

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

May 19, 2010

TO: Sacramento Local Agency Formation Commission
FROM: Peter Brundage, Executive Officer
RE: **ERRATA TO RESOLUTIONS APPROVING THE INCORPORATION OF ARDEN ARCADE (L AFC 03-07)**

Errata to Proposed Resolutions

1) RESOLUTION NO. L AFC 2010-06-0519-03-07, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE INCORPORATION OF THE CITY OF ARDEN ARCADE, IS REVISED AS FOLLOWS:

- i. PAGE 2 IS REVISED TO REFLECT MINOR FORMATTING CHANGES, AND IS REPLACED IN ITS ENTIRETY WITH THE REVISED PAGE 2, ATTACHED HERETO.*

2) RESOLUTION NO. L AFC 2010-07-0519-03-07, MAKING DETERMINATIONS FOR THE APPROVAL OF THE INCORPORATION OF ARDEN ARCADE, IS REVISED AS FOLLOWS:

- i. PAGE 14, SECTION 14(C) IS AMENDED TO READ:*

By ordinance or resolution, the City Council shall establish the districts in accordance with law at any time prior to the first day on which voters may nominate candidates for election in the November 2012 municipal election (Gov. Code, § 34884.) The effect of this section is to have by district elections beginning in November 2012.

- ii. EXHIBIT D IS REPLACED IN ITS ENTIRETY WITH THE REVISED EXHIBIT D, ATTACHED HERETO, WHICH INCLUDES THE TEXT OF THE MITIGATION MEASURES TO BE IMPOSED.*

- iii. PAGE 15 IS REVISED TO REFLECT MINOR FORMATTING CHANGES, AND IS REPLACED IN ITS ENTIRETY WITH THE REVISED PAGE 15, ATTACHED HERETO.*

3) RESOLUTION NO. LAFC 2010-08-0519-03-07, ADOPTING THE FINDINGS OF FACT FOR THE INCORPORATION OF THE CITY OF ARDEN ARCADE IS REVISED AS FOLLOWS:

- i. RESOLUTION NO LAFC 2010-08-0519-03-07 IS REPLACED IN ITS ENTIRETY WITH THE REVISED RESOLUTION NO LAFC 2010-08-0519-03-07, ATTACHED HERETO, WHICH INCLUDES THE TEXT OF THE MITIGATION MEASURES TO BE IMPOSED.*

4) RESOLUTION NO. LAFC 2010-09-0519-03-07, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE INCORPORATION OF THE CITY OF ARDEN ARCADE, IS REVISED AS FOLLOWS:

- i. RESOLUTION NO LAFC 2010-09-0519-03-07 IS REPLACED IN ITS ENTIRETY WITH THE REVISED RESOLUTION NO LAFC 2010-09-0519-03-07, ATTACHED HERETO, TO REFLECT MINOR FORMATTING CHANGES.*

3. The Commission certifies that the Final EIR was presented to the Commission, who reviewed and considered the information in the Final EIR prior to approving the Project.

4. The Commission adopts all mitigation measures listed in the Final EIR.

5. The Commission adopts the findings in LAFCO Resolution 2010-08-0519-03-07 Adopting Findings of Fact For The Incorporation Of The City Of Arden Arcade.

6. The Commission adopts the Mitigation Monitoring and Reporting Program attached to Resolution 2010-09-0519-03-07 Adopting The Mitigation Monitoring And Reporting Program For The Incorporation Of The City Of Arden Arcade.

7. Pursuant to CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the Commission has based its decision are located in, and may be obtained from, the Commission Clerk at 1112 I Street, Suite 100, Sacramento, California.

8. The Commission directs that, upon approval of the Incorporation, the Executive Officer is directed to file a Notice of Determination with the County Clerk Recorder of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.

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Exhibit D

Mitigation Measures Adopted Pursuant to LAFC Resolution No. 2010-09-0519-03-07

SECTION 3.1 – AIR QUALITY

MM 3.1-1: LAFCo conditions the incorporation approval to require the City (Arden Arcade) to develop vacant parcels within the incorporation area to uses that are consistent with the 1993 Sacramento County General Plan and/or the most recent and binding land use guidance document until such time the City adopts its own General Plan. (MM 3.5-2)

MM 3.1-7: The new city should cooperate with the County of Sacramento by providing emissions inventory information to the County during and after the emission inventory preparation.

SECTION 3.3 - HAZARDS AND HAZARDOUS MATERIALS

MM 3.3-5: Prior to the approval of specific land uses that affects an area within an airport planning boundary established by the ALUC, the new city shall refer the proposed action to the ALUC for consistency determination. Future development and/or proposed new land uses must comply with the 1992 McClellan Air Force Base CLUP development restrictions, as updated.

SECTION 3.5 - LAND USE AND PLANNING

MM 3.5-1: LAFCo conditions the incorporation approval to require the new city (Arden Arcade) to consult with the County of Sacramento regarding the Mission Oaks Neighborhood Preservation Area in connection with the city's new General Plan.

MM 3.5-2: LAFCo conditions the incorporation approval to require the City (Arden Arcade) to develop vacant parcels within the incorporation area to uses that are consistent with the 1993 Sacramento County General Plan and/or the most recent and binding land use guidance document until such time the City adopts its own General Plan.

SECTION 3.6 – NOISE

MM 3.6-5: Prior to the approval of specific land uses that affects an area within an airport planning boundary established by the ALUC, the new city shall refer the proposed action to the ALUC for consistency determination. Future development and/or proposed new land uses must comply with the 1992 McClellan Air Force Base CLUP development restrictions, as updated. (Mitigation Measure 3.3-5.)

SECTION 3.8 - PUBLIC SERVICES

MM 3.8-2: LAFCo conditions the incorporation approval to require that the city provide law enforcement services by a contract with Sacramento County or other city or public safety agency, a contract with a private company, or shall directly perform the service by an appropriate City agency. At a minimum, law enforcement services shall be maintained at existing levels.

MM 3.8-6: LAFCo conditions the incorporation approval to require that the city provide animal control services through the creation of a local department or on a contractual basis with other entities if legally permissible. At a minimum, animal control services shall be maintained at levels existing at the time of approval of the project EIR.

MM 3.8-7a: LAFCo conditions the approval of the incorporation to require the new City to coordinate with public and private water purveyors in water service planning.

MM 3.8-7b: LAFCo conditions the approval of the incorporation such that the city is encouraged to become a signatory to the Water Forum Agreement.

MM 3.8-9a: LAFCo conditions the incorporation approval to require the new city to accept ownership and maintenance responsibility of the existing drainage system serving the incorporation area (including pump station D-05, channels, pipes, detention basins, and other pump stations located in the public rights of way, recorded and prescriptive easements and other such instruments, and owned or operated by the County of Sacramento or the Sacramento County Water Agency); develop standards for construction, operation, and maintenance of drainage facilities and to adopt and enact a Stormwater Utility program similar to, and levying the same SWU fee as, the County of Sacramento Stormwater Utility; and continue to have SWU services provided by the County of Sacramento, including the collection and retention of the new incorporation SWU fee to fund those services for one year after incorporation.

MM 3.8-9b: LAFCo conditions the incorporation approval to continue to receive services provided by Zone 13 of the SCWA. Further, Zone 11B services and programs will no longer be carried out in the incorporation area and the incorporation area will be detached from Zone 11B upon incorporation.

MM 3.8-9c: LAFCo conditions the incorporation approval to require the new city to participate and eventually become a co-permittee under the existing countywide NPDES permit.

MM 3.8-11: LAFCo conditions the incorporation approval to require the new city to contract waste collection services through the County of Sacramento's Department of Waste Management and Recycling Services, or competent public or private hauler to maintain current service levels, at a minimum.

MM 3.8-14a: LAFCo conditions the incorporation approval to require that existing transportation fee impact programs be continued.

MM 3.8-14b: LAFCo conditions the incorporation approval to require the transfer of ownership, maintenance, and financial responsibility for Watt Avenue (Auburn Boulevard to Longview Drive), Auburn Boulevard (Park Road to Howe Avenue), Winding Way (Auburn Boulevard to 1000 feet east), and Bell Street (between the easterly and westerly legs of Auburn Boulevard) to the new city.

MM 3.8-14c: LAFCo conditions the incorporation approval to require that existing transportation fee impact programs to be continued at levels necessary to adequately fund approved road construction projects.

MM 3.8-15: LAFCo conditions the incorporation approval to require that the new city shall provide street lighting maintenance either by contract with the County, by contract with a private company, or by directly performing the maintenance. At a minimum, street lighting and roadway conditions shall be maintained at existing levels, and close coordination between city and county staff will be required. In addition, LAFCo shall condition the incorporation approval to require the new city to enter into a joint lighting maintenance agreement with Sacramento County for public streets that define common boundaries.

MM 3.8-16a: LAFCo conditions the incorporation approval to require that the new city shall petition SACOG for inclusion in its Joint Powers Agreement as a member city.

MM 3.8-16b: LAFCo conditions the incorporation approval to require that the new city shall petition Sac RT for inclusion in its Board of Directors as a member city, or to enter into an agreement to provide transit services within the new city's incorporated boundary.

held at the next regularly scheduled election date which is November 2, 2010. Costs for the election of the first City Council election shall be borne by the City. The election and terms of office for members of the City Council shall be subject to Government Code sections 57377-57379, inclusive.

- e. Upon and after the effective date of this incorporation, the City Manager, City Clerk, and City Treasurer shall be appointed by the City Council in accordance with Government Code Section 56723; 36511.
- f. The question of incorporation, including all terms and conditions, shall be one question on the ballot.

15. The Commission shall order the change of organization of the Subject Territory subject to confirmation of the voters.

16. Pursuant to Government Code Section 56375(f), the Commission finds that there are 42,608 registered voters residing within the Subject Territory.

17. The Commission has reviewed the boundaries of the Subject Territory for definiteness and certainty and has determined that the same are definite and certain.

18. The Commission makes the additional findings set forth in Exhibit C attached hereto and incorporated herein.

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RESOLUTION NO. LAFC 2010-08-0519-03-07

RESOLUTION OF THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION ADOPTING FINDINGS OF FACT FOR THE INCORPORATION OF THE CITY OF ARDEN ARCADE

WHEREAS, the Sacramento Local Agency Formation Commission (LAFCO) is approving a petition and application for the incorporation of Arden Arcade. The approval of this plan is a “project” within the meaning of the California Environmental Quality Act (CEQA) (Public Resources Code sections 21000 et seq.), requiring the preparation of an Environmental Impact Report (EIR). LAFCO has prepared and certified an EIR that satisfies the requirements of CEQA. In that EIR, LAFCO identified certain significant adverse impacts that could occur with the approval and implementation of the incorporation. These impacts are summarized later in this document;

WHEREAS, prior to approving the incorporation, LAFCO is required to make written findings explaining how it has dealt with each significant environmental impact. LAFCO must make one of the following findings for each impact:

- That changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the environmental effects to less than significant as identified in the Final EIR;
- That such changes or alterations are within the purview and jurisdiction of another public agency, and such changes have been or can and should be adopted by that other agency; or
- That specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

WHEREAS, if a project will result in significant environmental impacts that will not be avoided or substantially lessened by mitigation measures, the agency must consider the environmentally superior alternatives in the EIR and find that they are “infeasible” before approving the project (Pub. Res. Code, § 21081, subd. (a)(3); 14 Cal. Code Regs. § 15091, subd. (a)(3).) As discussed in the EIR and outlined below, all significant impacts of the incorporation will be avoided or substantially lessened to less than significant by mitigation measures. Therefore, this finding is not required;

WHEREAS, the purpose of this document is to summarize the significant, adverse impacts associated with the incorporation of Arden Arcade and the mitigation measures recommended to avoid or substantially reduce these impacts to less than significant. In addition, this document contains findings on the feasibility of these mitigation measures and the options that were evaluated as alternatives.

NOW, THEREFORE, THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION RESOLVES AS FOLLOWS:

1. LAFCo has determined that the Final EIR (1) has been compiled in compliance with CEQA, (2) reflects LAFCo's independent judgment and analysis, and (3) was presented to the LAFCo Board of Directors, which reviewed and considered the information in it before approving the project.

2. LAFCo has determined that the Environmentally Superior Alternative is Boundary Alternative Scenario 2. The Final EIR concludes that the No Project Alternative is the Environmentally Superior Alternative because there is less likelihood of a failure of delivery of services under the No Project Alternative, but LAFCo finds that this conclusion is not supported. Failure of delivery services by special districts is equally possible under both Boundary Alternative Scenario 2 and the No Project Alternative because affected Special Districts are not impacted by the incorporation. Further, if a Special District failed, the effects would be exactly the same with or without the incorporation.

3. LAFCo hereby makes the following findings for each significant impact identified in the EIR. Detailed descriptions of each impact may be found in the Final EIR, incorporated herein by reference.

- a. Impact 3.1-7: The project would conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of greenhouse gases.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR: Mitigation Measure 3.1-7: "The new city should cooperate with the County of Sacramento by providing emissions inventory information to the County during and after the emission inventory preparation."

Finding: LAFCO finds that through Mitigation Measure 3.1-7, changes have been incorporated into the project that avoid or substantially lessen Impact 3.1-1. This finding is based on the requirements of current and proposed laws and regulations regarding the reduction of greenhouse gas emissions as outlined in the Final EIR. This mitigation measures was altered after the May 5, 2005, Commission Meeting to reflect current law.

- b. Impact 3.3-5: The project would be located within an airport Comprehensive Land Use Plan (CLUP) or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport. Additionally, the project would result in a safety hazard for people residing or working the project area.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR: Mitigation Measure 3-3.5: “Prior to the approval of specific land uses that affects an area within an airport planning boundary established by the ALUC, the new city shall refer the proposed action to the ALUC for consistency determination. Future development and/or proposed new land uses must comply with the 1992 McClellan Air Force Base CLUP development restrictions, as updated.”

Finding: LAFCO finds that through Mitigation Measure 3.3-5, changes have been incorporated into the project that avoid or substantially lessen Impact 3.3-5. This finding is based on the application of zoning requirements by the Airport Land Use Commission (ALUC) through airport safety zones and through the CLUP. Such regulations are intended to address airport safety issues.

- c. Impact 3.5-1: The proposed incorporation of Arden Arcade would physically divide an established community.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR: Mitigation Measure 3.5-1: “LAFCo shall condition the incorporation approval to require the new city (Arden Arcade) to consult with the County of Sacramento regarding the Mission Oaks Neighborhood Preservation Area in connection with the city’s new General Plan.”

Finding: LAFCO finds that through Mitigation Measure 3.5-1, changes have been incorporated into the project that avoid or substantially lessen Impact 3.5-1. This mitigation measure will prevent the further division of the Mission Oaks Neighborhood Preservation Area.

- d. Impact 3.5-2: The project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR: Mitigation Measure 3.5-2: “LAFCo shall condition the incorporation approval

to require the City (Arden Arcade) to develop vacant parcels within the incorporation area to uses that are consistent with the 1993 Sacramento County General Plan and/or the most recent and binding land use guidance document until such time the City adopts its own General Plan.”

Finding: LAFCO finds that through Mitigation Measure 3.5-2, changes have been incorporated into the project that avoid or substantially lessen Impact 3.5-2. This mitigation measure will prevent land uses inconsistent with land use plans, policies, and regulations adopted by the County of Sacramento for the purpose of avoiding or mitigating an environmental effect by prohibiting such uses until the new city has its own governing plans, policies, and regulations.

- e. Impact 3.6-5: For a project located within an airport Comprehensive Land Use Plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, the project may expose people residing or working in the project area to excessive noise levels.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR: Mitigation Measure 3.3-5: “Prior to the approval of specific land uses that affects an area within an airport planning boundary established by the ALUC, the new city shall refer the proposed action to the ALUC for consistency determination. Future development and/or proposed new land uses must comply with the 1992 McClellan Air Force Base CLUP development restrictions, as updated.”

Finding: LAFCO finds that through Mitigation Measure 3.3-5, changes have been incorporated into the project that avoid or substantially lessen Impact 3.6-5. This finding is based on the application of zoning requirements by the ALUC through airport safety zones and through the CLUP. Such regulations are intended to address airport safety issues. This mitigation measure replaced previous mitigation measure 3.6-5. The previous mitigation measure was repetitive.

- f. Impact 3.8-2: The project could potentially adversely impact law enforcement services.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR: Mitigation Measure 3.8-2: “LAFCo shall condition the incorporation approval to require that the city provide law enforcement services by a contract with Sacramento County or other city or public safety agency, a contract with a private company, or shall directly perform the service by an appropriate City agency. At a minimum, law enforcement services shall be maintained at existing levels.”

Finding: LAFCO finds that through Mitigation Measure 3.8-2, changes have been incorporated into the project that avoid or substantially lessen Impact 3.8-2. This mitigation measure will ensure adequate law and traffic enforcement for the new city. A minor change was made from the previous mitigation measure proposed on May 5, 2010, in order to address an omission.

- g. Impact 3.8-6: The project would adversely impact animal control services.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR: Mitigation Measure 3.8-6: “LAFCo shall condition the incorporation approval to require that the city provide animal control services through the creation of a local department or on a contractual basis with other entities if legally permissible. At a minimum, animal control services shall be maintained at levels existing at the time of approval of the project EIR.”

Finding: LAFCO finds that through Mitigation Measure 3.8-6, changes have been incorporated into the project that avoid or substantially lessen Impact 3.8-6. This mitigation measure will ensure adequate animal control services for the new city.

- h. Impact 3.8-7: The project would have sufficient water supplies available to serve the project from existing entitlements and resources, but it may adversely affect the provision of water supply.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR:

Mitigation Measure 3.8-7a: “LAFCo shall condition the approval of the incorporation to require the new City to coordinate with public and private water purveyors in water service planning.”

Mitigation Measure 3.8-7b: “LAFCo shall condition the approval of the incorporation such that the city is encouraged to become a signatory to the Water Forum Agreement.”

Finding: LAFCO finds that through Mitigation Measures 3.8-7a and 3.8-7b, changes have been incorporated into the project that avoid or substantially lessen Impact 3.8-7. These mitigation measures will ensure adequate provision of water supplies for the new city through requiring the city to become a primary water service provider and encouraging compliance with the Water Forum Agreement. This mitigation measure was altered to reflect changes as discussed by the Executive Officer in the Final Executive Officer’s Report, which states that the new city is to be encouraged to become a member of the Water Forum Agreement.

- i. Impact 3.8-9: The project would require or result in the construction of new storm water drainage facilities or the expansion of existing facilities, the construction of which could cause significant environmental effects.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR:

Mitigation Measure 3.8-9a: “LAFCo shall condition the incorporation approval to require the new city to accept ownership and maintenance responsibility of the existing drainage system serving the incorporation area (including pump station D-05, channels, pipes, detention basins, and other pump stations located in the public rights of way, recorded and prescriptive easements and other such instruments, and owned or operated by the County of Sacramento or the Sacramento County Water Agency); develop standards for construction, operation, and maintenance of drainage facilities and to adopt and enact a Stormwater Utility program similar to, and levying the same SWU fee as, the County of Sacramento Stormwater Utility; and continue to have SWU services provided by the County of Sacramento, including the collection and retention of the new incorporation SWU fee to fund those services for one year after incorporation.”

Mitigation Measure 3.8-9b: “LAFCo shall condition the incorporation approval to continue to receive services provided by Zone 13 of the SCWA. Further, Zone 11B services and programs will no longer be carried out in the incorporation area and the incorporation area will be detached from Zone 11B upon incorporation.”

Mitigation Measure 3.8-9c: “LAFCo shall condition the incorporation approval to require the new city to participate and eventually become a co-permittee under the existing countywide NPDES permit.”

Finding: LAFCO finds that through Mitigation Measures 3.8-9a, 3.8-9b, and 3.8-9c, changes have been incorporated into the project that avoid or substantially lessen Impact 3.8-9. These mitigation measures will ensure compliance with all storm water related issues. Mitigation Measure 3.8-9a was edited to correct a typographical error in the draft presented at the May 5, 2010, and to make it consistent with current law.

- j. Impact 3.8-11: The project must comply with federal, state, and local statutes and regulations related to solid waste.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR: Mitigation Measure 3.8-11: “LAFCo shall condition the incorporation approval to require the new city to contract waste collection services through the County of Sacramento’s Department of Waste Management and Recycling Services, or competent public or private hauler to maintain current service levels, at a minimum.”

Finding: LAFCO finds that through Mitigation Measure 3.8-11, changes have been incorporated into the project that avoid or substantially lessen Impact 3.8-11. These mitigation measures will ensure compliance with all solid waste issues.

- k. Impact 3.8-14: The project would result in road, street, and landscape construction and maintenance services becoming a city responsibility, potentially altering current service standards.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR:

Mitigation Measure 3.8-14a: “LAFCo shall condition the incorporation approval to require that existing transportation fee impact programs be continued.”

Mitigation Measure 3.8-14b: “LAFCo shall condition the incorporation approval to require the transfer of ownership, maintenance, and financial responsibility for Watt Avenue

(Auburn Boulevard to Longview Drive), Auburn Boulevard (Park Road to Howe Avenue), Winding Way (Auburn Boulevard to 1000 feet east), and Bell Street (between the easterly and westerly legs of Auburn Boulevard) to the new city.”

Mitigation Measure 3.8-14c: “LAFCo shall condition the incorporation approval to require that existing transportation fee impact programs to be continued at levels necessary to adequately fund approved road construction projects.”

Finding: LAFCO finds that through Mitigation Measures 3.8-14a, 3.8-14b, and 3.8-14c, changes have been incorporated into the project that avoid or substantially lessen Impact 3.8-14. These mitigation measures will ensure that maintenance services will be maintained after incorporation.

1. Impact 3.8-15: The project would result in street lighting services becoming a city responsibility, potentially altering current service standards.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR: Mitigation Measure 3.8-15: “LAFCo shall condition the incorporation approval to require that the new city shall provide street lighting maintenance either by contract with the County, by contract with a private company, or by directly performing the maintenance. At a minimum, street lighting and roadway conditions shall be maintained at existing levels, and close coordination between city and county staff will be required. In addition, LAFCo shall condition the incorporation approval to require the new city to enter into a joint lighting maintenance agreement with Sacramento County for public streets that define common boundaries.”

Finding: LAFCO finds that through Mitigation Measure 3.8-15, changes have been incorporated into the project that avoid or substantially lessen Impact 3.8-15. These mitigation measures will ensure that street lighting services will be maintained at the current service standards after incorporation.

- m. Impact 3.8-16: The project would potentially fragment or disrupt current regional planning activities.

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR:

Mitigation Measure 3.8-16a: “LAFCo shall condition the incorporation approval to require that the new city shall petition SACOG for inclusion in its Joint Powers Agreement as a member city.”

Mitigation Measure 3.8-16b: “LAFCo shall condition the incorporation approval to require that the new city shall petition Sac RT for inclusion in its Board of Directors as a member city, or to enter into an agreement to provide transit services within the new city’s incorporated.”

Finding: LAFCO finds that through Mitigation Measures 3.8-16a and 3.8-16b, changes have been incorporated into the project that avoid or substantially lessen Impact 3.8-16. These mitigation measures will ensure that the new city is involved in regional planning activities.

- n. Impact 3.9-7: The Project would conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks).

Finding: Potentially significant impact.

Recommended Mitigation Identified in the EIR:

Mitigation Measure 3.5-2: “LAFCo shall condition the incorporation approval to require the City (Arden Arcade) to develop vacant parcels within the incorporation area to uses that are consistent with the 1993 Sacramento County General Plan and/or the most recent and binding land use guidance document until such time the City adopts its own General Plan.”

Mitigation Measure 3.8-16b: “LAFCo shall condition the incorporation approval to require that the new city shall petition Sac RT for inclusion in its Board of Directors as a member city, or to enter into an agreement to provide transit services within the new city’s incorporated.”

Finding: LAFCO finds that through Mitigation Measures 3.8-16a and 3.8-16b, changes have been incorporated into the project that avoid or substantially lessen Impact 3.9-7. These mitigation measures will ensure that the new city is involved in regional planning activities related to alternative transportation plans and programs.

On a motion by Commissioner _____, seconded by Commissioner _____, the foregoing Resolution was passed and adopted by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION, State of California, this ___th day of May, 2010, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Steve Cohn, Chair
**SACRAMENTO LOCAL
AGENCY FORMATION
COMMISSION**

ATTEST:

Diane Thorpe
Commission Clerk

RESOLUTION NO. LAFC 2010-09-0519-03-07

**RESOLUTION OF THE SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION ADOPTING THE MITIGATION
MONITORING AND REPORTING PROGRAM FOR THE
INCORPORATION OF THE CITY OF ARDEN ARCADE**

WHEREAS, section 21081.6 of the Public Resources Code requires a lead agency that approves or carries out a project where an EIR has identified significant environmental effects to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment. In accordance with these requirements, LAFCO adopts the following Mitigation Monitoring and Reporting Program for the incorporation of Arden Arcade.

WHEREAS, the Final Environmental Impact Report identified mitigation measures for the environmental impacts described in the Final Environmental Impact Report; and

WHEREAS, certain of those mitigation measures were made conditions of approval of the incorporation application; and

**NOW, THEREFORE, THE SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION RESOLVES AS FOLLOWS:**

1. The attached “Mitigation Monitoring and Reporting Program for Incorporation of Arden Arcade” (Attachment A) is hereby adopted and incorporated by reference as though wholly set forth herein.

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On a motion by Commissioner _____, seconded by Commissioner _____, the foregoing Resolution was passed and adopted by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION, State of California, this ___th day of May, 2010, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Steve Cohn, Chair
**SACRAMENTO LOCAL
AGENCY FORMATION
COMMISSION**

ATTEST:

Diane Thorpe
Commission Clerk