LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Political Subdivision of the State of California

We Manage Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

POPE VALLEY CEMETERY DISTRICT

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE CHECKLIST

June 2016

AGENCY PROFILE

OVERVIEW

The Pope Valley Cemetery District (PVCD) was formed in 1969. PVCD is an independent special district governed by local residents serving as the Board of Trustees. PVCD owns and operates the Pope Valley Cemetery and provides interment services for property owners and residents within the District. PVCD is entirely staffed by volunteers. PVCD currently has an annual operating budget of $1,000 with $4,500 in reserves and an estimated resident service population of 1,118.

BACKGROUND

PVCD was formed in 1969 to assume ownership and control of the privately operated Pope Valley Cemetery. The cemetery was created in 1897 and remains at its original location northeast of the intersection of Barnett and Chiles-Pope Valley Roads. PVCD's formation proceedings were petitioned by local residents after an approximate 30 year period in which the former private proprietors of the cemetery ceased operating. PVCD is located in north central Napa County and includes the unincorporated communities of Berryessa Estates and Pope Valley. Land uses within PVCD's jurisdictional boundary generally consist of agricultural, open-space, and rural residential. Limited commercial and recreational land uses are also present in Pope Valley and include a general store, post office, and a nine-hole public golf course.

ADOPTED BOUNDARIES

PVCD's jurisdictional boundary comprises approximately 66,517 acres or 104 square miles and includes 1,041 assessor parcels. No changes have been made to the jurisdictional boundary since PVCD's formation. PVCD's sphere of influence comprises approximately 83,982 acres or 131 square miles. The sphere was established by the Commission in 1985 and includes the majority of PVCD's jurisdictional boundary along with unincorporated lands extending south into Chiles Valley as well as east towards Putah Creek. In October 2008, the Commission updated the spheres for PVCD and the Monticello Public Cemetery District to provide more consistent alignment with each of the Districts' jurisdictional boundaries. The 2008 update resulted in the Commission adding 6,116 acres located within the Livermore Ranch, Angwin, and Knoxville-Berryessa Road areas to PVCD's sphere as well as removing 904 acres located immediately outside Berryessa Estates from the District's sphere. A map of PVCD's current jurisdictional boundary and sphere of influence is included as **Appendix A**.

GROWTH AND POPULATION ESTIMATES

There are no specific population counts within PVCD's jurisdictional boundary. However, a review of data collected by the United States Census identifies portions of Tracts 2017, 2018, and 2019 collectively cover PVCD's jurisdictional boundary. For the purpose of this municipal service review, LAFCO assumes PVCD's jurisdictional boundary represents 25% of the resident population in Tract 2018 as well as 10% of the resident populations in Tracts 2017 and 2019. LAFCO also assumes future population growth in PVCD will be consistent with the Association of Bay Area Governments projected annual growth rate in unincorporated Napa County of 0.6% over the next 20 years. It is anticipated the majority of new growth and development within PVCD's jurisdictional boundary will occur in Berryessa Estates. Based on these assumptions, LAFCO estimates PVCD's current resident service population is 1,118. The table below estimates recent and future population counts within PVCD.

Resident Service Population Estimates for PVCD
(Estimates calculated by LAFCO)

2015	2020	2025	2030	2035
1,118	1,152	1,187	1,223	1,260

GOVERNANCE

PVCD operates under California Health and Safety Code Sections 9000 et seq., which is known as the Public Cemetery District Law. This law was originally enacted in 1909 and comprehensively rewritten in 2004. The law empowers PVCD to own, operate, and maintain cemeteries within its jurisdictional boundary. PVCD is authorized to provide interment services to District residents and property owners. Elections are based on a registered resident-voter system.

At the time of its formation, PVCD was organized as an independent special district with its own three-member board of trustees appointed by the County Board of Supervisors. While PVCD continues to operate as an independent special district, it appears that the three current trustees have simply inherited their positions as opposed to formal appointment by the Board of Supervisors. Meetings are calendared as needed.

ADMINISTRATION

PVCD's administration is the principal responsibility of a volunteer District Manager. Key duties of the District Manager include keeping records, responding to public inquiries, and providing general maintenance of the cemetery. The District Manager is also responsible for organizing an annual cemetery cleanup and barbeque.

MUNICIPAL SERVICES

As mentioned, PVCD owns, operates, and maintains the Pope Valley Cemetery. The cemetery is approximately 1.54 acres in size and located along a private 0.6 mile section of Barnett Road northeast of its intersection with Chiles Pope Valley Road. PVCD offers burial plots for sale to only residents and property owners in the District. The current burial plot fee is $1,500. PVCD coordinates with funeral homes in providing interment services. The most recent interment was in November 2014.

PVCD reports there are a total of 343 plots in the cemetery. Of this amount, 62 plots remain available for purchase. All but one of the available plots is located in the newest portion of the cemetery, which was divided into rows by the District Manager. Sufficient ground remains within the fenced area for additional plots. This expansion of the cemetery ensures PVCD has adequate ground capacity to meet future service demands within the timeframe of this review.

FINANCIAL

Although it monitors revenues and expenditures, PVCD has not established a formal budget process. PVCD' practiced budget process is generally limited to reconciling the District's checking account as needed. Expected revenues and expenditures for 2015-2016 follows:

Revenues	
Cemetery Plot Sales	$2,425
Total Revenue	$2,425
Expenditures	
Insurance	$485
Post Office Box	$58
Ground Maintenance	$60
Plot Development	$0
Total Expenditures	$603

PVCD began 2015-2016 with $9,795 in its checking account. Additionally, the County of Napa maintains a special expense account for PVCD for improvement grants that has a current balance of $276. Consistent with a previous recommendation from the Commission's 2008 Comprehensive Cemetery District Municipal Service Review, PVCD increased its burial fee in 2015 and the District reports it will consider a subsequent burial fee increase in 2017.

PVCD's expenditures are limited and relate entirely to supplies and services. Given the stagnant level of services, it is not expected that PVCD will experience a measurable increase in operating costs in the foreseeable future. PVCD's ability to cover its operating costs is dependent on plot sales. Property tax revenues are not available to PVCD because the District set its tax rate at zero in 1977-1978. This tax rate was frozen one year later as a result of Proposition 13.

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?	☐	☐	☒
b) Will population changes have an impact on the subject agency's service needs and demands?	☐	☐	☒
c) Will projected growth require a change in the agency's service boundary?	☐	☐	☒

Discussion:

PVCD's jurisdictional boundary is approximately 66,517 acres and encompasses unincorporated lands located in north central Napa County. PVCD's sphere of influence is approximately 83,982 acres. Existing and planned urban uses within PVCD are limited and primarily involve the unincorporated communities of Berryessa Estates and Pope Valley. It is anticipated the majority of new growth and development within PVCD's jurisdictional boundary will occur in Berryessa Estates. However, due to a variety of factors relating to building regulations and infrastructure constraints, it is unlikely Berryessa Estates will be built-out within the foreseeable future.

Determinations:

1. The Pope Valley Cemetery District has an estimated resident service population of 1,118. It is expected the District will experience modest population growth over the next five years at an average annual rate of 0.6%.

2. It is expected the majority of new growth and population within the Pope Valley Cemetery District will occur in the unincorporated community of Berryessa Estates. If developed to build-out, it is anticipated Berryessa Estates will add another 300 residents to the District.

2. 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?	☐	☐	☒
b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?	☐	☐	☒
c) Are there any concerns regarding public services provided by the agency being considered adequate?	☐	☐	☒
d) Are there any significant infrastructure needs or deficiencies to be addressed?	☐	☐	☒
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	☐	☐	☒
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?	☐	☐	☒

Discussion:

PVCD's infrastructure system is sufficient given the basic level of public interment services provided. PVCD has sufficient burial plot capacity to meet present and future service demands.

Determinations:

1. The Pope Valley Cemetery District's infrastructure system is minimal and reflects the rural level of public interment services provided by the District.

2. The Pope Valley Cemetery District has sufficient burial plot capacity to meet present and future service demands within the timeframe of this review.

3. The Pope Valley Cemetery District is dependent on volunteers to provide time and equipment in operating and maintaining the cemetery. There have been no issues in retaining a sufficient number of volunteers that would suggest the Pope Valley Cemetery District will experience a deficiency associated with its dependency on volunteers within the timeframe of this review.

4. There are no disadvantaged unincorporated communities located within or contiguous to PVCD's sphere of influence.

3. 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?	☐	☐	☒
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	☐	☒	☐
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?	☐	☐	☒
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	☐	☐	☒
e) Is improvement needed in the organization's financial policies to ensure its continued financial accountability and stability?	☐	☒	☐
f) Is the organization's debt at an unmanageable level?	☐	☐	☒

Discussion:

PVCD does not practice a formal annual budget process and does not have financial policies. Reserves are inadequate to protect against major unexpected events or upcoming significant costs. However, cemetery districts are generally not subject to major unexpected costs that other special districts are likely to experience due to differences in infrastructure and operational characteristics. Maintenance is performed on an as needed basis. PVCD increased its burial fee in 2015 and the District reports it will consider a subsequent burial fee increase in 2017. Please refer to the Agency Profile for additional information.

Determinations:

1. The Pope Valley Cemetery District's revenue base is limited to the sale of burial plots and does not provide sufficient operating funding to carry out the services of the District in a manner consistent with its principal act.

2. The decision by the Pope Valley Cemetery District to set its property tax rate to zero immediately prior to the enactment of Proposition 13 precludes the District from receiving any property tax revenues collected within its jurisdictional boundary. The lack of property tax revenues has created a significant financial constraint and has not been addressed by District in terms of developing new revenue streams, such as a special assessment.

3. The Pope Valley Cemetery District does not have sufficient reserves to provide long-term maintenance of the cemetery.

4. In accordance with its principal act, the Pope Valley Cemetery District should consider allowing eligible non-residents to purchase interment rights with the District to help generate needed revenues.

5. The Pope Valley Cemetery District enjoys measurable cost-savings as a result volunteers dedicating time and equipment to operate and maintain the cemetery.

4. SHARED SERVICES AND FACILITIES

Status of, and opportunities for, shared facilities.

	YES	MAYBE	NO
a) Is the agency currently sharing services or facilities with other organizations? If so, describe the status of such efforts.	☐	☐	☒
b) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	☐	☐	☒
c) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	☐	☐	☒
d) 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:

PVCD does not share services or facilities. There are no governance options that would address existing issues relating to services, facilities, or resources. Please refer to the Agency Profile for additional information.

Determinations:

1. The Pope Valley Cemetery District should evaluate whether there are any shared resource opportunities with private cemeteries within its jurisdictional boundary.

2. The Pope Valley Cemetery District interacts regularly with the local volunteer fire department along other various community organizations. These interactions help retain and direct volunteer community resources benefiting the District.

5. 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?	☐	☒	☐
b) Are there any issues with filling board vacancies and maintaining board members?	☐	☒	☐
c) Are there any issues with staff turnover or operational efficiencies?	☐	☐	☒
d) Is there a lack of regular audits, adopted budgets and public access to these documents?	☒	☐	☐
e) Is the agency involved in any Joint Powers Agreements/Authorities (JPAs)?	☐	☐	☒
f) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?	☐	☐	☒
g) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?	☐	☐	☒
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?	☐	☒	☐

Discussion:

PVCD operates under the Public Cemetery District Law, which empowers PVCD to own, operate, and maintain cemeteries within its jurisdictional boundary. PVCD is authorized to provide interment services to District residents and property owners. PVCD does not have a regular annual budget process, annual audits, or regular meetings that are accessible and well publicized. Elections are based on a registered resident-voter system. PVCD is an independent special district with its own three-member board of trustees appointed by the County Board of Supervisors. However, it appears that the three current trustees have simply inherited their positions as opposed to formal appointment by the Board of Supervisors. PVCD is not involved in any JPAs and there are no governance restructure options that would enhance services. Please refer to the Agency Profile for additional information.

Determinations:

1. The Pope Valley Cemetery District's principal act authorizes the County of Napa Board of Supervisors to appoint itself as the District's Board of Trustees. This restructuring may help to formalize the District's services and improve its solvency. The District and County should explore this government structure option.

2. Consolidating the Pope Valley Cemetery District with the adjacent Monticello Public Cemetery District does not appear appropriate given the sharp discrepancies in service levels and revenue sources existing between the two agencies.

3. The Pope Valley Cemetery District should establish adopted policies to help guide the efficient management and operation of the District.

4. The current Board of Trustees for the Pope Valley Cemetery District inherited their positions as opposed to formal appointment by the County of Napa Board of Supervisors. The District should make contact with the County to request formal appointments as required under its principal act.

5. The Pope Valley Cemetery District should begin meeting at regularly scheduled times no less than once every three months as required under its principal act. This would enhance the District's accountability by providing an opportunity for its constituents to ask questions of their appointed representatives while helping to ensure information is being effectively communicated in a timely manner.

6. The Pope Valley Cemetery District serves an important role in providing for the respectful and cost-effective interment of human remains for property owners and residents of the District.

6. 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?	☐	☐	☒

Discussion:

No other issues have been identified that can be resolved by the MSR/SOI process.

SPHERE OF INFLUENCE STUDY

It is recommended that the Commission affirm PVCD's existing sphere. Pursuant to Government Code Section 56425(e), the following statements have been prepared in support of the recommendation:

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

   The present and planned land uses in the sphere are contemplated under the County General Plan. The County General Plan and supporting zoning ordinances help ensure the majority of land within the sphere will remain rural and support agricultural and open-space uses. Existing and planned urban uses are limited and primarily direct to unincorporated communities of Berryessa Estates and Pope Valley. These present and planned land uses are compatible and supported by PVCD's public interment services.

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

   PVCD serves an important role in addressing the present and probable need for the respectful and cost-efficient interment of human remains for property owners and residents within the sphere.

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

   PVCD has sufficient infrastructure capacities in terms of available burial plots, but lacks adequate administrative controls and funding streams. These deficiencies must be addressed by PVCD to help ensure it has sufficient resources to provide adequate public interment services within the sphere.

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.**

   PVCD has established distinct social interdependencies within the sphere. The sphere facilitates the orderly and logical development of the District in a manner that advantageously provides for the present and future needs of the community.

APPENDIX A

Pope Valley Cemetery District

Legend

- Pope Valley Cemetery District
- Pope Valley Cemetery District Sphere of Influence

N

0 0.475 0.95 1.9 Miles

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