TOWN OF LOOMIS

ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

TUESDAY	JANUARY 12, 2010	7:00 P.M.

CLOSED SESSION – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.

a. **CONFERENCE WITH LABOR NEGOTIATOR:** Pursuant to Section 54957.6 of the Government Code.
Agency Negotiator: Perry Beck, Town Manager
Under Negotiation: Town Attorney request for contract modifications

b. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Initiation of litigation pursuant to subdivision Section 54956.9:
- Rocklin Crossing: Case #S CV 24099 Town of Loomis v City of Rocklin et al & Rocklin Crossings LLC et al
- Rocklin Clover Valley: Case #34-2007-00002871-CU-WM-GDS Town of Loomis v City of Rocklin et al and Rocklin 650 Venture et al

TUESDAY	JANUARY 12, 2010	7:30 P.M.

CALL TO ORDER

Call to order by Mayor Liss at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:
Mayor Liss
Councilmember Kelley
Councilmember Scherer
Councilmember Ucovich
Absent: Councilmember Morillas

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

a. No action taken.
b. No action taken.

RECOGNITIONS/PROCLAMATIONS

Chamber 50th Anniversary

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Ucovich stated the following comments:
- **at a future date he would like Council to look at lot coverage on smaller lots in the zoning ordinance (right now it is 30%)**
- **the market is for smaller homes and at this time we have no control other then the coverage of the lot**
- **he would like to have some discussion with builders and the Planning Commission on this subject at a future date**

Councilmember Kelley stated the following comments:
- **a citizen told him that he liked the new seal coating on the road-ways but he didn't like that an agency came out and dug it up after it was completed**
- **asked how the Town can have better coordination with the agencies**

Brian Fragiao, Town Engineer/Public Works Director, expounded on the process and noted the following:
- **the agencies are notified way in advance**
- **they go to a utilities co-ordination meeting**
- **Roseville bonds the roadway, so if they do any cutting of the road, they would have to fix it by overlaying the entire road**
- **in our standards it states that we can direct them not to touch the roads on brand new asphalt for at least five years, unless there is an emergency**

Councilmember Scherer pointed out the following:
- **they met with Supervisor Rocky Rockholm about the acquisition of the corporation yard on Taylor Road (this would help facilitate the implementation of the master plan)**
- **they also mentioned the deer hunt and working on resolving our issues with Rocklin**

Mayor Liss stated the following:
- **would like to consider bonding or other tools to minimize the impact on new asphalt roads, as a future agenda item**
- **they are asking other elected officials, in the area, on how we are doing on trying to improve relations with our neighbors and others are noticing we are out to solve the problems**

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 five minutes.

Janet Thew, 5572 St. Francis Circle, stated the following:
- **the planned youth deer hunt, in our region, has been cancelled this year and if it comes back again next year, so will we**
- **thanked Council for the letter to the County in opposition**

Vic Markey, 3254 Taylor Road, stated the following:
- **recently there has been several criminal activities in Loomis and it is becoming a problem**
- **Del Oro High School has had several break-ins and there solar system was stolen**
- **there has been arrests for drug abuse, inappropriate weapons activity, and someone was found dead**
- **he would like to talk about neighborhood programs (neighborhood watch)**

Councilmember Scherer suggested adding an agenda item on the next agenda to discuss organizing neighborhood watch and the status of neighborhood watch (what neighborhoods have neighborhood watch and how do we go about establishing them).

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. On motion by Councilmember Scherer, seconded by Councilmember Ucovich 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 pulling items 9 and 13 forward for discussion. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by voice vote.

CONSENT AGENDA		RECOMMENDED ACTION
1.	Council Minutes – 12/8/09, 12/11/09	*APPROVE*
	11/21/09 a.m. and p.m. Special Meetings with Councilmembers Morillas and Ucovich Abstaining	*APPROVE*
2.	Monthly Check Register – December	*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.	2009/10 Goals Update	*RECEIVE AND FILE*
7.	Select Rocklin Development Projects Update	*RECEIVE AND FILE*
8.	Second Reading of Ordinance 245 of The Town Council of The Town of Loomis Prohibiting Illegal Uses Including Medical Marijuana Dispensaries	*ADOPT ORDINANCE*
10.	Town Hall Dedication Plaque Wording For The New Town Hall	*APPROVE*
11.	Request for Donations For Military Honor Dance And Japanese American Veterans Memorial and Use of Blue Goose Shed	*APPROVE*
12.	Heritage Park Subdivision Purchase and Planning	*RECEIVE AND FILE*

CONSENT ITEMS FORWARDED

9.	Green Ribbon Task Force Information	*RECEIVE AND FILE*

Councilmember Ucovich stated the following:
- **we have a fair number of industrial vacant sites on Swetzer Road**
- **suggested adding a goal to attract green companies into the Swetzer Road area in Loomis**

Mayor Liss noted the following:
- **the Green Ribbon Task Force meeting will be on January 27th at 6 p.m. at the Depot and the focus is to help Loomis residents, businesses and Town be more sustainable**
- **he has been working with about 40 people on a horse rescue project, this is not a Town project**
- **they are trying to do the Green Ribbon Task Force in a similar vein, with anticipation that down the road one of the recommendations may be to have a more formal process**
- **the intent was to get going informally, build energy in the community, getting everyone involved until they have a better sense of what they want to accomplish**
- **he asked Council to give him some latitude to go forward and build some energy and support for sustainability and to bring back recommendations**

No public comment.

Councilmember Kelley stated the following:
- **there is a trend to build smaller homes**
- **in Loomis we have a manufacturer that is capable of doing manufactured homes for the community**

Following further discussion on the matter a motion was made to receive and file. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

13.	A Resolution Of The Town Council Of The Town Of Loomis Calling A Special Election On Initiative Regarding Term Limits	*ADOPT RESOLUTION* **Resolution 10-01**

Dave Larsen, Town Attorney, expounded on the following:
- **Placer County Elections stated there was no indication on the petition that a special election was being called**
- **a letter was submitted to the Town but was not put on the face of the circulated petition**
- **the County stated they were not comfortable calling a special election if the petition didn't reflect that a special election was being called**
- **Council can call a Special Election in June or a General Election in November or ask for a report covering one or more specified issues and bring this back at a special meeting**

Jean Wilson, 4301 Barton Road, stated the following:
- **the cost for a special election is a concern and she hates to see money spent that isn't needed in this economy**
- **this is a significant matter that deserves the highest voter turn-out that we can get**
- **she prefers having this initiative put on the November election**

Barbara Burklow, 3909 Del Mar Avenue, stated the following:
- stated that the $12,000 was at the high end of the cost for a special election
- she is a member of the committee for this petition and asked the Council to listen to approximately 1/3 of the voters in Loomis and put this initiative on the June ballot
- All those who signed the petition were told that the initiative was to be on the June ballot
- they attended the Council meeting in October and informed the Council that they intended to put this on the June ballot
- the people of Loomis voted for the Council to represent them and she is asking the Council to forget their personal interests and put this on the June Primary ballot

Sonja Cupler, 5630 Tudor Way, stated the following:
- she is representing the term limits for Town Council committee and the 1200+ constituents that signed the petition to put the initiative on the June ballot
- the decision tonight directly affects Councilmembers Scherer and Ucovich's ability to run for election
- she asks that Councilmembers Scherer and Ucovich recluse themselves from voting on this agenda item
- both Councilmen have publicly opposed the June initiative in the media
- their input or vote on this matter would be a direct conflict of interest
- she asked the other Councilmembers to remember that they are representing the constituents of Loomis and over 1200 have signed the petition stating that they wish to vote on term limits in the June 2010 election, please do the will of the people tonight

Mayor Liss asked if there was anything in writing that went with the circulation of the petition that indicated that this was for the June election?

Ms. Burklow stated no, they were not told this needed to be with it, and information from the County was confusing.

Councilmember Scherer stated the following:
- he votes to put it on the November ballot
- he agrees with Ms. Wilson, this is not a good time to be testing the waters and squandering $12,000 of public funds
- they are elected by the people of Loomis to make these kind of decisions
- this deals with the rights of democracy and should be done at an election where you can expect the greatest participation
- if it doesn't say on the face of the petition that this would be a special election then the public have not been properly informed

Councilmember Kelley stated the following:
- this is not about testing the waters, it is about testing the will of the people and the people who will be participating in the voting
- this is not squandering of public funds to represent people who have asked to address their issue
- this is political maneuvering, the people should have their say at the June election
- 1200 signatures says a lot

Councilmember Ucovich stated the following:
- this will affect not only him and Mr. Scherer but everyone on the Council
- other communities have term limits but most of them have to sit out for only 4 years instead of 8 years
- this is a pointed measure for a specific purpose in this community

Mayor Liss stated the following:
- he would like to speak to the 1200 people who signed the petition, it is great to see democracy in action, but he is not persuaded that there was any indication to the voters that it was to be on the June ballot
- not having the date is a serious failure of this measure, the public was not clear on what they were signing
- he agrees with Ms. Wilson regarding the cost of the June election where the money could be used elsewhere
- he agrees that more people will be voting in November and he would like to hear the full will of the people on this

Dave Larsen, Town Attorney, suggested revising the resolution as follows:
- in the title "a special" would be deleted, "an" would be added,
- Section 1: "a special" would be deleted, "an" would be added,
- Exhibit A would be changed to the "Notice of Intent" and Exhibit B would be the ordinance
- Section 2: delete "June 8, 2010" and add "the November 2010 General Election"

Following further discussion on the matter, a motion was made to adopt Resolution 10-01 (with the above revisions), calling an election based on the Initiative regarding term limits, election to be consolidated with the general election, and to be placed on the November 2010 ballot. On motion by Councilmember Scherer, seconded by Mayor Liss and passed by voice vote with Councilmember Kelley abstaining and Councilmember Morillas absent.

PUBLIC HEARING

14. **Bikeway and Trails Master Plan**
Consider the Bikeway and Trails Master Plan
Recommended action: Take public comment and adopt the resolution approving the Town of Loomis Bikeway Master Plan and Trails Master Plan
Public comment:

Scott Robertson, consultant with Omni-Means, gave a presentation on the Bikeway and Trails Master plan and answered questions.

Councilmember Kelley stated the following:
- page 51 of the trails he questioned using a PVC post on a trail
- in most places he has seen 8x8 post and cable used and it is a lot cheaper and lasts just as long
- also, on the same page it has push button activated crossing, it should be the best technology available

- there is a little bit of conflict, most of the funding comes out of the bicycle transportation account and he doesn't know anyone that rides a horse to market

Jim Hogenston, Newcastle, stated the following:
- closing the trails from sunset to sunrise is inappropriate
- often a trail becomes a transportation linkage
- this will force the trail users back on the roads at night where it is unsafe
- asked Council to think about how they can consider leaving trails open at night
- dog walkers and others exercising would be excluded from walking on the trails in the early mornings or evenings

Mayor Liss stated he would like to see the following:
- a connection between the Equestrian Center, Loomis Community Park and the trails off of King Road
- both sides of the freeway with soft pads
- be able to go up and down Secret Ravine and connect with County plans for trails all along King Road to Folsom Lake
- another connection might be needed at a proposed park development in Sierra de Montserrat
- a goal to be a bike and pedestrian friendly community

Councilmember Scherer stated the following:
- he suggested running a spell check on the entire document
- we need to post where bikes are allowed on sidewalks
- he agrees that it is extremely important that we do not close the trails at night
- he supports adopting this

Councilmember Ucovich stated the following:
- he agrees that the trails should be used after sunset but it does present a safety issue
- these are great ideas and concepts but it is important that it will not just be a piece of paper

Kathy Kerdus, Planning Director, stated that this is a planning document that will be looked at but will not have the significance until it is formally adopted as part of the General Plan as transportation or open space.

Mayor Liss read Greg Obranovich's (Planning Commissioner) following comments:
- he supports the Bikeway and Trails Master Plan as presented
- suggested a citizens group be formed to work towards the implementation of this document

Following further discussion on the matter, a motion was made to adopt Resolution 10-02, approving the Bikeway Master Plan and Trails Master Plan subject to the changes discussed this evening and with the Town Manager's review of the changes and comments being incorporated. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

Recess at 9:10 p.m. to 9:20 p.m.

BUSINESS

15. **2006-2013 Housing Element Update** (Continued from 10/13/09) TC 9/8/09

State law requires that communities accommodate their "fair share" of housing for all economic groups within the community. The Housing Element is the state-mandated General Plan element that addresses how the Town will strive to achieve its share of regional housing need within the assigned planning period. By Government Code 65588, the Town is required to update its Housing Element at specific times (was every five years, now changing to every eight years) by recent legislation (SB375) to conform to the Metropolitan Transportation Planning process).

Recommended action: Take public comment and approve resolution, forwarding the draft 2006-2013 Housing Element Update to the California Department of Housing and Community Development (HCD) for their 60 day review and comment.

Public comment:

Lisa Wise, housing consultant, gave a presentation on the Housing Element Update and answered questions.

Todd Lowell, developer for The Village, stated the following:
- asked Council for support in designating "The Village" to accommodate the Town's housing needs identified in the draft 2006-2013 Housing Element update
- "The Village" is the best location because it's proximity to downtown and services, within walking distance of mass transit, and pedestrian friendly
- "The Village" helps fulfill the long-intended vision of the Town Center plan and will cause the least impact to the Town

Councilmember Scherer stated the following:
- he would like to have the senior care facilities separate from the churches
- asked to delete churches in reference to church housing
- suggested limiting our housing to "The Village" property and reserving the other sites for future plans

Councilmember Kelley stated that we should have done this a long time ago and he is ready to send it on for review, and refining it when it comes back.

Councilmember Ucovich stated the following:
- **if "The Village" meets all of the housing requirements then that should be all that is listed**
- **he is opposed to taking prime commercial property along Sierra College Boulevard or Interstate 80**
- **if we need another site then the property next to the KOA Campground off of Taylor Road could be a possible site**
- **he would like all the other sites taken off**

Mayor Liss stated the following:
- **the state is requiring us to zone it but not build it**
- **it's about density and not about affordability**
- **like to direct staff to return recommendations on polices to ensure a greater diversity of housing in Loomis to make it affordable**
- **he agrees with Councilmember Scherer to delete the reference to church units**

Following further discussion on the matter, a motion was made to adopt Resolution 10-03, forwarding the draft Housing Element 2006-2013, revised to include the responses to the Council comments and site(s) to meet the previous and current RHNA requirements, to HCD for their 60 day review and to agendize for the next meeting, discussion by the Council to the of ways to create greater diversity in housing in Loomis and keeping up with social, technological and more energy efficient housing trends. Revisions: limiting the proposed rezoning properties to those within "The Village" (the areas closer to Raley's) and removing the program allowing residential development along church properties. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

16. **Open Space Committee 2 Recommendations Review**
Council completed most of its review of Open Space Committee 2 recommendations however there were some items that were slated to return to Council for further deliberation and decision; and a citizen request item was received in December that also requires Council review
Recommended action: Decide on the recommendations and citizen request, determine which, if any, to forward to the Park, Recreation and Open Space Committee for inclusion in the draft Park Master Plan
Public comment:

This item was discussed after item 17.

Irene Smith, 6755 Wells Avenue, stated the following:
- **the future of Sierra de Montserrat is questionable**
- **there may be opportunities to preserve lands if they sell off portions of the property**
- **asked Council to consider purchasing conservation easements or lots**
- **asked Council to pass this onto PROSC for their review and evaluation**

Continued to January 16, 2010.

17. **Sierra College Boulevard Improvement Agreement**
The City of Rocklin has construction drawings, and partial funding, to proceed with improvements on Sierra College Boulevard from Granite Drive to Taylor Road, however, the work requires an agreement and money from Loomis
Recommended action: Authorize staff to develop an agreement with Rocklin to do improvements on Sierra College Boulevard between Granite Drive and Taylor Road using the deal points noted in this report and any deal points that Council may suggest tonight
Public comment:

Councilmember Ucovich stated the following:
- **they need two lanes on Sierra College Boulevard going across Taylor Road toward the railroad tracks**
- **he suggested closing west side of Brace Road**

Councilmember Kelley stated the following:
- **asked if we can get this plan ready from Taylor Road up to Bankhead**
- **suggested getting the paperwork going and move ahead for initial design for that**

Brian Fragiao, Town Engineer/Public Works Director, stated that we could ask, as part of the some negotiations, to begin the design from Taylor to Bankhead (not the improvements) so it can be ready.

Perry Beck, Town Manager, pointed out that SPRTA has done some design work for Rocklin and we should ask SPRTA to help us with this.

Jennifer Knisley, 4135 Hunters Drive, stated that the road needs to be improved and one of the areas (when it rains it puddles) is at the Sierra College Boulevard/Brace Road intersection.

Mayor Liss stated the following:
- **we should proceed with this design, concurrently, no matter what**
- **on page 3, Phase 1, third paragraph, he wants to make sure they are talking about the streetscape design per the MIG study**

Councilmember Ucovich stated the following:
- **we own the 330 foot strip of roadway on Sierra College Boulevard by McDonalds that Rocklin would like to have**
- **that means we have the right to dictate where they have ingress or egress along there (that is worth something)**
- **he would like an engineer to look at Patterson's property behind McDonalds**
- **if Rocklin wants our 330 feet then we would like access to Patterson's property back behind McDonalds**

Following further discussion on the matter, a motion was made to direct the manager to work with Rocklin's engineer and our engineer to negotiate and come up with a plan to be approved by Council of the following points: the access behind McDonalds for the 330 feet; design of Sierra College Boulevard from Taylor Road to Bankhead Road; the median on the cross section; rural streetscape; and improvements along Homewood's property. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by voice vote.

At this time public comment was taken for Item 16.

18. **Downtown and Freeway Signs**
Decide if downtown and freeway signs are needed.
Recommendation: Hear Councilmember Ucovich's ideas on downtown and freeway signs and give direction as to how Council wishes to proceed
Public comment:

Continued to January 16, 2010.

COMMITTEE REPORTS

19. Placer County Community Services Commission - Kelley
20. Placer County Economic Development Commission – Ucovich
21. Placer County Flood Control/Water Conservation District – Morillas/Liss
22. Placer County Transportation Planning Agency – Ucovich/Kelley
23. Placer County Mosquito Abatement – Kelley/Ucovich
24. Placer County Air Pollution Control District – Ucovich/Morillas
25. Sacramento Area Council of Governments – Scherer/Liss
26. Placer Land Trust ex-officio representative – Scherer
27. Borders Committee – Scherer/Liss
28. Business Committee – Scherer/Liss

ADJOURNMENT

A motion was made to adjourn at 10:30 p.m. to an Adjourned Regular meeting on January 16, 2010 at 11 a.m. at the Depot. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

Mayor

Town Clerk