

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: JUNE 11, 2012

FROM: 
KATHLEEN ROLLINGS-McDONALD, Executive Officer
MICHAEL TUERPE, Project Manager

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: **AGENDA ITEM #8A: LAFCO Staff Request for Reconsideration of LAFCO 3152 - Service Review and Sphere of Influence Update for Twentynine Palms Public Cemetery District**

RECOMMENDATION:

Staff recommends that the Commission take the following actions:

1. Approve reconsideration of LAFCO 3152 based upon information received from the District; and,
2. Continue the matter to the August 15, 2012 hearing.

BACKGROUND:

At the May 16 hearing, the Commission considered the service review/sphere of influence update for the Twentynine Palms Cemetery District. The actions of the Commission included the following:

- Adoption of a zero sphere of influence based upon financial and operational issues identified in the report and at the hearing;
- Modifications to the service description of its authorized Cemetery function;
- Conditions requiring ongoing reporting to LAFCO;
- Direction to LAFCO staff to submit the Commission's determinations to the Grand Jury and District Attorney Public Integrity Unit; and
- Continue the adoption of the resolution to the June 20 hearing.

Additionally, staff identified that should the District's governance practices or financial position not improve, LAFCO staff will return to the Commission with a request for an immediate service review with the recommendation for an alternative governance structure.

Following the hearing, LAFCO staff notified the District of the Commission's determinations as well as the previously requested items that remained outstanding. Since that time, the District has been making an effort to finally respond to our questions in order that LAFCO staff can provide a complete service review. The only remaining item is receipt of the District's audits. The District has notified LAFCO staff that its auditor estimates that the audits will be available on June 20, the day of this LAFCO hearing.

Based upon the impending completion of the Audits requested by LAFCO staff for the past two fiscal years and the submission of supplemental information from the District, staff is recommending that the Commission reconsider its determinations for LAFCO 3152. Reconsideration, as authorized by Government Code Section 56895, will allow for reopening the public hearing for further discussion of the service review factors and sphere of influence update. With key portions of the service review that were missing being provided coupled with the imminent release of that missing information on the audits and budgets, staff is recommending that this item be continued to the August 15 hearing in order to finalize a proper and complete service review.

Staff will be happy to answer any questions prior to or at the hearing.

KRM/MT