

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # 9:10 a.m.

Urgent

Routine

AGENDA DATE February 9, 2016

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Public Hearing to Consider the Expansion of the Knights Ferry Cemetery District Board of Trustees from Three Members to Five Members

STAFF RECOMMENDATIONS:

Conduct the public hearing pursuant to Health and Safety Code Section 9025 to consider the expansion of the Knights Ferry Cemetery District Board of Trustees from three members to five members.

FISCAL IMPACT:

There is no fiscal impact associated with the agenda item.

BOARD ACTION AS FOLLOWS:

No. 2016-85

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow
and approved by the following vote.

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:


CHRISTINE FERRARO TALLMAN, Clerk

File No. DC-01-11

Public Hearing to Consider the Expansion of the Knights Ferry Cemetery District Board of Trustees from Three Members to Five Members
Page 2

DISCUSSION:

In 1935, the land owners in the Knights Ferry area petitioned the Stanislaus County Board of Supervisors to form a Public Cemetery District in their community. After holding a noticed public hearing on January 14, 1936, regarding the formation of the Knights Ferry Cemetery District, the Board of Supervisors ordered a special election be held to determine whether the Cemetery District should be created. The formation election was held on February 7, 1936. The results of the election were 39 votes in favor of forming the District and there were no votes in opposition. On February 10, 1936, the Board of Supervisors did find and declared that a majority of the land owners favored the formation of the Knights Ferry Cemetery District. The Board of Supervisors established the cemetery district and appointed three Trustees to the Cemetery District.

On December 1, 2015, the Knights Ferry Cemetery District Board of Trustees approved a resolution requesting the Stanislaus County Board of Supervisors to expand the Knights Ferry Cemetery District Board of Trustees from three members to five members. On January 26, 2016, the Board of Supervisor set a public hearing to consider the matter of expanding the membership of the Cemetery District per the California Health and Safety Code Section 9025. This code section states that the Board of Supervisors shall within 60 days consider the resolution at a public meeting. The hearing shall be noticed at least 10 days prior to the meeting in at least one newspaper of general circulation within the jurisdiction of the District.

The Board of Supervisors shall receive and consider any written or oral comments regarding the resolution at the public hearing. After receiving and considering those comments, the Board may adopt a resolution that orders the increase in the number of members of the Board of Trustees for the Knights Ferry Cemetery District from three members to five members. If the Board of Supervisors approves the increase in the membership of the Knights Ferry Board of Trustees, the Clerk of the Board shall post the vacancies per the Maddy Act for 10 days. After the prescribed time the Board of Supervisors will consider the appointment of any qualified applicants to fill the vacancies on the Knights Ferry Board of Trustees.

POLICY ISSUE:

The Board of Supervisors has the authority to increase or decrease the number of members of the Board of Trustees for the Knights Ferry Cemetery District per the California Health and Safety Code Section 9025. This item comes under the Board of Supervisors' Priority for a Healthy Community.

Public Hearing to Consider the Expansion of the Knights Ferry Cemetery District Board
of Trustees from Three Members to Five Members
Page 3

STAFFING IMPACTS:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Christine Ferraro Tallman, Clerk of the Board of Supervisors Telephone: 209-525-4494

KNIGHTS FERRY CEMETERY DISTRICT

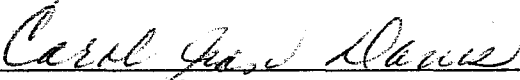
RESOLUTION #2015 - 1

WHEREAS, the Knights Ferry Cemetery District was established on February 10, 1936, and

WHEREAS, the Knights Ferry Cemetery District currently has 3 trustees on the Board

WHEREAS, the Knights Ferry Cemetery District voted to expand the Board to 5 trustees.

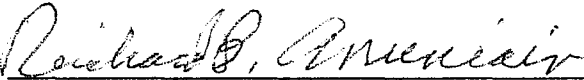
Upon motion by Carol Davis, seconded by Richard Muniain, the foregoing resolution was unanimously adopted this 1st day fo December 2015.



Carol Jean Davis



Lee Shearer



Richard B. Muniain