

Agenda Item No. 4 A and B

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite #100
Sacramento, California 95814
(916) 874-6458

June 2, 2010

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

RE: **Ballot Measure and Impartial Analysis for Proposed Incorporation of Arden Arcade (03-07)**

RECOMMENDATION

1. Approve the attached Ballot Measure and Impartial Analysis for the Proposed Incorporation of Arden Arcade, California (03-07).
2. Direct staff to forward the Ballot Measure to the County of Sacramento Board of Supervisors requesting that it be placed on the November 2, 2010 general election.
3. Direct staff to forward the Impartial Analysis to the Registrar of Voters.

DISCUSSION

Ballot Measure:

Commission Counsel has reviewed and approved the following Ballot Measure for the Incorporation of Arden Arcade. The proposed incorporation must be approved by a simple majority vote of Registered Voters residing in the affected territory. The County Board of Supervisors must authorize and place the ballot measure on November 2, 2010 general election.

DRAFT BALLOT LANGUAGE

CITY OF ARDEN ARCADE

Shall the order adopted on July , 2010, by the Board of Supervisors ordering the incorporation of the territory described in the order and designated in the order as

Incorporation of Arden Arcade, California (03-07) be confirmed subject to the terms and conditions including: (1) the annual payment from the City to the County of Sacramento, including the sharing of its revenue with the County of Sacramento commencing in fiscal year 2012-2013, and terminating when \$219,000,000 has been paid; (2) including authorization, as approved by the voters through this measure, for the City to continue to levy and collect within its territory the same general taxes, fees, charges, assessments and rates levied and collected by the County of Sacramento as of November 2, 2010, as more particularly described and set forth in the order?

Impartial Analysis

Government Code 56898 provides that an incorporation proposal presented to the voters be accompanied by an impartial analysis not to exceed 500 words of the proposal prepared by the Executive Officer and approved by the Commission. This Impartial Analysis must be forwarded to the Registrar of Voters for inclusion in the ballot booklet mailed to each voter.

The following Impartial Analysis is submitted for your review and approval. Using several other LAFCo analyses from other areas of the state as models, as well as the previous Elk Grove Impartial Analysis and Rancho Cordova Impartial Analysis.

The following Impartial Analysis describes:

- the boundaries of the proposed city;
- the impact to the residents regarding taxes, fees, etc.;
- how services will be provided; and
- other significant issues.

The Impartial Analysis is limited to 500 words; the current draft is 471 words.

Staff has, as a courtesy, presented both the Ballot Measure and Impartial Analysis to County Counsel and to the incorporation proponents. To date, staff has received no comments.

Given this, I recommend that your Commission approve the Impartial Analysis as presented and instruct me to forward the Analysis to the Registrar of Voters for inclusion in the ballot booklet.

IMPARTIAL ANALYSIS FOR
PROPOSED ARDEN ARCADE INCORPORATION

This measure submits to registered voters the question of whether the community of Arden Arcade should become a general law city.

A general description of the proposed city:

All that territory bounded on the west and north by the Sacramento City limits, on the north by Auburn Boulevard and the centerline of Winding Way, on the east by the centerline of Jacob Lane and Mission Avenue and its northerly extension to the centerline of Cypress Avenue, and on the south by the American River.

Incorporation will have no identifiable financial impacts upon residents or businesses. The incorporation will not increase taxes. Property, utility, transient occupancy taxes, other taxes, assessments, fees, and parcel charges currently levied will remain the same. The revenue from these taxes and parcel charges will be transferred to the new city and the city will be responsible for providing municipal services supported by these revenues.

Services provided include: general municipal government, law enforcement, land use planning, building inspection, public works and animal control. Some services may be provided through contract. The incorporation does not propose to change services provided by special districts.

An independent comprehensive fiscal analysis found the proposed city to be economically feasible. This analysis was based upon the new city providing the same level of service as that provided by the County of Sacramento during the Fiscal Year 2008-09.

If approved by the voters, the incorporation would:

- Provide that the name of the city be the City of Arden Arcade.
- Create a general law city with an appointed City Manager, effective July 1, 2011.
- Provide for the election of a City Council of six members by district, and a mayor to be elected at-large.
- Establish a first year appropriation limit of **\$40,231,491**.
- Beginning in Fiscal Year 2012-13, and continuing until the total amount of \$219,000,000 has been paid to the County of Sacramento, the City and the County shall share the City's portion of all secured and unsecured ad valorem property taxes levied and collected pursuant to State law. This

revenue neutrality payment complies with the terms and conditions of incorporation imposed by the Sacramento Local Agency Formation Commission, and agreed to by the incorporation proponents and the County of Sacramento.

- Confirm that existing ordinances, land uses, utility user taxes, transient occupancy taxes, fees, charges, and assessments be continued by the new city at the same rate and manner unless changed by the City Council.

Voters who believe that Arden Arcade should be incorporated into a city on the terms set forth in the proposal should vote “yes” on this measure. Voters who believe the area should remain unincorporated and have Sacramento County continue to provide local services should vote “no” on the measure.

APPROVED BY THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION ON JUNE 2, 2010.

On a motion by Commissioner _____, seconded by Commissioner _____
The foregoing Ballot Measure and Impartial Analysis was passed and adopted by the **SACRAMENTO LOCAL AGENCY FORMATION COMMISSION**, State of California, the ____th day of June, 2010, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chris Tooker, Vice-Chair
Sacramento Local Agency Formation Commission

ATTEST:

Diane Thorpe
Commission Clerk
PB: (Ballot Language and Impartial Analysis – Arden Arcade)