



# CITY OF RIO VISTA

One Main Street, Rio Vista, California 94571  
Phone: (707) 374-6451 Fax: (707) 374-6763

March 19, 2024

## MEMORANDUM

To: Rio Vista Residents

From: Kristina Miller, City Manager

Subject: City Response to Recent Bulk Mail Flyer #3 written by an unknown person

In the last few weeks three bulk mail flyers have been sent to every residence in Rio Vista. The flyers are creating unnecessary alarm amongst residents. The author is circulating incorrect information. The information below is being provided to provide correct information to the public.

Claim: The Housing Element was approved on February 20<sup>th</sup>.

*City Response: The Housing Element was adopted in July 2023. The current and previous flyers misrepresent the actions the City Council took on February 20, 2024. **The changes to the Zoning Code adopted at the recent meeting were required to bring the City Zoning Code into compliance with State law.** Failure to make these changes would have exposed the City to decertification of its Housing Element, placed State grants at risk and created the potential that the City could not deny developer projects even if they were inconsistent with City standards. The City adopted the minimum required changes to the zoning code to meet State law requirements and to protect the City's interests.*

Claim: The City Attorney contradicted herself on Housing Element requirements – the State does not dictate content and the City decides what is included in the Housing Element.

*City Response: While the City does have discretion to include or exclude provisions in the Housing Element, the State of California Department of Housing and Community Development (HCD) must approve and certify the City's Housing Element. HCD has been very aggressive in this round of Housing Element updates. Without the provisions that were included in the*

*Housing Element, the City's Housing Element would in many cases been inconsistent with State housing law. City staff and our expert housing consultant do not believe HCD would have approved the Housing Element. Some cities have pushed back on HCD requirements and been forced to complete numerous resubmittals, only to include HCD required provisions after multiple rounds of review.*

Claim: The City Council should take a position to oppose the California Forever initiative.

*City Response: If the voters reject the California Forever Initiative and if the project proponents then seek to develop in Rio Vista, there would be a project in Rio Vista for the City Council to consider. There would be robust review of the project, including a public process and a thorough review of environmental impacts to consider the project, before any decision would be reached. Since it is reasonable to expect a project to come before the City if the initiative does not pass, the City Attorney advised that should a Rio Vista City Council member present a position of the project prior to it coming before them, it could jeopardize their ability to vote on the project.*

Claim: The Planning Commission discussed the Esperson property at their meeting of February 8, 2024.

*City Response: There was no February 8 Planning Commission meeting. That meeting was the General Plan Working Group (GPWG). This is an important distinction as the Planning Commission considers proposed projects and there has been no discussion of any proposed development of the Esperson property by the Planning Commission.*

*The GPWG did discuss the Esperson property and the need to ensure the new General Plan designations for the property will be consistent with the existing zoning for the property. Specifically, the current zoning allows up to 3,304 homes on the Esperson property and State housing law prohibits the City from rezoning a property to reduce the number of homes allowed on a property unless the zoning on another property is increased to receive those units. The GPWG identified a solution that would bring the General Plan into conformance with existing zoning and would neither increase nor decrease the number of homes allowed under current zoning.*

Claim: It was a conflict of interest to have three Council members involved in the February 8 discussion of Esperson and City property.

*City Response: Two Council members serve on the GPWG and one attends as an alternate. Over the past two years these Council members have participated in 23 publicly-noticed GPWG meetings, as well as having attended various community workshops. The other GPWG members and the City staff/consultant team benefit from the knowledge and experience of the City Council members and is not a conflict of interest.*

Claim: Generally, the flyer takes a position that the City should oppose California Forever in any possible way.

*City Response: This position ignores the fact that the voters of Solano County will decide if the California Forever Initiative will be approved, not the Rio Vista City Council.*

*The City must consider the potential for such an approval and seek to protect the interests of the Rio Vista community, including seeking to protect our groundwater, minimizing the impacts of the project on traffic, and protecting City sales tax revenues. To provide transparency, the City Manager reported she met with two representatives of California Forever in regards to a memorandum of understanding (MOU) to protect the City's water supply and sales tax revenue. This MOU was at the request of the City. **The City is being proactive to protect the City.***

Should any questions arise, please feel free to email the City Clerk at [pcaronongan@ci.rio-vista.ca.us](mailto:pcaronongan@ci.rio-vista.ca.us).