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August 13, 2020

Honorable Russell Hom,
Presiding Judge
Sacramento County Superior Court
720 9th Street, Dept. 47
Sacramento, CA 95624

RE: City of Elk Grove 2019-2020 Grand Jury Response

Dear Judge Hom:

On June 20, 2020, the Sacramento County Grand Jury issued a Grand Jury Report entitled "Elk Grove Parks: Where Have All the Flowers Gone?" Pursuant to California Penal Code sections 933 and 933.05, the Grand Jury has requested that the Mayor of the City of Elk Grove and the City Council of the City of Elk Grove respond to the Grand Jury's findings and recommendations. The response set forth herein encompasses the joint response of both the Mayor and the City Council of the City of Elk Grove. The Grand Jury also invited a voluntary response from Jason Behrmann, City Manager of the City of Elk Grove. Because the response below sufficiently sets forth the City's position, the City Manager respectfully declines to provide a further response.

The Grand Jury Report was also directed to the Cosumnes Community Services District ("CCSD"). The CCSD provided its response to the Grand Jury Report by a letter response dated August 5, 2020. A copy of the CCSD response is attached as Exhibit A, hereto. Given the similarities in responses, the City incorporates the CCSD's response as the City's response, where appropriate.

GENERAL STATEMENT

The CCSD is the primary parks provider in the City of Elk Grove. With the exception of the City of Elk Grove's Rain Garden near City Hall, and the facilities located at the City's District 56 property – a multi-use property containing the Aquatics Center, Community Center, Veterans Hall, and nature area and open space – the City does not own, operate or maintain parks within the City. The City also does not maintain or manage the landscape and lighting districts; the CSD takes on that role and responsibility.

The City maintains two community facilities districts ("CFDs") that provide funding for parks in the Laguna Ridge Specific Plan and the Southeast Policy Area. These are developing areas in the southern portion of the City. In these areas, the City collects the park fees and transfers funds to the CCSD, which owns and operates the parks. This process

is memorialized through a 2019 Memorandum of Understanding (“MOU”), which was reviewed by the Grand Jury as a part of its investigation. (See Grand Jury Report, at p. 17.) The CFDs created by the City to maintain parks and other facilities in these new areas were established to provide sufficient maintenance funding for these facilities, and these newer areas do not suffer the deficiencies that may be present in older landscape and lighting districts in the City.

FINDINGS AND CITY RESPONSES

Finding F1: The current multiple funding mechanisms are neither effective nor sustainable for managing Elk Grove's parks.

Response: The City partially agrees with this finding.

As the City's response, the City adopts, and incorporates herein by reference, the CCSD's response to this finding as set forth at Exhibit A.

Finding F2: Public confusion and misunderstanding are evidenced by the need for extensive and repeated community outreach meetings and the mixed success in securing timely voter approval for needed revenue increases. Contributing to this confusion are: the division in roles for Elk Grove's parks between the City of Elk Grove and Cosumnes Community Services District (CCSD); priorities among neighborhood and district-wide facilities; and the challenge of managing and understanding the park system as an integrated program.

Response: The City partially agrees with this finding.

While the City and the CCSD have had disagreements in the past, which has led to litigation, the City and the CCSD currently enjoy a strong partnership in the development of parks and recreational facilities for the benefit of the community. The City largely defers to the CCSD concerning the maintenance of parks and recreational facilities in the City, and the two agencies work closely and cooperatively to educate the community of park and recreational facilities and opportunities in the City.

As the City's further response, the City adopts, and incorporates herein by reference, the CCSD's response to this finding as set forth at Exhibit A.

Finding F3: The 19 different Landscape and Lighting (L&L) district assessment rates, varying by as much as a factor of four, cause significant inequities for Elk Grove residents in terms of payments they make and benefits they derive from Elk Grove parks.

Response: The City partially agrees with this finding.

