

Unapproved Minutes
Dunnigan Advisory Committee
Wednesday, September 16, 2009

Country Fair Estates
5130 County Road 99W
Dunnigan, Ca

Call to order: 7:15 pm by Chairman Weber

ATTENDANCE

- 13 members in attendance, quorum present
- 4 members absent, Sid Mumma, Karene Harris, Willard Ingraham, Anita Tatum
- 4 county representatives were present at this meeting
- 12 residents and guests
- Total in attendance 29 members, guests and county representatives

MINUTES

Chairman Weber called for the approval of the minutes of August 19. He asked if there were any corrections or additions to the minutes.

Corrections:

Minutes:

- V. Lovell indicated a statement recorded in the minutes was incorrect. The statement as recorded from the minute tape of the August 19th is as follows: *“I did not want them to be verbatim, I wanted it actually, it wasn’t a problem of being condense; I just wanted them to be compatible for how I meant them and not really as much as an opinion. Other wise I don’t have a problem with them being condensed”*.

It was requested by Secretary Kirkland that V. Lovell put her comment in writing so it could be properly recorded. The written statement given to Secretary Kirkland is as follows: *“I wanted them to be compatible for how I meant them, not as someone else’s opinion. Otherwise I don’t have a problem with them being condensed.* Correction Noted.

AD HOC – BYLAWS Correction:

- D. Rust requested the following wording be corrected: Change the word decision to **recommendation** referencing the application package. Correction Noted.

ACTION ITEM:

Committee Meeting Place: V. Lovell referenced her comments regarding changing the meeting place was omitted and would like them entered into the minutes. In her opinion this was not a public place but home to only some of the committee members. Her comment on this issue transcribed from the tape of the 8/19/09 minutes is as follows:

V. Lovell stated “there was no indication in our by laws regarding our meeting place. Meeting here was not fair to others who did not live in this community. This is not fair, they all have the same basic address which really is not fair to others living in the community or others who want to come from outside. The people coming from the grove

area would not be as welcome here as at the firehouse where they go to vote and attend other community events”.

Chairman Weber asked if there were any other corrections, he then called for a motion to adopt the minutes with the correction noted.

Motion by W. Gullatt to accept the minutes of 8/19/09 with the corrections and additions noted; **Seconded by B. Langfield.**

Vote: Yes 11, No 0, Abstain 2, Minutes of August 19th approved with the changes and additions noted.

CORRESPONDENCE

Chairman Weber indicated we had not received any correspondence.

PUBLIC COMMENTS

Chairman Weber opened Public Comments.

- W. Gullatt addressed the following question to Commissioner Bertolero, she asked if audience participation was permissible during the approval of the minutes, should we accept comments on the minutes from the public?
- D. Rust indicated No, when the minutes are adopted it is not an agenda item to be discussed, they were already discussed at the last meeting, no need to re-discuss, all you are doing is adopting what has already been discussed. Interaction by the committee on the clarification of the minutes is acceptable, not from the public.
- D. Rust stated the minutes are a summary of what was said, at the Board and PC word for word is not written down in the minutes that come back. A recording is available if someone wishes to have a complete copy of what was said.
- Commissioner Bertolero commented the information recorded on the Action Items is the most important, it needs to reflect the discussion that lead the committee to the vote, who made the motion, who seconded the motion and the vote.
- D. Rust clarified that Public Comments is the time when the public can comment on what ever, the committee sets the amount of time each person will receive.
- E. Linse indicated he had applications forms for the Yolo County Grand Jury if anyone was interested in applying.
- Commissioner Williams recommend serving on the Grand Jury; it is utterly intriguing. The Yolo County process is you submit an application, you are interviewed by a judge, your name goes into the drawing, they draw names, if you are selected for the Grand Jury you investigate complaints received from public agencies. He also complimented Vaughnette for setting up the community meeting with the Sheriff's Department.
- Chairman Weber indicated it was an enlightening meeting, he was a little disappointed in the turnout; the meeting had good input on what the Sheriff's Dept. is doing for Dunnigan,

Chairman Weber called for additional Public Comments, none were brought to the floor; Public Comments were closed.

SUB COMMITTEE REPORTS:

Incorporation:

- E. Linse gave an update; the meeting with LAFCO is set for Sept. 30, at 3:30pm. My concept would be that hopefully this could be an ongoing process and that we could be meeting with representatives from the county because this involves our community here but it also involves how it would relate to the county. My

guess is this process will go on for five years and it would be beneficial to have good communication with the county.

- Chairman Weber indicated there could be a potential conflict of interest in our meeting with the county as a committee serving the county referencing incorporation. As far as the investigation process goes this should not be a conflict. If we wish to proceed in this direction we will need to break a way from the committee ties to the county and move forward.
- Bob Langfield requested to join this committee.

Drainage:

- Secretary Kirkland indicated no response has been received to our letter of July 29, 2009 requesting an answer to a specific question. Based on some of the information we have received it is evident we probably won't get a response. The question we are asking is something that did not take place as it should have and I believe the county knows that.
- V. Lovell questioned why this was all being directed towards Ritchie Bros and down at this area rather than like the rest of Dunnigan, "I thought we were going to concentrate on some of the other areas like Road 4, down were all that backs up, the construction work that actually put in that new drainage pipe a few years back, that they put a lesser quality or smaller pipe than what should have been added might have caused a problem with the flow around there, that might be a situation to look into. That company and how they got their permits".
- Chairman Weber recalled the original letter which requested an investigation and the response from John Bencomo; we didn't get the response from the letter we requested so we requested more response. That was citing a localized drainage problem and yes there are many other drainage concerns.
- D. Rust indicated the letter from John Bencomo did address the requested information. He indicated the county did respond, but not in the way we wanted.
- Secretary Kirkland reiterated that we asked a specific question to which there was no response, it specifically asked if those three commercial entities; completed their drainage requirements.
- D. Rust indicated the answer is in the letter of June 30th.
- G. Bickford stated the question was very specific did they or did they not provide what they were supposed to provide for their drainage, that letter said nothing about it.
- D. Rust referenced the letters of March 14, 2008 and again on November 19, 2008, the meeting Panos Kokkas attended, the county required drainage improvements for Pilot and Ritchie Bros.
- Secretary Kirkland stated that is correct, but did they get done, that's the question.
- D. Rust indicated Pilot and Ritchie Bros are conducting business at present, therefore they received approvals.
- Secretary Kirkland stated yes they are conducting business, without storm drain retention ponds.
- D. Rust stated it can go on record that this is your opinion, not the county's opinion. You can not state that we did not respond, we did respond on June 30, 2009 and on March 14, 2008 and again on November 19, 2008. I know this is an issue, I completely understand, the best solution for the town of Dunnigan regarding the drainage is what is about to come in the next 5 to 10 years. The developers will adjust the drainage through out Dunnigan.

- Vice Chairman Busch stated the problem is that there is a problem here, if the three entities did everything they were suppose to then somebody screwed up or there is a problem, that's what they are trying do, who's at fault, if there is anybody at fault, lets fix it. The bottom line here is, we want to know what the problem is over there, did someone not do what they were supposed, did somebody let it slide by and how do we fix it. Someone should address it. And yes you responded, it may not be answering anywhere near the question that was asked. The bottom line is we want to know what the problem is and how to fix it. It seems like we are going around in circles trying to avoid saying well you know someone might have made a mistake and somebody passed it without checking.
- M. Smith stated the county did not respond to the question that was asked, did those three projects do their required drainage improvements. D. Rust stated the answer on the letter is, yes. M. Smith indicated it did not say that in the letter.
- Secretary Kirkland indicated the letter stated they approved it, are we assuming they approved it because they assumed they did what they were suppose to do.
- D. Rust indicated this is all public record and we are welcome to come down to the Public Works Dept. and review the public records. D. Rust volunteered to set up a meeting to view the public record documents.
- Secretary Kirkland reiterated we know they approved it all, what we are asking is did they complete everything the county required; sometimes things slip by. No one is pointing a finger at anybody, if they did not do what you required then to do, then they should complete the requirements.
- Chairman Weber recommended the sub committee meet to revisit the issues and formulate a new request. He further recommended the sub committee ask to review the documents. And if you come up with something that is not in accordance with the plan then you can pursue that avenue.

Roads:

- W. Gullatt stated given the counties situation; are we to say that nothing is going to be done about the roads until the county get money, is that the bottom line. She referenced a news article on roads in the Davis area.
- D. Rust stated the Davis road project was a capital improvement project. He suggested the roads sub committee meet and talk to Panos. He referenced the state provided funds for those projects.
- W. Gullatt commented on the counties decision to put in bike lanes when some areas of the county are driving in huge pot holes. It is a given that the county has a limited amount of funds, but somebody should be making a decision to say wait a moment we need to re think this, bike lanes or pot holes.
- Deputy Lee indicated they are making decision, repave Road 29 with bike lanes or do nothing at all. Money was requested for projects. We are attempting to get funding for other projects.
- W. Gullatt asked if there were any funds being geared toward the rural roads.
- Deputy Lee indicated there is a process underway to study possible improvements of rural roads.
- W. Gullatt indicated Panos has not responded, she wanted to know how to get help in coming up with a game plan. The only reasonable way to go about this is to have the county assists us as they know where the funds are available.
- Deputy Lee indicated the process for getting money was difficult because we don't have the traffic in the rural areas.

- W. Gullatt indicated we hear this all the time, if we didn't have the traffic why then do we have the pot holes. There is a lot of traffic especially on County Line Road. She went on to say she questioned how the local farmers get their equipment down some of those roads.
- Deputy Lee indicated County Road 89 and 102 was just reclassified as rural major connector roads.
- D. Rust suggested we make an appointment with Pano to discuss the roads and drainage issues, he indicated he would be willing to sit in on the meetings.
- D. Rust referenced the service districts and how funds would be available through the establishment of these districts. When the specific plan for Dunnigan comes through we need to think about broadening the CSA to all 3100 acres not just the Hardwoods.

PLANNING COMMISSIONER UPDATE

Chairman Weber recognized the commissioners present this evening.

Commissioner Williams commented on our meeting place:

- The decision to relocate to the Fire House coincides with the Planning Commissions idea that Advisory Meetings should be held in a public or semi quasi public place.
- Boundaries for comment areas; he stated the Planning Commission had decided to go with the Fire District Boundaries. He referenced the comment area overlaps.
- Commissioner Bertolero clarified the overlap area between Dunnigan and Yolo/Zamora had been removed. D. Rust indicated the two shaded areas on the map were removed. Dunnigan now has the only comments on areas 1 & 2 and not Yolo/Zamora.

Commissioner Bertolero commented on the three ordinances they received last week;

- The proposed Parking Ordinance, Sign Ordinance and the Advisory Committee By Laws, after some minor changes they were all forwarded to the Supervisors.
- On Sept. 29th the Supervisors will have the Design Guidelines for Residential/Commercial/Industrial Building and the Advisory Committee By Laws.
- On Oct. 13th will be the General Plan hearing for the community and they will revisit the Williamson Act.
- On Oct. 27th they will have the Sign Ordinance, Off Street Parking Ordinance and Wind Energy.
- Planning Commission meetings will be held in Oct., Dec. and Feb.

Chairman Weber questioned the wording on By Laws item number 7; he asked how it ended up.

Commissioner Bertolero indicated all Advisory areas do not

- Have the ability to draw from their planning area, we have a large one, other committee's need the ability to draw from outside. A bigger area to draw from helps the other committee's.

Chairman Weber asked if it was forwarded as written, Commissioner Bertolero indicated yes, with the requirement you must be a county resident, you can't work for a business you have to own it. He felt this was a fair compromise.

DISCUSSION ITEMS

Berryessa/Snow Mountain Conservation Area: Chairman Weber introduced Valerie Anderson who was here this evening representing Tuleyome. Tuleyome is a Non Profit Environmental Organization. Their region cover six counties from Solano all the way

north to Glenn County. They are also a Certified Land Trust and currently have property up by Lake Berreyessa. She went on to comment on National Conservation Areas and noted that these areas do not apply to private lands of any kind. At this time she gave a presentation on the proposed Berreyessa/Snow Mountain Conservation Area Committee comments focused on what would be different that is already there and available. Discussion was entertained at this point, several areas of concern were noted on this proposed project.

Chairman Weber clarified this issue is not in our comment area; it is not an action item only open for discussion this evening.

- E. Linse stated the idea of a gateway community could offer a form of tourism for Dunnigan. He suggested that Tuleyome perhaps recognize we are interested on becoming a gateway community in the future and tell us how we could make that happen.
- B. Langfield felt the presentation was great but since it's not in our jurisdiction, nor under our control, why don't we just watch with interest and see what the federal government does with this.
- Vice Chairman Busch stated the Yolo County Farm Bureau is totally against this program. Correspondence was sent to Tuleyome and Congress advising them of their position and reasoning.
- V. Lovell stated she wants to keep the federal, national, everybody out of personal and private business as much as possible, they are already trying to get us for water and everything else, once they get into our pockets and into our leaders and everything else you can't get them out, there almost like bad colds.

Chairman Weber thanked Valerie and indicated if anyone as an individual wants to endorse this issue they can do so.

Dunnigan Development:

Chairman Weber acknowledged D. Rust, Principal Planner.

- D. Rust indicated the General Plan update is scheduled for Oct. 13th, the Specific Plan official application can not be accepted until the GP update has been approved by the Board of Supervisors.
- A preliminary application has been received by the county, the county is working with the applicant on several points; one area is the land use plan with its relationship to the Specific Plan.
- The wording in the first Specific Plan application document that was received is probably 95% accurate if not more; the maps in the back may need adjustment.
- D. Rust referenced the proposed schools; there is a High School, Middle School and 4 elementary schools in the plan, he referenced our request for an elementary school to be located next to the Hardwood Subdivision. There is an elementary school proposed just south of County Road 5 with a pedestrian walk way to County Road 5.
- The County has asked they incorporate a connection with the Hardwoods with by the extension of County Road 5 to County Road 88. D. Rust indicated to the applicant these were requested by Dunnigan and the county wants them to put these extensions in.
- For future growth we have asked for additional right of Way that will connect either 88B or 88C, but south of Road 5 into the down town Dunnigan. The county feels there will be a need for this in the future

- D. Rust indicated they are asking the developers provide a bike pedestrian crossing over Road 4, not just adding sidewalk, but provide a separate attachment, either attaching it to the bridge or some kind of support that connects a trail bike/pedestrian system so that the whole Specific Plan, not just the new growth area, but all of Dunnigan is connected, and all becomes one place.
- He referenced the meetings coming up; the Water District, the School District, he indicated he had heard the school district may bring their headquarters to Dunnigan. Commissioner Williams indicated his conversation with the superintendent did not have any mention of moving the district office.
- D. Rust indicated the General Plan update is the most important part of all of this that has to occur so that this all can get started.
- W. Gullatt asked if the people of the Hardwood would get better access. She questioned if the access mentioned included automobiles. D. Rust indicated yes.
- E. Linse asked what the percentage of growth for Yolo County is coming to Dunnigan. D. Rust indicated 80%
- E. Linse voiced his appreciation for all Don was doing to accommodate what we would like to see, however there is no vehicle that provides for input from this community, our attempts to go before the Planning Commission as well as the correspondence we have provided seem to go no where; there is no formal process for what we have expressed to get to the Board of Supervisors.
- D. Rust disagreed, this process has been going on for several years, and it has been before the Board several times. He referenced the lack of attendance at the Planning Commission meetings, there are formal processes.
- E. Linse indicated we did participated on the By Laws, we sent in our requested changes.
- D. Rust referenced the change on the comment area map we requested. He also indicated the committee would see the official Specific Plan application package when it comes in.
- S. Gooch referenced the rest area being in a residential area.
- D. Rust indicated there is a proposal to use the rest area as a farmers market. He indicated the area was owned by the state. There are some issues on the purchase of the land for this purpose. He believed the Federal Government was involved some how and this needed to be addressed before this project could move forward.
- D. Rust indicated he expected the application to be submitted after Oct. 13th. The applicant would like the Specific Plan process to be completed in 18 months.
- Chairman Weber referenced the initial application that was submitted and indicated Don Rust was very willing to provide a copy to us.
- D. Rust indicated this document will be tweaked and changed, so he suggested not taking it to heart.
- E. Linse referenced the 11 items in contention. My sense is we should be involved in the discussion of those 11 items, and you should be advising us, I believe we have a role, we have not been part of the teamwork.
- D. Rust stated the eleven items is where the plan was in conflict with the General Plan update. He believed we are asking to receive input
- E. Linse stated if those things are seen as major items, I believe we could offer helpful comments, and maybe it's a private matter that doesn't concern us.

- D. Rust stated he wouldn't say it's a private matter, but it's not an application until it's an application. The point on the eleven items is that they were in conflict with the General Plan and they need to eliminate the conflict.
- Vice Chairman Busch asked what kind of input do we have if after we see it and don't like it. Or some things don't fit.
- D. Rust said the staff will make recommendations based on the General Plan Update, once this is adopted the staff's only goal is to make sure the Specific Plan is in sync with the General Plan Update.
- He went on to say the coordination of the community and Supervisors desires will be a difficult task. The Staff is interested in having Dunnigan be a place where people will want to live.

Concepts for Standing Rules: Delayed

FUTURE AGENDA ITEMS

- Keith Fichtner, Water/Flood for new development – Presentation Item
- CSD/CSD – Presentation Item

Additional Comment:

Commissioner Bertolero stated our meeting will be after the Supervisors decide on the By Laws, there a few things I would like to share on Standing Rules.

- People wishing to become a member or be reappointment should receive a copy to the By Laws package and read them. Standing Rule, reappointments and new members should receive a copy and become familiar with them as well as agree to abide by them.
- 1st initial set up for length of membership should have ½ the members appointed for 1 year and the other ½ for two years.
- Permission to go past 2hr meeting time
- Rules must comply, proper notice of what is to be changed, requires 2/3 vote.

Vice Chairman Busch questioned if 2yr appointments would be consecutive appointments.

Commissioner Bertolero indicated this was based on the Supervisors recommendation. The total board makes the reappointments based on what is presented. He also suggested two lists be submitted for reappointments and eventually they would all be 2yr terms. He also indicated the By Law package will come from staff.

Secretary Kirkland asked Commissioner Bertolero to clarify the statement referencing business owners being able to be members of an Advisory Committee. You indicated only one owner of a business can be an Advisory member and employees are excluded from that requirement, is that correct. Commissioner Bertolero responded, yes.

Being no further business, Chairman Weber asked for a motion to adjourn.

Motion by E. Linse, seconded by A. Backhaus to adjourn the meeting, Vote: all in favor. Meeting Adjourned 9:25 pm.

Respectfully Submitted
Deanna Kirkland, Secretary
Dunnigan Advisory Committee