



Photo of Santa Margarita Cemetery entrance

## **A FINAL RESTING PLACE'S UNREST: REVITALIZING SANTA MARGARITA'S CEMETERY DISTRICT**

### **INTRODUCTION**

Santa Margarita is a small town nestled in the northern area of San Luis Obispo County. It is a quiet community, surrounded by rolling hills and oak trees. The residents of Santa Margarita and surrounding areas have buried their loved ones in the area that became the Santa Margarita Cemetery (SMC) since the late 1880s. Overseeing the SMC is the Santa Margarita Cemetery District (SMCD), which was formed in 1909 by the San Luis Obispo County Board of Supervisors. The SMC was developed from an approximately 3.5-acre grant of land, donated by the owner of the Santa Margarita Land and Cattle Company, Frank Reis. Based upon the 1915 parcel, Major Domo, LLC, donated approximately five additional acres in 2023. The current cemetery parcel is approximately 7.9 acres.

The San Luis Obispo County Grand Juries of 2008/09 and 2021/22 visited and reviewed all of the public cemeteries and made findings and recommendations, some pertaining to the SMC. The 2025/26 San Luis Obispo County Grand Jury (Grand Jury) visited this cemetery in response to a citizen's complaint. This report contains the current Grand Jury's findings and recommendations, some of which are the same as those found in the aforementioned Grand Jury reports.

## **SUMMARY**

The SMC was visited by the 2025-2026 Grand Jury on September 23, 2025. The plots were unsystematically marked, sections were not identified by markers or on curb sides, landscape was not hydrated, numerous vermin holes were observed, and its general appearance seemed disorderly. Vested individuals were interviewed, legal documents were reviewed, and Board of Trustee board meetings minutes were examined. The Grand Jury concluded that the Board of Trustees should develop a comprehensive cemetery improvement plan to facilitate order and operation.

## **ORIGIN**

This investigation regarding the SMCD originated from a citizen's complaint submitted to the Grand Jury on November 19, 2024. The complaint discussed problems with the oversight of the SMC and its grounds, and included the following:

1. There was no published contact information for the SMCD, such as a phone number, email address, or website.
2. Cemetery grounds were not well-maintained and did not have proper markers or signage for sections and rows.
3. Board meetings and minutes were not publicly posted regularly.
4. Notices of interments were not publicly posted in a timely manner.
5. Headstones were improperly placed, and cremains were not interred in a timely manner.
6. The familial relationship of SMCD's paid employees should be explored.

The Grand Jury did not have sufficient information to explore points 4-6, so they are not included in this investigation.

## **AUTHORITY**

The issuance of this report is authorized under the investigative powers of the Grand Jury pursuant to California Penal Code Sections 921 and 925. California Penal Code section 933 requires that “Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the calendar year.” Section 933.05 further prescribes responses to those findings and recommendations. Responding agencies are directed to report whether they agree or disagree (either partially or wholly) with a finding and whether a recommendation has been implemented, will be implemented, or requires further analysis. An agency may reject a Grand Jury recommendation provided they include an explanation of why the recommendation is either unwarranted or unreasonable. If a recommendation requires further analysis, it must be conducted within six months from the date of publication of the Grand Jury report. All Grand Jury reports and each agency’s responses are posted online each year at <https://www.slo.courts.ca.gov/gi/jury-grandjury.htm>

## **METHOD**

In conducting this investigation, the Grand Jury performed the following steps:

1. Prior report reviewed
2. Reviewed Penal Code
3. Reviewed the complaint
4. Visited cemetery sites
5. Reviewed Health and Safety Codes
6. Reviewed SMCD documents
7. Interviewed five knowledgeable parties
8. Reviewed legal documents

## **NARRATIVE**

Each Cemetery District is required to perform these minimum duties based on Section 9000 to Section 9667 of the Health and Safety Code of the State of California:

- Have a Board of Trustees with three to five members.
- Conduct board meetings at least every three months in compliance with the Brown Act.
- Maintain accurate and current records of all remains interred.
- Adopt an annual budget by August 30th of each year.
- Provide regular audits.
- Establish operating conditions and fees.
- Provide and operate an endowment care fund, which must have a legally defined minimum payment for each interment. The endowment principal cannot be spent; the fund must be invested in a limited number of projects. The income from the fund can only be spent on care of the cemetery.

## **CEMETERY EXPANSION/IMPROVEMENT PLAN**

Part of the Grand Jury's investigation of the SMCD was to determine if the land deeded was actually incorporated and if any improvements had been made to the expanded area. New fencing has been added to a portion of the total acreage around the current cemetery grounds. If the SMCD wishes to develop or use the newly acquired land for cemetery expansion, then it should make an expansion plan to identify and prioritize the issues which are determined to be the most important. The following items need to be incorporated into a written plan for the expansion/improvement of the SMC:

- Expand water distribution to the new sections of the cemetery and repair the existing water system
- Electrical service expansion to the new section
- Grading and paving for the new section
- A plan for identifying the new section for individual plots

- Determine how trees will be incorporated and protected during expansion
- Implementation of a vermin control plan
- Obtain bids for main gate repairs
- Consider adding a columbarium
- While engineering plans are not required, the Grand Jury believes a written plan needs to be developed and adopted on how the SMCD will proceed with the improvements, including a timeline to accomplish the plan. SMCD should inquire into the availability of State or County grant funding to assist with these improvements.



Photo of new fencing around expanded area.

### **BOARD OF TRUSTEES AND AGENCY ORGANIZATION**

The SMCD Board of Trustees, responsible for the operation of the SMC, consists of three members appointed by the County Supervisor of District Five. The SMCD has two paid employees, a groundskeeper and a secretary. The secretary is responsible for creating an agenda for monthly board meetings, recording minutes at those meetings, and the public posting of the monthly agenda and minutes in Santa Margarita.

The SMCD does not have written roles and responsibilities for each member of the organization. An organizational chart should include critical information on how the Board of Trustees functions and how all transactions are handled. This will ensure the SMCD can still function regardless of the composition of the Board.

The Brown Act requires boards of public institutions, such as the SMCD, conduct their business with transparency. During the Grand Jury's investigation, it was found that the SMCD was not in compliance with the Brown Act. The Brown Act requires public postings of board agendas no less than 72 hours in advance. Previous agendas, posted in public locations, have been removed and are no longer available for the public to review.

Prior to finishing this report, it was verified that agendas are being posted in a public place in accordance with the Brown Act.

#### **CEMETERY MAP, SECTION AND ROW MARKERS**

In most cemeteries, if someone is looking for a burial site, the current practice is to obtain the plot location from a database online and use that information to locate the physical gravesite. This is difficult to do at the SMC. The Grand Jury toured a different, nearby cemetery and saw that it was well-groomed, well-mapped, and consistently maintained. The SMC is over a century old, and its rural setting was originally part of a ranch; however, that does not mean the grounds do not need to be organized.

During the site visits to the SMC, the Grand Jury observed three primary areas of plots, each divided by curbed and paved driveways. However, the following was noted:

- There were no markings on the curbs indicating sections or rows
- There were no posts or signs indicating sections or rows
- There was no posted map indicating where the sections and/or rows would be located



Photo of missing row and curb markings



Photo of discarded row markers

Although the SMCD Board of Trustees has a large map and physical files indicating where remains are buried, the only way to access this information is to directly contact the Cemetery District. It is incumbent on the SMCD board to organize the SMC grounds in such a manner that allows people to physically locate a burial plot on site. The upcoming cemetery expansion could provide an ideal opportunity to complete this project, as the new section would need to be mapped and organized as well.

## **CEMETERY CONTACT INFORMATION, WEBSITE, AND PLOT FILE AUTOMATION**

The Grand Jury reviewed the approach other County public cemeteries use to effectively communicate their activities to the public and found most utilize a public website as a central location to post all their necessary information. In a previous report, the 2021/22 Grand Jury had recommended that the SMCD create a website that included contact information. During the start of this investigation, the Grand Jury concluded the SMCD had still not provided a website with adequate information and transparency to the public.

Prior to the publishing of this report, it was found that a website was established in February of 2026, with pertinent SMCD information. The Grand Jury commends the SMCD for taking action.

The website includes:

- Meeting notices, agendas, and minutes
- Contact information, such as phone number, email, physical address, and mailing address
- Trustees' names
- Driving directions
- Map of SMC, including burial plots/locations
- SMCD By-laws
- General information requests

The following items should be added:

- Trustees' contact information
- Hours of operation
- Instructions on how to find a gravesite
- Digitized paper files
- Instructions to schedule a burial
- Notices of interments

## FINDINGS

- F1. A plan is not in place for the improvement needed at the SMC and its property expansion. The absence of a plan has caused continued disorganization and delays of needed enhancements.
- F2. The SMCD does not currently have an organizational chart setting forth duties and responsibilities of the agency. This can create a lack of continuity and clarity as the organization changes.
- F3. The Board of Trustees did not consistently post agendas per the Brown Act. *As of April 2026, the Grand Jury has verified that the SMCD's agendas are being posted in a proper manner.*
- F4. Physical section markers, row markers, and posted maps at the SMC are nonexistent, resulting in difficulty identifying the location of plots.
- F5. The SMCD did not have a website with pertinent district information at the time of our investigation. *As of February 2026, a website has been established with pertinent SMCD information, which the Grand Jury commends.*

## RECOMMENDATIONS

- R1. The Grand Jury recommends the SMCD create a written improvement plan for the cemetery grounds by December 1, 2026. This should include the water expansion, paving (if needed), and repairs to the entrance gate. The Grand Jury also recommends a comprehensive vermin control plan that can be monitored to ensure the problem is adequately addressed.
- R2. The Grand Jury recommends the SMCD create an organizational chart by December 1, 2026. This organizational chart should include critical information on how the Board of Trustees functions and how all transactions are handled. This will ensure the SMCD can still function regardless of the composition of the Board.
- R3. The Grand Jury recommends the SMCD create an updated map of the SMC with grave site information that can be protected and visible to the public on site by December 1, 2026. The SMCD should add section and row markers within the SMC that correspond to

the new map. The map and physical files should be scanned to a digital location and then stored in a place where they cannot be damaged.

R4. The Grand Jury recommends that the SMCD include the additions listed, as noted in the narrative above.

### **REQUIRED RESPONSES**

The Santa Margarita Board of Trustees is required to respond to F1, F2, F3, F4, and F5, and R1, R2, R3, and R4 within 90 days.

All responses shall be submitted to the Presiding Judge of the San Luis Obispo County Superior Court. A paper copy and an electronic version of all responses shall be provided to the Grand Jury.

#### **933.05. Findings and Recommendations**

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
  - (1) The respondent agrees with the finding.
  - (2) The respondent disagrees wholly or partially with the finding; in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
  - (1) The recommendation has been implemented, with a summary regarding the implemented action.
  - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Presiding Judge	Grand Jury
Presiding Judge Tana Coates Superior Court of California 1035 Palm Street Room 355 San Luis Obispo, CA 93408	San Luis Obispo County Grand Jury P.O. Box 4910 San Luis Obispo, CA 93403