

BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA BARBARA

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, CALIFORNIA, PURSUANT TO SECTION 9026 OF THE CALIFORNIA HEALTH & SAFETY CODE, DECLARING INTENT TO APPOINT ITSELF AS BOARD OF TRUSTEES OF THE SANTA MARIA CEMETERY DISTRICT

Resolution No. \_\_\_\_\_

WHEREAS, California Health & Safety Code Section 9026 allows the Board of Supervisors to adopt a resolution declaring its intent to appoint itself as the Board of Trustees of any Cemetery District of which it is the principal county; and

WHEREAS, the Board of Supervisors hereby finds and determines that the interests of the public health and safety would best be served by holding a hearing on the question of the replacement of the existing Board of Trustees of the Santa Maria Cemetery District with the Board of Supervisors; and

WHEREAS, Section 9026 requires that a public hearing be held within sixty days of the adoption of this Resolution, on the question of whether the Board of Supervisors should govern the Santa Maria Cemetery District; and

NOW, THEREFORE, the Board of Supervisors does resolve as follows:

1. That the recitations set forth above are true and correct.
2. That pursuant to Health & Safety Code Section 9026, a public hearing shall be held within sixty days of the adoption of this Resolution, on the question of whether the Board of Supervisors should govern the Santa Maria Cemetery District.
3. Notice of the public hearing shall be published pursuant to Section 6061 of the Government Code in at least one newspaper of general circulation within the jurisdiction of the District at least 10 days before the hearing. In addition, the Clerk shall mail the notice at least 10 days before the hearing to the District.
4. At the public hearing, this Board shall consider written and oral comments. At the conclusion of the public hearing, this Board shall make a finding

regarding the value of written protests filed and not withdrawn and take one of the following actions:

A. If the written protests filed and not withdrawn are less than 10 percent of the registered voters of the District, this Board may by a majority vote adopt a resolution terminating the appointed board of trustees and appointing itself as the board of trustees of the District. In that case, the terms of any trustees appointed by this Board shall terminate immediately.

B. If the written protests filed and not withdrawn are 10 percent or more of the registered voters of the District, this Board may determine that the proposed change in governance is necessary to protect the public health, safety, and welfare. If the Board makes that determination, the Board may override those protests and by a four-fifths vote adopt a resolution terminating the appointed board of trustees and appointing itself as the board of trustees of the District. In that case, the terms of any trustees appointed by this Board shall terminate immediately.

C. If the written protests filed and not withdrawn are 10 percent or more of the registered voters of the District and if the Board does not adopt a resolution pursuant to paragraph (B), the Board shall adopt a resolution that terminates the proceedings to change the governance of the district.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_ day of \_\_\_\_\_, 2008, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Chair, Board of Supervisors  
County of Santa Barbara

ATTEST:  
MICHAEL F. BROWN  
CLERK OF THE BOARD

By \_\_\_\_\_  
Deputy Clerk

Approved as to Form:  
DANIEL WALLACE  
COUNTY COUNSEL

Approved as to Form:  
ROBERT W. GEIS,  
Auditor -Controller

By: \_\_\_\_\_  
Michael R. Ledbetter  
Deputy County Counsel

By: \_\_\_\_\_