

Unapproved Minutes
Dunnigan Advisory Committee
Wednesday, July 15, 2009

Country Fair Estates
5130 County Road 99W
Dunnigan, Ca

Call to order: 7:15 pm by Chairman Weber

ATTENDANCE

- 15 members in attendance, quorum present
- 2 members absent, Shirley Gooch, Wilma Gulatt
- 5 county representatives were present at this meeting
- 9 residents and guests
- Total in attendance 29 members, guests and county representatives

New Member

Chairman Weber introduced and welcomed Bob Langfield to the committee. Bob expressed his appreciation for being appointed and looks forward to working for the community. As he is the pastor of the church in Dunnigan he is committed to working for the betterment of the community.

MINUTES

Special Meeting: June 9th

Chairman Weber called for the approval of the minutes for the special meeting held on June 9th. No corrections or additions were noted. He then called for a motion to approve the special meeting minutes.

Motion by: Greg Bickfsord; **Seconded by** Willard Ingraham to approve the minutes of the special meeting held on June 9th.

Vote: Yes 14; No 1; Abstain 0; Motion Carried. Minutes of June 9th approved.

Meeting of June 17th

Chairman Weber called for the approval of the minutes of June 17th. He asked if there were any corrections or additions to the minutes.

- V. Lovell voiced her disapproval of the minutes because they are too condensed.
- Chairman Weber asked if she had specific information she would like added to the minutes. V. Lovell indicated there were a lot of things but could not indicate a specific correction; she felt the minutes should be recorded verbatim as to every conversation that took place.
- Secretary Kirkland explained the minutes were available on tape and it was at times difficult to hear exactly everything being said. She explained every Chairman reviews the minutes and if there are additions he requires they are added, we try to make sure every discussion point has been indicated for referral if necessary.
- V. Lovell stated her concern that the Supervisors were not receiving all comments.
- Chairman Weber indicated he has read minutes from other organizations and he indicated our minutes are quite lengthy compared to others. He indicated we are getting good approval of the minutes with minor adjustments at times.
- M. Smith indicated the county prefers the minutes to be summarized for easy reading. By indicating key discussion points they are able to see what we discussed

and ask questions if necessary. If we expect the Planning Commission or the Board of Supervisor to read our minutes they need to be summarized.

- D. Rust, Chief Planner explained the minutes taken at the Planning Commission and Board of Supervisors meetings are all summarized and if anyone wants to hear the complete version of the minutes they can purchase a tape.

Being no further discussion on the presentation format of the minutes, Chairman Weber called for the vote to accept the minutes.

Motion By M. Smith; Second by Vice Chairman N. Busch to approve the minutes of June 17th. Vote: Yes 11, No 1, Abstain 0; Motion carried, June 17th minutes approved. Three members in attendance this evening are not allowed a vote as they did not attend the June 17th meeting.

Commissioner Bertolero indicated members who are not in attendance at the specific meeting to not get a vote to approve the minutes for that meeting.

PUBLIC COMMENTS

Chairman Weber opened Public Comments. He informed the committee members of the Board of Supervisors hearing on the 20/30 General Plan/EIR which will begin on July 20th and continue through the 22nd if necessary. He indicated we are not prepared with anything to present but stressed the importance of attending the hearings. Also to reaffirm our position on the General Plan/EIR comments we had previously submitted to the Supervisors as well.

- Commissioner Reed, District 4 who was a visiting this evening encouraged members to attend and state our position.
- W. Ingraham mentioned the loss of a community resident who was serving in the military and suggested we should express our condolences to the family.
- Fire Chief D. Hunt indicated the family does not want the press involved, the Dunnigan Fire Dept. is accepting donations for the family, services will be held Thursday immediately followed by a potluck at the Fire Hall, if anyone wish to contribute towards the potluck the station will be open at 8:00 am for drop offs. Financial donations are also being accepted for the family at the Fire Station and will be given to the family.
- E. Linse addressed the elevation of Zamora being 72 ft. versus the 62ft at Dunnigan where the post office is. He is concerned about long term flooding and felt we are not being adequately careful on this issue. Past history indicates we have had a long period of little variability and we are moving into a period of much greater variability. We can not assume the climate is constant. In thinking about a town or city we need to take a long view at the possible flooding problem.

Being not further Public Comments, Public Comments were closed.

CORRESPONDENCE

Chairman Weber indicated we had not received a response on our comments to the EIR draft document we submitted after our June 9th meeting, he indicated a personal note was sent to the Board requesting a response. He asked D. Rust if there was any thing to report.

EIR Resident Comment Letter: Chairman Weber referenced a letter we had received that gave 17 years of history on plans for growth in the Dunnigan area. The letter also referenced concerns about water availability, carbon emissions and green house gas. We are now dealing with quite a large growth and to tie it in, it is very important that jobs are

created within this community to eliminate the increase of cars on the freeway. This letter was submitted to the Planning Commission with the EIR comments.

Drainage: Chairman Weber addressed the correspondence we received from John Bencomo in response to our letter sent several months back on the drainage problem. A follow up letter requesting an answer was submitted recently by our Drainage Committee. He asked Greg Bickford, Drainage Committee, to cover the response. G. Bickford indicated in the past we had asked the County to investigate the County Road 99W at County Road 8 flood issue, noting a possible problem with the water draining to the north instead of south.

- This has been an ongoing issue for the last 3 years; the County came out and looked without a resolution to the problem
- Both letters requested an investigation into each specific commercial project to see if all the drainage requirements to control flood issues were completed by the commercial business involved. County has again side stepped the issue by stating there are no funds available for maintenance
- Mr. Bencomo's letter directs responsibility for drainage maintenance to the commercial businesses in the area. (i.e. Pilot, Ritchie Bros, Grant Park)
- The impending growth will add to the problem if not addressed and corrected, the solution to this problem will have to be built in with the new development; we will have to have our own holding ponds.
- Issue began at Byrd Creek being block with debris and the lack of the ditches in the Dunnigan area not being maintained over the last 20 year
- Secretary Kirkland referenced the letter from Mr. Bencomo which stated the County required drainage improvements on both the Pilot and Ritchie Bros sites to mitigate the impacts. The letter I forwarded requested they review their records and establish if the current landowners in the area fulfilled their site plan obligations referencing drainage when constructing their commercial requirements. We did not get an answer to that request and there is a possibility drainage requirements were not completed as instructed.

Jobs/Housing: E. Linse referred to prior correspondence and indicated he had suggested the jobs/housing balance be reviewed in two years to match up how the progress was going, County indicated 5 years. Concern the built out could take place within those five years. He recommends we request for more frequent checks in our Specific Plan.

Chairman Weber asked for any further correspondence, none was noted, correspondence closed.

GUEST SPEAKER – DUNNIGAN PROJECT

Chairman Weber introduced Keith Fichtner. Mr Fichtner began by reviewing the time frame involved.

- Discussions with County currently taking place to work out concerns, this will continue until approximately Sept. 16th.
- Once application approved, a project EIR will be completed for the entire area. From Sept. 2009 to March 2010 goal will be to come to a solution on water/sewer/flood control issues. Boundaries were again pointed out for project.
- Concepts for each area of the Dunnigan Project were explained. In the old town area focus would be on selected spots; looking mostly at this area as a walking community, small shops, art galleries, side walk cafes, etc. very old town

atmosphere. Road 8, west side is slated as the commercial/industrial area. Hardwoods remain the same.

- E. Linse questioned if redevelopment loans would be made available. K. Fichtner indicated this was questionable; it would be looked into, but probably not.
- Lack of an exit on the south side of the Hardwoods was questioned and the importance stressed. K. Fichtner indicated he expected this issue to be addressed at the county meeting scheduled for tomorrow. He also indicated a concern with attempting to work with rail road. Project must have 200 year flood protection.
- K. Fichtner briefly reviewed the concept on water storage, release of, time frame, amount to be collected for sustainability, method used to collect and how controlled. All water collected will be used.
- Questioned on the drainage and if the water will be cleaned, K. Fichtner indicated it would be cleaned through the proposed system for irrigation. This would not be potable water for irrigation use only.
- V. Lovell referenced the illegal road off of 99W that blocks drainage on the east side of the rail road tracks. Drainage Committee members indicated their awareness of this road and the property it floods every year. K. Fichtner stressed the importance of community input on these types of issues involving flooding and water.
- M. Smith talked about the reservoirs being constructed east/west which is down hill, a dam will be necessary on the down hill side to hold a lot more volume.
- K. Fichtner addressed the creeks being enhanced to be back to natural. Reviewed how the creeks would work to clean the water. Biggest lake will be constructed at Azevedo Draw.
- Chairman Weber questioned the existing sewage treatment ponds and if they would be combined into one large system. K. Fichtner, yes, they will be taken out, he indicated there are nine (9) in the Dunnigan area. Everything will be funneled into the sewage treatment facility.
- K. Fichtner explained the two proposed sites for sewage treatment, one being a large building that would contain the whole facility, the other being the typical with sewer ponds, located east of town, not favorable. He explained how the sewage treatment contained in one building would work. Water released from there is Title 22 water.
- K. Fichtner indicated he has no answer on water at this time. He indicated that any projected over 500 homes requires the developer to prove the existence of sufficient water. If it is necessary to drill, there are three aquifers, 30-110ft most homes have, 550-750ft most farms have, 1100-1500ft not many have it, if necessary to drill, will go to lowest aquifer. Drilling can not damage other aquifers.
- E. Linse questioned the evaporation and preservation of the canal water. Suggested if a 50 mile stretch was covered this would slow the evaporation. K. Fichtner addressed removing the water and placing it into storage tanks.
- Question on the amount of water needed, no known at this time. Attempting to analyze this at present.
- Commissioner Williams's reference the early 90's when the idea was for houses to be more spaced out; former plan indicated the water usage for homes would be the same as ag irrigated row crops.
- Jobs/Housing balance a high priority as well as water. Jobs must be brought to this area.
- W. Ingraham addressed the importance of a southern exit from the Hardwoods; possible use of frontage road from Road 5 along freeway to Road 6. Another idea is a Road 4 frontage road through the rest stop.

- Chairman Weber stressed the importance of making this improvement to the Hardwoods to allow for a southern exit to tie into Road 6; 200 homes located there with no way to exit in the event of a severe emergency.
- V. Lovell questioned the possibility of a walking lane on the Road 4 overpass. K. Fichtner indicated this would have to be addressed by Cal Trans and a good argument will be needed to get this improvement.
- Chairman Weber questioned K. Fichtner in reference to the comment made at the last meeting indicating services would be provided to the Hardwoods at no cost? After some humor, K. Fichtner indicated a CSD or CDA would have to be established for maintenance. When this point is reached, we as a group will have to agree whether or not to pay our share of the taxes associated with the CSD or CSA for what ever districts is needed for maintenance.
- Chairman Weber questioned the water and sewer lines being installed through the Hardwoods. K. Fichtner indicated this process comes at a great cost. The more wells he can remove from the Hardwoods the better it is. He gets credit for removing the unnecessary wells. This will prevent wells from going dry and helps the nitrate problem. He is not sure how far the lines will go. If residents choose not to hook up it is their choice. He gave an example as to how he helped this cost in another community.
- V. Lovell questioned the access of emergency vehicles with all the bike and pedestrian lanes planned. D. Rust indicated vehicle lanes would be 10ft in width next to a 5ft bike lane on each side equaling 30ft of pavement, enough to handle emergency vehicles, in an emergency people would pull over. D. Hunt indicated that 16 ft was the bare minimum required to be able to operate from the fire engine. K. Fichtner clarified the width includes vehicle and bike lanes only with the pedestrian strip above that. He displayed a map which indicated the proposed paths for pedestrians, bikes, golf carts, etc.
- E. Linse asked about Road 88, how will it be maintained to the north. K. Fichtner indicated this will be discussed with the county and a traffic study will need to be done to analyze the amount of traffic on this road.
- Commissioner Williams redirected the topic to the Jobs/Housing balance. He referenced the data in the General Plan which indicated Dunnigan currently sits at a .33 or .39 ratio which is way below the County's proposal of 1.2. On the proposed new housing is the ratio being determined based on the whole community including the senior community or limited to just the new growth.
- K. Fichtner indicated the 1.2 ratio is for the whole community. He went on to indicate the balance will be phased; each phase beginning with the first phase is required to have jobs/housing balance. Commissioner Williams questioned if the first phase was a time period or number of house, K. Fichtner indicated it was geographic. He referenced that all the homes to be built are not all the same size.
- Chairman Weber questioned if within the 2000 acres there is a piece of property where the owners do not want to sell, what will happen with this property. How will this be handled?
- K. Fichtner stated they do not need to sell, if they are in our boundary they would be zoned accordingly through our Specific Plan. The Specific Plan is the zoning vehicle. He gave an example of how the zoning would work and if their zone was changed and they do not agree they need to notify the developers. Chairman Weber asked if the property owners determine they want to continue farming and they are zoned RR, what do they do? Answer: Continue farming, no law that would require them to stop.

- K. Fichtner addressed the current water lines for the water district which need to remain secure for water delivery to local farmers; we have to assure these lateral water lines remain in tact so as to not disrupt the farming in the area.
- K. Fichtner indicated a 300ft buffer from ag is required. He identified a small strip of land in contention. Question was asked as to where this area is located.
- Secretary Kirkland the General Plan presentation and the indication by David Morrison that the rail road be used as a transportation method from here to Sacramento. If the rail road is to be used as a mode transportation, property east of the rail road has to be considered, this was brought to his attention. Question, is a transportation center going to fit in this little green area. K. Fichtner not sure if the rail road is going to allow a transportation center. With a 300ft buffer how will this happen. The idea which was presented for a mode of transportation to eliminate the use of cars, but walking and bicycles would be the method used to the rail road transportation center to take the train from here to Woodland, Sacramento and points beyond is not even being considered. K. Fichtner indicated this would have to be worked out with county. If this is part of the General Plan as suggested by Mr. Morrison, then an area has to be identified, if it is not your intention to investigate required footage east of the rail road tracks where do you place a transportation center? K. Fichtner indicated they have to stay within their boundary.
- G. Bickford asked if he had spoken with the rail road. It was indicated perhaps we could help with the contact. K. Fichtner said at present he has had no luck contacting them.
- S. Mumma questioned if the lakes would be lined. K. Fichtner indicated they would be lined if needed, the soil will have to be checked; he went on to indicate it depends on the recharge.
- V. Lovell questioned where the pedestrian bridge over I 5 would be located. K. Fichtner explained how this crossing would work well for the whole community; approximate location is at Azevedo Draw.
- M. Smith indicated some of the information being presented on transportation sounds like a bit like traffic congestion, it appears the goal is to make it more attractive to ride a bike.
- Chairman Weber asked K. Fichtner to attend the next meeting and include the experts. K. Fichtner indicated he would bring the flood expert. Meeting was set up with the Drainage Committee to meet at 5:30 pm on August 19 with K. Fichtner and the flood consultant.
- K. Fichtner asked for specific information from the community that is pertinent to this area, flooding, water, transportation, etc.

Chairman Weber thanked K. Fichtner for the presentation.

SUB COMMITTEE REPORTS

Chairman Weber called for sub committee reports:

- **Water:** Chairman Weber asked how the monitoring program was proceeding at the Dunnigan Water District. B. Stucker indicated the grant that was applied for through the state was not obtained due to the lack of funds. The Dunnigan Water District is currently trying to apply for funds thru the Obama stimulus program.
- **Drainage:** Response to the second correspondence sent requesting the reinvestigation into the compliance of the drainage requirements for the Road 8 area was received. G. Bickford had covered the response from the county under correspondence. Response did not address the question and the drainage committee will discuss if another more specific letter will be sent.

- **Incorporation:** E. Linse indicated time should be scheduled to look seriously into incorporation of Dunnigan. E. Linse indicated because of prior experiences and the recent Planning Commission meeting that we did a lot of preparation for, were it was apparent people really were not mentally prepared to have a hearing. It is imperative that we make the case that we want some kind of time phase were we are working with the county to look at incorporate. He felt we should be meeting with the developers on issues, not the county. He referenced previous history and the question that was asked as to how we split the tax money when we get commercial ventures going, the answer was 50%. E. Linse indicated that may not be the answer but we do need to be analyzing this issue whether it take us three years or five years or what ever, we do need to be in substantive meetings to determine those answers. The county should not be discussing the drainage problems; they have no concept as to what real problems exist. He indicated the committee would meet again within the month.

Chairman Weber asked if there were any other subcommittee reports, none were brought to the floor, Subcommittee Reports were closed.

DISCUSSION ITEMS

Chairman Weber opened discussion items.

Meeting Place: He began by opening the discussion on the request to move our meetings back to the Community Center (Fire Hall) he indicated he wasn't certain if this was designated a public building or not. Chairman Weber indicated the facility we are currently meeting at is very comfortable and the current schedule indicates we have three more meeting before returning to the Fire Hall. He called for discussion.

- Secretary Kirkland suggested we table this discussion until November and set our schedule for the coming year at that time. The current schedule was approved by the committee and has been used for a considerable length of time without any problems. November would be the more appropriate time to discuss and determine a new schedule for the coming year.
- M. Smith gave a brief description of the new by laws and the new standing rules which will be required to be developed by each committee. Standing rules are for items such as number of meeting per year, meeting date and place along with several other items. Standing rules would require a simple majority to approve and a 2/3 vote to amend. Our meeting schedule would fall under the Standing Rules. Under standing rules advance notice must be given to committee members if we wanted to make changes.
- Chairman Weber asked if we were okay to continue our meetings as scheduled for the remainder of the year. Comments indicated it should go to the Fire Hall as it belongs to the community. A Motion was made by V. Lovell to use the Fire Hall, Second by Carolee Long. Chairman Weber called for discussion.
- B. Langfield indicated if we moved it for next month a lot of people would have to be notified of the change. He suggested that Secretary Kirkland's suggestion of waiting until November which is only a couple of months ahead would be the best procedure to follow; he does not feel we should rush into this.
- Commissioner Bertolero indicated this topic was listed as a discussion item and needs to be on next months agenda as an action item. We can not take action on a discussion item.
- M. Smith questioned why we would want to go about our Standing Rules piece meal, let's adopt our Standing Rules properly and schedule our meeting place at that time.

- Chairman Weber stated he was corrected on the proper procedure and thanked Commissioner Bertolero for his assistance. Motion was dropped as it was not in accordance with the procedure to be followed under discussion items. Our meeting will remain here next month and this topic will be placed on the agenda as an action item, we will take an action at that time.
- Commissioner Bertolero indicated the Standing Rules can not be adopted until after the Supervisors adopt the by laws. Question if they would be adopted by November. Not certain as to when this will be presented to the Board. D. Rust indicated it is not official until the Board takes action.

Chairman Weber closed the discussion on this subject until next meeting.

ACTION ITEM

Parking Ordinance:

Chairman Weber indicated we are required to take action on this item this evening. He went on to question if the County is without a Parking Ordinance at present.

D. Rust indicated we are bringing this ordinance up to current standards. The updated ordinance would affect new development or expansions only, exiting parking standards would remain the same. New development is required to meet ADA (American Disabilities Act) minimum standard for parking, recommendations to increase standards can be designed. Chairman Weber opened discussion on the ordinance; the following recommendations for changes were made:

- **Sec. 8-2.2504, item (b) Location of Parking-residential use.** *Required parking shall not be located in any required front or side yard.* Not acceptable, **needs to be re-worded or stricken from the ordinance.** Residential residents need to be able to park their vehicles. Suggested it be re-worded to read **required front or side yard shall not constitute parking areas.** Current standards for development of 8-9 houses per acre does not allow for side yard parking, if you eliminate front yard (i.e. street parking) where do people park their vehicles, what are driveways considered, would this not be allowed as well. Allowance for off street parking must be addressed. This issue also conflicts with other section of the ordinance. Best solution to strike it completely.
- **Sec. 8-2.284 Parking Spaces,** ordinance describes a “Parking Space” as an area nine (9) feet in width and eighteen (18) ft in length. Larger vehicles find it difficult to park in this size space. **Recommend increasing “Parking Space” to a minimum of nine (9) feet in width by twenty (20) feet in length to accommodate all types of standard vehicles.**
- **Sec. 8-2.2506 and 2507 Number of Parking Spaces Required- Special Parking Spaces Required.** Referencing Table 8-2.2506 on page 8 and Table 8-2.2507 on page 10. **Recommend increasing percentage of minimum required number of accessible parking spaces (handicap parking) on Table 8.2-2507 to 3% or above for total number of parking space 501 – 1,000.** Percentage listed of 2% does not even begin to accommodate the need for handicap parking. For a supermarket with 800 parking spaces based on the percentage listed of 2% only 16 handicap spaces would be provided, no way near enough. Percentage of handicap spaces need to be analyzed and increased to handle future needs.

Chairman Weber recapped our suggested changes and called for a motion to approve the Parking Ordinance with the changes indicated.

Motion by M. Smith to approve the amended Parking Ordinance to include the three recommended changes. **Seconded by G. Bickford**

Discussion:

- V. Lovell questioned if the ordinance included any information on agriculture. She was directed to page 9
- D. Rust passed out a sheet with part of the ordinance that had been left out.

Chairman Weber called for the vote. **Vote: Yes 12; No 1; Abstain 1, one member left early, Motion carried.**

PLANNING COMMISSIONER UPDATE

Chairman Weber recognized the commissioners present this evening.

Commissioner Williams

- Was pleased Commissioner Reed attended this evening to get a prospective of what is taking place in Dunnigan and to hear the developer presentation.
- Last commissioners meeting addressed lot line adjustment, wind energy ordinance, discussed the use of small/large wind energy machines and the ordinance being developed to address new wetlands being developed that conflict with Ag property.
- TANK idea has gone by the way side, SMUD has pulled out, county is looking into writing ordinances to prevent this from taking place again and require future municipal powers to check county ordinance before attempting to move forward. He cautioned this could again happen in the future.

Commissioner Bertolero

- Ad Hoc subcommittee charged with designing new by laws has completed its assignment.
- New By laws finished, 25 new by laws and 6 attachments (Brown Act, Ethics, Rosenberg's Rules of Order, Boundary Maps, Procedures for Reviewing Discretionary Applications, Mission Statement) make up the package.
- Package will be forwarded to the Planning Commission, no meeting in August, next meeting on September 10th, By laws will be on agenda as a public hearing.
- Advisory Committees should receive these as an action item in August and after the Planning Commission work shop it will be passed on to the Supervisors. Goal to begin the New Year with By Laws in place.
- He referenced the 2 year term reappointments. Some discussion followed on this subject addressing the attendance and reappointments.
- Commissioner Bertolero thanked everyone who participated on this sub committee. He asked for our input on the document.

ADDITIONAL COMMENTS

Chairman Weber asked D. Rust if there was any information on the eleven items currently being discussed with the developers. D. Rust indicated these were items the County has issue with, they are being worked on. Secretary Kirkland indicated the information presented this evening suggested some congestion problems. This would not be good. It was noted people are not going to give up their vehicles no matter what the cost of fuel, the congestion issue needs to be seriously addressed.

Chairman Weber referenced the egress to the Hardwoods being placed as a future agenda item. It was noted this subject was to be included in the discussion with County taking place tomorrow. D. Rust indicated it's an item that has been discussed with the developers, he referenced their plans of a sustainable, walk able, pedestrian friendly community and there is no link to the Hardwoods. He went on to talk about possible connections from County Road 88 to Road 5 also something from Road 5 into the new growth area. Commissioner Williams asked if these meeting were open to the public. D. Rust stated these were private meetings.

FUTURE AGENDA ITEMS

- Presentation by Keith Fichtner, Water/Flood for new development
- Berryessa/Snow Mountain Conservation Area
- CSD/CSD Presentation
- Ad Hoc By Laws – Action Item
- Meeting Place – Action Item

M. Smith indicated action items are always to be dealt with first on the agenda. County's requirements come first, when they have an action item we must address it first and take action. V. Lovell agreed with his statement. Chairman Weber asked to reschedule the presentation on CDS/CSA to Sept. Committee members felt the presentation on the development was of importance. Perhaps time limits need to be set on other items to allow for a longer presentation on the proposed development.

Being not further business, Chairman Weber called for a motion to adjourn, meeting adjourned 10:00 pm. **Motion by:** Chairman Weber; **Seconded by:** W. Ingraham; all in favor.

Respectfully submitted
Deanna Kirkland, Secretary
Dunnigan Advisory Committee