
Ripon City Council Minutes

TUESDAY, APRIL 12, 2016

The meeting was called to order at 5:30 p.m.

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

CLOSED SESSION:

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

OTHERS PRESENT: Deputy City Attorney Stacy Henderson, City Clerk Lisa Roos, City Administrator Kevin Werner, Engineering Supervisor James Pease, Recreation Director Kye Stevens.

IN THE MATTER OF:

- Real Property Negotiations (Section 549.8)
Property: 875 W. River Road (APN: 245-34-013)
Property: 1500 Ruess Road (APN: 257-30-020)

REGULAR MEETING

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

INVOCATION: Pastor Bret Lamsma 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, Information Systems Technician Dan Brannon, Engineering Supervisor James Pease, K. Case, Danielle Pappas, Michelle Pappas, Justin Femino, Arashdeep Singh, Matthew Fisher, Patti VanGroningen, Jacob Curtiss, Kimberly DeJong, Pamela L., David Niskenen, Steve H., Kole Gonzales, Steven Crescini, KJ Martinez, Chris S., Sebastian G., Debra Van Essen, Eduardo Toledo, Jaime Fountain, Rod Lowe, Nicholas Loogman, Angelo Calderon, Liz Forks, Daron Heether, Cody H., Halliegh O., Gaynl Trotter, Tori Barke, David O., Jose Garcia.

Deputy City Attorney Henderson reported out from Closed Session – no reportable action was taken. Direction was given to staff.

PUBLIC DISCUSSION: Danielle Pappas with Clear Solar asked Council if they knew about the proposed changes coming to MID and wanted to share their company information with the public and Council.

Jacob Curtiss said he wanted to shed some light on a growing program at Mistlin Baseball Fields. He said that TPR Baseball is mismanaging the facility and creating a bad reputation for the City. He said the Mistlin fields' website is working poorly and TPR does not manage the system well.

Curtiss put in a public records request to review the TPR contract and stated many specific infractions of the contract and noted them for the Council. Curtiss said he looked at the budget and the City is losing a lot of money over the year, and TPR is making a lot of money.

Curtiss asked that the City start the 30 day notice for infractions to be fixed.

Mayor Parks directed Recreation Director Stevens to contact Jacob Curtiss and address his concerns.

APPROVAL OF MINUTES: **MOTION:** MOVED/SECONDED (RESTUCCIA,ZUBER) AND CARRIED BY A 5-0 VOTE TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON MARCH 8, 2016.

APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Council Member Zuber requested Item 3B be pulled for discussion from the Consent Calendar.

MOTION: MOVED/SECONDED (WINCHELL,UECKER) 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 \$173,515.67) \$203,377.26

Highway User Tax (2015 \$31,162.58) \$27,413.02

TOTAL \$230,790.28

B. WASTE MANAGEMENT

Franchise Fee Payment – February 2016 \$2,392.05

C. CCATT HOLDINGS

Acacia Avenue Cell Tower Lease – April 2016 \$999.53

D. T-MOBILE

Cell Tower Lease Payment – March 2016 \$898.03

2. Bills, Invoices, Payments

A. SAN JOAQUIN REGIONAL TRANSIT DISTRICT

Blossom Express Driver \$1,742.36
February Invoice #AR109448

B. NATIONAL METER & AUTOMATION, INC.

Material Purchases for the Water Meter Installation Project

Progress Payment-

Invoice #S1069127.003 \$797.04

Invoice #S1068959.003 \$3,905.28

TOTAL \$4,702.32

C. TERPSTRA HENDERSON

General Matters \$11,931.25

North Pointe Specific Plan \$275.00

Police Matters \$1,292.20

Ripon Gardens II \$1,100.00

TOTAL \$14,598.45

CONSENT CALENDAR

NOTES:

2. Bills, Invoices, Payments, continued:

D. CENTRAL SAN JOAQUIN VALLEY RISK MANAGEMENT AUTHORITY

Liability Program	\$36,661.00	
Workers' Compensation Program	<u>\$98,912.00</u>	
TOTAL		\$135,573.00

E. WGR SOUTHWEST, INC.

City Stormwater Permit Assistance		\$792.00
Progress Payment – Invoice #17595		

F. WOOD RODGERS, INC.

Well 5 & 12 Assessment & Design		
Progress Payment – Invoice #98439	\$655.00	
Well 19 Assessment & Design		
Progress Payment – Invoice #98438	<u>\$5,435.00</u>	
TOTAL		\$6,090.00

G. G.M. CONSTRUCTION & DEVELOPERS, INC.

Water Meter Installation Project		\$15,444.15
Progress Payment – Invoice #3694.7		

3. Miscellaneous Items

2nd Reading and Adoption

A. ORDINANCE NO. 839

AN ORDINANCE OF THE CITY OF RIPON REZONING CERTAIN REAL PROPERTY IN THE CITY OF RIPON.	This ordinance amends the zoning map to rezone property located at the southwest corner of North Ripon Road and River Road from Community Commercial (C2) to Neighborhood Commercial (C1) and Multiple Family Residential Urban (R4U).
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CONSENT CALENDAR

NOTES:

3. Miscellaneous Items, continued:

2nd Reading and Adoption

Item 3B was pulled for discussion

B. ORDINANCE NO. 840

AN ORDINANCE OF THE CITY OF
RIPON APPROVING THE
DEVELOPMENT AGREEMENT
ENTERED INTO BETWEEN THE
CITY OF RIPON AND JKB LIVING
INC., FOR THE DEVELOPMENT
OF CERTAIN REAL PROPERTY IN
THE CITY OF RIPON.

This ordinance approves the Development Agreement entered into between the City of Ripon and JKB Living Inc (Ripon Gardens II).

C. PROCLAMATION

Women's Center

Present proclamation to the Women's Center – Youth & Family Services recognizing April as Sexual Assault Awareness Month.

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

Discussion on Item 3B

Council Member Zuber said at the March meeting this item was approved with no balconies, but the no balconies condition was not included in the agreement.

Planning Director Zuidervaart said that no balconies was a condition within the approval of the project. Planning Director Zuidervaart asked Deputy City Attorney Henderson if it's sufficient to state it as a condition or does it need to be added in the agreement.

Deputy City Attorney Henderson said the conditions of approval would be sufficient because those conditions are in addition to the Development Agreement.

MOTION: MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 5-0 VOTE TO APPROVE THE CONSENT CALENDAR ITEM 3B.

PRESENTATION OF PROCLAMATION

Mayor Parks presented a proclamation to the Women's Center Youth and Family Services declaring April as Sexual Assault Awareness Month.

4. PUBLIC HEARINGS

Notes:

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

A. 2015-2023 HOUSING ELEMENT

Housing Element 5th Cycle

This is a public hearing to receive comments related to the 5th Cycle Housing Element, which is the primary policy document that guides the development, rehabilitation, and preservation of housing for all economic segments.

Council Action:

Adopt a resolution making Amendments to the General Plan updating the Housing Element.

PUBLIC HEARING OPENED

No one from the public wished to speak at this time

PUBLIC HEARING CLOSED

Planning Director Zuidervaart presented the Public Hearing for the 5th Cycle Housing Element. Zuidervaart said the City recently adopted the 4th Cycle Housing Element and moved on with the 5th Cycle which covers the time period 2015-2023. There is no need to re-zone any property for the 5th Cycle because the affordable housing numbers were met in the 4th cycle. There was only a need to update language to be in compliance with the law.

MOTION: MOVED/SECONDED (WINCHELL,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO ADOPT RESOLUTION 16-24 MAKING AMENDMENTS TO THE GENERAL PLAN AND UPDATE THE HOUSING ELEMENT.

B. DEVELOPMENT AGREEMENT

River Road Residential Subdivision
1200 W. River Road
(APN:245-340-16)

This is a public hearing to receive comments related to an application to enter into a Development Agreement to develop 26.41 acres of property located at the south-west corner of the River Road and Fulton Avenue intersection as a residential subdivision and consider a tentative subdivision map to create 133 single-family residential lots located in the R3 (Limited Multiple Family Residential) district.

Council Action:

- Approve the River Road Development Agreement (DA15-04) and waive the first reading and introduction of the ordinance approving the Development Agreement.
- Approve the River Road Tentative Subdivision Map (S15-03), based on the findings and subject to the conditions in the staff report.

PUBLIC HEARING OPENED

Kit Oase speaking on behalf of the Ripon Unified School District Superintendent Ziggy Robeson said the school district looks forward to meeting with the developer to discuss impacts the development may have on the schools and how to mitigate those issues.

Rod Lowe – Applicant for River Road project said it has been a long journey in getting this process approved and bringing the North Pointe Specific Plan into fruition. Lowe thanked the Council, staff, and all those involved for their hard work. Lowe said he would appreciate an affirmative vote this evening and said this project will be a nice addition to the City.

PUBLIC HEARING CLOSED

Director of Planning Zuidervaart presented the application to subdivide 26.41 acres into 133 residential lots. Zuidervaart said the essential part of the agreement is Exhibit C which includes the conditions of approval for the development.

Zuidervaart presented a PowerPoint outlining key components of the development agreement.

Zuidervaart said the City has agreed to issue 133 building permits in 4 cycles for the project beginning on September 1, 2016. The permit cycle will go in 4 cycles, each cycle becoming available once the prior cycle has been built out.

Council Member Zuber said the project originally had 127 lots. In order to meet the Affordable Housing requirements, the developer chose to split 6 lots to meet the 10% affordable housing requirement. This raised the number of lots to 133. Zuber asked if the 10% was taken from 127 or 133 which could require an additional affordable unit in the development.

Zuber said he wanted to make sure this was discussed for future projects.

Council Member Restuccia said he finds the subdivision design and layout appealing and commended the designer.

MOTION: MOVED/SECONDED (WINCHELL,UECKER) AND CARRIED BY A 5-0 VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 841 APPROVING THE RIVER ROAD DEVELOPMENT AGREEMENT AND APPROVE THE RIVER ROAD TENTATIVE SUBDIVISION MAP.

5. ORDINANCES

Notes:

First Reading and Introduction

A. ORDINANCE NO. 842

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF RIPON
ADDING CHAPTER 8.28 TO THE
RIPON MUNICIPAL CODE,
TITLED “MASSAGES/MESSAGE
BUSINESSES”

This ordinance adds Chapter 8.28 to the Ripon Municipal Code, titled “Massages/Massage Businesses”.

Planning Director Zuidervaart shared a PowerPoint on the key components of the ordinance. Zuidervaart said the California Massage Therapy Council (CAMTC) certification shall be required by anyone performing a massage within City limits. Owners and Operators who do not qualify as certified massage therapists must obtain a Massage Business Permit from the Chief of Police which would include a background investigation.

Resident Kimberly DeJong shared possible red flags that a massage business is not in compliance and possibly using the facility for sex trafficking. DeJong said red flags are long hours of business, majority of male clients, advertisements mentioning ethnicity and attractiveness of the girls, the massage therapists know little or no English.

DeJong encouraged Council to pass this ordinance, but also said she wants to see the girls in these businesses rescued and those utilizing the services prosecuted.

Resident Patti VanGroningen thanked the City Attorney’s office for creating an ordinance that places a barrier to stop sex trafficking in the City of Ripon. Patti said she has researched the two parlors in town online and in person, plus believes there is one more possible business in town.

Resident Debra Van Essen said she read through the ordinance and wanted some clarification on some items. Van Essen asked if this still falls under a Conditional Use Permit that would come before the Planning Commission for approval and if the Police Department finds that the business is not in compliance it can be shut down.

Zuidervaart said that is correct.

Van Essen said on pg. 6 where it lists if the applicant has been convicted of certain crimes, and it states various legal numbers, Van Essen wanted to know what these various numbers related too.

Deputy City Attorney Henderson said the numbers relate to crimes related to moral turpitude and sex crimes, all things that would require a person to register.

Henderson said this ordinance puts in place various steps to verify the applicants through the CAMTC and the background check by the Police Department.

Van Essen said in reviewing the Conditional Use Permits on the Planning Commission they found certain businesses being represented by a different party, a party who had nothing to do with the business. Van Essen wanted to know if there was something that could be put in place stating the applicant must represent themselves.

Henderson said the commission can ask questions of the applicant and can request if the applicant cannot speak for themselves that an interpreter be present.

Henderson said we have to make sure we are not violating anyone's First Amendment rights, make sure we are protecting the health and well being of the community, plus make sure we are not violating the Fair Employment and Housing Act and discriminating against persons who are not able to speak English. Henderson said the ordinance includes inspections, operating requirements, roster of employees, and owner and operator requirements in order to authorize the business and employees are a certified business.

Van Essen said on pg. 12 it discusses Inspections by Officials during regular business hours. Van Essen said this defeats the purpose of finding out if someone is living on the premise and said inspections should be allowed at any time.

Henderson said she can speak with Chief Ormonde in regards to this section, but said there should be determination of whether there is probable cause for inspection.

Council Member Restuccia asked for clarification on a couple of items. Restuccia said on pg. 9 the ordinance asks for a certified roster. Restuccia asked if this is to match with the CAMTC background check.

Henderson said yes. This is a good way to verify the employees and make sure the correct person is working and is certified.

Restuccia said on pg. 10 (M) Advertisements. No person shall place, publish or distribute, or cause to be placed, published or distributed, any advertising material that could reasonably suggest that any service is available other than massage services. Restuccia said we should add "verbally told" to this as well.

Henderson said it can state advertising in any format – verbally or written.

Restuccia said on pg. 11 (N) Doors and Windows. During business hours, the entry door to the Massage Business shall remain unlocked and unobstructed unless there is no individual available to monitor the Reception Area on behalf of the Massage Business.

Restuccia feels this is not right to have a client behind locked doors.

Henderson said the point behind this item is if there is only one masseuse and their client with no one to monitor the front lobby, they have the right to protect themselves and their items by locking the door. Only, if there is no one there to monitor the lobby.

Henderson said she would look into this item in more detail.

Restuccia said on pg. 11 (T) School of Massage. No Massage Business shall simultaneously operate as a school of Massage or share facilities with a school of Massage. Restuccia asked why this is in the ordinance.

Henderson said the City does not want training to occur at a massage business. Certification should come from the CAMTC.

Vice Mayor Uecker asked Chief Ormonde if he was aware of the activities stated by the residents.

Chief Ormonde said the department is aware of the items that are considered red flags, but no illegal activities. That is why this ordinance is important. It will give the Police Department more ability to regulate such businesses in the City.

Council Member Winchell said this ordinance is extensive and he visited some of the massage businesses being questioned in town to see if they were in compliance with the ordinance.

Mayor Parks said later this month someone is coming into town to discuss Human Trafficking and how and what it does to an individual. Parks said it's naïve to think that this does not occur in our town or in surrounding areas because it is safe.

Parks said this ordinance is good, but fears for the other legitimate massage businesses or masseuse in town and how it will affect them. Parks wants to make sure they are aware of this ordinance and that they understand why it has to be put in place. Not to inhibit their business, but to support good business ethics.

Parks asked what the cost of the permit is.

Zuidervaart said the permit cost will be established by resolution, but the cost of the massage business permit is a background check.

Ormonde said a livescan and employee time is estimated at \$137.00.

Henderson said the staff time is important to include for not only providing the livescan, but for monitoring as well. So that is why the fee will come before Council in a resolution with all items considered.

Council Member Zuber asked if a business that offers massages, but is not a massage parlor, has to comply with this ordinance.

Henderson says this does apply. The person who offers the massage needs to be CAMTC certified. In addition the owner of the business would have to get a Massage Business License to be in compliance, even if they do not perform massages.

Parks asked if in-home massage businesses are prohibited in this ordinance.

Zuidervaart said massage and cosmetology businesses are not allowed in the home.

Henderson said out call massage is allowed, but they have to comply like a Massage Business.

Zuber asked if changes have to be made to the ordinance and then brought back to the May meeting for approval.

Henderson said the changes she noted (1) advertisements either verbal or written cannot violate standards, (2) re-visit the section in regards to locked front doors when no one is available to attend the front desk, (3) notifying authorities if there is knowledge that an employee has been convicted of a crime. Henderson noted these changes will be updated in the ordinance for the second reading and adoption.

MOTION: MOVED/SECONDED (ZUBER,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 842 WITH AMENDMENTS.

6. RESOLUTIONS

Notes:

A. RESOLUTION NO. 16-__

RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
REVISING EXISTING BENEFIT
ASSESSMENT DISTRICTS

City Council to consider various policy changes to existing Benefit Assessment Districts, including:

1. Reduce the index component;
2. Eliminate the index component to provide an incentive for economic development;
3. Provide City Council flexibility to reduce or eliminate an assessment on a case-by-case basis.

City Administrator Werner said this is a follow-up discussion from the North Pointe Specific Plan - Financing Plan workshop in regards to benefit assessment districts.

Werner showed a map of the benefit assessment districts and number of parcels that are affected.

Werner said each parcel within a district was set up to share infrastructure cost and a mechanism to recover the cost. Many of these were indexed at 5% per year for 15 years from when the District was established.

Werner said as part of the North Pointe Specific Plan financing workshop various policy options relating to the existing Districts were discussed, including (1) reduce the index component of the assessment, (2) eliminate the index to provide an incentive for economic development, and (3) provide City Council flexibility to reduce or eliminate an assessment on a case-by-case basis.

Werner said a sample resolution has been drafted with the proposed language on whichever option is preferred.

Council Member Zuber asked if the money was to be paid at the time of development.

Werner said yes.

Zuber said he favors option 2. Right now we are looking at \$6 million dollars that does not exist. So the faster we can get money back, the better.

Zuber said while providing incentives for development, the City gains long term income that would benefit the City in the long run.

Werner said if this is something that the Council is interested in, staff can start advertising and coming up with projects that are appropriate for economic development.

Council Member Restuccia said he agrees with Zuber on if commercial development has incentive the City gets something back in sales or property tax.

Restuccia said he likes option 2, but would like to see flexibility with pay offs. This option seems to be all or nothing.

Zuber said he likes Restuccia's proposal about being flexible with the 0 interest payback in 24 months and set a minimum for the benefit and roll the interest rate back to something reasonable.

Mayor Parks said the overall key is that we are willing to work with businesses and be flexible.

Council was in agreement and gave direction for a 3% interest rate.

Werner said staff will bring back a resolution.

7. DISCUSSION ITEMS

NOTES:

A. JACK TONE GOLF CAPITAL FUND

Request for allocation
Discussion/Action

Approve expenditures from the golf course capital account for golf course improvements (not to exceed \$30,670.00), and the reimbursement guidelines listed in the staff report.

Recreation Director Stevens said that the Golf Course Capital Improvements committee has met several times to discuss improvements.

Stevens said the Jack Tone Golf Course is requesting to do improvements in the amount of \$61,340, in which the City will match 50%. These funds will be allocated from the Golf Course Capital Improvements funds budget.

Stevens said the Committee has reviewed this request and has brought the item before Council for approval.

Vice Mayor Uecker clarified that the funds in the Golf Course Capital Improvement account were created from the golf course and the City manages those funds.

MOTION: MOVED/SECONDED (RESTUCCIA,UECKER) AND CARRIED BY A 5-0 TO APPROVE EXPENDITURES FROM THE GOLF COURSE CAPITAL ACCOUNT FOR JACK TONE GOLF COURSE IMPROVEMENTS NOT TO EXCEED \$30,670.

B. PROPERTY ACQUISITION

South San Joaquin Irrigation District
Discussion/Action

Approve the “Agreement of Purchase and Sale” for the .75 acre parcel from South San Joaquin Irrigation District for the sidewalk improvement project at the intersection of River Road and Fulton and authorize the Mayor to sign.
(Cost: \$30,750.00)

Engineering Supervisor Pease said the South San Joaquin Irrigation District (SSJID) currently owns a .75 acre parcel of land within the project footprint needed to construct the River Road and Fulton Sidewalk improvement project.

Pease said SSJID evaluated property sales of agriculture land in the area and established a value of \$41,000/acre or \$30,750 for the .75 acre parcel.

Pease said this property is necessary for the sidewalk project improvements and is requesting City Council approve the “Agreement of Purchase and Sale” for the .75 acre parcel from the SSJID in the amount of \$30,750.

Council Member Zuber said the property runs north beyond what is needed for the River Road and Fulton sidewalk improvements project.

Pease said yes. We need about half of the .75 acre parcel to complete the project.

Zuber suggested only buying the portion we need, since we are already borrowing money despite the grants we have received.

MOTION: MOVED/SECONDED (ZUBER,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO AUTHORIZE THE CITY ADMINISTRATOR TO PROCEED WITH PURCHASING THE PROPERTY NECESSARY TO COMPLETE THE PROJECT.

C. CAPITAL IMPROVEMENT PROGRAM FOR FY 2016-2017

Presentation
Discussion/Action

Staff to present the fiscal year 2016-2017
Capital Improvement Program.

Engineering Supervisor Pease presented a PowerPoint on FY 2016-2017 Capital Improvement Program. Pease said the capital improvement program received in the packets highlights the projects completed for fiscal year 2015-2016 along with various studies and reports which were necessary. It then covers the funding and planned capital projects for the next five fiscal years.

Pease said these projects can be modified or changed based on the priorities of the City Council, funding, and overall needs of the City.

Pease shared a slide of the proposed fiscal year 2016-2017 capital improvement projects. There are 10 projects totaling \$5.7 million dollars. \$3.2 million dollars is from local funds and \$2.5 million dollars is from outside funds.

Pease said the City receives revenue from 3 sources: Measure K Renewal, Local Transit, and HUTA. After various routine expenses are accounted for the City typically has \$400,000 annually to put toward a capital roadway project. Pease said the current balance of the street and road fund is \$1,150,000.

Pease said there are two upcoming street and road projects for fiscal year 2016-2017. The Asphalt Rubber Cape Seal 2016 project located at Spring Creek and Vermuelen Park which covers 2.9 miles of poor road at an estimated cost of \$600,000 and the Stockton Avenue Downtown Parking Lot behind Pizza Plus which will include adding storm drains to prevent flooding, and has an estimated cost of \$302,000.00.

Pease said the Regional Street projects are funded with City funds along with various outside sources. Recent priority projects include the River Road and Fulton Intersection improvement project and the Stockton Avenue Rehabilitation Project.

Pease said currently the Stockton Avenue Project has \$877,000 in RSTP funds held pending a decision on the underfunded STIP. The RSTP funds are flexible and can be allocated elsewhere. Due to the possibility of funds returning, staff recommends waiting rather than re-programming the RSTP funds. This will give Council the opportunity to add any future projects to the Capital Improvement Program, such as the Main Street Overcrossing enhancements or a Roadway Expansion at Jack Tone Road between Santos and River Road.

Council Member Winchell asked if there was funding for a back-up bus.

Pease said the back-up bus purchase is on the list of proposed fiscal year 2016-2017 capital projects.

Council Member Restuccia asked that the spreadsheet be updated on the last page.

Zuber asked if the Main Street overcross project could be done without major modifications.

Pease said staff was looking at enhancements rather than expansions at this time. If Council desired expansion staff would need to look into the project further.

Mayor Parks said the Main Street overcross is more of a “want” than a “need”, especially if the cost is high. Parks said it is more important for the City to focus on infrastructure of roads at this time.

MOTION: MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 5-0 VOTE TO APPROVE THE FISCAL YEAR 2016-2017 CAPITAL IMPROVEMENT PROGRAM.

D. POLICY ON ADVERTISING AND MAILING ITEMS

Discussion/Action

Consider a policy prohibiting inserts from outside organizations in monthly utility bills or annual license renewal notices.

City Clerk Roos said staff was given direction to develop a policy of what is allowed to be placed in City of Ripon mailings. Currently there is not a policy and requests are dealt with on a case by case basis.

Staff analyzed various issues associated with including flyers in City mailings and it was determined that the utility bill is for informing customers of their utility fees, not a communication tool to the community.

Roos said organizations and events were examined to see how to define the limits of access to City mailings and how to develop qualifiers to determine which flyers could or could not be included in a City mailing. It was determined that developing a consistent policy would be difficult and dealing with request on a case-by-case basis was not an acceptable approach because there are no standards.

Roos said in addition, staff calculated the cost of mailers and found that it is cheaper to do a direct mailing through the post office rather than pay our third party vendor to include an insert into our utility bills.

Roos said based on the analysis, staff recommends that inserts from outside organizations not be allowed in utility bill mailings or license renewal notices.

Jamie Fountain with Friends of the Ripon Dog Park said the dog park flyer is what prompted this policy. Fountain said their flyers were donated and were created as a fundraising tool in order to help raise funds for a community Dog Park.

Fountain said she would like to see what the cost was for adding the flyer in with the utility bills.

Council Member Restuccia said the first round of flyers did go out, but understands why a policy is being brought forward, because where do you draw the line.

Council Member Winchell said he would like Council to consider making an exception to include mailers for City projects such as the Dog Park fundraiser flyer.

Zuber said the cost for this is \$900 for an item to be placed in a utility bill. There are always situations where groups want to add items in the utility bill. It's hard to decide who you let in and who you don't. Zuber said there is a small group of people who pay attention to advertisements in a utility bill.

Henderson said Council needs to focus on the policy as a whole and not relate it to the Dog Park. Does the City want a complete ban or a policy with exceptions?

Zuber said what if we make this policy effective and allow the Friends of the Ripon Dog Park to do one more insert in the dog license renewal notices.

MOTION: MOVED/SECONDED (ZUBER,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO APPROVE THE POLICY ON ADVERTISING AND MAILING ITEMS WITH THE EXCEPTION THAT THE FRIENDS OF THE RIPON DOG PARK GET ONE MORE MAILING.

REPORTS

Department Heads: Chief Ormonde said on Saturday, April 23rd from 9:00 am. to 12:00 p.m. a free bike registration event is taking place in front of the Police Department.

On Saturday, April 30th from 10:00 a.m. to 2:00 p.m., staff from the Ripon Police Department will be partnering with the Drug Enforcement Agency in the 11th National Prescription Drug Take Back Day. This event is free and allows community members to drive up and drop off unused, unwanted, and expired prescriptions anonymously.

Director of Public Works Johnston reported that March had a water use reduction of 50% bringing the total average for the year to 29%. The State adjusted our mandated water reduction from 36% to 33% due to population growth and climate zone.

Engineering Supervisor Pease said the general contractor for the water meter installation project has started installing the end points for the existing water meter customers and this should be completed by the end of June or beginning of July.

City Council: Council Member Winchell complimented the Police Department on current events and the way they are being handled.

Council Member Uecker said he will be attending the OneVoice conference in Washington D.C this week representing the City of Ripon.

There being no further business, the meeting adjourned at 8:46 p.m.

(Signed) Jacob Parks
Mayor

ATTEST:

(Signed) Tricia Raymond
Deputy City Clerk