



TOWN OF LOOMIS

ACTION MINUTES
WORKSHOP

LOOMIS TOWN COUNCIL
LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

TUESDAY

APRIL 13, 2010

6:30 P.M.

Note: These are action minutes only. An audio copy of the meeting can be requested at Town Hall.

CALL TO ORDER

Call to order by Mayor Liss at 6:35 p.m.

ROLL CALL

Present:

Mayor Liss
Councilmember Kelley
Councilmember Morillas
Councilmember Ucovich

Absent: Councilmember Scherer

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.

PRESENTATION

Placer County Sheriff's Presentation on Loomis Law Enforcement Activity

Captain Dave Harris, Placer County Sheriff's Department, gave the presentation and answered questions.

ADJOURNMENT AT 7:00 P.M. TO CLOSE SESSION IN THE REGULAR MEETING

Councilmember Scherer arrived at 7 p.m.

Council adjourned at 7 p.m. and went into close session.

TOWN OF LOOMIS

AGENDA

REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

TUESDAY

APRIL 13, 2010

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: Two cases

- 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

TUESDAY

APRIL 13, 2010

7:30 P.M.

CALL TO ORDER

Call to order by Mayor Liss at 7:34 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Liss
Councilmember Kelley
Councilmember Morillas
Councilmember Scherer
Councilmember Ucovich

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

a. No action taken.

PROCLAMATIONS/RECOGNITIONS

PEACE For Families and Interfaith Council of Churches

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Scherer pointed out that Saturday Is Creek Week in Loomis and invited Council to join them in a nature walk, clean-up, and tree planting at the Heritage Park property.

Councilmember Kelley stated the following:

- he challenged the Council to walk from the Horseshoe Bar/Horseshoe Bar Road intersection to Interstate 80
- people walk along there on a regular basis, it is not safe, and Council needs to take another look at creating a walking path along there
- he also asked Council if they could take another look at donating from our Park funds to help build the restrooms at the King Road park for the girls softball teams and asked to put this on the next agenda

Councilmember Scherer suggested sending this to the Park, Recreation and Open Space Committee (PROSC) for their recommendation.

Mayor Liss stated the following:

- reminded everyone that the PROSC is putting on an Earth Day event on April 24th
- there are over 40 exhibitors that will be there and expounded on the various events
- It will be a fun free event for the family

Councilmember Ucovich noted the following:

- the spaces are all taken for the Earth Day yard sale
- the 24th will be a "garage sale day," the local Methodist Church will be having a garage sale and Leslie Griffin will be putting on a community wide garage sale

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 may be limited to five minutes or less, at the discretion of the Mayor.

Nancy McLaughlin, McLaughlin Studios, stated the following:

- this year they are producing musicals all year long, they have done six so far this year
- she asked Council to work with them on a full Broadway production of "Thoroughly Modern Millie" at the Depot, over two weekends in July
- They are hoping it will bring in a lot of people to the downtown area
- they have been using a facility in Newcastle but because they are based in Loomis, they would rather do the productions here
- she asked to put on the next agenda discussion on helping in promoting the events, use of the space, having portable fencing around the event (they charge for the event), chairs, etc.

Mayor Liss suggested Ms. McLaughlin work with staff on the details and identify what their needs are.

Roger Carroll, Town Finance Director, stated that he is currently doing his projections so there will be a preliminary budget review and this can be added in the budget before the May meeting.

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 revising the order at 8:30 p.m. to discuss item 13 and continuing item 16 to the May meeting. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote with Councilmember Morillas voting no.

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 items 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 – 3/9/10, 3/9/10,1/16/10, 2/13/10 | <i>APPROVE</i> |
| 2. Monthly Check Register – March | <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. 2010/11 Goals Update | <i>RECEIVE AND FILE</i> |
| 7. Select Rocklin Development Projects Update | <i>RECEIVE AND FILE</i> |

CONSENT ITEMS FORWARDED

- | | |
|------------------------------|----------------|
| 8. Public Meeting Guidelines | <i>APPROVE</i> |
|------------------------------|----------------|

Sandy Calvert stated the following:

- she agrees with having guidelines and suggested printing them and putting it at the end of the agenda in fine print
- It would be good for the public to know what is expected

Councilmember Ucovich stated the following:

- we are adults and some of these guidelines are childish
- we should add that the meetings should follow Roberts Rules of Order as amended or modified by the Council

Councilmember Kelley stated the following:

- he does not want to send this back to the Planning Commission and the PROSC because they don't have some of the same issues we do and we shouldn't be telling them how to run their meeting
- "celebrate wins – big and small" should be eliminated, it should be to the benefit of the Town – not to win or lose

Councilmember Scherer suggested the following:

- in the first one he would like to eliminate "In order around the table"
- 3rd guideline, suggested adding "the order for dealing with each item would be: staff report, questions of staff, public input, deliberations by the Council to develop a consensus"
- the following could be eliminated: "tangential issues should be recorded for later follow-up and discussion"
- the following should be taken off and posted as people come in the door – "place cell phones on vibrate so they don't interrupt the flow of discussion"
- regarding "celebrate wins – big and small" we should be working to make sure everybody wins, that is what consensus is all about
- we should send these guidelines to the other committees for their comments as well

Councilmember Morillas stated the following:

- Council should make the decision for the guidelines and not send to the other committees
- she agrees with Councilmember Scherer's changes
- we should add "no texting" as well

Mayor Liss stated the following:

- he would like to have a sign up for the people as they come in as well as in the guidelines the following: "place cell phones on vibrate so they don't interrupt the flow of discussion"
- regarding "celebrate wins- big and small," we should have: "celebrate wins for the Town – big and small" to address Councilmember Kelley's concern
- he suggested the Council adopt the guidelines and have the Commission and the PROSC follow this too
- if there is any suggestions for future edits then the document can be revised

Following further discussion on the matter, Council made a motion to have all public meetings follow the "Meeting Guidelines" and to approve with the following amendments:

- adding "Meetings are to follow Roberts Rules of Order as amended or as modified by the Council"
- "Take turns (deleting "in order around the table") so everyone contributes: diverse ideas and different perspectives result in better outcomes"
- "Reserve stating positions until all questions of clarification are on the table, and the public has contributed their input." Add "the order typically being: staff report, questions of staff, public input, deliberation by the meeting body."
- delete "Tangential issues should be recorded for later follow-up and discussion"
- delete "Place cell phones on vibrate so they don't interrupt the flow of discussion," from the guidelines and post it on the door as people come in
- adding the underlined: "Celebrate wins for the Town – big and small"

On motion by Councilmember Scherer, seconded by Councilmember Morillas and passed by voice vote with Councilmember Kelley voting no (4/1).

Councilmember Kelley requested to have this brought back to Council under consent (as receive and file) for clarity.

At this time Council discussed item 13.

9. A Resolution Of The Town Council Of The Town Of Loomis *ADOPT RESOLUTION*
Designating the Places Where Public Notices Shall Be Posted

Item 9 was discussed after item 11.

Councilmember Kelley stated that we need to put a specific place on the Town website that is for notices.

Dave Larsen, Town Attorney, suggested adding to the Resolution Item 3: In addition to that, public notices will be posted on the Town website.

Tom Seth, Mareta Lane, suggested the following:

- posting the agenda on the library bulletin board outside, instead of inside the foyer because the library has limited hours that they are open
- posting on the bulletin at the Blue Goose

Following further discussion on the matter, a motion was made to adopt Resolution 10-08, designating the places where public notices shall be posted with the following amendments: on item 1, Placer County Library on the outside bulletin board; add item 3, in addition, post on the Town website and the Blue Goose bulletin board. On motion by Councilmember Kelley, seconded by Councilmember Scherer and passed by voice vote (6/0).

10. Second Reading of Ordinance 246 Amending The Municipal *ADOPT ORDINANCE*
Code By Adding Setback And Height Requirements For Ground
Mounted Solar Collectors

Councilmember Ucovich stated the following:

- if we put a requirement that first they must be mounted to the roof and if that doesn't work then they can be ground mounted
- solar panels need to be at a 23 degree angle and do not need to be 15 feet high on the ground
- he would like Council to re-consider the 15 feet maximum height to 6 feet for solar collectors

Pat Miller, 4395 Gold Trail Way, asked if a person would be able to have solar panels on their patio cover or make a patio out of a solar array?

Roger Smith, 8765 Wells Avenue, stated the following:

- he agrees with Councilmember Ucovich about the 15 feet height
- regarding the setbacks, this resolution has the same setbacks as structures, he would like at least 50 feet setback to the rear property line

Jean Wilson, 4301 Barton Road, stated the following:

- she is concerned about the State laws, particularly, we cannot make aesthetics regulations
- the solar shading laws, on protecting your array from your neighboring trees, they talk about the ones that are less than 10 feet tall has to be set back a certain distance in order to protect your solar shading rights
- reminded Council that Commissioner Thew's solar installer said a limit of 6 feet in height would be difficult in some situations

Dave Larsen, Town Attorney, stated the following:

- these laws are so new and time will tell, maybe there will be changes made in the Legislation
- he wouldn't be overly concerned about the maximum height and litigation because Council can always undo it at that point, if we need to

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 246, amending the Municipal Code by adding setback and height requirements for ground mounted solar collectors and amending Section 2 . "4. the maximum height for a Ground mounted solar collector as that term is defined in Section 13.30.110 G.6. shall be ~~six (6) feet~~, measured from the natural pre-development grade, to the top of the array." On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote, with Councilmembers Kelley and Morillas voting no (3/2)

BUSINESS

11. Park, Recreation and Open Space Committee Review

At the November 2009 meeting Council requested a review of the Park, Recreation and Open Space Committee

Recommended action: Discuss and give direction to the Committee and/or staff

Public comment:

Sandra Calvert, PROSC Chairman, responded to the following:

- committee vacancies - the group that remains is working well together and suggested holding off in making new appointments at this time to let the current Committee come together first
- the work plan - they would like to create more transparency with the PROSC so Council can see what they are doing so every quarter she will come to the Council meeting to update on what is going on
- the subcommittees - now that they have streamlined, are a flexible group, know the task at hand, and what they want to do, there isn't a need to have the subcommittees because they will work as a whole
- meeting schedule - meeting on a regular monthly basis will be needed to implement their work plan, they do not want to be limited to meet only six times a year
- Council communication and liaison - in the work plan PROSC proposed that they will be providing quarterly updates
- out of Town members - she would like to see people within the 95650 zip code to be on the committee (that would include out of town) and would like a little more time with the existing group before there are more recruitments
- she would like to see green sheets added to the work plan, it gives the Council a head start on what is going on
- they will be having a booth at Earth Day to let everyone know what the PROSC is all about, how to get involved, projects, etc.

Jean Wilson, 4301 Barton Road, regarding the resolution she suggested the following:

- leave two positions open for non-residents and if Council decides to eliminate that then for clarification Council should add in Section 1: "consist of up to eleven Town members"
- in Section 10 Council may want to add a general statement that "there will be a yearly work plan" submitted by the PROSC for approval by the Council or, that the Council submits a work plan to the PROSC

Perry Beck, Town Manager, pointed out that an "annual work plan to be submitted to Council" is noted in Section 8.

Roger Smith, 8755 Wells Avenue, stated the following:

- the quarterly report to Council is a great idea
- It is also important to let the public know what they are doing (maybe through the Loomis News, a public forum, etc.), there can be a lot of misinformation out there

Councilmember Ucovich stated the following:

- Council liaison - he would like to see the Council liaison eliminated, PROSC is at a point where they can do it on their own
- out of Town members - if you live in Loomis you have a vested interest, he would like to keep it local
- he suggested having applications (for recruiting on the PROSC) available at the Earth Day event

Councilmember Kelley stated the following:

- he agrees with Councilmember Ucovich, he would like to keep the members local and eliminate Council liaison
- he would like to see an action plan to help make the work plan connection, in whatever format that might be

Councilmember Scherer stated the following:

- non-resident members - we may be doing ourselves a disservice by excluding very qualified individuals from participating
- the PROSC only makes recommendations, it is the Council that makes decisions
- the broader participation from the PROSC, the better the decisions the Council makes
- we have an eleven member committee and it is important to fill eleven positions

Councilmember Morillas stated the following:

- she agrees with eliminating the Council liaison, the PROSC should be able to work on their own at this time
- on Earth Day she would like to see the PROSC have applications (for recruiting) available and some kind of a board showing what they have been doing over the past year

Mayor Liss stated the following:

- the committee has been launched, he will be happy to go along with the idea to eliminate the Council liaison
- he likes the idea of recruiting new members but Ms. Calvert is asking for a little more time for the existing group to get
- he suggests the new recruitments volunteer on tasks and then those who participate for a couple of months (on a voluntary basis) will be more prepared to be on the committee
- out of Town members - he agrees with Ms. Wilson and Councilmember Scherer, we are trying to be the center of the Loomis Basin and we need to involve people within the area (95650 zip code area)
- he would like the PROSC to bring forward the green sheets and proposed instructions in May or June
- agrees with having an annual work plan
- he suggested deleting the subcommittees, public should be encouraged to participate with the full committee

Following further discussion on the matter, a motion was made to adopt Resolution 10-09, establishing an Ad Hoc, Recreation and Open Space Committee to assist in work related to the Park, Recreation and Open Space needs of the Town, with the following amendments: remove the strike-outs in Sections 1, 2 and 9; include the additional verbiage in Section 9; retain the strike-outs in Section 4 and 10. On motion by Councilmember Scherer, seconded by Councilmember Morillas and passed by voice vote with Councilmembers Kelley and Ucovich voting no (3/2).

A motion was made to eliminate Council liaison to the PROSC, there will be a moratorium for three months on appointments to PROSC, ask PROSC for an action plan, and include the green sheets. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote (6/0).

At this time Council discussed Item 9.

12. **Reconsider Open Space Committee 2 Recommendation on Agricultural EIRs**
Councilmember Kelley asked Council to reconsider a decision made at the February 9, 2010 meeting concerning the Open Space Committee 2 recommendation having to do with agricultural environmental impact reviews.
Recommended action: Decide whether to reconsider the Council decision on the OSC-2 recommendation having to do with agricultural environmental impact reviews and if reconsideration is approved, then decide what the Council wishes to do.
Public comment:

Continued to the May 11, 2010 Council meeting.

The following item was discussed after item 8.

13. **Green Ribbon Task force Information**
Mayor Liss will give an update on the activities of the Green Ribbon Task Force that he convened in January 2010
Recommended action: Receive report and approve giving initial support
Public comment:

Jeff Borderline, one of the organizers of Placer Sustain, stated the following:

- expressed his appreciation for Council's consideration of endorsing what Placer Sustain is all about
- he anticipates that he will be coming back to the Council with more specific proposals about formalizing our relationship
- we have recommended and the Board has adopted a strategy that says we are trying to create multi-purpose cultural centers at various key locations throughout the County where we can have public education, energy, etc.

Following further discussion on the matter, a motion was made to receive report and approve giving support for South Placer Green Business Program, Placer Sustain, and mPower programs that help to promote sustainability in Loomis and Placer County. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

Recess at 8:53 p.m. to 9:02 p.m.

At this time Council discussed item 11.

14. **Interstate 80 Bridge Raising Strategies**
CalTrans is planning major work along I-80 to raise a number of bridges, three of which are in Loomis, and it would be prudent to consider a Town response to this planning and be prepared to respond when the environmental document is released in July 2010
Recommended action: Discuss and decide on a response to the CalTrans bridge raising planning process
Public comment:

Continued to the May 11, 2010 Council meeting.

15. **Proposals for Freeway and Directional Signs**
At the February 2010 goal session Council requested that information be developed to solicit the services of a consultant to prepare a sign plan for freeway and other signs with a goal of directing people to, and around, the downtown and other places in order to do business in Loomis
Recommended action: Discuss and determine whether to solicit a request for proposal from sign consultants or work with a local sign company to develop simple direction signs.
Public comment:

Continued to the May 11, 2010 Council meeting.

16. **Lot Coverage and Floor Area Ratio**

Councilmember Ucovich asked that Council discuss lot coverage and floor area ratio, lot size and related topics in the Zoning Ordinance

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

Public comment:

Continued to the May 11, 2010 Council meeting.

COMMITTEE REPORTS

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

ADJOURNMENT

A motion was made to adjourn at 10:26 p.m. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

Mayor

Town Clerk



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

SATURDAY **JANUARY 16, 2010** **11:00 A.M.**

CALL TO ORDER Call to order by Mayor Liss at 12:10 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:
Mayor Liss
Councilmember Kelley
Councilmember Morillas
Councilmember Scherer
Councilmember Ucovich

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.

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.

CONSENT AGENDA

RECOMMENDED ACTION

- A. A Resolution of the Town Council of the Town of Loomis Authorizing Signers and Others to Act On Behalf of The Town Of Loomis With Wells Fargo Bank

ADOPT RESOLUTION

No public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 10-04, authorizing signers and others to act on behalf of the Town of Loomis with Wells Fargo Bank. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote, with Councilmember Ucovich voting no.

CONSENT ITEMS FORWARDED

BUSINESS

1. **Open Space Committee 2 Recommendations Review** (Continued from 1/12/10, item 16)
Council completed most of its review of Open Space Committee 2 recommendations however there were some items that were slated to return to Council for further deliberation and decision; and a citizen request item was received in December that also requires Council review
Recommended action: Decide on the recommendations and citizen request, determine which, if any, to forward to the Park, Recreation and Open Space Committee for inclusion in the draft Park Master Plan
Public comment:

Pat Miller stated she supports continuing this item to the next regular meeting.

Following further discussion on the matter, a motion was made to continue to February 9, 2010. On motion by Councilmember Scherer, seconded by Councilmember Morillas and passed by voice vote.

2. **Downtown and Freeway Signs** (Continued from 1/12/10, item 18)
Decide if downtown and freeway signs are needed.
Recommendation: Hear Councilmember Ucovich's ideas on downtown and freeway signs and give direction as to how Council wishes to proceed
Public comment:

No public comment.

Following further discussion on the matter, a motion was made to continue to February 9, 2010. On motion by Councilmember Scherer, seconded by Councilmember Morillas and passed by voice vote.

ADJOURNMENT

A motion was made to adjourn at 12:20 p.m. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by voice vote.

Mayor

Town Clerk



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

TUESDAY

NOVEMBER 3, 2009

6:30 P.M.

CALL TO ORDER Call to order by Mayor Scherer at 6:35 p.m.

ROLL CALL

Present:

Mayor Scherer
Councilmember Kelley
Councilmember Liss
Councilmember Morillas
Councilmember Ucovich

Absent: None

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.

Bert Braun, representing Cowboy Gathering, thanked Council for supporting them and presented a small replica of the street banners to be hung at Town Hall.

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 approve the Consent Agenda. On motion by Councilmember Liss, seconded by Councilmember Ucovich and passed by voice vote.

CONSENT AGENDA

RECOMMENDED ACTION

1. A Resolution Of The Town Council Of The Town Of Loomis Approving The Form of and Authorizing the Execution and Delivery of a Purchase And Sale Agreement and Related Documents With Respect To The Sale Of The Seller's Proposition 1A Receivable From the State; And Directing And Authorizing Certain Other Actions In Connection Therewith

ADOPT RESOLUTION
Resolution 09-35

BUSINESS

2. **Medical Marijuana Dispensaries**

The Council is asked to consider whether to allow medical marijuana dispensaries in the Town

Recommended action: Discuss and determine how Council wishes to proceed

Public comment:

Captain Dave Harris, Placer County Sheriff's Department, answered questions and stated the following:

- they would not be in favor of having it near a school, school bus stops, residential areas, etc.
- they are not in favor of having a medical marijuana dispensary in Loomis
- with the proximity of Loomis to the Sacramento Valley region, it will probably create a different environment here than in Colfax
- there appears to be a rise of marijuana in sales and use in the high school
- recently a seventeen year old was arrested on the high school grounds
- dispensaries have been going since 2003 and what they are starting to find in other areas is that there is an increase in crime
- some of the types of crimes that are increasing is: burglaries, usually of the dispensary itself and of the homes of the designated growers and owners of the dispensaries; robberies of the dispensaries; home invasions and murders associated with the dispensaries, staff and the

designated growers

- the dispensaries become high value targets, the criminal element knows that there is large amounts of cash and product
- in the Bay Area there has been a report of increase in sales at the high school level and complaints from communities
- some of the complaints are: public marijuana smoking around the dispensaries and nearby parks; increase marijuana dealer arrests and accidents; dispensaries selling to those without doctors recommendations; other illegal drugs sold at dispensaries; dispensaries attracting criminals from outside the area; it's difficult for dispensaries to come up with enough product in a legal way so dispensaries are getting marijuana from illicit dealers; increase in minors becoming involved in illicit marijuana use; adjacent businesses losing revenue due to perceptions of increase crime and decrease safety; street level dealers selling to medical marijuana clients at lower prices than the dispensaries; sharing of medical marijuana outside of the dispensary premises; selling medical marijuana to minors inside of the dispensary; and re-selling of marijuana to minors and others
- complaints with grow houses in the neighborhoods: smell, environment that is created to grow marijuana indoors (molds) is a concern for children being in those homes

Jo Carol Arisman, 5150 Rachel Lane, stated the following:

- she moved from Meadowview in South Sacramento where she saw people killed in the middle of the street while walking her dogs (all drug related)
- kids that lived two doors from her shot and killed an ice cream dispenser man (they were using drugs)
- her house was shot at and police would not come at night because their cars were targets
- we need to protect our community
- she would hate to see the same thing happen here that happened in South Sacramento
- she is opposed to letting this get started in Loomis,

Mike Edwards, Loomis Union School District Board President, stated the following:

- asked Council to think about the type of message this is sending to our children
- the children need to know that this is not okay
- we are seeing increased levels of marijuana usage in the schools
- last month in the elementary schools they had their first incident of a student bringing marijuana on to campus
- asked Council to unanimously prohibit medical marijuana dispensaries in our community

Eric Petersen, 2020 Shady Trail Lane in Rocklin, stated the following:

- urged Council to pass an ordinance that would allow medical marijuana dispensaries
- the dispensaries are regulated and controlled
- access to them is under specific guidelines established by State law
- Placer County Department of Vital Statistics (Health Department) issues the medical marijuana cards with a doctor's recommendation
- this is an opportunity for the Town to set a standard for a properly regulated and authorized medical marijuana dispensary

John Bevel, 6120 Rachel Lane, stated the following:

- he lives between Del Oro High School and Loomis Elementary and questions the message we are sending to our kids if we approve this
- asked Council not to ignore the Sheriff's comments
- we need to keep the small town environment and not allow medical marijuana dispensaries as an option in our community

Vic Markey, 3254 Taylor Road, stated the following:

- the proponents of this dispensary are from Colfax and Rocklin
- we cannot allow this kind of element in our Town that we have no control over
- he is completely against this, it is a moral issue and we need to protect the children of Loomis

Jeremy Sutter, Orchard Park Court, stated the following:

- is this the message we want to send to our children
- we don't have the resources to regulate something like this
- let the bigger cities that have the resources regulate them
- we don't want something like this taking control of our Town

Robert Dearwester, from Colfax, stated the following:

- State law states that tax must be paid on all medical cannabis transactions (SB 420 and Prop 216)
- Placer County Health services implemented the medical marijuana program in January of 2008, the cost is \$125 and the County profits from the sale of the card
- on October 19, 2009 the United States Attorney General, Eric Holder, directed prosecutors to back away from pursuing cases against marijuana patients, care givers, and collectives
- Colfax is a model to look at in our County
- they don't always cause crime and increase in activity
- he contacted the Placer County Sheriff's Department, Crime Analysis Division, and they said that the Colfax Collective has had zero phone calls over the last five years
- the dispensary produces tax revenue every quarter
- in most cases the presence of a Collective reduces crime in an area due to added security
- last year the City of Colfax reduced their Sheriff's staff by one deputy
- the political climate today has changed, the Loomis residents and business owners that he spoke with support a patient's right to purchase medical cannabis in the Town of Loomis

Following further discussion on the matter, a motion was made to prohibit use and directed staff to draft the changes to the ordinance to reflect that. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and following was discussion on the motion:

Councilmember Ucovich stated the following:

- marijuana is available within a reasonable distance
- our youth are influenced and impressionable and it is important we give a clear message to them

Councilmember Morillas stated the following:

- this is something that we do not need to encourage at the schools
- she is concerned about our youth

Councilmember Kelley stated the following:

- we recognize that there may be a need for medical marijuana
- you can buy medical marijuana anywhere else but you should never be able to buy it in Loomis
- that message needs to be clear
- within a 1000 feet or less of a Loomis grammar school is a grower that threatened him because he was in fear that the dust that Russ was generating would affect his marijuana plant, this gentleman was very hostile
- we need to take action to make sure that we zone appropriately so that medical marijuana is not grown close to a school or in a neighborhood

Councilmember Liss stated the following:

- over the last couple of months the Council have been talking with residents and the businesses
- he appreciates the Loomis News front page article last week that helped to get the public out
- as a community we needed to evaluate whether this was right for Loomis
- he knows in many cases where the use of medical marijuana has been the only alternative that have met their needs
- he read the 56 page White Paper report on marijuana dispensaries from the Sheriff's Department and some of the testimonies here tonight are persuasive
- there are 30 dispensaries in Sacramento County (about 30 or 40 minutes away)
- the messages we heard tonight is that we don't want increase in crime, sanction drug use, and send the wrong message to our kids
- he will support the motion tonight

Mayor Scherer stated the following:

- there are legitimate uses for medical marijuana in treatments for serious illnesses
- if this becomes available through prescriptive medicine venues then we will be able to buy this at the drug store
- he is not comfortable with the current method of buying medical marijuana through dispensaries

Passed by the following roll call vote:

Ayes: Kelley, Liss, Morillas, Scherer, Ucovich

Noes: None

Absent: None

ADJOURNMENT

Mayor Scherer stated there was no further business and adjourned at 8:46 p.m.

Mayor

Town Clerk



TOWN OF LOOMIS
AGENDA
SPECIAL MEETING
LOOMIS TOWN COUNCIL AND
PARK, RECREATION AND OPEN SPACE COMMITTEE
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD
4495 SE Circle Way, Stuart, Florida 34997
LOOMIS, CA 95650

TUESDAY

MAY 26, 2009

6:00 P.M.

CALL TO ORDER

Call to order by Mayor Scherer at 6:10 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

COUNCIL:

Present:

Mayor Scherer
Councilmember Liss
Councilmember Morillas
Councilmember Ucovich

PARK, RECREATION AND OPEN SPACE COMMITTEE:

Vicky Bartish
Sandra Calvert
Jennifer Knisley
Victor Markey
Kathryn Seers
Dan Tokutomi

Nancy Beck
Paulette Emert
Steve Linthicum
Pat Miller
Tom Seth

Absent: Councilmember Kelley

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.

BUSINESS

- Park, Recreation and Open Space Master Plan Update**
Joint session to select consultant for Park, Recreation and Open Space Master Plan Update
Recommended action: Approve a consultant
Public comment:

Keith Gurnee, Principal-in-Charge with RRM Design Group, expounded on their role, scope of work they have done and answered questions.

Ann Baker, Project Manager with RRM Design Group, presented a brief outline of their proposal for updating the Park, Recreation and Open Space Master Plan and answered questions.

Kim Fettke, 4940 King Road, stated that she is impressed with their experience, presentation and what they will be able to accomplish.

Roger Smith, 6755 Wells Avenue, stated the following:

- he heard that creek/waterways are grant friendly
- he didn't hear an emphasis on getting grants
- questioned experience in out-reach with general public

Irene Smith, 6755 Wells Avenue, pointed out that they have already spent a lot of hours on this and we need to start doing something.

Recess at 6:58 p.m. to 7:12 p.m.

Cathy Spence-Wells, Principal Planner with North Fork Associates, gave an overview of what they do and answered questions.

Katherine Waugh, Senior Planner with North Fork Associates, expounded on examples of what they have done and answered questions.

Roger Smith questioned if they would be willing to work with land owners on tax advantages for conservation easements.

Following further discussion on the matter, a motion was made to select RRM Design Group and to direct staff to work with the PROSC sub-committee (Vic Markey, Tom Seth, Jennifer Knisley and Polly Emert) on defining the scope of work. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by the following roll call vote:

Ayes: Liss, Morillas, Scherer, Ucovich

Noes: None

Absent: Kelley

ADJOURNMENT Mayor Scherer stated there was no further business and adjourned at 8:25 p.m.

Walt Scherer, Mayor

Crickett Strock, Town Clerk