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# Ripon City Council Minutes

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**TUESDAY, JUNE 17, 2014**

**CLOSED SESSION:** 6:00 p.m. City Hall Conference Room

**IN THE MATTER OF:** Personnel Negotiations pursuant to Section 54957.6 of the California Government Code.

- Administration Staff and Non-Represented Police Department Employees
- Public Works Maintenance and Public Works Foreman

**REGULAR MEETING**

**7:00 P.M.**

**PLEDGE OF ALLEGIANCE:** The meeting was called to order at 7:02 p.m. with Vice Mayor Elden R. Nutt leading the Pledge of Allegiance to the Flag.

**INVOCATION:** Pastor Chris Williams 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, Deputy City Attorney Stacy Henderson, Planning Director Ken Zuidervart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Police Chief Ed Ormonde, City Clerk Lisa Roos, Assistant Deputy City Clerk Tricia Raymond, Information Systems Technician Dan Brannon.

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

**APPROVAL OF MINUTES:** **MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 5-0 VOTE TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING ON JUNE 3, 2014.

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

**CONSENT CALENDAR**

**Notes:**

**1. Income**

A. STATE OF CALIFORNIA Highway Users Tax (June 2013: \$30,442.18)	\$42,207.42
B. WASTE MANAGEMENT Commercial Franchise Fee April 2014	\$1,663.46
C. CHARTER COMMUNICATIONS Franchise fee January 1, 2014 to March 31, 2014	\$19,303.02
D. T-MOBILE Cell Tower Lease	\$848.46

**2. Bills, Invoices, Payments**

A. THOMAS H. TERPSTRA		
General Matters	\$6,032.50	
Police Department Matters	\$280.00	
Receivership Matters	\$1,819.50	
Redevelopment Matters	\$550.00	
Ripon Farm Service	\$48.00	
v. Vanna Rae Johnson	\$1,203.00	
	<u><u>          </u></u>	
	TOTAL	\$9,933.00
B. SAN JOAQUIN REGIONAL TRANSIT DISTRICT		
Blossom Express Invoice AR108028(April 2014) Bus Driver Services		\$2,086.00

**CONSENT CALENDAR**

**Bills, Invoices, Payments, continued**

C. O.C. JONES & SONS, INC.

Mistlin: Softball Fields **\$112,967.38**  
Progress Payment (Invoice #69243)

D. A.M. STEPHENS CONSTRUCTION CO.,INC.

Main Street Phase 2 Enhancements **\$54,204.15**  
Progress Payment (Invoice #6614)

E. CAVES & ASSOCIATES

Management Consultants **\$1,554.40**

**CONSENT CALENDAR continued:**

**3. RESOLUTIONS**

A. RESOLUTION NO. 14-33

RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF RIPON  
ADOPTING THE MEMORANDUM OF  
UNDERSTANDING  
FOR 2014-2016 FOR ALL  
EMPLOYEES OF THE CITY OF RIPON  
**POLICE OFFICER'S ASSOCIATION**

This resolution adopts the MOU for the Ripon Police Officer's Association for 2014 - 2016.

B. RESOLUTION NO. 14-34

RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF RIPON ADOPTING THE  
MEMORANDUM OF UNDERSTANDING  
FOR 2014-2016 FOR ALL  
EMPLOYEES OF THE CITY OF RIPON  
**POLICE SERGEANT'S ASSOCIATION**

This resolution adopts the MOU for the Ripon Police Sergeant's Association for 2014-2016.

C. RESOLUTION NO. 14-35

RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF RIPON ADOPTING THE  
MEMORANDUM OF UNDERSTANDING  
FOR 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 the MOU for Public Works Maintenance employees and Public Works Foreman for 2014-2016.

D. RESOLUTION NO. 14-36

RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF RIPON ADOPTING CERTAIN  
AMENDMENTS TO THE MERIT SYSTEM  
RULES AND REGULATIONS FOR THE  
CITY OF RIPON

Amend Section 706 of the Merit System to allow employees to convert up to 40 hours of vacation time for payment, and remove the language "authorizing payout of vacation for emergency and unusual events".

**CONSENT CALENDAR continued:**

**4. Miscellaneous Items**

A. CROCE & CO.

Engagement Letters  
City of Ripon  
Money Purchase Thrift Pension Plan

Authorize the City Administrator to sign the agreements with Croce & Company to perform the annual audits.

B. CLAIM

Gary Williams

Deny the claim filed by Gary Williams.  
(Claim amount: \$575.16)

C. SAN JOAQUIN COUNCIL OF GOVERNMENTS

Transit-Blossom Express  
Operations Funds - \$50,000

Authorize the Mayor to sign the Measure K Renewal Cooperative Agreement.  
(July 2014 thru June 2015)

D. AGREEMENT FOR PROFESSIONAL SERVICES

Rasmussen Planning and Gates & Associates

Authorize the Mayor to sign the agreement with Rasmussen Planning and Gates & Associates for professional services in preparation of a specific plan for the North Pointe Planning District for an amount not to exceed \$135,950.00.

E. AGREEMENT FOR PROFESSIONAL SERVICES

WGR Southwest, Inc. Proposal

Authorize the Mayor to sign the agreement with WGR Southwest, Inc. for compliance support for Phase II MS4 NPDES General Storm Water Permit for an amount not to exceed \$11,500.

**☪ End of Consent Calendar ☪**

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

5. **PUBLIC HEARINGS**

**Notes:**

Council will take action on the following items at the conclusion of each Public Hearing.

A. ANNEXATION (A14-01) / PREZONE (Z14-01)

Mark Wilbur/McRoy Wilbur Communities, Inc.  
245-340-38 por

This is a public hearing on a request to annex and prezone an 827 square foot portion of property that was previously used as a well site and inadvertently left out of the annexation of the larger portion of the same parcel. This portion of the property will ultimately become street right-of-way of the pending Cornerstone II Ripon Subdivision located on the west side of North Ripon Road south of Clinton South Road in the R1U/HLD residential district. **A Negative Declaration (PEA14-03) is recommended for this project.**

**Recommended Action:**

- Adopt the Negative Declaration (PEA14-03) for project;
- Approve the prezone (Z14-01) of the property as recommended;
- Adopt a “Resolution of Application to LAFCO” for the Cornerstone II Annexation (A14-01); and
- Direct staff to prepare the necessary documents for application of LAFCO for the annexation.

Planning Director Zuidervaart asked if the Council had any questions.

There were no questions from the Council.

**PUBLIC HEARING OPENED**

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

**PUBLIC HEARING CLOSED**

**MOTION: MOVED/SECONDED (ZUBER,NUTT) AND CARRIED BY A 5-0 VOTE TO ADOPT THE NEGATIVE DECLARATION (PEA14-03) FOR PROJECT; APPROVE THE PREZONE (Z14-01) OF THE PROPERTY AS RECOMMENDED; ADOPT A “RESOLUTION OF APPLICATION TO LAFCO” FOR THE CORNERSTONE II ANNEXATION (A14-01); AND DIRECT STAFF TO PREPARE THE NECESSARY DOCUMENTS FOR APPLICATION OF LAFCO FOR THE ANNEXATION.**

6. **ORDINANCES**

**Notes:**

Second Reading and Adoption

A. ORDINANCE NO.812

AN ORDINANCE OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
AMENDING CHAPTERS 17.04 AND 17.16  
OF THE RIPON MUNICIPAL CODE

This ordinance amends Chapter 17,  
*Development Fees*, regarding the waiver  
of fees between the City and the Ripon  
Consolidated Fire District.

**MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY THE FOLLOWING VOTE  
TO WAIVE THE SECOND READING AND ADOPT ORDINANCE NO. 812.

AYES: Zuber, Uecker, Nutt, Parks, Winn  
NOES: None  
ABSENT: None  
ABSTAIN: None

7. **RESOLUTIONS**

**Notes:**

A. RESOLUTION NO. 14-38

RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF RIPON ADOPTING THE CITY  
OF RIPON FISCAL YEAR 2014-2015  
BUDGET

General	\$9,864,925.00	Adopt the City Budget for the fiscal year 2014-2015. <b>The public hearing was held on June 3, 2014.</b>
Streets	\$1,404,456.00	
Water	\$4,077,198.00	
Garbage	\$1,915,850.00	
Sewer District	\$1,455,501.00	
Transit	\$55,279.00	
Redevelopment ROPS	\$1,971,005.00	
Special Districts	\$331,492.00	
Capital	\$642,632.00	

*Discussion/Action*

**MOTION:** MOVED/SECONDED (NUTT, PARKS) BY A 5-0 VOTE TO APPROVE THE RESOLUTION NO. 14-38 ADOPTING THE CITY BUDGET FOR THE FISCAL YEAR 2014-2015.



## **REPORTS**

**Department Heads:** **Chief Ormonde** said that there will be a swearing in of a new Police Officer, Richard Francis, tomorrow, June 18<sup>th</sup>, at 1:00 p.m. in the Emergency Operations Center of the Police Department. Also **Chief Ormonde** wanted to recognize Police Sergeant Steve Merchant who celebrated 25 years with the department on Monday.

**Public Works Director Johnston** said he wanted to give the council an update on the water conservation program. Flyers went out in the June utility bill informing residents of the new water conservation measures. Public Works has received several phone calls from the public requesting assistance with their irrigation controllers. To date they have assisted 17 residents with making those modifications. He said they have received several reports from residents of over watering and watering on off days. Currently Public Works is placing friendly reminder flyers on the doors of those violators as an education piece. **Johnston** also wanted to report on the Jack Tone interchange and the watering cutbacks. Caltrans has cut back on the watering about 50%. Watering only 3 days a week; Tuesday, Wednesday, and Thursday at just 15 minutes per station. This is not enough to keep the plants alive. **Johnston** has contacted Caltrans in the hopes of working with them on the watering plan since Ripon does provide the water free of charge.

**Recreation Director Stevens** said the next movie in the park is Captain America on July 3, 2014.

**Planning Director Zuidervaart** said he had an update on Diamond Pet Food Plant and the odor abatement project. He spoke with the plant manager and the equipment was installed and should be running at the end of June. There will be testing over the next several months with the air district, but the true test will be this fall. Diamond Pet Food Plant is aware if this system does not solve the issue, they will have to move on to the next step. But they are confident this is going to work. **Zuidervaart** said that in the past the City through code enforcement and the Fire Department would tag team weed control by sending out notices before the weeds got to the dry stage. The current issue is the Fire Department will give notice and if there is no compliance it comes to Code Enforcement. **Zuidervaart** said our attorneys have advised that the Fire Department be able to issue citations. This will allow for a two pronged approach from the City and the Fire Department when trying to abate these issues in court. **Zuidervaart** recommends getting the 2 by 2 Committee together along with the Fire Department's 2 by 2 Committee to discuss jurisdictions and ordinances.

**Mayor Winn** asked if the Fire Department currently has enforcement authority.

**Planning Director Zuidervaart** said no. The Fire Department can send out notifications, but if they don't get compliance they do not have the ability to cite. The goal is to work with them and come up with a method so both departments can do the citing. The issue and importance for the meeting is if the City puts liens on properties and you have to pay someone to remove the weeds, who pays the contractor. This is one thing that would need to be figured out.

**Mayor Winn** asked Vice Mayor Nutt and Council Member Uecker to call a 2 by 2 meeting to discuss what can be done jointly.

**Deputy City Attorney Henderson** said with respect to the closed session nothing to report other than staff was given direction.

**City Council: Council Member Parks** said last week he was able to attend the Farmers Market at its new location in Stouffer Park. He said it seems to be very well received. All the vendors like the new location and the shade. It's consistently busy and attracting more vendors; seems like it was the right choice in moving the location. Movie night was well received and there's been discussion of keeping it at Stouffer Park instead of moving them to Mistlin.

**Council Member Zuber** said we used to have a Police Activities League in town, but when the economy went south the ability to keep it going went away as well. There is an account with \$7,000.00 in it that has been sitting for the last few years. This money was initially donated for use by the Police Department for the kids in the community, so we shouldn't move away from that. Zuber spoke with Mayor Winn and Recreation Director Stevens on ideas proposing to use some of the money to support the recreation department's efforts to get kids involved in activities, who may not otherwise have the funds to do so. The other possibility is to open up some of the money to other youth oriented groups. He suggested we have them write a grant proposal for a certain amount of money explaining what they would use the money for and how it would benefit kids in town. This would involve a committee to read the applications and grant the money. The goal is to get the money out in the community so it can do something, rather than sit in the bank. He needs to have another meeting with Recreation Director Stevens before bringing back to Council.

**Mayor Winn** said he appreciates Council Member Zuber's efforts in talking with him and Stevens and knows that Chief Ormonde has been speaking with his officers as well. We are making progress and Zuber has great ideas that we can pursue. Mayor Winn took pictures that he shared on screen of last Thursday's movie night at the Farmers Market. He would estimate 300 people in attendance and everyone enjoying themselves. It was a well attended event and the vendors and community seemed pleased. Mayor Winn suggested to Public Works Director Johnston to create a path from the vendors to the wine tasting location. Winn said every week it's getting better and he has received several comments on shade and wind screen by the trees from participants. Winn also stated that the new location does not have the set up challenges of prior markets and no traffic or pedestrian issues because of the parking location. It was a wise move by the committee to make the change.

There being no further business, the meeting adjourned at 7:20 p.m.

(Signed) Chuck Winn

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Mayor

ATTEST:

(Signed) Tricia Raymond

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Deputy City Clerk