



TOWN OF LOOMIS
ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

TUESDAY

JULY 14, 2009

7:00 P.M.

Council will not be considering the Housing Element tonight. It is on the Planning Commission Agenda for July 21, 2009.

CALL TO ORDER Call to order by Vice Mayor Liss at 7:02 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Scherer arrived at 7:20 p.m.
Councilmember Kelley
Councilmember Liss
Councilmember Morillas
Councilmember Ucovich

RECOGNITIONS/PROCLAMATIONS Bob Christiansen and Jeff Tooker

Mr. Christiansen and Mr. Tooker were unable to attend.

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Ucovich suggested the following:

- recognizing the man who saved the lady from the fire in the Mobile Home park on Walnut Street
- having on the next meeting a discussion on Town billboards along the freeway and contacting property owners

Councilmember Morillas stated that Soroptomist is having a Jimmy Buffet tribute concert featuring the Parrotheads on July 24th at the Blue Goose and tickets are available for \$25.

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.

Public comment was taken after discussion of item 11.

ADOPTION OF AGENDA A motion was made to adopt the Agenda. On motion by Councilmember Ucovich, seconded by Councilmember Morillas 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 items 8, 9 and 11 forward for discussion and changing item 7 to read as "Town Attorney to execute an agreement" instead of the Town Manager. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

CONSENT AGENDA

RECOMMENDED ACTION

- | | | |
|-----|---|---|
| 1. | Council Minutes -- 4/ 20/09, 6/9/09
5/26/09 With Councilmember Kelley abstaining. | <i>APPROVE</i> |
| 2. | Monthly Check Register – June | <i>RECEIVE AND FILE</i> |
| 3. | Statement of Activity | <i>RECEIVE AND FILE</i> |
| 4. | Treasurer's Report | <i>RECEIVE AND FILE</i> |
| 5. | Planning Status Report | <i>RECEIVE AND FILE</i> |
| 6. | 2009/10 Goals Update | <i>RECEIVE AND FILE</i> |
| 7. | A Resolution of the Town Council of the Town of Loomis Awarding To Low Bidder Western Engineering Contractors, Inc. And Authorizing Town (Attorney) Manager to Execute An Agreement Acceptable To The Town For The 2009 Pavement Maintenance Project In The Amount of \$292,922 | <i>ADOPT RESOLUTION</i>
Resolution 09-20 |
| 10. | A Resolution of the Town Council of the Town of Loomis Accepting The Roadway Right-Of-Way and Public Utility Easement Along 6130 Horseshoe Bar Road | <i>ADOPT RESOLUTION</i>
Resolution 09-23 |

CONSENT ITEMS FORWARDED

- | | | |
|----|--|-------------------------|
| 8. | A Resolution of the Town Council of the Town of Loomis Accepting The Proposal From Omni-Means Engineering & Planning To Provide An Updated Bikeway Master Plan And New Trails Master Plan And Direct The Town Manager To Enter Into An Agreement Acceptable To The Town Attorney At A Cost Of \$29,962 | <i>ADOPT RESOLUTION</i> |
|----|--|-------------------------|

Councilmember Ucovich stated the following:

- some of the items should be addressed by the Park, Recreation and Open Space plan
- we should explore possibilities for the other side of Union Pacific right of way

Councilmember Liss stated the following:

- he wants to make sure the timeline is coordinated with PROS Master Plan update
- Loomis Trails update should coordinate with the County trails plan
- we should involve LBHA, Black Bear, regional bicycle clubs and schools
- the LBHA Trails Master Plan should be reviewed
- recommends Loomis adopt, review and implement the Dry Creek Greenway Master Plan
- highlight opportunities for developing trails along stream corridors and incentives that could be provided for the trails and public easements
- identify key destinations for trails in Loomis and what's needed to make Loomis more bicycle friendly
- explore with schools what it would take to have more kids ride bikes to school rather than have parents drop them off
- highlight how informal the bicycle track behind Wells Fargo bank provides an important resource for Loomis kids

Councilmember Kelley requested to have this packet put into a pdf file to distribute to others so they can look at it and give input and keep abreast of what is going on.

There was no public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 09-21, accepting the proposal from Omni-Means Engineering & Planning to provide an updated Bikeway Master Plan and New Trails Master Plan and direct the Town Manager to enter into an agreement acceptable to the Town Attorney at a cost of \$29,962. On motion by Councilmember Morillas, seconded by Councilmember Kelley and passed by voice vote.

9. A Resolution of the Town Council of the Town of Loomis *ADOPT RESOLUTION*
Authorizing the Town Attorney to Cooperate With the League
Of California Cities, Other Cities and Counties in Litigation
Challenging the Constitutionality of Any Seizure By State
Government of the City's Street Maintenance Funds

Councilmember Ucovich pointed out that the League of California Cities is confident that taking the gas tax money is unconstitutional.

No public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 09-22, authorizing the Town Attorney to cooperate with the League of California Cities, other cities and counties in litigation challenging the constitutionality of any seizure by State Government of the City's Street Maintenance funds. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

- 11 Heritage Park Subdivision Phases II & III Reversion To Acreage *RECEIVE AND FILE*

Mayor Scherer arrived at 7:20 p.m.

Kevin Stevens, Director of Land Development with Sycamore Homes, stated the following:

- they have been working with several consultants to figure out where the project is going to go
- they are in a cash poor situation at this time and are negotiating with investors to fund the project
- he agreed he hasn't been communicating and updating staff but will do that in the future
- he requested more time (a timeline to May 2010)

No public comment.

Councilmember Liss stated the following:

- this is not the first time that additional time has been requested
- there needs to be a commitment that information will be brought to us within a time limit and not continued each month

Mayor Scherer stated the following:

- questioned Mr. Stevens on what has been done to meet any of the commitments
- pointed out that there has been no contact with staff since the last meeting
- every meeting that they have had on this item has ended in a continuation with no new information that Council has asked for
- he recommended scheduling a hearing for reversion to acreage and at that meeting the consultant should come with the requested information

Councilmember Ucovich suggested coming back with a realistic timeline to accomplish the 29 lots.

Councilmember Kelley suggested setting a meeting time that Sycamore Homes would commit to and if we don't get a 5 day response from them we should consider reversion to acreage.

Mayor Scherer stated the following:

- suggested the applicant should go to the PROSC meeting and meet with the Town attorney and surrounding area by September 3rd
- we are stretching ourselves on this
- suggested emailing staff weekly and build a relationship

Following further discussion on the matter, a motion was made to direct staff (attorney) to work with Sycamore Homes on the 29 lots, applicant should meet with surrounding areas, PROSC, PC and communicate with staff on a regular basis and bring this back to the Council in October. On motion by Councilmember Liss, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Kelley, Liss, Morillas, Scherer, Ucovich

Noes: None

At this time Public Comment was taken to address the Town Council on subjects that are not on the Agenda:

Daneen Swenson gave an update on the summer swimming lessons and open public swimming:

- daily they have been having 60 to 75 children in open swimming
- the total revenue is approximately \$9,000 so far and the snack bar is gaining some revenue
- the citizens are very appreciative to have this service
- she noted where the signs have been put up around town

Council asked staff to make sure a sign is put up in front of the Loomis Grammar school on Taylor Road.

Joe Bailey, 3397 Humphrey Road, asked if the Housing Element was going to be on this agenda.

Kathy Kerdus, Planning Director, noted that the Loomis News had the wrong information, the Housing Element will be on the next Council meeting.

Peter Oakes, 5782 King Road, updated on the "I Love Loomis.com" website:

- they are starting to get a lot of traffic on their website (just under 20,000 page views)
- they have distributed forms to the local businesses (for information to provide for customers on the website) and have only received 5% back
- he proposed putting an ad campaign on Comcast.net

Charlotte Reynolds, owner of Wild Chicken, stated the following:

- they have spent \$2100 so far on the "I Love Loomis.com" website and expounded on the cost breakdown
- they have commitments from some Del Oro clubs to help update the website

PUBLIC HEARING

12. Duarte Minor Land Division – Street Abandonment

The property owner of 5954 Oak Street is proposing a three lot split on .5 acres. The property is zoned Single family residential (RS-5).

Recommended action: Adopt resolution to abandon a triangle piece of right-of-way on Oak Street in front of residence 5954 Oak Street and direct staff to process the documentation with the Placer County's Records Office.

Public comment:

No public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 09-24, ordering the summary vacation of a portion of the right of way for Cedar Street (Oak Street). On motion by Councilmember Morillas, seconded by Councilmember Kelley and passed by voice vote.

BUSINESS

13. Placer County Office of Emergency Services

Hear a report on activities by Placer County Office of Emergency Services.

Recommended action: Hear presentation, discuss and give direction as needed

Public comment:

Rui Cunha, Placer County Office of Emergency Services, expounded on the following:

- purpose of their office: to prepare, respond, and recovery for emergencies and mitigating hazards
- they are expecting a second wave of the H1 N1 virus and the impacts will be in the absenteeism in the schools (with closures)
- they cover 14 fire stations that are not covered by the fire districts, they focus on fire mitigation programs (the Chipper program)
- on a geographic basis they have more hazmat than anyone else, they are working with cities on local hazard mitigation plans
- they have a major pipeline, train and freeways through the county
- flooding, fire and winter storms is the natural hazards for Loomis, 135 parcels are inside the 500 year flood plain; majority of town is in a moderate fire danger (38 parcels are in the high fire danger area)
- severe winter storms: in January 2008 over 40,000 residents were without power for over a week
- important to have a basic emergency preparedness plan for individual families

No public comment.

Councilmember Kelley pointed out that finding the addresses on houses is important.

Councilmember Liss stated that the Fire Chief's big concern is the signage throughout town to find the houses.

Recess at 8:48 p.m. to 9:04 p.m.

14. Caltrans Bridge Raising Project

The California Department of Transportation is proposing to raise nine bridges along Interstate 80 from Loomis to north of Colfax. Three of the bridges will affect Loomis right-of-way

Recommended action: Listen to the update presentation and discuss

Public comment:

Continued to the August Council Meeting.

15. **Animal Control Report**

Hear an update on animal control activities by Placer County Animal Control

Recommended action: Hear presentation, receive report, discuss and give direction as needed

Public comment:

Mike Winters, Placer County Animal Control Manager, gave an update on their services and answered questions.

Anita Wright, 3423 Kingmont Drive, suggested putting on the back of the license forms the law, as it pertains to dogs, there is no leash law in Loomis so it would be good to note that the dogs have to be under the control of the owner.

Following further discussion on the matter, a motion was made to adopt Resolution 09-28, approving an agreement for Animal Control Services with the County of Placer, Department of Health and Human Services. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by the following roll call vote:

Ayes: Kelley, Liss, Morillas, Scherer, Ucovich

Noes: None

16. **Veteran History Program**

Mike Neal asks that the Town participate in the Veteran History Program to collect, preserve, and make accessible the personal accounts of America's war veterans

Recommended action: Consider whether to approve this use of Town funds and facilities

Public comment:

Mike Neal stated the following:

- the town is a good match for the program he has been working on out of Sacramento
- the proposal is to have a room to interview the veterans and the possibility of the Town purchasing a Camcorder (for the Town) that the Program could use to record the interviews that go back to the Library of Congress
- this area is a strong base, particularly for World War II veterans
- the Depot is a good place to use and asked if the Town could purchase a Camcorder to be used for these meetings
- he will have flyers made up and sent out to create interest among the veteran groups

Marilyn Jasper, 3921 Don Drive, suggested also using the Camcorder to tape the Council meetings and keep a copy in the Loomis Library for the public.

Following further discussion on the matter, a motion was made to authorize funding for a Camcorder, blank tapes and a tripod, not to exceed \$600. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by voice vote.

17. **Grand Jury Blue Bag Report**

Council is asked to decide whether to respond to a Placer County Grand Jury recommendation to eliminate the blue bag refuse program

Recommended action: Decide whether to comment on the Grand Jury blue bag recommendation and if so, outline the points of a comment so staff can prepare a letter and authorize the Mayor to sign and submit

Public comment:

Continued to August 11, 2009 Council meeting.

18. **Placer Fish & Game Commission Deer Hunt Project**

Council is asked to determine whether or not it should comment on a Placer Fish & Game Commission project to conduct a deer hunt to thin the deer population in the vicinity of Auburn / Folsom Road.

Recommended action: Discuss and decide how Council wishes to proceed.

Public comment:

Marilyn Jasper stated the following:

- urged Council to comment and recommend against the deer hunt
- any property owner in that zone could open it up to this special deer hunt
- studies have not come back (from Fish and Game) to support a deer hunt
- asked Council to oppose it

Teri Barnato, 4520 Val Verde, stated the following:

- asked council to make recommendation against this hunt
- at the November County Fish and Game meeting a State representative from the Fish and Game Commission stated that the herds for the D4 area are actually declining
- one study was done that showed hunting had no effect on car collisions
- there is also a reproductive rebound, where more herds are thinned, the more birth rates increase and the deer actually give birth to triplets

Bob Wright, 3423 Kingmont Drive, stated the following:

- there is a safety issue when someone is handling a gun or a bow, especially with 12 to 17 year old kids
- there is not enough factual information to allow this to happen
- he is afraid someone could get hurt or killed from an accident
- he is against this program

Anita Wright, 3423 Kingmont Drive, stated the following:

- she attended the Fish and Game meeting and was appalled that Fish and Game Commission chose to allow this hunt based on 10 years old data
- no alternatives were considered or proposed
- this is a safety issue
- she strongly urged the Council not to support the proposed deer hunt

Pat Miller, 4395 Gold Trail Way, asked Council to oppose this and express their disapproval for this special deer hunt.

Bill Castle, 3603 Kingmont Court, stated the following:

- he worked for Fish and Game for 38 years and has been a hunter for 50 years, he supports hunting
- there was no good data on the deer and car collisions to support this hunt
- there will be property access problems and safety issues
- he asked Council to oppose the deer hunt

Councilmember Ucovich stated we need to protect the deer.

Councilmember Liss pointed out that Loomis cares about our animals and they need as much help as they can get.

Councilmember Kelley stated the following:

- animals have a mind of their own and can't be controlled
- he can't support this until we get more data

Mayor Scherer stated the following:

- scheduling a deer hunt with youth and bow and arrows is dangerous and cruel
- it's important to know the effect of eliminating any deer

Following further discussion on the matter, a motion was made to send a letter to Fish and Game opposing the deer hunt, noting there needs to be data on the herd and traffic collisions, they oppose youth hunting and want to protect the deer. On motion by Councilmember Liss, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Liss, Morillas, Scherer, Ucovich
Noes: Kelley

19. League of California Cities Conference in September 2009

The League Conference in September 2009 will involve League business and cities are asked to appoint voting delegates to conduct that business

Recommended action: Appoint a voting delegate and alternates to act on behalf of Loomis at the Annual Business meeting

Public comment:

No public comment.

Council consensus was to have Mayor Scherer as the voting delegate and Vice Mayor Liss as the alternate.

20. 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 Subcommittee (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, 4255 Dias Lane, stated the following:

- she hasn't seen anything on the economic impacts that should be addressed in the EIR
- regarding the Rocklin 60, there needs to be larger parcels to fit in with the neighborhood and the trees need to be left in place
- she is against access onto Dias Lane

Councilmember Ucovich recommended leaving more trees, not using the road access, and pointed out that Raley's is expecting a 20% loss.

Councilmember Liss stated that they asked Rocklin to wait until the issues are addressed.

Mayor Scherer pointed out the following:

- if they don't address our concerns than we must go to litigation in order to continue the negotiations
- we will discuss the economic impacts, the trees, and the access onto Dias Lane

21. **Open Space Committee 2 Recommendations Review** (Continued from June 9, 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 Section E of the Open Space Committee 2 recommendations and decide what to refer to the Park, Recreation 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

Public comment:

Continued to August 11, 2009 Council meeting.

22. **South Side I-80 Property Use**

Vice Mayor Liss asked the Council to discuss use options for certain property on the south side of Interstate 80

Recommended action: Discuss and give direction as to how Council wishes to proceed

Public comment:

Councilmember Morillas stated the following:

- she questioned the liability issues
- she doesn't want the Town involved in the horse rescue business

Councilmember Ucovich stated that he was concerned with staff spending too much time on this.

Councilmember Kelley stated the following:

- asked what purpose this serves the Town
- we are not in the business of rescuing horses, that is a major commercial area for the Town
- he doesn't want the Town involved in this at all

David Bartly, 1865 Willow Brook Lane in Penryn, stated the following:

- he is in the horse rescue business and has 21 horses
- suggested that maybe some financial arrangements could be made
- he supports having a horse rescue along Interstate 80 and Horseshoe Bar Road

John Kintz, 6201 Horseshoe Bar Road, stated the following:

- the horse rescue is a good idea but there will be a lot of work that needs to be done
- a fence will have to be put up and foundations will have to be removed
- it should be a committee of volunteers and not the Town's responsibility
- he supports the idea of a horse rescue

Teri Barnato, 4520 Val Verde, stated the following:

- they don't need a big shopping center on that property
- the Town needs to show that we are rural and a horse rescue would be nice

Lisa Pytorak stated the following:

- this would make Loomis truly unique
- horses are a great therapy, this is worth considering and we need to be different

Jean Wilson, 4301 Barton Road, stated the following:

- horse rescue is a noble prospect but this is not the place to have it and it should be entirely a private enterprise
- she doesn't want to use her taxpayers dollars for this
- this property is zoned tourist commercial and it was voted on by the citizens in Loomis by a 2/3 vote
- before you take away a part of the General Plan you need to look at this carefully
- the Town should not be involved

Councilmember Liss stated the following:

- this would be a temporary use
- this is a unique opportunity for the next five years
- we should ask for help from the community first and then staff
- asked Council to consider this for a temporary use on this site

Mayor Scherer stated the following:

- this is a tourist commercial location
- Town resources should not be used there
- there's a lot that needs to be addressed such as: no staff used, environmental review, volunteers independent from the Town, liability, etc.

23. **Agenda Preparation Policy**

Vice Mayor Liss asks that Council consider a policy to have agendas completed and circulated 10 days before a meeting

Recommended action: Consider whether to make changes to agenda setting and preparation

Public comment:

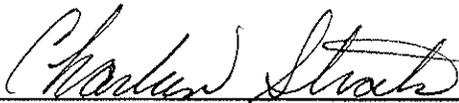
Continued to August 11, 2009 Council meeting.

COMMITTEE REPORTS

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

ADJOURNMENT

Mayor Scherer stated there was no further business and adjourned at 11:18 p.m.



Town Clerk



Mayor