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# Ripon City Council Minutes

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TUESDAY, JUNE 14, 2016

**REGULAR MEETING**  
**6:00 P.M.**

**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 Evoy 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, Sharon Krediet, Chris Lake, Steve Evoy, Patti VanGronigan, Harrison Gibbs, Gary Lewis.

**PUBLIC DISCUSSION:** Resident Sharie Moorehead said she lives behind the Ripon Garden Apartments, Phase 1. Moorehead said the Developer promised to put in trees for privacy and at this point there are only bushes on opposite units 4, 5, 6 and across the parking lot. Moorehead presented pictures to Council. Moorehead is concerned about her privacy along with the other residents in the area. Moorhead has reached out to the builder and Planning Director Zuidervaart in regards to this matter.

Zuidervaart said the builder is not finished with the landscaping and will be putting in trees to meet the standards discussed in the development agreement.

**APPROVAL OF MINUTES:** **MOTION:** MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 5-0 VOTE TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON MAY 10, 2016.

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

City Attorney Terpstra requested that Item 6B on the Consent Calendar be postponed until the next meeting due to changes in language to the ordinance.

Council Member Restuccia requested Item 4E be pulled for discussion from the Consent Calendar.

Council Member Zuber requested Items 2C, 2H, 2J, and 3B be pulled for discussion from the Consent Calendar.

**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 \$226,400.00)	\$204,400.00	
Highway User Tax (2015 \$41,406.63)	<u>\$27,689.52</u>	
TOTAL		<b>\$232,089.52</b>

**B. CCATT HOLDINGS**

Acacia Avenue Cell Tower Lease – May 2016		<b>\$999.53</b>
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**C. GILTON SOLID WASTE MANAGEMENT, INC.**

1 <sup>ST</sup> Quarter Franchise Fees (ending March 2016)		<b>\$5,874.26</b>
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**D. T-MOBILE**

Cell Tower Lease		<b>\$898.03</b>
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**E. WASTE MANAGEMENT**

Franchise fee payment – April 2016		<b>\$2,515.26</b>
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**F. CHARTER COMMUNICATIONS**

1 <sup>st</sup> Quarter Franchise Fees (ending March 2016)		<b>\$21,215.03</b>
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**2. Bills, Invoices, Payments****A. G.M. CONSTRUCTION & DEVELOPERS, INC.**

Water Meter Installation Project		
Progress Payment – Invoice #3694.9	\$47,193.15	
Partial Retention Payment – Invoice #3694-ret.1	<u>\$44,236.19</u>	
TOTAL		<b>\$91,429.34</b>

**B. HCS ENGINEERING, INC.**

Mistlin Concession Stand Progress Payment – Invoice #23762		<b>\$565.00</b>
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**C. KLA LANDSCAPE, INC.**

Landscape Design Guidelines Progress Payment – Invoice #16-8497		<b>\$4,800.00</b>
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*Item 2C was pulled for discussion*

**CONSENT CALENDAR**

**NOTES**

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

D. NATIONAL METER & AUTOMATION, INC.

Material Purchase – Water Meter Installation Project

Progress Payments –

Invoice #S1072037.001	\$961.20
Invoice #S1070483.004	\$24,040.80
Invoice #S1071242.002	\$1,806.30
Invoice #S1069567.001	\$772.74
Invoice #S1072140.001	<u>\$7,927.47</u>

TOTAL		<b>\$35,508.51</b>
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E. PETERSON BRUSTAD, INC.

SB5 Compliance - 200 year Flood Mapping	<b>\$14,735.64</b>
Progress Payment – Invoice #6322	

F. J.B. ANDERSON LAND USE PLANNING

SB5 Compliance

Progress Payments –

Invoice #050116W19	\$377.00
Invoice #060116W19	<u>\$149.50</u>

TOTAL		<b>\$526.50</b>
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G. SAN JOAQUIN REGIONAL TRANSIT DISTRICT

Blossom Express Driver	<b>\$1,519.29</b>
April Invoice #AR109557	

H. STANTEC

*Item 2H was pulled for discussion*

Groundwater Monitoring – Progress Payments

4 <sup>th</sup> Quarter 2015 – Invoice #1048500	\$196.00
1 <sup>st</sup> Quarter 2016 – Invoice #1048501	<u>\$1,764.00</u>

TOTAL		<b>\$1,960.00</b>
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I. TERPSTRA HENDERSON

General Matters	\$13,165.75
Police Matters	\$3,151.15
J-M Manufacturing	<u>\$487.50</u>

TOTAL		<b>\$16,804.40</b>
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**CONSENT CALENDAR**

**NOTES**

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

J.	SAN JOAQUIN PARTNERSHIP		<i>Item 2J was pulled for discussion</i>
	Annual Membership Fee		<b>\$5,000.00</b>
K.	URBAN FUTURES, INC.		
	Water Revenue Bonds		<b>\$2,250.00</b>
	Invoice #CD-2016-92		
L.	CAVES & ASSOCIATES		
	Consultant & Labor negotiations Progress Payments –		
	Invoice #16-081	\$1,969.80	
	Invoice #16-104	\$160.00	
	Invoice #16-128	<u>\$1,517.00</u>	
	TOTAL		<b>\$3,646.80</b>
M.	WOOD RODGERS		
	Well Site Suitability & Design		
	Progress Payment – Invoice #99447	\$2,670.00	
	Well 5 & 12 Assessments & Design		
	Progress Payment – Invoice #99448	<u>\$20,456.08</u>	
	TOTAL		<b>\$23,126.08</b>
N.	WGR SOUTHWEST, INC.		
	Progress Payment – Invoice #17855		<b>\$2,617.08</b>

**3. Resolutions**

A.	RESOLUTION NO. 16-38		
	RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ACCEPTING THE SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS' ANNUAL FINANCIAL PLAN FOR FISCAL YEAR 2016-2017 ADOPTED ON MARCH 24, 2016.	This resolution accepts the San Joaquin Council of Governments' annual financial plan for fiscal year 2016-2017.	

**CONSENT CALENDAR**

**NOTES**

**3. Resolutions, continued:**

B. RESOLUTION NO. 16-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ACCEPTING THE SITE AND IMPROVEMENT PLANS FOR THE PLACEMENT OF AN ARMY ASSET ON CITY OWNED PROPERTY.

*Item 3B was pulled for discussion*

Approve the installation plan for the donated retired military cannon from the Ripon Historical Society.

C. RESOLUTION NO. 16-39

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON, CALIFORNIA CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY; REQUESTING THE SAN JOAQUIN BOARD OF SUPERVISORS TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION; ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; DETERMINING THAT NO FILING FEE WILL BE CHARGED FOR THE PROCESSING OF NOMINATION PAPERS; REQUESTING THE SAN JOAQUIN COUNTY BOARD OF SUPERVISORS TO RENDER SPECIFIED SERVICES RELATING TO THE GENERAL MUNICIPAL ELECTION; ADOPTING A PROCEDURE FOR THE RESOLUTION OF A TIE VOTE; AND PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED TUESDAY, NOVEMBER 8, 2016 OF THE PERSONS WHO HAVE BEEN NOMINATED IF THERE ARE NOT MORE CANDIDATES THAN OFFICES TO BE ELECTED AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

This is a resolution to give notice that the General Municipal Election will be held on November 8, 2016, and that three City Council seats are open for election. All persons interested in running for City Council should contact the City Clerk.

**CONSENT CALENDAR, continued:**

**NOTES**

**4. Miscellaneous Items**

*2<sup>nd</sup> Reading and Adoption*

A. ORDINANCE NO. 843

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON REPEALING EXISTING CHAPTER 16.194 OF THE RIPON MUNICIPAL CODE AND ADDING NEW CHAPTER 16.194 OF THE RIPON MUNICIPAL CODE.

This ordinance repeals the existing Chapter 16.194 of the Ripon Municipal Code and adds a new Chapter 16.194, titled "Affordable Housing."

B. PROPERTY ACQUISITION

South San Joaquin Irrigation District

Approve the "Agreement of Purchase and Sale" for the .75 acre parcel from the South San Joaquin Irrigation District needed to complete the River Road and Fulton Avenue Intersection Improvements and authorize the Mayor to sign.  
(Cost: \$16,000.00)

C. WATER METER INSTALLATION PROJECT

Change Order No. 2

Approve Change Order No. 2 for G.M. Construction and National Meter & Automations, Inc. for labor and material costs to complete the meter installation project.  
(Cost: \$102,992.00)

D. MEADOWOOD SUBDIVISION

Reimbursement Agreement

Authorize the Mayor to sign the Meadowood Reimbursement Agreement that provides reimbursement for staff time to respond to a variety of applications, including, but not limited to, a subdivision application and development agreement, for the property located west of Fulton Avenue and south of Colony Road.

## **CONSENT CALENDAR**

## **NOTES**

### **4. Miscellaneous Items, continued:**

*Item 4E was pulled for discussion*

#### **E. INTERAGENCY AGREEMENT AMENDMENT**

Driver for the Ripon Transit Service	Approve the second amendment to the Interagency agreement with San Joaquin Regional Transit District, extending the agreement from July 1, 2016 through June 30, 2017 at an existing rate of \$55.08/hour for a bus driver to operate Ripon's Blossom Express bus.
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**\*End of Consent Calendar\***

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

#### **Discussion on Item 2C**

Council Member Zuber asked what the total amount was for the Design Guidelines and why they are just coming before Council.

Planning Director Zuidervaart said the Design Guidelines were approved with a \$12,000.00 cap and is strictly for developers to follow. The projects that sparked these guidelines haven't started yet, so there was no immediate timeline set.

Zuber said his concern was for residents looking to change their landscape design to fit City standards.

Zuber suggested that in the future we set timelines to these types of projects.

#### **Discussion on Item 2H**

Zuber asked if the groundwater monitoring was for quality or quantity.

Director of Public Works Johnston said it's wastewater treatment monitoring for quality.

#### **Discussion on Item 2J**

Zuber said he is happy to take part in the San Joaquin Partnership program. The program offers support and does a lot of good things for the county and surrounding cities.

Council Member Winchell said the program is always looking for opportunities.

#### **Discussion on Item 3B**

Zuber asked if there was a description of the cannon being donated.

Harrison Gibbs said the type of cannon being donated is unknown at this time. He will go to the surplus storage and pick from the available list. Harrison said he will use good judgment.

**MOTION:** MOVED/SECONDED (ZUBER,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO APPROVE ITEMS 2C, 2H, 2J, 3B.

**Discussion on Item 4E**

Council Member Restuccia said he sits on the San Joaquin Regional Transit Board and would be abstaining from this item.

**MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 4-0 VOTE (RESTUCCIA ABSTAIN) TO APPROVE ITEM 4E.

**5. PUBLIC HEARINGS**

**NOTES**

A. 2016-2017 BUDGET

General	\$9,936,209	This is a public hearing for the proposed City Budget for the fiscal year 2016-2017.
Streets	\$1,683,270	
Water	\$2,826,258	
Garbage	\$1,684,000	
Transit	\$51,774	
Sewer District	\$1,449,431	
Redevelopment ROPS	\$2,216,830	
Special Districts	\$318,293	
Capital	\$5,602,307	
CDBG	\$7,005	

**Council action is scheduled for July 12, 2016.**

City Administrator Werner said this is a public hearing to discuss the Fiscal Year 2016-2017 City Budget and that it will be brought back to Council for approval on July 12, 2016. At the May 10, 2016 City Council meeting Werner presented a Power Point presentation highlighting the budget. Werner shared another presentation and discussed the budget process in details along with Policy Goals and an Implementation Plan.

Werner said the current General Fund balance is \$6.1 million dollars with target reserve projected at \$3.5 million dollars, with a small reserve arising from 2016-2017 budget.

Werner presented the target reserves for Water, Sewer, and Garbage, and Street and Roads Funds, and the Assessment Districts.

Werner said during the recession Landscape Maintenance funds got transferred to Streets and Roads. Street and Roads surplus is used for overlay projects and maintenance of roads. There was a question about moving the funds back into the General Fund to create more surplus.

Council Member Zuber said we need to start looking at ways to increase funds for street and road projects. Zuber said as issues arise they should be dealt with and not placed aside dependant on money that might be available.

Werner said the look back approach helps with the annual budget, but when issues arise they are brought to Council.

**PUBLIC HEARING OPENED**

No one wished to speak at this time.

**PUBLIC HEARING CLOSED**

B. DEVELOPMENT CODE TEXT AMENDMENT (TAZ 16-01)

Chapter 16 amendments

A public hearing to consider amendments to Title 16 (Development Title) Chapters: 16.12 Definitions and Use of Classification Systems; 16.16 Residential Districts; 16.20 Office and Commercial Districts; 16.24 Industrial Districts; 16.26 Mixed Use Districts; 16.144 Parking and Loading; and creating a new chapter 16.89 Cottage Food Operation Permit.

**Council Action:** Approve the recommended amendments to the following ordinances:

- Chapter 16.12 – Definitions and Use Classification Systems
- Chapter 16.16 – Residential Districts
- Chapter 16.20 – Office and Commercial Districts
- Chapter 16.24 – Industrial Districts
- Chapter 16.26 – Mixed Use District
- Chapter 16.144 – Parking and Loading
- Create a new section Chapter 16.89 Cottage Food Operation Permit

Planning Director Zuidervaart said upon the adoption of the 5<sup>th</sup> Cycle Housing Element there were codes that had to be amended to meet state guidelines. Over time the department has been compiling some items that also need to be updated.

Zuidervaart said the proposed provisions are consistent with the goals, objectives, policies and programs of the City of Ripon’s General Plan. It’s the Planning Commission’s recommendation to amend Chapters 16.12, 16.16, 16.20, 16.24, 16.26, 16.144, and create a new chapter 16.89, title “Cottage Food Operation Permit” to the Ripon Municipal Code.

Zuidervaart said the only concern expressed by the Planning Commission was in the new Chapter 16.89 related to sales traffic. How many times per day could persons stop in to purchase goods? There is no regulation on this by the state, but the Commission felt 16 was a fair number.

Council Member Winchell asked if the Health Department is involved in this process.

Zuidervaart said yes. Before one can receive a home occupation permit they must get a health and safety permit.

**PUBLIC HEARING OPENED**

No one wished to speak at this time.

**PUBLIC HEARING CLOSED**

MOTION: MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 5-0 VOTE TO APPROVE RECOMMENDED AMENDMENTS TO THE FOLLOWING ORDINANCES: CHAPTER 16.12, 16.16, 16.20, 16.24, 16.26, 16.144 AND APPROVE THE CREATION OF NEW CHAPTER 16.89 TITLED “COTTAGE FOOD OPERATION PERMIT.”

5. PUBLIC HEARINGS, continued:

NOTES

**Note:** Resolutions 5C through 5J can be taken as one item if no one from the public objects.

C. RESOLUTION NO. 16-41

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON DETERMINING THE AMOUNT OF AND APPROVING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE FISCAL YEAR 2016-2017 FOR ASSESSMENT DISTRICT NO. 96-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA COMMONLY KNOWN AS **BOESCH-KINGERY ESTATES**

This is a public hearing to set the amount and give approval of the levy of the annual assessment for the Boesch-Kingery Assessment District.

(\$58.84 per unit)

**Council action:** Authorize the Mayor to sign and execute any and all documents necessary, and to forward these documents to the County Assessor's Office in order to place the assessment on the county tax rolls.

D. RESOLUTION NO. 16-42

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON DETERMINING THE AMOUNT OF AND APPROVING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE FISCAL YEAR 2016-2017 FOR ASSESSMENT DISTRICT NO. 02-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA COMMONLY KNOWN AS **CAROLINA'S LANDSCAPE MAINTENANCE DISTRICT**

This is a public hearing to set the amount and give approval of the levy of the annual assessment for the Carolina's Landscape Maintenance Assessment District.

(\$216.87 per unit)

**Council action:** Authorize the Mayor to sign and execute any and all documents necessary, and to forward these documents to the County Assessor's Office in order to place the assessment on the county tax rolls.

E. RESOLUTION NO. 16-43

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON DETERMINING THE AMOUNT OF AND APPROVING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE FISCAL YEAR 2016-2017 FOR ASSESSMENT DISTRICT NO. 07-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA COMMONLY KNOWN AS **CORNERSTONE 1 LANDSCAPE MAINTENANCE DISTRICT**

This is a public hearing to set the amount and give approval of the levy of the annual assessment for the Cornerstone 1 Landscape Maintenance Assessment District that includes a temporary reduction of the assessment for fiscal year 2016-17 from \$177.33 to \$72.62.

(\$72.62 per unit)

**Council action:** Authorize the Mayor to sign and execute any and all documents necessary, and to forward these documents to the County Assessor's Office in order to place the assessment on the county tax rolls.

5. **PUBLIC HEARINGS, continued:**

**NOTES**

**Note:** Resolutions 5C through 5J can be taken as one item if no one from the public objects.

F. RESOLUTION NO. 16-44

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON DETERMINING THE AMOUNT OF AND APPROVING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE FISCAL YEAR 2016-2017 FOR ASSESSMENT DISTRICT NO. 89-2, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA COMMONLY KNOWN AS **COUNTRY WOODS UNIT NO. 2 AND ZUMSTEIN ESTATES SUBDIVISION**

This is a public hearing to set the amount and give approval of the levy of the annual assessment for the Country Woods Unit No. 2 and Zumstein Estates Assessment District.

(\$75.82 per unit)

**Council action:** Authorize the Mayor to sign and execute any and all documents necessary, and to forward these documents to the County Assessor's Office in order to place the assessment on the county tax rolls.

G. RESOLUTION NO. 16-45

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON DETERMINING THE AMOUNT OF AND APPROVING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE FISCAL YEAR 2016-2017 FOR ASSESSMENT DISTRICT NO. 89-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA COMMONLY KNOWN AS **DUTCH MEADOWS LANDSCAPE MAINTENANCE DISTRICT**

This is a public hearing to set the amount and give approval of the levy of the annual assessment for the Dutch Meadows Landscape Assessment District.

(\$29.10 per unit)

**Council action:** Authorize the Mayor to sign and execute any and all documents necessary, and to forward these documents to the County Assessor's Office in order to place the assessment on the county tax rolls.

H. RESOLUTION NO. 16-46

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON DETERMINING THE AMOUNT OF AND APPROVING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE FISCAL YEAR 2016-2017 FOR ASSESSMENT DISTRICT NO. 92-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA COMMONLY KNOWN AS **FARMLAND ESTATES LANDSCAPE MAINTENANCE DISTRICT**

This is a public hearing to set the amount and give approval of the levy of the annual assessment for the Farmland Estates Landscape Maintenance Assessment District.

(\$50.00 per unit)

**Council action:** Authorize the Mayor to sign and execute any and all documents necessary, and to forward these documents to the County Assessor's Office in order to place the assessment on the county tax rolls.

**5. PUBLIC HEARINGS, continued:**

**NOTES**

**Note:** Resolutions 5C through 5J can be taken as one item if no one from the public objects.

I. RESOLUTION NO. 16-47

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON DETERMINING THE AMOUNT OF AND APPROVING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE FISCAL YEAR 2016-2017 FOR ASSESSMENT DISTRICT NO. 98-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA COMMONLY KNOWN AS JACOB'S LANDING MAINTENANCE DISTRICT

This is a public hearing to set the amount and give approval of the levy of the annual assessment for the Jacob's Landing Maintenance Assessment District.

(\$116.34 per unit)

**Council action:** Authorize the Mayor to sign and execute any and all documents necessary, and to forward these documents to the County Assessor's Office in order to place the assessment on the county tax rolls.

J. RESOLUTION NO. 16-48

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON DETERMINING THE AMOUNT OF AND APPROVING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE FISCAL YEAR 2016-2017 FOR ASSESSMENT DISTRICT NO. 94-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA COMMONLY KNOWN AS MAIN STREET LANDSCAPE MAINTENANCE DISTRICT

This is a public hearing to set the amount and give approval of the levy of the annual assessment for the Main Street Landscape Maintenance Assessment District.

(\$136.96 per unit + linear footage)

**Council action:** Authorize the Mayor to sign and execute any and all documents necessary, and to forward these documents to the County Assessor's Office in order to place the assessment on the county tax rolls.

Mayor Parks noted that Items 5C through 5J would be taken as one item.

**PUBLIC HEARING OPENED**

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

**PUBLIC HEARING CLOSED**

**MOTION:** MOVED/SECONDED (ZUBER,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO ADOPT RESOLUTIONS IN ITEMS 5C TO 5J.

## 6. ORDINANCES

## NOTES

### *First Reading and Introduction*

#### A. ORDINANCE NO. \_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON ADDING CHAPTER 9.34 TO THE RIPON MUNICIPAL CODE, TITLE "UNMANNED AIRCRAFT SYSTEMS." This ordinance adds Chapter 9.34 to the Ripon Municipal Code, title "Unmanned Aircraft Systems."

Police Chief Ormonde said the department is requesting the adoption of an ordinance titled, "Unmanned Aircraft Systems." The ordinance would limit the usage and restrict locations within the City of Ripon where unmanned aircraft systems can be operated.

Chris Lake – Resident and member of the Modesto R/C Club and active member of the Academy of Model Aeronautics (AMA) thanked everyone who helped put the draft ordinance together.

Lake said the ordinance looked great, but wanted to touch on three areas:

-Section 9.34.030 (C) should be amended to allow systems with lights. As long as they are following rules and regulations and are in a park area.

-Section 9.34.030 (D) should be amended since some gliders can fly well above 400 ft., the AMA sets 400 ft. as a recommendation and the only restriction is if there is an airport close by.

-Section 9.34.030 (E) Lake said flyers are usually closer than 100 ft. to one another.

Lori S. – Member of the Modesto Vet Center R/C Flying Club said he appreciates the Council looking at an ordinance and setting boundaries. Lori wanted to share that Congress is putting a bill together in regards to this matter and provided Council with some documents. In this bill, cities might not have jurisdiction in what is allowed or not allowed when it comes to unmanned aircraft systems.

City Attorney Terpstra said his office is aware of this and it's a process. Terpstra suggests waiting on this ordinance to see what happens with the bill.

Mayor Parks asked if we are creating a solution to bring about problems. Parks said these issues have worked themselves out in the past and doesn't feel this is an issue that needs to be tackled at this time.

Council Member Winchell said this could be an invasion of privacy issue between flyers and residents.

Ormonde said the only thing the Police Department can do right now is file a report with the FAA and request persons not fly in residential areas, that is if they can locate the person flying.

Ormonde said in 2015 his department received a dozen calls in regards to unmanned aircraft systems, particularly drones flying over properties. These incidents brought about the discussion of creating an ordinance. An ordinance that can work for everyone and protect the community.

Staff was directed to bring this item back at a later date.

*First Reading and Introduction*

B. ORDINANCE NO. \_\_

*Item 6B was tabled to a future meeting*

AN ORDINANCE OF THE CITY OF  
RIPON REPEALING CHAPTER  
5.28, 5.29, AND 5.32 OF THE  
RIPON MUNICIPAL CODE AND  
INTRODUCING AN NEW  
CHAPTER 5.28, TITLE "UTILITY  
JOINT TRENCH AND  
CONSTRUCTION  
REQUIREMENTS."

This ordinance repeals Chapter 5.28, 5.29, and 5.32 of the Ripon Municipal Code and introduces a new Chapter 5.28, title "Utility Joint Trench and Construction Requirements."

City Attorney Terpstra requested this item be postponed.

**7. RESOLUTIONS**

**NOTES**

A. RESOLUTION NO. 16-49

RESOLUTION OF THE CITY  
COUNCIL OF THE CITY  
OF RIPON TO ACCEPT THE  
ALCOHOL BEVERAGE CONTROL  
GRANT CONTRACT

This resolution accepts the Alcohol Beverage Control Grant Contract.

Police Chief Ormonde said this resolution will accept the grant that was awarded to the department by the Department of Alcohol Beverage Control.

Ormonde said the grant total was \$40,000.00 which provides shoulder tap operations, overtime and benefits, equipment, travel to and from conferences that focus on Department of Alcohol Beverage Control sting operations.

Council Member Restuccia asked if the city has to match any money.

Ormonde said no.

**MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND CARRIED BY A 5-0 VOTE TO APPROVE RESOLUTION NO. 16-49.

B. RESOLUTION NO. 16-50

A RESOLUTION OF THE CITY  
COUNCIL OF THE CITY  
OF RIPON DESIGNATING THE  
VOTING DELEGATE  
AND ALTERNATE VOTING  
DELEGATE TO THE  
LEAGUE OF CALIFORNIA CITIES  
ANNUAL CONFERENCE

Determine if any Council Member(s) will be attending the annual conference in Long Beach from October 5, 2016 – October 7, 2016.

If Council Member(s) will be attending, designate the voting delegate and alternate voting delegate to attend the annual business meeting being held on October 7, 2016.  
(Conference cost: \$525.00)  
(Hotel cost per night: \$159-\$209)

Mayor Parks asked if there were any volunteers to be the voting delegate and alternate voting delegate at the League of California Cities Annual Conference taking place in October.

Council Member Zuber nominated Vice Mayor Uecker to be the voting delegate and Council Member Winchell to be the alternate voting delegate. Zuber said there are good workshops at this conference.

Vice Mayor Uecker said he will attend as the voting delegate.

Council Member Winchell said he will be the alternate voting delegate.

**MOTION:** MOVED/SECONDED (ZUBER,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO DESIGNATE VICE MAYOR DEAN UECKER AS THE VOTING DELEGATE AND COUNCIL MEMBER MARK WINCHELL AS THE ALTERNATE VOTING DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE OCTOBER 5-7, 2016 IN LONG BEACH, CA.

8. **DISCUSSION ITEMS**

**NOTES**

A. LANDSCAPE GUIDELINES

*Discussion/No Action*

Staff to report on Residential Landscape Guidelines.

Planning Director Zuidervaart said Landscape Guidelines were created to set boundaries of quality, esthetic, and meet water measures. These guidelines would be followed by developers in new development, but also give residents a guideline to follow when landscaping their front yards.

Zuidervaart said this is a draft and he will bring back recommended changes in a final version for approval.

Council Member Zuber said we are telling developers to follow this, but if the person who buys the house goes and removes all of the landscape that was put in it defeats the purpose.

Zuidervaart said that is true. We cannot control what a homeowner does, but these guidelines require the type of landscape put in to meet a certain standard and the hope is a homeowner would not want to replace it.

Zuidervaart said he would bring back a final report for approval.

## B. WATER CONSERVATION PROGRAM UPDATE

### *Discussion/Action*

City Council to consider approving a resolution that would update water conservation measures within the City of Ripon.

Public Works Director Johnston said compared to 2013, the City reduced water usage in May by 38.6%. The average reduction is 30.7% and non-potable usage is down 54% due to the efforts with parks and landscape using the bare minimum and incorporating weather management products.

Johnston said the new Water Conservation Coordinator Kevin Fuller is working part-time 30 hours a week along with another City employee who covers the night shift. Water conservation is still in effect and they are educating and assisting residents daily.

Johnston said the state will be modifying regulations at the end of this month, but the city is still to report water reduction numbers monthly.

Johnston said there has been an increase in calls about turning the water fountain feature on at Mistlin Sports Park.

Johnston said he is bringing forward an updated mandatory water conservation measures resolution for Council discussion.

Council Member Zuber said the Mistlin Sports park fountain uses 2,000 gallons of water per day, but we still have people in the community not conserving. Zuber said he has a problem with that.

Johnston said that is correct. It uses 2,000 gallons of water per day due to evaporation or splashing outside of the zone. Plus the water needs to be flushed.

Zuber said he understands the request and suggested operating the water feature 3 days per week only.

Council Member Winchell said he would like to see the water feature turned on everyday and limit the hours from 11:00 a.m. to 4:00 p.m.

Johnston said the feature is programmable to run on certain days and times.

Mayor Parks said last month we met our water reduction numbers, but if we use the water feature and numbers go up the state is going to ask why.

Council Member Restuccia said the drought is not over and would prefer to leave the current measures in place.

Johnston said the perception in the community is the drought is over, but it is not.

**MOTION:** MOVED/SECONDED (ZUBER,UECKER) AND FAILED BY A 2-3 VOTE (PARKS,RESTUCCIA,WINCHELL NO) TO ADOPT THE UPDATED WATER CONSERVATION MEASURES RESOLUTION AND TURN THE MISTLIN SPORTS PARK WATER FEATURE BACK ON WEDNESDAY, SATURDAY, AND SUNDAY EACH WEEK.

### C. ANNUAL UTILITY BILLING PROCESS

*Discussion/Action*

City Council to discuss and consider policy changes to the annual utility billing process.

City Clerk Roos said Council Member Zuber requested this item be placed on the agenda. Zuber has requested a discussion and change to the annual utility billing policy.

Zuber said until metered rates everyone had a fixed rate. Residents could pay their annual bill in advance and receive a 5% discount and not worry about receiving a monthly bill.

Zuber said now that everyone is on a meter, the base is the same, but the usage is different every month and a resident who pre-pays up front, may not see a bill for months due to a credit on their account.

Zuber said the meters were put in place for residents to see their water usage and with a certain number not receiving their bill they are not watching their water usage.

Zuber said the option is to not make any changes or send out bills to all customers regardless of their balance due.

Council Member Restuccia said maybe we should look at getting rid of the annual 5% discount.

Vice Mayor Uecker asked if it would cost more.

Roos said there is an increase in staff time and the amount annually would be \$3,000.00 for this service from the Water Fund.

Uecker said it appears to be working fine.

This item died for lack of a motion.

### **REPORTS**

**Department Heads:** Police Chief Ormonde said the Police Department will be receiving 4 new vehicles; 2 motorcycles and 2 commander 4 wheelers.

Ormonde said on Thursday morning at 7:30 a.m. some Police Department staff would be participating in the Special Olympics Law Enforcement Torch Run, carrying the ceremonial torch from Ripon to Tracy.

Recreation Director Stevens provided Council with a report on the Police Activities League scholarship money and funds. Stevens said some grant recipients turned in reports as to how their money was used and all of the scholarship money available to assist youth in the recreation programs has been used. As he receives other reports he will forward them on to Council.

Planning Director Zuidervaart shared an advertisement placed in the San Joaquin County Gateway to Growth magazine. The advertisement highlighted Ripon and the North Pointe Specific Plan in hopes of enticing businesses to look at Ripon as a good home base for business.

**City Council:**

Council Member Zuber asked when the amendments to the message ordinance would be before Council.

Zuidervaart said staff was waiting for the ordinance to go into effect, which it did on June 10<sup>th</sup>. Now staff can adjust the ordinance and bring amendments to the Council in August or September.

**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 9:01 p.m.

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

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

**IN THE MATTER OF:**

- Personnel Negotiations pursuant to Section 54957.6 of the California Government Code.
  - Police Officers' Association
  - Ripon Sergeants' Association
  - Operating Engineers Local Union No. 3
  - Non- Represented Employees

City Attorney Terpstra said staff was given direction. No reportable action was taken.

There being no further business, the meeting was adjourned at 9:40 p.m.

(Signed) Jacob Parks  
Mayor

ATTEST:

(Signed) Tricia Raymond  
Deputy City Clerk