




VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: May 17, 2023

TO: LAFCo Commissioners

FROM: Kai Luoma, Executive Officer 

SUBJECT: Sphere of Influence Review:
 LAFCo 23-05S Bardsdale Cemetery District

Recommendations:

- A. Determine that the action to review the sphere of influence for the Bardsdale Cemetery District (BCD or District) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- B. Adopt Resolution LAFCo 23-05S (Attachment 2) making determinations and reviewing the sphere of influence for the District pursuant to Government Code Section 56425(g), including that a sphere of influence update is not necessary.

Background:

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.), the Commission was required to determine and adopt a sphere of influence (or “sphere”) for each city and special district on or before January 1, 2008. A sphere of influence is defined in Government Code Section 56076 as the probable physical boundary and service area of a local agency, as determined by the Commission. Every five years thereafter, the Commission must, as necessary, review and update each sphere of influence (Government Code Section 56425(g)).

In compliance with Government Code Section 56425(g), the Commission accepted a Municipal Service Review (MSR) report on May 16, 2007, for the District, entitled *Municipal Service Review – Cemetery Districts*.

LAFCo’s past sphere of influence reviews resulted in modifications of (i.e., updates to) the sphere in 2007, and reviews without modification in 2012 and 2017.

COMMISSIONERS AND STAFF

COUNTY	CITY	DISTRICT	PUBLIC
Jeff Gorell	Jenny Crosswhite, Vice-Chair	Raul Avila	Pat Richards, Chair
Janice S. Parvin <i>Alternate</i>	John C. Zaragoza <i>Alternate</i>	Mary Anne Rooney <i>Alternate</i>	<i>Alternate</i>
Matt LaVere	Susan Santangelo	Mohammed A. Hasan	David J. Ross
Executive Officer Kai Luoma	Deputy Executive Officer Andrea Ozdy	Office Manager/Clerk Richelle Beltran	Legal Counsel Jeffrey Barnes

Discussion:

District Information

The District owns and operates the Bardsdale Cemetery and offers burial and other related services to the City of Fillmore, the unincorporated community of Bardsdale south of the City, and surrounding unincorporated areas. A 5-member board of trustees governs the District. The District's sphere of influence covers approximately 39,327 acres (about 61.5 square miles), and its jurisdictional area covers approximately 73,662 acres (about 115 square miles) (Attachment 1).

Sphere of Influence Evaluation

A sphere of influence update is defined in Section 4.1.2(b) of the Ventura LAFCo Commissioner's Handbook as "a comprehensive review and modification of a sphere of influence that is not associated with a concurrent proposal for a change of organization or an out of agency service agreement."

Based on the work plan established by the Commission, review/update of the District's sphere of influence was to be initiated during 2022. LAFCo staff consulted with District staff to discuss the sphere of influence, and to determine: (1) if the District has experienced any changes to its service needs or areas since LAFCo's most recent evaluation of its sphere of influence, and (2) if the District staff anticipates any service changes that would warrant adjustment of the sphere boundaries.

The following discussion includes a summary of Commission actions regarding sphere of influence reviews/updates pertaining to the District. The existing sphere of influence boundary continues to reflect the District's current and probable service area. Therefore, no changes to the sphere of influence for the District are recommended.

On September 19, 2007 (consistent with LAFCo's May 16, 2007, MSR prepared for the District), the Commission updated the District's sphere of influence to remove territory located within the Los Padres National Forest and nearby lands owned by the federal government. The District was not providing service to this area. On January 18, 2012, and November 15, 2017, LAFCo reviewed (but made no updates to) the District's sphere of influence.

Written Determinations

Government Code Section 56425(e) requires that, in determining the sphere of influence of an agency, the Commission consider and prepare a written statement of its determinations with respect to each of the following:

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* (Section 56425(e)(1))

The District's sphere of influence consists of a range of uses, including urban development within the City of Fillmore, as well as unincorporated agricultural and open space land outside the City.

- (2) *The present and probable need for public facilities and services in the area.* (Section 56425(e)(2))

The District owns and operates the Bardsdale Cemetery and offers burial and other related services to the City of Fillmore, the unincorporated community of Bardsdale south of the City, and surrounding unincorporated areas. The District's sphere of influence consists of a range of uses, including urban development within the City of Fillmore, as well as unincorporated agricultural and open space land outside the City. The existing need for District services will remain, with continued demand for services expected.

- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* (Section 56425(e)(3))

The District recently completed construction of two additional above-ground vaults, for a total of three, providing additional capacity for cremation burials. In addition, the District owns approximately two acres of undeveloped land abutting the cemetery allowing for additional burial capacity should it become necessary. It appears that the District has the ability to continue to provide services within its service area and sphere of influence, and additional demands would not adversely impact the present capacity of public facilities and adequacy of public services that the District 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.* (Section 56425(e)(4))

The District's sphere of influence does not include territory that is known to be a community of interest. No disadvantaged unincorporated communities (defined in Government Code Section 56033.5 as communities having an annual median household income that is less than 80 percent of the statewide annual median household income), are located within or contiguous to the District's sphere of influence.

- (5) *For an update of a sphere of influence 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.* (Section 56425(e)(5))

The review of the District's sphere of influence is not considered an update (i.e., a modification) to the sphere. Additionally, no disadvantaged unincorporated communities are located within or contiguous to the District's sphere of influence.

California Environmental Quality Act (CEQA)

A project is defined in CEQA Section 21065, in part, as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." Staff recommends that the Commission find that the review of the District's sphere of influence is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, because "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." No change in regulation, land use, or development will occur as a result of the recommended sphere of influence review.

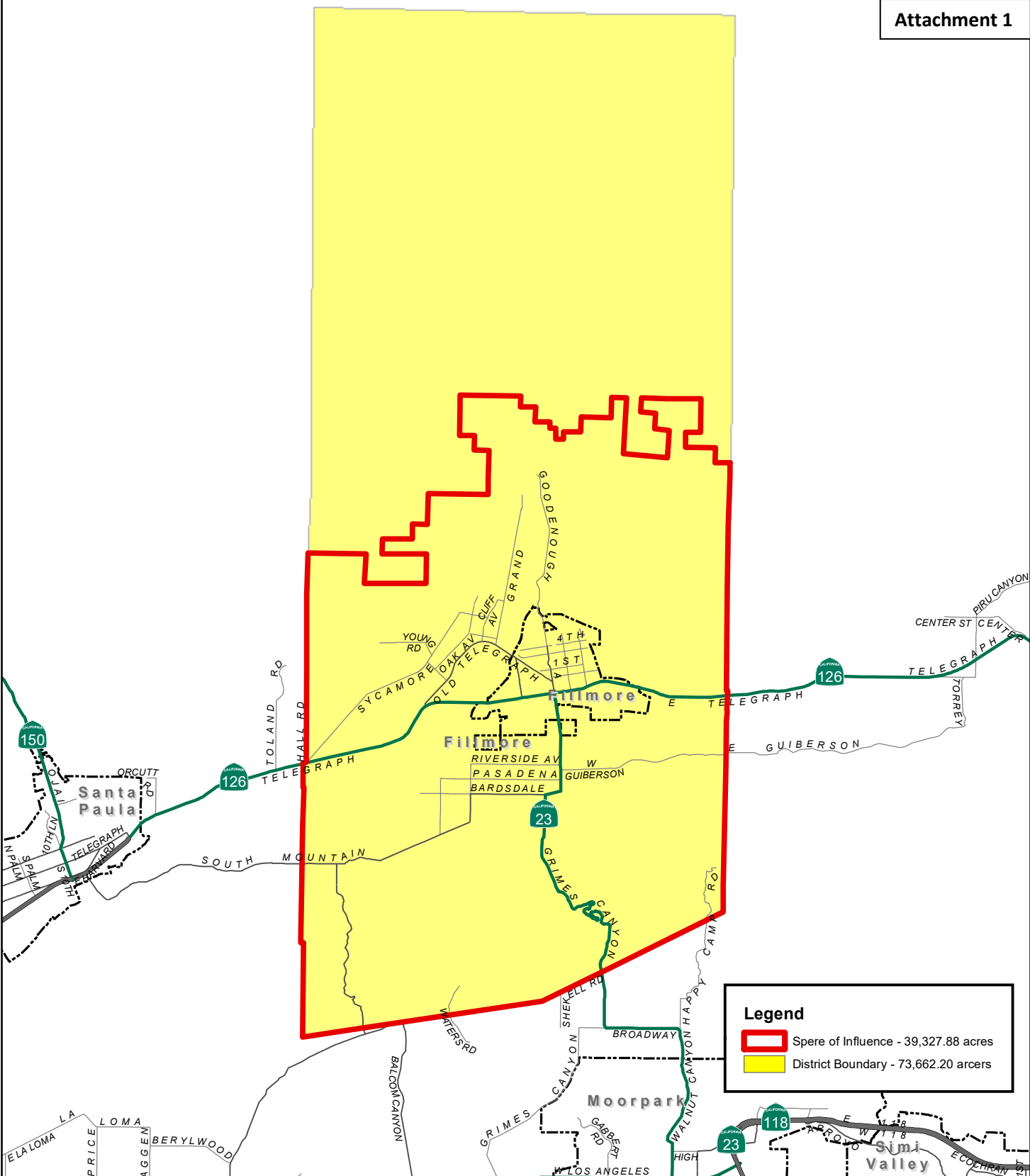
Notice of Public Hearing

This matter has been noticed as a public hearing pursuant to Government Code Section 56427. Additionally, all affected agencies have been notified of the public hearing.

Attachments:

1. Existing Sphere of Influence Map for Bardsdale Cemetery District
2. LAFCo 23-05S Resolution

LAFCo makes every effort to offer legible map files with the online and printed versions of our reports; however, occasionally the need to reduce oversize original maps and/or other technological/software factors can compromise readability. Original maps are available for viewing at the LAFCo office by request.



Legend

- Sphere of Influence - 39,327.88 acres
- District Boundary - 73,662.20 acres

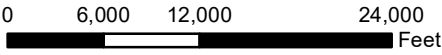
Ventura LAFCO

Bardsdale Cemetery District

As Reviewed by the Ventura LAFCo on November 15, 2017

State Plane Coordinate System California Zone V - NAD 27
This map was compiled from records and computations

Published: December 2017



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WARNING: The information contained hereon was created by the Ventura County Geographic Information System (GIS), which is designed and operated solely for the convenience of the County and related contract entities. The County does not warrant the accuracy of this information, and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.

LAFCO 23-05S

**RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND REVIEWING
THE SPHERE OF INFLUENCE FOR THE BARSDALE CEMETERY
DISTRICT**

WHEREAS, Government Code § 56425 et seq. requires the Local Agency Formation Commission (LAFCo or Commission) to develop and determine the sphere of influence of each local governmental agency within the County; and

WHEREAS, Government Code § 56425(g) requires that on or before January 1, 2008, and every five years thereafter, the Commission shall, as necessary, review and update the sphere of influence of each city and special district; and

WHEREAS, the Commission accepted the Municipal Service Review (MSR) report for the District dated May 16, 2007.

WHEREAS, the Commission updated (i.e., modified) the sphere of influence for the Bardsdale Cemetery District (BCD or District) in 2017, and reviewed (i.e., made no changes to) the sphere of influence in 2012 and 2017;

WHEREAS, the Commission desires to review the sphere of influence for the District; and

WHEREAS, no change in regulation, land use, or development will occur as a result of reviewing the sphere of influence for the District; and

WHEREAS, at the times and in the manner required by law, the LAFCo Executive Officer gave notice of the consideration of this item by the Commission; and

WHEREAS, the sphere of influence review item was duly considered at a public hearing on May 17, 2023, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed, and considered all oral and written testimony for and against the sphere of influence review including, but not limited to, the LAFCo Staff Report dated May 17, 2023, and recommendations; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Commission as follows:

- (1) The LAFCo Staff Report dated May 17, 2023, and recommended review of the sphere of influence for the District are adopted; and
- (2) The subject sphere of influence review is assigned the following distinctive short form designation:
LAFCO 23-05S BARSDALE CEMETERY DISTRICT SPHERE OF INFLUENCE REVIEW; and
- (3) An update (modification) to the sphere of influence for the District is not necessary; and
- (4) The sphere of influence review for the District is exempt from the California Environmental Quality Act (CEQA) pursuant to § 15061(b)(3) of the CEQA Guidelines, and LAFCo staff is directed to file a Notice of Exemption as the lead agency pursuant to § 15062 of the CEQA Guidelines; and
- (5) The Commission has considered the criteria set forth in Government Code § 56425(e) and determines as follows:

a. *The present and planned land uses in the area, including agricultural and open-space lands. (§ 56425(e)(1))*

The District's sphere of influence consists of a range of uses, including urban development within the City of Fillmore, as well as unincorporated agricultural and open space land outside the City.

b. *The present and probable need for public facilities and services in the area. (§ 56425(e)(2))*

The District owns and operates the Bardsdale Cemetery and offers burial and other related services to the City of Fillmore, the unincorporated community of Bardsdale south of the City, and surrounding unincorporated areas. The District's sphere of influence consists of a range of uses, including urban development within the City of Fillmore, as well as unincorporated agricultural and open space land outside the City.

c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide. (§ 56425(e)(3))*

The District recently completed construction of two additional above-ground vaults, for a total of three, providing additional capacity for cremation burials. In addition, the District owns approximately two acres of undeveloped land abutting the cemetery allowing for additional burial capacity should it become necessary. It appears that the District has the ability to continue to provide services within its service area and sphere of influence, and continued demand would not adversely impact the present capacity of public facilities and adequacy of public services that the District provides or is authorized to provide.

d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency. (§ 56425(e)(4))*

The District's sphere of influence does not include territory that is known to be a community of interest. No disadvantaged unincorporated communities (defined in Government Code Section 56033.5 as communities having an annual median household income that is less than 80 percent of the statewide annual median household income), are located within or contiguous to the District's sphere of influence.

e. *For an update of a sphere of influence 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. (§ 56425(e)(5))*

The review of the District's sphere of influence is not considered an update (i.e., a modification) to the sphere. Additionally, no disadvantaged unincorporated communities are located within or contiguous to the District's sphere of influence.

- (6) The sphere of influence for the District is hereby reviewed and is generally depicted in Exhibit A, "Bardsdale Cemetery District," attached hereto; and

- (7) LAFCo staff is directed to have the official Geographic Information System (GIS) sphere of influence data maintained for the Ventura LAFCo by the Ventura County Information Technology Services Department as the official sphere of influence record for the District updated consistent with this action.

This resolution was adopted on May 17, 2023.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Avila	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Crosswhite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Gorell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Richards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Rooney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Zaragoza	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Hasan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner LaVere	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ross	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Santangelo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5-17-23

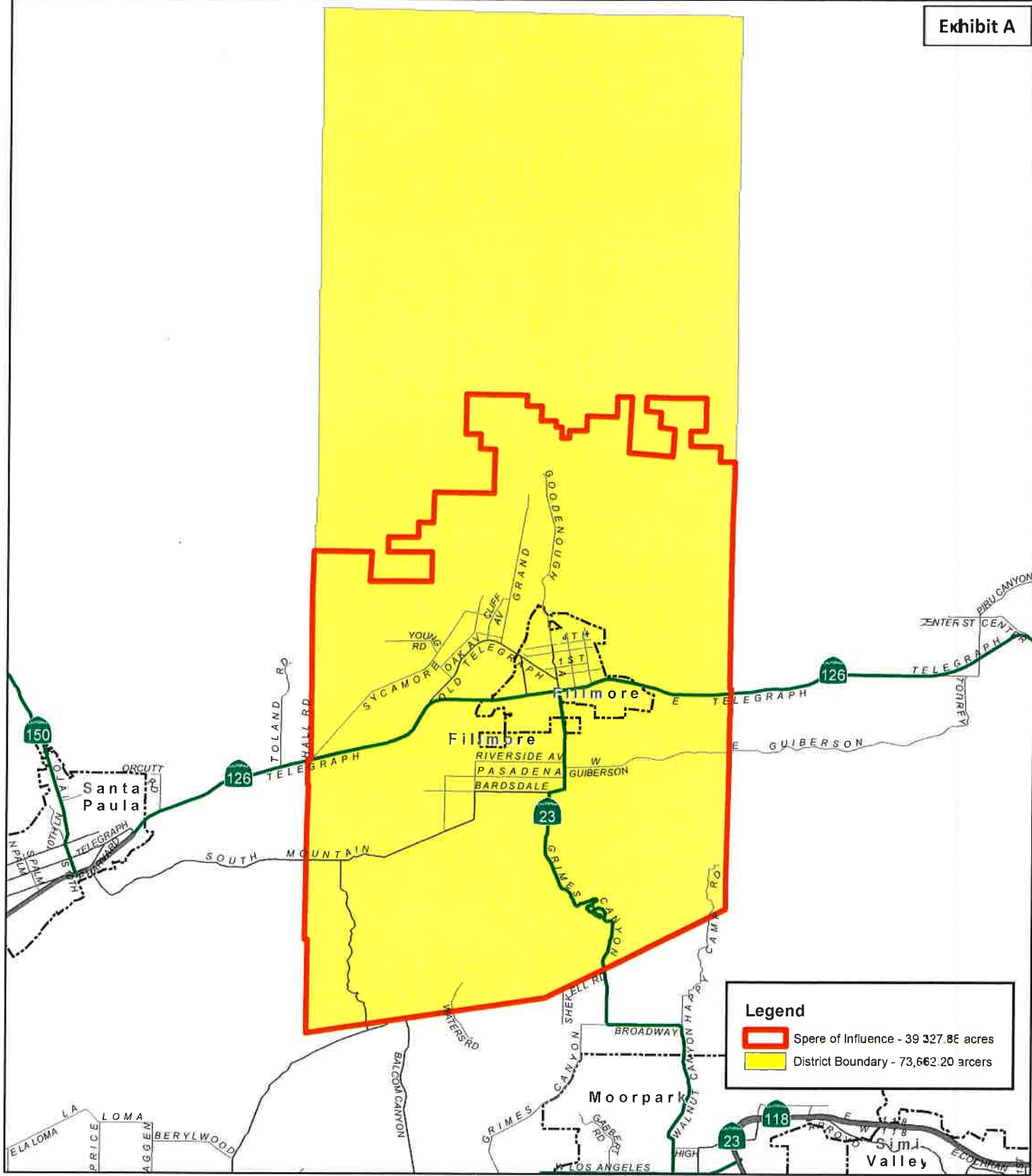
Date



Chair, Ventura Local Agency Formation Commission

Attachment: Exhibit A ,

c: Bardsdale Cemetery District
Ventura County Information Technology Services Department



Ventura LAFCO

Bardsdale Cemetery District

As Reviewed by the Ventura LAFCO on November 15, 2017

State Plane Coordinate System California Zone V - NAD 27

This map was compiled from records and computations

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