
Ripon City Council Minutes

TUESDAY, OCTOBER 11, 2016

REGULAR MEETING

6:00 P.M.

PLEDGE OF ALLEGIANCE: The meeting was called to order at 6:00 p.m. with Mayor Parks leading in the Pledge of Allegiance to the Flag.

INVOCATION: Pastor Chris Williams gave the invocation.

ROLL CALL: Council Members Leo Zuber, Mark Winchell, Michael Restuccia, Vice Mayor Dean Uecker, Mayor Jake Parks.

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 Mangelos, David Dybas, Connie Jorgensen, Debbie Svopa, Daniel DeGraaf, Jaime Fountain, David Storer, Gaynl Trotter, Ruth Alejo.

PUBLIC DISCUSSION: Ripon Resident Gaynl Trotter wanted to clarify the pronunciation of Mavis Stouffer Park.

Danny Salsbury who lives on the county side of S. Mohler Road said she has spoken to the Ripon Police Department and the Sherriff's Department about the speeding that occurs on her street. Salsbury said people drive 50-70 mph daily on her street and she personally has almost been hit walking to her mailbox. She has asked the Ripon Police Department to monitor this street, but since she is in the county she was told there was nothing they could do. Salsbury would like to see a speed radar set up on the city side of street for monitoring or even a police officer to patrol the street and cite speeders.

Ripon Resident Debbie Svopa Meeuwse said she addressed staff and Council at the August 9, 2016 council meeting in regards to a code violation she had received. Meeuwse has requested to hear the complaint, but cannot get an affirmative date and time of one. Meeuwse said if someone is going to file a complaint about you, you should be able to know the reasoning behind it. Since the meeting CSO Forks and Mr. Zuidervaart have reached out and a second letter of non-compliance was sent from the City Attorney's office. Meeuwse provided photos of the property and the steps she has taken to clean up the property she occupies, plus she provided photos of other areas in town and asked how code enforcement is going to deal with complaints and zoning for these areas.

City Attorney Terpstra said this is not a Council matter and stated that staff will draft a letter to respond to her questions.

APPROVAL OF MINUTES: **MOTION:** MOVED/SECONDED (WINCHELL,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING ON SEPTEMBER 13, 2016.

APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Council Member Winchell requested Item 3D be pulled from the Consent Calendar for discussion.

Council Member Zuber requested Items 3B, 3C, and 3F be pulled from the Consent Calendar for discussion.

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

CONSENT CALENDAR**NOTES:****1. Income****A. STATE OF CALIFORNIA**

Retail Sales Tax (2015 \$180,778.55)	\$252,966.74	
Highway Users Tax (2015 \$24,032.88)	\$23,902.39	
TOTAL		\$276,869.13

B. CCATT HOLDINGS

Acacia Avenue Cell Tower Lease	\$999.53
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C. T-MOBILE

Cell Tower Lease - September	\$898.03
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D. WASTE MANAGEMENT

Franchise Fee Payment – August 2016	\$1,919.00
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2. Bills, Invoices, Payments**A. PRICE PAIGE & COMPANY**

Audit Services	\$15,075.00
Progress Payment – Invoice #10776	

B. CENTRAL SAN JOAQUIN VALLEY RISK MANAGEMENT AUTHORITY

2016-2017 2 nd Quarter Deposits	\$158,107.00
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C. SAN JOAQUIN REGIONAL TRANSIT DISTRICT

Blossom Express Driver	\$1,407.60
August Invoice #AR109802	

D. BANC OF AMERICA LEASING

Ripon Public Financing Authority	\$163,495.00
2011 Waste Water Bonds	

CONSENT CALENDAR

NOTES:

2. Bills, Invoices, Payments, continued:

E. UNION BANK

California Statewide Community Development Authority **\$382,011.22**
Water and Wastewater Revenue Bonds Series 2006C

F. UNION BANK

California Statewide Community Development Authority **\$236,507.82**
Water Revenue Refunding Bonds Series 2012

G. GOODWIN CONSULTING GROUP, INC.

Development Impact Fee Program Update

Progress Payments -

Invoice #8561 \$15,535.00

Invoice #8719 \$4,505.00

TOTAL **\$20,040.00**

H. TERPSTRA HENDERSON

General Matters \$13,433.75

Police Matters \$3,375.00

Charter Communications \$343.75

Meadowood Development \$412.50

TOTAL **\$17,565.00**

3. Miscellaneous Items

Second Reading and Adoption

A. ORDINANCE NO. 854

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF RIPON
ADDING CHAPTER 2.06 TO THE
MUNICIPAL CODE, ENTITLED
“CITY COUNCIL MEETINGS”

This ordinance adds Chapter 2.06 to Title 2,
Administration and Personnel, entitled “City
Council Meetings”.

B. SSJID ENCROACHMENT PERMIT
AGREEMENT

CNG Expansion & Bus Shelter
Project

Item 3B was pulled for discussion

Approve and authorize the Mayor to sign the
Encroachment Agreement with SSJID to
install improvements within the existing SSJID
easement as part of the CNG Expansion and
Bus Shelter Project.

CONSENT CALENDAR

NOTES:

3. Miscellaneous Items, continued:

- C. ECONOMIC DEVELOPMENT MANUAL *Item 3C was pulled for discussion*
Goodwin Consulting Group
Scope of Work Change Order
Authorize the proposed scope of work and fee schedule for Goodwin Consulting Group, Inc. to prepare an Economic Development Manual. The purpose of the Manual is to identify the reasons for differences between Ripon's development impact fees and those of the cities surveyed.
(Cost not to exceed: \$9,800.00)
- D. PROJECT IMPROVEMENT AGREEMENT *Item 3D was pulled for discussion*
Jimco Truck Stop
Approve the Jimco Truck Stop PIA, authorize the Mayor to sign the agreement, and direct staff to proceed.
- E. AMERICAN PAVEMENT SYSTEMS
Asphalt Rubber Cape Seal Project 2016
Change Order No. 1
Approve Change Order No. 1 in the amount of \$21,015.50 for additional work on failed sections of concrete valley gutters and asphalt concrete located on Main Street between Acacia Avenue and Industrial Avenue.
- F. 2017 HEALTH AND WELFARE PLANS *Item 3F was pulled for discussion*
Approve providing the following health and welfare plans for calendar year 2017:
- Kaiser Healthcare
 - CSAC Blue Shield Healthcare
 - Assurant Dental
 - Assurant Life Insurance
 - Assurant Long Term Disability Insurance.

****END OF CONSENT CALENDAR****

MOTION: MOVED/SECONDED (WINCHELL,UECKER) AND CARRIED BY A 5-0 VOTE TO APPROVE THE CONSENT CALENDAR AS AMENDED.

Discussion on Item 3B

Council Member Zuber asked for a better description of the easement and where it is located.

Engineering Supervisor Pease said the South San Joaquin Irrigation District has a 30ft easement that runs along the back of Doak Blvd., which encroaches on project improvements and expansion. All of the work is surface, no structural.

Discussion on Item 3C

Council Member Zuber said he wanted to pull this item to explain it to the public. Zuber said last month when looking at Development Fees for commercial projects the consultant couldn't explain how some cities had such low costs compared to Ripon. Council requested the consultant research the surrounding cities' costs and then create a template for Ripon to use in explaining fees and how they compare to the surrounding cities.

Discussion on Item 3D

Council Member Winchell asked for more information on the Project Improvement Agreement (PIA) with Jimco Truck Stop.

Planning Director Zuidervaart said Jimco Truck Stop is looking to hook up to city services. In order for this to occur they will need to remove a storm water pond located at the back of their property and make various site improvements. Zuidervaart said these improvements can be found in Exhibit "A" of the PIA which was inadvertently left out of the agenda packet. A bond will be held until improvements are complete.

Discussion on Item 3F

Council Member Zuber said on page 2 under the financial report it states there was \$35,000.00 in savings to the city's overall budget. Zuber said he interprets this as paper savings because staff thought it was going to cost more when the budget was developed, but it's actually going to cost more.

City Administrator Werner said there was an increase to the total premium from last year, but the 2017 premium is less than what was budgeted.

Zuber said on Table 2 it shows that employees with the employee plus family plan are going to pay out of pocket fees. He asked what the split was between the employee and the City.

Werner said it will be a 50/50 split.

MOTION: MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 5-0 VOTE TO APPROVE ITEM 3B, 3C, 3D, AND 3F.

4. PUBLIC HEARINGS

NOTES:

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

A. 2017 HEALTH AND WELFARE PLAN

RESOLUTION NO. 16-65

RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ADOPTING AN INCREASE IN THE
COST OF PROVIDING HEALTH
BENEFITS TO THE CITY
COUNCIL MEMBERS

As required by Ripon Municipal Code 2.04.010, prior to the City Council approving any increase in the cost of providing health benefits to City Council Members, the City Council may consider whether to accept said increase at a public meeting after public input.
Action: Approve the Resolution adopting an increase in cost of health benefits for calendar year 2017.

City Administrator Werner said this is a public hearing on a resolution to increase the cost of providing health benefits to the City Council Members.

Werner shared a PowerPoint presentation with costs of the health and welfare plan, which showed a total increase in 2017 of 4.5%.

Council Member Restuccia asked who came up with this approach to funding health premiums for the groups. He commended the group for their efforts.

Werner said it was a team effort between administration and staff in trying to save money.

PUBLIC HEARING OPEN

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

PUBLIC HEARING CLOSED

MOTION: MOVED/SECONDED (RESTUCCIA,ZUBER) AND CARRIED BY A 5-0 VOTE TO APPROVE RESOLUTION NO. 16-65 ADOPTING AN INCREASE IN THE COST OF PROVIDING HEALTH BENEFITS TO THE CITY COUNCIL MEMBERS.

5. RESOLUTIONS

NOTES:

Note: Resolutions 5A through 5D can be taken as one item if no one from the public objects.

A. RESOLUTION NO. 16-66

**RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF
RIPON ADOPTING AN INCREASE
IN THE COST OF PROVIDING
HEALTH BENEFITS TO THE
ADMINISTRATIVE STAFF AND
NON-REPRESENTED POLICE
DEPARTMENT EMPLOYEES**

This resolution adopts an increase of health benefits for the City of Ripon administrative staff and non-represented police department employees.

B. RESOLUTION NO. 16-67

**RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF
RIPON ADOPTING AMENDMENT
NO. 1 TO THE MEMORANDUM
OF UNDERSTANDING
FOR FISCAL YEARS 2016-17 and
2017-18 FOR ALL EMPLOYEES OF
THE CITY OF RIPON POLICE
OFFICER'S ASSOCIATION**

This resolution adopts Amendment No. 1 of the 2016-2018 Memorandum of Understanding for all employees of the City of Ripon Police Officer's Association, which provides an increase of health benefits.

5. **RESOLUTIONS, continued:**

NOTES:

C. RESOLUTION NO. 16-68

RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF
RIPON ADOPTING AMENDMENT
NO. 1 TO THE MEMORANDUM
OF UNDERSTANDING FOR
FISCAL YEARS 2016-17 and 2017-
18 FOR ALL EMPLOYEES OF THE
CITY OF RIPON **POLICE
SERGEANT'S ASSOCIATION**

This resolution adopts Amendment No. 1 of the 2016-2018 Memorandum of Understanding for all employees of the City of Ripon Police Sergeant's Association, which provides an increase of health benefits

D. RESOLUTION NO. 16-69

RESOLUTION OF THE CITY
COUNCIL OF THE
CITY OF RIPON ADOPTING
AMENDMENT NO. 1 TO THE
MEMORANDUM OF
UNDERSTANDING
FOR FISCAL YEARS 2016-17 and
2017-18 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 2016-2018 Memorandum of Understanding for all Public Works Maintenance and Public Works Foreman employees, which provides an increase of health benefits.

MOTION: MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 5-0 VOTE TO ADOPT RESOLUTIONS 16-66, 16-67, 16-68, AND 16-69 ADOPTING AN INCREASE IN THE COST OF PROVIDING HEALTH CARE BENEFITS AND ADOPTING AMENDMENT 1 TO THE 2016-2018 MEMORANDUM OF UNDERSTANDING FOR THE RIPON POLICE OFFICER'S ASSOCIATION, RIPON POLICE SERGEANT'S ASSOCIATION, AND PUBLIC WORKS MAINTENANCE AND PUBLIC WORKS FOREMAN EMPLOYEES.

6. **ORDINANCES**

NOTES:

First Reading and Introduction

A. ORDINANCE NO. 855

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF RIPON
REPEALING ORDINANCE NOS.
486, 763 AND 346

This ordinance repeals ordinances No. 486, 763 and 346 related to Chapter 5.28, entitled "Cable Communications", Chapter 5.29 entitled "State Video Service Franchises" and Chapter 5.32 entitled "Cable Television Installation Requirements" in the Ripon Municipal Code.

City Attorney Terpstra said this is a clean-up ordinance to repeal outdated Chapters in the Ripon Municipal Code created by the new ordinance covering license and installation of cable television equipment.

MOTION: MOVED/SECONDED (RESTUCCIA, WINCHELL) AND CARRIED BY A 5-0 VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 855.

6. ORDINANCES, continued:

NOTES:

First Reading and Introduction

B. ORDINANCE NO. __

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON ADDING CHAPTER 5.48 AND AMENDING CHAPTER 5.40, SECTION 9.04.020 AND SECTION 9.23.040 OF THE RIPON MUNICIPAL CODE

The Ripon Municipal Code currently prohibits the consumption of alcohol within any public place, including streets, sidewalks, parking lots, and parks. The City Council established an alcohol committee that discussed possible changes to the municipal code as it relates to alcohol consumption:

- (1) Alcohol consumption as part of an organized performance-based event at Mistlin Sports Park amphitheater;
- (2) Downtown dining on Main Street between Stockton Avenue and Nourse Avenue that allows the consumption of alcohol;
- (3) Downtown community dining event once per year on Main Street between Stockton Avenue and Walnut Avenue that allows the consumption of alcohol.

City Council to consider changes to the Ripon Municipal Code that would provide for all, or any combination, of these possible changes discussed by the committee.

City Administrator Werner said staff has been meeting with the Alcohol Committee set up to review amendments to Chapter 5.40 in the Ripon Municipal Code, entitled “Licensing and Regulations of Special Events” for alcohol consumption.

Werner said currently the Municipal Code prohibits alcohol consumption at special events. At the September Council meeting three options were provided for review. After reviewing the options and the proposed ordinance City Attorney Terpstra would like more time to review the amendments and additions.

Werner said staff is requesting to hold off on the first reading and introduction of this ordinance.

Council Member Restuccia said he has questions in regards the timeline of when an application is due, the number of months being allowed for special events with alcohol and asked why events were limited to beer and wine.

Werner said the months of the year were chosen because of the weather and the fact that fencing would be put up for a certain amount of time.

Chief Ormonde said the Alcoholic Beverage Control Board (ABC) limits the type of alcohol that can be taken out of a restaurant. Beer and wine are the only drinks permitted.

Council Member Zuber asked if we have to be so specific with dates, hours and street names for events in this ordinance. Zuber said the specifics of the event might better be handled by the special events committee.

City Attorney Terpstra said there are many things that need to be defined in this ordinance and that is why he would like more time to re-work it with the committee and staff.

This item will be brought back to Council at a future meeting.

7. DISCUSSION ITEMS

NOTES:

A. FINANCIAL AUDITS - FISCAL YEAR 2015-2016

Discussion/No Action

Price Paige & Company has completed the audit of the City of Ripon's Financial Statements and the Money Purchase Thrift Pension Plan for the fiscal year ending June 30, 2016. Resolutions will be brought forward in November for City Council acceptance.

City Clerk Roos said the audits for the City of Ripon and for the Money Purchase Thrift Pension Plan for the fiscal year ended June 30, 2016 have been completed by Price Paige & Company. The audit is a combination of all of the finances of the City. These audits are completed to fulfill requirements placed on us by State agencies and our bonding agencies.

Roos said as noted in the audit committee letters, there were no significant audit findings and no difficulties encountered between the auditors and staff.

Roos said there is no action required tonight and resolutions to accept these audits will be on the November 8, 2016 City Council agenda consent calendar for approval.

Council Member Zuber commended staff and the auditors for completing the audit by October, rather than January which had been the case in the recent past. Having it done in a timely manner allows sufficient time for review.

Zuber asked if there was a way to connect the audit with the financial data received from staff. Zuber said the terms were different and it was hard to differentiate areas and where the money was going.

Zuber said this could be confusing and lead to different interpretations by the general public.

Council Member Restuccia said he agreed with Zuber on the timely manner in which the audit was completed and asked staff if they were happy with Price Paige & Company as an auditor.

Roos said they were great.

Dave Dybas with Price Paige & Company thanked staff for their time in working on the audits. Dybas said the language in the audit is bound by rules and regulations, so to match the language in the audit with the monthly data received by staff is difficult.

Zuber said if we can figure out a way to provide the financial information to the public in a way that makes sense, it can be beneficial.

Restuccia asked if the monthly reports provided by Roos could be tied in with the audit.

Roos said the reports can be tied together and would be happy to show anyone.

B. STREET AND ROAD FINANCIAL REPORT - FISCAL YEAR 2015-2016

Discussion/No Action

As requested by the City Council, Staff has prepared the Street and Road Financial Report for the Fiscal Year 2015-2016.

City Administrator Werner presented a summary and slides of the City's street and road financial activity for FY 2015-2016, as compared to the previous two years.

Vice Mayor Uecker asked what the timeline was for the Stockton Street parking lot.

Engineering Supervisor Pease said the project is in design mode and will go to bid in November. After the bid is awarded, work should begin in January and the project will be complete 60-90 days from that point.

Council Member Zuber asked if the parking lot was asphalt or pavers.

Pease said pavers.

Zuber thanked staff for the report and said it does a good job of specifying where and how the money is being used.

Werner said this report will be done every year with the audit.

REPORTS

Department Heads: Director of Public Works Johnston reported September water usage was down 24.75% compared to September 2013.

Johnston said 105 warnings were distributed and 8 penalties were given. Overall numbers are down compared to last month.

Johnston said he wanted to remind residents that starting in November watering days go to one day a week, odd addresses can water on Sunday and even addresses can water on Saturday only. A postcard will be mailed out reminding residents of the winter watering days.

Johnston said the fall and winter brush pick-up program begins on October 15th and ends January 31st.

Engineering Supervisor Pease said the contractor for Rubber Cape Seal Project will begin work next week.

City Council: Council Member Restuccia said he is organizing a First Responder Appreciation week to recognize all those who put their lives on the line daily for the community.

Restuccia said he will bring a resolution before Council at a future date to recognize this week.

There being no further business, the meeting adjourned at 7:13 p.m.

(Signed) Jacob Parks
Mayor

ATTEST:

(Signed) Tricia Raymond
Deputy City Clerk