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# Ripon City Council Minutes

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TUESDAY, OCTOBER 7, 2014

**REGULAR MEETING**

**7:00 P.M.**

**PLEDGE OF ALLEGIANCE:** The meeting was called to order at 7:00 p.m. with Troop 414 presenting the flag and leading the Pledge of Allegiance to the Flag.

**INVOCATION:** Pastor Bret Lamsma gave the invocation.

**ROLL CALL:** Council Members, Dean Uecker, Jake Parks, Leo Zuber, Vice Mayor Elden R. Nutt, Mayor Chuck Winn

**OTHERS PRESENT:** City Administrator Kevin Werner, City Attorney Tom Terpstra, Planning Director Ken Zuidervaart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Police Chief Ed Ormonde, City Clerk Lisa Roos, Deputy City Clerk Tricia Raymond, Information Systems Technician Dan Brannon, John Heida, Daniel Meza, Bret Lamsma, Raman Dhindsa, Desiree Garcia, Robert Taylor, Zach Horwood, Courtney Winters, Julia Brada, Maddison Flonders, Cheyenne Carter, Kyle Petroboni, Cameron Brooks, Gabe Bennett, Mackenzie Sweetin, Jordyn Wall, Elizabeth Eichi, Skyler Cendana, Andrew Garcia, Mireya Tavizon, Andrea Poyorena, Rebekah Thompson, Nathan Thompson, Jacqueline Carmon, Emily Hoogendoorn, Steven Daggett, Ashley Borgos, Shaun Vaught, Harrison Salvador, Joseph Laswell, Dylan Lucas, Alyssa Harris, Shayla Da Roja, Jeff Hutchinson, Troop 414 from Ripon, CA – 17 members.

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

**APPROVAL OF MINUTES:** **MOTION:** MOVED/SECONDED (NUTT,UECKER) AND CARRIED BY A 5-0 VOTE TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING ON SEPTEMBER 16, 2014.

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

Council Member Zuber requested that Items 2B, 2C, 3A be pulled for discussion from the Consent Calendar.

**MOTION:** MOVED/SECONDED (ZUBER,NUTT) AND CARRIED BY A 5-0 VOTE TO APPROVE THE AGENDA AS AMENDED.

## CONSENT CALENDAR

## NOTES:

### 1. Income

#### A. STATE OF CALIFORNIA

Department of Transportation Jack Tone Park and Ride Lot	\$1,340.81
Department of Transportation Main Street, Phase 2 Enhancements	\$54,204.15
POST Reimbursement Police Officer Training	\$1,205.45
Retail Sales Tax (September 2013 \$252,867.61)	\$254,363.18

TOTAL

\$311,113.59

#### B. CCATT Holdings

Acacia Avenue Cell Tower Lease	\$943.54
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### 2. Bills, Invoices, Payments

#### A. CENTRAL SAN JOAQUIN VALLEY RISK MANAGEMENT AUTHORITY

Workers' Compensation Program	\$88,869.00
Liability Program	\$31,304.00

TOTAL

\$120,173.00

#### B. BASECAMP ENVIRONMENTAL

*Item 2B pulled for discussion*

North Pointe Specific Plan EIR Progress Payment – Invoice #00807	\$3,195.00
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#### C. GATES + ASSOCIATES

*Item 2C pulled for discussion*

North Pointe Specific Plan Progress Payment – Invoice #36369	\$12,947.50
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#### D. UNION BANK

California Statewide Community Development Authority Water and Wastewater Revenue Bonds Series 2006C	\$370,955.00
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## **CONSENT CALENDAR**

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

#### **E. UNION BANK**

California Statewide Community Development Authority  
Water Revenue Refunding Bonds Series 2012 **\$235,459.28**

#### **F. BANC OF AMERICA LEASING**

Ripon Public Financing Authority  
2011 Waste Water Bonds **\$158,640.00**

#### **G. THOMAS H. TERPSTRA**

General Matters **\$6,729.50**

Police Matters **\$1,810.43**

Receivership Matters **\$4,366.67**

Farm Service Matters **\$275.00**

v. J-M Manufacturing Co. et al. **\$831.25**

v. Vanna Rae Johnson **\$773.09**

**TOTAL** **\$14,785.94**

#### **H. BASECAMP ENVIRONMENTAL**

Handicap Ramp Project 2014  
Progress Payment – Invoice #00806 **\$2,700.00**

#### **I. WGR SOUTHWEST, INC.**

Phase II MS4 NPDES City Stormwater Permit Assistance  
Progress Payment – Invoice #15919 **\$96.00**

#### **J. O.C. JONES & SONS, INC.**

Mistlin Softball Fields

Retention Payment - Invoice #65839 **\$34,078.06**

Progress Payment - Invoice #69330 **\$173,054.85**

**TOTAL** **\$207,132.91**

## CONSENT CALENDAR, continued:

### 3. Resolutions

A. RESOLUTION NO. 14-61

*Item 3A pulled for discussion*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING THE AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELEATED THERETO

Adopt the Resolution approving an Amendment to the WRCOG Joint Powers Agreement to add the City of Ripon as an Associate Member in order to authorize the City's participation in the California HERO program.

B. RESOLUTION NO. 14-58

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ADOPTING AMENDMENT NO. 1 OF THE MEMORANDUM OF UNDERSTANDING 2014-2016 FOR ALL EMPLOYEES OF THE CITY OF RIPON **POLICE OFFICER'S ASSOCIATION**

This resolution adopts Amendment No. 1 of the 2014-2016 Memorandum of Understanding for all employees of the City of Ripon Police Officer's Association.

C. RESOLUTION NO. 14-59

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ADOPTING AMENDMENT NO. 1 OF THE MEMORANDUM OF UNDERSTANDING 2014-2016 FOR ALL EMPLOYEES OF THE CITY OF RIPON **POLICE SERGEANT'S ASSOCIATION**

This resolution adopts Amendment No. 1 of the 2014-2016 Memorandum of Understanding for all employees of the City of Ripon Police Sergeant's Association.

D. RESOLUTION NO. 14-60

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ADOPTING AMENDMENT NO. 1 OF THE MEMORANDUM OF UNDERSTANDING 2014-2016 FOR ALL EMPLOYEES OF THE CITY OF RIPON WORKING IN THE CLASSIFICATION OF **PUBLIC WORKS MAINTENANCE AND PUBLIC WORKS FOREMAN**

This resolution adopts Amendment No. 1 of the 2014-2016 Memorandum of Understanding for all Public Works Maintenance and Public Works Foreman employees.

## **CONSENT CALENDAR, continued:**

### **4. Miscellaneous Items**

#### **A. PROCLAMATION**

Women's Center of San Joaquin County      Present Proclamation to the Women's Center to  
Raman Dhindsa, Focus Program Manager      announce October as Domestic Violence  
Awareness Month.

**\*End of Consent Calendar\***

**MOTION:** MOVED/SECONDED (ZUBER,PARKS) AND CARRIED BY A 5-0 VOTE TO APPROVE THE CONSENT CALENDAR.

#### **Discussion on Items 2B and 2C**

Council Member Zuber asked from which fund were the two North Pointe Specific Plan bills being paid out of.

City Administrator Werner said the General Fund.

Zuber asked if these bills will be charged back to the property owners or will these be a City expense.

Director of Planning Zuidervaart said there has been no decision from the City on this matter yet. Once it is finalized it will come before Council for a decision.

**MOTION:** MOVED/SECONDED (ZUBER,NUTT) AND CARRIED BY A 5-0 VOTE TO APPROVE ITEMS 2B AND 2C NORTH POINTE SPECIFIC PLAN PROGRESS PAYMENTS.

#### **Discussion on Item 3A**

Council Member Zuber said he wanted more clarification on sections 3A and C1 of the agreement. Particularly the language being used in section C1 where it discusses Withdrawal. This section states "City or Authority may withdraw from this JPA Amendment upon six months written notice to the other party; provided, however, there is no outstanding indebtedness of Authority within City".

John Law, HERO Program said the City can withdraw from the program completely if no projects have been funded to a property owner. If projects have been funded for a property owner the City could cease all future projects, but remain an associate member so assessments could get paid legally on that existing project.

Zuber asked if the section about Mutual Indemnification and Liability means that if problems arise we work together with the JPA.

John Law said the JPA takes the risk in this.

Assistant City Attorney Henderson said the City's liability is connected to the JPA. If the JPA is sued we have exposure as a member. The City's personal liability exposure is limited to circumstances where the City does something inappropriate in administering the program.

**MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 5-0 VOTE TO APPROVE ITEM 3A ON THE AGENDA HERO PROGRAM RESOLUTION AND AMENDMENT.

**PRESENTATION OF PROCLAMATION**

Mayor Winn presented the proclamation to Raman Dhindsa, FOCUS Program Manager for the Women's Center Youth & Family Services, announcing October as Domestic Violence Awareness Month.

Raman Dhindsa thanked the City of Ripon and the Council for its continued support and invited the community to a candlelight vigil on October 15, 2014 in Stockton honoring those who have been affected by domestic violence.

## **5. PUBLIC HEARINGS**

## **Notes:**

### **A. UNMET TRANSIT NEEDS**

San Joaquin Council of Governments      This is a public hearing to consider whether there  
Daniel Meza, Associate Regional Planner      are unmet transit needs within the City of Ripon.

Daniel Meza, with the San Joaquin County Council of Governments said that this step is part of the annual analysis required by the Transportation Development Act to determine unmet transit needs throughout districts and counties. He said this process starts in August and runs through December and is an opportunity for the public to comment on any unmet transit needs. The information gathered will be presented to the COG Board, and then forwarded to CalTrans. After the review, funds will be released for various projects. Meza coordinates public outreach, such as the Public Hearing tonight, in order to access the public transit needs.

### **PUBLIC HEARING OPENED**

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

### **PUBLIC HEARING CLOSED**

B. DEVELOPMENT CODE TEXT AMENDMENT (TAZ 14-01)

Ken Zuidervaart, Director of Planning  
*\*Council will take action on the following  
item at the conclusion of the Public Hearing.*

This is a public hearing to consider amendments to Title 16 (Development Title), Chapter 16.20, Office and Commercial Districts as it relates to building/structure setback requirements.

Director of Planning Zuidervaart said this is a public hearing to consider amendments to Title 16 (Development Title), Chapter 16.20, Office and Commercial Districts as it relates to building/structure setback requirements. Zuidervaart said after receiving an application to expand an existing facility, Staff reviewed City Standards and found that the Office and Commercial District does not allow for adjusting building setbacks, however these setback adjustments are allowed under certain instances within our Mixed Use and Industrial Districts. Staff believes that it was an oversight on Staff's part that the Office and Commercial Districts did not have this setback adjustment allowance included in our ordinance. Zuidervaart along with the project review committee created an example of language to be used in the Office and Commercial District ordinance, and then the Planning Commission held a Public Hearing where a 3-0 vote took place to recommend the City Council adopt the environmental determination and approve the proposed amendment. Zuidervaart did receive a question from Council in regards to if it's a requirement to notify the adjacent property owners when there's a variance request. As the ordinance reads now in Mixed Use and Industrial Districts, plus Office and Commercial Districts, no notification is required, but Zuidervaart said this will be included.

Council Member Zuber said in the recommended language, it states "Building setbacks may be reduced at the discretion of the Planning Director and Ripon Consolidated Fire Department, upon approval by the City of Ripon Planning Commission." Zuber said we might want to add language about setting precedent, even though it's at the discretion of the Planning Director and Ripon Consolidated Fire Department to make the decision. It would be helpful in differentiating between projects.

Zuidervaart said he will work with the City Attorney on the language and bring the ordinance back to the October 21<sup>st</sup> meeting for a first reading.

**PUBLIC HEARING OPENED**

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

**PUBLIC HEARING CLOSED**



## 6. DISCUSSION ITEMS

## Notes:

### A. LOVE RIPON LEADERSHIP COMMITTEE

Committee Members  
*Discussion/No Action*

The Love Ripon Leadership Committee will discuss plans for the April 18, 2015 event.

Joseph Laswell with the LOVE Ripon Leadership committee wanted to invite the Council, Staff, and community to take part in next year's LOVE Ripon event on April 18<sup>th</sup>. Laswell said there are over 700 community members signed up to take part in the day's activities. The goal is to grow and get volunteers out in the community more than twice a year. The committee will continue to work with volunteers, City Staff, and organizations to come up with City needs for the April 18<sup>th</sup> event.

Mayor Winn encouraged the community and especially the younger generations to get involved in this opportunity to meet and work with fellow neighbors in making a difference.

## B. RMC WATER AND ENVIRONMENT

Wastewater Facility Planning  
*Discussion/No Action*

The consultant preparing the Wastewater Facility Planning study will make a presentation to City Council. The presentation will include a discussion on capacity of the existing facility, proposed upgrades to meet anticipated wastewater demands, along with the recommended phasing to meet the future demands.

City Administrator Werner said RMC Water and Environment is on time and budget, plus experts in planning and looking at the future.

Dave Richardson with RMC Water and Environment gave an overview of the City's wastewater system, which is currently operating effectively year-round. The goal of the study is to look at the capacity of the existing facility, provide upgrade options to meet anticipated wastewater demands, and recommend phases for future demands. Richardson said as growth increases the City has to look at its current system in two parts: treatment and disposal. After reviewing the current system, RMC said the disposal side has plenty of capacity, but the treatment capacity is a future issue. RMC suggests postponing a new permit through continued success of the current treatment system, but said the City should replace mechanical equipment and aerators over the next three years and look at extended aeration by putting diffused aerators at the bottom of the pond with clarifiers, so the treatment process has more capacity. By taking these steps it should increase treatment capacity for the next 5-10 years. Richardson said if a permit was required there are three programs to look at which will be higher in capital costs and maintenance.

The proposal being presented is to postpone the need for a new permit, which in turn will postpone higher capital costs, maintain and meet the current limits and growth by beginning to plan for near term treatment, consider pilot testing extended aeration in the treatment system, and continue monitoring and evaluating the disposal system. The last step is to finalize a report and coordinate with Tom Pavletic on a rate study for the potential impacts for the City.

## **REPORTS**

**Department Heads:** Public Works Director Johnston announced the City-Wide Yard Sale is on Saturday, October 11<sup>th</sup>. The City's free yard waste pick-up program begins on October 15<sup>th</sup> through February 1<sup>st</sup>.

Planning Director Zuidervaart said Diamond Pet Food installed the equipment to help with the odor and the Air District has begun testing. They are still waiting on final permits but invited City Staff to their offices on October 14<sup>th</sup> at 10:00 a.m. for a presentation on the equipment.

Zuidervaart reported a second questionnaire went out for the North Pointe Land Use plan. There will be a Workshop on October 30<sup>th</sup> at 6:00 p.m. in Council Chambers, where consultants will listen to community feedback. The Planning Commission will have a booth at Main Street Day to discuss the plans and speak with community members. Plans will come to the Council in November for review, in order to move forward.

### **City Council:**

Council Member Zuber said he liked the water conservation flyer that went out to all the residents. It was a nice reminder that we are still in a drought and measures have not been lifted.

There being no further business, the meeting adjourned at 8:16 p.m.

(Signed) Chuck Winn  
Mayor

ATTEST:

(Signed) Tricia Raymond  
Deputy City Clerk