
Ripon City Council Minutes

RIPON COMMUNITY REDEVELOPMENT AGENCY

TUESDAY, SEPTEMBER 15, 2009

WORKSHOP: The City of Ripon workshop was called to order at 5:00 p.m.

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

Others Present: City Administrator Leon Compton, City Attorney Tom Terpstra, Director of Planning Ken Zuidervaart, City Clerk Lynette Van Laar, John Anderson (Land Developer), Jon Beckman (BIA)

SUBJECT: Housing Element

Planning Director Zuidervaart led a discussion on the state requirements for certification.

There being no further business, the workshop was adjourned at 5:55 p.m.

CLOSED SESSION: The meeting was called to order at 6:00 p.m.

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, Police Chief Richard Bull, City Clerk Lynette Van Laar

IN THE MATTER OF:

Conference with Legal Counsel pursuant to §54957.6 of the California Government Code regarding negotiations with the Police Officers' Association.

There being no further business, the meeting adjourned at 6:30 p.m.

CLOSED SESSION: The meeting was called to order at 6:31 p.m.

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 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 6:35 p.m.

CLOSED SESSION: The meeting was called to order at 6:36 p.m.

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

OTHERS PRESENT: City Administrator Leon Compton, Planning Director Ken Zuidervaart, City Attorney Tom Terpstra, City Clerk Lynette Van Laar

IN THE MATTER OF:

Conference with Legal Counsel pursuant to §54956.8 of the California Government Code regarding property purchase. (APN: 259-160-23)

There being no further business, the meeting adjourned at 6:45 p.m.

CLOSED SESSION: The meeting was called to order at 6:46 p.m.

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, Police Chief Richard Bull, City Clerk Lynette Van Laar

IN THE MATTER OF:

Significant exposure/possibility of litigation in light of existing facts and circumstances—Boger v. City of Ripon-Claim filed September 2, 2009-Government Code Section 54956.9(b)(1).

There being no further business, the meeting adjourned at 7:00 p.m.

REGULAR MEETING - 7:00 P.M.

PLEDGE OF ALLEGIANCE: The meeting was called to order as indicated at 7:00 p.m. with Boy Scout Troop 414 leading in the Pledge Allegiance to the Flag.

INVOCATION: Pastor Roots 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 Zuidervart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Police Chief Richard Bull, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Roger Swier, Gerry Nies, Dorothy Booth, Estella Al~~s, Linda Wever, Tracy and Dottie Schaffer, J~~ Trish Day, S~~ Sam, Monica Wiley, Stephanie Hobbs, Robyn Udair, Leo Zuber, Rochelle Souza, Jennifer Souza, Roger Valdez, Dan Prince, Helen Caetano, Al Caetano, Navid Fardanesh, Gaynl Trotter, Danielle Pierce, Alex Herrera, Ron Douma, Chuck Roots, Will Moret, Cliff Jorgensen, Dennis Bitters, Carla Bitters, John B. Anderson.

PUBLIC DISCUSSION: Dr. Debbie Daniels, Ripon, said that she was speaking on behalf of the business people on Main Street, from Acacia Avenue to the north. She said that they are against tearing up the street. She said that the business owners were upset and dismayed at the idea of closing down Main Street. She stated that this is the middle of an economic recession and businesses are suffering. Daniels said that every dollar is hard won. She said that Council Member Nutt had talked to her and he said that the project would not pass. When it came for a vote, Nutt was the only one who voted ‘No.’ She stressed that the business people are not in favor of the project.

APPROVAL OF MINUTES: **MOTION:** MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 5-0 TO APPROVE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING OF SEPTEMBER 1, 2009.

APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Mayor Winn requested that a resolution for the California high speed rail system be added to the agenda tonight because it must be forwarded to the California High Speed Rail Authority before October 3, and the next City Council meeting is not until October 6.

MOTION: MOVED, SECONDED (GAY, KREBBS) AND CARRIED BY A VOTE OF 5-0 TO APPROVE ADDING THE RESOLUTION AS ITEM 5D, AND APPROVING THE AGENDA AS AMENDED.

CONSENT CALENDAR

Notes:

1. Income

A. STATE OF CALIFORNIA	
Motor Vehicle License Fee	\$5,964.41
B. T-MOBILE	
Base Rent	\$776.87
C. SPRINT NEXTEL	
MCI Ground Lease	\$419.28
D. AT&T	
Acacia Avenue	\$839.17

2. Bills, Invoices, Payments

A. ECO-LOGIC ENGINEERS	
Groundwater Monitoring Report Second Quarter	\$1,373.39
B. ROSS F. CARROLL, INC.	
Mistlin Sports Park - Parking Lot	\$32,546.70

3. Resolutions

A. RESOLUTION NO. 09-71

RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
AUTHORIZING CERTAIN CAPITAL
AND OPERATING TRANSFERS

This resolution authorizes certain capital
and operating transfers.

CONSENT CALENDAR:

3. Resolutions, continued:

B. RESOLUTION NO. 09-72

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ACCEPTING A PUBLIC UTILITY
EASEMENT DEED TO CERTAIN REAL
PROPERTY TO THE CITY OF RIPON

This resolution accepts a public utility
easement deed for property located
adjacent to 517 Orange Avenue.

C. RESOLUTION NO. 09-73

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
OPPOSING THE DEVELOPMENT OF A
PERIPHERAL CANAL OR ANY OTHER
ISOLATED WATER CONVEYANCE
FACILITY IN THE DELTA

This resolution opposes the development of
a peripheral canal or any other isolated
water conveyance facility in the delta.

☞ End of Consent Calendar ☞

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

4. ORDINANCES

Notes:

Second Reading and Adoption

A. ORDINANCE NO. 776

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF RIPON
AMENDING CHAPTER 13.08 OF THE
RIPON MUNICIPAL CODE RELATING
TO SEWER CONNECTIONS

This ordinance amends Chapter 13.08 of the Ripon Municipal Code to ensure the City's legal authority obligation is provided as required by the state mandated General Waste Discharge Requirements (WDR).

MOTION: MOVED, SECONDED (KREBBS, NUTT) AND CARRIED BY THE FOLLOWING VOTE TO WAIVE THE SECOND READING AND ADOPT ORDINANCE NO. 776.

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

First Reading and Introduction

B. 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 (KREBBS, NUTT) AND CARRIED BY THE FOLLOWING VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 777.

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

5. DISCUSSION ITEMS

Notes:

A. TOWN SQUARE

Discussion/Action

Mayor Winn will lead a discussion regarding a town square.

Mayor Winn said that he wants to locate a town square in Ripon. He said that the city recently purchased property at the corner of Stockton Avenue and Second Street, and it is a possible location. He said it might cost between \$300,000 and \$500,000 to landscape, build a gazebo, and add parking. Winn said that he believes that businesses, service organizations, churches, and residents would be willing to volunteer. He said that the town square would be a good location for local events and it would be an attractive entrance to the city.

Council Member Gay said that the project is definitely worth looking into. He said he would like to hear public comments.

Council Member Uecker said it is a good idea, but there will be parking problems.

Council Member Krebbs said it is a good idea, but we will need volunteer help like was done for Stouffer park years ago. He said that when a community, as a whole, gets involved, it becomes theirs. He said that the Garden Club and the Lions Club have already volunteered. He said that parking could be created along Second Street.

Vice Mayor Nutt said he likes the concept, but he wants to know the cost. He said he likes the idea of community involvement. He agrees that additional parking is needed.

Mayor Winn asked for comments from the public.

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

MOTION: MOVED, SECONDED (UECKER, KREBBS) AND CARRIED BY A VOTE OF 5-0 TO AUTHORIZE STAFF TO DEVELOP A PLAN FOR A TOWN SQUARE.

B. HOUSING ELEMENT

Discussion/Action

Provide direction to staff regarding the housing element. (The workshop was held prior to the meeting.)

Planning Director Zuidervaart said that this item is a follow-up from the earlier workshop. He said that they discussed what is required to become certified. The City would need more high-density sites, and we would need to rezone property to do that. He said that the state requires high-density property for low-income homes. He said that the City's plan has been to require each developer to designate 10% of their project to low-income homes. This way, the low-income homes are spread out around town, and we do not have a low-

5. DISCUSSION ITEMS, continued:

income area. Zuidervaart said that the state only recognizes high-density land, not the number of houses provided. A city can have high-density undeveloped land and be certified. The state requires 19 - 20 units per acre. With the zoning R4, we can provide 16 units per acre, and with R4U, we can provide 22 units per acre – these would be apartments. In order to provide for 812 units, we would have to rezone 40 acres. Once the land is zoned for high density, it cannot be rezoned to a lower density.

Vice Mayor Nutt said that our system provides more homes and are in a better situation. He said we would need more land if we have to provide for the high-density sites. If we do this, developers may not want to provide the 10% for affordable housing.

Council Member Krebbs said he is proud that Ripon has the best program in the county, and maybe in the state. He said that people in these homes have pride-of-ownership. We do not have an undesirable area in our city. Krebbs said that the state encourages undesirable areas. He said he is against certification if it means having undesirable neighborhoods.

MOTION: MOVED, SECONDED (KREBBS, NUTT) AND CARRIED BY A VOTE OF 5-0 TO APPROVE KEEPING OUR PRESENT PLAN FOR AFFORDABLE HOUSING AND TO FORGO MEETING THE REQUIREMENTS FOR CERTIFICATION.

C. MAIN STREET, PHASE 2

Inverted or Raised Crown
Discussion/Action

Provide direction to staff related to
the desired roadway crown.

City Engineer Werner said that Council needs to decide between the two options.

Council Member Uecker said he wants to hear from the business people before making a decision since so many have come tonight against the project.

City Attorney Terpstra said that Council can reconsider any decision they have made.

Mayor Winn asked for public comments.

Monica Wiley, Pizza Plus, said that she appreciates that the Council wants to beautify the downtown area. She said that they need lighting, and she likes the plans for landscaping, the roundabout, and more parking, but she is against the pavers. She asked that the Council reconsider tearing up the street, because a street closure would destroy businesses.

Alex Herrera, Las Casuelas, said that this economy is in a crisis. He said that the plan is beautiful, but this is not the right time. He said that closing the street would end his business. He asked the Council to please reconsider.

Roger Swier, Swier Tire, said that he appreciates the Council's hard work and the likes the design, but he asked the Council to reconsider. He said that the street needs to be open for his customers. He said that if

5. DISCUSSION ITEMS, continued:

the street is closed, his customers go to Manteca and it is hard to get them back. He said that Caltrans works at night, and maybe this project can be done at night to keep the street open in the day. He said that people are creatures of habit, and once they go to another store, they don't always come back.

Mayor Winn asked when the construction would begin.

City Engineer Werner said that the street construction would begin in the spring.

Tracy Schaffer, Schaffer's Tae Kwon DO, said that he appreciated the improvements, but the current project is bad timing. He asked that the project be held off or there will be no businesses left downtown.

Marcus Shahan, Ripon Roadhouse, said that the pavers are not needed for beautification. He said the people will go the path of least resistance, and that will be somewhere else. This project is not the savior of downtown. He said that people do want the lighting and more parking.

Dr. Debbie Daniels, Ripon Veterinary Hospital, asked the Council to step back from the project. She said that there should be more meetings between the business people, Council, and staff. There needs to be a plan that is suitable for everyone. She said that the City does not need to scrub the plan, but we need to work together. She said that there is a big disconnect and everyone should have been involved a long time ago. She said that they need a town hall meeting.

Council Member Gay said that this is a town hall meeting.

Leo Zuber, Ripon, said that he is against changing the street. He said that this money can be used to do other projects.

Dan Prince, Ripon, said that most people do not trust government because they waste money. He said that there is nothing wrong with Main Street. To use money just because we can, is a waste.

Mayor Winn said that the way the system works is that when the state gives you money, you have to spend it where they decide based on their priorities.

Prince said that City should not take the money – let someone else use that money.

Council Member Gay said he understands the frustrations. He said he was not at the last meeting, so he could not vote, but he wants the downtown to be successful. He wants Council to consider beautifying the facades of the buildings. He would like this on the next agenda.

Vice Mayor Nutt said he agrees with the beautification of the buildings, but he is against changing the street.

Council Member Krebbs said that the old downtown is gone. He said that other old down towns are successful because they are fixed up. He wants downtown to come back and this is an opportunity – an opportunity that will not come back. He said that he does not want to see any business close. He said he wants to work to make this project work. Krebbs said that it is not so much what we are going to do, but how we are going to do it – we can work out the details. Don't just say 'No.'

5. DISCUSSION ITEMS, continued:

City Administrator Compton made a suggestion that we just put pavers in the parking stalls, and keep Main Street open all the time. If in the future, everyone wants to put pavers down the center of the street, the additional cost would be offset by the fact that the parking area is already done. This way the street stays open during the current rehab of Main Street.

Uecker said that we can do this project in parts. We need to slow down and take a look at it.

Mayor Winn said we can still do the turnaround, the parking lot, and just do the parking stalls on Main Street.

City Engineer Werner said that we can also do the lighting and landscaping.

Council Member Krebbs said he also wants the asphalt repaired where there is damage.

Werner said he will double-check with Caltrans on that.

MOTION: MOVED, SECONDED (KREBBS, UECKER) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE MAIN STREET PROJECT TO INCLUDE INSTALLING THE TURNAROUND, THE PARKING LOT, THE PAVERS IN THE PARKING STALLS ON MAIN STREET, THE LIGHTING, THE LANDSCAPING, TO REPAIR THE ASPHALT, AND TO MEET WITH THE LOCAL BUSINESSES.

D. RESOLUTION NO. 09- 74

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
SUPPORTING THE HIGH SPEED RAIL
SYSTEM FOR THE BENEFIT OF THE
SAN JOAQUIN VALLEY AND THE
STATE OF CALIFORNIA

This resolution supports the California High Speed Rail Authority's application for funding from the federal government for the California High Speed Rail system.

Mayor Winn introduced the resolution stating that support from the cities needs to be forwarded to the California High Speed Rail Authority before October 3. The Authority is requesting support for the non-urban segments of the entire Merced to Bakersfield segment of the high speed rail system, since they believe that this option is the only competitive option for federal funds.

MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 5-0 TO APPROVE RESOLUTION 09-74.

REPORTS

City Administrator: No Report

City Attorney: Terpstra reported on the Closed Sessions: (POA) Council gave preliminary direction to negotiators; (RFS) this was an administrative matter - no direction; (APN 259-160-23) Council gave directions regarding the purchase of property; (Boger v. City of Ripon) Council received an update on the claim.

City Engineer: No Report

Planning Director: No Report

Recreation Director: No Report

Director of Public Works: No Report

Chief of Police: Bull reported that the license plate reader made a hit on a stolen car last week at 2:30 a.m.. The vehicle was stopped, and the driver was found to be a parolee. On Friday, the powered parachute was used to locate two people lost on the river. They were a 62-year-old female and her 16-year-old grandson. It was beginning to get dark, but the couple were found within four minutes and the pilot was able to direct the ground crew on their location. Bull also reported that the Department received \$115,000.00 in Officer & Traffic Safety funding for DUI checks. \$11,000 is for equipment and \$5,000 is designated for training.

City Council: Gay congratulated the Police Department for the powered parachute rescue. Gay also said that the Chamber Relocation Committee is moving forward on finding a location for the Chamber, while still supporting the PAL program.

Krebbs said that the Business Improvement Committee met with the restaurant owners. He also noted that he and Council Member Gay will be attending the League of California Cities annual conference this week.

Uecker said the want to combine the City's Guide to Starting a Business with the Chamber's business guide.

Winn said that the met with former Mayor Curt Pernice about doing some form of recognition for Justin Henry at the skate park. Pernice said that he appreciated the ideas. Winn said he talked to the owner of Woodpushers about organizing a skating event and the money would go toward building the street course. He stated that the City already has a plan developed for the expansion of the skate park.

There being no further business, the meeting adjourned at 8:45 p.m.

(Signed) Chuck Winn

Mayor

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

REDEVELOPMENT AGENCY:

There being no further business, the meeting adjourned at 8:55 p.m.

(Signed) Chuck Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

Ripon Community Redevelopment Agency Minutes

TUESDAY, SEPTEMBER 15, 2009

AFTER COUNCIL MEETING

ROLL CALL: Directors Charlie Gay, Dean Uecker, Garry Krebbs, 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, Recreation Director Kye Stevens, Roger Swier, Gerry Nies, Dorothy Booth, Estella Al~~s, Linda Wever, Tracy and Dottie Schaffer, J~~ Trish Day, S~~ Sam, Monica Wiley, Stephanie Hobbs, Robyn Udair, Leo Zuber, Rochelle Souza, Jennifer Souza, Roger Valdez, Dan Prince, Helen Caetano, Al Caetano, Navid Fardanesh, Gaynl Trotter, Danielle Pierce, Alex Herrera, Ron Douma, Chuck Roots, Will Moret, Cliff Jorgensen, Dennis Bitters, Carla Bitters, John B. Anderson.

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 SEPTEMBER 1, 2009.

CONSENT CALENDAR

1. Bills, Invoices, Payments

A. ROSS F. CARROLL, INC.

Main Street/Stockton Avenue Rehab Project
Progress Payment

Application 16 \$57,285.00

Application 17 \$35,022.26

TOTAL	\$92,307.26
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CONSENT CALENDAR, continued:

2. Resolutions

A. RESOLUTION NO. 09-14

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
1110 PLEASANT BAY DRIVE, RIPON,
CALIFORNIA 95366

This resolution authorizes the Chairman to sign the Resolution of Acceptance of a deed for property located at 1110 Pleasant Bay Drive.

👁️ **End of Consent Calendar** 👁️

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

3. PUBLIC HEARING:

A. RESALE OF TWO AFFORDABLE SINGLE-FAMILY TOWNHOUSE UNITS

For 'Qualified' Households

623 John Roos
524 Avenue A

This is a public hearing to inform the community residents of the availability of two single-story, single-family townhouse units to be sold to qualified moderate income buyers at affordable prices based on the total household income and incomes that do not exceed the moderate income limits for San Joaquin County.

Planning Director Zuidervaart said that this public hearing is being held to inform the public that these homes are available.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

There being no further business, the meeting adjourned at 8:55 p.m.

(Signed) Chuck Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk