58
3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES .....	58
4. FINANCIAL ABILITY .....	60
5. SHARED SERVICES AND FACILITIES .....	62
6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES .....	63
7. OTHER ISSUES .....	66
MARY’S CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY .....	66
SPHERE OF INFLUENCE MAP(S) .....	66
WINTERS CEMETERY DISTRICT AGENCY PROFILE .....	67
AFFECTED AGENCIES.....	68
WINTERS CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW .....	69
POTENTIALLY SIGNIFICANT MSR DETERMINATIONS.....	69
1. GROWTH AND POPULATION.....	69
2. DISADVANTAGED UNINCORPORATED COMMUNITIES.....	70
3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES .....	70
4. FINANCIAL ABILITY .....	72
5. SHARED SERVICES AND FACILITIES .....	75
6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES .....	76
7. OTHER ISSUES .....	78
WINTERS CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY .....	78
SPHERE OF INFLUENCE MAP(S) .....	78
APPENDICES .....	79
Cemetery Districts Fee Schedules	
Public Cemetery Alliance 2015 Survey of Burial Fees & Averages	
SAMPLE FORMS AND AGENDA PACKET – WINTERS CEMETERY DISTRICT	
California Association of Public Cemeteries 2013 sample policies and forms	
Policy Manual Template from the Public Cemetery Alliance	

**MSR/SOI BACKGROUND**

***ROLE AND RESPONSIBILITY OF LAFCO***

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended (“CKH Act”) (California Government Code §§56000 et seq.), is LAFCo’s governing law and outlines the requirements for preparing Municipal Service Reviews (MSRs) for periodic Sphere of Influence (SOI) updates. MSRs and SOIs are tools created to empower LAFCo to satisfy its legislative charge of “discouraging urban sprawl, preserving open-space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances (§56301). CKH Act Section 56301 further establishes that “one of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities.”

Based on that legislative charge, LAFCo serves as an arm of the State; preparing and reviewing studies and analyzing independent data to make informed, quasi-legislative decisions that guide the physical and economic development of the state (including agricultural uses) and the efficient, cost-effective, and reliable delivery of services to residents, landowners, and businesses. While SOIs are required to be updated every five years, they are not time-bound as planning tools by the statute, but are meant to address the “probable physical boundaries and service area of a local agency” (§56076). SOIs therefore guide both the near-term and long-term physical and economic development of local agencies their broader county area, and MSRs provide the near-term and long-term time-relevant data to inform LAFCo’s SOI determinations.

***PURPOSE OF A MUNICIPAL SERVICE REVIEW***

As described above, MSRs are designed to equip LAFCo with relevant information and data necessary for the Commission to make informed decisions on SOIs. The CKH Act, however, gives LAFCo broad discretion in deciding how to conduct MSRs, including geographic focus, scope of study, and the identification of alternatives for improving the efficiency, cost-effectiveness, accountability, and reliability of public services. The purpose of a Municipal Services Review (MSR) in general is to provide a comprehensive inventory and analysis of the services provided by local municipalities, service areas, and special districts. A MSR evaluates the structure and operation of the local municipalities, service areas, and special districts and discusses possible areas for improvement and coordination. The MSR is intended to provide information and analysis to support a sphere of influence update. A written statement of the study’s determinations must be made in the following areas:

1. Growth and population projections for the affected area;
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence;
3. 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 contiguous to the sphere of influence;
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; and
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

The MSR is organized according to these determinations listed above. Information regarding each of the above issue areas is provided in this document.

**PURPOSE OF A SPHERE OF INFLUENCE**

In 1972, LAFCos were given the power to establish SOIs for all local agencies under their jurisdiction. As defined by the CKH Act, “sphere of influence” means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission” (§56076). SOIs are designed to both proactively guide and respond to the need for the extension of infrastructure and delivery of municipal services to areas of emerging growth and development. Likewise, they are also designed to discourage urban sprawl and the premature conversion of agricultural and open space resources to urbanized uses.

The role of SOIs in guiding the State’s growth and development was validated and strengthened in 2000 when the Legislature passed Assembly Bill (“AB”) 2838 (Chapter 761, Statutes of 2000), which was the result of two years of labor by the Commission on Local Governance for the 21<sup>st</sup> Century, which traveled up and down the State taking testimony from a variety of local government stakeholders and assembled an extensive set of recommendations to the Legislature to strengthen the powers and tools of LAFCos to promote logical and orderly growth and development, and the efficient, cost-effective, and reliable delivery of public services to California’s residents, businesses, landowners, and visitors. The requirement for LAFCos to conduct MSRs was established by AB 2838 as an acknowledgment of the importance of SOIs and recognition that regular periodic updates of SOIs should be conducted on a five-year basis (§56425(g)) with the benefit of better information and data through MSRs (§56430(a)).

Pursuant to Yolo County LAFCO policy an SOI includes an area adjacent to a jurisdiction where development might be reasonably expected to occur in the next 20 years. A MSR is conducted prior to, or in conjunction with, the update of a SOI and provides the foundation for updating it.

LAFCo is required to make five written determinations when establishing, amending, or updating an SOI for any local agency that address the following (§56425(c)):

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.
5. For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.



***DISADVANTAGED UNINCORPORATED COMMUNITIES***

SB 244 (Chapter 513, Statutes of 2011) made changes to the CKH Act related to “disadvantaged unincorporated communities,” including the addition of SOI determination #5 listed above. Disadvantaged unincorporated communities, or “DUCs,” are inhabited territories (containing 12 or more registered voters) where the annual median household income is less than 80 percent of the statewide annual median household income.

On March 26, 2012, LAFCo adopted a “Policy for the Definition of ‘Inhabited Territory’ for the Implementation of SB 244 Regarding Disadvantaged Unincorporated Communities”, which identified 21 inhabited unincorporated communities for purposes of implementing SB 244.

CKH Act Section 56375(a)(8)(A) prohibits LAFCo from approving a city annexation of more than 10 acres if a DUC is contiguous to the annexation territory but not included in the proposal, unless an application to annex the DUC has been filed with LAFCo. The legislative intent is to prohibit “cherry picking” by cities of tax-generating land uses while leaving out under-served, inhabited areas with infrastructure deficiencies and lack of access to reliable potable water and wastewater services. DUCs are recognized as social and economic communities of interest for purposes of recommending SOI determinations pursuant to Section 56425(c).

***ORGANIZATION OF MSR/SOI STUDY***

This report has been organized in a checklist format to focus the information and discussion on key issues that may be particularly relevant to the subject agency while providing required LAFCo’s MSR and SOI determinations. The checklist questions are based on the Cortese-Knox-Hertzberg Act, the LAFCo MSR Guidelines prepared by the Governor’s Office of Planning and Research and adopted Yolo LAFCo local policies and procedures. This report provides the following:

- Provides a description of the subject agency;
- Provides any new information since the last MSR and a determination regarding the need to update the SOI;
- Provides MSR and SOI draft determinations for public and Commission review; and
- Identifies any other issues that the Commission should consider in the MSR/SOI.

***CALIFORNIA HEALTH AND SAFETY CODE REGARDING PUBLIC CEMETERY DISTRICTS***

Public cemetery districts are single purpose special districts established and regulated under provisions of the Health and Safety Code, Sections 8100-9703 et seq.

Cemetery districts are legally authorized to provide standard cemetery functions, including land acquisition, cemetery maintenance, and grounds keeping. Districts also conduct activities attendant to burials and disinterment. Districts finance services through property taxes, the sale of burial plots, charges for openings and removals, and setting of markers. A district can also raise money through gifts or donations.

A board of supervisors shall appoint a board of trustees of at least three or five members for every district. Each person appointed shall be a voter in the district and serve a four-year term. Each district is governed and managed by the trustees and shall meet at least once every three months, subject to the provisions of

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

the Ralph M. Brown Act. A provision of law also exists for the board of supervisors to act as the board of trustees of a district, if necessary.

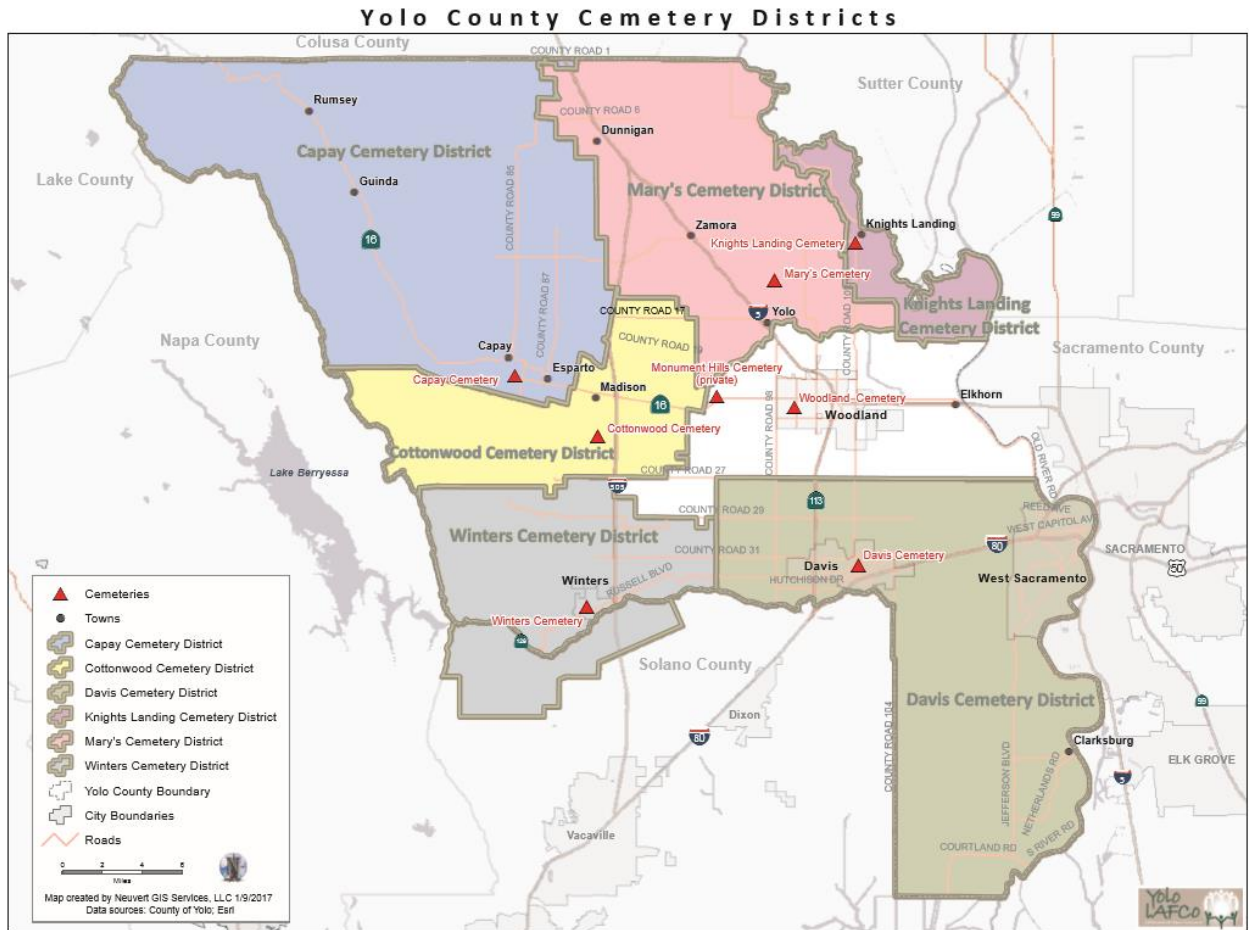
Residents and taxpayers of the district, former residents and taxpayers who acquired interment rights while they were residents or taxpayers of the district, eligible nonresidents of the district (pursuant to Section 9061), and all family members (pursuant to Section 9002(e)), may be interred in district cemeteries.

The endowment care fund is intended to defray the cost of care and maintenance if and when a cemetery district no longer receives revenue from the sale of plots and related services. The trustees of a district set the rate for the endowment care fund pursuant to the Health and Safety Code Section 8738.

The district may contract with the county to bury any indigent, if there is adequate space available for the foreseeable needs of the district.

**YOLO COUNTY CEMETERY DISTRICTS**

There are six public cemetery districts in Yolo County that are independent special districts and cover most of Yolo County. These Districts are Capay, Cottonwood, Davis, Knights Landing, Mary's, and Winters (see map below). However, these Districts do not serve all residents of Yolo County. The Woodland area is served by either the Woodland City Cemetery or the private Monument Hills Cemetery. Table 1 outlines some general information about each of the cemetery districts.



**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

**Table 1. Yolo County Cemetery Districts**

	Capay	Cottonwood	Davis	Knights Landing	Mary's	Winters
District Area (sq. miles)	285	99	241	34	159	123
Cemetery Acreage Developed	12	5	17	6.2	6	13.5
Approximate % Full (Developed Area)	50-75%	30%	33%	70%	85%	75%
Additional Acreage Available	5	0	11	<1*	0	2.2
Average Internments Per Year	20	1-3	100	8	10	30-40

\* TBD – Lot line adjustment and new cemetery map in process

Cemetery districts are funded through property taxes and fees directly charged for services. Table 2 provides a comparison among the districts of their revenues and expenditures for fiscal year 2015/16.

**Table 2. Cemetery Districts FY 2015/16 Operating and Endowment Fund Comparison**

	Capay	Cottonwood	Davis	Knights Landing	Mary's	Winters
	<b>Operations Fund</b>					
Total Revenue	\$ 83,001.70	\$ 22,251.56	\$ 562,665.83	\$ 34,417.58	\$ 52,423.52	\$ 373,269.90
% of Revenue From Prop Taxes	77%	95%	36%	86%	63%	57%
Total Expenditures	\$ 59,739.12	\$ 15,343.35	\$ 553,265.26	\$ 20,314.81	\$ 86,697.77	\$ 302,396.05
<b>Revenue Less Expenditures</b>	<b>\$ 23,262.58</b>	<b>\$ 6,908.21</b>	<b>\$ 9,400.57</b>	<b>\$ 14,102.77</b>	<b>\$ (34,274.25)</b>	<b>\$ 70,873.85</b>
Operations Fund Balance	<b>\$ 205,451.39</b>	<b>\$ 49,973.07</b>	<b>\$ 294,653.38</b>	<b>\$ 108,764.79</b>	<b>\$ 94,216.00</b>	<b>\$ 457,724.79</b>
	<b>Endowment Fund</b>					
Nonspendable - Endowment	\$ 110,025.94	\$ 10,830.19	\$ 662,149.84	\$ 39,672.31	\$ 42,578.11	\$ 239,588.62
Fund Balance Available	\$ 57,970.97	\$ 7,165.19	\$ 402,334.66	\$ 18,134.85	\$ 1,246.16	\$ 106,346.27
<b>Endowment Fund Balance</b>	<b>\$ 167,996.91</b>	<b>\$ 17,995.38</b>	<b>\$1,064,484.50</b>	<b>\$ 57,807.16</b>	<b>\$ 43,824.27</b>	<b>\$ 345,934.89</b>

Source: Yolo County Department of Financial Services Fiscal Year 2015/16 INFOR Database

**Table 3. Cemetery District Total Fees (Selected Fees for Comparison Purposes)**

Sample Fees	Capay	Cottonwood	Davis	Knights Landing	Mary's	Winters
Full Plot	\$700	\$450	\$1,250	\$700	\$800	\$900
Niche – 3 <sup>rd</sup> Row (plot only)	n/a	n/a	\$2,250	\$1000	n/a	\$650
Vault Fees	n/a	n/a	\$1,700	n/a	n/a	\$800
Open/Close Fees (full burial)	\$500	*	\$1,200	*	*	\$950
Non-Resident Fee	15%	\$15-\$75	\$750	\$700-1200	\$100-\$200	\$400
Endowment Fee	\$350	\$175-\$205	\$350-500	\$400	\$200-\$400	\$150-\$300

\* Opening/closing fees are charged directly by the contractor or mortuary

**CAPAY CEMETERY DISTRICT AGENCY PROFILE**

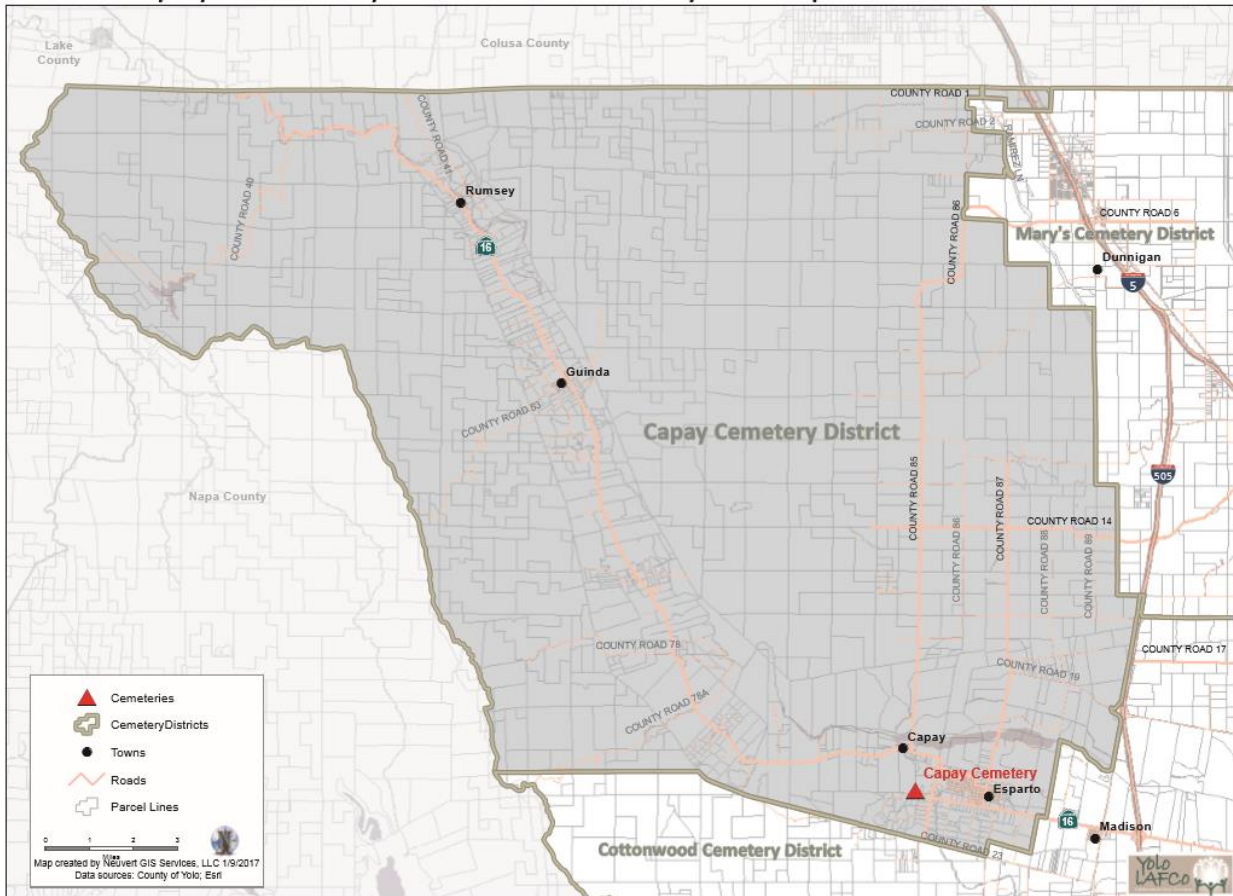
In 1921, the Board of Supervisors of Yolo County created the Capay Cemetery District. The District is rural in nature and its boundary encompasses 285.4 square miles (182,629 acres). The District includes the communities of Esparto, Capay, Brooks, Guinda, and Rumsey (see Map 2).

The Capay Cemetery is approximately 17 acres in size total (12 acres developed and 5 acres undeveloped) and is located in northwestern Yolo County, 1.5 miles west of the town of Esparto on County Road 22 near the intersection with County Road 85B. The Cemetery borders the southern bank of the Lamb Valley slough.

In 1876, the Independent Order of Odd Fellows started the Capay Cemetery utilized today by the Capay Cemetery District. It was the first cemetery in the Capay Valley and is the resting place of many of the pioneer families that settled in the area. The Cemetery is also the resting place of a Revolutionary War veteran.



**Capay Cemetery District Boundary and Sphere of Influence\***



\*Note: Sphere of Influence is coterminous with boundary

Boundary approved by Yolo County in 1921

**AFFECTED AGENCIES**

Per Government Code Section 56427, a public hearing is required to adopt, amend, or revise a sphere of influence. Notice shall be provided at least 21 days in advance and mailed notice shall be provided to each affected local agency or affected County, and to any interested party who has filed a written request for notice with the executive officer. Per Government Code Section 56014, an affected local agency means any local agency that overlaps with any portion of the subject agency boundary or SOI (included proposed changes to the SOI).

The affected local agencies for this MSR/SOI are:

**County/Cities:**

- City of Davis
- City of West Sacramento
- City of Winters
- City of Woodland
- County of Yolo

**County Service Areas (CSAs)**

- Dunnigan, El Macero, Garcia Bend, **Madison-Esparto Regional CSA (MERCSA)**, North Davis Meadows, Snowball, Wild Wings, and Willowbank

**K-12 School Districts:**

- Davis Joint Unified
- Esparto Unified
- Pierce Joint Unified
- River Delta Unified
- Washington Unified
- Winters Joint Unified
- Woodland Joint Unified

**Community College Districts**

- Los Rios Community College District
- Solano Community College District
- Yuba Community College District

**Special Districts:**

- Cemetery District – Capay, Cottonwood, Davis, Knight’s Landing, Mary’s, Winters
- Community Service District – Cacheville, **Esparto**, Knight’s Landing, Madison
- Fire Protection District – **Capay**, Clarksburg, **Dunnigan**, East Davis, Elkhorn, **Esparto**, Knights Landing, **Madison**, No Man’s Land, Springlake, West Plainfield, Willow Oak, Winters, Yolo, **Zamora**
- Sacramento-Yolo Port District
- Reclamation District – 150, 307, 537, 730, 765, 785, 787, 827, 900, 999, 1600, 2035, 2076, 2120
- Yolo County Resource Conservation District
- Water District – Dunnigan, Knight’s Landing Ridge Drainage, **Yolo County Flood Control & Water Conservation**

**Multi-County Districts:**

- Reclamation District – 108 (Colusa), 2068 (Solano), 2093 (Solano)
- Water District – Colusa Basin Drainage
- Sacramento-Yolo Mosquito and Vector Control District

**CAPAY CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW**

**POTENTIALLY SIGNIFICANT MSR DETERMINATIONS**

The MSR determinations checked below are potentially significant, as indicated by “yes” or “maybe” answers to the key policy questions in the checklist and corresponding discussion on the following pages. If most or all of the determinations are not significant, as indicated by “no” answers, the Commission may find that a MSR update is not warranted.

- Growth and Population
- Disadvantaged Unincorporated Communities
- Capacity, Adequacy & Infrastructure to Provide Services
- Financial Ability
- Shared Services
- Accountability
- Other

<b>1. GROWTH AND POPULATION</b>			
Growth and population projections for the affected area.	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Is the agency’s territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Will population changes have a significant negative impact on the subject agency’s service needs and demands such that agency investment would be required to increase capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Will projected growth require a change in the agency’s sphere of influence boundary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a-c)The State Department of Finance population projections<sup>1</sup> indicate that Yolo County had an estimated population in the unincorporated area of 26,995 as of January 1, 2015 and 28,419 as of January 1, 2016, a 5.3 percent overall increase. There is no significant development anticipated in the District that would result in a negative impact to the agency’s ability to provide cemetery services

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<sup>1</sup> E-1 Population Estimates for Cities, Counties, and the State January 1, 2015 and 2016

**Growth and Population MSR Determination**

There is no significant development anticipated in the District that would result in a negative impact to the agency's ability to provide cemetery services.

**2. DISADVANTAGED UNINCORPORATED COMMUNITIES**

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) If yes, are there any "inhabited unincorporated communities" (per adopted Commission policy) within or adjacent to the subject agency's sphere of influence that are considered "disadvantaged" (80% or less of the statewide median household income) that do not already have access to public water, sewer and structural fire protection (if "no" to a), this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) If "yes" to both a) and b), it is feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community (if "no" to either a) or b), this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

a-c) The subject District provides cemetery services and, therefore, does not trigger the provisions of SB 244.

**Disadvantaged Unincorporated Communities MSR Determination**

The District provides cemetery services and, therefore, does not trigger the provisions of SB 244.

**3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES**

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 contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any concerns regarding public services provided by the agency being considered adequate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Are there any significant infrastructure needs or deficiencies to be addressed for which the agency has not yet appropriately planned?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a-b) The Capay Cemetery has 12 acres developed for burials that is approximately 50-75% full, plus an additional 5 acres available that is not yet developed. The District performs approximately 20 burials per year. Therefore, the District has ample capacity to meet service needs for the foreseeable future.

c) In meeting with the Board of Supervisors District 5 Office, no concerns with the Capay Cemetery District services were cited. The latest Agreed Upon Procedures Report dated April 28, 2010 indicated that some District recordkeeping may need improvement. However, during a meeting with Barbara Smith the District Clerk on June 14, 2017, LAFCo verified that the District has implemented an internment agreement and authorization form to document internment rights, and is maintaining copies of all deeds and burial documents. The report also recommends the District develop a checklist to track/document non-district eligibility for internments.

The District is already a member of the California Association of Public Cemeteries which has resources and mentors available to assist the District. There is another association in existence in California called the Public Cemetery Alliance. The District's services appear to be adequate.

d) The District has indicated that there are no significant and costly facility improvements that are needed. There are some issues with tree removal regarding the timing and cost, however, nothing significant such as irrigation or building improvements.

e) No changes in state law are anticipated that will require costly facility upgrades.

f) Not applicable to cemetery districts.

**Capacity and Adequacy of Public Facilities and Services MSR Determination**

The District has ample capacity to meet service needs for the foreseeable future and its services appear to be adequate. The District has indicated that there are no significant facility improvements that are needed. No changes in state law are anticipated that will require costly facility upgrades. The District has implemented most of the recordkeeping best practices as noted in the District's 2010 Agreed Upon Procedures Review. There is only one item yet to be implemented as noted below.



**Recommendations**

- The District should create a checklist to verify and document the eligibility for burials at the cemetery (i.e. district resident or criteria for eligible non-resident) per Health and Safety Code.

**4. FINANCIAL ABILITY**

Financial ability of agencies to provide services.

	YES	MAYBE	NO
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Is the organization's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Is improvement needed in the organization's financial policies to ensure its continued financial accountability and stability?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Is the organization's debt at an unmanageable level?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

**Discussion:**

<b>Capay Cemetery District Operations Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
<b>Revenues:</b>					
Total Taxes - Current	\$ 57,975.69	\$ 59,070.21	\$ 59,980.78	\$ 61,347.24	\$ 64,022.23
Total Taxes - Prior	\$ 63.72	\$ 42.04	\$ 66.71	\$ 22.18	\$ 58.87
Total Revenue Use of Money and Property	\$ 1,338.71	\$ 680.99	\$ 738.47	\$ 522.36	\$ 1,857.97
Total Intergovernment Revenue - State	\$ 497.84	\$ 477.80	\$ 457.30	\$ 1,700.84	\$ 2,052.86
Total Intergovernment Revenue - Other	\$ 78.54	\$ 77.53	\$ 65.95	\$ 62.25	\$ 64.77
Total Charges for Services (Burials)	\$ 5,100.00	\$ 6,350.00	\$ 5,025.00	\$ 7,350.00	\$ 8,705.00
Total Misc (Plots Sales, Donations, Other)	\$ 9,333.00	\$ 58,069.00	\$ 17,332.84	\$ 7,328.91	\$ 6,240.00
<b>TOTAL REVENUES</b>	<b>\$ 74,387.50</b>	<b>\$ 124,767.57</b>	<b>\$ 83,667.05</b>	<b>\$ 78,333.78</b>	<b>\$ 83,001.70</b>
<b>Expenditures:</b>					
Salaries and Benefits	\$ 2,894.36	\$ 2,486.62	\$ 2,585.03	\$ 3,321.45	\$ 4,703.47
Services and Supplies	\$ 61,243.21	\$ 60,495.00	\$ 66,135.25	\$ 63,383.25	\$ 55,035.65
Total Other Charges	\$ -	\$ -	\$ 250.00	\$ -	\$ -
Capital Assets - Equipment & Structures	\$ -	\$ 23,480.00	\$ 120,451.89	\$ -	\$ -
<b>TOTAL EXPENDITURES</b>	<b>\$ 64,137.57</b>	<b>\$ 86,461.62</b>	<b>\$ 189,422.17</b>	<b>\$ 66,704.70</b>	<b>\$ 59,739.12</b>
<i>Revenues Less Expenditures</i>	\$ 10,249.93	\$ 38,305.95	\$ (105,755.12)	\$ 11,629.08	\$ 23,262.58
<b>Total Fund Balance*</b>	<b>\$ 238,008.90</b>	<b>\$ 276,314.85</b>	<b>\$ 170,559.73</b>	<b>\$ 182,188.81</b>	<b>\$ 205,451.39</b>
<i>* Includes restricted and/or committed funds</i>					

<b>Capay Cemetery District Endowment Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Nonspendable - Endowment Principal	\$ 91,521.44	\$ 93,521.44	\$ 100,271.44	\$ 104,371.44	\$ 110,025.94
Fund Balance Available	\$ 57,471.44	\$ 57,916.34	\$ 58,420.34	\$ 59,410.00	\$ 57,970.97
<b>Total Fund Balance</b>	<b>\$ 148,992.88</b>	<b>\$ 151,437.78</b>	<b>\$ 158,691.78</b>	<b>\$ 163,781.44</b>	<b>\$ 167,996.91</b>

a) Budget:

The District's board adopts its budget each year and its 5-year budget trend analysis above indicates that the District is generally operating well within its available resources (i.e. it is not overspending its revenue). In fiscal year 13/14, the District overspent its revenue, however, it's clear from the financial information that there was a significant donation in the previous year (from the Yoche Dehe Wintun Nation) which allowed the District to pay for a new well and associated electrical work. There was sufficient cash in treasury to accommodate this one-time expenditure. Overall, the District appears to be managing its budget resources responsibly.

This District had independent audits conducted by the Yolo County Internal Auditing Division for the period July 1, 2004 through June 30, 2009. It's been seven years since the District was last audited. LAFCo met with Yolo County and its Internal Auditing Division staff on May 24, 2017 and the County staff committed to releasing a request for proposals (RFP) to contract out auditing services for the five cemetery districts that do not conduct their own. This needs to be done soon as the audits are required every five years at a minimum per Government Code Section 26909.

b) Reserves:

The chart above also shows the 5-year trend analysis for the District's endowment fund. Over the five years, the fund has grown 15%. The District appears to have sufficient reserves to cover unexpected events or upcoming significant costs.

c) Rate/Fee Schedule:

The Capay Cemetery District charges \$700 for a plot, with an opening/closing fee of \$500 for a full casket burial and \$200 fee for an ash burial. There is an additional \$200 opening/closing fee for Saturday burials. The District's endowment fee is \$350. The District's fees are similar to those of the other lower volume rural cemetery districts in the County. The District's fee schedule is attached in the appendices. The District should not waive or discount fees unless it has an adopted policy to support the waiver/discount.

<b>Sample Fees</b>	<b>Capay</b>	<b>Cottonwood</b>	<b>Davis</b>	<b>Knights Landing</b>	<b>Mary's</b>	<b>Winters</b>
Full Plot	\$700	\$450	\$1,250	\$700	\$800	\$900
Niche – 3 <sup>rd</sup> Row (plot only)	n/a	n/a	\$2,250	\$1000	n/a	\$650
Vault Fees	n/a	n/a	\$1,700	n/a	n/a	\$800
Open/Close Fees (full burial)	\$500	*	\$1,200	*	*	\$950
Non-Resident Fee	15%	\$15-\$75	\$750	\$700-1200	\$100-\$200	\$400
Endowment Fee	\$350	\$175-\$205	\$350-500	\$400	\$200-\$400	\$150-\$300

\* Opening/closing fees are charged directly by the contractor or mortuary

d) Infrastructure Maintenance and Replacement:

The District board cites the need for irrigation maintenance, pest management, and tree removal as ongoing infrastructure issues. The District is considering removal of the existing sidewalks rather than replacing and/or maintaining them. Also, there is a desire to potentially replace the water pump and install a large water tank for watering. It is sometimes an issue that an unauthorized member of the public turns on the sprinkler system, which results in costly PG&E bills for pump electricity use. The District has the resources to fund these types of improvements over time.

e) Financial Policies:

The District does not currently have written financial policies other than what is provided in the County's Special District Financial Handbook. The County's handbook primarily deals with how special districts interact with the County for tax revenue, the treasury, or reporting to the State Controller's Office. The County's policies do not address other issues that may be a concern for cemetery districts such as how to handle travel and reimbursable expenses, personnel issues, operating procedures, safety, etc. A template for policies for a cemetery district from the Public Cemetery Alliance has been provided in the appendices for review and consideration by the District. There is also a "Guide to Public Cemetery Operations" from the California Association of Public Cemeteries that is included in the appendices.

There were two issues raised in the 2010 Agreed Upon Procedures Report regarding handling cash receipts. One issue was the timely deposits of cash receipts and the other was the tracking/control of the receipts themselves. Staff met with the District Clerk on June 14, 2017 and verified that both of these issues had been resolved and best practices implemented.

f) Debt:

The District does not have any debt.

**Financial Ability MSR Determination**

The Capay Cemetery District appears to be managing its finances well. It operates within its financial means and does not have any debt. Its fees are in line with other districts and they fund an adequate level of service. The District has adequate reserve to provide necessary maintenance. The District is lacking adopted financial policies other than what the County provides and samples have been provided for District consideration.

**Recommendations**

- Consider adopting policies for District operations and financial management (see templates in the MSR appendices).
- The District should not waive or discount fees unless it has an adopted policy to support the waiver/discount.

**5. SHARED SERVICES AND FACILITIES**

Status of, and opportunities for, shared facilities.

	YES	MAYBE	NO
a) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a)-c) The only staff member of the Capay Cemetery District is a part-time Clerk. Grave digging and landscape maintenance services are contracted out to private service providers. These contractors provide their own equipment which is not owned or maintained by the District. The Capay Cemetery is located near the town of Esparto where the Esparto Community Services District and the Esparto Fire Protection District also provide services. The Capay Cemetery District holds its board meetings in the fire station. The landscaping services at the cemetery could potentially be performed by the Esparto CSD under contract.

**Shared Services MSR Determination**

The Capay Cemetery District has minimal staff (a part-time Clerk only) and no equipment of its own (provided by private contractors). The contract for landscaping services at the cemetery could also be potentially pooled with nearby cemetery districts or contracted out to the Esparto CSD if it reduced costs.

**Recommendations:**

- When seeking new contract services for landscape maintenance, consider shared contracts with nearby cemetery districts or requesting a bid for landscape services from the Esparto CSD.

**6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES**

Accountability for community service needs, including governmental structure and operational efficiencies.

	YES	MAYBE	NO
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any issues with filling board vacancies and maintaining board members?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any issues with staff turnover or operational efficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is there a lack of regular audits, adopted budgets and public access to these documents?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Is the agency involved in any Joint Powers Agreements/Authorities (JPAs)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) The District's meetings are publicly accessible in the Esparto Fire Protection District firehouse. The meeting notices are posted at the Capay Cemetery in compliance with the Brown Act. The 2010 Agreed Upon Procedures Report indicated that the posted agenda is missing the certification that it was posted on time and the locations. LAFCo verified in a meeting with the District Clerk on June 14, 2017 that this certification is now included in all posted agendas.
- b) There are three seats on the Capay Cemetery District Board of Trustees and they are all currently filled. Two of the members' term expires on January 31, 2018 and the other member's term expires on January 31, 2020. There do not appear to be any issues with maintaining board members.
- c) The only District staff member is a part time Clerk. She has been working for the District for since 2014 and there do not appear to be any issues with staff turnover at the District.
- d) The District audits have been performed historically by the Yolo County Internal Auditing Division in 5-year cycles. However, the last cycle of audits performed went through fiscal year 2008/09 and the District is overdue for its next batch of audits. The Internal Auditing Division has indicated that they would provide services again, however, the District board has indicated that it is unable to commit to the services because the cost estimate is approximately \$13,000 for 150 hours of labor, which is roughly 15% of the District's annual revenue. In a meeting with Yolo County staff on May 24, 2017, County staff indicated that it would instead prepare an RFP to contract out auditing services for the five cemetery districts that do not conduct their own.

The District does not maintain a website where the public could access this information. The District should consider even a minimal website to provide information to the public regarding board members, meetings, financial information, audits, etc.

Regarding the storage of District records, it is common practice with small districts to keep its records in private homes. This makes the District records potentially vulnerable to damage, loss, or lack of access with staff/board changes. LAFCo strongly recommends the District consider the best methods for it to create a backup of computer files and create a safe place to secure District records. Also consider worst-case scenario and succession planning in case of an unexpected loss of a staff and/or board member.

- e) The Capay Cemetery District is not involved in any JPAs.
- f)-g) See response to 5a) – 5c).
- h) The cemetery district does not overlap with any other cemetery districts and it does overlap with other special districts, however, each provides different services (fire, water, sewer, parks and recreation). Therefore, LAFCo does not anticipate any public confusion regarding which agency provides services. As noted in other responses, it may be more efficient for some of the cemetery district's services to be contracted out to the Esparto Community Services District.

**Accountability, Structure and Efficiencies MSR Determination**

The Capay Cemetery District meetings are publicly accessible and comply with the Brown Act. Its board positions are filled and the board and staff positions appear stable. The District has not been audited since 2008/09 and is not in compliance with required auditing practices, although in a recent meeting with County staff it was determined that the Department of Financial Services would release an RFP for a consolidated audit of the 5 cemetery districts. There are no governance changes recommended to improve efficiencies. The District should consider methods to protect/backup District records that are currently stored in the Clerk's private home. District information could be better publicized if a website was established, even a minimal one.

**Recommendation**

- The Capay Cemetery District has not been audited or had a financial review since fiscal year 2008/09. The Cemetery District Board should ensure that audits are performed of the Cemetery District’s accounts, records, and endowment care fund, as required by law, and provide any necessary documentation to the auditor. Yolo County should arrange for financial reviews of the Cemetery District in accordance with Government Code Section 26909. An audit should occur annually, unless the Cemetery Board and Board of Supervisors authorize alternative financial reviews, with audits occurring no less frequently than every five years. The county auditor should either conduct the audit, or contract with a public accountant to do so. If the Yolo County Department of Financial Services (DFS) determines that it does not have the resources to continue providing such audits, the County should solicit proposals from qualified CPAs or accounting firms to provide the audit or agreed upon procedures review for the five cemetery districts that do not provide their own. Contracts can be batched in 3 or 5 year increments for cost savings, as determined by County policy and approved by the Cemetery District and Board of Supervisors. The costs should be apportioned to the districts participating in the audit/review by a formula determined by DFS in consultation with the districts (i.e. by total revenue, for example).
- Regarding the storage of District records, it is common practice with small districts to keep its records in private homes. This makes the District records potentially vulnerable to damage, loss, or lack of access with staff/board changes. LAFCo strongly recommends the District consider the best methods for it to create a backup of computer files and create a safe place to secure District records. Also consider worst-case scenario and succession planning in case of an unexpected loss of a staff and/or board member.
- The District should consider establishing a website to provide transparent information to the public regarding board members, meetings, financial information, audits, etc. The California Special Districts Association has partnered with StreamlineWeb who provides a fully supported and hosted website template for special districts. For the Capay Cemetery District the cost would be \$50 if a CSDA member or \$75 if a non-member. More information is available at [www.getstreamline.com/web/](http://www.getstreamline.com/web/)

**7. OTHER ISSUES**

Any other matter related to effective or efficient service delivery, as required by commission policy.

	YES	MAYBE	NO
a) Are there any other service delivery issues that can be resolved by the MSR/SOI process?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a) LAFCo is not aware of any other service delivery issues not already addressed in the MSR.

**Other Issues MSR Determination**

LAFCo is not aware of any other service delivery issues not already addressed in the MSR.

**CAPAY CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY**

On the basis of the Municipal Service Review:

- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update is NOT NECESSARY in accordance with Government Code Section 56425(g). Therefore, NO CHANGE to the agency's SOI is recommended and SOI determinations HAVE NOT been made.
  
- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update IS NECESSARY in accordance with Government Code Section 56425(g). Therefore, A CHANGE to the agency's SOI is recommended and SOI determinations HAVE been made and are included in this MSR/SOI study.

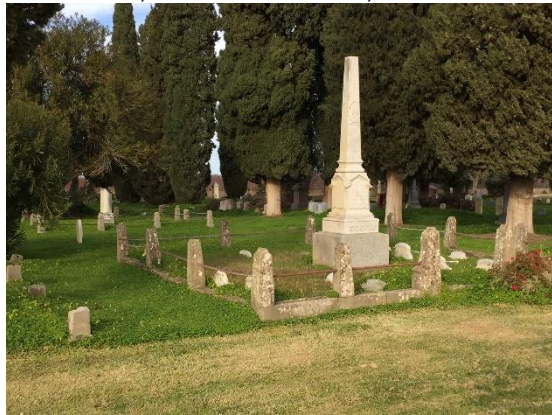
***SPHERE OF INFLUENCE MAP(S)***

The Capay Cemetery District sphere of influence (SOI) is coterminous with its existing boundary. The District is surrounded by other cemetery districts and therefore, no sphere of influence is needed.



**COTTONWOOD CEMETERY DISTRICT AGENCY PROFILE**

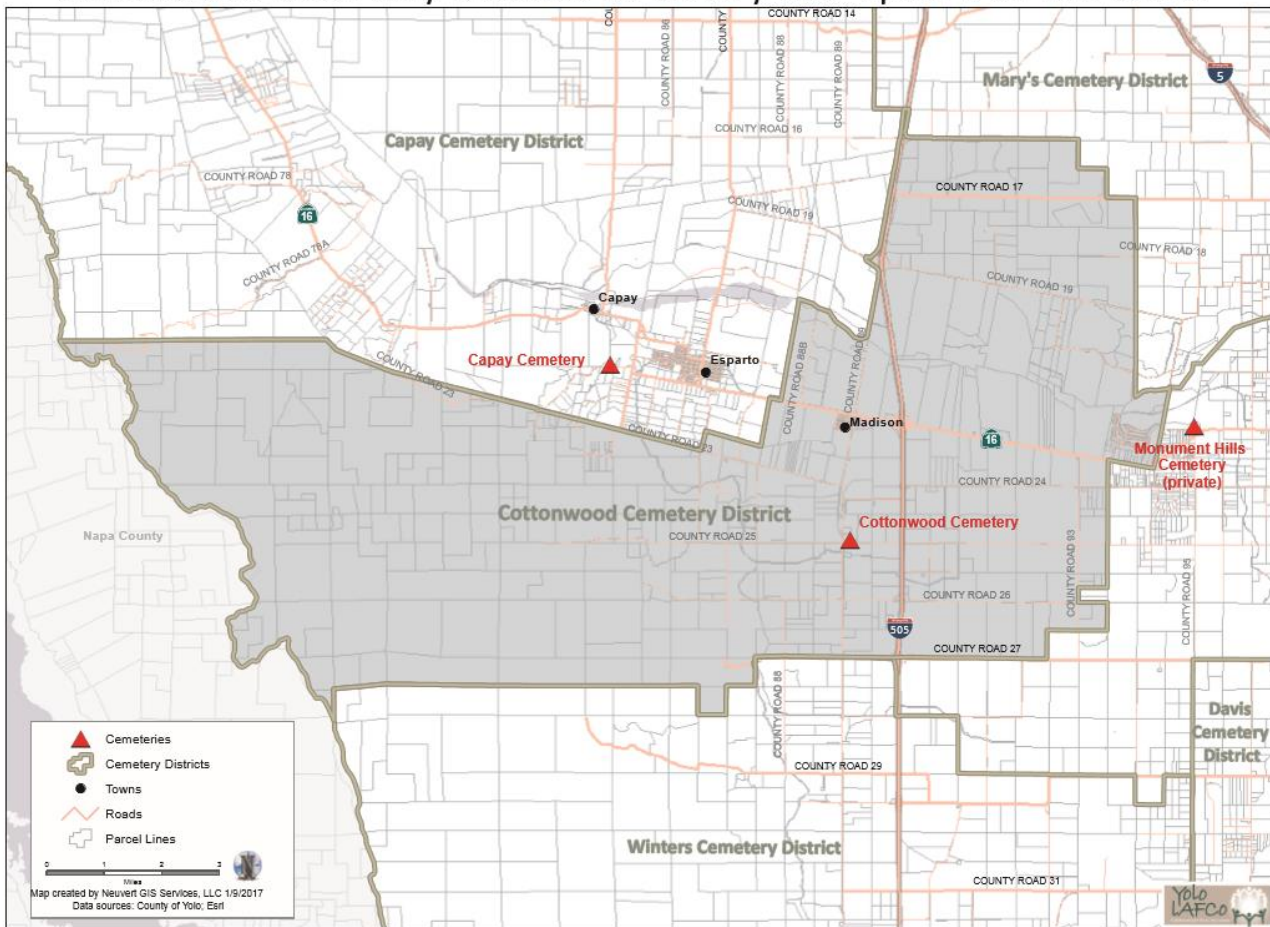
The Cottonwood Cemetery District was established in 1922. The District is primarily rural and its boundary encompasses a total of 99.2 square miles (63,488 acres). The District includes the town of Madison and the Wild Wings community (see Map 3). Wild Wings was added to the District in 2005 as part of the Clover Annexation, which included 12,256 acres east of County Road 89 and north of Cache Creek.



The Cottonwood Cemetery is on approximately 5 acres of land and is located in western Yolo County near the intersection of County Roads 25 and 89, approximately 5 miles south of Madison, between the City of Winters and the town of Madison.

The Cottonwood Cemetery was first established as a private cemetery in 1875, although the earliest burial was reportedly in 1863. There are many pioneer families buried there from the Cache Creek, Cottonwood, and Buckeye regions.

**Cottonwood Cemetery District Boundary and Sphere of Influence\***



\*Note: Sphere of Influence is coterminous with boundary

Boundary approved by Yolo LAFCo on April 25, 2005

**AFFECTED AGENCIES**

Per Government Code Section 56427, a public hearing is required to adopt, amend, or revise a sphere of influence. Notice shall be provided at least 21 days in advance and mailed notice shall be provided to each affected local agency or affected County, and to any interested party who has filed a written request for notice with the executive officer. Per Government Code Section 56014, an affected local agency means any local agency that overlaps with any portion of the subject agency boundary or SOI (included proposed changes to the SOI).

The affected local agencies for this MSR/SOI are:

**County/Cities:**

- City of Davis
- City of West Sacramento
- City of Winters
- City of Woodland
- County of Yolo

**County Service Areas (CSAs)**

- Dunnigan, El Macero, Garcia Bend, **Madison-Esparto Regional CSA (MERCSA)**, North Davis Meadows, Snowball, **Wild Wings**, and Willowbank

**K-12 School Districts:**

- Davis Joint Unified
- Esparto Unified
- Pierce Joint Unified
- River Delta Unified
- Washington Unified
- Winters Joint Unified
- Woodland Joint Unified

**Community College Districts:**

- Los Rios Community College District
- Solano Community College District
- Yuba Community College District
- Delta Community College District

**Special Districts:**

- Cemetery District – Capay, Cottonwood, Davis, Knight’s Landing, Mary’s, Winters
- Community Service District – Cacheville, Esparto, Knight’s Landing, **Madison**
- Fire Protection District – Capay, Clarksburg, Dunnigan, East Davis, Elkhorn, **Esparto**, Knights Landing, **Madison**, No Man’s Land, Springlake, West Plainfield, **Willow Oak**, **Winters**, **Yolo**, Zamora
- Sacramento-Yolo Port District
- Reclamation District – 150, 307, 537, 730, 765, 785, 787, 827, 900, 999, 1600, 2035, 2076, 2120
- Yolo County Resource Conservation District
- Water District – Dunnigan, Knight’s Landing Ridge Drainage, **Yolo County Flood Control & Water Conservation**

**Multi-County Districts:**

- Reclamation District – 108 (Colusa), 2068 (Solano), 2093 (Solano)
- Water District – Colusa Basin Drainage
- Sacramento-Yolo Mosquito and Vector Control District

**COTTONWOOD CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW**

**POTENTIALLY SIGNIFICANT MSR DETERMINATIONS**

The MSR determinations checked below are potentially significant, as indicated by “yes” or “maybe” answers to the key policy questions in the checklist and corresponding discussion on the following pages. If most or all of the determinations are not significant, as indicated by “no” answers, the Commission may find that a MSR update is not warranted.

- |   |   |
|---|---|
| <input type="checkbox"/> Growth and Population  | <input checked="" type="checkbox"/> Shared Services |
| <input type="checkbox"/> Disadvantaged Unincorporated Communities                           | <input checked="" type="checkbox"/> Accountability  |
| <input checked="" type="checkbox"/> Capacity, Adequacy & Infrastructure to Provide Services | <input type="checkbox"/> Other                      |
| <input checked="" type="checkbox"/> Financial Ability                                       |   |

<b>1. GROWTH AND POPULATION</b>			
Growth and population projections for the affected area.	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Is the agency’s territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Will population changes have a significant negative impact on the subject agency’s service needs and demands such that agency investment would be required to increase capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Will projected growth require a change in the agency’s sphere of influence boundary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a)-c) The State Department of Finance population projections<sup>2</sup> indicate that Yolo County had an estimated population in the unincorporated area of 26,995 as of January 1, 2015 and 28,419 as of January 1, 2016, a 5.3 percent overall increase. There is no significant development anticipated in the District that would result in a negative impact to the agency’s ability to provide cemetery services

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<sup>2</sup> E-1 Population Estimates for Cities, Counties, and the State January 1, 2015 and 2016

**Growth and Population MSR Determination**

There is no significant development anticipated in the District area that would result in a negative impact to the agency's ability to provide cemetery services

**2. DISADVANTAGED UNINCORPORATED COMMUNITIES**

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) If yes, are there any "inhabited unincorporated communities" (per adopted Commission policy) within or adjacent to the subject agency's sphere of influence that are considered "disadvantaged" (80% or less of the statewide median household income) that do not already have access to public water, sewer and structural fire protection (if "no" to a), question may be skipped?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) If "yes" to both a) and b), it is feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community (if "no" to either a) or b), this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

a-c) The subject District provides cemetery services and therefore does not trigger the provisions of SB 244.

**Disadvantaged Unincorporated Communities MSR Determination**

The District provides cemetery services and therefore does not trigger the provisions of SB 244.

**3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES**

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 contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any concerns regarding public services provided by the agency being considered adequate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Are there any significant infrastructure needs or deficiencies to be addressed for which the agency has not yet appropriately planned?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a-b) The Cottonwood Cemetery District board indicated that its cemetery is approximately 30% full and only performs 1-3 burials per year. Therefore, there is sufficient capacity to accommodate existing development in the District. In addition, there is no significant development or population growth on the horizon that would negatively impact the District's ability to provide services.

d) Cemetery services provided by the District are reportedly adequate. The latest Agreed Upon Procedures Report dated January 20, 2016 indicated that some District recordkeeping may need improvement. Specifically, an internment agreement and authorization form to document internment rights (and transfer of rights when necessary), maintaining copies of all deeds and burial documents. The report also recommends the District develop a checklist to track/document non-district eligibility for internments.

There are two public cemetery associations in California that the District may want to consider joining: The California Association of Public Cemeteries (CAPC) and/or the Public Cemetery Alliance (PCA). With Cottonwood's number of internments per year, the cost for CAPC would be \$30 per year and the cost for PCA is \$25 per year. Both associations could provide helpful resources to the District.

d) The District would like to install a new automatic sprinkler system and the existing bathroom needs improvements, however, cost is an issue. The District board would also like to plant additional trees in the new section of the cemetery.

e) There are no changes in state legislation anticipated that would result in costly facility or infrastructure upgrades.

f) Not applicable to cemetery districts.

**Capacity and Adequacy of Public Facilities and Services MSR Determination**

The Cottonwood Cemetery is approximately 30% full and only performs 1-3 burials per year. Therefore, there is sufficient capacity to accommodate existing and future development in the District. Cemetery services provided by the District are adequate. The District would like to install a new automatic sprinkler system, improve the existing bathroom facility and plant additional trees in the new section of the cemetery, however, cost is an issue. The District's 2016 Agreed Upon Procedures Review identified some recordkeeping that could be improved with implementing some best practices as noted in the recommendations below.

**Recommendations:**

- The District should create an interment agreement and authorization form in the case of a transfer of interment rights, if it hasn't already done so (see MSR attachments for sample forms). The District should keep and maintain copies of all deeds and burial documents.
- The District should create a checklist to verify and document the eligibility for burials at the cemetery (i.e. district resident or criteria for eligible non-resident) per Health and Safety Code.
- There are two public cemetery associations in California that the District may want to consider joining: The California Association of Public Cemeteries (CAPC) and/or the Public Cemetery Alliance (PCA). With Cottonwood's number of interments per year, the cost for CAPC would be \$30 per year and the cost for PCA is \$25 per year. Both associations could provide helpful resources to the District.
- The District should develop a capital improvement plan for a new automatic sprinkler system and needed improvements to the existing bathrooms; and begin funding the plan.

**4. FINANCIAL ABILITY**

Financial ability of agencies to provide services.

	YES	MAYBE	NO
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Is the organization's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Is improvement needed in the organization's financial policies to ensure its continued financial accountability and stability?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Is the organization's debt at an unmanageable level?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

**Discussion:**

<b>Cottonwood Cemetery District Operations Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
<b>Revenues:</b>					
Total Taxes - Current	\$ 20,181.15	\$ 18,009.64	\$ 19,259.48	\$ 20,266.37	\$ 21,042.71
Total Taxes - Prior	\$ 14.64	\$ 13.45	\$ 22.00	\$ 9.16	
Total Revenue Use of Money and Property	\$ 285.67	\$ 87.69	\$ 113.78	\$ 120.98	\$ 460.29
Total Intergovernment Revenue - State	\$ 117.61	\$ 110.42	\$ 108.97	\$ 106.42	\$ 106.67
Total Intergovernment Revenue - Other	\$ 116.10	\$ 97.13	\$ 101.11	\$ 101.89	\$ 101.89
Total Charges for Services (Burials)	\$ -	\$ 1,890.00	\$ -	\$ -	\$ 90.00
Total Misc (Plots Sales, Donations, Other)	\$ 900.00	\$ -	\$ -	\$ 450.00	\$ 450.00
Total Other Sources (Surplus Equipment)	\$ 400.00	\$ -	\$ -	\$ -	\$ -
<b>TOTAL REVENUES</b>	<b>\$ 22,015.17</b>	<b>\$ 20,208.33</b>	<b>\$ 19,605.34</b>	<b>\$ 21,054.82</b>	<b>\$ 22,251.56</b>
<b>Expenditures:</b>					
Salaries and Benefits	\$ 8,766.33	\$ 7,271.31	\$ 10,647.60	\$ 9,184.16	\$ 8,712.72
Services and Supplies	\$ 12,517.48	\$ 4,639.95	\$ 8,896.76	\$ 5,664.79	\$ 6,630.63
Capital Assets - Structures & Improvements	\$ 18,403.55	\$ -	\$ -	\$ -	\$ -
Capital Assets - Equipment	\$ 5,361.43	\$ -	\$ -	\$ -	\$ -
<b>TOTAL EXPENDITURES</b>	<b>\$ 45,048.79</b>	<b>\$ 11,911.26</b>	<b>\$ 19,544.36</b>	<b>\$ 14,848.95</b>	<b>\$ 15,343.35</b>
<i>Revenues Less Expenditures</i>	<b>\$ (23,033.62)</b>	\$ 8,297.07	\$ 60.98	\$ 6,205.87	\$ 6,908.21
<b>Total Fund Balance*</b>	<b>\$ 28,580.63</b>	<b>\$ 36,877.70</b>	<b>\$ 36,938.68</b>	<b>\$ 43,144.55</b>	<b>\$ 49,973.07</b>
<i>* Includes restricted and/or committed funds</i>					

<b>Cottonwood Cemetery District Endowment Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Nonspendable - Endowment Principal	\$ 9,195.19	\$ 10,070.19	\$ 10,070.19	\$ 10,245.19	\$ 10,830.19
Fund Balance Available	\$ 6,980.37	\$ 7,029.33	\$ 7,084.66	\$ 7,137.72	\$ 7,165.19
<b>Total Fund Balance</b>	<b>\$ 16,175.56</b>	<b>\$ 17,099.52</b>	<b>\$ 17,154.85</b>	<b>\$ 17,382.91</b>	<b>\$ 17,995.38</b>

a) **Budget:**

The District's primary funding source is property taxes. The board adopts its budget annually on time. The Cottonwood Cemetery District does not have a lot of financial resources, but is operating responsibly and within the resources it has. In fiscal year 2011/12, the District overspent its revenues on improvements and equipment, however it had sufficient reserves to cover the expenditures. The years thereafter, the District has not spent more than was available in revenue. The District Board of Trustees approves any needed budget adjustments and coordinates with the County Treasurer.

The District has a part time landscaper as an employee and the gravedigger services are contracted out to a provider that has his own equipment.

b) **Reserves:**

The District maintains a reserve, but it does not appear sufficient to handle the cost of improvements the board would like to undertake in the future. The District's endowment fund has increased 21% over the five-year trend analysis, but remains a relatively small amount overall compared to the other districts.

c) **Rate/Fee Schedule:**

The Cottonwood Cemetery District’s fees are very low as compared to the other cemetery districts in Yolo County and around the state. A single plot costs \$450 and the range countywide is \$450 - \$1,250. Its fees for non-district residents are only \$15-\$75 and other districts in the county are \$200 - \$1200. Endowment fees are similarly lower in comparison. Although the district performs 1-3 burials per year, it would be well-served to consider raising its fees.

Sample Fees	Capay	Cottonwood	Davis	Knights Landing	Mary’s	Winters
Full Plot	\$700	\$450	\$1,250	\$700	\$800	\$900
Niche – 3 <sup>rd</sup> Row (plot only)	n/a	n/a	\$2,250	\$1000	n/a	\$650
Vault Fees	n/a	n/a	\$1,700	n/a	n/a	\$800
Open/Close Fees (full burial)	\$500	*	\$1,200	*	*	\$950
Non-Resident Fee	15%	\$15-\$75	\$750	\$700-1200	\$100-\$200	\$400
Endowment Fee	\$350	\$175-\$205	\$350-500	\$400	\$200-\$400	\$150-\$300

\* Opening/closing fees are charged directly by the contractor or mortuary

d) **Infrastructure Maintenance and Replacement:**

The District does not have a capital improvement plan or maintenance schedule. As previously discussed, the District has limited financial resources yet operates efficiently and within its means. The board would like to install a new sprinkler system, do some needed improvements to its bathroom facility and plant new trees in the new section of the cemetery, however cost is an issue. Property taxes are the District’s primary source of revenue and the board needs to wait until sufficient resources have built up in order to accommodate the expenditure. See also item 3d.

e) **Financial Policies:**

The District does not currently have written financial policies other than what is provided in the County’s Special District Financial Handbook. The County’s handbook primarily deals with how special districts interact with the County for tax revenue, the treasury, or reporting to the State Controller’s Office. The County’s policies do not address other issues that may be a concern for cemetery districts such as how to handle travel and reimbursable expenses, personnel issues, operating procedures, safety, etc. A template for policies for a cemetery district from the Public Cemetery Alliance has been provided in the appendices for review and consideration by the District. There is also a “Guide to Public Cemetery Operations” from the California Association of Public Cemeteries also included in the appendices.

f) **Debt:**

This District does not have any debt.

**Financial Ability MSR Determination**

The Cottonwood Cemetery District has very limited financial resources yet appears to be managing its finances well. It operates within its financial means and does not have any debt. Its fees are relatively low as compared to other districts in the county and the District should consider raising its fees to better fund its services. The District may not have adequate reserve to provide necessary maintenance. The District is lacking adopted financial policies and samples are provided in the appendices for District consideration.



**Recommendations:**

- Consider raising the District’s fees to be more in line with rates countywide and better fund its services.
- Consider adopting policies for District operations and financial management (see samples provided in the MSR appendices).

**5. SHARED SERVICES AND FACILITIES**

Status of, and opportunities for, shared facilities.

	YES	MAYBE	NO
a) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a)-c) The only employee of the District is a part time landscape maintenance person, therefore opportunities for shared services are limited. However, local agencies to potentially share services with include: The Esparto CSD, Madison CSD, the City of Winters, or the Winters or Capay Cemetery District. If there is ever a need to share equipment, facilities or staff, these districts could be contacted to see if they could assist or share resources. For example, a landscape employee could be potentially shared with the Capay Cemetery District if it resulted in reduced costs.

**Shared Services MSR Determination**

There are limited opportunities to share services with nearby agencies since the District’s only employee is a part time landscape person. And the only District facility is the existing historic cemetery. If and when the District is looking for a new employee, the District should consider whether sharing staff with another nearby agency would reduce costs.

**Recommendations:**

- When a vacancy occurs with the District’s part-time landscape maintenance person, it should consider sharing staff with another nearby cemetery district or other nearby agency, such as the Madison CSD, if it would reduce costs.

**6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES**

Accountability for community service needs, including governmental structure and operational efficiencies.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any issues with filling board vacancies and maintaining board members?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any issues with staff turnover or operational efficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is there a lack of regular audits, adopted budgets and public access to these documents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Is the agency involved in any Joint Powers Agreements/Authorities (JPAs)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) The Cottonwood Cemetery District Board meets monthly at the Yolo County administration building in Woodland and meeting notices are posted in accordance with the Brown Act.
- b) There are three seats on the Cottonwood Cemetery District Board of Trustees and they are all currently filled. Two of the members' term expires on January 31, 2018 and the other member's term expires on January 31, 2020. There do not appear to be any issues with maintaining board members, although succession planning would be prudent.
- c) The District has indicated that it has not had issues with staff turnover recently.
- d) The District had its last independent financial audit completed by Yolo County Internal Auditing Division in FY 2014/15. The Internal Auditing Division has indicated that it does not intend to perform auditing services going forward. In a meeting with Yolo County staff on May 24, 2017, it was determined that the County would issue a request for proposals (RFP) to solicit bids for a consolidated contract for an independent audit of the five cemetery districts that do not provide their own.

The District does not maintain a website where the public could access this information. The District should consider even a minimal website to provide information to the public regarding board members, meetings, financial information, audits, etc.

- e) The Cottonwood Cemetery District is not involved in any JPAs.
- f)-g) See response to 5a) – 5c).
- h) The cemetery district does not overlap with any other cemetery districts and it does overlap with other special districts, however, they provide different services (fire, water, sewer, parks and recreation). Therefore, LAFCo does not anticipate any public confusion regarding which agency provides services. As noted in other responses, it may be more efficient for the cemetery district's services to be contracted out to the Esparto CSD, Madison CSD, the City of Winters, the Winters Cemetery District or the Capay Cemetery District.

**Accountability, Structure and Efficiencies MSR Determination**

The Cottonwood Cemetery District's meetings are accessible and notices are posted in accordance with the Brown Act. The board member seats are all currently filled and there are no current issues with board turnover, although succession planning would be prudent. The District had its last independent financial audit performed for FY 2014/15 and is current on its audits (under a 3 or 5-year cycle). However, the Yolo County Internal Auditing Division has indicated that it will no longer provide these services and will instead issue a request for proposals (RFP) to contract for the services. There are no governance changes recommended that would increase efficiencies.

**Recommendation:**

- The Cemetery District Board should ensure that audits are performed of the Cemetery District's accounts, records, and endowment care fund, as required by law, and provide any necessary documentation to the auditor. Yolo County should arrange for financial reviews of the Cemetery District in accordance with Government Code Section 26909. An audit should occur annually, unless the Cemetery Board and Board of Supervisors authorize alternative financial reviews, with audits occurring no less frequently than every five years. The county auditor should either conduct the audit, or contract with a public accountant to do so. If the Yolo County Department of Financial Services (DFS) determines that it does not have the resources to continue providing such audits, the County should solicit proposals from qualified CPAs or accounting firms to provide the audit or agreed upon procedures review for the five cemetery districts that do not provide their own. Contracts can be batched in 3 or 5 year increments for cost savings, as determined by County policy and approved by the Cemetery District and Board of Supervisors. The costs should be apportioned to the districts participating in the audit/review by a formula determined by DFS in consultation with the districts (i.e. by total revenue, for example).
- The District should consider establishing a website to provide transparent information to the public regarding board members, meetings, financial information, audits, etc. The California Special Districts Association has partnered with StreamlineWeb who provides a fully supported and hosted website template for special districts. For the Cottonwood Cemetery District, the cost would be \$25 if a CSDA member or \$50 if a non-member. More information is available at [www.getstreamline.com/web/](http://www.getstreamline.com/web/).

**7. OTHER ISSUES**

Any other matter related to effective or efficient service delivery, as required by commission policy.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Are there any other service delivery issues that can be resolved by the MSR/SOI process?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a) LAFCo is not aware of any other service delivery issues not already addressed in the MSR.

**Other Issues MSR Determination**

LAFCo is not aware of any other service delivery issues not already addressed in the MSR.

**COTTONWOOD CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY**

On the basis of the Municipal Service Review:

- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update is NOT NECESSARY in accordance with Government Code Section 56425(g). Therefore, NO CHANGE to the agency's SOI is recommended and SOI determinations HAVE NOT been made.
- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update IS NECESSARY in accordance with Government Code Section 56425(g). Therefore, A CHANGE to the agency's SOI is recommended and SOI determinations HAVE been made and are included in this MSR/SOI study.

**SPHERE OF INFLUENCE MAP(S)**

The Cottonwood Cemetery District sphere of influence (SOI) is coterminous with its existing boundary.

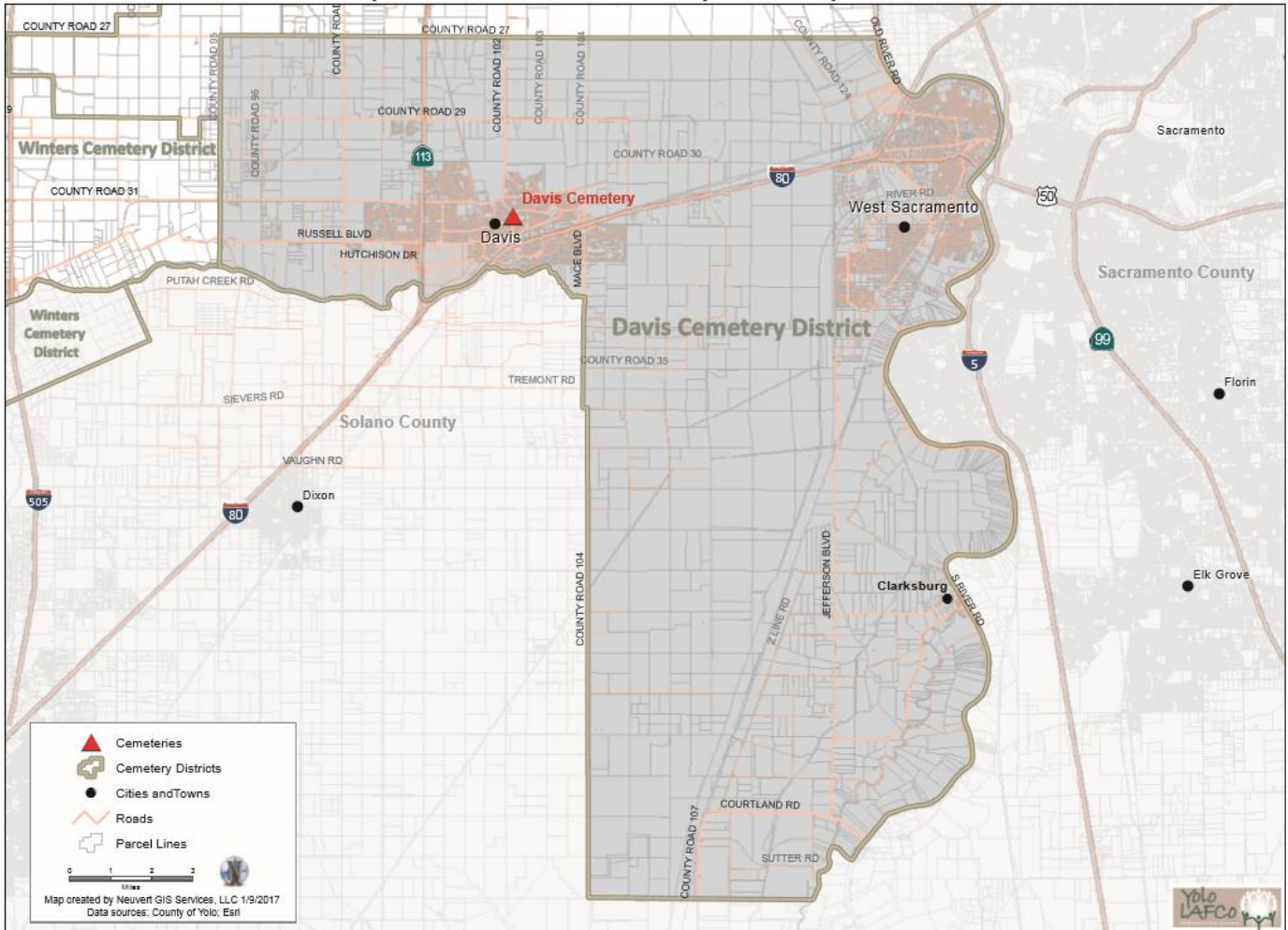
**DAVIS CEMETERY DISTRICT AGENCY PROFILE**



The Davis Cemetery District provides cemetery services within its District boundary in accordance with the California Health and Safety Code. The Davis Cemetery District currently owns 28 acres of land, of which 17 acres is developed for cemetery use. The Davis Cemetery, formerly Davisville Cemetery, is located on Pole Line Road and East Eighth Street in the City of Davis.

In 2016, LAFCo approved a significant annexation increasing the service area of the Davis Cemetery District, generally going north to County Road 27, east to the Sacramento River, and all the territory to the east and south within the County boundaries.

**Davis Cemetery District Boundary and Sphere of Influence\***



\*Note: Sphere of Influence is coterminous with boundary

Boundary approved by Yolo LAFCo on March 28, 2013

**AFFECTED AGENCIES**

Per Government Code Section 56427, a public hearing is required to adopt, amend, or revise a sphere of influence. Notice shall be provided at least 21 days in advance and mailed notice shall be provided to each affected local agency or affected County, and to any interested party who has filed a written request for notice with the executive officer. Per Government Code Section 56014, an affected local agency means any local agency that overlaps with any portion of the subject agency boundary or SOI (included proposed changes to the SOI).

The affected local agencies for this MSR/SOI are:

**County/Cities:**

- City of Davis
- City of West Sacramento
- City of Winters
- City of Woodland
- County of Yolo

**County Service Areas (CSAs)**

- Dunnigan, **El Macero**, **Garcia Bend**, Madison-Esparto Regional CSA (MERCESA), **North Davis Meadows**, Snowball, Wild Wings, and **Willowbank**

**K-12 School Districts:**

- Davis Joint Unified
- Esparto Unified
- Pierce Joint Unified
- River Delta Unified
- Washington Unified
- Winters Joint Unified
- Woodland Joint Unified

**Community College Districts**

- Los Rios Community College District
- Solano Community College District
- Yuba Community College District
- Delta Community College District

**Special Districts:**

- Cemetery District – Capay, Cottonwood, Davis, Knight’s Landing, Mary’s, Winters
- Community Service District – Cacheville, Esparto, Knight’s Landing, Madison
- Fire Protection District – Capay, **Clarksburg**, Dunnigan, **East Davis**, **Elkhorn**, Esparto, Knights Landing, Madison, **No Man’s Land**, **Springlake**, **West Plainfield**, Willow Oak, Winters, Yolo, Zamora
- Sacramento-Yolo Port District
- Reclamation District – 150, **307**, **537**, 730, **765**, **785**, 787, 827, **900**, **999**, 1600, **2035**, **2076**, 2120
- Yolo County Resource Conservation District
- Water District – Dunnigan, Knight’s Landing Ridge Drainage, **Yolo County Flood Control & Water Conservation**

**Multi-County Districts:**

- Reclamation District – 108 (Colusa), **2068 (Solano)**, **2093 (Solano)**
- Water District – Colusa Basin Drainage
- Sacramento-Yolo Mosquito and Vector Control District

**DAVIS CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW**

**POTENTIALLY SIGNIFICANT MSR DETERMINATIONS**

The MSR determinations checked below are potentially significant, as indicated by “yes” or “maybe” answers to the key policy questions in the checklist and corresponding discussion on the following pages. If most or all of the determinations are not significant, as indicated by “no” answers, the Commission may find that a MSR update is not warranted.

- Growth and Population
- Disadvantaged Unincorporated Communities
- Capacity, Adequacy & Infrastructure to Provide Services
- Financial Ability
- Shared Services
- Accountability
- Other

**1. GROWTH AND POPULATION**

Growth and population projections for the affected area.	YES	MAYBE	NO
a) Is the agency’s territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Will population changes have a significant negative impact on the subject agency’s service needs and demands such that agency investment would be required to increase capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Will projected growth require a change in the agency’s sphere of influence boundary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a)-c) The State Department of Finance population projections<sup>3</sup> indicate that Yolo County had an estimated population in the unincorporated area of 26,995 as of January 1, 2015 and 28,419 as of January 1, 2016, a 5.3 percent overall increase. The City of Davis population was estimated to increase from 68,254 to 68,314, an 0.1 percent increase. And the West Sacramento population was anticipated to increase from 51,963 to 53,082, a 2.2 percent increase. The Davis Cemetery District is less than 50 percent developed, and as such, has sufficient capacity to handle this population growth. Therefore, no negative impacts to the agency’s ability to providing cemetery services is anticipated.

<sup>3</sup> E-1 Population Estimates for Cities, Counties, and the State January 1, 2015 and 2016

**Growth and Population MSR Determination**

The Davis Cemetery District is only approximately 1/3<sup>rd</sup> full within its existing cemetery, and it has a significant amount of cemetery land that is not yet developed. Therefore, population growth is not anticipated to have a negative impact to the agency's ability to provide cemetery services.

**2. DISADVANTAGED UNINCORPORATED COMMUNITIES**

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) If yes, are there any "inhabited unincorporated communities" (per adopted Commission policy) within or adjacent to the subject agency's sphere of influence that are considered "disadvantaged" (80% or less of the statewide median household income) that do not already have access to public water, sewer and structural fire protection (if "no", then this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) If "yes" to both a) and b), it is feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community (if "no" to either a) or b), this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

a-c) The subject District provides cemetery services and therefore does not trigger the provisions of SB 244.

**Disadvantaged Unincorporated Communities MSR Determination**

The subject District provides cemetery services and, therefore, does not trigger the provisions of SB 244.

**3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES**

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 contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any concerns regarding public services provided by the agency being considered adequate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Are there any significant infrastructure needs or deficiencies to be addressed for which the agency has not yet appropriately planned?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) The Davis Cemetery District currently performs approximately 100 burials per year on average within the cemetery, which is currently 17 acres in size and is about 1/3<sup>rd</sup> full. The District owns an additional 11 acres adjacent to the east of the cemetery for future expansion. Therefore, there is ample capacity to meet service needs and future demand within its territory.
- b) There is more significant population growth anticipated in the City of West Sacramento than the City of Davis and other unincorporated areas within the District boundaries, however, the Davis Cemetery District has ample capacity to handle demand. Overall, demand for cemetery services has gone down with the rising popularity of cremation. Therefore, population growth associated with development is not anticipated to negatively impact the District's ability to provide services.
- c) LAFCo staff is not aware of any concerns regarding public services provided by the District being adequate.
- d) District staff has cited roof leakage and potentially sewer issues with an outside bathroom. The District has the financial means to resolve these facility improvement issues, however, does not yet have a plan to do so. However, these improvements appear relatively minor and do not significantly impact the District's ability to provide public cemetery services.
- e) There are no changes in state legislation anticipated that would result in costly facility or infrastructure upgrades.
- f) Not applicable to cemetery districts.

**Capacity and Adequacy of Public Facilities and Services MSR Determination**

The Davis Cemetery District has sufficient capacity to meet service needs for both existing and future development within its territory. LAFCo staff is not aware of any concerns regarding public services providing by the agency being adequate. The cemetery has some relatively minor maintenance issues that need to be addressed. The District has the financial means to complete these improvements, however, they have not been planned. There are no changes in state legislation on the horizon that would impact the District or require costly upgrades.

**Recommendations:**

- The District should develop a capital improvement plan for periodic building improvements, facility upgrades and equipment replacement; and begin funding the plan.

**4. FINANCIAL ABILITY**

Financial ability of agencies to provide services.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Is the organization's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Is improvement needed in the organization's financial policies to ensure its continued financial accountability and stability?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Is the organization's debt at an unmanageable level?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

**Discussion:**

<b>Davis Cemetery District Operations Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
<b>Revenues:</b>					
Total Taxes - Current	\$ 165,303.52	\$ 168,741.49	\$ 178,481.05	\$ 186,984.01	\$ 199,772.29
Total Taxes - Prior	\$ 53.42	\$ 47.96	\$ 183.73	\$ 27.75	
Total Revenue Use of Money and Property	\$ 1,215.60	\$ 703.76	\$ 691.80	\$ 680.79	\$ 5,031.12
Total Intergovernment Revenue - State	\$ 1,854.54	\$ 1,825.41	\$ 1,824.97	\$ 3,051.73	\$ 1,798.95
Total Intergovernment Revenue - Other	\$ 35,131.65	\$ 34,588.76	\$ 35,300.59	\$ 39,376.23	\$ 38,504.74
Total Charges for Services (Burials)	\$ 97,040.00	\$ 98,465.00	\$ 99,014.00	\$ 128,730.00	\$ 123,975.00
Total Misc (Plots Sales, Donations, Other)	\$ 168,943.75	\$ 134,774.44	\$ 128,996.68	\$ 140,351.93	\$ 193,583.73
<b>TOTAL REVENUES</b>	<b>\$ 469,542.48</b>	<b>\$ 439,146.82</b>	<b>\$ 444,492.82</b>	<b>\$ 499,202.44</b>	<b>\$ 562,665.83</b>
<b>Expenditures:</b>					
Salaries and Benefits	\$ 309,161.41	\$ 318,718.62	\$ 360,289.06	\$ 330,818.78	\$ 334,158.78
Services and Supplies	\$ 107,258.87	\$ 152,057.85	\$ 103,687.95	\$ 87,731.04	\$ 109,569.37
Total Other Charges	\$ -	\$ 3,500.00	\$ -	\$ -	\$ -
Capital Assets - Structures & Improvements	\$ -	\$ -	\$ -	\$ -	\$ 99,537.75
Capital Assets - Equipment	\$ -	\$ -	\$ -	\$ 12,024.20	\$ 9,999.36
<b>TOTAL EXPENDITURES</b>	<b>\$ 416,420.28</b>	<b>\$ 474,276.47</b>	<b>\$ 463,977.01</b>	<b>\$ 430,574.02</b>	<b>\$ 553,265.26</b>
<i>Revenues Less Expenditures</i>	\$ 53,122.20	\$ (35,129.65)	\$ (19,484.19)	\$ 68,628.42	\$ 9,400.57
<b>Total Fund Balance*</b>	<b>\$ 273,788.23</b>	<b>\$ 238,658.58</b>	<b>\$ 219,174.39</b>	<b>\$ 287,802.81</b>	<b>\$ 294,653.38</b>
<i>* Includes restricted and/or committed funds</i>					

<b>Davis Cemetery District Endowment Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Nonspendable - Endowment Principal	\$ 544,729.84	\$ 581,014.84	\$ 613,424.84	\$ 639,049.84	\$ 662,149.84
Fund Balance Available	\$ 388,979.29	\$ 391,779.72	\$ 394,971.89	\$ 398,110.44	\$ 402,334.66
<b>Total Fund Balance</b>	<b>\$ 933,709.13</b>	<b>\$ 972,794.56</b>	<b>\$ 1,008,396.73</b>	<b>\$ 1,037,160.28</b>	<b>\$ 1,064,484.50</b>

a) **Budget:**

The Davis Cemetery District Board of Trustees adopts an annual budget on time. From the five-year trend analysis above, the District overspent its revenues in FY 2012/13 and 2013/14, however it appears to have ample financial resources overall.

The District currently has 5 full-time employees that also receive CALPERS benefits. In addition, the District employs 1-2 seasonal employees for additional grounds crew support.

b) **Reserves:**

The District has ample cash in treasury, especially when compared to other cemetery districts in the county. Overall, this reserve is increasing over the above five-year trend analysis, although the District did need to dip into the cash in treasury during FY 2012/13 and 2013/14. The District appears to have ample reserve to protect against any unexpected costs.

c) **Rate/Fee Schedule:**

The district has an adopted rate schedule which was last updated in 2016. Davis Cemetery District has the highest fees among the districts countywide. However, it also handles the greatest volume of burials and has 5 full-time employees with full benefits and CALPERS retirement. The District appears to be charging fees commensurate with, and to adequately support, the high levels of services that are expected and performed in the District area.

Sample Fees	Capay	Cottonwood	Davis	Knights Landing	Mary's	Winters
Full Plot	\$700	\$450	\$1,250	\$700	\$800	\$900
Niche – 3 <sup>rd</sup> Row (plot only)	n/a	n/a	\$2,250	\$1000	n/a	\$650
Vault Fees	n/a	n/a	\$1,700	n/a	n/a	\$800
Open/Close Fees (full burial)	\$500	*	\$1,200	*	*	\$950
Non-Resident Fee	15%	\$15-\$75	\$750	\$700-1200	\$100-\$200	\$400
Endowment Fee	\$350	\$175-\$205	\$350-500	\$400	\$200-\$400	\$150-\$300

\* Opening/closing fees are charged directly by the contractor or mortuary

d) **Infrastructure Maintenance and Replacement:**

The District does not have a capital improvement plan and/or infrastructure maintenance and replacement schedule. Currently, the superintendent includes any costs each year in the District's annual budget.

Considering the District owns and maintains its equipment (as compared to other smaller county cemetery districts), it would make sense to have even a minimal plan in place to plan for equipment replacement and improvements on an ongoing basis.

e) **Financial Policies:**

The District has a Financial Standards appendix included in their policies and procedures, however, it has not been updated since 2006. District staff are currently reviewing the district's entire policy and procedures manual for an update.

f) **Debt:**

The District does not have any debt.

**Financial Ability MSR Determination**

The District appears to manage its finances well, generally staying within budget and performs independent audits. The organization has a healthy reserve to protect against expected or unexpected costs. It has a relatively high fee schedule to fund a high level of services as compared to other districts countywide. The District appears able to fund necessary maintenance and replacement of infrastructure, and it has no debt. The District has financial policies that are in need of updating, which its staff are currently working on.

**Recommendations:**

- The District should complete its comprehensive policy update that is already underway. There are templates and samples included in the MSR appendices for reference.

**5. SHARED SERVICES AND FACILITIES**

Status of, and opportunities for, shared facilities.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a-c) The District's cemetery, offices and equipment are located within the City of Davis. If there is ever a need to share equipment, facilities or staff, the City could be contacted to see if they could assist or share resources. The Davis Cemetery District is a relatively busy operation and has existing full time staff and the resources to provide these services, so shared services currently do not appear sensible.

**Shared Services MSR Determination**

The Davis Cemetery District is a relatively busy operation with approximately 100 internments per year and has existing full time staff and the resources to provide for these services, so contracting for services does not appear necessary at this time. If in the future, the District needed a piece of equipment or personnel resource only on an occasional basis, shared served should be considered.

**6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES**

Accountability for community service needs, including governmental structure and operational efficiencies.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any issues with filling board vacancies and maintaining board members?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any issues with staff turnover or operational efficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

d) Is there a lack of regular audits, adopted budgets and public access to these documents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Is the agency involved in any Joint Powers Agreements/Authorities (JPAs)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) Board meeting agendas are posted both at the cemetery office and on the District's website. Meetings are held at the cemetery and are accessible to the public.
- b) There are five seats on the Davis Cemetery District Board of Trustees and they are all currently filled. Two of the members' term expires on January 31, 2017, two more seats' term expires on January 31, 2019, and the other member's term expires on January 31, 2020. There do not appear to be any issues with maintaining board members. Two of the board members have served for over ten years.
- c) There do not appear to be any issues with staff turnover. The two of the five employees recently retired (they were married) and have since been replaced, but overall staffing remains stable.
- d) The District adopts an annual budget and has audits performed every three years by an outside auditor (i.e. not Yolo County). The last audit was completed in 2016 and included fiscal years 2013/14, 2014/15, and 2015/016 and no audit issues were apparent. However, the District maintains a website and more of this information could be posted for public access and transparency purposes. The District should consider posting the following information on its website: board meetings schedule, adopted budgets, and audits. Separate from this MSR, LAFCo will be working with the cities, county, special districts and joint powers authorities later this year to improve web transparency
- e) The Davis Cemetery District is not involved in any JPAs.
- f-g) See response to 5a) – 5c).
- h) The cemetery district does not overlap with any other cemetery districts and It does overlap with the City and other special districts, however, they provide different services (fire, water, sewer, parks and recreation, etc.). Therefore, LAFCo does not anticipate any public confusion regarding which agency provides services. As noted in other responses, it may be more efficient for the cemetery district's services to be contracted out to the City of Davis. However, the Davis Cemetery District has existing full time staff and the resources to provide for them, so contracting for services does not appear necessary.

**Accountability, Structure and Efficiencies MSR Determination**

The Davis Cemetery District’s meetings are accessible and publicized in accordance with the Brown Act. The board of trustees seats are all filled and there are no chronic issues with staff turnover. The District adopts an annual budget and is current on having independent audits performed. However, more of this information should be posted on the District’s website to improve public access to these documents and transparency. There are no additional governmental restructure options recommended to improve efficiency.

**Recommendations:**

- The District should consider posting more information on its website to improve public access to documents and public transparency. The California Special Districts Association has a recommended checklist of items to post, however, at a minimum the board meeting schedule, adopted budget and audits should be posted.

<b>7. OTHER ISSUES</b>	Any other matter related to effective or efficient service delivery, as required by commission policy.		
	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Are there any other service delivery issues that can be resolved by the MSR/SOI process?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) LAFCo is not aware of any other service delivery issues not already addressed in the MSR.

**Other Issues MSR Determination**

LAFCo is not aware of any other service delivery issues not already addressed in the MSR.

**DAVIS CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY**

On the basis of the Municipal Service Review:

- Staff has reviewed the agency’s Sphere of Influence and recommends that a SOI Update is NOT NECESSARY in accordance with Government Code Section 56425(g). Therefore, NO CHANGE to the agency’s SOI is recommended and SOI determinations HAVE NOT been made.
- Staff has reviewed the agency’s Sphere of Influence and recommends that a SOI Update IS NECESSARY in accordance with Government Code Section 56425(g). Therefore, A CHANGE to the agency’s SOI is recommended and SOI determinations HAVE been made and are included in this MSR/SOI study.

**SPHERE OF INFLUENCE MAP(S)**

LAFCo recently approved a large annexation for the District in 2016 and no additional service territory is needed/desired by the District at this time. The Davis Cemetery District sphere of influence (SOI) is coterminous with its existing boundary.)

**KNIGHTS LANDING CEMETERY DISTRICT AGENCY PROFILE**

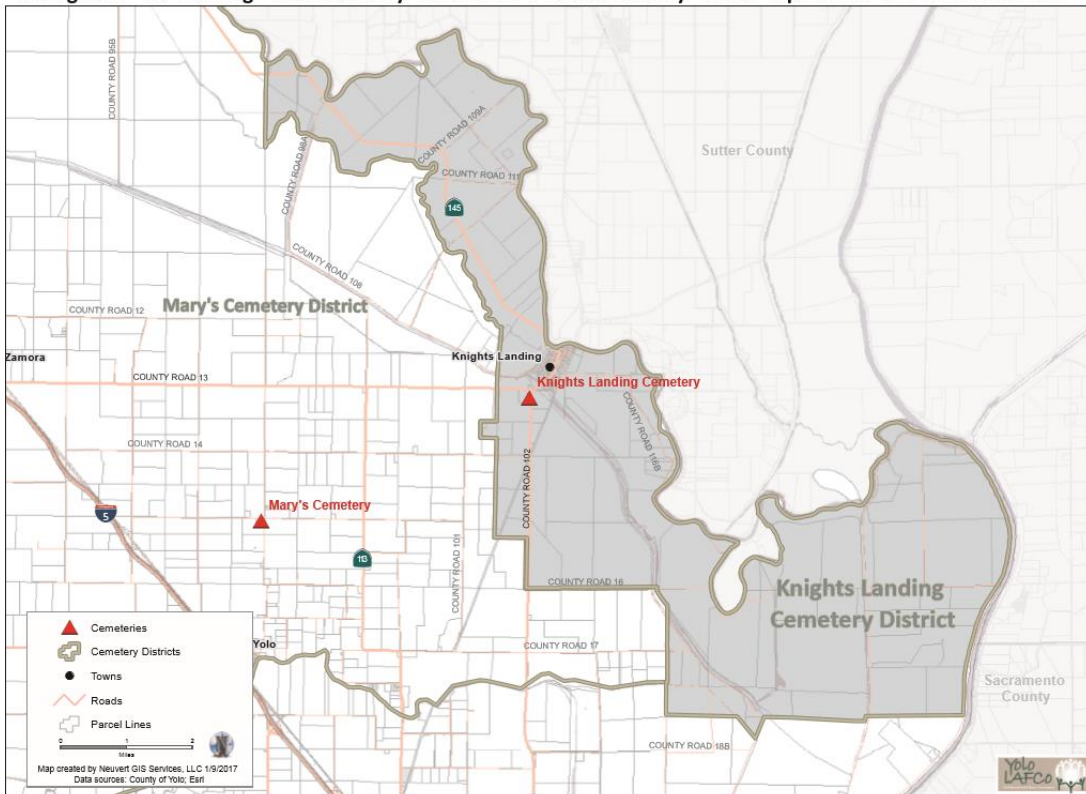
The Knights Landing Cemetery was formed by Resolution of the Yolo County Board of Supervisors on August 13, 1923 and its cemetery is located on approximately 6 acres of land in northeastern Yolo County at the intersection of County Road 102 and Highway 113, south of the town of Knights Landing, near the Sacramento River.

In 1861, Harrison Gwinn and Charles F. Reed donated land and the Knights Landing Cemetery was organized. Many Yolo County pioneers were buried in the Cemetery including a large population of Chinese immigrants who settled in Knights Landing after working as cooks and tracklayers for the Southern Pacific railroad. The Chinese immigrants buried their dead in the southeast corner of the Knights Landing Cemetery. Sometime before 1940, the remains of these Chinese immigrants were exhumed and taken back to their ancestral burial ground in China with the assistance of the Chinese Benevolent Association of Sacramento. The cemetery burials date back to 1860 and include veterans from the War of 1812, the Mexican War, Civil War, Spanish-American War, World War I, World War II, the Korean War and the Vietnam War.



The Knights Landing Cemetery District is primarily farmland and its boundary encompasses approximately 34 square miles (21,515 acres). The District includes the community of Knights Landing (see Map 4). The original cemetery was enlarged in 1955 adding 38 burial plots. In addition, a lot line adjustment is currently in process to adjust property lines to match the old fence lines.

**Knights Landing Cemetery District Boundary and Sphere of Influence\***



\*Note: Sphere of Influence is coterminous with boundary

Boundary approved by Yolo LAFCo on March 13, 1985



**AFFECTED AGENCIES**

Per Government Code Section 56427, a public hearing is required to adopt, amend, or revise a sphere of influence. Notice shall be provided at least 21 days in advance and mailed notice shall be provided to each affected local agency or affected County, and to any interested party who has filed a written request for notice with the executive officer. Per Government Code Section 56014, an affected local agency means any local agency that overlaps with any portion of the subject agency boundary or SOI (included proposed changes to the SOI).

The affected local agencies for this MSR/SOI are:

**County/Cities:**

- City of Davis
- City of West Sacramento
- City of Winters
- City of Woodland
- County of Yolo

**County Service Areas (CSAs)**

- Dunnigan, El Macero, Garcia Bend, Madison-Esparto Regional CSA (MERCESA), North Davis Meadows, **Snowball**, Wild Wings, and Willowbank

**K-12 School Districts:**

- Davis Joint Unified
- Esparto Unified
- Pierce Joint Unified
- River Delta Unified
- Washington Unified
- Winters Joint Unified
- Woodland Joint Unified

**Community College Districts:**

- Los Rios Community College District
- Solano Community College District
- Yuba Community College District
- Delta Community College District

**Special Districts:**

- Cemetery District – Capay, Cottonwood, Davis, Knight's Landing, Mary's, Winters
- Community Service District – Cacheville, Esparto, **Knight's Landing**, Madison
- Fire Protection District – Capay, Clarksburg, Dunnigan, East Davis, **Elkhorn**, Esparto, **Knights Landing**, Madison, No Man's Land, Springlake, West Plainfield, Willow Oak, Winters, **Yolo**, Zamora
- Sacramento-Yolo Port District
- Reclamation District –150, 307, 537, **730**, 765, 785, **787**, 827, 900, 999, **1600**, 2035, 2076, 2120
- Yolo County Resource Conservation District
- Water District – Dunnigan, **Knight's Landing Ridge Drainage**, Yolo County Flood Control & Water Conservation

**Multi-County Districts:**

- Reclamation District – **108 (Colusa)**, 2068 (Solano), 2093 (Solano)
- Water District – Colusa Basin Drainage
- Sacramento-Yolo Mosquito and Vector Control District

**KNIGHTS LANDING CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW**

**POTENTIALLY SIGNIFICANT MSR DETERMINATIONS**

The MSR determinations checked below are potentially significant, as indicated by “yes” or “maybe” answers to the key policy questions in the checklist and corresponding discussion on the following pages. If most or all of the determinations are not significant, as indicated by “no” answers, the Commission may find that a MSR update is not warranted.

- |   |   |
|---|---|
| <input type="checkbox"/> Growth and Population  | <input checked="" type="checkbox"/> Shared Services |
| <input type="checkbox"/> Disadvantaged Unincorporated Communities                           | <input checked="" type="checkbox"/> Accountability  |
| <input checked="" type="checkbox"/> Capacity, Adequacy & Infrastructure to Provide Services | <input type="checkbox"/> Other                      |
| <input checked="" type="checkbox"/> Financial Ability                                       |   |

<b>1. GROWTH AND POPULATION</b>			
Growth and population projections for the affected area.	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Is the agency’s territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Will population changes have a significant negative impact on the subject agency’s service needs and demands such that agency investment would be required to increase capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Will projected growth require a change in the agency’s sphere of influence boundary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a)-c) The State Department of Finance population projections<sup>4</sup> indicate that Yolo County had an estimated population in the unincorporated area of 26,995 as of January 1, 2015 and 28,419 as of January 1, 2016, a 5.3 percent overall increase. No negative impacts to the agency’s ability to providing cemetery services is anticipated.

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<sup>4</sup> E-1 Population Estimates for Cities, Counties, and the State January 1, 2015 and 2016

**Growth and Population MSR Determination**

Population growth is not anticipated to have a negative impact to the District's ability to provide cemetery services.

**2. DISADVANTAGED UNINCORPORATED COMMUNITIES**

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) If yes, are there any "inhabited unincorporated communities" (per adopted Commission policy) within or adjacent to the subject agency's sphere of influence that are considered "disadvantaged" (80% or less of the statewide median household income) that do not already have access to public water, sewer and structural fire protection (if "no", this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) If "yes" to both a) and b), it is feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community (if "no" to either a) or b), this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

a-c) The subject District provides cemetery services and therefore does not trigger the provisions of SB 244.

**Disadvantaged Unincorporated Communities MSR Determination**

Knights Landing is considered a disadvantaged unincorporated community and the cemetery district already provides services to this community. Regardless, cemetery services do not trigger the provisions of SB 244.

**3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES**

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 contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any concerns regarding public services provided by the agency being considered adequate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Are there any significant infrastructure needs or deficiencies to be addressed for which the agency has not yet appropriately planned?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) The District board reports that it has over 600 empty plots available plus additional acreage in new undeveloped areas that were acquired through a recent lot line adjustment to correct property lines with adjacent parcels. Considering the District performs approximately 6 burials per year, the cemetery apparently has ample capacity for 100 plus years (and more with the new acreage).
- b) There is no significant development or population growth that would negatively impact the District's ability to provide services.
- c) After meeting with the District board and the Board of Supervisors District 5 Office, LAFCo staff is not aware of any concerns regarding the District's services being considered adequate. The District only has one part-time paid employee for administrative support. Grave digging services are contracted for and paid by the mortuary. The District contracts with the County probation for landscaping services. There are two public cemetery associations in California that the District may want to consider joining: the California Association of Public Cemeteries (CAPC) and/or the Public Cemetery Alliance (PCA). With Knights Landing's number of interments per year, the cost for CAPC would be \$30 per year and the cost for PCA is \$25 per year. Both associations could provide helpful resources to the District.  
  
According to the Knights Landing Agreed Upon Procedures report, dated May 4, 2017, there is an issue with indigent burials performed by the Public Administrator and ensuring that appropriate documentation is in place at the District. The Knights Landing Cemetery is named as the disposition place on all the indigent State burial permits, however, in some cases the Public Administrator has released cremated remains to family members instead. LAFCo understands that the status of indigent burials in the future is uncertain because the Knights Landing Cemetery niche is full and the County is seeking Board of Supervisors approval for funds to build another one, which may occur at this cemetery or another cemetery. Notwithstanding, the burial permit records for indigent burials should be reconciled by the Public Administrator so that the Knights Landing Cemetery District records are accurate.
- d) The District has not reported any significant infrastructure upgrades or deficiencies that are needed.
- e) There are no changes in state legislation anticipated that would result in costly facility or infrastructure upgrades.
- f) Not applicable to cemetery districts.

**Capacity and Adequacy of Public Facilities and Services MSR Determination**

The Knights Landing Cemetery District is a relatively low volume service provider, which handles on average approximately 6 burials per year. The District reports over 600 empty plots still remaining, plus additional undeveloped acreage and therefore has significant capacity for decades to come. The District provides its services adequately and efficiently and does not report any significant, costly upgrades that are needed.

**Recommendations**

- There are two public cemetery associations in California that the District may want to consider joining: The California Association of Public Cemeteries (CAPC) and/or the Public Cemetery Alliance (PCA). With Knights Landing’s number of internments per year, the cost for CAPC would be \$30 per year and the cost for PCA is \$25 per year. Both associations could provide helpful resources to the District.
- The burial permit records for indigent burials should be reconciled by the County Public Administrator so that the Knights Landing Cemetery District records are accurate. The Public Administrator should provide the District with an affidavit form when cremated indigent remains are released to family members.

**4. FINANCIAL ABILITY**

Financial ability of agencies to provide services.

	YES	MAYBE	NO
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Is the organization’s rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Is improvement needed in the organization’s financial policies to ensure its continued financial accountability and stability?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Is the organization’s debt at an unmanageable level?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

**Discussion:**

<b>Knights Landing Cemetery District Operations Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
<b>Revenues:</b>					
Total Taxes - Current	\$ 22,041.51	\$ 23,614.66	\$ 25,013.34	\$ 27,732.43	\$ 29,644.44
Total Taxes - Prior	\$ 6.67	\$ 9.68	\$ 14.21	\$ 5.77	
Total Revenue Use of Money and Property	\$ 451.15	\$ 233.15	\$ 280.45	\$ 290.23	\$ 1,020.40
Total Intergovernment Revenue - State	\$ 217.95	\$ 216.70	\$ 210.93	\$ 208.55	\$ 209.04
Total Intergovernment Revenue - Other	\$ 70.75	\$ 66.90	\$ 63.12	\$ 58.83	\$ 58.97
Total Charges for Services (Burials)	\$ 5,400.00	\$ 1,100.00	\$ 550.00	\$ 700.00	\$ 1,012.50
Total Misc (Plots Sales, Donations, Other)	\$ 3,475.00	\$ 2,478.60	\$ 11,278.56	\$ 4,050.00	\$ 2,472.23
<b>TOTAL REVENUES</b>	<b>\$ 31,663.03</b>	<b>\$ 27,719.69</b>	<b>\$ 37,410.61</b>	<b>\$ 33,045.81</b>	<b>\$ 34,417.58</b>
<b>Expenditures:</b>					
Salaries and Benefits	\$ 5,821.26	\$ 5,125.68	\$ 3,066.69	\$ 3,225.36	\$ 3,486.35
Services and Supplies	\$ 19,908.53	\$ 17,878.82	\$ 27,689.20	\$ 26,165.79	\$ 16,778.46
Total Other Charges	\$ -	\$ -	\$ -	\$ 50.00	\$ 50.00
<b>TOTAL EXPENDITURES</b>	<b>\$ 25,729.79</b>	<b>\$ 23,004.50</b>	<b>\$ 30,755.89</b>	<b>\$ 29,441.15</b>	<b>\$ 20,314.81</b>
<i>Revenues Less Expenditures</i>	\$ 5,933.24	\$ 4,715.19	\$ 6,654.72	\$ 3,604.66	\$ 14,102.77
<b>Total Fund Balance*</b>	<b>\$ 79,687.44</b>	<b>\$ 84,402.63</b>	<b>\$ 91,057.36</b>	<b>\$ 94,662.02</b>	<b>\$ 108,764.79</b>
<i>* Includes restricted and/or committed funds</i>					

<b>Knights Landing Cemetery District Endowment Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Nonspendable - Endowment Principle	\$ 33,422.31	\$ 34,722.31	\$ 36,022.31	\$ 38,822.31	\$ 39,672.31
Fund Balance Available	\$ 17,546.94	\$ 17,699.57	\$ 17,870.86	\$ 18,043.99	\$ 18,134.85
<b>Total Fund Balance</b>	<b>\$ 50,969.25</b>	<b>\$ 52,421.88</b>	<b>\$ 53,893.17</b>	<b>\$ 56,866.30</b>	<b>\$ 57,807.16</b>

a) **Budget:**

The District's board is responsible for adopting an annual budget. The District appears to be operating responsibly with the minimal revenues it has and has not overspent its resources in the last 5 years. The District should record revenue transactions in the general ledger for adequate documentation and reporting.

b) **Reserves:**

The District has built up reserves over time and appears to have adequate resources to protect against an expected or unexpected costs, such as a new well or sprinkler system. The District has not delved into its reserve in the last five years and contributes to it via rolling over unused funds each year.

c) **Rate/Fee Schedule:**

The District's fees are generally in line with other districts in the county. However, regarding eligible non-resident fees, the justification is not clear why internments from the community of Robbins in Sutter County pay less fees than other non-district internments. The fees are required to reflect actual District costs and it's not clear how Robbins internments would cost less than other non-district internments. In addition, the District should not waive fees without an adopted policy and procedure regarding how waivers are handled.

<b>Sample Fees</b>	<b>Capay</b>	<b>Cottonwood</b>	<b>Davis</b>	<b>Knights Landing</b>	<b>Mary's</b>	<b>Winters</b>
Full Plot	\$700	\$450	\$1,250	\$700	\$800	\$900
Niche – 3 <sup>rd</sup> Row (plot only)	n/a	n/a	\$2,250	\$1000	n/a	\$650
Vault Fees	n/a	n/a	\$1,700	n/a	n/a	\$800
Open/Close Fees (full burial)	\$500	*	\$1,200	*	*	\$950
Non-Resident Fee	15%	\$15-\$75	\$750	\$700-1200	\$100-\$200	\$400
Endowment Fee	\$350	\$175-\$205	\$350-500	\$400	\$200-\$400	\$150-\$300

\* *Opening/closing fees are charged directly by the contractor or mortuary*

d) **Infrastructure Maintenance and Replacement:**

The District does not have a capital improvement plan and/or infrastructure maintenance and replacement schedule. However, it does not have the potential for significant costly expenses beyond the resources of the District.

e) **Financial Policies:**

The District does not currently have written financial policies other than what is provided in the County's Special District Financial Handbook. The County's handbook primarily deals with how special districts interact with the County for tax revenue, the treasury, or reporting to the State Controller's Office. The County's policies do not address other issues that may be a concern for cemetery districts such as how to handle travel and reimbursable expenses, personnel issues, operating procedures, safety, etc. A template for policies for a cemetery district from the Public Cemetery Alliance has been provided in the appendices for review and consideration by the District. There is also a "Guide to Public Cemetery Operations" from the California Association of Public Cemeteries included in the appendices.

f) **Debt:**

The District does not have any debt.

**Financial Ability MSR Determination**

The District appears to be operating responsibly with the minimal revenues it has and has not overspent its resources in the last 5 years. The District has built up reserves over time and appears to have adequate resources to protect against an expected or unexpected costs, such as a new well or sprinkler system. The District may want to consider eliminating a unique fee schedule for internments from Robbins, CA and have all eligible non-district internments pay the same fees. The District does not have any debt. The District may wish to consider adopting policies beyond the County's handbook, which focuses on transactions and required reporting to the County.

**Recommendations:**

- The District’s receipts for payments should be cross-referenced to the deed book to identify proof of payments of the plot. Cash receipts should be inventoried to control all used, unused and voided receipts in the receipt book to that it can be reconciled against the financial records. The District should record revenue transactions in the general ledger for adequate documentation and reporting
- Due to the small number of individuals involved in the District bookkeeping, the District should include a report of all claims and purchase card transactions for the prior period at a Board of Trustees meeting to ratify the expenditures and receivables (to promote multiple individuals being involved in transactions) if not already done so.
- The District may want to consider eliminating the separate fee for internments from the community of Robbins and have all eligible non-district services pay the same fees.
- The District should not waive fees without an adopted policy and procedure regarding how waivers are handled.
- The District may wish to consider adopting policies beyond the County’s handbook, which focuses on transactions and required reporting to the County (see samples attached in the MSR appendices).

**5. SHARED SERVICES AND FACILITIES**

Status of, and opportunities for, shared facilities.

	YES	MAYBE	NO
a) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a)-c) The Knights Landing Cemetery is located in the community of Knights Landing where there is also a community services district and a fire protection district. The District has minimal staffing and equipment, and it already utilizes County probation workers to help maintain the cemetery grounds. If there is ever a need in the future to share equipment, facilities or staff, the CSD and/or the FPD could be contacted to see if they could assist or share resources.

**Shared Services MSR Determination**

The Knights Landing Cemetery District already shares maintenance services by utilizing County probation workers for the cemetery grounds. Its only employee is a part time Secretary. If there is ever a need in the



future to share equipment, facilities or staff, the CSD and/or the FPD could be contacted to see if they could assist or share resources.

**Recommendations:**

- When a vacancy occurs with District staff, it should determine if it would be more cost effective to share staff with another nearby cemetery district or other nearby agency, such as the Knights Landing CSD or FPD.

**6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES**

Accountability for community service needs, including governmental structure and operational efficiencies.

	YES	MAYBE	NO
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any issues with filling board vacancies and maintaining board members?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Are there any issues with staff turnover or operational efficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is there a lack of regular audits, adopted budgets and public access to these documents?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Is the agency involved in any Joint Powers Agreements/Authorities (JPAs)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) There are no issues with the board meetings being accessible and posted in accordance with the Brown Act. The meeting notices are posted in the Post Office (most of the community utilizes post office boxes and therefore, frequents the post office regularly) and the meetings are held in the community center.
- b) There are three seats on the Knights Landing Cemetery District Board of Trustees and two seats are currently filled. One of the members' term expires on January 31, 2017 and the other member's term expires on January 31, 2019. There has been difficulty finding community members to fill board seats and this seems to be a chronic issue. According to the District's Agreed Upon Procedures Report, dated May 4, 2017, the Board of Trustees has, in some cases, approved items without a quorum.

LAFCo has suggested in previous MSRs for the CSD that perhaps board members could be overlapped with other districts in Knights Landing so that, for example, a board member may serve on both the CSD board and the cemetery district board. Meetings could be scheduled back to back so that it's convenient for board members to serve on both district boards. Something needs to be done quickly to fill board seats and make sure board members have good attendance so that the District's essential business can be handled.

- c) There do not appear to be issues with staff turnover or other operational efficiencies. The District's only staff member is a part-time Secretary. Landscaping services are contracted out and grave digging services are contracted through the mortuary. Much of the day to day oversight and caretaking the cemetery is handled by a board member who lives nearby.
- d) The County's Internal Auditing Division is finalizing an "agreed upon procedures" review for the period July 1, 2011 to June 30, 2013. However, the Internal Auditing Division has indicated that it will not be able to perform audit services beyond this review. In a meeting with Yolo County staff on May 24, 2017, it was determined that the County would issue a request for proposals (RFP) to solicit bids for a consolidated contract for an independent audit of the five cemetery districts that do not provide their own.

Regarding public accessibility of District records, the District does not have a website, so public access to District information is not easily accessible. The District should consider even a minimal website to provide information to the public regarding board members, meetings, financial information, audits, etc. Regarding the storage of District records, it is common practice with small districts to keep its records in private homes. This makes the District records potentially vulnerable to damage, loss, or lack of access with staff/board changes. LAFCo strongly recommends the District consider the best methods for it to create a backup of computer files and create a safe place to secure District records. Also consider worst-case scenario and succession planning in case of an unexpected loss of a staff and/or board member.

- e) The Knights Landing Cemetery District is not involved in any JPAs.
- f-g) See response to 5a) – 5c).
- h) The cemetery district does not overlap with any other cemetery districts, and it does overlap with the local Community Services District (CSD) and Fire Protection District, however, they provide different services (fire, water, sewer, parks and recreation, street lighting, etc.). Therefore, LAFCo does not anticipate any public confusion regarding which agency provides services.

**Accountability, Structure and Efficiencies MSR Determination**

There are no issues with meetings being accessible and publicized in accordance with the Brown Act. However, there are issues with keeping board seats filled and maintaining reliable board members. The District should consider coordinating its meetings with the other special districts in Knights Landing so that a board member might be able to serve on multiple boards. The District does not maintain a website and should look to create even a minimal one for public transparency purposes. The County is currently providing audit services (but only through FY 2012-13), However, the Yolo County Internal Auditing Division has indicated that it will no longer provide these services going forward, and will instead issue a request for

proposals (RFP) to obtain a bid for a consolidated audit of all five cemetery districts. There are no governance changes recommended that would increase efficiencies, although potentially sharing staff resources is addressed separately.

**Recommendations**

- The Knights Landing Cemetery District needs to fill its empty board seat as soon as possible so that essential business can be conducted with a quorum of at least 2 of the 3 board members. The Board of Trustees cannot take action on agenda items when only one member is present. The board should consider coordinating its meetings with other local special districts so that a community member could more easily serve on multiple boards.
- The Cemetery District Board should ensure that audits are performed of the Cemetery District's accounts, records, and endowment care fund, as required by law, and provide any necessary documentation to the auditor. Yolo County should arrange for financial reviews of the Cemetery District in accordance with Government Code Section 26909. An audit should occur annually, unless the Cemetery Board and Board of Supervisors authorize alternative financial reviews, with audits occurring no less frequently than every five years. The county auditor should either conduct the audit, or contract with a public accountant to do so. If the Yolo County Department of Financial Services (DFS) determines that it does not have the resources to continue providing such audits, the County should solicit proposals from qualified CPAs or accounting firms to provide the audit or agreed upon procedures review for the five cemetery districts that do not provide their own. Contracts can be batched in 3 or 5 year increments for cost savings, as determined by County policy and approved by the Cemetery District and Board of Supervisors. The costs should be apportioned to the districts participating in the audit/review by a formula determined by DFS in consultation with the districts (i.e. by total revenue, for example).
- Regarding the storage of District records, it is common practice with small districts to keep its records in private homes. This makes the District records potentially vulnerable to damage, loss, or lack of access with staff/board changes. LAFCo strongly recommends the District consider the best methods for it to create a backup of computer files and create a safe place to secure District records. Also consider worst-case scenario and succession planning in case of an unexpected loss of a staff and/or board member.
- The Knights Landing Cemetery District board should consider creating a website for the District for public transparency purposes. For a special district with an annual budget less between \$15k - \$50k per year, the California Special Districts Association offers a website template through streamlineweb.com for \$25 per month (if CSDA member, \$50 per month if not). This fee includes unlimited technical support and hosting services.

**7. OTHER ISSUES**

Any other matter related to effective or efficient service delivery, as required by commission policy.

	YES	MAYBE	NO
b) Are there any other service delivery issues that can be resolved by the MSR/SOI process?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) The District board expressed frustration regarding the lack of user-friendliness of the new County financial system (INFOR). All the agencies subject to INFOR are dealing with this new system and it will take years to work out all the kinks.

It also expressed frustration about the County's payroll system and reports that it apparently costs \$37 to write each paycheck to the District's one employee (and will not accept a more lump sum payment schedule).

The District also reported a concern regarding the County moving indigent internments to another cemetery and a lack of notification. Staff contacted the Public Administrator on May 4, 2017 and she indicated that the columbarium constructed at the Knights Landing cemetery was full and that options are being considered. She is waiting for the Board of Supervisors to authorize budget to construct a new one with this year's budget and then it will be determined which cemetery it would go to. If the indigent internments were moved to another cemetery, this would result in a loss of \$300-500 to the District revenue annually.

**Other Issues MSR Determination**

The District board expressed frustration regarding the lack of user-friendliness of the new County financial system (INFOR). It also expressed frustration about the County's payroll system and reports that it apparently costs \$37 to write each paycheck to the District's one employee (and will not accept a more lump sum payment schedule). The District also reported a concern regarding the County moving indigent internments to another cemetery and a lack of notification. However, in LAFCo's conversation with the Public Administrator, the Knights Landing columbarium constructed by the County for this purpose is full, and therefore, the County is looking at budget and location options to build a new one. If the indigent internments were moved to another cemetery, this would result in a loss of \$300-500 to the District revenue annually. See also the discussion under 3c.

**KNIGHTS LANDING CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY**

On the basis of the Municipal Service Review:

- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update is NOT NECESSARY in accordance with Government Code Section 56425(g). Therefore, NO CHANGE to the agency's SOI is recommended and SOI determinations HAVE NOT been made.
- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update IS NECESSARY in accordance with Government Code Section 56425(g). Therefore, A CHANGE to the agency's SOI is recommended and SOI determinations HAVE been made and are included in this MSR/SOI study.

**SPHERE OF INFLUENCE MAP(S)**

The Knights Landing Cemetery District sphere of influence (SOI) is coterminous with its existing boundary.)

**MARY'S CEMETERY DISTRICT AGENCY PROFILE**

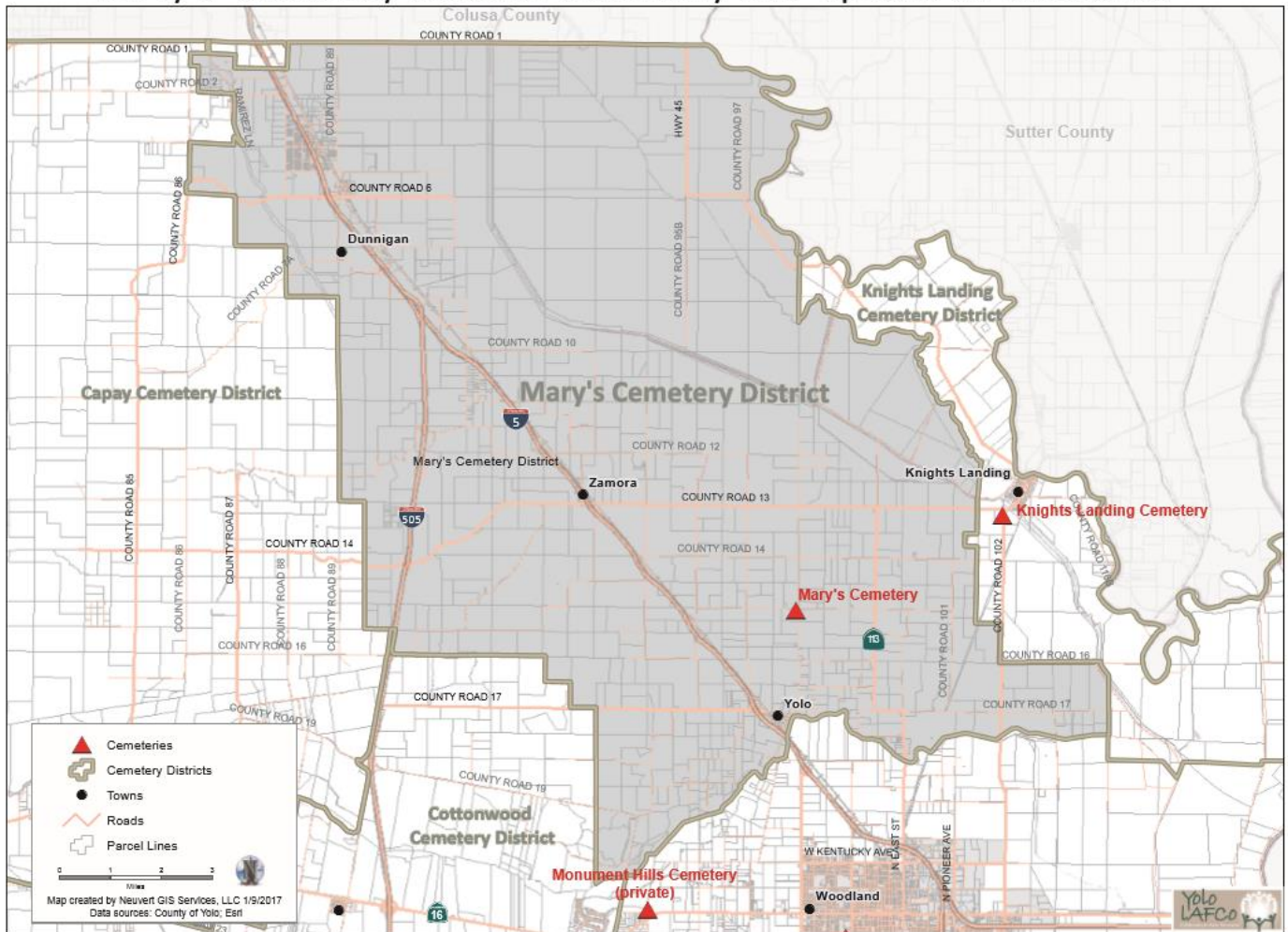
The Mary's Cemetery and Chapel is on approximately 6 acres of land and is located in northeastern Yolo County at the intersection of County Roads 98 and 15, just north of the town of Yolo.

The Cemetery was named in honor of Mary Cross Pockman who came to the area in 1852. The earliest graves in the Cemetery date from 1857. Mary's Cemetery is unique in Yolo County with a small, classic, gothic-influenced church included on the Cemetery grounds. The original church was built in 1857, but burned to the ground in 1898. The present chapel was built around 1900.



The Mary's Cemetery District was formed in 1921. The District is primarily rural and its boundary encompasses 159 square miles (101,588 acres). The District includes the towns of Yolo, Zamora, and Dunnigan.

**Mary's Cemetery District Boundary and Sphere of Influence\***



\*Note: Sphere of Influence is coterminous with boundary

Boundary Approved by Yolo County in 1921

**AFFECTED AGENCIES**

Per Government Code Section 56427, a public hearing is required to adopt, amend, or revise a sphere of influence. Notice shall be provided at least 21 days in advance and mailed notice shall be provided to each affected local agency or affected County, and to any interested party who has filed a written request for notice with the executive officer. Per Government Code Section 56014, an affected local agency means any local agency that overlaps with any portion of the subject agency boundary or SOI (included proposed changes to the SOI).

The affected local agencies for this MSR/SOI are:

**County/Cities:**

- City of Davis
- City of West Sacramento
- City of Winters
- City of Woodland
- County of Yolo

**County Service Areas (CSAs)**

- Dunnigan**, El Macero, Garcia Bend, Madison-Esparto Regional CSA (MERCESA), North Davis Meadows, Snowball, Wild Wings, and Willowbank

**K-12 School Districts:**

- Davis Joint Unified
- Esparto Unified
- Pierce Joint Unified
- River Delta Unified
- Washington Unified
- Winters Joint Unified
- Woodland Joint Unified

**Community College Districts**

- Los Rios Community College District
- Solano Community College District
- Yuba Community College District
- Delta Community College District

**Special Districts:**

- Cemetery District – Capay, Cottonwood, Davis, Knight’s Landing, Mary’s, Winters
- Community Service District – Cacheville, Esparto, **Knight’s Landing**, Madison
- Fire Protection District – Capay, Clarksburg, **Dunnigan**, East Davis, Elkhorn, Esparto, **Knights Landing**, Madison, No Man’s Land, Springlake, West Plainfield, **Willow Oak**, Winters, **Yolo**, **Zamora**
- Sacramento-Yolo Port District
- Reclamation District –150, 307, 537, 730, 765, 785, **787**, 827, 900, 999, 1600, 2035, 2076, 2120
- Yolo County Resource Conservation District
- Water District – **Dunnigan**, Knight’s Landing Ridge Drainage, Yolo County Flood Control & Water Conservation

**Multi-County Districts:**

- Reclamation District – **108 (Colusa)**, 2068 (Solano), 2093 (Solano)
- Water District – Colusa Basin Drainage
- Sacramento-Yolo Mosquito and Vector Control District

**MARY'S CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW**

**POTENTIALLY SIGNIFICANT MSR DETERMINATIONS**

The MSR determinations checked below are potentially significant, as indicated by “yes” or “maybe” answers to the key policy questions in the checklist and corresponding discussion on the following pages. If most or all of the determinations are not significant, as indicated by “no” answers, the Commission may find that a MSR update is not warranted.

- Growth and Population
- Disadvantaged Unincorporated Communities
- Capacity, Adequacy & Infrastructure to Provide Services
- Financial Ability
- Shared Services
- Accountability
- Other

<b>1. GROWTH AND POPULATION</b>			
Growth and population projections for the affected area.	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
d) Is the agency's territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Will population changes have a significant negative impact on the subject agency's service needs and demands such that agency investment would be required to increase capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Will projected growth require a change in the agency's sphere of influence boundary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a)-c)The State Department of Finance population projections<sup>5</sup> indicate that Yolo County had an estimated population in the unincorporated area of 26,995 as of January 1, 2015 and 28,419 as of January 1, 2016, a 5.3 percent overall increase. According to the Census 2010 data, Dunnigan had a total population of 1,416 residing within the “census designated place” or CDP and Yolo's total population was 450 (Zamora is not a CDP). No negative impacts to the agency's ability to providing cemetery services is anticipated.

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<sup>5</sup> E-1 Population Estimates for Cities, Counties, and the State January 1, 2015 and 2016

**Growth and Population MSR Determination**

Population growth is not anticipated to have a negative impact to the district's ability to provide cemetery services.

**2. DISADVANTAGED UNINCORPORATED COMMUNITIES**

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

	YES	MAYBE	NO
d) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) If yes, are there any "inhabited unincorporated communities" (per adopted Commission policy) within or adjacent to the subject agency's sphere of influence that are considered "disadvantaged" (80% or less of the statewide median household income) that do not already have access to public water, sewer and structural fire protection (if "no", this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) If "yes" to both a) and b), it is feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community (if "no" to either a) or b), this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

a-c) The subject District provides cemetery services and therefore does not trigger the provisions of SB 244.

**Disadvantaged Unincorporated Communities MSR Determination**

The District provides cemetery services and, therefore, does not trigger the provisions of SB 244.

**3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES**

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 contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any concerns regarding public services provided by the agency being considered adequate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Are there any significant infrastructure needs or deficiencies to be addressed for which the agency has not yet appropriately planned?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) Mary's cemetery is well-maintained and has sufficient capacity to last approximately 70 more years based on current burial trends. District board members also indicated that land could be purchased from the adjacent farmer if ever needed. The District recently completed an exhaustive process to survey and map all its plots. The 5-acre original cemetery is full and the additional newer one-acre section on the west side is 19% full. There is no additional land for expansion. Over the last ten years, the District has performed an average of 10.4 burials per year.
- b) There is no significant development or population growth that would negatively impact the District's ability to provide services.
- c) Neither the District board or the Board of Supervisors District 5 Office reports any service issues or concerns about the services being adequate.
- d) Over the last five years, the District has completed significant infrastructure upgrades such that no deficiencies currently exist.
- e) There are no changes in state legislation anticipated that would result in costly facility or infrastructure upgrades.
- f) Not applicable to cemetery districts.

**Capacity and Adequacy of Public Facilities and Services MSR Determination**

Mary's cemetery is well-maintained and has sufficient capacity to last approximately 70 more years based on current burial trends. Neither the District board or the Board of Supervisors District 5 Office reports any service issues or concerns about the services being adequate. Over the last five years, the District has completed significant infrastructure upgrades such that no deficiencies currently exist. The District recently completed an exhaustive process to survey and map all its plots.

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

**4. FINANCIAL ABILITY**

Financial ability of agencies to provide services.

	YES	MAYBE	NO
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Is the organization's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Is improvement needed in the organization's financial policies to ensure its continued financial accountability and stability?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Is the organization's debt at an unmanageable level?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

<b>Mary's Cemetery District Operations Fund - 5 Year Trend</b>					
	2011-12	2012-13	2013-14	2014-15	2015-16
<b>Revenues:</b>					
Total Taxes - Current	\$ 28,897.94	\$ 30,227.79	\$ 31,254.91	\$ 31,797.75	\$ 32,889.32
Total Taxes - Prior	\$ 25.65	\$ 27.20	\$ 48.36	\$ 16.89	
Total Revenue Use of Money and Property	\$ 2,222.95	\$ 1,036.33	\$ 1,520.68	\$ 941.58	\$ 2,487.58
Total Intergovernment Revenue - State	\$ 181.79	\$ 0.95	\$ 173.41	\$ 169.97	\$ 170.35
Total Intergovernment Revenue - Other	\$ 832.07	\$ 28.41	\$ 857.10	\$ 862.28	\$ 876.27
Total Charges for Services (Burials)	\$ -	\$ 2,100.00	\$ 300.00	\$ 600.00	\$ 400.00
Total Misc (Plots Sales, Donations, Other)	\$ 3,647.77	\$ 17,324.25	\$ 11,802.50	\$ 9,760.00	\$ 15,600.00
Other Financing Sources				\$ 18,037.00	
<b>TOTAL REVENUES</b>	<b>\$ 35,808.17</b>	<b>\$ 50,744.93</b>	<b>\$ 45,956.96</b>	<b>\$ 62,185.47</b>	<b>\$ 52,423.52</b>
<b>Expenditures:</b>					
Salaries and Benefits	\$ -	\$ 750.00	\$ 750.00	\$ 750.00	\$ 1,476.00
Services and Supplies	\$ 53,476.35	\$ 66,809.24	\$ 75,380.46	\$ 53,750.65	\$ 85,221.77
<b>TOTAL EXPENDITURES</b>	<b>\$ 53,476.35</b>	<b>\$ 67,559.24</b>	<b>\$ 76,130.46</b>	<b>\$ 54,500.65</b>	<b>\$ 86,697.77</b>
<i>Revenues Less Expenditures</i>	<i>\$ (17,668.18)</i>	<i>\$ (16,814.31)</i>	<i>\$ (30,173.50)</i>	\$ 7,684.82	<i>\$ (34,274.25)</i>
<b>Total Fund Balance*</b>	<b>\$ 163,372.14</b>	<b>\$ 150,978.93</b>	<b>\$ 120,805.43</b>	<b>\$ 128,490.25</b>	<b>\$ 94,216.00</b>
<i>* Includes restricted and/or committed funds</i>					

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

<b>Mary's Cemetery District Endowment Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Nonspendable - Endowment Principle	\$ 29,078.11	\$ 33,078.11	\$ 36,278.11	\$ 39,578.11	\$ 42,578.11
Fund Balance Available	\$ 18,767.26	\$ 18,910.09	\$ 19,082.39	\$ 1,181.29	\$ 1,246.16
<b>Total Fund Balance</b>	<b>\$ 47,845.37</b>	<b>\$ 51,988.20</b>	<b>\$ 55,360.50</b>	<b>\$ 40,759.40</b>	<b>\$ 43,824.27</b>

a) **Budget:**

Overall, the District is managing its resources responsibly. The Mary's Cemetery District revenues are roughly 2/3 from property taxes and 1/3 from sales of plots, burials, etc. The District Board of Trustees adopted the budget, and appears to be adopted on-time.

At first glance, the District's budget is alarming because during 4 out of the 5 years presented, the District overspent its revenues. However, in talking with the District board and staff, the District has just completed a lengthy, multi-year project surveying, mapping, marking and cataloging old and new plots. And although the District was overspending its revenue, there was ample fund balance to cover the expenses. According to the District, their major improvements are now completed and expenditures will be more in line with revenues.

There is also a non-profit foundation separate from the District, but it provides some support and funding for projects.

b) **Reserves:**

Reserves in the operations budget have been going down over time, corresponding to the overspending for projects, yet there is still roughly \$100,000. Reserves should begin building up again now that the major improvement projects are complete. The endowment fund has been gaining steadily, except in fiscal year 2014/15 where it appears funds were taken out and transferred to the operations budget to cover projects. The District's reserve levels adequate to protect against unexpected events or upcoming significant costs.

c) **Rate/Fee Schedule:**

The District's fees were last updated in November 2014 and generally appear to be consistent with the fees of other rural cemetery districts in the county. Full plots cost \$800, non-resident fees range between \$100-\$200, and the endowment fees range between \$200-\$400. The fees appear adequate and fair for the level of service provided by the District.

<b>Sample Fees</b>	<b>Capay</b>	<b>Cottonwood</b>	<b>Davis</b>	<b>Knights Landing</b>	<b>Mary's</b>	<b>Winters</b>
Full Plot	\$700	\$450	\$1,250	\$700	\$800	\$900
Niche – 3 <sup>rd</sup> Row (plot only)	n/a	n/a	\$2,250	\$1000	n/a	\$650
Vault Fees	n/a	n/a	\$1,700	n/a	n/a	\$800
Open/Close Fees (full burial)	\$500	*	\$1,200	*	*	\$950
Non-Resident Fee	15%	\$15-\$75	\$750	\$700-1200	\$100-\$200	\$400
Endowment Fee	\$350	\$175-\$205	\$350-500	\$400	\$200-\$400	\$150-\$300

\* Opening/closing fees are charged directly by the contractor or mortuary

d) **Infrastructure Maintenance and Replacement:**

As discussed under item 4a, the District has just completed a multi-year improvement project and now feels caught up with any backlog in projects. Ongoing costs of maintenance will continue and within the means of the District. The District does not own any vehicles or replacement as they are provided by service contractors.

e) **Financial Policies:**

The District does not currently have written financial policies other than what is provided in the County's Special District Financial Handbook. The County's handbook primarily deals with how special districts interact with the County for tax revenue, the treasury, or reporting to the State Controller's Office. The County's policies do not address other issues that may be a concern for cemetery districts such as how to handle travel and reimbursable expenses, personnel issues, operating procedures, safety, etc. A template for policies for a cemetery district from the Public Cemetery Alliance has been provided in the appendices for review and consideration by the District. There is also a "Guide to Public Cemetery Operations" that can be ordered for a nominal cost form from the California Association of Public Cemeteries (order form attached).

f) **Debt:**

The District does not have any debt.

**Financial Ability MSR Determination**

The Mary's Cemetery District appears to practicing sound financial management of its resources. Although the District overspent its revenues 4 out of the 5 past years, it was part of a multi-year planned improvement program and there was ample fund balance to cover the costs. The District has no debt. The District's fee schedule is sufficient to fund an adequate level of service and is consistent with other rural districts countywide. The District may wish to consider adopting its own policies, as the County's policies for special districts only address dealing with the County as the treasury and reporting to the State Controller's Office.

**Recommendations:**

- The District may wish to consider adopting policies beyond the County's handbook, which focuses on transactions and required reporting to the County (see samples attached in the MSR appendices).

**5. SHARED SERVICES AND FACILITIES**

Status of, and opportunities for, shared facilities.

	YES	MAYBE	NO
d) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- f) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?

**Discussion:**

a)-c) Mary's Cemetery is located just north of the town of Yolo where there is also a community services district and a fire protection district. The District currently contracts with a grounds keeping service provider and a grave digger. If there is a future need to share equipment, facilities or staff, the CSD and/or the FPD could be contacted to see if they could assist or share resources.

**Shared Services MSR Determination**

There are limited opportunities to share facilities with nearby agencies since services are rooted to the existing historic cemetery. The only employee of the District is a part time Secretary, and the remaining services are contracted out. If in the future the District is looking for a new employee or other services, the District should consider whether sharing staff with another nearby agency would reduce costs.

**Recommendations:**

- When a vacancy occurs with District staff, it should consider sharing staff with another nearby cemetery district or other nearby agency (only if it is more practical and cost effective), such as the Cacheville CSD or Yolo FPD.

**6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES**

Accountability for community service needs, including governmental structure and operational efficiencies.

	YES	MAYBE	NO
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Are there any issues with filling board vacancies and maintaining board members?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any issues with staff turnover or operational efficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is there a lack of regular audits, adopted budgets and public access to these documents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Is the agency involved in any Joint Powers Agreements/Authorities (JPAs)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

- |   |                          |                          |                                     |
|---|--------------------------|--------------------------|-------------------------------------|
| f) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:**

- a) The meeting notices are posted at the cemetery and the board meets in the secretary's home in the rural area between Woodland and Knights Landing. Although its permissible to hold a public meeting in a private home, it might be preferable from a public accessibility standpoint to consider holding board meetings in a public building, such as the Yolo Fire Protection District. In talking to the District Secretary, there is certainly a convenience to holding meetings close to files, computer, etc. LAFCo merely notes this as an issue for future consideration.
- b) There are three seats on the Mary's Cemetery District Board of Trustees and all three seats are currently filled. Two of the members' term expires on January 31, 2017 and the other member's term expires on January 31, 2019. There does not appear to be issues with maintaining board members.
- c) The District has one part-time secretary who has been employed by the District for many years. The remaining services are contracted out (i.e. grounds keeping and grave digging services). There do not appear to be any issues with staff turnover or other operational efficiencies.
- d) The County's Internal Auditing Division has completed audits for the District through FY 2015/16. However, the Internal Auditing Division has indicated that it will not be able to perform audit services beyond this review. In a meeting with Yolo County staff on May 24, 2017, it was determined that the County would issue a request for proposals (RFP) to solicit bids for a consolidated contract for an independent audit of the five cemetery districts that do not provide their own.

Regarding public accessibility of District records, the District does not have a website, so public access to District information is not easily accessible. The District should consider even a minimal website to provide information to the public regarding board members, meetings, financial information, audits, etc.

Regarding the storage of District records, it is common practice with small districts to keep its records in private homes. This makes the District records potentially vulnerable to damage, loss, or lack of access with staff/board changes. LAFCo strongly recommends the District consider the best methods for it to create a backup of computer files and create a safe place to secure District records. Also consider worst-case scenario and succession planning in case of an unexpected loss of a staff and/or board member.

- e) The Mary's Cemetery District is not involved in any JPAs.
- f)-g) See response to 5a) – 5c).
- h) The cemetery district does not overlap with any other cemetery districts, and It does overlap with the Cacheville Community Services District (CSD), local fire protection districts and some water districts, however, they provide different services (fire, water, etc.). Therefore, LAFCo does not anticipate any public confusion regarding which agency provides services.

**Accountability, Structure and Efficiencies MSR Determination**

Meeting notices for the District’s board meetings are posted at the cemetery chapel and meetings occur at the Secretary’s home. Although its permissible to hold a public meeting in a private home, it might be preferable from a public accessibility standpoint to consider holding board meetings in a public building, such as the Yolo Fire Protection District. In talking to the board, there is certainly a convenience to holding meetings close to files, computer, etc. LAFCo merely notes this as an issue for future consideration. The board members and staff positions are all filled and appear stable. The County’s Internal Auditing Division has completed audits for the District through FY 2015/16. However, the Internal Auditing Division has indicated that it will not be able to perform audit services beyond this review and will instead contract out for these services going forward. The District is not involved in any joint powers authorities and there are no recommended governance changes to enhance efficiency.

**Recommendations**

- For future consideration, the Mary’s Cemetery District board should contemplate holding its meetings in a public building to encourage public participation.
- The Cemetery District Board should ensure that audits are performed of the Cemetery District’s accounts, records, and endowment care fund, as required by law, and provide any necessary documentation to the auditor. Yolo County should arrange for financial reviews of the Cemetery District in accordance with Government Code Section 26909. An audit should occur annually, unless the Cemetery Board and Board of Supervisors authorize alternative financial reviews, with audits occurring no less frequently than every five years. The county auditor should either conduct the audit, or contract with a public accountant to do so. If the Yolo County Department of Financial Services (DFS) determines that it does not have the resources to continue providing such audits, the County should solicit proposals from qualified CPAs or accounting firms to provide the audit or agreed upon procedures review for the five cemetery districts that do not provide their own. Contracts can be batched in 3 or 5 year increments for cost savings, as determined by County policy and approved by the Cemetery District and Board of Supervisors. The costs should be apportioned to the districts participating in the audit/review by a formula determined by DFS in consultation with the districts (i.e. by total revenue, for example).
- The Mary’s Cemetery District board should consider creating a website for the District for public transparency purposes. For a special district with an annual operating revenue between \$50k - \$250k per year, the California Special Districts Association offers a website template through streamlineweb.com for \$50 per month (if CSDA member, \$75 per month if not). This fee includes unlimited technical support and hosting services.
- Regarding the storage of District records, it is common practice with small districts to keep its records in private homes. This makes the District records potentially vulnerable to damage, loss, or lack of access with staff/board changes. LAFCo strongly recommends the District consider the best methods for it to create a backup of computer files and create a safe place to secure District records. Also consider worst-case scenario and succession planning in case of an unexpected loss of a staff and/or board member.

**7. OTHER ISSUES**

Any other matter related to effective or efficient service delivery, as required by commission policy.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
c) Are there any other service delivery issues that can be resolved by the MSR/SOI process?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a) LAFCo is not aware of any other service delivery issues not already addressed in the MSR.

**Other Issues MSR Determination**

LAFCo is not aware of any other service delivery issues not already addressed in the MSR.

**MARY'S CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY**

On the basis of the Municipal Service Review:

- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update is NOT NECESSARY in accordance with Government Code Section 56425(g). Therefore, NO CHANGE to the agency's SOI is recommended and SOI determinations HAVE NOT been made.
- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update IS NECESSARY in accordance with Government Code Section 56425(g). Therefore, A CHANGE to the agency's SOI is recommended and SOI determinations HAVE been made and are included in this MSR/SOI study.

**SPHERE OF INFLUENCE MAP(S)**

The Mary's Cemetery District sphere of influence (SOI) is coterminous with its existing boundary.)



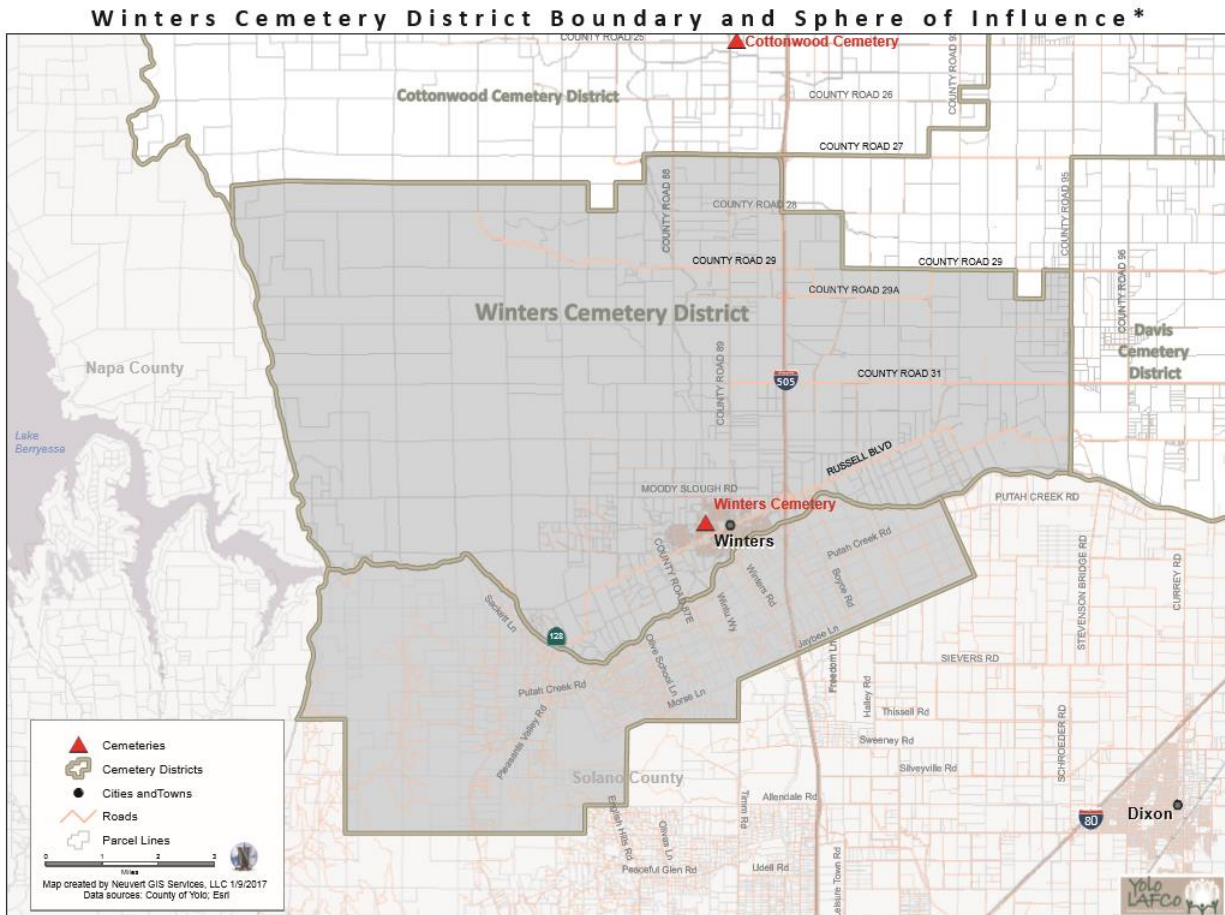
**WINTERS CEMETERY DISTRICT AGENCY PROFILE**

The Winters Cemetery is on approximately 13 acres of land and is located in southwestern Yolo County south of Anderson Avenue and north of Grant Avenue/Highway 128 at the end of Cemetery Drive.



The Winters Cemetery was originally known as the Masonic Cemetery of Winters and was founded in 1875 for members of the Masonic Order and for the public. The first burial in the Cemetery was Bert Allen who died on November 22, 1876. Decedents, from as early as 1860, were relocated to the Cemetery from other local cemeteries. Several members of the Donner party were buried in the Masonic Cemetery of Winters including Solomon Hook, his wife Alice M. Hook, and their son Edward.

The Winters Cemetery District was formed on December 3, 1941 when Buckeye Lodge № 195 of the Masonic Order deeded the Cemetery over to the County of Yolo. The District encompasses approximately 123 square miles (78,907 acres) and covers parts of Yolo and Solano Counties, with the greater portion of the District lying in Yolo County. The District includes the City of Winters.



\*Note: Sphere of Influence is coterminous with boundary

Boundary Approved by Yolo County on December 3, 1941

**AFFECTED AGENCIES**

Per Government Code Section 56427, a public hearing is required to adopt, amend, or revise a sphere of influence. Notice shall be provided at least 21 days in advance and mailed notice shall be provided to each affected local agency or affected County, and to any interested party who has filed a written request for notice with the executive officer. Per Government Code Section 56014, an affected local agency means any local agency that overlaps with any portion of the subject agency boundary or SOI (included proposed changes to the SOI).

The affected local agencies for this MSR/SOI are:

**County/Cities:**

- City of Davis
- City of West Sacramento
- City of Winters
- City of Woodland
- County of Yolo

**County Service Areas (CSAs)**

- Dunnigan, El Macero, Garcia Bend, Madison-Esparto Regional CSA (MERCESA), North Davis Meadows, Snowball, Wild Wings, and Willowbank

**K-12 School Districts:**

- Davis Joint Unified
- Esparto Unified
- Pierce Joint Unified
- River Delta Unified
- Washington Unified
- Winters Joint Unified
- Woodland Joint Unified

**Community College Districts:**

- Delta
- Los Rios
- Solano
- Yuba

**Special Districts:**

- Cemetery District – Capay, Cottonwood, Davis, Knight’s Landing, Mary’s, Winters
- Community Service District – Cacheville, Esparto, Knight’s Landing, Madison
- Fire Protection District – Capay, Clarksburg, Dunnigan, East Davis, Elkhorn, Esparto, Knights Landing, **Madison**, No Man’s Land, Springlake, **West Plainfield**, Willow Oak, **Winters**, Yolo, Zamora
- Sacramento-Yolo Port District
- Reclamation District – 150, 307, 537, 730, 765, 785, 787, 827, 900, 999, 1600, 2035, 2076, 2120
- Yolo County Resource Conservation District
- Water District – Dunnigan, Knight’s Landing Ridge Drainage, **Yolo County Flood Control & Water Conservation**

**Multi-County Districts:**

- Reclamation District – 108 (Colusa), 2068 (Solano), 2093 (Solano)
- Water District – Colusa Basin Drainage
- Sacramento-Yolo Mosquito and Vector Control District

**WINTERS CEMETERY DISTRICT MUNICIPAL SERVICE REVIEW**

**POTENTIALLY SIGNIFICANT MSR DETERMINATIONS**

The MSR determinations checked below are potentially significant, as indicated by “yes” or “maybe” answers to the key policy questions in the checklist and corresponding discussion on the following pages. If most or all of the determinations are not significant, as indicated by “no” answers, the Commission may find that a MSR update is not warranted.

- Growth and Population
- Disadvantaged Unincorporated Communities
- Capacity, Adequacy & Infrastructure to Provide Services
- Financial Ability
- Shared Services
- Accountability
- Other

<b>1. GROWTH AND POPULATION</b>			
Growth and population projections for the affected area.	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Is the agency’s territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Will population changes have a significant negative impact on the subject agency’s service needs and demands such that agency investment would be required to increase capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Will projected growth require a change in the agency’s sphere of influence boundary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a)-c) The State Department of Finance population projections<sup>6</sup> indicate that Yolo County had an estimated population in the unincorporated area of 26,995 as of January 1, 2015 and 28,419 as of January 1, 2016, a 5.3 percent overall increase. The City of Winters population was estimated to increase slightly from 7,200 to 7,214, an 0.2 percent increase. However, the City of Winters has recently approved two relatively large subdivisions and there is speculation of an additional specific plan and annexation area that would increase the size of the City population by roughly 30%. Over the course of longer term development and buildout, which could occur over the next 20-30 years or more, the Winters Cemetery may run out of capacity.

<sup>6</sup> E-1 Population Estimates for Cities, Counties, and the State January 1, 2015 and 2016

**Growth and Population MSR Determination**

The City of Winters population was estimated to increase slightly from 7,200 to 7,214, an 0.2 percent increase. However, the City of Winters has recently approved two relatively large subdivisions and there is speculation of an additional specific plan and annexation area that would increase the size of the City population by roughly 30%. Over the course of longer term development and buildout, which could occur over the next 20-30 years or more, the Winters Cemetery may run out of capacity.

**2. DISADVANTAGED UNINCORPORATED COMMUNITIES**

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) If yes, are there any "inhabited unincorporated communities" (per adopted Commission policy) within or adjacent to the subject agency's sphere of influence that are considered "disadvantaged" (80% or less of the statewide median household income) that do not already have access to public water, sewer and structural fire protection (if "no", this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) If "yes" to both a) and b), it is feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community (if "no" to either a) or b), this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

a-c) The subject District provides cemetery services and, therefore, does not trigger the provisions of SB 244.

**Disadvantaged Unincorporated Communities MSR Determination**

The District provides cemetery services and, therefore, does not trigger the provisions of SB 244.

**3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES**

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 contiguous to the sphere of influence.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Are there any concerns regarding public services provided by the agency being considered adequate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Are there any significant infrastructure needs or deficiencies to be addressed for which the agency has not yet appropriately planned?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) There are no concerns that the Winters Cemetery District has any deficiencies in their capacity to meet service needs of existing development within its territory. The District indicates that its 13.5-acre cemetery is approximately 75% full and there is an additional 2.24 acres that is developed but not yet open for burial use. Considering the cemetery performs approximately 30-40 burials per year, they have capacity to last for many decades.
- b) According to the State Department of Finance projections, the City of Winters' population is expected to grow from 7,200 to 7,214 from 2015 to 2016 (a 0.2% increase) and the unincorporated areas of the County are expected to grow 5.3% over the same time period. However, as discussed in 1a-c, there is speculation that the City of Winters may consider a specific plan and annexation area that would increase the population of the City significantly and may compromise the cemetery's capacity over a longer term planning horizon. The Winters Cemetery District should initiate conversations with the City regarding how future development would mitigate impacts to cemetery services.
- c) LAFCo staff has spoken with the City of Winters City Manager and the staff from the Yolo County Board of Supervisors for District 2 and 5 (which covers this District) and there are no concerns regarding the cemetery services provided by the Winters Cemetery District.
- d) In meeting with the District staff and two of its board members, it was noted that the District would potentially like to connect the office building to City water or otherwise provide a backup system for the existing well that occasionally goes out. In addition, the office is in need of some upgrades. In addition, the District would like to install more niches and shade structures. The District is beginning to address the need for these improvements and has established a Capital Outlay Fund. However, it does not have a plan prepared or costs identified yet. However, these improvements are not urgent and the District appears to have the resources to handle these costs.
- e) There are no changes in state legislation anticipated that would result in costly facility or infrastructure upgrades.
- f) Not applicable to cemetery districts.

**Capacity and Adequacy of Public Facilities and Services MSR Determination**

The Winters Cemetery District has sufficient capacity to meet the needs of its residents and there is capacity to meet the demands of existing growth. However, as discussed in 1a-c, there is speculation that the City of Winters may consider a specific plan and annexation area that would increase the population of the City significantly and may compromise the cemetery's capacity over a longer term planning horizon. No

concerns have been identified regarding the adequacy of cemetery services. There are some upgrades to facilities that the District would like to begin planning for and the District appears to have the resources needed to manage those costs.

**Recommendations:**

- The Winters Cemetery District should initiate conversations with the City regarding how future development would mitigate impacts to cemetery capacity and services.
- The District should develop a capital improvement plan to connect the office building to City water or otherwise provide a backup system for the existing well that occasionally goes out, complete needed office building upgrades, and potentially installing more niches and shade structures; and begin funding the plan.

**4. FINANCIAL ABILITY**

Financial ability of agencies to provide services.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Is the organization's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Is improvement needed in the organization's financial policies to ensure its continued financial accountability and stability?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Is the organization's debt at an unmanageable level?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yolo LAFCo Municipal Service Review/Sphere of Influence Study  
Yolo Cemetery Districts**

**Discussion:**

<b>Winters Cemetery District Operations Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
<b>Revenues:</b>					
Total Taxes - Current	\$ 170,830.77	\$ 173,744.77	\$ 185,232.27	\$ 195,407.73	\$ 213,481.69
Total Taxes - Prior	\$ 68.75	\$ 3,890.53	\$ 130.11	\$ 109.07	
Total Revenue Use of Money and Property	\$ 1,490.96	\$ 708.33	\$ 968.25	\$ 937.07	\$ 4,024.59
Total Intergovernment Revenue - State	\$ 278.14	\$ 2,274.44	\$ 2,245.30	\$ 3,370.29	\$ 2,221.41
Total Intergovernment Revenue - Other	\$ 1,175.84	\$ 75,626.04	\$ 42,625.36	\$ 83,249.87	\$ 84,378.68
Total Charges for Services (Burials)	\$ 27,000.00	\$ 31,650.00	\$ 32,200.00	\$ 29,250.00	\$ 22,650.00
Total Misc (Plots Sales, Donations, Other)	\$ 39,799.29	\$ 25,824.00	\$ 37,559.39	\$ 43,632.23	\$ 46,513.53
<b>TOTAL REVENUES</b>	<b>\$ 240,643.75</b>	<b>\$ 313,718.11</b>	<b>\$ 300,960.68</b>	<b>\$ 355,956.26</b>	<b>\$ 373,269.90</b>
<b>Expenditures:</b>					
Salaries and Benefits	\$ 198,950.54	\$ 221,881.78	\$ 182,177.97	\$ 135,902.10	\$ 158,466.46
Services and Supplies	\$ 47,856.83	\$ 54,599.70	\$ 84,975.92	\$ 109,816.80	\$ 99,727.64
Capital Assets - Structures & Improvements	\$ -	\$ -	\$ -	\$ 45,710.00	\$ 8,711.69
Capital Assets - Equipment	\$ -	\$ -	\$ 8,155.51	\$ 12,048.97	\$ 35,490.26
<b>TOTAL EXPENDITURES</b>	<b>\$ 246,807.37</b>	<b>\$ 276,481.48</b>	<b>\$ 275,309.40</b>	<b>\$ 303,477.87</b>	<b>\$ 302,396.05</b>
<i>Revenues Less Expenditures</i>	<i>\$ (6,163.62)</i>	\$ 37,236.63	\$ 25,651.28	\$ 52,478.39	\$ 70,873.85
<b>Total Fund Balance*</b>	<b>\$ 265,617.64</b>	<b>\$ 302,854.27</b>	<b>\$ 328,505.55</b>	<b>\$ 386,850.94</b>	<b>\$ 457,724.79</b>
<i>* Includes restricted and/or committed funds</i>					

<b>Winters Cemetery District Endowment Fund - 5 Year Trend</b>					
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Nonspendable - Endowment Principle	\$ 196,988.62	\$ 208,088.62	\$ 220,388.62	\$ 231,488.62	\$ 239,588.62
Fund Balance Available	\$ 102,278.20	\$ 103,175.55	\$ 104,196.24	\$ 105,211.91	\$ 106,346.27
<b>Total Fund Balance</b>	<b>\$ 299,266.82</b>	<b>\$ 311,264.17</b>	<b>\$ 324,584.86</b>	<b>\$ 336,700.53</b>	<b>\$ 345,934.89</b>

a) **Budget:**

The District board adopts an annual budget and expenditures have generally stayed within revenue constraints, except for 2011-12. The District's primary revenue sources include property taxes, and since 2012-13, the District also began receiving redevelopment pass through funds again (after 17 years) which will continue until 2037. The District also received monies for burials, plot sales, etc. The District's primary expenses in order of magnitude are: (1) salaries and benefits; (2) services and supplies; and (3) structures and improvements. The trend analysis above shows that the District has had revenue carry over into fund balance each year, and a sizeable amount of fund balance is available. The District also maintains a separate endowment fund that also has a healthy fund balance.

**b) Reserves:**

As noted above, the District maintains a healthy fund balance in both the operations fund and the endowment fund to protect against unexpected or upcoming significant costs. The District regularly contributes to the reserve when its unspent revenues roll over at the end of each fiscal year. The District has not appeared to have tapped its fund balance, except when it overspent its revenues by only \$6,164 in 2011-12.

**c) Rate/Fee Schedule:**

The District reviews its fees each year and was last updated in July 2016. Its fees are higher than the rural districts because Winters has staff to provide the entire service, while rural districts contract with gravediggers separately. The Winters Cemetery District fees are lower, however, as compared to the Davis Cemetery District. A sample fee comparison to the other cemetery districts in the county is provided below. The full fee schedule for the Winters Cemetery District is attached.

<b>Sample Fees</b>	<b>Capay</b>	<b>Cottonwood</b>	<b>Davis</b>	<b>Knights Landing</b>	<b>Mary's</b>	<b>Winters</b>
Full Plot	\$700	\$450	\$1,250	\$700	\$800	\$900
Niche – 3 <sup>rd</sup> Row (plot only)	n/a	n/a	\$2,250	\$1000	n/a	\$650
Vault Fees	n/a	n/a	\$1,700	n/a	n/a	\$800
Open/Close Fees (full burial)	\$500	*	\$1,200	*	*	\$950
Non-Resident Fee	15%	\$15-\$75	\$750	\$700-1200	\$100-\$200	\$400
Endowment Fee	\$350	\$175-\$205	\$350-500	\$400	\$200-\$400	\$150-\$300

\* Opening/closing fees are charged directly by the contractor or mortuary

**d) Infrastructure Maintenance and Replacement:**

See item 3d.

**e) Financial Policies:**

The District does not currently have written financial policies other than what is provided in the County's Special District Financial Handbook. The County's handbook primarily deals with how special districts interact with the County for tax revenue, the treasury, or reporting to the State Controller's Office. The County's policies do not address other issues that may be a concern for cemetery districts such as how to handle travel and reimbursable expenses, personnel issues, operating procedures, safety, etc. However, the District is working on having current policies and procedures written through an attorney during fiscal year 2017-18. For information only, a template for policies for a cemetery district from the Public Cemetery Alliance has been provided in the appendices for review and consideration by the District. There is also a "Guide to Public Cemetery Operations" from the California Association of Public Cemeteries included in the appendices.

**f) Debt:**

The District does not have any debt.

**Financial Ability MSR Determination**

The District appears to operate sound financial management and it has no debt. It has a healthy reserve to safeguard against any unexpected or upcoming significant costs. The District's fee schedule appears to fund an adequate level of service, however the District may want to compare its rates to the other urban cemeteries in Davis and Woodland before the next update. The District has not completed a capital



improvement plan for upcoming improvements, however, it has necessary funds to complete them. The District is currently working on financial policies to ensure its continued accountability and stability.

**Recommendations:**

- Prior to its next fee update, the District should compare its rates to other urban cemeteries in Woodland and Davis and determine if it would be appropriate to raise fees.

**5. SHARED SERVICES AND FACILITIES**

Status of, and opportunities for, shared facilities.

	YES	MAYBE	NO
a) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a)-c) The Winters Cemetery is located within the City of Winters. If there is a need to share equipment, facilities or staff, the City has been contacted on occasion to assist or share resources as needed. While the boundaries of this district does not lend itself to considering a potential consolidation, a portion of the services of the cemetery district could potentially be contracted out to the City (e.g. landscaping). However, the District has a sufficient volume of work (30-40 burials per year) such that maintaining its own staffing and management of the services seems appropriate. Yolo County offers pooled purchasing services if that is beneficial to the District.

**Shared Services MSR Determination**

The District already shares resources occasionally with the City of Winters as-needed. While the District could potentially contract some of its services needed from the City of Winters, the District has a sufficient volume of work (30-40 burials per year) such that maintaining its own staffing and management of the services seems appropriate.

**6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES**

Accountability for community service needs, including governmental structure and operational efficiencies.

	YES	MAYBE	NO
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any issues with filling board vacancies and maintaining board members?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any issues with staff turnover or operational efficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is there a lack of regular audits, adopted budgets and public access to these documents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Is the agency involved in any Joint Powers Agreements/Authorities (JPAs)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) The District posts notices of all board meetings and holds its meetings at the cemetery offices in accordance with the Brown Act.
- b) There are five seats on the Winters Cemetery District Board of Trustees and they are all currently filled. Three of the members' term expires on January 31, 2017 and the other two members' term expires on January 31, 2019. There do not appear to be any issues with maintaining board members.
- c) There has been no staff turnover since 2014. Turnover previous to 2014 was due to retirement of three employees with 34, 17 and 8 years of service with the District respectively.
- d) The Yolo County Internal Auditing Division is currently performing an agreed upon procedures review for the audit period of July 1, 2013 through June 30, 2015. However, the Internal Auditing Division has indicated that it will not be able to perform audit services beyond this review. In a meeting with Yolo County staff on May 24, 2017, it was determined that the County would issue a request for proposals (RFP) to solicit bids for a consolidated contract for an independent audit of the five cemetery districts that do not provide their own.

Regarding public accessibility of District records, the District does not have a website, so public access to District information is not easily accessible. The District should consider even a minimal website to provide information to the public regarding board members, meetings, financial information, audits, etc.

- e) The Winters Cemetery District is not involved in any JPAs.
- f)-g) See response to 5a) – 5c).
- h) The cemetery district does not overlap with any other cemetery districts and It does overlap with the City and other special districts, however, they provide different services (fire, water, sewer, parks recreation, etc.). Therefore, LAFCo does not anticipate any public confusion regarding which agency provides services. As noted in other responses, it may be more efficient for the cemetery district's services to be contracted out to the City of Winters.

**Accountability, Structure and Efficiencies MSR Determination**

The District posts notices of all board meetings and holds its meetings at the cemetery offices in accordance with the Brown Act. The board members and staff positions are all filled and appear stable. The County's Internal Auditing Division has completed audits for the District through FY 2015/16. However, the Internal Auditing Division has indicated that it will not be able to perform audit services beyond this review and will instead contract out for these services going forward. The District is not involved in any joint powers authorities and there are no recommended governance changes to enhance efficiency. The District should consider launching a website to improve public transparency and accessibility of District information.

**Recommendations**

- The Cemetery District Board should ensure that audits are performed of the Cemetery District's accounts, records, and endowment care fund, as required by law, and provide any necessary documentation to the auditor. Yolo County should arrange for financial reviews of the Cemetery District in accordance with Government Code Section 26909. An audit should occur annually, unless the Cemetery Board and Board of Supervisors authorize alternative financial reviews, with audits occurring no less frequently than every five years. The county auditor should either conduct the audit, or contract with a public accountant to do so. If the Yolo County Department of Financial Services (DFS) determines that it does not have the resources to continue providing such audits, the County should solicit proposals from qualified CPAs or accounting firms to provide the audit or agreed upon procedures review for the five cemetery districts that do not provide their own. Contracts can be batched in 3 or 5 year increments for cost savings, as determined by County policy and approved by the Cemetery District and Board of Supervisors. The costs should be apportioned to the districts participating in the audit/review by a formula determined by DFS in consultation with the districts (i.e. by total revenue, for example).
- The Winters Cemetery District board should consider creating a website for the District for public transparency purposes. For a special district with an annual operating revenue between \$250k - \$500k per year, the California Special Districts Association offers a website template through streamlineweb.com for \$75 per month (if CSDA member, \$100 per month if not). This fee includes unlimited technical support and hosting services.

**7. OTHER ISSUES**

Any other matter related to effective or efficient service delivery, as required by commission policy.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
d) Are there any other service delivery issues that can be resolved by the MSR/SOI process?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) LAFCo is not aware of any other service delivery issues not already addressed in the MSR. However, the District board members and staff expressed the desire to acquire additional land to ensure future capacity of the District, for long term planning purposes. LAFCo staff recommended the District work with the City of Winters to potentially acquire needed land dedication with future development proposals that would generate the need for more cemetery capacity.

**Other Issues MSR Determination**

LAFCo is not aware of any other service delivery issues not already addressed in the MSR. However, the District board members and staff expressed the desire to acquire additional land to ensure future capacity of the cemetery, for long term planning purposes. LAFCo staff recommended the District work with the City of Winters to potentially acquire needed land dedication with future development proposals that would generate the need for more cemetery capacity.

**WINTERS CEMETERY DISTRICT SPHERE OF INFLUENCE STUDY**

On the basis of the Municipal Service Review:

- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update is NOT NECESSARY in accordance with Government Code Section 56425(g). Therefore, NO CHANGE to the agency's SOI is recommended and SOI determinations HAVE NOT been made.
- Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update IS NECESSARY in accordance with Government Code Section 56425(g). Therefore, A CHANGE to the agency's SOI is recommended and SOI determinations HAVE been made and are included in this MSR/SOI study.

**SPHERE OF INFLUENCE MAP(S)**

The Winters Cemetery District sphere of influence (SOI) is coterminous with its existing boundary.

**APPENDICES**

- A. Cemetery Districts Fee Schedules
- B. Public Cemetery Alliance 2015 Survey of Burial Fees & Averages
- C. Sample Forms and Agenda Packet – Winters Cemetery District
- D. 2013 California Cemetery Association Sample Policies and Forms
- E. Policy Manual Template from the Public Cemetery Alliance

***CEMETERY DISTRICTS FEE SCHEDULES***

## Capay Cemetery District Fees

Here is the information that you have requested to the best of my knowledge.

Our Fee Schedule is as follows:

Plot Cost:	\$700.00
Endowment:	350.00
Open/Close Full	500.00
Open/Close Ash	200.00
for Sat burial add	200.00 (to open/close only)

**COTTONWOOD CEMETERY DISTRICT**

**29190 COUNTY ROAD 25**

**PO BOX 617**

**ESPARTO, CA 95627**

**FEE SCHEDULE:**

**PLOTS.....RESIDENT.....\$450.00**

**PLOTS.....NON-RESIDENT.....\$520.00**

**ENDOWMENT.....RESIDENT.....\$175.00**

**ENDOWMENT.....NON-RESIDENT.....\$205.00**

**GRAVE OPENING/CLOSING**

**CREMATION.....RESIDENT.....\$90.00**

**CREMATION.....NON-RESIDENT.....\$105.00**

**CASKET.....FEE DETERMINED BY CONTRACTOR**

**PROVIDING THE SERVICE.**

**PRICES EFFECTIVE MARCH 11, 2011**



**DAVIS CEMETERY DISTRICT**  
**820 POLE LINE ROAD, DAVIS CA 95618**

PRICELIST (effective 8/1/15 - 8.5% Tax)

**FULL-SIZE CASKET PLOT AND BURIAL COSTS**

Type of Burial	Plot	Endow	Open	Vault	Tax	TOTAL	
<b>CREMATION IN FULL-SIZE CASKET PLOT</b>	Urn w/12" X 12" open	1250	350	650	NA	NA	\$2,250
	Oversize urn (over 12x12)	1250	350	980	NA	NA	\$2,580
	Two urns at once	1250	350	980	NA	NA	\$2,580
<b>TITAN FULLY SEALED</b>	Single Burial	1250	350	1200	1700	144.50	\$4,644.50
	Companion 1st	1250	350	2150	1700	144.50	\$5,594.50
	Companion 2nd	NA	NA	1200	1700	144.50	\$3,044.50
<b>UNSEALED LINER</b>	Single Burial	1250	350	1200	950	80.75	\$3,830.75
	Companion 1st	1250	350	1450	1300	110.50	\$4,460.50
	Companion 2nd	NA	NA	1000	NA	NA	\$1,000.00
<b>GREEN</b>	Single Burial	1250	350	1775	400	34.00	\$3,809.00
	Companion 1st	1250	350	1900	400	34.00	\$3,934.00
	Companion 2nd	NA	NA	1100	400	34.00	\$1,534.00
<b>INFANT</b>	Infant (in infant plot area)	650	175	600	350	29.75	\$1,804.75

**FULL-SIZE CASKET PLOTS IN "T" SECTION (THE HILL) PLOT COST ONLY**

Location on Hill/Type of Burial	Plot	Endow	Open	Vault	Tax	TOTAL
<b>LOW HILL</b>	See above for type	2000	350	See above to determine burial costs		\$2,350
<b>MID HILL</b>		5000	350			\$5,350
<b>TOP HILL</b>		7000	350			\$7,350

**CREMATION (see above cremation interment into full-size casket plot)**

Type of Cremation Burial/Size of Niche Cubes & Urn Plots	Plot (a)	Endow-ment (b)	Opening (c)		TOTAL (a + b + c)	
<b>NICHE</b>	12" Cube: Upper/Middle (w/memorialization)	2250	500	Single	650	\$3,400
				Double	980	\$3,730
<b>URNS</b>	12" Cube: Lower (w/memorialization)	1000	500	Single	650	\$2,150
				Double	980	\$2,480
	Single Urn (2' x 1' plot)	450	125	Single	650	\$1,225
				Double Urn (3' x 1.25' plot)	700	200
			Double	980	\$1,880	
<b>SCATTERING</b>	Scattering Garden (Memorial Brick Included)	370	70	NA		\$440

**OTHER**

<b>OPTIONAL</b>	Cremation Vault (12" Round)	\$162.75 (\$150 + 12.75 Tax)
	Oversize Cremation Vault (9" x 15" Rectangular)	\$217 (\$200 + 17.00 Tax)
	Urn Bags/Flower Vases	\$20.00 (\$20 + 1.70 Tax)
<b>OTHER FEES</b>	Chairs & Tent for Non-Funeral Event	\$75
	Marker Moving (price dependent upon size of marker to be moved)	\$150-\$1000
	Marker Setting (Flush military markers only)	\$80-200
	Monument Surcharge (per EACH 6" higher than flush, \$50 endow + \$190 height = \$240)	\$240
	Non-resident fee	\$750
	Non-resident fee for former resident, Clarksburg & West Sac residents	\$350
	Weekend surcharge (10 am-12 noon) Cremation/Casket	\$450/\$650
Weekend surcharge (After 12 noon) Cremation/Casket	\$900/\$1300	

**PAYMENT ACCEPTED:** Checks, money orders, VISA and MASTERCARD

**CONTACT INFO:** 530-756-7807 FAX: 530-756-7850

**EMAIL:** cemetery@dcn.org **WEBSITE:** www.daviscemetery.org

<b>KNIGHTS LANDING CEMETERY FEES</b>			
Effective January 1, 2017			
	<b><u>Knght. Landing</u></b>	<b><u>Robbins</u></b>	<b><u>Out of</u></b>
	<b><u>Residents</u></b>	<b><u>Residents</u></b>	<b><u>Area</u></b>
Cemetery Plot ( 1 Occupant)	\$ 700.00	\$ 850.00	\$ 1,500.00
2nd or 3rd Occupant	\$ 350.00	\$ 425.00	\$ 750.00
Cremation Plot	\$ 450.00	\$ 600.00	\$ 1,200.00
Endowment - Same for all	\$ 400.00	\$ 600.00	\$ 1,200.00
Grave Marker - permanent Refundable when marker is in place within one year)	\$ 500.00	\$ 500.00	\$ 500.00
Temporary Marker Fee	\$ 50.00	\$ 50.00	\$ 50.00
Opening & Closing for all burials are Performed by Paul's Cemetery Serv.			
<b><u>NICHE WALL - WEST SIDE ONLY</u></b>			
1st Row Top	\$ 1,500.00	\$ 1,850.00	\$ 2,700.00
2nd Row	\$ 1,200.00	\$ 1,550.00	\$ 2,400.00
3rd Row	\$ 1,000.00	\$ 1,350.00	\$ 2,200.00
4th Row	\$ 900.00	\$ 1,250.00	\$ 2,100.00
2nd, 3rd or 4th Occupant	\$ 450.00	\$ 625.00	\$ 1,050.00
Markers	\$ 500.00	\$ 500.00	\$ 500.00
Limited to four occupants			
Endowment each space or vault???	\$ 150.00	\$ 150.00	\$ 150.00
Opening and Closing			
<b><u>Niche Wall North Side Yolo county</u></b>			
\$12.50 for each space or vault			
<hr/>			
Director SAM BAIRD			
<hr/>			
Director EDUARDO SOLORZANO			
<hr/>			
..			

**MARY'S CEMETERY DISTRICT FEE SCHEDULE**

Effective 11-1-2014

	<u>District Property Owner/Resident</u>	<u>Eligible Non-resident</u>
<b><u>FULL BODY BURIALS</u></b>		
Full Body Burial Plot: .....	\$ 800.00	\$1,000.00
Full Body Endowment Care Contribution Fee:	\$ 400.00	\$ 500.00
Full Body Additional Occupant Fee: .....	\$ 400.00	\$ 500.00
Full Body Additional Occupant Endowment Care Contribution: .....	\$ 200.00	\$ 250.00
<b><u>CREMATION BURIALS</u></b>		
Cremation Plot: .....	\$ 400.00	\$ 500.00
Cremation Endowment Care Contribution Fee:	\$ 200.00	\$ 250.00
Cremation Additional Occupant Fee.....	\$ 400.00	\$ 500.00
Cremation Additional Occupant Endowment Care Contribution: .....	\$ 200.00	\$ 250.00
TEMPORARY MARKER FEE: .....	\$ 50.00	
<b>REFUNDABLE DEPOSIT ON PERMANENT MARKER: \$ 500.00</b>		
(A permanent marker must be placed on the burial plot within one year of the interment date to receive a refund of this deposit; otherwise the full deposit amount is forfeited);		
INTERRUPTED OPENING/CLOSING FEE: .....	\$ 200.00	
(This fee is payable only if an Interrupted Opening/Closing occurs; see the section entitled "Interrupted Opening/Closing" on page 7 of Mary's Cemetery District's Policy Statement for definition of Interrupted Opening/Closing);		
CHAPEL RENTAL FEES: .....	\$100.00	\$250.00
SECURITY DEPOSIT ON CHAPEL RENTAL: .....	\$250.00	\$500.00

MARY'S CEMETERY DISTRICT  
c/o Linda Tolson, District Secretary  
38870 County Road 13, Woodland, CA 95695  
(530) 662-9221 - office, (530) 662-4574 - fax  
email - tommandlinda@mcsc.com

BOARD OF TRUSTEES  
Priscilla Beinder, Chair  
Dan Best II  
Carol Gorman

**WINTERS CEMETERY DISTRICT**  
**415 CEMETERY DR. WINTERS CA. 95694**  
 Price list (effective 7/01/2016)  
 Sales Tax changes (effective 01/01/2017)

Type of Burial	Plot	Endow	Open/Close	Vault	S/Tax	Ref. Dep	TOTAL
<b>CREMATIONS</b>							<b>7.25%</b>
Cremation - Short Plot	700.00	300.00					\$ 1,000.00
Cremation-Burial/Endow		300.00	500.00	200.00	14.50	250.00	\$ 1,264.50
Cremation - Burial			500.00	200.00	14.50	250.00	\$ 964.50
Cremation - Full Plot	900.00	300.00	500.00	200.00	14.50	250.00	\$ 2,164.50
Cremation - Section #11	1100.00	300.00	500.00	200.00	14.50	250.00	\$ 2,364.50
Cremation - Old Section	1500.00	300.00	500.00	200.00	14.50	250.00	\$ 2,764.50
<b>NICHE</b>				<b>Vase</b>	<b>S/Tax</b>	<b>Engraving</b>	
Niche - Top Row	850.00	150.00	100.00	20.00	1.45	200.00	\$ 1,321.45
Niche - Second Row	750.00	150.00	100.00	20.00	1.45	200.00	\$ 1,221.50
Niche - Third Row	650.00	150.00	100.00	20.00	1.45	200.00	\$ 1,121.45
Niche - Fourth Row	550.00	150.00	100.00	20.00	1.45	200.00	\$ 1,021.50
Niche - Fifth Row	450.00	150.00	100.00	20.00	1.45	200.00	\$ 921.45
Niche - 2nd Opening		150.00	100.00			100.00	\$ 350.00
<b>FULL BURIALS</b>				<b>Vault</b>	<b>S/Tax</b>	<b>Ref. Dep</b>	
Full Burial - Cement Vault	900.00	300.00	950.00	800.00	58.00	250.00	\$ 3,258.00
Section #11 - Headstone	1100.00	300.00	950.00	800.00	58.00	250.00	\$ 3,458.00
Full Burial - Poly Vault	900.00	300.00	950.00	700.00	50.75	250.00	\$ 3,150.75
Section #11 - Headstone	1100.00	300.00	950.00	700.00	50.75	250.00	\$ 3,350.75
Full Burial - Old Section	1500.00	300.00	950.00	700.00	50.75	250.00	\$ 3,750.75
Burial charges only			950.00	700.00	50.75	250.00	\$ 1,950.75
Full Burial - Oversize Plot	1100.00	400.00	1050.00	900.00	65.25	250.00	\$ 3,765.25
Section #11 - Headstone	1300.00	400.00	1050.00	900.00	65.25	250.00	\$ 3,965.25
Infant Burial - Short Plot	700.00	300.00	500.00	250.00	18.13	250.00	\$ 2,018.13
<b>OTHER CHARGES</b>							
<b>Admin Fee</b>							
Non-Resident Fee							\$ 400.00
Saturday Services							\$ 800.00
Ashes w/casket burial		150.00				150.00	\$ 300.00
Disinterment - Cremation							\$ 1,000.00
Disinterment - Casket							\$ 2,950.00

**ENDOWMENT CHARGES FOR EACH BURIAL**

**PUBLIC CEMETERY ALLIANCE 2015 SURVEY OF BURIAL FEES  
& AVERAGES**

	Reedley	Riverview	Roseville	Sanger	Selma	Susun Fa	Sutter	Tracy	Average
<b>Burials</b>	200	177	188	225	180	170	330	200	208
<b>Plots:</b>									
Single	875	675	542	880	730	1200	860	650	801
double	875	n/a	n/a	n/a	730	1350	860	650	893
cremation	875	198	430	440	n/a	300	430	650	415
infant	375	208	125	440	125	n/a	215	350	229
niche bottom	1100	660	698	800	800	500	1100	350	751
niche top	3200	770	998	1250	1000	3750	3200	650	1852
<b>Endowment Care:</b>									
Full casket plot	350	342	268	300	225	300	390	450	328
cremation	350	115	268	150	80	300	150	300	214
infant	250	120	85	150	75	n/a	145	300	140
niche	250	150	88	100	120	300	500	350	232
<b>Open &amp; Close</b>									
full	965	435	535	895	745	500	500	600	646
double	1100	n/a	n/a	n/a	810	500	800	700	782
cremation	605	203	250	440	825	300	140	250	376
infant	660	215	60	440	125	400	155	300	294
niche	250	120	60	200	127	100	135	250	155
<b>Vaults</b>									
full	880	415	370	860	1026	619	480	375	628
cremation	325	n/a	260	n/a	125	115	415	200	180
infant	415	155	80	430	314	n/a	300	n/a	211
<b>Non Resident Fee</b>	800	n/a	450	725	450	150	450	n/a	504
<b>Marker Set</b>	360	200	n/a	305	265	337	225	n/a	282
Niche Marker	incl	230	incl	incl	incl	300	90	n/a	206
<b>Disternment</b>	3000	2200	1175	2655	1900	1000	1020	2800	1968
double	3000	n/a	n/a	n/a	2400	1250	1020	3300	2195
cremation	1500	n/a	350	370	n/a	500	200	500	427
infant	1500	800	100	1060	n/a	n/a	380	38	484

***SAMPLE FORMS AND AGENDA PACKET – WINTERS CEMETERY  
DISTRICT***

# Winters Cemetery District

## Board of Trustees

Larry W. Justus  
Dennis Kilkenny  
Joseph Bristow  
Viona Hague  
Timothy Bozarth

P.O. Box 402  
Winters, CA 95694  
(530) 795-2475  
[wcd415@sbcglobal.net](mailto:wcd415@sbcglobal.net)

**Manager**  
Sheila Carbahal  
**Grounds Foreman**  
Nick Glide

## PLOT PURCHASE AND/OR BURIAL CHARGES

FULL NAME (PURCHASE): \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

DECEASED NAME: \_\_\_\_\_

### CHARGES

PLOTS: \_\_\_\_\_ (S) (F) (#11) (OVS) LOCATION: QTR \_\_\_\_\_

NICHES: \_\_\_\_\_ (1) (2) (3) (4) (5) ADDITION: \_\_\_\_\_

OLD SECTIONS: \_\_\_\_\_ **(HEADSTONE AREA)** SECTION NO: \_\_\_\_\_

OPEN/CLOSE \_\_\_\_\_ (N) (C) (I) (FB) (OVS) LOT/ROW & NUMBER: \_\_\_\_\_

\$150 – \$400 ENDOWMENTS \_\_\_\_\_ **(Est. 8/14/1985)**

\$250 DEPOSIT: \_\_\_\_\_ **EXEMPT IF HEADSTONE PRESENT**  
**(Refunded if permanent Headstone/Marker placed within one (1) year of burial)**

\$200 NICHE ENGRAVING: \_\_\_\_\_ VETERAN \_\_\_\_\_ BRANCH \_\_\_\_\_

\$400 NON-RESIDENT \_\_\_\_\_ MILITARY HEADSTONE \_\_\_ YES \_\_\_ NO

\$800 SATURDAY SERVICE \_\_\_\_\_

\$300 ASHES W/CASKET: \_\_\_\_\_ (ENDOW \$150 / ADMIN FEE \$150)

DISINTERMENT: \_\_\_\_\_ CASKET OR CREMATION URN

VAULTS - \$700/800/900 \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

\$50.75/58.00/65.25 \_\_\_\_\_ DATE OF DEATH: \_\_\_\_\_

\$200 URNS \_\_\_\_\_ AGE: \_\_\_\_\_

\$14.50 SALES TAX \_\_\_\_\_ INTERMENT DATE: \_\_\_\_\_

\$20 NICHE VASE \_\_\_\_\_ RESIDENT OR TAXPAYER:

\$1.45 SALES TAX \_\_\_\_\_ YES: \_\_\_\_\_ NO: \_\_\_\_\_

**TOTAL \$** \_\_\_\_\_

**RECEIPT #** \_\_\_\_\_

**BURIAL RIGHTS CERT. #** \_\_\_\_\_

ENDOWMENT PAID BEFORE HAND:

YES: \_\_\_\_\_ NO: \_\_\_\_\_

**INFORMATION PACKET** \_\_\_\_\_

**CERTIFICATE OF BURIAL RIGHTS**  
**WINTERS CEMETERY DISTRICT**  
P.O. BOX 402 • Winters, CA 95694  
Phone (530) 795-2475

Name \_\_\_\_\_

Address \_\_\_\_\_ 95694 \_\_\_\_\_

For Services of: \_\_\_\_\_

Location: Plot(s) \_\_\_\_\_ Niche (1) \_\_\_\_\_

Block \_\_\_\_\_ Section 11 \_\_\_\_\_ Lot Row NI - 25 \_\_\_\_\_

Burial Rights Grave(s)	_____	
Short Grave Ashes Only	_____	
Endowment Care Fund	_____	300.00
Opening and Closing	_____	100.00
Burial of Ashes	Niche (1)	650.00
Infant Interment	_____	
Non-Resident	_____	400.00
Other	Engraving \$200, Vase & sales tax \$21.45	221.45
	<b>Total Paid \$</b>	<b>1521.45</b>

CERTIFICATE OF BURIAL RIGHTS ISSUED TO:  
\_\_\_\_\_

BE IT HEREBY ACKNOWLEDGED that the WINTERS CEMETERY DISTRICT of the County of Yolo, State of California, does hereby sell and convey to the above named person(s) for whom this certificate of burial rights is issued to, their heirs and assigns, as a place of interment to the lot of land in the Winters Cemetery as shown upon the records and maps on file in the cemetery district office.  
This certificate does not convey property title but only transfers the right to the use and occupancy of the described land for burial purposes, subject to such rules and regulations as have been or may be adopted by the Board of Trustees of the Winters Cemetery District.  
Grave space burial rights may not be sold or transferred by the owner to any other individual, or group of persons. Burial rights may be re-assigned within a family, providing such changes are conducted through the cemetery office and conform to the rules and regulations of the cemetery district.  
Grave space burial rights may be returned to the Winters Cemetery District and the original purchase price will be refunded, less any amount that has been collected toward the Endowment Care Fund.

DATE OF PURCHASE:  
April 10, 2017

**Nº 1503**

WINTERS CEMETERY DISTRICT  
BY [Signature] TRUSTEE [Signature]  
BY [Signature] TRUSTEE [Signature]  
BY \_\_\_\_\_ TRUSTEE [Signature]



**WINTERS CEMETERY DISTRICT  
INTERMENT ORDER**

DATE: \_\_\_\_\_

The Winters Cemetery District is hereby authorized and instructed, subject to District rules and regulation, to inter the remains of:

\_\_\_\_\_

Deceased First Name	Middle	Last Name
---------------------	--------	-----------

Last residing at: \_\_\_\_\_

Burial site: \_\_\_\_\_

Addition	Section	Plot	Row	Space #
----------	---------	------	-----	---------

I hereby certify that I am the \_\_\_\_\_ of the above named decedent and this is your authority to make disposition of the remains of said decedent as above indicated. I hereby certify and represent under penalty of perjury, that all the above stated information is true and correct. I have the right to make the authorization and the decedent is eligible of burial in the Winters Cemetery; under provisions of the California Health and Safety Code. Also, I agree to hold the Winters Cemetery District harmless from liability from account of said authorization and interment.

(Please check only what applies)

\_\_\_\_\_ Was a resident or taxpayer at the time of death of the Winters Cemetery District.  
\_\_\_\_\_ Was a non-resident that is eligible for burial in the Winters Cemetery under the current provisions of the California Health and Safety Code.

\_\_\_\_\_ Served in the Military \_\_\_\_\_ Branch \_\_\_\_\_ War (if known).

\_\_\_\_\_ Our family would appreciate viewing the lowering of the casket or cremation urn.

*I certify and represent under perjury that I have exerted all reasonable efforts to find others who may have an equal or higher claim to use of said Interment Right and I am not aware, to the best of my knowledge, of any opposition to this use of these Interment Rights according to laws of intestate succession as set forth in Section 6400 to 6413, inclusive of the California Probate Code. I understand that a second burial will not be allowed in this grave without the consent of the original purchaser unless the burial has been contracted for in advance of the first burial.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
City                      State                      Zip Code

\_\_\_\_\_  
Phone Number

**WINTERS CEMETERY DISTRICT**  
**TRANSFER OF BURIAL RIGHTS PURCHASED**

I, \_\_\_\_\_  
(Name of Burial Rights Certificate Holder)

Residing at \_\_\_\_\_  
(Street address or P.O. Box)

\_\_\_\_\_  
(City) (State / Zip Code) (Phone Number)

declare I am the legal owner to Burial Rights of: \_\_\_\_\_ **Grave(s)**, located in  
**Section #** \_\_\_\_\_, **Plot # or Row** \_\_\_\_\_, in the Winters  
Cemetery. I hereby transfer the above described grave space burial rights to the family  
member or members named below.

I further declare that I have relinquished the original Burial Rights Certificate to the  
person or persons named below and forfeit any future rights to the above referenced  
burial space.

\_\_\_\_\_  
SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
WINTERS CEMETERY MANAGER

\_\_\_\_\_  
DATE

**NOTICE  
PUBLIC WELCOME  
WINTERS CEMETERY DISTRICT  
BOARD OF TRUSTEES MEETING**

**WEDNESDAY  
July 8, 2015**

**OPEN SESSION: 9:00 A.M.**

Cemetery Office  
415 Cemetery Drive – Winters, CA 95694  
(530) 795-2475

**AGENDA**

---

1. CALL TO ORDER – ROLL CALL
2. ACTION ITEM - APPROVAL OF AGENDA
3. PUBLIC COMMENTS -
4. ACTION ITEM - APPROVAL OF JUNE'S MEETING MINUTES
5. ACTION ITEM - APPROVAL OF JUNE'S SUBMITTED CLAIMS
6. ACTION ITEM - REVENUES & BURIAL CERTIFICATES ISSUED
7. DISCUSSION ITEMS – MANAGER'S REPORT - CORRESPONDENCE
8. DISCUSSION ITEM – ENDOWMENT FUNDS INVESTING

**CLOSED SESSION – CGC SECTION 54957 MANAGER EVALUATION  
OPEN SESSION**

9. **ACTION TAKEN DURING CLOSED SESSION**
10. DISCUSSION ITEM/ACTION ITEM – PAY CHARTS - GROUNDSMAN
11. DISCUSSION ITEMS – FUND BALANCE & DESIGNATED ACCOUNTS
12. DISCUSSION ITEMS - BOARD MEMBER COMMENTS – FUTURE  
AGENDA ITEMS

**WINTERS CEMETERY DISTRICT  
BOARD OF TRUSTEES**

**Wednesday  
June 10, 2015**

**MINUTES**

The scheduled monthly meeting of the Winters Cemetery District was held Wednesday morning, June 10, 2015, at 9:00 a.m. at the cemetery office.

**ROLL CALL:**

Chairperson Justus called the meeting to order noting those members present.

**Present:** Larry Justus, Chairperson  
John Knabke, Trustee  
Dennis Kilkenny, Vice Chairperson  
Joseph Bristow, Trustee  
Viona Hague, Trustee  
Sheila Carbahal, Manager/Board Clerk

**AGENDA ITEM NO. 2 Action Item – Approval of Agenda**

Chair Justus asked for a motion to approve. Trustee Kilkenny made the motion to approve the agenda. It was seconded by Trustee Hague. With no further discussion and all members signifying aye the motion carried.

**AGENDA ITEM NO. 3 Public Comments**

Chair Justus opened public comments. Seeing no public in attendance Chair Justus closed public comments.

**AGENDA ITEM NO. 4 Action Item – Approval of May's Meeting Minutes**

Chair Justus asked for a motion to approve. Trustee Knabke made the motion to approve the minutes as presented. With a second from Trustee Kilkenny and no further discussion all members signified aye and the motion carried.

**AGENDA ITEM NO. 5 Action Item – Approval of May's Submitted Claims**

Board members were presented the claims already submitted to the Yolo County Auditor for timely payment. Questions were asked about specific claims. Chair Justus pointed out the reduced cost for our PG&E bills. Trustee Kilkenny made the motion to approve. Trustee Bristow seconded the motion. With no further discussion and all members signifying aye the motion carried.

**Claims submitted during the Month of May, 2015**

(Please see attached sheet listing all claims processed and approved. TOTAL \$13,151.07)

**AGENDA ITEM NO. 6 Action Item – Revenues & Burial Certificates Issued**

Board members were presented a listing of Revenues received for May and the Burial Rights Certificates log. Manager Carbahal stated an original Certificate with receipt was brought in to transfer ownership of plots which generated a new Certificate to be issued and the transfer form to be signed by a Board member. Trustee Kilkenny made the motion to approve revenues received and noted Burial Rights Certificate #1470 was issued for new ownership of plots. It was seconded by Trustee Hague. With no further discussion and all members signifying aye the motion carried.

**WINTERS CEMETERY DISTRICT  
CLAIMS**

**Claims submitted during the Month of: May, 2015**

The following claims listed below have been submitted to the Auditor's office on a weekly basis in order to prevent delay charges:

**FUND 306**

<u>DATE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>VENDOR #</u>	<u>VENDOR NAME</u>
05/01	86-2429	\$ 952.86	36116	Adecco Employment
05/08	86-2640	\$ 88.06	18363	PG&E
	86-2640	\$ 43.95	18363	PG&E (Pump)
	86-2271	\$ 14.58	1691	Pisani's Auto Parts
	86-2429	\$ 125.00	18331	Cache Creek Monuments
	86-2170	\$ 118.88	20318	Waste Management
	86-2429	\$ 985.15	36116	Adecco Employment
	86-2429	\$ 510.00	38307	Delores Sorenson
	86-2429	\$1250.00	32731	Paul's Cemetery Services
05/15	86-2429	\$1138.58	36116	Adecco Employment
	86-2423	\$ 37.00	37629	Hunt Jeppson & Griffin
	86-2271	\$ 30.38	21783	Valley Truck & Tractor
	86-2330	\$ 55.00	XXXX	Winters Chamber
	86-2429	\$ 625.00	32731	Paul's Cemetery Service
05/22	86-2429	\$ 995.98	36116	Adecco Employment
	86-1300	\$2790.57	24927	CalPERS
	86-2429	\$ 726.00	38307	Delores Sorenson
05/29	86-2390	\$ 12.85	29920	Alhambra
	86-2090	\$ 45.00	12432	AT&T (U-Verse)
	86-2090	\$ 47.02	12432	AT&T
	86-2390	\$ 64.67	27911	Staples
	86-2491	\$ 22.06	16940	Ricoh USA, Inc.
	86-2272	\$ 304.51	14363	Horizon
	86-2429	\$1102.25	36116	Adecco Employment
	86-2272	\$ 169.83	29330	Pacific Hardware
	86-2520	\$ 386.94	29330	Pacific Hardware
	86-2640	\$ 199.22	18363	PG&E (Pump)
	86-2640	\$ 89.73	18363	PG&E
	86-2272	\$ 220.00	XXXX	Vital Pest Management
<b>TOTALS</b>		<b>\$13151.07</b>		

## **AGENDA ITEM NO. 7 Discussion Items – Manager’s Report – Correspondence**

Per Board request Manager Carbahal researched and recommends purchasing three owl boxes to assist in rodent control. Trustee Knabke will make other contacts for prices. Trustee Bristow asked if that would eliminate Vital Pest. Trustee Kilkenny replied it would assist Vital Pest and then stated let the Manager make the decision. Trustee Kilkenny wanted it noted that the PG&E comparison billing demonstrates a 40% reduction in compliance with Governor Brown’s State mandated water use reduction of 25%. Memorial Day Service was a huge success. Grounds foreman position job ad will be placed in newspapers. Trustee Kilkenny asked what is and when will the interview process take place. Manager Carbahal stated we need a committee of two board members for the interviewing and use a cutoff date in order to start the interviewing after applications are received. Trustee Knabke and Trustee Kilkenny volunteered to be on the interview committee with Manager Carbahal and Chair Justus will be the alternate. Chair Justus asked if there will be a paper cut if a large amount of applications are received. Trustee Kilkenny said yes and that will be the Managers decision. Trustee Knabke asked if we are looking for a backhoe. Manager Carbahal said yes a backhoe operator was contacted and we have an opportunity to buy a used one. Attorney Bob Hunt was contacted for a template for Policy and Procedures. Notification of approval came from CalPERS for Cemetery’s contribution reduction to Health Insurance Premiums effective July 1, 2015. We are still waiting for the Retirement approval notification to be effective July 1, 2015. CalPERS sent out GASB 68 notification letters a required actuarial report for retirement unfunded liabilities that will cost the cemetery \$850.00 to have prepared.

## **AGENDA ITEM NO. 8 Discussion – Endowment Funds Investing**

Trustee Kilkenny has spoken to the County regarding the cemetery removing our funds from the County Treasury and investing our Endowment funds directly. They will research the laws on this and get back to Trustee Kilkenny. He was told we would need to do a Resolution and a request for withdrawal. Trustee Kilkenny stated we would need to set up an investment policy and an investment committee. He would recommend contacting Wells Fargo Investors because there are specific requirements regarding the Endowment funds.

## **CLOSED SESSION – CGC SECTION 54957 – Manager Evaluation**

### **AGENDA ITEM NO. 9 Action Taken During Closed Session**

Closed session was tabled until next month. Last years evaluation will be available at next meeting for Trustees to review. No action taken.

## **AGENDA ITEM NO. 10 Discussion /Action Item – Increased Hours – Pay Charts**

Manager Carbahal provided and recommended pay charts for Manager’s position increasing paid time from six(6) to seven(7) hours per day and recommends to re-title the Lead Maintenance position to Grounds Foreman. Chair Justus asked if the Manager’s position was given a step increase. Trustee Kilkenny asked if the step increase is reflected in the budget. Manager Carbahal stated only the increase in hours is reflected in the budget. Trustee Knabke asked why the chart shows both seven and eight hours. Manager Carbahal responded the charts are required to show the wages at eight hour days for CalPERS. Trustee Bristow said that will increase manager’s time by five hours per week. Chair Justus had concerns of not following the pay charts. Trustee Kilkenny stated we have a fiduciary responsibility based upon surrounding area cemeteries and burials per year that we stay in line and not overpay. Chair Justus added there’s a reason for those pay charts and it’s based upon the merit system for good evaluations. Trustee Hague noted that the other cemeteries have both managers and secretaries in the office. Trustee Kilkenny made the motion to approve the increased hours for the manager from six hours per day to seven hours, the pay charts for the Manager’s position and the Grounds Foreman. Trustee Bristow seconded the motion. With no further discussion and all members signifying aye the motion carried.

**AGENDA ITEM NO. 11 Discussion/Action Item – Budget – Employee Signature Authorization Form**

Manager Carbahal explained the Signature Authorization Form and recommended approval of her name. Trustee Kilkenny made the motion to approve the Signature Authorization Form with Manager Carbahal's name. Trustee Hague seconded the motion. With no further discussion and all members signifying aye the motion carried. Manager Carbahal presented the budget with minor changes to the preliminary budget passed last month. She explained using more of the Fund Balance available and not using so much of the Equipment Replacement Reserve. Trustee Kilkenny stated it appears we are deficit spending. Manager Carbahal said yes if we need to spend the full amount for a backhoe and road repairs but, we can amend if needed. **Trustee Kilkenny made a motion to approve the final 2015-2016 Fiscal Budget submitted with Total Financing Sources of \$346,609.00** and decrease Equipment Replacement Reserve in the amount of \$12,000.00 which will be used towards the purchase of equipment. It was seconded by Trustee Hague. With no further discussion and all members signifying aye the motion carried.

**AGENDA ITEM NO. 12 Discussion Items – Board Member Comments – Future Agenda Items**

Trustee Bristow will not be able to attend July's meeting, he will submit his manager's evaluation. Trustee Kilkenny asked that Fund Balance and future Reserve Accounts be discussed at the next meeting.

**Revenues for the month of May, 2015**

			<b>Certificate #</b>	<b>Receipt #</b>
E.L. Pugh Memorials	Vases	\$ 225.00		#3979
Voided				#3980
Archie Humphrey/Juanita Humphrey	Burial	\$2102.50		#3981
Cecilia Loza/Ramon Loza-Torres	Plot/Burial	\$3052.50	#1469	#3982
Carol Sciana for Ralph Madonia	Burial	\$1952.50		#3983
John Cuellar/Candy Cuellar	Replacement check	\$1665.00		#3984
Kathy Liening for Otis Cody	Burial	\$1665.00		#3985
Donna Campoy for Lillian Potter	Burial	\$1365.00		#3986
<b>Total</b>		<b>\$12027.50</b>		

The Board of Trustees hereby acknowledges the revenues received from all listed above.

The meeting was adjourned at 11:00 a.m. The next meeting will be held July 8, 2015.

Under penalty of perjury I swear that the Agenda Notice was posted at three separate locations at 3:30 p.m. on Friday, June 5, 2015.

*Sheila Carbahal*  
 Sheila Carbahal  
 Manager/Board Clerk

*Larry W Justus*  
 \_\_\_\_\_  
*Viona Hague*  
 \_\_\_\_\_  
*John Kilkenny*  
 \_\_\_\_\_

Board of Trustees

*7/8/2015*  
 \_\_\_\_\_  
 Date

**WINTERS CEMETERY DISTRICT  
CLAIMS**

**Claims submitted during the Month of: June, 2015**

The following claims listed below have been submitted to the Auditor's office on a weekly basis in order to prevent delay charges:

**FUND 306**

<u>DATE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>VENDOR #</u>	<u>VENDOR NAME</u>
06/05	86-2272	\$ 13.96	1691	Pisani's Auto
	86-2423	\$ 74.00	37629	Hunt Jeppson & Griffin
	86-2170	\$ 118.88	20318	Waste Management
	86-2429	\$ 847.88	36116	Adecco Employment
	86-2491	\$ 88.00	2679	United States Postal
	86-2429	\$ 390.00	38307	Delores Sorenson
	86-2360	\$ 26.72	38307	Delores Sorenson
06/12	86-2429	\$ 791.35	36116	Adecco Employment
06/19	55-0000	\$ 250.00	XXXX	Bertha E. Pena (Ref/Dep)
	86-2429	\$ 803.46	36116	Adecco Employment
	86-2422	\$1687.48	XXXX	Foothill Tech. Solutions
	86-2422	\$1800.00	XXXX	Foothill Tech. Solutions
	55-0000	\$ 250.00	XXXX	Phyllis Brock (Ref/Dep)
	86-2429	\$ 480.00	38307	Delores Sorenson
06/26	86-various	\$ 170.62	20653	Bank of America C/C
	86-2390	\$ 42.14	27911	Staples
	86-1300	\$ 2390.57	24927	CalPERS
	86-2429	\$ 625.00	32731	Paul's Cemetery Services
	86-2090	\$ 72.89	12432	AT&T
	86-2272	\$ 600.00	38742	Lawnworks
	86-2429	\$ 872.11	36116	Adecco Employment
	86-2390	\$ 19.05	29920	Alhambra
06/30	86-2415	\$ 335.00	1775	Christy Vault Company
	86-2640	\$ 149.47	18363	PG&E
	86-2640	\$ 216.71	18363	PG&E (Pump)
	86-2090	\$ 45.00	12432	AT&T

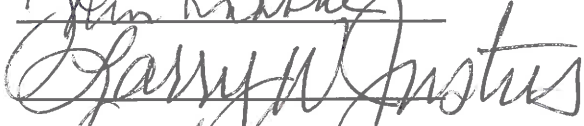
**TOTALS** **\$13,160.29**



**CLAIMS SUBMITTED MONTH OF June, 2015**









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Board of Trustees

7/8/2015

Date Approved

# Winters Cemetery District

## Board of Trustees

Larry W. Justus  
Chairperson

John Knabke  
Trustee

Dennis Kilkenny  
Vice Chair

Joseph Bristow  
Trustee

Viona Hague  
Trustee

P.O. Box 402  
Winters, CA 95694  
(530) 795-2475

## June 2015 REVENUES

<b>Ralph Criner for Frances Criner</b>	<b>Burial</b>	<b>#3987</b>	<b>\$1665.00</b>
<b>Robert Kunst for Margarita Lopez</b>	<b>Burial</b>	<b>#3988</b>	<b>\$1665.00</b>
<b>Thalia Pinkham for Mary Crites</b>	<b>Burial</b>	<b>#3989</b>	<b><u>\$1952.50</u></b>
<b>TOTAL</b>			<b>\$5282.50</b>

JK  
Larry  
JK

***CALIFORNIA ASSOCIATION OF PUBLIC CEMETERIES 2013  
SAMPLE POLICIES AND FORMS***

The following policy manual template is lengthy and may be excessive for Yolo's public cemetery district needs. Districts can pick and choose sections that may be most pertinent. LAFCo is not suggesting that adopting all these policies are necessary. It's merely a resource for district reference and potential adoption and use.

## **CHAPTER TREE**

### **Sample Policies and Forms**

The enclosed policies and forms are from public cemetery districts and may not be suitable for your use. They are intended as an example and can be modified to meet the needs of your district

# INVESTMENT POLICY

CEMETERY DISTRICT

INVESTMENT POLICY  
(Date)

The Board of Trustees of the \_\_\_\_\_ Cemetery District are Trustees of the Districts investments and are therefore fiduciaries subject to the prudent investor standard. When investing , reinvesting, purchasing, acquiring, exchanging, selling, and managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the District.

## AUTHORITY TO INVEST:

California Public Health & Safety Code, Section 9066: The Trustees may invest and reinvest the principal of the endowment care fund in securities and obligations set forth in Section 53601 of the Government Code and those investments set forth in this section.

California Government Code, Section 53601: The legislative body of a local agency having money in a sinking fund of, or surplus money in, its treasury not required for the immediate necessities of the local agency may invest any portion of the money that it deems wise or expedient in those investments set forth in section this section.

OBJECTIVE: When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing District funds the objective of this Board of Trustees shall be:

1. The primary objective shall be to safeguard the principal of the funds.
2. The secondary objective shall be to provide the necessary liquidity of the funds.
3. The third objective shall to achieve the best rate of return possible without affecting the safety and liquidity of the funds.

## FUNDS AVAILABLE FOR INVESTMENT:

<u>FUND</u>	<u>MAXIMUM INVESTMENT</u>
Endowment Care Principal	100 per cent
Endowment Care Interest	100 per cent
Preneed Fund	100 per cent
Capital Outlay Fund	100 per cent

INVESTMENT AUTHORITY: All investments shall be made by the authority of the Board of Trustees as an agenda item at a regular or special Board meeting.

## INVESTING PROCEDURES:

1. All investing shall be conducted in one of the following manners:
  - A. By requesting a county warrant for the exact amount of the

# INVESTMENT POLICY

investment from the specified fund in the county treasury \_\_\_\_\_ (#) Trustee signatures are required to withdraw funds from the county treasury.

B. By reinvesting the principal of a maturing investment.

2. All dividends/interest of the investments shall be deposited into the Districts' collection account #\_\_\_\_\_located at the \_\_\_\_\_Bank. By the tenth day following the end of each month all moneys collected in this fund will be deposited into their respective funds at the county treasury.

3. All maturing investment principal not reinvested shall be deposited into the Districts' collection account #\_\_\_\_\_located at the \_\_\_\_\_Bank . By the fifth day following the end of each month all moneys collected in this fund shall be deposited into their respective funds at the county treasury.

## LISTS OF INVESTMENTS PERMITTED:

1. Investment of the principal of the Endowment Care Fund as authorized by Public Health & Safety Code Section 9066:

A. Obligations of the United States or obligations for which the faith and credit of the United States are pledged for payment of principal and interest. These are not to be limited to maturity dates of one year or less.

- 13 & 26 week bills
- 52 week bills
- 2 year notes
- 3 year notes
- 5 year notes
- 10 year notes
- 30 year bonds

B. Obligations issued under authority of law by any county, municipality, or school district in this state for which are pledged the faith and credit either of the county, municipality, or school district for the payment of principal and interest, if within 10 years immediately preceding the investment such county, municipality or school district was not in default for more than 90 days in the payment of principal or interest upon any legal obligation issued by it.

C. Obligations of this state for which the faith and credit of this state are pledge for the payment of principal and interest.

D. Interest-bearing obligations issued by a corporation organized under the laws of any state, or of the United States provided that they bear a Standard and Poor's financial rating of AAA at the time of such investment.

E. Certificates of deposit or other interest-bearing accounts in any bank in this state issued by the Federal Deposit Insurance Corporation.

F. Investment certificates or shares in any state or federally chartered savings and loan association insured by the Federal Savings and Loan Insurance Corporation.

2. Investment of the principal of the Endowment Care Fund and surplus money (Capital Outlay Funds, Endowment Care Interest & Preneed Funds) as authorized

# INVESTMENT POLICY

by the California Code Section 53601 (The maximum maturity allowed by California Government Code, Section 53601 is 5 years with shorter limitations specified for specific types of securities):

A. United States Treasury notes, bonds, bills or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

B. Registered state warrants or treasury notes or bonds of this state.

C. Bonds, notes, warrants or other evidence of indebtedness of any local agency within the state.

D. Obligations issued by banks for cooperatives, federal land banks, federal intermediate credit banks, federal home loan banks, the Federal Home Loan Bank Board, the Tennessee Valley Authority, or in obligations, participation's or other instruments of, or issued by, or fully guaranteed as to principal and interest by, the Federal National Mortgage Association; or in guaranteed portions of Small Business Administration notes; or in obligations, participations or other instruments of, or issued by, a federal agency or a United States government-sponsored enterprise.

E. Bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as bankers acceptances. Purchases of bankers acceptances may not exceed 270 days maturity or 40 percent of the

District's surplus money that may be invested pursuant to this section. However, no more than 30 percent of the District's surplus funds may be invested in the bankers acceptances of any one commercial bank pursuant to this section.

F. Commercial paper of "prime" quality of the highest ranking or of the highest letter and numerical rating as provided for by Moody's Investors Service, Inc., or Standard and Poor's Corporations authorized by section 53601 of the California Government Code.

G. Negotiable certificates of deposit issued by a nationally or state-chartered bank or a state or federal association (as defined by Section 5102 of the Financial Code) or by a state-licensed branch of a foreign bank. Purchases of negotiable certificates of deposit may not exceed 30 percent of the District's surplus money which may be invested pursuant to this section.

H. Investments in repurchase agreements or reverse repurchase agreements of any securities authorized by section 53601 of the California Government Code.

I. Medium-term notes of a maximum of five years maturity issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subdivision shall be rated in a rating category of "A" or its equivalent or better by a nationally recognized rating service. Purchases of medium-term notes may not exceed 30 percent of the District's surplus money which may be invested.

J. Shares of beneficial interest (money market funds) issued by

# INVESTMENT POLICY

diversified management companies investing in the securities and obligations as authorized by subdivisions A. to M., inclusive, of this section and that comply with investment restrictions of this article and Article 2 (commencing with Section 53630) of the California Government Code. To be eligible for investment pursuant to this subdivision, these companies shall either:

(1) Attain the highest ranking or the highest letter and numerical rating provided by not less than two or the three largest nationally recognized rating services.

(2) Retain an investment adviser registered with the Securities and Exchange Commission with not less than five years' experience investing in the securities and obligations as authorized by subdivisions A. to M., inclusive, and with assets under management in excess of five hundred million dollars (\$500,000,000).

The purchase price of shares of beneficial interest purchased pursuant to this subdivision shall not include any commission that these companies may charge and shall not exceed 15 percent of the District's surplus money that may be invested.

K. Notwithstanding anything to the contrary contained in Section 53601 and Section 53635 of the California Government Code, or any other provision of law, moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements, may be invested in accordance with the statutory provisions governing the issuance of those bonds, indebtedness, or lease installment sale, or other agreement, or to the extent not inconsistent therewith or if there are no specific statutory provisions, in accordance with the ordinance, resolution, indenture, or agreement of the District providing for the issuance.

L. Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 of the California Government Code as eligible securities for the purpose of securing District deposits having a market value at least equal to that required by Section 53652 of the California Government Code for the purpose of securing local District deposits. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank which is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code of federal regulations applicable to the types of securities in which security interest is granted.

M. Any mortgage pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate, or consumer receivable-backed bond of a maximum of five years maturity. Securities eligible for investment under this subdivision shall be issued by an issuer have an "A" or higher rating for the issuer's debt as provided by a nationally recognized rating service and rated in a rating category of "AA" or its equivalent or better by a nationally recognized rating service. Purchase of securities authorized by this subdivision may not exceed 20 percent of the



# INVESTMENT POLICY

District's surplus money that may be invested.

DIVERSIFICATION REQUIREMENTS: At no time shall any portion of the Districts total investment portfolio exceed the following maximum percentages and terms:

ENDOWMENT CARE PRINCIPAL ONLY:

<u>Security Type</u> <u>allowed</u>	<u>Maximum term</u> <u>allowed</u>	<u>Maximum %</u> <u>of total</u> <u>investments</u>
U.S. Treasury bills, notes, bonds	30 year	100 %
Corporation obligations (AAA rating)	5 year	10 %
City, county, municipal bonds	unlimited	5 %
State bonds	unlimited	5 %
Certificates of deposit (FDIC insured) & Savings & Loan certificates (FSLIC insured) (Maximum \$ 100,000. per institution)	unlimited	30 %
Local agency obligations	5 year	15 %
Bank obligations (FNMA insured)	5 year	5 %
Bankers acceptances	270 days	5 %
Commercial paper	180 days	15 %
Repurchase agreements	1 year	10 %
Reverse repurchase agreements	92 days	20 %
Corporation medium-term notes (A+)	5 year	30 %
Shares of beneficial interest	5 year	15 %
Mortgage pass-through securities (A+)	5 year	20 %
Money market mutual funds (Limited to 10% per mutual fund)	N/A	20 %

SURPLUS MONEY (Endowment Care Interest, Capital Outlay funds and  
Preneed Funds):

<u>Security Type</u>	<u>Maximum term</u>	<u>Maximum %</u> <u>of total</u> <u>investments</u> <u>allowed:</u>
U.S. Treasury bills, notes, bonds	5 year	100 %
Corporation obligations (AAA rating)	5 year	10 %
City, county, municipal bonds	5 year	5 %
State bonds	5 year	5 %
Certificates of deposit (FDIC insured) & Savings & Loan certificates (FSLIC insured) (Maximum \$ 100,000. per institution)	5 year	30 %
Local agency obligations	5 year	15 %
Bank obligations (FNMA insured)	5 year	5 %
Bankers acceptances	270 days	5 %
Commercial paper	180 days	15 %

# INVESTMENT POLICY

## ENDOWMENT CARE PRINCIPAL ONLY:

<u>Security Type allowed</u>	<u>Maximum term allowed</u>	<u>Maximum % of total investments</u>
Repurchase agreements	1 year	10 %
Reverse repurchase agreements	92 days	20 %
Corporation medium-term notes (A+)	5 year	30 %
Shares of beneficial interest	5 year	15 %
Mortgage pass-through securities (A+)	5 year	20 %
Money market mutual funds (Limited to 10% per mutual fund)	N/A	20 %

## INVESTMENT RESTRICTIONS: California Code, Section 5301.6:

No funds shall be invested in inverse floaters, range notes, or in interest-only strips that are derived from a pool of mortgages.

No funds shall be invested in any security that could result in zero interest accrual if held to maturity.

## REQUIRED REPORTS: Government Code, Section 53646(a)

This District investment policy will be reviewed and adopted at a public meeting by the Board of Trustees annually.

A \_\_\_\_\_ (MIM. Quarterly) investment report shall be prepared for review by the Board of Trustees at their regular Board meetings. The report shall contain a minimum of the following:

1. Type of investment
2. Issuing institution
3. Selling/buying broker/dealer
4. Date of purchase
5. Date of maturity
6. Cost of security
7. Rate of interest
8. Current market value
9. List of each transaction
10. Percentage of portfolio by security type
11. Approved Broker/Dealers and mutual Funds

# DISTRICT RULES AND REGULATIONS

## RULES AND REGULATIONS \_\_\_\_\_ CEMETERY DISTRICT

### A. DEFINITIONS:

- As used in these regulations the following terms shall have the following meanings:
1. "Board" shall mean the Board of Trustees of the \_\_\_\_\_ Cemetery District.
  2. "District" shall mean the \_\_\_\_\_ Cemetery District.
  3. "General Manager" shall mean the General Manager of the \_\_\_\_\_ Cemetery District.
  4. "Site Owner" shall mean one who has purchased interment rights.

### B. CARE OF GRAVES AND CEMETERY GROUNDS:

1. The absolute control of the cemetery grounds in every particular is vested in the Board; site owners and others are entitled only to such privileges within the grounds as are provided by these rules and regulations. Subject to the control the following shall be the rules regulating the general care of the graves and cemetery grounds.
2. **Absolutely no alcohol, beer, wine, etc., may be consumed in the Cemetery. Violators may be subject to citation or arrest under Municipal Code Section \_\_\_\_\_ at \_\_\_\_\_ Cemetery.**
3. No person shall plant any tree, shrub, bush or flower on the cemetery grounds. Donations for trees are acceptable but trees will be selected and planted under the direction of the Board.
4. Flowers (fresh cut or artificial) may be placed in the vases provided in the marker foundations, or if not available, in small (6 inches max. diameter) unbreakable containers placed at the head of the grave. Not more than two vases/containers shall be permitted on any one grave. Flowers in such containers shall be removed as, in the opinion of the District personnel, they become unsightly. Unauthorized containers will be removed and disposed of by District personnel.
5. No persons shall place on any grave any items other than those authorized in the previous paragraph. Unauthorized items will be removed and disposed of by District personnel.
6. No persons shall gather flowers nor disturb growing plants or trespass on any site of which he does not hold the Interment Right. All persons other than Interment Right holders shall confine themselves to the roads, paths and other public place provided for public use within the cemetery grounds.
7. All children must be under the control of their Adult Companion.
8. Except in the excavation for the completion of an interment, no person shall remove any earth or in any way damage the cemetery grounds or leave any grass, earth or rubbish of any kind thereon. Dead flowers and other rubbish must be placed in containers provided for that purpose.
9. If any tree, shrub, plant or vine situated on any site shall by reason of root, branches, height, shade or otherwise become detrimental or unsightly to adjacent sites, paths, streets or the cemetery grounds, District personnel may enter such site and remove or trim such tree, shrub, plant or vine as deemed necessary.
10. No person shall burn any combustible material within the cemetery grounds.
11. No lot or grave shall be defined by any architectural object or by any marker unless approved by the General Manager or other person authorized by the Board.

### MEMORIAL MARKERS: Memorial markers hereafter shall be limited as follows:

12. Memorial markers must be made of solid industry standard granite or U.S. standard bronze. All memorial markers hereafter shall be set by District personnel, in a concrete foundation with a maximum of two flower vases set in the foundation. Only flush with the ground vases are allowed in the foundation.
13. Memorial markers hereafter shall be limited as follows:

#### MEMORIAL PARK:

- a) Raised marker sections: Maximum depth and width of 16" x 28" for single or double interments in a single grave; 16" x 36" for two single graves that are side by side; and 12" x 18" for an infant gravesite. The height of a memorial marker cannot exceed its maximum allowed width. A maximum of two memorial markers, only one of which can be raised, may be placed on an adult gravesite.

# DISTRICT RULES AND REGULATIONS

- b) Flush marker sections: Maximum depth and width of 16" x 28" for single or double interments in a single grave; 16" x 36" for two single graves that are side by side; and 12" x 18" for cremation and infant gravesites. Granite markers must be at least 3 inches in thickness. A maximum of two memorial markers may be placed on an adult gravesite.

## CEMETERY:

- a) Flush markers only: Maximum depth and width of 16" x 28" for single or double interments in a single grave; 16" x 36" for two single graves that are side by side; and 12" x 18" for cremation and infant gravesites. Granite markers must be at least 3 inches in thickness. A maximum of two memorial markers may be placed on an adult gravesite.
- 14. The Board reserves the right to make improvements to any site or to any public portion of the cemetery grounds at any time the expense to be paid by the District.
  - 15. No animals (other than assist animals) are allowed on cemetery grounds.

## C. INTERMENTS:

Site owners, morticians and other authorized persons shall comply with the following regulations in the use of sites for interment purposes.

- 1. All graves will be dug to a depth, which allows a minimum of 18 inches of dirt to be placed on top of all vaults or liners or cremated remains container. All single adult graves shall be dug to a depth of five feet at the center. The lower tier of a double interment grave shall be dug to a depth of seven feet at the center. Infant gravesites for domed liners shall be dug to a depth of forty-eight inches at the center. Cremation sites shall be dug to a minimum depth of thirty inches.

A minimum container of cloth covered wood casket with handles is required for all interments except cremated remains.

A durable container is required for all cremated remains interments.

Standard vaults and liners of steel and concrete must be used for all interments except for cremated remains.

The use of cremated remains vaults are not required. If used in an in-ground cremains interment, vaults shall not exceed the following dimensions: Length 15", Width 12", Height 12".

- 6. A maximum of two cremated remains may be placed in an in-ground cremains site. Cremated remains vaults are allowed.
- 7. A maximum of two cremated remains may be placed in a cremation niche. Each cremains container shall not exceed the following dimensions: length 9", width 4.5", height 9".
- 8. Cremated remains interred in the cremains repository will be placed with others cremains and cannot be removed.
- 9. A maximum of eight cremated remains may be placed in an adult size grave designated for cremation interments only.  
Cremated remains vaults are allowed.

# Trustees Compensation and Reimbursement Policy

## POLICY # 2025

### 2025.1 Compensation

In accordance with \_\_\_\_\_ District resolution number \_\_\_\_\_ of (date) \_\_\_\_\_, and as authorized by California Health and Safety Code (CH&SC) section 9031, each member of the Board of Trustees may receive compensation in the amount not to exceed one hundred dollars (\$100) for attending each meeting of the board. A member of the Board of Trustees shall not receive compensation for more than four meetings of the board in a month. Trustees shall provide a brief report on meetings attended at the expense of the district at the next regular Board of Trustees meeting.

A meeting of the Board of Trustees includes (*List meetings authorized for compensation by the Board*):

- Regular Meetings
- Special Meetings
- Closed Sessions
- Emergency Meetings
- Board Field Trips
- District Public Hearings
- Committee Meetings of the Board

The amount of compensation for attending the above meetings may be increased by the Board of Trustees in accordance with the requirements of California Health & Safety Code section 9031(b).

### 2025.2 Reimbursement

Members of the Board of Trustees may receive their actual and necessary traveling, and incidental expenses incurred while on official business other than a meeting of the board as authorized by CH&SC section 9031 ©.

Official business, other than a meeting of the board, includes but is not limited to (*List examples of meetings*):

- California Association of Public Cemeteries conferences, seminars and workshops
- California Special Districts Association conferences, seminars and workshops
- Ethics training workshops
- Other educational activities related to district operations and governance as authorized by the Board of Trustees

Reimbursement rate limits:

- Travel:
  - Reimbursement for the cost of the use of a Trustees' personal vehicle to attend to the official business, other than a meeting of the board, shall be on the total miles driven and at the rate specified in the Internal Revenue Guidelines (Publication 463) in effect at the time of the vehicle usage.
  - The total amount to be reimbursed for personal usage shall not exceed the amount that would normally be required for public transportation.
  - Trustees are responsible for payment transportation of spouses and or guests.
- Meals:
  - Reimbursement for the actual cost of meals purchased by Trustees enroute, during and returning from official business meetings, other than a meeting of the board, shall be paid.
- Trustees are responsible for payment of meals of spouses and or guests.
  - The District is not responsible for reimbursement for purchase of any alcoholic beverages.

# Trustees Compensation and Reimbursement Policy

Lodging:

- If lodging is in connection with a conference or organized educational activity authorized by the board, reimbursement for lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Trustee at the time of booking.
- If the group rate is not available, the Trustee shall use comparable lodging that is reasonable available in the immediate area or the Internal Revenue Service rates for reimbursement of lodging as established in the current version of Publication 463.

**2025.3** Completed reimbursement forms with receipts for authorized expenses will be submitted to the district office within \_\_\_\_\_ days of incurring the expense.

**2025.4** A member of the Board of Trustees may waive any or all of the payments permitted by this policy.

# AGREEMENT TO PURCHASE

## TIME PAYMENT PLAN

THIS CONTRACT is executed in triplicate this **15th** day of **December 2012** by and between \_\_\_\_\_ CEMETERY DISTRICT, doing business at \_\_\_\_\_, City of \_\_\_\_\_, County of \_\_\_\_\_, State of California, hereinafter called "Seller", and \_\_\_\_\_ residing at \_\_\_\_\_, in the City of \_\_\_\_\_, State of California \_\_\_\_\_ hereinafter called "Buyer". \_\_\_\_\_,

SELLER agrees to sell, and BUYER (jointly and severally, if more than one) hereby agrees to buy, subject to the terms and conditions hereinafter set forth, the following described interment rights, endowment care, merchandise and services to wit:

CEMETERY	<b>SM</b>	SECTION	<b>22</b>	LOT	<b>85</b>	SPACE	<b>4</b>
CEMETERY	_____	SECTIO	_____	LOT	_____	SPACE	_____

Cash Price for Interment Rights	1	@	\$ 695.00	\$ 695.00
Cash Price for Endowment Care <b>(non-refundable)</b>	1	@	\$ 425.00	\$ 425.00
Cash Price for Opening/Closing - upper tier	1	@	\$ 550.00	\$ 550.00
Cash Price for Opening/Closing - lower tier	1	@	\$ 650.00	\$ 650.00
Cash Price for vault (including tax)	2	@	\$ 315.00	\$ 685.12
Cash Price for setting vault	2	@	\$ 130.00	\$ 260.00
Cash Price for marker setting	1	@	\$ 180.00	\$ 180.00
<b>TOTAL CASH PRICE</b>				<b>\$ 3,445.12</b>
Less Down Payment (Minimum: Endowment Care)			\$ 425.00	
Unpaid Balance Cash Price				\$ 3,020.12
Service Charge				\$ 48.00
Total Payment Amount				<b>\$ 3,068.12</b>

Deferred Payment Price (Total Cash Price and Service Charge) \$ 3,493.12

TOTAL OF PAYMENTS shall be paid by Buyer in twelve monthly installments of **\$ 125.00** each month on the **15th** day of each and every month beginning **January 2013** and continuing thereafter until said contract balance, together with such other sums as are herein provided are fully paid. The service charge applies from **December 2012**. All installments and amounts payable hereunder are payable at the office of the Seller. If any installments and amounts payable is in default for a period of not less than ten days, Buyer agrees to pay a delinquency charge on each of said delinquent installment in an amount of 5% of such installments or \$5.00, whichever is less, provided, however, that a minimum charge installment in an amount of 5% of such installments or \$5.00, whichever is less, provided, however, that a minimum charge of \$1.00 shall be made for any such delinquency. Reasonable attorneys fees and costs shall be award by the court to the prevailing party in any such action on this contract.

Buyer and Seller further agree as follows:

1. Certificate of Interment Rights to said property shall not pass to Buyer until the contract balance and other sums due hereunder are fully paid in cash. No marker will be placed and no interment will be made in said property until the contract and other are fully paid in cash.
2. This contract shall be terminated if Buyer fails to make payment for a period of more than 6 months. In such event, District will refund all amounts paid hereunder with the exception of the non-refundable endowment care fee of **\$ 425.00** and any service charges paid which shall be retained by District as compensation for administrative costs.
3. No warranties, express or implied, representations, promises, or statements have been made by Seller unless endorsed hereon in writing
4. NOTICE TO BUYER: (1) Do not sign this agreement before you have read it, or if

# AGREEMENT TO PURCHASE

it contains any blank space.

(2) You are entitled to a completely filled in copy of this agreement. (3) You may cancel this agreement at any time prior to cancel this agreement at any time prior to midnight of the fifth calendar day after the date of this agreement, provided no interment or substantial service or merchandise has been provided hereunder. To cancel, deliver or mail written notice of your intent to

\_\_\_\_\_ CEMETERY DISTRICT, \_\_\_\_\_, \_\_\_\_\_, CA  
\_\_\_\_\_.

BUYER DOES HEREBY ACKNOWLEDGE FULL DISCLOSURE OF THE CONTENTS OF THIS AGREEMENT AND RECEIPT OF A FULLY COMPLETED AND EXECUTED COPY THEREOF.

SELLER: \_\_\_\_\_ **BUYER** \_\_\_\_\_  
\_\_\_\_\_ Cemetery District  
\_\_\_\_\_ Road **BUYER** \_\_\_\_\_  
\_\_\_\_\_, CA 92027  
(---) \_\_\_\_\_ FAX (---) \_\_\_\_\_ **ADDRESS:** \_\_\_\_\_  
\_\_\_\_\_, CA  
**TELEPHONE:** (-) \_\_\_\_\_ (---) \_\_\_\_\_



# ARTIFICIAL FLOWER POLICY

CEMETERY DISTRICT

## NOTICE PLEASE READ

**TO: ANYONE DESIRING TO PLACE FLOWERS ON GRAVES IN THIS CEMETERY**

DEAR FRIENDS:

THE PLACEMENT OF FLOWERS ON THE GRAVES OF OUR LOVED ONES IS A TIME-HONORED TRADITION. IT IS AN EXPRESSION OF LOVE AND REMEMBRANCE TO THOSE WHO HAVE PASSED FROM THIS LIFE, AND IS A BEAUTIFUL AND EFFECTIVE MEMORIALIZATION.

UNTIL RECENT YEARS, CUT FLOWERS WERE USED EXCLUSIVELY. TODAY, HOWEVER, WE NOTE A TREND TOWARD THE USE OF ARTIFICIAL FLOWERS, TREATED BLOSSOMS AND PLASTIC FLOWERS. AS THESE BECOME DIRTY AND UNSIGHTLY, THEY CREATE AN IMPRESSION OF NEGLECT RATHER THAN REMEMBRANCE. IF LEFT ON THE LAWN FOR LONG PERIODS OF TIME, THEY CREATE PROBLEMS OF CARE AND MAINTENANCE.

FOR THIS REASON, THE FOLLOWING REGULATIONS WERE PASSED BY THE BOARD OF TRUSTEES:

1. DURING THE MOWING SEASON, ALL FLOWERS MUST BE REMOVED ONCE A WEEK, USUALLY ON THURSDAYS, IN ORDER TO PROPERLY MAINTAIN THE GRASS.
2. ARTIFICIAL FLOWERS SHALL BE TREATED THE SAME AS FRESH FLOWERS. FLOWERS, EITHER FRESH OR ARTIFICIAL MAY BE PLACED ON GRAVES PROVIDED THEY ARE PLACED IN VASES IN THE BASE OF MARKERS OR IN OTHER METAL OR PLASTIC CONTAINERS. IF SAID FLOWERS START TO DISCOLOR, FADE OR DETERIORATE, CEMETERY EMPLOYEES WILL, REMOVE AND DISPOSE OF THEM.
3. NO PERSON OR PERSONS SHALL PLACE OR POUR ANY SAND, GRAVEL, ROCKS, CEMENT, CASTING PLASTER, WAX OR ANY METAL OF ANY TYPE IN VASES, JARS, CANS OR FLOWER CONTAINERS BECAUSE OF THE HAZARDS TO EXPENSIVE MOWING EQUIPMENT.
4. EVERY REASONABLE EFFORT WILL BE MADE TO CARE FOR FLOWERS AND CONTAINERS PLACED ON GRAVES. BUT, NEITHER THE CEMETERY DISTRICT NOR ANY OF ITS EMPLOYEES WILL BE RESPONSIBLE FOR ANYTHING OF A MOVABLE CHARACTER THAT MAY BE LOST, STOLEN OR MISPLACED.

WE RESPECTFULLY INSIST THAT THESE REGULATIONS BE OBSERVED. ADDITIONAL QUESTIONS REGARDING THEM WILL BE ANSWERED AT THE OFFICE SITUATED ON THE CEMETERY GROUNDS.

BOARD OF TRUSTEES

CEMETERY DISTRICT

# CERTIFICATE OF OWNERSHIP OF INTERMENT RIGHTS

## \_\_\_\_\_ CEMETERY DISTRICT

\_\_\_\_\_ Cemetery

THIS IS TO CERTIFY that \_\_\_\_\_ has purchased interment Rights in Section \_\_\_\_\_ Lot \_\_\_\_\_ Space(s) \_\_\_\_\_ Receipt # \_\_\_\_\_. This right held subject to the rules and regulations of the \_\_\_\_\_ Cemetery District and the Provisions of Section 9060 of the State of California Health and Safety Code as the same now exists or may hereafter be amended. If a certificate holder subsequently has no further need for the interment rights, he may by written application to the District sell his certificate to the District for \_\_\_\_\_ \$ \_\_\_\_\_. The amount of \$ \_\_\_\_\_ paid for Endowment Care cannot be refunded.

All rights and restrictions are as specified in the \_\_\_\_\_ Cemetery District Rules and Regulations dated \_\_\_\_\_. No lot or grave shall be defined by any architectural object or by any marker unless approved by the manager or other person authorized by the Board.

**RESTRICTIONS**

**GRANITE OR BRONZE MARKERS ONLY**

- \_\_\_ Marker limited to 12" x 18"
- \_\_\_ Marker limited to 16" x 28"
- \_\_\_ Marker limited to 16" x 36"
- \_\_\_ Flush marker only

Signed, Board of Trustees

\_\_\_\_\_ Cemetery District

\_\_\_\_\_ Trustee

\_\_\_\_\_ Trustee

**CREMATION URN VAULT:**

URN LIMITED TO " x 9" x 4.5"

\_\_\_\_\_ Trustee

State law gives you the right to know about future plans to use the cemetery for any other purpose. If you want to receive information about a future change, you must contact the local planning office and pay a small fee.

# CHANGE OF OWNERSHIP FORM

## CHANGE OF OWNERSHIP INTERMENT RIGHTS

### KNOWN ALL BY THESE PRESENT:

That I/We \_\_\_\_\_ are/am the Original Owner  
(s) of Interment Rights to Section \_\_\_\_ Lot \_\_\_\_ Space(s) \_\_\_\_\_, in the  
\_\_\_\_\_ which is part of the \_\_\_\_\_ Cemetery District, located in the  
city of \_\_\_\_\_, County of San Diego, State of California. I/We currently reside at  
\_\_\_\_\_

\_\_\_\_\_. I/We do hereby release and  
forever render my/our name as holder of interment rights, title, interest, use, trust, claim and demand whatsoever  
both in law and equity which I/we may have had as owner(s) in this burial site and agree to change the name of the  
Ownership to:

\_\_\_\_\_  
Print or Type Name Relationship Phone Number

\_\_\_\_\_  
Address City State Zip

### ORIGINAL OWNER PLEASE SIGN BELOW BEFORE A NOTARY

\_\_\_\_\_  
Print or Type Name Address City State Zip

\_\_\_\_\_  
Signature Phone Number

\_\_\_\_\_  
Print or Type Name Address City State Zip

\_\_\_\_\_  
Signature Phone Number

### NOTARY PUBLIC

State of \_\_\_\_\_  
County of \_\_\_\_\_

On \_\_\_\_\_ (date) before me, \_\_\_\_\_ (Name/Title of Officer)  
personally appeared \_\_\_\_\_ (Name(s) of Signer) who proved to  
me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within  
instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)  
acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of \_\_\_\_\_ that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature (Notary Public)

# CLAIM AGAINST DISTRICT

Agency Name: \_\_\_\_\_

Date Claim Received: \_\_\_\_\_

This form is provided pursuant to Government Code Section 910.4

1. Claimant's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Day Phone: \_\_\_\_\_

2. Claimant's Address: \_\_\_\_\_

3. Claimant's SSN: \_\_\_\_\_ Home Phone: \_\_\_\_\_

4. Date of Loss: \_\_\_\_\_ Time of Loss: \_\_\_\_\_

5. Location of Loss (Specify in as much detail as possible, example: 5 feet east of west corner of Elmira Road and Peabody): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Description of incident or accident which caused you to make this claim:  
\_\_\_\_\_  
\_\_\_\_\_

7. What specific injury, damages or other losses did you incur? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. What amount of money or damages are you seeking to incur? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Basis of computation: \_\_\_\_\_  
\_\_\_\_\_

9. How was this amount calculated? (Itemize and attach bills, repair estimates, receipts, etc. If claim is for vehicle damage, obtain and attach two (2) repair estimates).

10. What is your basis for claiming the District employee (s) are the cause of your injury, damages or loss? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. What are the name(s) of the District employee(s) whom you allege caused your injury, damages or loss? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Name, address and phone number of any witnesses who can substantiate your claim:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CLAIM AGAINST DISTRICT

13. Any additional information that you believe might be helpful to the District in considering this claim: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. All notices and communications with regard to this claim will be directed to the Claimant in lines 1 and 2 above unless you complete the following to identify to whom further communication should be directed:

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_ State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

**Section 72 of the Penal Code provides that "every person who, with intent to defraud, presents for allowance or for payment to any State Board or Officer, or to any county, town, city, district, board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is guilty of a felony".**

\_\_\_\_\_  
Claimant Printed Name                      Claimant Signature                      Date Signed

(Note: If the claim is filed by someone on behalf of the claimant, the person making the claim on behalf of the claimant should sign above.)

Completed Claim Forms must be submitted by personal delivery or by United States mail.

# DISINTERMENT AUTHORIZATION

## DISINTERMENT AUTHORIZATION

(Removal from cemetery)

Dated \_\_\_\_\_, 20\_\_

TO: \_\_\_\_\_ CEMETERY DISTRICT

You are hereby authorized and instructed, subject to the District rules and regulations, to disinter the remains of \_\_\_\_\_ from Section \_\_\_\_\_, Lot \_\_\_\_\_, Grave \_\_\_\_\_ in \_\_\_\_\_ cemetery and transfer custody of the remains to \_\_\_\_\_ for removal from the cemetery.

The undersigned hereby certify and represent that they are the legal custodians of the remains and have the right make this authorization, and that they are related as indicated below. The undersigned further agree to hold the \_\_\_\_\_ Cemetery District harmless from any liability on account of this authorization.

Print Name \_\_\_\_\_ Signature \_\_\_\_\_

Relationship to Deceased \_\_\_\_\_ Phone # \_\_\_\_\_

Address \_\_\_\_\_

Print Name \_\_\_\_\_ Signature \_\_\_\_\_

Relationship to Deceased \_\_\_\_\_ Phone # \_\_\_\_\_

Address \_\_\_\_\_

### DISINTERMENT RECORD

(Filled out by Cemetery Personnel)

Hour of Disinterment \_\_\_\_\_ a.m./p.m. Date \_\_\_\_\_, 20\_\_

Funeral Director if any \_\_\_\_\_

Condition of Casket/Cremation Urn \_\_\_\_\_

The undersigned certify to the above, also that the casket/cremation urn was not opened and further witness that they viewed the above mentioned disinterment, and removal and that said disinterment and removal was properly made.

Signatures of employees present

Signatures of relatives present

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Manager \_\_\_\_\_

\_\_\_\_\_ Cemetery District

Address \_\_\_\_\_

\_\_\_\_\_, CA.

# DISINTERMENT AUTHORIZATION

## DISINTERMENT, REMOVAL AND REINTERMENT AUTHORIZATION

Dated \_\_\_\_\_, 20\_\_

TO: \_\_\_\_\_ CEMETERY DISTRICT

You are hereby authorized and instructed, subject to the District rules and regulations, to disinter the remains of \_\_\_\_\_ from Section No \_\_\_\_\_, Lot No \_\_\_\_\_, Grave No \_\_\_\_\_ in \_\_\_\_\_ cemetery and remove same to and reinter said remains in Section No \_\_\_\_\_, Lot No \_\_\_\_\_ Grave No \_\_\_\_\_ In \_\_\_\_\_ cemetery.

The undersigned hereby certify and represent that they are the legal custodians of the remains and have the right make this authorization, and that they are related as indicated below. The undersigned further agree to hold the \_\_\_\_\_ Cemetery District harmless from any liability on account of this authorization.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature                      Relation to Deceased                      Address

I hereby authorize the above Disinterment, Removal and Reinterment

• . . . . .

### DISINTERMENT RECORD

(Filled out by Cemetery Personnel)

Hour of Disinterment \_\_\_\_\_ a.m./p.m. Date \_\_\_\_\_, 20\_\_  
Funeral Director if any \_\_\_\_\_  
Condition of Casket/Cremation Urn \_\_\_\_\_

The undersigned certify to the above, also that the casket/cremation urn was not opened and further witness that they viewed the above mentioned disinterment, and removal and that said disinterment and removal was properly made.

Signatures of employees present                      Signatures of relatives present  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Manager \_\_\_\_\_  
\_\_\_\_\_  
Cemetery District  
Address \_\_\_\_\_  
\_\_\_\_\_, CA.

# SAMPLE MANAGER'S EVALUATION

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CEMETERY DISTRICT

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PROPOSED

EVALUATION  
OF  
WORK PERFORMANCE

General Manager

From \_\_\_\_\_ to \_\_\_\_\_

A periodic Employee Performance Appraisal is used by the \_\_\_\_\_ Cemetery District to objectively evaluate the General Manager's past performance. The Appraisal will be written by the Board of Trustees. After the completion of the Appraisal, it will be reviewed and discussed with the General Manager.

This Appraisal is divided into four areas: 1) Accomplishments in the Primary Focus Areas 2) Contributions by the General Manager for the Success of the Work Group 3) Additional Contributions by the General Manager 4) Overall performance appraisal and developmental plans. This Appraisal shall be reviewed with the General Manager in \_\_\_\_\_ of each year in order to reach agreement on past performance and agreement on the next years Primary Focus Areas.

The following ranking system should be applied as objectively as possible with each area:

1. **OUTSTANDING:** Excellent performance that far exceeds the job's requirement.
2. **VERY GOOD:** Above average performance that exceeds the job's requirements.
3. **AVERAGE:** Acceptable performance that meets the job's requirements.
4. **BELOW AVERAGE:** Minimally acceptable performance that meets some of the job's requirements.
5. **UNSATISFACTORY:** Unacceptable performance that does not meet the job's requirements.



# SAMPLE MANAGER'S EVALUATION

## PERFORMANCE SUMMARY TABLE:

### PRIMARY FOCUS AREAS:

#### OPERATIONS:

EXPECTATIONS: Supervise the "day to day" maintenance, construction, internments, sales, and other activities necessary for the efficient operation of the District cemetery (ies). This includes all public relation, customer complaint investigation, and inter-governmental agency interface activities. Understand and execute the statutory duties as defined in the District's "Cemetery Operations."

PERFORMANCE:

#### BUDGET & FINANCIAL:

EXPECTATIONS: Develop for Board approval the annual budget and operate the District within that budget throughout the year. This includes recommending prices and salaries, as well as being responsible for all expenditures and sales/services activities; track investments, search out and recommend new investments when appropriate. Provide complete budget & financial reports for each monthly board meeting.

PERFORMANCE:

#### PERSONNEL:

EXPECTATIONS: Supervise all personnel programs including the administration, review and recommended revision of personnel policies and procedures to the board of trustees. Be responsible for hiring and developing all personnel, successful safety programs, and for conforming to laws related to fair labor practices, discrimination, sexual harassment.

PERFORMANCE:

#### ADMINISTRATION:

EXPECTATIONS: Provide the Board Meeting agenda and monthly reports as required, and attend all Board meetings unless otherwise excused. Discharge other duties as assigned by the Board of Trustees.

# SAMPLE MANAGER'S EVALUATION

PERFORMANCE: \_\_\_\_\_

## **SUMMARY OF PERFORMANCE:**

### **CONTRIBUTIONS BY GENERAL MANAGER FOR GROUP'S SUCCESS:**

**EXPECTATIONS:** The General Manager must have the knowledge of principles, problems and methods of public administration including organization, personnel and fiscal management. He/she must understand office management principles, methods and procedures as well as state and local laws and regulations relation to the operation of a local government agency. The General Manager must have an understanding of the design and construction, plans, specifications, estimates, reports, and recommendations relating to proposed beautification of grounds and construction of buildings and other facilities within the boundaries of the District.

PERFORMANCE:

### **ADDITIONAL CONTRIBUTIONS BY THE GENERAL MANAGER:**

**EXPECTATIONS:** To what extent does the General Manager contribute to the group's success by reducing barriers to performance, organizing to achieve objectives, and facilitating the performance of others? To what extent does the General Manager analyze problems and reach acceptable, workable solutions and to what extent does the General Manager perform with minimum supervision by the Board of Trustees? Does the General Manager participate in organizations or activities outside the District that supports and benefits the operation of the District?

PERFORMANCE:

## **OVERALL PERFORMANCE APPRAISAL:**

### **SUMMARY OF PERFORMANCE:**

### **DEVELOPMENTAL PLANS:**

### **GENERAL MANAGER'S COMMENTS:**

CONCORD BY:

TRUSTEE \_\_\_\_\_

GENERAL MANAGER: \_\_\_\_\_

DATE: \_\_\_\_\_

# INTERMENT RIGHTS APPLICATION

APPLICATION AND AGREEMENT TO \_\_\_\_\_ CEMETERY DISTRICT

_____ Cemetery Address _____ Phone _____	_____ Cemetery Address _____ Phone _____	_____ Cemetery Address _____ Phone _____
--	--	--

AN ENDOWMENT CARE PROPERTY

In this agreement the word "Purchaser" refers to you. The word "District" refers to the \_\_\_\_\_ Cemetery District. The District agrees to sell and the Purchaser agrees to buy, for interment purposes and subject to the District rules and regulations, the interment rights to the following property in the above designated cemetery of the District.

<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Space(s)</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Purchasers Name(s) \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

Issue interment rights ownership to:  
 Name(s) \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_  
 Comment: \_\_\_\_\_

In the event of the death of the owner, successive owner(s) to interment rights are designated in the following priority order:

<u>Name</u>	<u>Relationship to Owner</u>	<u>Address</u>	<u>Phone</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

INTERMENT RIGHTS, MERCHANDISE AND SERVICES

INTERMENT RIGHTS	ENDOWMENT CARE DEPOSIT (NON-REFUNDABLE)
Grave Space ..... \$ _____	Grave Space ..... \$ _____
Lawn Crypt ..... \$ _____	Lawn Crypt ..... \$ _____
Niche ..... \$ _____	Niche ..... \$ _____
Urn Garden ..... \$ _____	Urn Garden ..... \$ _____
Other ..... \$ _____	Other ..... \$ _____
Other ..... \$ _____	Other ..... \$ _____
Total: \$ _____	Total: \$ _____

MERCHASSEDISE & SERVICE

Opening/Closing ...	\$ _____
Outer Burial	
Container .....	\$ _____
Other .....	\$ _____
Installation Fee ...	\$ _____
Sales Tax .....	\$ _____
Total:	\$ _____

TOTAL CASH PRICE: \$ \_\_\_\_\_

# INTERMENT RIGHTS APPLICATION

Notice to Purchaser: (1) Do not sign this Agreement before you read it or if it contains any blank space to be filled in. (2) You are entitled to a completely filled-in copy of this Agreement.

Purchaser hereby acknowledges that this Agreement was completed as to all essential provisions before it was signed by the Purchaser and a copy of this and the District rules and regulations was delivered to the Purchaser at the time this Agreement was signed.

You, the Purchaser, may cancel this Agreement at any time prior to midnight of the fifth day after the date of this transaction provided no interment or substantial service or merchandise has been provided hereunder. To cancel, deliver or mail written notice of your intent to District.

THIS CONTRACT AND AGREEMENT IS NOT VALID UNTIL ACCEPTED BY THE DISTRICT.

\_\_\_\_\_  
(Date) Accepted: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Purchaser By: \_\_\_\_\_

\_\_\_\_\_  
Purchaser Receipt Number: \_\_\_\_\_

# INTERMENT AUTHORIZATION

\_\_\_\_\_ CEMETERY DISTRICT  
\_\_\_\_\_ Cemetery / / \_\_\_\_\_ Cemetery / /

## INTERMENT AUTHORIZATION

MORTUARY \_\_\_\_\_ PHONE \_\_\_\_\_

DECEASED \_\_\_\_\_

Address \_\_\_\_\_

Telephone # \_\_\_\_\_ P.O.B. \_\_\_\_\_ Veteran \_\_\_\_\_

PRE-NEED FOR \_\_\_\_\_

Address \_\_\_\_\_

Telephone # \_\_\_\_\_

CERETIFICATE TO: \_\_\_\_\_

Address \_\_\_\_\_

Telephone # \_\_\_\_\_

SERVICE: Date \_\_\_\_\_ Time \_\_\_\_\_ Place \_\_\_\_\_

SINGLE \_\_\_\_\_ DUAL \_\_\_\_\_ OTHER \_\_\_\_\_

CHARGE: Interment Right \_\_\_\_\_ Endowment Care \_\_\_\_\_

Open/Closing \_\_\_\_\_ Vault/Liner ( ) \_\_\_\_\_ Tax \_\_\_\_\_

Non-Resident \_\_\_\_\_ Marker Set \_\_\_\_\_ Engrave \_\_\_\_\_

Other \_\_\_\_\_ Total \_\_\_\_\_

Cash \_\_\_\_\_ Check # \_\_\_\_\_

RECEIPT TO: \_\_\_\_\_

REMARKS: \_\_\_\_\_

I hereby certify that I am the \_\_\_\_\_ of the above named Decedent and authorize the interment as indicated above. I further certify, that I have the right to make this authorization and that the decedent is eligible for interment in a cemetery of the \_\_\_\_\_ Cemetery District of \_\_\_\_\_ County under the current provisions of the California Health and Safety Code. I acknowledge receipt of a copy of this interment order and the District rules and regulations.

Date \_\_\_\_\_ Signature \_\_\_\_\_

-----  
Customer # \_\_\_\_\_ Interment # \_\_\_\_\_ Receipt # \_\_\_\_\_

# SALES RECEIPT

## RECEIPT

### CEMETERY DISTRICT

\_\_\_\_\_ Cemetery //

\_\_\_\_\_ Cemetery //

Received of \_\_\_\_\_ Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

Interment of \_\_\_\_\_ Address \_\_\_\_\_

Preneed for \_\_\_\_\_ Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

Certificate to \_\_\_\_\_ Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

#### INTERMENT RIGHTS

Section \_\_\_\_\_ Lot \_\_\_\_\_ Space \_\_\_\_\_ : \_\_\_\_\_ @ \$ \_\_\_\_\_ each \_\_\_\_\_  
Section \_\_\_\_\_ Lot \_\_\_\_\_ Space \_\_\_\_\_ : \_\_\_\_\_ @ \$ \_\_\_\_\_ each \_\_\_\_\_

ENDOWMENT CARE (non-refundable) \_\_\_\_\_ @ \$ \_\_\_\_\_ each \_\_\_\_\_

#### OPENING/CLOSING

\_\_\_\_\_ Section \_\_\_\_\_ Lot \_\_\_\_\_ Space \_\_\_\_\_  
\_\_\_\_\_ Section \_\_\_\_\_ Lot \_\_\_\_\_ Space \_\_\_\_\_

VAULT OR LINER \_\_\_\_\_ @ \$ \_\_\_\_\_ each \_\_\_\_\_

VAULT OR LINER SETTING \_\_\_\_\_ @ \$ \_\_\_\_\_ each \_\_\_\_\_

MARKER SETTING FEE \_\_\_\_\_ @ \$ \_\_\_\_\_ each \_\_\_\_\_

NON RESIDENT FEE \_\_\_\_\_ @ \$ \_\_\_\_\_ each \_\_\_\_\_

CREMATION URN VAULT ENGRAVING \_\_\_\_\_ @ \$ \_\_\_\_\_ each \_\_\_\_\_

PRENEED PAYMENT # \_\_\_\_\_ of \_\_\_\_\_ on Section \_\_\_\_\_ Lot \_\_\_\_\_ Space \_\_\_\_\_

MISCELLANEOUS \_\_\_\_\_

CASH \_\_\_\_\_ CHECK \_\_\_\_\_ Service Charge \_\_\_\_\_

Tax \_\_\_\_\_

**TOTAL** \_\_\_\_\_

#### RESTRICTIONS:

##### GRANITE OR BRONZE MARKERS ONLY

\_\_\_\_\_ Marker limited to 12" x 18"

\_\_\_\_\_ Marker limited to 16" x 28"

\_\_\_\_\_ Marker limited to 16" x 28"

\_\_\_\_\_ Flush marker only

##### CREMATION URN VAULT:

URN LIMITED TO 9" x 9" x 4.5"

\_\_\_\_\_  
Manager, \_\_\_\_\_ Cemetery District

# TRAVEL/EXPENSE REIMBURSEMENT REQUEST

\_\_\_\_\_ DISTRICT

## TRAVEL/EXPENSE REIMBURSEMENT REQUEST:

Name: \_\_\_\_\_ Claim Date: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

## TRAVEL EXPENSES:

FROM: \_\_\_\_\_ TO: \_\_\_\_\_

Purpose: \_\_\_\_\_

Date(s): \_\_\_\_\_

Private vehicle: \_\_\_\_\_ miles @ . \_\_\_\_\_ per mile \$ \_\_\_\_\_

2. Commercial Transportation: Mode \_\_\_\_\_ \$ \_\_\_\_\_

3. Bridge Tolls \$ \_\_\_\_\_ + Parking \$ \_\_\_\_\_ \$ \_\_\_\_\_

4. Lodging: Location \_\_\_\_\_ \$ \_\_\_\_\_

5. Meals: \_\_\_\_\_ \$ \_\_\_\_\_

6. Other Expenses (explain) \_\_\_\_\_ \$ \_\_\_\_\_

## MISCELLANEOUS EXPENSES:

(Supplies, etc.) Please explain \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL EXPENSES** \$ \_\_\_\_\_

I certify that the above is a true accounting of transportation and other expenses allowed by District policy # \_\_\_\_\_ . I further understand that **RECEIPTS MUST BE ATTACHED** to receive payment.

**SIGNATURE** \_\_\_\_\_

***POLICY MANUAL TEMPLATE FROM THE PUBLIC CEMETERY ALLIANCE***

The following policy manual template is lengthy and may be excessive for Yolo's public cemetery district needs. Districts can pick and choose sections that may be most pertinent. LAFCo is not suggesting that adopting all these policies are necessary. It's merely a resource for district reference and potential adoption and use.

LAFCo has this template in Word available for use. Please contact LAFCo if you would like us to email it to you.



# **POLICY MANUAL FOR (NAME OF YOUR DISTRICT)**

## **TABLE OF CONTENTS**

<b>BYLAWS</b> .....	<b>01 – 08</b>
<b>CONFLICT OF INTEREST CODE</b> .....	<b>09 - 10</b>
<b>PERSONNEL</b> .....	<b>11 - 14</b>
<b>JOB DESCRIPTION - DISTRICT MANAGER</b> .....	<b>15 – 17</b>
<b>JOB DESCRIPTION – OFFICE MANAGER</b> .....	<b>18 – 19</b>
<b>JOB DESCRIPTION – FOREMAN</b> .....	<b>20 – 21</b>
<b>JOB DESCRIPTION – GROUNDSPERSON</b> .....	<b>22 – 23</b>
<b>CODE OF CONDUCT</b> .....	<b>24 – 25</b>
<b>EDUCATION PROGRAM</b> .....	<b>26 - 28</b>
<b>TRAVEL &amp; EXPENSES</b> .....	<b>.29</b>
<b>DRUG &amp; ALCOHOL POLICY</b> .....	<b>30 – 32</b>
<b>PURCHASING &amp; CONTRACTING</b> .....	<b>33 – 40</b>
<b>USE OF DISTRICT PROPERTY OR EQUIPMENT BY EMPLOYEES</b> .....	<b>41</b>
<b>HARASSMENT POLICY</b> .....	<b>42 - 45</b>
<b>DISCIPLINARY PROCEDURE</b> .....	<b>46</b>
<b>GRIEVANCE PROCEDURE</b> .....	<b>46</b>
<b>TERMINATION PROCEDURE</b> .....	<b>47 – 49</b>
<b>SAFETY PROGRAM</b> .....	<b>50 – 58</b>
<b>PROCEDURES FOR HEAT ILLNESS PREVENTION</b> .....	<b>58 – 65</b>
<b>SAFE PRACTICES AND OPERATING PROCEDURES</b> .....	<b>66 - 77</b>
<b>RULES &amp; REGULATIONS</b> .....	<b>78 – 86</b>

# **POLICY MANUAL FOR (NAME OF YOUR DISTRICT)**

## **(NAME OF YOUR DISTRICT)**

### **BYLAWS**

#### **GENERAL PROVISIONS AND GOVERNMENT**

##### **Adopted 06-13-2012**

#### **A. GENERAL**

1. Formation. The (Name of Your District) is a public cemetery district formed on August, 26, 1926 by resolution of the Sacramento County Board of Supervisors and existing under the provisions of the laws of the State of California.

2. Purpose. The provisions of these Bylaws ("Bylaws") and Policies and Procedures ("Policies") and Rules and Regulations ("Rules") enacted by the Board of Trustees of the (Name of Your District) ("District") are to assist the Board of Trustees of the District as it sets policy and conducts the business and affairs of the District. It is the intent and purpose of these Policies to help clarify and define the responsibilities of the officials of the District. The purpose of these Bylaws is to supplement state law and to provide more specific guidelines for the actions of the Board of Trustees of the District by means which are fair, fiscally responsible, and protective of the interests of the people of the District. These Bylaws express the consensus of the Board as to policy matters covered but are not intended to be exhaustive nor are they intended to restrict the otherwise lawful authority of the Board. Notwithstanding any other term, provision or condition of these Bylaws, no otherwise lawful act of the Board or the officers of the District shall be invalidated by reason of any term, provision or condition of these Bylaws.

3. Roster of Public Agencies. Pursuant to Government Code § 53051, each time a change is made in the name of the District, the address of the District, or a change in the members of the governing board, a statement of facts will be filed with the Secretary of State and the Sacramento County Clerk within ten (10) days of the change.

4. Applicable Law. That which is contained in the applicable provisions of the California Health and Safety Code and applicable provisions of the California Government Code govern the actions of the District and its Board of Trustees.

#### **B. ORGANIZATION**

1. Board of Trustees. The District is governed by a Board of Trustees consisting of five (5) members appointed by the Sacramento County Board of Supervisors. The Trustees shall hold office for four (4) years and until their reappointment or appointment of their successors. All Trustees' terms shall commence at noon on the first Monday in January following appointment and end on the first Monday

in January four years later. To the extent possible, Trustees' terms shall be staggered so that no more than two (2) Trustees' terms expire in the same calendar year.

2. Oath. Each Trustee shall accomplish an "Oath or Affirmation of Allegiance and Affidavit of Citizenship." Two copies of the form will be mailed to the Trustees by the Sacramento County Board of Supervisors upon his or her appointment. One copy of the executed Oath will be forwarded to the County Clerk and one copy kept on file in the District Office.

3. Officers. The officers of the Board of Trustees shall be Chairperson and Vice Chairperson. The Board may also appoint a Secretary and, in the event any of the District's funds are withdrawn from the County and managed by the District, the Board shall also appoint a Treasurer, which person shall be bonded.

4. Election of Officers. At the first meeting in January of each year the Board shall elect a Chairperson and a Vice Chairperson to serve terms of one year and may be re-elected to any number of consecutive terms by voting members of the Board. Upon the occurrence of a vacancy in one or more of the officer positions, the Board shall fill such vacancy in accordance with the law. An interim election for Board Officers may be held upon the written request of the majority of the trustees on the Board at the time.

The office of a member of the Board of Trustees shall become vacant upon:

- a. The death of the incumbent;
- b. The resignation of the incumbent;
- c. The Trustee's ceasing to discharge the duties of his or her office for the period of three (3) consecutive months, except when prevented by sickness;
- d. The physical or mental incapacitation of the incumbent due to disease, illness, or accident for a period of six (6) months or more where the remaining Board members have reasonable cause to believe that the incumbent will not be able to perform the duties of his or her office for the remainder of his or her term;
- e. His or her conviction of a felony or of any offense involving a violation of his or her official duties; or
- f. His or her refusal or neglect to file his or her required oath or required Statement of Financial Interests within the time prescribed.

5. Duties of Trustees - General. The Trustees' duties shall be legislative in nature. They shall formulate and adopt policy, rules and regulations for the operation and management of the District.

a. Open Meetings. The Trustees shall conduct their business for the public benefit, abiding by the California "Open Meeting Law" (Govt. Code §§ 54950 *et seq.*) as interpreted by court decisions and Attorney General opinions, concerning the requirements for open meetings of governmental agencies in California.

b. Sound Judgment. They shall exercise sound and prudent judgment in conducting the business of the District and shall deal always in an ethical, honest, straight-forward, open and above-board manner with the community, the District Manager and the staff.

c. Finances and Budgets. They shall in all ways prudently manage, preserve and account for the

District's financial resources. They shall review and approve a budget annually. They shall provide, within applicable budget limitations, adequate personnel, equipment and materials for the operation and maintenance of the (Name of Your District).

d. Personnel. The Board shall establish Personnel Policies which shall provide for the recruitment, selection, retention, evaluation, discipline and termination of District employees.

e. District Manager. They shall employ a qualified, competent person as District Manager who will manage, administer and supervise the District under the direction of the Board. The Manager shall serve at the will and pleasure of the Board. The Board shall conduct at least annual formal job appraisal reviews of the District Manager pursuant to a formal review process which will be developed and documented.

f. Board Studies. They shall study ways of improving the District and the services the District provides.

g. Collective Action. They shall act collectively and they will not individually involve themselves in the day-to-day operation of the District. They shall function as a Board rather than as individuals to adopt public policies and Board procedures for guidance of the Board and Staff.

h. Community Relations. They shall keep the District Manager informed of community reaction to the District's services and assist in building positive community relations.

i. Official Functions. They shall represent the District at official functions that pertain to the District as required.

j. Litigation. They shall initiate legal action when appropriate, and vigorously defend the District against unwarranted claims or demands.

k. Workshop Meetings. It is the duty of the Chairperson to call a workshop meeting upon the appointment of any new Board Member. This is to benefit the newly appointed Trustees and acquaint them with the law governing public cemetery districts, District Bylaws, Policies and Procedures, Rules and Regulations, the Brown Act (Open Meeting Laws), the District's annual budget, and current issues under study by the Board of Trustees.

6. Clerk of the Board. The Clerk of the Board shall be the District's Office Manager or other person selected by the Board and shall attend each regular meeting of the Board and maintain a record of all proceedings thereof as required by law. If the Clerk of the Board cannot attend a meeting, the Chairperson or the District Manager shall make arrangements to have someone in attendance to properly record the Board's proceedings.

It shall be the duty of the Clerk of the Board to attest to all District Resolutions. The Clerk of the Board shall attend all closed sessions of the Board as provided for in Government Code § 54957.2(a). The Clerk of the Board shall also keep a record of Board Agendas and Board Action Synopses. The Clerk is responsible for signing all legal documents and affixing the District Seal as required. The Clerk is responsible for the publication of legal notices, appropriate action and certification and filing of

documents, *e.g.*, budgets, election reports, audits, resolutions, other legal documents. The Clerk is responsible for receiving and answering all official Board correspondence, after appropriate consideration is given to the correspondence by the Board acting collectively.

### **C. MEETINGS**

1. Regular Meetings. The regular meetings of the Board of Trustees shall normally be held on the [second Wednesday] of each month, and shall normally commence at the hour of 9:15 a.m. at the District Offices. Notwithstanding the foregoing, the starting time of the meeting may be adjusted by order of the Chairperson to accommodate expected business.

2. Special Meetings. Special Meetings may be called at any time by the Board's Chairperson, or by a majority of the Trustees, by delivering personally or by mail, written notice of such meeting to each Trustee and by posting notice and agenda of the meeting at least 24 hours before the time of such meeting. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered.

3. Emergency Meetings. Emergency Meetings may be called without compliance with the 24-hour notice requirement in the case of any emergency situation involving matters upon which prompt action is necessary as set forth in Government Code § 54956.5.

4. Closed Sessions. Closed sessions may be called during a regular or special meeting. The general reason for a closed session must be made public either before or after the closed session of a regular meeting, and in the advance notice of a special meeting. Closed sessions not expressly authorized by the Brown Act are prohibited. Following a closed session, the Chairperson shall announce any action taken by the Board during such closed session to the extent such action does not breach any person's right to privacy.

5. Quorums. A quorum is established as a majority of the total membership of the District Board. The District Board, which has a total membership of five (5) members, requires three (3) members to conduct a meeting and requires three (3) votes in agreement to pass a motion, resolution or ordinance.

6. Meeting Procedures. The Chairperson, when present, shall preside at all meetings of the Board, shall take the chair at the hour appointed for every board meeting and immediately call the members to order and proceed with the business of the Board. The proceedings of the Board shall be conducted in accordance with the provisions of law applicable thereto and generally accepted rules of order and parliamentary procedure, except as otherwise expressly established from time to time by a majority of the total membership of the Board. Except as they conflict with the California Government Code, Robert's Rules of Order (Newly Revised) shall govern all questions of procedures.

7. Meeting Attendance. Each member shall be in his or her respective seat at the hour set for each regular meeting and at the time set for any adjourned or special meeting. Any member not present when the board is called to order shall be designated in the minutes as absent. If a member arrives after a meeting commences, the recording secretary shall note his or her arrival in the minutes.

8. Agenda Organization. The business of each regular meeting of the Board shall be in the order as printed on the agenda or as directed by the Chairperson of the Board. Generally, this shall be as follows:

- a. Call to Order
- b. Pledge to Flag
- c. Roll Call of Board
- d. Public Comment & Opportunity to Discuss Matters Not on The Agenda but Within District Jurisdiction
- e. Information Items
  - (1) District Manager's Reports
  - (2) Sales, Burials, Safety Report, Major Purchases & Attendance
  - (3) Web Site Hits
  - (4) Correspondence
  - (5) Old Business Updates
- f. Committee reports
  - (1) Facilities Committee Report
  - (2) Finance Committee Report
  - (3) Kilgore Cemetery report
  - (4) Other Committee Reports
- g. Discussion Items & Possible Action Items
  - (1) Old Business
  - (2) New Business
- h. Board Matters
- i. Consent Agenda
  - (1) Approval of Board Minutes of previous meeting
  - (2) Approval of Claims
- j. Recess to Closed Session
- k. Reconvene to Open Session / Closed Session Report
- l. Trustees Questions & Comments
- m. Announcements
- n. Adjournment.

9. Materials for Non-Agenda Items. Any member intending to introduce a special item not contained in the agenda shall deliver copies of such items, if possible, to each Board member and to the public before the opening of the meeting.

10. Board Discussions. When any Board member wishes to speak, the Board member shall address the Chairperson. The Chairperson shall name the member who is first to speak and speakers shall confine their remarks to the questions under debate and avoid disparaging personal attacks or comments. The Chairperson may elect not to recognize a Board member to speak again until all other members have had an opportunity to be heard.

11. Motions and Seconds. Each motion made by any member of the Board shall require a Second. Motions and Seconds may be made by any member of the Board, including the Chairperson.

12. Roll Call Procedure. Roll call will be called in voting upon all resolutions and ordinances which govern the District, while a voice vote may be had on routine motions not affecting the Policies & Procedure, Rules & Regulations or finances of the District.

13. Required Staff Attendance. The District Manager or a representative designated by such the District Manager shall attend all regular and special meetings of the Board unless otherwise specified by the Board. Only those staff members specifically instructed to attend by the District Manager shall be deemed to be "required to attend" within the meaning of this section.

14. Agenda Preparation. The Chairperson of the Board shall direct the preparation of the agenda by the Clerk of the Board for the regular monthly meetings for delivery and posting no later than three (3) days prior to the date of the meeting (Government Code § 54954.2) or as required by the Board.

15. Agenda Contents. The agenda shall include those matters designated by the Chairperson or any Trustee, complete with all appropriate papers and reports relating to each matter, addressed to the Board for action. The agenda shall list the items for the Board's consideration by number with a brief statement of the subject matter sufficiently defined to apprise the public of the matter to be considered for each of the items. The agenda may include suggested actions or recommendations. All persons having agenda items shall use their best efforts to have all necessary materials to the Clerk of the Board on or before 12:00 noon on the fourth (4th) business day before the day of the regular meeting.

16. Agenda Distribution. Any written material given to a majority of the Board must be made available to the general public so long as those writings are public records. If these writings are distributed to members of the Board before the meeting, such writings must be made available to the public before the meeting. By the same token, any writings distributed to the Board during the course of the meeting must also be made available to the public at that time and will comply with section 54957.5 of the Government Code. The major exceptions to the obligation to provide the public with access to any writings distributed to members of the Board are those that deal with matters properly discussed in closed sessions or protected under Government Code section 6250 *et. seq.* which are to remain confidential. The Board has adopted a Public Records Policy and has established a reasonable fee schedule for copies of public records pursuant to Government Code section 6257.

17. Audience Comment and Seating. Any member of the public wishing to address the Board shall first identify himself or herself. Unless addressing the Board or entering or leaving the board room, all persons in the audience shall remain seated in the seats provided. It is the Board's intent to accommodate all persons who wish to attend open public meetings.

18. Demonstrations Prohibited. All demonstrations during meetings, including cheering, yelling, whistling, hand clapping, and foot stomping, are prohibited.

19. Meeting Disruptions. The exception to the right of the public to attend all meetings of the Board applies to those who attempt to disrupt the conduct of the meeting. In the event that any meeting is willfully disrupted, by a group or groups of persons, so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the individuals who are willingly interrupting the meeting, the Board may order the meeting room cleared and continue in session. However, only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press and other news media, except those participating in the

disturbance shall be allowed to attend any session held pursuant to this exception. (Government Code § 54957.9.)

#### **D. POWERS, DUTIES AND COMPENSATION**

1. Chairperson. The Chairperson shall possess the powers and perform the duties prescribed as follows:

a. General Direction. Have general direction over the Board room and assign seats for the use of the Board members and members of the staff, if required.

b. Management and Supervision. The Chairperson shall supervise the day to-day activities of the District's management employee(s). No other Trustee shall supervise or direct any employee of the District without delegation by the Chairperson or the Board. The Chairperson shall be responsible for responding to, and taking or directing others to take appropriate action necessary as a result of, events or occurrences which do not require action by the Board, but which are beyond the authority of the staff, or for which the staff seeks or requires assistance.

c. Order and Decorum. Preserve order and decorum; prevent demonstrations; and, in accord with law, order removal from the Board room any person whose conduct is deemed objectionable; and order the Board room cleared whenever deemed necessary. (Government Code § 54957.9.)

d. Length of Time for Public Discussion. Allocate the length of time for public discussion of any matter in advance of such discussion with the concurrence of the Board. (Government Code section 54954.3.)

e. Other Powers. Other powers as may be prescribed by the Board.

f. Official Spokesperson. Shall be the official spokesperson for the Board, and the principal contact with other governmental agencies, legal counsel and the press, unless the Board delegates this authority to another.

2. Vice-Chairperson. In the absence or unavailability of the Chairperson to act, the Vice-Chairperson shall act as Chairperson.

3. Treasurer. In the event that funds are withdrawn from the county's custody, a treasurer shall be appointed and shall be bonded. The treasurer will be responsible for accounting for all funds and for regularly preparing and making reports to the Board regarding District's finances.

4. Trustees. Each Trustee shall be entitled to request information, assistance, and financial or legal advice regarding matters involving the affairs of the District.

5. Board Committees. It shall be the responsibility of each member of a committee appointed by the Board, to be fully informed concerning the business assigned to it by the Board. It shall be the



responsibility of each committee to meet as needed, promptly perform tasks assigned to it, and report to the Board such information and recommendations as shall be necessary or proper. Each standing committee chairperson or designee shall report on the committee's activities at least once monthly at a Regular Board meeting with a brief oral summary.

6. Board Compensation. The Trustees of the Board shall receive one hundred dollars (\$100) for each meeting of the Board of Trustees attended and for any required training attended, not to exceed a total of four hundred dollars (\$400) in any calendar month. Trustees shall be allowed actual and necessary traveling and incidental expenses incurred in the performance of official business of the District, as approved by the Board. (Health and Safety Code § 9031.)

7. Notification of Impending Absence. If any member of the Board is unable to attend a meeting, the Board member shall, if possible, notify the Board Chairperson, the District Manager, or Clerk of the Board or designated representative prior to the meeting.

#### **E. PUBLIC HEARING PROCEDURE**

Procedures at public hearings shall be as follows:

1. Staff presentation/recommendations;
2. Questions of the staff;
3. Individuals speaking in support;
4. Questions of individuals speaking in support;
5. Individuals speaking in opposition;
6. Questions of individuals speaking in opposition;
7. Rebuttal (if any);
8. Public input (if any);
9. Board questions, discussion and disposition (Vote).

#### **F. DISTRICT EXPENDITURE POLICY**

Expenditures of the District shall be made only in accordance with the District's Expenditure Policy as adopted by the Board. Such Expenditure Policy shall include, at a minimum, a contracting, purchasing and disposition of property policy.

#### **G. BYLAWS AND POLICY AMENDMENTS**

Bylaws and all policies of the (Name of Your District) shall be reviewed bi-annually.

Except as otherwise provided by law, any policy guideline contained herein may be suspended or amended at any time, without notice, by action of the Board.

**(NAME OF YOUR DISTRICT)  
CONFLICT OF INTEREST CODE**

**Adopted June 13, 2012**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec 18730) which contains the terms of a standard conflict of interest code, which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the regulation may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, is hereby incorporated herein by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories shall constitute the conflict of interest code of the (Name of Your District).

Designated officers/employees shall file their statements with the (Name of Your District) which will make the statements available for public inspection and reproduction. (Government Code 81008) Upon receipt of the statements, the (Name of Your District) shall make and retain a copy and forward the originals to the Fair Political Practices Commission.

**PUBLIC OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

Persons holding the following positions are NOT subject to this code because they must file statements under Government code 87200, and therefore are listed for informational purposes only:

- o Members of the Board of Trustees

An individual holding one of the above listed positions may contact the fair Political Practices Commission for assistance or written advice regarding their filing obligation if they believe that their position had been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Section 87200.

**APPENDIX**

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
District Manager	1
Consultants*	1

\*Consultants shall be included in the list of designated employees and shall disclosure pursuant to the broadcast disclosure category in the code subject to the following limitations: The District Manager may determine in writing that a particular consultant, although, a “designated

position”, is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The District Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

## **II. PERSONNEL**

Every employee is an at-will employee of the District, and every employee's employment may be terminated at will, in the sole discretion of the District, for any reason or no reason. No employee shall have or acquire any vested right to continued employment in any particular position.

### **A. DEFINITIONS**

1. Anniversary date or start date is the date employee entered full time employment and was placed on the payroll.
2. Continuous employment shall mean employment in a regular position which has not been interrupted by resignation, discharge or retirement. Leave of Absence shall not be credited toward continuous employment.
3. Temporary employment is for a period of less than sixty (60) days wherein the employee is not entitled to district benefits. Temporary employment may be extended no more than twice for sixty (60) days each by the Board of Trustees.
4. Part Time Employment is for less than thirty (30) hours per week.
5. Probation period is the first ninety (90) days of employment.
6. Time worked means those hours during which the employee is under the control and discretion of the District Manager.

### **B. NEW PERSONNEL PROVISIONS**

1. All prospective employees are required to complete the District application for employment (see attachment A).
2. All new employees must meet the Federal requirements for employment and complete the Federal I-9 form (see attachment B).
3. Probation: All new employees will serve the first ninety (90) days of employment in a probation status. During this period, the employee will be entitled to the District benefits. An employee in probationary status may be released from employment at the sole discretion of the District at any time.

### **C. WORKWEEK**

1. The official workday for full-time employees shall be eight (8) hours and shall be from 7:30 a.m. until 4 p.m. The official workweek shall be Monday through Friday.
2. A lunch period of thirty (30) minutes will normally be given from 12 noon to 12:30 p.m.
3. Employees shall be allowed rest periods of fifteen (15) minutes during each four (4) consecutive hours of work.
4. Overtime shall be allowed at one and one-half (1 ½) times the regular pay rate.
5. Any employee may be scheduled to work outside the official work week or work day at the discretion of the District Manager. (See #1, Page 7)
6. Employees are not permitted to leave the work area except as authorized by the District Manager.

## **D. PAY PERIOD**

Employees will be paid for regular and overtime hours bi-weekly.

## **E. LEAVE PROVISIONS**

1. Sick Leave: After serving the ninety (90) day probation period, each full-time employee is eligible to accumulate sick leave at the rate of eight (8) hours per month of continuous employment. Sick leave time will be accumulated during the first ninety (90) days; however, it cannot be used until the probation period is over.

Sick leave is a benefit of full-time employment and is not accruable or payable at separation of employment.

If an employee is absent from work for five (5) days or more consecutive days due to sickness, a release from a physician is required before return to work is permitted.

Sick leave may be used for:

- a. An employee's personal injury or illness, medical or dental office appointments or other physician approved absences.
- b. Absence because the employee's presence is required to attend to the serious illness of a member of the immediate family provided that such absence shall be limited to a maximum of three (3) working days for each occurrence.

2. Vacation Leave: After serving the ninety (90) day probation period, each full-time employee is eligible to accumulate vacation leave with pay at a rate to equal ten (10) days for 1-5 years, fifteen (15) days for 6-10 years, twenty (20) days for 11-15 years and twenty-five (25) days for 16 + years.

Paid holidays immediately preceding, immediately following, or wholly within a period for which vacation leave is granted shall be paid as holidays and not as part of vacation leave.

A maximum of two hundred forty (240) hours vacation leave may be carried over to the following fiscal year. Any vacation leave in excess of two hundred forty (240) hours will be paid to the employee, at his regular hourly rate of pay at the end of the fiscal year.

Vacation time schedules shall be arranged by the District Manager with particular regard to the needs of the District and, as far as possible, the wishes of the employee.

At the time an employee is separated from District employment, whether voluntarily or involuntarily, he shall be paid for all unused vacation leave, which he has earned and for which he has been credited.

3. Bereavement Leave: Upon request, a full-time employee shall receive necessary time off with pay not to exceed three (3) days in any one instance to arrange or attend a funeral of a member of the immediate family. For purposes of this leave, immediate family shall mean father, father-in-law, mother, mother-in-law, step-parents, brother, sister, wife, husband, child, grandparent, grandchild or legal ward.

4. Jury Duty Leave: An employee who is called for jury duty shall be compensated at the employee's regular rate of pay for those hours of absence due to the jury duty which occur during the employee's regularly scheduled working hours provided the employee deposits the employee's fees for such hours of jury duty, exclusive of mileage, with the District.

5. Holiday Leave: Each full-time employee shall be entitled to compensation for the following holidays:

New Year's Day	Memorial Day	Veteran's Day
Martin Luther King, Jr., Birthday	Independence Day	Thanksgiving
Columbus Day	Labor Day	Thanksgiving Friday
Lincoln's Birthday	Columbus Day	Christmas Day
Washington's Birthday (President's Day)		

When a holiday falls on Saturday, the Friday immediately preceding the holiday shall be observed as the holiday.

When a holiday falls on Sunday, the next day (Monday) shall be observed as the holiday.

In addition to the above, an employee's birthday will be authorized as a holiday if the birthday falls on a regularly scheduled work day.

6. Absence Without Authorization: Absence without authorization for three (3) consecutive working days shall be considered an automatic resignation.

## F. **INSURANCE**

1. Workers Compensation: All employees are covered by Worker's Compensation for on-the-job injuries. Premiums for this fund are paid by the employer.

2. Disability: All employees are covered by Disability Insurance for off-the-job injuries. Premiums are paid by the employee.

3. Life: Full-time employees are covered by Accidental Death & Dismemberment Insurance as determined by the Board of Trustees. Premiums are paid by the employer.

4. Health: Full-time employees and qualified dependents are eligible to participate in the District employee health insurance program. The District will pay 100% of the health plans offered the District Manager and his qualified dependents and Office Manager's premiums. This District will pay the lowest of the health plans offered (\$470.67) to all other full-time employees and will not pay for dependents. See Public Employees Retirement System (PERS) list of approved plans. District Manager and employees may choose from this list only.

5. Dental & Vision: Full-time employees are eligible to participate in the District employee Dental and Vision program. The District will pay a maximum of twelve hundred dollars (\$1200) annually per employee for Dental Care and Vision Care.

6. Retirement: Full-time employees are eligible to participate in the District's retirement plan. Details of the plan are included in literature provided by the Plan Administrator.

## **JOB DESCRIPTION**

### **1. DISTRICT MANAGER**

#### **A. DEFINITION**

The District Manager is the sole manager of the (Name of Your District). The District Manager is directly responsible to the Board of Trustees for implementation and adherence to Board policy and rules and regulations. The District Manager will receive an annual evaluation (June) by the Board of Trustees. The evaluation will be held in a closed session meeting pursuant to Health and Safety Code 54957.

#### **B. DUTIES**

1. Supervises the overall program of maintenance, construction and beautification of the District grounds and facilities.
2. Supervises all activities involved in sales and services including financial and clerical procedures.
3. Supervises the personnel program for the District, including the administration, review and recommended revision of personnel policies and procedures to the Board of Trustees. Evaluates personnel annually, in writing, and maintains all personnel files.
4. Recruits, employ's, trains, disciplines and terminates personnel, as needed, for the successful operation of the District, subject to the personnel policies of the District.
5. Analyzes the classification and salary and fringe benefit program and presents recommendations to the Board of Trustees for updating annually.
6. Prepares annual District budget and exercises budgetary controls and supervision to insure proper expenditure of funds through the year.
7. Prepares Board meeting agenda and monthly reports of District activities.
8. Conducts studies and makes recommendations to the Board of Trustees involving District policy and procedures.
9. Investigates complaints and inquiries concerning the District.
10. Develops training and safety programs.
11. Designs, prepares plans and supervises the installation of irrigation systems.
12. Supervises and participates in the design and preparation of specifications for construction of District buildings and other facilities.



13. Attends all Board of Trustee meetings, unless otherwise excused. Prepares and presents oral and written reports to the Board of Trustees regarding District activities.

14. Other duties as assigned by the Board of Trustees.

15. Advocates for (Name of Your District).

a. Participates in various associations such as P.C.A, and C.A.P.C. with the support, freedom and financial support to hold board or officer positions with the various groups.

b. Participates in activities with the local Supervisors, such as morning breakfasts, activities with our local Assembly and Senatorial individuals that include lunches, dinners and breakfasts to keep track of political areas that influence the public cemetery.

16. Public Relation Representative for the (Name of Your District) within the Sacramento County community.

a. Participates in the (Name of Your District) Chamber of Commerce with lunches and activities.

b. Helps service clubs such as Rotary, Lions, V.F.W., Historical Society, Boy or Girl Scouts.

c. Coordinates activities between local public agencies.

### **C. EMPLOYMENT STANDARDS**

1. Knowledge of:

a. Principles, problems and methods of public administration including organization, personnel and fiscal management.

b. Office management principles, methods and procedures.

c. State and local laws and regulations relating to the operation of a public cemetery district.

d. Engineering principles and practices as applied to the field of public cemetery district operations, including design and construction and operation and maintenance.

e. Methods of preparing designs, plans, specifications, estimates, reports and recommendations relating to the proposed beautification of grounds and construction of buildings and other facilities.

f. Principles of employee supervision and training.

2. Ability to:

a. Plan, lay-out, coordinate and control through subordinates the maintenance and operation of a cemetery district.

b. Analyze and solve problems of organization and management.

- c. Prepare reports and make recommendations on the setting of District policies.
- d. Train and supervise the work of subordinate personnel.
- e. Establish cooperative and effective working relations with subordinates, public groups and organizations, District Trustees and other governmental agencies.
- f. Analyze and interpret fiscal and accounting records and data and prepare reports.
- g. Devise and implement new and improved accounting and record-keeping procedures.
- h. Speak and write effectively.

**D. REQUIREMENTS**

- 1. Must be bondable.
- 2. Must possess and maintain a valid California Driver's license and a good driving record.

**E. PHYSICAL REQUIREMENTS:** Must be capable of lifting heavy objects up to seventy-five pounds (75 lbs.) and of working in a variety of weather conditions.

**F. MINIMUM EDUCATION:** Requires successful completion of four (4) years of college level courses or any combination of course work and experience where two (2) years of experience in a supervisory position in the cemetery industry is substituted for one (1) year of course work.

**G. THE DISTRICT MANAGER** serves at the will of the Board, subject to the provisions set forth in this manual and state and local law.

## **2. OFFICE MANAGER**

### **A. DEFINITION**

Under the District Manager's direction, to perform secretarial, accounting and general office work in accordance with the established policies; and to do related work, as required.

### **B. DUTIES AND RESPONSIBILITIES**

1. Performs District secretarial work, including typing of letters, memorandums, reports and other materials.
2. Composes and types correspondence, applying knowledge of District operation and regulations.
3. Maintains general office files.
4. Has responsibility for accounting function of District and knowledge of District and knowledge of specialized accounting techniques.
5. Makes decisions with respect to the classification of source documents.
6. Participates in maintaining a variety of financial records and reports.
7. Analyzes and interprets accounts and prepares warrants for same.
8. Participates In posting and encumbrance procedures.
9. Maintains special cost accounts and prepares special financial reports.
10. Makes adjusting and closing entries and makes trial balances.
11. Makes arrangements for funeral services with general public and funeral directors.
12. Maintains records and maps in connection with funeral services, sale of plots and other District services.
13. Prepares certificates of burial rights.
14. Receives cash for sales and services, maintaining accurate records and prepares deposits.
15. Handles petty cash transactions.
16. Serves as Secretary to the Board of Trustees and keeps all minutes of all Board meetings.
17. Serves as Acting District Manager in the District Manager's absence.
18. Other duties as assigned.

### **C. EMPLOYMENT STANDARDS**

1. Knowledge of:
  - a. Methods, practices and terminology used in financial and budgetary work.
  - b. Office practices and procedures.
  - c. District operation and established policies
  - d. Office computer, machines and equipment
2. Ability to:
  - a. Prepare ledger and journal entries affecting revenue and expenditure accounts.

- b. Prepare and make employee payroll.
- c. Analyze and interpret fiscal and accounting records and date and prepare reports.
- d. Perform difficult financial clerical work requiring the use of independent judgment and initiative.
- e. Operate computer, calculating, adding and duplicating machines.
- f. Perform responsible and difficult secretarial and clerical work involving the use of independent judgment and requiring accuracy and speed.
- g. Conduct correspondence without review, using good grammar, spelling and vocabulary.
- h. Analyze situations accurately and adopt an effective course of action.
- i. Deal effectively with a wide variety of personalities and situations requiring diplomacy, friendliness, poise and firmness.
- j. Maintain records and files.
- k. Type at a speed of not less than forty-five (45) words per minute from clear copy.

**D. REQUIREMENTS**

- 1. Must be bondable.

**E. PHYSICAL REQUIREMENT**

- 1. Occasionally lift and move items weighing up to twenty-five pounds (25 lbs.).
- 2. Ability to sit for long periods of time.

**F. MINIMUM EDUCATION AND EXPERIENCE:** Requires successful completion of two (2) years of college level courses with specialization in accounting and financial management; or a combination of education and professional experience at the rate of two (2) years' experience equivalent to one (1) year of course work. Must possess and maintain a California Driver's license and a good driving record.

### **3. CEMETERY FOREMAN**

#### **A. DEFINITION**

Under general supervision of the District Manager, to supervise and perform the duties in effecting an efficient day-to-day operation of the cemetery.

#### **B. DUTIES AND RESPONSIBILITIES**

1. Supervises and participates in the maintenance and upkeep of the lawns, shrubs, trees, streets and buildings.
2. Supervises and participates in the digging of graves and setting up of equipment for funeral service.
3. Sells burial plots and maintains maps and records of same.
4. Keeps employee time records.
5. Picks up supplies.
6. Maintains and makes minor repairs to equipment.
7. Makes work assignments, inspects work in progress and upon completion.
8. Keeps District Manager informed of cemetery operations, including status of projects and problems.

#### **C. EMPLOYMENT STANDARDS**

1. Knowledge of:
  - a. Full and comprehensive knowledge of the cemetery laws as outlined in the California Health and Safety Code.
  - b. Cemetery District rules and regulations.
  - c. Proper methods of planting, cultivating and caring for trees, shrubs, flowers and grasses.
  - d. Cement work and general maintenance of buildings and grounds.
  - e. Materials, equipment and practices involved in grave layout, opening and closing.
  - f. Basic equipment maintenance methods and terminology
  - g. Safe work practices.
2. Ability to:
  - a. Recognize and take proper precautions against plant and insect diseases and pests.
  - b. Operate and supervise the operation of all types of ground maintenance and cemetery equipment.
  - c. Read and maintain cemetery plot maps, card files and other cemetery records.
  - d. Plan and supervise the work of others.
  - e. Understand and carry out oral and written instructions.
  - f. Establish and maintain good public relations.

**D. REQUIREMENTS**

1. Must possess valid California certified applicators license for turf and ornamentals.
2. Must be bondable
3. Must possess a valid California driver's license.

**E. PHYSICAL REQUIREMENTS**

1. Must be capable of lifting heavy objects up to seventy-five pounds (75 lbs.) and of working in a variety of weather conditions.

**F. MINIMUM EDUCATION AND EXPERIENCE**

High School graduate possessing and maintaining a valid California driver's license and a good driving record.

#### **4. GROUNDSPERSON**

##### **A. DEFINITION**

Under general supervision of the Cemetery Foreman to perform a variety of semi-skilled and skilled tasks in the maintenance, construction and beautification of cemetery grounds, buildings and other facilities and equipment, open and close graves; and to do related work as required.

##### **B. DUTIES AND RESPONSIBILITIES**

1. Plants, transplants, removes, fertilizes, waters, cultivates, and sprays flowers, shrubs and trees; mows, trims, waters, fertilizes lawns.
2. Prunes and sprays trees.
3. Operates and maintains all types of mowers and turf maintenance equipment.
4. Cleans and performs minor repairs to District buildings and related facilities.
5. Operates trucks and other construction, maintenance and beautification equipment used in cemetery operation.
6. Keeps tools and equipment in clean and safe working condition.
7. Installs and repairs sprinkler systems.
8. Does all kinds of concrete work, including setting of markers and monuments.
9. Operates backhoe, jackhammer and compressor, small and large tractors, dirt trailers, vault-mobile and a variety of hand tools used in the opening and closing of graves.
10. Installs concrete grave crypts and vaults.
11. Sets up lowering device, chairs and chapel for funeral services.
12. Assists in the location and makes grave layouts.

##### **C. EMPLOYMENT STANDARDS**

###### **1. KNOWLEDGE OF:**

- a. Construction and maintenance material, procedures and equipment with particular references to cemetery operations.
- b. Methods, tools, techniques and supplies in gardening and cemetery maintenance work.
- c. Methods, tools, techniques and supplies used in the opening and closing of graves.
- d. Basic characteristics of plant pests and disease and techniques for their control.
- e. Safe work practices.

###### **2. ABILITY TO:**

- a. Perform semi-skilled or skilled tasks in the maintenance, construction and beautification of cemetery district grounds, buildings and other facilities.

- b. Operate service and maintain a variety of grounds maintenance and construction equipment.
- c. Perform heavy (over 75 lbs.) manual labor.
- d. Understand and carry out oral and written directions.
- e. Work cooperatively with others.

**D. REQUIREMENTS**

- 1. Must possess a valid California driver's license.

**E. PHYSICAL REQUIREMENTS**

- 1. Must be capable of lifting heavy objects up to seventy-five pounds (75 lbs.)<sub>2</sub> and of working in a variety of weather conditions.

**F. MINIMUM EDUCATION AND EXPERIENCE:**

- 1. High school graduate possessing and maintaining a valid California driver's license and a good driving record.



## **G. CODE OF CONDUCT**

In order that the rights and safety of all employees and efficient operation of the District are protected, employee activities are governed by reasonable rules of conduct. The following acts are illustrative, and not exhaustive, of acts which are grounds for disciplinary and/or termination of employment with the District:

1. Failure to follow a lawful direction of a superior.
2. Stealing or willfully destroying or damaging any property of the District, its customers, visitors or personnel.
3. Disobedience or insubordination to superiors.
4. Disorderly, immoral, indecent or criminal conduct on or off the job.
5. Drinking alcoholic beverages and/or drug use on the job, or being in a condition from prior indulgence, making unsafe or impairing the ability to perform duties in an acceptable manner.
6. Fighting with fellow employees (being an aggressor or aggravator).
7. Entering time on another employee's time card, or requesting another person to enter time on your card.
8. Entering time in or out at time other than those authorized.
9. Discussing personal problems with customers.
10. Soliciting or accepting tips or gifts for District services.
11. Disclosing anything of a personal nature concerning a customer or employ unless the specific work duties require the giving or exchanging of such information.
12. Violation of Federal, State or local law.
13. Discrimination in any form directed toward any employee or non-employee because of their race, religious creed, color, national origin, ancestry, medical condition, marital status, sex or age. This includes the use of racist terms among any and all employees under all conditions and circumstances.
14. Attempt to intimidate or coerce other employees.
15. Failing to exercise proper custodial responsibility of District keys or property.
16. Permitting another person to use keys to enter District property without proper authorization.
17. Unauthorized possession of firearms or other weapons on District property or while on duty.
18. Willful or careless disregard of, or inattention to, working directions and instructions; refusal to comply with or violations of rules, safety or fire regulations, or sanitary rules and regulations.
19. Absence of three (3) working days without notifying the District office.
20. Excessive or unjustified absences or tardiness or failure to inform the District office prior to the time you are due to report, by telephone or other means that you are unable to report for work.
21. Failure to notify the District office if you leave your job or premises during working hours.
22. Smoking in unauthorized areas.
23. Consuming food or beverages at unauthorized times or in unauthorized areas.
24. Selling tickets or chances on pools or raffles, or gambling on District premises.
25. Unauthorized posting of notices or literature on District premises.

26. Soliciting, collecting funds, and/or circulating literature of any nature on District property during working hours without the approval of the District Manager.
27. Performing personal work on District time.
28. Using the District business phone for personal matters.
29. Taking more than the specified time for meals or rest periods.
30. Unauthorized attendance or participating in meetings or gatherings during work hours.
31. Discourteous conduct, abusive treatment or inappropriate language directed toward any customer, visitor, guest, employee or superior.
32. Inefficiency, inability or negligence in the performance of assigned duties.
33. Altering, falsifying or making willful misstatement of facts on any District record or chart, job or work record, employment application or any other District record, chart or report.
34. Misrepresenting reasons when applying for a leave of absence or for other time off from work.
35. Failure, without justification, to return to work on time from an authorized leave of absence or vacation.
36. Failure to withdraw from, or report to, outside activities or interests which conflict with, detract from, or adversely affect the interest of the District.
37. Repeated improper or unauthorized parking.
38. Unacceptable personal grooming.
39. Sleeping on the job, intentional slowdown of work, intentional disruption of the work force or loafing during working hours.
40. Failure to promptly report injury or illness.
41. Scheduling off-duty time or vacation without the express consent of the District Manager.
42. Conduct undermining authority or disruptive of District functions or detrimental to close working relationships among employees.
43. Conduct prejudicial to the good reputation of the District.

# **(Name of Your District) EDUCATION PROGRAM**

**Adopted 11-14-2000**

## **EDUCATION PROGRAM**

The District encourages employees to participate in educational and training activities. In addition to increasing employee job proficiency, this education should improve work force stability and the District's ability to attract and retain outstanding employees. The education program is available to all employees after the six-month probationary period is completed.

## **ON-DUTY EDUCATION**

Employees may, with prior approval, attend seminars, conferences, workshops, cross-training activities or meetings that provide specific training in subjects related directly relating to cemetery operations to the employee's position, or one he or she may reasonably aspire to.

All departments will annually review and identify areas of training required to maintain technical and administrative capabilities. Specific schools, conferences, and/or seminars are to be listed on budget submission requests wherever applicable and available. Fees, tuition and approved expenses will be paid by the District. District Manager approval for all requests for this training must be obtained prior to attendance and/or making reservations.

## **OFF-DUTY EDUCATION**

Educational assistance at the discretion of the District Manager is available to employees who desire to obtain skills and/or knowledge that enables them to become more proficient in their present duties and/or prepare them for future assignments.

This education may occur after regular working hours at a college, vocational trade school, or through a self-study correspondence course, which leads to a certificate, license or diploma related to the general function of the District.

Under special circumstances, employees may attend classes during business hours if, 1) the course is not available (and will not be) at night or through a correspondence course 2) the course pertains to a District approved degree program and 3) the employee arranges a flexible time schedule with his/her Supervisor to make up time spent at class during normal work hours.

## **ELIGIBILITY FOR OFF-DUTY EDUCATION ASSISTANCE**

Only regular, full-time employees, who are performing their jobs satisfactory, are eligible for this program.

The following off duty education qualifies for financial assistance:

1. Degree (Associates, Bachelors, Masters, other as approved).
2. Specific courses taken for credits relating to Cemetery functions.
3. Specific courses taken for credit relating to support functions of the District (i.e. accounting, secretarial, welding).
4. Self-study/correspondence courses from reputable institutions with final exam and certificate in subjects that relate to District functions.

### **CONDITIONS FOR FINANCIAL ASSISTANCE**

1. Every course that the employee desires to attend must be approved in advance by submitting a Request Form.
2. Completion of the course with a minimum final grade of "C" or equivalent.
3. Funds received from outside sources, such as scholarships or Veteran's Education Benefits must be applied to the cost of the program first. Then, the remaining cost will be paid by the District.
4. Work requirement for financial assistance is as follows: Upon completion of approved course program, the employee is required to remain employed for a minimum of six (6) months for every year of school completed. For example, 1 year = 6 months, 2 years = 1 year, 3 years = 18 months, and 4 years = 2 years.
5. Voluntary termination of either the course or employment will result in an automatic deduction for the amount of assistance received at a pro-rated amount and in a time frame that is reasonable. Involuntary termination may or may not result in deduction of the amount of assistance received, as determined by the District Manager.
6. Unless arrangements have been made to pay the costs directly to the school, the assistance check is normally issued to the employee after he/she furnishes evidence of expenses (i.e. receipts, canceled checks, etc.).
7. The employee will furnish the District proof of his/her successful completion of the course as soon as possible after the end of the class.

### **PROCEDURE**

The Degree program is approved by the Administrative Committee on a case by case basis. Employees desiring to obtain a degree should submit their written request stating goals and objectives, institution that they plan to attend, and schedule of estimated

expenditures via the District Manager. The District will pay for tuition, books, fees and parking.

Cap for G.E.D. (High School Diploma) financial assistance: \$150.00/Semester

Cap for Junior College financial assistance: \$455.00/Semester

Cap for Upper Division financial assistance: \$1325.00/Semester

**H. TRAVEL AND EXPENSES:**

Every Trustee and employee who is authorized to, and uses a privately owned vehicle on District business, will be reimbursed at the rate allowed by the IRS. This figure will be rounded to the nearest whole cent, upon submission of detailed mileage voucher to the District Manager. All employees of the District using privately owned vehicles would be required to show proof of insurance.

If overnight stay is required, lodging will be reimbursed at 100% upon receipt of a detailed voucher to the District Manager.

Meals will be paid per Diem, as follows:	Breakfast	\$15.00
	Lunch	\$20.00
	Dinner	\$25.00

Any and all expenses will be paid by the District for the cost of attending meetings, conventions or any job related expenses incurred by the Trustee and employee.

## **I. DRUGS AND ALCOHOL POLICY:**

(Name of Your District) maintains a drug-free workplace in accordance with the provisions of the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990.

(Name of Your District) has always maintained a strong commitment to provide a safe, efficient, and productive work environment. (Name of Your District) has a strict policy regarding the inappropriate use and possession of drugs and alcohol. This policy recognizes that employee involvement with alcohol or drugs can be extremely disruptive and harmful to the workplace. It can adversely affect the quality of work and the performance of employees, pose serious safety and health risks to the user and others, and have a negative impact on work efficiency and productivity. Accordingly, (Name of Your District) requires all employees to report for work fit to perform their jobs. All employees must adhere to the rules stated in this policy. Employee possession of alcohol is prohibited on (Name of Your District) premises, except authorized events. No employee may use, possess, manufacture, dispense, distribute or sell any illegal drug while on (Name of Your District)'s property, while on duty, or while operating a vehicle that is owned or leased by (Name of Your District). In addition, no employee may report for work, or remain on duty or on-call status, while under the influence of, or impaired by any illegal drug or alcohol. For purposes of this policy, a drug will be considered an "illegal drug" if its use is prohibited or restricted by law, and an employee improperly uses or possesses the drug, regardless of whether such conduct constitutes an illegal act or whether the employee is criminally prosecuted and/or convicted for such conduct. The legal use of controlled substances, such as prescription drugs prescribed by a licensed physician or over-the-counter medication, is not prohibited by this policy.

**Drug Testing:** The (Name of Your District) reserves the right to ask any employee to undergo a drug test at any time, with or without notice, including as a condition of employment. (Name of Your District) need have no reason or basis for requesting such tests. Such tests will be administered by a person qualified and licensed to administer such tests, and the results will be processed by a laboratory certified to process such tests. Tests may include breath testing; blood testing, hair testing or any other non-invasive testing deemed necessary by (Name of Your District) and the person administering the test. An employee who refuses to submit to any drug test reasonably requested by (Name of Your District) is subject to discipline, up to and including immediate termination of employment.

**Discipline:** Employees must abide by this policy as a condition of employment. Violation of this policy can result in disciplinary action, up to and including termination, even for a first offense. (Name of Your District) also reserves the right to discipline or terminate employees convicted of an offense which involves the use, possession, manufacturing, dispensing or distribution of illegal drugs or alcohol.

Assistance for drug abuse and rehabilitation is available through normal medical providers and covered to some extent by insurance. For assistance, employees are encouraged to contact their physicians directly.

Employees hereby accept and agree to abide by this policy as a condition of employment.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**J. PURCHASING AND CONTRACTING FOR PERSONAL PROPERTY, SERVICES AND CONSTRUCTION, AND SALE OF DISTRICT-OWNED PROPERTY POLICY**



## **2.00 CONSTRUCTION**

2.01 By resolution, the Board may order the construction work to be done, and if it does so, it shall fix a time for receiving proposals or bids for doing the work, and shall direct the clerk to give notice, inviting sealed proposals or bids. Such notice shall include a statement that the work is to be done in accordance with the plans and specifications on file, except insofar as such plans and specifications were changed by the Board.

2.02 All contracts for the construction or completion of any building, structure, or improvement, when the expenditure required for the work exceeds ten thousand dollars (\$10,000), shall be contracted for and let to the lowest responsible bidder after notice.

a. All contracts for the construction or completion of any building, structure, or improvement, when the expenditure required for the work is less than twenty-five thousand dollars (\$25,000), may be let to contract by informal bidding procedures as set forth therein.

b. All contracts for the construction or completion of any building, structure, or improvement, when the expenditure required for the work exceeds twenty-five thousand dollars (\$25,000) may be let to contract by formal bidding procedures as set forth therein.

2.03 Project Specifications – Before entering into any contract for a project, the District shall prepare full, complete, and accurate plans and specifications and estimates of cost, giving such directions as will enable any competent mechanic or other builder to carry them out. Plans and specifications shall be sufficiently certain and definite upon all of the details of the work which affect its cost to apprise bidders of all of the essential and substantial parts of the work and enable them to know with reasonable accuracy the outlay they will have to make in performing the work to be contracted for. The plans, specifications, and estimates shall be approved by the Board and the original draft or a certified copy filed permanently in the office of the District before further action is taken.

### 2.04 Informal Bidding Procedure

a. The District shall maintain a list of qualified contractors, identified according to categories of work. It shall be the responsibility of contractors who wish to be placed on the list to provide the District with a statement of the contractor's qualifications.

b. All contractors on the list for the category of work being bid or all construction trade journals specified by the Trade Center Commission, or both, shall be mailed a notice inviting informal bids unless the product or service is proprietary.

c. Notice shall also be published in construction trade journals or newspapers of general circulation within the District.

d. All mailing notices to contractors and construction trade journals pursuant to subdivision (b) and (c) above shall be completed not less than the ten (10) calendar days before the bids are due.

e. The notice inviting informal bids shall describe the project in general terms, how to obtain more detailed information about the project, and state the time and place for the submittal of bids.

f. If all bids received are in excess of twenty-five thousand dollars (\$25,000), the Board may, by passage of a resolution by a four-fifths (4/5) vote, award the contract at no more than thirty thousand dollars (\$30,000) to the lowest responsible bidder, if it determines that the cost estimate of the District was reasonable.

2.05 Formal Bidding Procedures – Notice inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project. The notice shall be posted and published at least fourteen (14) calendar days before the date of opening the bids. Notice shall be published at least twice, not less than five (5) days apart, in a newspaper of general circulation in the District. A copy or copies of the notice shall be posted and kept posted for five (5) days at or near the door of the District's office. In addition to the notice required hereunder, the District may give such other notice as it deems proper under the circumstances.

2.06 Awarding Contracts – The Board shall, in open session, open and examine the proposals or bids and declare the same. In its discretion, the District may reject any bids presented. The Board may also withdraw the work from competitive bidding at any time prior to the award of the contract.

a. If, after the first invitation of bids, all bids are rejected, after reevaluating its cost estimated of the project, the District shall have the option of either:

1. Abandoning the project or re-advertising for bids in the manner set forth herein; or
2. By passage of a resolution by a four-fifths (4/5) vote of the Board declaring that the project can be performed more economically by the employees of the District, have the project done by force account without further complying with this procedure.

b. If a contract is awarded, it shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the Board may accept the one it chooses.

c. If no bids are received through the formal or informal procedure, the project may be performed by the employees of the District by force account, or negotiated without further complying with this procedure.

2.07 The Board may, subject to the provisions of Chapter 7 (commencing with Section 3247) of Title 15 of Part 4 of Division 3 of the Civil Code, require the posting of those bonds it deems desirable as a condition of the filing of a bid or the letting of a contract. No proposal or bid shall be considered unless accompanied by such check or such bond as required in the notice for proposals or bids.

2.08 A notice of such award, attested by the Clerk of the Board, shall be transmitted to the successful bidder by the Clerk of the Board, and shall also be posted in the same manner as the notice inviting proposals or bids.

2.09 Before being entitled to a contract, the bidder to whom the award thereof has been made must advance and pay to the Clerk of the Board, the costs and expenses of publishing and posting the resolutions, notices and orders required hereunder which have been made, given, posted, or published in the proceedings.

2.10 If the successful bidder fails neglects or refuses for fifteen (15) days after being awarded the contract, to execute the same, the certified check accompanying his or her bid and the amount thereof shall be declared forfeited to the District.

2.11 If the Board deems it is in the best interests of the District, the Board may, on the refusal or failure of the successful bidder to execute the contract, award it to the second lowest responsible bidder, or on the refusal or failure of that bidder to execute the contract, to the third lowest responsible bidder. If the Board deems the acceptance of the lowest responsible bid or bids is not in the best interests of the District, the Board may reject all bids and proceed in any other manner selected by the Board.

2.12 Bids may be received and contracts awarded on a unit basis, that is, the bids compared upon the basis of estimates of the quantities of the work to be done.

2.13 Contracts shall be let only to a holder of a valid State contractor's license unless such work is exempt from such licensing requirement by any other provision of law.

2.14 In the case of an emergency, the Board may adopt a Resolution by four-fifths (4/5) vote of all the members of the Board declaring that the public interest and necessity demand immediate expenditure of public money to safeguard life, health or property. The Board may expend any sum required in the emergency for the construction or completion of any building, structure, or improvement without submitting the expenditure to bid.

2.15 The Board hereby authorizes the District Manager to engage independent contractors to perform construction services for the District, with or without furnishing of material, or for the purchase of supplies, material or equipment, when the aggregate cost does not exceed twelve hundred dollars (\$1200).

2.16 It is unlawful, for the purpose of evading any requirement herein, to split or separate into smaller units of work or purchase any work or purchase covered by this section.

### **3.00 PURCHASING OF PERSONAL PROPERTY AND SUPPLIES**

3.01 The District Manager is hereby authorized to make purchases of personal property and supplies for the District where the cost does not exceed twelve hundred dollars (\$1200).

3.02 Amounts included in the annual budget approved by the Board for the purchase of specifically identified items of personal property shall constitute spending authority to the District Manager for such items of personal property up to the amounts approved, even though in excess of the twelve hundred dollars (\$1200) limit established in 3.1 above.

3.03 Where the cost of the personal property and/or supplies does not exceed twelve hundred dollars (\$1200), price competition shall not be required.

3.04 Where the cost of the personal property and/or supplies costs between twelve hundred dollars (\$1200) and ten thousand dollars (\$10,000), price competition must be undertaken by securing at least three (3) oral or written quotations.

3.05 Where the cost of the personal property and/or supplies exceeds ten thousand dollars (\$10,000), the Board shall be required to follow the bidding procedure set forth in Section 5 herein.

3.06 Purchase Orders – Procurement of personal property shall be made only upon the issuance of a purchase order. Purchase orders will be issued only by the District Manager. No other employee of the District may issue a purchase order or otherwise commit to the expenditure of District funds.

3.07 Authorization to Purchase – No purchase may be made without the prior authorization of the District Manager.

3.08 Upon receipt of the materials or equipment purchased, the invoice must be submitted to the District's Office Manager for processing and possible inventory recording under fixed assets.

3.09 All purchasing and procurement shall be performed in the best interest of the District, in accordance with the rules, regulations, and policies herein set forth and all applicable provisions of the law.

3.10 It is unlawful, for the purpose of evading any requirements herein, to split or separate into smaller units of purchase any purchase covered by this section.

#### **4.00 SPECIAL SERVICE**

4.01 The Board may contract for special services. These contracts shall be with persons specially trained, experienced, expert, and competent for special services. The special services shall be limited to the fields of accounting, administration, architecture, custodial, economics, engineering, finance, insurance, labor relations, law, maintenance, mechanics, medicine, planning, science, technology and other services which are incidental to the operation of the District.

4.02 The Board hereby authorizes the District Manager to enter into agreements, not to exceed twelve hundred dollars (\$1200), by which independent contractors provide special services to the District. Any contract which is known at the time of procurement to exceed twelve hundred dollars (\$1200) may be entered into only by the Board.

4.03 If so authorized, when the expenditure required for the service contract exceeds ten thousand dollars (\$10,000), the Board shall ensure the service is contracted for and let to the lowest responsible bidder after public notice and bidding. When the projected expenditure is ten thousand dollars (\$10,000) or less, the Board may let the contract without the necessity of bidding.

4.04 It is unlawful, for the purpose of evading any requirements herein, to split or separate into smaller units of purchase any purchase covered by this section.

4.05 Notwithstanding the foregoing, contracting for architectural, engineering and surveying services shall be made in accordance with the provisions of Government Code &&4525, *et seq.*

#### 5.00 **GENERAL**

5.01 Except otherwise allowed herein, when the expenditure required for the purchase of personal property and/or services exceeds ten thousand dollars (\$10,000), the Board shall contract for and let to the lowest responsible bidder the contract for such purchase of personal property and/or services.

5.02 When the personal property or services is to be secured through competitive bidding, the Board or the District Manager shall direct the Office Manager to give notice of the purchase (s) to be made, inviting sealed proposals or bids. Such notice shall include full, complete and accurate specifications of the property or service to be purchased which are sufficiently certain and definite upon all of the essential material requirements of the property or service sought to be purchased to enable bidders to know with reasonable accuracy the personal property or services sought.

5.03 The Board may establish procedures under which notice is given exclusively to prequalified vendors and identify other forms and procedures for the issuance of notice. Prequalification shall be based on any available information, including but not limited to information provided by the bidder. A bidder's name may be removed from the list of qualified bidders for any of the following reasons:

- a. Failure to respond to questionnaires issued by the District or to provide financial statement or other information as may be requested;
- b. Failure to respond to three (3) consecutive invitations or requests for bids or quotations on services or items offered by the bidder;
- c. Failure to satisfactorily perform under a previous purchase order or contract;
- d. Failure to respond to any inquiry from the District regarding whether the bidder continues to be interested in doing business with the District;
- e. Submittal to the District by the bidder of a written request to be removed from the list of qualified bidders;
- f. Change in qualifications of a bidder to the extent that he no longer meets the minimum requirements applicable to bidders offering the services or item offered by the bidder.

5.04 The notice inviting bids shall set a date for the opening of bids. The first publication or posting of the notice shall be at least ten (10) days before the date of opening the bids. A copy or copies of the notice shall be posted and kept posted for five (5) days at or near the door of the District's office.

5.05 The Board may reject any bids. If the Board rejects all bids, it may either re-advertise or adopt a resolution, by four-fifths (4/5) vote of all of the District's Trustees, declaring that the service can be

performed more economically by the District's employees or obtained at a lower price in the open market. Upon adoption of the resolution, the Board may undertake the service contract without further complying with this section.

5.06 If no bids are received, the Board may undertake the service contract or purchase of personal property without further complying with this section.

5.07 Awards shall be determined by and be based upon the best proposal which, in the discretion of the Board or the District Manager, is the proposal which most adequately meets the needs of the District at the lowest price.

a. In determining the best proposal, in addition to price, the Board or the District Manager may consider the quality, availability and functional or other suitability of the personal property or contractual services to the particular use intended. The Board or the District Manager may also consider other factors, including, but not limited to, the following: the ability, capacity and skill of the bidder to perform the contract or provide the service required; whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference; the character, integrity, reputation, judgment, experience and efficiency of the bidder; the quality of performance of previous contracts or services; the previous and existing compliance of the bidder with laws and ordinances relating to the contract or service; the sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service; the ability of the bidder to provide future maintenance and service for the use of the subject of the contract; the number and scope of conditions attached to the bid.

b. With respect to acquisitions of title to personal property or the use of personal property by rental, lease or otherwise, the best proposal shall be, as to products which equally satisfy intended uses, the one submitted by a responsible bidder at the lowest price.

5.08 Purchases may, but need not, pursuant to competitive proposals under the following circumstances:

a. When the aggregate or cumulative price to be paid under the purchase contract is five thousand dollars (\$5,000) or less, unless otherwise required by state law;

b. When a patent or proprietary item is being purchased;

c. In the event of an emergency; or

d. When the following types of personal property or services are being acquired, obtained, rented or leased: (I) advertising; (II) books, recordings, motion picture films, subscriptions; (III) insurance; (IV) public utility services; (V) travel services; (VI) property or services provided by or through other governmental agencies; or obtainable from suppliers which have in force a current contract with another governmental agency for the same item or service; or (VII) property or services the price of which is fixed by law.

5.09 Patented or Proprietary Items: When the District requires supplies, materials or equipment which are produced by only one manufacturer, the District Manager may specify such manufacturer's make or brand in the invitation to bid, but shall seek competitive bids from responsible bidders. If the

manufacturer or its representative is the sole responsible bidder or sole source of supply, the District Manager may negotiate an open market order or contract with the manufacturer or its representative at prices and on terms most advantageous to the District, subject to the approval of the Board.

When the District requires supplies, materials, or equipment which are patented or proprietary and which are obtainable in two or more equally satisfactory and competitive makes, brands, or types, the invitation to bid may indicate such acceptable and competitive makes, brands or types. Such invitations to bid shall include the phrase "or approved equivalent" to permit bidders to bid on alternative or additional makes, brands, or types. It shall be incumbent on each bidder to prove to the satisfaction of the District Manager that the alternate or additional make, brand, or type which is offered is equal in quality or performance to those listed in the invitation to bid.

5.10 The District may request the State Department of General Services to make purchases of materials, equipment, or supplies on its behalf in accordance with the provisions of Government Code Section 14814. The District may also utilize the services of the County of Sacramento's purchasing agent pursuant to the procedures established therefore.

5.11 The Board may delegate to the District Manager the power to enter into and execute on behalf of the District any contracts which do not involve the expenditure of more than five thousand dollars (\$5,000) which relate to purposes previously approved and budgeted by the Board, subject to ratification of such approval and execution by the Board. This delegation shall not apply to:

a. The purchase of furnishings, materials, supplies and employment of independent contractors used in construction or repair of any building or facility of the District;

b. Contracts for the construction of any building, facility or other improvement of the District;

c. Contracts which must be awarded after public notice and competitive bidding. Contracts awarded by the District Manager are subject to the following provisions:

d. Any contract let by the District Manager shall contain a provision that such contract terminates upon the date of provision of services or personal property or incurring of expenses the cumulative total of which exceeds the authorized amount above.

e. The District Manager shall not, absent prior approval by the Board, let any contract for the rental or lease of personal property or for the acquisition of services by independent contract or otherwise which exceeds a term of one (1) year.

f. Except as otherwise authorized herein, all purchases by the District Manager shall be made pursuant to competitive proposals, and shall be let to the party who makes the best proposal as defined in paragraph 5.07 of this section.

g. The solicitation of bid proposals by newspaper publication shall not be required. The District Manager shall utilize such processes to advertise intended purchases as are reasonably calculated to provide adequate competition among vendors, including, but not limited to, the direct solicitation of proposals from known vendors.

5.12 Policy Violations

a. Any violation of this policy shall render the contract or transaction involved voidable at the sole discretion of the Board.

b. Any person claiming to be aggrieved by a decision of the District Manager or the Board pursuant to this policy may appeal to the Board for a final determination. With regard to any such appeal which relates to a contract award, the appeal must be filed with the District within five (5) days of the date of such award. No contracts may be executed by the District during the five-day period after the date of the award and during any period while an appeal is pending before the Board, unless an emergency exists pursuant to paragraph 5.14 below.

5.13 It shall be District policy that preference be given to local merchants, within the geographical boundary of the District, provided price, quality and service or availability are satisfactory.

5.14 In case of an emergency, the Board may adopt a resolution by four-fifths (4/5) vote of all the members of the Board declaring that the public interest and necessity demand immediate expenditure of public money to safeguard life, health, or property. The Board may expend any sum required in the emergency for the purchase of any personal property, supplies and/or services without submitting the expenditure to bid.

5.15 Prior to performing any services or commencing any construction, the person, company or firm selected to perform such services or construction shall provide, in a form and amounts satisfactory to the District, proof of current insurance coverage for Worker's Compensation (if Contractor employs any employee), and Comprehensive General Liability insurance naming (Name of Your District), its Trustees, Officers and Employees as additional named insured.

## **6.00 DISPOSITION OF DISTRICT-OWNED PROPERTY**

6.01 When purchasing District property, the District may solicit and accept advantageous trade-in allowances for the District-owned property which has previously been determined by the District to be surplus.

6.02 Upon recommendation by the District Manager, the Board may declare specific items of District-owned property surplus and authorize the disposition of such property. The District Manager may purchase advertising and advertise the proposed sale or other disposition of the property in newspapers or other periodical. Proceeds from the sale of District-owned surplus property shall be paid into the County Treasury for use of the District.

6.03 When District-owned property has been declared surplus by the Board, the disposition of the surplus property may be handled through the Sacramento County Department of Surplus, at the discretion of the District Manager.

6.04 The prohibition against dealing with "financially interested" parties, Section 7.00 below, shall also apply to the sale of surplus District-owned property.



**7.00 FINANCIALLY INTEREST PARTIES:** The District shall not make any purchase of any personal property or services from any person or business in which any Board member, officer or employee of the District has a “financial interest”. A person has a “financial interest” if it is reasonably foreseeable that the purchase will have a material effect on the official or employee or a member of his or her immediate family or on:

a. Any business entity in which the official or employee has a direct or indirect investment worth one thousand dollars (\$1,000) or more;

b. Any real property in which the public official or employee has a direct or indirect interest worth one thousand dollars (\$1,000) or more;

c. Any source income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to the official status, aggregating two hundred fifty dollars (\$250) or more in value provided to, received by or promised to the official or employee within twelve (12) months prior to the time when the decision is made;

d. Any business entity in which the official or employee is a director, officer, partner, trustee, employee, or holds any position of management; or

e. Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating two hundred fifty dollars (\$250) or more in value provided to, received by, or promised to the official or employee within twelve (12) months prior to the time when the decision is made.

For purposes of this section, “indirect investment or interest” means any investment or interest owned by the spouse of dependent child of an official or employee, by an agent on behalf of a public official, the official’s agents, spouse, and dependent children own directly, indirectly, or beneficially a ten (10) percent interest or greater.

#### **K. USE OF DISTRICT PROPERTY OR EQUIPMENT BY EMPLOYEES**

WHEREAS, the Board of Trustees (hereinafter the “Board”) of the (Name of Your District) (hereinafter the “District”) determines and finds that District property should not be utilized for private purposes, and personal property should not be maintained or repaired on District property or with District-owned tools or equipment.

NOW THEREFORE BE IT RESOLVED THAT the following policy be adopted by the (Name of Your District).

**USE OF DISTRICT PROPERTY OR EQUIPMENT BY EMPLOYEES**

Employees shall not utilize District-owned equipment, tools or supplies to perform maintenance or repair on personal property not owned by the District, including but not limited to property such as vehicles, trailers, or lawn and garden equipment, except in cases of emergency or as determined by the District Manager or, in his absence, the Office Manager.

Moreover, no such maintenance or repair shall be performed on the District’s real property or within its premises.

Furthermore, District-owned equipment, tools, supplies or any other property shall not be removed from District property or used for any non-District purpose.

On a motion by Trustee Carter, seconded by Trustee Massey, the foregoing resolution was passed and adopted this 13<sup>th</sup> day of September, 1995, by the following vote, to wit:

Ayes: Schroeder, Hamilton, Massey Carter & Flood

Noes: -0-

Absent: -0-

Absent: -0-

**L. HARASSMENT POLICY**

1. Policy

The District is an equal employment opportunity employer and will not discriminate against any employee or applicant for employment in an unlawful manner. All employees have a right to work in an environment free from discrimination based on race, color, national origin, ancestry, sex, religious beliefs, age, marital status, pregnancy, physical handicap or medical conditions. Employees are also

entitled to a work environment free from all forms of harassment, including sexual harassment. Engaging in any type of harassment is grounds for disciplinary action, up to and including termination.

## 2. Definition of Harassment

Harassment is a form of misconduct, which undermines the integrity of the employment relationship. No employee should be subject to verbal, physical or visual harassment regarding their race, national origin, sex, religious beliefs, age, marital status or physical handicaps. Verbal harassment includes such matters as epithets, derogatory comments, slurs, derogatory jokes, as well as verbal sexual advances, repeated offensive sexual flirtations or propositions. Additionally, continued or repeated verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes or invitations, also constitute verbal harassment.

Physical Harassment includes such activities as assault, unwanted touching, impeding or blocking movement, offensive or abusive contact, or any physical interference with normal work or movement.

Visual Forms of harassment are such things as derogatory posters, cartoons or drawings. Unsolicited or unwelcome overtures or misconduct are also a form of harassment, as well as, leering, making sexual gestures, and displaying of sexually suggestive objects or pictures.

Sexual harassment does not refer to an occasional compliment of a socially acceptable nature. It refers to behavior, which is not welcome, which may be personally offensive, which weakens morale, and therefore, interferes with the individual effectiveness and work environment. Men and women can help prevent the problems caused by sexual harassment by being businesslike in their conduct and actions. In addition, no one should imply or threaten that an applicant's or employee's "cooperation" of a sexual nature (or refusal thereof) will have any effect on the individual's employment, assignment, compensation, advancement, or any other condition of employment.

The types of actions discussed above, although not all-inclusive and illustrative only, constitute sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- b. Submission to or rejection of such conduct by an individual, is used as the basis for employment decisions affecting such individual, or
- c. Such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

## 3. Procedure

Any improper conduct in connection with discrimination or harassment whether committed by supervisors, non-supervisory personnel, or non-employees, is specifically prohibited and disciplinary action will be taken if such conduct is found to be valid. Any employee who feels he or she has experienced discrimination or harassment in the workplace, or is aware of others who have been harassed or discriminated against, should immediately inform the Foreman or District Manager, and follow immediately with a written complaint.

An employee complaint shall be immediately investigated and if substantiated, corrective action shall be taken by the District. This will include interviewing the alleged victim, the alleged harasser and all others directly concerned, of its conclusions. If its investigation concludes that harassment has occurred, the District will take disciplinary action against the harasser commensurate with the severity of the offense, and the victim will be advised of the action taken against the harasser. Additionally, the victim may have rights under State and Federal law.

No employee will be disciplined or otherwise retaliated against for complaining about such harassment. It is important that employees inform the District about such harassment, as nothing can be done to remedy the situation if it is not known that it exists. Confidentiality will be maintained.

A copy of this policy shall periodically be made available to all employees. All employees must read the harassment policy and must sign the certification acknowledging they have read and understood the District's policy regarding harassment.

4. District Harassment Complaint Form

Employee's Name \_\_\_\_\_ Position \_\_\_\_\_

Name of District Manager \_\_\_\_\_

Employees state of complaint, if oral. If written, attach copy of Complaint Form (include facts, dates, policy or regulation involved, if any and the remedy desired).

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Employee's Signature \_\_\_\_\_

Date \_\_\_\_\_

Date Received by District Manager \_\_\_\_\_

District Manager's Decision

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Date Given to Employee \_\_\_\_\_

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District Manager's Signature

5. Certification

I hereby acknowledge that I have read and understand the District policy regarding Harassment

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Name (Please Print)

---

Name Signature

---

Witness Date

**M. DISCIPLINARY PROCEDURE**

1. Types of Disciplinary Procedure  
Disciplinary procedures include, but are not limited to, the following:
  - a. Oral reprimand
  - b. Written reprimand

- c. Suspension from duty without pay up to and including a maximum period of loss of two (2) weeks' pay.
  - d.Reduction of pay.
  - e.Demotion.
  - f. Termination for cause.
2. Foreman may issue oral or written reprimands. All other forms of disciplinary action are reserved for decision by the District Manager.
  3. Disciplinary action normally is based, but not limited to, violations of the Code of Conduct.
  4. To the extent practicable, District Manager will resort to counseling and guidance of employees prior to resorting to disciplinary action.
  5. Oral reprimand and written reprimand are subject to review under Grievance Procedures.
  6. Suspension from duty without pay, reduction in pay and demotion imposed by written notice to the employee stating the reason(s).
  7. Disciplinary termination is imposed by written notice to the employee stating the reason(s) and is subject to review under Termination Procedures.

## **N. GRIEVANCE PROCEDURES**

### **1. Purpose**

Through the formal grievance procedure, employees are provided a means by which a complaint, decision or problem is formally reviewed, and an answer or decision may be given at progressively higher management levels. GRIEVANCE PROCEDURES DO NOT APPLY TO TERMINATION OF AN EMPLOYEE OR DISCIPLINARY ACTION IMPOSED BY THE DISTRICT MANAGER.

### **2. Eligibility**

All regular employees who have been employed at least ninety (90) days are eligible to use the formal grievance procedure.

### **3. Procedure**

a. The formal grievance procedure is designed not to replace but to supplement the routine methods of responding and settling employee problems and grievances. If these routine methods fail to resolve the issue, the formal grievance procedure gives the employee access to higher authorities than the Foreman.

b. The District Manager shall directly or indirectly discourage the use of the formal grievance procedure by employees.

c. When warranted by unusual circumstances (illness, extended absences, etc.) the District Manager may extend the time limits indicated in the Formal Grievance Procedure.

d.Content of the Written Grievance:

1. A statement of the District's policy, rules or practices involved.
2. A statement of the facts and events involved in the matter.
3. An explanation of how the employee has been adversely affected.

4. A statement of the corrective action requested and the reason the action is appropriate.
5. The employee may elect to have a representative for assistance in presenting the grievance.

#### 4. Steps in the Formal Grievance Procedure

##### a. Step No. 1

The employee shall present the request for an adjustment of the grievance to the District Manager within five (5) working days of the day on which the grievance arises or becomes known to the employee. The District Manager shall reply within seven (7) working days of the grievance by the employee and shall tell the employee the reason for the decision.

In this step, the District Manager shall give the employee a full opportunity to explain his or her grievance and will promptly review all aspects of it. The Foreman will make efforts to give a prompt answer; but if more information is necessary, or if the grievance involves a matter beyond the District Manager's authority, the District Manager will insure that the problem is brought to the attention of the authority that has the responsibility to make such a decision.

It is the responsibility of the District Manager to insure that the employee is aware of the right to proceed to Step No. 1.

##### b. Step No. 2

If the employee is not satisfied with the departmental reply in Step No. 1 and chooses to proceed to Step No. 2, the employee must present the written grievance to the Board of Trustees within five (5) working days of the preceding decision. The District Manager will review the previous decision concerning the grievance. A written response will be made by the Board of Trustees within ten (10) working days of the presentation of grievance. A decision of the Board of Trustees is final.

### **O. TERMINATION PROCEDURE**

Except in an emergency, the following procedure will be followed:

#### 1. TERMINATION

a. The employee will be provided a written notice of the fact and effective date of termination and reminded of the Reconsideration provisions.

a. If the District Manager deems it appropriate, the reasons for the termination may be stated in the termination notice; provided that the reason(s) have been documented in the disciplinary termination filed in the employee's personal file.

b. Persons who terminated may be entitled to unemployment compensation.

#### 2. EMPLOYEES REQUEST FOR RECONSIDERATION

a. An employee, other than probationary employee, may request that the District Manager reconsider the decision to terminate the employee.

b. The request for reconsideration must be submitted in writing within fourteen (14) days after the notice of termination has been mailed to the employee or personally delivered to the



employee. In the event the request is not received within this period of time, the opportunity to request reconsideration will be waived.

c. A request for reconsideration must be in writing and must contain the following information:

1. The reason that reconsideration is requested.
2. A summary of the factual information supporting the reasons for requesting reconsideration.
3. If the request for reconsideration is to be supported by statements of other persons, the written statements of those persons must be included in the request, together with any documents to be considered.
4. The District Manager may, as a matter of discretion, determine that a hearing is appropriate, he shall establish the time and place of the hearing and notify the employee concerned.

### 3. CONDUCT OF HEARING

a. Unless the District Manager determines otherwise, the hearing will be conducted in closed session.

b. The District Manager shall conduct the hearing.

c. The employee shall be entitled to have representation to assist the employee in the presentation of his case; the District Manager may designate a person to present the District's position with respect to termination.

d. The employee shall have the burden of proving that the initial decision to terminate the employee should be reversed and the employee should be retained by the District.

e. The hearing shall be conducted in an informal manner; the District Manager shall make appropriate rulings with respect to procedure and the admission of evidence or information for consideration. The District and the employee shall have the right to produce evidence, to produce witnesses, and to cross-examine witnesses who are presented by the opposing party.

f. The hearing may be recorded and transcribed.

g. The costs incurred for Court Reporter's service and the preparation of the record initially shall be borne by the District. In the event the employee desires a copy of the transcript from the Court Reporter, the cost shall be borne by the employee.

### 4. WAIVER OF RECONSIDERATION

A failure to request reconsideration in the manner set forth in paragraph 2 above, or failure of the employee to appear at the time and place of hearing shall be deemed a waiver by the employee of reconsideration by the District Manager and acceptance of the termination.

### 5. NOTICE OF DECISION

The District Manager shall notify the employee of his decision. The notice shall be in writing, dated and shall inform the employee whether the employee is retained or terminated.

### 6. PETITION TO THE DISTRICT BOARD OF TRUSTEES

- a. An employee has thirty (30) days from the date the District Manager’s decision is deposited in the mail to petition the District Board of Trustees for review of the District Manager’s decision. In the event the Board of Trustees determines that a review is appropriate, the examination will be based on the record of the District Manager’s action.
- b. In the event the Board of Trustees either denies the petition or determines after review to sustain the District Manager’s decision, the time limit for judicial review of the Board’s decision pursuant to Code of Civil Procedure 1094.6 runs from the date the notice is deposited in the mail.
- c. The Board of Trustees shall inform the employee in writing of the Board’s decision.

### **III. (NAME OF YOUR DISTRICT) SAFETY PROGRAM**

#### **A. District Policy**

To our employees:

It is the policy of the (Name of Your District) to achieve the greatest practical degree of freedom from accidents and to insure that every employee is provided safe and healthful working conditions, free from recognized hazards.

Injuries are always costly to the individual worker, often significantly change his future and frequently destroy the security of his family. They are also costly to the District, both directly and indirectly – with indirect costs often being much higher than the direct costs. It is the firm and continuing policy of the Board of Trustees that industrial accidents shall be reduced or eliminated by the use of every reasonable mechanical precaution and by the aggressive promotion of safe practices within the District.

Every employee plays an important part in preventing accidents and is expected to cooperate fully in the measures taken for safety.

Each employee has a responsibility to himself for his safety, but likewise has a responsibility to his family, to his fellow workers, to his community, and to his employer.

In the performance of his duties, therefore, he shall be expected to observe safety practices, rules and operating procedures, as well as instructions relating to the efficient performance of his work. The ideal in safe and efficient district operations is reached only when all employees are keenly alert and safety conscious.

We have instituted a Safety Program which, with your help, will succeed in providing a safe, healthful and pleasant working environment.

Everyone stands to benefit, everyone stands to gain! The cooperation of all employees in the District is expected. The results will be worth the effort.

Signed by,

---

Chairman, Board of Trustees

**B. Assignment of Responsibility**

DISTRICT MANAGER

The District Manager's responsibilities shall include but not limited to:

1. Keeping the Board of Trustees informed as to the effectiveness of the various safety programs within the District.
2. Investigating all reported claims occurring in the District. The final report should identify the “cause” of loss, spell out corrective action and assign responsibility to eliminate the likelihood of a recurrence.
3. Overseeing and maintaining control of all operations underway within the District.
4. Providing technical information. Reviewing records to discover trends, repeat offenders, number of losses, lost time days and providing training to the Foreman and other personnel on an on-going basis.
5. Keeping abreast of the latest technical changes occurring in the field of safety by attending seminars, night classes, workshops, reading trade journals, etc.

### FOREMAN

The Foreman’s responsibilities shall include but not limited to:

1. Keeping the District Manager informed as to the effectiveness of the Safety Program with their areas of operation.
2. Investigating all reported claims occurring in their areas of operation. No report shall be considered complete until the cause of the accident is identified, responsibility is determined and corrective action taken to eliminate the likelihood of a recurrence.
3. Overseeing and assuring the safe operations of the work being done in their areas of operation.
4. Providing training for personnel in safe ways to perform their work, identify hazards and provide safeguards.
5. Providing personnel with technical information necessary to properly pre-plan their daily work assignments.
6. Training the employees under their control through tailgate meetings, to safely perform their duties, identify the hazards that are unique to their work assignments and to continually survey their projects – looking for unsafe conditions and/or unsafe work practices.
7. Pre-planning all work assignments to be undertaken. Identifying work site hazards. Taking proper precautions to prevent an accident or injury. Determining that proper tools are available to do a safe job. Conducting tailgate meetings at all work sites, pointing out the work to be done and the hazards associated with the work and making sure each employee knows and understands his job. Assuring that personal protective equipment is available and in use by all employees.

### EMPLOYEES

Labor Code Section 6407 informs employees of their responsibility to comply with occupational safety and health standards applicable to their own actions and conduct. In addition, employees must comply with the following District requirements:

1. Immediately report all accidents and illnesses, regardless of how slight, to their foremen.
2. Attend safety training meeting conducted by District personnel, when requested to do so.
3. Report to work free from the effects of drugs or alcohol.
4. Report to work, with required personal protective equipment.
5. Perform his/her duties in a safe and healthful manner.
6. Report all unsafe conditions encountered immediately to the foreman in charge.
7. Obey the "Code of Safe Practices and Operating Procedures" as contained in the District Safety Program.
8. Wear appropriate clothing for the work being performed.
9. Do not remove any mechanical safeguards. All guards must be put in place and kept in place.
10. No employee is to undertake a job that appears to be unsafe or use toxic chemicals without suitable training.
11. No employee shall undertake a job or operate a piece of equipment until he or she has received instruction on how to do it properly and has been authorized to perform that job or operate that piece of equipment.

### **C. WORKPLACE HAZARDS**

Hazards in the workplace are an accumulation of the bad habits of all employees, if left uncorrected they can result in damage to equipment and serious injury to personnel

#### **1. Identification and Evaluating**

A thorough visual inspection of all equipment and work spaces will be held by the District Manager during the first week of each quarter. A hazard check list (see paragraph C4) will be completed for the office and maintenance buildings. Copies of the previous quarter's inspection lists will be available to check for uncorrected hazards.

#### **2. Correcting Unsafe and Unhealthy Conditions**

Upon completion of the quarterly workplace inspection, the District Manager will review the results with the Foreman. Priorities and dates for having corrections completed will be assigned. Weekly reports of corrective action taken will be made to the District Manager until all items are completed.

#### **3. Communication with Employees**

- a. Employees are to report any unsafe conditions immediately to the Foreman.
- b. The regular monthly training session will allow time for employees to recommend ways to inspect health and safety conditions in the workplace.

4 a.

**HAZARD CHECK LIST**

**DO ANNUALLY**

OFFICE

Distribution:

( ) District Manager

( ) Foreman

Date \_\_\_\_\_

Inspector	Title	( S )	( SA )	( IA ) *
1.	Heaviest material stored in bottom drawers of file cabinet.	( )	( )	( )
2.	File and desk drawers open and close easily.	( )	( )	( )
3.	Furniture and fixtures free of sharp edges.	( )	( )	( )
4.	Aisles and passageways are clear and provide easy movement.	( )	( )	( )
5.	Floors provided with non-slip surfaces.	( )	( )	( )
6.	Stairways equipped with standard handrails.	( )	( )	( )
7.	Adequate illumination in all areas.	( )	( )	( )
8.	All electrical machinery in good condition, properly grounded.	( )	( )	( )
9.	Electrical cords and phone cables secured to prevent tripping hazards.	( )	( )	( )
10.	Employees instructed on use of machines.	( )	( )	( )
11.	Storage areas clean and orderly.	( )	( )	( )
12.	Flammable materials stored in metal cabinets.	( )	( )	( )
13.	Hot plates, coffee makers, portable heaters properly wired and turned off when not in use.	( )	( )	( )
14.	Employees instructed in fire emergency procedures.	( )	( )	( )

RECOMMENDATIONS (Complete for all items which need immediate attention)

ACTION TAKEN

\*

S=Satisfactory; SA=Needs Some Attention; IA=Needs Immediate Attention

4 b.

**HAZARD CHECK LIST**

**DO ANNUALLY**

ALL DEPARTMENTS

Distribution:

( ) District Manager

( ) Foreman

		Date
Inspector	Title	( S ) ( SA ) ( IA)*
1.	illumination adequate in all areas.	Ventilation and ( ) ( ) ( )
2.	Aisles and passages clear and unobstructed.	( ) ( ) ( )
3.	Temporarily obstructed passages clearly identified and barricaded.	( ) ( ) ( )
4.	All spillages and breakages immediately cleaned up.	( ) ( ) ( )
5.	Electrical cords and phone cables secured to prevent tripping hazards.	( ) ( ) ( )
6.	Floors in good condition. Floors made slip resistant where necessary.	( ) ( ) ( )
7.	Storage and equipment rooms clean and orderly.	( ) ( ) ( )
8.	Stairways equipped with standard handrails.	( ) ( ) ( )
9.	Employees given proper instructions on use of equipment, tools and machinery.	( ) ( ) ( )
10.	Protective equipment, devices and clothing used as required.	( ) ( ) ( )
11.	Electric tools and machinery properly grounded.	( ) ( ) ( )
12.	All waste materials deposited in proper container.	( ) ( ) ( )
13.	All waste receptacles emptied before completely full.	( ) ( ) ( )
14.	"Authorized personnel only" rule enforced in designated area.	( ) ( ) ( )
15.	Fire extinguishers of proper size and type for each location, properly charged.	( ) ( ) ( )
16.	Instruction given on what to do in case of fires or other emergencies.	( ) ( ) ( )
17.	No smoking rule enforced in restricted areas.	( ) ( ) ( )
18.	Fire escapes and exits adequately marked and kept clear.	( ) ( ) ( )

RECOMMENDATIONS (Complete for all items which need immediate attention)

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S=Satisfactory; SA=Needs Some Attention; IA=Needs Immediate Attention

**D. HAZARDOUS MATERIAL**

All employees must be aware of the dangers associated with the handling, use and storage of hazardous materials.



## 1. TRAINING

- a. Procedures for handling hazardous materials, including hazardous waste:

Persons Trained: Foreman, Mechanic, Hazardous Materials Applicators

Training Time: Two (2) hours; Refresher frequency: annually

Refresher time: One (1) hour

Training Content: Proper procedures for hazardous material storage, handling, use and labeling. Review proper methods for all hazardous waste disposal and record keeping requirements. Review material safety data sheets and safety procedures for materials handling.

- b. Procedures for coordination with emergency response agencies:

Persons Trained: Emergency Coordinator and Alternate

Training Time: One (1) hour; Refresher Frequency: Annually

Refresher Time: 1 hour

Training Content: Review of Emergency Response Plan and Emergency Notification Procedures to ensure coordination with local Fire Department, Paramedics and clean-up contractor.

- c. Use of emergency response equipment and materials under the business' control:

Persons Trained: Foreman / Mechanic

Training Time: One (1) hour; Refresher Frequency: Six (6) months

Refresher Time: One (1) hour

Training Content: Annual inspection and inspection of safety equipment (fire extinguishers, eye-wash stations) and review of procedures for proper use of safety and spill control equipment.

- d. Emergency Response Plan Implementation:

Person Trained: All Employees

Training Time: One (1) hour; Refresher Frequency: Annually

Refresher Time: One (1) hour

Training content: Review of Emergency Response Plan, Evacuation Procedures, and location of emergency shut-off switches and specific responsibilities of all employees. Remind employees of the location of the emergency response plan.

## 2. EMERGENCY RESPONSE PLAN

Business Name:

---

Business Site Address:

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Business Telephone: \_\_\_\_\_ 24 Hour Phone \_\_\_\_\_

Brief description of product manufactured and / or service provided: Cemetery

- a. Evacuation Procedures: Notify employees to evacuate by telephone intercom or by shouting. Employees will exit all buildings through the nearest exterior door and meet at staging area in front of the office. Emergency coordinator will be available at staging area to assist emergency responders.
- b. Notification Procedures: In the event of a release or threatened release of a hazardous material the following agencies are to be notified:
1. Local Emergency Response Agencies 911  
Hazardous Materials Management Division (916) 875-8550 / (916) 874-4670
  2. State Office of Emergency Services: (800) 852-7550 / (916) 845-8510

Name of person (s) responsible for completing notifications:

District Manager:

Foreman:

Describe notification procedures: As listed above and clean-up contractor (if needed):

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c. Emergency Procedures: Main concerns – fire or chemical spill

Fire: Employees will notify local Fire Department. If safe, Mechanic will shut off power and attempt to control fire using fire extinguishers.

Small Spill: Chemicals will be picked up with absorbent materials by employees using proper protective clothing and safety equipment. Waste will be placed in a labeled waste drum.

Large Spill: Employer will notify Fire Department. Trained employees using proper safety equipment will attempt to prevent spill from entering storm drain or running-off site. If safe, clean-up contractor will be called to remove spill as necessary.

3. HAZARDOUS MATERIAL SITE MAP

Business Name \_\_\_\_\_

Emergency Coordinator \_\_\_\_\_

Business Address \_\_\_\_\_

Phone (Day) \_\_\_\_\_ 24 Hour \_\_\_\_\_

**PROCEDURES FOR HEAT ILLNESS  
PREVENTION**  
Adopted 07-10-2013

**The following designated person or persons (Program Administrator Safety Coordinator/Supervisor/Foreman/Field Supervisor/Crew Leader) have the authority and responsibility for implementing the provisions of this program at this worksite.**

**Name/Title/Phone Number**

1. Ray Young	District Manager	916-966-1613
2. Guillermo Barron	Lead Man	916-966-1613
3. Terri Perrin	Office Manager	916-966-1613
4. Teresa Day	Office Clerk	916-966-1613

**1. Procedures for Provision of Water (include but are not limited to the following):**

- Drinking water containers (of five to 10 gallons each) will be brought to the site, so that at least two quarts per employee are available at the start of the shift. All workers whether working individually or in smaller crews, will have access to drinking water.
- Paper cone rims or bags of disposable cups and the necessary cup dispensers will be made available to workers and will be kept clean until used.
- As part of the Effective Replenishment Procedures, the water level of all containers will be checked periodically (e.g. every hour, every 30 min), and more frequently when the temperature rises. Water containers will be refilled with cool water, when the water level within a container drops below 50 percent. Additional water containers (e.g. five gallon bottles) will be carried, to replace water as needed.
- Ice will be carried in separate containers, so that when necessary, it will be added to the drinking water to keep it cool.
- Water containers will be placed as close as possible to the workers (given the working conditions and layout of the worksite), to encourage the frequent drinking of water. If field terrain prevents the water from being placed as close as possible to the workers, bottled water or personal water containers will be made available, so that workers can have drinking water readily accessible.

- Water containers will be relocated to follow along with the crew, so drinking water will remain readily accessible.
- Water containers will be kept in sanitary condition.
- Daily, workers will be reminded of the location of the water coolers and of the importance of drinking water frequently. When the temperature exceeds or is expected to exceed 90 degrees Fahrenheit, brief 'tailgate' meetings will be held each morning to review with employees the importance of drinking water, the number and schedule of water and rest breaks and the signs and symptoms of heat illness.
- Audible devices (such as whistles or air horns) will be used to remind employees to drink water.
- When the temperature equals or exceeds 95 degrees Fahrenheit or during a heat wave, the number of water breaks will be increased, and workers will be reminded throughout the work shift to drink water.
- During employee training and tailgate meetings, the importance of frequent drinking of water will be stressed.

## **2. Procedures for Access to Shade (include but are not limited to the following):**

***Note: Follow the general guidance provided above, under the Provisions for Water (identify the person assigned the task and list the specific tasks that have to be carried out).***

- Shade structures will be opened and placed as close as practical to the workers, when the temperature equals or exceeds 85 degrees Fahrenheit. When the temperature is below 85 degrees Fahrenheit, access to shade will be provided promptly, when requested by an employee. Note: The interior of a vehicle may not be used to provide shade unless the vehicle is air-conditioned and the air conditioner is on.
- Enough shade structures will be available at the site, to accommodate at least 25 percent of the employees on the shift at any one time.
- Daily, workers will be informed of the location of the shade structures and will be encouraged to take a five minute cool-down rest in the shade.
- Shade structures will be relocated to follow along with the crew and they will be placed as close as practical to the employees, so that access to shade is provided at all times.
- In situations where trees or other vegetation are used to provide shade (such as in orchards), the thickness and shape of the shaded area will be evaluated, before assuming that sufficient shadow is being cast to protect employees.

- In situations where it is not safe or feasible to provide access to shade (e.g., during high winds), a note will be made of these unsafe or unfeasible conditions, and of the steps that will be taken to provide shade upon request.
- For non-agricultural employers, in situations where it is not safe or feasible to provide shade, a note will be made of these unsafe or unfeasible conditions, and of the steps that will be taken to provide alternative cooling measures but with equivalent protection as shade.

### **3. Procedures for Monitoring the Weather (include but are not limited to):**

- The supervisor will be trained and instructed to check in advance the extended weather forecast. Weather forecasts can be checked with the aid of the internet (<http://www.nws.noaa.gov/>), or by calling the National Weather Service phone numbers (see CA numbers below) or by checking the Weather Channel TV Network. The work schedule will be planned in advance, taking into consideration whether high temperatures or a heat wave is expected. This type of advance planning should take place all summer long.

#### **CALIFORNIA Dial-A-Forecast**

Eureka 707-443-7062

Hanford 559-584-8047

Los Angeles 805-988-6610 (#1)

Sacramento 916-979-3051

San Diego 619-297-2107 (#1)

San Francisco 831-656-1725 (#1)

- Prior to each workday, the forecasted temperature and humidity for the worksite will be reviewed and will be compared against the National Weather Service Heat Index to evaluate the risk level for heat illness. Determination will be made of whether or not workers will be exposed at a temperature and humidity characterized as either “extreme caution” or “extreme danger” for heat illnesses. It is important to note that the temperature at which these warnings occur must be lowered as much as 15 degrees if the workers under consideration are in direct sunlight.
- Prior to each workday, the supervisor will monitor the weather (using <http://www.nws.noaa.gov/> or with the aid of a simple thermometer, available at most hardware stores) at the worksite. This critical weather information will be taken into consideration, to determine, when it will be necessary to make modifications to the work schedule (such as stopping work early, rescheduling the job, working at night or during the cooler hours of the day, increasing the number of water and rest breaks).
- A thermometer will be used at the jobsite to monitor for sudden increases in temperature, and to ensure that once the temperature exceeds 85 degrees Fahrenheit, shade structures will be opened and made available to the workers. In addition, when the temperature equals or exceeds 95 degrees Fahrenheit, additional preventive measures such as the High Heat Procedures will be implemented.

## **Handling a Heat Wave:**

- During a heat wave or heat spike, the work day will be cut short or rescheduled (example conducted at night or during cooler hours).
- During a heat wave or heat spike, and before starting work, tailgate meetings will be held, to review the company heat illness prevention procedures, the weather forecast and emergency response. In addition, if schedule modifications are not possible, workers will be provided with an increased number of water and rest breaks and will be observed closely for signs and symptoms of heat illness.
- Each employee will be assigned a “buddy” to be on the lookout for signs and symptoms of heat illness and to ensure that emergency procedures are initiated when someone displays possible signs or symptoms of heat illness.

## **4. High Heat Procedures (include but are not limited to):**

**High Heat Procedures are additional preventive measures that this company will use when the temperature equals or exceeds 95 degrees Fahrenheit.**

- Effective communication by voice, observation, or electronic means will be maintained, so that employees at the worksite can contact a supervisor when necessary. If the supervisor is unable to be near the workers (to observe them or communicate with them), then an electronic device, such as a cell phone or text messaging device, may be used for this purpose if reception in the area is reliable.
- Frequent communication will be maintained with employees working by themselves or in smaller groups (keep tabs on them via phone or two-way radio), to be on the lookout for possible symptoms of heat illness.
- Employees will be observed for alertness and signs and symptoms of heat illness. When the supervisor is not available, an alternate responsible person may be assigned, to look for signs and symptoms of heat illness. Such a designated observer will be trained and know what steps to take if heat illness occurs.
- Employees will be reminded throughout the work shift to drink plenty of water.
- New employees will be closely supervised, or assign a “buddy” or more experienced coworker for the first 14 days of the employment (unless the employee indicates at the time of hire that he or she has been doing similar outdoor work for at least 10 of the past 30 days for four or more hours per day).

## **5. Procedures for Acclimatization (include but are not limited to):**

Acclimatization is the temporary and gradual physiological change in the body that occurs when the environmentally induced heat load to which the body is accustomed is significantly and suddenly exceeded by sudden environmental changes. In more common

terms, the body needs time to adapt when temperatures rise suddenly, and an employee risks heat illness by not taking it easy when a heat wave strikes or when starting a new job that exposes the employee to heat to which the employee's body hasn't yet adjusted.

Inadequate acclimatization can be significantly more perilous in conditions of high heat and physical stress. Employers are responsible for the working conditions of their employees, and they must act effectively when conditions result in sudden exposure to heat their employees are not used to.

- The weather will be monitored daily. The supervisor will be on the lookout for sudden heat wave(s), or increases in temperatures to which employees haven't been exposed to for several weeks or longer.
- **During a heat wave or heat spike, the work day will be cut short (example 12 p.m.), will be rescheduled (example conducted at night or during cooler hours) or if at all possible cease for the day.**
- For new employees, the intensity of the work will be lessened during a two-week break-in period (such as scheduling slower paced, less physically demanding work during the hot parts of the day and the heaviest work activities during the cooler parts of the day (early-morning or evening). Steps taken to lessen the intensity of the workload for new employees will be documented.
- The supervisor will be extra-vigilant with new employees and stay alert to the presence of heat related symptoms.
- New employees will be assigned a "buddy" or experienced coworker to watch each other closely for discomfort or symptoms of heat illness.
- During a heat wave, all employees will be observed closely (or maintain frequent communication via phone or radio), to be on the look out for possible symptoms of heat illness.
- Employees and supervisors will be trained on the importance of acclimatization, how it is developed and how these company procedures address it.

## **6. Procedures for Emergency Response (include but are not limited to):**

- Prior to assigning a crew to a particular worksite, workers and the foreman will be provided a map of the site, along with clear and precise directions (such as streets or road names, distinguishing features and distances to major roads), to avoid a delay of emergency medical services.
- Prior to assigning a crew to a particular worksite, efforts will be made to ensure that a qualified and appropriately trained and equipped person is available at the site to render first aid if necessary.



- Prior to the start of the shift, a determination will be made of whether or not a language barrier is present at the site and steps will be taken (such as assigning the responsibility to call emergency medical services to the foreman or an English speaking worker) to ensure that emergency medical services can be immediately called in the event of an emergency.
- All foremen and supervisors will carry cell phones or other means of communication, to ensure that emergency medical services can be called. Checks will be made to ensure that these electronic devices are functional prior to each shift.
- When an employee is showing symptoms of possible heat illness, steps will be taken immediately to keep the stricken employee cool and comfortable once emergency service responders have been called (to reduce the progression to more serious illness).
- At remote locations such as rural farms, lots or undeveloped areas, the supervisor will designate an employee or employees to physically go to the nearest road or highway where emergency responders can see them. If daylight is diminished, the designated employee(s) shall be given reflective vest or flashlights in order to direct emergency personnel to the location of the worksite, which may not be visible from the road or highway.
- During a heat wave or hot temperatures, workers will be reminded and encouraged to immediately report to their supervisor any signs or symptoms they are experiencing.
- Employees and supervisors training will include every detail of these written emergency procedures.

## 7. Handling a Sick Employee:

- **When an employee displays possible signs or symptoms of heat illness, a trained first aid worker or supervisor will check the sick employee and determine whether resting in the shade and drinking cool water will suffice or if emergency service providers will need to be called.** A sick worker will not be left alone in the shade, as he or she can take a turn for the worse!
- When an employee displays possible signs or symptoms of heat illness and no trained first aid worker or supervisor is available at the site, emergency service providers will be called.
- **Emergency service providers will be called immediately if an employee displays signs or symptoms of heat illness (loss of consciousness, incoherent speech, convulsions, red and hot face), does not look OK or does not get better after drinking cool water and resting in the shade. While the ambulance is in route, first aid will be initiated (cool the worker: place the worker in the shade, remove excess layers of clothing, place ice pack in the armpits and groin area and fan the victim).**

Do not let a sick worker leave the site, as they can get lost or die before reaching a hospital!

- If an employee does not look OK and displays signs or symptoms of severe heat illness (loss of consciousness, incoherent speech, convulsions, red and hot face), and the worksite is located more than 20 minutes away from a hospital, call emergency service providers, communicate the signs and symptoms of the victim and request Air Ambulance.

## **8. Procedures for Employee and Supervisory Training (include but are not limited to):**

- Supervisors will be trained prior to being assigned to supervise other workers. Training will include this company's written procedures and the steps supervisors will follow when employees' exhibit symptoms consistent with heat illness.
- Supervisors will be trained on how to track the weather at the job site (by monitoring predicted temperature highs and periodically using a thermometer). Supervisors will be instructed on, how weather information will be used to modify work schedules, to increase number of water and rest breaks or cease work early if necessary.
- All employees and supervisors will be trained prior to working outside. Training will include the company's written prevention procedures.
- Employees will be trained on the steps that will be followed for contacting emergency medical services, including how they are to proceed when there are non-English speaking workers, how clear and precise directions to the site will be provided and the importance of making visual contact with emergency responders at the nearest road or landmark to direct them to their worksite.
- When the temperature exceeds 75 degrees Fahrenheit, short 'tailgate' meetings will be held to review the weather report, to reinforce heat illness prevention with all workers, to provide reminders to drink water frequently, to inform them that shade can be made available upon request and to remind them to be on the lookout for signs and symptoms of heat illness.
- New employees will be assigned a "buddy" or experienced coworker to ensure that they understand the training and follow company procedures.

## **E. CODE OF SAFE PRACTICES AND OPERATING PROCEDURES**

### **1. GENERAL SAFETY RULES**

All employees should follow the rules of safe practice, render every possible aid to safe operations, and report all unsafe conditions and practices to the property authority.

- a. Work shall be well planned and supervised to prevent injuries.
- b. All injuries and accidents shall be reported immediately to the Supervisor.
- c. Supervisors shall ensure that employees observe and obey every rule and regulation necessary to the safe conduct of the work.
- d. An employee reporting for work who, in the opinion of his Supervisor, is unable to perform his assigned duties in a safe and reasonable manner will not be allowed on the job.
- e. Alcoholic beverages or non-prescribed drugs are not allowed on District premises. Violators will be subject to disciplinary action.
- f. No employee shall be assigned a task without first having been instructed on proper methods of carrying out the task. Any employee who feels he has not received proper instruction shall notify his Supervisor prior to carrying out the task.
- g. There will be no horseplay or practical joking on District premises.
- h. All posted safety signs shall be obeyed.
- i. When personnel are conducting hazardous operations, there shall be at least one other person on duty in the immediate area as a cover in case of emergency.

## 2.HOUSEKEEPING

The continuous practice of good housekeeping is essential to the prevention of accidents, fires and injuries. Each employee is responsible for:

- a. Keeping clear an adequate passageway to all exits.
- b. Keeping clear space around fire extinguishers, electrical controls and other emergency equipment.
- c. Removing defective equipment from service. Equipment in need of repair shall be reported and repaired or tagged by the Supervisor.
- d. Slipping hazards may be caused by oil, water or other liquid spilled on the floor. If you cause the spill, clean it up. If help is required, notify your Supervisor.
- e. Pick up your tools, scrap and other items so that no one else will slip or trip on them.
- f. Oily rags shall be placed in a covered metal container.
- g. Never leave rakes, shovels or hoes where they can be stepped on. Proper tools placement not only prevents accidents, but enable you to keep tools in good working condition.
- h. Never pick up sharp objects such as glass, nails, etc. with bare hands.
- i. Access to first aid kits, fire extinguishers or any emergency equipment shall not be obstructed.
- j. If a cover from any floor opening, septic tank, irrigation valve vault has been removed for any reason, the opening shall be guarded by barricade while the opening is uncovered.

## 3.EQUIPMENT

Equipment used in the carrying out of everyday work assignments should be treated with proper respect and care, and maintained in a manner that will insure proper and safe operation.

- a. Employees shall not handle, tamper with, or attempt to operate any power equipment or motorized vehicles outside the scope of their work prior to receiving instruction from their Supervisor.
- b. Available safeguards shall be utilized consistently to minimize hazards.
- c. Materials, tools, or other objects shall not be thrown, tossed or dropped. Always hand or lower items as needed.

#### 4. PERSONAL PROTECTIVE EQUIPMENT

- a. Hard hats should be worn at all times when working around power equipment or any tree trimming operations.
- b. Goggles or face shields shall be worn at all times where eye hazards due to flying particles exist. Safety glasses should be worn at all other times when on Cemetery grounds or in the shop area.
- c. Where work exposure to hazardous substances, cuts or burns exists, appropriate gloves shall be worn.
- d. Ear protection will be worn whenever an employee is on or around equipment that produces loud noise,
- e. Adequate work shoes or boots shall be worn at all times.
- f. Protective respiratory equipment shall be worn in areas where personnel are exposed to excessive dust, airborne particles, etc.

#### 5. LIFTING AND MATERIAL HANDLING

- a. When possible, mechanical equipment shall be used for lifting in preference to lifting by hand. This is especially true for lifting of granite markers or monuments that have been knocked down.
- b. Never carry a load you cannot see over or around.
- c. When lifting, caution should be exercised. If the object to be lifted is too heavy, get help.
- d. If two or more workers carry a load, designate one worker to give signals.
- e. Follow safe lifting and handling methods below:
  1. Keep feet parted when lifting an object.
  2. Keep your chin tucked in so that your spine is straight.
  3. Grip the object with you whole hand.
  4. Keep elbows and arms tucked in.
  5. Keep body weight directly over feet.
  6. Lift the object by straightening your legs.
  7. Reverse this procedure when lowering an object.
  8. Avoid twisting movements while lifting or lowering an object.

- 9. Ask for help or use team lifting when moving heavy objects over fifty pounds (50 lbs.).
- 10. Try to keep physically fit to perform daily work tasks.
- 11. Maintain good posture while standing, sitting and driving.
- 12. Back braces are required.
- f. One person should not attempt to lift anything seventy-five pounds (75 lbs.) or more.
- g. Cemetery personnel will no longer carry caskets from the hearse to the gravesite lowering device.

6. MATERIAL HANDLING – RESOLUTION 98-04

Back injuries and hernia problems are among the most common injuries. They can be extremely painful. Many of these injuries are caused by poor lifting procedures. Follow the proper procedures to reduce the risk of injury. Figure how much you can lift safely, and never exceed that limit. Seventy-five pounds (75 lbs.) is enough for anyone in good physical condition.

If the load is too heavy for you to lift by yourself, call for assistance or a crane. Use power trucks or material handling equipment only if trained and authorized. Never assume that the operator of material handling equipment sees you. Stand clear. Always keep watch when walking around corners.

To avoid stomach or back strain, use the “bend your knees” method of lifting.

When lifting:

- a. Stand close to the load, feet spread for good balance.
- b. Grip load with both hands and not just the fingertips.
- c. Bend your knees and keep your back relatively straight. Use your legs and buttock muscles to lift the object – not your back.
- d. Hold the load closely and keep it centered over your legs. This will put the least strain on your body.
- e. Avoid these mistakes:

- |                    |                         |
|--------------------|-------------------------|
| * Load too heavy   | * Twisting the load     |
| * Bending back     | * Shifting load         |
| * Reaching too far | * Lifting from one side |

- f. Seek help for awkward or heavy loads.
- g. When rolling a drum horizontally, place hands flat on top surface and away from edges.

7. VEHICLE SAFETY OPERATION

- a. All California Vehicle Codes shall be strictly adhered to.
- b. Drivers operating District vehicles must have a valid California Driver’s License in their possession.

- c. Operator of District vehicles and other motorized equipment shall be held responsible for the condition of the vehicle or equipment. Before operating the vehicle, conduct a routine check to ensure that it is in proper operating condition.
- d. Report immediately any deficiencies observed or suspected in the vehicle to your Supervisor.
- e. Seat belts shall be fastened before vehicle is set in motion.
- f. Extra caution shall be exercised when backing. If rear vision is obstructed, take time to walk around the vehicle or have someone guide you back.
- g. No one shall be allowed to ride in the bed of a pickup truck. Adequate seating for each person must be provided.
- h. All vehicles shall be safely parked with handbrakes secured and doors locked when left unattended.

8. HAZARDOUS SUBSTANCES AND MATERIALS

If you should encounter any substance or material in any form, which you think might be dangerous, you should follow these steps:

- a. Keep your distance and keep others away.
- b. If it is burning or giving off large amounts of gas, cover it with dirt.
- c. Immediately contact your Supervisor and explain the problem to him.
- d. Collect as much information about the material (color, smell, form, container markings, etc.) as you possibly can.
- e. The District Office should then be notified and given as much information about the substance or material as can be reasonably determined.
- f. If necessary, the Hazardous Materials Response Team will be notified.

9. FIRE PROTECTION

- a. Know the location of the nearest fire extinguisher in your work area and become familiar with its operation.
- b. Never use water on an electrical fire.
- c. Know the fire emergency procedures for your area.
- d. Employees should know the location of fire extinguishers and first aid kits in their area.
- e. All diesel and gas tanks should be properly posted with warning signs.
- f. Keep service areas free of excessive amounts of lubricant spillage on the ground.
- g. Areas around fuel tanks and maintenance areas should be cleared of weeds and debris.

10. SAFE MOWING

GENERAL PROCEDURES: Much of mower safety, as well as the operation of any equipment, is common sense and good judgment. The following is an important list of rules and safety precautions to follow in the operation of push and ride-on mowers:

- a. Be thoroughly familiar with any mower before attempting to operate it.
  1. There are operation manuals on each piece of equipment.
  2. Make sure you are checked out on any mower by an experienced employee before attempting to operate it.
- b. Always look over your mowing area before starting.
  1. Be sure your working areas are free from dangerous objects and miscellaneous debris as rotary mowers can throw a foreign object a significant distance.
  2. Avoid mounds, rocks, etc. which could be hazardous to operator and equipment.
  3. Steep slopes should be avoided.
  4. Avoid extremely wet areas.
  5. Be constantly alert for overhanging limbs, etc. which could cause injury to operator.
- c. Always operate the equipment in a safe and reasonable speed.
  1. Excessive speed is hazardous to equipment and extremely dangerous.
- d. Wear protective clothing when appropriate
- e. Avoid loose fitting clothing, which can be caught in machinery.
- f. Make all adjustments and repairs to mower only when engine is shut off, and plug wire is disconnected.
- g. Keep mower in safe operational condition by having all guards in place and properly maintenance after each usage.
- h. Avoid areas where the public is at an unsafe distance from mower operation.

Always be alert to any potential dangers and use common sense and good judgment when operating any mower.

## 11. HAND TOOLS

ACCIDENT PREVENTION: We can prevent most hand tool accidents if you remember our basic rules:

- a. Select proper tool for the job.
- b. Be sure it's in good condition.
- c. Use it correctly.
- d. Return tools to the tool box at the end of each shift.

## 12. POWER TOOLS

SAFE POWER TOOL OPERATION: Power tools such as edgers and chainsaws present a far greater hazard than hand tools. The most frequent are cuts, punctures, and eye damage from flying particles. Most all power tool accidents are due to improper handling and poor maintenance.

- a. Be thoroughly familiar with any power tool before attempting to operate it.

- b. Wear the proper protective work clothing including goggles or face shields, gloves, work shoes and ear plugs.
- c. Use only the fuel that is recommended in the owner's manual.
- d. Make sure other employees, or the public, are a safe distance away from the operation (especially edging).
- e. Make adjustments or repairs to power tools only after the engine is shut off.
- f. Make sure that protective guards and devices are in place and operable.
- g. Do not attempt to operate any tool that is beyond your capacity or experience.

### 13. OPENING AND CLOSING GRAVES

#### GENERAL PROCEDURES

- a. Select the proper tools for digging and make sure they are in good condition (sod cutters, spade, shovel, pick, etc.).
- b. When possible, two (2) men should be assigned to open a grave. This will lessen the amount of fatigue on one man and reduce the possibility of strains.
- c. When opening or digging a double or triple depth grave, no persons will be allowed to enter the grave until the crypt or vault is installed.
- d. When digging with the backhoe, observe all heavy equipment safety precautions and make sure the backhoe is secured and balanced. Only qualified employees will operate the backhoe.
- e. Lowering devices and the placing of crypts or vaults require at least two (2) workers. The proper methods of lowering and carrying of heavy objects should be practiced at all times whether the graves are single, double or triple depth.
- f. The sole discretion of the (Name of Your District) Manager will determine whether or not a triple depth burial can be made. The decision will be based upon soil conditions and the location of the grave within the cemetery. (Adopted 1-9-2013)

### 14. FIRST AID

- a. When an accident results in an injury requiring medical attention, emergency first aid shall be rendered. If the nature of the injury is serious, contact the local paramedic unit.
- b. A District employee shall remain with the injured person until professional medical assistance arrives.
- c. First aid kits are available at each District Facility and will be kept fully stocked.
- d. A District employee will be trained and immediately available to provide first aid treatment. The employee must possess a current Red Cross (First Aid) Certificate.



15. GENERAL HEALTH PRECAUTIONS

It is important that good personal hygiene be exercised throughout all District facilities. Remember to wash your hands thoroughly prior to eating or drinking.

16. PENALTIES

When the occasion arises whereby established safety rules and practices are violated, appropriate penalties may be imposed. An investigation of the incident will be carried out by proper authorities to determine the degree of the safety infraction.

Examples of types of infractions include, but are not limited to, the following:

- a. Causing of injury to self and/or others.
- b. Misuse of District vehicles or equipment and failure to adhere to California Vehicle Code.
- c. Failure to heed District's posted caution and warning signs.
- d. Failure to report accidents or unsafe conditions.
- e. Reporting for work under the influence of drugs or alcohol, or the possession of drugs or alcohol on District premises.
- f. Any other action deemed detrimental to the health and well-being of a District employee or the public.

In addition to these General Safety Rules and Practices, employees are expected to adhere to safety and health rules unique to the area in which they work.

17. REPORTING PROCEDURES

a. ACCIDENTS & INJURIES

1. POLICY: After medical attention or first aid is provided, all injuries and accidents shall be promptly reported to the District Manager.

2. PROCEDURES: JOB RELATED ACCIDENTS / INJURIES

a. EMPLOYEE PROMPTLY REPORTS INJURY TO SITE SUPERVISOR

All employees should be aware that, with any serious injury, whether to an employee or the public, the first and immediate action is to render assistance to the injured and use the 911 emergency numbers to contact the paramedics.

For injuries to employees that are not considered serious but still require medical attention, the following procedure shall be adhered to:

1. Notify the District Office by phone, state the nature of the injury and the medical facility to be used.
2. Employee will complete employee's claim for Worker's Compensation Benefits form and submit to the District Office as soon as possible.
3. The District Manager is responsible for completing Worker's Compensation Report of Occupational Injury or Illness within five (5) working days.
4. If more information is needed, an Incident Report will be completed.

b. ACCIDENTS INVOLVING THE PUBLIC

1. Serious accidents requiring one or more emergency services such as fire, paramedic, law enforcement or tow trucks shall be responded to immediately by using the 911 emergency procedure.
2. Incidents resulting in personal injury to the public or damage to public property in which District personnel, property, vehicles or equipment are involved, must be reported in writing to the District Office. The site Supervisor shall be responsible for the completion of all written reports.

**F. PHYSICAL EXAMINATIONS**

In order to insure that District personnel are aware of their physical condition and are able to safely perform their job assignment, all employees will be given a medical examination prior to being accepted for full employment and upon termination of employment. The examination will be made during regular working hours, by the District designated physician, and at the expense of the District. Information compiled by the physician for the District shall be placed in the employee's file and shall be accessible to the employee. The physician will discuss the employee's physical condition with him in an effort to practice both preventative medicine and disclose any condition, which may have gone unnoticed. This information shall be recorded and made a part of the medical report given to the District and which is placed in the employee's file.

The following comprises a District physical:

Health History Questionnaire

Complete Physical Examination including:

Height; Weight; Blood Pressure; Pulse (with exercise) before and after exercise; Eyes: field of vision, extra ocular movements, pupils, Fundi; Ears: Tympanic membrane, Wax; Nose; Mouth; Throat; Dental Hygiene; Neck; Chest; Heart; Lungs; Abdomen & Viscera – Liver, Kidneys Spleen; External genitalia (men); Skin; Spine; Extremities; Lymph Nodes; Nervous System.

Hearing Test: Audiometer screening.

Radiological Studies: Back lumbar spine / chest.

Written report of examination.

## **G. HEARING CONSERVATION PROGRAM**

Reference (a) California Industry Safety Orders, Title 8, Group 15, and Article 105, Enclosure (1) Equipment Safety Protection Requirements.

The District shall administer a continuing effective hearing conservation program in accordance with reference (a), to insure that employees are properly protected when exposed to noise levels which exceed 80 decibels. This program shall include:

### **1. AUDIOMETRIC TESTING**

- a. Testing of all foremen, maintenance personnel and mechanics currently employed by the District to establish a baseline audiogram against which subsequent audiograms can be compared.
- b. Testing of newly employed full time foremen, maintenance personnel and mechanics at the time of hire to establish a baseline audiogram.
- c. Annually, and on termination of employment, obtain a new audiogram of all foremen, maintenance personnel and mechanics.

Each employee's annual audiogram shall be compared to that employee's baseline audiogram to determine if the audiogram is valid and if a standard threshold shift, as defined in Section 5097 (d) (8) of reference (a), has occurred.

### **2. HEARING PROTECTORS**

- a. The District shall make hearing protectors available to all employees exposed to an eight (8) hour time-weighted average of eighty (80) decibels or greater at no cost to the employee. Hearing protectors shall be replaced as necessary.
- b. Employees are required to wear hearing protectors while operating or exposed to noise from any equipment designated as requiring hearing protection.

### **3. TRAINING**

At least annually, all foremen, maintenance personnel and mechanics shall receive training as follows:

- a. The effects of noise on hearing
- b. The purpose of hearing protectors, the advantages, disadvantages, and attenuation of various types, and instruction on selection, fitting, use and care.
- c. The purpose of audiometric testing, and an explanation of the test procedures.
- d. Access to information and training materials.

### **4. RECORDKEEPING**

- a. The District shall maintain an accurate record of all employee exposure measurements required by Section 5097 (b) of reference (a).

- b. The District shall retain all employees audiograms obtained pursuant to Section 5097 (c) and (d) of reference (a). this record shall include:
  - 1. Name and job classification of the employee.
  - 2. Date of audiogram.
  - 3. The examiner's name.
  - 4. Date of the last acoustic or exhaustive calibration of the audiometer.
  - 5. Employee's most recent noise exposure assessment.
- c. The District shall maintain accurate records of the measurements required by Appendix C, Title 8 of the reference (a) of the background sound pressure levels in audiometric test room.
- d. The District shall retain records required in this section for at least the following periods.
  - 1. Noise exposure measurements records shall be retained for two (2) years.
  - 2. Audiometric test records shall be retained for the duration of the affected employee's employment.

All records required by this section shall be provided upon request of the employees, former employees and representatives designated by the individual employee.

**H. EQUIPMENT SAFETY PROTECTION REQUIREMENTS CHART**

EQUIPMENT	HEAD	EYE	HEARING TO NOISE*	MAX DAILY EXPOSURE
Air compressors (gas powered)	X		X	8.00 hrs.
Blowers (gas powered)	X	X	X	8.00 hrs.
Cement Mixer (gas powered)	X		X	8.00 hrs.
Edger (gas powered)	X	X	X	8.00 hrs.
Hydraulic Impact or	X	X	X	4.00 hrs.
Jack Hammer (air powered)	X	X	X	5.25 hrs.
Mowers	X		X	8.00 hrs.
Pump (gas powered)	X		X	8.00 hrs.
Saw, chain	X	X	X	5.25 hrs.
Sprayer (gas powered)	X		X	8.00 hrs.
Street Sweeper	X		X	8.00 hrs.
Tamper (air powered)	X		X	8.00 hrs.
Tractors	X		X	8.00 hrs.
Trencher	X		X	8.00 hrs.
Trimmer (gas powered)	X	X	X	8.00 hrs.
Weed eater (gas powered)	X	X	X	8.00 hrs.
Welder	X	X		8.00 hrs.
Any Equipment with Gas Powered Engine	X		X	8.00 hrs.

\*With Hearing Protection Provided by the District

## I. **TRAINING**

It has been said that 85% of all accidents are caused by unsafe acts of people, with the remaining 15% attributable to unsafe conditions within the workplace.

The District shall pursue a vigorous and ongoing training program which will insure that no employee be allowed to perform any task or operate any equipment without being properly trained and equipped.

### 1. Frequency

At a minimum the following training will be accomplished:

- a. Monthly – regular training session.
- b. As required – tailgate sessions at the jobsite, prior to starting task.

### 2. Recordkeeping

A written record of all training accomplished will be kept which shall contain:

- a. Name of trainer
- b. Subject of talk/presentation.
- c. Names of attendees.
- d. Length of session.
- e. Questions/difficulties discussed.

# (NAME OF YOUR DISTRICT)

## RULES & REGULATIONS

Adopted 03-12-2012

### RULES AND REGULATIONS

**A. DEFINITIONS** – As used in these Rules and Regulations, the following terms shall have the following meanings:

1. “Board” shall mean the Board of Trustees of the (Name of Your District).
2. “District” shall mean the (Name of Your District).
3. “Cemetery” shall mean the (Name of Your District) owned and operated by the District.
4. “Manager” shall mean the District Manager of the (Name of Your District).
5. “Interment” means the disposition of human remains by burial in a cemetery or, in the case of cremated remains, by inurnment, placement or burial in a cemetery.
6. “Commingling” means to “mix together with” or in other words to place the cremains with other cremains in the same place.
7. “Interment Right” means the authorization purchased from the District to inter human remains in the ground or niches, urns or other disposition.
8. “Plot” as used herein means the in ground burial space for the interment of human remains.
9. “Ossuaries” means the containers or receptacles, such as urns or vaults in a designated in-ground location for the interment of cremated remains.
10. “Owner” shall mean one who has purchased Interment Rights.
11. “Vases” shall mean receptacles intended for floral tributes and installed by the District flush to the ground or in the marker foundation.
12. “Markers” as used herein means any plaque, stone or other item used to mark the location of an interment or memorialize a person interred in the Cemetery, and shall include flat, pillow, upright and monument grave markers, as well as any plaque affixed to any post, niche, plate or elsewhere.

13. "Marker Foundation" shall mean a permanent cement foundation pad for the marker/headstone, where required.
14. "Base" shall mean what the marker resides or sets upon on the Marker Foundation.
15. "Niche" shall mean the receptacle or space in a wall or bank of spaces for the purpose of inurnment of cremated human remains.
16. "Niche Fascia or Niche Front" means the cover plate over the space that the cremated remains reside within.
17. "Niche Plate, Scroll Plate, or Staff Bar" shall mean the bronze marker on the fascia that designates the person who resides within the space.

**B. CARE OF GRAVES, NICHES, AND CEMETERY GROUNDS** – The absolute control of the Cemetery grounds in every particular is vested in the Board. Plot Owners, niche Owners, visitors and others are entitled only to such privileges within the grounds as are provided by these Rules and Regulations. Subject to the control of the Board, following are the rules regulating the general care of the graves, niches, and Cemetery grounds.

1. Interment Rights in the Cemetery are conveyed for interment purposes only.
2. The Cemetery gates shall be opened, daily, at 7:30 a.m. and closed at 7:30 p.m. or dusk. There is no admission to the grounds when the gates are closed.
3. Each day, the Cemetery will be examined by staff for possible dangerous conditions. The results will be noted in a written Inspection log. The log will include: (1) the date the inspection was performed; (2) the person(s) who performed the inspection (verified with their initials or signature); (3) the findings (if any) of the inspection; and (4) any action taken to remedy any conditions found and the date such action was completed. (Adopted 1-9-2013)
4. The (Name of Your District) is an old, historic cemetery, which may contain hazards such as tree roots, sunken areas, rodent holes, raised and lowered areas, coping surrounding plots, numerous grave Markers of many types and some well over 100 years old, and other potentially hazardous conditions. Possible hazardous conditions signage shall be posted. Every person entering onto the Cemetery shall be responsible for his or her own safety, and shall exercise due caution and care.
5. No animals, with the exception of guide or service dogs which must accompany their owners, are allowed in the Cemetery without permission from the Manager.
6. No person not employed by the District shall trespass on any plot of which he/she is not the Plot Owner. All persons shall confine themselves to the roadways, paths and other public places



provided for public use within the Cemetery grounds, except when accessing a particular Plot or Niche. All children must be under the control of an adult.

7. No person not employed by the District shall plant, maintain, or adorn any trees, shrubs, or flowers on the Cemetery grounds. If any tree, shrub, plant or vine situated on any plot shall by reason of roots, branches, height, shade or otherwise become detrimental or unsightly to adjacent plots, paths, streets or the Cemetery grounds, the Manager or any authorized District personnel may enter upon such plot and remove or trim such trees, shrubs, plants or vines as deemed necessary. Donations of trees are acceptable, but trees must be selected and planted by and under the direction of the Board.

8. No person not employed by the District shall remove any earth or in any way damage the Cemetery grounds or place or pour sand, gravel, rocks, cement or any metal of any kind in the vases, around the markers, the Plot or on the Cemetery property.

9. Flowers may be placed only in vases provided in the ground or Marker Foundations or, if not yet installed, in unbreakable containers placed at the head of the Plot. Not more than two (2) vases/containers shall be permitted on any one (1) in-ground plot. Flowers in such containers will be removed by District personnel as they become unsightly. Any flowers or items disposed by the Plot Owner should be placed in trash receptacles provided for that purpose throughout the Cemetery grounds. Unauthorized containers will be removed by the District personnel.

10. The Board reserves the right to remove from any Plot, Marker, Headstone, Monument or other structure, trees, flowers or plants (plastic or real), or other objects which may conflict with the Rules and Regulations, or which may be considered a safety hazard or maintenance obstruction to the grounds, lawns, plots, or person. Mylar balloons, pinwheels, shepherd's hooks, statuary, and trinkets are prohibited. Such items removed by the District personnel will be held for thirty (30) days and thereafter destroyed.

11. Regulations established by the Sacramento/Yolo Mosquito Vector Control District require that "Watersorb" be used in all vases for the purpose of mosquito control. It is available free at the District Office.

12. No person shall burn any material within the Cemetery grounds.

13. **OAK KNOLL CREMATION PLOTS** – This rule pertains only to the cremation Plots in the Oak Knoll section that have three-sided cinderblock walls. Above-ground containers are permitted with the following provisions: Containers must be made of metal, wood or hard plastic. No breakable containers are allowed. The vases and containers may have only artificial or live plants or flowers. The containers and contents must be confined entirely within the perimeter of the three (3) walls. The total height of the vases/containers and their contents shall not exceed that of the highest of the surrounding three (3) walls. Plots are limited to three (3) vases and three (3) pots/containers.

14. **NICHES**

- a. Block 47 and Block 48 decorations will be limited to the vases provided below and in front of the niche walls. Fresh or artificial flowers may be used. All decorations must be placed only in the vases provided. No decorations will be placed in the openings or spaces of the Niche Fascia. Nothing shall be glued or attached to the Niche Fascia other than the picture and Scroll Plate.
  - b. Oak Knoll Niche decorations are limited to the bud vase provided by and placed by the District. No other decorations are allowed.
15. The Board reserves the right to make improvements to any Plot, Niche, or to any public portion of the Cemetery grounds at any time at the cost of the District.

**C. MARKERS** – Subject to the Rules and Regulations set forth herein, and as they may be amended from time to time, grave Markers may be placed on interments in the (Name of Your District). Although such Markers, as well as their placement and installation, must conform to the Rules and Regulations of the District, the (Name of Your District) does not own or control any such Marker. **After burial, the ground may settle for up to a year. It is recommended that the marker is not placed during the first year. If it is placed during the first year and it repositions, the cemetery is not responsible for any damage as a result of placing the marker too soon after the interment. (Adopted 3/13/2013).** Accordingly, the (Name of Your District), its Trustees, Officers, Managers and Employees are not responsible for the loss or damage to any Marker, unless such loss or damage is the result of the negligence or misconduct of a Trustee, Officer, Manager or Employee of the District.

If a damaged Marker has been in place in the (Name of Your District) for 25 years, and if the District is unable to locate a family member responsible for the care and upkeep of the Marker the District may, at its sole discretion, elect to either repair or replace a damaged Marker.

The District reserves the right to repair, replace or remove any Marker that, in the sole discretion of the District, constitutes a potential threat to public safety.

The following regulations govern Markers in the Cemetery:

1. All Markers, Stones and Monuments must comply with the District's Marker Policy. All benches must have prior approval of the District Manager as to placement and safety. No curbing is allowed.
2. All Markers must be made only of granite, marble (Veterans Administration markers only), or standard bronze. Markers made of other materials are not permitted.
3. Placement of Markers must take place Monday through Friday 8:00 a.m. – 3:00 p.m. The person setting the Marker must be finished and depart the Cemetery grounds at or before 4:00 p.m. Any person or company working on Markers must notify the District Office prior to doing any work, and will not be permitted to perform any services on Cemetery grounds until proof of insurance, satisfactory to the District, has been provided.

4. All Markers shall be set in a four (4) inch thick concrete Marker Foundation, whose top surface is flush with the surrounding ground. A minimum of one (1) flower vase and a maximum of two (2) flower vases shall be set in each Marker Foundation, except that no vases are permitted on second or subsequent Markers. Only flush-with-the-ground vases are allowed with flush Markers, which must be placed on foundations that are set at sufficient below-ground depth to insure the Marker is flush with the ground.

5. The District Manager must be notified before the removal of any Marker.

6. The District is not liable for damage, theft, vandalism, or deterioration of Markers or benches.

**D. INTERMENTS**– Plot owners, Funeral Directors and other authorized persons shall comply with the following regulations in the use of plots for burial purposes.

1. Eligibility to purchase Interment Rights in the (Name of Your District) will be in compliance with the California Health & Safety Code sections 9060, 9061, and 9062.

2. All interment arrangements shall be conducted through the administration/business office of the (Name of Your District).

3. A record shall be kept of every interment showing the date the human remains were received, the date of interment, the name and age of the person interred (when these particulars can be conveniently obtained), and the Plot or Niche in which the interment was made.

4. No interment will be permitted in the Cemetery without an “Authorization for Interment Order” signed by an authorized member of the family of the deceased. If prior to his/her death, the decedent had signed custody of his/her remains to someone other than his/her family, then said custodian will sign the authorization. If the family requests the Funeral Director to make the interment arrangements, the family will fill out the authorization stating the services they wish the District to provide and the location of the grave they wish to use for the interment. In accordance with the California Health & Safety Code, Sections 7104 and 7111, if there are no known survivors or in the case of the indigent dead, the County Coroner will give the authorization. Interment orders must be signed by the person ordering burials before graves are opened.

5. The (Name of Your District) shall be given at least seventy-two (72) hours’ notice for a planned interment.

6. No more than eight (8) graves will be sold to any one individual.

7. No Plot Owner shall allow any interment to be made in his/her plot for remuneration. No interment right may be purchased for investment or speculation.

8. No services in connection with an interment will be made until all charges for such services, as fixed by the Board, have been paid in advance to the District.
9. All interments will be made after 9 a.m. and completed prior to 3 p.m. each weekday, except on Saturday, when interments must be completed prior to 2 p.m. An additional fee, as set by the Board, shall be charged for all Saturday interments, except those ordered by a public health officer.
10. No interment shall be made on Sunday or any of the following holidays: 1<sup>st</sup> of January, Martin Luther King, Jr.'s Birthday, Lincoln's Birthday, President's Day, Memorial Day, 4<sup>th</sup> of July, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Thanksgiving Friday and Christmas Day unless interment is ordered by a public health officer or in case of an extreme emergency. In that case, such basis is to be determined jointly by the District Manager and the Funeral Director. No Saturday burials will be made on holiday weekends.
11. The remains of the deceased shall be brought to the Cemetery in a closed casket or urn. A minimum container of a cloth covered wood casket with handles is required for all interments except for cremated remains. In some cases, when a person has been disinterred from another cemetery and will be re-interred in the District, and is in a container, this container must be an approved concrete, metal, or urn vault.
12. No opening or closing of a grave or the placement of any lawn crypt, vault, set up, or device shall be made by anyone except employees of the District.
13. At no time shall an employee of the District be allowed to open a casket.
14. Graves and niches:
  - a. All single adult graves shall be dug to a depth of five (5) feet at the center.
  - b. The lower tier of a double interment grave shall be dug to a depth of seven (7) feet at the center.
  - c. Infant graves for domed liners shall be dug to a depth of thirty-six (36) inches at the center.
  - d. Cremation sites shall be dug to a depth of twenty-four (24) inches.
  - e. No more than one (1) cremains will be permitted in a single cremains niche, and no more than two (2) cremains interments will be permitted in a cremains grave.
  - f. No more than two (2) full-size interments are allowed per grave.
15. Vaults of steel or concrete must be used for all full-body casket interments. **Please be advised that standard full-body caskets cannot exceed dimensions of 29" wide by 84" long by 25" high, including all handles, attachments and other decorative elements.** If a casket exceeds these

dimensions, (Name of Your District) must have no less than 72 hours' notice to install a vault that will accommodate larger caskets. There will also be an additional charge for larger vaults.

**Failure to provide at least 72 hours' notice of oversized caskets will result in the burial service being delayed.**

16. For interments of cremated remains, the vaults must be made of steel, concrete, fiberglass, or plastic. **No urn or other container may exceed total dimensions of 10" wide by 14" long by 11" high.**

17. Ossuaries

a. In the Oak Knoll Family Garden Ossuary, there can be no more than six (6) commingled family cremated remains.

b. The West Hill, Block 48 Ossuary is the designated location in the Cemetery for generalized interment of commingled cremated remains.

c. There is no possibility of retrieval or disinterment once the cremated remains have been commingled.

18. No grave shall be graded or mounded, and the top of the grave shall be level with the surrounding ground when the burial is fully settled.

19. Except when ordered by a Court, disinterments will be at the discretion of the Board. No disinterment will be made without a "Disinterment Form" signed by the person or persons who have the legal right to control the remains. When allowed, District personnel will open the grave and remove or open the vault. The District shall not be responsible for removal of the casket or for any damages to the vault, casket or remains.

20. The (Name of Your District) does not permit the interment of animal remains, unless interred with human remains. Animal remains will be permitted only if interred in the same grave, and within the accompanying deceased's casket or burial vault. All such animal remains must be contained within a separate container. Only cremated remains of animals will be permitted to be interred with human remains – whole body animal interments will not be permitted or accepted.

## **E. FEES AND CHARGES**

1. In accordance with California Health & Safety Code § 9068, the Board shall establish the prices at which Interment Rights shall be sold, the fees for the opening and closing of graves, the additional fees for performing such services other than during the normal times established by these Rules and Regulations, and the fees for all other services performed by the District in connection with the use of the Cemetery grounds. A schedule of the current fees is available at all reasonable hours in the business office of the District. (See Attachments E & F).

2. In accordance with California Health & Safety Code § 9061, non-resident fees shall be charged for the interment of a person who is not a resident of or paying taxes in the District at the time of death, but who is otherwise eligible for interment in a Cemetery of the District.

3. In accordance with California Health & Safety Code § 9065, the (Name of Your District) maintains an Endowment Care Fund, and is an “endowment care cemetery.” Section 9065 also requires the payment of a contribution to the Endowment Care Fund for each interment right sold. In accordance with California Health & Safety Code § 8738, the Board shall establish the amount to be paid by purchasers for deposit into the Endowment Care Fund. Such amount paid into the Endowment Care Fund is not refundable.

4. All fees must be paid in full prior to any interment, including the endowment fee. When the plot fee and the endowment care are paid in full, an Interment Rights Certificate, signed by the Board of Trustees, will be issued for every interment right sold.

**F. INTERMENT IN (NAME OF YOUR DISTRICT)** - In addition to the provisions established by the California Health & Safety Code for the operation of the District’s cemeteries, the following Rules and Regulations shall apply:

1. Interment in the District’s cemeteries shall be limited to residents and taxpayers of the District, and their family members, in accordance with the California Health & Safety Code § 9060, as the same now exists or may be hereafter amended.

2. “Family member” of a resident or taxpayer of the District is defined as any spouse, by marriage or otherwise, child or stepchild, by natural birth or adoption, parent, brother, sister, half-brother, half-sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin or any person denoted by the prefix “grand or great” or the spouse of any of these persons. (Cal. Health & Safety Code § 9002.)

3. Pursuant to California Health & Safety Code § 9061, a nonresident fee must be paid for the interment of any person otherwise qualifying for interment in a District cemetery but who is not a resident of the District at the time of death.

4. No interment right in any cemetery owned and operated by the (Name of Your District) shall be transferred or legal unless made in the office of, and signed by, the Trustees of the District.

5. The (Name of Your District) shall keep a record of the ownership of all interment rights in the Cemetery which have been conveyed by the Cemetery authority and of all transfers of such rights in the Cemetery. (Cal. Health & Safety Code § 9064.)

6. Transfer of any interment right shall be complete and effective when recorded on the books of the Cemetery authority.

7. Each purchaser of an Interment Right shall be issued a Certificate of Purchase. The interest acquired by such purchaser shall not be an interest in real property, but shall be simply the

revocable right granted to the Certificate holder to use said plot, or niche for interment purposes in accordance with these Rules and Regulations. An assignment may be made of Interment Rights by the purchaser to a Family Member of the purchaser's family, as defined in the California Health and Safety Code, which assignment will be recognized by the District, whether said assignment is made during the purchaser's life time or is made by will or device. The use of any such Interment Right shall be permitted only in accordance with the California Health & Safety Code. **In the event the owner of such Interment Right does not qualify for interment in the District's Cemetery or does not wish to use the plot or niche, such Interment Right may be transferred only to the District and not to any other person or entity. If a Certificate holder desires to sell his/her Interment Right to the District, the District will pay the holder the original purchase price, as near as can be determined, less any Endowment Care Fund deposit, if paid.**

**G. LIABILITY** – Please use caution when entering and using the Cemetery. The (Name of Your District), its Trustees and Employees, are not responsible for any injury or damage suffered by any persons, including children, while on Cemetery grounds. Every person entering the Cemetery does so at his or her own risk. The District or any of its Employees shall not be responsible for anything of moveable character that may be lost, stolen, or misplaced on Cemetery property.

**H. ALL RULES AND REGULATIONS** - Any previously adopted Rules and Regulations that are inconsistent with the foregoing are hereby repealed. The Board reserves the right of passing other Rules and Regulations, or amending these Rules and Regulations, at any time the occasion arises.

**PASSED, APPROVED AND ADOPTED** by the Board of Trustees of the (Name of Your District) in a regular meeting held at its regular place of meeting the **14th day of March, 2012.**