

Unapproved Minutes  
Dunnigan Advisory Committee  
Wednesday, January 20, 2010

Country Fair Estates  
5130 County Road 99W  
Dunnigan, Ca

**Call to order:** 7:05 pm by Chairman Weber

#### **ATTENDANCE**

- 13 members in attendance, quorum present
- 2 members absent, Brian Stucker and Neil Busch
- 4 county representatives were present at this meeting
- 13 residents and guests
- Total in attendance 30 members, guests and county representatives

#### **MINUTES**

Chairman Weber called for the approval of the minutes of Nov. 18; he asked if there were any corrections or additions to the minutes. None were noted and he called for the motion to approve the minutes as written.

**Motion by M. Smith to adopt minutes, Second by W. Gullatt**

**Vote: Yes 12; No 0; Abstain 1** (1 member absent from 11/18 meeting). 13 Committee members present this evening.

#### **COMMITTEE BUSINESS**

##### **Election of Board Officers 2010**

Secretary Kirkland indicated 15 members have been reappointed to the Dunnigan Advisory Committee for 2010. Chairman Weber indicated we do have the ability to have 17 members so we have 2 openings that need to be filled.

Chairman Weber opened nominations for committee officers for 2010

**Chairman:** M. Smith nominated Bill Weber, seconded by Bob Langfield; no other nominations were brought to the floor. Vote unanimous to elect Bill Weber Chairman for 2010.

**Vice Chairman:** Chairman Weber asked if the committee would like to nominate Neil Busch for Vice Chairman without him being present, he indicated Neil was in favor of accepting the nomination even though he was not able to attend this evening. The committee unanimously agreed to appoint Neil Busch, Vice Chairman for 2010.

**Secretary:** Chairman Weber nominated Deanna Kirkland, seconded by W. Gullatt. No other nominations were brought to the floor. Secretary Kirkland accepted the nomination. Vote was unanimous to appoint Deanna Kirkland Secretary for 2010.

**New Board Officers 2010:** Bill Weber, Chairman; Neil Busch, Vice Chairman; Deanna Kirkland, Secretary. Chairman Weber closed committee business.

#### **CORRESPONDENCE**

Chairman Weber reminded everyone of the scheduled Yolo County Resource Conservation Workshop scheduled for February 17 on mitigation land. Workshop begins at 6:00 pm and continues until 7:15 pm at which point our meeting will begin.

Secretary Kirkland referenced a flyer she received on the STARS Vacation House Check Program. If resident plan to leave for a period of time they can contact the STARS representative to have their home checked periodically while they are gone. You must call one week in advance; the phone number is 530 406-5180.

No further correspondence was brought to the floor, Correspondence was closed.

## **ACTION ITEMS**

### **Standing Rules**

Chairman Weber commented the work completed in November gave us a good set of rules to work with. We did receive suggested changes which are indicated on the copy before you this evening by the **bold type**. He indicated a vote can be taken this evening if the committee so desires. Chairman Weber asked Secretary Kirkland to read the Standing Rule document noting the corrections. The following changes were suggested and approved:

- Article I Meeting Requirements, Section II; Meeting Time. **Add:** No action items considered without a quorum present.
- Article II Member Requirements, Section I; Attendance, Paragraph 2 **Add:** or 4 in a one year period.
- Article II Member requirements, Section I Attendance, Paragraph IV, **Add:** Whenever possible, to the beginning of the paragraph

Chairman Weber referenced a comment made by Commissioner Bertolero that given the size of our committee and the community activity we have, there has never been a time when a quorum was not present at a Dunnigan Advisory Meeting and that is pretty honorable. He thanked all the committee members for their dedication. Commissioner Bertolero indicated we are the only committee that has never canceled a meeting because we did not have a quorum. He went on to thank Mel Smith and Erich Linse for their participation on the By Laws committee.

**Motion by:** G. Bickford to accept the Standing Rules with the approved correction noted; **Second by:** W. Ingraham.

**Vote: Yes: 13; No: 0; Abstain: 0; Motion Carried**

Secretary Kirkland indicated members would receive an official set of Standing Rules at our next meeting. Being no further Action Items, Chairman Weber closed Action Items.

## **PUBLIC COMMENTS**

Chairman Weber opened Public Comments. He indicated we had a new procedure this evening and asked anyone who wish to make a comment come to the podium table so they can be heard clearly. No public comments were brought to the floor.

Chairman Weber closed Public Comments.

## **PRESENTATION**

Chairman Weber welcomed David Morrison, Assistant Director of Planning & Public Works to update us on the 2030 General Plan and how it applies to Dunnigan.

Mr. Morrison stated he had intended to talk about the General Plan and its relation to Dunnigan, but felt we were all pretty familiar with that process. He went on to talk about the General Plan:

- General Plan took 6 ½ years to complete at the cost of \$2.9 million and it's not done yet, still a lot of work to do.
- A lot of provisions for smart growth and community design within the General Plan, which will affect the Dunnigan Specific Plan as it moves forward. Mr. Morrison indicated he will provide and forward a list of policies and action which will be applicable to Dunnigan once completed, a lot of these issues have already been referenced.
- He referenced job/housing balance, green building standards, walkable communities and narrow streets, Dunnigan will become the model community for Yolo County.
- General Plan contains about 500 actions, working on matrix as to when they will be carried out, some not for 10-15 years
- He referenced the government is having problems at all levels as well as the private sectors. How it affects the development service division, since June of last year half the positions have been eliminated, last year we had 20 employees, currently have 11 and this number is likely to go down in the coming months. Fewer people to do the work with a big job ahead of us.
- Zoning codes need to be re-written based on the new General Plan. Last time codes were looked at was 1965. This will be a large job, as we move forward we will be talking with the advisory committees and a

number of other interest groups. Changes will also be made to the Ag zoning, we will be working with the Farm Bureau and The Land Owner Association on this issue

- Climate Action Plan, the board has a strong desire to move out in front and aggressively on climate change. He referenced recent legislation, AB32 and Senate Bill 375, which puts requirements on how we deal with development in terms of climate change. There is currently another bill in congress on this issue.
- Our General Plan does not have a Climate Action Plan section because we were already 3-4 years into the General Plan. It was fairly late in the process to add a major new component. State requires this plan to be part of all General Plans, in order to prevent possible legal action by the state, the county agreed to immediately prepare a Climate Action Plan once the General Plan was completed.
- To start this process an inventory estimate of green house gases in Yolo County in 1990 will be compiled and used as a target to work towards to lower green house gases in the county.
- Reference was made to the transportation study guidelines that will affect the Dunnigan Specific Plan as well as other areas through out the county. This study will set the rules for how traffic will be looked upon in the future.
- The other issue is Specific Plan guidelines and what has to be included in the application in order to be considered complete. This will affect all Specific Plans.

He completed his presentation by stating the General Plan is done, but we have more work in front of us. The committee will stay up to date next year as long as a quorum is present so no meetings will be missed.

### Questions/Concerns

**W. Ingraham:** Referenced the need for business to make the community grow. **Response:** Mr. Morrison agreed and sees the same need, but made reference to the number of business closing; this is a bad time to open a business. He referenced things that are being done within the county to encourage businesses.

**B. Langfield:** stated the need to encourage businesses, the county he lived in before coming here removed property taxes for five years as an incentive. **Response:** Mr. Morrison: indicated State law will not allow property taxes to be removed. If the county grants waivers of 5% or more, it's considered a gift and the project would be subject to prevailing wage standards.

**Secretary Kirkland:** indicated her concern about Mr. Morrison's statement indicating the involvement of the advisory committees this year, in past years committee work done on the General Plan and a few other projects appeared to go unnoticed, stressed team work effort, situation, our comments evidently were not listen to and turned around to suit the county, we presented real issues involving Dunnigan, county discounted them turned them around into smart growth and not what the people in Dunnigan wanted. Now, you want us to provide input on future projects, but there is no indication coming back indicating we are being listen to, it's a one sided team. **Response:** Mr. Morrison indicated the comment was a little over stated, there are issues we listen to, obviously there were issue we felt strongly about and did not get included in the General Plan. I said work with you and seek the input of; I didn't indicate that all advisory committees would write the General Plan. Many advisory committees have opposing ideas, had we listen to all; we would have a General Plan that was arguing with itself. The committee is advisory; it isn't the Board of Supervisors, it isn't the Dunnigan Board of Supervisors, but the Dunnigan Citizens Advisory Committee, you advise the Planning Commission of your recommendations, preferences and thoughts. The staff listens to the recommendations, sometimes it agrees, sometimes not, but both sides are presented and the Planning Commission and The Board make the final decisions. This issue is not only with Dunnigan but other advisory committee's as well. The County has to look at things from a different prospective than the community does, if we did not have those provisions about narrow streets and smart growth in the General Plan to describe the Dunnigan Specific Plan it would not have gone forward. Yolo County is not an island, had we designed Dunnigan with wide streets and a more typical development pattern, more trouble free, the General Plan would not have been able to move forward. Conversations with SACOG and the Attorney Generals Office informed us we could face litigation if we had implemented that type of a design.

**Secretary Kirkland:** stated our concern is about Dunnigan, if narrow streets are required, we don't get the necessary descriptive information, there are viable concerns that will come into play, we are asking for the ability to present the problems and concerns, after all we live here. The Hardwoods have narrow streets, we don't want to see that type of situation in the new development and I don't believe the county does either. The point being we

want to fit comfortably in this community. **Response:** Mr. Morrison indicated his desire to hear these issues and consequences. He indicated we would be heard, the information considered, we would receive the information; but would the staff carry through the committee recommendations without any changes, probably not. Secretary Kirkland asked if there would be flexibility within the Specific Plan, Mr. Morrison indicated to the extent that they can. As things are discussed in detail we can see where there is flexibility to make changes.

Chairman Weber thanked Mr. Morrison for the open discussion. He illustrated the communities feel;

- Community not being heard would like to see us involved more this year as we move forward.
- He referenced the issue with the water/sewer in the Hardwoods; community did not want growth but would accept if services could be provided.
- Concern over number of homes, original was 2500, went to 7500 and now it has climbed to 9000.
- We live here, we like the rural feel, want community to benefit from this growth, we want water/sewer, don't want to pay a lot; people don't have a lot of money.

Mr. Morrison indicated water/sewer is expensive. He referenced Knights Landing. The State has increased requirements for drinking water standards and has strongly increased the discharge standards across the state. Growth has to provide benefits for the community through the General Plan.

Chairman Weber responded by stating the water source needs to be proven, with the uncertainty of the irrigation canal we will have to rely on the ground water and not certain as to what it can provide. Another issue is the impact on roads, we don't see a lot of road improvements; the whole model works if jobs can be created within the community. We do need Wes Ervin to be an active part, without the jobs, the whole project is a failure.

Mr. Morrison indicated the project cannot go forward without jobs. Home sales dead! County trying to forecast for next years budget, projections from other government and development agencies indicate there may not be a change in housing development until 2014. He has never seen a situation like we are experiencing. 7500 to 9000 homes was at build out, probably over the next 20 years there will be only 2500.

**E. Linse** referenced the high cost of fuel. Nature of change in Dunnigan, concern about nitrates, referenced the possibility of a problem with septic systems. Job/Housing: hopes for a committee to be formed that would look into commerce, look for companies that would be interested in relocating. Service of Roads: referenced Planning Commission meeting with specific suggestions on how to provide services on roads within the development that would not cause deterioration of the freeway levels of services. The General Plan is written to accept degradation of levels of service, the degrading level of service would make it more difficult to have efficient use of fuels, which is in contradiction to the carbon footprint. We were looking to get people to I 5 without the impact on freeways. Also Erich voiced his concern about keeping water available to the mini farms through the use of their existing wells and not preventing their use once development takes place.

**M. Smith** questioned the level service policy under the Circulation Element 3.2 which sets level of service E for the roadways within the Dunnigan Specific Plan. He asked Don Rust when the 3.2 was introduced into the draft General Plan or draft EIR. **Response:** Mr. Morrison indicated it was in 2006. The level of service in all communities is set to E, parts of Woodland and Davis operating at a Level of Service F. They look at level of service by making a greater and efficient use of existing roadway system, this is a very key and central issue of this General Plan, and it's been in there since we first started drafting. The EIR is just an analysis document, if the General Plan is adopted these are the consequences.

**M. Smith** asked does the policy CL 3.1 that was in the draft General Plan and the draft EIR report, state that all roadways and intersections within the unincorporated county maintain a level of service C or better accept for, and there is a list of roadways that are not required to maintain that level. Unless the road is on that list, all other roads in the county would be required if this policy followed through and was incorporated in the General Plan. This policy was included in the EIR that was circulated for public comment, then after the General Plan is finalized this policy 3.2, which should be behind 3.1, sets Level of Service E as a general level service of roadway operation within the Dunnigan Specific Plan, so all of the roads in Dunnigan would have to be called in this exception in order for this not to be a total contradiction to the other policy that was in the circulated version of the draft EIR.

We had many comments in writing submitted on this issue. **Response:** D. Morrison stated it goes back to narrow streets and smart growth again. Woodland does not have Level of Service C. If you want to be a city or town, you can't do a level of service C without having eight lane roads.

**M. Smith** responded you can't do an EIR discussing only this list of roads will be allowed to be developed at less than a level of C, then after you study that issue you come up with a policy that allows all of Dunnigan roads to be developed at a level of service E. That is quite substantial, that's a big difference in the evaluation of an impact that is supposed to be identified and studied in the EIR. **Response:** D. Morrison stated he appreciated that perspective, we feel the EIR is sound and adequate and any general plan is looked at in the context as a whole, not in the context of any specific policy. I feel comfortable with both the environmental analysis and the consistency of the General Plan. He went on to state he hears the concern, he understands it, but he does not necessarily agree with it. If we were to require Dunnigan to be the only urban area within Yolo County that has a level of service C on its roads and none of the other do, then we would be creating a town that would not get support from SACOG or the Attorney General.

**M. Smith** indicated he was not asking for special consideration. I am just referring to the policy in the EIR and every draft version of the General Plan that he has seen does not contain this 3.2. They only contain a 3.1 which is in direct contradiction to 3.2, I wanted to know when 3.2 was inserted into the General Plan as a policy and if it was inserted in the General Plan prior to this EIR being released how come 3.2 isn't included in this draft EIR and how come 3.2 wasn't studied. **Response:** D. Morrison indicated he would check. He assured us that the concept of level of service E was looked at from the beginning. He would follow up and respond.

Chairman Weber asked Mr. Morrison if he had anything further he would like to offer. Mr. Morrison recapped by saying, this isn't easy, its all about checks and balances, so that no one person or one group can harness so much power to create a dictatorship within the United States. California has 600 cities, 58 counties, 5000 special districts, number of school districts not known and none of those 10,000 governments have to do what the other one says. If you are upset about were not listening, yell at us. He would much rather have everyone on this committee be aggressive and passionate about what they feel, and state your listening to us, but it's not good enough, we want the county to do it this way, than to come here and have seventeen people say, well if that's what the county wants will do that way.

Secretary Kirkland stated we are aware of the problems. But how do we make a difference, we make a difference by working together as a team for the betterment of everything, you cannot destroy a team, if you have team effort with everyone working towards the same goal, you succeed, that's the problem with our government, their all out there doing their own special thing, no one is coming together and working for the betterment of the whole unit.

D. Morrison remind us we all need to understand the ground rules as far as the team goes,

- We are an advisory committee to the Planning Commission, not to the staff.
- We are all appointed by the Board of Supervisors, as the Planning Commission is appointed by the Board, he is not
- I am hired, under contract, I'm civic service, I work for you in the sense that you are tax payers, but I don't work for this committee, I work with the committee to have a line of communication between the committee and the county staff.
- I work for CIO, Director of Planning and Public Works, who is hired by the CIO. The CIO is hired by the Board
- The committee works for the Planning Commission who works for the Board.
- Ultimately I try ethically and morally to work with the committees and also do my job, my duty is to the Supervisors. That's where many times advisory committee's have difference with their elected representatives. I am an agent of those representatives.

He referenced to get a point across it is sometimes advisable to talk directly and individually to each member of the Board of Supervisors so they can fully understand your concerns.

**W. Gullatt** questioned making our appeals to the Board of Supervisors, but I thought I heard you say the Board was directed by SACOG. If we should be talking to the Board of Supervisors for things we want here in Dunnigan, is it going to do us any good if things are already in place by other groups filtering down from the state, stating what has to be done in building a community. **Response:** D. Morrison responded by saying the Board has broad powers and latitudes within the county but has very little control of what goes on within the cities. However there are controls they don't have. The state has a group of governments (SACOG) that make decision on affordable housing and climate change.

**W. Gullatt** stated we spent a lot of time on the General Plan, then we walk away and feel like we haven't been heard, but the thing is, as an advisory committee that is trying to look out after our little community, where are we supposed to go, we have concerns, so if someone comes from your level and tells us our hands are tied you can advise us, but there is only so much of that advice we are going to listen to, are we wasting our time. **Response:** No, it is a noble thing that you do. Being a volunteer is thank less, you do it because you care about the community. Voices do get heard, there are issues in the General Plan only because of concerns raised by the community. Not 100% of Dunnigan issues got in there, I have never said you don't have an affect, to get 100% of what you want is probably unrealistic. I in no way mean to imply that the committee has no impact what so ever, the Board and the Planning Commission take the advice of the advisory committees very seriously.

**W. Gullatt** responded it's never going to be a situation that we will get everything we want. What is bothersome, it appears our concerns are going up hill and not being heard. Now you are telling me we have five people controlling 200,000, and the 200,000 are not real pleased, what do the 200,000 do with the five? **Response:** D. Morrison stated the Board of Supervisors does not control your life. The Board controls the delivery of local services to 20,000 people in the unincorporated area of the county. Even if everybody in the unincorporated area was unhappy with the board, this area only represents 10% of the vote, 90% of the votes are in the cities.

Chairman Weber thanked David for his input.

## **DUNNIGAN SPECIFIC PLAN**

Chairman Weber asked D. Morrison for an update on the Dunnigan Project.

Mr. Morrison indicated:

- A complete application is expected in early April, we are waiting to see what will be submitted.
- Secretary Kirkland asked for clarification of what we had already received. Mr. Morrison indicated a draft land use plan had been received, but not the whole package.
- Secretary Kirkland asked based on the current economic situation, does it seem viable that we can go forward after the application has been submitted or will it be slowed down. Mr. Morrison indicated in the meeting with the applicants, the economy has had an affect, they submitted the applications anyway; this process is going to move farther out than we had anticipated. It was thought the Specific Plan process would be completed by the Board of Supervisors by the end of 2010; this is not going to happen. Best guess would be spring of 2011 providing the application is complete. The applicants desire to move forward and are willing to fund this project; they have not withdrawn their funding commitment for the project. Based on the economy not sure what to expect at this point.
- Chairman Weber questioned if there was any work we could be doing between now and April. Perhaps put our interest on paper. Mr. Morrison stated we have already indicated to the applicant what we needed to see on the application.
- Chairman Weber stated Don Rust had indicated we would be involved in all discretionary planning issues, as the application is received how to you see are involvement with it? Mr. Morrison stated it's our choice on how we want to participate. I assume you would want to look at the application closely, provide comments and suggestions, as the process goes forward, provide comments to the draft EIR; look at the final EIR, make a final recommendation on the application. It's really up to what you want to do, I stated earlier, we hear you, we don't always agree with you, my job is to see you have the opportunity to voice your opinion. He made reference to how other committees handle the process.
- E. Linse commented he would like to see the appropriate time given us with what ever materials come forward, not just a week, but ample time for us to review and comment. And when we prepare our comments there will be ample time so we can be confident that someone did read them before they go to

the Planning Commission. There was an instant when we thought it was timely, that was at the Planning Commission, and a planner stated we had time to look at that, I highly doubted that as it was presented on that same day. The Planning Commissioners and Planners should have time to review the information before its up for a decision.

- Mr. Morrison responded by saying Erich and I were busily reading on the sidelines going through your letter. We had nearly 2000 comments on the General Plan.
- E. Linse indicated he hoped those kind of situations could be avoided and he did not want to see this telescoping against the deadline continue.
- Mr. Morrison indicated there will be deadlines and everyone would receive the full opportunity to respond.

Chairman Weber thanked David Morrison for his presentation.

## DISCUSSION ITEMS

Chairman Weber suggested we hold off until April to form our task force for the Specific Plan Project based on the information presented this evening by David Morrison. Place this item on the agenda as a discussion item for March and April.

## SUBCOMMITTEE REPORTS

Chairman Weber called for sub committee reports:

- **Incorporation:** E. Linse indicated some discussion took place on incorporation. He referenced the comment made earlier about the four cities in the county, can not be pushed around, he indicated to keep this in mind. He recommended we disband this committee as far as the Advisory Committee goes but keep in mind Mr. Morrison's comments. Chairman Weber indicated he was concerned about us being in conflict and agreed we should disband this subcommittee. Mr. Morrison referenced the anticipated growth within the county in the years to come, he also indicated Davis had a very strict no growth policy as a result of that, by 2020 Woodland would be caught up to Davis and by 2030 West Sac would surpass Davis. Politics is all about votes; votes are all about population.
- **Drainage:** M. Smith indicated his crew did quite a bit of work on the Road 7 drain to keep the water moving during the last storm. County Road 88 had some flooding.
- E. Linse suggested we re-evaluate are existing sub committee's and form new ones as necessary at our next meeting.

Chairman Weber requested we put this topic on future agenda items for our next meeting.

## PLANNING COMMISSIONER UPDATE

Chairman Weber recognized the commissioners present this evening.

- **Commissioner Williams:** Referenced the vote on the potential abandonment of a road going over Road 43 and the Planning Commission recommended it, but it did not get abandoned. He also commented on the request for a 320ft radio tower in South Davis which is causing some controversy. No vote on this project as yet.
- **Commissioner Bertolero:** The Planning Commission meeting scheduled for 28<sup>th</sup> of January is a combined meeting for January/February. There will be no meeting in February. Subjects being covered are the Knights Landing, Castle Homes foundation issue and road abandonment of a road located on the tribes property. He also referenced the workshop being held tomorrow on the Granite Aggregate expansion in Esparto. This would be a new mining facility for gravel, tomorrows discussion will be on the EIR for this project. Commissioner Bertolero indicated the radio tower issue was continued.
- M. Smith referenced the issue of the foundation/elevation of the housing in Knights Landing, was it concluded. Commissioner Bertolero indicated it was a 5-2 vote; Commissioner Williams and I were the only two that voted to support staff and require full house foundations, the other 3 vote to allow garage foundations only.
- D. Morrison indicated the new flood maps go into effect June 18, any construction that has not been started will need to elevate foundations 16-20 feet in the air.
- Question was asked by pouring the garage foundation before this new flood ordinance takes place, will they have to elevate the house foundation. Commissioner Bertolero stated they won't have to raise it, they are gambling that FEMA will agree with what they are going to do. D. Morrison indicated they have a three

year window to complete construction. Commissioner Williams indicated his concern about having two foundations poured at different times and the consequences that good appear. Chairman Weber thanked the commissioners for being at our meetings.

#### **FUTURE AGENDA ITEMS**

- Sub Committees review and formation
- Ad Hoc Sub Committee on Specific Plan process
- Yolo Land Trust Workshop February 17, 6-7:15pm
- Keith Fichtner, Water/Flood for new development – Presentation Item

#### **ADDITIONAL COMMENTS**

.Chairman Weber indicated all though we are working on the specific plan issues, we don't want to forget about our town hall community issues. He went on to indicate he would like to work with the committee on compiling a list describing our vision of what we want for Dunnigan.

Secretary Kirkland asked Mr. Morrison if the farm equipment use of 99W, has that been taken into consideration in the General Plan with regards as to how the huge pieces of farm equipment will travel down 99W. Mr. Morrison indicated we have no answer at present; this issue has been looked at a lot, farm equipment and produce to market, a lot of discussion on problematic issues with public works.

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

**Motion by:** W. Gullatt, **Seconded by:** A. Tatum; **all in favor.**

**Meeting Adjourned:** 9:10 pm

Respectfully Submitted  
Deanna Kirkland, Secretary  
Dunnigan Advisory Committee