



# TOWN OF LOOMIS

ACTION MINUTES  
REGULAR MEETING OF  
LOOMIS TOWN COUNCIL  
LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650  
[www.loomis.ca.gov](http://www.loomis.ca.gov)

**TUESDAY**

**NOVEMBER 12, 2013**

**7:30 P.M.**

**CALL TO ORDER** Call to order by Acting Mayor Ucovich at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present:

Councilmember Calvert  
Councilmember Morillas  
Councilmember Ucovich  
Councilmember Wheeler

**CEREMONIAL MATTERS**

Administration of Oath of Office

Robert Black was sworn in as Councilmember and took his seat at the table with the other Councilmembers.

**RECOGNITIONS/PROCLAMATION**

Brian Hogan

**MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS**

Councilmember Calvert suggested that the Council look at our plan for transportation and safety in the streets, for pedestrians and bicyclists.

Rick Angelocci, Town Manager, stated that we can discuss the Town's Master Bicycle Plan and areas that need to be addressed.

Councilmember Wheeler stated that he will need to appointment a new Planning Commissioner on the next agenda.

Councilmember Black stated that he will also need to appoint a Planning Commissioner on the next agenda.

**TOWN REPORT**

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** is three minutes but can be changed by the Mayor.

Pat Brechtal, 5815 Brace Road, stated the following:

- suggested having a public forum to get people that ride bicycles and cars to work together on following the rules for safety on the roads
- the Blue Goose went through Sierra Business Council on doing a light swap and they hope to receive a return on their investment within six months

Jim Holmes, Placer County Supervisor, stated the following:

- at their Board of Supervisors meeting today they proclaimed the week before Thanksgiving as Mandarin Season
- the Mandarin Festival will be on November 22nd

**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 Morillas, 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.

No public comment.

A motion was made to adopt the Consent Agenda, pulling item 6 forward for discussion. On motion by Councilmember Morillas, seconded by Councilmember Calvert and passed by voice vote.

### CONSENT AGENDA

### RECOMMENDED ACTION

- |  |  |
|--|--|
| 1. Council Minutes – 10/8/13   | <i>APPROVE</i>                               |
| 2. Monthly Check Register – October  | <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>                      |
| 7. A Resolution Of The Council Of The Town Of Loomis Authorizing Submittal Of Claims For Local Transportation Funds And State Transit Assistance Funds And Authorizing The Town Manager To Execute | <i>ADOPT RESOLUTION<br/>Resolution 13-24</i> |
| 8. Placer County Transit Agreement 2013/14 Year  | <i>RECEIVE AND FILE</i>                      |
| 9. A Resolution Of The Council Of The Town Of Loomis Acknowledging The Review, Receipt And Filing Of the Annual Statement Of Investment Policy   | <i>ADOPT RESOLUTION<br/>Resolution 13-25</i> |
| 10. A Resolution Of The Council Of The Town Of Loomis Accepting The Mareta Lane Improvement Project Provided By Civil Engineering Construction, Inc.   | <i>ADOPT RESOLUTION<br/>Resolution 13-26</i> |

### CONSENT ITEMS FORWARDED

- |   |                |
|---|----------------|
| 6. Request For Town Mini-Grant in the Amount of \$300 To The First United Methodist Church Of Loomis For Establishment Of A “Because We Can” Garden To Feed The Hungry Of Placer County | <i>APPROVE</i> |
|---|----------------|

No public comment.

Councilmember Calvert stated the following:

- to donate money to a church or a specific cause should be up to members of the community
- we have a wonderful Christmas Basket program and members of the community can donate to it
- to take the taxpayers money and give it to a charity is not acceptable
- that is something that the community should be doing on their own and not for local government to give to a church
- we don't have a huge homeless population to do this and we should not approve this

Councilmember Calvert made a motion to not approve the \$300 for the "garden to feed the hungry of Placer County." Councilmember Morillas seconded the motion.

Following was the discussion on the motion:

Councilmember Wheeler stated the following:

- there are a number of non-profit organizations that the government works with, and the food bank is one of those
- he just attended a presentation up in Auburn with the Placer City and County Officials meeting where they talked about panhandling issues and he saw a great co-operation between government, local charities and the religious based charities to handle the problem together
- this is an opportunity for us to handle the problem together
- we partner with the Methodist Church for our seniors and a lot of those seniors are struggling to have enough food

Councilmember Black stated he agrees with Councilmember Wheeler, this will benefit the people in the community.

Mayor Ucovich stated the following:

- community gardens have been supported by cities over the years, and the food is not just for the homeless, it's for people that need food
- he supports funding \$300

The motion failed (1/4) by the following roll call vote:

Ayes: Calvert

Noes: Morillas, Black, Ucovich, Wheeler

A motion was made to approve the mini-grant in the amount of \$300 to the First United Methodist Church of Loomis for establishment of a "Because We Can" garden to feed the hungry of Placer County. On motion by Councilmember Wheeler, seconded by Councilmember Black and passed (4/1) by the following roll call vote:

Ayes: Black, Morillas, Ucovich, Wheeler

Noes: Calvert

## PUBLIC HEARING

### 11. Loomis Municipal Code Amendments

First reading of an ordinance amending the Loomis Municipal Code: repealing Chapter 2.44 Redevelopment Agency; deleting Sections 2.36.050 (duplicate section for Planning Commission Compensation); adding to Section 2.04.030 under Salary an item B. "Nothing herein precludes any town councilmember from electing to decline receipt of monthly compensation. The decision to decline compensation shall be made known to the town manager for the necessary deletion from payroll records." In Section 2.28.010 deleting under item A. the words "town council," deleting item B. "the compensation of each council member shall be in the sum of three hundred dollars per month effective with the seating of new terms of office in 1996 and 1998," changing item C. to B., changing item D. to C. and under item C. deleting the words "any town councilmember or."

**Recommended action:** Approve the first reading of the ordinance amendments repealing Chapter 2.44, Section 2.36.050, and amending Sections 2.04.030 and 2.28.010 of the Loomis Municipal Code

**Public comment:**

No public comment.

Following further discussion on the matter, a motion was made to approve first reading of Ordinance 251, repealing Chapter 2.44 and Section 2.36.050, and amending Sections 2.04.030 and 2.28.010, of the Loomis Municipal Code. On motion by Councilmember Morillas, seconded by Councilmember Calvert and passed by voice vote.

## BUSINESS

12. **Memorandum of Agreement (MOA) between Placer County and the Town of Loomis Regarding Interjurisdictional Traffic Impacts**

At the direction of Town Council, staff has been working with Placer County to draft a MOA between Placer County and the Town of Loomis regarding Interjurisdictional Traffic Impacts. The intent of the MOA is to foster a cooperative, long range effort between the Town and County aimed at achieving mutual Transportation Improvement Projects as well as foster better relationships to the mutual benefit of both jurisdictions.

**Recommended action:** Approve the attached MOA with Placer County.

**Public comment:**

Jim Holmes, County Supervisor, stated the following:

- he reviewed the agreement, went over with the County Public Works Director and County Counsel and it is a fair way to move forward
- with the Penryn Orchard Apartments controversy there was a need for this type of an agreement
- he fully supports this agreement and encouraged Council to adopt the agreement

Following further discussion on the matter, a motion was made to approve the Memorandum of Agreement between Placer County and the Town of Loomis regarding Interjurisdictional Traffic Impacts. On motion by Councilmember Morillas, seconded by Councilmember Calvert and passed by voice vote.

13. **3751 Taylor Road Right-of-Way Conflict**

Staff received a request to approve an easement over the portion of a building that lies within the Town's right-of-way at 3751 Taylor Road.

**Recommended action:** 1) Leave the current right-of-way line as is and keep active the encroachment permit to cover the portion of the building within the Town's right-of-way. Or 2) approve a "building only" easement covering the portion of the building within the Town's right-of-way. It shall be conditioned that if the building is removed from the right-of-way the easement is no longer valid. All costs associated with an appraisal process, the preparation and processing of the easement documents, and recording is the responsibility of the property owner. Or 3) Approve the abandonment of Town right-of-way under the encroaching portion of the building and process a lot line adjustment. All costs associated with an appraisal process, the preparation and processing of the Deed documents, and recording is the responsibility of the property owner. Or 4) Remove existing building from Town right-of-way at property owner's expense. Discuss timeline for removal.

**Public comment:**

Pat Brechtal stated the following:

- it appears that the owner won't be able to sell his property
- this is a perfect opportunity where an eminent domain comes into play
- he suggested the Town make an offer on the property

Following further discussion on the matter a motion was made to approve option 2, a "building only" easement covering the portion of the building within the Town's right-of-way. It shall be conditioned that if the building is removed from the right-of-way, the easement is no longer valid. All costs associated with an appraisal process, the preparation and processing of the easement documents, and recording is the responsibility of the property owner. On motion by Councilmember Wheeler, seconded by Councilmember Black and following is the discussion on the motion:

Councilmember Calvert stated the following:

- when the County owned property adjacent to High Hand Nursery Scott Paris, the owner, wasn't able to purchase the property from the County
- the Town bought it from the County and then Scott Paris bought it from the Town and turned it into more parking
- she is not suggesting that the Town keep the property but perhaps there is someone with the Town's vision, like Scott Paris, that would like to have this property
- she suggested going with option 1 because option 2 will have no real clear title for anyone

Councilmember Wheeler stated the following:

- Scott Paris was an interested buyer for the property the town acquired
- questioned if we approve option 2, if we could still purchase the property at a later time

Jeff Mitchell, Town Attorney, stated you could purchase the property but it may be worth more because the Town will have given them what they need to maintain the current building configuration.

Councilmember Uovich stated the following:

- this piece of the property has very little frontage and there is no plan for this property
- he suggested letting private enterprise go in there with whatever they might want to do

Councilmember Black pointed out that the title should be an issue on this property with option 2.

Jeff Mitchell stated he wanted to clarify the following:

- the plan is not to bring it back for formal approval of an easement agreement
- it can be delegated to the planner

The motion passed by the following roll call vote:

Ayes: Black, Calvert, Morillas, Ucovich, Wheeler  
Noes: None

## COMMITTEE REPORTS

14. Project Go, Inc. – Community Action Agency - Calvert/Morillas
15. Placer County Economic Development Board – Wheeler
16. Placer County Flood Control/Water Conservation District – Morillas
17. Placer County Transportation Planning Agency – Calvert
18. Placer County Mosquito Abatement – Russ Kelley as citizen rep
19. Placer County Air Pollution Control District – Ucovich/Morillas
20. Local Agency Formation Commission - Ucovich
21. Sacramento Area Council of Governments – /Wheeler
22. Placer Land Trust ex-officio representative –
23. Borders Committee – /Wheeler and Calvert as alternate
24. Business Committee – /Wheeler and Calvert as alternate
25. Schools Liaison – Calvert/

**ADJOURNMENT** Acting Mayor Ucovich stated there was no further business and adjourned at 8:47 p.m.

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Acting Mayor Miguel Ucovich

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Town Clerk