



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

**5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650 AND**  
**4495 SE CIRCLE WAY, STUART, FLORIDA 34997**

<b>TUESDAY</b>	<b>JUNE 9, 2009</b>	<b>7:00 P.M.</b>
<b>CLOSED SESSION</b> – 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. <b>CONFERENCE WITH REAL PROPERTY NEGOTIATOR:</b> Pursuant to Section 54956.9 of the Government Code: <b>Property:</b> APN 043-014-019 (Town owned corporation yard property to be sold to Loomis Union School District) <b>Agency Negotiator:</b> Perry Beck, Town Manager <b>Under Negotiation:</b> Price and term		
b. <b>CONFERENCE WITH LABOR NEGOTIATOR:</b> Pursuant to Section 54957.6 of the Government Code. <b>Agency Negotiator:</b> Perry Beck, Town Manager <b>Employee Organizations:</b> Maintenance Workers (Operating Engineers Local 39) and Loomis Diversified Employees Group		
c. <b>CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.</b> Initiation of litigation pursuant to subdivision Section 54956.9: <ul style="list-style-type: none"><li>- Rocklin Lowes: Case #S CV 23598 Town of Loomis v City of Rocklin et al &amp; Del Paso El Camino, LLC et al</li><li>- Rocklin Crossing: Case #S CV 24099 Town of Loomis v City of Rocklin et al &amp; Rocklin Crossings LLC et al</li><li>- 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</li></ul>		
<b>TUESDAY</b>	<b>JUNE 9, 2009</b>	<b>7:30 P.M.</b>

**CALL TO ORDER**

Call to order by Mayor Scherer at 7:36 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.
- c. No action taken.

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## MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Ucovich stated the following:

- asked staff if they could look for stimulus money for summer youth jobs
- the word "Town of Loomis" needs to be added to the Sunrise Loomis Park sign
- Loomis Veterinarian keeps track of the animals that are brought in by Animal Control
- asked staff to find out the addresses of where the animals are coming from to get an idea of how many are in the incorporated area

Councilmember Kelley pointed out that this will be a big mosquito year.

Mayor Scherer stated the following:

- Next month he would like to recognize Bob Christiansen (Del Oro Principal) who is retiring and Jeff Tooker (Del Oro Vice Principal) who is moving on to Assistant Superintendent
- SACOG is looking at the water uses in the six County region
- he has been invited to a water conference in Atlanta, Georgia on developing sustainable water supplies in regions

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.**

Dana Swain, Placer Elementary 4<sup>th</sup> grade teacher, stated the following:

- she sent out a flyer asking for interested students to be in an after school club to work on a recycling program and got about 30 students who signed up
- the "Green Team" collects bottles, cans, plastics, paper and cardboard that she takes to the material Recovery Facility in Roseville
- the students use the money they make from the recycling and donate it to local charities such as the "Habitat for Humanity", the "Christmas Basket Program" and "St. Jude's"
- the students also spend time educating the rest of the school about recycling

Daneen Swenson updated the Council on the swimming registrations at Del Oro and answered questions.

**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 6, 8, 9, and 10 forward for discussion. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

### CONSENT AGENDA

### RECOMMENDED ACTION

- |                                 |                  |
|---------------------------------|------------------|
| 1. Council Minutes – 5/12/09    | APPROVE          |
| 2. Monthly Check Register – May | RECEIVE AND FILE |
| 3. Statement of Activity        | RECEIVE AND FILE |
| 4. Treasurer's Report           | RECEIVE AND FILE |

5. Planning Status Report *RECEIVE AND FILE*
7. A Resolution of the Town Council of the Town of Loomis Requesting Collection of Charges on Tax Roll For the Following Districts: Heather Heights Community Facilities District No. 3, Loomis Maintenance District Unit 1, Loomis Maintenance No. 2, Community Facilities District No. 1, Sunrise-Loomis Community Facilities District No. 2, Community Facilities District No. 4, Loomis Acres Unit No. 4 Maintenance District, King Road Maintenance District, Rachel Estates Maintenance District, Hunters Crossing II Maintenance District, Saunders Avenue Maintenance District, Saunders Avenue Improvement District, Sherwood Estates Maintenance District, Heritage Park Estates Phase 1 Maintenance District, Hunter Oaks Maintenance District, Sierra De Montserrat Subdivision Maintenance District *ADOPT RESOLUTION*  
Resolution 09-19
11. Authorize Planning Director To Send Letter of Interest For Grant Assistance For Form-Based Code to SACOG *APPROVE*

CONSENT ITEMS FORWARDED

6. 2009/10 Goals Update *RECEIVE AND FILE*

No public comment.

Councilmember Ucovich questioned if Goal 4C for \$8000 will be put in the budget.

Perry Beck, Town Manager, pointed out that during the year he will put together a report specifying how much it will cost and Council will have an opportunity to take it out at that time.

Receive and filed.

8. Heritage Park Subdivision Phases II & III Reversion to Acreage *RECEIVE AND FILE*

Mayor Scherer asked if there was any activity regarding security on the property.

Kevin Stevens, Sycamore Homes, stated the following:

- he spoke with a bonding company and next week he will have engineers out at the property
- he is looking at options for security on the property
- the project is governed by Fish and Game and the Army Core of Engineers

No public comment.

Councilmember Liss stated the following:

- the green sheets have not begun yet
- suggested Mr. Stevens attend the PROSC meeting on June 23<sup>rd</sup> to hear what it is all about

Receive and file.

9. Second Reading of An Ordinance Of The Town of Loomis Dealing With The Preparation and Retention Of Meeting Records *ADOPT ORDINANCE*

Councilmember Kelley stated that this ordinance does not include visual recordings.

Councilmember Ucovich pointed out that under item C3. it addresses audio and visual recordings.

No public comment.

A motion was made to adopt Ordinance 241, dealing with the preparation and retention of meeting records. 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

Absent: None

10. Placer County Sheriff's Contract Renewal For 2009/12 Fiscal Years *APPROVE*

Councilmember Liss asked if there was an option for considering half time traffic officer.

Mayor Scherer asked if there was any way we could have an open clause on this contract.

Dave Larsen, Town Attorney, recommended holding this item over until the budget discussion.

No public comment.

Council agreed to continue and discuss this item with the budget.

## PUBLIC HEARING

12. **Monte Claire Unit 2, Lot 7 – Certificate of Amendment For The Non-Development Meandering Wetland and Drainage Easement**

Consider amending Lot 7 by abandoning the existing Non-Development Meandering Wetland and Drainage Easement on Final Map Book Z, Page 73, sheets 7 and 12 by recording the Certification of Correction, Modification, or Amendment document

**Recommended action:** Conduct public hearing and adopt resolution

**Public comment:**

Dick Crawford, owner of property, stated the following:

- they wanted a minimal amount of impact on the trees
- the engineers have tried all of the options and they picked the only way that takes out the least amount of trees
- without the removal of the trees he cannot build his house

Steve Fettke, 4920 King Road, stated the following issues that both Kim and Steve are strongly opposed to in abandoning the easement:

- abandoning easements that we have accepted protective responsibility for is undermining the Town's policies
- abandoning easements would set a precedent and should not be open for abandonment based on the make-up or opinions of Council, staff or individual residents' wishes
- this has a potential of setting a legal precedent nationally and could cause legal costs that the Town would incur if we were the receiving end of a Sierra Club lawsuit rather than a partner with them in a lawsuit
- disagrees with the Findings presented in the Resolution, if the easement was unnecessary for the public then why would we have policies protecting these types of resources
- the property owners knew that these protective easements were attached to their land before they purchased it and should have planned their development accordingly

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

- we need clarification from the Army Core of Engineers before approving
- the applicant needs to comply with the Fish and Game Code Section 1600
- she is opposed to abandoning the easement

Joe Looney, Foothill Associates, expounded on the impacts and mitigation needed to receive approval from the Corp of Engineers and California Regional Water Quality Control Board and answered questions.

Following further discussion on the matter, a motion was made to refer this item to the Planning Commission for recommendation. On motion by Councilmember Liss, seconded by Mayor Scherer and the following was question on the motion:

Councilmember Kelley stated the following:

- he disagrees with sending this item to the Planning Commission
- this should be continued to the next Council meeting when more information is received

The motion failed by the following roll call vote:

Ayes: Liss, Scherer

Noes: Kelley, Morillas, Ucovich

A motion was made to continue this item to the next Council meeting. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by the following roll call vote:

Ayes: Kelley, Morillas, Ucovich

Noes: Liss, Scherer

Recess at 8:52 p.m. to 9:02 p.m.

Councilmember Ucovich proposed to re-consider the vote due to new information.

Mr. Crawford pointed out that the timing of his loan approval will expire before the next Council meeting.

Following further discussion on the matter, a motion was made to continue item 12 to an adjourned regular meeting on June 16, 2009 at 6 p.m. at Town Hall. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by the following roll call vote:

Ayes: Kelley, Morillas, Ucovich

Noes: Liss, Scherer

## BUSINESS

### 13. Military Honor Dance and McLaughlin Theater

Camelot Costume asks for a donation to conduct a dance in August to honor military people and McLaughlin asks for a donation to support the McLaughlin theater company

**Recommended action:** Consider whether to approve donations for the purposes requested and if so determine an amount

**Public comment:**

Sheila Lee, Camelot Costume, expounded on the following:

- she would like the "Honoring the Military dance" to be an annual event in Loomis
- any money left over from the dance will be given to the wounded warriors
- she asked to have the banner put on the depot after the Summer Concert banner is taken down
- she requested a donation to help with the dance in August

Nancy McLaughlin stated the following:

- they are looking for sponsorship and donations to help with their program
- they would like to find a place to perform
- the Blue Goose and Del Oro High School is too expensive

Following further discussion on the matter, a motion was made to: wave depot fees for the Military dance and McLaughlin Theatre Company, donate \$500 to each event, and to help find a location for McLaughlin Theatre Company to perform.

### 14. Chamber Business Committee Update

The Chamber of Commerce has been working on various projects and may have a project update or other information that the Chamber wishes to discuss with the Council

**Recommended action:** Hear update and give direction if needed

**Public comment:**

Councilmember Liss pointed out the following:

- Peter Oakes is sick and Charlotte Reynolds is in Australia and could not attend but said they have 26 businesses on the "I Love Loomis" website
- they are working on a public relations plan

Councilmember Ucovich stated the following:

- he was glad we retained the services of Michael Murphy, out of Auburn, to design the signs for the Town
- he suggested putting trees in boxes for the temporary landscaping next to the Depot
- suggested waiting for the plan before any improvements are made

Mayor Scherer pointed out that irrigation to water the grass is not expensive and should be done now.

Councilmember Kelley stated the following:

- questioned the cost for landscaping – sod versus seeding
- if there is an adequate water system then it can be kept green

Brian Fragiao, Town Engineer/Public Works Director, stated the following:

- he has been talking with Scott Paris, High Hand Nursery, for ideas
- they can add some stations without disrupting existing landscaping

No public comment.

### 15. Development Proposal on a 4 Acre Parcel SW Corner of Sierra College Boulevard and Taylor Road

Foothill Associates requested time to present a development proposal idea for their client's property located at the SW corner of Sierra College Blvd. and Taylor Road and ask the Council to indicate whether the idea has merit to proceed with an application

**Recommended action:** Hear request and determine whether the development idea is something that the Town could consider for the particular property

**Public comment:**

Ryan Brown, Foothill Associates, gave a presentation regarding the Sierra Taylor Project site, explained the high points of the proposal:

- they would like to build a commercial retail center at the corner of Sierra College Boulevard and Taylor Road
- they would like to establish a greenway in the back
- they may increase the culverts

Karen West, Architect for the applicant, stated the following:

- there is a lot of oak trees on the property
- the retail may be café's, a jewelry store and the upper floor will be medical offices
- they need to have access in and out using Brace Road and Sierra College Boulevard

Ken Hallmeyer, Sierra-Taylor, stated the following:

- they would like to keep Brace Road open
- the dental laboratory should generate about \$600,000 in sales

Carl Sloan, with Carlton Engineering, pointed out that one of the goals is to keep the project out of the floodway.

No public comment.

Councilmember Ucovich stated the following:

- the promenade needs to be wider
- there needs to be more trees
- there is too much building on this site, the buildings could be broken up

Councilmember Liss stated the following:

- suggested interspersed buildings to preserve the trees
- we need to keep the rural feel and keep the trees
- one issue is retail versus office space
- could look at offsite parking as a possibility
- he would like to see it maintain the natural corridor

Mayor Scherer stated the following:

- the design of the meandering of the nature of the creek is very important
- it needs to function as a bio swale
- he prefers to see the tree mitigation addressed onsite
- there is some opportunities to move trees around on the site
- he would rather see native oaks
- allowing paving in the flood plain is contrary to the General Plan
- this project needs to be seen by the Planning Commission first

Information was given and this item was closed.

16. **Proposed Capital Improvement Program**

At the December 15, 2008 Town Council meeting, Council approved the 5 year CIP, since then, there have been several changes that need to be made before the fiscal year budget and with the current economy swing, staff has re-evaluated the program to make it more obtainable

**Recommended action:** Approve the amended 2009 – 2014 Capital Improvement Program and incorporate any revisions made during discussions

**Public comment:**

Continued to an Adjourned Regular Meeting on June 23, 2009.

17. **Town of Loomis Operating Budget**

Consider budget for the Fiscal Year ending June 30, 2010

**Recommended action:** Discuss budget, amend items as necessary and adopt resolutions

**Public comment:**

Continued to an Adjourned Regular Meeting on June 23, 2009.

18. **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:**

Continued to an Adjourned Regular Meeting on June 23, 2009.

19. **Open Space Committee 2 Recommendations Review** (Continued from May 12, 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 an Adjourned Regular Meeting on June 23, 2009.

20. **League of California Cities Summit on Governance and Fiscal Reform**  
The League of California Cities asks for representative to join county and school officials in participating in a summit on reforming state governance and fiscal systems  
**Recommended action:** Appoint two Councilmembers to attend the summit  
**Public comment:**

Continued to an Adjourned Regular Meeting on June 23, 2009.

21. **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 approve this agenda preparation policy  
**Public comment:**

Continued to an Adjourned Regular Meeting on June 23, 2009.

## COMMITTEE REPORTS

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

**ADJOURNMENT** A motion was made to adjourn at 10:25 p.m. to an Adjourned Regular Meeting on June 16, 2009 for Item 12 at 5 p.m. at Town Hall and an Adjourned Regular Meeting at Town Hall on June 23, 2009 for the remaining items not discussed tonight. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

  
Town Clerk

  
Mayor