



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

TUESDAY

APRIL 14, 2009

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 – ANTICIPATED LITIGATION.** Initiation of litigation pursuant to subdivision Section 54956.9:
- Rocklin Lowes: Case #S CV 23598 Town of Loomis v City of Rocklin et al & Del Paso El Camino, LLC et al
 - 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
- b. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR:** Pursuant to Section 54956.9 of the Government Code:
Property: APN 044-121-055 & 044-072-064 & 044-072-063 & 044-072-006 & 044-080-030
Portion of Town owned property in the downtown to lease for commercial purposes
To Casque Wines
Agency Negotiator: Perry Beck, Town Manager
Under Negotiation: Price and term

TUESDAY

APRIL 14, 2009

7:30 P.M.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Scherer
Councilmember Kelley
Councilmember Liss
Councilmember Morillas
Councilmember Ucovich

Absent: None

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

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

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Ucovich stated the following:

- he would like on the next agenda, a report from Placer County Animal Control
- he would like an update on the speed limit on Wells Avenue from Barton Road to the Town limits, several mailboxes have been taken out

Council agreed to have these items put on the next agenda.

Councilmember Liss pointed out the following:

- Flyers have been put out in front for the Earth Day event on April 25th
- over 40 booths have been signed up, twice as many as in 2007

Councilmember Kelley stated the following:

- he would like on the next agenda, discussion of the walking path on Horseshoe Bar Road over the freeway to the stop sign
- it isn't safe and wide enough for citizens that walk and ride their bikes along their

Council agreed to have discussion on this item on the next agenda.

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. No public comment.

ADOPTION OF AGENDA

A motion was made to adopt the Agenda. 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 Agenda, pulling item 11 forward for discussion. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

Mayor Scherer announced that he would be leaving early due to work related business.

CONSENT AGENDA

RECOMMENDED ACTION

- | | |
|--|--------------------------------------|
| 1. Council Minutes – 3/10/09, 3/17/09 | APPROVE |
| 2. Monthly Check Register – March | 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. 2008/09 Projects Update | RECEIVE AND FILE |
| 7. Eagle Scout Candidate Logan Lamb Requests A Donation To Construct A Flag Pole At The Loomis Sheriff Substation | APPROVE |
| 8. A Resolution of The Council of The Town of Loomis Declaring April 20 - 24, 2009, West Nile Virus And Mosquito And Vector Control Awareness Week | ADOPT RESOLUTION
Resolution 09-13 |

- | | | |
|-----|---|--------------------------------------|
| 9. | A Resolution of The Council of The Town of Loomis Approving The 2009 Disadvantaged Business Enterprise Program Agreement For Local Agencies, As Revised, and Authorize The Town Manager To Sign and Submit To CALTRANS, On Behalf of The Town of Loomis | ADOPT RESOLUTION
Resolution 09-14 |
| 10. | A Proclamation Proclaiming 2010 Census Partner Day | APPROVE |
| 12. | A Resolution of The Council of The Town of Loomis Congratulating the City of Roseville in Celebrating Their Centennial Year | ADOPT RESOLUTION
Resolution 09-16 |

CONSENT ITEMS FORWARDED

(Note: Council changed the order and discussed the items in the following order: Items 13, 14, 26, 17, 11, 15, 16, 18, 22, and 20)

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|-----|---|------------------|
| 11. | A Resolution of The Council of The Town of Loomis Awarding A Contract To MIG, INC. And Authorizing The Town Manager to Execute An Agreement Acceptable To The Town Attorney For The Town of Loomis Multi-Modal Facilities Expansion Project | ADOPT RESOLUTION |
|-----|---|------------------|

Dan Asifono, Principal with MIG, gave a Town Center implementation program phase 1 presentation and stated the following:

- they are focusing on the Taylor Road (from King Road to Sierra College Boulevard) and Horseshoe Bar Road corridor and a piece of Webb Street
- the Town Center Master Plan will be incorporated in the implementation program
- they will do a study on general market conditions to determine the best combination of retail businesses that would support and complement the existing businesses
- the investments that would be proposed, through the project designs, would act as a stimulus and support for the existing businesses

Vice Mayor Liss stated the following:

- the mayor wants to make sure the whole Town is invited to participate as a community wide planning effort
- asked if the other major projects (the village and Loomis Market Place) in Loomis are being considered when evaluating what is needed to be done in this corridor
- direction tonight is to make sure the Calthorpe plan is considered and implemented as it was designed

Councilmember Ucovich stated the following:

- the Calthorpe Plan was done over 20 years ago and there was the Blue Anchor fruit shed that was going to be utilized as retail space and that is no longer there
- we need an economic retail study to see how retail space can be supported
- under "Scope of Work" 2.B. it states "Buildings are not proposed to be added or removed," this scope of work should also include all the property the Town purchased from Union Pacific and not just to High Hand Nursery

Perry Beck, Town Manager, suggested the following:

- changing that to state "Buildings may be proposed to be added or removed"
- for 2A. stating "railroad property from the Depot to High Hand Nursery and the terminus of Town owned property"
- for 2B. stating "Town owned property from Webb Street to King Road where the Blue Goose Shed is located"

Mr. Asifono stated the following:

- they want everyone's participation in the community
- they have the Webb Street connection that includes the access to the Village area
- they can include the Blue Anchor at a conceptual level, no detail design
- in addition to the language Mr. Beck proposed they could be directed to add a task that would clarify and include an economic analysis with an emphasis on retail
- an additional planning study that would support this implementation program

Vice Mayor Liss suggested the following:

- leaving it to staff to work with MIG to work out specific language that was discussed tonight and is appropriate
- the fundamental issue that needs to be addressed is what do we need in terms of the business activity and the Calthorpe plan building
- will there be specific recommendations if there is a need for a Blue Anchor and identify what types of things should be included in that
- like to keep in mind anything that could be eligible for economic stimulus package
- we are negotiating with Rocklin on what is the appropriate design to include at the intersection of Sierra College Boulevard and Taylor Road

Mr. Beck pointed out that they are already engaged with a separate study, working directly with TLA's engineer, it's going to be coordinated in the environmental review as another aspect of this and that will be coming before Council.

Councilmember Kelley stated that we need to look at what works today and not necessarily being consistent with the Calthorpe Plan.

Mark Reneg, 4344 Koniak Court, stated the following:

- he has a business that is considering moving to Loomis
- he would like clarity of what kind of mix of retail, office, and commercial that the Town is looking for so they can plan, along with other businesses

Following further discussion on the matter, a motion was made to adopt Resolution 09-16, awarding a contract to MIG, Inc. and authorizing the Town manager to execute an agreement acceptable to the Town Attorney for the Town of Loomis Multi Modal facilities expansion project, with the minor changes in the scope of work that was discussed tonight. On motion by Councilmember Morillas, seconded by Councilmember Kelley and passed by the following roll call vote:

Ayes: Kelley, Liss, Morillas, Ucovich
Noes: None
Absent: Scherer

Recess at 9:35 p.m. to 9:45 p.m.

BUSINESS (Note: Council changed the order and discussed the items in the following order: Items 13, 14, 26, 17, 11, 15, 16, 18, 22, and 20)

13. **Brown Act** (Continued from March 10, 2009) TC 11/11/08
Consider having a review of the Brown Act
Recommended action: Discuss and direct staff
Public comment:

Mayor Scherer pointed out the following:

- the Brown Act ensures we do the public business in the correct way
- a lot of questions come up on how we operate, in today's environment with the electronic age, websites, emails, etc.
- he asked the experts on the Brown Act in California, the people who sponsored it - the Chief Counsel for the California Newspaper Publishers Association, and they will be willing to come and give us a two hour workshop for the Council, the Planning Commission, the Park, Recreation and Open Space Committee and any members of the community who would like to come and learn about how government operates in the public realm

Dave Larsen, Town Attorney, distributed copies of "A Guide to the Ralph M. Brown Act" and a Legislative summary of new laws since January.

Marilyn Jasper, Don Drive, encouraged Council to have this workshop and to open it up to the public.

Councilmember Ucovich suggested bringing in a League of California Cities representative to balance it out and show their view also.

Council agreed to have this meeting and directed staff to work on a date and time for the meeting.

14. **Meeting Records Retention** (Continued from March 10, 2009) TC 11/11/08
Planning Commissioner, Janet Thew, asked that the Council consider changing the way meetings are archived
Recommended action: Discuss and direct staff
Public comment:

Janet Thew, 5572 St. Francis Circle West, stated the following:

- she discussed with the Librarian, Beth Enright, about having tapes of the meetings at the library
- she researched other communities and found out they keep video copies, MP3's, etc. of meetings
- requested archiving audio recordings of the meetings

Greg Obranovich, 3661 Bankhead Road, pointed out that years later you may not identify who is actually talking on an audio recording.

Marilyn Jasper stated retention of audio and video recordings should be done and available for the public for years.

Following further discussion on the matter, a motion was made to direct staff to come back with a new policy for permanent retention of the audio recordings of public meetings. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by the following vote:

Ayes: Kelley, Liss, Morillas, Scherer, Ucovich
Noes: None

Mayor Scherer left at 7:56 p.m.

Council started discussion on item 26 at this point.

15. **Loomis Town Center Master Plan – Proposed Del Oro Vistas Subdivision Improvements**

At the March 17, 2009 Planning Commission meeting, the Del Oro Vistas Subdivision application was discussed for approval. The subdivision is a 12 lot development that also includes three open space parcels and a park site. The topic of downtown vs. rural improvements (no sidewalk, curb & gutter) was brought up. The proposed project is within the Loomis Town Center Master Plan area that envisions sidewalks and planter strips along the street right-of-way.

Recommended action: Continue to follow the Loomis Town Center Master Plan guidelines, or modify the proposed improvements for the Del Oro Vistas Subdivision as discussed

Public comment:

Councilmember Kelley pointed out that there should be a template for bike lane improvements on Brace Road.

Councilmember Ucovich agrees with Councilmember Kelley and questioned why we are not requiring bike lane improvements for Brace Road.

Don Swift, with Swift Engineering for the developer, stated the following:

- this is a private road
- there is only one spot that the road can come through that is not in wetlands
- if they had a sidewalk on only one side then they could save some trees
- they can put in pervious asphalt
- they should be able to put a bike lane in
- they are asking for direction

Councilmember Kelley pointed out that if we put roads in, they should be public, and we should have a maintenance district to pay for it.

Jean Wilson, 4301 Barton Road, stated the following:

- there is an open space area in the subdivision for a possible park
- they recognized this was in the Calthorpe area but this area had a more rural feel to it
- the applicant was willing to put in the standard, but it was suggested to have a side walk on one side
- the Planning Commission has been looking at pervious service and water quality issues and incorporate those when they can

Following further discussion a motion was made to stay with the Calthorpe cross section (Figure 18), with pervious pavement, with bike lanes on Brace Road, and with having it a public road. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by the following roll call vote:

Ayes: Kelley, Liss, Morillas, Ucovich

Noes: None

Absent: Scherer

16. **Cowboy Poetry Banners**

The Cowboy Poetry organizers would like the Town to contribute funds toward the cost of banners to be displayed throughout Town

Recommended action: Discuss and direct staff.

Public comment:

Councilmember Kelley noted the following:

- we have 12 banner holders, some are large and some are small, and he would like the locations shown on a map
- the Town gets a significant benefit from the Cowboy Poetry event

Councilmember Ucovich stated that we need to come up with a standard banner size and would like to have a policy for the banners.

Vice Mayor Liss asked for money for the 25th anniversary banner.

No public comment.

Following further discussion on the manner, a motion was made to approve \$1000 for Cowboy Poetry banners and direct staff to come up with a Town policy for future banners. On motion by Councilmember Kelley, seconded by Councilmember Ucovich and passed by voice vote.

17. **Chamber Business Committee Update**

The Loomis Chamber of Commerce has been working on an advertising program that may be ready for an update or there may be other information that the Chamber wishes to discuss

Recommended action: Hear update and give direction if needed

Public comment:

Peter Oakes, 5782 King Road, gave an update on the "I Love Loomis.com" website and stated the following:

- Charlotte Reynolds, Wild Chicken, has gone around to all of the businesses and they have only received information back from 10
- they have over a 100 pages on the website, most of it has been infrastructure
- they are doing this on their own and trying to get this completed as soon as possible
- he encouraged Council to look at the website on a regular basis and give feed back in the lower right hand corner of the website so they can make it as efficient as possible
- they have a "I Love Loomis" page on Facebook, on Twitter, on My Space and links on Google groups, Yahoo groups, Flickr, and Dig
- he was directed to focus on the businesses in the downtown core area and then he would like to put all of the businesses in Town on the website

Denean Swenson, 5900 Horseshoe Bar Road, asked if the pool could be marketed on the website?

Mr. Oakes said yes.

Council has been informed.

18. **Appoint Park, Recreation and Open Space Committee**

Councilmember Kelley has an appointment on Parks, Recreation and Open Space Committee

Recommended action: Appoint person recommended by Councilmember Kelley to the Committee and consider whether or not to appoint Vicky Bartish

Public comment:

No public comment.

Following further discussion on the matter, a motion was made to appoint on the Parks, Recreation and Open Space Committee Councilmember Russ's appointment, Tena Thixton, and Council as a whole agreed to appoint Vicky Bartish. On motion by Councilmember Kelley, seconded by Councilmember Ucovich and passed by voice vote.

19. **Goal Setting Report** (Continued from March 10, 2009)

TC 3/10/09

Council is asked to start discussion on the goals that were identified at the January 31, 2009 meeting in order to clarify and confirm the goals in light of budget constraints

Recommended action: Discuss and give direction

Public comment:

Continued to April 20, 2009.

20. **Open Space Committee 2 Recommendations Review** (Continued from March 10, 2009) TC 12/9/08

At the February 2008 joint meeting of Planning Commission and Park & Open Space Commission the Council developed work plan goals for the Park & Open Space Commission that included a Council review of recommendations from Open Space Committee 2 to determine which to submit to the Park & Open Space Commission as matters to include in the update of the 1998 Parks and Recreation Master Plan

Recommended action: Consider the next section of Open Space Committee 2 (OSC-2) recommendations and decide what to refer to the Park and Open Space Committee for inclusion in the update of the 1998 Parks and Recreation Master Plan or what to return to Council for more consideration or what to table. Council may wish to refer the entire OSC-2 report to the new Parks, Recreation and Open Space Committee to use as another resource in completing the Park Master Plan update.

Public comment:

Continued to April 20, 2009.

21. **Horseshoe Bar Road to King Road Interchange Feasibility Study** (Continued from March 10, 2009)

Decide whether the Town should conduct a feasibility study between the Horseshoe Bar Road and King Road interchanges on I-80 to determine alternative on and off ramp configurations

Recommended action: Determine whether the Town should solicit proposals to do a study as detailed in this report

Public comment:

Continued to April 20, 2009.

22. **Select Rocklin Development Projects Update**

The City of Rocklin has a number of development projects moving along in the area along Sierra College Boulevard and on Del Mar Street that could impact Loomis residents, roads, And the general quality of the Loomis community

Recommended action: Review development information and direct the Council Borders Sub-committee (Mayor Scherer and Vice Mayor Liss) as to any actions the Council would like the Committee and/or Special Legal Counsel and staff to take

Public comment:

Lisa Pytorak, 4256 Dias Lane, stated the following:

- the economic and noise impacts on Loomis still needs to be addressed with the Rocklin Crossings and the Super Walmart going in
- she urged Council to continue addressing the economic and environmental impacts with the City of Rocklin and the developers

Perry Beck, Town Manager, pointed out that the Town filed an economic analysis for the Rocklin Crossing development.

Vice Mayor noted that the Borders Committee is meeting with the Rocklin staff this Friday to go over the issues.

23. **Rural – Urban Connections Strategy**

Mayor Scherer would like the Council to consider participating in a program that would provide education and support to a policy of encouraging growing, marketing and consuming more local grown food

Recommended action: Discuss and decide how Loomis might participate in the rural – urban connections strategy

Public comment:

Continued to April 20, 2009.

24. **AB 811 Energy Independence**

Mayor Scherer would like the Council to consider implementing a program that provides local funding for energy efficiency work on houses

Recommended action: Discuss and decide if a program should be developed

Public comment:

Continued to April 20, 2009.

25 **Town Incorporation 25th Celebration Plan and Budget**

Council is asked to consider how the Town might wish to celebrate its 25th anniversary of incorporation this year and establish a budget to carry out whatever the Council wishes to do

Recommended action: Discuss and give direction

Public comment:

Continued to April 20, 2009.

26. **Town Hall Planning** (Continued from March 17, 2009)

TC 3/10/09

Council is asked to determine whether the Town should consider a one story or two story Town Hall renovation plan

Recommended action: Decide whether a two story or one story renovation plan should be developed and authorize staff to negotiate a contract with Monez Architecture in the amount indicated for the particular plan: 1) two story plan would maximize the use of the building, take longer to develop and cost more to complete. Architect and engineering costs estimate is \$53,300; 2) one story plan would utilize a part of the building, be completed faster and cost less. Architect and engineering costs estimate is \$39,750.

Public comment:

Dominique LeDoux, Design & Consulting, stated the following:

- she has been working with staff and some local businesses to make the new town hall economically viable
- they have created several ways to save money, comply with current ADA building requirements, and maintain the historical value of the building
- she expounded on several projects they have worked on and completed
- they have created a plan for the Town and asked Council to help them see it through
- they are taking the design build approach

Councilmember Ucovich (Depot sub-committee) stated the following:

- there needs to be a set of plans to review with specifications
- a leak in the roof should be taken care of by a contractor
- Ms. LeDoux does well with the layout of the furniture
- originally we were going to go with Monez Architecture
- we should continue with a one story plan

Councilmember Kelley (Depot sub-committee) stated the following:

- he disagrees with changing the building to make it a two story
- Ms. LeDoux is a great furniture/space planner but has become involved in the planning of the building
- construction of the building should be done by a contractor with specific specifications
- there is the unknowable and unforeseeable that can happen behind the walls
- he recommends going with Monez Architecture

Following further discussion on the matter, a motion was made to survey the building, environmentally and structurally, and coordinate that with Monez Architecture to draw up plans and specs (bid to a GC) for a one story with no changes (because of the architectural sensitivity). On motion by Councilmember Kelley, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Kelley, Liss, Morillas, Ucovich

Noes: None

Absent: Scherer

COMMITTEE REPORTS

27. Placer County Economic Development Commission – Ucovich
28. Placer County Flood Control/Water Conservation District – Morillas
29. Placer County Transportation Planning Agency – Ucovich/Kelley
30. Placer County Mosquito Abatement – Kelley/Ucovich
31. Placer County Air Pollution Control District – Ucovich/Morillas
32. Sacramento Area Council of Governments – Scherer/Liss
33. Placer Land Trust ex-officio representative – Scherer
34. Borders Committee – Scherer/Liss
35. Business Committee – Scherer/Liss

ADJOURNMENT

A motion was made to adjourn at 11:02 to an Adjourned Regular meeting on April 20, 2009 at 6:00 p.m. at the Loomis Depot. On motion by Councilmember Ucovich, seconded by Vice Mayor Liss and passed by voice vote.



Town Clerk



Vice Mayor