



TOWN OF LOOMIS

ACTION MINUTES REGULAR MEETING OF LOOMIS TOWN COUNCIL LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

916-652-1840

www.loomis.ca.gov

TUESDAY

MAY 9, 2017

7:30 P.M.

CALL TO ORDER

Call to order by Mayor Black at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Robert Black
Councilmember Brian Baker
Councilmember Rhonda Morillas
Councilmember Tim Onderko
Councilmember Miguel Ucovich

Absent: None

MATTERS OF INTEREST TO COUNCILMEMBERS

Councilmember Ucovich pointed out that the Loomis Clean Up Day and the Annual Garage Sale Day were on Saturday and suggested separating the two events next time.

TOWN REPORT

LOOMIS CHAMBER OF COMMERCE UPDATE

Jenny Knisley stated the following:

- Several members of their Board and Brit Snipes walked down Swetzer Road and part of King Road passing out flyers and letting them know the improvements that will be starting on Taylor Road
- they have the High Hand mural finished and three other murals will be going up on Christiansen's, Koinonia and the Mehl's building
- she attended the joint main street meeting with different downtown districts to share what is happening downtown
- she has worked with Placer Grown to coordinate the Farmer's Market to move it into the Taylor's parking lot
- May 24th they will be planting eggplants at the Loomis Grammar school community garden

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 three 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 .

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.

William Quenneville, Horseshoe Bar Road, stated concerns about traffic on Horseshoe Bar Road, dumping at the park and ride, and no lighting at the park and ride.

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 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 Morillas and passed by the following vote:

Ayes: Baker, Black, Morillas, Onderko, Ucovich

Noes: None

Abstained: None

Absent: None

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.

There was no public comment.

A motion was made to approve the Consent Agenda. On motion by Councilmember Morillas, seconded by Councilmember Baker and passed by the following vote:

Ayes: Baker, Black, Morillas, Onderko, Ucovich

Noes: None

Abstained: None

Absent: None

CONSENT AGENDA

RECOMMENDED ACTION

- | | |
|--|--|
| 1. Council Minutes – 4/11/17 | <i>APPROVE</i> |
| 2. Monthly Check Register – April | <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. A Resolution of the Town Council of the Town of Loomis Abandoning a Sewer Easement Across the Property That Was Granted on Parcel Map 96-01, Recorded in Book 24 of Parcel Maps Page 87 | <i>ADOPT RESOLUTION</i>
Resolution 17-08 |
| 7. A Resolution of the Town Council of the Town of Loomis Authorizing the Town Manager to Execute a Memorandum of Understanding For the timing, Sequencing and Funding of the Antelope Creek Flood Control Project, Upper Weir | <i>ADOPT RESOLUTION</i>
Resolution 17-09 |
| 8. A Resolution of the Town Council of the Town of Loomis Confirming the Placement, and ordering Recordation and Filing with Placer County, of a Lien on the Real Property at 5474 King Road, Loomis, California, Assessor's Parcel No. 044-051-064, For Unpaid Abatement Costs and Administrative Fees to Abate a Public Nuisance | <i>ADOPT RESOLUTION</i>
Resolution 17-10 |
| 9. Costco Requests Consideration of Amendment to Agreement For Funds, Reimbursement and Indemnification For Preparation of Planning Permits, Reports, Studies and Environmental Review Documents as Required by the Loomis Municipal Code and the California Environmental Quality Act (CEQA) | <i>APPROVE</i> |
| 10. Town Council Committee Reports | <i>RECEIVE AND FILE</i> |

CONSENT ITEMS FORWARDED

PUBLIC HEARING

11. **Vesting Tentative Map #16-10 "The Grove"**

The applicant is proposing to subdivide a 9.98 acre parcel into 26 lots southwest of the intersection of Humphrey Road and No Name Lane in the Town of Loomis. The land is designated Residential Medium Density in the Loomis General Plan and zoned RS-10, a Single-Family Residential 10,000 average minimum.

Recommended action: Hear public comment; 1) adopt resolution approving Vesting Tentative Map of Application #16-10 "The Grove" as recommended by the Planning Commission; 2) adopt the Mitigated Negative Declaration and Addendum to the Mitigated Negative for "The Grove" pursuant to the California Environmental Quality Act (CEQA); and 3) approve the findings and conditions of approval recommended by the Planning Commission.

Public comment:

Gary Mandarich, Mandarich Developments, introduced Robert Sprague and Gerald Meredith with Meredith Engineering and expounded on the process they have been going through in trying to reduce the residents' concerns and answered questions.

William Quenneville, Horseshoe Bar Road, complimented the developer on his project.

Harlyn Matson, No Name Lane, stated the following:

- he has a concern for the amount of dust that is created from No Name Lane residents and the new homeowners that will back up to No Name Lane
- he appreciates that the developer offered to chip in on the road along that side
- he would rather they have a nice quality mason fence instead of a wooden fence
- there is a drainage issue and No Name Lane is constantly getting flooded during the rainy season

Following further discussion on the matter, a motion was made to adopt Resolution 17-11, approving vesting tentative map of Application #16-10, "The Grove" subject to the findings and conditions of approval and approve the Mitigated Negative Declaration and Addendum to the Mitigated Negative for "the Grove" pursuant to the California Environmental Quality Act (CEQA). On motion by Councilmember Ucovich, seconded by Councilmember Baker and passed by the following vote:

Ayes: Baker, Black, Morillas, Onderko, Ucovich

Noes: None

Abstained: None

Absent: None

12. **Placer County Community Choice Aggregation Program**

At the March 14, 2017, Town Council meeting, the Council received a presentation by Placer County Treasurer, Jenine Windenhausen regarding the Community Choice Aggregation program and staff was directed to bring back an ordinance for adoption for the town to join the Sierra Valley Energy authority (JPA). Since that meeting, both the City of Colfax and the City of Rocklin have joined the JPA with the County. The City of Auburn proceeding forward with the JPA.

Recommended action: Hear public comment; 1) Introduce Ordinance by title only, waive further reading and schedule for second reading and adoption at the June 13th Council meeting, authorizing the implementation of a Community Choice Aggregation Program; 2) adopt the resolution authorizing the execution and delivery of an amended and restated joint exercise of powers agreement for the Sierra Valley Energy Authority; and 3) designate a Councilmember to sit on the joint powers authority board.

Public comment:

Jenine Windenhausen, Placer County Treasurer-Tax Collector, pointed out that one member of the Council will be appointed to the Board; expounded on the role of Pacific Gas and Electric; estimates 5% savings and answered questions.

Romana Brockman questioned the difference with homeowners on solar.

Following further discussion on the matter, a motion was made to Hold First Reading of Ordinance 270, authorizing the implementation of a Community Choice Aggregation Program; adopt Resolution 17-12, authorizing the execution and delivery of an amended and restated Joint Exercise of Powers Agreement for the Sierra Valley Valley Energy Authority; and appoint Councilmember Baker on the Board and Councilmember Ucovich as an alternate. On motion by Councilmember Onderko, seconded by Councilmember Ucovich and passed by the following vote:

Ayes: Baker, Black, Morillas, Onderko, Ucovich

Noes: None

Abstained: None

Absent: None

13. **Revised Uniform Fire Code Chapter 11.04.100**

The California Fire Code establishes minimum standards for protection of life and property from fire, explosion and hazardous materials release. Fire districts are authorized by law to enact stricter standards than those in state or local codes. In order to enact stricter standards, the District's legislative body must adopt its own ordinance/resolution implementing the California Fire Code with amendments. Fire Districts must also adopt findings of fact and need for changes or modifications due to local conditions. No such ordinance of a local fire district becomes effective unless or until it is ratified by the legislative body of the city in which the local district is located.

Recommended action: Take public comment and introduce Ordinance by title only, waive further reading and schedule for second reading and adoption at the June 13th Council meeting.

Public comment:

Councilmember Ucovich asked what is required for the width of streets.

George Blind, Consultant for Loomis Fire District, pointed out that Section 503 establishes a minimum width of 20 feet in residential.

There was no public comment.

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 271, modifying Chapter 11.04 of the Municipal Code dealing with Uniform Fire Code. On motion by Councilmember Morillas, seconded by Councilmember Baker and passed by the following vote:

Ayes: Baker, Black, Morillas, Onderko, Ucovich

Noes: None

Abstained: None

Absent: None

14. **First Reading of an Ordinance Establishing the Planned Development Zoning District**

This item is before Council for consideration based on staff's review of the planning process and identification of tools needed to assure the staff, planning commission and council have available the mechanisms needed to secure the best possible planning options for future development. Approval of the ordinance adds a new zoning district to the zoning code and implements a provision of the General Plan (GP).

Recommended action: Introduce Ordinance by title only, waive further reading and schedule for second reading and adoption at the June 13th Council meeting.

Public comment:

Steven Harris, Myrtle Drive, stated he is not in favor of amending the General Plan.

William Quenneville stated that anything that allows developers to move faster concerns him, we begin to lose more of our identity.

Romona Brockman, Ridge Drive, stated the following:

- planned development allows too much flexibility
- it's important to lay out exactly what your requirements are in following the General Plan
- she has concerns with preserving agriculture land rather than just open space

Mike Hogan, Humphrey Road, stated the following:

- the General Plan states the Planned Development (PD) zone is eliminated and he is not satisfied with the explanations given to him regarding that
- there is nothing wrong with changing the General Plan to establish a PD but that should come from Council and go through the process
- he has not seen higher standards coming out of PD's, staff negotiates them, and by the time the project comes to the Planning Commission and Council there is 3 to 4 inches of paperwork and it is too late to make the changes, you're fighting a momentum that has already been established

Jean Wilson, Barton Road, stated the following:

- the PD in the General Plan is specific for clustering to preserve environmental factors in rural areas and nothing about the entire town
- questioned who decides to do a PD, a planner, a town manager, or does it come before anybody
- she is concerned that all this work could go into it before there is really any public input or Council input
- if PD is used than we should have a General Plan Amendment otherwise there will be inconsistency with the General Plan

Joan Phillipe, Interim Town Manager, stated the following:

- staff came forward with a recommendation because there are projects that may be coming forward in the future where the town could benefit by having a PD ordinance as a planning tool
- this ordinance will give Planning Commission and Council more flexibility than the existing zoning
- staff has always spent a lot of time and effort on a project before it is ultimately brought before the Planning Commission and Council to make the determination
- the ordinance does not give carte blanche to a developer, there is always checks and balances going through the process

Jeff Mitchell, Town Attorney, stated the following:

- this proposal will not change the General Plan
- if you have a General Plan designation of Planned Development than that means the sky is the limit, you have no general guidance provided to guide the Planning Commission and ultimately the Council as to what they want to have happen to property
- this ordinance is not inconsistent with the General Plan, the General Plan does not say "you can't have a Planned Development Ordinance"
- the idea that concepts should originate with Council and flow down is incorrect, under California Land Use and Planning Law, it starts with professional staff who make a recommendation to the Planning Commission (they decide if they agree with the recommendation or deny it) and if they choose to recommend it then it is forwarded onto the Council for a decision
- regarding the term of being out-staffed by a developer, ultimately the check and balance is the Planning Commission and Council who can approve or reject the project
- he expounded on the PD ordinance noting that under findings, item 1, says the project has to be consistent with the General Plan

Councilmember Ucovich stated that he doesn't see any need for the PD zone any place in Town unless someone wants to change the Zoning Ordinance.

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 272, enacting Chapter 13.29 of the Municipal Code establishing the Planned Development (PD) Zoning District. On motion by Councilmember Onderko, seconded by Councilmember Baker and passed by the following vote:

Ayes: Baker, Black, Morillas, Onderko

Noes: Ucovich

Abstained: None

Absent: None

FUTURE AGENDA ITEMS

- Traffic Report on the Lincoln Village 1
- Solid fencing in Residential Agricultural Zoning

COUNCIL COMMITTEES

- Placer County Economic Development Board – Ucovich/Morillas
- Placer County Flood Control/Water Conservation District – Morillas/Ucovich
- Placer County Transportation Planning Agency – Baker/Morillas
PCTPA Funding Strategy Update Steering Committee – Baker/Morillas
- Placer County Mosquito Abatement – Russ Kelley as citizen rep
- Placer County Air Pollution Control District – Black/Onderko
- Sacramento Area Council of Governments – Onderko/Ucovich
- Borders Committee – Black & Baker
- Business Committee – Black/Morillas
- Schools Liaison – Onderko/Baker
- SPMUD Ad Hoc Committee – Ucovich/Morillas
- Library Representative – Black/Ucovich

ADJOURNMENT Mayor Black adjourned the meeting at 9:42 p.m.

Mayor

Town Clerk