



## CITY OF RIO VISTA

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August 1, 2011

Honorable D. Scott Daniels  
Presiding Judge of the Superior Court  
Solano Superior Court  
600 Union Avenue  
Fairfield, CA 94533

Honorable Judge Daniels,

The City Council has reviewed the Solano County Grand Jury's report issued on June 10, 2011 entitled "Rio Vista Business Park". Please accept this letter as the City of Rio Vista's response to the 2010-2011 Grand Jury Report, in the manner described in California Penal Code Sec. 933.05.

**Finding 1** – The City of Rio Vista does not utilize the Chabin Concepts report as a marketing plan for the Business Park.

**Response to Finding #1** – The City disagrees with the finding.

**Recommendation 1** – The City of Rio Vista should adopt the marketing strategy and implementation plan developed in the Chabin Concepts report. The Grand Jury also suggests adding pictures to the City's website and routinely updating the website with information on available parcels as a marketing tool. Additionally, the City should engage realtors to list Business Park availability.

**Response to Recommendation #1** -The Chabin Report was adopted by the City Council in 2003. Several of the proposals have been implemented. Design Standards for the Business Park, and industrial property were adopted in December 4, 2003 by Resolution 2003-93. A business visitation by staff, Council members and the Chamber of Commerce was held several years ago, and well-received. However, due to staffing changes it has not been repeated.

Over the past few years, the City has utilized volunteers to gather information and assist in developing marketing material not only for the Business Park but also other areas in the City. As part of this process, the City's website was revamped and business opportunity information was posted. City staff has developed a brochure of information on the Business Park including zoning regulations, design standards, and a copy of a conceptual plan showing multiple parcels available to lease. This material must be expanded to not only include marketing information but also aerial photos of the site to add to the website. Once this information is completed, enlisting the help of realtors and/or other businesses would be implemented.

The newly formed “Rio Vista Business Alliance” has offered to assist the City in developing ways the city can attract businesses. Volunteers will be used to develop marketing materials. Development of a marketing strategy will be an ongoing process.

**Finding 2** – Not all leases for the Business Park are on file with the City of Rio Vista, and reviewed leases have not been updated, some for as long as 15 years. Review of these leases revealed incentives offered several of these companies were ill-advised and have had a long-term effect on the City.

**Response to Finding # 2** – The City partially disagrees with the finding. As mentioned in the report, there was only one (1) out of seventeen (17) leases not on file. Staff is researching to determine if the lease was misfiled. Without the incentives, several businesses would not have located in Rio Vista. The negotiated leases were done with the specific intent of bringing new business to the Business Park, increasing employment, and have provided the City with not only lease revenue but also property and sales tax.

**Recommendation 2** – Although there is no obligation for the tenants to renegotiate their leases, the City of Rio Vista should obtain, update, and/or attempt to renegotiate all leases for the Business Park. Leases should include current name of tenant, authorized signatures, mailing address, and any change in rental rates as indicated by the Consumer Price Index.

**Response to Recommendation # 2** – The City did reevaluate all leases between 2007-2010. Furthermore, during that period the City negotiated increases to the lease payments resulting in an additional \$6,000 in revenues to the City. While some leases did provide incentives, the City has benefited from these leases. For example, one of the businesses, which received a long-term lease at a low annual lease rate, is the largest producer of Endive, and the only producer in the United States. This company invested millions in Rio Vista not only through constructing a large processing facility, for which the City is receiving property tax, but also by hiring local people. Most recently, this company is expanding their business and is moving their storage facility to Rio Vista. This will add more jobs and increase our property tax. Not to mention the international recognition that the business has brought to Rio Vista.

Another business that received a similar deal has provided space for small businesses to relocate in Rio Vista. Aside from property tax, sales tax, and lease revenues received by the City, these businesses have participated in and donated money, time, and material to various organizations in the community.

Where possible the City will continue to evaluate the leases and/or amend the leases to include language allowing an increase in rents based on the consumer price index.

**Finding 3** – Appropriate City Officials have not adequately reviewed key strategic and planning documents applicable to the Business Park.

**Response to Finding # 3** – The City partially disagrees with the finding. Former Community Development Department staff were very familiar with the Chabin report and its recommended actions. However, those staff members are no longer with the City. As new staff is hired, they will be required to become familiar with the reports and recommendations.

**Recommendation 3** – The City Officials should undertake a detailed review of the General Plan and the Chabin Concepts report applicable to the Business Park. The City Officials should take responsibility for implementing the goals set out in these key documents for the Business Park when so directed by the Rio Vista City Council.

**Response to Recommendation # 3** – Several recommendations in the Chabin report have been implemented. The Chabin Plan was prepared in 2003 and since that time the City has implemented several of the proposed “Actions.” For example, Action 1.1 proposed adoption of design standards. In May 2007, the City approved the Industrial Park Design Guidelines that outline specific requirements at the Business and Industrial Park related to landscaping, building design, and other items. Action 1.2 proposed that the City adopt a land lease. In 2009, a standard lease and land-purchase lease agreement was developed. This document is provided to all businesses/individuals interested in leasing land at the Business Park. Action 1.5 proposed meeting with local banks to determine interest for making loans. A couple of years ago, Staff met with a local bank to discuss this specific item. However, with new banking regulations it has become more difficult to loan funds.

Some of the recommendation were and continue to be difficult for a small, financially strapped city to implement. The City will continue to evaluate the report and implement where practicable and when staff is available.

**Finding 4** – The City of Rio Vista does not have an approved/recorded map of the Business Park.

**Response to Finding # 4** – the City agrees with the Grand Jury’s findings. For purposes of responding to the Grand Jury’s findings, an approved/recorded map denotes a map showing individual lots and street of an area to be developed and recorded with a County.

**Recommendation 4** – The City of Rio Vista should pursue getting an approved/recorded map and have it available for City departments. The map could also be part of the website and available for any prospective tenants.

**Response to Recommendation # 4** - The recommendation has not yet been implemented, but will be implemented in the future. The Business Park is currently recorded at the County as a single 100+ acre lot. The City has developed a conceptual map of the Business Park, which illustrates parcels ranging from 1 acre to 3 acre in size. This conceptual map was developed to assist potential businesses select a site that would suit their business and/or expansion needs. For example, if a business needed a five (5) acre parcel the City could point out sites, which would accommodate the acreage. Prior to a transition in staffing and a downturn in the economy, the City had plans to subdivide the entire site into individual parcels based on requests by potential businesses. Sizes would have ranged from one (1) acre to five (5) acre parcels. Staff will move forward to subdivide the parcel and record a map within the next two years.

**Finding 5** – The City of Rio Vista does not perform regular weed abatement at the Business Park.

**Response to Finding # 5** – The City agrees with the finding.

**Recommendation 5** – The City of Rio Vista should schedule regular weed abatement at the Business Park. This would improve the appearance of the area and decrease the potential for fires and crime.

**Response to Recommendation # 5** – On an annual basis the City performs weed abatement along Poppy House Road, fifteen feet into the property as a firebreak. However, the entire site has not been regularly abated for weeds. The Public Works Department has been informed of the benefits of abating the weeds at the Business Park and will endeavor to schedule time to perform the work.

**Finding 6** – The City of Rio Vista has been unable to remove current restrictions on the sale of Business Park property.

**Response to Finding # 6** – the City agrees with the Grand Jury’s findings

**Recommendation 6** – The City of Rio Vista should contact County and State elected representatives to assist Rio Vista in eliminating these restrictions.

**Response to Recommendation # 6** – Since 1952, when the City purchased the Business Park property, the City has attempted several times to have the restrictions on the property removed. In the late 80’s, 90’s and up to 2011, the City has petitioned the Central Valley Flood Control Board sitting as the Sacramento-San Joaquin Drainage District, the original owner of the property to remove the restriction. In 2008, the City again began the process to remove the restriction. Over the past three years, the City has made some headway through meeting with the Department of Water Resources tasked with land sale. Most recently, the City has performed an appraisal of the property in hopes of negotiating a “buy out” of the restriction. The City’s intends to finalize a proposal to the Department of General Services for the “buy out.”

If the City feels it necessary, County and State elected representatives will be contacted to assist the City.

Should you have any further questions or concerns, please do not hesitate to contact me at (707) 374-6451.

Sincerely,



Jan Vick, Mayor  
City of Rio Vista