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# Ripon City Council Minutes

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**TUESDAY, AUGUST 15, 2006 - 7:00 P.M.**

**CLOSED SESSION:** Conference with Legal Counsel pursuant to §54956.9 of the Government Code.  
Real Property Negotiations - Jack Tone Golf Course Lease

City Attorney Terpstra reported that he gave direction to the negotiators to proceed with the negotiations, and to expect a report back next month.

**WORKSHOPS:**        Dimension Regulations

The workshop was called to order at 6:00 p.m.

**ROLL CALL:** Council Members Elden R. Nutt, Curt Pernice, Vice-Mayor Dan Prince, Mayor Charles Winn

Absent: Mike Restuccia

Others Present: City Administrator Leon Compton, City Attorney Tom Terpstra, Planning Director Ernie Tyhurst, Associate Planner Ken Zuidervaart, City Clerk Lynette Van Laar.

Council and staff discussed the problems the Planning Department is having with the new setback regulations. The regulations are not suitable for every lot – it depends on the lot size and house size. It was recommended that staff review the setback requirements and come back with recommendations combining the old and new regulations to make the code easier to use.

There being no further business, the workshop adjourned at 6:50 p.m.

## **REGULAR MEETING**

The meeting was called to order as indicated at 7:00 p.m. with Council Member Nutt leading in the Pledge Allegiance to the Flag

**INVOCATION:** Tom Terpstra gave the invocation.

**ROLL CALL:** Council Members Elden R. Nutt, Curt Pernice, Vice-Mayor Dan Prince, Mayor Charles Winn

Absent: Council Member Mike Restuccia

**OTHERS PRESENT:** City Administrator Leon Compton, City Engineer Matt Machado, City Attorney

Tom Terpstra, Associate Planner Ken Zuidervaart, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Police Chief Richard Bull, Leonard Schemper, Chris Mayer, Gerry Nies, Tim Hern, Jack Krieg, Dean Uecker, Andy Varian, Kim Anderson, Ginger Eskes, Stu & Brigitte Long, Jon Garzoli, Jessica Coleman, Greg Coleman, Navid Fardanesh.

**PUBLIC DISCUSSION:** No one from the public wished to speak at this time.

**APPROVAL OF MINUTES: MOTION:** MOVED, SECONDED (PRINCE, NUTT) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA ABSENT) TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING OF AUGUST 1, 2006.

**APPROVAL OF AGENDA AS POSTED (OR AMENDED):**

City Clerk Van Laar requested that a resolution for the water bonds be added to the agenda because of time constraints, and staff just learned of the need for this resolution after the agenda was posted. This item was added as 6F.

City Engineer Machado requested that an item be added to the agenda as an emergency item regarding the PG&E contract for the Doak Boulevard CNG fueling station. This item was added as 6G.

Council Member Nutt requested that Items 3A and 3E be pulled from the Consent Calendar for a separate vote.

**MOTION:** MOVED, SECONDED (PRINCE, NUTT) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA ABSENT) TO APPROVE THE AGENDA AS AMENDED.

**CONSENT CALENDAR**

**Notes:**

**1. Income**

A. STATE OF CALIFORNIA

Traffic Congestion Relief (2003-04)	\$39,326.47	
Traffic Congestion Relief (2004-05)	\$49,135.96	
Reimbursement of State Mandated Costs - Animal Adoption (1999-00)	\$8,101.00	
Reimbursement of State Mandated Costs - Animal Adoption (2000-01)	\$35,943.00	
Reimbursement of State Mandated Costs - Open Meeting (2000-01)	\$18,312.00	
Reimbursement of State Mandated Costs - Absentee Ballots (2000-01)	\$1,231.00	
Highway Users Tax	\$25,458.93	
	<u><u>\$25,458.93</u></u>	
TOTAL		<b>\$177,508.36</b>

B. COUNTY OF SAN JOAQUIN

Lighting District	\$61,737.43	
General Fund	\$59,439.40	
	<u><u>\$59,439.40</u></u>	
TOTAL		<b>\$121,176.83</b>

C. GILTON SOLID WASTE  
MANAGEMENT

Franchise Fee		<b>\$6,565.66</b>
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D. SPRINT NEXTEL

MCI Ground Lease		<b>\$419.28</b>
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E. T-MOBILE

Base Rent		<b>\$708.36</b>
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**CONSENT CALENDAR, continued:**

1F. CINGULAR

Tower Rent **\$811.10**

**2. Bills, Invoices, Payments**

A. HERUM CRABTREE BROWN

General	\$5,592.27
Police Department Matters	\$1,576.41
Code Enforcement	\$1,560.60
Golf Course	\$975.37
City Council Meetings (5.3 hours)	\$0.00
Ripon Farm Service Contamination	\$52.02
S. Mohler Development Agreement	\$210.37
Ripon Tower Development Agreement	\$315.57
Shadow Hawk Development Agreement	\$525.93
Compliant to SWRCB	<u>\$133.87</u>

TOTAL **\$10,942.41**

B. SCHEMPER'S ACE HARDWARE

City of Ripon Clean Air Program **\$5,230.71**

C. THE SOURCE GROUP

Well No. 12	
Progress Payment	\$9,053.22
Final Invoice	<u>\$4,321.96</u>

TOTAL **\$13,375.18**

**CONSENT CALENDAR, continued:**

2D. RRM DESIGN GROUP

Ripon City Hall/PD Expansion Progress Payment	<b>\$5,943.14</b>
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2E. ACME CONSTRUCTION CO., INC.

City Hall Expansion Progress Payment	\$291,101.60
Retention: Bank of Sacramento	<u>\$32,344.62</u>
TOTAL	<b>\$323,446.22</b>

2F. NEIL O. ANDERSON & ASSOCIATES

Mistlin Sports Park Water Tower Progress Payment	<b>\$210.00</b>
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**3. Resolutions**

A. RESOLUTION NO. 06 - 47 *This Item was pulled for a separate vote.*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON CERTIFYING THE APPOINTMENT TO AND SETTING THE TERM FOR VACANCIES ON THE PLANNING COMMISSION, HISTORICAL MUSEUM COMMISSION, AND SENIOR COMMISSION	This resolution reappoints Gary Medeiros and Helen Whitmore to the Historical Museum Commission, Garry Krebbs to the Planning Commission, and Rena Pilotti to the Senior Commission for 4-year terms.
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B. RESOLUTION NO. 06 - 44

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON, ACCEPTING AN EASEMENT FOR RIGHT-OF-WAY PURPOSES OF REAL PROPERTY IN THE CITY OF RIPON	This resolution accepts a Grant of Easement for Right-of-Way purposes from the Hoff Family Trust for 10,756 square feet located on W. River Road near the Cornerstone project.
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**CONSENT CALENDAR, continued:**

3C. RESOLUTION NO. 06- 45

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON AUTHORIZING THE TRANSFER OF CERTAIN MUNICIPAL FUNDS FROM THE GENERAL FUND, GARBAGE FUND, AND SEWER FUND TO RESERVE FUNDS AND TRANSFER RESERVE WATER FUNDS INTO OPERATING WATER FUNDS OF THE CITY OF RIPON

This resolution authorizes the transfer of funds from the General Fund, Garbage Fund, Sewer Fund to Reserve Funds, and Water Funds into Operating Water Funds.

3D. RESOLUTION NO. 06- 46

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON AUTHORIZING THE TRANSFER OF CERTAIN MUNICIPAL FUNDS FOR STREET MAINTENANCE AND REPAIRS

This resolution authorizes the transfer of certain municipal funds for street maintenance and repairs.

3E. RESOLUTION NO. 06 - 48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON CERTIFYING THE APPOINTMENT TO THE CITIZEN'S ADVISORY COMMITTEE FOR THE SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS

*This Item was pulled for a separate vote.*

This resolution appoints Garry Krebbs to the Citizen's Advisory Committee for the San Joaquin County Council of Governments.

**4. Miscellaneous Items**

A. SETTLEMENT AGREEMENT

Modesto Irrigation District  
Sale of Street Lights

Authorize the Mayor to sign the Settlement Agreement, First Amended and Re-stated Agreement, and exhibits; authorizing the purchase of street lights. (Cost: \$168,780.00)

**CONSENT CALENDAR, continued:**

4B. EMPLOYEE COMPUTER PURCHASE PLAN LOAN AGREEMENT

Scott Wungluck

Authorize the computer purchase and loan agreement for Scott Wungluck.  
(\$1,175.71)

4C. COUNTY OF SAN JOAQUIN

Annual Agreement  
Information Systems Division

Approve the annual agreement with San Joaquin County for computer information services.  
(Estimated Cost: \$12,022.13)

4D. ACME CONSTRUCTION CO., INC.

City Hall/PD Expansion Project  
Change Order No. 10

Approve Change Order No. 10 for the Data Cabling System Changes.  
(Cost: \$101,797.00)

4E. CHESAPEAKE, PHASE V

Final Acceptance

Authorize the final acceptance of the construction improvements for the Chesapeake, Phase V Subdivision (Meritage Homes). A one-year maintenance bond has been received.

4F. MOSQUITO VECTOR CONTROL DISTRICT

West Nile Virus  
Aaron Devencenzi, Community Education

Approve of the flyer, provided by the San Joaquin County Mosquito and Vector Control District, to be included in the City's utility billing.

**CONSENT CALENDAR, continued:**

4G. DIEDE CONSTRUCTION

CNG Fueling Station  
Change Order No. 5

Approve Change Order No. 5 to address relocations and repairs needed due to unforeseen utility conflicts.  
(Cost: \$7,291.00)

4H. ACME CONSTRUCTION CO. INC.

City Hall/PD Expansion Project  
Change Order No. 9

Approve Change Order No. 9 to address various issues due to plan check comments made after award of the contract.  
(Cost: \$39,869.00)

**🍷 End of Consent Calendar 🍷**

**MOTION:** MOVED, SECONDED (PERNICE, PRINCE) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA ABSENT) TO APPROVE THE CONSENT CALENDAR.

*Discussion on Items 3A and 3E.*

Council Member Nutt said that if we are going to make appointments, they should not be on the Consent Calendar. Volunteers should get more recognition than that. Nutt said that Garry Krebbs is in the audience, and he will make a very, very good representative to COG.

Nutt asked about Item 6E – should it be taken first.

Mayor Winn said that Mr. Krebbs is being appointed according to COG regulations. Item 6E will be to vote on changing the regulations.

**MOTION:** MOVED, SECONDED (NUTT, PRINCE) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA ABSENT) TO APPROVE RESOLUTION NO. 06-47 AND RESOLUTION NO. 06-48.

## 5. ORDINANCES

## Notes:

### *First Reading and Introduction*

#### A. ORDINANCE NO. 741

AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF RIPON ADDING  
CHAPTER 6.56 TO THE RIPON MUNICIPAL  
CODE RELATING TO THE MANDATORY  
SPAYING AND NEUTURING OF  
PIT BULL BREEDS

This ordinance adds Chapter 6.56 to the Ripon Municipal Code relating to the mandatory spaying and neuturing of pit bull breeds.

Chief Bull said he began looking at this and other animal control issues six months ago. He said that this was one of the things we found that was disturbing, and as with other things in the City, we try to take the lead on things before they become serious problems. State law changed this year that allows cities to regulate certain animals, and in the year 2004, there were three pit-bulls declared vicious by the City, and in 2005 we had three pit-bulls that were declared vicious and destroyed, and so far in 2006, we have had two pit-bulls, after attacking and killing animals, were declared vicious and destroyed. To this date, it has always involved animals, but we have had a number of threats involving people. He said he is not aware of any serious attack on a human, but we should not wait for that time to come. He said he worked with the attorney and his staff to come up with something that would be somewhat restrictive and have some control by the City, while at the same time allowing those people who have registered pit-bulls to maintain their breed and allow to breed them. The ordinance outlines the fact that there will be mandatory spaying and neutering of the pit-bull breeds within the City of Ripon – except under certain circumstances where they are registered show dogs or registered breeding dogs, and the owners would have to get a permit.

City Attorney Terpstra said this ordinance was crafted following state law that was passed recently allowing cities and counties, for the first time, to regulate animals specific to breed. Given the history and evidence that we have of attacks over the last three years, we feel this is a reasonable exercise of the Council's legislative authority.

Council Member Pernice said he asked the City Attorney and Chief of Police, just prior to the meeting, if we can look into the possibility of prohibiting felons and or parolees from being able to own pit-bulls. He asked if this can this be added before the second reading.

Terpstra said he can research it. He has done considerable research on SB861 which is the bill that enables cities to regulate these animals. If this request is consistent with state law, it can be added for the second reading.

Council Member Nutt said he is a firm believer that the behavior of animals is a result of the way they are trained. He said he has nothing against any breed of animal, but he has had experience with pit-bulls. They are a vicious breed, but not all of them are. One thing he noted, the ordinance reads that "If an owner, guardian or keeper is unsure as to whether or not his/her unsprayed and unneutered dog is a pit bull, s/he may make an appointment with Department at which a Department staff member shall make a

**ORDINANCES, continued:**

determination as to whether or not the dog is a pit bull.” Nutt asked if department staff is qualified to do that, or if a veterinarian should make the determination.

Chief Bull said the Department has personnel that are trained, not only to determine breed, but can to temperament testing. If they were in doubt, they can meet with a veterinarian. Personnel have done that in the past and I have found that our people are as qualified as the veterinarian to determine breed. We have very experienced personnel, both volunteer and full time, that do a very good job of classifying dogs.

Nutt asked if there is an appeal process. Chief said yes.

Vice Mayor Prince showed a picture of his 16-year-old cat taken two months before two pit-bulls attacked and killed it in his own front yard. He said he is one of the instigators of this ordinance and he is proud of it. He said that this ordinance is not a restrictive ordinance. It is simply responsible pet ownership. He said he has two dogs which are both neutered, and a cat that is spayed. That is simply responsible pet ownership. Unfortunately the pit-bull has a very strong jaw. If you get bit by a German Shepherd or a Chihuahua, you will get hurt, but it doesn't do damage like a pit-bull does.

**MOTION: MOVED, SECONDED (PRINCE, NUTT) AND CARRIED BY THE FOLLOWING VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 741.**

AYES: Prince, Nutt, Pernice, Winn  
NOES: None  
ABSENT: Restuccia  
ABSTAIN: None

*Discussion before the vote:*

City Attorney Terpstra requested that Council take comments from the audience.

Mayor Winn asked the Chief if the City has had any other instances of attacks by other types of dogs.

Chief Bull said there may have been animal-on-animal attacks, but he is not aware of any other than the pit-bulls where they have actually sought out and killed other animals. What we have found in these type of incidences, is that the dog is a pit-bull or pit-bull cross with the locking-jaw – it is a very powerful bite.

Winn asked about testing of dogs in the Animal Shelter before adopting them out.

Bull said all animals are temperament tested before they are adopted. He said that most pit-bulls are not adoptable and have to be destroyed. We have to be sure that pets that are adopted out are appropriate for someone's family.

Winn said the ordinance does not prohibit the ownership of pit-bulls, but requires they be spayed or neutered unless the dog is registered for show or breeding.

**PUBLIC DISCUSSION OPENED**

No one from the public wished to speak at this time.

**PUBLIC DISCUSSION CLOSED**

6. DISCUSSION ITEMS

Notes:

A. LEAGUE OF CALIFORNIA CITIES PROPOSITIONS

Support Propositions 1A and 1B  
*Discussion/Action*

Submitted by Vice Mayor Prince

Consider preparing a resolution and submitting the “support sheet” to the League of California Cities in support of Proposition 1A and 1B to fund transportation improvements for safer highways, better roads, less traffic congestion, and to reduce air pollution.

Vice Mayor Prince introduced Item 6A stating that the purpose of Propositions 1A and 1B are to close the loophole in Proposition 42, where legislators have been diverting transportation money to non-transportation purposes.

**MOTION:** MOVED, SECONDED (PRINCE, NUTT) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA, ABSENT) TO DIRECT STAFF TO SUBMIT THE “SUPPORT SHEET” AND PREPARE A RESOLUTION SUPPORTING PROPOSITIONS 1A AND 1B.

B. LEAGUE OF CALIFORNIA CITIES PROPOSITION

Oppose AB 2987 (Statewide franchise for cable and video service providers)  
*Discussion/Action*

Submitted by Vice Mayor Prince

Consider preparing a resolution in opposition of AB 2987, which takes control of cable and video franchises from local agencies and places it at the state level. This would require another level of bureaucracy requiring new staffing and funding.

Vice Mayor Prince introduced Item 6B stating that AB 2987 strips the City of any control of our cable franchise agreements.

**MOTION:** MOVED, SECONDED (PRINCE, PERNICE) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA, ABSENT) TO DIRECT STAFF TO PREPARE A RESOLUTION OPPOSING AB 2987.

**DISCUSSION ITEMS, continued**

6C. VOTING DELEGATE

League of California Cities Annual Conference  
September 6 - 9, San Diego  
*Discussion/Action*

Designate a voting delegate and alternate voting delegate to the Annual League of California Cities conference.

Vice Mayor Prince volunteered to be the Voting Delegate and Council Member Pernice volunteered to be the Alternate Voting Delegate.

**MOTION: MOVED, SECONDED (PRINCE, PERNICE) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA, ABSENT) TO APPOINT VICE MAYOR PRINCE AS THE VOTING DELEGATE AND COUNCIL MEMBER PERNICE AS THE ALTERNATE VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE.**

6D. HOT AIR BALLOON FESTIVAL

Refund Fees  
*Discussion/Action*

Submitted by Vice Mayor Prince

Jessica Coleman will give a presentation on the "Color the Sky Hot Air Balloon Festival." Consider refunding the park rental fees for this event.  
(Refund: \$1,520.00)

Jessica Coleman, Chairperson for the Hot Air Balloon Festival, requested that the park rental fee be refunded, and that the lawn not be watered between Friday and late Sunday. She said there will be tables set up to serve 1,000 people for the pancake breakfast. The event will go to noon on Saturday and Sunday, but the tables, chairs, and vendors' booths have to be set up on Friday and will be taken down Sunday afternoon. She said she met with the Vice Mayor, the Chief of Police, and Public Works Director Johnston. She said that not watering the lawn is a sensitive issue.

Vice Mayor Prince said that the lawn is usually watered eight hours a day in this heat. He said it is up to Johnston as to whether the lawn is watered on schedule or not. If the weather cools down, they may be able to change the schedule.

Coleman asked if they could hand water.

Prince said the park is watered from about 8:00 p.m. to 6:00 a.m. To hand water the park means lots of man hours.

Council Member Pernice said she needs an alternate plan in case the watering has to go on schedule.

Coleman asked if the balloon could be set off by the water tower.

**DISCUSSION ITEMS, continued**

City Engineer Machado said that would be OK.

Coleman asked if the restrooms could be opened early because the volunteers will be there at 4:00 a.m.

Prince said he would get back to her on that.

Mayor Winn said that they are willing to work with her, but the people who take care of the facility have the final call, and she needs an alternate plan. He said there are three asphalt parking lots they can use to stay off the turf. He said they do have the authority to waive the fees.

**MOTION: MOVED, SECONDED (PRINCE, NUTT) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA, ABSENT) TO APPROVE REFUNDING THE PARK RENTAL FEE FOR THE HOT AIR BALLOON FESTIVAL.**

*Discussion before the vote:*

Council Member Pernice said he did not want to discount the work done by the Recreation Commission. He said this is a great venture and worth making an exception, but we have to be careful to not set a precedence.

Vice Mayor Prince said this will be a good annual event, and said he would like to keep some of the funds locally.

Council Member Nutt said the Recreation Commission did their job and any exceptions should be done by the Council.

6E. APPOINTMENTS TO COUNCIL OF GOVERNMENTS

Method of Appointment  
*Discussion/Action*

Discuss and determine the method to  
appoint persons to the Citizen’s  
Advisory Committee for COG.

Submitted by Mayor Winn

Mayor Winn said that the Executive Committee recommendation was to change the structure Citizen’s Advisory Committee. Currently it has 11 members, and the Board voted to expand it to 16 members. Historically it has been made up of one representative from all the cities including Stockton and the County of San Joaquin. The recommendation is to add two representatives from the business related organizations; one representative each from an environmental and resource organizations, a senior organization, a regular transit rider, and someone in agriculture; and two appointments from agencies such as the League of Women Voters, the University of the Pacific, Delta College, or similar organization. The current method by which COG citizens are appointed are by the COG representative. He would like to include in our ordinance, that the appointment be made by the Mayor as are all our other appointments.

**DISCUSSION ITEMS, continued**

[6E]

**MOTION:** MOVED, SECONDED (PRINCE, NUTT) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA, ABSENT) TO DIRECT THE CITY ATTORNEY TO DRAFT AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE THE APPOINTMENTS TO THE COUNCIL OF GOVERNMENTS CITIZENS ADVISORY COMMITTEE.

6F.

RESOLUTION 06-49

RESOLUTION OF THE CITY OF RIPON  
AUTHORIZING THE EXECUTION AND  
DELIVERY OF AN INSTALLMENT PURCHASE  
AGREEMENT, A BOND PURCHASE  
AGREEMENT, AN OFFICIAL STATEMENT  
AND A CONTINUING DISCLOSURE  
CERTIFICATE AND AUTHORIZING CERTAIN  
RELATED MATTERS

This resolution authorizes the execution of specified agreements for the purpose of financing capital improvements, appoints the underwriters, and the Authorized Officers are further authorized to take all actions and execute any and all documents necessary.

City Attorney Terpstra introduced the item stating that this resolution authorizes executing the agreements for purposes of the water bond. This resolution accompanies all these bond issues and it is a fairly routine matter. The City has moved ahead with this transaction and we need to adopt the resolution.

**MOTION:** MOVED, SECONDED (PRINCE, NUTT) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA, ABSENT) TO APPROVE RESOLUTION NO. 06-49.

6G. PG&E

CNG Fueling Station  
Additional Unforseen Tax  
*Discussion/Action*

Authorize the Mayor to sign an agreement with PG&E for an additional unforseen tax on the construction portion of the gas services.  
(Cost: \$35,307.13)

City Engineer Machado said the City Council approved the contract with PG&E on July 10, 2006 for the fueling station on Doak Boulevard. PG&E found an error in the fee calculations and have halted the project until the fee is paid. Machado said this is part of the refundable option, so the City will get the money back.

**MOTION:** MOVED, SECONDED (PRINCE, NUTT) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA ABSENT) TO AUTHORIZE THE MAYOR TO SIGN THE EXTENSION AGREEMENT WITH PG&E AND APPROVE THE PAYMENT OF \$35,307.13.

## **REPORTS**

**City Administrator:** Compton announced he will miss the September 19 meeting to attend the Risk Management conference.

**City Attorney:** Terpstra said there was debate on whether Proposition 218 applies to water rates. He said the courts have been split on that, but Ripon has taken the conservative view that water and sewer rate increases are subject to Prop. 218. Recent decisions determined that protest vote requirements do apply to water rate increases. Our protest procedures are the way that Proposition 218 was intended to apply, and all cities will have to do the same.

**City Engineer:** Machado said the lights at the new baseball fields will be tested tonight.

**Planning Director:** Absent

**Chief of Police:** Bull said that National Night Out went very well, and he estimated that 6,000 to 7,000 people attended. He thanked Council Member Nutt for helping with the bar-be-que, and thanked all the Council for their support.

**Recreation Director:** Absent

**Director of Public Works:** Absent

**City Council:** Winn said that the Police Department did an excellent job organizing National Night Out.

Pernice said he went to the School Board meeting and asked the Board to sit down with City staff and Council to discuss the Frontage Road project, and they agreed. He said he would like to set the meeting for September.

**Council of Governments:** Winn said the California Regional Intermodal program is creating a cargo transport from the Port of Oakland, which will reduce truck miles. The program is still in the discussion stage, and they need to find the available track space. They will need about \$9 million in funding each year.

There being no further business, the meeting adjourned at 8:05 p.m.

(Signed) Charles Winn

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Mayor

ATTEST:

(Signed) Jeanne D. Hall

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Deputy City Clerk

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# Ripon Community Redevelopment Agency Minutes

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**TUESDAY, AUGUST 15, 2006  
AFTER COUNCIL MEETING**

**ROLL CALL:** Directors Elden R. Nutt, Curt Pernice, Vice-Chairman Dan Prince, Chairman Charles Winn.

Absent: Michael P. Restuccia

**OTHERS PRESENT:** Executive Director Leon Compton, City Engineer Matt Machado, City Attorney Tom Terpstra, Associate Planner Ken Zuidervaart, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Police Chief Richard Bull, Leonard Schemper, Chris Mayer, Gerry Nies, Tim Hern, Jack Krieg, Dean Uecker, Andy Varian, Kim Anderson, Ginger Eskes, Stu & Brigitte Long, Jon Garzoli, Jessica Coleman, Greg Coleman, Navid Fardanesh.

**PUBLIC DISCUSSION:** No one from the public wished to speak at this time.

## **CONSENT CALENDAR**

### **1. Minutes**

- A. Approve the Minutes of the August 1, 2006, Redevelopment Agency Meeting.

### **2. Bills, Invoices, Payments**

- A. ACME CONSTRUCTION CO., INC.

Police Department Expansion		
Progress Payment	\$136,988.99	
Retention: Bank of Sacramento	\$15,221.00	
	<u>                    </u>	
TOTAL		<b>\$152,209.99</b>

- B. HERUM CRABTREE BROWN

Ripon Redevelopment Agency		<b>\$210.37</b>
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**CONSENT CALENDAR, continued:**

2C. NEIL O. ANDERSON

S. Frontage Road  
Progress Payment

**\$220.00**

**3. Resolutions**

A. RESOLUTION NO. 06- 2

A RESOLUTION OF THE CITY OF RIPON  
REDEVELOPMENT AGENCY TO  
PURCHASE TWO TAX DEFAULT  
PROPERTIES FOR AFFORDABLE  
HOUSING AND ECONOMIC PURPOSES

This resolution authorizes the purchase of tax default property located at 212 N. Walnut Avenue (APN 259-190-18) and 145 N. Stockton Avenue (APN 259-060-43) for the purpose of affordable housing and economic development.

**4. Miscellaneous Items**

A PACIFIC GAS AND ELECTRIC

Mavis Stouffer Park  
Electrical Distribution Facilities

Approve the contract with PG&E for the Stouffer Park electric distribution facilities, and authorize the 10-year refundable advanced payment.  
(Advanced Payment: \$16,100.59)

**End of Consent Calendar**

**MOTION: MOVED, SECONDED (PRINCE, NUTT) AND CARRIED BY A VOTE OF 4-0 (RESTUCCIA, ABSENT) TO APPROVE THE CONSENT CALENDAR.**

There being no further business, the meeting adjourned at 8:06 P.M.

(Signed) Charles Winn

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Chairman

ATTEST:

(Signed) Jeanne D. Hall

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Deputy City Clerk