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# Ripon City Council Minutes

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**TUESDAY, JULY 21, 2009 - 7:00 P.M.**

**CLOSED SESSION:** The meeting was called to order at 6:30 p.m.

**ROLL CALL:** Council Members Charlie Gay, Dean Uecker, Vice-Mayor Elden “Red” Nutt, Mayor Chuck Winn

Absent: Council Member Garry Krebbs

**OTHERS PRESENT:** City Administrator Leon Compton, City Engineer Kevin Werner, City Attorney Tom Terpstra, City Clerk Lynette Van Laar.

**IN THE MATTER OF:** Conference with Legal Counsel pursuant to §54956.6 of the California Government Code regarding Ripon Farm Service.

There being no further business, the meeting adjourned at 6:55 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:** Terrie Johnson gave the invocation.

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

**OTHERS PRESENT:** City Administrator Leon Compton, City Attorney Tom Terpstra, City Engineer Kevin Werner, Planning Director Ken Zuidervaart, Director of Public Works Ted Johnston, Police Chief Richard Bull, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Communications Supervisor Linda Johnston, Michael Locke, Alison Damara, Terrie Johnson, Debra Van Essen, Al & Helen Caetano, Navid Fardanish.

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

**APPROVAL OF MINUTES: MOTION: MOVED, SECONDED (KREBBS, NUTT) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING OF JULY 7, 2009.**

**APPROVAL OF AGENDA AS POSTED (OR AMENDED): MOTION: MOVED, SECONDED (NUTT, KREBBS) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE AGENDA AS POSTED.**

**CONSENT CALENDAR**

**Notes:**

**1. Income**

A. STATE OF CALIFORNIA		
Motor Vehicle License Fees	\$14,306.88	
Traffic Congestion Relief Program	\$30,751.82	
TOTAL	<u>                    </u>	<b>\$45,058.70</b>
B. BANK OF STOCKTON		
Sales Tax		<b>\$137,400.00</b>
C. COUNTY OF SAN JOAQUIN		
Municipal Sewer	\$11,129.26	
Ripon Lighting (370)	\$2,375.88	
Ripon Lighting (378)	\$46,054.20	
General Fund	\$239,763.43	
Assessments	\$13,521.33	
TOTAL	<u>                    </u>	<b>\$312,844.10</b>

**2. Bills, Invoices, Payments**

A. ASSOCIATED PENSION CONSULTANTS		
Professional Services		<b>\$850.00</b>
B. NEIL O. ANDERSON		
Wilma Avenue Roundabout Improvements		<b>\$3,200.00</b>
C. HAWKINS DELAFIELD & WOOD, LLP		
Professional Services		<b>\$4,336.24</b>

**CONSENT CALENDAR, continued:**

**3. Resolutions**

A. RESOLUTION NO. 09-59

RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF RIPON ACCEPTING THE  
CITY OF RIPON TRANSPORTATION  
DEVELOPMENT ACT AND MEASURE K  
FUNDS NON-TRANSIT PURPOSES AUDIT  
REPORT JUNE 30, 2008 AND 2007

This resolution accepts audit report  
for the Transportation Development  
Act and Measure K funds non-transit  
purposes.

B. RESOLUTION NO. 09-60

RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
ACCEPTING THE SAN JOAQUIN COUNCIL OF  
GOVERNMENTS MEASURE K - LOCAL  
JURISDICTION MAINTENANCE OF  
EFFORT REPORT JUNE 30, 2008

This resolution accepts the audit  
report for the San Joaquin Council of  
Governments Measure K - Local  
Jurisdiction Maintenance of Effort.

**4. Miscellaneous Items**

A. HAWKINS DELAFIELD & WOOD, LLP

Water and Wastewater Revenue Bonds  
Series 1999A

Accept the Yield Restriction  
Compliance Report for the Period  
May 18, 2004 through May 18, 2009.

**☞ End of Consent Calendar ☞**

**MOTION:** MOVED, SECONDED (NUTT, KREBBS) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE CONSENT CALENDAR.

**5. PUBLIC HEARINGS**

**Notes:**

**A. HOME PROGRAM FUNDING REALLOCATION**

Fiscal Year 2009 - 2010

This is a public hearing to consider the reallocation of \$50,000 of Affordable Housing HOME funds to the Rehabilitation HOME fund activity. These funds are intended to assist in resolving identified community development needs and housing problems.

Planning Director Zuidervaart introduced the report stating that this is a public hearing to consider the reallocation of unused funds. He said that there are currently two applications being processed for the Low Income Home Owner Rehabilitation Program, but there are not enough HOME funds for both projects. He said that funds need to be moved from the Affordable Housing to Rehabilitation Activity fund. He said that the adjusted Rehabilitation Activity balance would leave enough funds for one additional rehab until the next round of HOME funding is received from the federal government.

**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 5-0 TO APPROVE THE REALLOCATION OF \$50,000 OF AFFORDABLE HOUSING HOME FUNDS TO THE REHABILITATION HOME FUND ACTIVITY.**

**6. ORDINANCES**

**Notes:**

*Second Reading and Adoption*

A. ORDINANCE NO. 771

AN ORDINANCE OF THE CITY  
COUNCIL OF THE CITY OF RIPON ADDING  
CHAPTER 6.14 TO THE RIPON MUNICIPAL  
CODE RELATING TO THE ADOPTION OR  
SALE OF ANIMALS

This ordinance adds Chapter 6.14 to the  
Ripon Municipal Code regarding the  
sale or adoption of animals.

**MOTION:** MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY THE FOLLOWING VOTE  
TO WAIVE THE SECOND READING AND ADOPT ORDINANCE NO. 771.

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

**7. DISCUSSION ITEMS**

**Notes:**

**A. RIPON COMMUNITY PRAYER GROUP**

Use of City Facilities  
*Discussion/Action*

Debra Van Essen requests the use of a City Hall meeting room for public prayer meetings.

Mayor Winn said that this is a request to use the Council Chambers for meetings. He asked if the City has a policy for the use of all the City’s facilities.

City Administrator Compton said there is no policy regarding their use.

Winn said he would like to see a policy developed for all City facilities.

Council Member Uecker made a motion to approve the request.

Council Member Gay seconded the motion.

*Discussion before the vote:*

Vice Mayor Nutt said that the policy should be written first.

**MOTION: MOVED, SECONDED (UECKER, GAY) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE REQUEST TO USE THE COUNCIL CHAMBERS FOR PUBLIC PRAYER MEETINGS AND FOR STAFF TO PREPARE A POLICY FOR THE USE OF CITY OWNED FACILITIES.**

**B. FARMERS MARKET**

Update  
*Discussion/Action*

Mayor Winn will present an update on the planning for a farmers market.

Mayor Winn gave a presentation on the preparation plans for a farmers market. He listed the benefits, the rules and regulations, the need for a certified farmers market, the government regulations, the costs, and the need to discuss these plans with local business owners. He said that the event should be located on E. Main Street between Stockton Avenue and Nourse Avenue.

Winn said that the Farmers Market Committee includes Council Member Garry Krebbs, Planning Director Ken Zuidervaart, Fire Chief Dennis Bitters, School Board Member Ernie Tyhurst, Planning Commissioner Dave Collins, Business Owner Ward Schemper.

Council Member Krebbs said that the first meeting went very well, and he gave a synopsis of the meeting. He said that the consensus of the committee is that the affected businesses have to buy into the idea. He said that they need businesses to offer promotions, and maybe set tables out on the sidewalk. The event could be

**7. DISCUSSION ITEMS, continued:**

called "Eating under the Stars." He said that Wednesdays and Sundays are not a good choice because of church services. He said that they might put up a big screen somewhere and show movies.

Vice Mayor Nutt said that he is all for the market, but he received a letter from someone who has been on several boards of farmers markets for the past 15 years, and the event takes a lot of money to put on. That it takes two or more years to build a customer base, and it takes a lot of people to operate it. That if you have certified farmers, you have a 40% chance of being successful, but if you have uncertified farmers, you have zero percent chance of success.

Winn said he would go talk to each business owner personally. He also suggested that it could be called a Street Fair, and that is the local businesses do not find it to be beneficial, that we need to move the location.

*No action was taken at this time.*

**C. SAN JOAQUIN PARTNERSHIP**

*Presentation/ No Action*

A representative of the San Joaquin Partnership will give a presentation.

Michael Locke, President and CEO of the San Joaquin Partnership, gave a presentation of the accomplishments of their program.

**D. LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE**

*Voting Delegate  
Discussion/Action*

If any Council Members will be attending the annual conference, designate a voting delegate and an alternate voting delegate.

Mayor Winn asked if any council members will be attending the conference.

Council Member Krebbs said he would like to attend the conference, and Council Member Gay also requested to attend the conference.

Mayor Winn appointed Krebbs as the Voting Delegate, and Gay as the Alternate Voting Delegate.

**MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 5-0 TO APPROVE DESIGNATING KREBBS AS THE VOTING DELEGATE, AND GAY AS THE ALTERNATE VOTING DELEGATE**

**REPORTS**

**City Administrator:** No Report

**City Attorney:** No Report

**City Engineer:** No Report

**Planning Director:** Zuidervaart said that the TANC project has been discontinued. There is no longer a need to sent the comment letter.

**Recreation Director:** Absent

**Director of Public Works:** No Report

**Chief of Police:** Bull announced that the Department was awarded the Traffic Safety Award and the Technology Award in the California Law Enforcement Challenge. The International Chief of Police Association also awarded them the Technology Award for the second year in a row. Bull also announced that training will begin with the power parachute.

**City Council:** No Reports

There being no further business, the meeting adjourned at 8:11 p.m.

(Signed) Chuck Winn

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Mayor

ATTEST:

(Signed) Jeanne D. Hall

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Deputy City Clerk

There being no further business, the meeting adjourned at 8:12 p.m.

(Signed) Chuck Winn

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Chairman

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, JULY 21, 2009

**AFTER COUNCIL MEETING**

**ROLL CALL:** Directors Charlie Gay, Dean Uecker, Garry Krebs, Vice-Chairman Elden "Red" Nutt, Chairman Chuck Winn.

**OTHERS PRESENT:** Executive Director Leon Compton, City Engineer Kevin Werner, City Attorney Tom Terpstra, Secretary Ken Zuidervaart, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Director of Public Works Ted Johnston, Police Chief Richard Bull, Communications Supervisor Linda Johnston, Michael Locke, Alison Damara, Terrie Johnson, Debra Van Essen, Al & Helen Caetano, Navid Fardanish.

**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 5-0 TO APPROVE THE REDEVELOPMENT AGENCY MEETING OF JULY 7, 2009.**

**CONSENT CALENDAR**

**1. Income**

A. COUNTY OF SAN JOAQUIN

Redevelopment

**\$873,332.91**

**2. Bills, Invoices, Payments**

A. URBAN FUTURES

Professional Services

**\$9,159.21**

**End of Consent Calendar**

**MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE CONSENT CALENDAR.**

There being no further business, the meeting adjourned at 8:12 p.m.

(Signed) Chuck Winn

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Chairman

ATTEST:

(Signed) Jeanne D. Hall

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Deputy City Clerk