TOWN OF LOOMIS

ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650
www.loomis.ca.gov

TUESDAY	JULY 9, 2013	7:30 P.M.

CALL TO ORDER Call to order by Mayor Scherer at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:
Mayor Scherer
Councilmember Calvert
Councilmember Morillas
Councilmember Ucovich
Councilmember Wheeler

RECOGNITION/PROCLAMATIONS Candice Roeder, Seniors First

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Calvert asked to have a discussion on the next agenda on "how items are placed on the agenda" and prioritizing.

Councilmember Dave Wheeler stated previously Council directed staff to look at live streaming for the Council meetings and staff came up with a cost and questioned if Council has come to a decision on it yet.

Rick Angelocci, Town Manager, stated that a decision hasn't been made on the live streaming yet but this item can be brought back next month for a decision.

Councilmember Calvert suggested looking into Google's free format called Hangout where you can do a live video.

Councilmember Ucovich stated he would like to discuss what is planned for the stage (Walnut St.) at the next Council meeting.

Mayor Scherer pointed out that the splash pad is completed and now the Blue Anchor park is finished.

TOWN REPORT

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.
Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

PUBLIC COMMENT: This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please **note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker** is three minutes but can be changed by the Mayor.

Jean Wilson, 4301 Barton Road, stated that this will be their first look at what is coming back to them since the Town Manager and Town Attorney took the Tree Ordinance in December 2011.

ADOPTION OF AGENDA: Council will typically adopt the agenda in the order listed or modify the order in a way that can best accommodate the time of people in attendance who wish to speak on particular items.

A motion was made to adopt the Agenda, moving item 9 after item 7. On motion by Councilmember Ucovich, seconded by Mayor Scherer and passed by voice vote.

OPPORTUNITY TO COMMENT ON CONSENT CALENDAR: All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda. On motion by Councilmember Morillas, seconded by Councilmember Calvert and passed by voice vote.

CONSENT AGENDA		**RECOMMENDED ACTION**
1.	Council Minutes – 6/11/13, 5/30/13	*APPROVE*
2.	Monthly Check Register – June	*RECEIVE AND FILE*
3.	Statement of Activity	*RECEIVE AND FILE*
4.	Treasurer's Report	*RECEIVE AND FILE*
5.	Planning Status Report	*RECEIVE AND FILE*
6.	A Resolution Of The Town Council Of the Town Of Loomis Approving Wage and Benefit Changes with the Loomis Diversified Employees Group and with the Loomis Public Works Employee's Bargaining Unit (Operating Engineers, Stationary Local No. 39)	*ADOPT RESOLUTION* **Resolution 13-19**

CONSENT ITEMS FORWARDED

BUSINESS

7. **Placer County Water Agency Proposed Rate Increase**
A presentation will be given by Placer County Water Agency regarding proposed rate increases for Zone 1 water customers
Recommended action: No action requested, receive and file.
Public comment:

Einar Maisch, Director of Strategic Affairs with Placer County Water Agency (PCWA), discussed their proposed rate increase and answered questions.

Joe Wilson, with Pacific, Gas and Electric Company (PG&E), discussed the canals they maintain, cost between PG&E and PCWA, how costs have gone up and answered questions.

Pat Brechtal, 5815 Brace Road, questioned if the rate will affect new meter hook-ups and suggested increasing the rates gradually.

Receive and filed.

At this time Council discussed item 9.

8. **Voting Delegates To League Conference**
The League of California Cities Conference in September 2013 will include League business and cities are asked to appoint voting delegates to conduct that business
Recommended action: Appoint a voting delegate and alternate to act on behalf of the Town and give direction
Public comment:

No public comment.

Following further discussion on the matter, a motion was made to appoint Councilmember Calvert as the voting delegate and Councilmember Ucovich as the alternate to the League of California Cities Conference in September 2013. On motion by Councilmember Ucovich, seconded by Mayor Scherer and passed by voice vote.

PUBLIC HEARING

9. **Loomis Municipal Code Amendments**
First reading of an Ordinance revising Chapters 2.36 (Planning Commission) of the Loomis Municipal Code, and discussion and direction regarding Chapter14.60 (Parkland Dedication)
Recommended Actions:
1. Discuss and direct staff to proceed with Ordinance Amendments, including Development Fees, revising Chapter 14.60 (Parkland Dedication);
2. Conduct First Reading of Ordinance revising Chapter 2.36 (Planning Commission)
Public Comment:

Chapter 14.60, Parkland Dedication

Councilmember Ucovich stated the following:
- if we go by the existing standards that we have (in the new Park and Recreation Plan) it says we have too many parks (200 acres of parks with 6,000 people)
- that isn't true, we need more neighborhood community parks because we don't own them

Roger Carroll, Finance Director, pointed out the following:
- we have no dedicated source of funds for a study
- we can't use Quimby funds for the study
- this would have to come out of General Funds

Gary Liss, 4395 Gold Trail Way, stated the following:
- it is unclear why the current fees need to be revised
- this change would only benefit developers
- we would have to pay money for a study to get reduced funds for the parks
- this has been reviewed many times by experts and the end result was to stay with 5 acres per thousand and include schools and the Loomis Basin Park as was done in the 2005 study

Jeff Mitchell stated the following:
- you have to have a defensible bases for concluding that the Town has 5 acres per 1000 and how the regional park constitutes the neighborhood and community park
- he would be interested in hearing what other communities do and if they have been challenged in court
- hiring someone who has done these would be helpful to enlighten on that particular piece

Councilmember Ucovich stated the following:
- all the experts we had misinterpreted the Quimby Act
- the Quimby Act allows for 3 acres per thousand
- you can't use areas outside the jurisdiction to add up the acreage
- he would like a legal opinion first, before we move forward on exactly what the Quimby Act allows or doesn't allow

Councilmember Wheeler suggested following Councilmember Ucovich's plan and get a legal opinion to see if we can defend what we currently have in place or make the corrections if needed.

Councilmember Calvert stated that we should have a more in depth look and a firm understanding on where we are with this.

Councilmember Morillas stated that she would like a legal opinion before we go any farther.

Mayor Scherer stated the following:
- it's important that our fees are accurate
- we would like to have further legal analysis and a legal recommendation brought back to another meeting

Chapter 2.36, Planning Commission

Mayor Scherer, stated the following:
- he has heard from both sides out in the community and throughout the week that there is a great deal of concern about the Planning Commission process
- the public wants to remain engaged in the appointment process so he doesn't anticipate moving forward on this
- he suggested next month Council can further refine specific tasks (Code amendments) that we would like to review and in what order

Bill Branch, 6605 Wells Avenue, stated that because this ordinance directly relates to the Attorney General's complainant (Janet Thew), Mr. Wheeler--

Mayor Scherer interrupted Mr. Branch and asked him to stay on the subject that is before us today or he will have to be removed.

Brian Baker, 6025 Arcadia Avenue, stated the following:
- **the ordinance that is put before us is dangerous**
- **there is a vetting process that needs to be done for the removal, in order to maintain the trust of the public**

Hazel Hineline, 3445 Barker Road, stated the following:
- **the checks and balances of having the Council as a whole make a decision, will make it fair for everyone**
- **she strongly urged Council to keep the ordinance the way it is**

Jean Wilson, 4301 Barton Road, stated the following:
- **she quoted from the Town's Standard Operating Procedures: Members of the Town Council should not attempt to influence commission or committee recommendations, or to influence or lobby individual commission or committee members on any item under their consideration. It is important for commissions and committees to be able to make objective recommendations to the Town Council on items before them.**
- **this proposal has a potential to seriously undermine that principle**
- **she urged Council not to include this, it is a bad idea and should be permanently tabled**

Pat Miller, 4395 Gold Trail Way, stated the following:
- **there is a section regarding eliminating the Planning Commission's stipend and said," by all means eliminate the stipend"**
- **the Town Treasurer said he is unable to <u>not</u> send out the money because of the way the current ordinance is written**
- **she also suggested eliminating the Council's stipend which will save over $18,000 a year**
- **she is greatly relieved to hear that the Planning Commission appointment process amendment will be permanently shelved**

Guy Fuson, 4925 Duey Court in Rocklin, stated the following:
- **he was a former Loomis resident, Planning Commissioner and Councilmember**
- **the buffer the Planning Commission provides between the political active Council and the future of the Town is extremely important to keep them as independent as possible**

Gary Liss, 4395 Gold Trail Way, stated the following:
- **he appreciates Council's support for the existing process**
- **the proposal would result in a Planning Commission that is more divided**
- **it is an attack on freedom of speech and he urged the Council to oppose staff's recommendation**

Councilmember Morillas stated that she wants to keep the ordinance the way it is.

Councilmember Calvert stated she wants to bury the proposed ordinance.

Councilmember Wheeler stated he strongly urged Council to table the proposed ordinance.

Councilmember Ucovich stated he supports tabling the proposed ordinance but he has a concern that projects, subdivisions, and developments do not come to the Council for approval and are only approved by the Planning Commission.

Mayor Scherer stated that tonight we have heard from the community, that participation in the appointment process is highly valued.

A motion was made to table the ordinance. On motion by Councilmember Wheeler, seconded by Councilmember Ucovich and passed by the following roll call:
Ayes: Calvert, Morillas, Scherer, Ucovich, Wheeler
Noes: None

At this time Council discussed item 8.

COMMITTEE REPORTS

10. Project Go, Inc. – Community Action Agency - Calvert/Morillas
11. Placer County Economic Development Board – Wheeler
12. Placer County Flood Control/Water Conservation District – Morillas
13. Placer County Transportation Planning Agency – Calvert
14. Placer County Mosquito Abatement – Russ Kelley as citizen rep
15. Placer County Air Pollution Control District – Ucovich/Morillas
16. Local Agency Formation Commission - Ucovich
17. Sacramento Area Council of Governments – Scherer/Wheeler
18. Placer Land Trust ex-officio representative – Scherer
19. Borders Committee – Scherer/Wheeler and Calvert as alternate
20. Business Committee – Scherer/Wheeler and Calvert as alternate
21. Schools Liaison – Calvert/Scherer

ADJOURNMENT **Mayor Scherer stated there was no further business and adjourned at 9:33 p.m.**

Mayor

Town Clerk