



TOWN OF LOOMIS
ACTION MINUTES
ADJOURNED REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650
www.loomis.ca.gov

THURSDAY

MARCH 10, 2011

7:30 P.M.

CALL TO ORDER Call to order by Mayor Morillas at 7:31 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Morillas
Councilmember Calvert
Councilmember Liss
Councilmember Scherer
Councilmember Ucovich

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Scherer stated he just finished his last chemo therapy session and thanked the community for their support they provided over this past year.

Councilmember Ucovich stated the following:

- they saw the Del Oro girls basketball team play at Arco in the Sections, it was a great game, and hopefully they will get to the Nor Cal Finals
- Homewood Lumber is starting to put the roofs on the sides of the building, it looks really nice, you can see the architectural features

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.

Sonja Cupler, 5630 Tudor Way, stated the following:

- it has come to her attention that some of the Council communicate with the public, whether it's a blog or emails
- some people in the community receive those emails and some do not
- she asked the Town to find a way to communicate with the whole community through the Town staff and that communication be made available to anyone that requests it

ADOPTION OF AGENDA: Council will typically adopt the agenda **in the order listed or modify the order** in a way that can best accommodate the time of people in attendance who wish to speak on particular items.

A motion was made to adopt the Agenda. On motion by Councilmember Ucovich, seconded by Councilmember Calvert and passed by voice vote (5/0).

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.

The hi-lighted items were already discussed at the March 8, 2011 Council Meeting.

CONSENT AGENDA		RECOMMENDED ACTION
1.	Council Minutes – 2/8/11 8/5/10 With Councilmember Calvert abstaining	APPROVE APPROVE
2.	Monthly Check Register – February	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.	Select Rocklin Development Projects Update	RECEIVE AND FILE
7.	2010/11 Goals Update	RECEIVE AND FILE
8.	Proclamation 2011 Year Of The Tree In Loomis	APPROVE
9.	Cal Recycle AB 939 Compliance Report	RECEIVE AND FILE
10.	Request For Donations – Military Honor Dance	APPROVE
11.	A Resolution Of The Council Of The Town Of Loomis Approving The Master Resolution to Allow The Town Manager To Enter Into Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements, Miscellaneous Authorizations, Certifications and Amendments With The California Department Of Transportation (Caltrans) To Receive State And Federal Funding	ADOPT RESOLUTION
12.	A Resolution Of The Council Of The Town Of Loomis Accepting The King Road Overlay Project Improvements Provided By Delta Construction Company, Inc.	ADOPT RESOLUTION
13.	Grant Submittal Form-Based Code For Northerly Town Center Area (Vacant and Underdeveloped Lands Behind Raley's)	APPROVE

CONSENT ITEMS FORWARDED

BUSINESS

14. **Greenhouse Gas Emissions Inventory**
 Chrissy Prestella of the Sierra Business Council will give a presentation on a greenhouse Gas emissions inventory that was conducted in Loomis
Recommended action: Discuss and give direction to staff if needed.
Public comment:

15. **Content Creation and Distribution Expo**
 Peter Oaks, resident of Loomis, asks for time to discuss a project that he is organizing for

September 16 and 17, 2010 in Loomis

Recommended action: Hear presentation, discuss and give direction

Public comment:

16. **Summer Swim 2011**

The Town became involved in the summer Swim Program in 2009 at the urging of a Loomis Resident, who was able to devote considerable time and effort in the program but there does not appear to be adult volunteers to do a summer swim program in 2011.

Recommended action: Forego the 2011 summer swim program

Public comment:

17. **Term Limits Review and Follow-Up**

Council may have need for further review and follow-up on term limit matters

Recommended action: Discuss and give direction

Public comment:

Perry Beck, Town Manager, stated that Senator Gain's office said that the letter to the Attorney General was mailed Tuesday or Wednesday and he will follow-up to see when it was received.

Sonja Cupler stated the following:

- last month she requested that Councilmembers Scherer and Ucovich not vote or make any appointments while this is being figured out with the Attorney General's office
- she did that in an attempt to have accountability in the Council
- it was said by Councilmember Liss that the request was not worth the paper that it was printed on
- it was mockery of the Town when the Council voted in January 2010 to not do the will of the people and to not put this on the June 2010 Ballot
- they voted to put it on the November 2010 ballot, which caused the problem of the August 1st effective date
- in the January meeting Council said they didn't want to spend \$12,000 on a special election but now they have spent close to 3 times that much money to battle this in court

Debbie Shores, 9291 Tanglewood Way, stated the following:

- she agrees with Ms. Cupler, too much money has been spent on an issue that people have voted on
- Councilmembers Scherer and Ucovich should recuse themselves from any votes or appointments

Bill Branch, 6605 Wells Avenue, stated the following:

- putting it on the June ballot would not have solved the illegality of Measure A because it was not just a question of the August 1st date, the bigger problem was that it counted past the terms of office
- it has been said by attorneys that it is illegal to remove people from office, there is only one legal way, and that is a quo warranto lawsuit
- forbidding members of this Council, from fulfilling their obligations of their office would be illegal and not the way government operates
- Measure A supporters did not consult a lawyer and did not realize that Measure A wouldn't take effect until 10 days after the newly elected people were sworn into office, they had to be installed, you cannot then retro-actively remove them

Pat Miller, 4395 Gold Trail Way, stated the following:

- Measure A passed and Miguel Ucovich and Walt Scherer were re-elected (by the will of the people)
- she voted for them and would demand that they carry out their duties and represent this Town by serving the people who did vote for them

Council received the information and no direction was given.

18. **Draft Blue Goose Facility Lease Agreement**

A blue Goose facility use and lease agreement could address certain changes that the South Placer Heritage Foundation would favor, like extending the lease term, and things the Town would favor like how development fees will be paid and Town use of the Blue Goose Shed.

Recommended action: Discuss and give direction

Public comment:

No public comment.

Council discussed the following:

- flexibility on our uses, to be able to use the Blue Goose facility for whatever the Town wants
- clarify if the uses, 4 times a year, will be offsetting the development fees, then we should be able to use it for whatever the Town wants
- we need a town policy for future use regarding giving away the use of the Blue Goose, it should be something that benefits the community as a whole

following further discussion on the matter, Council directed staff to continue negotiations with the Foundation and clarify the fees, flexibility and use of the Blue Goose facility.

19. **Committee Appointments**

Council is requested to complete appointments to the Park, Recreation and Open Space Committee

Recommended action: Ratify the appointments

Public comment:

20. **Soliciting Proposals For Town Attorney Services**

Council has expressed a desire to solicit proposals on services that the Town provides one such being Town Attorney Services

Recommended action: Authorize soliciting

Public comment:

Jo-Carol Arisman, 6160 Rachel Lane, suggested noticing in the Daily Journal for Attorneys published in Sacramento, then it will get to all the attorneys.

Sonja Cupler asked how much we are currently paying for Town Attorney services?

Perry Beck stated that his base yearly amount is \$68,250 and there could be additional fees for special legal services which can bring it up to \$70,000 to \$80,000.

Following further discussion on the matter, a motion was made to authorize soliciting for qualifications for Town Attorney services and notice in the Daily Journal. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by voice vote (5/0).

21. **Development Review Policy** (Continued from 2/8/11)

Councilmember Liss asks that the Council adopt a policy concerning development review by elected and appointed officials

Recommended action: Approve resolution adopting a policy concerning development review.

Public comment:

Jo-Carol Arisman asked why this is needed, will this be an open meeting, what is the intent and asked to be educated on this?

Councilmember Liss stated the following:

- the intent is that it will be an open and noticed meeting that follows the Brown Act
- this will eliminate the confusion of whether it is proper or not to meet with developers
- this policy will go beyond the letter of the law to the spirit of the law to have everything done at an open meeting
- this would be for any major development that would require Planning Commission or Council approvals

Mayor Morillas stated that we don't need to micro-manage every little thing.

Councilmember Scherer noted that this prohibits Council and Planning Commissioners from meeting with developers to discuss their projects outside of public meetings.

Following further discussion on the matter, a motion was made to adopt Resolution 11-05, approving a development review policy with the amendment to add "this will apply to the review process for development projects as found in the Town Zoning Code at Section 13.60.03 Table 6-1." On motion by Councilmember Calvert, seconded by Councilmember Liss and passed by voice vote with Mayor Morillas and Councilmember Ucovich voting no (3/2).

22. **Development Project Processing** (Continued from 2/8/11)

Councilmember Ucovich asks that the Council consider how development projects are processed

Recommended action: Discuss and give direction

Public comment:

Councilmember Ucovich stated that this request came from Tom Seth for clarification on project processing.

Tom Seth, Mareta Lane, stated the following:

- in the past the Open Space Committee (OSC) did things that were not authorized by Council, such as the green sheets
- what is the Park, Recreation and Open Space Committee's (PROSC) liberty, what general things can they take on

Perry Beck, Town Manager, stated the following:

- within the resolution of the PROS Committee, just about anything can be referred to them for recommendation
- there is a method but we really haven't had a great deal going on

Councilmember Calvert stated the following:

- the recreational activities that PROSC performs (such as Earth Day) is in the budget and is very clear
- she likes the idea of scoping out for the new committee members

Councilmember Scherer stated that the Council approves their annual work plan and it doesn't need to be brought to the Council again unless there is a problem.

Councilmember Liss stated the following:

- he would like to have a motion that addresses major projects where decisions are to be made by Planning Commission or Council to have a scoping meeting workshop before the application for the project is deemed complete
- people talk with the staff but they don't talk with the Council or the community before they spend all their time and money

Perry Beck stated the following:

- there is a legal issue here
- a person is entitled to submit an application and the Town entitled to review that application
- there are laws governing how a project is deemed complete
- he would like to talk to the attorney about this and understand how this can be made to work.

Councilmember Scherer stated that we have done it in the past as an option, not a requirement.

Councilmember Ucovich stated the following:

- he agrees with Councilmember Liss, a developer may spend a ton of money before he finds out that is not what the people want
- they should have a public meeting first, so it can be seen and talked about

Mayor Morillas stated the following:

- why go through the process if the community doesn't want it
- first the developer should have a community meeting not a workshop

Following further discussion on the matter, Council agreed that a developer should have a community meeting first, before a major project is brought in.

23. Loomis and Rocklin Council Meeting

Councilmember Scherer asked that Council consider hosting a dinner for the Rocklin City Council

Recommended action: Discuss and give direction

Public comment:

Councilmember Scherer stated the following:

- we are trying to re-shape the dynamics of our relationship with Rocklin
- he suggested getting together with Rocklin's new manager and Council and find the things that we can work together positively on
- maybe having the historical society from both cities come and discuss the historical Highway 40 and talk about things they have in common

Jo-Carol Arisman, 6160 Rachel Lane, asked how many people will be coming and is there a budget for this?

Councilmember Calvert stated that we should extend the olive branch and invite them over and hi-light the film expo.

Councilmember Liss suggested having a low cost meal because it is not about the food, it is about the discussion and relationship building.

Councilmember Ucovich suggested everyone giving \$20 for pizza.

Following further discussion on the matter, a motion was made to meet in May or June and Council will pay for the meal. On motion by Councilmember Liss, seconded by Councilmember Ucovich and passed by voice vote (5/0).

Recess at 9:04 p.m. to 9:14 p.m.

24. Goal Workshop Follow-Up

Council is asked to consider Goal 5 Sustainability Initiatives and some proposed budget items for 2011 to complete the goal review that was started at the 2/19/11 workshop

Recommended action: Discuss and confirm goal 5 and clarify tasks under that goal if needed; and confirm proposed budget items as presented or as Council may edit

Goals A & B

Nancy Beck, 6304 David Avenue, said she called Recology about the blue bags and their uses and the woman that spoke didn't know what can be recycled other than paper.

Following further discussion on the matter, Council agreed to combine Goals A and B, "Pilot Super Recycler Service" and "Improve Blue Bag Program."

Goal C

No public comment.

Following further discussion on the matter, Council agreed to "delete lawn area next to the Train Depot, as it's on a slope, which wastes water and is of little practical use."

Goals D & I

No public comment.

Following further discussion on the matter, Council agreed to combine Goals D and I, "Cal-Green Building Code" and "Educational Forums."

Goals E & J

No public comment.

Following further discussion on the matter, Council agreed to combine Goals E & J, "Green Business & Economic Development Programs," and "Placer County Green Business Program."

Goal F

Jo-Carol Arisman stated that PG& E is allowing people to opt out of their smart meters.

Following further discussion on the matter, Council agreed to add "to residential and non residential customers."

Goal G

No public comment.

Following further discussion on the matter, Council agreed that the lights at Del Oro Football Stadium are off when the field is not being used.

Goal H

No public comment.

Following further discussion on the matter, Council agreed to add "remove landscape chemical use in park."

Tom Seth, Mareta Lane, recommended inventorying the "Villages and Market Place" properties.

Pat Miller, 4395 Gold Trail Way, stated she supports enforcement of open space violations.

Nancy Beck agrees with Pat Miller because we need to protect our open space.

Councilmember Scherer suggested having an informational item on an agenda explaining the current enforcement process.

25. Downtown Park Next Features

Council is asked to identify the next features to include in the Downtown Park

Recommended action: Discuss and give direction

Public comment:

26. Heritage Park Subdivision Planning

Council is asked to make a decision on what to do with the Heritage Park Subdivision land that is owned by the Town

Recommended action: Discuss and give direction

Public comment:

Pat Miller stated that she would like Heritage Park Subdivision to be a park on the entire site and suggested doing nothing right now.

Tom Seth suggested doing nothing now and send it to the PROS committee.

Nancy Beck suggested doing nothing now.

Jo-Carol stated she was in favor of developing the property to residential for more tax base.

Following further discussion on the matter, a motion was made to do nothing until next year but send it back to the PROS committee to review. On motion by Councilmember Scherer, seconded by Councilmember Calvert and passed by voice vote with Councilmember Liss voting no (4/1).

COMMITTEE REPORTS

- 27. Placer County Community Services Commission - Calvert
- 28. Placer County Economic Development Commission – Liss
- 29. Placer County Flood Control/Water Conservation District – Morillas
- 30. Placer County Transportation Planning Agency – Ucovich
- 31. Placer County Mosquito Abatement – Kelley as citizen rep
- 32. Placer County Air Pollution Control District – Ucovich/Morillas

33. Local Agency Formation Commission (alternate) - Ucovich
34. Sacramento Area Council of Governments – Scherer/Liss
35. Placer Land Trust ex-officio representative – Scherer
36. Borders Committee – Morillas/Liss
37. Business Committee – Morillas/Calvert

ADJOURNMENT Mayor Morillas stated there was no further business and adjourned at 10:38 p.m.

Mayor

Town Clerk



TOWN OF LOOMIS

ACTION MINUTES SPECIAL MEETING OF LOOMIS TOWN COUNCIL LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650
www.loomis.ca.gov

THURSDAY	MARCH 10, 2011	5:30 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 special meeting.		
a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9. One case.		
b. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE.		
THURSDAY	MARCH 10, 2011	6:10 P.M.

CALL TO ORDER

Call to order by Mayor Morillas at 5:35 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Morillas
Councilmember Calvert
Councilmember Liss
Councilmember Scherer
Councilmember Ucovich

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

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

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.

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.

BUSINESS

1. **Contract for Legal Services**

Consideration of contract for legal services with Kronick, Moskovitz, Tiedemann & Girard.

Recommended action: Discuss and authorize approval of contract.

Public comment:

No public comment.

Following further discussion on the matter, Council directed staff to keep the temporary contract with Kronick, Moskovitz, Tiedemann & Girard and continue this item to the April 12, 2011 Council meeting.

ADJOURNMENT Mayor Morillas stated there was no further business and adjourned at 6:32 p.m.

Mayor

Town Clerk



TOWN OF LOOMIS

ACTION MINUTES REGULAR MEETING OF LOOMIS TOWN COUNCIL LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

www.loomis.ca.gov

TUESDAY	MARCH 8, 2011	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 (b 2) of Section 54956.9 of the Government Code: One potential case		
TUESDAY	MARCH 8, 2011	7:30 P.M.

CALL TO ORDER

Call to order by Mayor Morillas at 7:38 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Morillas
Councilmember Calvert
Councilmember Liss
Councilmember Scherer
Councilmember Ucovich

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

a. No action taken.

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Liss stated the following:

- asked if the affordable housing policy can be put on a future agenda
- request that we refer to the Planning Commission to focus on what are the Town's needs for affordable housing, as opposed to County wide needs
- looking for the Planning Commission to give some insight for Council to adopt a policy
- refer green sheet on the priory as part of the discussion on the review process later in the agenda
- regarding the recycling pilot program, about 80% of the people that are calling are subscribing for the new recycling pilot program
- people are able to save more than 40% of their quarterly garbage bill by getting the package that was worked out with Recology

Perry Beck, Town Manager, pointed out that the priory is not a project yet.

Councilmember Ucovich asked to have on the next agenda, "how we are going to determine saving any material going into the landfill."

Mr. Beck stated that there is going to be an analysis done on the pilot program probably in May, so they can let it run for about 3 months, then we can bring it back after that.

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.

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Jason Adams, 3966 Howard Lane, stated the following:

- they moved on Howard Lane last May and one of the selling points was that they had protected land behind them
- two weeks ago his neighbor started cutting down the shrubs and burning
- they proceeded to take back about 35 yards in one direction then 35 yards in the other direction
- the damage has been done but he wanted to alert the Council for future homeowners
- he would like to see some follow-up, it would be nice to make a statement and tell General Contractors what they can and cannot do

Mr. Beck pointed out that this is currently going through a code enforcement process and there is a hearing scheduled on March 17th.

Nancy Beck, 6304 David Avenue, stated the following:

- she is here to support these neighbors
- she went out and walked it, everything was removed, she hoped the Army Core of Engineers were called
- this was a developer that knew this was the Town's property and still trespassed and destroyed the shrubs

Mr. Beck pointed out that the Army Core of Engineers were contacted and they indicated that if the Town proceeds with a re-mediation plan then that is something that they will be looking at.

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, moving items 19 and 25 forward first under business. On motion by Councilmember Scherer, seconded by Councilmember Calvert 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 3, 7, 10 and 13. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by voice vote.

CONSENT AGENDA

RECOMMENDED ACTION

1.	Council Minutes – 2/8/11 8/5/10 With Councilmember Calvert abstaining	<i>APPROVE</i> <i>APPROVE</i>
2.	Monthly Check Register – February	<i>RECEIVE AND FILE</i>
4.	Treasurer's Report	<i>RECEIVE AND FILE</i>
5.	Planning Status Report	<i>RECEIVE AND FILE</i>
6.	Select Rocklin Development Projects Update	<i>RECEIVE AND FILE</i>
8.	Proclamation 2011 Year Of The Tree In Loomis	<i>APPROVE</i>
9.	Cal Recycle AB 939 Compliance Report	<i>RECEIVE AND FILE</i>
11.	A Resolution Of The Council Of The Town Of Loomis Approving The Master Resolution to Allow The Town Manager To Enter Into Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements, Miscellaneous Authorizations, Certifications and Amendments With The California Department Of Transportation (Caltrans) To Receive State And Federal Funding	<i>ADOPT RESOLUTION</i> Resolution 11-03
12.	A Resolution Of The Council Of The Town Of Loomis	<i>ADOPT RESOLUTION</i>

CONSENT ITEMS FORWARDED

3. Statement of Activity

RECEIVE AND FILE

John Ireland, 3777 Bankhead Road, pointed out an error on page 2, item 3.

Roger Carroll, Finance Director, pointed out that it was a mistake, it just wasn't carried over.

Councilmember Liss pointed out that revenues are down by \$300,000 and expenses are down by almost \$600,000.

7. 2010/11 Goals Update

RECEIVE AND FILE

10. Request For Donations – Military Honor Dance

APPROVE

Mr. Beck noted the following for items 7 and 10:

- it's not necessary to make a specific deduction from reserves
- in Item 7, page 9, in the section "Chamber and Economic Development", we haven't spent \$7,816, we can get the \$500 from within there
- he asked that Council approve funding of \$500 from "Chamber and Economic Development" for the Military Honor Dance

No public comment.

Following further discussion on the matter, a motion was made to approve \$500 for the Military Honor Dance with funding from "Chamber and Economic Development." On motion by Councilmember Scherer, seconded by Councilmember Liss and passed by voice vote (5/0).

13. Grant Submittal Form-Based Code For Northerly Town Center
Area (Vacant and Underdeveloped Lands Behind Raley's)

APPROVE

Councilmember Ucovich stated the following:

- the form-based code allocates half of a planners time
- if we happen to have more work in Town then this could obligate the Town to hire a half-time planner
- he does not agree on applying for this grant at this time

No public comment.

Following further discussion on the matter, a motion was made to approve the grant submittal Form-Based Code for Northerly Town Center Area. On motion by Councilmember Scherer, seconded by Councilmember Calvert and passed by voice vote, with Councilmember Ucovich voting no (4/1).

At this time Council discussed item 19.

BUSINESS

14. Greenhouse Gas Emissions Inventory

Chrissy Prestella of the Sierra Business Council will give a presentation on a greenhouse Gas emissions inventory that was conducted in Loomis

Recommended action: Discuss and give direction to staff if needed.

Public comment:

Council discussed this item after item 25.

Chrissy Prestella (Program Manager for the Sierra Business Council) and Katherine Straus (Green Communities Intern) gave a presentation on greenhouse gas emissions inventory and answered questions.

Dave Bond, with Pacific, Gas and Electric Company, discussed the programs they have for energy efficiency and answered questions.

Jo Carol Arisman, 6160 Rachel Lane, asked if they took into account the diesel and refrigerated trucks that go up and down Interstate 80 and are we being charged for it?

Ms. Prestella stated that would be covered within the community wide inventory.

Ed Summers, 3400 Sierra College Boulevard, questioned how green house gases are made and how are they calculated.

Ms. Prestella stated the following:

- green house gas emissions result from any type of energy usage such as electricity that we use, the fuel we burn in our vehicles, air conditioners, etc.
- they use different averages from waste management, etc.

Following further discussion on the matter a motion was made to participate in the next phase. On motion by Councilmember Liss, seconded by Councilmember Scherer and passed by voice vote (5/0).

Recess at 9:15 p.m. to 9:25 p.m.

At this time Council discussed item 16.

15. **Content Creation and Distribution Expo**

Peter Oaks, resident of Loomis, asks for time to discuss a project that he is organizing for September 16 and 17, 2010 in Loomis

Recommended action: Hear presentation, discuss and give direction

Public comment:

Council discussed this item after item 15.

Peter Oakes, Pacific Crest Media, and Dan McBride, 5951 Craig Court, gave an update on the following:

- in the last month they have been to the headquarters of Google, Youtube, and talked with the directors of Adobe and Intel
- they have talked with major companies, movie stars, and big music groups
- the world is changing in terms of media and how people are receiving their content
- this Expo will be about how to create content and how you deliver that content to people who want to watch it
- their focus is on bringing in panels with people that are at the very top of the industry
- they will be broadcasting it worldwide by selling the paid preview event online
- the panels (25) should generate enough revenue to fund the entire show, not counting the booths, etc.
- their goal is to be able to take a percentage of all the revenues and give to designated charities
- they plan on putting on a stunt show
- they are working with the County on the shuttle service and plan on having offsite parking
- he asked to be on the May agenda to give the Council another update

No public comment.

16. **Summer Swim 2011**

The Town became involved in the summer Swim Program in 2009 at the urging of a Loomis Resident, who was able to devote considerable time and effort in the program but there does not appear to be adult volunteers to do a summer swim program in 2011.

Recommended action: Forego the 2011 summer swim program

Public comment:

This item was discussed after item 14.

Joyia Emerd, 7622 Horseshoe Bar Road, stated the following:

- teaching kids how to swim is near and dear to her heart
- her kids were in lessons when they were infants because she had a terrible fear of one of her children drowning
- a few years ago she wrote a story on being safe around water
- the Drowning Prevention Foundation reported drowning is the leading cause of accidental death in children under the age of five in California and the second leading killer of youngsters nationwide
- Daneen Swenson was going to implement a Mommy and Me class this year with infants, this gives parents tools to use to work with their toddlers to make them more water safe
- it's a great community service and gives kids some exercise

Daneen Swenson, 5900 Horseshoe Bar Road, stated the following:

- asked Council if they can approve at least four weeks of swim this summer
- they have cut it down from last year, proposing only four lifeguards (one being a manager)
- there is really only five good weeks to have the program this year, suggested leaving out one week of open swim
- cut down from four to three sessions per day
- also cutting it to four days a week and not have open Friday
- they have volunteers that are willing to donate their time

Jennifer Knisley, 4135 Hunters Drive, stated the following:

- we would like to keep the lessons at \$55, she called Lincoln and a couple of other places and that seems to be the average rate
- we can charge \$65 for non-resident
- if they get approved they would start immediately to hire
- flyers will go out in April
- they will have three lifeguards working 22 hours and they would like to have a job description given to the head lifeguard

Pat Brechtal, 3330 Spence Road, stated the following:

- he strongly urged Council to have a little more open swim
- not everyone wants the lessons but there is a lot of interest in coming down to the pool just to go swimming

Mr. Beck pointed out that on page 9, item 7, there is some extra money in the Chamber and Economic Development area that we can tap into without having to make a special appropriation from reserves.

Following further discussion on the matter, a motion was made to approve the summer swim program with an amendment to look into adding additional open swim, capping the budget to \$4000, and see what they can do with that. On motion by Councilmember Calvert, seconded by Councilmember Scherer and passed by voice vote.

At this time Council discussed item 15.

17. **Term Limits Review and Follow-Up**

Council may have need for further review and follow-up on term limit matters

Recommended action: Discuss and give direction

Public comment:

Continued to March 10, 2011.

18. **Draft Blue Goose Facility Lease Agreement**

A blue Goose facility use and lease agreement could address certain changes that the South Placer Heritage Foundation would favor, like extending the lease term, and things the Town would favor like how development fees will be paid and Town use of the Blue Goose Shed.

Recommended action: Discuss and give direction

Public comment:

Continued to March 10, 2011.

19. **Committee Appointments**

Council is requested to complete appointments to the Park, Recreation and Open Space Committee

Recommended action: Ratify the appointments

Public comment:

Council discussed this item after item 13.

No public comment.

Councilmember Calvert appointed Larry DuBois to the Park, Recreation and Open Space Committee.

Councilmember Scherer introduced and appointed Hayley Corbin to the Park, Recreation and Open Space Committee.

Hayley Corbin, Del Oro student, stated that it is important that the youth get involved.

Following further discussion on the matter, a motion was made to accept Larry DuBois and Hayley Corbin on the Park, Recreation and Open Space Committee. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by voice vote.

At this time Council discussed item 25.

20. **Soliciting Proposals For Town Attorney Services**

Council has expressed a desire to solicit proposals on services that the Town provides one such being Town Attorney Services

Recommended action; Authorize soliciting

Public comment:

Continued to March 10, 2011.

21. **Development Review Policy** (Continued from 2/8/11)

Councilmember Liss asks that the Council adopt a policy concerning development review by elected and appointed officials

Recommended action: Approve resolution adopting a policy concerning development review.

Public comment:

Continued to March 10, 2011.

22. **Development Project Processing** (Continued from 2/8/11)

Councilmember Ucovich asks that the Council consider how development projects are processed

Recommended action: Discuss and give direction

Public comment:

Continued to March 10, 2011.

23. **Loomis and Rocklin Council Meeting**

Councilmember Scherer asked that Council consider hosting a dinner for the Rocklin City Council

Recommended action: Discuss and give direction

Public comment:

Continued to March 10, 2011.

24. **Goal Workshop Follow-Up**

Council is asked to consider Goal 5 Sustainability Initiatives and some proposed budget items for 2011 to complete the goal review that was started at the 2/19/11 workshop

Recommended action: Discuss and confirm goal 5 and clarify tasks under that goal if needed; and confirm proposed budget items as presented or as Council may edit

Continued to March 10, 2011.

25. **Downtown Park Next Features**

Council is asked to identify the next features to include in the Downtown Park

Recommended action: Discuss and give direction

Public comment:

Council discussed this item after item 19.

Mr. Beck pointed out that an email was received today from Brad Suchomel supporting construction of a water feature instead of a skate structure.

Staci Johnson, 5805 Craig Street, stated the following:

- she was excited when she learned a water feature was going to be part of the park
- she is not here to speak against the skate park
- we have hot days in the summer and are always looking for a place to cool off, this water park would be in walking distance from her house
- she supports having the water feature in the park

Pat Miller, 4395 Gold Trail Way, stated the following:

- pointed out that it is not a full water park or a full skate park
- a small playground for tots is being built in the first phase

Hayley Corbin, 4858 Laird Road, stated the following:

- she has a 14 year old brother who loves to skateboard and his friends are great kids
- they should have a place to go and hang out and the skate park would be a good addition

Jennifer Knisley, 4135 Hunters Drive, stated the following:

- we should be calling the skate park a multi-use park
- the park has a lot of other features and is getting mis-represented in the paper and everywhere else

Councilmember Ucovich stated the following:

- we don't need a restroom outside
- we have a restroom in the Depot, someone will have to maintain it on a daily basis and lock it and open it everyday
- when the temperature is about 100 degrees the tot lot will not be used, but the spray pad will
- the spray pad uses approximately 3600 gallons of water in a day, less than what most houses use per day in Sunrise Loomis
- it will only be used about 5 months out of the year, the landscaping there will use more water in a month than the spray pad
- it will only be activated when somebody touches it, but it will provide a cooling effect
- he suggested moving ahead with the Multi Use Plaza and hold back on the restroom at this time

Mr. Beck stated that the outdoor restroom could be a portable one, like we have at the Sunrise Loomis Park and is maintained by a firm, the cost is \$100 a month.

Councilmember Calvert stated the following:

- a tot lot would be a great addition to the downtown park
- if we are looking at a portable restroom we will need something where people can change next to the water feature
- suggest not having the water feature at this time
- the multi-use plaza would be good now, the teens need something to do
- she agrees with the PROS committee on what we should do with our next steps

Councilmember Scherer stated the following:

- the priority of the PROS committee is important and well thought out

- he would like to see someone with a backhoe to help build the water feature in a sustainable manner, we need to be an example
- if we could get the Lions, Rotary, and the Soroptimist to come together and sponsor some of the features of the park, it would be a great community building opportunity
- this is not a skate park, it is a multi-use plaza that needs to be for everyone, toddlers, teens and seniors
- the merchants don't want their restrooms to be public restrooms
- we can use the Depot restrooms, if someone unlocks the door each day

Councilmember Liss stated the following;

- if we use re-circulating water then what standards will we have to meet, such as having showers and what will the cost be
- it was suggested at one time to put just a hose and a sprinkler out there
- he would like to reiterate that it is not a skate park but a multi-use plaza with skate features
- as a community we need to recognize that we have an adopted plan that includes the water feature, the multi-use plaza and the skate features in the multi-use plaza
- he would like to take the items proposed by PROSC as the next steps, not necessarily the end plan
- regarding the restrooms, he would like to use the Depot restrooms first and put a lock on the door to the Council chambers, arrange for regular monitoring of the Depot, then determine if we have a need for more than that
- he suggested directing the PROSC to be the ones to take the lead in outreaching to volunteers, service groups and organizers in the community to figure out who is going to do what, in what order, and by what donations

Mr. Beck stated the following:

- the bid of \$188,000 for the skate plaza came in high and suggested bidding the multi-use plaza out on it's own
- he suggested allowing the first phase to get done, get the grant out of the way, and direct staff to prepare some specifications on getting better bids on the multi-use plaza

Following further discussion on the matter, a motion was made to move ahead with the downtown park with the PROSC recommendations, go out to bid for the multi-use plaza, and to not rule out any other feature. On motion by Councilmember Calvert, seconded by Councilmember Scherer. and following is discussion on the motion:

Councilmember Scherer made amendment to the motion:

A motion was made to add the following: 1) direct staff to check with our janitorial maintenance service and see what the cost would be to include the daily maintenance of the Depot restroom, to see if it is feasible to use for the park; 2) go out to bid for the multi-use plaza, to see if we can get a lower bid; and 3) direct the PROSC to develop a community outreach and participation program in developing all of the features of the park.

Councilmember Liss asked to include in the motion to add a hose bib and to make sure a restroom is available as soon as the park opens.

Motion passed by voice vote (5/0)

At this time Council discussed item 14.

26. Heritage Park Subdivision Planning

Council is asked to make a decision on what to do with the Heritage Park Subdivision land that is owned by the Town

Recommended action: Discuss and give direction

Public comment:

Continued to March 10, 2011.

COMMITTEE REPORTS

27. Placer County Community Services Commission - Calvert
28. Placer County Economic Development Commission – Liss
29. Placer County Flood Control/Water Conservation District – Morillas
30. Placer County Transportation Planning Agency – Ucovich
31. Placer County Mosquito Abatement – Kelley as citizen rep
32. Placer County Air Pollution Control District – Ucovich/Morillas
33. Local Agency Formation Commission (alternate) - Ucovich
34. Sacramento Area Council of Governments – Scherer/Liss
35. Placer Land Trust ex-officio representative – Scherer
36. Borders Committee – Morillas/Liss
37. Business Committee – Morillas/Calvert

ADJOURNMENT

A motion was made to adjourn at 10:37 p.m. to an adjourned regular meeting on Thursday at 7:30 p.m. at the Train Depot. On motion by Councilmember Scherer, seconded by Councilmember Uovich and passed by voice vote.

Mayor

Town Clerk



TOWN OF LOOMIS
ACTION MINUTES
SPECIAL MEETING AND
WORKSHOP SESSION OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

SATURDAY

FEBRUARY 19, 2011

9:00 A.M. TO 12 NOON

CALL TO ORDER

Call to order by Mayor Morillas at 9:06 a.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Morillas
Councilmember Calvert
Councilmember Liss
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 may be limited to five minutes or less, at the discretion of the Mayor.

There was no public comment.

ADOPTION OF AGENDA: Council will typically adopt the agenda in the order listed or modify the order in a way that can best accommodate the time of people in attendance who wish to speak on particular items.

A motion was made to adopt the Agenda. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by voice vote.

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.

BUSINESS

1. **Special Legal Services Funding Allocation**

Additional money needs to be budgeted to pay for the cost of special legal services that are estimated to be needed to complete the 2010/11 fiscal year.

Recommended action: Authorize use of an additional \$25,000 from Town reserves.

Public comment:

Perry Beck, Town Manager stated the following:

- asked Council to authorize \$35,000 from reserves instead of the \$25,000
- for the issue of term limits, we may need additional work for two lawsuits, one with Rocklin 60 and Clover Valley
- Friday Sonja Cupler submitted the following letter to staff:

On January 12, 2010 Councilmembers Scherer, Ucovich and Liss voted to approve the term limits initiative to be placed on the November 2010 ballot. In lieu of holding a June 2010 special election which they said would be squandering \$12,000 of public funds, yet they have spent twice as much money battling against the voter approved term limits Measure A and now will vote on spending another \$10,000 more today. When the Council votes on the special legal services funding allocation she petitioned the Council as a stipulation of spending the additional \$10,000, out of the Town reserves, to require that Councilmembers Scherer and Ucovich abstain from making motions voting on any and all issues pertaining to the Town and from making any appointments until the term limits Measure initiative issue is completely resolved in a legal matter. Without this stipulation being in place she believes the Council will continue to be the proverbial fox guarding the hen house.

Hazel Hine, 3443 Barker Road, stated the following:

- she was not part of Measure A, she was just a citizen that voted for it
- she reviewed what happened when the initiative was brought to the Council
- Council preferred to go with the quo warranto complaint and spent \$16,000 in attorney fees
- now the Council has decided to change to the Attorney General's opinion
- now we have to get another attorney to write a letter and we need more money
- at this rate the money in reserves will be gone in 3 to 4 years
- it's imperative that we use conservative decisions where funding should go

Councilmember Scherer pointed out the following;

- it doesn't matter if we had the election on June or November, we would still have to deal with this
- all the money spent on the quo warranto research is being used for the letter to the Attorney General

Councilmember Ucovich stated that we shouldn't have done anything and we would have saved all the money.

Roger Smith, 6755 Wells Avenue, stated the following:

- perhaps a stipulation should accompany any approval of funds
- we could have done nothing, but we are spending money to have some kind of legal certainty

Following further discussion on the matter, a motion was made to authorize the additional \$35,000 from Town reserves. On motion by Councilmember Scherer, seconded by Councilmember Liss and passed by voice vote with Councilmember Ucovich abstaining and Councilmember Calvert voting no.

Mayor Morillas stated there was no further business and adjourned the special meeting at 9:26 a.m.

ADJOURN TO WORKSHOP

The workshop began at 9:26 a.m.

Goal and Task Setting for the 2011/12 Fiscal Year

Discuss goals, tasks and budget issues.

ADJOURNMENT

Mayor Morillas adjourned the workshop at 12:23 p.m.

Mayor

Town Clerk



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

FRIDAY

FEBRUARY 4, 2011

4:00 P.M.

CALL TO ORDER WORKSHOP Call to order by Mayor Morillas at 4:13 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Morillas
Councilmember Calvert
Councilmember Liss
Councilmember Scherer
Councilmember Ucovich

1. **Term Limits Workshop** 45 minutes
Discus term limit implementation issues with all people present

ADJOURN WORKSHOP Workshop adjourned at 6:06 p.m.

FRIDAY

FEBRUARY 4, 2011

4:45 P.M.

CALL TO ORDER FOR SPECIAL COUNCIL MEETING Call to order by Mayor Morillas at 6:30 p.m..

ROLL CALL

Present:

Mayor Morillas
Councilmember Calvert
Councilmember Liss
Councilmember Scherer
Councilmember Ucovich

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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.

BUSINESS

1. Term limits implementation

Consider the matter of implementing the Term Limits initiative and questions concerning what should be done in a legal or some other venue.

Recommended action: Discuss and decide who Council wishes to proceed in preparing a Memorandum of Points and Authorities in Opposition to Quo Warranto including whether to retain special legal counsel.

Public comment:

Dave Larsen, Town Attorney, stated what has been discussed this evening and expounded on them: 1) doing a clean- up measure, Council can put that on the ballot in November, 2) Attorney General's opinion, and 3) quo warranto lawsuit.

No public comment.

Following further discussion on the matter, a motion was made to proceed with the Attorney General's opinion and not proceed with the quo warranto. On motion by Councilmember Liss, seconded by Councilmember Calvert and following was discussion on the motion:

Councilmember Scherer asked to have this filed by a 3rd party counsel in order to have the impartiality.

The motion was amended to proceed with the Attorney General's opinion to be submitted by a 3rd party counsel. On motion by Councilmember Liss, seconded by Councilmember Calvert and passed by the following roll call vote:

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

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 special meeting.

- a. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One potential cases

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

- a. No action taken.

ADJOURNMENT

A motion was made to adjourn at 6:40 p.m. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

Mayor

Town Clerk