
Ripon City Council Meeting Notice & Agenda

CITY HALL, 259 NORTH WILMA, RIPON, CALIFORNIA

TUESDAY, AUGUST 9, 2016 - 6:00 P.M.

REGULAR MEETING

You are now participating in the process of representative government. We welcome your interest and hope you will attend Ripon City Council meetings often. Democracy cannot endure without an informed electorate.

Ripon, as you probably know, has a council-administrator form of local government. Policies are set by the Council, who are elected by the people. These policies are carried out by the City Administrator, who is appointed by the Council. The Council decides what is to be done. The City Administrator, with the assistance of the City Staff, follows through.

REGULAR COUNCIL MEETINGS

The governing body meets at 6:00 P.M., on the second Tuesdays of the month, in the Council Chambers located in City Hall, 259 North Wilma, Ripon, California. A City Council meeting is the process of making and amending laws, developing policy and making decisions for governing your City by citizens who have been elected by you. With the exception of matters of personnel and pending litigation, or negotiations, the City Council takes action only in meetings open to the public.

The City Council follows a regular order of business during its meeting. The Council agenda is prepared in advance by the City Administrator and his staff. If you wish to place an item on the agenda for action, the information must be delivered to the City Administrator or staff eight (8) working days prior to the Council meeting. This date will be revised in case of holidays or special events. The information must be in writing (no phone calls), your name and address must be printed, and action desired must be clearly stated. Copies of the agenda are available at Ripon City Hall and online beginning on the Thursday prior to the meeting, or at the time of the scheduled meeting.

With the publication of this agenda, it is with the intent that each item on the agenda will be considered for a vote. Each Council Member present will cast a vote either for or against the motion under consideration, and the vote will be recorded in the minutes of the meeting. For example, the motion may be to approve, adopt, introduce, deny, fail, withdraw, table, or continue an item.

PUBLIC DISCUSSION

If you desire to speak before the Council on an item not on the agenda, please address "Mr. Mayor" and upon being recognized, come forward to the podium, and state your name and address before proceeding into your subject matter. State law prohibits the City Council from taking action on any item not on the agenda. While the City Council cannot always answer citizens concerns raised during the public discussion time, the City staff will be instructed, where appropriate, to either provide a response in the days following each Council meeting, or to place the issue on a subsequent meeting agenda for the City Council or one of its appointed commissions. No person shall speak for more than five minutes, and the total time allotted for discussion shall not exceed thirty minutes. Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks.

In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call (209) 599-2108. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

CONSENT CALENDAR

Routine items are scheduled under the heading of Consent Calendar, which allows action to occur with a single motion. Any item can be pulled off the consent calendar for further discussion if Council so desires. The public may also, at this time, request that an item be pulled from the consent calendar for explanation and/or discussion.

PERSONNEL/EXECUTIVE SESSION

Matters of personnel and pending litigation, or negotiations are handled after the public meeting has been closed, in the Personnel/Executive Session, pursuant to Sections 54956.8 and 54957 of the Government Code. This session is closed to the public.

INFORMATION

Where can I find the agenda before a meeting?

Copies of the agenda are available at the front counter of the Administration Department at City Hall, 259 N. Wilma Avenue by 4:30 p.m. on Thursday before a regularly scheduled City Council meeting. The agenda can be viewed in the window box in front of City Hall, or online at www.cityofripon.org. Supplemental documents relating to specific agenda items are available for viewing at the Office of the City Clerk or online.

Can I get the agenda/minutes mailed to my home/business?

You can subscribe to agendas and minutes in January of each year. The annual subscription for both is \$60.00 per year. Subscription costs are not pro-rated should you wish to begin a subscription mid-year. If you would like to subscribe to the agenda/minutes, contact the City Clerk's office at 259 N. Wilma Avenue. Agendas are mailed on the Thursday before a meeting, and you will receive it on Monday or Tuesday (depending on postal service).

Can I receive the agenda by e-mail?

You may subscribe to the agenda at any time by e-mail – just go to the web site to register – www.cityofripon.org. Your subscription will begin immediately and you will receive it on the Thursday before the Regular Council meeting. Agendas sent by e-mail are free. Minutes are not e-mailed, but can be viewed on the City's web site.

How complete are the minutes?

The City of Ripon prepares **Synopsis Minutes**. These Minutes represent a summary of the actual comments made. Video CD or audio recordings are available for 90 days following a meeting or online for 2 weeks following a meeting at www.cityofripon.org. Contact the City Clerk's office to view/listen to these recordings at City Hall.

OTHER MEETINGS

<u>Agency</u>	<u>Day</u>	<u>Time</u>	<u>Place</u>
Historical Museum Commission	Third Monday	7:30 p.m.	Clarence Smit Memorial Museum
Planning Commission	The Monday following City Council	6:00 p.m.	Council Chambers
Recreation Commission	Second Wednesday	6:00 p.m.	City Hall Conference Room
Community & Youth Commission	Third Monday	7:00 p.m.	Police Department

Ripon City Council Agenda

TUESDAY, AUGUST 9, 2016

REGULAR MEETING
6:00 P.M.

PLEDGE OF ALLEGIANCE:

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, (Others present will be recorded by secretary only.)

PUBLIC DISCUSSION: This time is provided to the public to address the City Council on items not on the agenda. If you desire to speak, please address "Mr. Mayor" and upon being recognized, come forward to the podium, and state your name and address before proceeding into your subject matter.

APPROVAL OF MINUTES: Approval of the minutes of the Regular Ripon City Council Meeting of July 12, 2016.

APPROVAL OF AGENDA AS POSTED (OR AMENDED): If anyone would like to provide public comment regarding an item on the Consent Calendar, please come forward to the podium at this time. The City Council may request to (1) pull an item from the Consent Calendar (2) withdraw an item; (3) add an Emergency items by a 4/5 vote. If the agenda is amended, vote to approve the amended agenda. If no changes are made, vote to approve the agenda as posted.

CONSENT CALENDAR

NOTES:

1. Income

p. 27	A. STATE OF CALIFORNIA		
	Retail Sales Tax (2015 \$213,600.00)	\$189,500.00	
	Highway Users Tax (2015 \$40,382.93)	<u>\$24,541.69</u>	
		TOTAL	\$214,041.69
p. 29	B. CCATT HOLDINGS		
	Acacia Avenue Cell Tower Lease		\$999.53
p. 30	C. BERTOLOTTI DISPOSAL, INC.		
	Franchise fee payment – 2 nd Quarter 2016		\$1,602.32
p. 31	D. WASTE MANAGEMENT		
	Franchise fee payment – June 2016		\$2,279.44

2. Bills, Invoices, Payments

p. 33	A. NATIONAL METER & AUTOMATION, INC.		
	Material Purchase – Water Meter Installation Project		
	Progress Payments-		
	Invoice #S1070483.005	\$1,717.20	
	Invoice #S1073329.003	\$709.57	
	Invoice #S1072952.001	\$7,209.98	
	Invoice #S1072952.003	\$40.42	
	Invoice #S1074131.001	\$4,316.65	
	Invoice #S1074323.001	[\$6,791.04]	
	Invoice #S1074360.001	\$398.53	
	Invoice #S1074360.002	\$6,010.21	
	Invoice #S1073329.002	\$308.84	
	Invoice #S1074458.001	<u>\$2,003.41</u>	
		TOTAL	\$15,923.77
p. 43	B. SAN JOAQUIN REGIONAL TRANSIT DISTRICT		
	Blossom Express Driver		\$2,254.61
	June Invoice #AR109680		
p. 44	C. TERPSTRA HENDERSON		
	General Matters	\$9,649.00	
	Police Matters	\$1,823.00	
	J-M Manufacturing	<u>\$711.25</u>	
		TOTAL	\$12,183.25

CONSENT CALENDAR

NOTES:

2. Bills, Invoices, Payments, continued:

p. 51	D. CAVES & ASSOCIATES		
	Professional Services		\$1,117.00
	Invoice #16-154		
p. 52	E. PADILLA & ASSOCIATES		
	Professional Services		\$625.00
	Invoice #16-RIP-1		
p. 53	F. WGR SOUTHWEST, INC.		
	City Stormwater Permit Assistance		
	Progress Payments-		
	Invoice #18003	\$2,507.40	
	Invoice #17909	\$580.00	
	TOTAL		\$3,087.40
p. 55	G. G.M. CONSTRUCTION & DEVELOPERS, INC.		
	Water Meter Installation Project		\$63,719.35
	Progress Payment – Invoice #3694.10		
p. 56	H. MARK THOMAS & COMPANY		
	Circulation Element Update		
	Progress Payments-		
	Invoice #25250	\$1,587.00	
	Invoice #25688	\$4,473.00	
	TOTAL		\$6,060.00

3. Resolutions

p. 66	A. RESOLUTION NO. 16-__	
	RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON AUTHORIZING THE TRANSFER OF CERTAIN MUNICIPAL FUNDS	This resolution authorizes the transfers of enterprise funds to the capital reserve funds and general funds to the Landscape Maintenance Districts with deficits.

3. Resolutions, continued:

p. 67 B. RESOLUTION NO. 16-__
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON AUTHORIZING THE TRANSFER OF CERTAIN MUNICIPAL FUNDS FOR STREET MAINTENANCE AND REPAIRS

This resolution authorizes the transfer of certain Municipal Funds for Street Maintenance and Repairs.

p. 68 C. RESOLUTION NO. 16-__
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON SETTING THE MEYENBERG AVENUE AND MCBRIAN DRIVE RESIDENTIAL PARKING PERMIT PROGRAM AREA

This resolution approves Meyenberg Avenue and McBrian Drive as a Residential Parking Permit required area.

4. Miscellaneous Items

Second Reading and Adoption

p. 73 A. ORDINANCE NO. 844
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON ADDING CHAPTER 9.34 TO THE RIPON MUNICIPAL CODE, TITLED "UNMANNED AIRCRAFT SYSTEMS."

This ordinance adds Chapter 9.34 to the Ripon Municipal Code, titled "Unmanned Aircraft Systems."

Second Reading and Adoption

p. 78 B. ORDINANCE NO. 846
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING CHAPTER 8.28 TO THE RIPON MUNICIPAL CODE, TITLED "MASSAGES/MESSAGE BUSINESSES"

This ordinance amends Chapter 8.28, to include a grandfather clause and provide parameters and clarification on legal permissions for locking doors.

CONSENT CALENDAR

NOTES:

4. Miscellaneous Items, continued:

Note: Ordinances **4C – 4G** can be taken as one item if no one from the public objects.

Second Reading and Adoption

p. 93

C. ORDINANCE NO. 847

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING CHAPTER 16.12 OF THE RIPON MUNICIPAL CODE RELATING TO DEFINITIONS AND USE CLASSIFICATIONS SYSTEMS

This ordinance amends Chapter 16.12, titled “Definitions and Use Classifications Systems”.

Second Reading and Adoption

p. 108

D. ORDINANCE NO. 848

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING CHAPTER 16.16 OF THE RIPON MUNICIPAL CODE RELATING TO RESIDENTIAL DISTRICTS

This ordinance amends Chapter 16.16, titled “Residential Districts”.

Second Reading and Adoption

p. 122

E. ORDINANCE NO. 849

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING CHAPTER 16.20, CHAPTER 16.24, AND CHAPTER 16.26 OF THE RIPON MUNICIPAL CODE RELATING TO OFFICE AND COMMERCIAL DISTRICTS, INDUSTRIAL DISTRICTS AND MIXED USE DISTRICTS

This ordinance amends Chapter 16.20, 16.24, and Chapter 16.26, titled “Office and Commercial Districts, Industrial Districts and Mixed Use Districts”.

Second Reading and Adoption

p. 133

F. ORDINANCE NO. 850

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING CHAPTER 16.89 OF THE RIPON MUNICIPAL CODE RELATING TO COTTAGE FOOD OPERATION PERMITS

This ordinance amends Chapter 16.189, titled “Cottage Food Operation Permits”.

CONSENT CALENDAR

NOTES:

4. Miscellaneous Items, continued:

Second Reading and Adoption

- p. 138 G. ORDINANCE NO. 851
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING CHAPTER 16.144 OF THE RIPON MUNICIPAL CODE RELATING TO PARKING AND LOADING
This ordinance amends Chapter 16.144, titled "Parking and Loading".
- p. 145 H. ANNUAL INVESTMENT POLICY REVIEW
July 1, 2015 to June 30, 2016
Accept the City's annual investment report for the period ending June 30, 2016.
- p. 148 I. SAN JOAQUIN COUNCIL OF GOVERNMENTS
Transit – Blossom Express Operations Funds - \$50,000.00
Approve the Measure K Renewal Cooperative Agreement in order to receive funding to operate the Blossom Express transit service from July 2016 through June 2017 and authorize the Mayor to sign.
- p. 159 J. CHAMBER FOUNDATION
Soaring over Ripon Fee Waiver
Waive the \$3,500.00 fee for use of Mistlin Sports Park on September 2 - 4, 2016 for the Soaring over Ripon Festival, previously known as "Color the Skies."
- p. 160 K. DONATION
Donation of Bench
Accept the donation from the MacDonald Family Trust for the purchase and installation of a bench to be placed on the south side of the Senior Center on Fourth Street.
(Donation: \$2,300.00)
- p. 170 L. CLAIM
Preferred Employers Insurance Company
Deny the application of a claim filed 6 months after the incident by Preferred Employers Insurance Company.

CONSENT CALENDAR

NOTES:

4. Miscellaneous Items, continued:

- p. 171 M. TERRACON CONSULTANTS, INC.
General Services Agreement Authorize the Mayor to sign the agreement with Terracon Consultants, Inc. for quality control field testing services for the CNG Expansion and Bus Shelter Project. Services are paid through the Prop 1B Transit System Safety, Security & Disaster Response account. (Cost not to exceed: \$5,000.00)
- p. 189 N. 439 S. ACACIA AVENUE
Award Bid to Contractor A Award the bid to the contractor identified as Contractor A for the construction of the affordable house located at 439 S. Acacia Avenue, and direct staff to process the appropriate documents to execute the contract.
- p. 190 O. ASSIGNMENT AND ASSUMPTION AGREEMENT
Rod Lowe Project Consent to the Assignment and Assumption Agreement allowing BMCH California, LLC (Benchmark) to purchase the project and land from R & K Lowe 1997 Revocable Trust of 26.41 acres located at the south-west corner of River Road and Fulton Avenue and authorize the Mayor to sign the acknowledgement and acceptance by the City.

End of Consent Calendar

5. PUBLIC HEARING

p. 197

- A. GENERAL PLAN AMENDMENT(G16-02) AND ZONING TEXT AMENDMENT (Z16-02)
Senate Bill 5

A public hearing to consider an amendment to the Community Health and Safety Element of the General Plan and an Ordinance to amend Title 16 of the Ripon Municipal Code to incorporate the requirements of California Senate Bill 5 (2007) related to 200-year flood protection for urban areas.

Council Action:

- Adopt the Resolution approving an amendment to the City’s Community Health and Safety Element of the General Plan; and
- Waive the first reading and introduce the City Council Ordinance amending Title 8 and 16 of the Ripon Municipal Code.

6. RESOLUTIONS

NOTES:

p. 271

- A. RESOLUTION NO. 16-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON FOR THE DEPARTMENT OF TRANSPORTATION MASTER AGREEMENT FOR RIVER RD./FULTON AVE. INTERSECTION IMPROVEMENTS

This resolution authorizes the Mayor to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and/or any amendments thereto with the California Department of Transportation in order to receive Federal and/or State funding for the River Road/Fulton Avenue Intersection Improvement project.

p. 272

- B. RESOLUTION NO. 16-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON FOR THE DEPARTMENT OF TRANSPORTATION MASTER AGREEMENT FOR CNG SOLID WASTE COLLECTION VEHICLE

This resolution authorizes the Mayor to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and/or any amendments thereto with the California Department of Transportation in order to receive Federal and/or State funding for the purchase of a CNG Solid Waste Collection Vehicle.

6. **RESOLUTIONS, continued:**

NOTES:

p. 273

C. RESOLUTION NO. 16-__

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ADOPTING DESIGN GUIDELINES
FOR RESIDENTIAL
LANDSCAPING

This resolution approves the City of Ripon Residential Landscaping Design Guidelines and directs staff to process the appropriate Municipal Code amendments in order to reference the design guidelines.

7. **ORDINANCES**

NOTES:

Second Reading and Adoption

p. 323

A. ORDINANCE NO. 845

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, TITLED "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, titled "Utility Joint Trench and Construction Requirements."

8. **DISCUSSION ITEMS**

NOTES:

p. 328

A. DEVELOPMENT FEE SCHEDULE COMPARISON

Discussion

Goodwin Consulting provided a comparison of Ripon's development fees to a number of neighboring cities during a June 30, 2016 workshop. After reviewing the results of the survey, the City Council directed Goodwin Consulting to evaluate certain policy changes to Ripon's development fee program. Goodwin Consulting will review the results of these policy changes, for City Council's consideration.

p. 337

B. PROPOSED AUDIO-VISUAL UPGRADES TO CITY COUNCIL CHAMBERS

Discussion

Staff has explored possible upgrades to the audio-visual equipment currently being used in the council chambers. Mayor Parks, Councilmember Zuber, City Administrator Werner, Deputy City Clerk Raymond, and Information Technology Supervisor Brannon have toured the San Joaquin County Board of Supervisors chambers, which was recently retrofitted with upgraded audio-visual equipment. Staff will provide a recommendation of audio-visual upgrades, for City Council's consideration.

8. DISCUSSION ITEMS, continued:

NOTES:

p. 339

C. ALCOHOL ORDINANCE

Discussion

Council Member Zuber has requested an agenda item to discuss possible changes to Chapter 9.04 of the City's Municipal Code titled, "Alcoholic Beverages".

REPORTS

Department Heads:

City Council:

Adjournment:

Time:

I hereby certify the attached City Council agenda was posted 72 hours before the noted meeting:



Lisa Roos, City Clerk

Date

August 3, 2016