TOWN OF LOOMIS

ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650
AND 3683 FROST LANE

TUESDAY	JULY 13 2010	7:00 P.M.

CALL TO ORDER

Call to order by Mayor Liss at 7:01 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Liss
Councilmember Kelley
Councilmember Morillas
Councilmember Scherer
Councilmember Ucovich

PROCLAMATIONS/RECOGNITIONS

Loomis Service Organizations:
The Lions Club, Soroptimist International, and the Rotary Club

A moment of silence was taken in honor of Al Nitta, who recently passed away.

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Ucovich stated the following:
- **he complimented the groups in Town that have been putting on events this month - Town concert, car show, truck show and the Pablo Cruise event**
- **he invited everyone to go to the produce market on Saturdays at the Blue Goose fruit sheds where there are good vegetables and fruit and the prices are reasonable**
- **he thanked Jim Ingram staff for the new directional signs**

Councilmember Kelley thanked staff for linking the Mosquito and Vector Control District to the Town website, taking care of the stop signs and the overgrowth, and the concert events.

Councilmember Scherer stated the following:
- **he thanked staff for the great summer concert event and Public Works for replacing the broken plaque for Chuck Nitta in front of the post office**
- **he thanked everyone for their cards, well wishes and prayers with his latest illness**

Mayor Liss stated the following:
- **He toured the organic facility outside of Marysville to look into how to increase recycling and composting in this area**
- **upcoming events: he will be attending "GreenwiseSacramento" on Thursday regarding sustainable efforts region wide; next Tuesday will be a monthly public meeting of Green Waste Sacramento where Van Jones is speaking (author of Green Collar Jobs); on July 22nd will be the Green Ribbon Task Force; and on July 26th will be the Horse Rescue meeting at 6 p.m**

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 may be limited to five minutes or less**, at the discretion of the Mayor.

There was no public comment.

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 and to discuss item 18 after item 11. On motion by Councilmember Morillas, 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 Calendar, pulling items 8 and 10 forward for discussion. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

CONSENT AGENDA		RECOMMENDED ACTION
1.	Council Minutes – 6/8/10 (With Councilmember Scherer abstaining)	*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.	2010/11 Goals Update	*RECEIVE AND FILE*
7.	Select Rocklin Development Projects Update	*RECEIVE AND FILE*
9.	Sacramento Regional Managers Group Principles And Recommendations For Pension Reform	*RECEIVE AND FILE*
10b.	A Resolution of the Council of the Town of Loomis Adopting The Annual Operating Budget For Fiscal Year 2010-2011; Certifying Compliance With the 2009-2010 Appropriation Limitation For The 2010-2011 Fiscal Year; And Setting Forth Position Allocations For The Fiscal Year 2010-2011	*ADOPT RESOLUTIONS* **Resolution 10-17** **Resolution 10-18** **Resolution 10-19**

CONSENT ITEMS FORWARDED

8.	A Resolution of the Council of the Town of Loomis Opposing The California Jobs Initiative That Would Suspend, Under Certain Conditions, The Provisions Of AB 32, The Global Warming Solutions Act of 2006	*ADOPT RESOLUTION*

No public comment.

Councilmember Kelley stated that we need to let the League of California Cities handle the issue and let the people vote on it.

Councilmember Scherer opposes the suspension of AB 32, the Global Warming Solutions Act of 2006.

Councilmember Ucovich stated that he is on the League of California Cities Board and has mixed feelings on this, but sending a letter won't affect the outcome of the measure.

Mayor Liss is in favor of the resolution to oppose the suspension of AB 32.

Following further discussion on the matter, a motion was made to approve Resolution 10-16, opposing the California Jobs Initiative that would suspend, under certain conditions, the provisions of AB 32, the Global Warming Solutions Act of 2006. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice with Councilmember Kelley and Councilmember Morillas voting no (3/2).

10. Authorize A Letter To Be Sent On An Issue Affecting The Placer County mPower Program, and Similar Programs In California, Concerning Where mPower Loans Stand In The Hierarchy Of Loans That May Encumber A Property *APPROVE*

No public comment.

Councilmember Kelley questioned why we are getting in the middle of this when Jenine Windeshausen, Placer County Treasurer, does an outstanding job and is taking care of this.

Following further discussion on the matter, a motion was made to approve sending a draft letter and authorize the Mayor to sign. On motion by Councilmember Kelley, seconded by Councilmember Scherer and passed by voice vote.

Councilmember Ucovich suggested sending the letter to our Congressman.

At this time Council discussed item 18.

PUBLIC HEARING

11. **St. Francis Woods Vacation of 50-Foot Access And Utility Easement**
St. Francis Woods, Lot 21 amendment – abandoning the existing 50-foot Public Utility and Public Access Easement on Final Map Book R, Page 60, sheet 6.
Recommendation action: Approve resolution vacating the P.U.E. and Public Access Easement on Lot 21 of St. Francis Woods Subdivision recorded at Book R of Parcel Maps, Page 60, Placer County Records
Public comment:

Council discussed this item after item 18.

Bob Dubanski, 5536 E. St. Francis Circle, stated the following:
- **he was not notified of this hearing**
- **he is on the architectural review committee for St. Francis Woods**
- **he denied the pool because of the easement issues**
- **he would like his whole community (St. Francis Woods) notified of this issue**

Mayor Liss suggested that in the future consider who would be impacted and not necessarily just the letter of the law (noticing within 300 feet).

Following further discussion on the matter, a motion was made to continue this item to the August 5, 2010 special meeting, having this item first on the agenda. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by voice vote.

A motion was made to provide further notification before the August 5th meeting, directing staff to follow the notice requirements, notice the St. Francis Woods Homeowners Association, and notice any other residents that might be effected that are outside of the 300 foot area. On motion by Councilmember Scherer, seconded by Councilmember Morillas and passed by voice vote, with Councilmember Ucovich voting no (4/1).

BUSINESS

12. **Tree and Traffic Issues on Brace Road**
Anna Nakashoji asks to address the Council concerning tree and traffic issues along Brace Road
Recommended action: Discuss and give direction
Public comment:

Anna Nakashoji, 3899 Martin Lane, stated the following:
- **there have been some close calls on Brace Road by Martin and Betty Lane with cars that come out just past the Secret Ravine bridge and hill**
- **if you are coming out of Betty Lane your front tires actually have to be out on Brace Road in order to see pass the oak trees that have grown**
- **when she is slowing down to turn onto her road she has had to pull over to the wrong side of the road because they are coming so fast**
- **something has to be done regarding the vision (trimming the trees and bushes) and the speeding traffic**

Councilmember Kelley stated the following:
- **if we maintain 20 feet off the center of the road we should have clearance**
- **mailboxes can be an issue**

Councilmember Scherer suggested sending this item to the traffic and safety committee for recommendations to Council at the August meeting.

Mayor Liss suggested notifying residents, that will be effected, on Betty and Martin Lanes and Brace Road about the meeting.

Following further discussion on the matter, a motion was made to refer this to the Traffic and Safety Committee and report back at the August council meeting, and to notify the residents in the area of the meeting that will take place. On motion by Councilmember Scherer, seconded by Councilmember Morillas and passed by voice vote.

Recess at 8:35 p.m. to 8:50 p.m.

13. **Blue Goose Facility Use Agreement (Continued from June 8, 2010)**
A Blue Goose facility use agreement would formalize an informal understanding that now exists between the South Placer Heritage Foundation and Town concerning Town use, at no cost, of the Blue Goose Shed
Recommended action: Discuss and determine how Council wishes to proceed
Public comment:

No public comment.

Councilmember Ucovich stated the following:
- **if a non-profit group wanted to use this building, rather than giving them money, it is easier to give them a day at the Blue Goose (kind of a trade-off)**
- **he agrees with staff's recommendation to craft a development agreement with the Foundation**

Mayor Liss stated the following:
- **with the amount of fees that are on the table, we have to get something of comparable value to the amount of fees waived**
- **he was disappointed that we haven't had more success, this year, in working with the Blue Goose on the land use issues in the course of the Downtown study**
- **we should refer this to staff to negotiate a development agreement**

Councilmember Kelley stated the following:
- **it takes a certain amount of time to put a development agreement together**
- **we should not be involved in giving away the use of the Blue Goose to anyone other than for government purposes**
- **he suggested approving this agreement for now in order to have something in place and to move forward**

Councilmember Scherer stated the following:
- **it is important to address the waiver of fees**
- **the development agreement should not have excessive restrictions on the Town and what we can use the Blue Goose for**
- **it is important to keep an option open if we are co-sponsoring an event**
- **he is in favor for moving forward with a development agreement**

Councilmember Morillas stated the following:
- **she is in favor of a development agreement**
- **on the free days that are given to the Town, we should not be giving it away to people in the community**
- **there are costs associated with keeping the buildings up and we shouldn't be giving it away free**

Following further discussion on the matter, a motion was made to direct staff to develop a development agreement and in the interim continue operating with Randy Elder and the handshake agreement. On motion by Councilmember Scherer, seconded by Councilmember Morillas and passed by voice vote. (5/0)

14. **I-80 Bridge Raising Strategies (Continued from June 8, 2010)**
CalTrans is planning a major work along *-80 to raise a number of bridges, three of which are in Loomis and given where the planning process is, it would be prudent to consider a Town response to the planning and be prepared to respond when the environmental document is released in July 2010
Recommended action: Discuss and decide on a response to the CalTrans bridge raising planning process
Public comment:

Perry Beck, Town Manager, stated that there will be a workshop on the Caltrans bridge raising on August 25, 2010 at the Depot at 5 p.m.

No public comment.

Councilmember Kelley stated he agrees with asking for four lanes over the freeway.

Councilmember Scherer stated the following:
- **he does not want Horseshoe Bar Road closed off**
- **this could close down Raleys, we need to be more supportive of our businesses**
- **if we support a four lane bridge then it needs to be done in a manner that will not close Horseshoe Bar Road**

Mayor Liss stated the following:
- **his first priority is to not shut down Horseshoe Bar Road**
- **suggested asking for lowering the bridge but only if they don't shut down Horseshoe Bar Road**
- **suggested asking for three lanes across the freeway**

Councilmember Morillas agreed that not shutting down the road is a priority and she would also like to see four lanes put in.

Following further discussion on the matter, Council consensus was that the first priority is to not close Horseshoe Bar Road, second priority would be to build the four lanes or three lanes and if they can't do that then lower the road (without closing the Horseshoe Bar Road).

15. **Public Participation in Town Consultant Contracts (Continued from June 8, 2010)**
Council Member Scherer asked that Council discuss public education and participation component in Town consultant contracts
Recommended action: Discuss and give direction
Public comment:

No public comment.

Councilmember Scherer stated the following:
- **the more public involvement we have, the better off we are, the more accepted by the community, and the better we feel about how this Town is serving the community**
- **we should have something that clearly spells out what the consultants are going to be accountable for in doing public outreach**
- **he suggested having a resolution stating that this will be the policy of the Town in developing major planning efforts**

Following further discussion on the matter, a motion was made to direct staff to bring forward a resolution with a description of what projects would be applicable and some appropriate examples of wording to be put in the contracts regarding a policy of the Town to do everything we can to encourage public participation. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

16. **Voting Delegates To League Conference**
The League of California Cities Conference in September 2010 will include League business and cities are asked to appoint voting delegates to conduct that business
Recommended action: Appoint a voting delegate and alternate(s) to act on behalf of Loomis
Public comment:

No public comment.

Following further discussion on the matter, a motion was made to appoint Councilmember Morillas to be the voting delegate at the League of California Cities Conference. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

17. **Parks, Recreation and Open Space Committee Project Reivew Form and Methodology**
The Park, Recreation and Open Space Committee created a method and form to evaluate development projects that Council is asked to approve
Recommended action: Approve as presented or as Council may edit
Public comment:

Pat Miller, 4395 Gold Trail Way and on the PROSC, stated the following:
- **originally six people worked on this form**
- **this document removes a great deal of personal opinions**
- **now the entire PROSC will be working on this form**
- **this form will help us uphold what our General Plan says and give a message that there is community involvement**

Following further discussion on the matter, a motion was made to adopt the Green Sheet as amended on page 2, 1. Last sentence to read: "if the project is determined to require a discretionary action then it may warrant PROSC review." On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

18. **Term Limit Initiative On November Election**
Mayor Liss asks that Council approve submitting to Placer County Elections a ballot argument Opposing the term limit initiative that will be voted on in the November 2010 election
Recommended action: Discuss and determine a course of action including possibly approving ballot language opposing the term limit initiative
Public comment:

Council discussed items 18 after item 10.

Jean Wilson, 4301 Barton Road, stated she would like to see an argument in opposition appear on the ballot.

Sonja Cupler, 5630 Tudor Way, stated the following:
- **asked if opposing the term limits initiative is a conflict of interest, since it will effect two of the Councilmembers**
- **she asked why Council is formulating the argument opposing the term limits as a Council body instead of as individuals**

David McCauley, 6100 Horseshoe Bar road, stated the following:
- **asked Council to consider term limits because new blood brings new ideas**
- **people are losing their homes, they are being displaced, they cannot feed their families**
- **compost is important but our community should come first**

Dave Larsen, Town attorney, stated the following:
- **the Political Reform Act governs conflict of interest**
- **if you suffer a financial loss or gain as a result in participating in a particular decision then you cannot participate**
- **the Political Reform Act doesn't say anything about voting on a matter that might otherwise influence you**
- **no there is not a conflict**

Following further discussion on the matter, a motion was made to have an argument opposing the measure for "term limits". On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote, with Councilmember Kelley voting no (4/1).

Following further discussion on the matter, a motion was made to direct staff to come up with the language for the argument at a special meeting on August 5, 2010 at 7 p.m. On motion by Councilmember Scherer, seconded by Morillas and passed by voice vote with Councilmember Kelley voting no (4/1).

Councilmember Kelley stated he would not be attending that meeting.

At this time Council discussed item 11.

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
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 p.m. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

Mayor

Town Clerk