



**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF SUTTER, STATE OF CALIFORNIA
SESSION OF JANUARY 6, 2005**

The Board of Supervisors of the County of Sutter, State of California, met on the above date in study session at 7:00 p.m. in the Board of Supervisors Chambers located in the Hall of Records Building at 466 Second Street, Yuba City, California.

MEMBERS PRESENT: Supervisors Larry Montna, Dennis Nelson, Larry Munger, Jim Whiteaker, and Dan Silva

MEMBERS ABSENT: None

STAFF PRESENT: Larry T. Combs, County Administrator; Ronald Erickson, County Counsel; and Karna-Lisa Aucoin, Deputy Clerk of the Board

**SPECIAL MEETING/STUDY SESSION
MEASURE M**

Chairperson Whiteaker called the study session to order.

Rich Hall, the Director of Community Services, introduced Danelle Stylos, Planning Division Chief; Doug Libby, Senior Planner assigned to Measure M; and representatives of the Measure M Group: George Carpenter, Bob Shattuck, and Tom Wynn.

Mr. Hall stated that the purpose of the study session was to go over Measure M Guiding Policies, then receive comments and perspective from the Board of Supervisors. Mr. Hall explained there are two documents in the process of being developed, a Memorandum of Understanding which contains guiding policies and a detailed work plan, and a funding arrangement document.

Mr. Hall stated he would review the handout "Measure M Guiding Policies" and noted the overhead projector would be used to show the diagrams pertaining to the three sections of the Guiding Policies document. Mr. Hall also noted the meeting was being taped and televised.

It was the consensus of the Board that information pertaining to study sessions be distributed a few days in advance of scheduled study sessions. Chairman Whiteaker asked that the Planning Commissioners be included in the distribution.

Mr. Hall read "Policies Based upon Ballot Language and Explanation" - Section I., Items A - AA of the "Measure M Guiding Policies" document.

Supervisor Silva confirmed no additional land would be added to the existing 10,500 acre area wherein the current 5,750 acre Measure M property lies and expressed concern that the Measure M Group designates "one voice" rather than having multiple representatives.

George Carpenter, representative for the Measure M Group, stated that he, Bob Shattuck, and Tom Wynn are the representatives/contacts for the Measure M Group.

Larry Combs, Sutter County Administrator, clarified that in this process it has been made clear that the Measure M Group controls 5,750 acres of the 7,500 acres that will be planned. Mr. Combs noted there will be other properties involved, and that the Measure M Group will have to consider their involvement so that the full 7,500 acres can be planned.

Mr. Hall stated that materials and information that are distributed at the Measure M study sessions are now available at a special link at the County's website and continued reading the document.

Supervisor Nelson asked if the specific plan process would go to the Planning Commission. Mr. Hall replied that it would, but at this time they are trying to obtain opinion and direction from the Board that will assist in preparation of the application for a specific plan.

Supervisor Silva expressed concern about the potential for the land use of the balance of the 7,500 acres being residential and stated that is not what was approved by the voters.

Mr. Combs clarified by stating that there would be a maximum of residential area of 2,900 acres. He also stated it is recommended the Measure M Group submit their specific plan application for the entire 7,500 acres and noted the Board of Supervisors would be in control of final approval.

Supervisor Nelson stated and Supervisor Montna agreed that it would be logical, from a planning standpoint, to include the entire area in a specific plan.

George Carpenter stated the ballot measure does not state that a specific plan must be done for the 7,500 acres and noted that a portion of the area has existing commercial uses such as Sysco, Holt, and others that are located within the area that don't want to be part of a specific plan. Mr. Carpenter said that area could be included in a General Plan because they would be served by future infrastructure services.

It was the consensus of the Board of Supervisors that the specific plan should include the entire 7,500 acre area.

Mr. Hall stated he believed the Measure M Group would submit an application for a plan for the 7,500 acres based on input from the Board.

In response to a question from Chairman Whiteaker, Mr. Hall stated the process will be carried out by conducting workshops to obtain feedback at a frequency determined by the Board and then later possibly provide status reports available for the Board and public.

Supervisor Montna asked if employment/apprenticeship opportunities could be provided for the residential development.

Mr. Wynn said that could be discussed, but typically work is sub-contracted out by the builders but he said that is something that could be looked in to.

Discussion ensued about the interchange at Highway 99 and Riego Road and Mr. Combs noted that the interchange would have to be addressed under CEQA before development begins.

Mr. Shattuck stated marketing has already begun which is why the Measure M Group is trying to obtain direction. He noted they are working with Yuba-Sutter Economic Development Corporation.

Mr. Combs noted statements made in this Guiding Policies document cannot be considered as commitments on the part of the Board or County until the process has been completed with all the agencies that will need to be involved. He also noted that the importance of concurrent development of industrial, commercial, and residential had been discussed with the Measure M Group.

There was some discussion regarding schools and George Carpenter stated it would be a good idea to have a school district representative to speak to how many schools might be needed.

Concern was expressed that Item O states a financing plan would be included in the

specific plan and maintenance in several areas would be taken care of at no burden to existing residents outside of the plan area, but schools weren't mentioned in this item.

Supervisor Silva stated consideration of schools is essential due to the potential size to the development area.

Mr. Shattuck stated they typically don't fund ongoing maintenance of schools because there are other funding resources available to schools. Mr. Shattuck also said they will know more after they meet with school district representatives.

Supervisor Silva asked how public facilities, fire and public protection services, would be developed for the area.

Mr. Hall replied that governmental infrastructure would be done at the front of the planning process.

Flood protection and the amount of housing units was discussed, and it was noted that the types, amount, and location of units of residential units would be determined by the Board of Supervisors.

There was some discussion about the level of service on the roadways. Rich Hall clarified the impact on Highways 70 and 99 would be addressed in the specific plan.

In response to Supervisor Montna's question as to whether Mello Roos fees would be associated with any of the development, Mr. Hall stated financing mechanisms would likely come from a variety of areas.

Mr. Shattuck stated that it had not yet been determined where all funding will be obtained and noted it is common for some funding for these projects to come from Mello Roos and community service districts for assistance with funding infrastructure.

Mr. Wynn stated a financing plan would be comprised showing how all components would be paid for. Mr. Wynn said a portion would come from fees collected at building time, a portion may come from Mello Roos bonds, and a large portion would come from the developers.

Mr. Hall continued by reading "Opportunities and Constraints" - Section II., Items A - G and discussion took place regarding possible environmental requirements, various fees, and possible funding mechanisms.

In response to Supervisor Silva's question, Mr. Hall stated that he believed National Environmental Policy Act (NEPA) would only be involved if there was a requirement to

obtain some type of federal permit, but the specific plan shouldn't trigger NEPA.

Mr. Carpenter stated that they would prepare documents should NEPA become involved.

Discussion ensued regarding the Natomas Basin being the area where development should take place because the area has an existing habitat conservation plan; and also regarding which parts of the area could be developed in order to conform to environmental requirements.

Mr. Shattuck discussed that it would be most logical for infrastructure to come from the south. Mr. Shattuck stated that the south area provides the best opportunity for cooperative planning with others in the region.

Tom Wynn stated Regional Sanitation District is looking at the area and the Measure M Group feels good about the potential for service in the development area.

In reading "Conceptual Planning Principles" - Section III, Rich Hall pointed out that Item A is the same as Item A in section II and stated the area is subject to CEQA and continued reading through Item E.

Supervisor Nelson mentioned it may be a good idea to discuss open space use of the area with Sacramento County.

Supervisor Munger expressed concern about the traffic in the area once development begins and asked for clarification as to whether other developers in the area would be assisting with the interchange project.

Mr. Shattuck stated that the interchange project is an area for potential cooperative funding and parties would have to work on environmental documents to make it happen.

Supervisor Nelson stated the developers should consider placement of their proposed land use areas to determine what is most logical.

Chairman Whiteaker stated it is important to continue these discussions and asked for comments from Planning Commissioners.

Jana Shannon, Planning Commissioner of District 5, stated she encouraged the Measure M Group to continue communications with agencies and groups and asked that they consider providing affordable housing.

Mr. Hall stated that there is an affordable housing ordinance in place that will be complied with.

Maynard Dunn, Planning Commissioner of District 2, asked if the Measure M Group has previously had a project similar to this.

Mr. Wynn stated not exactly like this one and explained the members of the Measure M Group and their areas of development experience. Mr. Wynn noted they have done mixed use communities together.

Mr. Dunn expressed concern regarding the possibility of residential and commercial/industrial development rates not coinciding as developers might wish.

Mr. Shattuck stated the Measure M Group is a well rounded, experienced team, and said there is an advantage in their ability to provide large sites as well as highway accessibility. Mr. Shattuck said they are aware they will have to work with marketing which is a process they have begun.

Supervisor Silva stated Sutter County has an advantage in that it has the ability to site Energy Reduction Credits.

Some discussion ensued regarding the importance of keeping development of different land use blends well balanced and it was noted that job creation is the developer's priority.

Chairperson Whiteaker asked about a timeline for the process.

Mr. Carpenter responded by stating the specific plan would take approximately one year, the environmental review would take another year, and possible environmental litigation another year. Mr. Carpenter stated that during a potential litigation period, infrastructure and other plans could be worked on so that when a lawsuit was resolved, the developers could move forward.

Mr. Hall stated they will obtain comment from the school district representative in regards to school maintenance.

Preet Khan, Planning Commissioner of District 3, stated she is in favor of this project but expressed concern about the potential traffic problems and stated she encourages the developers to plan carefully so Sutter County doesn't run into problems other jurisdictions are having.

Supervisor Silva stated that traffic is a major component to be considered and that citizens should write to congressional representatives in an effort to obtain more T3 Bill funds for transportation appropriations in California.

Chairperson Whiteaker opened the floor for public comment.

John Nicholson of 75 Christich Lane, Campbell, California stated he represents 1,100 acres in the north portion of the 7,500 acres. Mr. Nicholson said he would like to be included in the specific plan and asked how the Board would deal with the specific plan should he and the Measure M Group not come to an agreement.

Supervisor Silva stated the concept shown is conceptual and encouraged all property owners to work together.

Mr. Nicholson stated he had contacted the Measure M Group and was told he couldn't be involved in the ballot measure process.

Mr. Shattuck stated that was because their campaign had already begun and their funding, etc. was in place.

Discussion regarding frequency of study sessions and when the next study session should take place resulted in the scheduling of the next study session for Thursday, February 3, 2005 at the same location at 7:00 p.m.

There being no further comments, Chairman Whiteaker adjourned the study session.

ATTEST:

**JOAN BECHTEL,
CLERK OF THE BOARD**

JIM WHITEAKER, CHAIRMAN

By:

**Karna-Lisa Aucoin
Deputy**