TOWN OF LOOMIS

ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650
916-652-1840
www.loomis.ca.gov

TUESDAY	MAY 13, 2014	7:30 P.M.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:
Mayor Wheeler
Councilmember Black
Councilmember Morillas
Councilmember Ucovich
Absent: Councilmember Calvert

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Black stated that the Town manager hasn't had a review in a while and suggested having one.

Councilmember Ucovich stated the following:
- they had a garage sale at the Multi-Modal on Saturday and his wife noticed that the restrooms needed to be cleaned
- he suggested having the restrooms cleaned more than once a week

Rick Angelocci, Town Manager, stated that Public Works will be checking on the bathrooms every day during the week and can increase the cleaning to two days a week.

Mayor Wheeler thanked the Council and Town Manager for serving lunch at the Senior Center.

TOWN REPORT

LOOMIS CHAMBER OF COMMERCE UPDATE

Jenny Knisley stated on the 24th of May there will be a Blues, Burgers, and Brews event on the Walnut Street stage.

Pat Brechtal requested to have the weeds cleared out around the stage before the event.

Brian Fragiao, Town Engineer/Public Works Director, stated they will be weed-eating around the stage on Friday and taking out the existing cables above the stage.

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.

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 move item 12 before item 11 to discuss. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by the following vote:
Ayes: Black, Morillas, Ucovich, Wheeler
Noes: None
Absent: Calvert
Abstained: None

A motion was made to adopt the amended agenda. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by the following vote:
Ayes: Black, Morillas, Ucovich, Wheeler
Noes: None
Absent: Calvert
Abstained: None

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.

Mayor Wheeler noted that the resolution for item 7 was revised to show "said election shall be to fill a vacancy for Councilmember Robert Black" instead of Councilmember Walt Scherer.

A motion was made to adopt the Consent Agenda, with the revision in item 7, and pulling items 9 and 10 forward for discussion. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by the following vote:
Ayes: Black, Morillas, Ucovich, Wheeler
Noes: None
Absent: Calvert
Abstained: None

CONSENT AGENDA		RECOMMENDED ACTION
1.	Council Minutes – 4/8/14	*APPROVE*
2.	Monthly Check Register – April	*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.	Update on Council Committee Reports	*RECEIVE AND FILE*
7.	A Resolution Of The Town Council Of The Town Of Loomis Declaring An Election Be held In Its Jurisdiction; Requesting The Board of Supervisors to Consolidate this Election With Any Other Election Conducted On Said Date; And Requesting Election Services By The County Clerk	*ADOPT RESOLUTION* **Resolution 14-05**
8.	A Resolution Of The Town Council Of The Town Of Loomis Accepting The Swetzer Road & King Road Traffic Signal Project Provided By Pacific Excavation, Inc.	*ADOPT RESOLUTION* **Resolution 14-06**

CONSENT ITEMS FORWARDED FOR DISCUSSION

9. Draft 2014/2015 Town Budget *RECEIVE AND FILE*

Councilmember Ucovich questioned when the Council will be able to go over the budget review for any questions?

Rick Angelocci stated the following:
- **the budget is in the packet now for Council to review until the June meeting where it will be up for discussion**
- **Council can contact staff if there are any questions before the meeting**

There was no public comment.

Following further discussion on the matter, a motion was made to receive and file. On motion by Councilmember Ucovich, seconded by Councilmember Black and passed by the following vote:
Ayes: Black, Morillas, Ucovich, Wheeler
Noes: None
Absent: Calvert
Abstained: None

10. Draft 2014 Capital Improvement Program Annual Budget Review And Adjustment *RECEIVE AND FILE*

Councilmember Ucovich asked if Council will be able to have a public review on the Capital Improvement Programs?

Rick Angelocci stated the following:
- **there will be a public hearing at the June Council meeting**
- **the CIP program may be modified before the next meeting based on the action given from item 13, the Town Center Master Plan**

Roger Smith, 6755 Wells Avenue, stated that a capital expense for the town could be the special railings or artwork that might be on the Interstate 80/ Horseshoe Bar Road and I-80/Brace Road overpasses.

Following further discussion on the matter, a motion was made to receive and file. On motion by Councilmember Ucovich, seconded by Councilmember Black and passed by the following vote:
Ayes: Black, Morillas, Ucovich, Wheeler
Noes: None
Absent: Calvert
Abstained: None

At this time Council discussed item 12 before item 11.

PUBLIC COMMENT

11. <u>Revised Tree Ordinance</u>
At the April 22, 2014 Town Council meeting, a motion was made to direct staff to bring an amended ordinance, that includes all straw vote decisions made April 22, 2014, back for first reading at the May 13, 2014 Council meeting.
Recommendation: Allow staff to provide a brief report on the revisions to the Revised Tree Ordinance based on the April 22, 2014 Council meeting, open the public hearing and take public comment, discuss and approve first reading of the Revised Tree Ordinance.
Public comment:

Kim Fittke, 3070 Humphrey Road, stated the following:
- **the previous version of the tree ordinance that was reviewed by the Planning Commission was based on substantial research, objective facts, and expert input**
- **all the valuable expertise and research seems to have been disregarded in this current ordinance in favor of subjective opinions**
- **the ordinance is primarily intended to prioritize tree protection in our town when new development is being planned**
- **we have to make the original mitigation requirements a real disincentive or it won't stop anyone from cutting down the trees**
- **there is a potential for significant environmental impacts and suggested consulting with a qualified CEQA attorney before adopting this ordinance**

Shawna Martinez, 2332 Lynnwood Lane in Penryn, stated the following:
- **she passed out a proposed mitigation fee she updated and requested that the Council consider the mitigation table that she presented to them**
- **she expounded on information she received from UC Davis on "how to grow California oaks, woodland management" and they suggest 40 trees per acre**
- **the mitigation she gave Council is a little higher in replacement trees, if we are to protect our oak tree canopy then we need to base our knowledge on how many to replace with sound science**
- **the proposed fees she gave to the Council is 87% less than the current fees**
- **she also asked to protect other species besides oaks, like the Foothill Pine and the Freemont Cottonwood that are a viable asset**

Jean Wilson, 4301 Barton Road, stated the following:
- she supports Shawna's comments about the native trees that are not oaks
- in the Planning Commission's version they had small tree credits and native tree preservation credits that listed a number of species that could be counted as well as the small oaks for preservation credits
- it will provide a more diversified ecosystem because we are encouraging people to get some credit for saving some of the other kinds of trees and provide a more diverse habitat
- she asked Council to reconsider reinstating the couple of lines back into the tree ordinance
- she asked Council to consider exempting the small undivided quarter-acre or less parcels from permit requirements

Roger Smith, 6755 Wells Avenue, stated the following:
- basically everything is exempted except for development proposed property
- most of the trees are on non-splittable properties, are unprotected and anyone can come in and cut them down
- he is against going with non-splittable property, there is too much land that could be clear-cut and shouldn't be exempted
- he is also against full exemption for agricultural use, he proposes that they require 25% of the existing protected trees be preserved
- he agrees with giving credit for small species, preserving some diversity
- he would like to see a task group of people that could take this aside and come back with some serious consideration for the Council

Gary Liss, 4395 Gold Trail Way, stated the following:
- he supports the prior comments made
- the 4.6 acre exemption will mean Council has insured that the focus of the tree ordinance is all about development and not about impacting our residents
- when you reduce the number of trees on the mitigation table and you don't increase the fees you are giving an additional give-a-way to the developers on top of the 87% lowering of the tree fees already in the staff recommendation
- now is the time to communicate to the developers that we want them to retain the trees, plant new trees and we don't want their money
- the fees should be set at a defensible scientifically based number or we are legally making the Town vulnerable
- he supports the small exemption , including other species
- he supports the agricultural exemption, no more than 75%
- he encouraged Council to save the trees, don't lower the fees even more

Brian Baker, 6025 Arcadia Avenue, stated the following:
- a lot of time has been spent putting this together
- from the start it was set that the trees are public property and not private property
- we need to come up with a balance between maintaining and saving our trees and also allowing the rights of property owners
- we need to work on saving our trees, use the science behind it, and take into account everyone's property rights, they pay the taxes on it

Vic Markey, 3254 Taylor Road, stated the following:
- there are two developments that are coming into Town that will be taking down a lot of trees and it has nothing to do with private property
- he is a real estate broker and it is common sense to have trees on your property, it adds value to it

Councilmember Ucovich stated the following:
- oak trees take a long time to grow
- there needs to be a reason to grant a tree permit, such as safety or a tree is dying
- he would like to keep the oak trees as protected trees and no other species
- he doesn't want to protect the cottonwoods
- you can't build in the setbacks so why should oak trees be removed within the setbacks,
- he would like to include the statement "you can't remove the oak trees within the setbacks"

Councilmember Morillas stated that she agrees with Councilmember Ucovich about having a reason for cutting an oak tree down.

Councilmember Black stated he appreciates the comments given tonight and those that have been given over the past several years and they have taken into consideration all that has been said.

Mayor Wheeler stated the following:
- he is concerned about the feeling that developers are going to come in to our town and do whatever they want
- we still have other methods in town in order to preserve the natural landscaping
- the landscaping and oak trees are part of the reason people want to move here and they add a lot of value to our properties
- the developers don't care if there are high mitigation fees, they still make millions on their property
- with the current revision in front of them there are incentives for the developers to plant trees and not pay the in-lieu fees
- when people come in for a permit it will be a great opportunity to educate them on the value of their trees
- once people are given the information on their trees than it will still be their right to do what they want on their property

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 262, repealing and reenacting Chapter 13.54 of the Municipal Code relating to Tree Conservation. On motion by Councilmember Morillas, seconded by Councilmember Black and passed by the following roll call vote:
Ayes: Black, Morillas, Wheeler
Noes: Ucovich
Abstained: None
Absent: Calvert

Recess at 8:57 p.m. to 9:09 p.m.

At this time Council discussed item 13.

BUSINESS

12. **Naming of the Stage at the West End of the Blue Anchor Park**
The Loomis Chamber Board of Directors Would like to ask the Council if they would consider naming the stage located at the end of Walnut Street and the Blue Anchor Park after Peter Oakes
Recommended action: Discuss and direct staff.
Public comment:

Charlotte Langston, Loomis business owner and a member of the Executive Board of Directors on the Loomis Chamber of Commerce, stated the following:
- the Board would like to ask the Council if they would consider naming the stage located at the end of Walnut Street and the south west corner of Blue Anchor Park after Peter Oakes
- Peter Oakes was the principal contributor and driver behind the creation of the stage
- Peter Oakes's vision and efforts to build the stage with private money and volunteer work is exemplary of the spirit of Loomis

Pat Brechtal, 5815 Brace Road, stated that we want to honor Peter Oakes while he is still here.

Jenny Knisley stated that Peter Oakes is part of the Williams family and they have been around here for a long time and have done a lot for this community.

Following further discussion on the matter, a motion was made to name the stage at the end of Walnut Street and West of Blue Goose Park after Peter Oakes and if possible the Mayor will attend the Blues Burgers and Brew event on May 24, 2014 to present a recognition to Peter Oakes. On motion by Councilmember Ucovich, seconded by Councilmember Black and passed by the following vote:
Ayes: Black, Morillas, Ucovich, Wheeler
Noes: None
Absent: Calvert
Abstained: None

Councilmember Morillas suggested contacting Ruhkala's to see if they have a granite monument that we can put a plaque on in front of the stage.

Council directed staff to look into getting a granite monument for the naming of the stage.

At this time Council discussed item 11.

13. **Loomis Town Center Master Plan Project Update**
At the April 8, 2014 Town Council meeting, staff presented the Council with information updating the status of the Loomis Town Center Master Plan Project provided by Bennett Engineering. Several Council members had concerns of moving forward with the development of the project. Currently, the project is covered in the Capital Improvement Program.
Recommendation: Discuss project's future.
Public comment:

Nancy Ucovich, 5911 Craig Court, pointed out that the sidewalk in front of Christensen's needs to be lowered.

Roger Smith stated the following:
- MIG did a very comprehensive study with artist renderings which showed evidence that the town is serious about doing something
- the study included a lot of safety features that need to be done
- he would like Council to focus on the west end of town and move forward with grant applications

Councilmember Ucovich stated the downtown looks fine and we shouldn't be spending this money, we need to fix Taylor Road and nothing else.

Councilmember Morillas suggested starting slowly and have a couple of workshops to see what the residents want and what their ideas are.

Brian Fragiao pointed out the following:
- the MIG study had general engineering done to make sure it was feasible
- Bennett Engineering is now refining it with the community, such as what type of lighting, coloring, etc.
- he is looking for direction to continue and they will have workshops for everyone including the businesses
- whatever input comes out of the workshops will be implemented in a draft

The Council consensus was to go forward with the workshops.

nt
cy