



TOWN OF LOOMIS

ACTION MINUTES SPECIAL MEETING OF LOOMIS TOWN COUNCIL LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

916-652-1840

www.loomis.ca.gov

MONDAY

OCTOBER 14, 2019

6:00 P.M.

CALL TO ORDER

Call to order by Mayor Onderko at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Tim Onderko
Mayor pro tempore Jan Clark-Crets
Councilmember Jeff Duncan
Councilmember Rhonda Morillas

Absent: Councilmember Brian Baker

ADOPTION OF AGENDA

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

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

There was no action taken.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

Mayor Onderko adjourned the meeting at 8:02 p.m.

Mayor Onderko

Town Clerk



TOWN OF LOOMIS

ACTION MINUTES SPECIAL MEETING JOINT WORKSHOP

LOOMIS TOWN COUNCIL & PLANNING COMMISSION

LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

916-652-1840

www.loomis.ca.gov

TUESDAY

OCTOBER 8, 2019

6:00 P.M.

CALL TO ORDER Call to order by Mayor Onderko at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Council:

Mayor Tim Onderko
Mayor pro tempore Jan Clark-Crets
Councilmember Brian Baker
Councilmember Jeff Duncan
Councilmember Rhonda Morillas

Planning Commission:

Chairman Obranovich
Commissioner Hogan
Commissioner Kelly
Commissioner London
Commissioner Wilson

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: 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. The Mayor has the discretion of limiting the comment time. Your concerns may be referred to staff or placed on the next available agenda.

WORKSHOP

Representatives of Sacramento Area Council of Governments (SACOG)
and Housing and Community Development (HCD) will provide
a Regional Housing Needs Allocation (RHNA) Presentation

PUBLIC COMMENT:

Eva Marshall, Kathy Way, asked for clarification on "By Rights" development and Developer rights in regard to requiring low income development and for definition of inclusionary housing.

Doug Tatera, Barton Road, reported on Rocklin's RHNA requirements, on SB13 – change in accessory unit regulations, asked if this would help our RHNA numbers and inquired about rezoning the Heritage Park properties.

Roger Smith, Wells Avenue, commented on possible uses of grant money for updated traffic studies, consultants and /or Infrastructure updates.

Jesse Lunsford, Smokewood Court, voiced frustration over the lack of enforcement ability to mandate low income housing and over the loss of local control in our housing decisions.

William Quenneville, Horseshoe Bar Road, asked if there are links to the new state laws available on the website and voiced frustration over state intrusion in local government.

Miguel Ucovich, Craig Court, inquired on the possibility of deed restrictions on the Heritage Park properties to mandate low income housing.

Sue Dobies, Arcadia Avenue, asked about incentives to developers to build low income housing and voiced concern over the state intrusion in local government decisions

Sonya Cupler, Tudor Way, asked about the consequences of non-compliance with state mandates and inquired about the Housing Element cycle period.

ADJOURNMENT: Mayor Onderko adjourned the meeting at 7:20 p.m.

Mayor Tim Onderko

Town Clerk



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ACTION MINUTES SPECIAL MEETING OF LOOMIS TOWN COUNCIL LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

916-652-1840

www.loomis.ca.gov

TUESDAY

October 8, 2019

7:00 P.M.

CALL TO ORDER Call to order by Mayor Onderko at 7:25 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Tim Onderko
Mayor pro tempore Jan Clark-Crets
Councilmember Brian Baker
Councilmember Jeff Duncan
Councilmember Rhonda Morillas

Absent: None

PUBLIC COMMENT: This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please **note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker may be limited to five minutes or less, at the discretion of the Mayor.** There was no public comment.

ADOPTION OF AGENDA

BUSINESS

1. **Authorization to Enter into Legal Services Contract with Remy Moose Manley, LLP for CEQA Representation on Costco Project**

The Town will be releasing in the upcoming months the Recirculated Draft Environmental Impact Report (RDEIR) for the Loomis Costco project. Because of a conflict with the Town Attorney's firm Kronick Moskovitz Tiedemann & Girard, the Town will need to hire a CEQA Attorney to represent the Town in the event of any potential litigation.

Remy Moose Manley, LLP, is a very highly-regarded CEQA firm throughout the state and comes highly recommended by Town Attorney Jeff Mitchell. The firm routinely represents both public and private clients on land use and CEQA matters.

Recommended action: Take public comment; and authorize the Town to enter into a legal services agreement (Attachment A) with Remy Moose Manley, LLP, to advise the Town on California Environmental Quality Act (CEQA) compliance for the Loomis Costco project.

Public comment:

There was no public comment.

Following further discussion on the matter, a motion was made to authorize the Town to enter into legal services agreement with Remy Moose Manley, LLP, to advise the Town on California Environmental Quality Act (CEQA) compliance for the Loomis Costco project. On motion by Councilmember Baker, seconded by Councilmember Clark-Crets and passed by the following vote:

Ayes: Baker, Clark-Crets, Duncan, Morillas, Onderko

Noes: None

Abstained: None

Absent: None

ADJOURNMENT

Mayor Onderko adjourned the meeting at 7:27 p.m.

Mayor Tim Onderko

Town Clerk

10/22/2019 1:27 PM

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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

OCTOBER 8, 2019

7:00 P.M.

CALL TO ORDER Call to order by Mayor Onderko at 7:28 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Tim Onderko
Mayor pro tempore Jan Clark-Crets
Councilmember Brian Baker
Councilmember Jeff Duncan
Councilmember Rhonda Morillas

MATTERS OF INTEREST TO COUNCILMEMBERS

Councilmember Duncan asked to have an agenda item on the next meeting that outlines the process we will be following for the General Plan update.

Councilmember Clark-Crets thanked the residents that went out of their way to clean up the Horseshoe Bar Road rest stop and would like to recognize them at a future meeting.

Mayor Onderko agrees with Councilmember Duncan and would like information, put on the town website, for a timeline on what to expect during the General Plan process.

TOWN MANAGER REPORT

Sean Rabe, Town Manager, pointed out that the Pacific Gas and Electric (PG&E) public safety power shut-off event in Loomis is scheduled for early tomorrow morning and the PG&E website will give updates.

LOOMIS CHAMBER OF COMMERCE UPDATE

Sarah Comstock, Loomis Librarian, stated the Loomis Library received a state grant for 12 chrome books plus a charging station that will be available for public use at the library.

Jenny Knisley, Loomis Chamber of Commerce Executive Director, stated there was a good turn out at the Eggplant Festival and the Chamber has a business walk planned for the end of the month.

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 FOR ITEMS NOT ON THE AGENDA: 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.

Joanne Ligamari stated concerns on how long it has taken for the Library building to be brought up to Placer County.

Roger Smith, Wells Avenue, stated that the General Plan update is a huge event for the Town and he knows of other cities that have formed citizen advisory committees.

William Quenneville, Horseshoe Bar Road, stated that traffic on Horseshoe Bar Road is out of control.

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 Morillas, seconded by Councilmember Baker and passed by the following vote:

Ayes: Baker, Clark-Crets, Duncan, Morillas, Onderko

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.

Miguel Ucovich, Craig Court, asked to pull item 6 forward for discussion.

A motion was made to approve the Consent Agenda except for item 6 to be pulled forward for discussion. On motion by Councilmember Baker, seconded by Councilmember Duncan and passed by the following vote:

Ayes: Baker, Clark-Crets, Duncan, Morillas, Onderko

Noes: None

Abstained: None

Absent: None

CONSENT AGENDA

RECOMMENDED ACTION

- | | | |
|-----|---|---|
| 1. | Council Minutes – 9/10/19
9/24/19 (With Councilmember Baker abstaining) | APPROVE
APPROVE |
| 2. | Monthly Check Register | RECEIVE AND FILE |
| 3. | Statement of Activity | RECEIVE AND FILE |
| 4. | Treasurer's Report | RECEIVE AND FILE |
| 5. | Planning Status Report | RECEIVE AND FILE |
| 7. | A Resolution of the Town Council of the Town of Loomis
Adopting the Loomis Library Board of Trustees Bylaws | ADOPT RESOLUTION
Resolution 19-49 |
| 8. | A Resolution of the Town Council of the Town of Loomis
Awarding a Contract to NCE for the Evaluation of the Pavement
Condition Index for the Roads in Loomis and Authorizing Town
Manager to Execute an Agreement Acceptable to the Town for
Providing Such Services in the Amount Not to Exceed \$25,850 | ADOPT RESOLUTION
Resolution 19-50 |
| 9. | 2019 Town Council and Staff Retreat Summary | RECEIVE AND FILE |
| 10. | Ordinance of the Town Council of the Town of Loomis adding
Social Host Liability, Title 7, Chapter 7.18 to the Loomis
Municipal Code imposing liability on a "responsible person" for a
minor's use of alcohol, cannabis, or controlled substances at
gatherings | INTRODUCE FOR FIRST
READING OF ORDINANCE,
WAIVE FULL READING
AND READ BY TITLE ONLY
Ordinance 279 |

CONSENT ITEMS FORWARDED

6. Public Works Project Status Report

RECEIVE AND FILE

Miguel Ucovich pointed out that Rocklin is using a pass-through water system, for their spray pad, that could be cheaper than re-circulating the water.

Following further discussion on the matter, a motion was made to receive and file the Public Works project status report. On motion by Councilmember Morillas, seconded by Councilmember Baker and passed by the following vote:

Ayes: Baker, Clark-Crets, Duncan, Morillas, Onderko

Noes: None

Abstained: None

Absent: None

BUSINESS

11. Vaping and Electronic Cigarette Epidemic

During the September 10, 2019 Council meeting, Mayor pro tempore Clark-Crets and Councilmember Baker requested staff to look into how the Town could potentially curb the proliferation of electronic cigarettes (e-cigs) and vaping use by our local youth.

Recommended Action: Staff requests Council direction on how the Town should, if at all, address the vaping and e-cigs epidemic. The Town has two options at this point:

1. Direct staff to prepare an ordinance to ban the sale of e-cigs and vaping products throughout the Town, and direct staff to work with the Placer County Sheriff's Office and our local schools on other educational programs to curb the proliferation of vaping by youth; or
2. Direct staff to prepare a Council Resolution that encourages residents to immediately stop the use of e-cigs and other vaping products due to significant health concerns.

Public comment:

Alex Wride, County Health Educator, commented on the following:

- they don't know what product is causing the vaping illness but are doing studies to figure it out
- expounded on Auburn's diversion program – why they use it, what is in the products, coping strategies to deal with cravings, etc.

Lieutenant Josh Barnhart, Sheriff's Sub-station in Loomis, stated the e-cigarettes allow kids to burn honey oil (a concentrated form of cannabis) and tobacco.

Officer Jason Davis, in charge of Youth & Community Services Unit, stated the following:

- it's no longer unlawful for a minor to possess tobacco in California, no matter what age---their hands are tied
- it has become a major problem at the schools, they vape in class and blow the smoke in their backpacks and jackets without the teacher knowing
- they applied for a state grant (\$100,000) which will allow them to do undercover decoy operations throughout the County (it is still illegal to sell to minors) and for educating the kids and hosting educational seminars for business owners on the tobacco laws
- the City of Auburn has been first in the County to pass an ordinance

Chelsey Nauman, Principal at Del Oro High School, stated the following:

- vaping can smell fruity which makes it hard to detect in school
- kids are saying they are physically addicted to vaping and cannot stop
- students say cigarettes are gross but a vape pin taste good and they don't see anything wrong with it
- weekly they catch kids vaping and are seeing students going into states of depression all the way to states of psychosis

Jenny Knisley, Hunters Drive, asked about the current businesses that may be selling the vaping products in Loomis.

Linda Kelly, Barker Road, stated it would be important to educate the parents to know what to look for and be more aware, a lot of kids may be doing it without them knowing it.

Jean Wilson, Barton Road, asked if local business stopped selling the products could we prevent them from selling it again.

Jeff Mitchell, Town Attorney, pointed out that the manager has outlined one of the recommendations adopting an ordinance prohibiting the sale of the product and there would be no grandfathering on that.

Sonja Cupler, Tudor Way, questioned what happens if they buy on Amazon and not in town.

Sean Rabe, Town Manager, stated if kids are caught then it will give the Sheriff the ability to send them to the "diversion program" in Auburn.

Miguel Ucovich stated there are some benefits for adults, he has a real concern of not letting adults be able to buy Juuls.

Jesse Lunsford, Smokewood Court, suggested teaming up with surrounding cities and coming up with a master plan.

David Ring, Del Mar Avenue, questioned if other cities are doing this.

Amie McGrath, County Health Educator, stated the following:

- the City of Auburn adopted two ordinances
- the youth are getting e-cigs in the stores and from their parents
- it would be better to ban it completely, even for adults

Public comment closed.

Mayor Onderko stated we need to focus on the youth and let adults make their own decisions.

Council Consensus to support the schools and the Sheriff's Department on the Diversion Program.

Council consensus to come back with an ordinance to encourage people to refrain from smoking in the park.

Ban all flavored vape products except menthol or mint flavored.

Councilmember Baker stated banning the sale of vape products needs to be done on a state and federal level because they can go next door or on Amazon to get the product, even if Loomis bans it.

Councilmember Duncan stated it's a slow deterrent to ban it from Loomis but at least you are taking it out of the hands of the younger ones.

Councilmember Clark-Crets stated we have a major problem in Loomis, and we need to help our residents.

Mayor Onderko stated that it is about curbing the use for youth.

Mayor Onderko, Councilmembers Clark-Crets and Duncan support banning flavored vaping products (except for Menthol and Mint). (3/2 yes)

Banning sale of vaping products completely.

Mayor Onderko, Councilmembers Baker and Morillas do not support banning sale of vaping products completely. (3/2 no)

Sean Rabe reviewed the Council consensus to:

- bring back a resolution for a public service announcement, and
- a smoke free park ordinance, and
- an ordinance that establishes a diversion program for youth caught with vaping products and banning flavored vaping tobacco sales (except for menthol and mint), and
- send a letter of support for regulating vaping/e-cigs to state and federal government

12. League of California Cities Conference Resolutions

At the League Conference, scheduled for October 16-18, there is the annual business meeting when cities are asked to vote on various League issues. Two resolutions have been submitted: 1) Amendment to Rule 20A – calls upon the California Public Utilities Commission (CPUC) to expand its Rule 20A program for undergrounding overhead utilities to include projects in high fire hazard severity zones; and 2) International Transboundary Pollution Flows – calls upon the state and the federal governments of the U.S. and Mexico to address water quality issues resulting from transboundary flows from Mexico's Tijuana River into the United States.

Recommended action: Take public comment, consider the resolutions and determine the Town's position so that the voting delegates Mayor pro tempore Clark-Crets and alternate Councilmember Duncan can represent the Town's position on the resolutions.

Public comment:

Miguel Ucovich suggested asking for a resolution brought to the League of California Cities on vaping.

Council agreed to let the voting delegate have the authority to make the decision after hearing the debates and amendments.

13. Referendum (The Village) Properties Status

The Town Council requested a description of the status of the various properties within the Referendum Area. Staff has prepared a table that identifies the parcel number, site number (parcels with different Land Use Designations within a parcel), the site acreage, the General Plan Designation, the existing zoning, a determination if the Land Use Designation and Zoning are consistent, the required process to develop the site and zoning designations that are compatible with the Land Use Designation.

Recommended action: Receive and file.

Public comment:

Anders Hauge, Town Consulting Planner, reviewed the description of the status of the properties within the Referendum area, the required process to develop the site, zoning designations that are compatible with the Land Use Designation and answered questions.

Miguel Ucovich stated that the Zoning Code determines the coverage on lots, not the General Plan.

Jeff Mitchell, Town Attorney, pointed out that in California the General Plan controls over the Zoning Code, for example, if the General Plan says lot coverage is 45% then the Zoning Code could not say 60% coverage.

Jesse Lunsford questioned how anyone could build there without addressing the Environmental Impact Report that depends on Doc Barnes going through in order to mitigate traffic.

Received and filed.

COUNCIL COMMITTEE REPORTS

COUNCIL COMMITTEES

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

ADJOURNMENT Mayor Onderko adjourned the meeting at 9:41 p.m.

Mayor Tim Onderko

Town Clerk