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# Ripon City Council Minutes

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TUESDAY, JANUARY 12, 2016

**REGULAR MEETING**

**6:00 P.M.**

**PLEDGE OF ALLEGIANCE:** The meeting was called to order at 6:00 p.m. with Council Member Mark Winchell leading in the Pledge of Allegiance to the Flag.

**INVOCATION:** Pastor Terrie Johnson gave the invocation.

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

**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, Carol Couchman, Valerie Sergio, David Dybas, Stephanie Hobbs, Julie Barcelos, Gaynl Trotter, Jaime Fountain, Justin Danner, Pastor Terrie Johnson, Stephen Qualls, Gerardo Zuniga, Sal Cornelio, George Saljian.

**PUBLIC DISCUSSION:** Stephanie Hobbs with the Ripon Community Athletic Foundation shared the Ripon Unified School District voted to help supply the funds to replace the stadium bleachers that are in poor shape. Rina's Run is coming up on May 7, 2016 and Hobbs invited Council to participate at the finish line passing out ribbons and medals like they've done in the past.

**APPROVAL OF MINUTES:** **MOTION:** MOVED/SECONDED (ZUBER, WINCHELL) AND CARRIED BY A 4-0 VOTE (RESTUCCIA ABSENT) TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON DECEMBER 8, 2015.

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

Council Member Zuber requested Items 1A, 3C, 4A, and 4B be pulled for discussion from the Consent Calendar.

Mayor Parks requested Item 3E be pulled for discussion from the Consent Calendar.

**MOTION:** MOVED/SECONDED (WINCHELL, UECKER) AND CARRIED BY A 4-0 VOTE (RESTUCCIA ABSENT) TO APPROVE THE AGENDA AS AMENDED.

**CONSENT CALENDAR****NOTES:****1. Income**

A. STATE OF CALIFORNIA		<i>Item 1A was pulled for discussion</i>
Retail Sales Tax (December 2014 \$228,534.74)	\$98,478.48	
Highway User Tax (December 2014 \$28,777.58)	<u>\$21,225.12</u>	
TOTAL		<b>\$119,703.60</b>
 B. STATE OF CALIFORNIA		
POST Reimbursement Police Officer Training		<b>\$164.31</b>
 C. CCATT HOLDINGS		
Acacia Avenue Cell Tower Lease		<b>\$968.73</b>
 D. SPRINT		
Annual Cell Tower Lease		<b>\$8,357.88</b>
 E. T-MOBILE		<b>\$875.61</b>
Cell Tower Lease November Payment	\$875.61	
December Payment	<u>\$892.24</u>	
TOTAL		<b>\$1,767.85</b>
 F. WASTE MANAGEMENT		
Franchise fee payment – November 2015		<b>\$1,382.17</b>

**2. Bills, Invoices, Payments**

A. WOOD RODGERS		
Well Site Suitability & Design Progress Payment – Invoice #97048	\$65,436.90	
Progress Payment – Invoice #97548	\$3,683.60	
Well 5 & 12 Assessments & Design Progress Payment – Invoice #97049	\$1,820.00	
Progress Payment – Invoice #97549	<u>\$890.00</u>	
TOTAL		<b>\$71,830.50</b>

**CONSENT CALENDAR:**

**NOTES:**

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

B. STANTEC

3 <sup>rd</sup> Quarter 2015 Ground Water		
Monitoring– Invoice #989127	\$1,814.50	
On-call Services – Invoice #989131	\$802.00	
Permit Assistance – Invoice #989133	<u>\$471.00</u>	
TOTAL		<b>\$3,087.50</b>

C. GOODWIN CONSULTING GROUP, INC.

North Pointe Specific Plan		<b>\$4,076.25</b>
Public Facilities Financing Plan		

D. SAN JOAQUIN REGIONAL TRANSIT DISTRICT

Blossom Express Driver		
October Invoice #AR109187	\$2,588.21	
November Invoice #AR109231	<u>\$1,735.02</u>	
TOTAL		<b>\$4,323.23</b>

E. PADILLA AND ASSOCIATES

Main Street Phase II Project		<b>\$250.00</b>
Progress Payment – Invoice #13-999-02RI		

F. ASSOCIATED PENSION CONSULTANTS

Professional Services – Invoice #8312		<b>\$4,622.50</b>
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G. PRICE PAIGE & COMPANY

Audit Services		<b>\$1,010.00</b>
Progress Payment – Invoice #9413		

H. CENTRAL SAN JOAQUIN VALLEY RISK MANAGEMENT AUTHORITY

Workers' Compensation Program	\$98,913.00	
Liability Program	<u>\$36,660.00</u>	
TOTAL		<b>\$135,573.00</b>

I. DE NOVO PLANNING GROUP

Ripon Housing Element		<b>\$2,700.00</b>
Progress Payment – Invoice #1647		

**CONSENT CALENDAR:**

**NOTES:**

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

J. TERPSTRA HENDERSON

General Matters	\$9,711.50
Inverness	\$750.00
North Pointe Specific Plan	\$343.75
Police Matters	\$3,357.00
J-M Manufacturing Co. et al.	<u>\$502.50</u>

TOTAL **\$14,664.75**

K. A.M. STEPHENS CONSTRUCTION CO.

Jack Tone Park & Ride Lot Project Progress Payment – Invoice #7013	<b>\$5,989.20</b>
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L. G.M. CONSTRUCTION & DEVELOPERS, INC.

Water Meter Installation Project Progress Payment - Invoice #3694.4	<b>\$336,848.63</b>
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M. MUNICIPAL FINANCIAL SERVICES

Water, Wastewater, Garbage Revenue & Rate Studies Progress Payment – Invoice #201308-11	<b>\$1,650.00</b>
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**3. Resolutions**

A. RESOLUTION NO. 16-01

RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
ACCEPTING THE CITY OF RIPON  
FINANCIAL STATEMENTS AND  
INDEPENDENT AUDITOR'S  
REPORT AND SINGLE AUDIT  
REPORT FOR THE YEAR ENDED  
JUNE 30, 2015

This resolution accepts the City of Ripon Financial Statements and Independent Auditor's Report and Single Audit Report for the year ended June 30, 2015, prepared by Price Paige & Company.

B. RESOLUTION NO. 16-02

RESOLUTION OF THE CITY OF  
RIPON ACCEPTING THE  
CITY OF RIPON MONEY  
PURCHASE THRIFT PENSION  
PLAN FINANCIAL STATEMENTS  
AND INDEPENDENT AUDITOR'S  
REPORT JUNE 30, 2015 and 2014

This resolution accepts the City of Ripon Money Purchase Thrift Pension Plan Financial Statements and Independent Auditor's Report June 30, 2015 and 2014, prepared by Price Paige & Company.

**CONSENT CALENDAR**

**NOTES:**

**3. Resolutions, continued:**

C. RESOLUTION NO. 16-04  
RESOLUTION OF THE CITY  
COUNCIL OF THE CITY  
OF RIPON APPROVING THE  
ANNUAL TRANSPORTATION  
CLAIM AND ATTACHMENTS  
THERE TO AND AUTHORIZING  
THEIR SUBMISSION TO THE  
SAN JOAQUIN COUNTY  
COUNCIL OF GOVERNMENTS  
FOR THE 2015-2016 FISCAL YEAR  
OF THE CITY OF RIPON

*Item 3C was pulled for discussion*

This resolution accepts the City of Ripon approving the Annual Transportation Claim and Attachments and Authorizing their submission to the San Joaquin County Council of Governments for the 2015-2016 Fiscal Year.

D. RESOLUTION NO. 16-03  
A RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
NAMING THE RIPON BULLETIN  
AS THE OFFICIAL NEWSPAPER  
FOR PUBLICATION OF LEGAL  
ADVERTISEMENTS FOR THE  
CITY OF RIPON

This is a resolution naming the Ripon Bulletin as the official newspaper for publication of legal advertisements for the City of Ripon.

E. RESOLUTION NO. 16-05  
A RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
CERTIFYING COUNCIL  
COMMITTEE APPOINTMENTS  
TO STANDING COMMITTEES  
AND TASK FORCES

*Item 3E was pulled for discussion*

This resolution approves Council Committee Appointments.

**4. Miscellaneous Items**

A. CENTRAL IRRIGATION CONTROL SYSTEM

*Item 4A was pulled for discussion*

Approve the first phase purchase of the Weather Trak Central Irrigation Control System from HydroPoint.

**CONSENT CALENDAR**

**NOTES:**

**4. Miscellaneous Items, continued:**

**B. GARBAGE TRUCK PURCHASE**

*Item 4B was pulled for discussion*

Approve the purchase of two used garbage trucks from the City of Manteca.

Cost: \$20,000.00

**C. POTENTIAL FUTURE MULTI-MODEL SITE APPRAISAL**

Accept the proposal for appraisal services from Cogdill + Associates, Inc. for several properties located in Ripon.

Cost: \$6,000.00

**D. AMENDMENT AND RESTATEMENT OF 457 PLAN**

Authorize the Mayor to sign the adopting resolution and Adoption Agreement for the City of Ripon's 457 (b) Plan with Security Benefits.

**E. A.M. STEPHENS CONSTRUCTION COMPANY, INC.**

Jack Tone Park & Ride Lot Project

Accept the work completed by A.M. Construction Company, Inc. and authorize the filing of a Notice of Completion with retention (\$33,249.00) to be paid 35 days after recording of notice.

**F. AMERICAN PAVEMENT SYSTEMS, INC.**

Asphalt Rubber Cape Seal Project

Accept the work completed by American Pavement Systems, Inc. and authorize the filing of a Notice of Completion with retention (\$52,969.09) to be paid 35 days after recording of notice.

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

**MOTION:** MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 4-0 (RESTUCCIA ABSENT) VOTE TO APPROVE THE CONSENT CALENDAR AS AMENDED.

**Discussion on Item 1A**

Zuber said the retail sales tax is down approximately \$130,000.00 from the same month last year. Zuber asked if we planned for this.

City Administrator Werner said the 2014-2015 budget did account for less retail sales tax revenue due to lower gas prices.

**Discussion on Item 3C**

Zuber directed everyone to page 28 of the report and asked if the money is used for reimbursement or does the City get it based on a plan for future projects.

Werner said the money is for future use.

Zuber asked if there was a plan for the money and does it include wages and benefits for personnel working on the specific project.

Werner said there is a plan for the money and it will include wages and benefits. Werner said in 2015-2016 this money will be used with other funding sources on projects like the Cape Seal Project done this year on Main Street.

**Discussion on Item 4A**

Zuber said we budgeted \$50,000.00 this year to start this process, Zuber asked how much will we spend overall.

Director of Public Works Johnston said if we retrofitted all 78 systems it would cost an additional \$150,000.00. After the first phase of large parks the second phase will be medians and the last phase would be smaller parks and areas in town.

Johnston said by retrofitting irrigation systems with smart controllers allows for better irrigation water management.

**Discussion on Item 4B**

Zuber informed the general public that the City was purchasing 2 used garbage trucks because 2 trucks recently caught on fire. Zuber said garbage trucks are very expensive and you can't just go out and buy one, it takes time and money.

Zuber acknowledge City staff for using resources and thanked them along with the City of Manteca for working out the purchase of 2 used City of Manteca trucks in a timely manner, so service in Ripon wasn't delayed.

**Discussion on Item 3E**

Mayor Parks said in placement of Council members in committee and task force seat he tried to keep continuity while respecting Council member's interest.

**MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 4-0 (RESTUCCIA ABSENT) VOTE TO APPROVE TO APPROVE ITEMS 1A, 3C, 4A, 4B, AND 3E ON THE CONSENT CALENDAR.

**5. ORDINANCES**

**NOTES:**

*Second Reading and Adoption*

A. ORDINANCE NO. 828

AN ORDINANCE OF THE CITY OF  
RIPON ADDING CHAPTER 16.184  
TO THE RIPON MUNICIPAL  
CODE RELATING TO  
DONATION/COLLECTION BINS

This ordinance adds Chapter 16.184 to the  
Ripon Municipal Code relating to  
Donation/Collection Bins.

Director of Planning Zuidervaart said this ordinance is before Council for a second reading and adoption. This ordinance was first introduced to Council in November 2015 and was tabled at the seconding reading and adoption in December 2015 for revisions upon the request of a local non-profit.

Staff met with the local non-profit group to discuss requested changes and after reviewing those requests Staff created a PowerPoint to discuss recommendations before Council. Key topics had to do with cost, placement of bins, and an additional requirement of anchoring the donation/collection bins.

Jerald Pasma with Priceless Treasures Thrift Stores wanted to thank staff for their time and revisions made to the ordinance. Pasma said the Grand Jury’s original comment on this topic was in regards to abuse of for-profit collection bins, they did not set out to negatively impact the non-profits.

Pasma said his questions revolve around the fees for bin placement that cut into profits and the language in where the bins have to be placed. Having to place the bins in a trash enclosure invites more challenges for those who are trying to donate.

Council Member Zuber and Uecker both agreed that the bins should not have to be in a trash enclosure, rather in an area that is not visible from the street in residential neighborhoods. In regard to the fees, Zuber said non-profits should not have to absorb all fees. Zuber said profit bin fees should stay the same and the city should restructure the non-profit guidelines to reflect actual costs to the City to process the application and monitor the donation bins.

Resident Jerry Brower said he had never seen an issue with overflowing bins and if these non-profit bins are on church properties then the church will be maintaining them or calling on those who do, if there is an issue.

**MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 3-1 (WINCHELL ABSTAIN, RESTUCCIA ABSENT) VOTE TO ADOPT THE ORDINANCE WITH ALL THE CHANGES PROPOSED BY STAFF EXCEPT THAT THE FEE FOR NON-PROFITS BE \$250.00 PLUS \$50.00 FOR EACH ADDITIONAL BIN AND THAT NON-PROFITS HAVE A BI-ANNUAL PERMIT FEE AND THAT BINS NOT BE OBVIOUSLY VISIBLE FROM THE STREETS.

*First Reading and Introduction*

B. ORDINANCE NO. 832

AN ORDINANCE OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
REPEALING SECTION 10.40.380  
OF THE RIPON MUNICIPAL CODE  
AND ADDING CHAPTER 10.58 OF  
THE RIPON MUNICIPAL CODE.

This ordinance repeals section 10.40.380 of the  
Ripon Municipal Code and adds Chapter  
10.58, titled Residential Permit Parking  
Program.

Chief Ormonde said after meeting with neighborhood groups the department is requesting the adoption of a resolution for a Residential Parking Permit Program ordinance. The ordinance will give the ability for certain areas and neighborhoods directly affected by the parking of vehicles by nonresidents who are visiting or conducting business with residents to apply for restricted parking in their neighborhoods.

Council Member Zuber asked if residents don't want this ordinance in the future how do they get out.

Ormonde said there are processes for this ordinance and staff will keep Council aware of neighborhoods or areas involved.

**MOTION:** MOVED/SECONDED (UECKER,WINCHELL) AND CARRIED BY A 4-0 VOTE (RESTUCCIA ABSENT) TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 832.

*First Reading and Introduction*

C. ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING CHAPTER 9.28 OF THE RIPON MUNICIPAL CODE. This ordinance amends Chapter 9.28 of the Ripon Municipal Code, titled Fireworks.

Chief Ormonde said the department is requesting to amend the Fireworks ordinance. The amended firework ordinance will give the police and fire department authorization to cite a person in control of a property or the property owner for the unlawful discharge of fireworks.

Mayor Parks said over the last few years illegal fireworks have become more and more prevalent. The drought over the past few years has also caused great concern and amending this ordinance will hopefully minimize the use of illegal fireworks.

Council Member Zuber said in order to cite someone before you had to catch them in the act, but now this amendment will allow for citing of the property on which the fireworks are displayed.

Council Member Winchell asked if the property owner wasn't home and someone was setting off fireworks, who would be cited.

City Attorney Terpstra said the person in control of the property could be cited.

**MOTION:** MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 4-0 (RESTUCCIA ABSENT) VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 833.

*First Reading and Introduction*

D. ORDINANCE NO. 834

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON ADDING SECTION 9.23.135 OF THE RIPON MUNICIPAL CODE. This ordinance amends Chapter 9.23 of Title 9 of the Ripon Municipal Code and adds Section 9.23.135, titled Fires Within City Parks.

Chief Ormonde said the department is requesting the adoption of this resolution prohibiting fire in specified city parks. The prohibition of fire in city parks will affect Ripon River Crossing Recreational Area, Mavis Stouffer Park, and Mistlin Sports Park. Ormonde said fires will be prohibited in these 3 parks unless it is associated with a rental of a venue (portable BBQ pit) or there is a city supplied BBQ pit. This prohibition will not affect any other city park.

**MOTION:** MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 4-0 (RESTUCCIA ABSENT) VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 834.

*Adoption of Urgency Ordinance*

E. ORDINANCE NO. 835

AN ORDINANCE OF THE CITY  
COUNCIL OF THE CITY OF  
RIPON, CALIFORNIA,  
REPEALING PRIOR CHAPTER  
8.24 OF THE RIPON MUNICIPAL  
CODE AND ADOPTING A NEW  
CHAPTER 8.24 IMPOSING AN  
EXPRESS BAN ON MARIJUANA  
CULTIVATION AND  
PROCESSING IN THE CITY

This ordinance repeals Chapter 8.24 of the Ripon Municipal Code and adopts a new Chapter 8.24. Imposing an express ban on marijuana cultivation and processing in the City.

Chief Ormonde said with the passing of Assembly Bill 243, gives each city the ability to restrict the cultivation of medical marijuana within their jurisdiction. All action by jurisdiction's pertaining to medical marijuana must be in place by March 1, 2016, or state law will prevail. After March 1, 2016, the City of Ripon will no longer be able to restrict cultivation beyond that of state law. The department is requesting an introduction and vote on an urgency ordinance to ban the cultivation of medical marijuana with the City of Ripon. The need for this introduction and immediate vote on this urgency ordinance is recommended by the League of California Cities for cities who wish to further restrict the cultivation of marijuana within their jurisdiction, and would not have the ordinance in place by the March 1, 2016 State of California deadline.

Ormonde said this ordinance does require 4 votes from the Council in order to pass. Upon passing, the ordinance will take effect immediately.

Ormonde noted that the City of Ripon currently has a restriction on the cultivation of medical marijuana in Chapter 8.24.040 of the Municipal Code, which allows cultivation in restricted areas within the city, and has already banned medical marijuana dispensaries and the mobile delivery of medical marijuana within the city.

Dr. Lakeesha Jenkins with Central California Ag, Science, Education and Research (ASER) Coalition said the March 1, 2016 deadline is false and will be retracted leaving local municipalities in control. Jenkins said Assemblyman Wood issued a letter in regards to the deadline and urges Council to look at an ordinance that can work with all parties that does not ban the cultivation of marijuana and hinder those who really need it.

Carol Couchman with Central California ASER Coalition said banning the cultivation of medical cannabis for medical patients will deny the city and county revenue that could be received from taxes. Couchman said there is a benefit to being able to track legal grows and helps cities deal with bigger issues such as methamphetamine.

Valerie Sergio with Central California ASER Coalition said she uses medical marijuana to combat chronic pain from daily kidney stone attacks. Medical marijuana has given her life back and abilities to do things again. She wants to see safe and secure access of medical marijuana for everyone. Sergio pleaded for the Council to not ban cultivation.

Justin Danner with Central California ASER Coalition said the March 1, 2016 legislative deadline was an error and urged Council to look through the packet the coalition provided and sit down with community members and the coalition to come up with an ordinance that allows for safe medical marijuana growth. Danner said there may be people who really need medical marijuana that are afraid to speak out and by having a community meeting everyone can work together to find a balance.

Sal Cornelio of Stockton said he has concern from a policy standpoint. Cornelio spoke about the Indian Casinos and the laws put in place to regulate them. Cornelio said he is for neither side, but wants Council to see both sides.

Stephen Qualls with League of California Cities said this bill is a package of 3 other bills that were passed and the date of March 1, 2016 is still in effect. Qualls said to keep local control this ordinance needs to be adopted.

Council Member Zuber said the city is proposing this ordinance because the state made a mistake and if we wait until after March 1, 2016 we can't go back and make changes. Anything we put in place now can always be changed. Zuber said it's better to be safe than sorry and he is not willing to put the community or staff at risk.

Ripon Resident John D. said he is a community member who was afraid to come and speak tonight due to being judged. John said he would like for the city not to place a ban and work with community members on creating an ordinance that works for everyone.

Council Member Zuber said the state has said if an ordinance is not set in place by March 1, 2016 then local jurisdiction loses their ability to make rules. Zuber said if we want to ban cultivation we have to do it now.

Gerardo Zuniga of Stockton asked if Police Departments will start prosecuting on March 1, 2016 or wait a little while after.

Chief Ormonde said all registered growers will be advised and given a grace period. Time will be given to those registered to find other means of getting their medication. Ormonde said there are pharmacies and local dispensaries in the area for those who are registered.

Council Member Winchell said he does not have faith in the laws and we need to regulate at the local level. Winchell said this is the best thing for our city.

Mayor Parks said the rules are set by the state and as a city we are going to go by the law and take control over our city's future.

**MOTION:** MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 4-0 (RESTUCCIA ABSENT) VOTE TO ADOPT ORDINANCE NO. 835 REPEALING CHAPTER 8.24 OF THE RIPON MUNICIPAL CODE AND ADOPT A NEW CHAPTER 8.24 IMPOSING AN EXPRESS BAN ON MARIJUANA CULTIVATION AND PROCESSING IN THE CITY OF RIPON.

**6. DISCUSSION ITEMS**

**NOTES:**

**A. RUSD JOINT USE AGREEMENT**

*Discussion/Action*

Approve the Memorandum of Understanding between the City and Ripon Unified School District for the shared use of certain facilities and authorize the Mayor to sign.

City Administrator Werner said this proposed Memorandum of Understanding (MOU) between the City of Ripon and the Ripon Unified School District (RUSD) is for the shared use of certain City and School District facilities. The MOU proposes that the City will allow the use of City Hall for RUSD Board meetings and School Attendance Review Board (SARB) meetings as well as the Community Center fields for softball practices and games. In return, the RUSD will allow the City to use the high school gymnasium for the City's recreation basketball league and certain camps during the summer months. Additionally, the RUSD will allow the City to use the high school or an elementary school gymnasium for open gym basketball and/or volleyball in the future.

Werner said the use of these facilities will be free of charge and the responsible party will submit a written request to reserve the other party's facility and will also be responsible for the clean-up of the facility following their use and any damage that may occur.

Council Member Zuber said his only issue is the insurance. Zuber asked who will be at fault if something happens.

Werner said both parties have discussed this issue and when events are done it's up to Staff to make sure everyone is off premises or out of a building.

**MOTION:** MOVED/SECONDED (UECKER,WINCHELL) AND CARRIED BY A 4-0 VOTE (RESTUCCIA ABSENT) TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND RIPON UNIFIED SCHOOL DISTRICT FOR THE SHARED USE OF CERTAIN FACILITIES.

**B. RIPON FIREWORKS SHOW**

Ripon Chamber of Commerce  
*Discussion/Action*

City Council to consider transferring the primary responsibility to plan and coordinate the Ripon fireworks show to the Chamber of Commerce.

City Administrator Werner said the Ripon Chamber of Commerce expressed interest in taking over the planning and fundraising for the Ripon fireworks show with the City providing a certain level of support, similar to what is done for other Chamber sponsored events, such as the Almond Blossom Carnival and Balloon Festival.

Werner said the City of Ripon and the Chamber of Commerce 2x2 committee met on December 1, 2015 to discuss this possible transition. Werner shared a list of proposed shared responsibilities and said the expected expenses for support by the city, public works, and the police department is \$6,500.00, which would be paid by the general fund.

Werner said if City Council agrees to this transition, Staff recommends a Memorandum of Understanding between the City and the Chamber of Commerce be brought back at a future meeting for approval.

**MOTION:** MOVED/SECONDED (UECKER,WINCHELL) AND CARRIED BY A 4-0 (RESTUCCIA ABSENT) VOTE FOR STAFF TO CREATE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RIPON AND THE CHAMBER OF COMMERCE FOR THE RIPON FIREWORKS SHOW.

### C. AFFORDABLE HOUSING

#### *Discussion/Action*

Staff is seeking approval from the City Council regarding moving forward with amending the City's Below Market Rate ordinance.

Planning Director Zuidervaart said at the last City Council meeting City Council voted to have the affordable housing committee meet once more with builders and developers to come up with viable solutions for an affordable housing program in Ripon.

Zuidervaart said the Affordable Housing Committee met with builders and developers on December 17, 2015 and recommendations were made in the following areas: Affordable Housing requirements by project, FHA Buyer requirements and guidelines, In Lieu Fees, FHA unit development requirements, Developers may provide affordable housing in other ways to be determined by meeting with the affordable housing committee and negotiated through the use of a Development Agreement, and other requirements for affordable housing.

Developer Mark Wilbur said he appreciated meeting with the committee and said there will never be a perfect solution for Affordable Housing, but feels the latest recommendations are best for both parties. Wilbur asked if issues do occur in the process that the staff revisit the section and call a meeting to discuss the issues.

Gaynal Trotter asked if this means there will be no low income housing in Ripon.

Council Member Zuber said that rental housing will address low income needs better than the previous program. This program will generate money to assist FHA buyers and assist in the City purchasing homes to sell to low and moderate buyers.

Zuidervaart said once the ordinance gets drafted it will still include the BMR component if in lieu fees are collected and that money will be used to buy and sell units for low income. The option is in the BMR requirement, it's just not there for new development.

**MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 4-0 (RESTUCCIA ABSENT) VOTE TO DIRECT STAFF TO PREPARE AN ORDINANCE CONSISTENT WITH THE STAFF REPORT.

### D. ENGINEERING AND TRAFFIC STUDY

#### *Discussion/Action*

Approve the 2015 Engineering and Traffic Survey and direct staff to bring forward an amended ordinance to Chapter 10.10.060, titled Speed Limits Established on the Basis of Traffic and Engineering Survey in the Ripon Municipal Code.

Engineering Supervisor Pease said staff has prepared an Engineering and Traffic Survey for 33 roadway segments within the City of Ripon. These surveys were performed in compliance with the current laws and practices of the State of California in order to set an intermediate speed limit above the 25 mph prima facie speed limit and continue to allow the Ripon Police Department to enforce speed limits with the use of radar.

Pease said as part of the Engineering and Traffic Survey, when determining the appropriate speed limit, considerations are made for prevailing speeds, collision records, highway traffic and roadside conditions not readily apparent to the driver. The survey revealed that 32 of the 33 surveyed street segments are recommended to stay at their current speed limit and require no changes to existing signage or speed limit pavement markings. The single segment recommended for change is Stockton Avenue between Second Street and Doak Boulevard. It's recommended the posted speed limit of 30 mph is increased to 35 mph. Pease said all supportive materials and findings can be found in the Engineering and Traffic Survey.

Pease said if City Council approves the 2015 Engineering and Traffic Survey, staff will bring forward an amended ordinance to Chapter 10.10.060 titled "Speed Limits Established on the Basis of Traffic and Engineering Survey" to a future City Council meeting for approval.

**MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 4-0 (RESTUCCIA ABSENT) TO APPROVE THE 2015 ENGINEERING AND TRAFFIC SURVEY AND DIRECT STAFF TO BRING FORWARD AN AMENDED ORDINANCE TO CHAPTER 10.10.060, TITLED SPEED LIMITS ESTABLISHED ON THE BASIS OF TRAFFIC AND ENGINEERING SURVEY.

#### E. SGMA UPDATE

##### *Discussion/No Action*

Staff to provide an update regarding the formation of the Groundwater Sustainability Agency as required by the Sustainable Groundwater Management Act of 2014.

City Administrator Werner wanted to provide an update regarding the formation of the Groundwater Sustainability Agency as required by the Sustainable Groundwater Management Act (SGMA) of 2014.

Werner said the intent of the SGMA is to set sustainable goals in managing the groundwater basin and eliminate certain undesirable results, such as lowering groundwater levels, water quality degradation, land subsidence, among other things. If the agency is not created or does not follow through with the governance list, the state will step in.

Werner said the City of Ripon is in a good position having the South San Joaquin Irrigation District form a GSA. They did submit paperwork which included Ripon, but the County then submitted their paperwork for the entire basin which negated the SSJID's application. So now it is a waiting game.

Werner said the SGMA is meeting this week to talk about the County and how the GSA is going to be formed and what the sustainability plan is. Werner will update Council on how this progresses.

Council Member Winchell asked if one or multiple GSAs is beneficial.

Werner said there are concerns with have one GSA, many are looking at the idea of multiple.

#### F. SAN JOAQUIN ONE VOICE ADVOCACY TRIP - 2016

##### 2016 One Voice Projects:

- 1.) Regional Project – Ripon Multi- Modal Station
- 2.) Local Project – SSJID Surface Water Supply

The City of Ripon may submit one regional transportation project and one local project (transportation or otherwise) for the One Voice 2016 trip. If City Council would like to submit the same projects as last year, Staff

3.) Endorsement – RCAF Stadium Project recommends the City Council authorize the Mayor to sign the local jurisdiction endorsement for each project.

*Discussion/Action*

Additionally, City Council to consider designating a City representative(s) to attend the 2016 One Voice trip.

City Administrator Werner said the San Joaquin Council of Governments (SJCOG) has requested project submittals for the 2016 San Joaquin One Voice trip. SJCOG is seeking projects that are regionally significant and that provide a community-wide benefit. Ripon is authorized to submit one (1) regional transportation project and one (1) local project (transportation or other). Non-profit organizations are also eligible to participate in the process by acquiring an endorsement form the local jurisdiction.

Werner said last year, Ripon submitted the “Ripon Multi-Modal Station” and the “SSJID Surface Water Supply” projects for consideration, along with endorsing the RCAF Stadium Project. The Multi-Modal Station project is requesting funds to purchase right-of-way (\$550,000.00) and complete the preliminary layout (\$80,000.00) for the future multi-modal station. For the SSJID Surface Water Supply project the city is requesting funds to construct 5 miles of pipeline to connect Ripon’s water distribution system with the SSJID transmission main, estimated cost \$4.5 million dollars.

Staff is recommending to submit the same projects as the previous year, including the RCAF endorsement. Additionally, if Council is interested in sending a representative to participate in the 2016 One Voice trip, please designate and approve the representative.

**MOTION:** MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 4-0 (RESTUCCIA ABSENT) VOTE TO AUTHORIZE THE MAYOR TO SIGN THE LOCAL ENDORSEMENT FORM FOR THE FOLLOWING PROJECTS 1. REGIONAL TRANSPORTATION PROJECT: RIPON MULTI-MODAL STATION 2. LOCAL PRIORITY PROJECT: SSJID SURFACE WATER SUPPLY AND 3. ENDORSEMENT: RCAF STADIUM PROJECT AND AUTHORIZE SENDING ONE COUNCIL MEMBER ON THE ONE VOICE TRIP.

**REPORTS**

**Department Heads:** Chief Ormonde said UCR Part 1 Crimes are down 4%, Arrests are up 34% due to the reclassification of a misdemeanor by Prop. 47. Ormonde said he will have an end of the year report at a future City Council meeting.

Public Works Director Johnston reported that December water usage was down 32.2% compared to water usage in 2013 and the running average for June through December is 28.2%.

Johnston said the Water Meter Installation software is up and running and has already helped in identifying homes with small leaks.

Planning Director Zuidervaart said the North Pointe Specific Plan fee schedule will be coming back to Council in the near future.

Engineering Supervisor Pease said the Water Meter Installation project is on track to be completed by the end of February. So far, 1,360 meters have been installed to date with minimum delays. Pease said 1,000 customers will receive their first meter bill in February.

**City Council:** Council Member Zuber asked staff where the Landscape Standards were at the in the process.

Planning Director Zuidervaart said there was a meeting and revisions are underway. Zuidervaart said as soon as the draft is available it will be sent to Council.

Council Member Uecker announced the Stockton Airport is now flying to San Diego.

Mayor Parks said he would like to see ideas for what direction the city is heading with Economic Development.

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

**CLOSED SESSION:**

The meeting was called to order at 9:08 p.m.

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

Absent: Michael Restuccia

**OTHERS PRESENT:** City Attorney Tom Terpstra, City Clerk Lisa Roos, Chief Ed Ormonde, City Administrator Kevin Werner.

**IN THE MATTER OF:**

- 1. CONFERENCE WITH LEGAL COUNSEL** – Anticipated Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: 1 case.

City Attorney Terpstra said Staff was given direction and no reportable action was taken.

There being no further business, the meeting adjourned at 9:34 p.m.

(Signed) Jake Parks  
Mayor

ATTEST:

(Signed) Tricia Raymond  
Deputy City Clerk