

**SOLANO COUNTY
CIVIL GRAND JURY**

SOLANO COUNTY PUBLIC CEMETERY DISTRICTS

July 1, 2024

Benicia, Vallejo, and several other private and national cemeteries in the county were out of the scope of our review.

The Solano County Cemetery Districts are single purpose special districts which have geographic boundaries. They are authorized to provide standard cemetery functions including burial services, opening and closing of graves, land acquisitions, and cemetery maintenance. Districts are granted powers to own, operate, improve, and maintain cemeteries within the requirements of California statutes and regulations.

III. STATEMENT OF FACTS

The County Board of Supervisors is required to appoint Board of Trustee members for their assigned cemetery districts. California Government Code section 1779 requires that trustee positions be filled within 90 days. Open positions are posted on the Solano County website. According to California Health and Safety Code section 9022 subdivision (a), Trustees must be registered voters in the District they represent. Cemetery Boards must have an odd number of members. The term of office for Cemetery District Trustees begins at noon on the first Monday in January.

The Civil Grand Jury of 2011-12 found discrepancies in filling Trustee vacancies and in term commencement dates, some which still exist. The 2023-24 Civil Grand Jury discovered that some of the Trustee positions were not filled within the required 90-day time frame. At the time of this report, one Trustee position was filled after being vacant for almost a year. A second Trustee position, in a different district, is still open and has been vacant for over two years. One appointed Trustee is not a registered voter within their assigned District.

All recent financial audits for Districts were conducted. No findings were reported in these audits.

Some of the Cemetery Districts are not fully compliant with requirements to post certain categories of data on their websites, per California Government Code section 53087.8 (See Attachment A).

California Health and Safety Code section 8741 requires that each cemetery post signage in a “conspicuous” place at or near the entrance of the cemetery and at its administration building. The signage “must be readily accessible to the public” indicating that the facility is an Endowment Care interment property.

California Government Code section 53051 requires that each Cemetery District submit a *Public Agencies’ Statement of Facts Roster of Public Agencies Filing* whenever there is any change in their Board of Trustees. Several Districts have not maintained up-to-date submissions of these Statements.

Rio Vista-Montezuma Cemetery District

The Rio Vista-Montezuma Cemetery District (RVMCD) has three locations and comprises a total of 15 acres. The main site is located at 1016 Highway 12 in Rio Vista and houses the office

and maintenance shop. Approximately 15 to 25 burials occur each year. A photo of the entry/exit point is included below.



The RVMCD main location is directly off Highway 12 and is difficult to access. As the photo above indicates (see arrow), the entrance/exit to the cemetery is a steep, narrow one lane road and does not accommodate two-way traffic. When the Jury initially toured the site, no signage was present. Signage has recently been installed close to the entrance and shows site name and address. In addition, the legally required Endowment Care signage has also been installed. Although there is no gate at the entry point, vandalism has not been a problem.

RVMCD has five board members and they meet monthly. Each board member receives a stipend of \$100 per meeting. The board positions are currently filled. However, it recently took nearly a year to fill one vacancy.

Pricing for plots and other cemetery service options are consistent with the other three Solano Districts. Transactions are conducted at the administrative office (1016 Highway 12, Rio Vista). Purchases must be made by personal check, cashier's check, or money order. Electronic payments are not accepted. Monies collected are deposited daily at a local bank.

RVMCD plot maps are paper only. There is a safe, but it is too small to store the plot maps. Therefore plot maps are stored inside a fireproof, waterproof, locked container located inside a wooden cabinet. Some computerized plot maps are available, and a project is in progress to complete the final mapping. The Jury was advised the project should be completed by the end of 2025; however, there is no scheduled time allotted to work on this project. RVMCD is the smallest of the four Solano Cemetery Districts. They employ one manager and four maintenance personnel.

Silveyville (Dixon) Cemetery District

The Silveyville Cemetery District is comprised of three cemeteries: Binghamton with 10 acres (only 3.5 acres of which are developed), Tremont consisting of two acres, and Dixon which is 20 acres. The District performs an average of 80 burials per year.

There are six full-time employees: the district manager, a grounds foreman, a district administrator, one caretaker (who lives on the Binghamton premises), and two groundskeepers. There are also two part-time groundskeepers, for a total of eight employees.

There are five District Board Members, each serving four-year terms. All Board positions are currently filled. Board meetings are held monthly at the Silveyville Cemetery. Members are entitled to receive a \$110 per month stipend.

There is a prominent well-lit sign at the entrance to the Silveyville Cemetery. The required entry and Endowment Care signs are present. Open hours of “dawn to dusk” are posted on the entrance sign. There are no gates. The police patrol regularly and, while there have been some homeless sleepers on site, there has been no vandalism. Tremont and Binghamton have gates and vandalism does not appear to be a problem.



Cemetery plot maps are online and available to the public. Work is ongoing to create an individualized plot finder application online, with walking directions and a photo of each grave. That project is not yet fully funded. Once funded, it is estimated to take a year to complete the data entry.

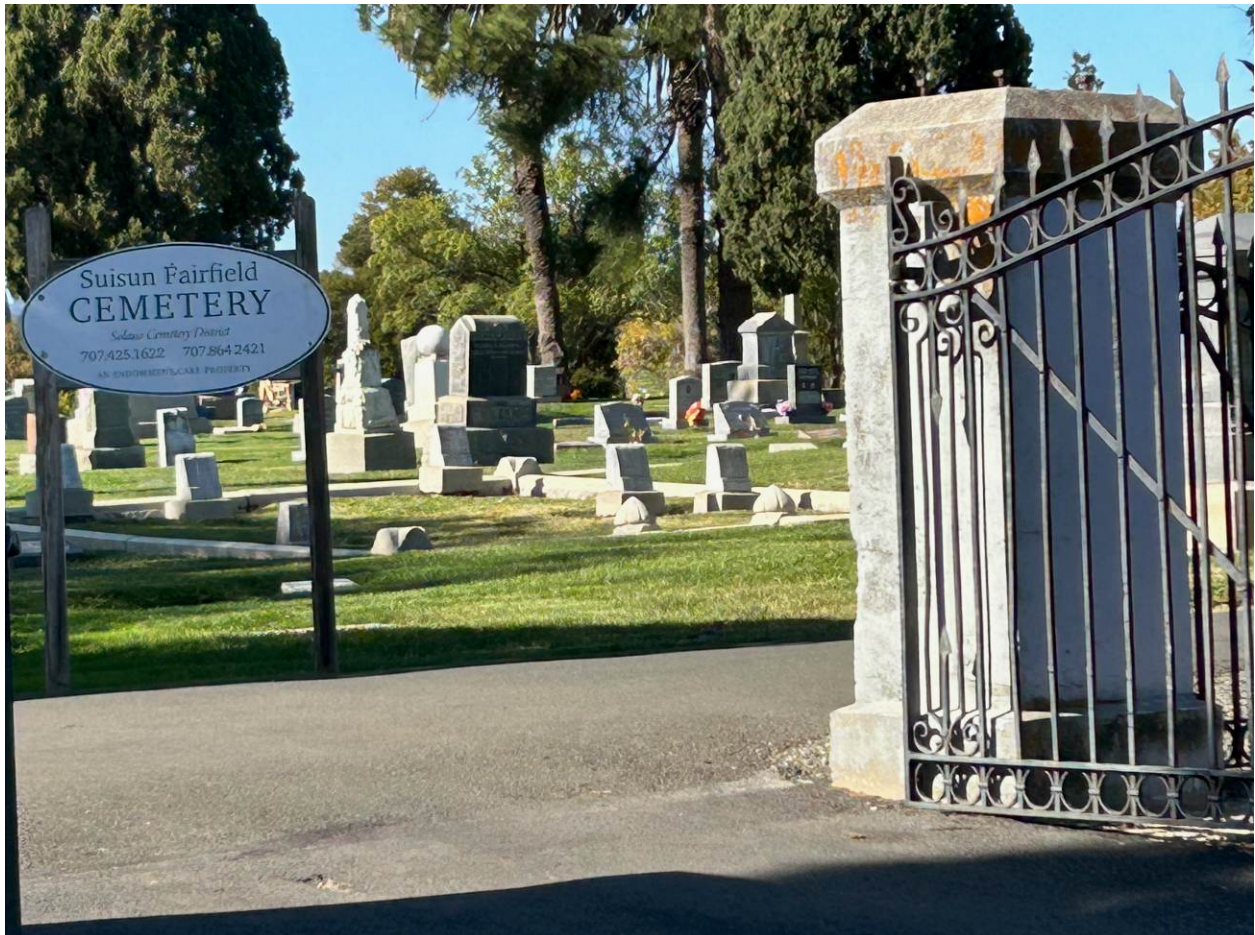
Endowment Care rates and per-niche rates are included in data sheets provided to clients. No pre-payment of burial fees is permitted prior to the burial. Payments may be in cash, check, or

credit card. Monies are deposited to a local bank daily. The County processes all invoices and payroll bills.

Paper records are stored in a fireproof vault which is manually inspected regularly. As of September 2023, newer records are being entered into an online database. The on-site computers are firewall protected for security. Data is encrypted and backed up daily to cloud-based storage.

Solano (formerly Suisun-Fairfield-Rockville) Cemetery District

The Solano Cemetery District is comprised of two cemeteries: Rockville and Suisun-Fairfield. The Rockville Cemetery at 4255 Suisun Valley Road in Fairfield consists of 27 acres and opened in 1853. This site is the main administrative location for this District. The Suisun-Fairfield



Cemetery, located at 1707 Union Avenue in Fairfield, is 22.5 acres. Union Avenue has its own local administrative building and staff. This County-administered cemetery abuts to a private Catholic cemetery which has its own entry.

The District's Board of Trustees is comprised of five members and all positions are currently filled. However, according to a County staff one member on the Board is not registered to vote within the District or the County as required by law. Board meetings are held monthly and alternate between the two District locations. Board members receive a stipend of \$250 per meeting.

The required name signage on Union Avenue is located at the entry gate. However, the required Endowment Care signage is located near the administrative building rather than at the entrance. Rockville Cemetery signage is located prominently on the roadside near the administrative offices. Additional signage is planned for the original and former primary entrance to the Rockville Cemetery.

At Rockville, a large open space, administrative building, and an old stone church provide additional revenue to this District through rental income. Solano Cemetery District fee structure aligns with the other Districts. Payments are handled through check, credit card, or money order. No cash is accepted.

The Solano County Cemetery District does not distribute plot maps to the public. The public website provides online mapping. An interred plot location may be found on their website with the use of a variety of search key words.

There were 148 burials in 2023, which was lower than previous years. Rockville Cemetery prepares their own fiscal budget and submits it to the District budget committee, for inclusion in the overall District budget.

Due to previous issues with unauthorized persons on the properties, security video cameras and burglar alarms were installed at both cemeteries. The cameras are monitored by a commercial alarm company. The Sheriff's Department responds to intrusion reports.

The books and records for the District are in a secure room with locked cabinets. The general manager deposits checks daily to a local bank.

Vacaville-Elmira Cemetery District

The Vacaville-Elmira Cemetery District is comprised of two cemeteries: Vacaville-Elmira located at 522 Elmira Road, and an undeveloped location on Pleasant Valley Road. Vacaville-Elmira Cemetery has 30 acres with enough space for 15 more years of growth. Approximately 190 burials are conducted per year. The undeveloped 30 acres owned by the District is located at Pleasant Valley Road and is not in use.

There are six full-time employees, including the district manager, four groundskeepers, and one administrator, as well as one part-time groundskeeper.

The District Board of Trustees consists of five members each serving four-year terms. As of this report, one seat is currently open and has been open for two-and-a-half years. Board meetings are held at the Vacaville office six times per year and Board Members are entitled to a stipend of \$250 per meeting. Stipends have been waived by three Board Members.

There is a prominent sign on Elmira Road at the front of the grounds, plus other navigation signs throughout. However, there is no noticeable sign at the Marshall Road entrance, although other small directional signs are present.



Roadways are marked with aisle numbers and location numbers are painted on curbs. Cemetery plot maps are available to the public but are not on a website. Patrons in search of a specific grave must enter the Administration Building and ask for assistance.

All forms of payment are accepted for cemetery services. The District uses a fireproof safe in the office to store receipts and other financial records. Backup copies of receipts are stored on the internet cloud. An alarm company provides 24/7 security monitoring via cameras mounted throughout the premises and security videos are retained for 30 days.

IV. FINDINGS AND RECOMMENDATIONS

FINDING 1 – The County Board of Supervisors is not filling Cemetery Board positions in a timely manner, risking less than optimal group decision-making by Cemetery Boards.

RECOMMENDATION 1 – Solano County Board of Supervisors adhere to the 90-day deadline for filling cemetery board positions (Government Code section 1779).

FINDING 2 – One District Board member is not a registered voter in the represented District, conflicting with the purpose of Special District governance to ensure the assigned community service is operated with local control.

RECOMMENDATION 2 – Solano County Board of Supervisors ensure that Cemetery District Board Members are registered to vote within the district in which they serve, as required by Health and Safety Code section 9022 subsection (a).

FINDING 3 – Required Endowment Care signage was either not visible or incorrectly placed at some cemeteries. This constitutes noncompliance with requirements for posting Endowment Care signage.

Recommendation 3 – All Cemetery Districts ensure their Endowment Care signage complies with Health and Safety Code section 8741.

FINDING 4 – Vacaville cemetery has no entrance signage at the Marshall Street (rear) entrance, creating an inconvenience for visitors seeking access to the cemetery.

Recommendation 4 – Vacaville install signage at the Marshall Street (rear) entrance (Health and Safety Code section 8741).

Finding 5 – Not all Cemetery Districts are fully compliant with legal requirements to post certain categories of data on their websites. This results in failure to provide the public with the required easily accessible and accurate information about the district.

Recommendation 5 – Non-compliant Cemetery Districts review Government Code 53087.8 and ensure they comply with website requirements.

Finding 6 – Solano and Vacaville Cemetery Districts have not maintained up-to-date submissions of “Public Agencies’ Statement of Facts Roster of Public Agencies Filing.” This results in inaccurate information and prevents State and County governments from maintaining and providing accurate public records.

Recommendation 6 – Solano and Vacaville Cemetery Districts comply with Government Code section 53051 by filing the required Statement.

Finding 7 – Electronic payments are not accepted at Rio Vista Cemetery District, posing an inconvenience to District clients.

Recommendation 7 – Rio Vista Cemetery update their payment practices to include electronic payment options such as credit cards.

COMMENTS

Silveyville Cemetery District demonstrates an exceptional level of compliance with Best Practices of Transparency (Attachment A) on their website.

REQUIRED RESPONSES

Solano County Board of Supervisors (Finding 1, 2 and 3)
Rio Vista-Montezuma Cemetery District (Finding 3, 5 and 7)
Solano Cemetery District (Finding 3, 5 and 6)
Vacaville-Elmira Cemetery District (Finding 3, 4, 5 and 6)

COURTESY COPIES

Solano County Auditor-Controller
Solano County Treasurer-Tax Collector-County Clerk

V. METHODOLOGY

Interviewed all Solano County Cemetery District staff

Toured the four Solano County Cemetery Districts

Reviewed California Health and Safety Codes:

- CA Health and Safety Code, Chapter 3, §§9020 – 9031
- CA Health and Safety Code, §8738
- CA Health and Safety Code, §§8740 – 8741
- CA Health and Safety Code, §§8747 - 8748
- CA Health and Safety Code, §9060 – 9065
- CA Health and Safety Code, Chapter 8, §§9090 - 9093
- Government Code §1779
- California Government Code, §§53050 – 53051
- California Government Code, §53087.8

Reviewed:

- Independent Audit Reports
- Cemetery Districts selected attributes (see Appendices A-D)
- Cemetery District fee schedules
- Cemetery District budgets
- Cemetery District By-Laws
- California Special District Board Member Handbook
- Solano County Public Cemetery District websites
- Solano County Grand Jury 2011-12 County Public Cemetery Districts report

Attachment A

Best Practices of Website Transparency

Fully Compliant with Website Requirements:

Silveyville

Source: www.silveyvillecemetery.com

Missing Required Information on Websites:

Rio Vista District information

Source: <https://riovistamontezumacemeterydistrict.com>

- **Enterprise System Catalog - Link provided. Dated 11/ 18/ 2020. Needs updating.**
- **Rules and Policies of District - Not posted**

Vacaville-Elmira

Source: <https://www.vecd.us>

- **District Financial Information - None listed, nor links provided**
- **Board member & Staff Compensation - No link to Government Compensation in California**
- **Enterprise System Catalog - No link posted**

Solano

Source: <http://www.solanocemeteries.us>

- **Enterprise System Catalog - Link provided. Dated 7/1/2021. Needs updating.**
- **Rules and Policies of District - Not posted**