
Ripon City Council Minutes

TUESDAY, OCTOBER 6, 2009 - 7:00 P.M.

WORKSHOP: The City of Ripon workshop was called to order at 6:00 p.m.

ROLL CALL: Council Members Garry Krebbs, Dean Uecker, Vice Mayor Elden R. Nutt, Mayor Chuck Winn

Absent: Council Member Charlie Gay

Others Present: City Administrator Leon Compton, City Attorney Tom Terpstra, Director of Planning Ken Zuidervaart, City Engineer Kevin Werner, Director of Public Works Ted Johnston City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Leo Zuber.

SUBJECT: Water Meters

City Engineer Werner said that the state law goes into effect on January 1, 2010. He said that the utility bills will show customers their current amount due, and also what their bill will be once the meters are turned on. The state requires that all meters be installed by 2025. Right now, 50% of the homes have meters installed leaving 2,000 homes that still need meters. Meters have also been installed at multi-family homes (apartments and duplexes), churches, and schools. He said a financial plan needs to be prepared for the base rate and commodity rate. The commodity rate will encourage conservation, but over time, the state may require even more conservation.

Werner said that home owners are responsible for the cost of installation. He said that the homes that already have meters have paid for them in the purchase of their home. He said that the cost of installation can be billed over time – a surcharge. The cost of installation may be between \$800 and \$1,000 which could be billed over a ten-year program. Werner said that the base rate has to be voted on under the Prop. 218 process. He said that the cost of the meter and installation does not need to be voted on.

Werner said he will prepare a financial plan for the Council to consider.

Werner also discussed the issue of an SSJID inter-connector. The goal would be to supplement the City's well water with 25% - 35% surface water. Doing this would provide groundwater recharge and would extend the life of our wells. The things that are to be considered are the water delivery schedule, the buy-in costs, and the rate impacts.

There being no further business, the workshop was adjourned at 6:58 p.m.

REGULAR MEETING

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

INVOCATION: Rev. Fritz Harms gave the invocation.

ROLL CALL: Council Members Dean Uecker, Garry Krebbs, Vice-Mayor Elden “Red” Nutt, Mayor Chuck Winn

Absent: Council Member Charlie Gay

OTHERS PRESENT: City Administrator Leon Compton, City Attorney Tom Terpstra, City Engineer Kevin Werner, Planning Director Ken Zuidervaart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Lt. Ed Ormonde, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Leo Zuber, Chuck Roots, Fritz Harms, John DeDonatis, Callum Taylor, Ashley Andrews, Kyle Eisenga, Caleb O’Hara, Danielle Pierce, Corina del Real, Lourdes Vega, Daisy Villages, Leilany Soto, Mitch Meler, Laura Hernandez, Tyler Poole, Cory Anderson, Lacey Clark, Cassie Hoogendoorn, Hannah Nelson, Kody Wengel, Kaitlyn Williams, Kate Ballatore, Sheri Rizo, Jessica Desgorges, Megan Ratto, Don Schapman, Loren Schemper, Gordon Vander Veen, Art Sipma, Woody Van Vuren.

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

APPROVAL OF MINUTES: **MOTION:** MOVED, SECONDED (NUTT, DEAN) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING OF SEPTEMBER 15, 2009, AND THE SPECIAL MEETING OF SEPTEMBER 29, 2009.

APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Mayor Winn requested that Item 3G be pulled from the Consent Calendar for discussion.

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

CONSENT CALENDAR

Notes:

1. Income

A. STATE OF CALIFORNIA

Retail Sales Tax 2 nd Quarter	\$68,033.96	
Current Advance (July)	\$130,300.00	
TOTAL		\$198,333.96

B. COUNTY OF SAN JOAQUIN

Ripon Lighting District	\$18.72	
General Fund	\$21,533.07	
TOTAL		\$21,551.79

C. RUDY BONZI, INC.

Franchise Fee July	\$589.53	
August	\$461.96	
TOTAL		\$1,051.49

D. SPRINT NEXTEL

MCI Ground Lease		\$419.28
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E. AT&T

Acacia Avenue		\$839.17
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CONSENT CALENDAR, continued:

2. Bills, Invoices, Payments

A.	LSC TRANSPORTATION CONSULTANTS, INC.		
	Short Range Transit Plan Progress Payment		\$626.25
B.	HAWKINS DELAFIELD & WOOD		
	Professional Services		\$1,800.00
C.	THOMAS H. TERPSTRA – LAW		
	Professional Services General	\$12,154.00	
	Police Department Matters	\$1,216.00	
		TOTAL	\$13,370.00
D.	INTERWEST CONSULTING GROUP		
	Transport Planning Progress Payment		\$750.00
E.	DAMON S. WILLIAMS ASSOCIATED, LLC		
	Well No. 12 - SMI Progress Payment		\$1,788.00
F.	CROCE & COMPANY		
	Professional Services		\$20,000.00
G.	ASPEN SURVEY		
	Mistlin Sports Park 21562 S. Jack Tone Road Progress Payment		\$1,585.00

CONSENT CALENDAR, continued:

3. Miscellaneous Items

A. CLAIM

Doyle Kimmons

Deny the claim filed by Doyle Kimmons.
(Claim: \$6,600.00)
(Note: A Certificate of Liability Insurance
was provided by Color the Skies)

B. HAWKINS DELAFIELD & WOOD, LLP

Arbitrage Rebate and Yield Restriction
Compliance Report (2006 - 2009)
California Statewide Communities
Development Authority Water Revenue Bonds,
Series 2006C

Accept the report prepared by Hawkins
Delafield and Wood for the water bond:
Series 2006C.

C. PROCLAMATION

Women's Center of San Joaquin County
Sheri L. Rizo, Law Enforcement Coordinator

Proclaim October to be Domestic Violence
Awareness month.

D. PROCLAMATION

Mosquitos Eastside Action Club
William Ramos

Recognize the 40th Anniversary of the
Mosquitos Eastside Action Club.

E. STATE PROPOSITION 1B FUNDS

FY 2007-2008 Appropriations

Authorize the balance of the Prop 1B funds
to be used for the South Rehabilitation
project: Wilma Avenue and Wilma Court.
(Funds: \$19,862.00)

F. CLAIM

Eric Boger

Deny the claim filed by Eric Boger.
(Claim: Pay Step Increase)

CONSENT CALENDAR:

3. Miscellaneous Items, continued:

Item 3G was pulled for discussion.

G. GRANTS AWARDED TO THE RIPON POLICE DEPARTMENT

California OTS Grants:

1) DUI Education and Enforcement (\$113,000.00)

2) DUI Check Points (\$16,750.76)

Accept the two California Office of Traffic Safety grants for the Ripon Police Department. **No matching funds are required;** therefore, the grant pays for 100% of the overtime costs.

🍷 End of Consent Calendar 🍷

MOTION: MOVED, SECONDED (KREBBS, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE CONSENT CALENDAR.

PRESENT PROCLAMATIONS

Mayor Winn presented a proclamation to Sheri Rizo, representing the Women’s Centers. Rizo thanked the Council stating that 3.3 million children are abused every year, and one in 10 high school relationships involve abuse.

William Ramos, was not present to receive the proclamation for the Mosquitos Eastside Action Club.

Discussion on Item 3G.

Lt. Ormonde explained how the grants will be used.

Mayor Winn thanked Chief Bull and his staff for working for grants.

MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO ACCEPT THE CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANTS.

4. PUBLIC HEARINGS

Notes:

A. STREET NAME CHANGE

Frontage Road
aka: N St Rt 99 E Frontage Rd Hy
aka: E Frontage Rd
aka: E ST Rt 99 E Fron Rd Hy
aka: S St RT 99 E Fron Rd Hy

This is a public hearing to consider renaming the frontage road on the north side of N. Hwy 99 to Frontage Road (This road currently has a variety of identifiers.)

This project is categorically exempt from CEQA.

Planning Director Zuidervaart said that the different names for the frontage road cause confusion with the County Assessor's Office, the emergency services 911 dispatch, and City services. He said that all property owners were notified of the Public Hearing, and all property owners will receive letters confirming their new address.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE STREET NAME CHANGE TO "FRONTAGE ROAD."

5. ORDINANCES

Notes:

Second Reading and Adoption

A. ORDINANCE NO. 777

AN ORDINANCE OF THE CITY
OF RIPON REZONING CERTAIN REAL
PROPERTY IN THE CITY OF RIPON

This ordinance amends the Zoning Map
of the City of Ripon to rezone APN
257-270-70 from Urban Reserve to
Single Family Residential-Estate.

MOTION: MOVED, SECONDED (NUTT, KREBBS) AND CARRIED BY THE FOLLOWING VOTE TO
WAIVE THE SECOND READING AND ADOPT ORDINANCE NO. 777.

AYES: Nutt, Krebs, Uecker, Winn
NOES: None
ABSENT: Gay
ABSTAIN: None

6. DISCUSSION ITEMS

Notes:

A. RIPON CEMETERY ASSOCIATION, INC.

Adjust Public Utility Easement (PUE)
Block Wall
Discussion/Action

The RCA requests that the PUE be readjusted by five feet; thereby, the existing utilities would be inside the PUC, and this adjustment would allow for a block wall to be built 10 feet behind the sidewalk.

Loren Schemper, Vice Chairman, Ripon Cemetery Association, said he was here to answer any questions.

Planning Director Zuidervaart said that code requires the fence to be 20 feet in from the curb, but the requested change to the PUC requires the Association to request a Variance from the Planning Commission.

MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE MOVING THE PUBLIC UTILITY EASEMENT ALLOWING FOR A BLOCK WALL TO BE BUILT TEN FEET BEHIND THE SIDEWALK.

B. COUNCIL CHAMBERS

Rental Use Agreement
Discussion/Action

Approve the rental use agreement for the Council Chambers.

Planning Director Zuidervaart introduced the agreement explaining that a prayer group requested the use of the Chambers to hold public prayers. Council then directed staff to develop a policy for public use of the Council Chambers. He explained the program, and the charges that are needed for clean up and use of the equipment. There is also a charge for the host to open and close the building after hours.

Council Member Krebbs requested that it be written into the agreement that the after-hours use is to be limited from 5:00 p.m. to 10:00 p.m.

MOTION: MOVED, SECONDED (KREBBS, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE RENTAL USE AGREEMENT WITH THE AMENDMENT ADDED THAT AFTER-HOURS USE IS LIMITED FROM 5:00 P.M. TO 10:00 P.M.

Zuidervaart said that Council approved the prayer group's use of the Chambers before the policy was written. He asked if the prayer group needed to abide by the agreement.

Mayor Winn said that the prayer group should complete the application.

REPORTS

City Administrator: No Report

City Attorney: Terpstra said that he will report out after the Closed Sessions.

City Engineer: No Report

Planning Director: No Report

Recreation Director: No Report

Director of Public Works: Johnston said that this weekend is the Community Yard Sale.

Chief of Police: (Lt. Ormonde) No Report

City Council: Krebbs said he attended the League of California Cities Conference in San Jose. He said that all cities have the same problems as Ripon, and no city is happy about how the state is running things.

Mayor Winn said he attended a conference in Fresno about greenhouse gases. He said that SB375 will be very expensive to implement and he doesn't know where the money is coming from. Also, a high-speed rail system was approved, but there is only money to build it between Anaheim and Los Angeles. He said that there is absolutely no money to build it in the valley.

There being no further business, the meeting adjourned at 7:34 p.m.

(Signed) Chuck Winn

Mayor

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

REDEVELOPMENT AGENCY:

Ripon Community Redevelopment Agency Minutes

TUESDAY, OCTOBER 6, 2009

AFTER COUNCIL MEETING

ROLL CALL: Directors Dean Uecker, Garry Krebbs, Vice-Chairman Elden “Red” Nutt, Chairman Chuck Winn.

Absent: Director Charlie Gay

OTHERS PRESENT: Executive Director Leon Compton, City Attorney Tom Terpstra, City Engineer Kevin Werner, Planning Director Ken Zuidervaart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Lt. Ed Ormonde, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Leo Zuber, Chuck Roots, Fritz Harms, John DeDonatis, Callum Taylor, Ashley Andrews, Kyle Eisenga, Caleb O’Hara, Danielle Pierce, Corina del Real, Lourdes Vega, Daisy Villages, Leilany Soto, Mitch Meler, Laura Hernandez, Tyler Poole, Cory Anderson, Lacey Clark, Cassie Hoogendoorn, Hannah Nelson, Kody Wengel, Kaitlyn Williams, Kate Ballatore, Sheri Rizo, Jessica Desgorges, Megan Ratto, Don Schapman, Loren Schemper, Gordon Vander Veen, Art Sipma, Woody Van Vuren.

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

APPROVE THE MINUTES; MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE MINUTES OF THE REDEVELOPMENT AGENCY MEETING OF SEPTEMBER 15, 2009.

CONSENT CALENDAR

1. Bills, Invoices, Payments

A. THOMAS H. TERPSTRA – LAW

Redevelopment Plan Amendment

\$2,712.00

2. Resolutions

A. RESOLUTION NO. 09-15

A RESOLUTION OF THE
REDEVELOPMENT AGENCY OF THE
CITY OF RIPON AUTHORIZING THE
CHAIRMAN TO EXECUTE THIS
RESOLUTION OF ACCEPTANCE FOR A
DEED OF REAL PROPERTY LOCATED
AT 1223 ROBERT CT., RIPON,
CALIFORNIA 95366

This is a resolution to authorize the Chairman to sign the Resolution of Acceptance for a deed for property located at 1223 Robert Court to be made available for affordable housing.

End of Consent Calendar

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

3. DISCUSSION ITEMS:

A. AMENDMENT TO GAP PROGRAM

Policies

Discuss allowing only fixed-rate conventional or FHA primary loans; partial payments will not be applied to the loan until the full payment is received; Breach of Contract letters will be sent when the payment is three months late. Foreclosure proceedings will start 45 days after the Breach letter was sent.

Planning Director Zuidervaart introduced the report.

Council Member Krebbs requested that the language in the last paragraph be amended from “may be implemented” to read “shall be implemented.”

MOTION: MOVED, SECONDED (NUTT, KREBBS) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE AMENDMENT TO THE GAP PROGRAM WITH THE ADDITIONAL AMENDMENT IN THE LANGUAGE (FROM “MAY” TO “SHALL”).

There being no further business, the meeting adjourned at 7:39 p.m.

CLOSED SESSION: The meeting was called to order at 7:40 p.m.

ROLL CALL: Council Members Dean Uecker, Garry Krebs, Vice-Mayor Elden “Red” Nutt, Mayor Chuck Winn

Absent: Council Member Charlie Gay

OTHERS PRESENT: City Administrator Leon Compton, City Engineer Kevin Werner, City Attorney Tom Terpstra, City Clerk Lynette Van Laar, Planning Director Ken Zuidervaart, Director of Public Works Ted Johnston.

IN THE MATTER OF: Labor Negotiations
Conference with Legal Counsel pursuant to §54957.6 of the California Government Code.

IN THE MATTER OF: Real Property
Conference with Legal Counsel pursuant to §54956.8 of the California Government Code
1) APN 259-210-30
2) APN 259-274-13

There being no further business, the Closed Sessions adjourned at 8:20 p.m.

(Signed) Chuck Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk