

**City of Elk Grove**  
**Memorandum of Understanding**  
**Public Meeting**  
**Tuesday, March 2, 2010, 6:30 p.m. – 9:00 p.m.**

**Welcome and Introductions**

Don Nottoli, Sacramento County Supervisor  
Paul Hahn, Sacramento County Municipal Services Agency Administrator  
Don Hazen, City of Elk Grove Planning Director  
Taro Echiburu, City of Elk Grove Environmental Planning Manager  
Gerald Park, City of Elk Grove Senior Planner  
Leighann Moffitt, Sacramento County Principal Planner  
Kendall Flint, Facilitator

**Meeting Summary**

Many comments from this meeting carried the same messages, namely that meeting attendees were not in favor of the SOI and therefore didn't see a need for the MOU. Secondary to that, attendees indicated that if the City did move forward with the SOI and the MOU, they wanted to see clearer language in the documents. The group wanted, in plain language, that the MOU state that there will be no development in the floodplain. They also asked that the County be more heavily involved so that they (the attendees) were better represented. Additional clarification on document language included a better stating of protection for farmers in the transitional land use areas. One suggestion to clarify the document was to have a glossary of terms at the back so that the documents could be more easily understood.

Additionally, the attendees indicated that they had attended many public meetings in the past and felt that they were not being heard. Some people stated that the City was not respecting their wishes and that their comments were not being reflected in the documents.

There were some attendees who carried a different perspective, that the City and County were being proactive to create an MOU. However, the overarching theme was clearly that the group was not in favor of the SOI altogether.

**Meeting Minutes**

*Purpose of Meeting*

- Purpose is to focus specifically on Memorandum of Understanding (MOU)
- The MOU is an agreement between the County and City
- Comments for tonight will be focused on the document itself
- The MOU is part of the submission the City of Elk Grove (EG) sent to LAFCO to see if the Sphere of Influence (SOI) will move forward

*Topic #1: Land Use*

- Kendall Flint (KF) went through the presentation slides
- All of tonight's comments will be received by City and County officials
- We will make notes available on the website and you can sign up to receive the pdf of the meeting minutes

*KF: Should there be an area of transitional land use?*

- There appeared to be transitional land use for west of 99 but I didn't see transitional land use for east of 99 and I think there should be transitional land use b/c floodplain comes up to those zoned as AG Res. 5 (lots of nods from group)
- When we offer comments, can we engage in some discussion, collection of people's ideas?
  - o What we're going to be doing is collecting input on the MOU. The EIR process is a better venue to address other topics
- You're starting on the second topic and we haven't even gone over what's on the first page

- Define Regional Trail System
- What is non-urban development?
- What kind of development will be allowed in the corridor?
- More specificity
- What is transitional land use? And would that include a freeway?
- Transitional land use, I think of farming
- I don't envision it to include industrial
- Other concerns over transitional land use.
- The transition S. of Eschinger Road is outside current SOI proposal
- I heard a couple people at the county meeting south of Eschinger register a protest so I would say you don't want transitional land on the south side of Eschinger road. It should be more than a ½ mile going north.
- How does the MOU legally ensure that no urban development occurs in Cosumnes River Corridor?
- MOU that Council and Board of Supervisors adopt, so both agencies look at the floodplain
- Agree to change the wording – took the wording out about agreeing to change the floodplain (stronger language)
- Does it follow SACOG blueprint?
- Transition in the land densities and that never happened. As time went on they were supposed to transition and it didn't happen.
- There was supposed to be a greenbelt with Sacramento and I'm concerned this will never happen.
- People probably have different perspective; I'd like to have a feel of the room, I represent people west of 99
- How many from West? (few)
- How many from East? (most)
- This has come up at a lot of SOI meetings about the East and West sides being different, and nothing has been done to address the separate concerns.
- You could help suggest what to address
- We did; and we brought the issues up and we didn't get answers. Maybe there could be a citizens committee to address this. So we can bring up our different issues.
- It was supposed to have been reflective of the SOI, and we're saying the same thing again. The issues about both sides of the freeway and they're not being addressed.
- Who is influencing the conflict in the written document?
- Has this MOU been signed by both parties?
  - o No, that's the purpose of the meeting to gather comments.
  - o This is something based on listening sessions, staff took a stab at drafting something. Now that there's a written document, we need the public feedback. That's what we're here to do tonight and for the next meetings. This is one attempt to put into paper all comments from all the listening sessions. This is a draft – an attempt to capture what was heard. Now we can get more specific once we get comments.

- Let's assume that everyone agrees and the document is signed; where's the teeth to keep this MOU in 50 years? We're talking about a bunch of people in political office and I don't trust it.
- I want to know why the City keeps pushing when they don't have agreement from residents and not the funding to move forward? Where's the agenda?
- Stronger language – what they actually said was 'eliminate language' not 'change'
- Speaking to MOU on Pg. 2, please define leapfrog development and urban sprawl
- Can we go through your slides, one time through, I'm thinking some of these comments are addressed later in the slides.
  - o We're going to go thru and get all comments and if we have time to go thru again we will
- Yes, b/c there's a comment on floodplain and I'm thinking it might be addressed
- Connie Connley, Elk Grove Community Connection: Why can't we put the question of the SOI on ballot and let voters decide?
- Pg 1, item C – definition of Cosumnes River Deer Creek Corridor – this is in conflict with map on wall – is it going in or is it staying out of?
- Can we get an exhibit of County general plan that's referenced in document
  - o We'll put on website so its available
- We attended meeting at Franklin High School. People voted for EG cityhood for local control. My concern is that other than a realtor, developer, or land owner, how many citizens have requested this SOI to expand? What is the engine that drives this process? EG has enough problems now. This is not citizen driven.
  - o Tonight's meeting is all about the MOU
- What is the engine that drives the MOU?
  - o The MOU is set up so it can be part of the LAFCO application
- So much of this, the sentence on the 2<sup>nd</sup> page, you make a general statement – the City is committed to General Plan goals – then you go thru (a) to (g). We just had an incident where the General Plan was ignored. Now you've made the General Plan the basis of the MOU and we just had a really heartbreaking issue regarding this.

*TOPIC # 2 Jurisdictional Coordination*

- KF goes through presentation slides
- Stronger language
- Clarification
- There needs to be hard, legal terms. Make no mistake the MOU between County and City is a hunk of LAFCO (SOI Study). I'm very unclear on what benefits this provides the citizens in Wilton and surrounding areas and what is the interest the County has to allow EG to further their zest for development.
- Of the people who put this together for staff, how many live in a rural area? Because when we were doing our rural standards for roads, we kept getting out on Bond they would come back with something that said – we've got the best thing for you – and they gave us what we didn't want. Then they told us we could come to LAFCO meetings – and they need to have these meetings when people don't work

- Change jurisdictional coordination to without the approval of the voters (lots of nodding)
- Was MOU required by LAFCO?
  - o No, but this is an effort on part of the City
- When they talk about taking before voters, it should go through the voters that will be affected. We love the rural roads. Where are the people that can answer the questions? I'm tired of this.
- First comment, I read in Business Journal that the County General Plan has been approved by the commission. Will the '93 govern this document or will the new?
  - o The General Plan will start hearings before the Board in the next couple months and it will become effective when its adopted
  - o Right now, it's what's in place now. There weren't substantial changes in this area.
- Behind the city limits of EG its Grant Line and Wilton on Wilton Rd. north. There are people who are changing the soil. People have documented this and taken to City and County and they won't address it. They have destroyed the floodplain for their own benefit. I can't believe it's in perpetuity. The Council can change that at any time.
- Refer to floodplain protection
- I did call County and City b/c the developer who owns the property behind me, no one cared. So what is the penalty when a developer does that? When you have maps and boundaries for what it looks like?
  - o As it pertains to the MOU, you would like to see something that addresses it from both sides?
- Property agreements, etc. all that stuff is being drawn up. Is this all a dog and pony show?
  - o No, but it sounds like there needs to be stronger language in MOU
- Having issues on certain things, if the County is going to defer all land use applications, are they going to defer to City so they can make decisions?
  - o Actually, I think the County maintains decision making
- Right, but it says here that the City decides
- Under – County shall refer all future land applications to City for further comment
- So business interest wants to start another process for the County then it comes to City
  - o How do you think it should read?
- Well, I'm deferring to you...what is the relationship going to be? Will they have jurisdictional input based on this MOU?
  - o The intent was the County General Plan, as a courtesy to the City, they will defer to us so we can address.
- City pre-zoning, that means they're going to...
- The concept of prezoning we'll go over at the end

### *TOPIC #3 – Open Space and Habitat*

- KF goes through presentation slides
- Don N.: I want to fill in a blank. The County does not show a trail along the Cosumnes River. That's been a hot button issue for 35 – 40 years.
- The MOU has a document that speaks to not placing a trail along the river. Cites a County policy that does not call for Cosumnes River to not be like the American River Parkway. It is not our intent to have the corridor a public trail corridor.
- I'm frustrated by the fact that no one wants to listen to us. Then we wouldn't have to go through the MOU, etc. I've lived there 30 years and I don't want EG where we are. Why do they want to come out there anyway?

- I protest the thought that you think you can appease us with the MOU when we don't want the SOI in the first place.
- I see some conflict in Cosumnes River Corridor and Cosumnes River Basin.
- Topic 3, we read it, you read it and our supervisor said we don't want to put any of this in there. So how can our supervisor sit and not agree with this. I'm hearing one side say one thing then we get out of the meeting and do what you want to do. So you will take the public access off there?
  - o Every comment won't be reflected but we will look at all comments
- One of the goals is to expand trails for passive usage, and along the Cosumnes River trail; mitigation plans are in place there; who is coming up with that language? The staff is writing up language for staff?
- You just keep moving us along with public visioning meetings and you keep telling us that we'll be heard. I went to all 4 meetings and I didn't see what we said at the meetings. Or we would have stopped at the SOI. You're just placating us. It's insulting to my intelligence. And you're just moving us along in this process. You need to know that we know what you're doing.
- I think you should outline general principles and recognize the needs are going to change. I look at the tax code and. It is impossible to put specifics in an agreement that will serve this community in 20 years, 30 years that we won't know about.
- I have a copy of the Constitution and every time I pick it up I learn something new. One thing we're supposed to be is a bottom up form of government. It's not a top down form of government. They take an oath of office but I don't think any of them have looked at it.
- We are the people speaking to you. We are telling you we don't want this. First, you don't answer our questions; second, you don't listen to us.
- You said this has already been filed with LAFCO; can't it be withdrawn?
- Why can't it be withdrawn when you know we don't want it?
  - o I'm not just trying to play lip service; my job is to get as much info from you on the MOU. This particular meeting is about the MOU.
- Is our supervisor able to shut down the SOI pursuit?
  - o The SOI is submitted by the City, the County can make comments and protest it, but the application is submitted by City
  - o County has submitted comments early on. Relative to our General Plan, and it shows the biggest area open space, floodplain (Grant Line Road) some future date, potential urban development. They pulled that back, the City's decision to submit. It doesn't mean the County agrees, but there may be ways to address, there may be not.
- I don't know if part of this is due to naivety, but this whole thing is fraught with what will bring up unintended consequences. Wheelchair Nazis – are we going to have super highways to access for everyone? That hasn't been done at all to start with. Several people have said that no one wants this. In light of the economy, we need to pull it back. Why are we spending money
- Does this mean the cops from the City can give us tickets too?

- We have come to the SOI meeting and we keep saying that the citizens don't want it. That's what should be in the MOU. I understand not every comment has been documented.
- It seems as though the City/County need to look at the issues of what's been proposed on the East and West. Yet the City proceeded to include them in this whole process.
- It's been suggested that some people are venting tonight. The same questions were asked, none of the questions were answered. Are we playing in the sandbox?
  - o Staff has taken what you've said, has received guidance from Council and County and is now bringing the document back to you. But what I hear is we don't care how you change it, we don't want it.
- Get rid of staff
- It's great that EG employs people to do this, but what if there was also a glossary of terms that accompanies the document along with examples so people can see what it means. Define the terms. It would be so much easier for people to read the document. That way, we don't always say...what do you mean by that? It would be simple, write it down.
- They've put 2 to 3 years in already, we don't need any glossary. We don't need this process.
- There are a lot of us; we all know each other b/c we've been on the same merry go round for years. This document is not reflective of all of the visioning we've done. We don't come out here just to hear ourselves talk. We are coming together – we are asking for democracy here. All those notes should have been attached to the document.
- I have a question. You're writing all these questions down, can you address these at the next meeting?
  - o We're going to write up and post to site
- Will Council members see this report?
  - o Yes, they'll see it. Every bit
- That's great but where are the answers?
- Up on the... – density and intensity of land use shall be transitioned as such that only compatible...I worked as a land use consultant, and I don't know what that means!
- That's double speak – you have conflicting language. That sentence is not enforceable in any way shape or form.
- I've noticed it in several documents. If you think we can live with something that makes absolutely no sense.
  - o This is why we're here this evening.
- I'm an ex-civil servant, I was on the other side of the desk. When Bob Thomas was there, there would be open space, etc. and when he left, the new one came in and development took a front line. That's what we're upset about. What's going to happen in 5 years, 10 years? There's no reason the City would go thru this if there wasn't an agenda there.
- One example about meetings and telling whoever decides on these things is the Lent Ranch. We went to tons of meetings, said no we don't want it and there it is. Are we wasting our time?
- Rights of Farmers sentence – to put that we will honor a person's right to farm, is a great statement but when you have livestock and right across the road is a lot of houses, no matter what the deed says, you'll have people calling and complaining about the smell and the noise. Having a right to farm means having a right to farm.
- I would improve by not having houses by farms

- Improve by saying “an uninhibited right to farm”
- There is no map that defines any of this so without seeing one it is almost impossible to determine what you want to do. The reason we have State/National parks is b/c we want boundaries for what we think is important to protect.
- Will you come back to public with another draft or with a final document?
  - o We have a series of similar meetings. County and Council has given direction to go back to the people and ‘flush out the details’ before you bring it back. This is just the start of the process, we need to go back and make sense of the comments.
- Once you compile the new document, will you come back to the public?
  - o In April, we go back to supervisors in how we believe this should be – they then will make the decision. We’re not asking for signature. It is a status report in April, then Council/County will look.
- Address the benefit—what is the benefit to EG that justifies the force that they’re putting into this effort.
  - o Staff serves at the direction of Council.
- What is the City’s interest? What is the great benefit that they’re willing to extend the effort?
  - o Council said during more rapid growth, our City is seeing development pressure and we need to figure out what our City boundaries will be. But after meetings, etc. it was determined what those boundaries will be. And that’s what we’ve been working on the last few years.
- But why is the line carried into the floodplain?
  - o Clearly we’ve heard that the floodplain is the issue here, so maybe the MOU can address that.
- No interest whatsoever in the blue; so it either becomes City or County jurisdiction.
- Go back to the urban services line
- Every time I come to a meeting, it is staff this, staff that, staff wrote this. Who is staff? Who is in charge? Who pays staff? Staff are not employees of EG? They are part of PMC. You can’t serve two masters.
  - o We serve at the behest of Council. So whatever Council sets as policy, everyone has to fulfill those tasks. Some of these issues that are bringing raised, it is important you bring to your elected officials.
- Everyone has been saying that what staff has taken in, is not what we said.
- I went to one of these meetings months ago and we talked about building in the floodplain. If you weren’t planning on developing in the floodplain you ‘d take it out. Take it out.
  - o Reiterating, we will not build there.
- How about a sign that says no MOU
- Rural uses conflicts with Urban uses – I think this should be reversed – rural uses were here first.
- Do you understand we don’t want this?
- I work nights, why are they sending other people when we have questions? Why can’t we have a meeting with the proper people here?
- Does the County hear us? Do they understand? You need to be more involved in this area. I really think you have a responsibility to stay there. You need to be more strongly involved in this MOU. It needs to be stricter with teeth.

- I want to give a different perception having been here thru this era and pre-city era. The irony was that there was concern then that the County wasn't representing us properly and that we needed a city. We want to deal with the substance. If you articulate what those issues are. I don't think County or City staff are the bad guys. There has to be a consensus on how to deal with these issues. And that takes a lot of reflection – we can point fingers. We need to see what the vision is, how flexible that needs to be. We have to allow staff to recognize that there are at least two or three things that need to be addressed (different areas).
- It is arrogant to say that the people here are the citizens and represent everyone. One thing I heard over and over was we don't want anything going on in the floodplain. In black and white in front of us is where it says there will be no development in the floodplain.
- Where does it say that?
- They know why they want to go to the river, is so they can tow up to the river so they can jump clear over it.

*Wrap-up, clarification*

- Most of what I've heard are issues related to SOI as a policy. As staff, I don't have answers right now. There is a review process by LAFCO.
- What is the transitional area?
  - o The MOU is attempting to deal with the rural/urban interface. The MOU talks about transitioning density. There's two methods mentioned in the MOU. Some of the environmental groups are providing guidance.
- What about idea of a third party conservancy? There's a trust issue here and we need to address that.
  - o From the County's perspective, the Board has not yet weighed in on the SOI or MOU. It is County's position to try to work with EG some of these principles. We will plan on being back before the Board. It might be mid-May to get it on the calendar. I'm not sure if we'd ask Board to take direction or if we would just air it. Clearly we will be conveying what is happening at these meetings. 1) Transitional land uses needs to be addressed (we need more feedback if urbanization occurs and if LAFCO approves) we want more input on how you want the County to react to this. 2) Development in the floodplain. 3) Trail system – we need more feedback on this.
- Back in 2007, a letter from Terry Shuttan specifically had a map that pointed to urban service boundary line, this isn't a factor anymore and I'm wondering why when the SOI is clearly a tool for defining urbanization areas.
  - o There are no plans for development in the floodplain. In light of the fact that we had a petition in July of 2008 requesting specifically that the floodplain not be included in the SOI. Obvious based on Topic #5, we keep saying it's not appropriate.
  - o The Board has not taken a vote, so this will now be part of the discussion.
  - o The letter hasn't been retracted or modified. I think that there's a point in having this discussion. But only LAFCO will make a decision on the SOI. No one is shying away from discussion. Staff has been taking into account the various viewpoints and we're trying to get on the same page.
- Transitional Land Uses – whenever you draw lines around the city, it doesn't match the reality. Hopefully we're talking. You have 8k acres undeveloped and 10k more within the SOI. I appreciate the MOU addressing agricultural land but truthfully, AG land has been chopped out. I think there should be a credible study on what the City's needs will be. Floodplain

should be controlled by the regional body and should be the governing body for AG. I believe it should all be within the SOI. Wherever the transitional line is, it should be within the SOI.

- The avid biker said he would never ride his bike down Grant Line Road, so please don't even think about it being a trail.
- I want to follow up on comment. The thing I think is an irritant is that EG has never given us a systematic analysis of land uses. What's been put out doesn't make any sense. There has to be a credible planning analysis in order to justify however much land they think they need in the SOI.
  - o When Council made the decision to make this the ultimate line, LAFCO staff discouraged. What we're currently doing is a market study to help determine what we'll need in the future. We recognize we have a housing imbalance and we'd like to broaden our job base. LAFCO doesn't want us to get in the process of planning this. City submits line, LAFCO reacts to that. They're doing an EIR to address this. The MOU is one additional tool that the City will attach to SOI. After, LAFCO will act on this application. The EIR will take a year just for that process to occur. Now regarding responsibility, it doesn't change ownership immediately. The County still does. The City will then need to plan to identify the basic land use needs over years.
- When does County weigh in?
  - o After all outreach meetings are completed, the County Board will see if they're comfortable.
- So the MOU will address that?
  - o We don't think development should occur in the floodplain. EG came back and said they agree. So we said, 'if you agree, we agree, then let's put it in an MOU'
- But SOI is about urban services.
  - o And that is our concern as well.
- Both agencies have planning staff assigned for government infrastructure (utilities, fire, etc.) wish lists, why is that going on right now before everything is finalized.
  - o The only thing going on now, is when we filed with LAFCO, we presented how other governmental agencies can provide services. County/City hasn't drawn up plans.
- The Planning Commission did recommend that the Board consider having that in the context of the general plan (a small area near Grant Line)
- Will market study be done before/after LAFCO meetings?
  - o It will end about the time LAFCO study
- Will the study be on the website too?
  - o Yes
- Does it speak to the vacant parcels?
  - o We could produce a GIS map that maps out our vacant parcels. The market study takes into consideration what we have vacant.
- My understanding was that there would be a market study done funded by the chamber.
  - o The City is heading into Public/Private partnerships to fund. We look at short term, mid term and long term and look at current vacancies. It is done to do better land use planning.
- We have 3 more upcoming meetings.

## Meeting Notes from Boards

- MOU does not reflect what the listening sessions said
- MOU should follow general principles and not get into details
- Why not withdraw application?
- More detail. Look for consequences.
- Issue of pre-zoning
- City/County is not listening – No MOU
- Why go in floodplain when that will not be developed?
- Clarify basin vs. Corridor
- Clarify public access issue in MOU – No Public Access
- Cosumnes River/Deer Creek does not correspond with map
- What is driving SOI and MOU?
- LAFCO meetings – time to allow citizens to participate
- County General Plan version for MOU? (include County GP designations for SOI area)
- MOU – Language addressing penalties
- What is the benefit to Elk Grove to spend effort in MOU process?
- Take out floodplain
- No MOU
- County needs to be more involved
- Transitional use on the east of highway 99
- More specification (definition)
- No industrial in transition
- No transition south of Eschinger
- Wider than ½ Mile north
- Change in land uses subject to decision by voters affected
- When is meeting that will answer questions?
- Which version of County General Plan applies?
- Penalties for non-auth. Grading/modification of floodplain needs to be in MOU
- Transition in Triangle SPA did not work
- Proposed greenbelt never happened
- Eliminate language regarding agreeing to change floodplain
- Majority of audience at March 2, 2010 meeting from East side of 99
- City/County needs to address both east and west side concerns
- Add glossary of terms and examples to MOU
- Density vs. intensity – explain
- What are assurances for future?
- MOU does not reflect what the meetings have said
- Include all notes in Council reports
- Clarify concept of compatible densities
- Ultimate goal is SOI
- A right to farm ordinance should be stronger: no action will be taken by government
- Citizen committee?
- East/west differences not addressed in MOU
- Where did staff get input for MOU?
- Where is the teeth of the MOU? General Plan basis not enough
- Why is City pushing SOI?
- Definition of regional trail system
- What is non-urban development
- ½ mile greenbelt between south sac
- East vs. west concerns
- Eliminate language to allow changes
- P.2 define leapfrog development and urban sprawl
- SOI on the ballot?
- Boundary into/out of river
- Sac County General Plan (include)

- No benefits for County with SOI MOU process
- Boundary to river is to allow future annexation across river
- 2007 County letter and petition – no floodplain
- No trail system on Grant Line
- Need to justify land acreage needs
- 3 areas of interest
- 3<sup>rd</sup> party conservancy for floodplain
- Clarification on trails
- Need a real, credible study that determines where SOI line should be
- Transit is good but all within SOI line
- Rural use conflicts with urban uses – this should be reversed (urban uses conflict with rural...rural here first)
- Need map illustrating “buffer” “river corridors” etc.
- What is Elk Grove interest in floodplain? – No floodplain
- County needs more involvement in SOI process
- Conflict between Cosumnes River Corridor and Basin
- Trail delineation – who’s planning?
- MOU does not reflect listening session comments
- Trail design? ADA Access?
- Include in MOU that people do not want SOI
- Are we playing in the sandbox while the deal has been out?
- Get rid of staff
- If City were listening there would be no MOU
- Better definitions