
SACRAMENTO AD-HOC CHARTER COMMISSION

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May 9, 1990

TO: City Council Law and Legislation Committee
FROM: Bob Smith, Executive Director
SUBJECT: FIG CITIES LEGISLATION

At the request of the cities of Folsom, Isleton, and Galt, Senator John Doolittle has introduced SB 2113 (Attachment 1) which would affect the Charter proposal in two ways. These changes include:

- amending Section 51929.5 of the Government Code (the 1974 legislation which governs Sacramento City-County mergers) to avoid the necessity of a separate ballot question in these cities asking the voters to join the consolidated government at the initial vote; and,
- adding language to the Government code which would state that if any of these cities wants to annex territory from the City-County **within its LAFCO approved sphere of influence**, the proceedings shall not terminate if the City-County government objects as is currently the case under state law regarding annexations and detachments. **The sphere of influence is that area approved by LAFCO as of January 1, 1993.** (Bold face type signifies recently added amendment to SB 2113.)

Recently, the Charter Commission took a position on these two changes and will not oppose them. Originally, the second part of the bill did not include any mention of a sphere of influence and was opposed by the Commission, as well as the County. After negotiations with the County legislative advocate, the bill was amended to reflect that only the sphere of influence by 1993 should be included in the bill. With this amendment, any opposition by the Commission, and the County, has been removed. We believe this allows some growth for the FIG cities, but does not take away the ability of the new government to control its boundaries in the future. We have also been assured that these spheres of influence can only include currently undeveloped land.

The bill has been introduced as an urgency measure and would require a two-thirds vote in both the Senate and Assembly before being sent to the Governor. Just this morning, the bill was heard before the Senate Local Government Committee and passed forward to the Senate floor.



BOB SMITH, Executive Director
Sacramento Ad-Hoc Charter Commission

PH:adj

Attachment

90'086

Introduced by Senator Doolittle

February 21, 1990

An act to amend Section 51929.5 of, and to add Section 57079.3 to, the Government Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 2113, as introduced, Doolittle. Local Government: Sacramento City-County Consolidation.

Existing law establishes a procedure for the consolidation of the City of Sacramento, the County of Sacramento and other cities within the county. Existing law requires in that procedure that the ballots used at a consolidation election shall include a separate question concerning the retention of the local governmental structure of other cities in the county.

This bill would make that requirement inapplicable in the City of Folsom, Isleton, or Galt unless the city council has previously adopted a resolution requiring the question to be voted upon.

Existing law requires, when a proposed reorganization of local government includes the detachment of territory from any city, the conducting authority shall terminate the proceeding if a resolution or written protest against the reorganization is filed prior to the conclusion of the hearing, as specified.

This bill would provide that, notwithstanding that requirement, if a proposed reorganization includes a detachment of territory from the City-County of Sacramento where the governments of the city and county are consolidated pursuant to the above procedure, the proceedings for detachment shall not terminate if the City-County of Sacramento files a written protest to a

detachment from the City-County of Sacramento and simultaneous annexation to any of the Cities of Folsom, Isleton, and Galt.

This bill would state the findings and declarations of the Legislature concerning the need for special legislation.

This bill would declare that it is an urgency statute to take effect immediately.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51929.5 of the Government
2 Code is amended to read:
3 51929.5. Upon the ballots used at the election within
4 each of the other cities shall also be printed the words as
5 a separate question or proposition: "If the proposed
6 Charter of the City-County of Sacramento is adopted as
7 the governing law of the City-County of Sacramento,
8 shall the City of _____ retain its local governmental
9 structure?"

10 *This section shall not be applicable in the City of*
11 *Folsom, Isleton, or Galt unless the city council has*
12 *previously adopted a resolution that the separate*
13 *question or proposition shall be voted on at the same*
14 *election as the question of reorganization and*
15 *consolidation.*

16 SEC. 2. Section 57079.3 is added to the Government
17 Code, to read:

18 57079.3. Notwithstanding subdivision (b) of Section
19 57079, if a proposed reorganization includes a
20 detachment of territory from the City-County of
21 Sacramento where the governments of the City of
22 Sacramento and County of Sacramento are consolidated
23 in one city-county legislative body pursuant to Chapter 5
24 (commencing with Section 51900), of Part 2 of Division
25 1 of Title 5, the proceedings shall not terminate if the
26 City-County of Sacramento files a written protest to a
27 detachment from the City-County of Sacramento and
28 simultaneous annexation to any of the Cities of Folsom,

1 Isleton, and Galt.

2 SEC. 3. The Legislature finds and declares that this
3 act is necessary as a special law and that a general law
4 cannot be made applicable within the meaning of Section
5 16 of Article IV of the California Constitution because of
6 the unique circumstances present in Sacramento County
7 due to the possibility of a consolidation of the City of
8 Sacramento with the County of Sacramento and with any
9 or all of the other cities located in Sacramento County.

10 SEC. 4. This act is an urgency statute necessary for
11 the immediate preservation of the public peace, health,
12 or safety within the meaning of Article IV of the
13 Constitution and shall go into immediate effect. The facts
14 constituting the necessity are:

15 Because the effects of a consolidation of the
16 governments of the City of Sacramento and the County
17 of Sacramento upon proceedings for the detachment of
18 territory from a city are unclear, it is necessary that this
19 legislation take effect before consolidation is voted upon
20 by the people and it is therefore necessary that this act
21 take effect immediately.

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