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	MAY 14, 2013	7:00 P.M.

The ribbon cutting began at 7:06 p.m. and ended at 7:16 p.m.

RIBBON CUTTING AT THE NANCY BECK MULTI-USE PLAZA

At the West end of the Blue Anchor Park next to the Loomis Depot at 5775 Horseshoe Bar Road, Loomis, CA 95650.

TUESDAY	MAY 14, 2013	7:30 P.M.

CALL TO ORDER

Call to order by Mayor Scherer at 7:36 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Scherer
Councilmember Calvert
Councilmember Morillas
Councilmember Ucovich
Councilmember Wheeler

RECOGNITION/PROCLAMATIONS

Carrie Beth Bowin

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Wheeler stated the following:
- **he would like to make a comment due to some news that has come out this past week regarding him**
- **there are two people that filed a complaint with the Attorney General's office for incompatibility because of his position on the Council and as an employee with the Loomis Fire Protection District**
- **he has never spoken to those two people, he identifies this as a personal political attack, he does not represent their agenda**
- **they never checked facts, what they turned in to the Attorney General's office is easily refutable**
- **the problem is now, our tax dollars are being wasted at the Attorney General's office, this will cost the town and fire district money and staff time in order to answer any questions that may come from the Attorney General's office**
- **he's infuriated, as a taxpayer, that two people can be uninformed and be able to cause this kind of havoc and disgrace to the town**
- **he will continue to serve this town the best he can, he does not have a hidden political agenda, he is here to serve the people**

Councilmember Ucovich stated the following:
- **he thanked Recology and Public Works crew for a very successful "Spring Clean-Up Day" last Saturday**
- **he asked staff if they could have a sign put over at the Blue Anchor park telling people about the future spray pad and restroom**

Mayor Scherer pointed out the following:
- **he wrote a letter to the editor (Loomis News) supporting Dave Wheeler and his decision to serve both agencies**
- **he was elected by the people of Loomis and we will respect that**
- **he does not believe the Attorney General is going to spend any money settling some political squabble in Loomis**

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.

Bill Branch, 6605 Wells Avenue, stated the following:
- **the Attorney General's handbook warns against a fire chief trying to serve on a city council (incompatible)**
- **laws are meaningless if they are not enforced**
- **this is simply a request that the law be abided by**
- **Mr. Wheeler should request a full investigation, including by the Town Attorney, to clear his name**
- **if the Town Attorney would have been asked to look into it, examine it, and find out if there was a problem with incompatibility, then this could have been settled at the local level**

Eugene Lawson, 3701 Magnolia Street, stated the following:
- **he is representing his wife as well and their concern is the skate park**
- **they have noticed a drastic increase in litter and noise**
- **now when he takes his children to the park, quite often there are kids sitting on the benches and smoking**
- **he asked if the Town could post "no smoking" signs in that area, and enforce them**
- **he supports Councilmember Dave Wheeler**

Mayor Scherer pointed out that Council will be discussing this under item 16 on the agenda.

Pat Brechtal, 5815 Brace Road, stated the following:
- **he supports Councilmember Dave Wheeler**
- **he embraces the skate park but parents just can't send their kids down there, they need to go see what is going on at the park**

Linda Kelley, lives in Loomis, stated the following:
- **in November 2100 citizens voted for Dave Wheeler and she supports him and what he stands for**
- **he would not have run for Council if he could not of held his position on the Council**
- **a lot of thought should go into Council appointments and they should represent the core values of the person who has appointed them and the Town values**
- **we have to surmise that Mayor Scherer feels the same way as Janet Thew and Bill Branch do**
- **Janet Thew should resign from the Planning Commission because of inability to represent the Town**
- **if she does not resign then we have no choice but to recall Walt Scherer, the person who appointed her**
- **these two people have every right to file with the Attorney General but in doing so, she loses her right to represent our Town on the Planning Commission**
- **these two people never went to the Loomis Fire Protection District to ask about their concerns**
- **she asked why these two people didn't protest when Gary Liss was on the Council and they approved thousands of dollars to Placer Sustain (Liss was on the Board)**

Brian Baker, 6025 Arcadia Avenue, stated the following:
- **the will of the people spoke loud and clear in November when 2100 voted for Councilmember Wheeler**
- **appointing a political activist on the Planning Commission who has a great influence on our Town and it's planning, isn't a great idea and by appointing an activist you stand with that group**
- **the people of this Town has had enough, do the will of the people and work for us, if not, the voice of the people will be heard again in a recall election**

Cindy McAyeal, 3988 Del Mar Avenue, stated that both Randy and her voted for Councilmember Dave Wheeler and the people of Loomis did vote.

Mayor Scherer stated he supports Councilmember Wheeler as well.

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 13 and 14 forward after item 11. On motion by Councilmember Ucovich, seconded by Councilmember Calvert 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 – 4/9/13	*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.	Preliminary Operating And Capital Improvement Budgets For 2013/2014	*RECEIVE AND FILE*
7.	A Resolution Of The Town Council Of the Town Of Loomis Approving The Improvements Recommended By The Traffic Safety Committee And Staff	*ADOPT RESOLUTION* **Resolution 13-09**
8.	A Resolution Of The Town Council Of the Town Of Loomis Accepting The Nancy Beck Multi-Use Plaza Project Improvements Provided By Grand Sierra Construction	*ADOPT RESOLUTION* **Resolution 13-10**
9.	A Resolution Of The Town Council Of the Town Of Loomis Awarding To Low Bidder, Civil Engineering Construction, Inc. And Authorizing Town Manager To Execute An Agreement Acceptable To The Town For The Mareta Lane Road Improvement Project In The Amount of $250,474.00	*ADOPT RESOLUTION* **Resolution 13-11**
10.	A Resolution Of The Town Council Of the Town Of Loomis Awarding To Low Bidder, Tim Paxin's Pacific Excavation And Authorizing Town Manager To Execute An Agreement Acceptable To The Town For The Swetzer Road And King Road Traffic Signal Project In The Amount Of $242,276.00	*ADOPT RESOLUTION* **Resolution 13-12**

CONSENT ITEMS FORWARDED

BUSINESS

11. **For One Another Foundation Presentation**
Carrie Beth Bowin will give a presentation regarding the work of the For One Another Foundation which provides in-home water filtration systems to impoverished areas in the world with a Request that the Town Co-Sponsor
Recommended action: Hear presentation, discuss and direct staff
Public comment:

Carrie Beth Bowin gave the presentation on water filtration systems to impoverished areas in the world and discussed the following:
- asked Council to co-sponsor an event, "The Taste of Loomis", at the Loomis Depot on June 21st
- the are trying to raise money for a well in Uganda and 100 to 200 water filters for that region
- she asked Council if the fees could be waived for the use of the stage, Blue Anchor area and banner

Rick Angelocci, Town Manager, stated the following:
- he will meet with Ms. Bowin on the assistance that she is asking for from the Town, such as waiver of fees, etc.
- he will schedule this on consent for the next Council meeting for Council approval

No public comment.

At this time Council discussed item 13.

12. **"Placer County 211" (Urgent or None-Emergency Services) Presentation**
Craig George will give a presentation on Placer County 211
Recommended action: Discuss and direct staff to prepare a letter of endorsement for signature by the Mayor
Public comment:

Council discussed this item after item 16.

Craig George, he lives in Auburn and is representing the 211 Placer Steering Committee, expounded on Placer County 211 services and answered questions.

No public comment.

Councilmember Wheeler pointed out that it doesn't sound like there is a clear funding source, is it sustainable.

Following further discussion on the matter, a motion was made that Council is supportive of the Placer County 211 program, however, there are concerns with the sustainable funding for the program. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

13. **Joint Use Agreement Between the Town of Loomis and Placer Union High School District and Aquatic Center Investment**
At the March 9, 2013 Town Council meeting Council directed the Town Manager to work with the Placer Union High School District Assistant Superintendent to develop a Joint Use Agreement (JUA) and directed the Town Finance Director and Town Manager to identify a source of funds for the requested $250,000 investment.
Recommended action:
1. Approve the Joint Use Agreement substantially in the form attached, authorize the Mayor to execute the Agreement, and authorize the Town Manager to execute and deliver any and all other documents and take any and all actions necessary to consummate the transaction contemplated in the Agreement. (Exhibit A)
2. Authorize the Town Finance Director to take the following actions:
    a. Reimburse the Town General fund in the amount of $228,313 from the Town Community Facilities Fund to repay the use of General Funds for the previous purchase of the Town Corporation Yard property;
    b. Following reimbursement of the aforementioned funds, set aside in a designated account $250,000 from the General Fund to be given to the Placer Union High School for the construction of an Aquatic Center as set forth in the terms of the approved Joint Use Agreement.

Public comment:

Doug Marguand, Placer Union High School District Assistant Superintendent, expounded on the Joint Use Agreement and answered Questions.

Councilmember Ucovich stated concerns on the following:
- **how are we going to delineate the charge for the parking lot**
- **no one has calculated out the cost of operating the pool**
- **this is not a community pool, it is a specialized pool designed for water polo only**

Jeff Mitchell, Town Attorney, pointed out that Councilmember Ucovich does have the right to review all the documentation in the cost setting process the agreement does require that the School District shares that information with the Town

Dan Gayaldo, Del Oro High School Principal, pointed out that the school needs to make sure that they are not having an event the same day that Loomis wants a Community Day at the pool so they can guarantee that the Town has the parking spaces they will need.

Jenny Knisley, 4135 Hunters Drive, stated the following:
- **she worked with Daneen on the swimming lessons and they understand that there will only be two lanes available for swimming lessons**
- **they just don't want it limited to where they can't have the tot program**

Daneen Swenson, 3495 Reyman Lane, stated the following:
- **she stated a concern with Black Week posing a problem in the past**
- **if it is equal use with the Dolphins then she questioned who manages it**

Mr. Marguand stated the following:
- **Dark Week is not mentioned in the agreement**
- **during those two weeks there is no one in the office or cleaning the bathrooms**
- **we will have to work it out**

Following further discussion on the matter, a motion was made to approve staff's recommendations:
1. Approve the Joint Use Agreement substantially, authorize the Mayor to execute the Agreement, and authorize the Town Manager to execute and deliver any and all other documents and take any and all actions necessary to consummate the transaction contemplated in the Agreement.
2. Authorize the Town Finance Director to take the following actions:
a. Reimburse the Town General fund in the amount of $228,313 from the Town Community Facilities Fund to repay the use of General Funds for the previous purchase of the Town Corporation Yard property;
b. Following reimbursement of the aforementioned funds, set aside in a designated account $250,000 from the General Fund to be given to the Placer Union High School for the construction of an Aquatic Center as set forth in the terms of the approved Joint Use Agreement.
On motion by Councilmember Calvert, seconded by Councilmember Morillas and passed by the following roll call vote:
Ayes: Calvert, Morillas, Scherer, Wheeler
Noes: Ucovich

Recess at 8:41 p.m. to 8:55 p.m.

14. **Loomis Town Center Implementation Plan Improvement Design on Taylor Road**
On December 11, 2012 Council directed staff to include the segment of Taylor Road from Walnut Street to Horseshoe Bar Road
Recommended action: Select a special meeting date to interview three consultants for the Loomis Town Center Implementation Plan Improvement Design on Taylor Road between Horseshoe Bar Road and Shawn Way.
Public comment:

No public comment.

Following further discussion on the matter, Council agreed to have a special council meeting on May 30th at 10 a.m. at the Loomis Depot.

At this time Council discussed item 16.

15. **2013/2014 Goals** **(Continued from April 9, 2013)**
Discuss 2012/2013 goals to continue forward with 2013/2014 goals that were discussed at the February 2, 2013 workshop
Recommended action: Identify which goals the Council wants to continue forward from the adopted 2012/2013 Goals and approve the 2013/2014 Goals, as amended.
Public comment:

Continued to June 11, 2013.

16. **Family Friendly Downtown Discussion** **(Continued from April 9, 2013)**
At the March 12, 2013 Council meeting a request was made to have a discussion on how to make downtown Loomis more family friendly.
Recommended action: Discuss and direct staff
Public comment:

Councilmember Ucovich stated the following;
- **suggested not using the granite benches because they get too hot**
- **a lot of the plants by the skate park are gone**
- **in a couple of months if the bark isn't working out then we need to change it**

Councilmember Wheeler stated the following:
- **any kind of seating that is over by the skate park should be shaded**
- **we need to keep the two different age groups separated**

Tim Plummer and Marie Blomgren, who put on the Thursday Night Fest, stated the following:
- **they have been putting on the Thursday Night Family Fest for the last two years**
- **the first year they had good participation and about 60 vendors**
- **the second year the participation was less and about 40 vendors a night**
- **if we don't have vendors they are worried this event will die and right now they have about 19 that have committed to the event**
- **last Monday they decided not to do it this year**
- **the Mayor and Councilmember Ucovich asked what they could do**
- **at this point additional help from the Town would help by cutting the Town costs**

Councilmember Calvert suggested using the event to showcase different school groups each week on a center stage and that would bring the families to the event.

Councilmember Morillas suggested lowering the Town fees for the event.

Mayor Scherer stated the following:
- **one goal that is important is to make the downtown the central focus**
- **this event has succeeded on the nights they have been there**
- **with the new skate park and water park, this could be a critical year for this event**

Rick Angelocci, Town Manager, stated the following:
- **with the improvements of the Blue Anchor park the potential for this event and other events to draw more and more people are much greater**
- **we talked about a number of options, he has some spending authority under the Municipal Code**
- **he could prepare a mini-community grant and give them up to $3,000 and take that money out of the business loan program**
- **the grant would be on condition that they would provide 7 nights for this event and keep books/records on their expenditures**

Nancy Ucovich, 5911 Craig Court and a Loomis Chamber Board Member, stated that the Board supports this event.

Linda Kelley stated the following:
- **she has been a vendor in craft fairs and the biggest issue is that the high cost of the booth**
- **every Thursday night is too often, it takes the newness out of it**
- **she won't bring her grandchildren down there if there is a lot of drinking because it's not a good atmosphere**
- **she has a hard time with the Town subsidizing this event**
- **the type of vendors have not been good at the event, there have been a lot of commercial vendors that hand out pamphlets and not enough crafters**

Brian Baker, 6026 Arcadia Avenue, suggested capitalizing on the freeway traffic and advertise the Thursday Night event.

Daneen Swenson stated the following:
- **she went to every single Thursday Night Family Fest**
- **we are not having the swimming program this summer so at least the community should have this event**

Gene Lawson, 3701 Magnolia Street, stated the following:
- **he appreciates the progress of trying to monitor the skate park closely**
- **he supports the Council in continuing and broadening that so we can make it a great place to be at and safe for our children**

Jennifer Knisley, 4135 Hunters Drive, stated the following:
- **the smoking is a big thing at the park, she has had some complaints at the Chamber**
- **putting a sign up with a phone number to call is good but how do you enforce it**
- **having events downtown helps the businesses and the Chamber Board is in favor of it**

Ms. Kelley stated the following:
- **she is concerned about the whole park situation, in the beginning there was a lot of opposition to the skate park**
- **we have graffiti, homeless people, foul language, cigarette butts over there now and Council was warned about this in the beginning**
- **she is concerned about the money that needs to be spent to clean up the graffiti and the trash**

Mayor Scherer pointed out that this grant will only be a one-time thing for this event.

Miguel stated that the Thursday Night Family Fest is a good event for the local families.

Councilmember Calvert pointed out that this event is nice to offer for families and it supports our businesses.

Councilmember Morillas stated the following:
- **she is in Soroptimist and works at the Wine booth at the Thursday Night Family Fest event and they have never had a problem with anyone drinking too much**
- **this event also helps the surrounding businesses**

Staff has been given direction.

At this time Council discussed item 12.

COMMITTEE REPORTS

17. Project Go, Inc. – Community Action Agency - Calvert/Morillas
18. Placer County Economic Development Board – Wheeler
19. Placer County Flood Control/Water Conservation District – Morillas

20. Placer County Transportation Planning Agency – Calvert
21. Placer County Mosquito Abatement – Russ Kelley as citizen rep
22. Placer County Air Pollution Control District – Ucovich/Morillas
23. Local Agency Formation Commission - Ucovich
24. Sacramento Area Council of Governments – Scherer/Wheeler
25. Placer Land Trust ex-officio representative – Scherer
26. Borders Committee – Scherer/Wheeler and Calvert as alternate
27. Business Committee – Scherer/Wheeler and Calvert as alternate
28. Schools Liaison – Calvert/Scherer

ADJOURNMENT **Mayor Scherer stated there was no further business and adjourned at 10:23 p.m.**

Mayor

Town Clerk