



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	JULY 12, 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: Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One case		
TUESDAY	JULY 12, 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

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

a. No action taken.

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Jenny Knisley, 4135 Hunters Drive, stated the following:

- session 1 had 43 children take swimming lessons
- session 2 had 46 children take swimming lessons
- the first two weeks of open swim had about 270 attend (closed two days because of rain)
- she thanked the Council for having this program

Joie-Lynn Howard, swimming instructor, said she teaches the beginning swimming class and helps with the open swim and snack bar.

Jessika Bunce, Lifeguard and swim instructor, said she also teaches the beginning swimming classes and oversees the lifeguards .

Sam Baker, Lifeguard and swim instructor, said he teaches the intermediate and advance classes.

Councilmember Ucovich stated these people do a wonderful job in teaching the children and thanked them.

Sandra Calvert stated the following:

- she would like to have guidelines for decorum put on an agenda for the Council and the public to understand and review
- she is involved with Mayor Johnson in Sacramento on, "Think Big" and they are looking for citizens to be "citizen architects"
- anyone can go to "thankbigsacramento.com" by July 18th

Councilmember Scherer stated the following:

- he met with Steve Davis from the Park, Recreation and Open Space Committee and they gave a brief presentation at the Loomis Sunset Rotary Club
- they discussed the potential water feature for the downtown park
- they will be approaching the other two Rotary Clubs that meet in Loomis to see if all three can sponsor the water feature by seeking Rotary grants and raising local funds

Councilmember Liss stated the following:

- July 22nd is the deadline for the Town Manager position, he encouraged people to help get the word out
- he would like to have on a future meeting the sign ordinance status and look at how we are doing compared to other communities
- he asked staff to develop a list of community projects where help is needed and formalize it so everyone can contribute to it

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.**

Jo Carol Arisman, 6160 Rachel Lane, stated the following:

- thanked Mayor Morillas, Perry Beck, Matt Lopez and Lieutenant Woo for getting rid of the car on Rachel Lane
- the car was a horrible reminder of the three murders on their street

Tom Osborn, 5581 Mont Clair Lane, stated the following:

- asked the Council to consider, for a future agenda item, an amendment to the General Plan regarding entry gates into subdivisions
- they were led to believe that an entry gate was included with the subdivision
- this is to protect their families, they have had over 10 instances in the last eighteen months of vandalism

Debbie Shores, 9291 Tanglewood Way, thanked Council for keeping the traffic officer.

Bill Branch, 6605 Wells Avenue, stated the following:

- he urged Council to think long and hard before changing the Town's position on closed subdivisions and gates
- in the early years of Loomis it was decided that closed off subdivisions defeats a feeling of community and leads to a feeling of Elitism

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.

OPPORTUNITY TO COMMENT ON CONSENT CALENDAR: All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda, pulling item 3 forward for discussion. On motion by Councilmember Ucovich, seconded by Councilmember Calvert and passed by voice vote.

CONSENT AGENDA

RECOMMENDED ACTION

- | | |
|---|-------------------------|
| 1. Council Minutes – 6/14/11 | <i>APPROVE</i> |
| 2. Monthly Check Register – June | <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> |
| 7. 2010/11 Goals Update | <i>RECEIVE AND FILE</i> |

- | | | |
|-----|--|---|
| 8. | A Resolution Of The Town Council Of The Town Of Loomis Accepting The Dedication Of A Right-Of-Way Easement Along Sierra College Boulevard As Part Of The Homewood Lumber Project | <i>ADOPT RESOLUTION</i>
Resolution 11-13 |
| 9. | Agreement with Kronick, Moskovitz, Tiedemann & Girard To Serve As Loomis Town Attorney | <i>APPROVE</i> |
| 10. | A Resolution of the Town Council of the Town of Loomis Accepting The Proposal Provided By J&S Asphalt To Resurface The Sunrise Loomis Basketball Court | <i>ADOPT RESOLUTION</i>
Resolution 11-14 |

CONSENT ITEMS FORWARDED

- | | | |
|---|-----------------------|-------------------------|
| 3 | Statement of Activity | <i>RECEIVE AND FILE</i> |
|---|-----------------------|-------------------------|

Perry Beck, Town Manager, stated that he wanted Council to be aware of the following:

- we received a significant amount of money late last week regarding a settlement with West Roseville Specific Plan
- back payments were received from the last five years totaling \$167, 568
- the Town will receive a fee of \$75 per housing unit that will be applied to 8,390 units over time
- ultimately the Town will receive \$629,250 and that will be directed toward improvements on Sierra College Boulevard

No public comment.

Receive and file.

BUSINESS

- 11 **Content, Creation and Distribution Expo Update**
 Peter Oakes, Loomis resident, will give an update on the Content, Creation and Distribution project that he is organizing for September 16 and 17, 2011 in Loomis
Recommended action: Hear presentation and give direction to staff if needed.
Public comment:

Peter Oakes gave an update on the Content, Creation and Distribution project and answered questions on the following:

- they are working with eight colleges that will be providing students and equipment to set up and run
- they will be having a general meeting Saturday at the Roseville Tower Theater
- they are working with various networks and 35 local businesses
- they will be advertising as far as Chico, Reno, and Modesto

No public comment.

No direction was given, receive and file.

12. **Blue Anchor Park Dedication Plaque**
 Consider preparing a plaque to memorialize a Town facility construction such as the Blue Anchor Park
Recommended action: Decide whether or not to prepare a plaque and if so approve wording and determine whether there is a favored spot and/or method to display the plaque
Public comment:

Debbie Shores asked how much this plaque will cost and where is the money coming from?

Mayor Morillas pointed out that in the staff report it states that the plaque will run under \$1000 plus about \$500 if set in stone and the money will come from the Park Development Fund.

Nancy Beck, 6304 David Avenue, stated the following:

- she suggested dedicating to the members and the families of the Blue Anchor Fruit Shed, who made it what it was
- she is hoping to see, one day, the Blue Anchor Label where the shade structure is and suggested asking the art students at Del Oro to take on this project

Jean Wilson, 4301 Barton Road, stated the following:

- she likes the idea of "in memory of the Blue Anchor Fruit Shed" and having a history of the Blue Anchor Fruit Shed on the plaque
- she suggested taking off some of the names

Pat Miller, 4395 Gold Trail Way, stated she heard the original Blue Anchor sign exists and suggested looking into having it put on the shade structure.

Perry Ollie, 5800 English Colony in Penryn, stated the following:

- his Grandfather and his Uncle use to run the fruit sheds here and he is a fourth generation
- he suggested putting the date when it was built, who was in charge, and only historical information on the plaque

Jenny Knisley, PROSC member, questioned why the PROSC is asked to get funds to do improvements in the park and then are not included in this.

Councilmember Ucovich suggested having a lithograph on the plaque of what the shed looked like and contacting the State Department of Parks and Recreation to attend a meeting.

Councilmember Scherer suggested having the Park, Recreation and Open Space Committee meet with the Historical Society to discuss what should be on the plaque.

Councilmember Liss suggested putting historical information on the plaque and see if we can get the Blue Anchor sign to put on the shade structure.

Mayor Morillas stated she was on the Historical Society committee and suggested having PROS Committee come to their meeting on Wednesday (July 20th) to discuss the plaque.

Following further discussion on the matter, a motion was made to ask representatives of the PROS Committee to meet with the Historical Society; take that information to the PROS Committee to come back with a recommendation on the wording, composition and design on the plaque; and/or any other item (the original Blue Anchor sign, if available) we want to use to commemorate the history of the Blue Anchor shed in the Blue Anchor park. On motion by Councilmember Scherer, seconded by Councilmember Liss and following was discussion on the motion:

Councilmember Ucovich suggested contacting the State Department of Parks and Recreation and asking them to come to the meeting to give input on the signage.

The motion was amended to include inviting a representative from the California State Department of Parks and Recreation to attend the PROSC meeting for input on the signage. Passed by voice vote (5/0).

13. Voting Delegates To League Conference

The League of California Cities Conference in September 2011 will include League business and cities are asked to appoint voting delegates to conduct that business

Recommended action: Appoint a voting delegate and alternate to act on behalf of the Town

Public comment:

No public comment.

Following further discussion on the motion, a motion was made to appoint Councilmember Calvert as the voting delegate and Councilmember Ucovich as the alternate at the League of California Cities Conference in September. On motion by Councilmember Ucovich, seconded by Councilmember Calvert and passed by voice vote.

14. Code Enforcement Processing

Council wanted to evaluate how codes were enforced and maybe insert itself into the process beyond its role as an appeal body

Recommended action: Discuss and determine what things in code enforcement Council would like to see changed

Public comment:

Sonja Cupler, 5630 Tudor Way, stated that if Council is involved in the code enforcement process than how will they be fair and unbiased if someone has to appeal an issue?

Debbie Shores said she has the same concerns of being fair and unbiased for appeals.

Councilmember Liss stated the following:

- he clarified that the issue is not as stated in the staff report, "that Council wants to insert itself into the process beyond its role as an appeal body"
- there was never any request for that, nor interest in doing that, and not the intent of the Council
- there is a real issue of how do we insure that the conditions that were adopted by the Planning Commission get implemented successfully
- he wants to send a clear signal that this Council is committed to implementing what we adopt
- he would like to know how the conditions are implemented on enforcement issues, the training of staff who are involved, if it is reviewed regularly in staff meetings, monthly update reports to the Council and if anyone is tracking all of that
- he would like PROSC involved in the open space issues because the parks, trees and open space preservation has not been adequately addressed in code enforcement

Councilmember Scherer stated the following:

- he asked that the minutes reflect that the staff report is amended to read: "As a goal, Council wanted to evaluate how codes were enforced" (delete the rest of the sentence)
- some of those that have been on the Council for a long time are fairly comfortable on how things have been going
- there are new members on the Council that perhaps are not as familiar with the enforcement of process and procedures
- he suggested having Jeff Mitchell, new Town Attorney, take a look at the entire process our code and maybe make a recommendation
- suggested re-instating the monthly report that Council use to receive on code enforcement

Councilmember Ucovich stated that we need to have a system set up to make sure development projects follow through on what staff has approved.

Councilmember Calvert asked if this was something that the Planning Commission could be included in as well as the Park, Recreation and Open Space Committee?

Jeff Mitchell, Town Attorney, stated the following:

- typically the Planning Commission is not involved in code enforcement
- he is hearing two issues: 1) a more general review of code enforcement- ordinance and process, to see what changes might be incorporated to streamline the process and spell out more clearly; and 2) what is not traditionally called as code enforcement , enforcement of subdivision map conditions, use permit conditions, planning permit conditions, and the process the Town uses to ensure those are being followed through (mitigation monitoring)

15. **Downtown Parking Requirements**

Councilmember Ucovich would like to discuss downtown parking requirements and changes that may be needed to accomplish some purpose

Recommended action: Discuss and direct staff

Public comment:

Councilmember Ucovich withdrew his request to discuss this item.

No public comment.

16. **Planning Commission Notice Guidelines**

Councilmember Liss asked to review the noticing guidelines that the Planning Commission recently approved

Recommended action: Discuss and direct staff

Councilmember Liss asked if they could do something different for the RA zone because the 600 foot radius noticing doesn't do enough for the Priory Project.

Jean Wilson pointed out the following:

- this came up because of the Lazarus project, people behind the project felt there wasn't adequate notification
- for the Priory, the Planning Department felt it was important to notice the entire South side of Loomis rather than just the radius of 600 feet

Janet Thew, 5572 St. Francis Circle, stated the signs onsite are not always very visible, they could be larger, better anchored in the ground, and brightly colored.

Sonja Cupler stated the following:

- some of the people that received notices had no idea what it was about until they came to a meeting
- she asked Council to make sure the notice is in laymans terms

Nancy Beck stated the following:

- they have talked about larger radius for all neighborhoods, not just the RA zone
- the bulletins have to be assessable to the public

Perry Ollie stated that in order to maintain a small town atmosphere there shouldn't be gated communities.

Following further discussion on the matter, a motion was made to direct staff to: post signs so they are better assessable and more durable; include the Town website in larger lettering and in clear English (layman's terms); notice all zones the minimum of 100 closest properties and any that are significantly impacted, Planning Commission will determine whether to enlarge the radius. On motion by Councilmember Calvert, seconded by Councilmember Scherer and passed by voice vote.

COMMITTEE REPORTS

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

ADJOURNMENT

Mayor Morillas stated there was no further business and adjourned at 9:05 p.m.

Mayor

Town Clerk



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

TUESDAY **DECEMBER 7, 2010** **11:00 A.M.**

CALL TO ORDER Call to order by Mayor Liss at 11:00 a.m.

ROLL CALL

Present:

Mayor Liss
Councilmember Kelley
Councilmember Morillas
Councilmember Ucovich

Absent: Councilmember Scherer

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Jo Carol Arisman, 6160 Rachel Lane, pointed out that people have the right to know what is going on and reminded them of the Brown Act.

Tom Millward, 3893 South Holly Street, stated the following:

- 2700 people voted for Measure A and it passed
- the public have the right to know what is going on with Measure A
- Councilmember Liss and Scherer should say nothing behind closed doors

Hazel Hinele, 3443 Barker Road, stated the following:

- the Council should have told them in the beginning that it wasn't legal
- two terms is enough, council will start thinking their opinion is what everyone believes
- people out there are not agreeing with this and Council needs to do what is fair

Sonja Cupler, 5630 Tudor Way, asked Council to reclude themselves from having anything to do with the measure.

Councilmember Ucovich questioned whether we need to go into close session.

Dave Larsen, Town Attorney, stated the following:

- Council never has to go into close session
- he would like to discuss various strategies, strengths and weaknesses, conflict of interest, and personal issues that sometimes people are not privy to
- he recommends swearing in Councilmembers Scherer and Ucovich at the next regular meeting

Following further discussion a motion was made to go into close session at 11:34 a.m. to get information only and not deliberate until they come out to open session. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote with Councilmember Kelly abstaining.

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 (c) of Section 54956.9: Two potential cases

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

Council came out of close session at 12:15 p.m.

Dave Larsen pointed out that both Councilmembers Ucovich and Scherer have conflicts of interest.

At this time Councilmember Ucovich left the room.

Dave Larsen stated the following:

- if we go to court than it could go all the way to a trial and cost a lot of money
- by seating Councilmembers Scherer and Ucovich next Tuesday night we would have available a process where we could go to the Attorney General
- the Attorney General would have to weigh in whether or not they were properly seated and we would get an opinion on the retro activity
- he had another suggestion (less expensive) to have the proponents and the Town strike an agreement outside of court
- the proponents of Measure A could have their attorney look at the Town Attorney's opinion and if they agree it could be settled and done as cheaply as possible and in a way that has a neutral third party

JoCarol Arisman stated the following:

- there are 2200 people out there that say they want term limits
- if you are going to make changes to what the people already voted on than when will they be able to make their comments and how will they be noticed

Hazel Hine, 3443 Barker Road, stated the following:

- she also asked how the staff is going to notify the people
- it hasn't been addressed on how the chronological events led to having the Measure put off until November

Tom Millward stated the following:

- the Town is already paying for two lawyers to work on Measure A
- now Council is saying we have to pay for a lawyer to bargain with the Town's two lawyers and they don't have any money for this
- the Town should be paying a lawyer for the 2200 voters

Dave Larsen expounded on the sequence of events that led to this.

Sonja Cupler, committee member for Yes on Measure A, stated the following:

- she is just one vote and cannot make an agreement or decision on behalf of other voters
- we are citizens trying to do what the citizens of Loomis want done
- she is thoroughly disappointed how some of the Council has handled this whole thing
- when they did the petition they always had in mind that it would go to the June ballot
- we still need the public input because no one knows about the retro dates

Joyia Emard, Loomis News, pointed out that two issues need to be addressed, the date that was put on Measure A and whether it applies to their past terms.

Dave Larsen stated the statute says term limits have to be applied after the election (not prior to the election) and expounded on the retro activity issue that can be looked at in different ways.

Following further discussion on the matter, a motion was made to:

- certify the election at the regular meeting in November
- swear the candidates in
- pursue the Attorney General Quo Warranto action

On motion by Councilmember Morillas, seconded by Councilmember Kelley and passed by voice vote (3/0). Councilmember Scherer was absent and Councilmember Ucovich had left the room.

ADJOURNMENT

Mayor Liss stated there was no further business and adjourned at 1:35 p.m.

Mayor Gary Liss

Town Clerk



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

TUESDAY

JUNE 29, 2010

4:00 P.M.

CALL TO ORDER Call to order by Mayor Liss at 4:00 p.m.

ROLL CALL

Present:

Mayor Liss
Councilmember Kelley
Councilmember Morillas
Councilmember Scherer
Councilmember Ucovich

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.**

Dave Larsen, Town Attorney, introduced a graduate from McGeorge School of Law who will be one of three interns that will be working on various projects in Town.

ADOPTION OF AGENDA

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

BUSINESS

- 4:00 to 5:00 p.m. 1. **Downtown Park Parking Facility Design**
On the June 8, 2010 Council meeting staff was asked to incorporate the input received from the Planning Commission, Park, Recreation and Open Space Committee and adjacent business owners for the downtown parking lot
Recommended action: Direct staff to move forward with 60% park improvement plans
Public comment:

Scott Robertson, Omni-Means, reviewed what has been done and what needs to be done to have a census to move forward with the park improvement plans and answered questions.

Steve Harari, 5140 King Road and Scoutmaster for Troop 12, stated the following:

- he asked Council to consider Eagle Scout projects that could be applied in the project
- an Eagle Scout has close adult supervision and will usually work 100 to 150 hours at no cost
- an Eagle Scout can do plantings, construction of benches, etc.

Following further discussion on the matter, a motion was made to accept the design as shown with the possibility of relocating the water feature, as feasible; proceed forward to bring back 60% improvement plans; include consideration of the permeable pavement; and show a clearer definition of the bio-swales and how the drainage will be incorporated. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

Recess at 5:20 to 5:25 p.m.

5:00 to 6:00 p.m. 2.

Town of Loomis Operating Budget

Council is asked to review the budget revisions from the June 3rd special meeting, and such other changes as have occurred in the interim or may still be needed

Recommended action: Review, make final changes and approve a balanced budget for the 2010/11 fiscal year

Public comment:

Nancy McLaughlin, McLaughlin Studios, requested help with their production of "Tommy" at the Blue Goose.

Vic Markey, 3240 Taylor Road, stated the following:

- he disagrees with reducing Peer Court funding on page 2
- he suggested putting together a task force to predict a sustainable course

Mayor Liss re-capped the adjustments to the proposed budget:

- the directional sign program goes down from \$5,000 to \$2,800
- McLaughlin Theater goes up from \$500 to \$1,500
- personnel increases deleted

Following further discussion on the matter, a motion was made to adopt the 2010/11 Budget as amended by the Mayor. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by voice vote.

ADJOURNMENT

A motion was made to adjourn at 5:58 p.m. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by voice vote.

Gary Liss, Mayor

Crickett Strock, Town Clerk