

RESOLUTION NUMBER L-2007-27**Update to the Happy Homestead Cemetery District
Sphere of Influence****LAFCO Project No. 2007-08-A****AMENDED**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the organization and reorganization of cities and special districts by local agency formation commissions established in each county, as defined and specified in Government Code Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and

WHEREAS, Section 56425 et seq. provides that the local agency formation commission in each county shall develop and determine the sphere of influence of each local governmental agency within the county, and enact policies designed to promote the logical and orderly development of areas within the spheres of influence, as more fully specified in Sections 56425 et seq.; and

WHEREAS, Section 56430 requires that local agency formation commissions conduct a municipal service review (MSR) prior to, or in conjunction with, consideration of actions to establish or update a sphere of influence (SOI) in accordance with Sections 56076 and 56425; and

WHEREAS, pursuant to Section 56430, in order to prepare and update spheres of influence, the Commission conducted a Public Cemetery Services Municipal Services Review and adopted a written statement of determinations on September 26, 2007; and

WHEREAS, the agencies reviewed were Happy Homestead Cemetery District, Kelsey Cemetery District, County Service Area 9 Zone 3, El Dorado County General Services and the City of Placerville; and

WHEREAS, the Executive Officer reviewed the sphere of influence update pursuant to the California Environmental Quality Act (CEQA), and recommended that the project is exempt from CEQA under Section 15061(b)(3) because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA, and, based thereon, the Executive Officer prepared a Notice of Exemption; and

WHEREAS, the Executive Officer set a public hearing for September 26, 2007 for consideration of the environmental review and the draft sphere of influence update

for Happy Homestead Cemetery District and caused notice thereof to be posted, published and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and

WHEREAS, on September 26, 2007 the draft sphere of influence update came on regularly for hearing before LAFCO, at the time and place specified in the Notice; and

WHEREAS, at said hearing, LAFCO reviewed and considered the draft sphere of influence, and the Executive Officer's Report and Recommendations; each of the policies, priorities and factors set forth in Government Code Section 56425 et seq.; LAFCO's Policies and Guidelines related to spheres of influence, starting with Policy 4.0; and all other matters presented as prescribed by law; and

WHEREAS, at that time, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony and other information concerning the proposal and all related matters; and

WHEREAS, the Commission received, heard, discussed, and considered all oral and written testimony related to the sphere update, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determinations and the service reviews; and

WHEREAS, pursuant to Government Code Section **56425(i)(2)**, the Commission does hereby establish the functions and classes of services provided by Happy Homestead Cemetery District as follows: public cemetery services; and

WHEREAS, the Commission does hereby make the following determinations regarding the proposal pursuant to Government Code Section 56425(e):

1. *The present and planned land uses in the area, including agricultural and open space lands.*

Present land use in the Happy Homestead Cemetery District (HHCD) area includes residential, recreational, commercial and tourist-related uses. Primary residential areas within HHCD tend to follow the major highways and roads that bisect the district. Growth and development potential is limited largely by TRPA regulations and there are not expected to be any substantial changes in the planned land use as a direct result of this review. There are no known development proposals expected to occur outside of the cemetery district boundary within the immediate vicinity that may require a future amendment to the HHCD sphere of influence.

2. *The present and probable need for public facilities and services in the area.*

Presently, there are approximately 30,500 people in the HHCD service area based on projections by the TRPA and population estimates from the Meeks Bay Fire Protection District. If the projected growth rate continues as is, HHCD could be serving 33,550 residents by 2025.

HHCD is the only known cemetery service provider, public or private, in the El Dorado County portion of the Tahoe Basin; the nearest active cemeteries are located in Placer County or in the State of Nevada. Although the Tahoe Basin population increase is not projected to be as significant as the increase in the Western Slope, given the lack of cemetery facilities in this isolated region, it is reasonable to assume that people from outside the district may rely on HHCD for cemetery facilities because that is the only option available to them. Therefore, the number of residents utilizing the public cemetery services in the area could be larger than its service boundaries suggest. However, because of the high percentage of vacation homes in the Tahoe Basin, the population base for the district could be less than the above numbers indicate.

3. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

HHCD appears to provide exceptional public cemetery services that are funded primarily through property taxes and direct service charges to customers. Happy Homestead Cemetery currently has approximately 3,000 occupied plots and niches and 4,000 available for purchase. In addition, HHCD has taken proactive measures such as installing retaining walls that serve dual purposes as niche spaces and contemplating the purchase of additional land to ensure interment capacity can keep up with future demand.

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.*

In addition to the City of South Lake Tahoe, HHCD serves multiple distinct communities including Fallen Leaf Lake, Meyers, Phillips, Twin Bridges, Strawberry and Kirkwood. The City of South Lake Tahoe is the primary concentrated, social or economic community of interest that is within the district. Due to TRPA land use regulations, these communities' populations are expected to remain relatively stable.

NOW, THEREFORE BE IT HEREBY RESOLVED, DETERMINED, ORDERED AND FOUND:

Section 1. Each of the foregoing recitals is true and correct.

Section 2. The Notice of Exemption prepared by the Executive Officer is approved as the appropriate environmental document for this project.

Section 3. The update to the Happy Homestead Cemetery District's Sphere of Influence to affirm the current sphere is orderly, logical and justifiable.

Section 4. The Executive Officer is directed to file a Notice of Exemption under Section 15061(b)(3) in compliance with the California Environmental Quality Act and local ordinances implementing the same.

Section 5. The Happy Homestead Cemetery District's sphere of influence is updated to affirm its current sphere as shown on the attached map, marked Exhibit A, attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held September 26, 2007 by the following vote of said Commission.

AYES: Long, Loftis, Briggs, Cooper,
Hagen, Norris, Sweeney

NOES: None

ABSTENTIONS: None

ABSENT: None

ATTEST:



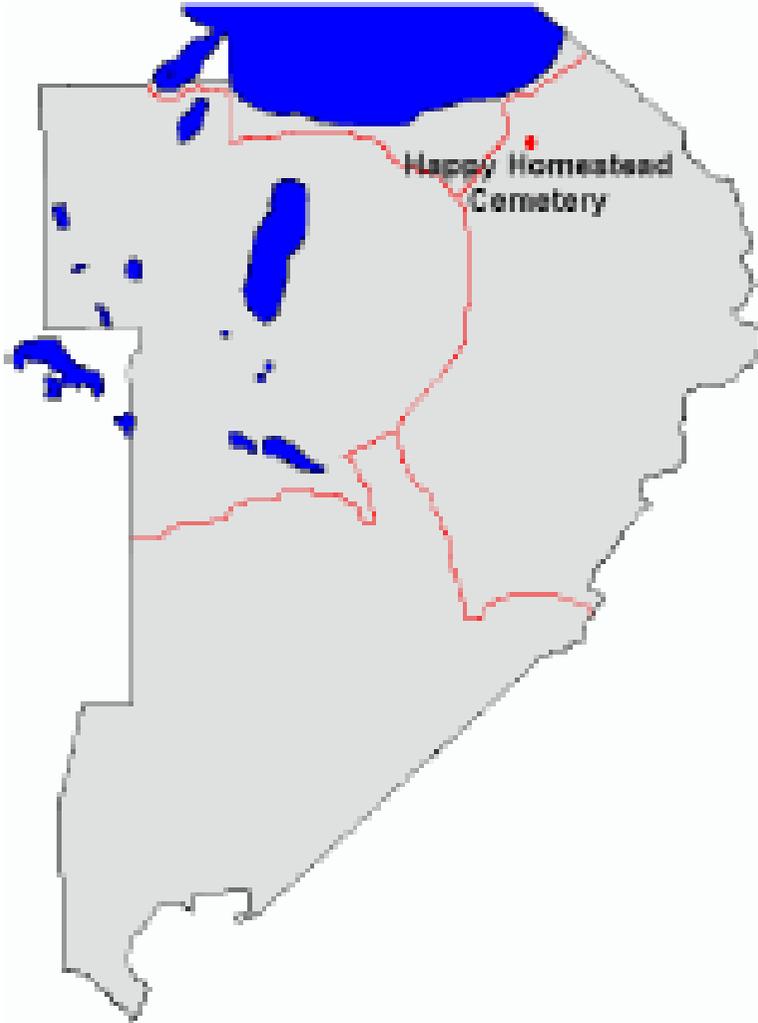
Clerk to the Commission



Chairperson

APPROVED

EXHIBIT A



Happy Homestead Cemetery District

■ Current & proposed sphere of influence (coterminous with district boundaries)

