



# TOWN OF LOOMIS

ACTION MINUTES  
WORKSHOP

LOOMIS TOWN COUNCIL  
LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

**TUESDAY**

**APRIL 13, 2010**

**6:30 P.M.**

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

## CALL TO ORDER

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

## ROLL CALL

Present:

Mayor Liss  
Councilmember Kelley  
Councilmember Morillas  
Councilmember Ucovich

Absent: Councilmember Scherer

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

## PRESENTATION

Placer County Sheriff's Presentation on Loomis Law Enforcement Activity

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

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

Councilmember Scherer arrived at 7 p.m.

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

# TOWN OF LOOMIS

AGENDA

REGULAR MEETING OF  
LOOMIS TOWN COUNCIL  
LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

**TUESDAY**

**APRIL 13, 2010**

**7:00 P.M.**

**CLOSED SESSION** – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.

- a. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Initiation of litigation pursuant to subdivision Section 54956.9: Two cases
  - Rocklin Crossing: Case #S CV 24099 Town of Loomis v City of Rocklin et al & Rocklin Crossings LLC et al
  - Rocklin Clover Valley: Case #34-2007-00002871-CU-WM-GDS Town of Loomis v City of Rocklin et al and Rocklin 650 Venture et al

**TUESDAY**

**APRIL 13, 2010**

**7:30 P.M.**

## CALL TO ORDER

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

## PLEDGE OF ALLEGIANCE

## ROLL CALL

Present:

Mayor Liss  
Councilmember Kelley  
Councilmember Morillas  
Councilmember Scherer  
Councilmember Ucovich

## STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

a. No action taken.

## PROCLAMATIONS/RECOGNITIONS

PEACE For Families and Interfaith Council of Churches

## MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

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

Councilmember Kelley stated the following:

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

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

Mayor Liss stated the following:

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

Councilmember Ucovich noted the following:

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

**All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.**

**Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.**

**PUBLIC COMMENT:** This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please **note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker may be limited to five minutes or less**, at the discretion of the Mayor.

Nancy McLaughlin, McLaughlin Studios, stated the following:

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

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

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

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

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

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

No public comment.

A motion was made to adopt the Consent Agenda pulling items 8, 9, and 10 forward for discussion. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

### CONSENT AGENDA

### RECOMMENDED ACTION

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

### CONSENT ITEMS FORWARDED

- |                              |         |
|------------------------------|---------|
| 8. Public Meeting Guidelines | APPROVE |
|------------------------------|---------|

Sandy Calvert stated the following:

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

Councilmember Ucovich stated the following:

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

Councilmember Kelley stated the following:

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

Councilmember Scherer suggested the following:

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

Councilmember Morillas stated the following:

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

Mayor Liss stated the following:

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

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

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

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

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

At this time Council discussed item 13.

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

Item 9 was discussed after Item 11.

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

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

Tom Seth, Mareta Lane, suggested the following:

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

Following further discussion on the matter, a motion was made to adopt Resolution 10-08, designating the places where public notices shall be posted with the following amendments: on item 1, Placer County Library on the outside bulletin board; add item 3, in addition, post on the Town website and the Blue Goose bulletin board. On motion by Councilmember Kelley, seconded by Councilmember Scherer and passed by voice vote (5/0).

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

Councilmember Ucovich stated the following:

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

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

Roger Smith, 6755 Wells Avenue, stated the following:

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

Jean Wilson, 4301 Barton Road, stated the following:

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

Dave Larsen, Town Attorney, stated the following:

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

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

## BUSINESS

### 11. Park, Recreation and Open Space Committee Review

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

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

**Public comment:**

Sandra Calvert, PROSC Chairman, responded to the following:

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

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

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

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

Roger Smith, 6755 Wells Avenue, stated the following:

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

Councilmember Ucovich stated the following:

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

Councilmember Kelley stated the following:

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

Councilmember Scherer stated the following:

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

Councilmember Morillas stated the following:

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

Mayor Liss stated the following:

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

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

A motion was made to eliminate Council liaison to the PROSC, there will be a moratorium for three months on appointments to PROSC, ask PROSC for an action plan, and include the green sheets. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote (5/0).

At this time Council discussed item 9.

12. **Reconsider Open Space Committee 2 Recommendation on Agricultural EIRs**

Councilmember Kelley asked Council to reconsider a decision made at the February 9, 2010 meeting concerning the Open Space Committee 2 recommendation having to do with agricultural environmental impact reviews.

**Recommended action:** Decide whether to reconsider the Council decision on the OSC-2 recommendation having to do with agricultural environmental impact reviews and if reconsideration is approved, then decide what the Council wishes to do.

**Public comment:**

Continued to the May 11, 2010 Council meeting.

The following item was discussed after item 8.

13. **Green Ribbon Task force Information**

Mayor Liss will give an update on the activities of the Green Ribbon Task Force that he convened in January 2010

**Recommended action:** Receive report and approve giving initial support

**Public comment:**

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

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

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

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

At this time Council discussed item 11.

14. **Interstate 80 Bridge Raising Strategies**

CalTrans is planning major work along I-80 to raise a number of bridges, three of which are in Loomis, and it would be prudent to consider a Town response to this planning and be prepared to respond when the environmental document is released in July 2010

**Recommended action:** Discuss and decide on a response to the CalTrans bridge raising planning process

**Public comment:**

Continued to the May 11, 2010 Council meeting.

15. **Proposals for Freeway and Directional Signs**

At the February 2010 goal session Council requested that information be developed to solicit the services of a consultant to prepare a sign plan for freeway and other signs with a goal of directing people to, and around, the downtown and other places in order to do business in Loomis

**Recommended action:** Discuss and determine whether to solicit a request for proposal from sign consultants or work with a local sign company to develop simple direction signs.

**Public comment:**

Continued to the May 11, 2010 Council meeting.

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

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

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

**Public comment:**

Continued to the May 11, 2010 Council meeting.

**COMMITTEE REPORTS**

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

**ADJOURNMENT**

A motion was made to adjourn at 10:25 p.m. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

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Mayor

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Town Clerk