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 8, 2012	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 LEGAL COUNSEL – EXISTING LITIGATION:** Pursuant to subdivision (a) of Section 54956.9 of the Government Code:
Case #SCV0030849, David J. Larsen v Town of Loomis

b. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR.** Pursuant to Section 54956.9 of the Government Code:
Property: APN 044-072-074, 069 & 044-080-055, 056, 057, 058, 059; 3550 Taylor Road (Blue Goose lease)
Agency Negotiator: Rick Angelocci, Town Manager
Under Negotiation: Price and term

TUESDAY	MAY 8, 2012	7:30 P.M.

CALL TO ORDER **Call to order by Mayor pro tempore Scherer at 7:34 p.m.**

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:
Mayor Calvert arrived at 8:02 p.m.
Councilmember Liss
Councilmember Morillas
Councilmember Scherer
Councilmember Ucovich

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

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

RECOGNITIONS **Pat Miller, Earth Day**

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 three-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.

Cindy Walden, 3467 Humphrey Road, pointed out that the railroad crossing at Webb and King are quite abrupt compared to what was there before the construction work.

Brian Fragaio, Town Engineer/Public Works Director, stated that they will be doing some overlay when they put a signal in at Swetzer/King Road and they are still working on Webb Street.

Bruce Daniel, 2727 West 1500 North, Vernal, Utah, commended the Council on the improvements that have been made in Loomis over the past few years.

Eileen Carroll, 6799 High Cliff Road, stated the following:
- **the Del Oro Golden Eagle band is having the Band-a-thon this coming Saturday at the Depot from 12 p.m. to 8 p.m.**
- **they will be having the Roseville Community Concert band perform at 6:30 p.m. and the Del Oro band will also be playing with them**
- **they are raising money to purchase new instruments and to raise awareness for the music programs in the area**

Bill Branch, 6605 Wells Avenue, stated the following:
- **in the early days of the Town's incorporation Bruce Daniel was the official town gadfly who broke the mold**
- **he was always witty, cheerful, and friendly and set the example of how this Town can have different opinions and still get along**

Jennifer Knisley, 4136 Hunters Drive, stated the following:
- **thanked the Council for approving swimming lessons**
- **they will be having swimming lesson sign-ups the next two Wednesdays at the Del Oro pool at 6 p.m.**
- **she reminded them about "Loomis Basin Has Talent" every week for vocal and instrumentals**

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 Ucovich, seconded by Councilmember Liss and passed by voice vote. (Mayor Calvert was absent)

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.

No public comment.

A motion was made to adopt the Consent Agenda, pulling item 9 off consent and continuing it to June, and pulling items 11 and 12 forward for discussion after item 15. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

CONSENT AGENDA		RECOMMENDED ACTION
1.	Council Minutes – 3/13/2012, 4/10/12, 4/23/12	*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.	2012/2013 Goals Update	*RECEIVE AND FILE*
7.	Del Oro Swim Team Request Del Oro Swim Team request use of the Blue Goose for their end of the year party	*APPROVE*
8.	Nomination of Candidates for the Town of Loomis 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 12-10**

9. Establishment of a Recreation Task Force — *APPROVE*

Mayor Calvert requested the creation of a Recreation Task Force be brought before the Town Council (Continued from April 10, 2012)

Continued to a future date.

10. Revision to Animal Keeping Ordinance — *ADOPT ORDINANCE*

Second Reading of Ordinance 250 of the Town Council of the Town of Loomis Amending Section 13.42.060 Of the Municipal Code relating to Animal Keeping Standards

Ordinance 250

CONSENT ITEMS FORWARDED

11. Proposed Capital Improve Program (CIP) for the Next 5 Years — *RECEIVE AND FILE*

At the June 9, 2009 Council meeting a 5 year CIP was approved and since then there have been several changes that need to be made before the fiscal year budget is approved in June 2012

Brian Fragiao, Town Engineer/Public Works Director, stated the following:
- **he gave Council a binder with reference material to help Council look over the CIP**
- **the binder includes the bikeway and trails master plan, drainage master plan, downtown master plan, etc.**

Councilmember Liss stated the following:
- **he would like a five year funding plan where there is a description of all the types of things that could be done**
- **he would like the funding plan show the details of what funds are available from the operating budget**
- **there are four funds in the operating budget that he would like to see attached so they can see a source of funds, use of funds, develop some priorities and have staff recommend priorities**
- **due to the late hour he suggested Council provide staff with any questions to be considered in the final CIP in June**

No public comment.

Receive and file

12. Preliminary 2012/2013 Budget — *RECEIVE AND FILE*

Councilmember Liss suggested if anyone has any comments or questions to send them to staff for the June meeting and asked staff to come back with a full presentation like it was done last year.

No public comment.

Receive and file.

BUSINESS

13. **Residential Care Facility at 6380 Wells Avenue**

Loomis residents living on Wells Avenue have requested that this item be put on the agenda to discuss that a New Dawn Drug and Alcohol Recovery Center is speculated to operate out of a single family residence located at 6380 Wells Avenue

Recommended action: Authorize staff to develop a letter of opposition, signed by the Mayor, to be sent to the appropriate State agencies voicing the Town's opposition, should an application be submitted for a Residential Care Facili8ty at 6380 Wells Avenue

Public comment:

Jeff Mitchell, Town Attorney, stated the following:
- **the statutes that govern treatment facilities, from the local perspective, the state has determined that we are required by law to treat them as a residential facility and cannot treat them as a business**
- **the local primary input is from the Fire Department, they can review the structure to confirm that it meets fire standards such as fire access, length of the drive-way, no secondary access and proximity to wildlands**
- **Council could direct that all of these facts be noted in a letter to the State agencies**
- **the Town has very limited authority to do anything for a licensed facility of six or fewer**
- **staff recommendation is to send a letter in protest and raising issues that have been expressed by residents, including the appropriateness of this site for this type of use**

Mayor Calvert arrived at 8:02 p.m.

The following residents expressed concerns on the safety of this particular location with the long drive-way, fire danger, supervision of these type of facilities, who monitors them, schools within walking distance, patients wondering the streets, safety of children, questioned number of facilities based on local need and environmental impacts and public safety:
- Lane Steinmetz, 6400 Wells Avenue
- Bill Branch, 6605 Wells Avenue
- David Kindelt, 6370 Wells Avenue
- Wendy Steinmetz, 6400 Wells Avenue
- Irene Smith, 6755 Wells Avenue
- Mike Shellito, 6655 Wells Avenue
- Jean Branch, 6605 Wells Avenue
- Julie Schmit, 6340 Wells Avenue

Sherry Palma, 6560 Costa Vista Drive which is on the other side of Wells, stated the following:
- she is coming from a different perspective
- she is a school nurse in the Loomis Union School District and has a Master's degree in nursing
- drug and alcohol effects a lot of people and they are not bad people, they have an illness
- our community and Western Placer County does not have anything for people that have mental illness

Following further discussion on the matter, a motion was made to direct staff to complete the research that was started before tonight's meeting; clarify the issues that have been discussed; contact the state agencies that oversee this and make sure they understand that we have a lot of people concerned about the potential project that might be proposed; include a letter, at this point in time, calling on the state agencies hi-lighting the local need and the local regulation provisions of the state agency oversight; stipulate that we want to have them do a public hearing; we want to be notified immediate upon receipt of any application for the project, so that we can fully evaluate it; have it brought back to Council to be discussed for a subsequent letter as soon as anything is real; and authorize the Town Attorney to draft a resolution for the League of California Cities. On motion by Councilmember Liss, seconded by Councilmember Calvert and passed by the following roll call vote:
Ayes: Liss, Calvert, Morillas, Scherer, Ucovich
Noes: None

Recess at 8:43 p.m. to 8:56 p.m.

At this time Mayor Calvert recognized Pat Miller and Shawna Martinez.

Mayor Calvert re-opened public comment, again, for those who want to comment on any item that is not on the agenda (no action can be taken).

Pat Miller, Gold Trail Way, stated the following:
- she showed a picture of the Chamber sign that says "Welcome to Loomis"
- a month ago an incident happened at the Council meeting
- there was an item on the agenda about healthy eating and active living and when that item was completed many left
- there was a man who spoke in favor of it and he was accosted in the parking lot by some of the people that were at the meeting
- this is offensive, no matter what faction it comes from

Sonja Cupler, 5630 Tudor Way, stated the following:
- she would like to bring up the idea of having Constitution Day in Loomis
- there is a Federal Holiday on September 17th and all public schools are required to teach the Constitution
- their Tea Party group can work with the Town to make this happen and provide information about the Constitution, have Constitutional scholars, have people that dress up like patriots and recite from some of the founding documents, etc.

14. **Funding for Construction of Blue Anchor Park**

Mayor Calvert has requested that funding for construction of Blue Anchor Park be placed on the agenda for discussion

Recommended action: Authorize the Town Manager to issue an RFP/RFQ for the services of either a Grant writer or Financial Planner to assist the Town in obtaining funding for construction of Blue Anchor Park.

Public comment:

Jennifer Knisley stated the following:
- the Park, Recreation and Open Space committee (PROSC) met and made a decision but questioned why it isn't coming to Council
- their recommendation is on the second page of the staff report as a side note
- the PROS Committee would like to get the park finished with park funds, a grant would take too long
- she would like the PROS committee to meet together to figure out a plan

Rick Angelocci, Town Manager, stated that next month he will be coming back to the Council with a funding plan for finishing the Blue Anchor Park and that is where the PROSC recommendation will be.

Following further discussion on the matter, a motion was made to authorize the Town Manager to issue an RFP/RFQ for the services of either a Grant Writer or Financial Planner to assist the Town in obtaining funding for construction of Blue Anchor Park and direct staff to put together plans for features that are not sufficiently planned at this point. On motion by Councilmember Scherer, seconded by Councilmember Morillas and passed by the following roll call vote:
Ayes: Scherer, Morillas, Calvert, Liss, Ucovich
Noes: None

15. **Neighborhood Electric Vehicle (NEV) Transportation**
Mayor Calvert requested this item to be brought forward for Council discussion and direction.
Recommended action: Begin the process and acquire a consultant to prepare the NEV Transportation Plan, not to exceed $35,000 of the General Reserve Funds, or hold off until outside funding can be established to pay for the consultant services and future processes.
Public comment:

Sonja Cupler, 5630 Tudor Way, stated that before you go out for an RFP/RFQ there should be a study done to see if there is a need first.

Brian Baker, 6025 Arcadia Avenue, stated the following:
- **Rocklin and Lincoln NEV lanes are designed around golf courses in retirement communities and our community is not designed like that**
- **every dollar that is spent by the city is someone's hard earned money**
- **he questioned what percentage of the Loomis population will use this lane**
- **a person still needs a license to drive one of these vehicles on the road so it won't necessarily increase mobility for the elderly**

Jean Wilson, 4301 Barton Road, stated the following:
- **questioned if there is a real need and will it be used in Loomis**
- **the bike and trails master plan was not put together with this in mind so the road widths won't work**
- **should we be spending money on this kind of project in this current economic situation**
- **she supports the second recommendation, to hold off until outside funding can be established to pay for the consultant services**

Pat Miller, 4395 Gold Trail Way, stated the following:
- **a few years ago her mother became a danger on the road and they took the car away from her**
- **many families will be facing this and we should be planning for this now because the need is absolutely there**
- **she supports the idea of looking for grant funding and starting the planning process for this as an alternative for transportation**

Councilmember Ucovich stated the following:
- **he wouldn't be opposed to doing the study if it was funded**
- **he would like the CMAC funds used, especially for the bikeways**
- **he would like to find out if there is any interest in Loomis**

Councilmember Scherer stated the following:
- **the Council plans for the future of our Town, the needs of our community, much of our community will be aging**
- **we need to start planning today and not in 10 years from now**
- **an RFP doesn't cost us anything right now, it will tell us how much it will cost us to put together a plan that would then tell us what it will cost us to improve the streets as time goes by to make sure the transportation system in our community serves us down the road**
- **he would support a motion to go out for an RFP/RFQ that includes the identification of funding sources for the planning and the implementation**

Councilmember Liss stated the following:
- **there is a need but not sure if the community is with us**
- **we have an obligation to plan for the future**
- **he supports an RFP/RFQ to access the need, with an expert grant writer, and have them identify a source for funding and to come back to the Council**

Councilmember Morillas stated that this is something that we don't need in Loomis and we don't need to waste reserves for a plan.

Mayor Calvert stated the following:
- **NEV's can share the trail with bicyclists and pedestrians**
- **in the more rural parts of town you can't walk, bike, or ride a scooter and feel safe**
- **if you put a plan out there and say we are bike friendly and allow NEV's then this would allow the older community to be able to plan how they will get around in the future**
- **improving our trails and bike paths will bring revenues to our businesses**
- **we don't see people out because they are too scared to be out on some of the roads**
- **she supports going out for an RFP/RFQ to lay the ground work and see what is out there**

Following further discussion on the matter, a motion was made to circulate an RFP/RFQ for a consultant to develop the NEV plan and funding sources. On motion by Councilmember Scherer, seconded by Mayor Calvert and passed by the following roll call vote:
Ayes: Scherer, Calvert, Liss
Noes: Morillas, Ucovich

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Morillas suggested before the end of summer we should have a joint workshop with the Planning Commission and the PROS Committee.

Councilmember Liss suggested he would like to have a Council and PROSC meeting first before a joint meeting with the Planning Commission, PROSC and Council.

Councilmember Scherer stated the following:
- **an individual was treated discourteously and intolerantly after a meeting**
- **he would like to know what happened and if an individual was treated in that matter, we owe him a letter of an apology from this Town**

Councilmember Ucovich stated the following:
- **he would like to discuss at another meeting, the cloverleaf at Horseshoe Bar Road (Caltrans property)**
- **he would like to look into the possibility of planting trees on both sides of the freeway**

TOWN MANAGER REPORT

COMMITTEE REPORTS

16. Placer County Community Services Commission - Morillas
17. Placer County Economic Development Board – Liss
18. Placer County Flood Control/Water Conservation District – Morillas
19. Placer County Transportation Planning Agency – Calvert
20. Placer County Mosquito Abatement – Kelley as citizen rep
21. Placer County Air Pollution Control District – Ucovich/Morillas
22. Local Agency Formation Commission (alternate) - Ucovich
23. Sacramento Area Council of Governments – Scherer/Liss
24. Placer Land Trust ex-officio representative – Scherer
25. Borders Committee – Calvert/Liss
26. Business Committee – Calvert/Liss
27. Schools Liaison - Calvert

ADJOURNMENT

Mayor Calvert stated there was no further business and adjourned at 10:26 p.m.

Mayor

Town Clerk