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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 side 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 community. Moorhead has reached out to the builder and Planning Director Zuidervaart in regards to this matter.

Zuidervaart said the builder is not done 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 with these guidelines require the type of landscape put in to meet a certain standard in which a homeowner would not want to replace.

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 attaining 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 all grant recipients turned in reports as to how their money was used and all of the scholarship money offered assistance to youth in the recreation programs. 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 massage 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

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# Ripon City Council Meeting Notice & Agenda

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**CITY HALL, 259 NORTH WILMA, RIPON, CALIFORNIA**

**TUESDAY, JUNE 14, 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](http://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](http://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](http://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>
<b>Historical Museum Commission</b>	Third Monday	7:30 p.m.	Clarence Smit Memorial Museum
<b>Planning Commission</b>	The Monday following City Council	6:00 p.m.	Council Chambers
<b>Recreation Commission</b>	Second Wednesday	6:00 p.m.	City Hall Conference Room
<b>Community &amp; Youth Commission</b>	Third Monday	7:00 p.m.	Police Department

## FUTURE PUBLIC HEARINGS

<u>Title</u>	<u>Date of Hearing</u>
1. Ripon Lighting District – Assessments	July 12, 2016 at 6:00 p.m.

Public Hearings are published in the Ripon Bulletin, posted in the window in front of City Hall, and are listed in the City Council agendas. All interested parties will be given an opportunity to appear and be heard by the City Council of the City of Ripon at the time and place pertaining to above described matters.

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# Ripon City Council Agenda

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TUESDAY, JUNE 14, 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 May 10, 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. 33	A. STATE OF CALIFORNIA		
	Retail Sales Tax (2015 \$226,400.00)	\$204,400.00	
	Highway User Tax (2015 \$41,406.63)	\$27,689.52	
	TOTAL		\$232,089.52
	B. CCATT HOLDINGS		
p. 35	Acacia Avenue Cell Tower Lease – May 2016		\$999.53
	C. GILTON SOLID WASTE MANAGEMENT, INC.		
p. 36	1 <sup>ST</sup> Quarter Franchise Fees (ending March 2016)		\$5,874.26
	D. T-MOBILE		
p. 38	Cell Tower Lease		\$898.03
	E. WASTE MANAGEMENT		
p. 39	Franchise fee payment – April 2016		\$2,515.26
	F. CHARTER COMMUNICATIONS		
p. 41	1 <sup>st</sup> Quarter Franchise Fees (ending March 2016)		\$21,215.03

**2. Bills, Invoices, Payments**

p. 44	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	\$44,236.19	
	TOTAL		\$91,429.34
	B. HCS ENGINEERING, INC.		
p. 46	Mistlin Concession Stand Progress Payment – Invoice #23762		\$565.00
	C. KLA LANDSCAPE, INC.		
p. 47	Landscape Design Guidelines Progress Payment – Invoice #16-8497		\$4,800.00

**CONSENT CALENDAR**

**NOTES**

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

p. 48	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	\$7,927.47	
	TOTAL		\$35,508.51
	E. PETERSON BRUSTAD, INC.		
p. 53	SB5 Compliance - 200 year Flood Mapping		\$14,735.64
	Progress Payment – Invoice #6322		
	F. J.B. ANDERSON LAND USE PLANNING		
p. 55	SB5 Compliance		
	Progress Payments –		
	Invoice #050116W19	\$377.00	
	Invoice #060116W19	\$149.50	
	TOTAL		\$526.50
	G. SAN JOAQUIN REGIONAL TRANSIT DISTRICT		
p. 59	Blossom Express Driver		\$1,519.29
	April Invoice #AR109557		
	H. STANTEC		
p. 60	Groundwater Monitoring – Progress Payments		
	4 <sup>th</sup> Quarter 2015 – Invoice #1048500	\$196.00	
	1 <sup>st</sup> Quarter 2016 – Invoice #1048501	\$1,764.00	
	TOTAL		\$1,960.00
	I. TERPSTRA HENDERSON		
p. 62	General Matters	\$13,165.75	
	Police Matters	\$3,151.15	
	J-M Manufacturing	\$487.50	
	TOTAL		\$16,804.40

**CONSENT CALENDAR**

**NOTES**

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

p.71	J. SAN JOAQUIN PARTNERSHIP		
	Annual Membership Fee		<b>\$5,000.00</b>
	K. URBAN FUTURES, INC.		
p.73	Water Revenue Bonds		<b>\$2,250.00</b>
	Invoice #CD-2016-92		
	L. CAVES & ASSOCIATES		
p.74	Consultant & Labor negotiations Progress Payments –		
	Invoice #16-081	\$1,969.80	
	Invoice #16-104	\$160.00	
	Invoice #16-128	<u>\$1,517.00</u>	
		<b>TOTAL</b>	<b>\$3,646.80</b>
	M. WOOD RODGERS		
p.77	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>	
		<b>TOTAL</b>	<b>\$23,126.08</b>
	N. WGR SOUTHWEST, INC.		
p.79	Progress Payment – Invoice #17855		<b>\$2,617.08</b>

**3. Resolutions**

p.81	A. RESOLUTION NO. 16-__		
	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:**

p.87

B. RESOLUTION NO. 16-\_\_  
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.

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

p.92

C. RESOLUTION NO. 16-\_\_  
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*

p. 97

**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**

p. 109

**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**

p. 118

**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**

p. 121

**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:**

p.134

**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.

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

5. **PUBLIC HEARINGS**

**NOTES**

p. 136

A. 2016-2017 BUDGET

General	\$9,936,209
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

This is a public hearing for the proposed City Budget for the fiscal year 2016-2017.

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

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

p. 137

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

**5. PUBLIC HEARINGS, continued:**

**NOTES**

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

p.195

C. RESOLUTION NO. 16-\_\_

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.

p.208

D. RESOLUTION NO. 16-\_\_

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.

p.220

E. RESOLUTION NO. 16-\_\_

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.

p. 233

F. RESOLUTION NO. 16-\_\_

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.

p. 246

G. RESOLUTION NO. 16-\_\_

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.

p. 261

H. RESOLUTION NO. 16-\_\_

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.

p. 273

I. RESOLUTION NO. 16-\_\_

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.

p. 285

J. RESOLUTION NO. 16-\_\_

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.

**6. ORDINANCES**

**NOTES**

*First Reading and Introduction*

p. 298

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.”

*First Reading and Introduction*

p. 304

B. ORDINANCE NO. \_\_\_

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.”

**7. RESOLUTIONS**

**NOTES**

p. 308

A. RESOLUTION NO. 16-\_\_\_

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.

p. 325

B. RESOLUTION NO. 16-\_\_\_

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)

**8. DISCUSSION ITEMS**

**NOTES**

- p.327      A. LANDSCAPE GUIDELINES  
*Discussion/No Action*      Staff to report on Residential Landscape Guidelines.
- p.371      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.
- p.375      C. ANNUAL UTILITY BILLING PROCESS  
*Discussion/Action*      City Council to discuss and consider policy changes to the annual utility billing process.

**REPORTS**

**Department Heads:**

**City Council:**

p. 377 **SUCCESSOR AGENCY:**

**CLOSED SESSION:**

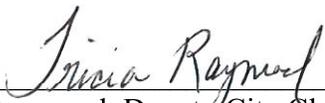
**Public Comment** – This time is provided for the public to address the City Council on closed session matters. If anyone wishes to speak, upon being recognized, please come forward to the podium and state your name and address before proceeding into your comments.

- 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

Adjournment:

Time:

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

  
\_\_\_\_\_  
Tricia Raymond, Deputy City Clerk

June 8, 2016  
Date

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# Ripon City Council Minutes

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TUESDAY, MAY 10, 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 Mark VanDyke 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, Hope Chavez, Taylor Thompson, Sharon Krediet, Chris Lake, Morgan Sheaffer, Jose Garcia, Max Perez, Michael S., Tyler Green, Andrew Gaul, Kimberly DeJong, Alexia Unas, Steve Donner, Hunter G., Mark VanDyke, Andrew Cordova, Rod Lowe, Sierra Atilos, James Kelly, Robert Lopez, David O., Dave S.

**PUBLIC DISCUSSION:** Jerry Sonke a board member with Priceless Treasures Thrift Stores wanted Council to consider a few things in regards to their donation bins that are in town. Since the ordinance was passed in January Sonke said they have filled out all the necessary paperwork to comply, but wanted to ask Council if they would (1) waive the \$50.00 permit fee for their bin at the recycling center since the schools are not charged for their efforts in recycling, (2) waive the placement of boxes inside a covered area from the street or residents. Sonke said there is a church in town where the box is slightly visible by a few neighbors, whom have no issue with it and would like Council to consider waiving the rule for this donation bin to not be concealed behind a wall, and (3) in section 16.184.050 of the ordinance it states the Police Department and Fire Department need emergency access to all bins. Sonke said he reached out to the Police and Fire Departments and they stated they do need access to all bins, but in case of an emergency they would just cut the lock. Sonke said all the bins they have in town have a pad lock that could be cut in case of an emergency.

**APPROVAL OF MINUTES:** **MOTION:** MOVED/SECONDED (ZUBER,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON APRIL 12, 2016.

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

Council Member Zuber requested items 3A, 3C, 3E-3L and 4D be pulled for discussion from the Consent Calendar.

Council Member Restuccia requested item 3M be pulled for discussion from the Consent Calendar.

City Clerk Roos amended item 2I to read \$875.00, not \$9,721.00 which is the total amount of contract.

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

**CONSENT CALENDAR**

**NOTES:**

**1. Income**

A. STATE OF CALIFORNIA

Retail Sales Tax (2015 \$180,000.00) \$153,200.00

Highway User Tax (2015 \$31,882.45) \$26,566.99

TOTAL \$179,766.99

B. BERTOLOTTI DISPOSAL, INC.

\$1,380.19

Franchise fee payment – 1<sup>st</sup> Quarter 2016

C. WASTE MANAGEMENT

Franchise fee payment – 1<sup>st</sup> Quarter 2016 \$1,870.89

**2. Bills, Invoices, Payments**

A. WOOD RODGERS

Well Site Suitability & Design

Progress Payment – Invoice #98931 \$2,712.50

Well 5 & 12 Assessments & Design

Progress Payment – Invoice #98932 \$4,535.00

TOTAL \$7,247.50

B. WGR SOUTHWEST, INC.

City Stormwater Permit Assistance

\$2,391.92

Progress Payment – Invoice #17673

C. NATIONAL METER & AUTOMATION, INC.

Material Purchase - Water Meter Installation Project

Progress Payment –

Invoice #S1068948.001 \$259,352.82

Invoice #S1070483.001 \$96,850.08

Invoice #S1071242.001 \$774.63

TOTAL \$356,977.53

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

Equipment Installation - Water Meter Installation Project

Progress Payment – Invoice #3694.8 \$13,612.55

**CONSENT CALENDAR**

**NOTES:**

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

E. BASECAMP ENVIRONMENTAL

River Road/Fulton Avenue – Intersection Improvement Project  
Progress Payment – Invoice #977

**\$1,367.50**

F. ASPEN SURVEY COMPANY, INC.

River Road/Fulton Avenue – Intersection Improvement Project  
Progress Payment – Invoice #16-011-1

**\$465.00**

G. TERPSTRA HENDERSON

General Matters \$7,099.75  
Police Matters \$1,044.10

TOTAL

**\$8,143.85**

H. SAN JOAQUIN REGIONAL TRANSIT DISTRICT

Blossom Express Driver  
March Invoice #AR109515

**\$1,996.65**

I. J.B. ANDERSON LAND USE PLANNING

*This item was amended*

SB5 Compliance  
Progress Payment –Invoice# 040116W19 \$9,721.00  
Well 19  
Progress Payment -  
Invoice #040116W19 \$1,884.00  
Invoice #050116W19 \$2,716.00

TOTAL

**\$14,321.00**

J. DE NOVO PLANNING GROUP

City of Ripon Housing Element  
Progress Payment-  
Invoice #1672 \$4,375.00  
Invoice #1718 \$6,305.00

TOTAL

**\$10,680.00**

**CONSENT CALENDAR:**

**NOTES:**

**3. Resolutions**

*Item 3A was pulled for discussion*

A. RESOLUTION NO. 16-27

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

This resolution (1) retroactively reduces the 15 year 5 percent assessment to 3 percent for all currently undeveloped parcels, (2) eliminates all or a portion of the index component of the assessment for property owners that pre-pay their assessment(s) in the next 24 months, and (3) provides the City Council with the flexibility to waive all or a portion of the assessment if a project provides a community benefit.

B. RESOLUTION NO. 16-25

RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
ACCEPTING THE CITY OF RIPON  
TRANSPORTATION DEVELOPMENT  
ACT FUND, THE MEASURE K FUND,  
AND THE TRANSIT ENTERPRISE  
FUND AUDIT REPORT  
JUNE 30, 2015 and 2014

This resolution accepts the City of Ripon Transportation Development Act Fund, the Measure K Fund, and the Transit Enterprise Fund Audit Report for June 30, 2015 and 2014, prepared by Brown Armstrong, CPA.

C. RESOLUTION NO. 16-28

RESOLUTION OF THE CITY  
COUNCIL OF THE CITY  
OF RIPON SETTING THE REYNOLDS  
AVENUE RESIDENTIAL PARKING  
PERMIT PROGRAM AREA

*Item 3C was pulled for discussion*

This resolution approves Reynolds Avenue as a Residential Parking Permit required area.

D. RESOLUTION NO. 16-26

RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
APPROVING THE CITY ENGINEER'S  
PRELIMINARY ANNUAL  
ASSESSMENT REPORT  
FOR THE FISCAL YEAR 2016-2017  
PERTAINING TO THE LEVYING OF  
ANNUAL ASSESSMENTS FOR THE  
CITY OF RIPON LIGHTING  
DISTRICT, CITY OF RIPON,  
COUNTY OF SAN JOAQUIN,  
CALIFORNIA; DECLARING ITS  
INTENTION TO LEVY AND  
COLLECT THE ANNUAL  
ASSESSMENT FOR THE  
MAINTENANCE OF CERTAIN  
IMPROVEMENTS PREVIOUSLY  
APPROVED BY THE CITY COUNCIL  
AS A PART OF THE FORMATION OF  
SAID ASSESSMENT DISTRICT; AND  
SETTING A TIME AND PLACE FOR A  
PUBLIC HEARING THEREON

This resolution approves the City Engineer's preliminary annual report for the **RIPON LIGHTING DISTRICT** for the levying of annual assessments for fiscal year 2016-2017 and sets the time and place of the public hearing for July 12, 2016 in the City of Ripon City Council Chambers. (Assessment: \$42.00 Single Family Equivalent)

**CONSENT CALENDAR**

**NOTES:**

**3. Resolutions, continued:**

E. RESOLUTION NO. 16-29

*Item 3E was pulled for discussion*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY ANNUAL ASSESSMENT REPORT FOR THE FISCAL YEAR 2016 - 2017 PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 96-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS **BOESCH-KINGERY ESTATES;** DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's preliminary annual report for the **BOESCH-KINGERY** Assessment District and sets the time and place of the public hearing for June 14, 2016 in the City of Ripon City Council Chambers.

(Assessment: \$58.84)

F. RESOLUTION NO. 16-30

*Item 3F was pulled for discussion*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS 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;** DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's preliminary annual report for the **CAROLINA'S LANDSCAPE MAINTENANCE** Assessment District and sets the time and place of the public hearing for June 14, 2016 in the City of Ripon City Council Chambers.

(Assessment: \$216.87)

**CONSENT CALENDAR:**

**NOTES:**

**3. Resolutions, continued:**

G. RESOLUTION NO. 16-31

*Item 3G was pulled for discussion*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY ANNUAL ASSESSMENT REPORT FOR THE FISCAL YEAR 2016 - 2017 PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 07-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS **CORNERSTONE 1 LANDSCAPE MAINTENANCE DISTRICT**; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's preliminary annual report including a temporary reduction of the assessment for fiscal year 2016-17 from \$177.33 to \$72.62 for the **CORNERSTONE 1 LANDSCAPE MAINTENANCE** Assessment District and sets the time and place of the public hearing for June 14, 2016 in the City of Ripon City Council Chambers.  
(Assessment: \$72.62)

H. RESOLUTION NO. 16-32

*Item 3H was pulled for discussion*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY ANNUAL ASSESSMENT REPORT FOR THE FISCAL YEAR 2016 - 2017 PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS 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 SUBDIVISIONS**; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's preliminary annual report for the **COUNTRY WOODS UNIT NO. 2 AND ZUMSTEIN ESTATES SUBDIVISIONS** Assessment District and sets the time and place of the public hearing for June 14, 2016 in the City of Ripon City Council Chambers.  
(Assessment: \$75.82)

**CONSENT CALENDAR:**

**NOTES:**

**3. Resolutions, continued:**

I. RESOLUTION NO. 16-33

*Item 3I was pulled for discussion*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY ANNUAL ASSESSMENT REPORT FOR THE FISCAL YEAR 2016 - 2017 PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 89-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS **DUTCH MEADOWS**; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's preliminary annual report for the **DUTCH MEADOWS** Assessment District and sets the time and place of the public hearing for June 14, 2016 in the City of Ripon City Council Chambers.

(Assessment: \$29.10)

J. RESOLUTION NO. 16-34

*Item 3J was pulled for discussion*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY ANNUAL ASSESSMENT REPORT FOR THE FISCAL YEAR 2016 - 2017 PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 92-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS **FARMLAND ESTATES**; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's preliminary annual report for the **FARMLAND ESTATES** Assessment District and sets the time and place of the public hearing for June 14, 2016 in the City of Ripon City Council Chambers.

(Assessment: \$50.00)

**CONSENT CALENDAR:**

**NOTES:**

**3. Resolutions, continued:**

K. RESOLUTION NO. 16-35

*Item 3K was pulled for discussion*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY ANNUAL ASSESSMENT REPORT FOR THE FISCAL YEAR 2016 - 2017 PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 98-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS **JACOB'S LANDING**; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's preliminary annual report for the **JACOB'S LANDING** Assessment District and sets the time and place of the public hearing for June 14, 2016 in the City of Ripon City Council Chambers.

(Assessment: \$116.34)

L. RESOLUTION NO. 16-36

*Item 3L was pulled for discussion*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY ANNUAL ASSESSMENT REPORT FOR THE FISCAL YEAR 2016 - 2017 PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 94-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS **MAIN STREET LANDSCAPING DISTRICT**; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's preliminary annual report for the **MAIN STREET LANDSCAPING** Assessment District and sets the time and place of the public hearing for June 14, 2016 in the City of Ripon City Council Chambers.

(Assessment: \$136.96 + linear footage)

**CONSENT CALENDAR, continued:**

**NOTES:**

**3. Resolutions, continued:**

M. RESOLUTION NO. 16-37

*Item 3M was pulled for discussion*

A RESOLUTION OF THE CITY  
COUNCIL OF THE CITY  
OF RIPON ADOPTING THE FEE  
SCHEDULE FOR CERTAIN TRAFFIC  
AND SAFETY VIOLATIONS

This resolution adopts an updated bail schedule for the City of Ripon Parking Fees.

**4. Miscellaneous Items**

A. QUARTERLY INVESTMENT POLICY REVIEW

January 1, 2016 – March 31, 2016

Accept the City's quarterly investment report for the period ending March 31, 2016.

*Second Reading and Adoption*

B. ORDINANCE NO. 841

AN ORDINANCE OF THE CITY OF  
RIPON APPROVING THE  
DEVELOPMENT AGREEMENT  
ENTERED INTO BETWEEN THE  
CITY OF RIPON AND ROD LOWE, AS  
SUCCESSOR TRUSTEE OF THE R &  
K LOWE 1997 REVOCABLE TRUST  
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 Rod Lowe for development of 26.4 acres of real property located at the south-west corner of the corner of the River Road and Fulton Avenue intersection as a residential subdivision.

C. CHAMBER FOUNDATION

Soaring over Ripon  
Fee Waiver

Waive the \$3,500.00 fee for use of Mistlin Sports Park on September 3 & 4, 2016 for the Soaring over Ripon Festival, previously known as "Color the Skies".

D. CNG EXPANSION AND BUS SHELTER PROJECT

T & S West

Award the bid for the CNG Expansion and Bus Shelter contract to T & S West in the amount of \$514,000.00 and authorize staff to proceed. Project is funded by Proposition 1B grants.

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

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

**Discussion on Item 3A**

Zuber said the resolution states the property owner has 24 months to make payments and avoid interest. Zuber asked when the 24 months starts.

Werner said 30 days from when the letters go out.

Restuccia asked if it could be a specific date, for example July 1, 2018.

Werner said yes.

Zuber asked where the money is going. Zuber said he prefers the money go in a separate account and then it comes before Council to discuss how it is spent.

Werner said it will go in a separate account where it can be tracked and as the money builds up Staff will bring ideas to Council as to how money can be used for Economic Development.

Uecker asked if the fees were set.

Werner said yes, but they will be adjusted from 5% per year to 3%.

**Discussion on Item 3C**

Zuber said as the proposals reads people can still park on Manley Rd., Meyenberg Ave., and Laurelwood Ln. down to Reynolds Ave. Zuber asked if both sides of Reynolds Ave. will be parking permit only.

Zuber asked what is being done with the frontage road.

Chief Ormonde said signage has been extended along Parallel Ave. to Reynolds Ave.

Zuber said he noticed some tractor work on the vacant lot and asked what is being done with that area to prevent parking.

Ormonde said the property owner said they were going to put up a fence, but they have not. Staff along with Public Works went ahead and created a burm to prevent people from parking there. If parking continues there the property owner will be contacted again.

**Discussion on Items 3E to 3L**

Zuber said items 3E – 3L cover 8 Assessment Districts and 4 districts have a balance and 4 districts are in the negative. Zuber asked if we go back and evaluate the charges.

Werner said yes. This year Cornerstone had a large balance, which Staff went back and adjusted to only charge for expenses that are anticipated next year.

Zuber asked if that district will get a reduction.

Werner said yes.

Zuber asked where the money comes from for the districts with negative balances.

Werner said the money comes out of the General Fund. Werner said staff evaluates the districts and some of these districts are old and have not been indexed and normally have a negative annual balance.

**Discussion on Item 3M**

Restuccia said he just wanted to point out that the Handicap fine should be higher. Restuccia said he tried to raise this last time on Council and knows it will not happen, but said he sees people that are abusing it constantly and should be a thousand dollar fine to discourage people instead of \$410.00.

**Discussion on Item 4D**

Zuber asked if any City money was going towards this project or is it all grant money. Zuber said he also noticed this project is under budget and asked if the extra money would be lost or can it be used on other projects.

Werner said this project is grant funded. Werner said the extra money is there to be used for change orders or other contingencies that occur throughout the project.

**MOTION: MOVED/SECONDED (ZUBER,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO APPROVE CONSENT CALENDAR ITEMS 3A, 3C, 3E TO 3L, 3M, AND 4D.**

**5. ORDINANCES**

**Notes:**

*First Reading and Introduction*

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”.

Planning Director Zuidervaart said Staff went through a whole set of policies with Council to create Affordable Housing. This ordinance is those policies accepted by the Council in a codified form to move forward in an Ordinance. Zuidervaart said there are several options for a developer to provide affordable housing when they build in Ripon.

**MOTION: MOVED/SECONDED (UECKER,RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 843.**

*Second Reading and Adoption*

B. ORDINANCE NO. 842

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

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

Planning Director Zuidervaart said Ordinance No. 842 is before Council for the 2<sup>nd</sup> reading and adoption. Zuidervaart requested the floor be opened for discussion.

Kathy Rich with Kathy's Therapeutic Massage said she has been a masseuse in town for over 16 years and is for the ordinance. Kathy said her instructor recently passed away in December and all records are gone so she has no way of proving her schooling and hours of certification due to her transcripts being gone. Kathy said she hopes to be grandfathered in and would appreciate Council's consideration. Kathy has enjoyed working in Ripon and is very involved with the community.

Kimberly DeJong asked how the owners and workers at certain locations would be notified of the new ordinance due to English not being their first language.

Chief Ormonde said bilingual services are available and the City can contract out to relay these new laws.

Jennifer Komatsu with Natural Path Wellness said she is for the ordinance, but would like clarification a couple of items in the ordinance.

Komatsu said a massage business permit has to be obtained by anyone who is not certified through the State of California. So Komatsu as an owner asked if she needed one.

Zuidervaart said not if she is certified by the California Massage Therapy Council (CAMTC).

Komatsu said there is a section in regards to reporting all occurrences deemed illegal to the Chief of Police once the business owner is made aware.

Komatsu said this area is vague and she doesn't understand why she would report on things that have nothing to do with an employee's profession or her business.

Chief Ormonde said the department only needs to be notified of arrests. The department only wants information collected by the CMATC so they can further investigate and see if that person is a risk to the business.

Vice Mayor Uecker asked if there was a window period to meet certification requirements once this ordinance is passed. He said he does not like the idea of putting people out of a job, like Mrs. Rich.

Zuidervaart said the certification requirement goes into effect January 1, 2017. The other laws within the ordinance go into effect 30 days after adoption.

Uecker asked for the City Attorney's thoughts on grandfathering in a person.

City Attorney Tom Terpstra said in a situation like Mrs. Rich you can consider grandfathering in by a case by case basis. In order to keep the ordinance moving Staff can add an amendment or resolution to the ordinance at a later date allowing the Chief to look at individual cases and decide if that person should be grandfathered in.

Council Member Zuber said he does not like putting the decision solely on Chief Ormonde. Zuber said he would like to see something with structure created for Chief to follow and then he can evaluate the individual on a case by case basis.

Terpstra said you can add an amendment or resolution to the ordinance with these stipulations and add an exception for a period of time. This would be for existing therapists and not newly licensed ones who have or can go through the correct licensing process.

Council Member Restuccia said he does not want to delay this ordinance any further.

Terpstra said the ordinance can be adopted tonight and the resolution or amendment can come back at another date in regards to grandfathering someone in.

Kimberly DeJong urged Council to move forward with adopting the ordinance tonight. DeJong has concerns with some of the message parlors in town and would like to have the ordinance in place to enforce new laws immediately.

Melani Monk local massage therapist has the same issue as Mrs. Rich in that she has been working in this community for over 20 years and was certified and complies with the standards, but has no certificate. Monk offered some options that might help that surrounding city's have tried.

Restuccia asked if locked doors during business hours and inspections during business hours had been revised in the ordinance. The issue with inspections during business hours only is the illegal activities are happening after hours and how do you prevent that.

Zuber understands the need for the doors being locked during business hours if no one is there to man the front, but also knows there are ways to secure a building without an actual lock and key, this section needs to be clarified in order to protect business owners and clients.

Chief Ormonde said there has to be probable cause in order for the department to inspect businesses after hours.

Mayor Parks is glad that concerned have been voiced. Parks said people without certificates will be affected since paper fades and in the case of Mrs. Rich your school or teacher is no longer available.

**MOTION: MOVED/SECONDED (RESTUCCIA,WINCHELL) AND CARRIED BY A 5-0 VOTE TO ADOPT ORDINANCE NO. 842 WITH A RESOLUTION OR AMENDMENT TO THE ORDINANCE COMING BACK WITH GOOD CAUSE LANGUAGE FOR EXCEPTIONS THAT PROVIDE PARAMETERS AND CLARIFICATION ON LEGAL PERMISSIONS FOR LOCKING DOORS.**

AYES: Restuccia, Winchell, Parks, Uecker, Zuber  
NOES: None  
ABSENT: None  
ABSTAIN: None

**6. DISCUSSION ITEMS**

**Notes:**

A. UNMANNED AIRCRAFT SYSTEMS ORDINANCE

*Discussion/No Action*

Requesting City Council discussion on the possible implementation of an Unmanned Aircraft Systems ordinance that would limit the usage and restrict certain locations within the City of Ripon where unmanned aircraft systems can be operated.

Chief Ormonde said the department is requesting implementation of an ordinance to limit and restrict the usage of Unmanned Aircraft Systems due to the rising complaints it is receiving from citizens within the community. The department has had a significant increase in the number of complaints of Unmanned Aircraft Systems being flown in residential areas, hovering over private property, and following persons in public areas. Ormonde said currently there are no local regulations regarding operating Unmanned Aircraft Systems, which makes addressing of our citizens concerns impossible.

Chris Lake – Resident and member of the Modesto RC Club and active member of the Academy of Model Aeronautics (AMA) wanted to speak about the rising concerns he has in regards to drones and community safety. Lake said there are no regulations for drones and he has been working with the Federal Aviation Administration (FAA) and the AMA to create rules, since the FAA said jurisdictions can regulate their own territories however they see fit.

Lake said there needs to be regulations and rules for flying drones within communities to protect citizens to hold people accountable for their actions.

Council directed Chief Ormonde to draft an ordinance to bring back to Council at a future date.

B. 2016-2017 BUDGET

*Discussion/No Action*

Staff to present the proposed 2016-2017 Budget.

City Administrator Werner gave a PowerPoint Presentation on the Fiscal Year 2016-2017 Budget with highlights. Werner said the Public Hearing is scheduled for June 14, 2016 and adoption of the budget is planned for July 12, 2016. Werner shared the Fiscal Year 2015-2016 General Fund financial report which shows a \$600,000 general fund surplus. Similar to last year, if the numbers hold true Staff will bring the actual surplus amount before City Council with some options to consider to potentially utilize the money. He also shared list of possible capital projects that could be considered by Council.

## **REPORTS**

**Department Heads:** Public Works Director Johnston said the city is in the middle of its Spring Clean-up program.

Johnston said a new Water Conservation Coordinator has been hired.

Johnston said compared to 2013, the City reduced water usage by 35%, this is above the state mandated 33% and the average is 29%. The Governor is modifying regulations in the next few months.

**City Council:** Council Member Restuccia said he wanted to thank Supervisor Winn for his assistance and insight at the OneVoice trip in Washington D.C. Winn was able to help answer in depth questions in regards to water on behalf of the city.

Restuccia recommended that one city staff member attend the OneVoice trip next year.

Council Member Zuber said the Love Ripon event was impressive. Zuber expressed his gratitude to the group for a job well done on the projects around town.

Vice Mayor Uecker agreed with Restuccia that a city staff member should attend the OneVoice trip with a Council Member next year to assist in answering the in depth questions on local projects.

Uecker thanked Cal Crush for their 4<sup>th</sup> of July fundraising efforts.

Mayor Parks said having a city staff member attend the OneVoice trip next year might be a good idea. Staff is more involved in the in depth conversations and can help Council members in meetings.

**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 8:20 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, Chief Ormonde, 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 there was general discussion on budgetary assumption. Staff was given direction. No reportable action was taken.

- Real Property Negotiations (Section 549.8)
  - Property: 875 W. River Road (APN: 245-34-013)
  -

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

- Conference with Legal Counsel – Existing Litigation
  - Ramos v. City of Ripon

City Attorney Terpstra said Council authorized a settlement per recommendation of RMA representative.

There being no further business, the meeting adjourned at 9:17 p.m.

(Signed) Jacob Parks  
Mayor

ATTEST:

(Signed) Tricia Raymond  
Deputy City Clerk

**CONSENT CALENDAR**

**Income**



# STATE OF CALIFORNIA

DIRECT DEPOSIT NUMBER  
99964815

## DIRECT DEPOSIT ADVICE

The amount printed on the face of this advice was transmitted to an account at bank 121101037 from the RETAIL SALES TAX

1A

964815  
CITY TREASURER  
CITY OF RIPON  
259 N WILMA AVE  
RIPON  
95366-3028

CA

05 | 18 | 16

DOLLARS	CENTS
\$**204400.00	

**NOT NEGOTIABLE**

39004

PAYEE IDENTIFICATION  
NUMBER(S)

When changing accounts or financial institutions, notify your retirement system or agency accounting office immediately. Do not close your old account until you have received your first payment in your new account.



**BETTY T. YEE**  
CALIFORNIA STATE CONTROLLER

### STATE OF CALIFORNIA - BOARD OF EQUALIZATION STATEMENT OF BRADLEY-BURNS LOCAL TAX DISTRIBUTION

39004      DATE: 05/05/2016      FOR THE PERIODS SHOWN BELOW  
PAYEE: CITY TREASURER  
CITY OF RIPON

CURRENT ADVANCE	Mar 2016	204,400.00
PRIOR CREDITS		0.00
<b>TOTAL PAYMENT</b>		<b>204,400.00</b>

CONTROLLER OF CALIFORNIA, STATE OF CALIFORNIA

P O BOX 942850, SACRAMENTO, CA 94250-0001

REMITTANCE ADVICE

1A

CLAIM SCHEDULE NUMBER: 1500425A

PAYMENT ISSUE DATE: 06/01/2016

**RIPON CITY TREASURER**  
259 N WILMA AVE

RIPON

CA 95366

Financial Activity

**Additional Description:**  
Highway Users Tax

\*\*\*\*Please disregard the year to date figure shown on this remittance advice. Please refer to the year date report for correct amount.\*\*\*\*

**HIGHWAY USERS TAX - Sections 2103, 2105, 2106 and 2107, Streets & Highways Code Fiscal Year: 2015**

**Collection Period:** 04/24/2016 To 05/23/2016

**Payment Calculations:**

Population for all Cities	32,266,775
City Population	14,922
HUT 2107 snow payment	0.00
<b>City Per Capita Amount for Section 2105</b>	<b>0.47213789</b>
<b>City Per Capita Amount for Section 2107</b>	<b>0.64400064</b>
<b>HUT 2107.5</b>	<b>\$0.00</b>
<b>HUT 2103</b>	<b>\$6,410.32</b>
<b>HUT 2105</b>	<b>\$7,045.24</b>
<b>HUT 2106</b>	<b>\$4,624.18</b>
<b>HUT 2107</b>	<b>\$9,609.78</b>
<b>Gross Claim</b>	<b>\$27,689.52</b>
<b>Net Claim / Payment Amount</b>	<b>\$27,689.52</b>
<b>YTD Amount:</b>	<b>\$299,346.06</b>

For assistance, please call: Nathalie Ortiz at (916) 324-1875

5/25/2016

342

34

CCATT HOLDINGS LLC  
2000 CORPORATE DRIVE  
CANONSBURG PA 15317  
724-416-2000

JPMorgan Chase Bank, N.A.  
DALLAS TX  
32-61/1110

216248

NINE HUNDRED NINETY NINE AND 53/100\*\*\*\*\*

DATE 05/01/16

\$\*\*\*\*\*999.53

Pay To  
The  
Order  
Of  
CITY OF RIPON  
259 W WILMA AVE  
RIPON CA 95366

750570

*Real VP AND CONTROLLER*  
*Denise Hunt, Asst Controller*

VOID AFTER 180 DAYS

⑈ 216248 ⑈ ⑆ 111000614⑆ 581929721⑈

Check No 216248  
Check Date 05/01/16

Stub 1 of 1

Description

Tower Lease #387779	05/01/16	845975	999.53	999.53
			<u>999.53</u>	<u>999.53</u>



**GILTON  
Solid Waste  
Management  
Inc.**

755 S YOSEMITE • OAKDALE, CA 95361 • (209)527-3781  
FAX (209)527-0422

April 25, 2016

City of Ripon  
259 N. Wilma Ave.  
Ripon, CA 95366

Enclosed please find a check for franchise fees on bin and box revenue for quarter ending March 31, 2016

Bin Revenue	\$53,203.20
Box Revenue	<u>\$20,225.04</u>
Total	\$73,428.24
Franchise fee	x 8%
Total Due	<u><u>\$5,874.26</u></u>



**GILTON SOLID WASTE MANAGEMENT, INC.**

755 SOUTH YOSEMITE AVENUE  
OAKDALE, CALIFORNIA 95361  
209-527-3781

**OAK VALLEY COMMUNITY BANK**

1200 "I" STREET  
MODESTO, CA 95354  
90-4211-1211

04-26-16

PAY TO THE ORDER OF CITY OF RIPON

\$\*\*\*5,874.26\*

\*\*\*\*FIVE THOUSAND EIGHT HUNDRED SEVENTY FOUR & 26/100 DOLLARS

CITY OF RIPON  
259 N WILMA AVENUE  
RIPON, CA 95366

*Donna Gilton*  
AUTHORIZED SIGNATURE

*[Handwritten Signature]*

⑈002000⑈ ⑆ 2 1 1 4 2 1 1 9 ⑆ 001032615⑈

**GILTON SOLID WASTE MANAGEMENT, INC.**

VENDOR: CITY OF RIPON

ID: 438

CHECK# 2000

04-26-16

MEMO	DATE	INVOICE NO.	AMOUNT	DISCOUNT	NET AMOUNT
	03-31-16	FF BIN/BOX	5874.26	.00	5874.26

TOTALS \*\* 5874.26 .00 5874.26

Security features. Details on back.



T-MOBILE USA, INC.  
 12920 SE 38TH STREET  
 BELLEVUE, WA 98006  
 (425) 378-4000

3311096<sup>1D</sup>  
 4/22/2016  
 2000038774

Invoice Number	Inv. Date	Description	Deductions	Voucher	Amount Paid
W426910374	4/20/2016	SC07837A CPI-Base Rent	0.00	1100730591	898.03

DO NOT ACCEPT THIS CHECK UNLESS THE FACE FADES FROM BLACK TO RED WITH LOGO IN BACKGROUND. THE BACK OF THIS DOCUMENT HAS HEAT-SENSITIVE INK THAT CHANGES FROM ORANGE TO YELLOW.



T-MOBILE USA, INC.  
 12920 SE 38th Street  
 Bellevue, WA 98006  
 (425) 378-4000

The Bank of New York Mellon  
 Pittsburgh, PA  
 60-160/433

3311096  
 4/22/2016  
 VID 2000038774

PAY **\$898.03**  
EIGHT NINE EIGHT CTS CTS

**\*\$898.03**

\*\*\*Eight Hundred Ninety Eight Dollars And 03 Cents\*\*\*\*\*

To  
 The  
 Order  
 Of  
**CITY OF RIPON**  
 259 N WILMA AVE  
 RIPON, CA 95366

VOID AFTER 180 DAYS  
 THIS CHECK CLEARS THROUGH POSITIVE PAY

*David [Signature]*



Waste Management  
 P.O. Box 3027  
 Houston, TX 77253

For inquiries, please call 1-866-834-2080, option 4.

Check No. 0012600682

1E

Doc Date	Invoice Number / Description	Original Amount	Discount Amount	Amount Paid
04/01/2016	HaulFee Ripon BU 51 Apr16 *AT* ATTACH ALL BACKUP HAULFEE RIPON BU 51 APR16	2,515.26	0.00	2,515.26
Vendor Number 0000386801	Name City of Ripon			
Check Number 0012600682	Date 05/24/2016	Total Amount \$2,515.26	Discounts Taken \$0.00	Total Paid Amount \$2,515.26

THIS DOCUMENT HAS A COLORED BACKGROUND AND MICROPRINTING IN THE ENDORSEMENT SIGNATURE LINE. THE REVERSE SIDE OF THIS DOCUMENT HAS AN OFFICIAL WATERMARK.



Waste Management  
 P.O. Box 3027  
 Houston, TX 77253

VE

**BANK OF AMERICA**  
 COMMERCIAL DISBURSEMENT ACCOUNT  
 NORTHBROOK, IL

CHECK NO

0012600682

70-2328 / 719



PAY EXACTLY  
**\$2,515.26\*\*\***

VOID AFTER 90 DAYS

DATE: 05/24/2016

PAY EXACTLY  
 \*\*\*\*TWO THOUSAND FIVE HUNDRED FIFTEEN AND 26 / 100 DOLLAR\*\*\*\*

*Devina S Rankin*

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

TO THE  
 ORDER  
 OF

**CITY OF RIPON**  
 259 N Wilma Ave  
 Ripon, CA 95366

11  
67920

Attn: Danielle Wicklund  
Vendor#386801  
Address Code 01  
Location 01

**Waste Management**  
Stockton District  
City of Ripon Hauler Fee Schedule  
259 N Wilma Ave.  
Ripon, CA 95366  
For month of: April 2016

	Legacy System	Total
<b>Gross Rate Revenue</b>		
Residential	\$0.00	\$0.00
Commercial	\$6,839.91	\$6,839.91
Rolloff	\$24,600.83	\$24,600.83
<b>Total</b>	<b>\$31,440.74</b>	<b>\$31,440.74</b>

Franchise Fee Rate 8.0%

**Franchise Fee Payable**

Residential	\$0.00	\$0.00
Commercial	\$547.19	\$547.19
Rolloff	\$1,968.07	\$1,968.07
<b>Total</b>	<b>\$2,515.26</b>	<b>\$2,515.26</b>

*DW*



May 05, 2016

CA0861  
CITY OF RIPON  
City Administrator  
259 North Wilma Street  
Ripon, CA 95366

RE: Quarterly Franchise Fee Payment

Dear Sir or Madam:

This letter is a summary for the ACH payment of franchise fees covering the period from January 1, 2016 to March 31, 2016, for Charter Communications ("Charter"). This franchise fee computation has been prepared in accordance with the terms and conditions found in your cable television Franchise Agreement ("Agreement") with Charter. This payment specifically complies with the language found in the Franchise Agreement, whether the Agreement is based on a percentage, flat rate, or per sub payment, and includes all appropriate revenue sources required by the Agreement.

This payment was calculated as follows:

Franchise Fee Base	\$424,300.66
Franchise Fee (as defined in Agreement):	5%
Fee Adjustment (see detail)	\$0.00
Fee Due	<u>\$21,215.03</u>

Please contact your Government Relations representative or send an email directly to CharterFranchiseNotices@chartercom.com for any address updates or corrections.

Charter Communications is proud to serve your community and our customers with cable television service.

Please feel free to contact our office Corp\_mm\_franchise\_fees@chartercom.com if any additional information is required.

Sincerely,

Steve Lottmann  
Divisional Controller

3874 - 00166704 - 24703

Enclosure

**COPY**

**ATTACHMENT CONTAINS TRADE SECRET INFORMATION AND IS CONFIDENTIAL & PROPRIETARY  
- NOT FOR PUBLIC DISCLOSURE**

314.288.3103  
www.charter.com

12405 Powerscourt Drive  
St. Louis, Missouri 63131-3764



**Franchise Summary Of Revenue 2**

05/05/16 09:36:40AM

**24703 Central CA**

<b>Vendor Code:</b> 00166704
<b>FCC ID:</b> CA0861
<b>Frequency:</b> Quarterly
<b>Base Period:</b> 12

**3874/45 Ripon, CA, City of**

**Source FTA Code(s): 8203/1300/0090,8204/1000/0420,BRM//050777535**

	201601	201602	201603	Total
BASIC CABLE SERVICE	38,828.67	39,205.93	39,688.02	117,722.62
INSTALLATION CHARGES	1,548.85	1,926.87	1,019.90	4,495.62
BULK REVENUE	2,419.97	2,419.97	2,381.29	7,221.23
EXPANDED BASIC SVC	34,005.45	34,331.98	34,436.84	102,774.27
PAY SERVICE	11,866.04	12,131.96	12,122.53	36,120.53
PAY PER VIEW	2,237.73	2,253.73	3,871.87	8,363.33
FRANCHISE FEE REV	7,090.32	7,214.91	7,218.80	21,524.03
ADVERTISING REVENUE	3,289.00	2,753.72	4,088.14	10,130.86
HOME SHOPPING REV	754.73	565.94	476.87	1,797.54
DIGITAL SERVICES	29,394.73	29,885.70	29,948.97	89,229.40
INSIDE WIRING	1,453.47	1,486.38	1,450.77	4,390.62
OTHER REVENUE	333.29	370.81	474.40	1,178.50
EQUIPMENT RENTAL	6,196.47	6,300.47	6,339.58	18,836.52
PROCESSING FEES	1,026.42	1,058.18	1,056.15	3,140.75
BAD DEBT	36.91	(1,929.03)	(733.04)	(2,625.16)
REVENUE	140,482.05	139,977.52	143,841.09	424,300.66
FEE CALCULATED	7,024.10	6,998.88	7,192.05	21,215.03
FEE	7,024.10	6,998.88	7,192.05	21,215.03

**Fee Factor: 5%**

**TRADE SECRET / CONFIDENTIAL & PROPRIETARY - NOT FOR PUBLIC DISCLOSURE**

**CONSENT CALENDAR**  
**Bills, Invoices, Payments**



PROJECT: Water Meter Installation Project

CONTRACTOR: G.M. Construction & Develop., Inc.  
8040 Linden Lime Ct.  
Citrus Heights, CA 95610

INVOICE NO: 3694.9  
BILLING NO:  
DATE: 05/28/16

BILLING INFORMATION

ORIGINAL CONTRACT AMOUNT:	\$1,931,962.00	PREVIOUS BILLED TO DATE:	1,783,776.50
APPROVED CONTRACT CHANGES:	\$108,908.00	BILLING THIS INVOICE:	
		<i>Telemetry</i>	\$49,677.00
		<i>Water Meter Installation</i>	\$0.00
		5% RETENTION:	
		<i>Telemetry</i>	\$2,483.85
		<i>Water Meter Installation</i>	\$0.00
REVISED CONTRACT AMOUNT:	\$2,040,870.00	NET BILLING THIS INVOICE:	
		<i>Telemetry</i>	\$47,193.15
		<i>Water Meter Installation</i>	\$0.00
		Total	<b>\$47,193.15</b>

PROGRESS OF PROJECT

A total of 2,010 Meters were installed

A total of 2,115 Meters have been retrofitted for the Change Order

Original Contract: 99% complete

Change Order: 77% complete



# MEMO

---

## Engineering Department

**TO:** Honorable City Council

**FROM:** James Pease

**SUBJECT:** Water Meter Installation Project  
GM Construction & Developers, Inc. Partial Retention Release

**DATE:** June 3, 2016

On September 8, 2015 Council awarded a contract to GM Construction & Developers, Inc. for construction of the Water Meter Installation Project. The original contract of installing over 2,000 water meters for all residents on a flat fee water rate has been successfully completed.

The City is holding \$88,472 in retention for this completed work. Normally, retention is released at the time of final acceptance of the project. Since GM Construction & Developers, Inc. is working on the change order to install wireless transmitters on all of the metered customers, which is not expected to be completed until July 2016 and the project not formally accepted until August 2016, staff is recommending releasing \$44,236.19 of the retention. After discussions with GM Construction & Developers, Inc. they are in agreement with the amount requested.

I am requesting the City Council's approval to release \$44,236.19 of retention to GM Construction & Developers, Inc.

# HCS Engineering, Inc

4512 Feather River Dr., Suite F  
Stockton, CA 95219  
Tel: (209) 478-8270 Fax: (209) 478-2169  
annette@hcs-eng.com

2B

## Invoice

CITY OF RIPON  
259 N WILMA AVENUE  
RIPON, CA 95366

Invoice Date: Dec 1, 2015

Invoice Num: 23762

Billing Through: Dec 1, 2015

Concession Stand Revisions Ripon Softball Park (2014.058) - Managed by (Richard C Smith)

Contract Type: Fixed  
Contract Amount: \$ 2,250.00  
Retainer Required: \$ 0.00

Amount : \$565.00

Amount Due This Invoice: \$565.00

*This invoice is due upon receipt*

### Account Summary

Services BTD	Expenses BTD	Last Inv Num	Last Inv Date	Last Inv Amt	Last Pay Amt	Prev Unpaid Amt
\$ 2,250.00	\$ 0.00	23059	6/18/2014	\$ 1,685.00	\$ 1,685.00	\$ 0.00

Total Amount Due Including This Invoice: \$565.00

*JF*  
5-11-16



LANDSCAPE  
ARCHITECTURE  
PLANNING

151 N. Norlin Street  
Sonora, CA 95370  
209.532.2856 office  
209.532.9510 fax  
www.knoxla.com

March 31, 2016

**City of Ripon**  
Attn: Ken Zuidervaart  
259 N. Wilma Avenue  
Ripon, CA 95366  
(209)599-2151

**INVOICE**

Invoice Number: 16-8497  
Invoice Date: 3-31-16  
Project: Ripon Design Guidelines  
Project Number: 15-1756

This invoice is for progress associated with Landscape Architectural Services for the above project per the Agreement for Services dated 8/28/15.

40% Design Guidelines (30% left to bill)	\$ 4,800.00
<b><u>Total Due</u></b>	<b><u>\$ 4,800.00</u></b>

Please submit payment to:

**KLA, Inc.**  
151 N. Norlin St.  
Sonora, CA 95370

Invoice

**National Meter & Automation, Inc.**  
**PO Box 5429**  
**GREENWOOD VILLAGE CO 80155**  
**(303) 339-9100 FAX (303) 649-1017**

INVOICE DATE	INVOICE NUMBER
05/17/16	S1072037.001
ISSUING BRANCH: National Meter & Automation-Ca 2250 Apollo Way Suite 300 SANTA ROSA CA 95407 707-575-0700 Fax 707-575-3786	PAGE NO.  1

**BILL TO:**  
 City of Ripon  
 259 N Wilma Ave  
 RIPON, CA 95366

**SHIP TO:**  
 City of Ripon  
 1210 S Vera Ave  
 Corp Yard  
 RIPON, CA 95366

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON		
92	V. Elizabeth	\$DG-N	Kathy Richards		
WRITER	SHIP VIA	TERMS	SHIP DATE	ORDER DATE	
Dan Gilliam	BW BEST-WAY	Net Due 30 Days	05/17/16	05/17/16	
DESCRIPTION	ORDER QTY	SHIP QTY	Net Prc	Ext Prc	
LF70 1" BRZ METER BODY ONLY, BRZ BTM, NSF-61 LEAD FREE .132	5	5			
Subtotal -----				890.00	
Assembly Price: \$178.00					
Please remit to: National Meter & Automation, Inc. PO Box 5429 Greenwood Village, CO 80155-5429					

<b>Subtotal</b>	890.00
<b>S&amp;H CHGS</b>	0.00
<b>Sales Tax</b>	71.20
<b>Amount Due</b>	961.20

**Invoice is due by 06/16/16.**

All claims for shortage or errors must be made at once. Returns require written authorization and are subject to handling charges. Special orders are non-returnable. Past due invoices may be subject to 1.50% late charge.

# 900-7139-90000

C0#1

# Invoice

National Meter & Automation, Inc.  
 PO Box 5429  
 GREENWOOD VILLAGE CO 80155  
 (303) 339-9100 FAX (303) 649-1017

INVOICE DATE	INVOICE NUMBER
05/26/16	S1070483.004
ISSUING BRANCH:	PAGE NO.
National Meter & Automation-Ca 2250 Apollo Way Suite 300 SANTA ROSA CA 95407 707-575-0708 FAX 707-575 3786	1

BILL TO:  
 City of Ripon  
 259 N Wilma Ave  
 RIPON, CA 95366

SHIP TO:  
 City of Ripon  
 1210 S Vera Ave  
 Corp Yard  
 RIPON, CA 95366

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON
92	VERBAL ELIZABETH	\$KR	Kathy Richards

WRITER	SHIP VIA	TERMS	SHIP DATE	ORDER DATE
Kathy Richards	BW BEST-WAY	Net Due 30 Days	05/26/16	04/04/16

DESCRIPTION	ORDER QTY	SHIP QTY	Net Prc	Ext Prc
68086-015 BEACON ORION CELLULAR ENDPOINT ASSY ONLY W/ NICOR CONNECTOR 8" .10851	312	280	79.500	22260.00
64394-003 UNDER METAL LID MOUNTING KIT F/ PIT ORION .630	312	280	0.000	0.00
1/2"X 18" SUNGUARD II FIBERGLASS ROD .3752	312	280	0.000	0.00
120-01326 Nicor Security Clip .10515	312	280	0.000	0.00
64394-001 THRU METAL LID MOUNTING KIT F/ PIT ORION .486	312	280	0.000	0.00
***** HOLD FOR RELEASE FINAL QUANTITY TO BE AUTHORIZED BY ELIZABETH QUILICI / CITY OF RIPON *****				

**APPROVED FOR PAYMENT**  
 Approved By: *EQ*  
 Account Code: 900 7137-90000

Please remit to: National Meter & Automation, Inc. PO Box 5429 Greenwood Village, CO 80155-5429

Subtotal	22260.00
S&H CHGS	0.00
Sales Tax	1780.80
<b>Amount Due</b>	<b>24040.80</b>

Invoice is due by 06/25/16.

All claims for shortage or errors must be made at once. Returns require written authorization and are subject to handling charges. Special orders are non-Returnable. Past due invoices may be subject to 1.50% late charge.

CO#1

# Invoice

**National Meter & Automation, Inc.**  
**PO Box 5429**  
**GREENWOOD VILLAGE CO 80155**  
**(303) 339-9100 FAX (303) 649-1017**

INVOICE DATE	INVOICE NUMBER
05/13/16	S1071242.002
ISSUING BRANCH:	PAGE NO.
National Meter & Automation-Ca 2250 Apollo Way Suite 300 SANTA ROSA CA 95407 707-575-0700 Fax 707-575-3786	1

**BILL TO:**  
 City of Ripon  
 259 N Wilma Ave  
 RIPON, CA 95366

**SHIP TO:**  
 City of Ripon  
 1210 S Vera Ave  
 Corp Yard  
 RIPON, CA 95366

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON		
92	Verbal Elizabeth	\$js/n	Kathy Richards		
WRITER	SHIP VIA	TERMS	SHIP DATE	ORDER DATE	
Jordan Sharp	DIRECT	Net Due 30 Days	05/13/16	04/25/16	
DESCRIPTION	ORDER QTY	SHIP QTY	Net Prc	Ext. Prc	
M170 2" HR-E 8-DIAL ENCODER, CF, TX, 6' NICOR CONNECTOR .8883 Verbal Pricing	30	30	55.750	1672.50	
# 2			CO-Refer		
Please remit to: National Meter & Automation, Inc. PO Box 5429 Greenwood Village, CO 80155-5429			EQ		
			<b>Subtotal</b>	1672.50	
			<b>S&amp;H CHGS</b>	0.00	
			<b>Sales Tax</b>	133.80	
<b>Invoice is due by 06/12/16.</b>			<b>Amount Due</b>	1806.30	

All claims for shortage or errors must be made at once. Returns require written authorization and are subject to handling charges. Special orders are non-returnable. Past due invoices may be subject to 1.50% late charge.

# 900-7137-90000

CO #1

# Invoice

**National Meter & Automation, Inc.**  
**PO Box 5429**  
**GREENWOOD VILLAGE CO 80155**  
**(303) 339-9100 FAX (303) 649-1017**

INVOICE DATE	INVOICE NUMBER
03/07/16	S1069567.001
ISSUING BRANCH: National Meter & Automation-Ca 2250 Apollo Way Suite 300 SANTA ROSA CA 95407 707-575-0700 Fax 707-575-3786	PAGE NO.  1

**BILL TO:**  
 City of Ripon  
 259 N Wilma Ave  
 RIPON, CA 95366

**SHIP TO:**  
 City of Ripon  
 1210 S Vera Ave  
 Corp Yard  
 RIPON, CA 95366

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON		
92	Elizabeth	\$DG-N	Kathy Richards		
WRITER	SHIP VIA	TERMS	SHIP DATE	ORDER DATE	
Dan Gilliam	DIRECT	Net Due 30 Days	03/07/16	03/07/16	
DESCRIPTION	ORDER QTY	SHIP QTY	Net Prc	Ext Prc	
BEACON ORION CELLULAR ENDPOINT ASSY ONLY W/ NICOR CONNECTOR 9", MONTHLY SUBSCRIPTION MODEL (NON-FULLY LOADED) .8506	9	9	79.500	715.50	
64394-001 THRU METAL LID MOUNTING KIT F/ PIT ORION .486	9	9	0.000	0.00	
***** Ripon received 24 endpoints on RMI should have only received 15 reference no charge invoice S1067976.001 2-8-16					
Please remit to: National Meter & Automation, Inc. PO Box 5429 Greenwood Village, CO 80155-5429					
			<b>APPROVED</b>		
			<i>h</i>		
			<b>Subtotal</b>	715.50	
			<b>S&amp;H CHGS</b>	0.00	
			<b>Sales Tax</b>	57.24	
			<b>Amount Due</b>	772.74	

**Invoice is due by 04/06/16.**

All claims for shortage or errors must be made at once. Returns require written authorization and are subject to handling charges. Special orders are non-returnable. Past due invoices may be subject to 1.50% late charge.

**Amount Due 772.74**

\*\* Reprint \*\* Reprint \*\* Reprint \*\*

# 9007137-90000

CO#2

# Invoice

National Meter & Automation, Inc.  
 PO Box 5429  
 GREENWOOD VILLAGE CO 80155  
 (303) 339-9100 FAX (303) 649-1017

INVOICE DATE	INVOICE NUMBER
05/24/16	S1072140.001
ISSUING BRANCH:	PAGE NO.
National Meter & Automation-Ca 2250 Apollo Way Suite 300 SANTA ROSA CA 95407 707-575-9700 Fax 707-575-3786	1

BILL TO:  
 City of Ripon  
 259 N Wilma Ave  
 RIPON, CA 95366

SHIP TO:  
 City of Ripon  
 1210 S Vera Ave  
 Corp Yard  
 RIPON, CA 95366

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON		
92	v elizabeth	\$js/n	Kathy Richards		
WRITER	SHIP VIA	TERMS	SHIP DATE	ORDER DATE	
Dan Gilliam	BW BEST-WAY	Net Due 30 Days	05/24/16	05/19/16	
DESCRIPTION	ORDER QTY	SHIP QTY	Net Prc	Ext Prc	
LF35 3/4 x 9" BRZ METER BODY ONLY W/ BRZ BTM, NSF-61 LEAD FREE .121	25	25	\$94.25		
Subtotal -----				2356.25	
LF70 1" BRZ METER BODY ONLY, BRZ BTM, NSF-61 LEAD FREE .132	28	28	\$178.00		
Subtotal -----				4984.00	
<div style="border: 2px solid red; padding: 5px; width: fit-content; margin: 0 auto;"> <p><b>APPROVED FOR PAYMENT</b></p> <p>Approved By: <u>EQ</u></p> <p>Account Code: _____</p> </div>					
Please remit to: National Meter & Automation, Inc. PO Box 5429 Greenwood Village, CO 80155-5429					

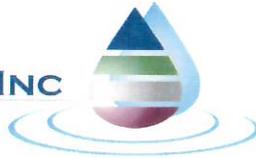
Subtotal	7340.25
S&H CHGS	0.00
Sales Tax	587.22
<b>Amount Due</b>	<b>7927.47</b>

Invoice is due by 06/23/16.

All claims for shortage or errors must be made at once. Returns require written authorization and are subject to handling charges. Special orders are non-returnable. Past due invoices may be subject to 1.50% late charge.

*New Order*

**PETERSON . BRUSTAD . INC**  
ENGINEERING . CONSULTING



# INVOICE

1180 Iron Point Road, Suite 260  
Folsom, CA 95630  
Phone 916.608.2212 Fax 916.608.2232

**DATE:** May 13, 2016  
**INVOICE #** 6322  
**FOR:** City of Ripon  
200 year Flood Mapping

**Bill To:**

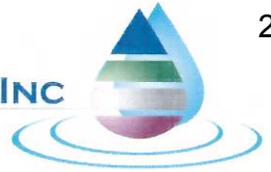
City of Ripon  
Attn: Mr. Ken Zuidervaart  
259 N. Wilma Avenue  
Ripon, CA 95366

For Services Rendered Through 4/30/16				
DESCRIPTION	Unit	Rate	Quantity	AMOUNT
Labor				
Mike Rossiter, Project Manager 1	Hr	175	23.75	\$4,156.25
Ryan Dunne, Staff Engineer 2	Hr	127	7.75	\$984.25
Jacob Rowe, Staff Engineer 1	Hr	110	79.25	\$8,717.50
Ann D'Ambrosio, Administrative 4	Hr	88	1	\$88.00
Subtotal Labor				\$13,946.00
Incidental In-house Expenses (At 5% of Labor)		5%		\$697.30
Mileage		0.54	171	\$92.34
<b><u>Progress Notes: See Attached</u></b>				
<b>AMOUNT DUE THIS INVOICE</b>				<b>\$14,735.64</b>
PREVIOUSLY BILLED				\$0.00
CONTRACT AMOUNT				\$25,347.00
CONTRACT BALANCE				<b>\$10,611.36</b>

Make all checks payable to Peterson Brustad Inc.  
If you have any questions concerning this invoice,  
contact Mike Rossiter, (916) 608.2212, mrossiter@pbieng.com

**THANK YOU FOR YOUR BUSINESS!**

Project Manager



**City of Ripon 200-year Mapping April 2016 Notes (Invoice # 6322)**

**Mike Rossiter (23.75 hrs):**

- Project Management
- 200yr HEC-RAS modeling

**Ryan Dunne (7.75 hrs):**

- 4/19 Bridge reconnaissance
- HEC-RAS model development

**Jacob Rowe (79.25 hrs):**

- Ripon 200 yr Flood mapping
- 4/19 Bridge field visit
- Writing report
- HEC-RAS modeling



139 S. Stockton Avenue  
 Ripon, California 95366  
 209.599.8377

[tami@jbandersonplanning.com](mailto:tami@jbandersonplanning.com)

TO Mr. Ken Zuidervaat  
 Director of Planning & Economic Development  
 City of Ripon  
 259 N. Wilma Avenue  
 Ripon, CA 95366

# INVOICE

INVOICE NO. 050116W19  
 DATE May 1, 2016

AMOUNT DUE: \$377.00

SB5

Contract Amount: \$ 10,596.00

PROJECT	BILLING DATE	TASK	DESCRIPTION	AMOUNT
General Plan Amendment-Project Initiation		Task 1	Task 1 Contract Total	\$ 410.00
	Mar-16		Task 1	\$ 410.00
			Task 1	
			Task 1	
			Task 1	
			Remaining Balance-Task 1	
Administrative Draft General Plan Amendment		Task 2	Task 2 Contract Total	\$ 1,664.00
	Mar-16		Task 2	\$ 465.00
			Task 2	
			Remaining Balance-Task 2	
Public Review Draft General Plan Amendment		Task 3	Task 3 Contract Total	\$ 1,312.00
	Apr-16		<b>Task 3</b>	<b>\$ 377.00</b>
			Task 3	
			Task 3	
			Task 3	
			Remaining Balance-Task 3	
Public Hearings for GPA (PC and CC)		Task 4	Task 4 Contract Total	\$ 1,542.00
			Task 4	
			Remaining Balance-Task 4	
Zoning Text Amendment-Project Initiation		Task 5	Task 5 Contract Total	\$ 410.00
			Task 5	
			Task 5	
			Remaining Balance-Task 5	

PROJECT	BILLING DATE	TASK	DESCRIPTION	AMOUNT
Admin Draft Zoning Text Amendment		Task 6	Task 6 Contract Total	\$ 1,794.00
			Task 6	
			Remaining Balance-Task 6	\$ 1,794.00
Public Review Draft Zoning Text Amendment		Task 7	Task 7 Contract Total	\$ 2,002.00
			Task 7	
			Remaining Balance-Task 7	\$ 2,002.00
Public Hearings for Zoning Text Amendment (PC and CC)		Task 8	Task 8 Contract Total	\$ 1,262.00
			Task 8	
			Task 8	
			Remaining Balance-Task 8	\$ 1,262.00
Administrative Expenses		Administrative Expenses	Administrative Expenses Contract Total	\$ 200.00
			Administrative Expenses	
			Administrative Expenses	
			Administrative Expenses	
			Remaining Balance-Administrative Expenses	\$ 200.00
<b>Total Amount Due</b>				<b>\$ 377.00</b>
<b>Contract Balance After this Invoice</b>				<b>\$ 9,344.00</b>

Note Terms of Payment: Client shall pay Consultant in full for all charges and expenses set forth in each invoice within ten (10) days of the date of the invoice. If Client fails to pay all amounts owed within ten (10) days of the date of the invoice, Client shall pay interest on the unpaid balance at the rate of twenty percent (20%) per annum. Rates are subject to change upon thirty (30) days notice.

**Please remit payment to:**  
 139 South Stockton Avenue, Ripon, CA 95366



139 S. Stockton Avenue  
Ripon, California 95366  
209.599.8377

[tami@jbandersonplanning.com](mailto:tami@jbandersonplanning.com)

TO Mr. Ken Zuidervaart  
Director of Planning & Economic Development  
City of Ripon  
259 N. Wilma Avenue  
Ripon, CA 95366

# INVOICE

INVOICE NO. 060116W19  
DATE June 1, 2016

AMOUNT DUE: \$149.50

SB5

Contract Amount: \$ 10,596.00

PROJECT	BILLING DATE	TASK	DESCRIPTION	AMOUNT
General Plan Amendment-Project Initiation		Task 1	Task 1 Contract Total	\$ 410.00
	Mar-16		Task 1	\$ 410.00
			Task 1	
			Task 1	
			Task 1	
				<i>Remaining Balance-Task 1</i>
Administrative Draft General Plan Amendment		Task 2	Task 2 Contract Total	\$ 1,664.00
	Mar-16		Task 2	\$ 465.00
	May-16		<b>Task 2</b>	<b>\$ 149.50</b>
				<i>Remaining Balance-Task 2</i>
Public Review Draft General Plan Amendment		Task 3	Task 3 Contract Total	\$ 1,312.00
	Apr-16		Task 3	\$ 377.00
			Task 3	
			Task 3	
			Task 3	
				<i>Remaining Balance-Task 3</i>
Public Hearings for GPA (PC and CC)		Task 4	Task 4 Contract Total	\$ 1,542.00
			Task 4	
				<i>Remaining Balance-Task 4</i>
Zoning Text Amendment-Project Initiation		Task 5	Task 5 Contract Total	\$ 410.00
			Task 5	
			Task 5	
				<i>Remaining Balance-Task 5</i>

PROJECT	BILLING DATE	TASK	DESCRIPTION	AMOUNT
Admin Draft Zoning Text Amendment		Task 6	Task 6 Contract Total	\$ 1,794.00
			Task 6	
				Remaining Balance-Task 6
Public Review Draft Zoning Text Amendment		Task 7	Task 7 Contract Total	\$ 2,002.00
			Task 7	
				Remaining Balance-Task 7
Public Hearings for Zoning Text Amendment (PC and CC)		Task 8	Task 8 Contract Total	\$ 1,262.00
			Task 8	
			Task 8	
				Remaining Balance-Task 8
Administrative Expenses		Administrative Expenses	Administrative Expenses Contract Total	\$ 200.00
			Administrative Expenses	
			Administrative Expenses	
				Administrative Expenses
			Remaining Balance-Administrative Expenses	\$ 200.00
<b>Total Amount Due</b>				<b>\$ 149.50</b>
<b>Contract Balance After this Invoice</b>				<b>\$ 9,194.50</b>

Note Terms of Payment: Client shall pay Consultant in full for all charges and expenses set forth in each invoice within ten (10) days of the date of the invoice. If Client fails to pay all amounts owed within ten (10) days of the date of the invoice, Client shall pay interest on the unpaid balance at the rate of twenty percent (20%) per annum. Rates are subject to change upon thirty (30) days notice.

**Please remit payment to:**  
 139 South Stockton Avenue, Ripon, CA 95366

# INVOICE

2G



**SAN JOAQUIN REGIONAL  
TRANSIT DISTRICT**  
P.O. Box 201010  
Stockton, CA 95201  
Phone (209) 948-5566

**Invoice Number:** AR109557  
**Customer Number:** C01524  
**Invoice Date:** 04/30/16  
**Terms:** Due upon receipt  
**Federal ID#:** 94-1563999

**To:** CITY OF RIPON  
ATTN: BARBARA SHNEIDER  
259 N. WILMA AVENUE  
RIPON, CA 95366

Trans Date	Description	Quantity	Unit Cost	Amount
04/30/16	April 2016	27.6	55.08	1,519.29
			TAX	0.00
			<b>Total Due</b>	<b>1,519.29</b>

-----  
**PLEASE RETURN THIS PORTION WITH YOUR PAYMENT**

**Please make checks payable to:**

**SAN JOAQUIN RTD**  
P.O. Box 201010  
Stockton, CA 95201

**Invoice Number:** AR109557  
**Customer Number:** C01524  
**Invoice Date:** 04/30/16  
**Total Amount Due \$** 1,519.29

**Total Payment \$** \_\_\_\_\_



INVOICE

**Invoice Number** 1048500  
**Invoice Date** May 13, 2016  
**Customer Number** 84626  
**Project Number** 184030139

**Bill To**

City of Ripon  
 Engineering Department  
 259 N Wilma Avenue  
 Ripon CA 95366  
 United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
 13980 Collections Center Drive  
 Chicago IL 60693  
 United States  
 Federal Tax ID  
 11-2167170

*KW  
5/17/16*

**Project Description:** RIPN03-002 - City of Ripon GW Monitoring Reporting

**Stantec Project Manager:** Butler, Thomas W  
**Stantec Office Location:** Rocklin CA  
**Authorization Amount:** \$11,000.00  
**Authorization Previously Billed:** ~~\$8,057.00~~ *4332.50*  
**Authorization Billed to Date:** ~~\$8,253.00~~ *4528.50*  
**Current Invoice Due:** \$196.00  
**For Period Ending:** April 22, 2016

**Reporting Cycle:** 2015  
**2015 Q1-Q2:** Included in Change Order #5 (02/06/2012)  
**2015 Q3-Q4:** Included in Change Order #8 (09/11/2015)

Work complete this period involved miscellaneous 4th quarter reporting charges.

*2015*

Due on Receipt



INVOICE

<b>Invoice Number</b>	1048501
<b>Invoice Date</b>	May 13, 2016
<b>Customer Number</b>	84626
<b>Project Number</b>	184030139

**Bill To**

City of Ripon  
 Engineering Department  
 259 N Wilma Avenue  
 Ripon CA 95366  
 United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
 13980 Collections Center Drive  
 Chicago IL 60693  
 United States  
 Federal Tax ID  
 11-2167170

*Kw  
5/17/16*

**Project Description:** RIPN03-002 - City of Ripon GW Monitoring Reporting

<b>Stantec Project Manager:</b>	Butler, Thomas W
<b>Stantec Office Location:</b>	Rocklin CA
<b>Authorization No:</b>	Change Order No.8 (partial)
<b>Authorization Date:</b>	September 11, 2015
<b>Authorization Amount:</b>	\$11,000.00
<b>Authorization Previously Billed:</b>	\$0.00
<b>Authorization Billed to Date:</b>	\$1,764.00
<b>Current Invoice Due:</b>	\$1,764.00
<b>For Period Ending:</b>	April 22, 2016

<b>Reporting Cycle:</b>	2016
<b>2016 Q1-Q4:</b>	Included in Change Order #8

Work complete this period involved production of the 1st quarter groundwater monitoring report.

*2016*

Due on Receipt

TERPSTRA HENDERSON, A  
Professional Corporation  
578 N. Wilma Avenue, Suite A (209) 599-5003  
Ripon, CA 95366  
Federal ID# 20-8735125

# INVOICE

14554

Invoice submitted to:  
Kevin Werner  
City of Ripon  
259 North Wilma Avenue  
Ripon, CA 95366

May 25, 2016

File #: 1084-003; Matter: General

## Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
4/26/2016	RAR Email and confer with T. Terpstra re sale of City properties; Research re disposal of real property by public agency.	1.50 175.00/hr	262.50
	THT Work on joint trench construction ordinance, revise per client direction, emails and calls regarding task list items and meeting on same.	2.75 275.00/hr	756.25
4/27/2016	RAR Email from co-counsel; Review case management conference statement.	0.30 175.00/hr	52.50
	THT Meeting with client to review task list, work on revisions to Joint Trench ordinance, confer with Ruppel on property disposition, review and discuss TCP issue and letter from attorney, obtain and forward information on towing storage revenue.	2.25 275.00/hr	618.75
5/2/2016	THT Review and revise Benefit District resolution, emails regarding new PRA request; discuss agenda items and schedule for encroachment permit ordinance with client.	1.75 275.00/hr	481.25
5/3/2016	SLH Conferences and correspondence regarding reasonable accommodation process, massage ordinance and potential new ordinances. Revise massage ordinance. Conferences regarding use of interpreters.	2.20 240.00/hr	528.00
	THT Work on revisions to affordable housing ordinance, further work on cable ordinance; discuss massage ordinance and minor revisions to same.	1.75 275.00/hr	481.25
5/5/2016	SLH Legal research regarding requirements for massage businesses.	0.20 240.00/hr	48.00

Kevin Werner

Page 2

			<u>Hrs/Rate</u>	<u>Amount</u>
5/5/2016	THT	Conference with client, work on golf course lease amendment, review previous agreements and amendments	1.25 275.00/hr	343.75
5/6/2016	THT	Review original golf course lease, amendments and resolutions, work on new amendment.	1.25 275.00/hr	343.75
5/9/2016	SLH	Conference regarding use of interpreters by Citizens during application process.	0.20 240.00/hr	48.00
	RAR	Emails to and from councilmember re billing entries.	0.20 175.00/hr	35.00
	RAR	Legal Research re disposition of real property procedures and statutory requirements.	1.50 175.00/hr	262.50
5/10/2016	RAR	Draft memorandum re disposition of real property procedures and statutory requirements; Draft resolution of intent to sell property.	2.70 175.00/hr	472.50
	RAR	Telephone calls with and email from L. Forks re code enforcement administrative citations; Review citations re same.	0.50 175.00/hr	87.50
	SLH	Conference regarding massage ordinance. Correspondence regarding collection of funds owing from former City employee.	0.50 240.00/hr	120.00
5/11/2016	RAR	Draft resolution of intent to sell property and notice of sale; Review appraisal; Telephone call with K. Zuidervaart re same; Draft earnest money escrow agreement; Draft purchase and sale agreement.	4.00 175.00/hr	700.00
	SLH	Legal research and correspondence regarding collection of debt from former employee and Franchise Tax Board Interagency Intercept Program.	0.40 240.00/hr	96.00
	THT	Prepare for and discuss agenda items with staff, client, research grandfathering issue, attend City Council meeting and closed.	5.25 275.00/hr	1,443.75
	THT	Follow up on council meeting items, budget and personnel discussions.	0.50 275.00/hr	137.50
5/16/2016	RAR	Review email, CMC Minute Order and Judge profiles; Calendar scheduled dates for hearings.	0.40 175.00/hr	70.00
	THT	Emails, calls re Planning Commission agenda item; research on undergrounding; draft 4th amendment to golf course lease.	3.25 275.00/hr	893.75
5/17/2016	RAR	Draft agreements re sale of City-owned real property.	2.00 175.00/hr	350.00

Kevin Werner

Page 3

			<u>Hrs/Rate</u>	<u>Amount</u>
5/17/2016	THT	Further work on golf course lease amendment, review changes to underground utilities ordinance.	2.25 275.00/hr	618.75
5/18/2016	RAR	Telephone call with L. Forks re code enforcement issue.	0.20 175.00/hr	35.00
	THT	Meet with client to review and revise presentation for council workshop, emails re pending projects.	1.25 275.00/hr	343.75
5/19/2016	RAR	Draft purchase and sale agreement.	1.40 175.00/hr	245.00
	THT	Attend special city council meeting.	1.25 275.00/hr	343.75
5/20/2016	RAR	Draft proposal and sale documents for sale of City-owned property.	2.40 175.00/hr	420.00
	RAR	Respond to public records act request; Emails to and from L. Roos re same.	1.00 175.00/hr	175.00
	RAR	Telephone calls to and from L. Forks re code enforcement issue.	0.20 175.00/hr	35.00
	THT	Review Caltrans Agreement, discuss with Ted; meet with Kevin on labor negotiations	1.00 275.00/hr	275.00
5/23/2016	RAR	Confer with S. Henderson and T. Terpstra re task list.	0.20 175.00/hr	35.00
	RAR	Emails to and from L. Roos re public records act document production; Email from co-counsel re revisions to response to public records act request; Revise response re same.	0.30 175.00/hr	52.50
	RAR	Draft documents for sale of City-owned property.	1.40 175.00/hr	245.00
	RAR	Telephone call with L. Forks re code enforcement issue, citation and meeting.	0.20 175.00/hr	35.00
5/24/2016	RAR	Emails to and from L. Roos re PRA response; Revise response re same.	0.30 175.00/hr	52.50
	THT	Research on business license, use permit revocation, meeting with client on same.	2.00 275.00/hr	550.00

Kevin Werner

Page 4

	<u>Hrs/Rate</u>	<u>Amount</u>
5/25/2016 SLH Conference regarding options for addressing illegal activity at business. Legal research regarding the same.	0.30 240.00/hr	72.00
RAR Emails to and from L. Roos re PRA response.	0.20 175.00/hr	35.00
RAR Meet with Code Enforcement committee re compliance issues and strategy.	0.80 175.00/hr	140.00
THT Research on process for revoking CUP, business license, discuss with client, S. Henderson.	3.00 275.00/hr	825.00
For professional services rendered	<u>56.25</u>	<u>\$13,165.75</u>
Previous balance		\$7,099.75
Accounts receivable transactions		
5/16/2016 Payment - Thank You No. 53426		<u>(\$7,099.75)</u>
Total payments and adjustments		<u>(\$7,099.75)</u>
Balance due		<u><u>\$13,165.75</u></u>

TERPSTRA HENDERSON, A  
Professional Corporation  
578 N. Wilma Avenue, Suite A (209) 599-5003  
Ripon, CA 95366  
Federal ID# 20-8735125

# INVOICE

14555

Invoice submitted to:  
Kevin Werner  
City of Ripon  
259 North Wilma Avenue  
Ripon, CA 95366  
USA

May 25, 2016

File #: 1084-004; Matter: Police  
Department Matters

## Professional Services

			<u>Hrs/Rate</u>	<u>Amount</u>
4/27/2016	SLH	Conference with Chief and legal research regarding issuance of CCW permit.	0.50 240.00/hr	120.00
	RAR	Attend court hearings on pleas in abeyance for open containers.	1.30 175.00/hr	227.50
4/28/2016	THT	Review and advise on settlement agreement.	1.00 275.00/hr	275.00
5/4/2016	RAR	Telephone calls with E. Ormonde re revisions to bail schedule re parking ordinance violations and penalties; Research re same.	0.50 175.00/hr	87.50
	RAR	Prepare for and attend hearings on open containers.	1.60 175.00/hr	280.00
	SLH	Legal research regarding concealed weapons permits.	0.50 240.00/hr	120.00
5/5/2016	RAR	Emails and telephone calls to and from L. Forks and S. Hollander re payment of fines for plea in abeyance and re abatement issues; Review file re same.	0.40 175.00/hr	70.00
	SLH	Legal research, correspondence and conferences regarding concealed weapons permits and new legislation.	2.80 240.00/hr	672.00
	THT	Conference with Henderson, review law and policy on CCW permits, discuss client's legal options for same	0.50 275.00/hr	137.50

Kevin Werner

Page 2

		<u>Hrs/Rate</u>	<u>Amount</u>
5/6/2016	RAR Prepare for and attend hearings on pleas in abeyance for cat and open container violations.	1.50 175.00/hr	262.50
5/9/2016	RAR Telephone call with L. Forks re service of administrative citations.	0.20 175.00/hr	35.00
5/12/2016	RAR Telephone calls with L. Forks re dangerous dog hearing and outcome, notice and further enforcement; Review email and notice re same; Revise notice for future enforcement actions; Research municipal code for procedural requirements; Email to L. Forks re same.	1.00 175.00/hr	175.00
5/18/2016	RAR Telephone call and emails with C. Caro and S. Hollander re fine collections on open container pleas in abeyance; Meet with S. Ferguson re proof of community service and payment of fine for plea in abeyance.	0.30 175.00/hr	52.50
	RAR Prepare for and attend hearing on pleas in abeyance.	1.00 175.00/hr	175.00
5/23/2016	RAR Prepare for and attend hearing on plea in abeyance for open container.	1.20 175.00/hr	210.00
5/24/2016	RAR Prepare for and attend hearings on pleas in abeyance.	1.30 175.00/hr	227.50
	For professional services rendered	<u>15.60</u>	<u>\$3,127.00</u>
	Additional Charges :		
4/27/2016	FD To/Fr Manteca Court for Hearing.		8.05
5/4/2016	FD To/Fr Manteca Court for Hearing.		8.05
5/6/2016	FD To/Fr Manteca Court for Hearing.		8.05
	Total additional charges		<u>\$24.15</u>
	Total amount of this bill		<u>\$3,151.15</u>
	Previous balance		\$1,044.10
	Accounts receivable transactions		
5/16/2016	Payment - Thank You No. 53426		<u>(\$1,044.10)</u>
	Total payments and adjustments		(\$1,044.10)

Kevin Werner

Page 3

Balance due

Amount  
\$3,151.15

TERPSTRA HENDERSON, A  
Professional Corporation  
578 N. Wilma Avenue, Suite A (209) 599-5003  
Ripon, CA 95366  
Federal ID# 20-8735125

# INVOICE

14556

Invoice submitted to:  
Kevin Werner  
City of Ripon  
259 North Wilma Avenue  
Ripon, CA 95366

May 25, 2016

File #: 1084-198; Matter: v. J-M  
Manufacturing Co. et al.

## Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
4/28/2016	RAR Emails to and fro co-counsel re document production for Phase II; Review powerpoint re same; Telephone calls and email to C. Rodriguez re same.	0.60 175.00/hr	105.00
4/29/2016	THT Review and respond to emails, check on status of document production.	0.50 275.00/hr	137.50
5/3/2016	RAR Emails to and from L. Roos re PRA request; Emails from co-counsel re same; Confer with T. Terpstra re same.	0.20 175.00/hr	35.00
5/4/2016	RAR Emails to and from co-counsel re PRA request; telephone call to L. Roos re same.	0.20 175.00/hr	35.00
5/5/2016	RAR Review PRA Request; Emails to and from L. Roos re same.	0.30 175.00/hr	52.50
5/11/2016	RAR Telephone call with C. Rodriguez re document search and production for Phase II; Email to C. Rodriguez re spreadsheet of project sites.	0.30 175.00/hr	52.50
5/12/2016	RAR Emails to and from co-counsel re document production. for Phase II.	0.20 175.00/hr	35.00
5/18/2016	RAR Email from co-counsel and to L. Roos re PRA request.	0.20 175.00/hr	35.00
	For professional services rendered	<u>2.50</u>	<u>\$487.50</u>
	Previous balance		\$245.00

Kevin Werner

Page 2

Amount

Accounts receivable transactions

3/14/2016 Payment - Thank You No. 52979

(\$245.00)

Total payments and adjustments

(\$245.00)

Balance due

\$487.50



## SAN JOAQUIN PARTNERSHIP

A Private Non-Profit Economic Development Corporation Serving San Joaquin County

May 2, 2016

### Board of Directors:

Chairman – **Bob Gutierrez**  
*Food 4 Less*

Vice Chairman — **Susan Dell’Osso**  
*The Cambay Group*

Secretary/Treasurer – **Lewis Gale**  
*University of the Pacific*

**Greg Armstrong**  
*No. CA Chapter - NECA*

**Richard Aschieris**  
*Port of Stockton*

**Roger Coover**  
*The Record*

**Michele Daugherty**  
*ABC NorCal*

**Stephen DeBrum**  
*City of Manteca*

**Mary-Elizabeth Eberhardt**  
*Bank of Stockton*

**Bob Elliott**  
*SJC Board of Supervisors*

**Nick Glero**  
*Pacific Gas & Electric Company*

**Bob Harmon**  
*Farmers & Merchants Bank*

**Kevin Huber**  
*Grupe Commercial Company*

**Bob Johnson**  
*City of Lodi*

**Michael Maciel**  
*City of Tracy*

**Cynthia Mitchell**  
*Kaiser Permanente*

**David Nelson**  
*A. G. Spanos Companies*

**Mark Rishwain**  
*March Tower Associates*

**Steve Salvatore**  
*City of Lathrop*

**Anthony Silva**  
*City of Stockton*

**Douglass Wilhoit**  
*Stockton Chamber of Commerce*

**Mark Winchell**  
*City of Ripon*

Kevin Werner  
City of Ripon  
259 N. Wilma Avenue  
Ripon, CA 95366

### RE: 2016-2017 Fiscal Year Invoice

Dear Kevin:

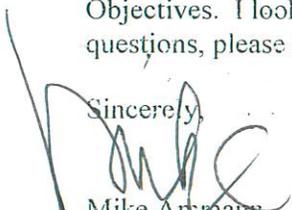
Enclosed is an invoice for the City of Ripon’s 2016-2017 fiscal year commitment to the San Joaquin Partnership. The Partnership, a countywide economic development corporation, is a public-private partnership between private stakeholders, San Joaquin County and its incorporated cities. *This unique structure has been successful for San Joaquin County’s economy in terms of 72,000 jobs being created the siting of some 415+ companies since inception of the Partnership twenty-five years ago.*

**Right now what is most important is its current level of client activity during these economic times. In 2015 we had ten successful projects totaling more than 1200 jobs and retaining 267. We are currently working with 70 active client files. Of this, nine are considered critical projects totaling 974,000 square feet with a **job potential of nearly 600. Three of the clients are in final decision mode with six in process!**** Additionally, the Partnership is an active advocate for business in regard to development fee issues and monitoring transportation funding. We also provide detailed information and assistance to existing and prospective businesses about available incentives.

Our goal is prosperity for *all* of San Joaquin County and is a direct result of investment from the City of Ripon, San Joaquin County, its cities and the private sector making up the financial base to further the County’s economic development. ***In 2013 we opened an office in Silicon Valley and since then we have greatly increased exposure to our “Greater Silicon Valley” project- “Greater Silicon Valley: Your Next Growth Opportunity”.*** During 2016, we will continue showcasing our “business friendly” communities where businesses can ***Grow It, Make It, and Ship It!***

Enclosed is a copy of our 2015-2016 Annual Report, 2016 Marketing Program and 2016 Objectives. I look forward to working with you and the Council. If you have any questions, please do not hesitate to contact us at 209-956-3380.

Sincerely,

  
Mike Arizman  
President & CEO



**SAN JOAQUIN PARTNERSHIP**

A Private Non-Profit Economic Development Corporation Serving San Joaquin County

DATE	INVOICE #
5/2/2016	10032

2J

BILL TO
City of Ripon Attn.: Mr. Kevin Werner 259 N. Wilma Ripon, CA 95366

DUE DATE
7/1/2016

ITEM	DESCRIPTION	AMOUNT
Public-Annual	2016 Investment to the San Joaquin Partnership, Inc.  Please note that the San Joaquin Partnership is a (501) (c) (6) non profit corporation. Payments are not deductible as charitable contributions for Federal income tax purposes. They are deductible as business expenses for most taxpayers; Taxpayer ID #94-3140077.  Make check payable to: San Joaquin Partnership, Inc.  Mail check to: San Joaquin Partnership, Inc. 2800 W. March Lane, Suite #470 Stockton, CA 95219	5,000.00

Thank you for your continued support in the San Joaquin Partnership

<b>Total</b>	\$5,000.00
--------------	------------

**UFI URBAN FUTURES | Incorporated**

Lisa Roos  
Finance Director  
City of Ripon  
Attn: City  
259 North Wilma Avenue  
Ripon, CA 95366

**Invoice**

**Invoice Number:** CD-2016-92

**Invoice Date:** 05/16/2016

Dear Ms. Roos:

Pursuant to our agreement to provide Continuing Disclosure/Dissemination Agent Services for the below referenced financing(s), the following professional fees for services rendered during the 2014-15 fiscal year is now due and payable to Urban Futures, Inc.

UFI ID #	Bond Par Amount	Bond Issue	Professional Fee
200651	\$ 7,845,000	Water Revenue Bonds, Series 2006C	\$1,000.00
201212	\$ 3,350,000	Water Revnue Refunding Bonds, Series 2012	\$1,250.00
<b>Total Due:</b>			<b>\$2,250.00</b>

For questions regarding this invoice, please contact Valerie Elliott, Accounting Manager, at (714) 283-9334 or via email at [valeriee@urbanfuturesinc.com](mailto:valeriee@urbanfuturesinc.com).

**Please remit payment to:**

Urban Futures, Inc.  
3111 N. Tustin Avenue, Suite 230  
Orange, CA 92865  
Attn: Valerie Elliott, Accounting Manager

Sincerely,

URBAN FUTURES, INC.



James Lee, Principal  
cc: Russell Sager, Analyst

# CAVES & ASSOCIATES

*Management Consultants - Labor Relations*

Statement No. 16-081

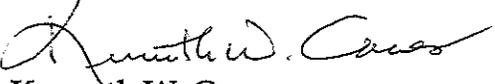
Date: April 1, 2016

Kevin Werner, City Administrator  
City of Ripon  
259 N. Wilma Avenue  
Ripon, CA 95366

## STATEMENT

		PREVIOUS BALANCE	\$ 000.00
		PAYMENT RECEIVED	
3/07/16	Meetings with Units	4.75 hours	\$ 760.00
	Mileage		\$ 218.50
3/08/16	Preparation of Summary of Day	.33 hours	\$ 52.80
3/08/16	Phone consultation with Staff	.25 hours	\$ 40.00
3/25/16	Phone consultation with Staff	.50 hours	\$ 80.00
3/28/16	Meetings with Units	3.75 hours	\$ 600.00
	Mileage		\$ 218.50
Total for Month			\$ 1,969.80

Thank you,



Kenneth W. Caves  
CAVES & ASSOCIATES

*All statements are due and payable by the 20th of the month*

Post Office Box 889 \* Springville, CA 93265-0889 \* (559)-269-5431

# CAVES & ASSOCIATES

Management Consultants - Labor Relations

Statement No. 16-104

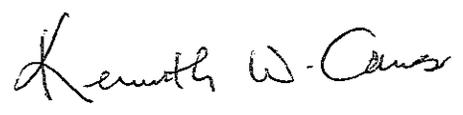
Date: May 1, 2016

Kevin Werner, City Administrator  
City of Ripon  
259 N. Wilma Avenue  
Ripon, CA 95366

## STATEMENT

	PREVIOUS BALANCE		\$ 1,969.80
	PAYMENT RECEIVED		\$ 000.00
	PAST DUE (16-081)		\$ 1,969.80
3/07/16	Meetings with Units	4.75 hours	\$ 760.00
	Mileage		\$ 218.50
3/08/16	Preparation of Summary of Day	.33 hours	\$ 52.80
3/08/16	Phone consultation with Staff	.25 hours	\$ 40.00
3/25/16	Phone consultation with Staff	.50 hours	\$ 80.00
3/28/16	Meetings with Units	3.75 hours	\$ 600.00
	Mileage		\$ 218.50
Total for Month of April			\$ 1,969.80
4/30/16	Emails with Staff and Union Representatives	1.00 hours	\$ 160.00
Total for Month of May			\$ 160.00
TOTAL NOW DUE			\$ 2,129.80

Thank you,



Kenneth W. Caves  
CAVES & ASSOCIATES

*All statements are due and payable by the 20th of the month*  
Post Office Box 889 \* Springville, CA 93265-0889 \* (559)-269-5431

# CAVES & ASSOCIATES

Management Consultants - Labor Relations

Statement No. 16-128

Date: June 1, 2016

Kevin Werner, City Administrator  
City of Ripon  
259 N. Wilma Avenue  
Ripon, CA 95366

## STATEMENT

PREVIOUS BALANCE	\$ 2,129.80
PAYMENT RECEIVED	\$ 000.00
PAST DUE (16-081)	\$ 1,969.80
PAST DUE (16-104)	\$ 160.00

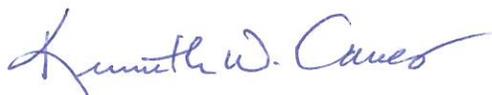
5/13/16	Negotiation with POA	1.75 hours	\$ 280.00
	Mileage		\$ 218.50

5/23/16	Negotiation with POA and Sgt's	5.00 hours	\$ 800.00
	Mileage		\$ 218.50

Total for Month	\$ 1,517.00
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TOTAL NOW DUE	\$ 3,646.80
---------------	-------------

Thank you,



Kenneth W. Caves  
CAVES & ASSOCIATES

*All statements are due and payable by the 20th of the month*

Post Office Box 889 \* Springville, CA 93265-0889 \* (559)-269-5431



**Invoice**

**WOOD RODGERS**  
ENGINEERING • PLANNING • MAPPING • SURVEYING

**Remit to: 3301 C Street, Bldg. 100-B, Sacramento, CA 95816 Tel: 916.341.7760 Fax: 916.341.7767**

City of Ripon  
Attn: Kevin Werner  
259 N. Wilma Ave  
Ripon, CA 95366

Invoice 99447  
Date 4/14/2016  
Client ID: 8.2713

Contract: 8558.002  
Ripon Well Site Assessmnt/Dsgn #19

For Services Provided Through March 31, 2016

**01.01.42 Data Rvw/Tst Hole/MWs T&M**

**Labor**

<u>Staff Type</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Principal Geologist II	2.00	230.00	460.00
Geologist I	2.00	130.00	260.00
Labor subtotal	<u>4.00</u>		<u>720.00</u>

**02.01.42 Public Outreach/MW Dest T&M**

**Labor**

<u>Staff Type</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Geologist III	13.00	150.00	1,950.00
Labor subtotal	<u>13.00</u>		<u>1,950.00</u>

<b>Invoice Total</b>	<b>2,670.00</b>
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**Contract Summary**

Contract Amount	144,500.00
Invoiced to date	131,121.81
Fee remaining	13,378.19

Terms: Net 30



**Invoice**

**WOOD RODGERS**  
ENGINEERING • PLANNING • MAPPING • SURVEYING

**Remit to: 3301 C Street, Bldg. 100-B, Sacramento, CA 95816 Tel: 916.341.7760 Fax: 916.341.7767**

City of Ripon  
Attn: Kevin Werner  
259 N. Wilma Ave  
Ripon, CA 95366

Invoice 99448  
Date 4/14/2016  
Client ID: 8.2713

Contract: 8558.003

**Ripon Wells 5 & 12 Assessments**

Work for this period included additional engineering designs for site piping modifications and detailed expanded work plans for well modifications

For Services Provided Through March 31, 2016

**02.01.42 Work Plans & Bidding Svcs T&M**

**Labor**

<u>Staff Type</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Principal Geologist II	16.00	230.00	3,680.00
Associate Engineer III	28.00	180.00	5,040.00
Geologist III	51.00	150.00	7,650.00
Geologist II	5.00	140.00	700.00
Geologist I	25.00	130.00	3,250.00
Labor subtotal	125.00		20,320.00

**90.01.90 Reimbursables T&M**

**Reimbursable**

<u>Activity</u>	<u>Amount</u>
Mileage	136.08
Reimbursable subtotal	136.08

<b>Invoice Total</b>	<b>20,456.08</b>
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**Contract Summary**

Contract Amount	55,000.00
Invoiced to date	36,746.08 ✓
Fee remaining	18,253.92

*JF 6-2-16*



# WGR

*Not Your Typical Consultant*

# INVOICE

2N

DATE	INVOICE NO.
5/22/2016	17855

INVOICE TO
City of Ripon 259 N. Wilma Ave. Ripon, CA 95366 Attn: James Pease

SITE ADDRESS
259 N. Wilma Ave. Ripon, CA

TERMS	PROJECT	P.O. NO.
Net 30	783.PRI	

SERVICED	DESCRIPTION	QTY	RATE	AMOUNT	
4/4/2016	ST - City of Ripon/ Reviewed E&O Plan ahead of meeting with City Staff. Travel to/from and attended E&O Plan meeting with City Staff.	4	96.00	384.00	C.1
4/5/2016	JT - City of Ripon - Populated the Municipal Landscape Gap Analysis Tool as required by E.12.g in the Phase II MS4 permit.	2.5	125.00	312.50	E12
4/11/2016	ST - City of Ripon/ Updated E&O Plan with implementation strategies for identified priority pollutants.	6	96.00	576.00	C.1
4/12/2016	ST - City of Ripon/ Updated E&O Plan with implementation strategies for identified priority pollutants.	4	96.00	384.00	C.1
4/18/2016	JT - City of Ripon - Reviewed the Post-Construction plan for the Silverston Subdivision	1.5	125.00	187.50	E12
5/1/2016	Mileage ST - 4/4	68	0.56	38.08	B.2
	IDDE Collaborative Training Package	1	225.00	225.00	B.2
	Collaborative Task: Created five storm water educational brochure templates consistent with pollutants of concern identified in the E&O Plan.	1	510.00	510.00	C.1
<b>Total</b>				\$2,617.08	

*JG 6-2-16*

79

**CONSENT CALENDAR**  
**Resolutions**

## RESOLUTION NO. 16-\_\_

RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF RIPON ACCEPTING THE SAN JOAQUIN  
COUNCIL OF GOVERNMENTS' ANNUAL FINANCIAL PLAN  
FOR FISCAL YEAR 2016-2017 ADOPTED BY THE  
COG BOARD ON MARCH 24, 2016

WHEREAS, the San Joaquin Council of Governments' Annual Financial Plan for fiscal year 2016-2017 was adopted by the COG Board on March 24, 2016; and

WHEREAS, pursuant to the COG's Joint Powers Agreement, following adoption of the budget by the COG Board, it is to be delivered to member agencies for ratification by each governing body; and

WHEREAS, the San Joaquin Council of Governments' Annual Financial Plan has been filed with the City of Ripon.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ripon accepts the San Joaquin Council of Governments' Annual Financial Plan for fiscal year 2016-2017.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this  
14<sup>th</sup> day of June, 2016, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINING:

THE CITY OF RIPON  
A Municipal Corporation

By \_\_\_\_\_  
JACOB PARKS, Mayor

ATTEST:

By \_\_\_\_\_  
LISA ROOS, City Clerk



## SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202

209.235.0600 • 209.235.0438 (fax)

[www.sjcog.org](http://www.sjcog.org)

*Anthony Silva*

CHAIR

*Steve DeBrum*

VICE CHAIR

*Andrew T Chesley*

EXECUTIVE DIRECTOR

*Member Agencies*

CITIES OF  
ESCALON,  
LATHROP,  
LODI,  
MANTECA,  
RIPON,  
STOCKTON,  
TRACY,  
AND  
THE COUNTY OF  
SAN JOAQUIN

April 29, 2016

Mr. Kevin Werner  
City of Ripon  
259 N. Wilma Avenue  
Ripon, CA 95366

Dear Mr. Werner:

Enclosed is a summary of the San Joaquin Council of Governments' Annual Financial Plan (AFP) for Fiscal Year 2016/17. The Board adopted the Plan on March 24, 2016. A copy of the adopting resolution is enclosed. Pursuant to SJCOG's Joint Powers Agreement, following adoption of the budget by the SJCOG Board, it is to be delivered to member agencies for ratification by each governing body. Approval by governing bodies representing 55% or more of the county's population is considered ratification.

Therefore, SJCOG requests you place SJCOG's Annual Financial Plan for Fiscal Year 2016/17 on a forthcoming agenda prior to June 30, 2016 for approval.

The Annual Financial Plan implements the FY 2016/17 Overall Work Program (OWP) that was also adopted by the SJCOG Board on March 24, 2016.

The attached Annual Financial Plan (AFP) provides a detail of expenditures by cost category and line item comparing the proposed FY 2016/17 budgets with the current year (FY 2015/16) adopted budget as most recently amended. The Annual Financial Plan represents the general fund budget for SJCOG. The revenues and expenditures in the AFP are the same as the Overall Work Program (OWP) presented in a traditional line item format vis-à-vis the work element format of the OWP. Upon adoption by the Board, pursuant to the SJCOG Joint Powers Agreement, the AFP will be sent to the member agencies for ratification. Ratification is achieved when a majority of the member agencies representing 55% of the county population approve the AFP.

The following assumptions are incorporated in the budget:

1. Work will not begin and expenses will not be incurred unless anticipated revenue sources are secured.
2. SJCOG is fully staffed. The budget includes a 5% pool that can be drawn upon for merit-based increases. The full impact of that pool is incorporated into the salary driven benefits (retirement, Medicare, disability).
3. SJCOG has no significant liability exposure for post-employment benefits.
  - The employee retirement program is a defined contribution program managed by the International City Managers Association Retirement Program.
  - SJCOG employees' vacation accruals are capped at two times the individual's annual leave.
    - Upon retirement (50 years of age/20 years of SJCOG employment), an employee can convert accrued sick leave hours to pay for health care premiums until their sick leave account is exhausted and is based upon the employee's salary at retirement. There is no inflation factor in post-retirement years. Payout is limited to a maximum of one year's value of documented premium costs.

## **REVENUES**

Compared to the current year amended AFP, SJCOG general fund operating revenues are decreased 14% by approximately \$1,202,294 from \$9,792,912 to \$8,590,618. Budgeted expenditures are \$8,590,618. Overall, federal funding for operating is 19.5% lower than FY 2015/16 due to the one time re-obligation of FHWA-PL and FTA 5303 MPO planning funds in 2015/16 not carrying over to FY 2016-17. State funding sources are down 27.8 % primarily due to the spending down of Freeway Service Patrol funds carried over from previous years and the drawdown of the San Joaquin Valley Goods Movement Partnership Planning grant and the Affordable Housing and Sustainable Communities grant. Local revenues are down fractionally 4.8% with the reduction in Regional Transportation Impact Fees (RTIF) normal levels and the completion of the Stockton airport portion of the Airport Land Use Compatibility Plan. This is offset somewhat by small increases in sales tax driven revenues, Measure K and Local Transportation Funds.

## **EXPENDITURES**

**Salaries and Benefits** are proposed to increase 4.3% \$4,004,906 to \$4,183,048, when compared to FY 15/16 levels. This reflects the agency being at or near full staffing levels and includes accommodation for merit-based raises. The salary-driven benefits adjust accordingly.

**Services and Supplies** is proposed to be reduced nearly 5.1% \$1,060,300 to \$1,009,059 based upon efficiencies instituted in the agency such as going paperless, etc.

**Transportation, travel and training** remains budgeted the same as FY 2015 – 16, \$110,000. This includes all in and out-of-state travel, subsistence, training and rideshare incentive.

**Professional Services** is decreasing 43.2 % from \$4,407,206 \$ 3,078,011 reflecting the level of anticipated consulting work in the OWP. Approximately 1/3 of this budget category pays for Freeway Service Patrol operations.

**Fixed Assets** remains the same as the current fiscal year at \$320,500. \$150,000 is the second year allocation to the new Enterprise Resource Planning system (accounting/payroll/program management program).

SJCOG staff would be pleased to appear before your policymakers to answer any questions they might have regarding this matter. **We request ratification prior to June 30, 2016.** Please let me know when this will be on your agenda. If you have any questions regarding this matter, don't hesitate to contact me at (209) 235-0600.

Thank you for your assistance.

Sincerely,



STEVE DIAL  
Deputy Executive Director/Chief Financial Officer

**San Joaquin Council of Governments**  
**ANNUAL FINANCIAL PLAN**  
**Fiscal Year 2016/17**  
**Adopted March 24, 2016**

REVENUES		FY 2015-16 Adopted 3/26/15	FY 2015-16 Amendment#1	FY 2016-17 Proposed	+/- Change	+/- % Change
Federal Grants	\$	2,613,509	\$ 3,820,519	\$ 3,198,006	\$ (622,513)	-19.5%
State Grants	\$	1,793,333	\$ 1,781,916	\$ 1,393,943	\$ (387,973)	-27.8%
Local	\$	4,196,000	\$ 4,170,477	\$ 3,978,669	\$ (191,808)	-4.8%
Interest	\$	5,000	\$ 5,000	\$ 5,000	\$ -	0.0%
Other	\$	15,000	\$ 15,000	\$ 15,000	\$ -	0.0%
<b>SJCOG OPERATING REVENUE</b>	<b>\$</b>	<b>8,622,842</b>	<b>\$ 9,792,912</b>	<b>\$ 8,590,618</b>	<b>\$ (1,202,294)</b>	<b>-14.0%</b>
<b>EXPENDITURES</b>						
Salaries & Benefits	\$	4,004,906	\$ 4,004,906	\$ 4,183,048	\$ 178,142	4.3%
Services & Supplies	\$	1,060,300	\$ 1,060,300	\$ 1,009,059	\$ (51,241)	-5.1%
Office Expense	\$	198,500	\$ 198,500	\$ 195,350	\$ (3,150)	-1.6%
Communications	\$	60,000	\$ 60,000	\$ 52,800	\$ (7,200)	-13.6%
Memberships	\$	42,000	\$ 42,000	\$ 46,000	\$ 4,000	8.7%
Maintenance - Equipment	\$	13,000	\$ 13,000	\$ 13,000	\$ -	0.0%
Rents & Leases - Equipment	\$	226,800	\$ 226,800	\$ 220,000	\$ (6,800)	-3.1%
Transportation, Travel & Training (In & Out of State)	\$	110,000	\$ 110,000	\$ 110,000	\$ -	0.0%
Publications & Legal Notices	\$	27,000	\$ 27,000	\$ 3,000	\$ (24,000)	-800.0%
Insurance	\$	103,000	\$ 103,000	\$ 103,000	\$ -	0.0%
Building Operations & Maintenance	\$	180,000	\$ 180,000	\$ 165,909	\$ (14,091)	-8.5%
SJCOG Building Debt Service	\$	100,000	\$ 100,000	\$ 100,000	\$ -	0.0%
Professional Services	\$	3,387,136	\$ 4,407,206	\$ 3,078,011	\$ (1,329,195)	-43.2%
Capital Outlay	\$	170,500	\$ 320,500	\$ 320,500	\$ -	0.0%
Unallocated/Reserve						
<b>SJCOG OPERATING EXPENDITURES</b>	<b>\$</b>	<b>8,622,842</b>	<b>\$ 9,792,912</b>	<b>\$ 8,590,618</b>	<b>\$ (1,202,294)</b>	<b>-14.0%</b>
Excess (Deficit) Revenues Over Expenditures (Operating)	\$	-	\$ -		\$ 0.00	



**RESOLUTION**  
**SAN JOAQUIN COUNCIL OF GOVERNMENTS**

**R-16-18**

RESOLUTION APPROVING THE ADOPTION OF THE 2016–17  
 ANNUAL FINANCIAL PLAN  
 FOR THE SAN JOAQUIN COUNCIL OF GOVERNMENTS

WHEREAS, the San Joaquin Council of Governments is required by the Joint Powers Agreement to adopt a budget (Annual Financial Plan) annually, and

WHEREAS, the adopted budget is to be sent to the member agencies for ratification.

NOW THEREFORE BE IT RESOLVED, that the San Joaquin Council of Governments adopts the FY 2016–17 Annual Financial Plan and directs the Executive Director to transmit it to the member agencies for ratification.

PASSED AND ADOPTED this 24th day of March 2016 by the following vote of the San Joaquin Council of Governments, to wit:

AYES: Vice Mayor Dresser, Lathrop; Councilman Holman, Stockton; Mayor Pro Tem Kuehne, Lodi; Mayor Pro Tem Laugero, Escalon; Councilmember Lofthus, Stockton; Supervisor Miller, SJ County; Mayor Pro Tem Morowit, Manteca; Mayor Silva, Stockton; Supervisor Villapudua, SJ County; Supervisor Winn, SJ County; Councilmember Young, Tracy; Councilman Zuber, Ripon.

NOES: None.

ABSENT: None.

\_\_\_\_\_  
 ANTHONY SILVA  
 Chair



# MEMO

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**TO:** CITY COUNCIL  
**FROM:** TED JOHNSTON  
**SUBJECT:** RESOLUTION  
**DATE:** MAY 25, 2016

### 3. RESOLUTIONS

### NOTES:

B. RESOLUTION NO. 16-\_\_

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.

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

At the June 2, 2015 City Council meeting council approved in resolution 15-28 the Ripon Historical Society would be allowed to place an Army asset on City owned property. The resolution stated that the Ripon Historical Society had to submit a site plan and improvement plan to the City for approval before the cannon could be permanently placed on site.

The Ripon Historical Society will place the retired military cannon at the Veteran's Museum Park which will take (dimensions) of the park area.

Staff has reviewed the site plan and is bringing it to Council for approval.

Exhibits are attached.

RESOLUTION NO. 16-\_\_

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.

WHEREAS, the Ripon Historical Society had expressed a desire to donate and place a retired military cannon on City owned property located at Veteran’s Park in 2015.

WHEREAS, the City Council accepted the donation of a retired military cannon in Resolution 15-28 “Exhibit A”, with the stipulation that the Ripon Historical Society submit the necessary site plan and improvement plans to the City of Ripon City Council for approval.

NOW, THEREFORE, BE IT RESOLVED, as follows:

That the City Council of the City of Ripon does hereby accept, on behalf of the citizens of Ripon and with gratitude, the site plan for the placement of the retired military cannon.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rip on this 14<sup>th</sup> day of June, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON  
A Municipal Corporation

By \_\_\_\_\_  
JACOB PARKS, Mayor

ATTEST:

By \_\_\_\_\_  
LISA ROOS, City Clerk

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF RIPON ALLOWING PLACEMENT OF  
ARMY ASSET ON CITY OWNED PROPERTY

WHEREAS, the Ripon Historical Society has expressed a desire to place an Army asset on property owned by the City of Ripon; and

WHEREAS, the Army asset will be a retired military cannon to be placed at the Veterans Memorial Park, which is property owned by the City of Ripon; and

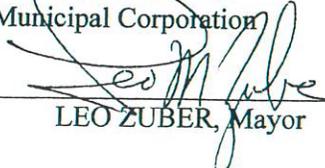
WHEREAS, before the Army asset is procured, the Ripon Historical Society shall submit a site plan and improvement plans to the Ripon City Council for approval; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

That City Council of the City of Ripon does hereby allow placement of an Army Asset on City owned property, but before the Army asset is procured the Ripon Historical Society must submit the necessary site plan and improvement plans to the City of Ripon City Council for approval.

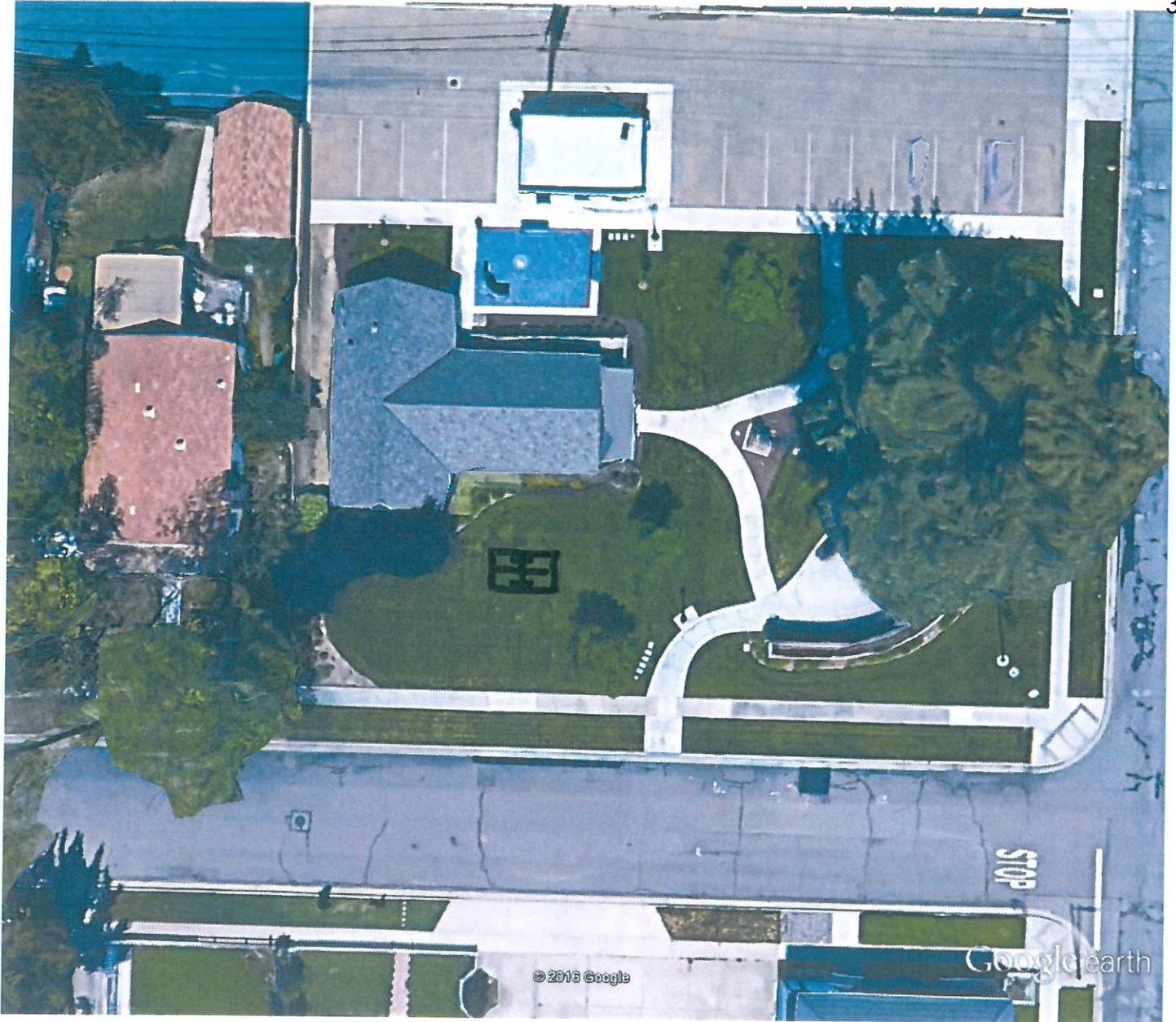
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this 2<sup>nd</sup> day of June, 2015, by the following vote:

AYES:	Parks, Restuccia, Winchell, Zuber
NOES:	None
ABSENT:	Uecker
ABSTAINING:	None

THE CITY OF RIPON  
A Municipal Corporation  
By   
LEO ZUBER, Mayor

ATTEST:

By   
LISA ROOS, City Clerk



Google earth



Army Donations Program Office

The Honorable Jeff Denham  
United States Representative  
ATTN: Mr. Bob Rucker  
4701 Sisk Road, Suite 202  
Modesto, CA 95356

Dear Mr. Rucker:

This e-mail is sent to provide the eligibility status for the Ripon Historical Society located in Ripon, California to qualify for an Army artillery static display piece. The documents submitted by Mr. Mangelos, which were received in the Army Donations Program Office on April 6, 2016, are acceptable. Unfortunately, some of the requested documentation in the October 29, 2015, e-mail was not included. Four documents are still required, as outlined below:

- a. The original Certificate of Assurance of Compliance. A copy of the document is on file.
- b. The original Privacy Act Statement. A copy of the document is on file.
- c. A statement or revised five year budget plan. Ms. Mangelos is required to address how the Ripon Historical Society plans to maintain the conditionally donated Army artillery piece.
- d. Resolution Number 15-28 is a conditional approval from the City of Ripon allowing the placement of an Army artillery piece in Veterans Memorial Park once site and improvement plans were submitted. Require the revision to the resolution without any conditions. Or, require approved council meeting minutes granting permission for the Ripon Historical Society to display the Army artillery piece.

The Army Donations Program Office will maintain this request for an artillery piece in an open status for a three year period after receipt of the four requested documents. At this time, an asset is still not available to support this request.

If I can assist you further, please let me know.

/ajc/3 May 2016  
Audrey J. Clarke  
Chief, Army Donations Program  
(586) 282-1952

## RESOLUTION NO. 16-

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

WHEREAS, under the provisions of the laws relating to General Law Cities in the State of California, a  
 General Municipal Election shall be held on Tuesday, November 8, 2016, for the election of municipal officers;

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide  
 General Election to be held on the same date and that within the city the precincts, polling places and election  
 officers of the two elections be the same, and that the county election department of the County of San Joaquin  
 canvass the returns of the General Municipal Election and that the election be held in all respects as if there were  
 only one election;

WHEREAS, Section 10012 of the Elections Code of the State of California provides that the governing  
 body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal  
 election, including costs of the candidates' statement;

WHEREAS, Section 22843 of the Elections Code of the State of California provides that the City  
 Council may impose a filing fee proportionate to the costs of processing a candidate's nomination papers, but not  
 exceeding twenty-five dollars (\$25.00) to be paid upon the filing of such nomination papers;

WHEREAS, in the course of conduct of the election, it is necessary for the City to request services of the  
 County; and

WHEREAS, all necessary expense in performing this service shall be paid by the City of Ripon.

WHEREAS, Section 22843.5 and Section 22844 of the Election Code of the State of California allows for one of the following courses of action to be taken by the City Council if there are not more candidates than offices to be elected:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

WHEREAS, the City Council of the City of Ripon pursuant to the provisions of Chapter 4 Tie Votes Article 1 Elections Other Than Primary Elections, Section 20501 of the Elections Code of the State of California, is desirous of adopting a procedure for the resolution of tie vote for the Office of City councilman other than by lot as now provided in subdivision (a) of Section 20501 of the Elections Code.

NOW, THEREFORE, the City Council of the City of Ripon, California, does hereby resolve, declare, determine and order as follows:

Section 1: That pursuant to the requirements of the laws of the State of California relating to General Law Cities within said State, there is called and ordered to be held in the City of Ripon, California, on Tuesday, November 8, 2016, a General Municipal election of the qualified three (3) members of the City council of said City for the full term of four years.

Section 2: That pursuant to the requirements of §10403 of the Elections Code, the San Joaquin County Board of Supervisors is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2016.

Section 3: That the county election department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

Section 4: That the City Clerk of the City of Ripon is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct said election.

Section 5: That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14301 of the Elections Code of the State of California.

Section 6: That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 7: That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give such further or additional notice of the election, in time, form and manner as required by law.

Section 8: That pursuant to Section 10012 of the Elections Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of Ripon, on November 8, 2016, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

Section 9: The City Clerk shall have translated and printed in the voters' pamphlet only the candidates' statements of those candidates who request translation and printing.

Section 10: No candidate will be permitted to include additional materials in the sample ballot package.

Section 11: An estimated charge of \$500.00 for English with Spanish translation (statements must be printed in both languages) shall be levied to the candidates for the printing, handling, translation and mailing the candidates' statements filed pursuant to the Elections Code.

Section 12: That the City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating petitions are issued.

Section 13: That all previous resolutions establishing Council policy on payment for candidates' statements are repealed.

Section 14: That this resolution shall apply only to the election to be held on November 8, 2016 and shall then be repealed.

Section 15: That no filing fee will be imposed for the processing of candidates' nomination papers.

Section 16: That, pursuant to the provisions of Section 22003 of the Elections Code of the State of California, this City Council requests the San Joaquin County Board of Supervisors to permit the County Registrar of Voters' Office to prepare and furnish to the City of Ripon all materials, equipment and services as agreed upon by the County Registrar of Voters and the City Clerk for the conduct of the November 8, 2016 General Municipal Election.

Section 17: That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

Section 18: That the City Clerk is directed to forward without delay to the Board of Supervisors and the County Election Department each a certified copy of this Resolution.

Section 19: That pursuant to the provisions of Section 20501 (b) of the Elections Code, the City Council hereby declares that a special run-off election shall be held in the event of a tie vote for the Office of City Councilman in future elections conducted in the City of Ripon, commencing with the City of Ripon General Municipal Election to be held on November 8, 2016, and continuing thereafter until the City Council of the City of Ripon shall repeal the procedure herein established for the conducting of special run-off elections in the event of a tie vote for candidates for the Office of City Councilman of any district in the City of Ripon.

Section 20: In the event there are not more candidates than offices to be elected, then pursuant to Section 22843.5 and 22844 of the Elections Code of the State of California, the Ripon City Council does hereby declare its intention to appoint to the office the person who has been nominated.

Section 21: That the Ripon City Council does hereby direct the City Clerk to proceed with the provisions of Sections 22843.5 and 22844 of the State of California Elections Code as they pertain to the General Municipal election of November 8, 2016.

Section 22: That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this 14th day of June, 2016, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAINING:

THE CITY OF RIPON  
A Municipal Corporation

By \_\_\_\_\_  
Jacob Parks, Mayor

ATTEST:

By \_\_\_\_\_  
LISA ROOS, City Clerk

**CONSENT CALENDAR**  
**Miscellaneous Items**

## 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

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIPON AS FOLLOWS:

**SECTION 1.**

Chapter 16.194 of the Ripon Municipal Code, entitled “Below Market Rate Housing Program” is hereby repealed in its entirety and new Chapter 16.194 of the Ripon Municipal Code, entitled “Affordable Housing”, is hereby added to read as follows:

**Chapter 16.194 AFFORDABLE HOUSING**

**Sections:**

- 16.194.010 Title and Purpose of Provisions.**
- 16.194.020 Definitions.**
- 16.194.030 Findings.**
- 16.194.040 General Requirements.**
- 16.194.050 Other Implementation Procedures.**
- 16.194.060 Enforcement.**
- 16.194.070 Appeal.**
- 16.194.080 Severability.**

**16.194.010 Title and Purpose of Provisions.**

A. Title. The provisions of this Chapter shall be known as the "Affordable Housing Program".

B. Purpose. The purpose of this Affordable Housing Program is to:

1. Enhance the public welfare and assure that further housing development contributes to the attainment of the City’s housing goals as described in the Housing Element of the General Plan, by creating, preserving, maintaining, and protecting housing affordable for households of low- and moderate-income;

2. Assure that the remaining developable land in the City’s planning area is utilized in a manner consistent with the City’s housing policies and needs.

3. Provide an opportunity for home ownership for more Ripon residents, recognizing that new development is responsible for alleviating some, but not all, of the problems associated with affordable housing.

## **16.194.020 Definitions.**

As used in this Chapter, each of the following terms shall be defined as follows:

"Affordable Housing Agreement" is an agreement executed by the City Administrator or his/her designee on behalf of the City, and by an authorized representative of the owner of a residential project, specifying how the residential project will comply with this Chapter. A development agreement pursuant to California Government Code Sections 65864 et seq. which states that it is an affordable housing agreement under this Chapter may serve as an affordable housing agreement.

"Affordable Housing Committee" is an ad hoc committee which shall meet on an as-needed basis for the purpose of negotiating the terms and conditions of an Affordable Housing Agreement for a development project under this Chapter. The Affordable Housing Committee shall consist of two members of the City Council, one member of the Planning Commission, the City Administrator and the Planning Director.

"Affordable unit" means an ownership unit, including senior housing, occupied by and available to households of very low-, low- and moderate-incomes at an affordable housing cost, adjusted for household size as defined in this Chapter, with deed restrictions as defined in this Chapter in favor of the City if applicable.

"City/Agency Subsidy" means an amount equal to the difference between fair market value of the owner-occupied affordable unit at the time it was sold to the owner and the actual purchase price of the owner-occupied affordable unit that was paid by the owner. Includes developer contribution, if any, for any unit.

"Custom home development" means any residential development being subdivided by one party and sold as individual lots or parcels to separate owners for construction and development of dwelling units.

"Down Payment Assistance" means a payment by the owner or developer of a residential development project to the City to be used for the benefit of income qualified individuals purchasing eligible homes within the City.

"Dwelling unit" means a dwelling designed and intended for occupancy by one household.

"Eligible Household" means a household whose income does not exceed the maximum specified in this Section for a given affordable unit.

"Housing Director" shall be the Planning Director or such other person as may be designated by the City Administrator.

"In-lieu fee" means a fee paid to the City by an applicant in lieu of providing the required affordable units.

"Market rate unit" is defined as a residential unit in Ripon sold at the market rate, i.e., at the highest price on the date of valuation that would be agreed to by a seller and a buyer, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

"Refinance and resale limitation agreement" means an agreement between the City and an individual homebuyer of an ownership affordable unit documenting resale controls and/or subsidy repayment obligations.

"Resale controls" means legal restrictions by which affordable units shall be restricted to ensure that the unit remains affordable to very low-, low- or moderate-income households, as provided pursuant to this Chapter and/or applicable State Housing Law. Resale controls for owner occupied units shall be in the form of resale restrictions, deeds of trust, and/or other similar documents recorded against the subject property.

"Residential development" means and includes, without limitation, for-sale single-family dwellings, multiple family dwellings, groups of dwellings, condominium or townhouse developments, condominium conversions, cooperative developments, mixed use developments that include housing units, manufactured housing, mobile homes, and residential land subdivisions intended to be sold to the general public. Residential development specifically excludes development for multifamily rental housing.

#### **16.194.030 Findings.**

In enacting this Chapter, the City Council of the City of Ripon finds as follows:

- A. Housing costs in Ripon have steadily increased;
- B. Substantial need exists for affordable housing to meet the City's regional needs as determined by the State;
- C. Requiring new development to pay its fair share of the costs associated with the provision of affordable units is consistent with the City's Housing Element goals of fostering an adequate supply of housing for people at all economic levels and maintaining both economic diversity and geographically dispersed affordable housing;
- D. Rising land prices have contributed to the lack of new affordable housing.
- E. Through careful planning and adherence to high quality development standards, including generous street and sidewalk widths, lot setbacks, densities, provision of high quality parks and recreation amenities, maintaining high public safety staffing ratios, working cooperatively with the Ripon Consolidated Fire District and Ripon Unified School

District to ensure that public safety and school facilities are appropriately funded, and by managing and limiting residential growth, the City of Ripon has maintained a quality of life that benefits Ripon residents and their property values.

F. The existing relatively high property values in Ripon translate into a “premium” on each and every residential unit in Ripon, including new single family residential units, and results in Ripon being a highly desirable community for residential home builders. At the same time, Ripon’s high property values naturally make home ownership in Ripon less affordable.

G. New development has, and will continue to exacerbate the affordable housing shortage in the City of Ripon, as developers of single family residential projects will continue to sell “market rate” homes and will continue to benefit from the “premium” described herein.

H. The City Council recognizes that government, acting alone, cannot solve the regional problem of affordable housing, but that new single family residential development projects can and should participate in meaningful solutions to prevent the affordable housing problem from becoming worse. In addition to the measures described in this Chapter and applicable to new single family residential development, the City Council has designated numerous parcels which are zoned for multi-family development. Development of these sites at higher densities is expected to provide housing opportunities for low and very low income residents. Further, the City Council has approved other programs designed to promote home ownership for lower income residents, including but not limited to, a First Time Homebuyer Down Payment Assistance Program, low interest housing rehabilitation loans, Below Market Rate Inclusionary Housing Program, Pre-Owned BMR Housing and Pre-owned market rate homes sold under the BMR Program and similar programs. Accordingly, the City Council finds that new single family residential developments are not burdened disproportionately by the requirements of this Chapter.

#### **16.194.040 General Requirements.**

A. Applicability. This Chapter shall apply to all new residential developments with dwelling units designed and intended for residential occupancy in the City’s planning area. No residential development, other than that exempted in subsection B of this Section, shall be undertaken, and no building permits shall be accepted for processing or issued, unless the development has been approved in accordance with this Chapter. The requirements of this Chapter shall be applied prior to the application of a density bonus and no more than once to an approved residential development, regardless of changes in its character or ownership, provided that the total number of dwelling units does not change.

B. Exemptions. The following are exempt from the provisions of this Chapter:

1. Replacement housing due to natural disaster on a one for one basis (i.e., one dwelling unit replaced for each legally existing dwelling unit);

2. Modifications to existing properties or structures that do not increase the number of dwelling units;

3. Residential care facilities with dwelling units that are non self-sufficient units; that is, they do not include kitchen facilities (if a project includes both self-sufficient and non self-sufficient units, only the latter are exempt);

4. A residential second unit (as defined by state law) on an existing residential lot, subject to compliance with the zoning ordinance.

5. Rental housing units (apartments, duplexes, triplexes).

C. Affordability Requirement/Alternatives for Compliance. Developers of single family residential developments with dwelling units designed and intended for residential occupancy have the following options, each of which is described in the subsections below, to achieve compliance with this Ordinance.

1. FHA Limits/Down Payment Assistance. The developer shall ensure that 10% of the total units within the project will meet FHA lending limits and shall provide Down Payment Assistance as defined herein. Any fraction of an affordable unit required under this Section shall be resolved through payment of the In-Lieu Fee. In addition to Down Payment Assistance, the developer shall pay an administration fee of 10% of the amount of the Down Payment Assistance to the City. The Down Payment Assistance required in this section shall be based upon either of the following scenarios, to be determined by the City:

a. 100% of the FHA required down payment amount (currently 3.5%), along with the seller/builder covering one half of the closing costs (title, escrow and recording fees) if the home appraises within applicable FHA limits, OR

b. The difference between the appraised market rate and the applicable FHA limit, along with 100% of the FHA required down payment amount (currently 3.5%) ), along with the seller/builder covering one half of the closing costs (title, escrow and recording fees) if the home appraises higher than applicable FHA limits.

c. FHA Unit Development Requirements.

i. All FHA units shall be comparable in exterior elevations, interior and exterior material and amenities with all other market rate units within the development project.

ii. FHA units shall be consistent in number of bedrooms and bathrooms with all other units within the development. At a minimum FHA units shall be 3 bedroom/2 bath units, except that senior housing projects may be granted an exemption from this requirement.

iii. FHA units may be developed as duet homes on corner lots. Homes built as duets shall be constructed as a Planned Unit Development for that lot.

iv. The sales price for eligible residential units under this Chapter shall not exceed the applicable upper FHA limit, as revised from time to time.

v. The FHA unit must be sold to income-qualified individuals who do not currently own a home and have not owned a home within the previous 12 months.

vi. FHA buyers shall qualify for purchase of an FHA unit based upon income limits, credit score and other requirements adopted by the City Council by resolution and amended from time to time.

d. FHA Buyer Requirements.

i. Down payment assistance provided to any qualified buyer pursuant to this Chapter shall take the form of a second lien on the property with the following requirements:

a. Qualified applicants may receive Down Payment Assistance funds for the purchase of an FHA qualified home from the City of Ripon. The entire Down Payment Assistance can be borrowed from the City of Ripon's Affordable Housing Program with the following stipulations:

I. The City of Ripon will match Down Payment Assistance funds dollar for dollar, up to 100% of a required FHA down payment (currently 3.5%) with an interest free 5 year note. No payments shall be required for the first 5 years. Commencing on the sixth year, unless paid in full, the note shall be converted to a 10 year loan with an interest rate of 1 percentage point above the applicable Prime Rate of Interest.

II. Any unmatched Down Payment Assistance funds shall be a 15 year note with an interest rate of 1 percentage point above the applicable Prime Rate of Interest. No payments shall be required for the first five years and repayment of the loan shall commence beginning the sixth year. Interest will begin accruing from inception of the loan for any unmatched down payment assistance funds.

ii. Upon sale or transfer of title of the unit, the full balance plus any accrued interest shall be due and payable upon close of escrow.

iii. Any FHA funds received or repaid shall be used for future affordable housing programs.

iv. FHA buyers shall occupy the house as their primary residence. The City Council may adopt a resolution establishing a monitoring program to ensure the FHA buyer is still living in the unit as their primary residence.

v. Variable rate mortgage loans are not allowed under this program.

vi. The processing of loan papers upon refinancing or sale of unit will be subject to processing fees set by resolution of the City Council to help offset City expenses.

vii. Refinancing of affordable units is permitted under the following circumstances:

a. If homeowner is refinancing and not taking any cash out, the City will agree to subordinate the second and the second remains unchanged.

b. If homeowner is refinancing and taking cash out, the entire second shall be due and payable in full.

2. In Lieu Fee. The developer may elect to pay an In Lieu Fee as described in this subsection. The In Lieu Fee shall be calculated using the following formula: The difference between the median home price in Ripon and the applicable FHA limit, plus the down payment for an FHA unit, divided by 10 units. By way of example:

a. Example 1 with a median home sales price in Ripon of \$400,000 and an FHA limit of \$333,500.00.

$$\frac{(400,000 - 333,500) + (333,500 \times .035)}{10} = \$7,817.25 \text{ per unit}$$

b. Example 2, same as above for a 50 lot subdivision.

$$\frac{((400,000 - 333,500) + (333,500 \times .035)) \times 5}{50} = \$7,817.25 \text{ per unit}$$

3. Affordable Housing Agreement. The developer may negotiate an Alternative Equivalent Proposal with the Affordable Housing Committee, subject to approval by the City Council, which specifies an alternate means of satisfying this Chapter. An Alternative Equivalent Proposal may include, but is not limited to, payment of an in-lieu fee, dedication of vacant developable land, construction of affordable units on another site, and conversion of existing market rate for-sale or for-rent dwelling units within the City to affordable units through acquisition and enforcement of required affordability restrictions consistent with this Chapter. The Alternative Equivalent Proposal may also provide for the developer to construct and set aside 5% of the total residential units within the project for sale to very low, low and moderate

income households (as defined in the California Health and Safety Code), with deed restrictions designed to assure continued affordability and income qualifications. Any fraction of an affordable unit required under this Section shall be resolved through payment of the In-Lieu Fee. This requirement shall be implemented either through a Development Agreement or through the execution of a “Below Market Rate Housing Agreement” to be approved by the City Council, including resale controls and provisions governing refinance and resale limitations. All alternative equivalent proposals must be submitted in writing, demonstrate that the alternative equivalent will further affordable housing in the City to an equal or greater extent than the construction of required on-site affordable units required under this Chapter and satisfy the following minimum conditions: (1) be consistent with the City’s Housing Element; (2) provide the same number or greater of affordable units; (3) have equivalent or lesser impact on the City’s administrative obligations, including maintenance and management duties, than the on-site requirement; and (4) must result in the actual construction of affordable ownership units.

4. Concurrent Construction. In cases where the construction of affordable units is required under this Chapter, all affordable units in a residential development or phase of a residential development shall be constructed prior to or concurrently with market rate units, as set forth, and in the location specified, in a schedule of construction approved by the City and set forth in the Affordable Housing Agreement. The building permits for the last ten percent of the non-restricted dwelling units shall not be issued until the last affordable unit has been issued a building permit and construction of the last affordable unit has begun.

5. Design and Distribution of Affordable Units. All affordable units within a residential development shall be comparable to the market rate units in interior and exterior design, quality, materials, architectural elements and overall construction quality, as well as number and proportion of bedroom types. Affordable units shall be comparable to the "standard" landscaping and size. In addition, all affordable units shall include the same or similar interior amenities offered for market rate units within a residential development. Affordable units shall be dispersed throughout the residential development so as to prevent the concentration of affordable units, unless the Planning Commission has approved an alternative distribution pattern, or approval of an off-site location has been granted.

6. Length of Affordability. It is the intent of this Affordable Housing Program that affordable ownership units should remain affordable for as long as is practicable, taking into account the City’s funding and staffing limitations and the difficulties associated with monitoring eligibility. Accordingly, the owner of an affordable ownership unit shall submit such information as may be required by the Housing Director, whether annually or at such frequency deemed necessary and appropriate by the Housing Director, to document the owner’s continued occupancy of the affordable ownership unit, and the owner’s continued compliance with the applicable terms and conditions of this Chapter. Upon the sale of any affordable ownership unit, the Owner shall comply with the provisions of Section 16.194.050 C of this Chapter.

#### **16.194.050 Other Implementation Procedures.**

A. Satisfaction of Affordable Housing Requirement. Each proposal for satisfying the City's affordable housing requirement, together with any proposed Affordable Housing Agreement shall be reviewed by the Planning Director or designee, considered for recommendation by the Affordable Housing Committee, and forwarded to the City Council for approval.

B. Agreements. Prior to the approval of a Tentative Map for any residential development to which this Chapter applies, the City and the residential developer shall enter into a Development Agreement or Affordable Housing Agreement in a form approved by the City Attorney. For ownership affordable units, the City and the individual homebuyer may, at the discretion of the Planning Director, enter into a recorded Refinance and Resale Limitation Agreement in a form approved by the City Attorney. The City Administrator or designee is authorized to execute Affordable Housing Agreements, resale controls and/or rent restrictions and any other documents necessary to effectuate the implementation of this Chapter, provided such agreements and documents are consistent with the requirements of this Chapter.

C. City's Right of Option to Purchase Affordable Ownership Units. The resale restrictions as set forth in the Refinance and Resale Limitation Agreement for BMR units shall provide that in the event the owner of a BMR wishes to sell their unit, the owner shall first give written notice of such circumstances, and an option to purchase, to the City of Ripon. In the event the City Response Notice notifies the Owner that the City does not wish to exercise its right to purchase the affordable unit, then the Owner may proceed to sell the Unit in compliance with the following requirements:

1. Selling the Unit for Fair Market. If the Owner receives a bona fide offer from a "Market Purchaser" to purchase the Unit and the Owner accepts the Market Purchaser's offer, upon sale of the Unit, the Owner shall pay to the City the entire amount due under the City Note upon close of escrow.

2. Selling the Unit to another Below Market Rate Purchaser. If the Owner chooses to sell the Unit at an affordable price to an affordable household, the "Below Market Purchaser", under the same income category the unit originally sold, the City Subsidy including any accrued interest will be waived. The affordable purchase price shall be determined by the City, under its Below Market Rate Housing Program and the new buyer must meet all the requirements of the Below Market Rate program and execute Program documents prior to close of escrow. A new City Subsidy will be established with the new Below Market Rate Purchaser. The new City Subsidy will be determined using the difference between the Fair Market Value of the home, as determined by an appraisal, and the Below Market Rate purchase price.

D. Selection Criteria for Ownership Units. No household at the time of move-in shall be permitted to purchase or occupy an affordable unit that is required under this Chapter unless its qualifications are consistent with this Chapter and the Housing Director has approved the household's eligibility. Eligible potential occupants of ownership affordable units must be first-time homebuyers and will be qualified on the basis of household income as established by the Housing Director using available governmental indices, including but not limited to all

sources of income and assets, the relationship between household size and the size of the available units, and any further criteria required by law and/or established by resolution of the City Council. The City shall use an equitable selection method established in conformance with the terms of this Chapter and in compliance with state and federal law. First priority shall be given to current Ripon residents, and agricultural and other workers employed within the Ripon planning area as defined in the Land Use Element of the General Plan.

E. Use and Expenditure of Fees.

1. All fees collected under this Chapter shall be deposited into a separate account administered by the City Administrator or his/her designee, to be designated the City Affordable Housing Fund.

2. The fees collected under this Chapter and all earnings from investment off the fees shall be expended exclusively for provision of below market rate housing in the City through acquisition, construction, development assistance, paying the costs of administering this Chapter, rehabilitation, financing, rent subsidies or other methods. The housing shall be of a type, or made affordable at a cost or rent, for which there is an unmet need in the City and which is not adequately supplied in the City by private housing development in the absence of public assistance. Ord. 646 §1,201; Ord. §1, 2003; Ord. 783 §1, 2011)

**16.194.060 Enforcement.**

A. General. The City shall enforce this Chapter, and its provisions shall be binding on all agents, successors, and assigns of an applicant. The City may suspend or revoke any building permit or approval upon finding a violation of any provision of this Chapter. Use approval, building permit, or occupancy approval shall not be granted for any residential development unless it is in compliance herewith, including, but not limited to, actions to revoke, deny, or suspend any permit or development approval.

B. Violation Abatement.

1. It shall be a misdemeanor for any person to sell or rent an affordable unit under this Chapter at a price exceeding the maximum allowed under this Chapter or to a household not qualified under this Chapter. In the alternative, the City Attorney may proceed in accordance with Chapter 1.12 of the Ripon Municipal Code.

2. The City Attorney shall be authorized to enforce the provision of the Chapter and all regulatory agreements and resale controls placed on affordable units by civil actions and any other proceeding method permitted by law.

3. The City may revoke, deny or suspend any permit or development approval, including without limitation a final inspection for occupancy or certificate of occupancy, for a residential project which has failed to comply with this Chapter.

4. Failure of any official or agency to fulfill the requirements of this Chapter shall not excuse any applicant or owner from the requirements of this Chapter.

5. The City shall be entitled to recover all its costs, including reasonable attorney's fees, incurred in enforcing this Chapter. (Ord. 646 §1, 2001; Ord. 680 §1, 2003; Ord. 783 §1, 2011)

**16.194.070 Appeal.**

A. An owner of any affordable ownership unit subject to the requirements of this Chapter may appeal to the City Council from any decision of the Planning Director.

B. Any such appeal shall be made in writing and filed with the City Administrator along with the applicable administrative fee for processing costs as set forth by City Council resolution no later than ten days following receipt of a written decision or determination by the Planning Director. The appeal shall set forth in detail the factual and legal basis for the appeal. The City Council shall consider the appeal at a public meeting within sixty days after the filing of the appeal. The decision of the Council shall be final.

**16.194.080 Severability.**

If any clause, sentence, section, or part of this Chapter, or any fee or requirement imposed upon any person or entity, is found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity, shall affect only such clause, sentence, section or part, or such person or entity, and shall not affect or impair any of the remaining provisions, clauses, sentences, sections, or parts or the effect of this Chapter on other persons or entities. It is hereby declared to be the intention of the City Council that this Chapter would have been adopted had such unconstitutional, illegal, or invalid clause, sentence, sections, or part not been included herein, or had such person or entity been expressly exempted from the application of this Chapter. (Ord. 646 §1, 2001; Ord. 680 §1, 2003)

**SECTION 2.**

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

**SECTION 3.**

This ordinance shall become effective thirty (30) days after its final passage and shall be published at least once within fifteen (15) days prior to its effective date in the Ripon Record, the official newspaper of the City of Ripon.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Ripon held on the 10<sup>th</sup> day of May, 2016, and by majority vote of the council members present, further reading was waived.

On a motion by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_, the foregoing ordinance was duly passed and adopted by the City Council of the City of Ripon at a regular meeting thereof held on this 14<sup>th</sup> day of June, 2016, by the following vote, TO WIT:

- AYES:
- NOES:
- ABSENT:
- ABSTAINING:

A Municipal Corporation

By: \_\_\_\_\_  
JACOB PARKS, Mayor

ATTEST:

\_\_\_\_\_  
LISA ROOS, City Clerk

## AGREEMENT OF PURCHASE AND SALE

This Agreement of Purchase and Sale is made on \_\_\_\_\_, 2016 by South San Joaquin Irrigation District ("Seller") and the City of Ripon ("Buyer").

Seller and Buyer agree as follows:

### 1. GENERAL.

1.1. The Purchase Property. Seller's property in the City of Ripon, described as a portion of San Joaquin County Assessor's Parcel number 245-340-13 which is more particularly described on the map attached hereto as Exhibit A, (the "Property"). Buyer will have a legal description prepared by a licensed surveyor, if necessary, which with Seller's approval, will be used as the legal description for the Property.

1.2. Purpose. The purpose of this Agreement is to provide for Buyer's purchase of the Property from Seller.

1.3. Effective Date. The Effective Date of this Agreement is the later of the dates on which Seller and Buyer sign this Agreement.

1.4. Effect of Agreement. The parties agree that Seller's agreement to sell the Property to Buyer by this Agreement satisfies any obligation of Seller under Government Code section 54222.

### 2. PURCHASE AND SALE.

2.1. Purchase and Sale. Seller shall sell the Property to Buyer, and Buyer shall purchase the Property from Seller, on the terms and conditions specified in this Agreement. All payments shall be in lawful money of the United States of America.

2.2. Price. The purchase price for the Property shall be Sixteen Thousand dollars (\$16,000; "Purchase Price").

2.3. Payment of Purchase Price. Buyer agrees to pay the Purchase Price to Seller within ten (10) years from the Closing Date. Buyer agrees to pay Seller with its payment of the Purchase Price, or with each partial payment, interest on the unpaid portion of the Purchase Price at the rate of one (1) percent per annum starting with the first day of the month following the Closing Date.

### 3. ESCROW.

3.1 Opening. Close of the transaction will be by means of an escrow with Old Republic Title Company Manteca, CA or other title company acceptable to the parties. (“Escrow Holder” or “Title Company”).

3.2 Close of Escrow. The deadline for close of escrow shall be as soon as Escrow Holder is in a position to close, but no later than July 15, 2016 (“Closing Date”) without the parties’ mutual agreement to extend the Closing Date, provided, however, if escrow cannot close by the Closing Date due to title issues, the escrow will be extended from day to day as necessary and shall close as soon thereafter as Title Company is prepared to insure title as provided in Section 4.1A.

3.3 Costs. Charges and expenses incurred in this transaction are to be borne by the parties as follows:

- a. Buyer shall pay the premium for its title insurance policy, and the escrow fee, the cost of any transfer stamp or transfer taxes and the cost of recording the grant deed.
- b. Unspecified costs shall be allocated in accordance with custom in San Joaquin County as such custom is declared by Escrow Holder.

3.4 Prorations. Seller shall pay any charges imposed upon the Property by the County, or any governmental or special district organization or body for the period prior to escrow closing hereunder.

3.5 Delivery of Documents at Closing. For use in connection with this escrow, and subject to the terms and conditions thereof, and of the instructions hereinafter set forth:

- a. Seller shall deliver to Escrow Holder a grant deed properly executed and notarized.
- b. Buyer shall deliver to Escrow Holder a certificate of acceptance to be attached to the grant deed and cash required for the payment of the purchase price and other cash obligations assumed by Buyer in this Agreement.

### 4. TITLE

4.1 Title. Seller shall cause fee title to the Property to be conveyed to Buyer by grant deed at close of escrow subject only to the Permitted Exceptions as described in Section 4.2. Title to the Property to be conveyed to Buyer at the closing hereunder shall be evidenced by the issuance by Title Company of a CLTA Owner’s title policy with liability in the amount of the

purchase price, subject only to the Permitted Exceptions.

4.2. Title Exceptions. Title Company will issue Buyer a standard preliminary title report (the "Title Report") showing the state of the title of the Property. Buyer shall have ten (10) business days after receipt of the Title Report to give Seller and Escrow Holder written notice of Buyer's disapproval or conditional approval of any matters shown in the Title Report. Any matter of title shown in the Title Report that Buyer either accepts in writing or does not give timely notice of disapproval or conditional approval shall be deemed approved ("Permitted Exception"). If Buyer disapproves or conditionally approves any matter of title shown in the Title Report, Seller may, within five (5) days after its receipt of Buyer's notice, give Buyer and Escrow Holder written notice of its election to eliminate or ameliorate to Buyer's reasonable satisfaction the disapproved or conditionally approved title matters. If Seller does not provide such notice or if, despite its best efforts, Seller is unable to eliminate or ameliorate to Buyer's satisfaction all such disapproved matters prior to the Closing Date, then Buyer shall have the right, by a writing delivered to Seller and Escrow Holder, to: (A) waive its prior disapproval, in which event such disapproved matters shall be deemed approved; or (B) terminate this Agreement and the Escrow created pursuant hereto, in which event the escrow and the rights and obligations of the Parties hereunder shall terminate. Notwithstanding anything to the contrary contained in this Section, Buyer hereby objects to any liens evidencing monetary encumbrances and Seller agrees to cause all such liens to be eliminated at Seller's sole cost and expense prior to the Close of Escrow.

## 5. POSSESSION.

5.1 Possession at Close of Escrow. Seller shall deliver possession of the Property to Buyer on close of escrow. Buyer acknowledges that all or a portion of the Property may be used for farming or other uses by persons without the consent of Seller and Buyer agrees to take title subject to such existing uses.

5.2 Possession Before Close of Escrow. Buyer shall have the right to enter upon the Property for the purpose of making at Buyer's sole cost, such inspections, tests and studies as Buyer deems appropriate including, but not limited to, engineering study, land survey, soils study, and hazardous substances report. Buyer shall indemnify, defend and hold Seller harmless from any and all liens, damages, actions, claims, loss or liability for injury to persons or damage to property resulting from activities of Buyer on the Property. Buyer shall repair any damage resulting to the Property from its activities. The obligations of Buyer under this Section 5.2 shall survive the close of escrow hereunder or earlier termination of the Agreement.

## 6 CONDITIONS TO CLOSE OF ESCROW.

### 6.1. Conditions to Buyer's Obligations.

Buyer's obligation to consummate the transaction herein is subject to and contingent upon

the good faith satisfaction and/or completion of each of the following conditions in this Section, or the written waiver thereof by the Buyer, which are more particularly set forth below.

- a. Due Diligence Period. Buyer's determination in its sole discretion that the Property is suitable for its intended purposes, within a due diligence period of 15 days from the date of Seller's execution of and delivery of this Agreement to Buyer (the "Due Diligence Period"). Buyer shall have the right to terminate its rights hereunder for any reason or no reason by delivering notice of cancellation to Seller during the Due Diligence Period. If Buyer does not deliver notice of cancellation in writing to Seller prior to the expiration of the Due Diligence Period, then Buyer shall be deemed to have elected not to terminate this Agreement.
- b. Insurance of Property as Separate Legal Parcel. Title Company's agreement to insure Buyer's title to the Property as a separate legal parcel upon close of escrow subject only to the Permitted Exceptions.
- c. Seller's Performance. Seller's performance of each covenant, condition, agreement, and promise to be performed by Seller, and the truth of Seller's representations, in this Agreement.

6.2. Conditions to Seller's Obligations.

Seller's obligation to consummate the close of escrow is subject to and contingent upon the good faith satisfaction and/or completion of each of the following conditions, or the written waiver thereof by the Seller, which are more particularly set forth below:

- a. Buyer's Performance. The performance by Buyer of every other covenant, condition, agreement, and promise to be performed by Buyer pursuant to this Agreement.
- b. Timely Close of Escrow. The close of escrow by the Closing Date or any extension of the Closing Date.
- c. Separate Legal Parcel. It is a condition to Seller's obligations in this Agreement and to the Close of Escrow that the Property will constitute a separate legal parcel at Close of Escrow.
- d. State of Title. Confirmation that Seller has fee title to the Property, that Seller's title is acceptable to Buyer and that the Title Company will insure fee title to the Property in Buyer subject only to the Permitted Exceptions upon recordation of Seller's deed to Buyer as provided in this Agreement.

### 6.3. Failure of Condition.

If any of the conditions set forth in Section 6.1 or Section 6.2 of this Agreement are not satisfied by the close of escrow, then Seller, in the event of a failure of a condition to Seller's performance, or Buyer, in the event of a failure of a condition to Buyer's performance, may cancel the escrow and terminate this Agreement (subject to Buyer's right to commence an eminent domain proceeding). The terminating party shall exercise this power to terminate by complying with any applicable notice requirements specified in the relevant condition and, in all other cases, by providing written notice to the other party and the Escrow Holder within ten (10) days of the terminating party's discovery of the failure or breach, but in no event later than five (5) days before the Closing Date. Upon termination of this Agreement and payment of such amounts as are herein provided, each party shall release the other party from any further liability hereunder, except for those provisions hereof in which a party has agreed to indemnify the other party and other provisions which expressly survive termination of this Agreement, and Buyer releases the Property from any and all claims to title and/or possession.

## 7. REPRESENTATION AND WARRANTIES.

Buyer is not relying on any representation or warranty of Seller, except as expressly provided in this Agreement. The Property is being sold to Buyer "AS IS, WHERE IS" and "WITH ALL FAULTS". Upon the Close of Escrow, Buyer shall be deemed to have waived, relinquished, and released Seller from and against any claims relating to the physical condition or any other aspect of the Property. The foregoing waiver shall survive the Close of Escrow.

## 8. MISCELLANEOUS.

8.1. Notices. Notices shall be personally delivered or sent by United States first-class mail, certified with return receipt requested, postage prepaid, addressed as follows:

Seller: South San Joaquin Irrigation District  
11011 East Highway 120  
Manteca, CA 95336  
Attention: General Manager

Buyer: City of Ripon  
259 N. Wilma Ave.  
Ripon, CA 95366  
Attention: City Administrator

8.2. Integration. This Agreement contains the entire agreement of the parties hereto, and supersedes any letter of intent or other prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements or understandings, oral or written, relating to the subject matter, which are not fully

expressed herein.

8.3. Additional Documents. From time to time prior to and after the close of escrow, each party shall execute and deliver such instruments of transfer and other documents as may be reasonably requested by the other party to carry out the purpose and intent of this Agreement.

8.4. Invalidity of Any Provision. In the event that any condition or covenant herein contained is held to be invalid or void by any court of competent jurisdiction, the same shall be deemed severable from the remainder of the Agreement and shall in no way affect any other covenant or condition herein contained. If such condition, covenant or other provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

8.5. Survival; Conditions Precedent. Agreements, representations, covenants and warranties on the part of both parties contained in this Agreement or any amendment or supplement hereto shall survive the close of escrow and deliveries of deeds hereunder and shall not be merged thereby, and, in addition to any effect any of same have in law or in equity, all of same will be deemed to be conditions precedent to performance by the parties hereunder, whether so expressed or not. The party for whose benefit a condition exists may unilaterally waive same.

8.6. Commissions. Buyer and Seller each represent that they have not entered into any commission agreement or incurred any obligation which might result in the obligation to pay a sales or brokerage commission or finder's fee on this transaction. In the event any claim for real estate commission is made by any broker or agent, the party who is alleged to have created the obligation shall hold harmless, indemnify and defend the other from any loss, liability, cost and expense arising out of such claim for real estate commission.

8.7. Amendment. This Agreement may be amended only by a writing signed by each of the parties hereto.

8.8. Counterparts. This Agreement may be executed in counterparts, each of which shall be an original, but all of which shall constitute one instrument.

8.9. Successors. All terms and provisions of this Agreement shall be binding upon and shall inure to the benefit of, and be enforceable by, the respective permitted assigns and successors of Seller and Buyer.

8.10. Authority. Each party represents to other party that the person(s) executing this Agreement on behalf of such party authorized to execute this Agreement.

Seller and Buyer enter into this Agreement on the date set forth in the first paragraph, which is to the later of the dates of the parties' signatures below.

South San Joaquin Irrigation District

City of Ripon

\_\_\_\_\_  
Peter Rietkerk, General Manager

\_\_\_\_\_  
Jacob Parks, Mayor

Dated: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Lisa Roos, City Clerk

Exhibit "A"  
Legal Description  
South San Joaquin Irrigation District  
to the City of Ripon

Parcel 1

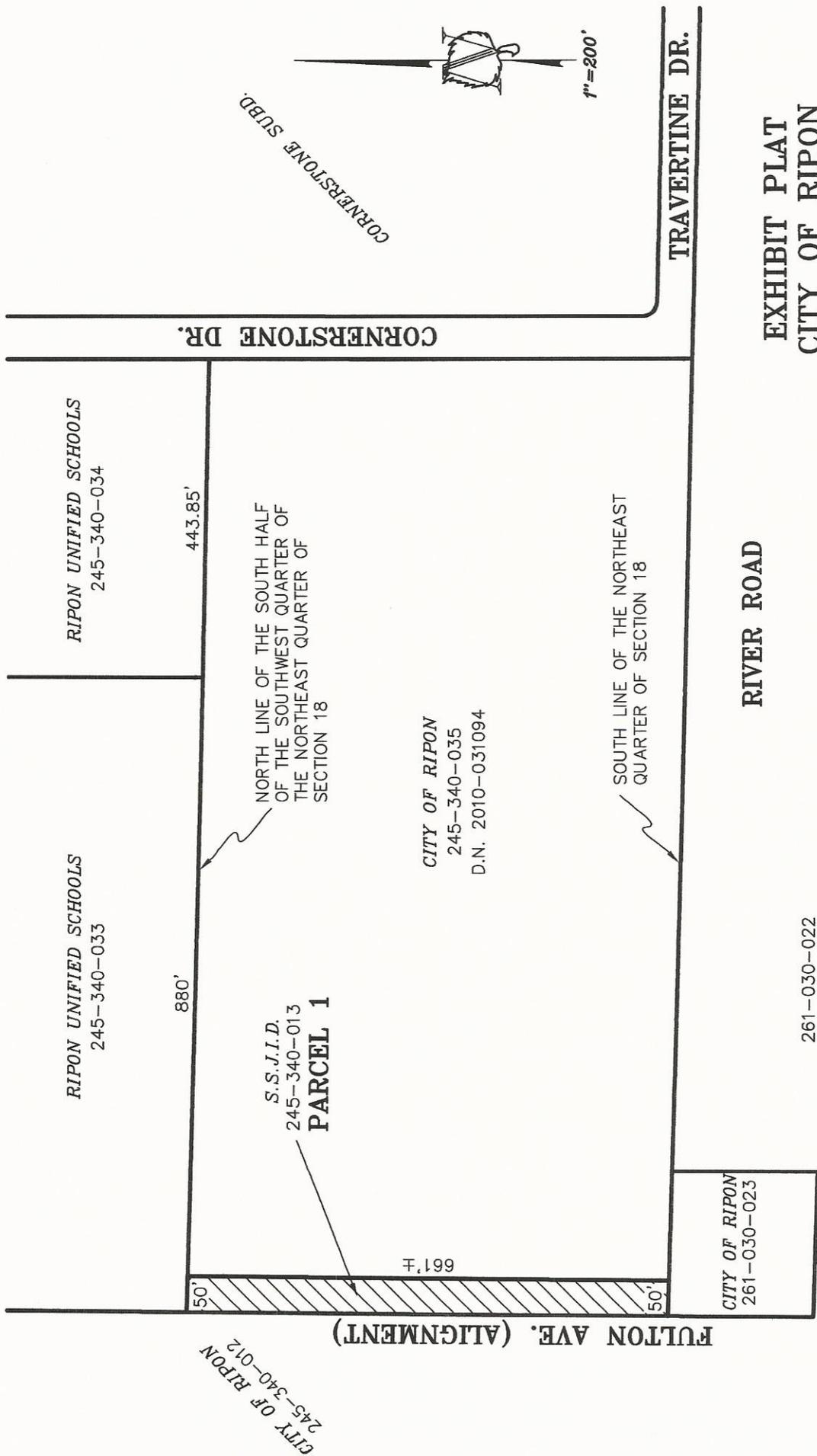
The West 50 feet of the South half of the Southwest Quarter of the Northeast Quarter of Section 18, Township 2 South, Range 8 East, Mount Diablo Meridian, said 50 feet to be contiguous with those lands described to the City Of Ripon, a Municipal Corporation, as shown on that certain Grant Deed filed March 5, 2010, as Document Number 2010-031094, Records of San Joaquin County.

Containing 0.75 acres more or less



MARCH 15, 2016

A handwritten signature in cursive script, appearing to read "D. L. Harris", written below the professional seal.



**EXHIBIT PLAT  
CITY OF RIPON**

BEING THE WEST 50 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 8 EAST, MOUNT DIABLO MERIDIAN. COUNTY OF SAN JOAQUIN, CITY OF RIPON



245-340-013 DENOTES CURRENT ASSESSMENT PARCELS

▨ DENOTES ACQUISITION PARCEL FROM S.S.J.I.D.

AREA OF PARCEL 1: 0.75± ACRES

**ASPEN SURVEY**  
COMPANY, INC.  
1121 OAKDALE RD., STE. 6 MODESTO, CA 95355  
PH: (209) 526 9724 FX: (209) 526 0472

MARCH 14, 2016  
SHEET 1 OF 1



# MEMO

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## Engineering Department

**TO:** Honorable City Council

**FROM:** James Pease, Engineering Supervisor

**SUBJECT:** Water Meter Installation Project - Change Order 2 and Material Purchase  
GM Construction, Inc. and National Meter & Automation, Inc.

**DATE:** June 6, 2016

### BACKGROUND

State Assembly Bill 2572 requires all water suppliers to have water meters installed on customer connections by January 1, 2025. In October 2014, City Council approved the Water Meter Implementation Program and directed staff to proceed with the program's implementation.

The Construction Contract for the Water Meter Installation Project was awarded to GM Construction, Inc. at the September 8, 2015 Council meeting for the amount of \$1,931,962. The material purchase for the project was approved with National Meter and Automation, Inc. during the same meeting for the amount of \$708,928. The two contracts included the materials and labor to purchase and install water meters and the end-point telemetry system for 2,009 single family residential homes currently without water meters. The original project is complete and all new water meters have been installed.

As part of the overall Water Meter Implementation Program, customers who previously had a water meter installed were to be equipped with a wireless transmitter to eliminate manual reading and provide accurate up to date water usage data. A change order to install 2,757 wireless transmitters on previously installed water meters for existing customers was approved at the March 8, 2016 council meeting for the amount of \$509,638. To date the Contractor has installed 2,500 of these additional wireless transmitters.

### CONTRACT AMENDMENT

During the installation it was discovered that 147 water meters need replacement due to improper functioning or compatibility with the new wireless transmitters. All of the meters to be replaced have been in service for at least 25 years, which is the typical useful life for a water meter. Along with the meters, several broken boxes and lids need to be replaced. Engineering Department staff has requested a change order from GM Construction, Inc. to perform this work.

**FISCAL IMPACT**

The attached change order received from GM Construction, Inc. totals \$75,984 and includes the labor to install the new meters, boxes, and lids as necessary to complete the project. The additional material will be purchased directly from National Meter and Automation, Inc., for a cost of \$27,008. Below is a breakdown of the project to date:

Construction Contract – GM Construction

Contract Price of the Water Meter Installation Project:	\$	1,931,962
Change Order 1	\$	108,908
<b>Change Order 2 (not to exceed)</b>	<b>\$</b>	<b><u>75,984</u></b>
Revised Contract Price:	\$	2,116,854

Material Purchase – National Meter and Automation, Inc.

Material Purchase Price for the Water Meter Installation Project:	\$	708,942
Change Order 1:	\$	400,730
<b>Change Order 2 (not to exceed)</b>	<b>\$</b>	<b><u>27,008</u></b>
Revised Material Purchase Price:	\$	1,136,685

The total increase to install the replacement meters and wireless transmitters is **\$102,992**, which will be paid for through the water enterprise capital fund.

**RECOMMENDATION**

Staff is recommending the City Council:

1. Approve and execute a contract amendment for the Water Meter Installation Project with GM Construction in the amount of \$75,984.
2. Approve the purchase of the material necessary to provide meters, boxes and lids on all remaining metered customers from National Meter and Automation, Inc. in the amount of \$27,008.

Attachments:

1. Contract Change Order No. 2 – GM Construction & Developers, Inc.



## REIMBURSEMENT AGREEMENT

This agreement ("Agreement") is made, and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016 ("Effective Date") by and between the City of Ripon ("CITY") and Meadowood Ripon, LLC ("DEVELOPER").

WHEREAS, DEVELOPER intends to apply for a variety of approvals, including, but not limited to, a Tentative Subdivision map and Development Agreement related to use of its property consisting of approximately 12.89 acres located west of Fulton Avenue in the City of Ripon consisting of those Assessor's Parcel Numbers 261-020-05, 261-040-02 and 261-080-01 (the "Property"). For purposes of this Agreement, reviewing and processing DEVELOPER'S applications, including, but not limited to, all activities related to the entitlement processing, development, and construction of the above-referenced project and related uses shall be referred to as the "Project."

WHEREAS, DEVELOPER and CITY expect that the Project will require CITY to expend resources in working with DEVELOPER after DEVELOPER'S submission of applications for approval of the Project, including, but not limited to, processing of DEVELOPER'S applications, permits, maps and other entitlements related to the Project.

WHEREAS, CITY and DEVELOPER have agreed that DEVELOPER shall be responsible for reimbursing CITY for all costs and expenses incurred by CITY with respect to the Project, including costs of staff time, consultants', and attorneys' fees in accordance with the terms of this Agreement.

WHEREAS, CITY and DEVELOPER anticipate that the City Council's approval of the Project will include a condition, among other things, that DEVELOPER indemnify CITY and reimburse CITY for costs associated with said approval. NOW, THEREFORE, in consideration of the foregoing promises and in order to carry on the intent and purpose of applicable codes, ordinances, resolutions and regulations, DEVELOPER and CITY agree as follows:

### SECTION 1. THE SECURITY DEPOSIT

Posting of the Security Deposit. Upon execution of this Agreement, DEVELOPER shall deposit with CITY in a manner reasonably satisfactory to CITY the total amount of Ten Thousand Dollars (\$10,000) hereafter referred to as the "Security Deposit." The Security Deposit shall be held by the CITY as security for the full and faithful performance by the DEVELOPER of all the terms and conditions of this Agreement.

- (a) In the event that this Agreement is terminated in accordance with Section 6 below, the CITY and DEVELOPER shall meet in good faith to negotiate the form and amount of security, if any, that will be required to meet any post-termination indemnification obligations of the DEVELOPER. If no Agreement can be reached as to the amount of post-termination security required, the CITY and DEVELOPER shall use the alternative dispute resolution procedures set forth in SECTION 10 of this Agreement to resolve this issue.

- (b) Withdrawal of and Maintenance of Security Deposit. If DEVELOPER defaults on its obligations to provide and maintain any deposit required by this Agreement or to timely pay for any Project Costs as defined in SECTION 2 below, then CITY shall be entitled to draw upon the Security Deposit to recover any and all sums in default. The Security Deposit shall be required for as long as the DEVELOPER is bound by any financial obligation(s) under this Agreement. If CITY is required to draw upon the Security Deposit, DEVELOPER shall immediately replenish the Security Deposit and maintain with the CITY at all times a Security Deposit in the amount of the Ten Thousand Dollars (\$10,000) to secure payment to the CITY for Project Costs.
- (c) Schedule and Estimated Budget. Within sixty (60) days of DEVELOPER's applications being determined or deemed complete, CITY will prepare and provide DEVELOPER with an estimated schedule to complete the necessary tasks, including outside consultants, for processing of the PROJECT. DEVELOPER will have fifteen (15) business days from receipt of the initial Schedule to review and comment upon the Schedule. CITY will provide to DEVELOPER copies of any contracts with consultants. The schedule will be updated monthly as needed and submitted along with the monthly summary reflecting reimbursable Project Costs forwarded to Developer pursuant to Section 3 of this Agreement. In processing the Project, the CITY will at all times endeavor to keep costs down.
- (d) Investment. CITY shall maintain the Security Deposit in an interest-bearing dedicated account for the benefit of DEVELOPER. DEVELOPER acknowledges and agrees that it shall not receive any interest on the Security Deposit, in lieu of paying staff costs for account maintenance and interest tracking. CITY shall at all times maintain records as to the expenditure of the Security Deposit; provided, however, CITY may use the Security Deposit only as set forth herein. The Security Deposit may be invested by CITY in lawful investments, in accordance with CITY'S established investment policies.
- (e) Return of Deposit after CITY Approval. CITY shall return to DEVELOPER any funds remaining on deposit after one hundred and eighty (180) days have passed since CITY'S approval of the last discretionary permit or entitlement for full build-out of the Project, and the CITY has received from DEVELOPER payment of all Project Costs accrued, as required under Section 2 of the Agreement except to the extent that DEVELOPER has not satisfied its indemnification obligations per Section 7 of this Agreement.
- (f) Subsequent Replenishment of Security Deposit. In the event DEVELOPER seeks another discretionary permit(s) or entitlement(s) related to the Project after CITY returns any remaining funds on deposit pursuant to Section 1(e) of the Agreement, DEVELOPER shall replenish the Security Deposit in the total amount of Ten Thousand Dollars (\$10,000) or such other amount as CITY, in consultation with DEVELOPER, may determine to be reasonably necessary to secure payment of Project Costs as contemplated under the Agreement.

DEVELOPER agrees to replenish the Security Deposit at the time DEVELOPER submits the application for such subsequent discretionary permit(s) or entitlement(s). DEVELOPER further agrees that any such application shall not be determined complete by CITY until the Security Deposit is replenished as required under this Section 1(f).

## SECTION 2. PROJECT COSTS TO BE REIMBURSED

DEVELOPER shall be responsible for payment of all reasonable direct and indirect costs incurred by CITY as a result of the Project ("Project Costs"), which are incurred by the CITY after the date of this Agreement. During the term of this Agreement, so long as DEVELOPER is fulfilling its obligations hereunder, CITY shall process DEVELOPER'S application(s) for the Project until such time as CITY approves or denies such application(s). Project Costs shall include, but are not limited to:

- (a) All actual CITY staff time, including, but not limited to, the Planning Department, Public Works Department, Engineering Department, Police Department, Administration, City Clerk, City Attorney (Terpstra Henderson Professional Corporation) expended on Project-related activities and/or litigation. Such staff time includes direct labor costs as well as departmental and indirect overhead costs. A schedule of all individuals anticipated to be working on the Project, and their hourly rates, is shown on the attached Exhibit A. Also included in Exhibit A is an estimate of any overhead charges.
- (b) All actual costs, not specified in Section 2(a) above, expended on Project-related activities (e.g., costs of telephone, mileage, supplies, postage, etc.). Such costs shall not include general overhead, but shall be limited to cost incurred solely because of the Project. Any travel that will be in excess of twenty-five (25) miles must be approved in advance by DEVELOPER, which approval shall not be unreasonably withheld.
- (c) All actual costs of any outside consultants hired to assist CITY with Project-related activities and/or litigation, including, but not limited to, attorneys, planning and design consultants, engineers, hydrologists, traffic consultants, biologists, archeologists, CEQA consultants and other technical and professional consultants as deemed necessary by CITY in processing the Project. CITY shall use its best efforts to use CITY staff in lieu of outside consultants when CITY staff is available and can perform the same task for less cost than an outside consultant.

Should environmental review of the Project be necessary or should the CITY for any reason retain other outside consultants on this Project, before selecting any such consultants, the CITY shall meet and confer with DEVELOPER in order to obtain input regarding the consultants under consideration. In selecting a consultant, CITY shall consider the following factors, at a minimum: proposed price to complete work; extent of relevant experience; strength of references; strength of individual team members who would be tasked with key analyses;

general reputation; and for any environmental consultant, its track record for preparing documents that have survived judicial challenge under the California Environmental Quality Act (CEQA). While CITY agrees to meet and confer with DEVELOPER prior to selecting any outside consultant and to consider the above factors, the CITY retains the sole discretion to select or hire any outside consultant.

### SECTION 3. PROCESS FOR REIMBURSEMENT OF PROJECT COSTS

- (a) CITY shall prepare and provide DEVELOPER (by regular mail, electronic mail or facsimile) monthly summaries reflecting all Project Costs set forth in Sections 2(a)-(c) above incurred during each month.
- (b) Following execution of this Agreement, DEVELOPER shall deposit with the CITY in a separate account (hereinafter the "Cost Deposit") the amount of Twenty Thousand Dollars (\$20,000) to pay for all costs set forth in Sections 2 (a)-(c) and any other Project Cost(s). DEVELOPER agrees to replenish and maintain at all times a Cost Deposit balance of at least Ten Thousand Dollars (\$10,000). Failure by the DEVELOPER to maintain a Cost Deposit balance of \$10,000 shall be considered a default by the DEVELOPER of the terms and conditions of this Agreement. CITY and DEVELOPER agree to meet in good faith and discuss adjustments to the amount of the Cost Deposit if the actual monthly expenditures for Project Costs routinely (defined as two or more consecutive months) exceed the amount of the Cost Deposit.

CITY shall maintain the Cost Deposit in an interest-bearing dedicated account for the benefit of DEVELOPER. DEVELOPER acknowledges and agrees that in lieu of paying staff costs for maintenance and tracking of interest, DEVELOPER elects to waive any interest on the Cost Deposit. CITY shall at all times maintain records as to the expenditure of the Cost Deposit; provided, however, CITY may use the Cost Deposit only as set forth herein. The Cost Deposit may be invested by CITY in lawful investments, in accordance with CITY'S established investment policies.

- (c) For those Project Costs set forth in Sections 2(a)-(c), CITY shall provide a written, monthly summary to DEVELOPER of all Project Costs charged by CITY against the Cost Deposit. The written summary shall be supported by appropriate documentation such as timesheets, invoices, and receipts. DEVELOPER shall approve or disapprove CITY'S reimbursement of all costs set forth in each such summary within ten (10) business days of receipt. If CITY does not receive a response from DEVELOPER within this ten business day timeframe, the requested reimbursement shall be deemed approved and CITY shall draw on the Cost Deposit to cover said Project Costs. In the event DEVELOPER notifies CITY in writing within this ten business day timeframe that it does not approve said reimbursement, CITY may still draw on the Cost Deposit to cover said Project Costs subject to resolution of this dispute in accordance with Section 10 below. For those Project Costs set forth in Section 2(c) above,

CITY shall pay said costs directly to the outside consultants, list those payments on the monthly summary, and provide appropriate documentation indicating the name of each outside consultant and the services provided. In addition, CITY shall provide DEVELOPER on a monthly basis (by regular mail, electronic mail, or facsimile) a copy of any and all consultant invoices paid directly by CITY during the preceding month. CITY shall have the right to redact from such documentation any information that CITY reasonably determines is privileged, confidential, or not otherwise subject to release pursuant to the California Public Records Act (Gov't Code § 54950 *et seq.*).

#### SECTION 4. FEES, PERMITS AND CITY REGULATIONS

This Agreement replaces any discretionary land use permit application fees, including General Plan Amendment, Specific Plan, Zone Reclassification, Tentative Subdivision Map, Planned Development, Development Agreement and related application fees normally collected by the CITY at the time an application for a proposed project is made. Notwithstanding the foregoing, the DEVELOPER shall be responsible to pay any fee not expressly abrogated by this Agreement, including, but not limited to, any ministerial fee(s) on required Project permits such as building permits, grading permits, and the like, and any fees or expenses approved by the Planning Commission and/or City Council that are made part of the Project's conditions of approval. Nothing in this Agreement shall be deemed to abrogate the responsibility of DEVELOPER to obtain any required permit(s) or comply with any laws associated with any applications, permits, studies, or construction activities related to the Project. This Agreement does not apply to any fees the DEVELOPER is required to pay to any entity other than the CITY of Ripon, any state or federal agency, or on any new application or project.

#### SECTION 5. TERM

Subject to Section 6, the term of this Agreement shall commence on the Effective Date and terminate upon the later of: one (1) year from the issuance of a certificate of completion for the last of the Project-related improvements; or (b) one (1) year from the last date that DEVELOPER is required to maintain Project-related improvements(s) set forth in any applicable improvement or development agreements related to the Project; or (c) one (1) year from the approval of the final phase of the Project. Nothing herein shall be deemed to abrogate DEVELOPER'S responsibility to pay for ongoing expenses, including litigation expenses, incurred by CITY as a result of Project-related activities, which activities occurred during the term of this Agreement. Nothing in this Agreement shall be construed to vest any rights to develop the Project or require CITY approval of the Project.

#### SECTION 6. TERMINATION

Developer may, at its option, terminate this Agreement at any time on thirty (30) days' prior written notice to CITY ("Termination Notice") if DEVELOPER determines not to proceed with the Project. In the event of termination, DEVELOPER shall be responsible for the payment of all Project Costs incurred up to and including the date of termination.

CITY shall apply the sums maintained in the Security and Cost Deposit to any unreimbursed Project Costs through the termination date, and CITY shall then refund any remaining Security and Cost Deposit funds (including any interest earned thereon) to DEVELOPER within thirty (30) days of the date of termination.

#### SECTION 7. INDEMNIFICATION

In addition to Project Costs, DEVELOPER shall defend, indemnify, and hold CITY free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as "Legal Actions"), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys' fees, expert witness fees, and court costs) incurred by CITY arising (directly or indirectly) or resulting from the review, processing, consideration, or from the approval of DEVELOPER'S Project or action taken by CITY thereon. In the event DEVELOPER does not wish to defend any Legal Action either as party to said action or as Real Party-in-Interest, DEVELOPER will reimburse CITY for any damages, costs, or fees awarded pursuant to any default judgment or other judgment taken against the CITY as a result of its decision not to defend any Legal Action. The failure of the DEVELOPER to promptly reimburse the CITY for any damages, costs or fees, due and owing under this Section 7 shall entitle the CITY to draw upon any sums maintained by the DEVELOPER in the Security Deposit or Cost Deposit. DEVELOPER'S obligations pursuant to this SECTION 7 shall survive suspension or termination of this Agreement.

- (a) In the event the CITY'S processing of the Project results in any Legal Action being initiated, the CITY shall notify the DEVELOPER promptly of any such action. DEVELOPER will provide and take primary responsibility for the legal defense of itself and the CITY (hereinafter referred to as the "Joint Legal Defense") to the fullest extent possible. DEVELOPER shall defend CITY'S actions with competent legal counsel of DEVELOPER'S choice without charge to CITY, subject to CITY approval. Prior to selecting such legal counsel, DEVELOPER shall meet and confer with CITY in order to obtain CITY'S input on the question of whether such counsel is, indeed, competent with respect to the body of law at issue in the litigation. CITY shall not unreasonably withhold its assent to DEVELOPER'S choice of counsel where such counsel enjoys a good reputation with respect to work under such body of law and can point to notable successes in prior litigation involving that body of law. For purposes of this Agreement, a complaint including the recovery of attorney fees and costs will be considered a request for "monetary damages." The CITY and DEVELOPER shall cooperate in good faith in the defense of any Legal Action that names the CITY as a party and for which the DEVELOPER undertakes the primary responsibility for the Joint Legal Defense of in accordance with the terms of this Section 7. The CITY, through the CITY Attorney's Office, shall be kept apprised by the DEVELOPER and retained counsel of significant dates and hearings, shall receive copies of all pleadings filed in the matter by any party, and shall be allowed to participate in strategic decisions regarding the development of any applicable defense strategies and in preparing pleadings, prior to filing.

DEVELOPER and CITY may enter into a "Joint Legal Defense Agreement" amending any terms hereto.

- (b) In the event of any Legal Action against CITY and/or DEVELOPER, CITY will protect from public disclosure to the fullest extent possible, any communications between its attorneys and those representing DEVELOPER in said action. The parties intend that communications between CITY Counsel, retained counsel, and/or CITY staff, for purposes of the joint defense of a legal action, are entitled to the attorney-client privilege and/or work product privilege and are to be protected from disclosure through the exemption contained in Cal. Gov't. Code § 6254(b) and/or (k), Evidence Code section 954 and/or Code of Civil Procedure section 2018.030. Similarly, communications between City Attorney and the City Council will be held in Closed Session pursuant to Cal. Gov't. Code §54956.9 to the maximum extent possible. Any Legal Action seeking to compel disclosure of privileged communications shall be defended by the DEVELOPER in accordance with the terms and conditions set forth in this Section 7.
- (c) Nothing contained in this Section 7, however, shall be construed to limit the discretion of CITY, in the interest of the public welfare, to settle, defend, or appeal, or to decline settlement or to terminate or forego defense or appeal of a Legal Action at its own expense. In no event shall CITY be required to continue with a legal challenge, although CITY shall have the right to do so, in the event DEVELOPER fails to pay any amounts owing to CITY pursuant to this Agreement. In no event shall CITY have any obligation or liability to DEVELOPER in connection with CITY'S defense or prosecution of litigation related to the Project (including, but not limited to, the outcome thereof) or in the event CITY elects not to prosecute a case or defend litigation brought against it. The failure of the DEVELOPER to undertake the defense of any Legal Action within the scope of this Section 7 or the decision of the DEVELOPER to terminate, forego, or abandon the defense or appeal of a Legal Action may be treated by the CITY as an abandonment of the Project by the DEVELOPER and will relieve the CITY from any further duty, legal or otherwise, to continue to process the DEVELOPER'S Project.
- (d) If either CITY or DEVELOPER determines in good faith that common counsel presents a bona fide conflict of interest, then CITY may employ separate counsel to represent or defend the CITY, and DEVELOPER shall pay the reasonable attorneys' fees and costs of such counsel within thirty (30) days of receiving an itemized billing statement. Failure by the DEVELOPER to reimburse CITY for its separate counsel may be treated as an abandonment of the Project by the DEVELOPER.

## SECTION 8. NOTICES

All notices called for in this Agreement shall be given in writing by personal delivery, or electronic mail (with copy of such notice sent not later than the next day by mail or overnight private courier in accordance with the provision herein) or by overnight mail or overnight private courier. Electronic mail notices shall be deemed received on the day sent if sent prior to 6:00 p.m. Pacific Time or if sent after 6:00 p.m. Pacific Time, then deemed received on the next day. Overnight mail or couriered notices shall be deemed received the next business day following deposit into the U.S. mail or delivery to the private courier. First class mail, postage prepaid, shall be deemed received three days after postmark. Mailed or couriered notices shall be addressed as set forth below, but either party may change its contact information by giving written notice thereof to the other in accordance with the provisions of this Section 8.

To the CITY:

Ken Zuidervaart  
 CITY of Ripon  
 259 N. Wilma Avenue  
 Ripon, CA 95366  
 e-mail: kzuidervaart@cityofripon.org

To DEVELOPER:

Sean Tobin, Vice President  
 Meadowood Ripon, LLC  
 1117 L Street  
 Modesto, CA 95354  
 e-mail: sean@mve.net

## SECTION 9. DEFAULT BY DEVELOPER

If DEVELOPER defaults in its obligations to provide and maintain the deposits required by this Agreement or to timely pay for any Project Costs as required under this Agreement, then CITY, at CITY'S option, may suspend any activities related to the Project upon thirty (30) days' written notice to DEVELOPER. During the pendency of any notice period, whether for monetary or non-monetary default(s), CITY, at CITY'S option, may suspend processing and/or consultant activities related to the Project until such default is cured by the DEVELOPER. CITY shall give DEVELOPER written notice of such default and any decision by the CITY to suspend processing and/or consulting activities related to the Project activities. Subject to Section 10 below, CITY may terminate this Agreement and institute legal proceedings, with no further notice to DEVELOPER, if such default is not remedied by DEVELOPER within thirty (30) days after such notice is given by CITY to DEVELOPER. Upon such termination, CITY shall

not be obligated to expend any additional funds on Project-related matters; however, CITY may, in its discretion (such discretion to be exercised in good faith), expend Deposit funds after termination of this Agreement as necessary to complete Project-related activities already commenced or for which monetary obligations have already been incurred. Maintenance of any deposit required by this Agreement shall be made a condition of any Tentative or Final Map for the Project, or, if no map is required, of the first discretionary approval. Subject to Section 10, DEVELOPER consents and agrees not to object to, appeal, or protest any of the conditions and/or payments referenced in this Section 9.

In the event of DEVELOPER'S default, DEVELOPER waives any permit review timelines otherwise applicable under the Permit Streamlining Act, the Subdivision Map Act, or any other applicable laws with respect to each and every map, permit, or discretionary approval that may be delayed as a result of DEVELOPER'S failure to provide CITY with funds as required under this Agreement. In the event of DEVELOPER'S default, no such map, permit or other approval shall be deemed approved by operation of law in connection with the Project.

#### SECTION 10. DISPUTE RESOLUTION

If a dispute arises related to the interpretation or enforcement of, or compliance with, the terms and provisions of this Agreement ("Dispute"), CITY and DEVELOPER shall first attempt to resolve it through informal discussions. In the event a Dispute cannot be resolved in this manner within sixty days (60) days after the Dispute arises, then CITY and DEVELOPER shall engage in the following Alternative Dispute Resolution procedures:

Mediation: The CITY and DEVELOPER agree that any and all disputes, claims, or controversies between CITY and DEVELOPER and arising of or related to this Agreement shall be submitted to the Sacramento, California office of Judicial Arbitration and Mediation Services, Inc. ("JAMS") for mediation, and if the matter is not resolved through mediation, then it shall be submitted to JAMS for final binding arbitration pursuant to the arbitration clause set forth below. Either CITY or DEVELOPER may commence mediation by providing to JAMS and the other party a written request for mediation setting forth the subject of the dispute and the relief requested. The CITY and DEVELOPER will cooperate with JAMS and with one another in selecting a mediator from JAMS' panel of neutrals and in scheduling the mediation proceedings. If the parties cannot agree on the appointment of a mediator or the date of the mediation within thirty (30) days after the written request for mediation, then JAMS shall appoint the mediator at its discretion and/or set a mediation date. The CITY and DEVELOPER covenant that they will participate in the mediation in good faith, and that they will share equally in its costs. All offers, promises, conduct, and statements, whether oral or written, made in the course of the mediation by any of the parties, their agents, employees, experts, and attorneys, and by the mediator and any JAMS employees, are confidential, privileged, and inadmissible for any purpose, including impeachment, in any litigation or other proceedings involving the parties, provided that evidence that is otherwise admissible or discoverable shall not be rendered inadmissible or non-

discoverable as a result of its use in mediation. Either party may seek equitable relief prior to the mediation to preserve the status quo pending the completion of that process. Except for an action to obtain equitable relief, neither party may commence civil litigation. Either CITY or DEVELOPER may initiate arbitration with respect to the matters submitted to mediation by filing a written demand for arbitration at any time following completion of the initial mediation session or sixty (60) days after the date of the written request for mediation, whichever occurs last. Mediation may continue after the commencement of arbitration, if CITY and DEVELOPER so desire. Unless otherwise agreed to by CITY and DEVELOPER, the mediator shall be disqualified from serving as the arbitrator in the case. The provisions of this clause may be enforced by any Court of competent jurisdiction, and the party seeking enforcement shall be entitled to an award of all costs, fees, and expenses, including attorney's fees, to be paid by the party against whom enforcement is ordered.

Arbitration: Any dispute, claim or controversy between CITY and DEVELOPER arising out of this Agreement or the breach, termination, enforcement, interpretation or validity thereof, including the determination of the scope or applicability of this Agreement to arbitrate, not resolved by the mediation process set forth above, shall be determined by arbitration to be held in San Joaquin County before one arbitrator. Neither party may request an arbitration hearing in conformity with this arbitration clause until after the matter has been submitted to mediation in conformity with the mediation clause set forth above and the initial mediation session has been completed or sixty (60) days has passed since the date of the initial written request for mediation, whichever occurs last. The arbitration shall be administered by the Sacramento, California office of JAMS pursuant to its Streamlined Arbitration Rules and Procedures, which rules shall govern the commencement of the arbitration and the selection of the arbitrator among other things. Judgment on the Arbitrator's Award may be entered in the Ripon CITY Superior Court or any court having jurisdiction. This clause shall not preclude CITY or DEVELOPER from seeking provisional remedies in aid of arbitration from a court of appropriate jurisdiction.

The costs and fees of arbitration (including those fees and expenses set forth in JAMS' fee schedule in effect at the time of commencement of the arbitration) shall be borne equally by CITY and DEVELOPER, and each side shall be responsible for its own attorney's fees and expert witness' fees.

The dispute resolution process shall be undertaken in good faith. A mediator or arbitrator other than JAMS may be agreed to by CITY and DEVELOPER in writing. By agreeing to this dispute resolution process, neither CITY nor DEVELOPER hereby loses or waives its right to assert the operation of any applicable statute of limitations as an affirmative defense. The arbitration award shall be final and binding upon CITY and DEVELOPER and each agrees that it will accept such decision and award as binding and conclusive and will abide thereby.

SECTION 11. NO WAIVER OF IMMUNITIES

Nothing in this Agreement shall be construed as a waiver by CITY of any of the immunities granted to it under Federal, State or local law, including the provisions of Sections 818.6, 830.6 and 831.3 of the California Government Code.

SECTION 12. COMPLETE AGREEMENT

Except as may otherwise be explicitly set forth herein, this Agreement constitutes the final, complete, and exclusive statement of the terms hereof between CITY and DEVELOPER related to the subject matter set forth herein. Neither party is relying on any representation or warranty outside those expressly set forth in this Agreement. Any and all amendments to this Agreement shall be in writing, shall be stated as an amendment to this Agreement and shall be executed by both parties.

SECTION 13. EXHIBITS

The Exhibits attached to this Agreement are part of this Agreement and are incorporated into this Agreement by reference.

SECTION 14. UNENFORCEABILITY; SEVERABILITY

If a court of competent jurisdiction holds any Agreement clause to be invalid or unenforceable in whole or in part for any reason, the validity and enforceability of the remaining clauses, or portions of them, shall not be affected unless an essential purpose of this Agreement would be defeated by loss of the invalid or unenforceable provision. To that end, this Agreement shall be construed as not containing such clause and the provisions of this Agreement are declared to be severable.

SECTION 15. SUCCESSORS AND ASSIGNS

This Agreement shall bind and benefit DEVELOPER and CITY and their successors-in-interest, whether voluntary or involuntary. DEVELOPER agrees to require any successor to assume all duties and obligations set forth herein. The DEVELOPER shall provide CITY with notice of any transfer of ownership interest in the Project or subject property.

SECTION 16. APPLICABLE LAW

This Agreement shall be construed and enforced in accordance with the laws of the State of California. Every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted, and this Agreement shall be read and enforced as though it were included, and if through mistake or otherwise any provision is not inserted or is not correctly inserted, upon application of either party this Agreement shall be amended to make the insertion or correction. All references to statutes and regulations shall include all amendments, replacements, and enactments on the subject as of the Effective Date and any later changes which do not materially and substantially alter the positions of CITY and DEVELOPER.

SECTION 17.        NO THIRD PARTY RIGHTS

This Agreement is not intended to be, and shall not be, construed to create any third party beneficiary rights in any person or entity who is not a party, unless expressly provided herein.

SECTION 18.        NO JOINT VENTURE OR PARTNERSHIP

The parties specifically acknowledge that each party is an independent entity with respect to the terms contained in this Agreement. None of the terms of this Agreement shall be deemed to create a partnership between the parties in the businesses of DEVELOPER or the affairs of CITY, or otherwise, or cause them to be considered joint venturers or members of any joint enterprise.

SECTION 19.        CONSTRUCTION

Each party hereto declares and represents that in entering into this Agreement, it has relied and is relying solely upon its own judgment, belief, and knowledge of the nature, extent, effect, and consequence relating thereto. Each party further declares and represents that this Agreement is made without reliance upon any statement or representation not contained herein of any other party or any representative, agent, or attorney of the other party. The parties agree that they are aware they have the right to be advised by counsel with respect to the negotiations, terms, and conditions of this Agreement and that the decision of whether or not to seek the advice of counsel with respect to this Agreement is a decision which is the sole responsibility of each of the parties. Accordingly, no party shall be deemed to have been the drafter hereof, and the principle of law set forth in Civil Code § 1654 that contracts are construed against the drafter shall not apply.

SECTION 20.        TIME IS OF THE ESSENCE

For the purpose of this Agreement and of each provision of this Agreement, time is of the essence.

SECTION 21.        COOPERATION

DEVELOPER and CITY shall cooperate fully in the execution of any and all other documents and in the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

SECTION 22.        JURISDICTION AND VENUE

This Agreement is executed and is to be performed in the CITY of Ripon, California, and any action or proceeding brought relative to this Agreement shall be heard in the appropriate court in the County of San Joaquin. CITY and DEVELOPER each consent to the personal jurisdiction of the court in any such action or proceeding.

SECTION 23. REPRESENTATIONS OF AUTHORITY

Each party signing this Agreement represents and warrants to the other party that all necessary legal prerequisites to that party's execution of this Agreement have been satisfied and that the signatory has been authorized to sign this Agreement and bind the party on whose behalf the signatory signs.

SECTION 24. NO PROMISE OR REPRESENTATION

DEVELOPER and CITY agree that nothing in this Agreement is to be construed as a representation, promise, or commitment on the part of CITY to give special treatment to, or exercise its discretion favorably for, the Project or DEVELOPER.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first above written.

CITY  
City of Ripon

DEVELOPER  
\_\_\_\_\_

By: \_\_\_\_\_  
Jacob Parks, Mayor

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST  
Lisa Roos, City Clerk

By: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO LEGAL FORM  
City Attorney

By: \_\_\_\_\_

Date: \_\_\_\_\_



# MEMO

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**TO:** CITY COUNCIL  
**FROM:** STAFF  
**SUBJECT:** WATER CONSERVATION PROGRAM UPDATE  
**DATE:** JUNE 8, 2016

**CONSENT CALENDAR:**

**NOTES:**

**4. Miscellaneous Items**

**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 for the Ripon Transit bus.
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This item was not available for placement in the packet by the deadline date. This will be issued to Council as soon as it is received.

If you would like a copy of this document, please contact Deputy City Clerk Tricia Raymond for a copy.

Thank you,

Tricia Raymond  
 Deputy City Clerk  
[traymond@cityofripon.org](mailto:traymond@cityofripon.org)  
 (209)599-0215

**PUBLIC HEARINGS**

## Public Notice

### NOTICE OF PUBLIC HEARING

**NOTICE HEREBY GIVEN** that The City of Ripon City Council will hold a public hearing at a meeting on Tuesday, June 14, 2015 at 6:00 p.m. in the City of Ripon Council Chambers, 259 N. Wilma Avenue, Ripon, on the following matter:

**BUDGET** – A budget hearing will be held for all interested citizens of the City of Ripon. The following budget is proposed for the fiscal year 2016-2017.

Category	Total Expenses of all funds
General	\$9,936,209
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
Community Development Block Grant	\$7,005

This budget will be discussed at 6:00 p.m. or as soon thereafter as the matter can be heard. The proposed budget may be examined on weekdays at City Hall, 259 N. Wilma, Ripon, CA between the hours of 7:30 a.m. and 5:30 p.m. All interested citizens will have the opportunity to give written and oral comment.

PURSUANT TO SECTION 65009 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA, NOTICE IS HEREBY FURTHER GIVEN THAT IF SUCH PROPOSED BUDGET IS CHALLENGED IN COURT, SUCH CHALLENGE MAY BE LIMITED TO ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY COUNCIL AT OR PRIOR TO THE PUBLIC HEARING.

**ALL INTERESTED PARTIES** will be given an opportunity to appear and be heard by the City Council of the City of Ripon at said time and place pertaining to the above described matter.

**CITY OF RIPON**  
**Tricia Raymond**  
**Deputy City Clerk**  
 Publish: June 2, 2016

*If you would like to see a copy of the draft budget, please contact Deputy City Clerk Tricia Raymond at [traymond@cityofripon.org](mailto:traymond@cityofripon.org).*



# City Council Staff Report

City Council Meeting June 14, 2016

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**Project Title:** *Development Code Text Amendment (TAZ 16-01)*

**Request:** *A public hearing to consider amendments to Title 16 (Development Title) chapters: 16.12 Definitions and Use Classifications 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.*

**Location:** *Corporate City Limits*

**Planner:** *Ken Zuidervaart, Director of Planning*

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## **Discussion:**

Due to the recent adoption of the City of Ripon's 5<sup>th</sup> Cycle Housing Element and a need from time to time to cleanup, update and revise the City's Development Title, staff is recommending the following amendments/revisions to the City's Development Code.

1. Chapter 16.12 Definitions and Use Classifications Systems
  - a. Amendments to section 16.12.040 Definitions and Use Types adding the following definitions:
    - i. Banquet Facility
    - ii. Cargo Containers
    - iii. Cottage Food Operation
    - iv. Emergency Shelter – required to be added pursuant to the City of Ripon's 5<sup>th</sup> Cycle Housing Element adoption.
    - v. Supportive Housing – required to be added pursuant to the City of Ripon's 5<sup>th</sup> Cycle Housing Element adoption.
    - vi. Supportive Services – required to be added pursuant to the City of Ripon's 5<sup>th</sup> Cycle Housing Element adoption.
    - vii. Target Population – required to be added pursuant to the City of Ripon's 5<sup>th</sup> Cycle Housing Element adoption.
    - viii. Transitional Housing – required to be added pursuant to the City of

Ripon's 5<sup>th</sup> Cycle Housing Element adoption.

2. Chapter 16.16 Residential Districts
  - a. Added section 16.16.060 pertaining to Emergency Shelter Standards. Pursuant to Housing Element law, emergency shelters must be allowed by right in certain zones. For Ripon those zones are the Very High Density zone and also our Mixed Use zone. However, allowing emergency shelters by right does not mean that they do not have to follow certain standards. The Emergency Shelter Standards section is what the City of Ripon can adopt pursuant to state law regarding these type of uses. These standards came as recommendations by the City's consultant for our Housing Element. They are in compliance with State Law.
  - b. Adjusted some of the allowable densities within the medium and higher density zones to eliminate some of the density overlap within those zones.
  - c. Amended the tables 16.16.1, 16.16.2 and 16.16.3 to correspond to the above changes.
3. Chapter 16.20 Office and Commercial Districts
  - a. Amended the office and commercial use table, Table 16.20.1
    - i. Removed the Use Permit requirement for Massage Establishments due to the recent adoption of the massage ordinance.
    - ii. Added Banquet Facility use to the table under Public and Semi-public uses as a use permit for certain zones.
4. Chapter 16.24 Industrial Districts
  - a. Amended the industrial districts use table, Table 16.26.1
    - i. Added Banquet Facility use to the table for light industrial zones only with a use permit.
5. Chapter 16.26 Mixed Use Districts
  - a. Amended the mixed use districts use table, Table 16.26.1
    - i. Added Banquet Facility use to the table under Public and Semi-public uses as a use permit.
6. Chapter 16.144 Parking and Loading
  - a. Amended Table 16.144.2 to include parking requirements for Banquet Facilities.
7. Chapter 16.89 Cottage Food Operation Permit
  - a. Added a new chapter entitled Cottage Food Operation Permit. This chapter has been added to bring the City of Ripon into compliance with Assembly Bill 1616 regarding the cottage food industry. The chapter established the permitting process and Standards of Operation.

Staff has attached the proposed amendments to this staff report with the changes highlighted in yellow. The originals can be found on the City of Ripon's website using the following link: [http://www.cityofripon.org/RMC/Ripon\\_Municipal\\_Code.html](http://www.cityofripon.org/RMC/Ripon_Municipal_Code.html). Please navigate then to Title 16, where all the original chapters can be found.

**Planning Commission Action:**

On May 16, 2016, the Planning Commission held a public hearing to consider the amendments and to provide the public an opportunity to comment on the proposed amendments. At that meeting no one from the public came forth to comment on the proposed amendment, however the Planning Commission did express the desire to limit the number of customer/delivery visits to a resident that was operating a Cottage Food Operation. Staff researched their request and could not find in assembly bill 1616 or any other ordinance that the City could not regulate the number of customer/delivery visits to a Cottage Food Operation. Therefore staff has added the Planning Commission's recommended amendment to limit the number of customer/delivery visits for a Cottage Food Operation to not exceed sixteen (16) visits per day.

Subsequently, the Planning Commission took action, with a 5 to 0 vote, to recommend the City Council approve the proposed amendments, with the above mentioned added condition. (Refer to the attached minutes for details.)

**Findings:**

1. That the proposed provisions are consistent with the goals, objectives, policies and programs of the City of Ripon General Plan.

**Environmental Analysis:**

The proposed amendment is not subject to CEQA review pursuant to CEQA guidelines Section 15061(b)(3).

**Recommended Action:**

Should the City Council agree with the Planning Commission's recommendation, the following motion would be appropriate:

“The City Council approves the recommended amendments to the following ordinances:

- Chapter 16.12 – Definitions and Use Classifications 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

and recommends that the City Council approves creating a new ordinance identified as Chapter 16.89 Cottage Food Operation Permit, based on the findings in the staff report.”

**General Application Information:**

- Owner/Applicant: City of Ripon
- Application#: TAZ 16-01
- GP Designation: N/A
- Zoning: N/A

**Attachments:**

- A. Proposed Chapter 16.12 Definitions and Use Classifications Systems
- B. Proposed Chapter 16.16 – Residential Districts and Use Tables
- C. Proposed Chapter 16.20 – Office and Commercial Districts Use Table
- D. Proposed Chapter 16.24 – Industrial Districts Use Table
- E. Proposed Chapter 16.26 – Mixed Use District Use Table
- F. Proposed Chapter 16.144 – Parking and Loading
- G. Proposed Chapter 16.89 – Cottage Food Operation Permit
- H. Planning Commission Minutes from May 16, 2016

16.12.010

**Chapter 16.12****DEFINITIONS AND USE CLASSIFICATION SYSTEMS****Sections:****16.12.010 Purpose.****16.12.020 Classification Rules.****16.12.030 Authority and Responsibility.****16.12.040 Definitions and Use Types****16.12.010 Purpose.**

Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may be within the classification. The purpose of this Chapter is to classify uses according to a limited number of uses based on common functional, product or compatibility characteristics, by providing a basis for the regulation of uses according to criteria that are directly relevant to the public health, safety, and general welfare. The classifications will apply throughout the Title. (Ord. 606, 1999)

**16.12.020 Classification Rules.**

All uses will be classified according to the use types described in this Chapter. The classifications will comply with the provisions of this Chapter.

A. TYPES OF USES REGULATED. Only principal uses are included within the Use Classification System. Accessory uses and temporary uses are regulated by the use regulations for each zoning district.

B. TYPICAL USES WITHIN USE TYPES. The description of the use types in this Chapter often contains typical uses classified within that use type. These typical uses are examples and are not meant to include all uses that may properly be classified with the use type.

C. CLASSIFYING NEW USES. New uses will be classified into use types based on the description of the use types and upon characteristics similar to other uses already classified within this type, subject to the applicable provisions of this Section. (Ord. 606, 1999)

**16.12.030 Authority and Responsibility.**

The Director shall have the authority and responsibilities with respect to the Use Classification System.

A. CLASSIFY USES. The Director shall have the authority to classify uses according to use type or to decide that a use does not fit under any use type and, therefore, is not permitted.

B. LIST OF USES. The Director shall develop and maintain an administrative list of common uses and the use types into which they are classified.

C. PROCEDURE. The classification of a use is an administrative decision without notice and hearing, except that an application can appeal the Director's decision according to Section 16.08.060. (Ord. 606, 1999)

**16.12.040 Definitions and Use Types**

ABANDONED. To cease or suspend from developing or maintaining a building or use for a stated period of time.

ABANDONED ACTIVITY. A business or activity with no reported sales activity for at least 180 days. Exceptions are temporary closures for repairs, alterations, or other similar situations.

ABUTTING (adjacent). Two or more parcels sharing a common boundary, of at least one point.

ACCESS. Safe, adequate, and usable ingress or egress to a property or use.

ACCESS RESTRICTION. That right of access to a parcel has been dedicated to the City and that, as a consequence, a property owner no longer has a right to go to and from his/her property over that right-of-way line.

ACCESSORY BUILDING OR STRUCTURE. A structure, detached from the principal structure on the same lot, incidental to the principal building, not designed for permanent human habitation, and may include conditioned space. The term "Accessory Building or Structure" includes sheds, detached garages, workshops, tool and storage buildings over one hundred twenty (120) square feet, recreation rooms and pool houses.

ACTION. The decision made by a review authority on a land use application, including appropriate findings, environmental determination and conditions of approval, where applicable.

ADULT BUSINESSES. Establishments or places of business primarily engaged in an adult oriented type of business. For further explanations and requirements for adult-oriented businesses see Chapter 16.110. The following are categories of this use type:

a. **Adult Book Store:** An adult bookstore includes any commercial establishment, vending machine, dispenser, booth, cart or other stand alone unit that has more than twenty-five (25%) percent of its merchandise (as measured by cost of inventory, retail floor area, retail value, or gross revenue) in books, magazines, photographs, paraphernalia, drawings, motion pictures, video tapes, films, or other audio or visual representations, which describe or depict sexual intercourse, fellatio, cunnilingus, bestiality, sodomy, sadomasochism, or other sexual conduct.

b. **Adult Entertainment Center:** An adult entertainment center includes any commercial establishment, vending machine, dispenser, booth, cart or other stand alone unit that shows or provides films, or displays them on a viewer, screen, or television set, more than twenty-five (25%) percent of which depict, describe, or relate to sexual intercourse, cunnilingus, bestiality, sodomy, sadomasochism, or other sexual conduct; or any commercial establishment that provides live entertainment wherein the entertainers perform partially or totally nude.

**AFFORDABLE HOUSING.** That housing which can be rented or purchased by those of moderate, low and very low incomes as specified in the California Code of Regulations (Title 25, Sections 6922 and 6924).

**AGRICULTURE.** The use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, and accessory activities, including but not limited to storage, harvesting, feeding or maintenance of equipment excluding stockyards, slaughtering or commercial processing.

**AMBIENT NOISE LEVEL.** The background noise level always present when isolated, identifiable sources are absent.

**AMBULANCE SERVICES.** Provision of emergency medical transportation vehicles, including incidental office services, and storage and maintenance of vehicles.

**ANIMAL BOARDING SERVICES.** Establishments providing shelter and care for small domestic animals on a commercial basis. Activities of this use type include feeding, exercising, grooming and incidental medical care. The facility shall be located at least 300 feet away from any residentially zoned district if any operations and/or boarding of animals is not conducted within an entirely enclosed and

soundproofed building.

**ANIMAL GROOMING SERVICES.** Establishments focusing primarily on bathing and trimming services for small animals on a commercial basis, and includes indoor boarding of domestic animals for a maximum period of forty-eight (48) hours.

**ALLEY.** A public or private way, at the rear or side of property, permanently reserved as an supplementary means of vehicular or pedestrian access to abutting property.

**ALTERATION.** Any construction or physical change in the internal arrangement of rooms or supporting members of a building or structure, or change in appearance of any building or structure.

**ANCILLARY USE.** A use incidental to and customarily associated with a specific principal use, located on the same lot or parcel, including, but not limited to, massage therapy/spa, body art and kennels or boarding of pets.

**ANTENNA.** A device for transmitting or receiving radio, television, or any other transmitted signal.

**APARTMENT, MULTI-FAMILY.** The part of a structure designed and used for occupancy by two or more individual persons or families living independently of each other, including duplex, triplex, fourplex, and other multi-unit designs.

**APPLICANT.** The owner(s) or lessee(s) of property, or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Development Title, or their agents.

**AREA OF BENEFIT.** A geographical area created to spread the cost of a service or improvements. An area of benefit is also sometimes referred to as a "Local Benefit District".

**ASSEMBLY/LIGHT MANUFACTURING.** An establishment engaged in assembly and/or light manufacturing activities that use moderate amounts of partially processed materials to produce items of relatively high value per unit weight, such as consumer electronics, small household items, etc.

**ATTACHED.** Any structure that has an interior wall or roof in common with another structure.

**AUTO/TRUCK TRAVEL PLAZA.** Minor servicing and washing of trucks, retail sales of fuel and auto/truck accessories, restaurants, convenience market and overnight accommodations available for truck crews.

**AUTO SALES LOT.** An open area used for the display, sale, rental or consignment of new or used automobiles, vans or small trucks.

**BANQUET FACILITY.** A function hall, reception hall or banquet hall is a room or building for the purpose of hosting a party, banquet, wedding or other reception or other social event.

**BARN.** A building used especially for storing hay and grain and for housing livestock or farm equipment.

**BASEMENT.** A story partly or completely under-ground. A basement shall be counted as a story for purposes of height measurement where any portion of a basement has more than one half its height above average finished ground level.

**BED AND BREAKFAST INN.** A transit lodging establishment primarily engaged in providing overnight or otherwise temporary lodging for the general public and may provide meals to the extent otherwise permitted by law.

**BIKEWAY.** An area, either within or outside the right-of-way of a dedicated street, where bicycle travel is the designated use. A Bikeway@ includes bike paths and bike lanes.

**BLOCK.** A parcel of land surrounded by public streets, highways, freeways, railroad rights-of way, flood control channels, creeks, washes, rivers, or unsubdivided acreage or any combination thereof.

**BOARDING HOUSE.** A structure where lodging and meals for five or more boarders is provided for compensation.

**BUILDING.** Any structure having a roof supported by columns or walls.

**BUILDING AREA.** The net portion of the lot remaining after deducting all required setbacks from the gross area of the lot.

**BUILDING COVERAGE (Lot Coverage).** The percent of lot area that may be covered by buildings or structures on a lot.

**BUILDING HEIGHT.** The vertical distance from the pad grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a sloping roof.

**BUILDING, MAIN.** A building in which the principal use is conducted.

**BUILDING SITE.** The ground area occupied or to be occupied by a building or group of buildings with all of the open spaces required by this Title.

**CARPOR.** A permanent roofed structure not

completely enclosed to be used for vehicle parking.

**CARETAKER RESIDENCE.** Complete independent living facility used only by an individual whose presence on the property is necessary for the operation of the business and/or to prevent vandalism, pilferage, damage, or destruction of property, structures or equipment on the same parcel.

**CARGO CONTAINERS.** A standardized, reusable vessel a maximum of forty feet (40') in length, eight feet (8') in width and eight feet, six inches (8'-6") in height that is or appears to be: 1) Originally, specifically or formerly designed for or used in the parking, shipping, movement, transportation or storage of freight, articles, goods or commodities; or 2) Designed for or capable of being mounted or moved on a rail car; or 3) Designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

**CATERING SERVICE.** Preparation of food and beverages for off-site consumption.

**CEMETERY.** Services or grounds involving the keeping of bodies below ground on cemetery grounds and the incidental provision of interring, undertaking, and crematory services on said cemetery grounds.

**CHILD CARE CENTERS.** Child day-care services for fifteen (15) or more children. Typical uses include child care centers, preschools, and day nurseries.

**CHURCHES.** Structures and grounds used for religious worship and incidental religious education, but not including private schools.

**CITY.** The City of Ripon.

**CITY COUNCIL.** The City Council of the City of Ripon.

**CLUB.** An association of persons, whether or not incorporated, organized for some common purpose, but not including a group organized primarily to render a service customarily carried on as a business.

**CLUBS AND LODGES.** Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use of members or guests. This use type includes union halls, social clubs and centers for youths or seniors.

**COMMERCIAL RECREATION AND ENTERTAINMENT.** Provision of participant and/or spectator recreation or entertainment. The use types include theaters, sports venues and

stadiums, race tracks, amusement parks, bowling alleys, billiard parlors, ice/roller skating rinks, golf courses, miniature golf courses, scale model courses, shooting galleries, tennis/ racquetball courts, health/fitness clubs, pinball arcades, or electronic games centers having eight (8) or more coin operated game machines.

**COMMERCIAL VEHICLE.** A vehicle customarily used as apart of a business for transportation of goods or people.

**COMMISSION.** The Planning Commission of the City of Ripon.

**COMMUNICATION FACILITIES.** Broadcasting, recording, and other communication through electronic or telephonic mechanisms. The use types include radio, television or recording studios, and telephone switching centers.

**COMMUNITY CENTERS.** Special purpose facilities which includes uses such as senior centers, boy and girls clubs and community centers.

**CONDOMINIUM.** A development consisting of an undivided interest in common for part of a parcel coupled with separate interest in space in a residential or commercial building on the parcel.

**CONFERENCE CENTER.** Specialized hotels designated and built almost exclusively to host conferences, exhibitions, large meetings, seminars, training sessions, etc. A conference center often also provides office facilities, and a range of leisure activities.

**CONVALESCENT FACILITIES.** Establishments providing twenty-four (24) hour care for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.

**CONVENIENCE MARKET.** A small grocery store, selling a limited variety of food and nonfood products, typically with extended hours and conveniently located to service a variety of customers. Does not include stores whose primary focus is the sale of liquor.

**COOP.** A covered enclosure for housing fowl, as defined in RMC, Title 6.

**COPING.** The top layer of a wall.

**COTTAGE FOOD OPERATION.** A business operated by a person who produces or packages non-potentially hazardous food in a kitchen located in the person's primary domestic residence or another appropriately equipped residential or commercial style kitchen on that property.

**COUNCIL.** The City Council of the City of Ripon.

**COUNTY.** The County of San Joaquin, hereafter referred to as ACounty.@

**COURT.** An open, unoccupied space, other than a yard, on the same lot with a building and bounded on two or more sides by the walls of a building.

**CREMATORY.** An establishment involving the reduction of human body to ashes by burning.

**CUSTOM MANUFACTURING.** Uses in this category are typically the on-site production of goods by hand manufacturing or artistic endeavor that involves only the use of hand tools or small mechanical equipment, the incidental sale of these goods directly to consumers. Usual uses include ceramic studios, candle making shops, custom jewelry manufactures, and like uses.

**DAYS.** Days are based on calendar days, except where otherwise noted.

**DENSITY BONUS.** An increase in residential units over the maximum number of normally allowed units within a residential General Plan designation.

**DETENTION FACILITIES.** Publicly owned and operated facilities providing housing, care and supervision of persons confined by law.

**DEVELOPER.** Any person or persons, partnership, firm, corporation, or other business entity financially responsible for the work involved on a given project, either direct or through the services of any employee, agent, or independent contractor.

**DEVELOPMENT.** The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining , excavation, landfill, or land disturbance; and any use or extension of the use of the land; and any activity requiring a permit, excluding maintenance.

**DEVELOPMENT PROJECT.** Any project for which a discretionary permit is required, excluding General Plan amendments, ordinance text changes, rezonings, Specific Plans and Specific Plan amendments.

**DEVIATION.** A "deviation" is a limited waiver of zoning standards on property being proposed for subdivision.

**DIRECTOR.** The Director of Planning, hereafter referred to as ADirector@ or designee.

**DISCRETIONARY PERMIT.** Any permit required before the development or use of real property can proceed, that the City Council,

Planning Commission or Staff may approve, deny or approve subject to conditions. Discretionary permits include, but are not limited to, major and minor subdivisions, use permits, variances, zone district reclassifications and site plan reviews.

**DUPLEX.** A house or residential unit designed to contain two units, typically sharing a common wall on a single residential parcel.

**DWELLING GROUP.** A group or row of detached or semidetached dwellings occupying a parcel of land in one ownership and having a yard or court in common, including bungalow courts, but not including recreational vehicle parks or lots with second dwelling units.

**DWELLING, MULTIPLE.** A building occupied as a residence by three or more families living independently of each other, including apartment buildings or courts but not including recreational vehicle parks.

**DWELLING, SINGLE-FAMILY.** A detached or attached building occupied by one family.

**DWELLING, TWO-FAMILY.** A building occupied by two families exclusively, living independently.

**DWELLING, SECOND UNIT.** A detached or attached dwelling unit, located on the same parcel as another primary dwelling and subject to the requirements specified in Chapter 16.86.

**EMERGENCY SHELTER.** Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

**EQUESTRIAN CENTER.** A full service facility providing boarding services, training and show facilities, and riding lessons for equestrians.

**FAMILY.** An individual, or two (2) or more persons related by blood, marriage or legal adoption, or a group of not more than five (5) persons, who are not so related, living together as a single housekeeping unit.

**FAMILY DAY CARE, ADULT.** Non-medical care and supervision of six (6) or fewer persons on a less than twenty-four (24) hour basis.

**FAMILY DAY CARE, CHILD.** Child day-care services in a residence which provide care for fourteen (14) or fewer children, including children who reside at the residence.

**FENCE.** A wall or barrier constructed of boards, masonry, wire, or any other material for the purpose of enclosing space or separating

parcels of land. The term **Fence** does not include retaining walls but does include fence gates and gateposts.

**FENCE HEIGHT.** The height of any fence as determined by measurement from the natural or finished grade at the lowest side of the fence. If a fence is proposed to be built on top of an earthen berm or other landscape feature, the maximum fence height shall include the height of the berm or landscape feature.

**FINISH GRADE.** The final elevation of the site after excavating or filling which conforms to the approved final grading plan. The finish grade is also the grade at the top of a paved surface.

**FINAL MAP.** A map or recording instrument for a subdivision of land. The final map must be in substantial compliance with an approved tentative map. A final map must be filed with the County Recorder.

**FREIGHT DELIVERY.** The delivery of goods made by commercial freight haulers.

**FRONTAGE.** That side of a lot which abuts a public road, or waterway if so specified.

**FRONTAGE, PRIMARY.** That side of a lot abutting a street where the main building entrance is located and in the general direction in which the principal building faces.

**FRONTAGE, SECONDARY.** That side of a lot abutting a street which is to the side or in the opposite direction from which the principal building faces.

**GARAGE.** An enclosed building, or portion of an enclosed building used for the parking of vehicles. For Detached Garages see Chapter 16.140 section 16.140.030 (Accessory Buildings/Structures) for specific requirements.

**GARAGE & YARD SALE.** The sale of personal possessions and household articles incidentally accumulated during normal residential use of the property on which the sale is held.

**GENERAL PLAN.** The City of Ripon General Plan as adopted by the City Council, which may be amended from time to time.

**GOVERNMENT OFFICES.** Administrative, clerical or public contact offices of a government agency, including postal facilities, with incidental storage and maintenance of vehicles.

**GRADE.** The degree of rise or descent of a sloping surface.

**GROUP CARE FACILITY. LARGE.** A facility authorized, certified, and licensed by the State of California to provide non-medical

residential care and supervision for seven (7) or more persons, on a 24 hour-a-day basis to either mentally disordered or otherwise disabled persons, to dependent and neglected children or to aged individuals.

**GROUP CARE FACILITY. SMALL.** A facility authorized, certified, and licensed by the State of California to provide non-medical residential care and supervision for six (6) or fewer persons, on a 24 hour-a-day basis to either mentally disordered or otherwise disabled persons, to dependent and neglected children or to aged individuals.

**GROUP RESIDENTIAL.** Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes boardinghouses, dormitories, fraternities, sororities, and private residential clubs.

**GUEST HOUSE.** Living quarters, having no permanent kitchen facilities, located on a lot with a main building and occupied for the sole temporary use of members of the family or guests and not rented or leased, or used as a separate dwelling. The term "Guest House" does not include "Second Unit Dwellings", as defined in Chapter 16.86.

**HAZARDOUS MATERIAL INDUSTRIAL.** The manufacture, fabrication, processing, packaging and treatment, or storage of chemicals and chemical products that are considered as hazardous materials and could potentially pose a threat to the community if handled inappropriately.

**HEAVY INDUSTRIAL.** Production process that should not be near residential or commercial uses due to the intensive nature of the industrial activity or its scale of operation. These uses can be located near other similar manufacturing uses although special control measures may still be required of some extremely intensive operations to ensure compatibility with similar industrial uses. Typical uses include food processing and packaging, laundry and dry cleaning plants, motor vehicle assembly, sawmills, textile dyeing, leather tanning and chemical production.

**HELIPORTS.** Pads and facilities enabling takeoffs and landings by helicopters.

**HIGH DENSITY RESIDENTIAL.** Residential development with densities ranging from 16 to 22 units per gross acres. This designation permits a range of housing types, including single family attached and detached and multi-family developments, and is intended for specific areas where higher density is appropriate.

**HIGH TECHNOLOGY.** Establishments

directed at research, development, and controlled production of high-tech electronic, industrial, or scientific products. Typical uses include biotechnology firms and computer component manufacturers.

**HIGH TURNOVER SIT DOWN RESTAURANT.** Sit-down, full service eating establishments with turnover rates of approximately one (1) hour or less.

**HISTORIC RESOURCE.** Any object, building, structure, site, area, or place which is historically or archaeologically significant, or which is significant in the aesthetic, architectural, cultural, engineering, scientific, economic, agricultural, educational, social, political, or military annals of the state, county, or community.

**HISTORIC DISTRICT.** An integrated group of structures or an area which holds special historical interest or value.

**HISTORICALLY SIGNIFICANT.** Any site, structure, or district which holds special historical interest or value as part of the culture or heritage characteristic of the nation, state, county or community, including registered National or State Landmarks, items registered or eligible for listing on the National Register of Historical Places, and resources of local historical significance.

**HOME OCCUPATION.** Any occupation, conducted in compliance with Chapter 16.88, Home Occupation that is customarily or ordinarily conducted within a dwelling. The home occupation must be clearly incidental and secondary to the use of the dwelling as a dwelling and cannot change the residential character or design of the dwelling.

**HOSPITAL.** Facilities providing medical, surgical, psychiatric, or emergency medical services to injured persons, primarily on an inpatient basis. This use type includes incidental facilities for outpatient treatment, and training, research, and administrative services for patients and employees.

**HOTEL.** Guest rooms or suites occupied on a transient basis, with most gaining access from an interior walkway.

**HOUSEHOLD, LOW INCOME.** A household whose income does not exceed eighty percent (80%) of area median income.

**HOUSEHOLD, MODERATE INCOME.** A household whose income does not exceed one hundred twenty percent (120%) of the area median income.

**HOUSEHOLD, SENIOR CITIZEN.** A person

of a least 62 years of age, or 55 years of age if the project consists of at least thirty-five (35) dwelling units.

**HOUSEHOLD, VERY-LOW INCOME.** A household whose income does not exceed fifty percent (50%) of the area median income.

**INCUBATOR UNITS.** More than one small business located in one facility, sharing office support and equipment.

**INDOOR VEHICLE SALES ESTABLISHMENT.** Sale and/or lease of vehicles within an enclosed structure, with the following provisions:

1. All vehicles owned by or being sold by the dealership must be stored, maintained, and sold within a permanent building. The dealership may not display, store, or service vehicles outdoors or under any temporary structure or partially enclosed building.

2. Dealerships are limited to the sale or lease of automobiles, motorcycles and watercrafts. Dealerships may not have more than ten (10) of any such vehicles on the premises for sale, lease, storage, or service at any given time.

3. All vehicle service must be performed in a permanent structure out of view from the public areas. The dealership may not service vehicles outdoors or in a partially enclosed building.

4. All dealerships must conform to all sign and advertising requirements as required by Chapter 16.172 of the Ripon Municipal Code.

5. Indoor vehicle establishments shall comply with all applicable building and fire codes.

**INOPERATIVE VEHICLE.** A vehicle that mechanically is incapable of being driven, including a vehicle which is missing any part essential for movement or where such essential parts are broken or defective; or a vehicle prohibited from being operated on a public street or highway pursuant to Sections 4000, 5202, 24002, or 40001 of the California Vehicle Code, concerning license plates, registration, equipment, safety and related matters.

**JUNKYARD.** The use of any lot, or portion of a lot, for the sale, storage, keeping, or abandonment of junk, including scrap metals or salvageable material, or for the dismantling, wrecking, or abandonment of automobiles or other vehicles.

**KITCHEN, PERMANENT FACILITIES.** Include but are not necessarily limited to any gas service, hood, electrical service, etc., intended for

cooking appliances such as ranges, stoves, etc.

**LABORATORY, MEDICAL, DENTAL, OR OPTICAL.** Establishments intended for the research and laboratory processing and analysis of material and/or products relating to the medical industry.

**LABORATORY, RESEARCH AND ANALYSIS.** Establishments intended for the research of an industrial or scientific nature and laboratory processing of material, but excludes medical testing and analysis, product testing, and manufacturing of materials classified under the High Technology use type. Typical uses include electronics research firms, pharmaceutical research laboratories, photographic laboratories, and like uses.

**LIMITED INDUSTRIAL.** Production processes that, by the nature of the activity performed or the scale of operation, can be located near residential or commercial uses with minimum impact to the adjacent uses. This use type usually includes processing, small scale food processing, fabrication, assembly treatment, and packaging, but excludes basic industrial processing from raw materials or large scale food processing.

**LINEN SUPPLY SERVICES.** Establishments primarily engaged in supplying, on a rental basis, laundered items, such as uniforms, gowns and coats, table linens, bed linens, towels, clean room apparel, treated mops, shop towels, and door mats. These establishments may contain laundering facilities.

**LIQUOR STORE.** An establishment whose primary focus is the sales of alcohol for off premises consumption, typically with extended hours and conveniently located to service a variety of customers.

**LOCAL BENEFIT DISTRICT.** A district formed over certain, specified parcels of real property to allocate the costs and benefits, as among benefitted property owners, of public infrastructure, to reimburse either the City or private developers or owners for the installation of said infrastructure.

**LOT.** A parcel of land established by plat, subdivision, or otherwise permitted by law, to be used, developed or built upon. The classifications of lots are:

- a. Corner. A lot located at the intersection of two streets, not including alleys.

- b. Flag. A lot having access or an easement to a public or private street by narrow private right-of-way.

c. Interior. A lot abutting one street.

d. Key. A lot with one side line that abuts the rear of any one or more adjoining lots.

e. Reverse Corner. A corner lot, the rear of which abuts the side of another lot.

f. Through. A lot having frontage on two generally parallel streets, with only one primary access.

LOT AREA. The total area included within lot lines, including one half, but not exceeding ten (10) feet of width of any abutting alley.

LOT DEPTH. The average distance between the front and rear lot lines or between the front line and the intersection of the two side lines, if there is no rear line.

LOT LINE ADJUSTMENT. A minor change in a property line between existing parcels that would create no new parcels, pursuant to the Subdivision Map Act.

LOT MERGER. A reduction of the number of lots.

LOT MERGER, VOLUNTARY. An owner-initiated merger of contiguous parcels under common ownership without reversion to acreage, pursuant to the Subdivision Map Act.

LOT WIDTH. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a midway point between the front and rear lot lines.

LOT OF RECORD. A parcel held in separate ownership as shown on the County Assessor=s records and established by the provisions of this or previous Titles.

MAJOR SUBDIVISION. A subdivision of land creating five (5) or more parcels, five (5) or more condominiums, or community apartment project containing five (5) or more units, unless otherwise excepted in the definition of a Minor Subdivision.

MANSARD ROOF. A roof having two slopes on all sides with the lower slope steeper than the upper one.

MANUFACTURED HOME. A manufactured home is a complete single-family home deliverable in one or more transportable sections, designed to be placed on a permanent foundation, and constructed to the standards established by the U. S. Department of Housing and Urban Development (HUD). A manufactured home is not the same as a recreational vehicle or commercial coach which may look similar from the exterior.

MASSAGE ESTABLISHMENT. An

establishment whose primary function of business is where any person provides, receives, or permits others to provide or receive massage therapy services.

MEDIAN, ROADWAY. A paved or planted area separating a street or highway into two or more lanes of opposite direction of travel.

MEDICAL MARIJUANA DISPENSARY. Any facility or location where medical marijuana is made available to and/or distributed by or to two (2) or more of the following: a primary caregiver, a qualified patient, or a person with an identification card, in strict accordance with California Health and Safety Code '11362.5 et seq. A medical marijuana dispensary@ shall not include the following uses, as long as the location of such uses are otherwise regulated by this Title or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code '11362.5 et seq.

MEDIUM DENSITY RESIDENTIAL. Residential development with densities ranging from 8 to 13 units per gross acres. This designation permits a range of housing types, including single family attached and detached and multi-family developments, and is intended for specific areas where medium and higher densities are appropriate.

MINI-STORAGE. Buildings providing space for the storage of household and commercial goods, and yards providing space for the storage of vehicles, boats, and trailers.

MINOR SUBDIVISION. A subdivision of land where:

a. The land before division contains less than five (5) acres, each parcel created by the division abuts upon a maintained public street or highway, and no dedications or improvements are required by the City Council; or

b. Each parcel created by the division has a gross area of twenty (20) acres or more and has an approved access to a City maintained road, street, or highway; or

c. The land consists of a parcel or parcels of land which have approved access to a public road, street, or highway and which compose part of a tract of land zoned for industrial or commercial development and which have the approval of the City Council as to street alignments and widths; or

d. The subdivision would create four (4) parcels or less, or condominiums or community apartments containing four (4) units or less; or

e. Each parcel created by the division has a gross area of not less than forty (40) acres or is not less than a quarter of a quarter-section.

**MIXED USE DEVELOPMENT.** Two or more uses that are integrated and developed under a coherent plan.

**MOBILE HOME.** The term “mobile home” shall be considered a manufactured home for the purposes of this chapter.

**MOBILE HOME PARK.** A residential facility arranged or equipped for the accommodation of two (2) or more manufactured homes, with spaces for such manufactured homes available for rent, lease or purchase, and providing utility services and other facilities either separately or in common to manufactured home space therein.

**MOTEL.** Guest rooms or suites occupied on a transient basis, with most gaining access from an exterior walkway.

**NET SITE AREA.** The total area within lot lines of a lot or parcel of land after public street easements or other areas to be dedicated or reserved for public use are deducted from the lot or parcel.

**NEWSPAPER/MAGAZINE STAND.** An establishment or stand whose primary focus of business is the sale of newspapers, magazines, etc.

**NONCONFORMING LOT.** A lot created by applicable laws but now the area, frontage or dimensions do not conform to provisions of this Development Title.

**NONCONFORMING STRUCTURE.** A structure that conformed to applicable laws when constructed but does not conform to the provisions of this Development Title.

**NONCONFORMING USE.** A use complying with applicable laws when established but does not conform to the provisions of this Development Title.

**OFF STREET PARKING.** A site or portion of a site devoted to the off street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas.

**OFFICES, BUSINESS AND PROFESSIONAL.** Offices of firms or organizations providing professional, executive, management, or administrative services such as architectural, engineering, real estate, insurance, investment counseling, legal, and medical/dental/optometry services. This use type includes chiropractor services, advertising businesses, employment services, real estate services, title companies, travel agencies, or any other business/office use as deemed appropriate by the Director of Planning.

**OFFICES, CONTRACTORS.** Contractors offices include businesses providing contracting types of services, such as plumbing, electrical, general contracting, etc. These offices can contain some on-site storage of materials so long as the materials contained on-site are contained within an enclosed building.

**PALLET MANUFACTURING.** Establishments for the manufacturing/sale of new pallet products. Activities must be conducted entirely with a building. Building must be equipped with automatic sprinkler system. Outside storage of product and materials is limited to no more than 30% of the site not occupied by a building. The height of stored pallets is limited to eight (8) feet and an overall storage plan must be approved by the Fire District. The site must be enclosed with an eight (8) foot high solid wall or chain linked fence with salt material.

**PALLET RECOVERY SERVICES.** Establishments for the collection, storage, and sale of used pallets (minor repair of pallets is allowed). Activities must be conducted entirely on the premises and outside storage will be limited to no more than 30% of the site not occupied by building. The height of stored pallets is limited to eight (8) feet and an overall storage plan must be approved by the Fire District. The site must be enclosed with an eight (8) foot high solid wall or chain linked fence with slat material.

**PARCEL.** A piece of land under one ownership that has been legally subdivided or combined and is shown as a single parcel on the latest equalized assessment roll.

**PARK AND RECREATION FACILITIES.** Parks, playgrounds, recreation facilities and open spaces that are publicly owned and operated by a

city, county, state, or federal agency.

**PARKWAY.** The area within a street right-of-way adjoining the outer edge of the paved surface in which sidewalks, landscaping, utilities, bank slopes and related facilities may be located.

**PATIO AND SHADE STRUCTURE** an arbor, projecting structure, beams, or framework with a covered roof supported on posts or columns, an containing no solid walls in any portion.

**PAWN SHOPS.** Establishments engaged in retail sales of new and used merchandise, and offering loans secured by personal property.

**PERSON.** Any individual, firm, corporation, partnership, business, trust, association, syndicate, or other legal entity acting as a unit.

**PET STORE OR PET FOOD STORE.** Retail sales pets and pet supplies, including the boarding of small animals, provided such activities take place within an entirely enclosed building. The use type includes grooming incidental to the retail use, and boarding of animals not offered for sale for a maximum period of forty-eight (48) hours.

**PLANNED DEVELOPMENT OVERLAY DISTRICT.** A designation intended for the development of an area consisting of a variety of residential uses or a combination of residential, commercial, and/or civic uses and associated ancillary uses and structures; situated on one or more contiguous parcels or noncontiguous parcels separated solely by a road or other right-of-way easement, or other any barrier which physically separates the parcels; and planned and developed as a unified project within a single development phase or series of development phases in accordance with an overall master plan and detailed specific or site plans.

**POOL HOUSE.** A covered enclosure associated with a swimming pool containing such amenities as a changing room, bathroom, shower, refreshment bar, storage, etc.

**PRINCIPAL USE.** The primary or predominant use of any lot, building or structure.

**PRINT SHOP.** Establishments engaged in printing by letterpress, lithography, gravure, screen, offset or other common process, including electrostatic (xerographic) copying; and establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals; and establishments manufacturing business forms and binding devices.

**PUBLIC.** Operated and/or maintained by a

governmental agency or public utility.

**PUBLIC FACILITIES.** Any facility operated by a public entity, including but not limited to the following:

a. Public buildings, including schools and related facilities;

b. Sewage collection, treatment, and disposal facilities;

c. Facilities for the supply, storage, treatment, and distribution of water for municipal and industrial uses;

d. Facilities for the collection and disposal of storm waters for drainage and/or flood control purposes;

e. Facilities for the generation of electricity and the distribution of gas and electricity;

f. Transportation and transit facilities, including but not limited to, street, roads, and other related facilities;

g. Parks and recreation facilities;

h. Police and fire stations; or

i. Clinics, Hospitals other related medical facilities.

**PUBLIC PARK.** A park, playground, swimming pool, reservoir, golf course or athletic field within the City that is under the control, operation or management of the City, the County, or the State.

**PUBLIC RIGHT OF WAY.** A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer or other public uses.

**PUBLIC SAFETY FACILITIES.** Structures and grounds used for public safety and emergency services, including police and fire protection.

**QUALITY RESTAURANT.** High quality, full-service eating establishments with typical turnover rates of at least one hour or longer. These establishments generally do not serve breakfast, and some do not even serve lunch, but all serve dinner.

**RECREATIONAL VEHICLE.** A vehicle towed or self propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pick up campers, camping trailers, motor coach homes, converted trucks or buses, boats and boat trailers, and all terrain vehicles.

**RECREATIONAL VEHICLE COVER.** A detached structure intended solely for the purpose

of providing cover for a recreation vehicle using a framework and cover made of light weight materials, having no enclosed walls, and having a footprint no larger than five hundred (500) square feet.

**RECREATIONAL VEHICLE PARK.** A parcel of land composed of a lot or contiguous lots used, designed or intended as a campground to accommodate more than four (4) recreational vehicles.

**RECYCLING SERVICES - CONSUMER.** The collection and temporary storage, prior to recycling, of paper, aluminum, plastic, and glass products used by consumers in the home and not intended for reuse in their commercially marketed form. Any materials that are hazardous are excluded. Typical uses include neighborhood recycling centers.

**RECYCLING SERVICES - SCRAP OPERATIONS.** The storage, sale, dismantling, and recycling of inoperable vehicles, scrap metal products, and inoperable industrial equipment, and the storage and sale of scrap products brought in from neighborhood recycling centers. Typical uses include junk yard, automobile wrecking yards, and commercial recycling centers. The site must be enclosed with an eight (8) foot high solid wall or chain linked fence with slat material.

**RESIDENTIAL CARE, GENERAL.** Twenty-four (24) hour care of seven (7) or more persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California.

**RESIDENTIAL CARE, LIMITED.** Twenty-four (24) hour care of six (6) or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California.

**RESORT.** A place that is popular for recreation and vacations and provides accommodations and entertainment.

**RETAIL SALES AND SERVICE.** Establishments providing for the sale of commonly used goods, merchandise, and services, excluding those use types identified in other categories.

**REVIEW AUTHORITY.** Any of the following entities that are empowered to interpret, implement and enforce the Development Title: City Council, Planning Commission, Director of

Building and Planning, Planning Department, and Building Department.

**ROOM AND BOARD.** The renting of rooms and providing of table board in a dwelling unit, but not to the extent of becoming a hotel.

**SCHOOLS, PUBLIC OR PRIVATE.** Educational institutions having a curriculum comparable to that required in the public schools of the State of California.

**SCREENING.** A barrier consisting of plant materials, fencing, walls or berms for the purpose of enclosing space or separating parcels of land.

**SEASONAL TEMPORARY USES.** Temporary uses such as Christmas tree lots, Pumpkin patches, and outdoor Christmas holiday décor booths.

- Requires a Seasonal Temporary Use Permit application.;
- Open to for profit and non-profit uses;
- Permitted in all zones except, residential zones;
- Shall operate no more than (8) consecutive weeks; and
- Any signage shall be restricted to the parcel that the temporary use is located upon.

**SECOND DWELLING UNIT.** An attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. A second unit also includes the following:

- a. An efficiency unit as defined in Section 17958.1 of the Health and Safety Code.
- b. A manufactured home as defined in Section 18007 of the Health and Safety Code.

**SECONDHAND STORE.** Retail sales of used appliances, clothing, equipment, and items used in a typical household, excluding antique shops primarily engaged in the sale of used furniture and accessories. (Ord. 606, 1999; Ord. 705 '3, 2005)

**SHADE STRUCTURE.** An arbor, projecting structure, beam, or framework with an open roof of cross rafters or lattice-work supported on posts or columns and containing no solid walls in any portion.

**SHELTERS.** Any public or private building that provides homeless shelter or transitional housing for the homeless. Shelters shall have the following categories:

a. Small. Up to two (2) families or not more than five (5) adults.

b. Medium. Three (3) to five (5) families or six (6) to fifteen (15) adults.

c. Large. More than five (5) families or more than fifteen (15) adults. (Ord. 606, 1999)

**SHOPPING CENTER.** A complex of stores, motion-picture theaters, restaurants, etc, grouped together and having a common parking area.

a. Small Shopping Center. Less than five (5) acres or 50,000 square feet of cumulative buildings.

b. Large Shopping Center. Five (5) to ten (15) acres or where the total square footage of buildings exceeds 50,000 square feet, but does not exceed 100,000 square feet;

c. Major Retail Facility. Exceeds fifteen (15) acres or where the total square footage of buildings exceeds 100,000 square feet.

**SHOPPING MALL.** A completely enclosed, air conditioned shopping center.

**SINGLE FAMILY RESIDENTIAL.** A freestanding residential unit on one lot intended for the occupancy by one person or by one family.

**STORAGE.** A place or space where goods, materials, and personal properties are put for more than twenty-four (24) hours.

**STORAGE BUILDING, SMALL.** A building designed to permit the storage of personal goods and materials no greater than one hundred twenty (120) square feet in size and no greater than eight (8) feet in height.

**STORAGE, VEHICLE.** Operable vehicles shall not be stored for more than seventy-two (72) hours in any required front or side yard. Stored recreation vehicles shall not be used for human habitation for more than eight (8) days.

**STORY.** The space within the building included between the surface of any floor and the surface of the ceiling immediately above.

**STREET SYSTEM.** The classification of streets and highways by their diverse functions and design, and are described as follows:

a. Local Street. A two-way undivided roadway providing direct access to all abutting properties.

b. Frontage Road. A two-way undivided/divided roadway running parallel with freeways providing direct access to all abutting properties.

c. Collector. A two-lane undivided roadway which funnels traffic from local streets to arterial roadways.

d. Minor Arterial. A two to four lane divided roadway with limited access to abutting properties which carries local and through traffic within the community.

e. Major Arterial. A multi-lane divided roadway with restricted access to abutting properties which carries local and through traffic to expressways and freeways.

f. Expressway. A roadway providing no direct access to abutting properties which carries local and through traffic to freeways, major/minor arterial roadways and collectors. Expressways are intended to provide minimum interference with the flow of through traffic, and intersections are typically elevated with separate access roads.

g. Freeway. A multi-lane divided highway providing no access to adjoining property and are intended to accommodate high speed, high volume, long distance regional through traffic and traffic between urban areas.

**STRUCTURE.** Any object constructed or installed by man having location upon, in, or under the ground, including, but not limited to, buildings, fences over six (6) feet in height, towers, signs, smokestacks, and overhead transmission lines.

**STUDIOS.** Establishments that provide work space for individuals practicing a fine art, such as: artists, boxing, dance, gymnastics, martial arts, music, photography, voice, etc.

**SUPPORTIVE HOUSING.** Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

**SUPPORTIVE SERVICES.** Supportive services include, but are not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

**TARGET POPULATION.** Persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities

Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

**TEMPORARY MOBILE HOME.** Refer to Chapter 16.92, Section 16.92.030.

**TOWNHOUSE.** A single-family dwelling connected to another single-family dwelling by a common wall.

**TRAILER.** "Trailer" means a vehicle without motive power, designed to be drawn by a motor vehicle and used for human habitation or carrying persons.

**TRANSITIONAL HOUSING.** Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

**TRIPLEX.** A house or residential unit designed to contain three units, typically sharing some form of common walls on a single residential parcel.

**TRUCK SALES AND SERVICES.** Establishments for the operation of truck terminals, and the sales, rental, and repair of trucks.

**USE.** "Use" means the purpose for which premises or a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

**UTILITIES, MAJOR.** Generating plants, electrical substations, above ground electrical transmission lines, refuse collection or disposal facilities, water reservoirs, water or wastewater treatment plants and similar facilities of public agencies or public utilities. A structure that may affect surrounding uses shall be regulated under this use type.

**UTILITIES, MINOR.** Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, storm drainage retention ponds

and underground drainage lines, and underground water and sewer lines.

**VARIANCE.** A "variance" is a limited waiver of zoning standards for a use that is already permitted within a zone. Variances are usually considered when the physical characteristics of a piece of property, such as size, shape, topography, location, or surroundings, pose unique challenges. For example, a very small or oddly shaped lot may need a variance from a setback or floor area ration requirement in order to be developed.

**VEHICLE STORAGE YARD.** Yards and buildings for the storage of both operable and inoperable vehicles, including towed vehicle and impound yards, but does not include vehicle dismantling.

**VETERINARIAN/ANIMAL HOSPITAL - LARGE.** Establishments where any animals may receive medical and surgical treatment. This use type includes short term overnight boarding of animals (up to 30 days) and incidental care such as bathing and trimming. The facility shall be located at least 300 feet away from any residentially zoned district if any operations and/or boarding of animals is not conducted within an entirely enclosed and soundproofed building.

**VETERINARIAN/ANIMAL HOSPITAL - SMALL.** Establishments where small animals receive medical and surgical treatment. This use type includes short term overnight boarding of animals (up to 30 days) and incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications for sound-proof construction prescribed by the chief building official.

**VISITOR ACCOMMODATIONS.** Establishments offering lodging on a less than weekly basis which includes eating and drinking services. This use type includes Bed and Breakfast Inns, Hotels, Motels, Conference Centers, and Resorts.

**WASTE FACILITY.** A facility that provides for on-site waste stabilization or neutralization. This use type excludes hazardous waste disposal facilities. (Ord. 606, 1999)

**WHOLESALE AND DISTRIBUTION FACILITY.** This category includes the bulk storage, sale, and distribution of materials and equipment. Those activities which are conducted only within enclosed buildings are considered light wholesaling, while those involving open air yards are considered heavy wholesaling. (Ord. 606,

1999)

YARDS.

A. "Required Yard" except as otherwise provided in this chapter, means open spaces on the same lot with a building and open and unobstructed from the ground upward, meeting the setbacks as defined:

1. "Required Front yard" means a yard extending across the front of the lot between the side property lines and measured between the front lot line to the required front yard setback.

2. A Required Side Yard, for interior lots, means a yard between the side lot line and building, and extending from the required front yard to the required rear yard and having a width equal to the shortest distance between the side lot line and the building; and for corner lots, means a yard between the side lot line and the building and extending from the street line to the rear lot line and having a width equal to the shortest distance between the side lot line and the building.

3. "Required Rear yard" means a required yard extending along the rear lot line (not a street line) throughout the entire width of the lot.

B. REAR YARD AREA. Means mid-point between front property line and rear property line, excluding any required yard area.

ZONING DISTRICT. A portion of the City that is specifically designated for certain uses of land and structures that are defined, and regulations are specified by this Development Title. (Ord. 551 ' (part) 2, 1996; Ord. 475 ' 1, 1991; Ord. 89 '2.46, 1954; Ord. 89 '2.47, 1954; Ord. 89 '2.48, 1954; Ord. 606, 1999

## Chapter 16.16

## RESIDENTIAL DISTRICTS

## Sections:

- 16.16.010 Purpose.**
- 16.16.020 Permitted Uses.**
- 16.16.030 Development Standards for Residential Districts.**
- 16.16.040 Affordable Housing Exception.**
- 16.16.050 Housing Density Bonus.**
- 16.16.060 Emergency Shelter Standards**

## Tables:

- 16.16.1 Uses in Residential Districts.**
- 16.16.2 Accessory Uses & Structures in Residential Districts.**
- 16.16.3 Residential Lot and Structure Standards.**

**16.16.010 Purpose.**

Purpose and intent of the residential districts is to specify the ranges of uses permitted consistent with the policies of the General Plan. Besides this general purpose, some specific purposes are listed below.

A. Provide appropriately located areas for residential development that are consistent with standards of public health and safety established by the Municipal Code.

B. Ensure adequate light, air, privacy, and open space for each dwelling.

C. Protect residential neighborhoods from excessive noise, odor, illumination, unsightliness, smoke and other objectionable influences.

D. Promote development of housing units that meet the diverse economic and social requirements of all residents.

E. Protect residential areas from fires, explosions, landslides, toxic fumes and substances, and other public safety hazards.

F. Design residential development so that it is compatible with surrounding neighborhoods.

G. Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential setting.

H. Assure adequate public services and facilities are available to hold planned population densities.

Each individual residential district purpose is summarized below.

R1-R DISTRICT (Single Family Residential-Rural). This district is intended to promote the development of low density single family detached residential units on extremely large size rural lots with a minimum lot size of eighty-seven thousand one hundred twenty (87,120) square feet, and a maximum density of one half (.5) dwelling units per gross acre to present a rural setting.

R1-E DISTRICT (Single Family Residential-Estate). This district is intended to promote the development of low density single family detached residential units on large estate size lots with a minimum lot size of sixteen thousand (16,000) square feet for interior lots and twenty thousand (20,000) for corner lots. This district allows a minimum density of one half (.51) units per acre and a maximum density of two (2) units per acre. Affordable housing must be included in any project within this district, as provided in Chapter 16.194.

R1-E(A) DISTRICT (Single Family Residential Estate with Alley). This district is intended to promote alley access to the garage for low density single family detached residential units on large estate size lots with a minimum lot size of fourteen thousand (14,000) square feet for interior lots, and a minimum lot size of eighteen thousand (18,000) square feet for corner lots. This district allows a minimum density of one half (.51) units per acre and a maximum density of two (2) units per acre. Affordable housing must be included in any project within this district, as provided in Chapter 16.194.

R1-C DISTRICT (Single Family Residential-custom). This district is intended to promote the development of low density single family residential units on large lots with a minimum lot size of twelve thousand (12,000) square feet for interior lots and fourteen thousand (14,000) for corner lots. The R1-C District allows a minimum density of two (2.1) units per acre and a maximum density of three and one half (3.5) units per acre. Affordable housing must be included in any project within this district, as provided in Chapter 16.194.

R1-C(A) DISTRICT (Single Family Residential-custom with Alley). This district is intended to promote alley access to the garage for low density single family detached residential units

on large lots, with a minimum lot size of ten thousand hundred (10,000) square feet for interior lots and twelve thousand (12,000) for corner lots. The R1-C District allows a minimum density of two (2.1) units per acre and a maximum density of three and one half (3.5) units per acre. Affordable housing must be included in any project within this district, as provided in Chapter 16.194.

R1-L DISTRICT (Single Family Residential-Large). This district is intended to promote the development of low density single family detached residential units on medium sized lots with a minimum lot size of eight thousand five hundred (8,500) square feet for interior lots and nine thousand five hundred (9,500) for corner lots with an average lot size of nine thousand (9,000) square feet throughout the project (excluding corner lots).

The R1-L district allows a minimum density of two and three quarter (2.75) units per acre and a maximum density of four (4) units per acre. Affordable housing must be included in any project within this district, as provided in Chapter 16.194.

R1-L(A) DISTRICT (Single Family Residential-Large with Alley). This district is intended to promote alley access to the garage for low density single family detached residential units on medium sized lots with a minimum lot size of seven thousand five hundred (7,500) square feet for interior lots and eight thousand five hundred (8,500) for corner lots with an average lot size of eight thousand (8,000) square feet throughout the project (excluding corner lots) The R1-L(A) district allows a minimum density of two and three quarter (2.75) units per acre and a maximum density of four (4) units per acre. Affordable housing must be included in any project within this district, as provided in Chapter 16.194.

R1 DISTRICT (Single Family Residential). This district is intended to promote the development of low density single family detached residential units on smaller medium sized lots with a minimum lot size of six thousand five hundred (6,500) square feet for interior lots and seven thousand five hundred (7,500) square feet for corner lots with an average of seven thousand (7,000) square feet throughout the project (excluding corner lots). The R1 district allows a minimum density of three and one half (3.5) units

per acre and a maximum density of five (5) units per acre. Affordable housing must be included in any project within this district, as provided in Chapter 16.194.

R1(A) DISTRICT (Single Family Residential with Alley). This district is intended to promote alley access to the garage for low density single family detached residential units on smaller medium sized lots with a minimum lot size of five thousand five hundred (5,500) square feet for interior lots and six thousand five hundred (6,500) square feet for corner lots with an average of six thousand (6,000) square feet throughout the project (excluding corner lots). The R1(A) district allows a minimum density of three and one half (3.5) units per acre and a maximum density of five (5) units per acre. Affordable housing must be included in any project within this district, as provided in Chapter 16.194.

R1-U DISTRICT (Single Family Residential-Urban). This district is intended to provide and promote an opportunity for a mixture of new housing opportunities of varying densities within the same housing district. Single family dwellings are permitted on a variety of lot sizes with a minimum density of two and three quarter (2.75) units per acre and a maximum density of seven (7) dwellings per acre. The R1-U district shall be composed of the following housing ratios:

R1 – limited to no more than 25% of the total lots in a project;

R1-C – no less than 25% of the total lots in a project:

R1-L;R3;R4;R4-U – a combination of these districts to make up the remainder of the project in order to achieve a not to exceed maximum density of the project of seven (7) dwelling units per acre.

- a. R3; R4 and R4-U – shall be limited to no more than fifteen percent (15%) of the total gross acreage in a project, and
- b. Each R3, R4 and/or R4-U – shall be no more than a total of five (5) gross acres and dispersed through the project.

However, any project proposing to exceed five (5) gross acres in any one location within a project shall be developed as a Planned Unit Development. Townhouse development is permitted in this district on corner lots with a minimum lot size of eight thousand (8,000) square

feet.

**R1-U (A) DISTRICT** (Single Family Residential-Urban with Alley). This district is intended to provide and promote an opportunity for a mixture of new housing opportunities of varying densities with alley access within the same housing district. Single family dwellings are permitted on a variety of lot sizes with a minimum density of two and three quarter (2.75) units per acre and a maximum density of seven (7) dwellings per acre. The R1-U(A) district shall be composed of the following housing ratios:

R1 (A) – limited to no more than 25% of the total lots in a project;

R1-C (A) – no less than 25% of the total lots in a project:

R1-L (A);R3;R4;R4-U – a combination of these districts to make up the remainder of the project in order to achieve a not to exceed maximum density of the project of seven (7) dwelling units per acre.

- a. R3; R4 and R4-U– shall be limited to no more than fifteen percent (15%) of the total gross acreage in a project, and
- b. Each R3, R4 and/or R4-U – shall be no more than a total of five (5) gross acres and dispersed through the project.

However, any project proposing to exceed five (5) gross acres in any one location within a project shall be developed as a Planned Unit Development. Townhouse development is permitted in this district on corner lots with a minimum lot size of eight thousand (8,000) square feet.

**R1-UC DISTRICT** (Single Family Residential-Urban Core). Retention of single family units in the core of the City is the purpose of this district. Single family dwellings are permitted on minimum interior lot size of five thousand (5,000) square feet and six thousand (6,000) square feet for corner lots. Duplexes may be permitted on corner lots with a minimum lot size of six thousand (6,000) square feet for attached units and seven thousand (7,000) for detached units with a maximum density of seven (7) dwellings per acre. This district is limited to the properties located within the boundaries of incorporation established in 1945.

**R3 DISTRICT** (Limited Multiple Family). This district is intended to promote the

development of medium density, small to medium sized lot single family attached and detached dwellings units. The R3 District allows a minimum lot size of two thousand five hundred (2,500) square feet up to six thousand (6,000) square feet, with a minimum density of **six (6) units per acre and a maximum density of eleven (11) units per acre**. Affordable housing must be included in any project within this district, as provided in Chapter 16.194.

- Medium Density 5-8 units per acre:
  - Lot Sizes – 3,500 to 6,000
  - Permits both attached (duet units) and detached single family homes
- Medium Density **8-11** units per acre:
  - Lot Sizes – 2,500 to 4,500
  - Permits both attached and detached single-family homes
- Setbacks for 5,000 to 6,000 sq. ft. lots:
  - Front – 20 feet
  - Garage – 23 feet
  - Rear – 20 feet
  - One side/both sides – 5 feet / 13 feet
  - Street side yard – 15 feet
- Setbacks for 4,000 to 4,999 sq. ft. lots:
  - Front – 15 feet
  - Garage – 23 feet
  - Rear – 13 feet
  - One side/both sides – 4 feet / 8 feet
  - Street side yard – 10 feet
  - Usable open space per DU – 300 sq. ft.
- Setbacks for 2,500 to 3,999 sq. ft. lots:
  - Front – 10 feet
  - Garage – 23 feet
  - Rear – 5 feet
  - One side/both sides – 3 feet / 8 feet
  - Street side yard – 10 feet
  - Usable open space per DU – 200 sq. ft.

**R4 DISTRICT** (Multiple Family Residential).

This district is intended to promote development of multiple family units and institutional uses compatible with residential development. The R4 District allows a minimum lot size of two thousand four hundred (2,400) square feet per dwelling unit with a minimum density of thirteen (13) units per acre and a maximum density of **eighteen (18) units per acre**. Single family dwellings are not permitted in this District.

R4-U DISTRICT (Multiple Family Residential-Urban). High density residential units, group quarters and quasi-public development is the purpose of this district. The R4-U District allows a minimum lot size of one thousand five hundred (1,500) square feet per dwelling unit with a minimum density of twenty (20) units per acre and a maximum density of twenty-eight (28) units per acre. Single family dwellings are not permitted in this District. (Ord. 606, 1999)

**16.16.020 Permitted Uses.**

Table 16.16.1 shows the permitted, not permitted and conditionally permitted uses. (Ord. 606, 1999)

**16.16.030 Development Standards for Residential Districts.**

The intent of this Section is to regulate the size and width of lots, the location and height of structures on lots, and the physical character and intensity of lot usage within residential districts, consistent with polices and principles of the General Plan.

A. Planned Unit Development. The provisions of this Section may be modified pursuant to Chapters 16.36 (Planned Unit Development) and 16.60 (Development Agreement).

B. Lot Area: Standards. Unless otherwise specified, minimum lot area within the residential districts will be as set forth in Table 16.16.3..

C. Lot Width: Standards. Unless otherwise specified, lots within the residential districts shall have the minimum width set forth in Table 16.16.3, unless approved otherwise by the Planning Director. Cul-de-sac lots shall have the same width as that specified for interior lots.

D. Lot Depth: Standards. Unless otherwise specified, lots within the residential districts shall have the minimum width set forth in Table 16.16.3, unless approved otherwise by the Planning Director.

E. Setbacks. Setbacks for all residential districts will be as set forth in Table 16.16.3. For existing lots and houses, the setbacks for the main structure will be those setbacks that were in effect at the time the lot was created, except as otherwise provided for in section 16.140.080.

F. Garage Setbacks for all residential districts: Unless otherwise specified, minimum garage setbacks within the residential districts will be as set forth in Table 16.16.3. Side loaded garages may meet the setbacks for the main structure as set forth in Table 16.16.3, and may even utilize the miscellaneous structure setback provisions provided for in section 16.140.080 (D).

G. Minimum Garage Dimensions. All two (2) car garages shall have a minimum size of 20 ft. wide by 22 ft. deep.

H. Garage standards for corner lots. Garages on all corner lots, with the exception of lots in the R1-R district and townhouses provided through the BMR program, shall be designed so that the garages front on one street and the front door of the house faces the opposite street, unless approved otherwise through a Development Agreement.

I. Yard (Setback) Dimensions. Yards (Setbacks) on lots within residential districts shall have the minimum dimensions set forth in Table 16.16.3.

J. Staggered Setbacks. For production subdivisions, setbacks between adjacent parcels shall be varied by a minimum of three (3) feet unless approved otherwise by the Planning Director.

K. Corner lot standards. All corner lots shall be designed as single story residential units, unless approved otherwise through a Development Agreement.

L. Building Coverage. The percentage of the total area of any lot that may be occupied by buildings in the residential districts shall not exceed that set forth in Table 16.16.3, except developments providing housing affordable to persons of low and very low incomes may be permitted to increase building coverage as a possible incentive under Section 16.16.050.

M. Height. Buildings and structures in the residential districts shall not exceed the heights set forth in Table 16.16.3, except as provided by other sections of this Title.

N. Medium Density (R3) Parking Requirements. Any medium density project shall provide a standard of one (1) guest space per unit. This may be accomplished with on street parking or use of common parking areas. Residential

driveways shall not be considered for meeting required guest parking ratios.

O. Irregular Shaped Lots. It shall be the responsibility of the Director to determine the required yards for irregular shaped lots. (Ord. 606, 1999; Ord. 665 ' 1 (part), 2002)

P. Sewer and Water. All permitted and conditionally permitted uses must be served by public water, storm and sewer, unless otherwise approved by the City Council.

Q. Construction Noise. Unless otherwise waived by the City Council, construction activities generating noise above 70db at the property line on any lot shall not occur before 7:00 a.m. or after 7:00 P.M., Monday through Saturday, and before 10:00 a.m. or after 6:00 P.M. on Sunday. (Ord. 606, 1999)

#### **16.16.040 Affordable Housing Exception.**

Any one-family dwelling constructed on an interior lot or any one or two-family dwellings constructed on a corner lot in a subdivision, according to an affordable housing provision contained in a development agreement, shall comply with requirements as set forth in Section 16.16.030, except:

A. A use permit shall not be required.

B. Any corner lot may be divided for one-family dwellings, provided:

1. Each lot shall have a minimum area of three thousand-five hundred (3,500) square feet in the R1 and R1-UC districts and four thousand (4,000) square feet in the R1-A, R1-C and R1-U districts.

2. Each corner lot shall have a minimum frontage of seventy (70) feet and each interior lot shall have a minimum frontage of forty-five (45) feet in the R1 and R1-UC districts, and a minimum frontage of eighty (80) feet and each interior lot shall have a minimum frontage of sixty (60) feet in the R1-A, R1-C and R1-U districts.

3. That corner lot dwellings, constructed as townhouse affordable units, shall front on opposite streets from each other.

4. That the corner lot dwelling shall have a minimum rear yard setback of five (5) feet in the R1 and R1-UC districts, a minimum rear yard setback of ten (10) feet in the R1-A, R1-C and R1-U districts.

5. That the corner lot dwelling shall have side yard setbacks of twenty (20) feet on the street side

and ten (10) feet on the opposite side in the R1 and R1-UC districts, and side yard setback of twenty (20) feet on the street side and twenty (20) feet on the opposite side in the R1-A, R1-C and R1-U districts.

6. That the interior lot dwelling shall have a minimum side yard set back of five (5) feet in the R1 and R1-UC districts, and of twelve (12) feet in the R1-A, R1-C and R1-U districts.

7. That the interior lot dwelling shall have a minimum rear yard setback of twenty (20) feet.

8. That lot splitting shall not be allowed for reverse corner lots.

9. Any two (2) one-single family units constructed adjacent to each other may have zero lot lines. (Ord. 606, 1999)

#### **16.16.050 Housing Density Bonus.**

The purpose of this Section is to provide for and regulate concessions or incentives for child care facilities and the production of housing units which would be made available to moderate income persons, low income persons, very-low income persons, and senior citizens through density bonuses and incentives or concessions in compliance with the Government Code of the State of California.

A. Policy. The following policy establishes the procedures for the City and the requirements of a developer when a housing density bonus is requested.

B. Bonus.

1. A developer is entitled to a density bonus as set forth in the California Government Code, Section 65915, over the housing unit density allowed on the site by the existing zoning and General Plan designation, and incentives or concessions identified in 16.16.050 C. 14., when a developer agrees to construct a housing development containing at least one of the following types of affordable housing:

a. Ten percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code.

b. Five percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code.

c. A senior citizen housing development as defined in Sections 51.3 and 51.12 of the Civil Code, or mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.

d. Ten percent of the total dwelling units in a common interest development as defined in Section 1351 of the Civil Code for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.

2. The above provisions do not apply with respect to implementation of the City's BMR (Below Market Rate) Housing Program, as defined in Ripon Municipal Code, Title 16, Chapter 194.

C. Administration.

1. Density bonuses may be granted as part of the normal approval process for plot plans, planned developments, rezonings, subdivision maps, or other permit approvals as may be adopted by the City of Ripon from time to time. Any incentives, or waiver or modification of development standards, shall first be approved by the Ripon City Council.

2. Senior housing projects shall only be granted density bonuses, when they are constructed as Planned Unit Development projects.

a. The Density Bonus Agreement must be approved by the City Council.

3. Housing developments must have a minimum of five (5) units, excluding any bonus units, to qualify for any housing density bonuses.

a. A housing development that includes a child care facility that will be located on the premises of, as part of, or adjacent to the project shall be granted either of the following: 1) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility, or 2) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

i. The City shall require, as a condition of approval of the housing development that: 1) the child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus

units are required to remain affordable pursuant to 16.16.050 C 10 a; 2) of the children who attend the child care facility, the children of very low income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income.

ii. If the City finds, based upon substantial evidence, that the community has adequate child care facilities, it shall not be required to provide a density bonus or concession for a child care facility.

4. A developer of a proposed development containing more than one (1) parcel of real property shall be allowed to build the density bonus units in one section of the proposed development while building the affordable units in another section of the development, provided that:

a. The development proposals for the two (2) sections of the proposed development are approved concurrently; and

b. The housing units in both sections are developed concurrently.

5. Tenant occupancy shall be monitored on an annual basis, and associated costs shall be paid by the project owners or developer in one lump sum for the affordability period specified in the Density Bonus Agreement. All units within the entire project shall be subject to the monitoring fees. The fee shall be paid to the City of Ripon prior to the issuance of the building permit.

6. It shall be the owner or developer's responsibility to contact the City once the units are available for occupancy. Very-low income units shall remain available for at least thirty (30) days before the owner is then able to rent or sell to households of low income levels. Notification of the start and end of the thirty (30) day period must be reported to the monitoring agency. The owner or developer must show evidence to the monitoring agency that good faith efforts have been made to advertise the very-low income (VLI) units. As further vacancies occur in rental units, the very-low income opportunity shall again be extended to renters.

7. The rental rate or sales price charged each low income (LI) and very-low income (VLI) household shall be determined by unit size and as

identified in the State Density Bonus Law (income category). This means that a one person or a two person household shall pay the same rate regardless of the number of bedrooms per unit.

8. All very-low income (VLI) units must be comparable to the market rate units. Very-low income (VLI) units must be integrated throughout the project by location and number of bedrooms per unit.

9. The density bonus granted by the City shall be recorded as a restriction on the rental or ownership limits of the unit(s).

10. Any property owner or applicant requesting a density bonus shall submit a Density Bonus Agreement in a form approved by the City Attorney. The agreement shall be approved by the City Council, and shall become a covenant running with the land.

a. If the owner or applicant is granted density bonuses and incentives or concessions, the agreement shall obligate the unit(s) for a minimum thirty (30) year period to low income (LI), or very-low income (VLI) persons.

b. The initial occupant of the moderate income units that are directly related to the receipt of the density bonus in the common interest development shall be persons and families of moderate income and the units shall be offered at an affordable housing cost. An equity sharing agreement shall be enforced and shall include the following:

i. Upon resale, the seller of the unit shall retain the value of any improvements, the downpayment, and the seller's proportionate share of appreciation. The city shall recapture any initial subsidy and its proportionate share of appreciation;

ii. For purposes of the Chapter, the city's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate income household, plus the amount of any downpayment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value;

iii. For purposes of this Chapter, the city's proportionate share of appreciation shall be equal to the ratio of the initial subsidy to the fair market value of the home at the time of initial sale.

11. The City of Ripon shall use the income

limits published by the Department of Housing and Community Development (HCD) applicable in the Ripon area in administering the State Density Bonus Law.

12. Unless otherwise provided in State Law, sale of density bonus units shall comply with the City's BMR (Below Market Rate) Housing Program, Buyer's Resale Agreement, including paying a subsidy balance. The subsidy shall be calculated as the difference between the original purchase price of the low or very-low unit and the original fair market value of the unit. The subsidy shall be placed in the City's low/mod housing fund to subsidize future low or very-low housing. The original applicant, sub-divider or builder shall record the density bonus restriction set forth in this section for each individual unit to which the density bonus applies.

13. Consistent with State density bonus law, concession or incentive means any of the following:

- waiver of City sidewalk standards to permit four (4) foot sidewalks;
- waiver of City street paver standards;
- waiver of City parkway street standards;
- varying lot sizes;
- access to available housing trust funds.

The City shall, upon request of the developer require a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds the following ratios:

a. Zero to one bedrooms: one onsite parking space.

b. Two to three bedrooms: two onsite parking spaces.

c. Four and more bedrooms: two and one-half parking spaces.

If the total number of parking spaces required is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this Chapter, a development may provide onsite parking through tandem parking or uncovered parking, but not through on-street parking.

The City shall grant the concession or incentive requested by the applicant unless the City makes a written finding, based upon substantial evidence, of either of the following: 1) The concession or incentive is not required in order to

provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as defined in Sections 50079.5 and 50105 of the Health and Safety Code; 2) The concession or incentive would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low-and moderate-income households.

Notwithstanding any other provisions of this Chapter, the City may grant additional or different concessions, or may refuse to grant concessions and/or density bonus, in cases where a Development Agreement, which provides concessions and incentives, is approved for the project.

14. Economic Feasibility. Any developer requesting an incentive or concession shall be required to show that the incentive or concession is necessary to make the project economically feasible. The developer shall submit supporting financial documents with the application. These documents shall be in a format as approved by the City Council from time-to-time. The documents shall be evaluated by the City Administrator for proof of economic necessity.

15. Findings for Denial of a Project. Notwithstanding any other provision, the City shall deny the proposed development if either of the following findings are made.

a. The proposed development does not conform to the General Plan or applicable zoning and development policies.

b. The proposed development would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the adverse impact identified.

The above findings shall be made in addition to findings made under 16.16.050 C. 13. and other Sections of this Title.

Definitions. See Section 16.12.040. (Ord. 606, 1999)

#### **16.16.060 Emergency Shelter Standards.**

Emergency shelters, where allowed as a permitted use, are subject to the standards and requirements of the zone in which the emergency shelter is located and shall meet the additional standards identified in this section.

1. Capacity. The number of beds in emergency shelters approved as a permitted use shall not exceed the total need identified in the Housing Element.

2. Proximity to Other Emergency Shelters. No emergency shelter may be located within 300 feet of another emergency shelter.

3. Length of Stay. Temporary shelter may be provided for no more than six months per calendar year for each resident.

4. Management Plan. The shelter operator shall prepare and submit to County staff a written plan for on-site management that describes provisions for staff training, neighborhood outreach, security during hours that the shelter is in operation, screening of residents to ensure compatibility with services provided at the facility, access to training, counseling, and treatment programs, and a 24-hour on-site caretaker.

5. Lighting. All exterior lighting associated with an emergency shelter shall be located, adequately shielded, and directed such that no direct light falls outside the property perimeter, or into the public right-of-way.

6. Management Plan. Prior to the Director's decision, the operator of the emergency shelter must submit to the Community Development Department a written Management Plan. As a minimum, the Management Plan shall include and address the following:

a. Procedures for staff training to meet the needs of the shelter residents, and have processes to address the following topics: client intake, confidentiality, health and safety training, mental health, and substance abuse treatment and referrals;

b. Operational rules and standards of conduct for residents, including policies prohibiting the use or possession of controlled substances by residents, rules concerning the use or possession of alcohol, curfew, prohibition of loitering, and any other provisions necessary to ensure compatibility with surrounding uses;

c. Policies and procedures for eviction from the facility for violation of rules and standards of conduct;

d. A detailed safety and security plan to protect shelter residents and surrounding uses;

e. A process for resident screening and identification;

f. Provisions for on-site or partnerships with off-site organizations to provide job training, counseling, and treatment programs for the residents;

g. Services to assist residents with obtaining permanent shelter and income;

h. If applicable, timing and placement of outdoor activities;

i. Location within the facility for temporary storage of residents' personal belongings;

j. Provisions for continuous on-site supervision during hours of operation. Specifically, there shall be a minimum of one staff person per eight clients during daytime hours, 7:00 a.m. to 9:00 p.m., and a minimum of two staff people at the facility during nighttime hours, 9:00 p.m. to 7:00 a.m.

k. If applicable, procedures for ensuring safety and security of women and children within the facility.

l. The exterior of the building must be kept in a good state of repair and the exterior finish and landscaping must be kept clean and well maintained. Each site shall be kept in a neat and orderly manner, free of weeds, loose trash, debris and other litter, including but not limited to shopping carts.

m. Organized outdoor activities on the site may only be conducted between the hours of 8:00 a.m. and 10:00 p.m.

n. Employees, partners, directors, officers, managers and similar persons shall be screened prior to occupancy to confirm that they have no history of a previously failed emergency shelter (or similar facility) due to the fault of the operator, and have not been convicted of any of the following offenses within the prior five years:

i. A crime requiring registration under Penal Code section 290;

ii. A violation of Penal Code sections 311.2 or 311.4 through 311.7;

iii. A violation of Penal Code sections 313.1 through 313.5;

iv. A violation of Penal Code section 647(a), (b), or (d);

v. A violation of Penal Code sections 315, 316, or 318;

vi. A felony crime involving the use of force or violence on another; or

vii. The maintenance of a nuisance in connection with the same or similar business operation.

The management of the emergency shelter shall effectuate a background investigation on all employees to the satisfaction of the Chief of Police.

7. Common Facilities and Services. An emergency shelter may include the following facilities and services as ancillary to the emergency shelter use:

a. Commercial kitchen facilities;

b. Dining area;

c. Laundry room;

d. Recreation or meeting room;

e. Outdoor recreational spaces; provided, that the space is located within a building interior courtyard or is enclosed by a building, solid fence, or wall or some combination thereof to secure the space and ensure that it is not accessible to the general public;

f. Animal boarding and related veterinary services for current residents of the facility only; and

g. Child care facilities for current residents of the facility only.

8. Client Intake Areas. An enclosed intake area shall be provided within the emergency shelter building. The intake area shall be a minimum of one hundred (100) square feet in size, located entirely within the building. The intake hours shall be posted clearly on the doors to the emergency shelter. Clients shall be allowed to wait in an interior or exterior waiting area that shall not exceed 150 square feet. Clients shall not loiter nor form a queue outside of the exterior waiting area.

9. Lighting. Exterior lighting shall be located along all pedestrian pathways, parking lots, entrances and exits, common outdoor areas, and at the front of the building. All lighting shall be maintained in good operating condition and shall be fully-shielded.

10. On-site Security. Security measures shall be reviewed and approved by the Chief of Police prior to commencement of operations on the site and shall be sufficient to protect clients and neighbors. On-site security shall be provided during the hours when the emergency shelter is in operation and at all times when clients are present on site. In the event that five or more calls for police services have been received over a 30-day period by the Police Department, the facility shall be required to provide additional on-site security staff to the satisfaction of the Chief of Police and the Community Development Director.

**Table 16.16.1  
USES IN RESIDENTIAL DISTRICTS**

	R1-R	R1-E	R1-E(A)	R1-C	R1-C(A)	R1-L	R1-L(A)	R1	R1(A)	R1-U	R1-U(A)	R1-UC	R3	R4	R4-U
<b>Residential Uses</b>															
Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---
Duplex <sup>1</sup>	---	---	---	---	---	---	---	U	U	U	U	U	S(PC)	---	---
Triplex	---	---	---	---	---	---	---	---	---	---	---	---	S(PC)	---	---
Medium Density Residential	---	---	---	---	---	---	---	---	---	---	---	---	S(PC)	---	---
High Density Residential	---	---	---	---	---	---	---	---	---	---	---	---	---	S(S)	S(S)
<b>Other Residential Uses</b>															
Convalescent Facilities	---	---	---	---	---	---	---	---	---	---	---	---	---	U	U
Emergency Shelters	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P
Group Care Facility, Large	---	---	---	---	---	---	---	---	---	---	---	---	---	S(PC)	S(PC)
Group Care Facility, Small	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Group Residential	---	---	---	---	---	---	---	---	---	---	---	---	---	S(PC)	S(PC)
Mobile Home Park	---	---	---	---	---	---	---	---	---	---	---	---	U	U	---
Second Dwelling Unit	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---
Shelter, Small	---	---	---	---	---	---	---	---	---	---	---	---	S(PC)	S(PC)	S(PC)
Temporary Mobile Home	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)	S(S)
<b>Nonresidential Uses</b>															
Cemetery	U	U	U	U	U	U	U	U	U	U	U	U	---	---	---
Community Centers	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
Equestrian Centers	U	U	U	---	---	---	---	---	---	---	---	---	---	---	---
Family Day Care-Adult	P	P	P	P	P	P	P	P	P	S(S)	S(S)	---	S(S)	S(S)	S(S)
Family Day Care-Child	P	P	P	P	P	P	P	P	P	S(S)	S(S)	---	S(S)	S(S)	S(S)
Farming & Gardening	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Garage & Yard Sales	GY	GY	GY	GY	GY	GY	GY	GY	GY	GY	GY	GY	GY	GY	GY
Home Occupation	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO
Churches	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
Schools, Public or Private	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
Utilities, minor	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U

1. Duplexes: 6,000 square feet minimum for attached and 7,000 square feet minimum for detached.

Legend:	
P	Permitted Use (No Review)
U	Use Permit Required
HO	Home Occupation Permit Required
S(PC)	Site Plan Permit (Planning Commission)
S(S)	Site Plan Permit (Staff Level)
GY	Garage and Yard Sales Permit Required
---	Use Not Permitted

**Table 16.16.2  
ACCESSORY USES & STRUCTURES IN RESIDENTIAL DISTRICTS**

	R1-R	R1-E	R1-E(A)	R1-C	R1-C(A)	R1-L	R1-L(A)	R1	R1(A)	R1-U	R1-U(A)	R1-UC	R3	R4	R4-U
<b>Accessory Use or Structure</b>															
Accessory Building/Structure <sup>1</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Barn	U	U	U	---	---	---	---	---	---	---	---	---	---	---	---
Coop	U	U	U	---	---	---	---	---	---	---	---	---	---	---	---
Carport	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Garage <sup>2,3</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Guest House <sup>4</sup>	P	P	P	P	P	P	P	S(S)	S(S)	S(S)	S(S)	S(S)	---	---	---
Patio <sup>5</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreational Vehicle Cover <sup>6</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Room and Board	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Storage Building, Small	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Swimming Pool & Equipment	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

1. For Accessory Building/Structure development requirements refer to Chapter 16.140 section 16.140.030 for specific development requirements.
2. Private two(2) car garages shall not occupy more than fifty (50%) percent and three (3) or more car garages shall not occupy more than sixty (60%) percent of dwelling frontages.
3. For detached garages refer to Chapter 16.140 section 16.140.030 for specific development requirements.
4. For Guest House development requirements refer to Chapter 16.140 section 16.140.040 for specific development requirements.
5. For Patio development requirements refer to Chapter 16.140 section 16.140.050 for specific development requirements.
6. For Recreational Vehicle Cover development requirements refer to Chapter 16.140 section 16.140.060 for specific development requirements.

Legend:	
P	Permitted Use (No Review)
U	Use Permit Required
S(S)	Site Plan Permit (Staff Level)
---	Use Not Permitted

**Table 16.16.3  
RESIDENTIAL LOT AND STRUCTURE STANDARDS**

STANDARDS	R1-R	R1-E	R1-E(A)	R1-C	R1-C(A)	R1-L	R1-L(A)	R1
Max. Height	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)
Min. DU per Gross Acre	0	0.51	0.51	2.1	2.1	2.75	2.75	3.5
Max. DU per Gross Acre	0.5	2	2	3.5	3.5	4.5	4.5	5
Min. Lot Area in Sq. Ft.	87,120	16,000 int. 20,000 cor.	14,000 int. 18,000 cor.	12,000 int. 14,000 cor.	10,000 int. 12,000 cor.	9,000 av. 8,500 int. 9,500 cor.	8,000 av. 7,500 int. 8,500 cor.	7,000 av. 6,500 int. 7,500 cor.
Min. Lot Width, Ft.	200	100	85	75	75	60 int. 70 cor.	60 int. 70 cor.	60 int. 70 cor.
Min. Lot Depth, Ft.	200 int. 220 cor.	150 int. 175 cor.	150 int. 175 cor.	120 int. 130 cor.	120 int. 130 cor.	100	100	100
Min. Front Setback, Ft.	50	40	40	30	30	20	20	20
Min. Rear Setback, Ft.	100	30	30	30	30	30	30	30
Min. Side Setback Interior Lot, Ft.	20 30 opposite	12 20 opposite	12 20 opposite	8 15 opposite	8 15 opposite	5/12 opposite 8/12 2nd story	5/12 opposite 8/12 2nd story	5/12 opposite 8/12 2nd story
Corner Lot Min. Street and Opposite Side Setback, Ft.	50 25 opposite	40 15 opposite	40 15 opposite	30 10 opposite	30 10 opposite	20 5 opposite	20 5 opposite	20 5 opposite
Min. Garage Setback, Ft. <sup>2</sup>	50	40	40	30	30	23	23	23
Building Lot Coverage Max, % <sup>3</sup>	20	30	30	40	40	40	40	40

STANDARDS	R1(A)	R1-UC	R1-U	R1-U(A)	R3	R4	R4-U
Max. Height	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)	2 stories (35ft)	3 stories (45ft)
Min. DU per Gross Acre	3.5	3.5	2.75	2.75	6	13	20
Max. DU per Gross Acre	5	7	7	7	11	18	28
Min. Lot Area in Sq. Ft.	6,000 av. 5,500 int. 6,500 cor.	5,000 int. 6,000 cor.	Varies with underlying ratios	Varies with underlying ratios	See Section 16.16.010 R3 District	2,400 per Dwelling Unit	1,500 per Dwelling Unit
Min. Lot Width, Ft.	60 int. 70 cor.	50 int. 60 cor.	Varies with underlying ratios	Varies with underlying ratios	Determined with Site Plan	Determined with Site Plan	Determined with Site Plan
Min. Lot Depth, Ft.	100	90	Varies with underlying ratios	Varies with underlying ratios	Determined with Site Plan	Determined with Site Plan	Determined with Site Plan
Min. Front Setback, Ft.	20	20	Varies with underlying ratios	Varies with underlying ratios	See Section 16.16.010 R3 District	20 to Property Line	25 to Property Line
Min. Rear Setback, Ft.	30	20	Varies with underlying ratios	Varies with underlying ratios	See Section 16.16.010 R3 District	20 to Property Line	20 to Property Line
Min. Side Setback Interior Lot, Ft.	5/12 opposite 8/12 2nd story	5	Varies with underlying ratios	Varies with underlying ratios	See Section 16.16.010 R3 District	20 to Property Line	20 to Property Line
Corner Lot Min. Street and Opposite Side Setback, Ft.	20 5 opposite	20 5 opposite	Varies with underlying ratios	Varies with underlying ratios	See Section 16.16.010 R3 District	20 to Property Line	20 to Property Line
Min. Garage Setback, Ft. <sup>2</sup>	23	23	Varies with underlying ratios	Varies with underlying ratios	23	Determined with Site Plan	Determined with Site Plan
Building Lot Coverage Max, % <sup>3</sup>	40	50	Varies with underlying ratios	Varies with underlying ratios	Determined with Site Plan	Determined with Site Plan	Determined with Site Plan

1. Townhouses are permitted on corner lots with a minimum of 8,000 square feet for purposes of complying with the City's Affordable Housing program.

2. Minimum setbacks for alley loaded garages shall be 5 feet from the rear property line.

3. All lots are allowed an additional 5% lot coverage for attached covered porches and/or attached covered patio/shade structures. An additional 5% lot coverage is allowed for any detached accessory structure, such as patios, pool houses, storage buildings, etc.

<b>Table 16.20.1 USES IN OFFICE AND COMMERCIAL DISTRICTS</b>								
Legend: ✓ Permitted Use --- Not a Permitted Use U Conditional Use Permit Required								
Use, Service or Facility	Commerical and Office Districts							
	C-1	C-2	C2-R	C-3	C-4	C-5	PO	BP
Addressing and Mailing services	✓	✓	✓	✓	✓	---	✓	✓
Adult Businesses (Subject to Chapter 5.36 of RMC)	---	---	---	---	U	---	---	---
Alarm Systems sales and/or service	---	✓	✓	✓	---	---	---	---
Ambulance Services	---	U	U	---	U	---	---	U
Animal Boarding Services	---	U	U	---	---	---	---	---
Animal Grooming Services	✓	✓	✓	✓	✓	---	---	---
Anitque Store	---	✓	✓	✓	✓	---	---	---
Appliance Repair Shop	---	✓	✓	✓	✓	---	---	---
Appliance Store	---	✓	✓	✓	✓	---	---	---
Art gallery	---	✓	✓	✓	---	---	---	---
Art Supply Store	---	✓	✓	✓	✓	---	---	---
Assembly/Light Manufacturing	---	---	---	---	---	---	---	✓
<b>Automobile/Vehicle Related Services</b>								
Auto Parts Store	---	✓	✓	✓	✓	---	---	---
Auto Repair Shop	---	✓	✓	---	✓	---	---	---
Auto Sales lot (more than 10 acres)	---	✓	✓	---	✓	---	---	---
Auto Sales lot (up to 10 acres)	---	✓	✓	---	✓	---	---	---
Auto/Truck Travel Plaza	---	---	---	---	✓	---	---	---
Boat Sales	---	---	✓	---	✓	---	---	---
Camper Shell sales	---	---	✓	---	✓	---	---	---
Farm Equipment Sales	---	---	✓	---	✓	---	---	---
Indoor Vehicle Sales Establishment	---	U	U	U	---	---	---	---
Motorcycle sales and service	---	✓	✓	---	✓	---	---	---
Recreational Vehicle Sales and Service	---	✓	✓	---	✓	---	---	---
Recreational Vehicle Storage	---	✓	✓	---	✓	---	---	---
Rental or Lease Agency including limousine service	---	✓	✓	---	✓	---	---	---
Service or Gas station	✓	✓	✓	---	✓	---	---	---
Truck Sales and Service	---	---	U	---	✓	---	---	---
Utility Trailer sales, rental, service	---	---	U	---	✓	---	---	---
Vehicle cleaning and detailing	---	✓	✓	---	✓	---	---	---
Vehicle Storage Yard	---	---	---	---	---	---	---	---
Bakery, pastry shop	✓	✓	✓	✓	✓	---	---	---
Banks, savings and loan, finance, credit office	✓	✓	✓	✓	✓	---	✓	---
Barber Shop	✓	✓	✓	✓	✓	---	---	---
Beauty Salon	✓	✓	✓	✓	✓	---	---	---
Bicycle shop	---	✓	✓	✓	✓	---	---	---
Book Store	✓	✓	✓	✓	✓	---	---	---
Building material and lumber sales	---	✓	✓	---	✓	---	---	---
Butcher and meat market	---	✓	✓	✓	✓	---	---	---
Candy Store	✓	✓	✓	✓	✓	---	---	---
Card Room	---	---	---	---	U	---	---	---
Catering Service	---	✓	---	✓	✓	---	---	---
Clothing Stores	---	✓	✓	✓	✓	---	---	---
Clothing Stores (Boutique)	✓	✓	✓	✓	✓	---	---	---
Commercial Recreation and Entertainment	---	U	U	U	U	U	---	---
Communication Facilities	---	---	U	---	U	---	U	U

**Table 16.20.1 - Continued**  
**USES IN OFFICE AND COMMERCIAL DISTRICTS**

Legend:

✓ Permitted Use

--- Not a Permitted Use

U Conditional Use Permit Required

Use, Service or Facility	Commerical and Office Districts							
	C-1	C-2	C2-R	C-3	C-4	C-5	PO	BP
Computer sales and service	---	✓	✓	✓	✓	---	---	---
Convenience Market	✓	✓	✓	✓	✓	---	---	---
Costume shop - sale and rent	---	✓	✓	✓	✓	---	---	---
Custom Manufacturing	---	---	---	---	---	---	---	U
Day Spa	---	✓	---	✓	---	---	---	---
Drug Store	✓	✓	✓	✓	✓	---	---	---
Dry Cleaning Services (Drop-off and Pick-up only)	✓	✓	✓	✓	✓	---	---	---
Dry Cleaning Services (cleaning plants)	---	---	---	---	---	---	---	---
<b>Eating and Drinking Establishments</b>								
Bar, tavern	---	U	U	U	U	---	---	---
Delicatessen	✓	✓	✓	✓	✓	---	✓	✓
Fast Food Restaurant with Drive Through Window	---	✓	✓	---	✓	---	---	---
Fast Food Restaurant without Drive Through Window	✓	✓	✓	✓	✓	---	---	---
High Turnover sit down Restaurant	✓	✓	✓	✓	✓	---	---	✓
Ice cream, yogurt store	✓	✓	✓	✓	✓	---	---	---
Quality Restaurant	---	✓	✓	✓	✓	---	---	---
Equestrian Center	---	---	---	---	---	U	---	---
Equipment rental	---	✓	✓	---	✓	---	---	---
Feed Store	---	✓	✓	---	✓	---	---	---
Fitness Club	---	✓	✓	✓	✓	✓	---	---
Floor Covering, drapery or upholstery store	---	✓	✓	✓	✓	---	---	---
Florist	✓	✓	✓	✓	✓	---	---	---
Funeral Home	---	✓	✓	✓	---	---	---	---
Furniture Store	---	✓	✓	✓	✓	---	---	---
Garment Makers and Tailors	✓	✓	✓	✓	✓	---	---	---
Glass replacement and repair shops	---	✓	✓	✓	✓	---	---	---
Grocery Store	---	✓	✓	✓	✓	---	---	---
Gunshop - Gunsmith	---	✓	✓	✓	✓	---	---	---
Hardware Store	✓	✓	✓	✓	✓	---	---	---
High Technology	---	---	---	---	---	---	✓	✓
Hobby Shops	✓	✓	✓	✓	✓	---	---	---
Incubator Units	---	✓	---	✓	---	---	✓	✓
Interior decorating shops	---	✓	✓	✓	---	---	---	---
Janitorial services and supplies	---	✓	✓	✓	---	---	---	---
Jewelry Stores	---	✓	✓	✓	✓	---	---	---
Laboratory; medical, dental, or optical	---	---	---	---	---	---	✓	✓
Laboratory; research, analysis	---	---	U	U	---	---	✓	✓
Laundromat, self-service	✓	✓	✓	✓	✓	---	---	---
Linen Supply services	---	✓	✓	---	---	---	---	✓
Liquor Store	---	U	U	U	U	---	---	---
Live Theatre	---	✓	---	✓	---	✓	---	---
Locksmith	---	✓	✓	✓	✓	---	---	---
Massage establishment	---	✓	✓	✓	✓	---	---	---
Medical equipment store	---	✓	✓	✓	✓	---	---	---
Medical Marijuana Dispensaries (Subject to Chapters 9.10 and 16.111 of RMC)	---	U	---	U	---	---	U	---
Military surplus store	---	✓	✓	✓	✓	---	---	---

**Table 16.20.1 - Continued**  
**USES IN OFFICE AND COMMERCIAL DISTRICTS**

Legend:

✓ Permitted Use

--- Not a Permitted Use

U Conditional Use Permit Required

Use, Service or Facility	Commerical and Office Districts							
	C-1	C-2	C2-R	C-3	C-4	C-5	PO	BP
Mini-storage	---	✓	✓	---	✓	---	---	---
Movie Theatre	---	✓	✓	---	✓	---	---	---
Museum	---	✓	✓	✓	✓	✓	---	---
Music Store	---	✓	✓	✓	✓	---	---	---
Newspaper - magazine stand	✓	✓	✓	✓	✓	---	---	---
Nursery, plants	---	✓	✓	✓	✓	---	---	---
Office Supply Store	---	✓	✓	✓	✓	---	---	---
Offices, Business and Professional	✓	✓	✓	✓	U	---	✓	✓
Offices, Contractors	---	---	---	---	---	---	---	---
Paint and wallpaper store	---	✓	✓	✓	✓	---	---	---
Pallet Manufacturing	---	---	---	---	---	---	---	---
Pallet Recovery Services	---	---	---	---	✓	---	---	---
Pawn Shop	---	✓	✓	✓	✓	---	---	---
Pet Store or Pet Food Store	---	✓	✓	✓	✓	---	---	---
Photographic supply - camera store	---	✓	✓	✓	✓	---	---	---
Picture framing shop	---	✓	✓	✓	✓	---	---	---
Pool Table sale and repair service	---	✓	✓	✓	✓	---	---	---
Power Tools - sales, repair	---	✓	✓	✓	✓	---	---	---
Print Shop	---	✓	✓	✓	✓	---	---	✓
<b>Public &amp; Semipublic Uses</b>								
Banquet Facility	---	U	U	---	---	U	---	U
Clubs or lodges	---	✓	✓	✓	U	---	---	---
Child Care Centers	---	U	U	U	U	---	U	U
Churches	✓	✓	✓	U	U	---	U	U
Government Offices	---	U	U	U	U	---	U	U
Hospital	---	✓	✓	---	✓	---	✓	✓
Library	---	✓	✓	✓	✓	---	---	---
Public Safety Facilities	✓	✓	✓	✓	✓	✓	✓	✓
Residential Care, General	U	U	---	---	---	---	---	---
Residential Care, Limited	---	U	---	---	U	---	U	---
Recreational Facility - Indoor	---	✓	✓	✓	✓	✓	---	---
Recreational Facility - Outdoor	---	---	U	---	---	U	---	---
Recreational Vehicle Park	---	---	---	---	---	U	---	---
Recycling Services - Consumer	✓	✓	✓	✓	✓	---	---	---
<b>Residential</b>								
Single Family Residential	U	U	---	U	---	---	U	---
Medium Density Residential	U	U	---	U	---	---	U	---
High Density Residential	U	U	---	U	---	---	U	---
Retail Sales and Service	✓	✓	✓	✓	✓	U	---	---
<b>Schools</b>								
Business School	---	U	U	---	---		U	U
College or University	---	U	U	---	---		U	U
Driving School	---	✓	✓	✓	---	---	✓	---
Medical Related School	---	U	U	---	---	---	U	U
Other Private School	---	U	U	---	---	---	U	U
Private K-12 school	---	U	U	---	---	---	---	U
Public K-12 school	---	U	U	---	---	---	---	U

**Table 16.20.1 - Continued**  
**USES IN OFFICE AND COMMERCIAL DISTRICTS**

## Legend:

- ✓ Permitted Use  
 --- Not a Permitted Use  
 U Conditional Use Permit Required

Use, Service or Facility	Commerical and Office Districts							
	C-1	C-2	C2-R	C-3	C-4	C-5	PO	BP
Trade/Vocational School	---	U	U	---	---	---	U	U
Seasonal Temporary Uses, ie. Christmas tree lots and pumpkin patches	✓	✓	✓	✓	✓	✓	✓	✓
Secondhand Store	---	✓	✓	✓	✓	---	---	---
Shoe repair shop, shoeshine store	✓	✓	✓	✓	✓	---	---	---
Shopping Center, large (over 5 acres)	---	✓	✓	---	✓	---	---	---
Shopping Center, small (less than 5 acres)	✓	✓	---	---	✓	---	---	---
Shopping Mall	---	---	U	---	U	---	---	---
Sporting Goods Store	---	✓	✓	✓	✓	---	---	---
Stamp and Coin store	---	✓	✓	✓	✓	---	---	---
Stationary Store	✓	✓	✓	✓	✓	---	---	---
Studios - Art, Boxing, Dance, Gymnastics, Martial Arts, Music, Photography, Voice	✓	✓	✓	✓	---	---	---	---
Swimming Pool/Spa - sales and service	---	✓	✓	---	✓	---	---	---
Tackle Shop	---	✓	✓	✓	✓	---	---	---
Tattoo Shop	---	U	U	U	U	---	---	---
Taxidermist	---	✓	✓	✓	✓	---	---	---
Tobacco and Drug Paraphernalia Shop	---	U	---	U	U	---	---	---
Toy Store	---	✓	✓	✓	✓	---	---	---
Trophy Shop	---	✓	✓	✓	✓	---	---	---
Veterinarian/Animal Hospital - Large	---	---	---	---	---	---	---	---
Veterinarian/Animal Hospital - Small	---	✓	✓	✓	✓	---	---	---
Video Store	✓	✓	✓	✓	✓	---	---	---
<b>Visitor Accomodations</b>								
Bed and Breakfast Inn	---	---	---	U	---	---	---	---
Conference Center	---	---	✓	---	✓	---	---	U
Hotel	---	U	✓	---	✓	---	---	---
Motel	---	U	---	---	✓	---	---	---
Resort	---	---	---	---	---	U	---	---
Watch and Clock sales and repair	---	✓	✓	✓	✓	---	---	---
Wholesaling and Distribution facility	---	---	---	---	---	---	---	✓
Winery Sales Facility - tasting room	---	✓	---	✓	---	---	---	---

Use, Service or Facility	Industrial Districts	
	M-1	M-2
Adult Businesses (Subject to Chapter 5.36 of RMC)	✓	✓
Alarm Systems sales and/or service	✓	---
Animal Boarding Service	U	---
Appliance Repair Shop	✓	✓
Assembly/Light Manufacturing	✓	✓
<b>Automobile/Vehicle Related Services</b>		
Auto Parts Store	---	---
Auto Repair Shop	✓	✓
Auto Sales lot (more than 10 acres)	---	---
Auto Sales lot (up to 10 acres)	---	---
Auto/Truck Travel Plaza	---	---
Boat Sales	---	---
Camper Shell sales	---	---
Farm Equipment Sales	✓	✓
Indoor Vehicle Sales Establishment	U	---
Motorcycle sales and service	---	---
Recreational Vehicle Sales and Service	---	---
Recreational Vehicle Storage	✓	---
Rental or Lease Agency including limousine service	---	---
Service or Gas station	---	---
Truck Sales and Service	✓	✓
Utility Trailer sales, rental, service	✓	---
Vehicle cleaning and detailing	✓	---
Vehicle Storage Yard	U	U
<b>Banquet Facility</b>	U	---
Building material and lumber sales	U	✓
Cabinet Shop	✓	✓
Card Room	---	---
Caretaker Residence	U	U
Cement Bulk Plant (Not permitted within 1000 feet of any residential area)	U	✓
Commercial Recreation and Entertainment	U	U
Communication Facilities	U	U
Crematory	U	U
Custom Manufacturing	✓	✓
Dry Cleaning Services (Drop-off and Pick-up only)	---	---
Dry Cleaning Services (cleaning plants)	U	✓
<b>Eating and Drinking Establishments</b>		
Bar, tavern	---	---
Delicatessen	U	U
Fast Food Restaurant with Drive Through Window	U	---
Fast Food Restaurant without Drive Through Window	U	---
High Turnover sit down Restaurant	U	U
Ice cream, yogurt store	---	---
Quality Restaurant	---	---
Equipment rental	✓	✓
Food Processing	U	✓
Glass replacement and repair shops	✓	---

<b>Table 16.24.1 - Continued</b>		
<b>USES IN INDUSTRIAL DISTRICTS</b>		
Legend:		
✓ Permitted Use		
--- Not a Permitted Use		
U Conditional Use Permit Required		
Use, Service or Facility	Industrial Districts	
	M-1	M-2
Hazardous Material Industrial (Not permitted within 1000 feet of any residential area)	---	U
Heavy Industrial	---	✓
High Technology	✓	✓
Janitorial services and supplies	✓	---
Junkyard	---	U
Laboratory; research, analysis	U	---
Limited Industrial	✓	✓
Linen Supply services	✓	✓
Locksmith	✓	---
Medical Marijuana Dispensaries (Subject to Chapters 9.10 and 16.111 of RMC)	---	---
Mini-storage	✓	✓
Nursery, plants	✓	✓
Offices, Business and Professional	✓	U
Offices, Contractors	✓	✓
Pallet Manufacturing	U	U
Pallet Recovery Services	✓	✓
Picture framing shop	✓	---
Pool Table sale and repair service	✓	---
Power Tools - sales, repair	✓	---
Print Shop	✓	---
Recreational Facility - Indoor	✓	U
Recreational Facility - Outdoor	U	U
Recycling Services - Consumer	✓	✓
Recycling Services - Scrap Operations	---	U
<b>Schools</b>	---	---
Business School	---	---
College or University	---	---
Driving School	---	---
Medical Related School	---	---
Other Private School	---	---
Private K-12 school	---	---
Public K-12 school	---	---
Trade/Vocational School	U	U
Seasonal Temporary Uses	✓	✓
Studios - Art, Boxing, Dance, Gymnastics, Martial Arts, Music, Photography, Voice	✓	U
Swimming Pool/Spa - sales and service	✓	---
Utilities - Major	U	✓
Veterinarian/Animal Hospital - Large	U	U
Veterinarian/Animal Hospital - Small	✓	U
<b>Visitor Accommodations</b>		
Bed and Breakfast Inn	---	---
Conference Center	---	---
Hotel	U	---
Motel	U	---
Resort	---	---
Wholesaling and Distribution facility	✓	✓

<b>Table 16.26.1 USES IN MIXED USE DISTRICTS</b>	
Legend:	
✓	Permitted Use
---	Not a Permitted Use
U	Conditional Use Permit Required
Use, Service or Facility	Mixed Use Districts
	MU
Addressing and Mailing Services	✓
Adult Businesses (Subject to Chapter 5.36 of RMC)	✓
Alarm Systems sales and/or service	✓
Ambulance Services	U
Animal Boarding Services	U
Animal Grooming Services	✓
Antique Store	✓
Appliance Repair Shop	✓
Appliance Store	✓
Art gallery	✓
Art Supply Store	✓
Assembly/Light Manufacturing	U
<b>Automobile/Vehicle Related Services</b>	
Auto Parts Store	✓
Auto Repair Shop	✓
Auto Sales lot (more than 10 acres)	✓
Auto Sales lot (up to 10 acres)	✓
Auto/Truck Travel Plaza	---
Boat Sales	✓
Camper Shell sales	✓
Farm Equipment Sales	✓
Indoor Vehicle Sales Establishment	U
Motorcycle sales and service	✓
Recreational Vehicle Sales and Service	✓
Recreational Vehicle Storage	U
Rental or Lease Agency including limousine service	✓
Service or Gas station	✓
Truck Sales and Service	U
Utility Trailer sales, rental, service	U
Vehicle cleaning and detailing	✓
Vehicle Storage Yard	---
Bakery, pastry shop	✓
Banks, savings and loan, finance, credit office	✓
Barber Shop	✓
Beauty Salon	✓
Bicycle shop	✓
Book Store	✓
Building material and lumber sales	✓
Butcher and meat market	✓
Cabinet Shop	U
Candy Store	✓
Card Room	---
Caretaker Residence	U
Catering Service	✓

**Table 16.26.1 - Continued**  
**USES IN MIXED USE DISTRICTS**

## Legend:

✓ Permitted Use

--- Not a Permitted Use

U Conditional Use Permit Required

Use, Service or Facility	Mixed Use Districts
	MU
Cement Bulk Plant	---
Cemetery	U
Clothing Stores	✓
Clothing Stores (Boutique)	✓
Commercial Recreation and Entertainment	U
Communication Facilities	U
Computer sales and service	✓
Convenience Market	✓
Costume shop - sale and rent	✓
Crematory	U
Custom Manufacturing	U
Day Spa	✓
Drug Store	✓
Dry Cleaning Services (Drop-off and Pick-up only)	✓
Dry Cleaning Services (cleaning plants)	---
<b>Eating and Drinking Establishments</b>	
Bar, tavern	U
Delicatessen	✓
Fast Food Restaurant with Drive Through Window	✓
Fast Food Restaurant without Drive Through Window	✓
High Turnover sit down Restaurant	✓
Ice cream, yogurt store	✓
Quality Restaurant	✓
Equestrian Center	U
Equipment rental	✓
Feed Store	✓
Fitness Club	✓
Floor Covering, drapery or upholstery store	✓
Florist	✓
Funeral Home	U
Furniture Store	✓
Garment Makers and Tailors	✓
Glass replacement and repair shops	✓
Grocery Store	✓
Gunshop - Gunsmith	✓
Hardware Store	✓
High Technology	U
Hobby Shops	✓
Incubator Units	✓
Interior decorating shops	✓
Janitorial services and supplies	✓
Jewelry Stores	✓
Laboratory; medical, dental, or optical	U
Laboratory; research, analysis	U

**Table 16.26.1 - Continued  
USES IN MIXED USE DISTRICTS**

## Legend:

- ✓ Permitted Use
- Not a Permitted Use
- U Conditional Use Permit Required

Use, Service or Facility	Mixed Use Districts
	MU
Laundromat, self-service	✓
Limited Industrial	U
Linen Supply services	U
Liquor Store	U
Live Theatre	U
Locksmith	✓
Massage establishment	U
Medical equipment store	✓
Medical Marijuana Dispensaries (Subject to Chapters 9.10 and 16.111 of RMC)	---
Military surplus store	✓
Mini-storage	✓
Movie Theatre	✓
Museum	✓
Music Store	✓
Newspaper - magazine stand	✓
Nursery, plants	✓
Office Supply Store	✓
Offices, Business and Professional	✓
Offices, Contractors	✓
Paint and wallpaper store	✓
Pallet Manufacturing	---
Pallet Recovery Services	---
Pawn Shop	U
Pet Store or Pet Food Store	✓
Photographic supply - camera store	✓
Picture framing shop	✓
Pool Table sale and repair service	✓
Power Tools - sales, repair	✓
Print Shop	✓
<b>Public &amp; Semipublic Uses</b>	
Banquet Facility	U
Clubs or lodges	✓
Child Care Centers	U
Churches	U
Government Offices	U
Hospital	U
Library	✓
Public Safety Facilities	✓
Residential Care, General	U
Residential Care, Limited	U
Recreational Facility - Indoor	✓
Recreational Facility - Outdoor	U
Recreational Vehicle Park	U
Recycling Services - Consumer	✓

<b>Table 16.26.1 - Continued</b>	
<b>USES IN MIXED USE DISTRICTS</b>	
Legend:	
✓	Permitted Use
---	Not a Permitted Use
U	Conditional Use Permit Required
Use, Service or Facility	Mixed Use Districts
	MU
<b>Residential</b>	
Emergency Shelters	✓
Medium Density Residential	U
High Density Residential	U
Retail Sales and Service	✓
<b>Schools</b>	
Business School	U
College or University	U
Driving School	✓
Medical Related School	U
Other Private School	U
Private K-12 school	U
Public K-12 school	U
Trade/Vocational School	U
Seasonal Temporary Uses, ie. Christmas tree lots and pumpkin patches	✓
Secondhand Store	✓
Shoe repair shop, shoeshine store	✓
Shopping Center, large (over 5 acres)	✓
Shopping Center, small (less than 5 acres)	✓
Shopping Mall	U
Sporting Goods Store	✓
Stamp and Coin store	✓
Stationary Store	✓
Studios - Art, Boxing, Dance, Gymnastics, Martial Arts, Music, Photography, Voice	✓
Swimming Pool/Spa - sales and service	✓
Tackle Shop	✓
Tattoo Shop	U
Taxidermist	✓
Tobacco and Drug Paraphernalia Shop	U
Toy Store	✓
Trophy Shop	✓
Veterinarian/Animal Hospital - Large	U
Veterinarian/Animal Hospital - Small	✓
Video Store	✓
<b>Visitor Accomodations</b>	
Bed and Breakfast Inn	---
Conference Center	U
Hotel	U
Motel	U
Resort	U
Watch and Clock sales and repair	✓
Wholesaling and Distribution facility	U
Winery Sales Facility - tasting room	✓

16.144.010

**Chapter 16.144**

**PARKING AND LOADING**

**Sections**

- 16.144.010 Purpose.**
- 16.144.020 General Requirements.**
- 16.144.030 Required Parking Spaces.**
- 16.144.035 Required Parking Spaces for Shopping Centers in any District**
- 16.144.040 Location of Required Parking Spaces.**
- 16.144.050 Design of Parking Areas.**
- 16.144.060 Bicycle Parking.**
- 16.144.070 Off Street Loading.**
- 16.144.075 Exceptions.**
- 16.144.080 Disabled Parking.**
- 16.144.090 Timing of Installation.**
- 16.144.100 Modification of Requirements.**

**Tables**

- 16.144.1 Residential Parking Space.**
- 16.144.2 Public/Semipublic Parking Space.**
- 16.144.3 Parking Space Requirements: Commercial**
- 16.144.4 Parking Space Requirements: Industrial**

**16.144.010 Purpose.**

The purpose of the parking and loading requirements are to lessen traffic congestion and contribute to public safety by providing sufficient on-site areas for the maneuvering and parking of motor vehicles, and to enhance the appearance of parking areas. (Ord. 606, 1999)

**16.144.020 General Requirements.**

The provisions of this section apply throughout this chapter

A. Applicability of Chapter. The provisions of this Chapter apply whenever:

- 1. A new building is constructed;
- 2. An existing building, including a legal nonconforming structure, is enlarged for any purpose; or
- 3. The use of any building is changed.

B. Computation of Required Parking. Whenever

the computation of the number of required off street parking spaces results in a fractional parking space, one (1) additional space will be required for a fractional space of one half (1/2) or more. A fractional space of less than one half (1/2) shall not be counted.

C. Parking Not Required. Floor area devoted exclusively to parking shall have no off street parking requirements.

D. Motorcycle and Bicycle Spaces. For every four (4) motorcycle or six (6) bicycle parking spaces provided, credit for one (1) parking space will be given toward the requirements of this Chapter, but the credit for each shall not exceed one tenth (1/10) of the total number of vehicle spaces required.

E. Front Yard Parking. Parking spaces necessary to meet off street parking requirements are not permitted within the required front yard setback of a residential unit, except as approved by a discretionary permit. (Ord. 606, 1999)

**16.144.030 Required Parking Spaces.**

A. All site plans for development must include a table showing that off street parking spaces will be provided in quantities:

- 1. Required by provisions in this Chapter and also as indicated in Tables 16.144.1, 16.144.2, 16.144.3, and 16.144.4; or
- 2. In compliance with the ITE Parking Generation Manual, Latest Edition; or
- 3. Determined by the Planning Director when not defined in either method as identified above.

B. Descriptions of Uses. Uses are described in Chapter 16.12 (Definitions and Use Classification Systems) of this Code.

C. Requirements Cumulative. In the cases of mixed uses in a building or on a lot, the total requirements for off street parking facilities are the sum of the requirements of the various uses computed separately.

C. Spaces Based on Square Footage. The square footage requirements used to calculate parking spaces refer to the total enclosed areas of all buildings or uses on the lot.

D. Spaces Based on Employees. Employee off street requirements used to calculate parking spaces refer to the maximum number of employees who could be working at one time when the facility is

operating at full capacity. (Ord. 606, 1999)

**16.144.035 Required Parking Spaces for Shopping Centers in any District.**

A. For shopping centers classified as Neighborhood Commercial centers as defined in Chapter 16.20, section 16.20.015 of this Title, the parking ratio shall be 4.4 spaces per 1,000 square feet of Gross Leasable Area, rounded up to the next whole parking space.

B. For shopping centers classified as Community Commercial centers as defined in Chapter 16.20, section 16.20.015 of this Title, the parking ratio shall be 5.3 spaces per 1,000 square feet of Gross Leasable Area, rounded up to the next whole parking space.

C. For shopping centers classified as Regional Commercial centers as defined in Chapter 16.20, section 16.20.015 of this Title, the parking ratio shall be 6.1 spaces per 1,000 square feet of Gross Leasable Area, rounded up to the next whole parking space.

D. For shopping centers where multiple uses/businesses are located on multiple parcels within a shopping center, the required off-street parking for the center shall be as follows:

1. Each parcel shall be self parked, meaning that each parcel shall contain the appropriate amount of required off-street parking spaces on their parcel at a ratio as defined herein in this Title (per the ITE Parking Generation manual, Latest Edition) for their particular Shopping Center classification, or

2. Each parcel does not have to be self parked, so long as there is a recorded parking easement for the entire shopping center. The required off-street parking spaces for the center shall be at a ratio as defined herein in this Title (per the ITE Parking Generation manual, Latest Edition) for their particular Shopping Center classification.

**16.144.040 Location of Required Parking Spaces.**

A. On Same or Adjacent Lot. For dwellings, motels, schools and vehicle oriented uses the required parking spaces must be provided on the same lot as the main building(s) or on an adjoining lot or lots zoned for the main use of the property.

B. Other Uses. For uses not listed in Subsection

(A), required parking spaces shall be located within three hundred (300) feet of the lot the main building is located.

C. Not Within Specified Yards. Parking spaces required for dwellings are not to be located within any required front or side yards. The number of vehicles parked within required front yard shall not exceed one and one-half (1.5) the number of spaces required by the use, except where otherwise approved by the City. (Ord. 606, 1999)

**16.144.050 Design of Parking Areas.**

Design standards are established for the development of off street parking facilities as follows:

A. Parking Lot Design, Including Access. Parking lot design shall be in accordance with the City of Ripon's Standard Specifications and Standard Details and shall comply with the State Building Code.

B. For multiple family projects containing five (5) dwelling units, no more than twenty five (25%) percent of required parking spaces shall be compact stalls; and

C. For nonresidential uses requiring twenty (20) or more spaces, no more than ten (10%) percent of the required spaces shall be compact spaces.

D. Surfacing. All parking spaces, driveways and maneuvering areas shall be surfaced and permanently maintained with base material and surface material meeting City of Ripon off street parking standards, to provide a durable dust free surface. Concrete bumper guards must be provided when necessary to protect adjacent properties or structures.

E. Circulation. All parking areas shall, to the extent possible, have internal circulation in which no backing movement, except that required to leave a parking space, is permitted. It shall also be possible to maneuver within a parking area without use of street right-of-way. No parking area design shall require an exiting vehicle to back onto a street, except for parking serving single-family houses, duplexes or triplexes.

F. Landscaping and Screening. All parking area landscaping or screening shall be provided and designed in accordance with Chapter 16.148 Landscaping and Irrigation) of this code.

G. Lighting. All off street parking shall have provisions for exterior lighting. (Ord. 606, 1999)

H. Overhang. Where parking stalls are located

adjacent to landscaped areas, the required depth of such stalls may be decreased by two (2) feet to provide for a vehicle overhang area. The landscaped area shall not be less than five (5) feet in width. In no instance shall a vehicle overhang area encroach into a sidewalk area such that the sidewalk would be reduced to a width of less than four (4) feet.

#### **16.144.060 Bicycle Parking**

In commercial and industrial projects with twenty (20) or more required parking spaces, a rack or other secure device for the purpose of storing and protecting bicycles from theft shall be installed. The devices must be provided with a minimum capacity of one bicycle per twenty (20) required parking spaces and shall be located so as not to interfere with pedestrian or vehicular traffic. (Ord. 606, 1999)

#### **16.144.070 Off Street Loading.**

Off-street loading space must be provided and maintained for all commercial and industrial uses that involve the delivery and distribution of goods by commercial vehicles as established in this section.

A. Commercial Uses. One (1) loading space must be provided for every commercial use with three thousand (3,000) square feet of gross floor area or more.

B. Industrial Uses. Spaces must be provided for industrial uses as follows:

1. One (1) loading space shall be required for each use having three thousand (3,000) to twenty thousand (20,000) feet of gross floor area;

2. Two (2) loading spaces shall be required for each use having twenty thousand (20,000) to forty thousand (40,000) square feet of gross floor area; and

3. For each twenty thousand (20,000) square feet of gross floor area, or major fraction thereof, over forty thousand (40,000) square feet gross floor area, one loading space shall be required.

C. Design Standards. Design of required loading spaces shall be as follows:

1. Spaces shall be a minimum twenty five (25) feet in width, and shall have a minimum height clearance of fourteen (14) feet;

2. Spaces shall be provided and maintained on the same or adjoining lot as the commercial or industrial use creating the need;

3. Spaces shall not interfere with vehicular circulation or parking, or pedestrian circulation; and

4. On site driveways and maneuvering areas may

be used in lieu of one (1) of the off street loading spaces required in this Section, as long as maneuvering areas for delivery areas are provided. (Ord. 606, 1999)

#### **16.144.075 Exceptions.**

Exceptions to the determination of the required parking spaces and landscaping area are:

A. No building as it exists on the date of adoption of the ordinance codified in this chapter shall be deemed to be nonconforming solely by reason of the lack of off-street parking spaces; provided, however, any portion of the premises being used for off-street parking in connection with any such building shall not be reduced below the requirements of this chapter.

B. Any part of a parcel used for vehicle sales or rentals, including uses or buildings in existence on or before the date of adoption of the ordinance codified in this chapter, shall conform to the requirements of this chapter, with the exception of subsections 17.61.240(D) and (F), in which case the area of the parcel where vehicles for sale or for rent are parked is exempt from the requirement of tree installation and screening from the public right-of-way.

C. Every building enlarged, reconstructed, remodeled or structurally altered after the date of adoption of the ordinance codified in this chapter shall be provided with parking spaces and landscaping to compensate for the additional parking demand, if any, created by such enlargement, reconstruction, remodeling, or structural alteration, excluding those located in the C3 (Central Business District) zone. Buildings enlarged, reconstructed, remodeled or structurally altered in the C3 (Central Business District) zone shall provide parking, as determined by the planning commission until such time as special parking provisions are adopted for the C3 (Central Business District) zone.

D. Landscaping shall be provided in proportion to the additional parking spaces and commensurate with the landscaping requirements of Section 16.148.050 of this chapter. (Ord. 606, 1999)

#### **16.144.080 Disabled Parking.**

All off street parking lots shall comply with the requirements of the California Administrative Code and with the sign requirements of the California Vehicle Code. (Ord. 606, 1999)

**16.144.090 Timing of Installation.**

All parking areas and driveways must be completely installed prior to the issuance of a Certificate of Occupancy or initiation of use. (Ord. 606, 1999)

**16.144.100 Modification of Requirements.**

The requirements of this Chapter may be modified by the Director in cases that, due to the unusual nature of the establishment proposal submitted for it, the requirements set forth may be considered insufficient or excessive. In making the decision, the Director may consider the existence of special transit incentives and services, car pooling programs, and significant use of pedestrian and bicycle access. Decisions of the Director of the Section may be appealed using the Staff Review Procedure in Section 16.08.020 and Appeals Section 16.08.060. (Ord. 606, 1999)

**Table 16.144.1  
PARKING SPACE REQUIREMENTS: RESIDENTIAL**

<b>Uses</b>	<b>Spaces Required</b>
Single Family Residential	2 covered spaces per dwelling unit
Two Family Residential	2 covered spaces per dwelling unit
Small multifamily (studio or 1 bedroom)	1.5 spaces with one covered per unit, plus 1 space marked "Guest" for every 5 units
Large multifamily (2 or more bedrooms)	2 spaces with one covered per unit, plus 1 space marked "Guest" for every 5 units
Group Residential	1 space per 2 sleeping rooms
Mobile Home Park	1.5 spaces (nontandem) per unit

**Table 16.144.2  
PARKING SPACE REQUIREMENTS: PUBLIC AND SEMIPUBLIC**

<b>Uses</b>	<b>Required Spaces (Patio)</b>	<b>Loading Spaces</b>
Banquet Facility	1 per 4 fixed seats or 1 per 50 sqft of assembly area	
Child Care Center	1 per employee or 2 drop-off	
Clubs and Lodges	1 per 100 sq ft	2
Convalescent Facilities	1 per 3 patient beds	3
Day Care, General	1 per 3 clients or 1 per employee	
Detention Facilities	As specified by permit	
Funeral and Interment Services	1 per 3 fixed seats or 1 per 40 sqft assembly area	1
Government Offices	1 per 300 sqft	2
Heliports	As specified by permit	
Hospitals	5 per 1,000 sqft of building	
Maintenance and Service Facilities	1 per 500 sqft	1
Park and Recreation Facilities	As specified by permit	
Public Safety Facilities	As specified by permit	
Religious Assembly	1 per 4 fixed seats or 1 per 50 sqft of assembly area	
Residential Care, General	1 per 3 patient beds	3
Schools, Public and Private Elementary and Junior Highs	2 per classroom	1
High School	1 per 4 students	

**Table 16.144.3  
PARKING SPACE REQUIREMENTS: COMMERCIAL**

<b>Uses</b>	<b>Required Spaces (Ratio)</b>	<b>Loading</b>	<b>Storage</b>
Adult Businesses	1 per 250 sqft	1	
Ambulance Service	1 per 500 sqft		2
Animal Boarding, Grooming, Hospitals	1 per 400 sqft	1	
Animals Retail	1 per 250 sqft	1	
Artists Studio	1 per 1,000 sqft		
Building Materials and Services	1 per 1,000 sqft of building and storage area	3	
Catering Services	1 per 400 sqft	1	
Commercial Recreation and Entertainment	1 per 400 sqft of building or outdoor areas	1	
Communication Facilities	1 per 500 sqft	2	
<u>Eating and Drinking Establishments</u>			
Convenience	6 per 1,000 sqft	1	
Full Service	1 per 100 sqft		
Food and Beverage Sales	1 per 200 sqft	1	
Maintenance and Repair Services	1 per 500 sqft	1	
Medical Marijuana Dispensary	1 per 250 sqft	1	
Mini-warehouse	As specified by permit		
<u>Nursery Sales and Service</u>			
Wholesale	4 per 1,000 sqft		
Retail	5 per 1,000 sqft		
Landscaping Services	1 per employee		
Offices, Business and Professional	1 per 250 sqft		
Pawn Shops	1 per 250 sqft		
Personal Improvements Services	1 per 250 sqft		
Personal Services	1 per 250 sqft		
Retail Sales and Services	1 per 250 sqft	1	
Truck Stops	1 per 3,000 sqft gross site		
<u>Vehicle Sales and Service</u>			
Automotive Rental	1 per 400 sqft		2
Automotive Cleaning	1 per 200 sqft		3 (per wash station)
Service Station	1 per 1,500 sqft of lot area	1	
Vehicle Repair	1 per 600 sqft service and storage area	1	
Vehicle Sales and Rental	1 per 1,000 sqft of lot area		
Vehicles Storage	1 per 500 sqft		
<u>Visitor Accommodations</u>			
Bed and Breakfast Inns	1 per guest room or 1 per 3 employees		
Hotels and Motels	1 per guest room or 1 per 3 employees or 1 per 50 sqft banquet seating area		

**Table 16.144.4  
PARKING SPACE REQUIREMENTS: INDUSTRIAL**

<b>Uses</b>	<b>Required Spaces (Ratio)</b>
Custom Manufacturing	1 per 1,000 sqft
Limited Industrial	2 per 1,000 sqft or 1 per 2 employees
Heavy Industrial	2 per 1,000 sqft or 1 per 2 employees
Truck Sales and Service	2 per 1,000 sqft or 1 per 3 employees
Wholesale and Distribution	1 per 1,000 sqft or 1 per 3 employees

*Cottage Food Operation Permit*

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**Chapter 16.89****COTTAGE FOOD OPERATION PERMIT****Sections:**

- 16.89.010 Purpose**
- 16.89.020 Definitions**
- 16.89.030 Permitting Process**
- 16.89.040 Standards of Operation**

**16.89.010 Purpose.**

It is the purpose of this Chapter to comply with California State Law Assembly Bill 1616 (AB1616) and Assembly Bill 2297 (AB2297) which allows individuals to prepare and/or package certain non-potentially hazardous foods in private home kitchens, referred to as cottage food operations, and sell directly to the public on- and off-site. The intent of this chapter is to provide a permitting process to allow cottage food operations to comply with AB1616 and AB2297, while protecting the integrity and character of existing residential neighborhoods.

**16.89.020 Definitions.**

For the purposes of this chapter, the following items are defined as follows:

A. "Class A cottage food operation" means a cottage food operation that may engage only in "direct sales" of cottage food products from the cottage food operation or other direct sale venue.

B. "Class B cottage food operation" means a cottage operation that may engage in both "direct sales" and "indirect sales" of cottage food products from the cottage food operation, from direct sales venues, from off-site events, or from a third party retail food facility.

C. "Cottage food employee" means an individual, paid or volunteer, who is involved in the preparation, packaging, handling, and storage of a cottage food product, or otherwise works for the cottage food operation. An employee does not include an immediate family member or household member of the cottage food operator.

D. "Cottage food operation" means an enterprise that is operated by a cottage food operator in a private home, classified as a Class "A" or "B", and has not more than one full-time employee, not including a family member or household member(s) of the cottage food operator, where cottage food products are prepared or packaged for direct or indirect sale to consumers.

E. "Cottage food operator" means an individual who operates a cottage food operation in his or her private home and is the owner of the cottage food operation.

F. "Cottage food products" means non-potentially hazardous foods that are prepared for sale in the kitchen of an approved cottage food operation. Foods containing cream, custard or meat fillings are potentially hazardous and are not allowed.

G. "Direct sales" means a transaction between a cottage food operation operator and a consumer, where the consumer purchases cottage food products made by the cottage food operation. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales of food swaps, certified farmer's markets, and transactions occurring in person at the private home where the cottage food operation conducts business.

H. "Indirect sales" means an interaction between a cottage food operation, a third party retailer, and a consumer, where the consumer purchases cottage food products made by the cottage food operation from a third party retailer. Indirect sales include, but are not limited to, sales made to retail shops or to retail food facilities where food may be consumed on the premises.

I. "Planning Director" means the Director of Planning and Economic Development or his/her designee.

J. "Private home" means a dwelling, including an apartment or other leased space, where individuals primarily reside.

K. "Registered or permitted area" means the portion of a private home that contains the private home's kitchen used for the preparation, packaging, storage, or handling

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of cottage food products and related ingredients or equipment, or both, and one additional room within the home that is used exclusively for storage.

### **16.89.030 Permitting Process.**

A. All cottage food operations must comply with the requirements of the San Joaquin County Environmental Health Division and the California Department of Public Health. Applicants must first obtain a Cottage Food Operation Class A or Class B Permit from the county prior to submitting an application for a cottage food operation permit under this chapter. A copy of a valid county Class A or Class B permit must be furnished with the application to the Planning Department.

B. An application to operate a cottage food operation shall be submitted on forms provided by the Planning Department. Upon submittal, the Planning Director may require additional information to show full compliance with this chapter and other regulations of the City.

C. When the cottage food operator is not the owner of the residence where the business will be conducted, the property owner's written authorization shall be submitted with the application for a cottage food operation.

D. A fee, as specified by resolution of the City Council is required with the application. The applicant has the right to request a fee verification for any fee paid pursuant to this chapter. (See California Government Code Section 51035).

E. Applications for a Cottage Food Operation shall be acted upon within thirty (30) days of submittal of a complete application. Upon submittal of a completed application, the Planning Director may approve the application, subject to the provisions of this chapter. If the application does not comply with the minimum provisions, the Planning Director may approve in modified form to comply with the provisions of this chapter, or deny the application. Any action of the Planning Director may be appealed to the

Planning Commission as outlined in Chapter 16.08.060 of this code.

F. Approvals granted to operate a cottage food operation may be revoked by the City at any time if such use is found to be in non-compliance with provisions of this chapter.

G. Cottage food operation permits shall be valid for a period of two (2) calendar years. Cottage food operation permits shall date from the first day of January, regardless of the date in which the permit is issued.

### **16.89.040 Standards of Operation**

Cottage food operations shall be permitted in all single or multi-family residential zones and shall be subject to the following conditions:

A. No cottage food operation shall be allowed to operate without first securing all required permits and approvals from the San Joaquin County department of public health and the City of Ripon.

B. Permitted cottage food products that may be produced at the residential dwelling as part of the cottage food operation are limited to those cottage food products listed by the California Department of Public Health.

C. Employees. Not more than one full-time employee, paid or voluntary, not including an immediate family member or household member(s) of the cottage food operator, shall be employed by the cottage food operation.

D. Visitation and deliveries incidental to the cottage food operation are limited to no more than sixteen (16) visits per day and the hours of seven (7) a.m. to seven (7) p.m., Monday through Friday, and are not permitted on Saturdays, Sundays or holidays. This subsection applies to deliveries made by commercial vehicles, as defined in Chapter 10.44 of this code, as well as deliveries made by non-commercial vehicles.

E. Cottage food functions including storage, preparation, mixing, assembling, packaging, labeling, or direct sales must occur only within the permitted area.

F. Only cottage food products produced at the cottage food operation may be sold or

## *Cottage Food Operation Permit*

16.89

sampled at the dwelling unit.

G. No sit down dining or meal service other than the brief sampling of the cottage food products produced on the premise is permitted.

H. The establishment of the cottage food operation may not change the principal residential character of use of the dwelling unit involved.

I. No exterior alteration may be made to the dwelling unit for the purposes of use by the cottage food operation that would change the residential character of the dwelling.

J. No signs identifying or advertising the cottage food operation are permitted on the premises, except those required by government agencies.

K. Placement/Spacing of cottage food operations. No cottage food operations may be located within 300 feet of the property line of any single family home where another cottage food operation is located; or no cottage food operation shall be located within the same building of an apartment complex or other multi-family housing development (i.e. condominiums or townhouses) where another cottage food operation exists.

L. The cottage food operation must comply with all applicable inspection requirements.

M. Cottage food operations may not create noise levels in excess of those allowed by this code in the applicable zone in which the dwelling unit is located.

N. Size requirements. Cottage food operations shall occupy no more of a residence than the lesser of: 1) 30 percent of the floor area of the dwelling excluding garage area; or 2) The area permitted by the San Joaquin County department of environmental health food safety division.

O. No outdoor sales shall be allowed at the site of the cottage food operation.

P. Parking requirements for cottage food operations:

1. No vehicles, trailers (including pick-up trucks and vans) or other equipment, except those normally incidental to the residential use, may be kept on the site or in

the near vicinity in a manner that obstructs the free flow of traffic.

2. Commercial vehicles, as defined in Chapter 10.44, may not be kept permanently on the site or in the near vicinity to the cottage food operation unless engaged in the delivery of goods or services to the cottage food operation.

3. For single family homes, the cottage food operation shall not occupy any required parking for the private home.

4. For multi-family developments, the cottage food operator's designated space(s) must be available for the actual parking demand created by the use, including parking spaces for the applicant's and applicant's family members' vehicles, and a parking space for an employee if an employee is present. On-site parking in an apartment complex or other multi-family residence requires written consent from the property owner, landlord, homeowners association or property manager.

5. All applicants must demonstrate reasonable on-street parking within a 300 foot radius of the residential dwelling. On-street parking spaces may be used for persons picking-up and/or delivering materials for the operation, third party retailers, and customers if direct sales the property are proposed.

6. Deliveries and customer visitations to the cottage food operation may not unreasonably interfere with the free flow of traffic in the residential zone.

Q. Cottage food operations are subject to all residential zoning requirements set forth in this code, so long as such zoning requirements are not in conflict with the provisions of this chapter. Cottage food operations may not engage in any activity that would result in a violation of this code or any local, state or federal law or regulation.

R. In addition to a cottage food operation permit, cottage food operations must obtain all applicable permits, licenses, and certificates required for the operation of a business under this code. Cottage food operation permits are non-transferable to another person, location, type of food sales, distribution activity or time

*Cottage Food Operation Permit*

16.89

period of activity.

S. Cottage food operations must at all times comply with the restrictions on gross annual sales as set forth in California Health and Safety Code Section 113758. Cottage food operators must at all times maintain applicable tax returns or other proof of gross annual sales for the cottage food operation, and must promptly provide such documentation to city officials upon request.

T. There shall be no outdoor storage of goods or materials visible from off-site.

U. Additional conditions relating to concentration, traffic control, parking, noise and odor control may be imposed as deemed necessary by the Planning Director.

# RIPON PLANNING COMMISSION MINUTES

RIPON CITY HALL  
MONDAY, MAY 16, 2016 6:00 P.M.

**Pledge of Allegiance:** Commissioners pledged allegiance to the flag.

**Roll Call:** Commissioners Gary Barton, David Collins, Bill Long, Brinton McCusker, Debra Van Essen, and George Saljian

**Others Present:** Ken Zuidervaart, Dan Brannon, Mitzi Johnston, Jason Buffalow, Chad DeGraff, and Michael DeGroot

**Minutes:** Approval of the minutes of the Ripon Planning Commission meeting of March 14, 2016

**MOTION: MOVED/SECONDED (LONG/VAN ESSEN) AND CARRIED BY A 5-0 VOTE TO APPROVE THE MINUTES OF THE MARCH 14, 2016 PLANNING COMMISSION MEETING**

**Public Discussion:** Chairman Saljian explained the public discussion process and asked if anyone would like to speak on a subject that is not on the agenda. No one wished to speak at this time.

**Agenda Changes:** Director Zuidervaart requested that the General Planning item 2.1 be brought before Public Hearing item 1.1

Chairman Saljian explained the public hearing process

## 2.0 GENERAL PLANNING

**2.1 MAJOR SITE REVIEW (SR16-04) for Buffalo's Mechanical, Jason Buffalow,** a request to expand and amend an existing .954 (+/-) acre industrial site by adding a 4,990 sq. ft. storage building and reconfiguring the off street parking located at 501 Parallel Avenue in the M1 (Light Industrial) district. **A Negative Declaration (PEA16-04) is recommended for this project.**

Director Zuidervaart introduced the staff report into the record. Director Zuidervaart said that the applicant recently purchased this site and wishes to add a storage building for the business. This site will serve as the headquarters for Buffalo's Mechanical. Director Zuidervaart then described the proposed layout of the site and how it was previously laid out.

Director Zuidervaart said that the storage building will be constructed with corrugated metal. Access to the site will be from Parallel Avenue. There are two existing commercial driveway accesses and the applicant would like to install a new Commercial driveway access to the

site to provide adequate circulation to the site. Director Zuidervaart said that the applicant will be providing new asphalt paving for the new parking area as well as the area surrounding the proposed new building. Off street parking will be reconfigured and there will be 13 parking spaces provided. There will be surface mounted lighting and the applicant will submit a detailed lighting plan as part of the conditions of approval.

Director Zuidervaart said that the applicant will bring the site up to current landscaping standards and will provide the 10% required landscaping.

Director Zuidervaart said that this property abuts residential and there is currently a six (6) foot masonry wall between this lot and the residential. The applicant will need to modify the wall to be an eight (8) foot masonry wall per City Standards.

Director Zuidervaart said that the applicant wishes to take advantage of the reduced setback option for the rear and side of the building. The rear setback of a structure in M1 is twenty (20) feet and the applicant would like to reduce this to ten (10) feet. The side setback is also twenty (20) feet and the applicant would like to reduce this side setback to one foot six inches.

Director Zuidervaart said that the 1'6" side setback is adjacent to a SSJID easement that is twenty (20) feet wide. The rear setback requested is within ten (10) feet of the back wall. Per City Code, an applicant can take advantage of a reduced setback if it is okay with the Police Department and Fire Department but has to be ratified by the Planning Commission.

Director Zuidervaart said that on May 3, 2016 a meeting was held with the applicant and comments and conditions were received from various agencies. These comments and conditions have been incorporated in the staff report. Director Zuidervaart then said that one condition has been amended; condition #14. Director Zuidervaart said that the original condition required the undergrounding of power lines. The amendment allows for this requirement to be deferred with a deferred improvement agreement until the property adjacent to this site develops at such time the two property owners can share in the cost to perform this undergrounding. The City will work an agreement out with the applicant.

Director Zuidervaart said that staff recommends approval of the application with the conditions as amended.

Commissioner Van Essen wanted to make sure she understood that the storage building would be within ten (10) feet of the residential lot and Director Zuidervaart replied yes.

Commissioner Collins asked what the height of the storage building would be and Director Zuidervaart said that it would be 18'6" at the tallest point.

Commissioner Van Essen asked what would be placed within the rear ten (10) foot area; if it would be landscaping. Director Zuidervaart said that he would defer this question to the applicant to respond.

Commissioner Van Essen said that SSJID's comments did not give a yes or no answer for their side and asked if this twenty (20) foot area would remain open and Director Zuidervaart replied yes, that there is a pipeline underground there so nothing could be built on it.

Chairman Saljian commented that the site plan indicates a possible second accessory building and Director Zuidervaart replied that the applicant would need to come back before the Planning Commission for approval at a future meeting.

Applicant: Jason Buffalow, applicant and Chad DeGraff, Architect came to the podium together. J. Buffalow said that on the twenty foot SSJID side there is actually additional easements from other agencies too creating somewhere between sixty to eighty feet of easement.

Commissioner Collins asked if the residential lot would also have a setback and J. Buffalow replied yes. The ten foot setback is to the property line.

J. Buffalow said that the area behind the building can be landscaped.

Commissioner Van Essen said that if no trucks drive back behind this building then it may be okay but if there will be trucks that close to the wall then she would not be in favor of this variance.

J. Buffalow commented that there may be five trucks on the site a day and 99% of the deliveries will be at the front of the lot and they won't be driving thru the site. There may be a guy on a fork lift or a couple of employee cars parked at the rear.

Commissioner Barton asked the applicant if he considered moving the building over toward Parallel and C. DeGraff commented that they looked at this but it makes the circulation tight.

Commissioner McCusker asked if the site would be generating any noise and J. Buffalow replied that there might be a couple trucks that come to the site. Commissioner McCusker commented that there is a lot of highway noise and this building might provide some buffer to that highway noise.

Proponents: None

Opponents: Michael DeGroot (Manteca) said that he is the owner of the vacant residential lot that will be affected. M. DeGroot said that his concern is for screening and building color choices. M. DeGroot said that if the applicant is willing to provide landscape screening then he would not be opposed. Mr. DeGroot said that he looked at the colored renderings and the color choices for the building look good. Mr. DeGroot said that down the road the other potential building might create more of a concern.

Commissioner Barton asked what type of screening he would like to see and M. DeGroot said that tall trees can provide a buffer. M. DeGroot said that he does not want to have to look at just a big building.

J. Buffalow said that he is okay with providing the landscaping.

Commissioner Van Essen asked how wide the building is and C. DeGraff said that the building is forty (40) feet wide.

Commissioner Collins asked if there were any issues raised by SSJID and Director Zuidervaart replied no, as long as the applicant remains outside the twenty (20) foot easement they are fine.

Commissioner Collins commented that he has done work for Mr. DeGraff and so he feels that he should recuse himself from this vote.

Chairman Saljian commented that ten (10) feet is a little tight of a setback and asked how the Commission can make sure that there will be proper screening. Director Zuidervaart said that the Commission can add a condition to the staff report stating what kind of tree or how much landscape is required.

Commissioner Barton commented that there are not very many types of tall trees that will do well within a ten (10) foot area. C. DeGraff said that they will defer this to a landscape architect to come up with the correct type of trees to provide the buffering.

Commissioner Van Essen commented that it is not the Commission's job to micro manage what type of trees they put in and suggested that the applicant work with the neighbor on this.

Director Zuidervaart said that the condition could be that the applicant gets a landscape architect to design this area and provide trees that could buffer the building to the residential lot.

Chairman Saljian asked if the Fire Department and Police Department talked about moving the building closer to the street. Director Zuidervaart said that if an applicant asked for a reduced setback they look at that aspect of the request.

Commissioner McCusker commented that this is a good project and would like to add the landscaping condition to the staff report and have it approved by the Planning Director.

**MOTION: MOVED/SECONDED (VAN ESSEN/MCCUSKER) AND CARRIED BY A 4-0 VOTE (LONG – ABSENT)/(COLLINS – ABSTAIN) TO ADOPT THE NEGATIVE DECLARATION (PEA16-04) AND APPROVE MAJOR SITE REVIEW (SR16-04) FOR BUFFALO MECHANICAL BASED ON THE FINDINGS AND SUBJECT TO THE AMENDED CONDITIONS OF THE STAFF REPORT**

**Amended Conditions:**

14. (Amended) Proponent shall enter into a deferred improvement agreement for the future undergrounding of all overhead utility poles across their property frontage along with replacement of a temporary street light on the existing wooden pole with a new pole and fixture per City of Ripon standards. Deferred agreement shall stipulate the timing of said fixture improvements to coincide with development and undergrounding of utilities of the neighboring property to the east (700 Parallel Avenue – 261-160-11).

22. (Added) Proponent shall work with a landscape architect to design screening for the rear ten (10) foot area between the building and the residential lot. This design shall be approved by the Director of Planning.

## 1.0 PUBLIC HEARING

### 1.1 ZONING TEXT AMENDMENT (TAZ16-01) for the City of Ripon, the Planning Commission shall consider amendments to Title 16 (Development Title); Chapters 16.12, Definitions; 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 a new Chapter; 16.89, Cottage Food Operation Permit. These amendments will address Emergency Shelters; Massage Businesses; and Banquet Facilities. The new Chapter will define Cottage Food Industries. **This proposed amendment is not subject to CEQA review pursuant to CEQA guidelines Section 15061(b) (3).**

Director Zuidervaart introduced the staff report into the record and explained that some of these modifications to the code are as a result of the recently approved Housing Element and the City is required to incorporate them into our development code. Director Zuidervaart then said that the City uses this opportunity to clean up some other areas of the development code that are needed from time to time.

Director Zuidervaart said that the first changes are with additions to the definitions/use classification title added banquet facilities, cargo containers, cottage food operations and emergency shelters.

Commissioner Van Essen said that in the Office and Commercial section she noticed that we are removing the Use Permit requirement for Massage and asked why.

Director Zuidervaart explained that the new ordinance has incorporated the conditions that were included in the Use Permit. Commissioner Van Essen commented that with a Use Permit if they are in violation the City can close them down. Director Zuidervaart replied that this regulation with the ordinance provides us that same ability.

Director Zuidervaart then said that banquet facilities and cargo containers have been added into the code and where they are allowed. Director Zuidervaart said that staff will come back at a future meeting with a full chapter addressing cargo containers.

Director Zuidervaart said that a new Chapter is being recommended which is Cottage Food Operations and he will explain this in more detail. The rest of the changes involve Emergency Shelters and are included to support our housing element.

Commissioner Collins asked what an emergency shelter would look like and Director Zuidervaart replied that it would be a homeless shelter which by law, the City is supposed to allow for. Director Zuidervaart replied that the City of Ripon does not really have a lot of services available for a homeless shelter and so we may not see very many of these locations. Director Zuidervaart commented that what we currently have in town are where churches will support a homeless family for a short period of time.

Director Zuidervaart said that these emergency shelters are permitted in high density residential (R4U) and mixed use (MU) zones. There are restrictions on length of stay and proximity to other emergency shelters.

Director Zuidervaart said that the other change to the Residential code is to protect the Cities high density (HD) and Medium Density (MD) zones. The City previously had a

maximum number of dwelling units. The amendment will provide for a minimum and a maximum number in order to preserve these densities.

Director Zuidervaart said that medium density was 4.75 up to 13 and it will now be 6 up to 11. If over this amount, they would need to be in the High Density zone and that will be between 13-18 units an acre.

Director Zuidervaart said that for the Office/Commercial district we removed the Use Permit requirement from Massage and added banquet facilities. Parking will be looked at in addition to the times of the events.

Director Zuidervaart said that in the Industrial District banquet facilities was added to be allowed in the Light Industrial (M1) district with a Use Permit. Director Zuidervaart commented that not all light industrial locations will work for a banquet facility but that there are some areas where it would seem a possibility such as the light industrial lots on Doak Boulevard.

Director Zuidervaart then said that Banquet Facilities could also be permitted in Mixed Use (MU) with a Use Permit and Emergency Shelters could be allowed in the Mixed Use zone.

Director Zuidervaart said that Chapter 16.144, Parking and Loading, addresses the parking requirements for banquet facilities. The requirements will be 1 space for 4 fixed seats or 1 space for 50 sq. ft. of assembly area.

Director Zuidervaart then explained that the addition of the chapter (16.89) for Cottage Food Operation Permit is to comply with California State Law Assembly Bill 1616 regarding the cottage food industry. This will allow individuals to prepare and/or package certain non-potentially hazardous food in private home kitchens, referred to as cottage food operations, and sell directly to the public on and off-site. The intent of this chapter is to provide a permitting process to allow cottage food operations to comply with the code while protecting the integrity and character of existing residential neighborhoods. Director Zuidervaart said there is a two-tier permitting system: Class A or Class B. Applicants will be required to obtain health and safety certificate from the County. Applicants will need to meet specified requirements and there is an approved food list such as baked goods, candy, dried fruit, etc. The bill requires us to allow people to operate out of their homes but still protect our residents.

Director Zuidervaart said that the applicant will have to go through a check list and get a City business license. Parts of the requirements allow for a business to have one employee that is not a resident of the home but no more than that. There will also be limited hours of 7:00 a.m. – 7:00 p.m. Monday thru Friday only. There will not be any sit down or dining service allowed and you cannot alter the exterior of the home and no signage on commercial vehicles will be permitted at the residence.

Commissioner Van Essen asked if the Health Department will do inspections and Director Zuidervaart replied yes, that the applicant will be required to obtain a license from the County.

Commissioner Collins said that he understands that the businesses have the right to allow customers to come to the home but wanted to know if we could limit the number that are

permitted in a day. Director Zuidervaart replied that the City has the right to establish hours but will need to look into if we can limit the number of visitors in a day.

Commissioner Van Essen commented that with the Home Occupation we can limit the number of classes or customers in a day and would like to look into doing the same.

Commissioner Barton asked if we currently have any Cottage Food businesses in town and Director Zuidervaart replied that he does not believe so and then said that with regards to one of the recent home occupations that we approved, that business has now moved to a commercial location.

Commissioner Van Essen commented that most of these businesses would be shipping their goods out and Director Zuidervaart replied yes, or would take them to Farmer's Markets and Bazaars to sell.

Chairman Saljian asked if these applicants would be required to come before the Planning Commission for approval like with the home occupations and Director Zuidervaart replied that per the law, if they meet all of the requirements, it will be an over the counter approval.

Commissioner Collins said that he likes the intent of the law but would like to limit the number of visits to ten (10) per day for both customers and deliveries. Commissioner Barton commented that he is not sure we can have a number. Commissioner Barton commented that if they have a car come every half hour or forty-five minutes that would be okay.

Commissioner Van Essen asked Director Zuidervaart to check to see if we can limit the number of customers a day and if we can, then come up with a reasonable number.

Commissioner Collins asked Commissioner Barton if he would be okay with no more than sixteen a day (16) and Commissioner Barton replied yes.

**MOTION: MOVED/SECONDED (5-0) TO RECOMMEND THAT THE CITY COUNCIL APPROVE ZONING TEXT AMENDMENT (TAZ16-01) FOR THE CITY OF RIPON WITH THE ADDED CONDITION THAT IF ALLOWED BY LAW, TO LIMIT THE NUMBER OF VISITS TO THE RESIDENCE TO A MAXIMUM OF SIXTEEN (16) A DAY.**

**Commissioners= Reports:** None

**City Attorney=s Reports:** None

**Director=s Reports:** Director Zuidervaart informed the Commission that the City Council passed the Massage ordinance and that it will go into effect June 10<sup>th</sup>. The Police Department will be hand delivering the ordinance to all massage businesses including salons that have massage. A business will not be allowed to renew or obtain a business license until they have the correct certification. Director Zuidervaart said that the City is also looking into requiring applicants that do not speak English to utilize a third party translation service. The applicant would bear the cost for this service.

**Adjournment:** To the next regular meeting of Monday, June 20, 2016 at 6:00 P.M.

## RESOLUTION NO.

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  
 FOR ASSESSMENT DISTRICT NO. 96-1,  
 CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA  
 COMMONLY KNOWN AS **BOESCH-KINGERY ESTATES**

WHEREAS, previous hereto pursuant to Resolution No. 96-17 adopted by the City Council of the City of Ripon, Assessment District No. 96-1, commonly known as Boesch-Kingery Estates, was formed creating an Assessment District pursuant to the Landscaping and Lighting Act of 1972 for the maintenance of certain landscaping and irrigation system and access control wall in the City of Ripon; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Engineer was directed to prepare and file with the City of Ripon a report in reference to said assessment district pursuant to Section 22565 indicating the District's present boundaries, a description of the work of improvements for which the assessments are to be levied, the method of assessment spread, his estimate of maintenance costs, assessment roll and assessment diagram and boundary map within said District No. 96-1 and their proposed annual assessments for the current fiscal year; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Council of the City of Ripon generally approved the Engineer's Report previously filed with the City of Ripon for the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon, after all proceedings have been duly and regularly held as required by law, as follows:

1. The City Council of the City of Ripon does hereby confirm and approve the Engineer's diagram and assessment dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and does further adopt, pursuant to this resolution, said Engineer's diagram and district boundaries and annual assessment as indicated therein pursuant to the provisions of Section 22631 of the California Streets and Highways Code;

BE IT FURTHER RESOLVED that the City Council of the City of Ripon does hereby declare that said Engineer's report, assessment diagram and boundary map which includes all of the lots contained within Boesch-Kingery, and all proposed future lots as shown on the assessment diagram and boundary map of the City of Ripon Assessment District No. 96-1, shall constitute the assessment district area subject to the levy of the annual assessments on each of said lots and the owners thereof lying within boundaries of City of Ripon Assessment District No. 96-1, generally known as Boesch-Kingery subdivision, and the amount of annual assessments as shown therein.

BE IT FURTHER RESOLVED that said assessments shall be collected as the annual assessment for the fiscal year \_\_\_\_\_ in order to pay the cost and expenses of maintaining and servicing the improvements as set forth in the revised Engineer's Report.

BE IT FURTHER RESOLVED that the City Clerk of the City of Ripon is hereby ordered to file a certified copy of the boundary map, Engineer's diagram and assessments and this Resolution with the County Auditor of the County of San Joaquin for the purpose of collecting said annual assessment for Ripon Assessment District No. 96-1, generally known as Boesch-Kingery Estates, for the fiscal year \_\_\_\_\_ for the purpose of paying the costs and expenses of maintaining and servicing the improvements within said District, all as shown on the Engineer's Annual Assessment Report pertaining to said annual assessments filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON,  
A Municipal Corporation,

By \_\_\_\_\_

ATTEST:

By \_\_\_\_\_



## CITY OF RIPON

259 N. Wilma Avenue  
Ripon, CA 95366  
(209) 599-2108

### BOESCH-KINGERY ESTATES LANDSCAPE MAINTENANCE DISTRICT NO. 96-1 FISCAL YEAR 2016/2017 ANNUAL ASSESSMENT REPORT

WHEREAS, the City Council of the City of Ripon, San Joaquin County, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, adopted its Resolution ordering the preparation of a report for formation of a street lighting and landscape district for the maintenance of the public improvements more particularly therein described.

WHEREAS, said Resolution directed the undersigned to make and file a report presenting a general description of plans and specifications for the proposed improvements, estimate of costs and diagram and assessment of the upon the land within the assessment district, to which Resolution reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby assess and apportion the total amount of the costs and expenses of the maintenance and servicing of said improvements upon the subdivisions of land liable therefore and benefited thereby all as is more particularly set forth in the assessment roll filed herewith, and incorporated herein. The numbers of said assessment roll correspond with the assigned number upon the assessment diagram filed herewith.

As required by said Act, a diagram is hereto attached showing the assessment district and also the boundaries of the respective parcels of land within said assessment district as the same existed at the time of the passage of said Resolution, each of which parcels having been given a separate number upon said diagram.

Said assessment is made upon the several parcels of land within said assessment district in proportion to the estimated benefits to be received by said parcels respectively, from said improvement. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

Dated this 24<sup>th</sup> day of may, 2016

By: Kevin Werner  
Kevin Werner, P.E.  
City Administrator / City Engineer

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## **SECTION I – PLANS AND SPECIFICATIONS**

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### **BOUNDARIES OF DISTRICT**

The boundaries of the Assessment District are described in the Resolution of Intention by the City Council of the City of Ripon (Resolution No. 96-17) dated April 2, 1996 and as shown on the Assessment Diagram and Boundary Map attached.

### **DESCRIPTION OF WORK**

The improvements to be maintained by this District shall include the following:

1. A masonry wall in an area generally located from the back of curb to the right-of-way line in Boesch/Kingery Estates Park, along the north side of Milgeo Avenue from approximately Ridge Road to North Stockton Avenue, and along the west side of North Stockton Avenue from Milgeo Avenue to approximately 350 LF north of Boesch Drive.
2. Landscape items consisting of various trees and plants per the approved plan including an automatic timer controlled sprinkler system to provide water for said trees and plants. All landscaping is between above described masonry wall and back of sidewalk.

The plans for these improvements are on file in the City Hall of the City of Ripon and were prepared by The Design Group at Grover Landscaping, Inc. and dated June 6, 1995.

## SECTION II – ESTIMATE OF COSTS OF IMPROVEMENTS

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### ENGINEER'S ESTIMATE OF MAINTENANCE COST

The landscaping, irrigation system and access control wall will be maintained by City of Ripon personnel. The City estimates that the cost to perform maintenance for 20,240 sq. ft. of landscaped area and improvements for the period July 1, 2016 through June 30, 2017 will amount to \$6,060.52. Some of the items included are: water for plants and trees, weeding, pruning, replacement of trees and plants, wall maintenance, graffiti removal, and to maintain and replace, if necessary, irrigation controller, all sprinkler lines and sprinkler heads. The above listed items may not be all inclusive.

At the end of the fiscal year, a new estimate of maintenance costs will be made for the following fiscal year. Each succeeding year this procedure shall be repeated.

#### City Maintenance Costs

Equipment & Tools	\$50.00
Labor	\$4,460.52
Landscape Maintenance	\$500.00
Remove Graffiti from Wall	\$100.00
Structural Repair for Wall	\$100.00
Utilities	\$100.00
<b>Total City Maintenance Costs</b>	<b>\$5,310.52</b>

#### Incidental Costs

City Administrative Costs	\$400.00
Engineering Costs	\$100.00
Legal Costs	\$100.00
Publishing Legal Notices	\$50.00
SJ County Auditor	\$100.00
<b>Total Incidental Costs</b>	<b>\$750.00</b>

<b>Total Estimated Costs</b>	<b>\$6,060.52</b>
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<b>AMOUNT TO BE ASSESSED</b>	<b>\$6,060.52</b>
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## INCOME/EXPENSES

Year	Income		Expenses		Surplus (Deficit)	
95-96	0.00		255.99		(\$256.00)	
96-97	7,550.76		3,230.05		\$4,064.71	
97-98	7,097.27		2,917.00		\$8,244.98	
98-99	6,060.52		3,647.00		\$10,658.50	
99-00	6,060.52		3,396.58		\$13,322.44	
00-01	6,060.52		2,555.98		\$16,826.98	
01-02	6,060.52		2,862.92		\$20,024.58	
02-03	6,060.52		3,254.52		\$22,830.58	
03-04	6,060.52		2,815.46		\$26,075.64	
04-05	5,999.92		4,569.02		\$27,506.54	
05-06	6,060.52		5,660.30		\$27,906.76	
06-07	6,060.52		3,863.14		\$30,104.14	
07-08	6,060.52		7,540.24		\$28,624.42	
08-09	6,060.52		6,856.84		\$27,828.10	
09-10	6,060.52		7,020.57		\$26,868.05	
10-11	6,060.52		2,395.50		\$30,533.07	
11-12	6,060.52		3,724.03		\$32,869.56	
12-13	9,272.60		3,192.21		\$38,949.95	
13-14	6,060.52		2,997.50		\$42,012.97	
14-15	6,060.52		3,249.08		\$44,824.41	
15-16	6,060.52	E	3,075.36	E	\$47,809.57	E
16-17	6,060.52	E				

All figures reflect Actual unless noted  
"E" - Estimate

### **SECTION III – METHOD OF ASSESSMENT SPREAD**

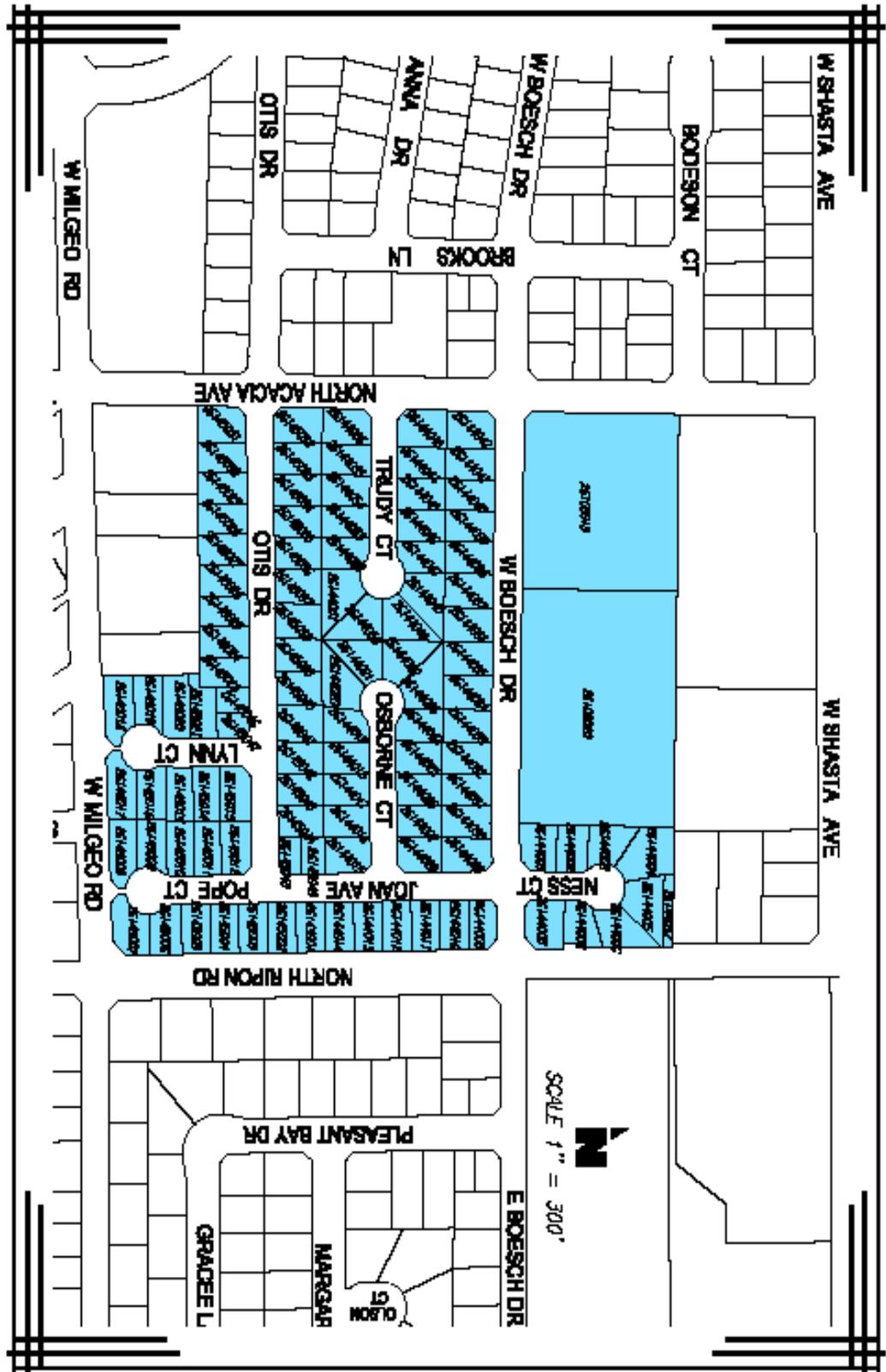
The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs have been spread equally to each residential lot as follows:

- a) The improvements described in the Description of Work have been completed and were accepted on October 9, 1996.
- b) All lots, 1 through 101 are being assessed equally for the estimated costs of maintenance for the Fiscal Year 2016-2017.
- c) Lots numbered 1 through 103 are shown on the recorded subdivision map of Boesch / Kingery Estates, Tract #2323.

## **SECTION IV – ASSESSMENT DIAGRAM AND BOUNDRY MAP**

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The Assessment Diagram and Boundary Map for this district is attached to these documents and is made a part hereof. It consists of all lots contained within Boesch-Kingery subdivision, all as shown on the Assessment Diagram and Boundary Map.



Boesch-Kingery Estates - District No. 96-1

## SECTION V – ASSESSMENT ROLL

---

### Boesch-Kingery

#### Assessment District 96-1

**Total Lots:** 105 (103) lots assessed @ \$58.84  
(2) lots assessed @ \$0.00

APN	Lot Number	Assessable Units	Assessment Rate	Tax Code
261-440-01	1	1.00	58.84	82340
261-440-02	2	1.00	58.84	82340
261-440-03	3	1.00	58.84	82340
261-440-04	4	1.00	58.84	82340
261-440-05	5	1.00	58.84	82340
261-440-06	6	1.00	58.84	82340
261-440-07	7	1.00	58.84	82340
261-440-08	8	1.00	58.84	82340
261-440-09	9	1.00	58.84	82340
261-440-10	10	1.00	58.84	82340
261-440-11	11	1.00	58.84	82340
261-440-12	12	1.00	58.84	82340
261-440-13	13	1.00	58.84	82340
261-440-14	14	1.00	58.84	82340
261-450-01	15	1.00	58.84	82340
261-450-02	16	1.00	58.84	82340
261-450-03	17	1.00	58.84	82340
261-450-04	18	1.00	58.84	82340
261-450-05	19	1.00	58.84	82340
261-450-06	20	1.00	58.84	82340
261-450-07	21	1.00	58.84	82340
261-450-08	22	1.00	58.84	82340
261-450-09	23	1.00	58.84	82340
261-450-10	24	1.00	58.84	82340
261-450-11	25	1.00	58.84	82340
261-450-12	26	1.00	58.84	82340
261-450-13	27	1.00	58.84	82340
261-450-14	28	1.00	58.84	82340
261-450-15	29	1.00	58.84	82340
261-450-16	30	1.00	58.84	82340
261-450-17	31	1.00	58.84	82340
261-450-18	32	1.00	58.84	82340
261-450-19	33	1.00	58.84	82340

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
261-450-20	34	1.00	58.84	82340
261-450-21	35	1.00	58.84	82340
261-450-23	37	1.00	58.84	82340
261-450-24	38	1.00	58.84	82340
261-450-25	39	1.00	58.84	82340
261-450-26	40	1.00	58.84	82340
261-450-27	41	1.00	58.84	82340
261-450-28	42	1.00	58.84	82340
261-450-29	43	1.00	58.84	82340
261-450-30	44	1.00	58.84	82340
261-450-31	45	1.00	58.84	82340
261-450-32	46	1.00	58.84	82340
261-450-33	47	1.00	58.84	82340
261-450-34	48	1.00	58.84	82340
261-450-35	49	1.00	58.84	82340
261-450-36	50	1.00	58.84	82340
261-450-37	51	1.00	58.84	82340
261-450-38	52	1.00	58.84	82340
261-450-39	53	1.00	58.84	82340
261-450-40	54	1.00	58.84	82340
261-450-41	55	1.00	58.84	82340
261-450-42	56	1.00	58.84	82340
261-450-43	57	1.00	58.84	82340
261-450-44	58	1.00	58.84	82340
261-440-15	60	1.00	58.84	82340
261-440-16	61	1.00	58.84	82340
261-440-17	62	1.00	58.84	82340
261-440-18	63	1.00	58.84	82340
261-440-19	64	1.00	58.84	82340
261-440-20	65	1.00	58.84	82340
261-440-21	66	1.00	58.84	82340
261-440-22	67	1.00	58.84	82340
261-440-23	68	1.00	58.84	82340
261-440-24	69	1.00	58.84	82340
261-440-25	70	1.00	58.84	82340
261-440-26	71	1.00	58.84	82340
261-440-27	72	1.00	58.84	82340
261-440-28	73	1.00	58.84	82340
261-440-29	74	1.00	58.84	82340
261-440-30	75	1.00	58.84	82340

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
261-440-31	76	1.00	58.84	82340
261-440-32	77	1.00	58.84	82340
261-440-33	78	1.00	58.84	82340
261-440-34	79	1.00	58.84	82340
261-440-35	80	1.00	58.84	82340
261-440-36	81	1.00	58.84	82340
261-440-37	82	1.00	58.84	82340
261-440-38	83	1.00	58.84	82340
261-440-39	84	1.00	58.84	82340
261-440-40	85	1.00	58.84	82340
261-440-41	86	1.00	58.84	82340
261-440-42	87	1.00	58.84	82340
261-440-43	88	1.00	58.84	82340
261-440-44	89	1.00	58.84	82340
261-440-45	90	1.00	58.84	82340
261-440-46	91	1.00	58.84	82340
261-440-47	92	1.00	58.84	82340
261-440-48	93	1.00	58.84	82340
261-440-49	94	1.00	58.84	82340
261-440-50	95	1.00	58.84	82340
261-440-51	96	1.00	58.84	82340
261-440-52	97	1.00	58.84	82340
261-440-53	98	1.00	58.84	82340
261-440-54	99	1.00	58.84	82340
261-440-55	100	1.00	58.84	82340
261-440-56	101	1.00	58.84	82340
261-450-46	A	1.00	58.84	82340
261-450-47	B	1.00	58.84	82340
261-450-48	C	1.00	58.84	82340
261-450-49	D	1.00	58.84	82340
261-080-19		0.00	0	82340
261-080-20		0.00	0	82340
			6060.52	

## RESOLUTION NO.

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  
 FOR ASSESSMENT DISTRICT NO. 02-1  
 CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA  
 COMMONLY KNOWN AS **CAROLINA'S LANDSCAPE MAINTENANCE DISTRICT**

WHEREAS, previous hereto pursuant to Resolution No. 02-24 adopted by the City Council of the City of Ripon, Assessment District No. 02-1, commonly known as Carolina's, was formed creating an Assessment District pursuant to the Landscaping and Lighting Act of 1972 for the maintenance of certain landscaping and irrigation system and access control wall in the City of Ripon; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Engineer was directed to prepare and file with the City of Ripon a report in reference to said assessment district pursuant to Section 22565 indicating the District's present boundaries, a description of the work of improvements for which the assessments are to be levied, the method of assessment spread, his estimate of maintenance costs, assessment roll and assessment diagram and boundary map within said District No. 02-1 and their proposed annual assessments for the current fiscal year; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Council of the City of Ripon generally approved the Engineer's Report previously filed with the City of Ripon for the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon, after all proceedings have been duly and regularly held as required by law, as follows:

1. The City Council of the City of Ripon does hereby confirm and approve the Engineer's diagram and assessment dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and does further adopt, pursuant to this resolution, said Engineer's diagram and district boundaries and annual assessment as indicated therein pursuant to the provisions of Section 22631 of the California Streets and Highways Code;

BE IT FURTHER RESOLVED that the City Council of the City of Ripon does hereby declare that said Engineer's report, assessment diagram and boundary map which includes all of the lots contained within Carolina's, and all proposed future lots as shown on the assessment diagram and boundary map of the City of Ripon Assessment District No. 02-1, shall constitute the assessment district area subject to the levy of the annual assessments on each of said lots and the owners thereof lying within boundaries of City of Ripon Assessment District No. 02-1, generally known as Carolina's subdivision, and the amount of annual assessments as shown therein.

BE IT FURTHER RESOLVED that said assessments shall be collected as the annual assessment for the fiscal year \_\_\_\_\_ in order to pay the cost and expenses of maintaining and servicing the improvements as set forth in the revised Engineer's Report.

BE IT FURTHER RESOLVED that the City Clerk of the City of Ripon is hereby ordered to file a certified copy of the boundary map, Engineer's diagram and assessments and this Resolution with the County Auditor of the County of San Joaquin for the purpose of collecting said annual assessment for Ripon Assessment District No. 02-1, generally known as Carolina's subdivision, for the fiscal year \_\_\_\_\_ for the purpose of paying the costs and expenses of maintaining and servicing the improvements within said District, all as shown on the Engineer's Annual Assessment Report pertaining to said annual assessments filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON,  
A Municipal Corporation,

By \_\_\_\_\_

ATTEST:

By \_\_\_\_\_



## CITY OF RIPON

259 N. Wilma Avenue  
Ripon, CA 95366  
(209) 599-2108

### CAROLINA'S SUBDIVISION LANDSCAPE MAINTENANCE DISTRICT NO. 02-1 FISCAL YEAR 2016/2017 ANNUAL ASSESSMENT REPORT

WHEREAS, the City Council of the City of Ripon, San Joaquin County, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, adopted its Resolution ordering the preparation of a report for formation of a street lighting and landscape district for the maintenance of the public improvements more particularly therein described.

WHEREAS, said Resolution directed the undersigned to make and file a report presenting a general description of plans and specifications for the proposed improvements, estimate of costs and diagram and assessment of the upon the land within the assessment district, to which Resolution reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby assess and apportion the total amount of the costs and expenses of the maintenance and servicing of said improvements upon the subdivisions of land liable therefore and benefited thereby all as is more particularly set forth in the assessment roll filed herewith, and incorporated herein. The numbers of said assessment roll correspond with the assigned number upon the assessment diagram filed herewith.

As required by said Act, a diagram is hereto attached showing the assessment district and also the boundaries of the respective parcels of land within said assessment district as the same existed at the time of the passage of said Resolution, each of which parcels having been given a separate number upon said diagram.

Said assessment is made upon the several parcels of land within said assessment district in proportion to the estimated benefits to be received by said parcels respectively, from said improvement. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

Dated this 24<sup>th</sup> day of May, 2016

By: Kevin Werner  
Kevin Werner, P.E.  
City Administrator / City Engineer

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## **SECTION I – PLANS AND SPECIFICATIONS**

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### **BOUNDARIES OF DISTRICT**

The boundaries of the Assessment District are described in the Resolution of Intention by the City Council of the City of Ripon (Resolution No. 02-52) dated May 21, 2002 and as shown on the Assessment Diagram and Boundary Map attached.

### **DESCRIPTION OF WORK**

The improvements to be maintained by this District shall include the following:

1. Waterfall and Landscape area located at Milgeo Road and John Roos Avenue.
2. Planter area located in the center of Mount Airy Court.

The plans for these improvements are on file in the City Hall of the City of Ripon and were prepared by SKW & Associates and dated September 4, 2001.

**SECTION II – ESTIMATE OF COSTS OF IMPROVEMENTS**

---

**ENGINEER’S ESTIMATE OF MAINTENANCE COST**

The landscaping, irrigation system and access control wall will be maintained by City of Ripon personnel. The City estimates that the cost to perform maintenance for landscaped planter area in the center of Mount Airy Court and the waterfall and landscape area at Milgeo Road and John Roos Avenue for the period July 1, 2016 through June 30, 2017 will amount to \$12,578.46. Some of the items included are: water for plants and trees, weeding, pruning, replacement of trees and plants, maintenance of waterfall, graffiti removal, and to maintain and replace, if necessary, all sprinkler lines and sprinkler heads. The above listed items may not be all inclusive.

At the end of the fiscal year, a new estimate of maintenance costs will be made for the following fiscal year. Each succeeding year this procedure shall be repeated.

<b>City Maintenance Costs</b>	
Equipment & Tools	\$50.00
Labor	\$10,108.46
Landscape Maintenance	\$485.00
Remove Graffiti from Waterfall	\$100.00
Repair for Waterfall	\$385.00
Utilities	\$200.00
<b>Total City Maintenance Costs</b>	<b>\$11,328.46</b>
 <b>Incidental Costs</b>	
City Administrative Costs	\$900.00
Engineering Costs	\$100.00
Legal Costs	\$100.00
Publishing Legal Notices	\$50.00
SJ County Auditor	\$100.00
<b>Total Incidental Costs</b>	<b>\$1,250.00</b>
<b>Total Estimated Costs</b>	<b>\$12,578.46</b>
 <b>AMOUNT TO BE ASSESSED</b>	 <b>\$12,578.46</b>

**INCOME/EXPENSES**

<b>Year</b>	<b>Income</b>		<b>Expenses</b>		<b>Surplus (Deficit)</b>	
<b>01-02</b>	0.00		22.75		(\$22.75)	
<b>02-03</b>	0.00		623.43		(\$646.18)	
<b>03-04</b>	5,336.00		4,334.92		\$354.90	
<b>04-05</b>	6,866.00		348.00		\$6,872.90	
<b>05-06</b>	7,283.00		6,597.00		\$7,558.90	
<b>06-07</b>	7,647.15		6,783.00		\$8,423.05	
<b>07-08</b>	8,029.51		6,762.00		\$9,690.56	
<b>08-09</b>	8,431.00		9,597.00		\$8,524.56	
<b>09-10</b>	8,667.74		10,905.12		\$6,287.18	
<b>10-11</b>	9,248.85		9,613.11		\$5,922.92	
<b>11-12</b>	11,825.21		12,617.83		\$5,130.30	
<b>12-13</b>	15,831.22		44,457.34		(\$23,495.82)	
<b>13-14</b>	10,864.56		14,107.97		(\$26,739.23)	
<b>14-15</b>	11,408.60		6,055.96		(\$21,386.59)	
<b>15-16</b>	11,979.32	E	3,696.96	E	(\$13,104.23)	E
<b>16-17</b>	12,578.46	E				

All figures reflect Actual unless noted  
"E" - Estimate

### **SECTION III – METHOD OF ASSESSMENT SPREAD**

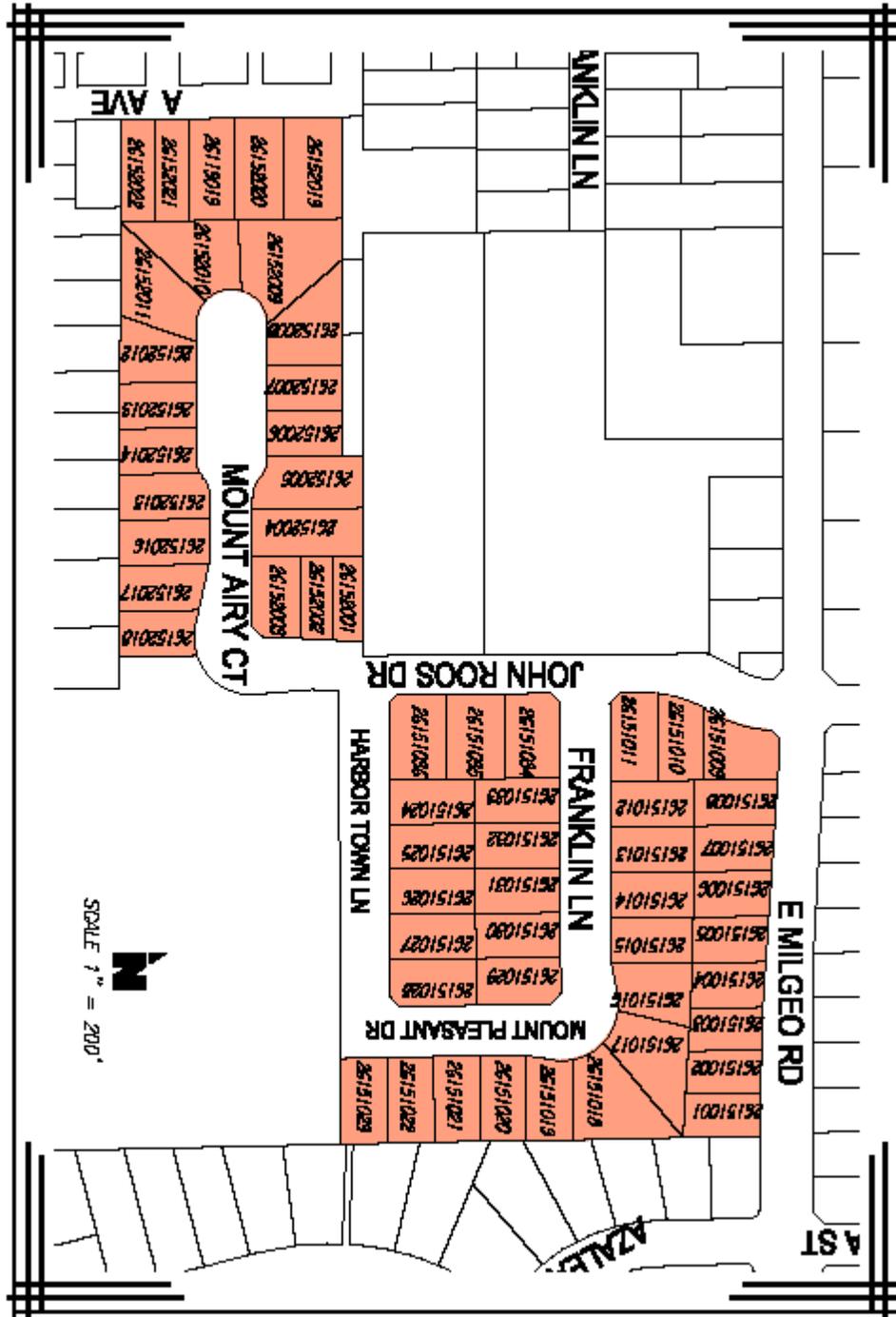
The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs have been spread equally to each residential lot as follows:

- a) The improvements described in the Description of Work have been completed and were accepted on April 23, 2002.
- b) All lots are being assessed equally for the estimated costs of maintenance for the Fiscal Year 2016-2017.

## **SECTION IV – ASSESSMENT DIAGRAM AND BOUNDRY MAP**

---

The Assessment Diagram and Boundary Map for this district is attached to these documents and is made a part hereof. It consists of all lots contained within Carolina's Subdivision, all as shown on the Assessment Diagram and Boundary Map.



Carolino's Subdivision - District No. 02-1

## SECTION V – ASSESSMENT ROLL

---

### Carolina's

#### Assessment District 02-1

**Total Lots:** 59 (58) lots assessed @ \$216.87  
(1) lot assessed @ \$0.00

APN	Lot Number	Assessable	Assessment	Tax Code
		Units	Rate	
261-510-01	1	1.00	216.87	82365
261-510-02	2	1.00	216.87	82365
561-510-03	3	1.00	216.87	82365
561-510-04	4	1.00	216.87	82365
261-510-05	5	1.00	216.87	82365
261-510-06	6	1.00	216.87	82365
261-510-07	7	1.00	216.87	82365
261-510-08	8	1.00	216.87	82365
261-510-09	9	1.00	216.87	82365
261-510-10	10	1.00	216.87	82365
261-510-11	11	1.00	216.87	82365
261-510-12	12	1.00	216.87	82365
261-510-13	13	1.00	216.87	82365
261-510-14	14	1.00	216.87	82365
261-510-15	15	1.00	216.87	82365
261-510-16	16	1.00	216.87	82365
261-510-17	17	1.00	216.87	82365
261-510-18	18	1.00	216.87	82365
261-510-19	19	1.00	216.87	82365
261-510-20	20	1.00	216.87	82365
261-510-21	21	1.00	216.87	82365
261-510-22	22	1.00	216.87	82365
261-510-23	23	1.00	216.87	82365
261-510-24	24	1.00	216.87	82365
261-510-25	25	1.00	216.87	82365
261-510-26	26	1.00	216.87	82365
261-510-27	27	1.00	216.87	82365
261-510-28	28	1.00	216.87	82365
261-510-29	29	1.00	216.87	82365
261-510-30	30	1.00	216.87	82365
261-510-31	31	1.00	216.87	82365
261-510-32	32	1.00	216.87	82365
261-510-33	33	1.00	216.87	82365
261-510-34	34	1.00	216.87	82365

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
261-510-35	35	1.00	216.87	82365
261-510-36	36	1.00	216.87	82365
261-520-01	37	1.00	216.87	82365
261-520-02	38	1.00	216.87	82365
261-520-03	39	1.00	216.87	82365
261-520-04	40	1.00	216.87	82365
261-520-05	41	1.00	216.87	82365
261-520-06	42	1.00	216.87	82365
261-520-07	43	1.00	216.87	82365
261-520-08	44	1.00	216.87	82365
261-520-09	45	1.00	216.87	82365
261-520-10	46	1.00	216.87	82365
261-520-11	47	1.00	216.87	82365
261-520-12	48	1.00	216.87	82365
261-520-13	49	1.00	216.87	82365
261-520-14	50	1.00	216.87	82365
261-520-15	51	1.00	216.87	82365
261-520-16	52	1.00	216.87	82365
261-520-17	53	1.00	216.87	82365
261-520-18	54	1.00	216.87	82365
261-520-19	55	1.00	216.87	82365
261-520-20	56	1.00	216.87	82365
261-520-21	57	1.00	216.87	82365
261-520-22	58	1.00	216.87	82365
261-190-19		0.00	0	82365
			12578.46	

## RESOLUTION NO.

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  
 FOR ASSESSMENT DISTRICT NO. 07-1  
 CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA  
 COMMONLY KNOWN AS **CORNERSTONE 1 LANDSCAPE MAINTENANCE DISTRICT**

WHEREAS, previous hereto pursuant to Resolution No. 07-36 adopted by the City Council of the City of Ripon, Assessment District No. 07-1, commonly known as Cornerstone 1, was formed creating an Assessment District pursuant to the Landscaping and Lighting Act of 1972 for the maintenance of certain landscaping and irrigation system and access control wall in the City of Ripon; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Engineer was directed to prepare and file with the City of Ripon a report in reference to said assessment district pursuant to Section 22565 indicating the District's present boundaries, a description of the work of improvements for which the assessments are to be levied, the method of assessment spread, his estimate of maintenance costs, assessment roll and assessment diagram and boundary map within said District No. 07-1 and their proposed annual assessments for the current fiscal year; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Council of the City of Ripon generally approved the Engineer's Report previously filed with the City of Ripon for the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon, after all proceedings have been duly and regularly held as required by law, as follows:

1. The City Council of the City of Ripon does hereby confirm and approve the Engineer's diagram and assessment dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and does further adopt, pursuant to this resolution, said Engineer's diagram and district boundaries and annual assessment as indicated therein pursuant to the provisions of Section 22631 of the California Streets and Highways Code;

BE IT FURTHER RESOLVED that the City Council of the City of Ripon does hereby declare that said Engineer's report, assessment diagram and boundary map which includes all of the lots contained within Cornerstone 1, and all proposed future lots as shown on the assessment diagram and boundary map of the City of Ripon Assessment District No. 07-1, shall constitute the assessment district area subject to the levy of the annual assessments on each of said lots and the owners thereof lying within boundaries of City of Ripon Assessment District No. 07-1, generally known as Cornerstone 1 subdivision, and the amount of annual assessments as shown therein.

BE IT FURTHER RESOLVED that said assessments shall be collected as the annual assessment for the fiscal year \_\_\_\_\_ in order to pay the cost and expenses of maintaining and servicing the improvements as set forth in the revised Engineer's Report.

BE IT FURTHER RESOLVED that the City Clerk of the City of Ripon is hereby ordered to file a certified copy of the boundary map, Engineer's diagram and assessments and this Resolution with the County Auditor of the County of San Joaquin for the purpose of collecting said annual assessment for Ripon Assessment District No. 07-1, generally known as Cornerstone 1 subdivision, for the fiscal year \_\_\_\_\_ for the purpose of paying the costs and expenses of maintaining and servicing the improvements within said District, all as shown on the Engineer's Annual Assessment Report pertaining to said annual assessments filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON,  
A Municipal Corporation,

By \_\_\_\_\_

ATTEST:

By \_\_\_\_\_



# CITY OF RIPON

259 N. Wilma Avenue  
Ripon, CA 95366  
(209) 599-2108

## CORNERSTONE I LANDSCAPE MAINTENANCE DISTRICT NO. 07-1 FISCAL YEAR 2016/2017 ANNUAL ASSESSMENT REPORT

WHEREAS, the City Council of the City of Ripon, San Joaquin County, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, adopted its Resolution ordering the preparation of a report for formation of a street lighting and landscape district for the maintenance of the public improvements more particularly therein described.

WHEREAS, said Resolution directed the undersigned to make and file a report presenting a general description of plans and specifications for the proposed improvements, estimate of costs and diagram and assessment of the upon the land within the assessment district, to which Resolution reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby assess and apportion the total amount of the costs and expenses of the maintenance and servicing of said improvements upon the subdivisions of land liable therefore and benefited thereby all as is more particularly set forth in the assessment roll filed herewith, and incorporated herein. The numbers of said assessment roll correspond with the assigned number upon the assessment diagram filed herewith.

As required by said Act, a diagram is hereto attached showing the assessment district and also the boundaries of the respective parcels of land within said assessment district as the same existed at the time of the passage of said Resolution, each of which parcels having been given a separate number upon said diagram.

Said assessment is made upon the several parcels of land within said assessment district in proportion to the estimated benefits to be received by said parcels respectively, from said improvement. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

Dated this 24<sup>th</sup> day of May, 2016

By: Kevin Werner  
Kevin Werner, P.E.  
City Administrator / City Engineer

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## **SECTION I – PLANS AND SPECIFICATIONS**

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### **BOUNDARIES OF DISTRICT**

The boundaries of the Assessment District are described in the Resolution of Intention by the City Council of the City of Ripon (Resolution No. 07-9) dated February 6, 2007 and as shown on the Assessment Diagram and Boundary Map attached.

### **DESCRIPTION OF WORK**

The improvements to be maintained by this District shall include the following:

1. Landscape and Irrigation areas located on River Road and Greenstone Road.

The plans for these improvements are on file in the City Hall of the City of Ripon and were prepared by SKW & Associates and dated and approved by the City of Ripon, City Engineer on December 21, 2005.

## SECTION II – ESTIMATE OF COSTS OF IMPROVEMENTS

---

### ENGINEER'S ESTIMATE OF MAINTENANCE COST

The landscaping, irrigation system and access control wall will be maintained by City of Ripon personnel. The City estimates that the cost to perform maintenance of landscaped area and improvements for the period July 1, 2016 through June 30, 2017 will amount to \$8,060.82. Some of the items included are: water for plants and trees, weeding, pruning, replacement of trees and plants and to maintain and replace, if necessary, irrigation controller, all sprinkler lines and sprinkler heads. The above listed items may not be all inclusive.

At the end of the fiscal year, a new estimate of maintenance costs will be made for the following fiscal year. Each succeeding year this procedure shall be repeated.

#### City Maintenance Costs

Equipment & Tools	\$100.00
Fuel	\$100.00
Labor	\$5,110.82
Landscape Maintenance	\$1,000.00
Utilities	\$50.00
<b>Total City Maintenance Costs</b>	<b>\$6,360.82</b>

#### Incidental Costs

City Administrative Costs	\$1,000.00
Engineering Costs	\$200.00
Legal Costs	\$200.00
Publishing Legal Notices	\$100.00
SJ County Auditor	\$200.00
<b>Total Incidental Costs</b>	<b>\$1,700.00</b>

<b>Total Estimated Costs</b>	<b>\$8,060.82</b>
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<b>AMOUNT TO BE ASSESSED</b>	<b>\$8,060.82</b>
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**INCOME/EXPENSES**

<b>Year</b>	<b>Income</b>		<b>Expense s</b>		<b>Surplus (Deficit)</b>	
<b>06-07</b>	0.00		0.00		\$0.00	
<b>07-08</b>	13,080.00		0.00		\$13,080.00	
<b>08-09</b>	11,188.80		5,061.20		\$19,207.60	
<b>09-10</b>	27,625.44		3,377.56		\$43,455.48	
<b>10-11</b>	12,828.16		2,359.01		\$53,924.63	
<b>11-12</b>	13,284.36		4,749.02		\$62,459.97	
<b>12-13</b>	29,753.05		7,559.45		\$84,653.57	
<b>13-14</b>	16,390.26		6,926.05		\$94,117.78	
<b>14-15</b>	17,049.04		4,358.47		\$106,808.35	
<b>15-16</b>	18,576.80	E	3,950.88	E	\$121,434.27	E
<b>16-17</b>	8,060.82	E				

All figures reflect Actual unless noted  
 "E" - Estimate

### **SECTION III – METHOD OF ASSESSMENT SPREAD**

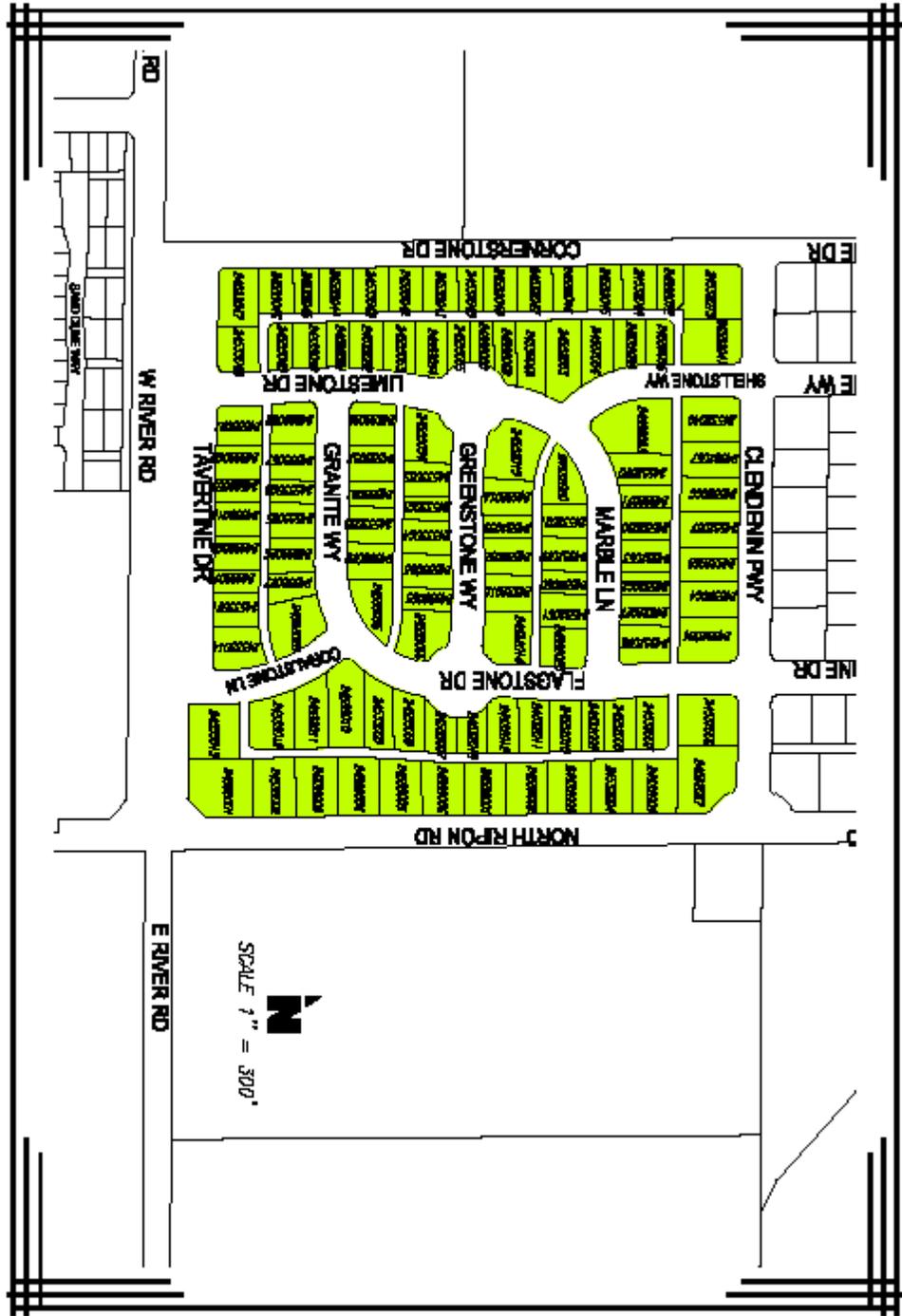
The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs have been spread equally to each residential lot as follows:

- a) The improvements described in the Description of Work have been completed and were accepted on March 20, 2007.
- b) All lots, 1 through 111 are being assessed equally for the estimated costs of maintenance for the Fiscal Year 2016-2017.

## **SECTION IV – ASSESSMENT DIAGRAM AND BOUNDRY MAP**

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The Assessment Diagram and Boundary Map for this district is attached to these documents and is made a part hereof. It consists of all lots contained within Cornerstone 1 Subdivision, all as shown on the Assessment Diagram and Boundary Map.



Cornerstone 1 - District No. 07-1

## SECTION V – ASSESSMENT ROLL

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### Cornerstone 1 Subdivision

#### Assessment District 07-1

**Total Lots:** 113 (111) lots assessed @ \$72.62  
(2) lots assessed @ \$0.00

APN	Lot Number	Assessable Units	Assessment Rate	Tax Code
245-330-01	1	1.00	72.62	82350
245-330-02	2	1.00	72.62	82350
245-330-03	3	1.00	72.62	82350
245-330-04	4	1.00	72.62	82350
245-330-05	5	1.00	72.62	82350
245-330-06	6	1.00	72.62	82350
245-320-01	7	1.00	72.62	82350
245-320-02	8	1.00	72.62	82350
245-320-03	9	1.00	72.62	82350
245-320-04	10	1.00	72.62	82350
245-320-05	11	1.00	72.62	82350
245-320-06	12	1.00	72.62	82350
245-320-07	13	1.00	72.62	82350
245-320-08	14	1.00	72.62	82350
245-320-09	15	1.00	72.62	82350
245-320-10	16	1.00	72.62	82350
245-320-11	17	1.00	72.62	82350
245-320-12	18	1.00	72.62	82350
245-320-13	19	1.00	72.62	82350
245-330-07	20	1.00	72.62	82350
245-330-08	21	1.00	72.62	82350
245-330-09	22	1.00	72.62	82350
245-330-10	23	1.00	72.62	82350
245-330-11	24	1.00	72.62	82350
245-330-12	25	1.00	72.62	82350
245-330-13	26	1.00	72.62	82350
245-330-14	27	1.00	72.62	82350
245-330-71	28	1.00	72.62	82350
245-330-70	29	1.00	72.62	82350
245-330-69	30	1.00	72.62	82350
245-330-18	31	1.00	72.62	82350
245-330-59	32	1.00	72.62	82350
245-330-60	33	1.00	72.62	82350
245-330-21	34	1.00	72.62	82350
245-330-22	35	1.00	72.62	82350

APN	Lot Number	Assessable	Assessment	Tax Code
		Units	Rate	
245-330-67	36	1.00	72.62	82350
245-330-68	37	1.00	72.62	82350
245-330-25	38	1.00	72.62	82350
245-330-26	39	1.00	72.62	82350
245-330-27	40	1.00	72.62	82350
245-330-28	41	1.00	72.62	82350
245-330-29	42	1.00	72.62	82350
245-330-30	43	1.00	72.62	82350
245-330-31	44	1.00	72.62	82350
245-330-32	45	1.00	72.62	82350
245-330-33	46	1.00	72.62	82350
245-330-34	47	1.00	72.62	82350
245-330-35	48	1.00	72.62	82350
245-330-63	49	1.00	72.62	82350
245-330-64	50	1.00	72.62	82350
245-330-38	51	1.00	72.62	82350
245-330-65	52	1.00	72.62	82350
245-330-66	53	1.00	72.62	82350
245-320-14	54	1.00	72.62	82350
245-320-15	55	1.00	72.62	82350
245-320-58	56	1.00	72.62	82350
245-320-59	57	1.00	72.62	82350
245-320-18	58	1.00	72.62	82350
245-320-19	59	1.00	72.62	82350
245-320-20	60	1.00	72.62	82350
245-320-21	61	1.00	72.62	82350
245-320-22	62	1.00	72.62	82350
245-320-60	63	1.00	72.62	82350
245-320-61	64	1.00	72.62	82350
245-320-25	65	1.00	72.62	82350
245-320-26	66	1.00	72.62	82350
245-320-27	67	1.00	72.62	82350
245-320-62	68	1.00	72.62	82350
245-320-63	69	1.00	72.62	82350
245-320-30	70	1.00	72.62	82350
245-320-71	71	1.00	72.62	82350
245-320-70	72	1.00	72.62	82350
245-320-33	73	1.00	72.62	82350
245-320-34	74	1.00	72.62	82350
245-320-64	75	1.00	72.62	82350

APN	Lot Number	Assessable	Assessment	Tax Code
		Units	Rate	
245-320-65	76	1.00	72.62	82350
245-320-37	77	1.00	72.62	82350
245-320-66	78	1.00	72.62	82350
245-320-67	79	1.00	72.62	82350
245-320-40	80	1.00	72.62	82350
245-320-41	81	1.00	72.62	82350
245-320-73	82	1.00	72.62	82350
245-320-72	83	1.00	72.62	82350
245-320-44	84	1.00	72.62	82350
245-320-45	85	1.00	72.62	82350
245-320-46	86	1.00	72.62	82350
245-320-47	87	1.00	72.62	82350
245-320-48	88	1.00	72.62	82350
245-320-49	89	1.00	72.62	82350
245-330-41	90	1.00	72.62	82350
245-330-42	91	1.00	72.62	82350
245-330-43	92	1.00	72.62	82350
245-330-44	93	1.00	72.62	82350
245-330-45	94	1.00	72.62	82350
245-330-46	95	1.00	72.62	82350
245-330-47	96	1.00	72.62	82350
245-330-48	97	1.00	72.62	82350
245-330-49	98	1.00	72.62	82350
245-330-50	99	1.00	72.62	82350
245-330-51	100	1.00	72.62	82350
245-330-52	101	1.00	72.62	82350
245-330-53	102	1.00	72.62	82350
245-330-54	103	1.00	72.62	82350
245-330-55	104	1.00	72.62	82350
245-320-50	105	1.00	72.62	82350
245-320-69	106	1.00	72.62	82350
245-320-68	107	1.00	72.62	82350
245-320-53	108	1.00	72.62	82350
245-320-54	109	1.00	72.62	82350
245-320-55	110	1.00	72.62	82350
245-320-56	111	1.00	72.62	82350
245-330-56	A	0.00	0	82350
245-320-57	B	0.00	0	82350
			8060.82	

## RESOLUTION NO.

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  
 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**

WHEREAS, previous hereto pursuant to Resolution No. 90-1 adopted by the City Council of the City of Ripon, Assessment District No. 89-2, commonly known as Country Woods Unit No. 2 and Zumstein Estates Subdivision, was formed creating an Assessment District pursuant to the Landscaping and Lighting Act of 1972 for the maintenance of certain landscaping and irrigation system and access control wall in the City of Ripon; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Engineer was directed to prepare and file with the City of Ripon a report in reference to said assessment district pursuant to Section 22565 indicating the District's present boundaries, a description of the work of improvements for which the assessments are to be levied, the method of assessment spread, his estimate of maintenance costs, assessment roll and assessment diagram and boundary map within said District No. 89-2 and their proposed annual assessments for the current fiscal year; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Council of the City of Ripon generally approved the Engineer's Report previously filed with the City of Ripon for the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon, after all proceedings have been duly and regularly held as required by law, as follows:

1. The City Council of the City of Ripon does hereby confirm and approve the Engineer's diagram and assessment dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and does further adopt, pursuant to this resolution, said Engineer's diagram and district boundaries and annual assessment as indicated therein pursuant to the provisions of Section 22631 of the California Streets and Highways Code;

BE IT FURTHER RESOLVED that the City Council of the City of Ripon does hereby declare that said Engineer's report, assessment diagram and boundary map which includes all of the lots contained within Country Woods Unit No. 2 and Zumstein Estates Subdivision, and all proposed future lots as shown on the assessment diagram and boundary map of the City of Ripon Assessment District No. 89-2, shall constitute the assessment district area subject to the levy of the annual assessments on each of said lots and the owners thereof lying within boundaries of City of Ripon Assessment District No. 89-2, generally known as Country Woods Unit

No. 2 and Zumstein Estates subdivision, and the amount of annual assessments as shown therein.

BE IT FURTHER RESOLVED that said assessments shall be collected as the annual assessment for the fiscal year \_\_\_\_\_ in order to pay the cost and expenses of maintaining and servicing the improvements as set forth in the revised Engineer's Report.

BE IT FURTHER RESOLVED that the City Clerk of the City of Ripon is hereby ordered to file a certified copy of the boundary map, Engineer's diagram and assessments and this Resolution with the County Auditor of the County of San Joaquin for the purpose of collecting said annual assessment for Ripon Assessment District No. 89-2, generally known as Country Woods Unit No. 2 and Zumstein Estates subdivision, for the fiscal year \_\_\_\_\_ for the purpose of paying the costs and expenses of maintaining and servicing the improvements within said District, all as shown on the Engineer's Annual Assessment Report pertaining to said annual assessments filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON,  
A Municipal Corporation,

By \_\_\_\_\_

ATTEST:

By \_\_\_\_\_



## CITY OF RIPON

259 N. Wilma Avenue  
Ripon, CA 95366  
(209) 599-2108

### COUNTRY WOODS UNIT NO. 2 & ZUMSTEIN ESTATES SUBDIVISION LANDSCAPE MAINTENANCE DISTRICT NO. 89-2 FISCAL YEAR 2016/2017 ANNUAL ASSESSMENT REPORT

WHEREAS, the City Council of the City of Ripon, San Joaquin County, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, adopted its Resolution ordering the preparation of a report for formation of a street lighting and landscape district for the maintenance of the public improvements more particularly therein described.

WHEREAS, said Resolution directed the undersigned to make and file a report presenting a general description of plans and specifications for the proposed improvements, estimate of costs and diagram and assessment of the upon the land within the assessment district, to which Resolution reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby assess and apportion the total amount of the costs and expenses of the maintenance and servicing of said improvements upon the subdivisions of land liable therefore and benefited thereby all as is more particularly set forth in the assessment roll filed herewith, and incorporated herein. The numbers of said assessment roll correspond with the assigned number upon the assessment diagram filed herewith.

As required by said Act, a diagram is hereto attached showing the assessment district and also the boundaries of the respective parcels of land within said assessment district as the same existed at the time of the passage of said Resolution, each of which parcels having been given a separate number upon said diagram.

Said assessment is made upon the several parcels of land within said assessment district in proportion to the estimated benefits to be received by said parcels respectively, from said improvement. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

Dated this 24<sup>th</sup> day of may, 2016

By: Kevin Werner

Kevin Werner, P.E.

City Administrator / City Engineer

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## **SECTION I – PLANS AND SPECIFICATIONS**

---

### **BOUNDARIES OF DISTRICT**

The boundaries of the Assessment District are described in the Resolution of Intention by the City Council of the City of Ripon (Resolution No. 89-51) dated September 5, 1989 and as shown on the Assessment Diagram and Boundary Map attached.

### **DESCRIPTION OF WORK**

The improvements to be maintained by this District shall include the following:

1. A masonry wall in an area generally located from the back of curb to the right-of-way line in Country Woods, Unit No. 2 along the west side of Robert Avenue from Bailey Street to Doak Boulevard and along the north side of Doak Boulevard from Robert Avenue to a point approximately 145 feet east of Jack Tone Road; and in Zumstein Estates along the west side of Jack Tone Road from a point approximately 170 feet north of Bailey Street to Doak Boulevard and along the north side of Doak Boulevard from Jacktone Road to Ruess Road, all in the City of Ripon, County of San Joaquin, State of California.
2. Landscape items consisting of various trees and plants per the approved plan including an automatic timer controlled sprinkler system to provide water for said trees and plants.

The plans for these improvements are on file in the City Hall of the City of Ripon and were prepared by DeMent Designs Co. and dated September 11 and 12, 1989.

## SECTION II – ESTIMATE OF COSTS OF IMPROVEMENTS

---

### ENGINEER'S ESTIMATE OF MAINTENANCE COST

The landscaping, irrigation system and access control wall will be maintained by City of Ripon personnel. The City estimates that the cost to perform maintenance for 10,400 sq. ft. of landscaped area and improvements for the period July 1, 2016 through June 30, 2017 will amount to \$7,809.46. Some of the items included are: water for plants and trees, weeding, pruning, replacement of trees and plants, wall maintenance, graffiti removal, and to maintain and replace, if necessary, irrigation controller, all sprinkler lines and sprinkler heads. The above listed items may not be all inclusive.

At the end of the fiscal year, a new estimate of maintenance costs will be made for the following fiscal year. Each succeeding year this procedure shall be repeated.

#### City Maintenance Costs

Equipment & Tools	\$50.00
Labor	\$5,809.46
Landscape Maintenance	\$500.00
Remove Graffiti from Wall	\$100.00
Structural Repair for Wall	\$500.00
Utilities	\$100.00
<b>Total City Maintenance Costs</b>	<b>\$7,059.46</b>

#### Incidental Costs

City Administrative Costs	\$400.00
Engineering Costs	\$100.00
Legal Costs	\$100.00
Publishing Legal Notices	\$50.00
SJ County Auditor	\$100.00
<b>Total Incidental Costs</b>	<b>\$750.00</b>

<b>Total Estimated Costs</b>	<b>\$7,809.46</b>
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<b>AMOUNT TO BE ASSESSED</b>	<b>\$7,809.46</b>
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## INCOME/EXPENSES

Year	Income		Expenses		Surplus (Deficit)	
90-91	12,437.34		4,926.27		\$7,511.07	
91-92	10,533.54		4,068.88		\$13,975.73	
92-93	1,916.90		7,764.29		\$8,128.34	
93-94	3,309.09		9,084.29		\$2,353.14	
94-95	8,321.84		6,374.54		\$4,300.44	
95-96	5,868.72		9,082.47		\$1,086.69	
96-97	9,351.24		8,503.83		\$1,934.10	
97-98	5,676.50		7,854.27		(\$243.67)	
98-99	7,884.02		7,383.67		\$256.68	
99-00	7,885.68		9,372.82		(\$1,230.46)	
00-01	7,885.00		4,833.56		\$1,820.98	
01-02	7,885.00		11,045.71		(\$1,339.73)	
02-03	7,885.68		6,158.44		\$387.51	
03-04	7,824.71		10,877.77		(\$2,665.55)	
04-05	7,731.37		12,093.36		(\$7,027.54)	
05-06	7,809.46		6,922.75		(\$6,140.83)	
06-07	7,809.46		8,384.59		(\$6,715.96)	
07-08	7,809.46		10,887.20		(\$9,793.70)	
08-09	7,809.46		9,107.65		(\$11,091.89)	
09-10	7,809.46		6,300.20		(\$9,582.63)	
10-11	7,809.46		3,247.75		(\$5,020.92)	
11-12	9,642.30		2,882.81		\$1,738.57	
12-13	11,832.47		2,873.18		\$10,697.86	
13-14	7,809.46		9,397.65		\$9,109.67	
14-15	7,809.46		3,341.00		\$13,578.13	
15-16	7,809.46	E	5,897.52	E	\$15,490.07	E
16-17	7,809.46	E				

All figures reflect Actual unless noted  
"E" - Estimate

### **SECTION III – METHOD OF ASSESSMENT SPREAD**

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs have been spread equally to each residential lot as follows:

- a) All of the improvements described in the Description of Work are constructed at this time. They were completed approximately December 31, 1989.
- b) Lots 1 through 18 in Country Woods, Unit No. 2 and lots 1 through 44 in Zumstein Estates, Unit No. 1 and lots 48 through 86 in Zumstein Estates, Unit No. 2 are being assessed equally for the estimated costs of maintenance for the Fiscal Year 2015-2016. Lot 19 in Country Woods, Unit No. 2 and lots 46 and 47 of Zumstein Estates, Unit No. 1 were conveyed to the City of Ripon and will receive a zero dollar amount of assessment.
- c) Lots numbered 1 through 19 in Country Woods, Unit No. 2 are shown on the final subdivision map of Country Woods, Unit No. 2 and are shown as assessment numbers 1 through 19, Country Woods, Unit No. 2 on the Assessment Diagram.
- d) Lots number 1 through 47 in Zumstein Estates, Unit No. 1 are shown on the final subdivision map of Zumstein Estates, Unit No. 1 and are shown as assessment numbers 1 through 47, Zumstein Estates, on the Assessment Diagram. Lots numbered 48 through 86, Zumstein Estates are shown on the Assessment Diagram.

## **SECTION IV – ASSESSMENT DIAGRAM AND BOUNDRY MAP**

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The Assessment Diagram and Boundary Map for this district is attached to these documents and is made a part hereof. It consists of all lots contained within Country Woods, Unit 2, within Zumstein Estates, Unit No. 1, and Zumstein Estates, Unit No. 2, all as shown on the Assessment Diagram and Boundary Map, Assessment District No. 89-2, City of Ripon, San Joaquin County, California, dated September 1989.



Country Woods Unit No. 2 & Zumstein Estates Subdivision - No. B-2

## SECTION V – ASSESSMENT ROLL

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### Country Woods

#### Assessment District 89-2

**Total Lots:** 106 (103) lots assessed @ \$75.82  
(3) lot assessed @ \$0.00

APN	Lot Number	Assessable Units	Assessment Rate	Tax Code
259-540-65	1	1.00	75.82	82260
259-540-66	2	1.00	75.82	82260
259-540-67	3	1.00	75.82	82260
259-540-68	4	1.00	75.82	82260
259-540-69	5	1.00	75.82	82260
259-540-70	6	1.00	75.82	82260
259-540-71	7	1.00	75.82	82260
259-540-72	8	1.00	75.82	82260
259-540-73	9	1.00	75.82	82260
259-540-74	10	1.00	75.82	82260
259-540-75	11	1.00	75.82	82260
259-540-76	12	1.00	75.82	82260
259-540-77	13	1.00	75.82	82260
259-540-78	14	1.00	75.82	82260
259-540-79	15	1.00	75.82	82260
259-540-80	16	1.00	75.82	82260
259-540-81	17	1.00	75.82	82260
259-540-82	18	1.00	75.82	82260
259-540-83	19	0.00	0	82260
257-320-01	1	1.00	75.82	82260
257-320-02	2	1.00	75.82	82260
257-320-03	3	1.00	75.82	82260
257-320-04	4	1.00	75.82	82260
257-320-05	5	1.00	75.82	82260
257-320-06	6	1.00	75.82	82260
257-320-07	7	1.00	75.82	82260
257-320-08	8	1.00	75.82	82260
257-320-09	9	1.00	75.82	82260
257-320-10	10	1.00	75.82	82260
257-320-11	11	1.00	75.82	82260
257-320-12	12	1.00	75.82	82260
257-320-13	13	1.00	75.82	82260
257-320-14	14	1.00	75.82	82260

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
257-320-15	15	1.00	75.82	82260
257-320-16	16	1.00	75.82	82260
257-320-17	17	1.00	75.82	82260
257-320-18	18	1.00	75.82	82260
257-320-19	19	1.00	75.82	82260
257-320-20	20	1.00	75.82	82260
257-320-21	21	1.00	75.82	82260
257-320-22	22	1.00	75.82	82260
257-320-23	23	1.00	75.82	82260
257-320-24	24	1.00	75.82	82260
257-320-25	25	1.00	75.82	82260
257-320-26	26	1.00	75.82	82260
257-320-27	27	1.00	75.82	82260
257-320-28	28	1.00	75.82	82260
257-320-29	29	1.00	75.82	82260
257-320-30	30	1.00	75.82	82260
257-320-31	31	1.00	75.82	82260
257-320-32	32	1.00	75.82	82260
257-320-33	33	1.00	75.82	82260
257-320-34	34	1.00	75.82	82260
257-320-35	35	1.00	75.82	82260
257-320-36	36	1.00	75.82	82260
257-320-37	37	1.00	75.82	82260
257-320-38	38	1.00	75.82	82260
257-320-39	39	1.00	75.82	82260
257-320-40	40	1.00	75.82	82260
257-320-41	41	1.00	75.82	82260
257-320-42	42	1.00	75.82	82260
257-320-43	43	1.00	75.82	82260
257-320-44	44	1.00	75.82	82260
257-320-45	46	0.00	0	82260
257-320-46	47	0.00	0	82260
257-350-01	48	1.00	75.82	82260
257-350-02	49	1.00	75.82	82260
257-350-03	50	1.00	75.82	82260
257-350-04	51	1.00	75.82	82260
257-350-05	52	1.00	75.82	82260
257-350-06	53	1.00	75.82	82260
257-350-07	54	1.00	75.82	82260
257-350-08	55	1.00	75.82	82260

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
257-350-09	56	1.00	75.82	82260
257-350-41	57	1.00	75.82	82260
257-350-11	58	1.00	75.82	82260
257-350-12	59	1.00	75.82	82260
257-350-13	60	1.00	75.82	82260
257-350-14	61	1.00	75.82	82260
257-350-15	62	1.00	75.82	82260
257-350-16	63	1.00	75.82	82260
257-350-17	64	1.00	75.82	82260
257-350-18	65	1.00	75.82	82260
257-350-19	66	1.00	75.82	82260
257-350-20	67	1.00	75.82	82260
257-350-21	68	1.00	75.82	82260
257-350-22	69	1.00	75.82	82260
257-350-23	70	1.00	75.82	82260
257-350-24	71	1.00	75.82	82260
257-350-25	72	1.00	75.82	82260
257-350-26	73	1.00	75.82	82260
257-350-27	74	1.00	75.82	82260
257-350-28	75	1.00	75.82	82260
257-350-29	76	1.00	75.82	82260
257-350-30	77	1.00	75.82	82260
257-350-31	78	1.00	75.82	82260
257-350-32	79	1.00	75.82	82260
257-350-33	80	1.00	75.82	82260
257-350-34	81	1.00	75.82	82260
257-350-35	82	1.00	75.82	82260
257-350-36	83	1.00	75.82	82260
257-350-37	84	1.00	75.82	82260
257-350-38	85	1.00	75.82	82260
257-350-43	86	1.00	75.82	82260
257-350-40	0	1.00	75.82	82260
257-350-42	0	1.00	75.82	82260

7809.46

RESOLUTION NO.

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  
FOR ASSESSMENT DISTRICT NO. 89-1  
CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA  
COMMONLY KNOWN AS **DUTCH MEADOWS**

WHEREAS, previous hereto pursuant to Resolution No. 89-60 adopted by the City Council of the City of Ripon, Assessment District No. 89-1, commonly known as Dutch Meadows, was formed creating an Assessment District pursuant to the Landscaping and Lighting Act of 1972 for the maintenance of certain landscaping and irrigation system and access control wall in the City of Ripon; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Engineer was directed to prepare and file with the City of Ripon a report in reference to said assessment district pursuant to Section 22565 indicating the District's present boundaries, a description of the work of improvements for which the assessments are to be levied, the method of assessment spread, his estimate of maintenance costs, assessment roll and assessment diagram and boundary map within said District No. 89-1 and their proposed annual assessments for the current fiscal year; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Council of the City of Ripon generally approved the Engineer's Report previously filed with the City of Ripon for the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon, after all proceedings have been duly and regularly held as required by law, as follows:

1. The City Council of the City of Ripon does hereby confirm and approve the Engineer's diagram and assessment dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and does further adopt, pursuant to this resolution, said Engineer's diagram and district boundaries and annual assessment as indicated therein pursuant to the provisions of Section 22631 of the California Streets and Highways Code;

BE IT FURTHER RESOLVED that the City Council of the City of Ripon does hereby declare that said Engineer's report, assessment diagram and boundary map which includes all of the lots contained within Dutch Meadows, and all proposed future lots as shown on the assessment diagram and boundary map of the City of Ripon Assessment District No. 89-1, shall constitute the assessment district area subject to the levy of the annual assessments on each of said lots and the owners thereof lying within boundaries of City of Ripon Assessment District No. 89-1, generally known as Dutch Meadows subdivision, and the amount of annual assessments as shown therein.

BE IT FURTHER RESOLVED that said assessments shall be collected as the annual assessment for the fiscal year \_\_\_\_\_ in order to pay the cost and expenses of maintaining and servicing the improvements as set forth in the revised Engineer's Report.

BE IT FURTHER RESOLVED that the City Clerk of the City of Ripon is hereby ordered to file a certified copy of the boundary map, Engineer's diagram and assessments and this Resolution with the County Auditor of the County of San Joaquin for the purpose of collecting said annual assessment for Ripon Assessment District No. 89-1, generally known as Dutch Meadows subdivision, for the fiscal year \_\_\_\_\_ for the purpose of paying the costs and expenses of maintaining and servicing the improvements within said District, all as shown on the Engineer's Annual Assessment Report pertaining to said annual assessments filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON,  
A Municipal Corporation,

By \_\_\_\_\_

ATTEST:

By \_\_\_\_\_



# CITY OF RIPON

259 N. Wilma Avenue  
Ripon, CA 95366  
(209) 599-2108

## DUTCH MEADOWS LANDSCAPE MAINTENANCE DISTRICT NO. 89-1 FISCAL YEAR 2016/2017 ANNUAL ASSESSMENT REPORT

WHEREAS, the City Council of the City of Ripon, San Joaquin County, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, adopted its Resolution ordering the preparation of a report for formation of a street lighting and landscape district for the maintenance of the public improvements more particularly therein described.

WHEREAS, said Resolution directed the undersigned to make and file a report presenting a general description of plans and specifications for the proposed improvements, estimate of costs and diagram and assessment of the upon the land within the assessment district, to which Resolution reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby assess and apportion the total amount of the costs and expenses of the maintenance and servicing of said improvements upon the subdivisions of land liable therefore and benefited thereby all as is more particularly set forth in the assessment roll filed herewith, and incorporated herein. The numbers of said assessment roll correspond with the assigned number upon the assessment diagram filed herewith.

As required by said Act, a diagram is hereto attached showing the assessment district and also the boundaries of the respective parcels of land within said assessment district as the same existed at the time of the passage of said Resolution, each of which parcels having been given a separate number upon said diagram.

Said assessment is made upon the several parcels of land within said assessment district in proportion to the estimated benefits to be received by said parcels respectively, from said improvement. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

Dated this 24<sup>th</sup> day of May, 2016

By: Kevin Werner  
Kevin Werner, P.E.  
City Administrator / City Engineer

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## **SECTION I – PLANS AND SPECIFICATIONS**

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### **BOUNDARIES OF DISTRICT**

The boundaries of the Assessment District are described in the Resolution of Intention by the City Council of the City of Ripon (Resolution No. 89-19) dated April 4, 1989 and as shown on the Assessment Diagram and Boundary Map attached.

### **DESCRIPTION OF WORK**

The improvements to be maintained by this District shall include the following:

1. A masonry wall along the west side of Jack Tone Road from Stanley Drive to West Main Street and along the south side of West Main Street from Jack Tone Road to Ruess Road.
2. Landscape items consisting of various trees and plants per the approved plan including an automatic timer controlled sprinkler system to provide water for said trees and plants.

The plans for these improvements are on file in the City Hall of the City of Ripon and were prepared by Grover Landscaping, Inc. and dated April 28, 1989.

## SECTION II – ESTIMATE OF COSTS OF IMPROVEMENTS

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### ENGINEER'S ESTIMATE OF MAINTENANCE COST

The landscaping, irrigation system and access control wall will be maintained by City of Ripon personnel. The City estimates that the cost to perform maintenance for 33,000 sq. ft. of landscaped area and improvements for the period July 1, 2016 through June 30, 2017 will amount to \$4,539.60. Some of the items included are: water for plants and trees, weeding, pruning, replacement of trees and plants, wall maintenance, graffiti removal, and to maintain and replace, if necessary, irrigation controller, all sprinkler lines and sprinkler heads. The above listed items may not be all inclusive.

At the end of the fiscal year, a new estimate of maintenance costs will be made for the following fiscal year. Each succeeding year this procedure shall be repeated.

#### City Maintenance Costs

Equipment & Tools	\$50.00
Labor	\$2,439.60
Landscape Maintenance	\$500.00
Remove Graffiti from Wall	\$100.00
Structural Repair for Wall	\$500.00
Utilities	\$100.00
<b>Total City Maintenance Costs</b>	<b>\$3,689.60</b>

#### Incidental Costs

City Administrative Costs	\$500.00
Engineering Costs	\$100.00
Legal Costs	\$100.00
Publishing Legal Notices	\$50.00
SJ County Auditor	\$100.00
<b>Total Incidental Costs</b>	<b>\$850.00</b>

<b>Total Estimated Costs</b>	<b>\$4,539.60</b>
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<b>AMOUNT TO BE ASSESSED</b>	<b>\$4,539.60</b>
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## INCOME/EXPENSES

Year	Income		Expenses		Surplus (Deficit)	
90-91	9,297.98		3,958.78		\$5,339.20	
91-92	8,840.26		4,282.37		\$9,897.09	
92-93	2,247.50		7,610.17		\$4,534.42	
93-94	6,948.99		9,088.04		\$2,395.37	
94-95	12,271.66		6,259.17		\$8,407.00	
95-96	8,360.78		6,776.35		\$9,991.43	
96-97	6,629.80		6,481.37		\$10,139.86	
97-98	6,622.89		5,190.58		\$11,572.17	
98-99	4,530.60		6,967.09		\$9,135.68	
99-00	4,539.60		8,233.14		\$5,442.14	
00-01	4,539.60		5,804.28		\$4,178.00	
01-02	4,539.60		6,036.45		\$2,681.15	
02-03	4,539.60		8,223.98		(\$1,003.23)	
03-04	4,516.32		10,211.11		(\$6,698.02)	
04-05	4,488.38		9,742.72		(\$11,952.36)	
05-06	4,539.60		11,242.29		(\$18,655.05)	
06-07	4,539.60		10,060.26		(\$24,175.71)	
07-08	4,539.60		7,049.03		(\$26,685.14)	
08-09	4,539.60		13,713.22		(\$35,858.76)	
09-10	4,539.60		3,280.57		(\$34,599.73)	
10-11	4,539.60		2,156.44		(\$32,216.57)	
11-12	5,634.33		3,982.11		(\$30,564.35)	
12-13	6,945.59		4,212.09		(\$27,830.85)	
13-14	4,539.60		5,550.53		(\$28,841.78)	
14-15	4,539.60		3,485.23		(\$27,787.41)	
15-16	4,539.60	E	11,415.00	E	(\$34,663)	E
16-17	4,539.60	E				

All figures reflect Actual unless noted  
"E" - Estimate

### **SECTION III – METHOD OF ASSESSMENT SPREAD**

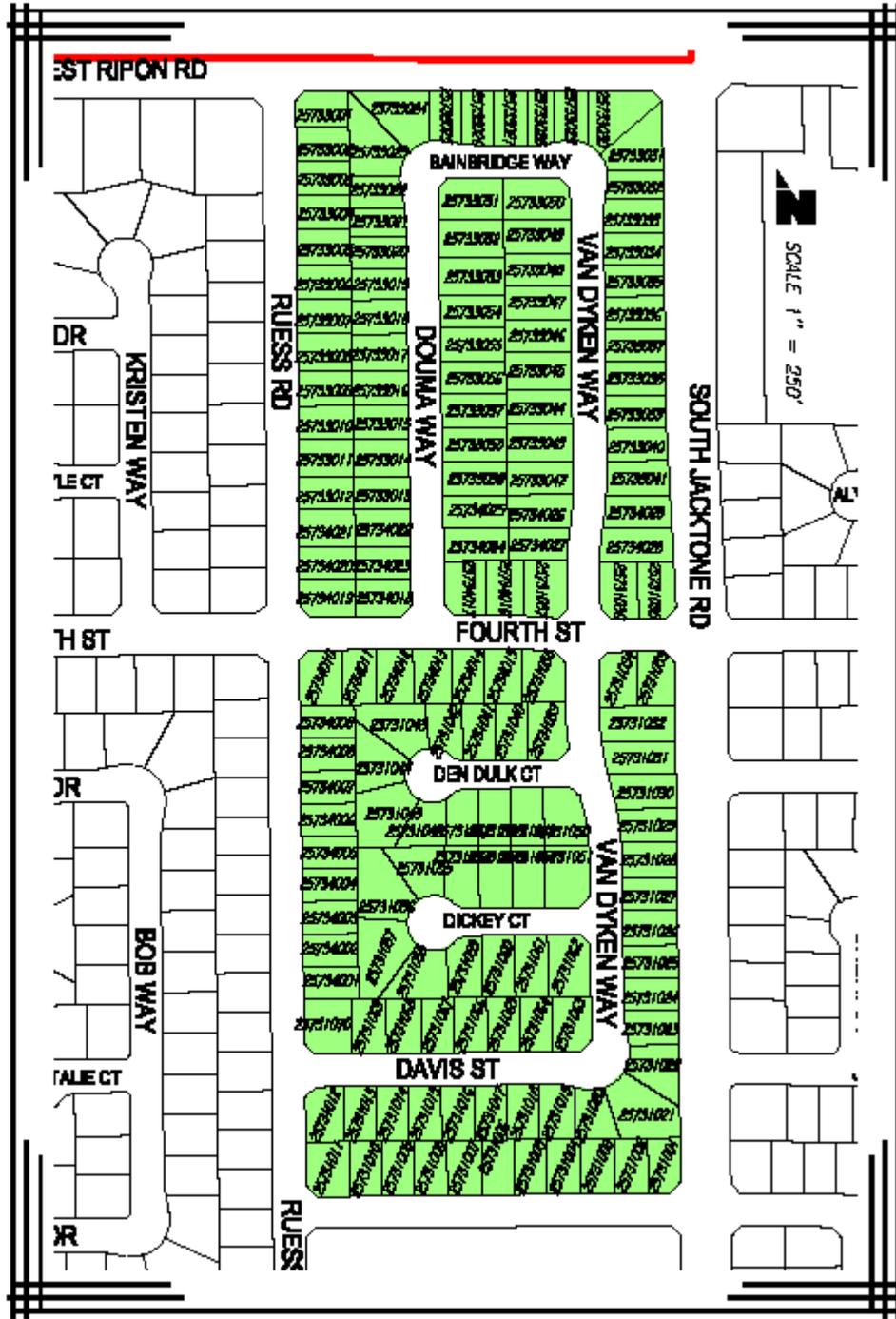
The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs have been spread equally to each residential lot as follows:

- a) The improvements described in the Description of Work have been completed and were accepted on January 4, 1994.
- b) All lots, 1 through 157, except lot 134 in Dutch Meadows, Unit No. 3, which has been dedicated to the City for park purposes, are being assessed equally for the estimated costs of maintenance for the Fiscal Year 2016-2017.
- c) Lots numbered 1 through 11 are shown on the recorded subdivision map of Dutch Meadows, Unit No. 1, Tract #2188. Lots numbered 12 through 70 are shown on the recorded subdivision map of Dutch Meadows, Unit No. 2, Tract #2302, and lots numbered 71 through 157 are shown on the Final Map of Dutch Meadows Unit No. 3, Tract #2583.

## **SECTION IV – ASSESSMENT DIAGRAM AND BOUNDARY MAP**

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The Assessment Diagram and Boundary Map for this district is attached to these documents and is made a part hereof. It consists of all lots contained within Units No. 1, No. 2 and No. 3 of Dutch Meadows, all as shown on the Assessment Diagram and Boundary Map.



Dutch Meadows - District No. B-1

## SECTION V – ASSESSMENT ROLL

---

### Dutch Meadows

#### Assessment District 89-1

**Total Lots:** 158 (156) lots assessed @ \$29.10  
(2) lots assessed @ \$0.00

APN	Lot Number	Assessable	Assessment	Tax Code
		Units	Rate	
257-310-01	1	1.00	29.1	82240
257-310-02	2	1.00	29.1	82240
257-310-03	3	1.00	29.1	82240
257-310-04	4	1.00	29.1	82240
257-310-05	5	1.00	29.1	82240
257-310-06	6	1.00	29.1	82240
257-310-07	7	1.00	29.1	82240
257-310-08	8	1.00	29.1	82240
257-310-09	9	1.00	29.1	82240
257-310-10	10	1.00	29.1	82240
257-310-11	11	1.00	29.1	82240
257-310-12	12	1.00	29.1	82240
257-310-13	13	1.00	29.1	82240
257-310-14	14	1.00	29.1	82240
257-310-15	15	1.00	29.1	82240
257-310-16	16	1.00	29.1	82240
257-310-17	17	1.00	29.1	82240
257-310-18	18	1.00	29.1	82240
257-310-19	19	1.00	29.1	82240
257-310-20	20	1.00	29.1	82240
257-310-21	21	1.00	29.1	82240
257-310-22	22	1.00	29.1	82240
257-310-23	23	1.00	29.1	82240
257-310-24	24	1.00	29.1	82240
257-310-25	25	1.00	29.1	82240
257-310-26	26	1.00	29.1	82240
257-310-27	27	1.00	29.1	82240
257-310-28	28	1.00	29.1	82240
257-310-29	29	1.00	29.1	82240
257-310-30	30	1.00	29.1	82240
257-310-31	31	1.00	29.1	82240
257-310-32	32	1.00	29.1	82240
257-310-33	33	1.00	29.1	82240

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
257-310-34	34	1.00	29.1	82240
257-310-35	35	1.00	29.1	82240
257-310-36	36	1.00	29.1	82240
257-310-37	37	1.00	29.1	82240
257-310-38	38	1.00	29.1	82240
257-310-39	39	1.00	29.1	82240
257-310-40	40	1.00	29.1	82240
257-310-41	41	1.00	29.1	82240
257-310-42	42	1.00	29.1	82240
257-310-43	43	1.00	29.1	82240
257-310-44	44	1.00	29.1	82240
257-310-45	45	1.00	29.1	82240
257-310-46	46	1.00	29.1	82240
257-310-47	47	1.00	29.1	82240
257-310-48	48	1.00	29.1	82240
257-310-49	49	1.00	29.1	82240
257-310-50	50	1.00	29.1	82240
257-310-51	51	1.00	29.1	82240
257-310-52	52	1.00	29.1	82240
257-310-53	53	1.00	29.1	82240
257-310-54	54	1.00	29.1	82240
257-310-55	55	1.00	29.1	82240
257-310-56	56	1.00	29.1	82240
257-310-57	57	1.00	29.1	82240
257-310-58	58	1.00	29.1	82240
257-310-59	59	1.00	29.1	82240
257-310-60	60	1.00	29.1	82240
257-310-61	61	1.00	29.1	82240
257-310-62	62	1.00	29.1	82240
257-610-63	63	1.00	29.1	82240
257-310-64	64	1.00	29.1	82240
257-310-65	65	1.00	29.1	82240
257-310-66	66	1.00	29.1	82240
257-310-67	67	1.00	29.1	82240
257-310-68	68	1.00	29.1	82240
257-310-69	69	1.00	29.1	82240
257-310-70	70	1.00	29.1	82240
257-340-01	71	1.00	29.1	82240
257-340-02	72	1.00	29.1	82240
257-340-03	73	1.00	29.1	82240

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
257-340-04	74	1.00	29.1	82240
257-340-05	75	1.00	29.1	82240
257-340-06	76	1.00	29.1	82240
257-340-07	77	1.00	29.1	82240
257-340-08	78	1.00	29.1	82240
257-340-09	79	1.00	29.1	82240
257-340-10	80	1.00	29.1	82240
257-340-11	81	1.00	29.1	82240
257-340-12	82	1.00	29.1	82240
257-340-13	83	1.00	29.1	82240
257-340-14	84	1.00	29.1	82240
257-340-15	85	1.00	29.1	82240
257-340-19	86	1.00	29.1	82240
257-340-20	87	1.00	29.1	82240
257-340-21	88	1.00	29.1	82240
257-330-12	89	1.00	29.1	82240
257-330-11	90	1.00	29.1	82240
257-330-10	91	1.00	29.1	82240
257-330-09	92	1.00	29.1	82240
257-330-08	93	1.00	29.1	82240
257-330-07	94	1.00	29.1	82240
257-330-18	95	1.00	29.1	82240
257-330-17	96	1.00	29.1	82240
257-330-16	97	1.00	29.1	82240
257-330-15	98	1.00	29.1	82240
257-330-14	99	1.00	29.1	82240
257-330-13	100	1.00	29.1	82240
257-340-22	101	1.00	29.1	82240
257-340-23	102	1.00	29.1	82240
257-340-18	103	1.00	29.1	82240
257-340-17	104	1.00	29.1	82240
257-340-16	105	1.00	29.1	82240
257-340-24	106	1.00	29.1	82240
257-340-25	107	1.00	29.1	82240
257-330-59	108	1.00	29.1	82240
257-330-58	109	1.00	29.1	82240
257-330-57	110	1.00	29.1	82240
257-330-56	111	1.00	29.1	82240
257-330-55	112	1.00	29.1	82240
257-330-54	113	1.00	29.1	82240

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
257-330-47	114	1.00	29.1	82240
257-330-46	115	1.00	29.1	82240
257-330-45	116	1.00	29.1	82240
257-330-44	117	1.00	29.1	82240
257-330-43	118	1.00	29.1	82240
257-330-42	119	1.00	29.1	82240
257-340-26	120	1.00	29.1	82240
257-340-27	121	1.00	29.1	82240
257-340-28	122	1.00	29.1	82240
257-340-29	123	1.00	29.1	82240
257-330-41	124	1.00	29.1	82240
257-330-40	125	1.00	29.1	82240
257-330-39	126	1.00	29.1	82240
257-330-38	127	1.00	29.1	82240
257-330-37	128	1.00	29.1	82240
257-330-36	129	1.00	29.1	82240
257-330-35	130	1.00	29.1	82240
257-330-34	131	1.00	29.1	82240
257-330-33	132	1.00	29.1	82240
257-330-32	133	1.00	29.1	82240
257-330-31	134	0.00	0	82240
257-330-29	135	1.00	29.1	82240
257-330-28	136	1.00	29.1	82240
257-330-27	137	1.00	29.1	82240
257-330-26	138	1.00	29.1	82240
257-330-25	139	1.00	29.1	82240
257-330-24	140	1.00	29.1	82240
257-330-23	141	1.00	29.1	82240
257-330-22	142	1.00	29.1	82240
257-330-21	143	1.00	29.1	82240
257-330-20	144	1.00	29.1	82240
257-330-19	145	1.00	29.1	82240
257-330-06	146	1.00	29.1	82240
257-330-05	147	1.00	29.1	82240
257-330-04	148	1.00	29.1	82240
257-330-03	149	1.00	29.1	82240
257-330-02	150	1.00	29.1	82240
257-330-01	151	1.00	29.1	82240
257-330-53	152	1.00	29.1	82240
257-330-52	153	1.00	29.1	82240

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
257-330-51	154	1.00	29.1	82240
257-330-50	155	1.00	29.1	82240
257-330-49	156	1.00	29.1	82240
257-330-48	157	1.00	29.1	82240
257-330-30	158	0.00	0	82240
			4539.6	

## RESOLUTION NO.

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  
 FOR ASSESSMENT DISTRICT NO. 92-1  
 CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA  
 COMMONLY KNOWN AS **FARMLAND ESTATES**

WHEREAS, previous hereto pursuant to Resolution No. 92-24 adopted by the City Council of the City of Ripon, Assessment District No. 92-1, commonly known as Farmland Estates, was formed creating an Assessment District pursuant to the Landscaping and Lighting Act of 1972 for the maintenance of certain landscaping and irrigation system and access control wall in the City of Ripon; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Engineer was directed to prepare and file with the City of Ripon a report in reference to said assessment district pursuant to Section 22565 indicating the District's present boundaries, a description of the work of improvements for which the assessments are to be levied, the method of assessment spread, his estimate of maintenance costs, assessment roll and assessment diagram and boundary map within said District No. 92-1 and their proposed annual assessments for the current fiscal year; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Council of the City of Ripon generally approved the Engineer's Report previously filed with the City of Ripon for the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon, after all proceedings have been duly and regularly held as required by law, as follows:

1. The City Council of the City of Ripon does hereby confirm and approve the Engineer's diagram and assessment dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and does further adopt, pursuant to this resolution, said Engineer's diagram and district boundaries and annual assessment as indicated therein pursuant to the provisions of Section 22631 of the California Streets and Highways Code;

BE IT FURTHER RESOLVED that the City Council of the City of Ripon does hereby declare that said Engineer's report, assessment diagram and boundary map which includes all of the lots contained within Farmland Estates, and all proposed future lots as shown on the assessment diagram and boundary map of the City of Ripon Assessment District No. 92-1, shall constitute the assessment district area subject to the levy of the annual assessments on each of said lots and the owners thereof lying within boundaries of City of Ripon Assessment District No. 92-1, generally known as Farmland Estates subdivision, and the amount of annual assessments as shown therein.

BE IT FURTHER RESOLVED that said assessments shall be collected as the annual assessment for the fiscal year \_\_\_\_\_ in order to pay the cost and expenses of maintaining and servicing the improvements as set forth in the revised Engineer's Report.

BE IT FURTHER RESOLVED that the City Clerk of the City of Ripon is hereby ordered to file a certified copy of the boundary map, Engineer's diagram and assessments and this Resolution with the County Auditor of the County of San Joaquin for the purpose of collecting said annual assessment for Ripon Assessment District No. 92-1, generally known as Farmland Estates subdivision, for the fiscal year \_\_\_\_\_ for the purpose of paying the costs and expenses of maintaining and servicing the improvements within said District, all as shown on the Engineer's Annual Assessment Report pertaining to said annual assessments filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON,  
A Municipal Corporation,

By \_\_\_\_\_

ATTEST:

By \_\_\_\_\_



## CITY OF RIPON

259 N. Wilma Avenue  
Ripon, CA 95366  
(209) 599-2108

### FARMLAND ESTATES LANDSCAPE MAINTENANCE DISTRICT NO. 92-1 FISCAL YEAR 2016/2017 ANNUAL ASSESSMENT REPORT

WHEREAS, the City Council of the City of Ripon, San Joaquin County, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, adopted its Resolution ordering the preparation of a report for formation of a street lighting and landscape district for the maintenance of the public improvements more particularly therein described.

WHEREAS, said Resolution directed the undersigned to make and file a report presenting a general description of plans and specifications for the proposed improvements, estimate of costs and diagram and assessment of the upon the land within the assessment district, to which Resolution reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby assess and apportion the total amount of the costs and expenses of the maintenance and servicing of said improvements upon the subdivisions of land liable therefore and benefited thereby all as is more particularly set forth in the assessment roll filed herewith, and incorporated herein. The numbers of said assessment roll correspond with the assigned number upon the assessment diagram filed herewith.

As required by said Act, a diagram is hereto attached showing the assessment district and also the boundaries of the respective parcels of land within said assessment district as the same existed at the time of the passage of said Resolution, each of which parcels having been given a separate number upon said diagram.

Said assessment is made upon the several parcels of land within said assessment district in proportion to the estimated benefits to be received by said parcels respectively, from said improvement. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

Dated this 24<sup>th</sup> day of may, 2016

By: Kevin Werner  
Kevin Werner, P.E.  
City Administrator / City Engineer

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## **SECTION I – PLANS AND SPECIFICATIONS**

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### **BOUNDARIES OF DISTRICT**

The boundaries of the Assessment District are described in the Resolution of Intention by the City Council of the City of Ripon (Resolution No. 92-13) dated March 17, 1992 and as shown on the Assessment Diagram and Boundary Map attached.

### **DESCRIPTION OF WORK**

The improvements to be maintained by this District shall include the following:

1. An access control wall to be constructed in an area generally from the back of curb to the right-of-way line along the east side of Jack Tone Road, from the northwest corner of Lot 1, Harvest Estates Unit No. 1, Tract No. 2002, to the northwest corner of Lot 68, Farmland Estates, Tract No. 2425.
2. Landscape items consisting of various trees and plants per the approved plan including an automatic timer controlled sprinkler system to provide water for said trees and plants.

The plans for these improvements are on file in the City Hall of the City of Ripon and were prepared by Ron L. Smith, RLA and dated July 19, 1991.

## SECTION II – ESTIMATE OF COSTS OF IMPROVEMENTS

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### ENGINEER'S ESTIMATE OF MAINTENANCE COST

The landscaping, irrigation system and access control wall will be maintained by City of Ripon personnel. The City estimates that the cost to perform maintenance for 3,300 sq. ft. of landscaped area and improvements for the period July 1, 2016 through June 30, 2017 will amount to \$3,350.00. Some of the items included are: water for plants and trees, weeding, pruning, replacement of trees and plants, wall maintenance, graffiti removal, and to maintain and replace, if necessary, irrigation controller, all sprinkler lines and sprinkler heads. The above listed items may not be all inclusive.

At the end of the fiscal year, a new estimate of maintenance costs will be made for the following fiscal year. Each succeeding year this procedure shall be repeated.

#### City Maintenance Costs

Equipment & Tools	\$50.00
Labor	\$1,650.00
Landscape Maintenance	\$300.00
Remove Graffiti from Wall	\$100.00
Structural Repair for Wall	\$400.00
Utilities	\$100.00
<b>Total City Maintenance Costs</b>	<b>\$2,600.00</b>

#### Incidental Costs

City Administrative Costs	\$400.00
Engineering Costs	\$100.00
Legal Costs	\$100.00
Publishing Legal Notices	\$50.00
SJ County Auditor	\$100.00
<b>Total Incidental Costs</b>	<b>\$750.00</b>

<b>Total Estimated Costs</b>	<b>\$3,350.00</b>
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<b>AMOUNT TO BE ASSESSED</b>	<b>\$3,350.00</b>
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## INCOME/EXPENSES

Year	Income		Expenses		Surplus (Deficit)	
91-92	0.00		1,085.63		(\$1,086.00)	
92-93	0.00		0.00		(\$1,086.00)	
93-94	5,443.42		2,915.13		\$1,442.29	
94-95	6,028.44		5,276.83		\$2,193.90	
95-96	3,663.92		5,577.72		\$280.10	
96-97	7,270.46		3,818.83		\$3,731.73	
97-98	4,826.24		2,910.86		\$5,647.11	
98-99	3,300.00		2,907.18		\$6,039.93	
99-00	3,300.00		2,272.71		\$7,067.22	
00-01	3,300.00		3,740.73		\$6,626.49	
01-02	3,300.00		3,890.36		\$6,036.13	
02-03	3,300.00		8,803.67		\$532.83	
03-04	3,285.00		3,112.28		\$705.55	
04-05	3,296.50		3,148.27		\$853.78	
05-06	3,350.00		4,185.13		\$18.65	
06-07	3,350.00		3,464.33		(\$95.68)	
07-08	3,270.00		4,729.37		(\$1,555.05)	
08-09	3,250.00		6,663.79		(\$4,968.84)	
09-10	3,330.00		4,116.91		(\$5,755.75)	
10-11	3,350.00		3,379.86		(\$5,785.61)	
11-12	4,224.42		2,322.97		(\$3,884.16)	
12-13	5,125.50		2,830.14		(\$1,588.80)	
13-14	3,350.00		4,807.19		(\$3,045.99)	
14-15	3,350.00		4,581.06		(\$4,277.05)	
15-16	3,350.00	E	4,705.56	E	(\$5,632.61)	E
16-17	3,350.00	E				

All figures reflect Actual unless noted  
"E" - Estimate

### **SECTION III – METHOD OF ASSESSMENT SPREAD**

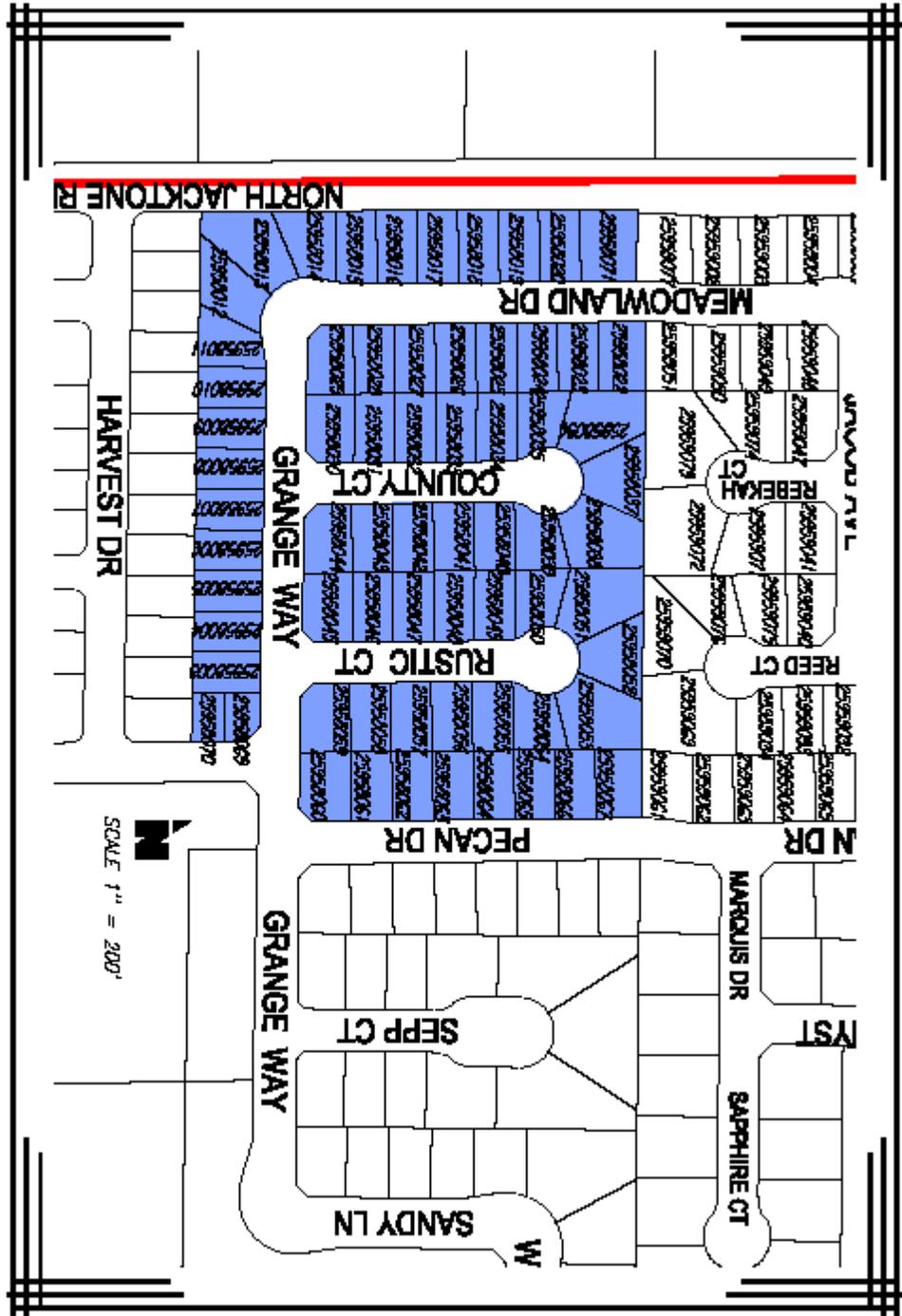
The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs have been spread equally to each residential lot as follows:

- a) All lots, except lot 1, which has been dedicated to the City for park purposes, are being assessed equally for the estimated costs of maintenance for the Fiscal Year 2016-2017.
- b) Lots numbered 1 through 68 are shown on the recorded subdivision map of Farmland Estates, Tract #2425.

## **SECTION IV – ASSESSMENT DIAGRAM AND BOUNDARY MAP**

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The Assessment Diagram and Boundary Map for this district is attached to these documents and is made a part hereof. It consists of all lots contained within Farmland Estates, all as shown on the Assessment Diagram and Boundary Map.



Farmhand Estates - District No. 92-1



<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
259-580-34	34	1.00	50	82300
259-580-35	35	1.00	50	82300
259-580-36	36	1.00	50	82300
259-580-37	37	1.00	50	82300
259-580-38	38	1.00	50	82300
259-580-39	39	1.00	50	82300
259-580-40	40	1.00	50	82300
259-580-41	41	1.00	50	82300
259-580-42	42	1.00	50	82300
259-580-43	43	1.00	50	82300
259-580-44	44	1.00	50	82300
259-580-45	45	1.00	50	82300
259-580-46	46	1.00	50	82300
259-580-47	47	1.00	50	82300
259-580-48	48	1.00	50	82300
259-580-49	49	1.00	50	82300
259-580-50	50	1.00	50	82300
259-580-51	51	1.00	50	82300
259-580-52	52	1.00	50	82300
259-580-53	53	1.00	50	82300
259-580-54	54	1.00	50	82300
259-580-55	55	1.00	50	82300
259-580-56	56	1.00	50	82300
259-580-57	57	1.00	50	82300
259-580-58	58	1.00	50	82300
259-580-59	59	1.00	50	82300
259-580-60	60	1.00	50	82300
259-580-61	61	1.00	50	82300
259-580-62	62	1.00	50	82300
259-580-63	63	1.00	50	82300
259-580-64	64	1.00	50	82300
259-580-65	65	1.00	50	82300
259-580-66	66	1.00	50	82300
259-580-67	67	1.00	50	82300
259-580-69	68	1.00	50	82300

3350

## RESOLUTION NO.

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  
 FOR ASSESSMENT DISTRICT NO. 98-1  
 CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA  
 COMMONLY KNOWN AS **JACOB'S LANDING**

WHEREAS, previous hereto pursuant to Resolution No. 98-37 adopted by the City Council of the City of Ripon, Assessment District No. 98-1, commonly known as Jacob's Landing, was formed creating an Assessment District pursuant to the Landscaping and Lighting Act of 1972 for the maintenance of certain landscaping and irrigation system and access control wall in the City of Ripon; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Engineer was directed to prepare and file with the City of Ripon a report in reference to said assessment district pursuant to Section 22565 indicating the District's present boundaries, a description of the work of improvements for which the assessments are to be levied, the method of assessment spread, his estimate of maintenance costs, assessment roll and assessment diagram and boundary map within said District No. 98-1 and their proposed annual assessments for the current fiscal year; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Council of the City of Ripon generally approved the Engineer's Report previously filed with the City of Ripon for the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon, after all proceedings have been duly and regularly held as required by law, as follows:

1. The City Council of the City of Ripon does hereby confirm and approve the Engineer's diagram and assessment dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and does further adopt, pursuant to this resolution, said Engineer's diagram and district boundaries and annual assessment as indicated therein pursuant to the provisions of Section 22631 of the California Streets and Highways Code;

BE IT FURTHER RESOLVED that the City Council of the City of Ripon does hereby declare that said Engineer's report, assessment diagram and boundary map which includes all of the lots contained within Jacob's Landing, and all proposed future lots as shown on the assessment diagram and boundary map of the City of Ripon Assessment District No. 98-1, shall constitute the assessment district area subject to the levy of the annual assessments on each of said lots and the owners thereof lying within boundaries of City of Ripon Assessment District No. 98-1, generally known as Jacob's Landing subdivision, and the amount of annual assessments as shown therein.

BE IT FURTHER RESOLVED that said assessments shall be collected as the annual assessment for the fiscal year \_\_\_\_\_ in order to pay the cost and expenses of maintaining and servicing the improvements as set forth in the revised Engineer's Report.

BE IT FURTHER RESOLVED that the City Clerk of the City of Ripon is hereby ordered to file a certified copy of the boundary map, Engineer's diagram and assessments and this Resolution with the County Auditor of the County of San Joaquin for the purpose of collecting said annual assessment for Ripon Assessment District No. 98-1, generally known as Jacob's Landing subdivision, for the fiscal year \_\_\_\_\_ for the purpose of paying the costs and expenses of maintaining and servicing the improvements within said District, all as shown on the Engineer's Annual Assessment Report pertaining to said annual assessments filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON,  
A Municipal Corporation,

By \_\_\_\_\_

ATTEST:

By \_\_\_\_\_



## CITY OF RIPON

259 N. Wilma Avenue  
Ripon, CA 95366  
(209) 599-2108

### JACOB'S LANDING LANDSCAPE MAINTENANCE DISTRICT NO. 98-1 FISCAL YEAR 2016/2017 ANNUAL ASSESSMENT REPORT

WHEREAS, the City Council of the City of Ripon, San Joaquin County, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, adopted its Resolution ordering the preparation of a report for formation of a street lighting and landscape district for the maintenance of the public improvements more particularly therein described.

WHEREAS, said Resolution directed the undersigned to make and file a report presenting a general description of plans and specifications for the proposed improvements, estimate of costs and diagram and assessment of the upon the land within the assessment district, to which Resolution reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby assess and apportion the total amount of the costs and expenses of the maintenance and servicing of said improvements upon the subdivisions of land liable therefore and benefited thereby all as is more particularly set forth in the assessment roll filed herewith, and incorporated herein. The numbers of said assessment roll correspond with the assigned number upon the assessment diagram filed herewith.

As required by said Act, a diagram is hereto attached showing the assessment district and also the boundaries of the respective parcels of land within said assessment district as the same existed at the time of the passage of said Resolution, each of which parcels having been given a separate number upon said diagram.

Said assessment is made upon the several parcels of land within said assessment district in proportion to the estimated benefits to be received by said parcels respectively, from said improvement. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

Dated this 24<sup>th</sup> day of May, 2016

By: Kevin Werner  
Kevin Werner, P.E.  
City Administrator / City Engineer

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## **SECTION I – PLANS AND SPECIFICATIONS**

---

### **BOUNDARIES OF DISTRICT**

The boundaries of the Assessment District are described in the Resolution of Intention by the City Council of the City of Ripon (Resolution No. 98-37) dated May 5, 1998 and as shown on the Assessment Diagram and Boundary Map attached.

### **DESCRIPTION OF WORK**

The improvements to be maintained by this District shall include the following:

1. Landscape items consisting of various trees and plants per the approved plan including an automatic timer controlled sprinkler system to provide water for said trees and plants. (Knox Landscape Architecture 8/20/89)
2. A masonry wall on the east side of Jack Tone Road between Farmland Estates and Canal Road and a masonry wall on the south side of Canal Road between Pecan Road and a point 250 feet (+/-) east of Jack Tone Road.

## SECTION II – ESTIMATE OF COSTS OF IMPROVEMENTS

---

### ENGINEER'S ESTIMATE OF MAINTENANCE COST

The landscaping, irrigation system and access control wall will be maintained by City of Ripon personnel. The City estimates that the cost to perform maintenance for 15,965 sq. ft. of landscaped area and improvements for the period July 1, 2016 through June 30, 2017 will amount to \$5,700.66. Some of the items included are: water for plants and trees, weeding, pruning, replacement of trees and plants, wall maintenance, graffiti removal, and to maintain and replace, if necessary, irrigation controller, all sprinkler lines and sprinkler heads. The above listed items may not be all inclusive.

At the end of the fiscal year, a new estimate of maintenance costs will be made for the following fiscal year. Each succeeding year this procedure shall be repeated.

#### City Maintenance Costs

Equipment & Tools	\$50.00
Labor	\$3,700.66
Landscape Maintenance	\$500.00
Remove Graffiti from Wall	\$100.00
Structural Repair for Wall	\$500.00
Utilities	\$100.00
<b>Total City Maintenance Costs</b>	<b>\$4,950.66</b>

#### Incidental Costs

City Administrative Costs	\$400.00
Engineering Costs	\$100.00
Legal Costs	\$100.00
Publishing Legal Notices	\$50.00
SJ County Auditor	\$100.00
<b>Total Incidental Costs</b>	<b>\$750.00</b>

<b>Total Estimated Costs</b>	<b>\$5,700.66</b>
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<b>AMOUNT TO BE ASSESSED</b>	<b>\$5,700.66</b>
------------------------------	-------------------

## INCOME/EXPENSES

Year	Income		Expenses		Surplus (Deficit)	
97-98	0.00		1,058.60		(\$1,058.60)	
98-99	7,229.76		1,251.59		\$4,919.57	
99-00	5,696.76		2,027.61		\$8,588.72	
00-01	5,696.76		3,066.52		\$11,218.96	
01-02	5,700.00		3,594.78		\$13,324.18	
02-03	5,700.66		3,639.32		\$15,385.52	
03-04	5,758.83		5,793.96		\$15,350.39	
04-05	5,643.65		5,927.41		\$15,066.63	
05-06	5,700.66		5,340.83		\$15,426.46	
06-07	5,700.66		5,721.26		\$15,405.86	
07-08	5,700.66		2,910.40		\$18,196.12	
08-09	5,700.66		5,537.83		\$18,358.95	
09-10	5,700.66		7,664.65		\$16,394.96	
10-11	5,700.66		2,889.54		\$19,206.08	
11-12	6,855.75		2,380.20		\$23,681.63	
12-13	8,722.01		3,112.81		\$29,290.83	
13-14	5,700.66		4,522.09		\$30,469.40	
14-15	5,700.66		7,756.20		\$28,413.86	
15-16	5,700.66	E	8,904.96	E	\$25,209.56	E
16-17	5,700.66	E				

All figures reflect Actual unless noted  
"E" - Estimate

### **SECTION III – METHOD OF ASSESSMENT SPREAD**

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs have been spread equally to each residential lot as follows:

- a) All lots, except lots 36 & 44, are being assessed equally for the estimated costs of maintenance for the Fiscal Year 2016-2017.
- b) Lots numbered 1 through 51 as originally plotted are shown on the recorded subdivision map of Jacob's Landing Subdivision, Tract #2793.

## **SECTION IV – ASSESSMENT DIAGRAM AND BOUNDRY MAP**

---

The Assessment Diagram and Boundary Map for this district is attached to these documents and is made a part hereof. It consists of all lots contained within Jacob's Landing Subdivision, all as shown on the Assessment Diagram and Boundary Map.



## SECTION V – ASSESSMENT ROLL

---

### Jacobs Landing Subdivision

#### Assessment District 98-1

**Total Lots:** 51 (49) lots assessed @ \$116.34  
(2) lots assessed @ \$0.00

APN	Lot Number	Assessable Units	Assessment Rate	Tax Code
259-590-77	1	1.00	116.34	82360
259-590-02	2	1.00	116.34	82360
259-590-03	3	1.00	116.34	82360
259-590-04	4	1.00	116.34	82360
259-590-05	5	1.00	116.34	82360
259-590-06	6	1.00	116.34	82360
259-590-07	7	1.00	116.34	82360
259-590-52	8	1.00	116.34	82360
259-590-53	9	1.00	116.34	82360
259-590-10	10	1.00	116.34	82360
259-590-11	11	1.00	116.34	82360
259-590-12	12	1.00	116.34	82360
259-590-54	13	1.00	116.34	82360
259-590-55	14	1.00	116.34	82360
259-590-56	15	1.00	116.34	82360
259-590-57	16	1.00	116.34	82360
259-590-58	17	1.00	116.34	82360
259-590-18	18	1.00	116.34	82360
259-590-19	19	1.00	116.34	82360
259-590-20	20	1.00	116.34	82360
259-590-59	21	1.00	116.34	82360
259-590-60	22	1.00	116.34	82360
259-590-61	23	1.00	116.34	82360
259-590-62	24	1.00	116.34	82360
259-590-63	25	1.00	116.34	82360
259-590-64	26	1.00	116.34	82360
259-590-65	27	1.00	116.34	82360
259-590-66	28	1.00	116.34	82360
259-590-67	29	1.00	116.34	82360
259-590-68	30	1.00	116.34	82360
259-590-31	31	1.00	116.34	82360
259-590-32	32	1.00	116.34	82360
259-590-33	33	1.00	116.34	82360

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
259-590-34	34	1.00	116.34	82360
259-590-69	35	1.00	116.34	82360
None	36	0.00	0	82360
259-590-70	37	1.00	116.34	82360
259-590-76	38	1.00	116.34	82360
259-590-75	39	1.00	116.34	82360
259-590-40	40	1.00	116.34	82360
259-590-41	41	1.00	116.34	82360
259-590-71	42	1.00	116.34	82360
259-590-72	43	1.00	116.34	82360
None	44	0.00	0	82360
259-590-73	45	1.00	116.34	82360
259-590-74	46	1.00	116.34	82360
259-590-47	47	1.00	116.34	82360
259-590-48	48	1.00	116.34	82360
259-590-49	49	1.00	116.34	82360
259-590-50	50	1.00	116.34	82360
259-590-51	51	1.00	116.34	82360
			5700.66	

## RESOLUTION NO.

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  
 FOR ASSESSMENT DISTRICT NO. 94-1  
 CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA  
 COMMONLY KNOWN AS **MAIN STREET LANDSCAPE MAINTENANCE DISTRICT**

WHEREAS, previous hereto pursuant to Resolution No. 94-36 adopted by the City Council of the City of Ripon, Assessment District No. 94-1, commonly known as Main Street Landscape Maintenance District, was formed creating an Assessment District pursuant to the Landscaping and Lighting Act of 1972 for the maintenance of certain landscaping and irrigation system and access control wall in the City of Ripon; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Engineer was directed to prepare and file with the City of Ripon a report in reference to said assessment district pursuant to Section 22565 indicating the District's present boundaries, a description of the work of improvements for which the assessments are to be levied, the method of assessment spread, his estimate of maintenance costs, assessment roll and assessment diagram and boundary map within said District No. 94-1 and their proposed annual assessments for the current fiscal year; and

WHEREAS, pursuant to Resolution No. \_\_\_\_\_ the City Council of the City of Ripon generally approved the Engineer's Report previously filed with the City of Ripon for the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon, after all proceedings have been duly and regularly held as required by law, as follows:

1. The City Council of the City of Ripon does hereby confirm and approve the Engineer's diagram and assessment dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and does further adopt, pursuant to this resolution, said Engineer's diagram and district boundaries and annual assessment as indicated therein pursuant to the provisions of Section 22631 of the California Streets and Highways Code;

BE IT FURTHER RESOLVED that the City Council of the City of Ripon does hereby declare that said Engineer's report, assessment diagram and boundary map which includes all of the lots contained within Main Street Landscape Maintenance District, and all proposed future lots as shown on the assessment diagram and boundary map of the City of Ripon Assessment District No. 94-1, shall constitute the assessment district area subject to the levy of the annual assessments on each of said lots and the owners thereof lying within boundaries of City of Ripon Assessment District No. 94-1, generally known as Main Street Landscape Maintenance District, and the amount of annual assessments as shown therein.

BE IT FURTHER RESOLVED that said assessments shall be collected as the annual assessment for the fiscal year \_\_\_\_\_ in order to pay the cost and expenses of maintaining and servicing the improvements as set forth in the revised Engineer's Report.

BE IT FURTHER RESOLVED that the City Clerk of the City of Ripon is hereby ordered to file a certified copy of the boundary map, Engineer's diagram and assessments and this Resolution with the County Auditor of the County of San Joaquin for the purpose of collecting said annual assessment for Ripon Assessment District No. 94-1, generally known as Main Street Landscape Maintenance District, for the fiscal year \_\_\_\_\_ for the purpose of paying the costs and expenses of maintaining and servicing the improvements within said District, all as shown on the Engineer's Annual Assessment Report pertaining to said annual assessments filed with the City Clerk of the City of Ripon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON,  
A Municipal Corporation,

By \_\_\_\_\_

ATTEST:

By \_\_\_\_\_



## CITY OF RIPON

259 N. Wilma Avenue  
Ripon, CA 95366  
(209) 599-2108

### MAIN STREET LANDSCAPE MAINTENANCE DISTRICT NO. 94-1 FISCAL YEAR 2016/2017 ANNUAL ASSESSMENT REPORT

WHEREAS, the City Council of the City of Ripon, San Joaquin County, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, adopted its Resolution ordering the preparation of a report for formation of a street lighting and landscape district for the maintenance of the public improvements more particularly therein described.

WHEREAS, said Resolution directed the undersigned to make and file a report presenting a general description of plans and specifications for the proposed improvements, estimate of costs and diagram and assessment of the upon the land within the assessment district, to which Resolution reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby assess and apportion the total amount of the costs and expenses of the maintenance and servicing of said improvements upon the subdivisions of land liable therefore and benefited thereby all as is more particularly set forth in the assessment roll filed herewith, and incorporated herein. The numbers of said assessment roll correspond with the assigned number upon the assessment diagram filed herewith.

As required by said Act, a diagram is hereto attached showing the assessment district and also the boundaries of the respective parcels of land within said assessment district as the same existed at the time of the passage of said Resolution, each of which parcels having been given a separate number upon said diagram.

Said assessment is made upon the several parcels of land within said assessment district in proportion to the estimated benefits to be received by said parcels respectively, from said improvement. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

Dated this 24<sup>th</sup> day of May, 2016

By: Kevin Werner  
Kevin Werner, P.E.  
City Administrator / City Engineer

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## **SECTION I – PLANS AND SPECIFICATIONS**

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### **BOUNDARIES OF DISTRICT**

The boundaries of the Assessment District are described in the Resolution of Intention by the City Council of the City of Ripon (Resolution No. 94-36) dated June 7, 1994 and as shown on the Assessment Diagram and Boundary Map attached.

### **DESCRIPTION OF WORK**

The improvements to be maintained by this District shall include the following:

1. Landscape items consisting of various trees and plants per the approved plan including an automatic timer controlled sprinkler system to provide water for said trees and plants.
2. The arbors, benches, and bicycle racks installed as part of the project will also be maintained.

The plans for these improvements are on file in the City Hall of the City of Ripon and were prepared by the City of Ripon.

## SECTION II – ESTIMATE OF COSTS OF IMPROVEMENTS

---

### ENGINEER'S ESTIMATE OF MAINTENANCE COST

The landscaping, irrigation system and access control wall will be maintained by City of Ripon personnel. The City estimates that the cost to perform maintenance for the improvements for the period July 1, 2016 through June 30, 2017 will amount to 10,480.92. Some of the items included are: water for plants and trees, weeding, pruning, replacement of trees and plants, graffiti removal, and to maintain and replace, if necessary, irrigation controller, all sprinkler lines and sprinkler heads. The above listed items may not be all inclusive.

At the end of the fiscal year, a new estimate of maintenance costs will be made for the following fiscal year. Each succeeding year this procedure shall be repeated.

#### City Maintenance Costs

Equipment & Tools	\$50.00
Labor	\$6,380.92
Landscape Maintenance	\$2,300.00
Remove Graffiti from Wall	\$100.00
Utilities	\$100.00
<b>Total City Maintenance Costs</b>	<b>\$8,930.92</b>

#### Incidental Costs

City Administrative Costs	\$1,200.00
Engineering Costs	\$100.00
Legal Costs	\$100.00
Publishing Legal Notices	\$50.00
SJ County Auditor	\$100.00
<b>Total Incidental Costs</b>	<b>\$1,550.00</b>

<b>Total Estimated Costs</b>	<b>\$10,480.92</b>
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<b>AMOUNT TO BE ASSESSED</b>	<b>\$10,480.92</b>
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## INCOME/EXPENSES

Year	Income		Expenses		Surplus (Deficit)
94-95	0.00		76.72		(\$77.00)
95-96	0.00		6,201.84		(\$6,278.84)
96-97	16,166.74		9,858.12		\$29.78
97-98	11,533.38		10,571.02		\$992.14
98-99	11,659.64		5,627.72		\$7,024.06
99-00	11,659.64		12,757.47		\$5,926.23
00-01	11,671.34		16,488.64		\$1,108.93
01-02	11,671.34		14,474.43		(\$1,694.16)
02-03	11,400.17		12,800.19		(\$3,094.18)
03-04	11,763.55		12,072.01		(\$3,402.64)
04-05	10,374.46		8,939.50		(\$1,967.68)
05-06	10,817.56		17,397.62		(\$8,547.74)
06-07	10,817.55		13,341.35		(\$11,071.54)
07-08	10,817.57		14,043.49		(\$14,297.46)
08-09	10,817.56		29,186.98		(\$32,666.88)
09-10	10,817.56		27,503.98		(\$49,353.30)
10-11	10,817.56		20,609.62		(\$59,145.36)
11-12	13,276.87		11,053.83		(\$56,922.32)
12-13	16,550.87		8,755.04		(\$49,126.49)
13-14	10,817.56		16,539.67		(\$54,848.60)
14-15	10,817.56		12,010.90		(\$56,041.94)
15-16	10,817.56	E	16,107.48	E	(\$61,331.86)
16-17	10,480.92	E			

All figures reflect Actual unless noted  
"E" - Estimate

### **SECTION III – METHOD OF ASSESSMENT SPREAD**

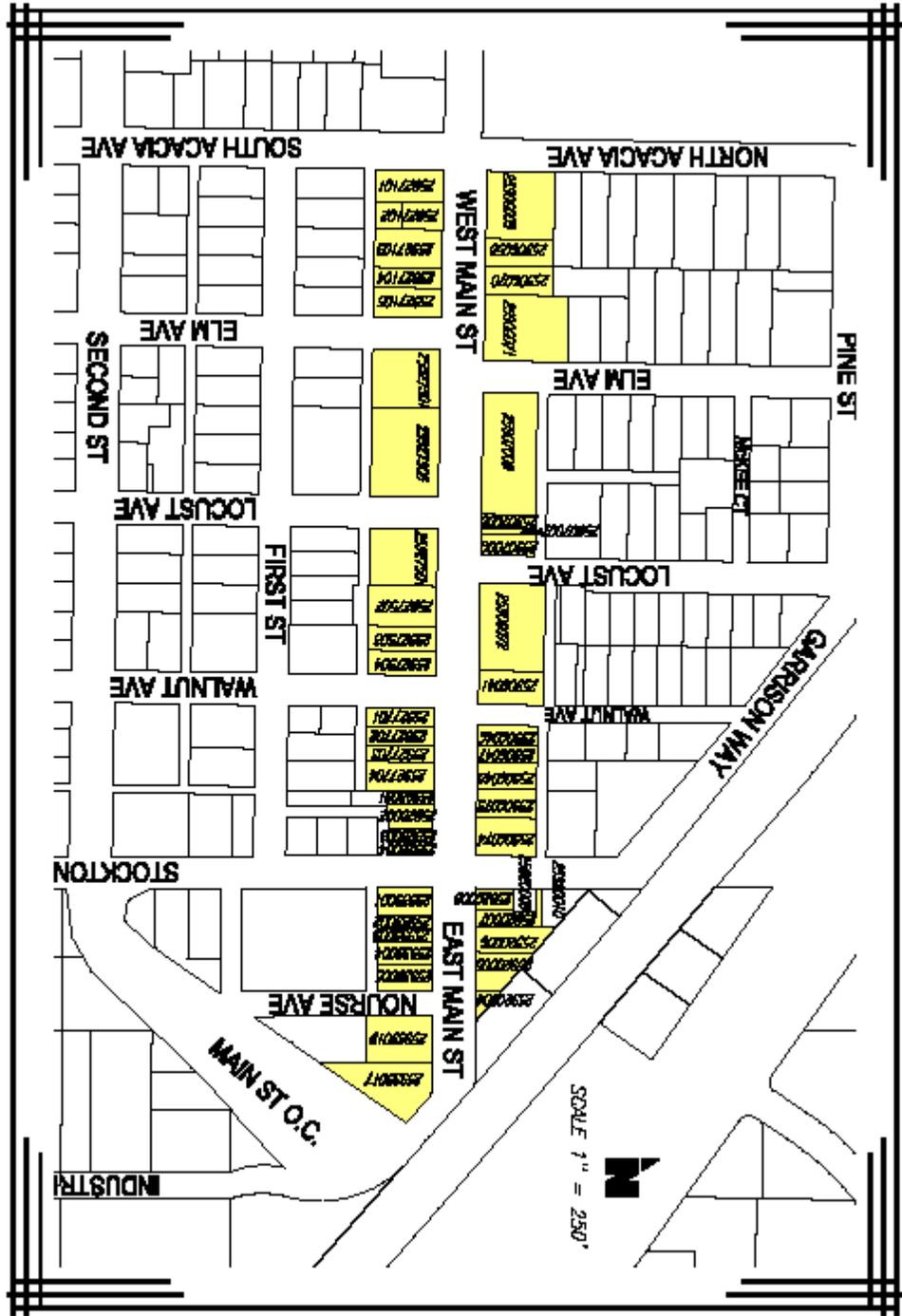
The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs have been spread equally to each residential lot as follows:

- a) One half of the estimated cost is assessed equally to each parcel within the project boundary. Parcels owned or operated by non-profit organizations are exempt.
- b) One half of the estimated cost is assessed on a front foot basis. The parcel will pay according to its frontage on Main Street. Parcels owned or operated by non-profit organizations are exempt.
- c) The amount assessed to each parcel is the sum of “a” and “b” above.

## **SECTION IV – ASSESSMENT DIAGRAM AND BOUNDARY MAP**

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The Assessment Diagram and Boundary Map for this district is attached to these documents and is made a part hereof. It consists of all lots contained within Main Street Landscape Maintenance District, all as shown on the Assessment Diagram and Boundary Map.



Main Street - District No. 94-1

## SECTION V – ASSESSMENT ROLL

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### Main Street

#### Assessment District 94-1

**Total Lots:** 47

(39) lots assessed @ \$136.96 + (linear  
footage)

(8) lots assessed @ \$0.00

APN	Lot Number	Assessable Units	Assessment Rate	Tax Code
258-280-03		1.00	194.11	82320
259-060-09		0.00	0	82320
259-060-41		1.00	282.17	82320
259-060-46		1.00	222.17	82320
259-060-47		1.00	209.57	82320
259-060-48		1.00	265.78	82320
259-060-58		1.00	254.07	82320
259-060-70		1.00	247.04	82320
259-060-71		1.00	401.15	82320
259-060-72		1.00	528.33	82320
259-060-73		1.00	265.78	82320
259-060-74		1.00	300.91	82320
259-070-06		0.00	0	82320
259-070-07		0.00	0	82320
259-070-08		1.00	196.71	82320
259-070-09		0.00	0	82320
259-200-04		1.00	261.87	82320
259-200-05		1.00	312.62	82320
259-200-06		1.00	250.55	82320
259-200-07		1.00	207.22	82320
259-200-08		1.00	230.64	82320
259-271-01		1.00	266.95	82320
259-271-03		1.00	303.25	82320
259-271-04		1.00	223.62	82320
259-271-05		1.00	263.43	82320
259-271-11		0.00	0	82320
259-271-12		0.00	0	82320
259-273-01		1.00	389.91	82320
259-273-08		1.00	516.38	82320
259-275-01		1.00	382.88	82320
259-275-02		0.00	0	82320
259-275-03		0.00	0	82320

<b>APN</b>	<b>Lot Number</b>	<b>Assessable Units</b>	<b>Assessment Rate</b>	<b>Tax Code</b>
259-275-04		1.00	242.36	82320
259-277-01		1.00	218.93	82320
259-277-02		1.00	218.93	82320
259-277-03		1.00	207.22	82320
259-277-04		1.00	254.07	82320
259-280-01		1.00	193.17	82320
259-280-02		1.00	270.46	82320
259-280-04		1.00	192.23	82320
259-390-01		1.00	254.07	82320
259-390-02		1.00	195.51	82320
259-390-03		1.00	195.51	82320
259-390-04		1.00	235.33	82320
259-390-05		1.00	249.38	82320
259-390-17		1.00	237.67	82320
259-390-19		1.00	338.97	82320
			10480.92	

# ORDINANCES



TO: Honorable Ripon City Council

FROM: Edward Ormonde, Chief of Police

DATE: June 7, 2016

SUBJECT: Resolution for Adoption of Unmanned Aircraft Systems Ordinance

Honorable City Council,

The department is requesting the adoption of the attached resolution that would establish an Unmanned Aircraft Systems ordinance. This Unmanned Aircraft Systems ordinance would limit the usage and restrict locations within the City of Ripon unmanned aircraft systems can be operated.

The Unmanned Aircraft Systems ordinance will give the police department the ability to address citizen concerns and general public safety hazards that can arise from the unsafe operation of unmanned aircraft systems. The department has had a significant increase in the number of complaints of Unmanned Aircraft Systems being flown in residential areas, hovering over private property, and following persons in public areas. Currently there are no local regulations regarding the operation of Unmanned Aircraft Systems.

Respectfully,

*Edward Ormonde*

Edward Ormonde  
Chief of Police

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON ADDING  
CHAPTER 9.34 TO THE RIPON MUNICIPAL CODE**

**SECTION 1. AMENDMENT TO CODE.**

Chapter 9 of the Ripon Municipal Code is hereby amended to add Section 9.34, to read in full as follows:

**Chapter 9.34  
UNMANNED AIRCRAFT SYSTEMS**

**Sections:**

<b>9.34.010</b>	<b>Definitions</b>
<b>9.34.020</b>	<b>Public UAS</b>
<b>9.34.030</b>	<b>UAS Operation and Restrictions</b>
<b>9.34.040</b>	<b>Violations</b>

**9.34.010 Definitions.**

- A. **"Unmanned Aircraft"** shall mean an aircraft, including, but not limited to, an aircraft commonly known as a drone, that is operated without the possibility of direct human intervention from within or on the aircraft.
- B. **"Unmanned Aircraft System"** shall mean the elements associated with a Unmanned Aircraft, including, but not limited to, any communication links and components that control the Unmanned Aircraft.
- C. **"Model Aircraft"** shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by any person strictly for hobby or recreational purposes.
- D. **"Civil UAS"** shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by any person for any purposes other than strictly hobby or recreational purposes, including, but not limited to, commercial purposes or in furtherance of, or incidental to, any business or media service or agency.
- E. **"Public UAS"** shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by any public agency for government related purposes.

**9.34.020 Public UAS.**

The restrictions set forth in this Chapter shall not apply to any Public UAS operated pursuant to, and in compliance with, the terms and conditions of any current and enforceable authorization granted by the Federal Aviation Administration.

**9.34.030 UAS Operation and Restrictions.**

The following shall apply to the operation of any Model Aircraft or Civil UAS within the City of Ripon:

- A. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that interferes with manned aircraft or any Public UAS, and shall always give way to any and all manned aircraft and Public UAS.
- B. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon beyond the visual line of sight of the person operating the Model Aircraft or Civil UAS. The operator must use his or her own natural vision (which includes vision corrected by standard eyeglasses or contact lenses) to observe the Model Aircraft or Civil UAS at all times. People other than the operator may not be used in lieu of the operator for maintaining visual line of sight. For purposes of this Section, the term "visual line of sight" means that the operator has an unobstructed view of the Model Aircraft or Civil UAS. The use of vision-enhancing devices, such as binoculars, night vision goggles, powered vision magnifying devices, goggles or other devices designed to provide a "first-person view," do not constitute the visual line of sight of the person operating the Model Aircraft or Civil UAS.
- C. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon other than during daylight hours, which is defined for purposes of this Section as between official sunrise and official sunset for local time.
- D. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon more than 400 feet above the earth's surface.
- E. Excluding takeoff and landing, no person shall operate any Model Aircraft or Civil UAS within the City of Ripon within 100 feet of any individual, except the operator or the operator's helper(s).
- F. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that is dangerous, negligent, careless, reckless or that otherwise poses a risk of harm, danger or injury to life or property. The standards set forth in all federal laws, statutes, regulations, standards and requirements governing aeronautics, including, but not limited to those set forth in Federal Aviation Rule 91.13, shall apply to this Section.
- G. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that interferes, or which may interfere, in any way, with another person or entity's right to privacy, right to quiet enjoyment of his/her property, business operations, recreational activities.
- H. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that violates any civil or criminal restraining order, judgment or other court order.

- I. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that interferes, or which may interfere, in any way, with safe operation of motor vehicles or other lawful use of public streets, property or right of ways.
- J. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that results in the unauthorized photographing or recording of any other person, entity or property.
- K. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon above or within 100 feet of any organized event including, but not limited to, any sporting event.
- L. Persons operating any Model Aircraft or Civil UAS within the City of Ripon shall, at all times, comply with all local, state and federal laws, statutes, regulations, standards and requirements, including, but not limited to, those related to use, reporting, registration, licensing and safety standards and the Academy of Model Aeronautics National Model Aircraft Safety Code.
- M. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that is prohibited by any local, state or federal law, statute, regulation, standard or regulation governing aeronautics.
- N. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in violation of any temporary flight restriction (“TFR”) or notice to airmen (“NOTAM”) issued by the Federal Aviation Administration.
- O. In the interest of public safety, upon the request or order of any City official, persons operating any Model Aircraft or Civil UAS within the City of Ripon shall immediately cease flight operations and immediately land the Model Aircraft or Civil UAS.

**9.34.040 Violation.**

- A. A violation of any of the provisions of this Chapter shall constitute a misdemeanor and the City Attorney and/or District Attorney may, in the exercise of their discretion, in addition to or in lieu of taking any other action permitted by this Chapter, prosecute the violation as a misdemeanor in the Superior Court of San Joaquin County or any other Court having jurisdiction over the matter. Misdemeanors under this Chapter shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) per violation, or by imprisonment in the County Jail for a period of not more than six (6) months per violation, or by both fine and imprisonment.
- B. It shall be unlawful and a public nuisance for a Model Aircraft or Civil UAS to be operated within the City of Ripon in violation of any provision of this Chapter or any other applicable local, state or federal law, statute, regulation, standard or requirement as currently drafted or as may be amended. The City Attorney and/or District Attorney

may, in the exercise of their discretion, in addition to or in lieu of taking any other action permitted by this Chapter or any other applicable law, commence proceedings in the Superior Court of San Joaquin County or any other Court having jurisdiction over the matter, to abate and/or enjoin the public nuisance and to recover damages.

- C. All remedies provided for in this Chapter are cumulative and are not intended to limit the City’s available remedies as provided in this Code or elsewhere.

**SECTION 2. NO MANDATORY DUTY OF CARE.** This Ordinance is not intended to, and shall not be construed or given effect in a manner that imposes upon the City or any of its officers, agents, employees or volunteers, a mandatory duty of care towards persons and property, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

**SECTION 3. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed the ordinance codified in this Chapter, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this Chapter would be subsequently declared invalid or unconstitutional.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

**SECTION 6. PUBLICATION.** At least two (2) days prior to its final adoption, copies of this ordinance shall be posted at City Hall and on the City of Ripon website, and a notice shall be published once in *The Manteca Bulletin*, the official newspaper of the City of Ripon, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Ripon held on the \_\_\_\_\_, by Councilmember \_\_\_\_\_, who moved its introduction and passage to print, which motion being duly seconded by Councilmember \_\_\_\_\_, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers:  
NOES: Councilmembers:  
ABSENT: Councilmembers:  
APPROVED:

\_\_\_\_\_  
Jake Parks, Mayor

ATTEST:  
By

LISA ROOS, City Clerk \_\_\_\_\_ (SEAL)

ORDINANCE NO. \_\_\_\_\_

THE CITY COUNCIL OF THE CITY OF RIPON DOES ORDAIN AS FOLLOWS:

**SECTION 1.**

Chapters 5.28, 5.29 and 5.32 of the Ripon Municipal Code are hereby repealed and a new Chapter 5.29 is hereby enacted as set forth below.

**Chapter 5.29 UTILITY JOINT TRENCH AND CONSTRUCTION REQUIREMENTS**

<b>5.29.010</b>	<b>Applicability</b>
<b>5.29.020</b>	<b>Encroachment Permit</b>
<b>5.29.030</b>	<b>Mitigation of Impacts</b>
<b>5.29.040</b>	<b>Action on Permit</b>
<b>5.29.050</b>	<b>Explanation of Denial</b>
<b>5.29.060</b>	<b>Appeals</b>
<b>5.29.070</b>	<b>Scope of Review</b>
<b>5.29.080</b>	<b>Notification</b>
<b>5.29.090</b>	<b>Restoration of Private and Public Property</b>
<b>5.29.100</b>	<b>Penalties for Not Obtaining an Encroachment Permit</b>

**5.29.010**     **Applicability.** The provisions of this Chapter and the applicable provisions of the Ripon Municipal Code shall apply to all work performed or facilities or equipment installed or relocated by or on behalf of any public or private utility, including but not limited to, telephone or cable television franchisees, on or within any City public rights-of-way, public property, or public utility easement. For purposes of this Chapter, telephone or cable television franchisees shall be referred to as “Franchise Holders”.

**5.29.020**     **Encroachment Permit.** Prior to commencing any work, including construction, rebuild, or upgrade of facilities or equipment within or upon any City rights of way, public property or public utility easements (including work within a joint trench) a Franchise Holder shall apply for and obtain an Encroachment Permit from the City in accordance with this Chapter, and shall comply with all other applicable laws and regulations, including but not limited to all applicable requirements of Division 13 of the California Public Resources Code, Section 21000 et seq. (the California Environmental Quality Act). The Franchise Holder shall make application for an Encroachment Permit, supplying such information as is necessary as determined by the City Administrator, including, but not limited to, sufficient information to allow the Environmental Review Officer to complete the environmental review process pursuant to the California Environmental Quality Act. The application for Encroachment Permit shall be determined complete when all necessary information, as set forth herein, has been provided, and City staff notifies the applicant that the application is complete.

**5.29.030**     **Mitigation of Impacts.** In order to mitigate adverse visual impacts, the City Administrator may impose reasonable conditions of approval in connection with the approval of an Encroachment Permit, including, but not limited to, a requirement that any above-ground

facilities or equipment be undergrounded or appropriately screened from public view through the use of landscaping and/or decorative enclosures. The Franchise Holder's facilities and equipment shall be placed in public utility easements unless otherwise designated by the City. Given the sandy soils that dominate the Ripon area, as identified in the Ripon General Plan Environmental Impact Report 2035, pages 4-39 and 4-58, it shall be presumed, in the absence of substantial evidence to the contrary, that the following telephone and cable television equipment and facilities can feasibly be installed underground without excessive additional operational or maintenance costs:

Cable Facilities

"Tap" typically serves 4-8 connections and when placed above ground, is housed in an 8 inch by 2 foot green tube.

"Amplifier" typically serves 8-500 connections and when placed above ground, is housed in an 3 foot by 18 inch green box.

Telephone Facilities

"Pedestal Box" typically serves 2-5 customers and when placed above ground is housed in an 8 inch by 8 inch green box.

Cable and telephone facilities that serve greater than 500 customers are typically placed above ground.

**5.29.040** Action on Permit. The City Administrator or their designee shall either approve or deny a Franchise Holder's application for an Encroachment Permit within 60 days of receiving a completed application.

**5.29.050** Explanation of Denial. If the City Administrator or their designee denies a Franchise Holder's application for an Encroachment Permit, the City Administrator or their designee shall, at the time of notifying the applicant of denial, furnish to the applicant a detailed explanation of the reason or reasons for the denial.

**5.29.060** Appeals. A Franchise Holder that has been denied an Encroachment Permit by final decision of the City Administrator or their designee may appeal the denial to the City Council. Upon receiving a notice of appeal, the City Council shall take one of the following actions:

- A. Affirm the action of the City Administrator or their designee without any further hearing; or
- B. Refer the matter back to the City Administrator or their designee for further review with or without instructions; or
- C. Set the matter for a de novo hearing before the City Council.

**5.29.070** Scope of Review. In rendering its decision on the appeal, the City Council shall not hear or consider any argument or evidence of any kind other than the record of the matter received from the City Administrator or their designee unless the City Council is itself conducting a de novo public hearing on the matter.

**5.29.080**     **Notification.** Prior to any construction, rebuild, or upgrade pursuant to an approved Encroachment Permit, the Franchise Holder shall establish procedures to notify City residents within 300 feet of the impacted area of construction schedules and activities. Notices must be provided to those persons who work and/or reside in the impacted area.

**5.29.090**     **Restoration of Private and Public Property.** Upon completion of work pursuant to an approved Encroachment Permit, the Franchise Holder shall restore any affected private and public property to a condition equal to or better than its condition prior to construction. Any disturbance of landscaping, fencing, or other improvements upon private or public property shall, at the sole expense of the Franchise Holder, be promptly repaired or restored.

**5.29.100**     **Penalties for Not Obtaining an Encroachment Permit.** If the Franchise Holder does not obtain the required Encroachment Permit, the City Administrator may issue a Notice of Violation requiring removal of the Franchise Holder's equipment and facilities and restoration of the affected property. In addition, the Franchise Holder shall be subject to the following penalties to be imposed by the City:

- A. For the first occurrence of a breach, a fine of \$1,000.00 may be imposed.
- B. For a second breach of the same nature within 12 months, a fine of \$2,000 may be imposed.
- C. For a third and any additional breach of the same nature within 12 months, a fine of \$5,000 may be imposed.

# RESOLUTIONS

RESOLUTION NO. 16-\_\_

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

WHEREAS, The Ripon City Council desires to undertake a certain project designated as Department of Alcohol Beverage Control Grant Assistance Program to be funded in part from funds made available through the Grant Assistance Program (GAP) administered by the Department of Alcoholic Beverage Control (hereafter referred to as ABC);

NOW, THEREFORE, BE IT RESOLVED that the Chief of Police of the City of Ripon Police Department is authorized to execute on behalf of the Ripon City Council the attached contract, including any extensions or amendments thereof and any subsequent contract with the State in relation thereto.

IT IS AGREED that any liability arising out of the performance of this contract, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and ABC disclaim responsibility for any such liability.

Be IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this 14<sup>th</sup> day of June, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

THE CITY OF RIPON  
A Municipal Corporation

By \_\_\_\_\_  
JACOB PARKS, Mayor

ATTEST:

By \_\_\_\_\_  
LISA ROOS, City Clerk



# State of California

## Department of Alcoholic Beverage Control

### Grant Assistance Program

### PROPOSAL COVER SHEET

(TO BE COMPLETED BY APPLICANT AGENCY)

<b>1. Name of Applicant Agency:</b> Ripon Police Department / Escalon Police Department	
<b>2. Description of Applicant Agency:</b> Provide your city or county and a brief summary of department size, staffing, and structure. The Ripon Police Department is composed of 23 sworn staff, led by the Chief of Police. Sworn staff include one Lieutenant, 4 patrol sergeants, 2 detectives, and 15 patrol officers. The department also employs 2 full time and 1 part time community service officers. The Ripon Police Department also has 6 full time and 1 part time dispatcher providing service to both Ripon and Escalon units. The Escalon Police Department is composed of 24 sworn staff and 6 animal control officers, led by the Chief of Police. Sworn staff include 2 patrol sergeants, 1 detective, 6 patrol officers, and 14 reserve officers.	
<b>3. Number of Licenses in Project Area:</b> 73	<b>4. Population of Service Area:</b> 22,354
<b>5. Project Description:</b> Provide a list of your projects goals and objectives and briefly summarize. The Ripon PD and Escalon PD are planning to join our two smaller cities together to work a combination of shoulder tap, decoy, and undercover operations in both Ripon and Escalon. The undercover operations would be conducted in the bars in the respective towns, and the UC would be attempting to purchase narcotics from inside the establishments. We are also planning on a larger operation at Ripona Market, which is rumored to be selling narcotics or allowing narcotics to be sold from their establishment. That operation would include a full compliance check of the business. The goal of all of these operations is to reduce the number of alcohol related crimes within the city limits of both Ripon and Escalon as well as the calls for service/complaints at the establishments	
<b>6. Funds Requested:</b> \$40,237	<b>7. Project Period:</b> July 1, 2016 – June 30, 2017
<b>8. Acceptance of Conditions:</b> By submitting this proposal, the applicant signifies acceptance of the responsibility to comply with all requirements stated in the Request for Proposals. The applicant understands that ABC is not obligated to fund the project until the applicant submits correctly completed documents required for the contract.	
<b>A. Project Director (person having day-to-day responsibility for the project)</b>	<b>B. Chief of Police or Sheriff (authorizing official)</b>
Name: Gordon West Address: 259 N. Wilma Ave. Ripon, CA 95366 Phone: (209) 599-0255 Fax: (209) 599-4034 E. Mail Address: gwest@cityofripon.org Signature:  * P060	Name: Edward Ormonde Address: 259 N. Wilma Ave. Ripon, CA 95366 Phone: (209) 599-2102 Fax: (209) 599-4034 E. Mail Address: eormonde@cityofripon.org Signature:
Title: Detective	Title: Chief of Police
<b>C. Fiscal or Accounting Official</b>	<b>D. ABC USE ONLY</b>
Name: Lisa Roos Address: 259 N. Wilma Ave. Ripon, CA 95366 Phone: (209) 599-0217 Fax: (209) 599-2685 E. Mail Address: lroos@cityofripon.org Signature:	
Title: City Clerk	

## SCOPE OF WORK

### I. SUMMARY

The City of Ripon is located in the Central Valley, between the cities of Modesto and Stockton. The city currently has a population of approximately 14,966. The City of Ripon is approximately 68.9 percent Caucasian, 22.2 percent Hispanic, 4.2 percent Asian, 1.5 percent African American, 0.9 percent American Indian, with the remaining amount representing other races. The City of Ripon has 44 retail ABC licenses, with 27 of those being on sale and 17 being off sale.

The Ripon Police Department is run by Chief of Police Edward Ormonde. The department is divided into two divisions, Operations and Support, with both divisions being overseen by Lt. Steve Merchant.

The Operations Division consists of four patrol sergeants, two detectives, one school resource officer, four field training officers, ten patrol officers, and one reserve patrol officer.

The Support Division consists of three units. They are Information & Technology, which has one full time and one part time non-sworn positions, Dispatch, which has six full time and one part time non-sworn positions, and Community Services, which has two full time community service officers, one part time animal control officer, and two part time shelter assistants.

The City of Escalon is located in the Central Valley, between the cities of Modesto and Stockton. The city currently has a population of approximately 7,388. The City of Escalon is approximately 68.8 percent Caucasian, 27 percent Hispanic, 1.3 percent Asian, 0.4 percent African American, 1.1 percent American Indian, with the remaining amount representing other races. The City of Escalon has 29 retail ABC licenses, with 15 of those being on sale and 14 being off sale.

The Escalon Police Department is run by Chief of Police Michael Borges. The department consists of two patrol sergeants, one detective, two field training officers, four patrol officers, 14 reserve officers, six animal control officers, and one non-sworn employee.

The Ripon Police Department has worked with ABC in the past on individual operations. Those operations consisted of minor decoys, shoulder taps, and license compliance checks.

The Ripon and Escalon Police Departments combined are requesting \$40,237.52. If awarded this grant, the funds will be used to cover the costs of twelve, eight hour operations over the grant period. Each operation will consist of four officers and one supervisor. If we are awarded this grant, we will work toward the following goals:

1. Educate licensee establishments within the City of Ripon and the City of Escalon, to encourage voluntary compliance with ABC rules as well as state and local laws.
2. Ensure that licensee establishments are complying with all laws and ABC regulations.
3. Decrease calls for service and incidents of violence at the downtown bars.
4. Provide areas where patrons can enjoy themselves safely.
5. Send two attendees to the 2016 GAP Conference. This conference will provide essential training

## SCOPE OF WORK

and valuable networking opportunities.

II. **PROBLEM STATEMENT** - Describe the issues or problems to be addressed with grant funds.

Ripon has two establishments that generate an elevated number of calls for service and disturbances. Escalon has three establishments in the downtown area that generate an elevated number of calls for service and disturbances. These establishments are as follows:

Main St. Inn - 130 E. Main St., Ripon  
Ripona Market - 223 W. Washington St., Ripon  
Shorty's Sports Pub & Grill - 1205 Plaza Ave. #2, Escalon  
Valley Inn - 1744 Main St., Escalon  
Discount Liquor & Cigarettes - 1213 Yosemite Ave. #A, Escalon

During the period of January 1, 2015 until March 23, 2016, the Ripon Police Department responded to the Main St. Inn no less than 43 times, with 13 of those required reports to be written.

During the period of January 1, 2015 until March 23, 2016, the Ripon Police Department responded to Ripona Market no less than 94 times, with 11 of those incidents requiring reports to be written.

During the period of January 1, 2015 until March 23, 2016, the Escalon Police Department responded to these establishments no less than 248 times, with 13 of those incidents requiring reports to be written.

III. **PROJECT DESCRIPTION** - What are the goals and objectives of the proposed project?

The Ripon and Escalon Police Departments will strive to accomplish the following during the grant period:

1. Immediately schedule and coordinate LEAD (License Education on Alcohol and Drugs) classes. Thereafter schedule and coordinate on a quarterly basis.
2. Coordinate and conduct four IMPACT (Informed Merchants Preventing Alcohol-Related Crime Tendencies) inspections.
3. Immediately issue a press release acknowledging the grant and the issues to be addressed.
4. Additional press releases after operations will be issued, to keep the press and community fully informed of our efforts.
5. Conduct monthly task force operations, targeting top problem ABC licensed establishments and other licensed ABC establishments. This will be accomplished by utilizing a combination of

## SCOPE OF WORK

strategies, undercover, minor decoys, and shoulder taps.

6. Provide a monthly training on ABC topics to members of the department.

IV. PROJECT PERSONNEL - Describe the staffing required to carry out the grant objectives as supported by the proposed budget.

Lieutenant Steve Merchant will have overall responsibility for the grant. Lieutenant Merchant, with the assistance of Detective Gordon West, will be responsible for all scheduling, coordinating and training. This will include scheduling LEAD training, coordinating IMPACT inspections, providing the monthly training, scheduling ABC training from ABC agents and securing minor decoys.

The Public Information Officer, Lieutenant Steve Merchant, will be responsible for issuing the press release acknowledging the grant and future press releases after operations.

The program will include LEAD training, IMPACT inspections and monthly operations. The operations will encompass undercover narcotics operations at ABC licensed establishments, minor decoys, and shoulder taps. All operations will have a minimum of four officers and one sergeant, scheduled for six to eight hours each. These operations will be run by Detective Gordon West, on overtime. Three additional officers and one sergeant will be assigned on overtime from among the officers who have received ABC training during prior operations.

## BUDGET DETAIL

Exhibit B

BUDGET CATEGORY AND LINE-ITEM DETAIL	COST (Round budget amounts to nearest dollar)
<b>A. Personnel Services (Straight Time Salaries, Overtime, and Benefits)</b>	
<b>A.1 Straight Time</b> Police Officer, 4 officers @ \$51.15/hour OT x 12 operations x 8 hours	\$0.00
<b>A.2 Overtime</b> Police Supervisor, 1 sergeant @ \$65.28/hour OT x 12 operations x 8 hours	\$19,641.60
<b>A.3 Benefits</b> Police Dispatcher, 1 dispatcher @ \$39.30/hour OT x 12 operations x 8 hours	\$6,266.88
4 officers / 1 sergeant @ \$11.09/hour x 12 operations x 8 hours	\$3,772.80
1 dispatcher @ \$11.09/hour x 12 operations x 8 hours	\$5,323.20
<b>TOTAL PERSONNEL SERVICES</b>	\$1,064.64
<b>B. Operating Expenses (maximum \$2,500)</b>	
Buy money for Decoy and Shoulder Tap operations	\$500.00
<b>TOTAL OPERATING EXPENSES</b>	\$500.00
<b>C. Equipment (maximum \$2,500)</b>	
<b>(Attach receipts for all equipment purchases to monthly billing invoice)</b>	
Nartec field narcotics test kit	\$456.00
Konus Spotting Scope 20-60x	\$257.99
Plantronics CA12CD PTT Adapter	\$334.14
Plantronics SupraPlus HW251N Mono Corded Headset (5-Pack)	\$323.95
<b>TOTAL EQUIPMENT</b>	\$1,372.08
<b>D. Travel Expense/Registration Fees (maximum \$2,500)</b>	
<b>(Registration fee for July 2016 GAP Conference attendee is \$275 each)</b>	
Registration for July 2016 GAP conference - 2 registrations @ \$275 each	\$550.00
3 nights lodging for 2 attendees 3 x \$224.37 x 2	\$1,346.22
4 days per diem for 2 attendees, (\$50 x 4) x 2	\$400.00
Travel expenses/mileage for 2 attendees	\$0.00
<b>TOTAL TRAVEL EXPENSE</b>	\$2,296.22
<b>TOTAL BUDGET DETAIL COST, ALL CATEGORIES</b>	\$40,237.42

### OTHER FUNDING SOURCES

Complete the following to report the total funds available to support the activities related to accomplishing the goals and objectives of the contract. In the "Grant Funds" column, report the ABC funds requested by category. In the "Other Funds" column, report all other funds available to support the project by category (if none, leave blank). Then calculate the totals by category in the "Program Total" column. Total each column down to arrive at the total program funds available. **(Round all budget amounts to the nearest dollar.)**

BUDGET CATEGORY	GRANT FUNDS	OTHER FUNDS	PROGRAM TOTAL
<b>Personnel Services</b>	\$36,069.12		\$36,069.12
<b>Operating Expenses</b>	\$500.00		\$500.00
<b>Travel/Registration Fees</b>	\$2,296.22		\$2,296.22
<b>Equipment</b>	\$1,372.08		\$1,372.08
<b>TOTALS</b>	\$40,237.42	\$0.00	\$40,237.42

**This form does not become part of the contract but is required in the Request for Proposals package.**

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**FEATURES:**

- ✓ Type: Zoom prismatic spotting scope with tripod
- ✓ Magnification: 20x to 60x
- ✓ Objective lens diameter: 80mm
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- ✓ Exit pupil: 2.9mm (20x)
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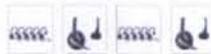
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## RESOLUTION NO. 16-\_\_

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

WHEREAS, the League of California Cities annual conference will be held in Long Beach from October 5 through October 7, 2016; and

WHEREAS, the City of Ripon is desirous of designating the voting delegate and alternate voting delegate to the League of California Cities annual business meeting at the closing General Assembly on October 7, 2015; and

WHEREAS, the persons being appointed have expressed their interest in serving as delegates to the annual conference.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ripon designates Council Member \_\_\_\_\_ as the Voting Member to the League of California Cities annual conference.

FURTHERMORE, BE IT RESOLVED that the City Council of the City of Ripon designates \_\_\_\_\_ as the Alternate Voting Member to the League of California Cities annual conference.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this 14<sup>th</sup> day of June, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:       None

THE CITY OF RIPON,  
A Municipal Corporation

By \_\_\_\_\_  
JACOB PARKS, Mayor

ATTEST:

By \_\_\_\_\_  
LISA ROOS, City Clerk

## DISCUSSION ITEMS

City of Ripon  
**Design Guidelines for Residential  
Landscapes**



*City of Ripon*  
259 N. Wilma Avenue  
Ripon, CA 95366  
Phone: (209)599-2108

## Section 1 - Residential Landscape Design

### 1. Summary

Water in California is a precious commodity that serves a variety of purposes. With an ever-growing population, the demand for water is outpacing the supply. Conservation is an important tool in ensuring that there is sufficient water to serve the needs of the state. This document provides direction for residential landscape design and maintenance practice to reduce the amount of water that is used for landscapes within the City of Ripon. As such, these guidelines provide direction for all new landscapes within the city with a special emphasis on residential landscape.

The following are the goals that these guidelines have been prepared to achieve:

- A. Reduce the amount water used for landscapes when compared to historic landscape water usage.
- B. Comply with the requirements of the State-mandated Water Efficient Landscape Ordinance (hereafter abbreviated to WELO) - AB 1881 that was most recently updated on December 1, 2015 when these guidelines were prepared.
- C. Comply with the City of Ripon Municipal Code, as well as CBC and any other applicable codes and requirements. These guidelines have been prepared to supplement code requirements and not to supersede or replace them. Where there is a discrepancy, the code requirements shall take precedence over these guidelines.
- D. Maintain the character of the City of Ripon through landscapes that blend with the historic character of Ripon while using less water.
- E. Encourage landscape design to create useful spaces that enhance the usability and function of the landscape and accentuate the character of the adjacent architecture.
- F. Provide additional environmental benefits such as less use of pesticides and fertilizers, production of less green waste, less use of fossil fuels used for mowing, and create positive habitat for birds.

### 2. Applicability

These guidelines are applicable to all new single-family home landscapes. These guidelines are primarily prepared for residential landscapes that exceed 500 square feet, but are less than 2,500 square feet in total landscape area size. Multi-family developments, such as apartments, condos, and other multi-unit residential shall submit detailed landscape plans for the entire project, substantially complying with all concepts within these guidelines. Landscapes over 2,500 square feet in size have additional requirements that they need to meet in order to be compliant with WELO. Additional requirements are described in greater detail in the specific sections.

Landscapes that are applicable to these guidelines include:

- A. New landscapes for single family homes - front yards that exceed 500 sf.
- B. Streetscapes - There is a subsection of these guidelines that provides direction for

the design of City-maintained landscapes along the sides of streets and medians. The guidelines shall be used in conjunction with the requirements of WELO.

All applicable landscapes shall be designed in plan form incorporating the design guidelines herein, and shall be submitted to the City of Ripon Community Development Department with the building permit application.

The Community Development Director may exclude or provide modified compliance requirements based on specific project conditions on a project-by-project basis.

### 3. Front Yard Landscape

The landscape is considered the 'front yard' if it fronts a street and is on the street side of a wall or fence and can be seen from the street. This is inclusive of traditional front yards where the door to the home and/or garage is located as well as side yards for corner lots. It does not apply to landscapes that front alleys. It may also apply to areas which front paseos, bike paths, and other public ways per the determination of the Community Development Director.

The front yard landscape is the most abundantly visible landscape within Ripon and offers the greatest opportunity to express the goals that were described in the opening section of these guidelines. Most front yard landscapes (but not all) have less than 2,500 square feet of landscape area. As such, they fall under the Prescriptive Method of compliance (Department of Water Resources Title 23, Chapter 2.7, Sections 490 - 497.2) with the requirements of WELO. Front yard landscapes that are larger than 2,500 square foot will also comply with the water restrictive requirements of WELO if they follow these guidelines, there are some additional requirements that are described later in the guidelines.



*Front yards with a coordinated mix of different materials, plants and groundcovering.*



The following guidelines offer typical materials and allowable percentages of those materials that may be used with the design of front yard landscapes. Multiple combinations may be used, but it is important that an overall cohesive design be created staying within the allowable percentages. It is NOT intended that all of the following materials be included in a single landscape design, but rather two to four combined to create an aesthetically pleasing, functional, low water use landscape that compliments the home and the surrounding area.

The recommendations and percentages provided below offer direction and set goals for landscape aesthetic and water usage; they are not intended to discourage or stifle creative design. Alternate materials, means of installation, and percentages can be submitted for review and approval by the Community Development Director. The design is still re-



C. Living Lawn Substitutes - Living groundcover plants that create a low and continuous groundcover may be used as a substitute for traditional natural lawn. These may include plant species that can take foot traffic and serve a similar purpose as a traditional natural lawn or they may include species that remain continuous and low, offering the uniform appearance of a lawn, but do not handle foot traffic as well. To qualify as a living lawn substitute the plant species must be able to fill in completely within one year, be evergreen, completely cover the ground without bare spots, be low (less than 8" height), able to be maintained at a relatively uniform height naturally or by infrequent mowing, and must be dense enough to discourage weeds. A living lawn substitute should consist of a single species of plant or a mixture of species that combine together to create a single uniform appearance (such as low-water use No-Mow Fescue blends). Multiple species may be used in multiple sweeps or masses of single species each to create a layered groundcover appearance. The water use requirements of the species used must be less than that of natural lawn (to qualify as a lawn substitute the species must be able to be hardy with water use of 60% or less of Kentucky Blue Grass). Areas of the lawn substitute may also be depressed to allow storm water to percolate into the soil (encouraged where appropriate), but plant species shall be selected that will be hardy to the wet winter soil.

Low water use lawn species (that looks and functions like traditional front yard lawns) may qualify as a 'lawn substitute' only if it can be proven that the water usage needs of the species meet the requirements of this section.

Possible living lawn substitute plant species include, but are not limited to:

- Kurapia
- Native species no-mow fescue blend (red fescues)
- Juniper
- Asian Jasmine
- Cotoneaster
- Herniaria (Green Carpet)
- Chamomille
- Zoysia (Korean Grass)
- Ice Plant

*Living Lawn Substitute*

*0% min. requirement  
60% max. allowed use*



*Low growing groundcover can provide the lawn appearance without the maintenance or high water use.*



- D. Shrub and Groundcover - This is the portion of the landscape that is planted with shrubs and groundcover that create a layered appearance and consists of a combination of herbaceous and perennial plant species. These plantings typically provide the backdrop for the lawn and lawn substitute plantings and occur at a minimum directly in front of the home (foundation planting) and often along the fence and between front yards. Their use be greater than what has been traditionally provided due to the reduction in the amount of lawn that is allowed. Plant species shall be selected that have low and medium water use needs, provide a variety of sizes and color, create a layered and interesting year-round appearance, and have a mature size that is appropriate for their use. Plants should not require more than 30% of their foliage be removed in order to maintain their intended functional use (for example: don't use a species that has a mature size of 10' tall if it is intended to be maintained at 4' tall). Plants shall be installed at spacings that will allow them to grow together to completely cover the ground within 2-3 years (plants that have a mature spread of 3' should not be planted 4'-5' apart as they will never grow to touch each other). Also, plants should not be planted so close together that they overlap each other and become too overgrown and dense (model homes can be excluded from this requirement at the discretion of the Community Development Director). The design and selection of plant species and spacing shall be done in such a way that when the landscape is mature there are no bare spots and no need to replenish mulch for aesthetics. Areas of the shrub and groundcover may also be depressed to allow storm water to percolate into the soil (encouraged where appropriate), but plant species shall be selected that will be hardy to the winter wet soil.

*Shrubs and Groundcover*

*35% min. requirement*

*100% max. allowed use*

*Shrubs and groundcover with different combinations of texture, color, size and shape provide interesting and aesthetic yards.*

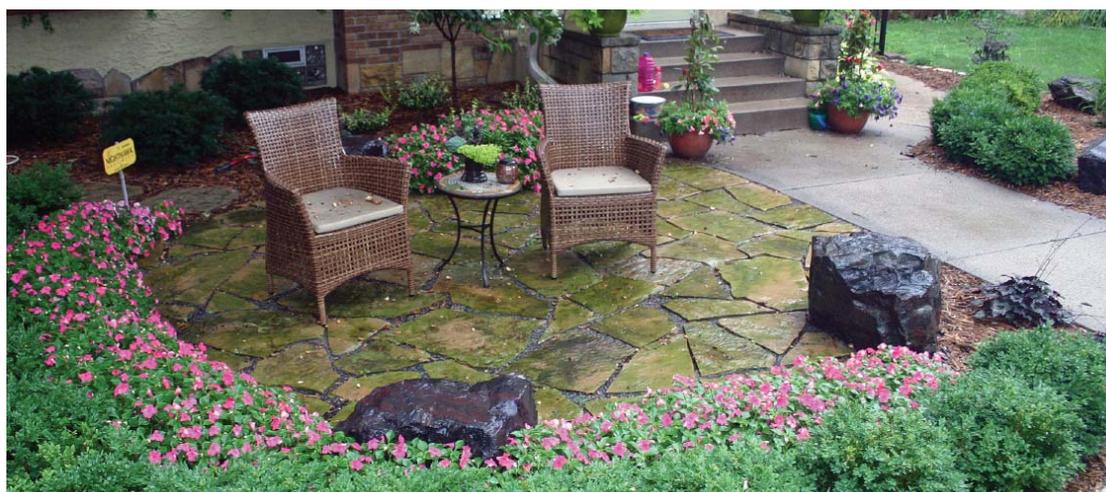


- E. Impervious Hardscape - For the purposes of these guidelines the term impervious hardscape in this section refers to landscape elements that are constructed of concrete or have a concrete base or similar material that does not allow rain or irrigation water to flow through. Driveways and sidewalks that serve the function of the home are not considered to be landscape areas and are therefore not part of this section. Impervious hardscape consists of things such as colored and stamped concrete patios, concrete mow curbs, wet-set cobble, non-permeable interlocking pavers, stone or tile on concrete base, etc. These items may be incorporated into the landscape to compliment the planting areas and create functional space such as mow edges, walkways, aesthetic edges and transitions. They are not intended or allowed to be used to replace large areas of landscape. Their use and overall incorporation into the landscape is subject to the discretion of the Community Development Director.

*Impervious Hardscape*

*0% min. required  
20% max. allowed use*

*Impervious hardscape areas can include paved seating areas, walkways or driveways, and can include a variety of materials to contrast and complement the planted landscape.*



- F. Walkable Permeable Groundcover - The use of small seating areas, patios, informal walkways, etc. are allowed to be part of the front yard provided that their design is integrated with the sidewalk layout (the sidewalk to the front door) and landscape design. The inclusion of functional space within the front yard that can be used like a porch and/or seating area is encouraged and fosters community interaction. Materials that qualify for this usage are permeable (meaning water can move through them to the soil below) and include Decomposed Granite (DG) (without stabilizer polymer binder), permeable pavers, stepping pads of concrete, stone, etc. with permeability between them, ornamental aggregate, pea gravel, and other similar paving substitute materials. The main classification for this is that the area covered by these materials serves a functional use such as patio, seating area, or walkway. Loose materials such as ornamental aggregate, DG, pea gravel, etc. should have a secure containment edging such as steel edging, redwood, or other acceptable containment edge.

*Walkable Permeable Groundcover*

*0% min. requirement*

*30% max. allowed use*



*Some paving can still let the water seep into the ground while allowing foot traffic. These spaces provide a function of allowing you to move through your yard easily and can be incorporated into the overall landscape aesthetic.*

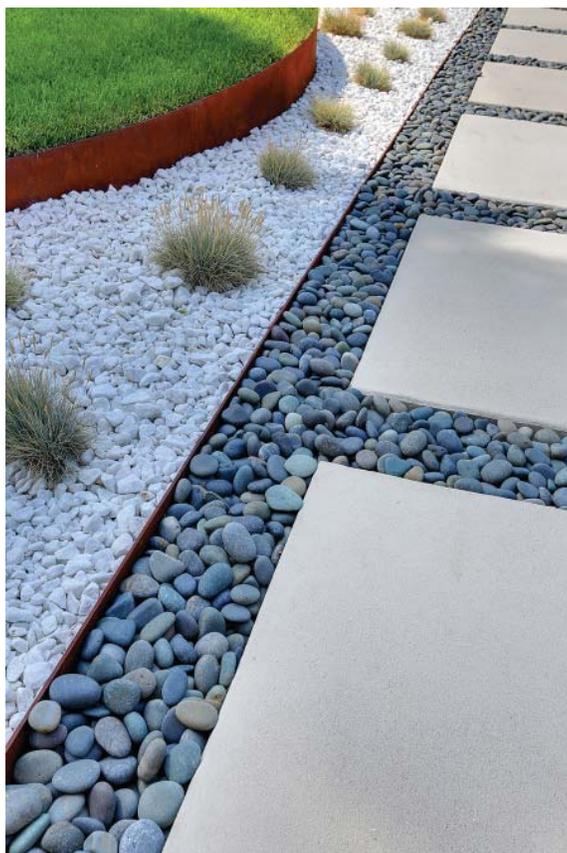


- G. Permeable Non-Living Groundcover - This consists of landscape accent materials such as Decomposed Granite (DG), ornamental aggregate, cobble, boulders, river rock, pea gravel, tumbled glass mulch, and other non-living groundcover. This item is different from the Walkable Permeable Groundcover described above in that this material is provided in the design as an aesthetic treatment and not designed as a walkable functional element. This item consists of landscape elements such as dry creek beds, cobble edging, boulder accents, etc, and these items are not intended to replace large portions of the landscape, but rather, to accent and supplement them. The design is to be consistent with the overall design of the landscape and shall fit within the character of the surrounding community. When a dry stream bed is designed it should include a variety of cobble and boulder sizes, should be depressed into grade, and should be designed to appear as a natural component of the landscape. If the design is more contemporary, the use of these materials can take on a more contemporary aesthetic such as sweeps or bands. Where appropriate, items like a dry stream bed may also be used as a functional element to convey and/or percolate storm water. Increased size (as a percentage of the landscape area) may be approved by the Community Development Director if there is functional use such as storm water conveyance and percolation.

*Permeable Non-Living Groundcover*

*0% min. required*

*25% max. allowed use*



*Groundcover doesn't have to be plants. Different materials can be used to add interest to the landscape, provide a clean edge to a walkway, or to fill-in areas that are difficult to water or maintain.*

- H. Organic Mulch - Organic mulch (bark mulch) is to be used within the shrub and groundcover areas (Section 4-D) only and is NOT allowed as a landscape treatment without plants. It is required with the installation of shrubs and groundcover and may be needed for some living lawn substitute species. When organic mulch is used, it shall be installed at min. 3" depth. Per the shrubs and groundcover section, the plants are to be designed to grow together within 2-3 years; therefore, no organic mulch should be visible in 2-3 years.



*Bark mulch conserves water and helps to keep weeds out while plants grow to maturity. The photo to the right shows mulch throughout the planter area in this still young landscape. Mulch is a supplement to the landscape and is not to be used as a groundcover in and of itself.*



***This***



***Not this***

- I. Accessories - Other landscape items such as low walls, seat walls, fences, art, containers, etc. may be incorporated into the landscape as part of a cohesive and comprehensive landscape design. They may be included, but are not required, to the extent allowed by current codes and CC&Rs and per the discretion of the Community Development Director.



*Decorative containers add architectural interest and a place for splashes of color to enhance front entry.*



***This***

*Fences or low wall should complement the home and accent the design. Full screening, such as shown below, may be appropriate for rear yards but is to be avoided in front yard landscapes.*

***Not this***



- J. Trees - Trees are an integral part of any landscape design and shall be included with all landscape design plans. In many cases the inclusion of trees is required by code and/or development agreements. Trees provide shade that reduces heat gain, produce oxygen that mitigates green-house gas emissions, slow the process of rainwater entering the storm drain system, provide habitat for birds and other urban wildlife, and substantially enhance the character and livability of Ripon. Their inclusion in all landscape design is critical. Tree species shall be selected based on the space that is available and their intended overall size. Large trees in narrow planters, directly adjacent to overhead power lines, and directly adjacent to street lights shall be avoided. Similarly, trees shall be planted clear of underground utilities. But wherever achievable large spreading shade trees should be planted and enjoyed.

Trees are allowed in all of the living groundcover areas as described above. They may also be planted in synthetic lawn areas provided that a 3' - 6' diameter mulch ring is provided and irrigation is provided.

The use of high water using trees such as Redwood trees should be avoided. Often high water using trees have other undesirable qualities such as invasive roots, weak branches, and sometimes a shorter life span.

A list of recommended trees has been provided in Appendix A.

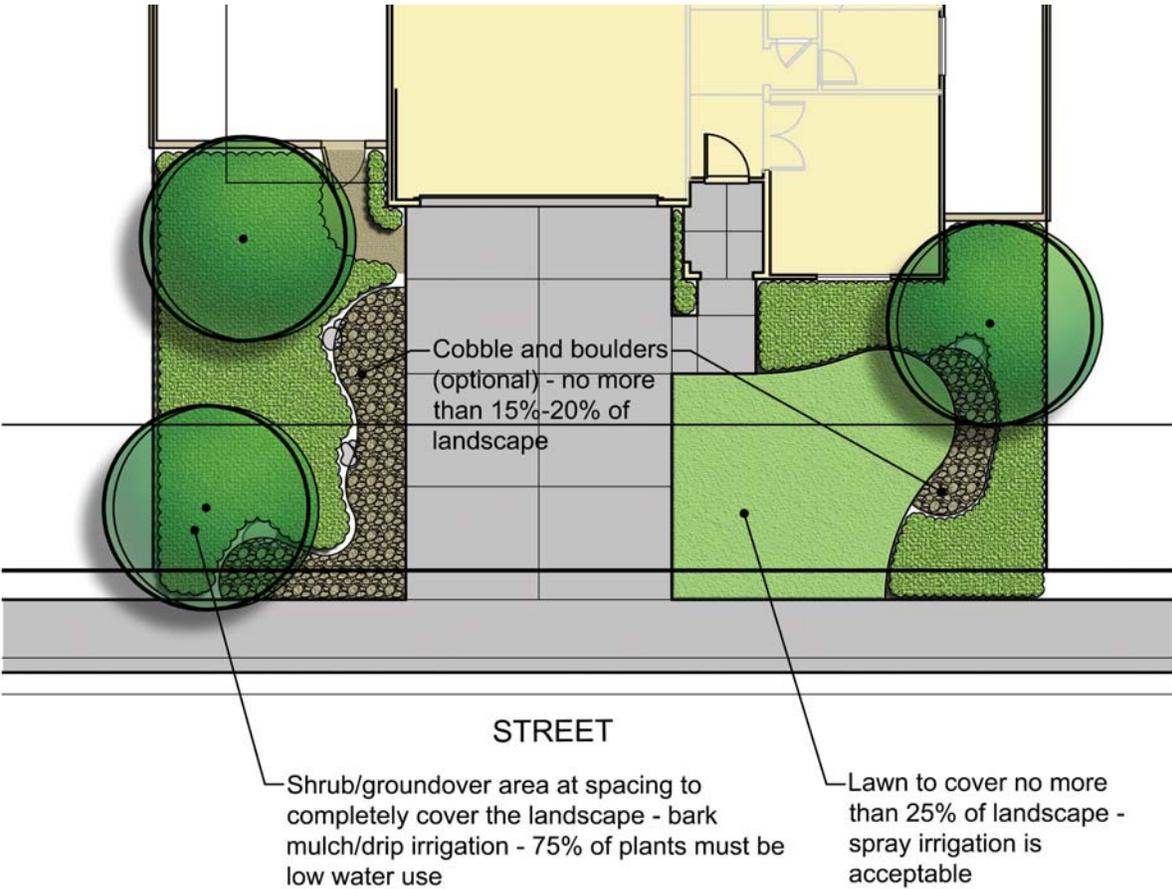
- K. Soil amendments - all new planting areas shall be amended with at least four (4) cubic yards of compost to a depth of six (6) inches per 1,000 square feet of planting area. The soil amendments are not required for non-planted areas such as synthetic lawn, cobble, etc.
- L. Soil Testing - For landscapes larger than 2,500 square feet a soil analysis is required to be performed by an accredited soil testing lab. The soil sample is to be taken from the landscape area that will be amended. The recommendations of the soil test shall be incorporated into the soil at the rates as recommended.

The results of the soil test shall be provided to the Community Development Director or with a statement signed by the developer that the soil was amended per the recommendations of the report.

The soil test shall include the following information:

- Soil texture
- Infiltration rate
- pH
- Total soluble salts
- Sodium
- Percent organic matter
- Recommendations for amendment, if any.

**Front Yard Landscape - Concept #1  
Natural Turf and Plants**

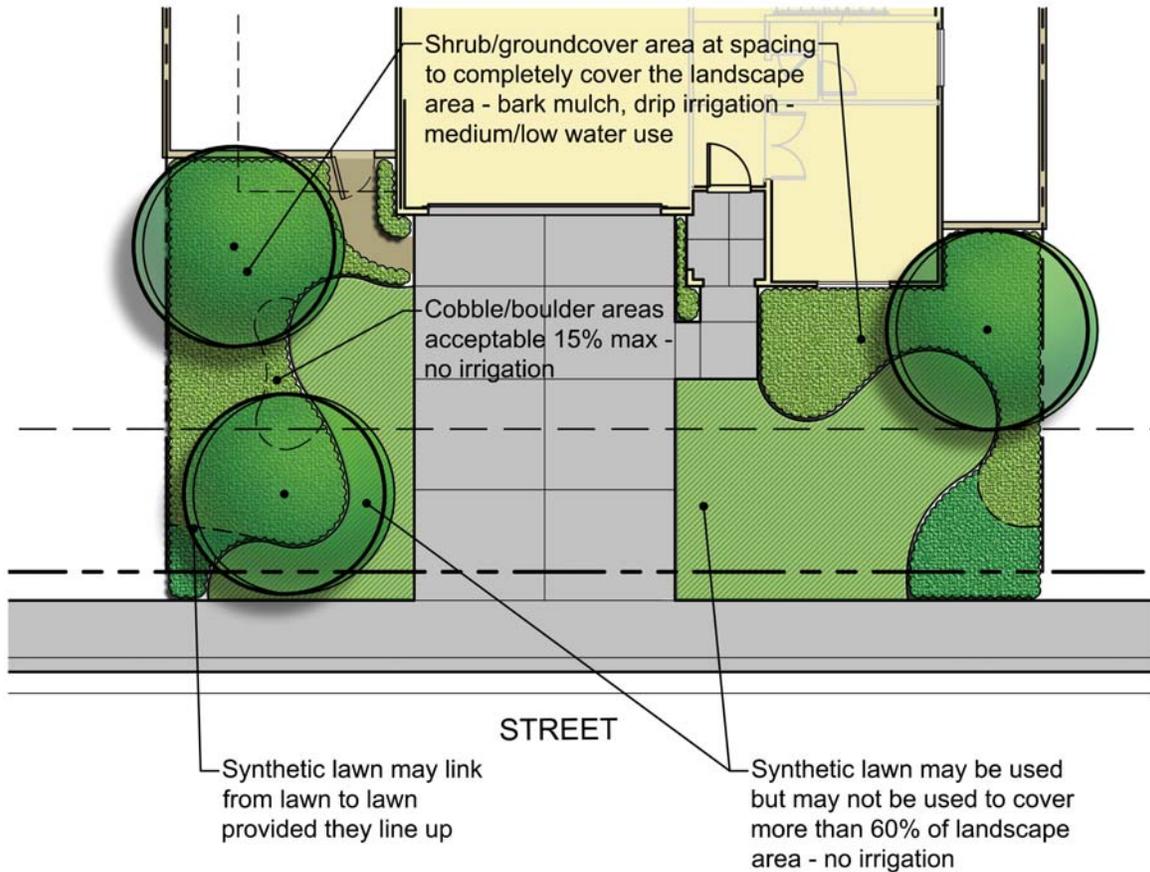


**Legend**

-  Lawn
-  Shrub/Groundcover
-  Cobble and Boulders

This landscape uses the maximum allowed amount of natural turf with a mix of trees, shrubs and groundcover areas and cobble fields to complete the landscape.

**Front Yard Landscape - Concept #2  
Synthetic Turf and Plants**

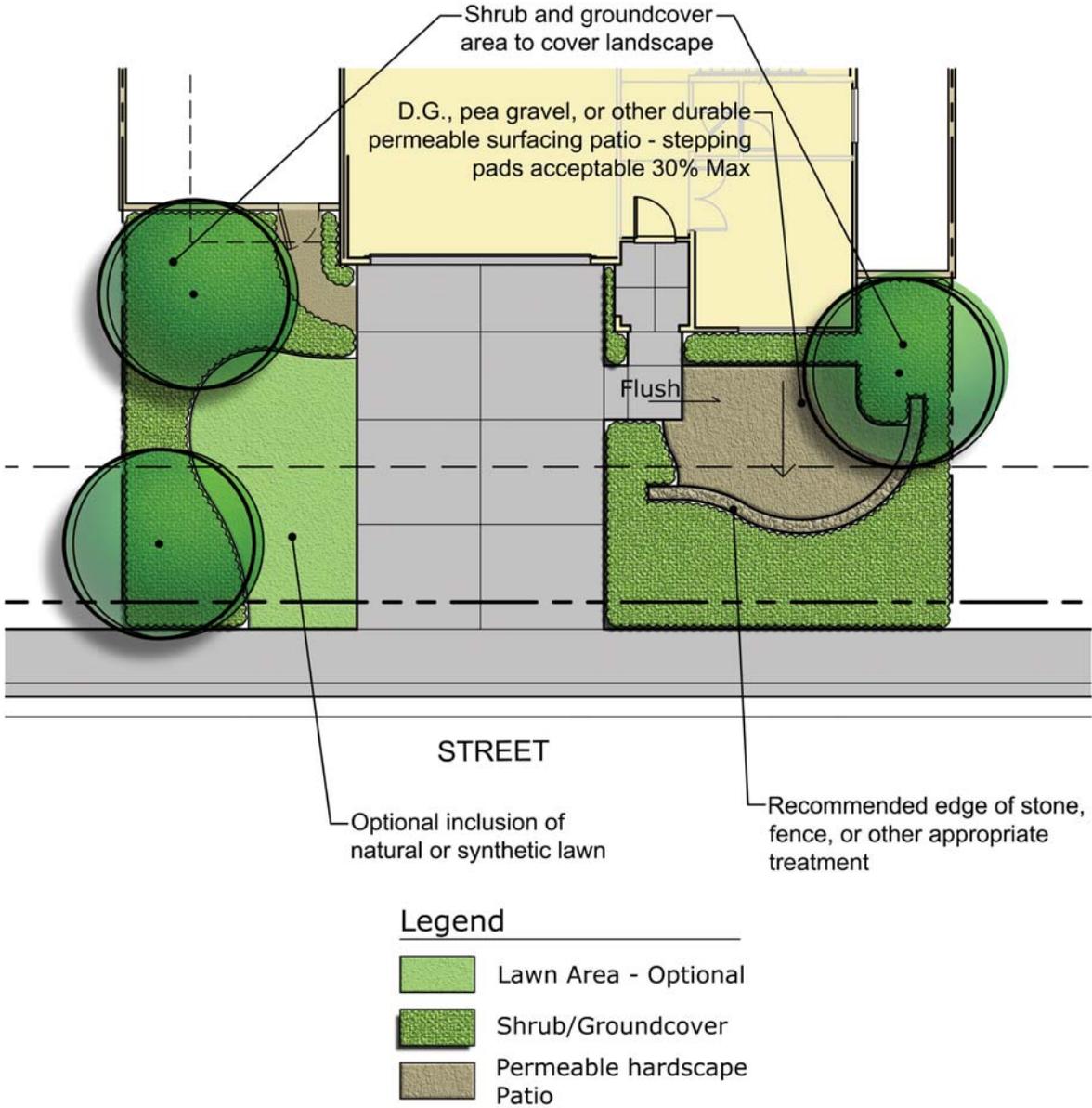


**Legend**

-  Synthetic Lawn
-  Shrub/Groundcover
-  Possible Synthetic Lawn Connection

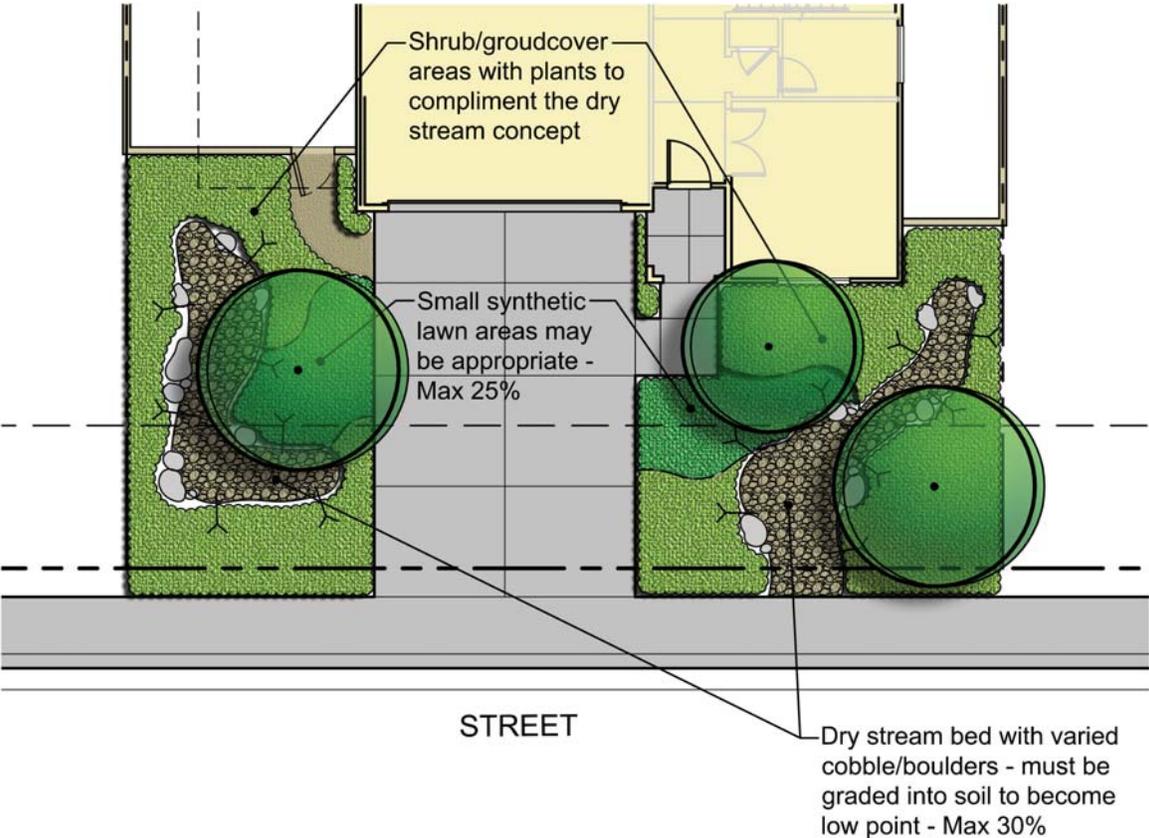
The above plan uses synthetic turf to provide a landscape with more turf area than is allowed by WELO. A blend of trees, shrubs and groundcover complement the design.

### Front Yard Landscape - Concept #3 Small Patio Space



The plan above includes a small patio space to promote community interaction and provide additional spaces for resident's use throughout the year. Natural turf and landscaping fill out the remainder of the front yard.

### Front Yard Landscape - Concept #4 Dry Stream Bed

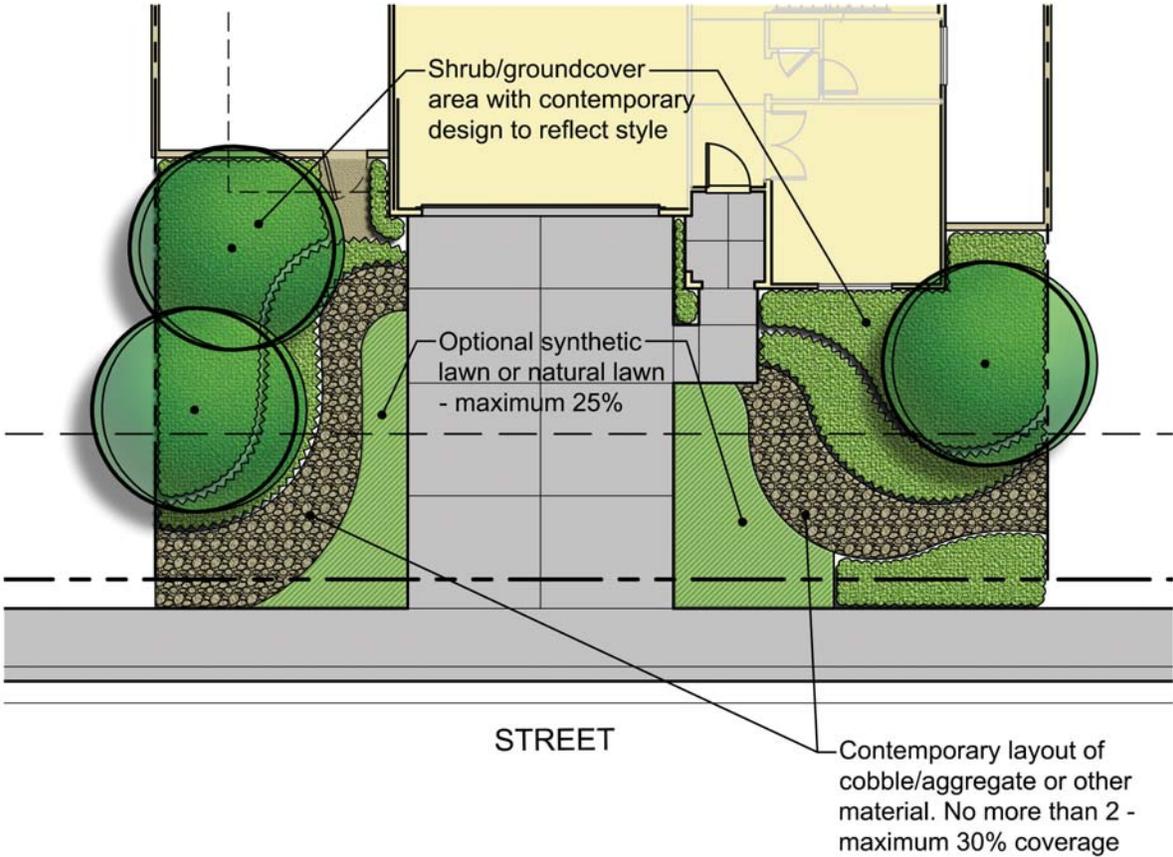


**Legend**

-  Dry Stream Bed
-  Shrub/Groundcover
-  Optional Synthetic Lawn Area

A cobble and boulder dry stream bed theme provides an interesting structure to complement the trees, shrubs, ornamental grasses and groundcover of this landscape. The cobble areas and the lack of natural turf make this landscape theme lower in water use and maintenance demand.

### Front Yard Landscape - Concept #5 Contemporary



#### Legend

-  Cobble/aggregate
-  Shrub/Groundcover
-  Optional Synthetic or Natural Lawn Area

This design uses strong forms and shapes and a limited palette of plants and materials to provide a more modern and contemporary landscape. Natural or synthetic turf is blended with masses of non-living groundcover as well as trees, shrubs, and groundcover.

## 5. Irrigation

All living plant landscape areas shall be provided with supplemental irrigation that is designed to be compliant with all applicable codes and requirements (WELO, CBC, and Ripon Municipal Code). Irrigation shall be designed to meet the water needs of the plants without providing more water than the plants need and without running off onto sidewalks and streets. Irrigation water shall be contained within the landscape area that it is intended to irrigate (no run-off). Following are goals and requirements of the irrigation system.

- A. Plants with similar water usage needs shall be irrigated together and plants with different water needs shall be placed on separate circuits. For instance, lawn is higher water use, so it shall be on a separate circuit than a shrub area which has a lower water use need.
- B. Irrigation water shall remain within the landscape area that it is intended to water. For instance, lawn irrigation shall not overspray into shrub areas or other areas that do not require irrigation.
- C. The use of spray irrigation is discouraged. It may only be used for lawn areas (maximum 25% of the landscape area) and must be designed so that the spray does not overspray outside of the lawn area and does not create run-off. Only irrigation nozzles that use larger water droplet size such as rotator nozzles, Precision nozzles, and other nozzles approved by the Community Development Director are allowed. Traditional spray irrigation provides too much mist and does not meet the efficiency requirements of WELO and if therefore not allowed.
- D. All spray heads must be installed with an integral check valve that stops water from draining out of the pipes through the low head.
- E. The use of drip and/or low flow bubbler irrigation is encouraged for all landscape areas and is required for all non-lawn irrigation. The use of subsurface drip is encouraged for lawn areas.
- F. There shall be a manual shut off valve at the point of irrigation service connection - this allows the irrigation system to be shut off separate from any other water needs (such as the water used inside the house).
- G. The irrigation controller shall be multi-programmable and shall incorporate sensor input that automatically adjusts run times based on actual plant water needs.
- H. A sensor shall be installed with each controller that uses current weather or soil moisture information to inform the controller on current water needs so that the controller can automatically adjust the run times.
- I. The irrigation system shall be operated based on irrigation times that are allowed by the City.

## 6. Irrigation Products

The following is a list of recommended irrigation equipment and products to be used in typical residential landscapes. Not all products are appropriate for every landscape and there may be some products available (or developed after these guidelines were written) that meet or exceed the requirements of these guidelines and may be appropriate for use. Irrigation should be designed by a qualified irrigation designer that understands the equipment that is available and the requirements of WELO and the City of Ripon. However, the following may be used as a checklist and the use of the following equipment will meet the requirements of these guidelines. All equipment shall be installed per the recommendations and specifications of the manufacturer.

A. Controller

Hunter X-Core and Pro-C  
Rainbird ESP-RZX, ESP-Me and ESP-SMTe  
Toro Evolution



Controller - helps to provide the right amount of water

B. Weather Sensor - Select a weather sensor that corresponds with the selected controller. Most weather sensors are available in a wireless version.

Hunter Solar-Sync  
Rainbird ET Manager  
Toro Climate-Logic



Weather sensor - helps your controller run only when needed

C. Valves

Hunter residential models  
Rainbird residential models  
Toro residential models

*Remote control valve - allows you to separate your landscape into different watering zones and to be tied to the controller for automatic watering*



D. Overhead spray heads for lawn area (max. 25% of landscape area)

Hunter MP Rotator nozzles on PRS40 spray body  
Rainbird rotator nozzle on 1800 series spray body  
Toro Precision Rotator nozzles on 570Z-PRX spray body

*Pop up spray heads (commonly called sprinklers) come in water efficient models to help irrigate larger uniform areas such as turf or lawn substitutes*



- E. Subsurface drip - Can be used for all landscape areas. The drip emitters are embedded into the tubing. This type of system is designed to provide emitters every 12" or 18" on center to evenly cover the landscape area with emitters. Provide separate circuits for different water use plants (lawn separate from shrubs).

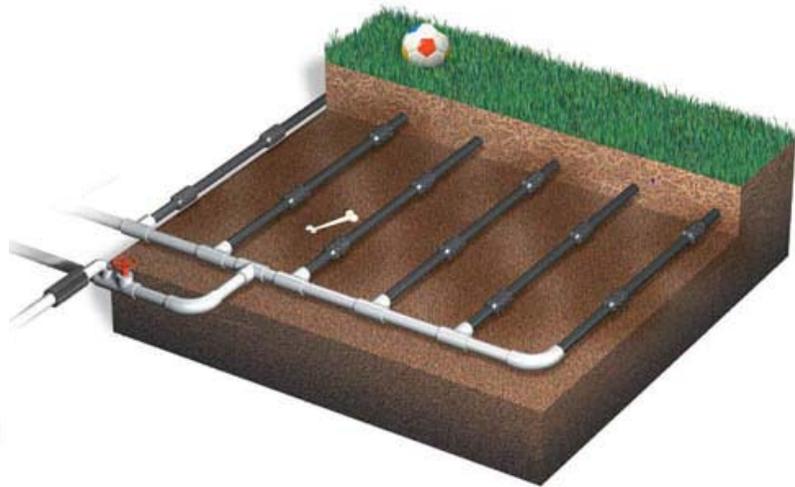
For lawn areas use 12" on center in-line emitters with in-line tubing placed at 12" on center. Bury all drip tubing for lawn and groundcover areas 2" deep.

For shrub areas use 18" on center in-line emitters with in-line tubing placed at 18" on center.

Include flush valves, air vacuum relief valves, and filters at the valve as recommended by the manufacturer.

Product

- Toro DL2000
- Netafim
- Rainbird XFS
- Hunter PLD



- F. Drip emitters - Appropriate for shrub and groundcover areas. This type of system provides water at each plant only and does not provide irrigation water where there are not plants. It is not good for plants that spread by branches rooting to the ground as they spread out. Place spot drip emitters at each plant. Best to provide two to three emitters at each plant 3" - 9" away from the base of the plant. Drip tubing may be placed on the surface of the soil with mulch over the top. Staple the tubing to the ground every 4' to 6'.



- G. For irrigation systems that serve landscape areas over 2,500 square feet there are additional requirements that must be met to be compliant with WELO.

**Flow sensor:** a flow sensor is required at the irrigation point of connection and shall be tied to the controller per the manufacturer's specifications. Each controller manufacturer also provides a flow sensor that will work with their controller. It is a wire connection.

**Controller:** The controller needs to be upgraded so that it can read and react to the information provided by the flow sensor.

**Meter:** A separate meter is required for the irrigation system. For residential use this can be a sub-meter that monitors just the irrigation water usage separate from the domestic.

**Irrigation Audit:** After the irrigation system has been installed, an irrigation audit is required by a certified irrigation auditor. If any portion of the irrigation system needs to be revised to be compliant with WELO, the work shall be completed and demonstrated to the auditor. The report that shows compliance with WELO shall be forwarded to the Community Development Director.

# City of Ripon Water Efficient Landscape Ordinance

## Project Information and Checklist

### Residential

This form is to be filled out and submitted with the completed landscape plans to the City of Ripon Community Development Department as well as any fees and other application forms that may be required by the City: *City of Ripon Community Development Department, 259 N. Wilma Ave, Ripon, CA 95366, 209-599-2108.*

**Project Information:**

Address of Project Site (Home) \_\_\_\_\_

Applicant Name \_\_\_\_\_

Applicant Address \_\_\_\_\_

Applicant Phone Number \_\_\_\_\_

Applicant E-mail Address \_\_\_\_\_

Description of work being performed \_\_\_\_\_

\_\_\_\_\_

Total Square footage of new landscape (add A-F below) \_\_\_\_\_sf

The square footage of the driveways, patios, and walkways and other functional hardscape is not to be included in the square footages below.

- A. Proposed natural lawn area \_\_\_\_\_sf \_\_\_\_\_% of total landscape area  
(may not exceed 25%)
- B. Proposed synthetic lawn area \_\_\_\_\_sf \_\_\_\_\_% of total landscape area  
(may not exceed 60%)
- C. Proposed shrub/groundcover area \_\_\_\_\_sf \_\_\_\_\_% of total landscape area  
(may not be less than 35%)
- D. Proposed impervious landscape \_\_\_\_\_sf \_\_\_\_\_% of total landscape area  
(any paving that water cannot pass through) (may not exceed 20%)
- E. Proposed non-living permeable \_\_\_\_\_sf \_\_\_\_\_% of total landscape area  
groundcover (cobble, aggregate, DG) (may not exceed 30%)
- F. Other Landscape Features \_\_\_\_\_sf \_\_\_\_\_% of total landscape area

Describe \_\_\_\_\_

**Irrigation:**

- A. Type of irrigation being used for the lawn \_\_\_\_\_  
(Pop-Up Spray, Rotator, Gear Rotor, Subsurface Drip, Other)
- B. Type of irrigation used for the shrub/groundcover \_\_\_\_\_  
(Rotator, Spot Drip Emitters, Subsurface Drip, Low Flow Bubblers, Other)
- C. Type of water used for the irrigation system \_\_\_\_\_  
(Domestic water meter, rain harvesting, well, other)

## WELO Checklist

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All of the following items must be incorporated into the landscape in order to be compliant with the Water Efficient Landscape Ordinance (WELO). This checklist is for residential projects that are greater than 500 sf and less than 2,500 sf.

### Planting:

- |   |     |    |    |
|---|-----|----|----|
| A. Total landscape area is greater than 500 sf and less than 2500 sf  | yes | no | na |
| B. Natural lawn area does not exceed 25% of the total landscape area  | yes | no | na |
| C. Natural lawn that has spray irrigation does not exceed 25% (4:1) slope   | yes | no | na |
| D. Natural lawn that has spray irrigation is not less than 10' wide   | yes | no | na |
| E. At least 35% of the total landscape area is planted with shrubs/groundcover  | yes | no | na |
| F. All non-lawn plantings are low or medium water using   | yes | no | na |
| G. Plants species have been selected for the appropriate size of the space to reduce the need for pruning                         | yes | no | na |
| H. Shrubs and groundcover areas have been planted at adequate spacing so that plants will touch within 3 years with no bare spots | yes | no | na |

### Irrigation:

- |  |     |    |    |
|--|-----|----|----|
| I. Pop-Up spray irrigation is used in natural lawn areas only and is not greater than 25% of the total landscape area                              | yes | no | na |
| J. Pop-Up spray irrigation is not used in areas less than 10' wide and Slopes greater than 25% (4:1)   | yes | no | na |
| K. All spray heads have check valves to eliminate low head drainage  | yes | no | na |
| L. Irrigation controller is a 'smart' controller that uses sensors to adjust run times automatically (evapotranspiration or soil moisture sensors) | yes | no | na |
| M. There is no overspray into hardscape from any irrigation  | yes | no | na |
| N. All shrub/groundcover areas are irrigated with drip or low flow bubblers  | yes | no | na |

### Other:

- |  |     |    |    |
|--|-----|----|----|
| O. Synthetic lawn does not exceed 60% of the total landscape area  | yes | no | na |
| P. Organic mulch installed at min. 3" depth for all shrub/groundcover areas  | yes | no | na |
| Q. Impervious landscape areas (hardscape) does not exceed 20% of the total landscape area  | yes | no | na |
| R. Permeable paving such as permeable pavers, DG, aggregate does not exceed 30% of the total landscape area                                  | yes | no | na |
| S. Permeable Non-living groundcover such as cobble, dry stream beds, DG ornamental aggregate does not exceed 25% of the total landscape area | yes | no | na |
| T. Soil amendments provided at 4 cubic yards per 1000 sf of landscape or per the recommendations of a soil fertility test from the site      | yes | no | na |

I certify that the preceding information is correct and I will comply with the WELO and Appendix D (Prescriptive Method) requirements

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Signature of Property owner or authorized agent

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Date

## Section 2 – City Maintained Streetscape Landscape

### 1 Summary and Applicability

This section of the Design Guidelines is for the City-owned and maintained landscape that is developed by private developers associated with new streets for subdivisions. All streets that have landscape within the Right-of-Way are subject to these Guidelines.

The width of Rights-of-Way, roadways, sidewalks, bike paths, medians, travel lanes, landscape planters, and all other components of the City of Ripon vehicular circulation system remain per the zoning code, municipal code, and the direction of the Community Development and Public Works Directors. All City standard details and specifications remain intact and as they are. The purpose of these guidelines is to provide direction to developers in how the typical landscape spaces within the streetscape that are required to be improved per code and conditions of approval are to be designed. The type and overall concepts for planting and irrigation are included within these guidelines.

For the purposes of this document the term ‘streetscape’ and ‘streetscape landscape’ refers to all of the pervious portions of the right-of-way associated with a street. The roadway, curbs and gutters, sidewalks, sound walls and fences, street lights, signage, and utilities are not covered by these guidelines. The streetscape landscape includes the landscape areas in the median, side street landscape between the curb and sidewalk (parkway strip), and the landscape between the sidewalk and sound wall and/or right-of-way line. Streetscape landscape consists of trees, shrubs and groundcover, vines, non-living groundcover such as cobble and DG, irrigation systems, and the accessories needed such as root barriers, edging, etc.

### 2 Streetscape Design

The goal of these guidelines is to provide aesthetically pleasing and efficient streetscape landscape that is easy to maintain, uses a minimal amount of irrigation water while preserving the character of Ripon, and provides a safe and efficient vehicular and pedestrian circulation network. Following are the primary goals of the streetscape landscape:

- A. All landscape installation shall provide a safe environment for vehicular and non-vehicular circulation for which the streetscape landscape is designed. All code requirements shall be adhered to and the landscape shall be modified as needed to meet all applicable codes.
- B. Landscape shall be designed to meet the function of the intended use and not require substantial maintenance in order to maintain that use. For example, species selected for low groundcover shall be naturally low growing varieties that do not require pruning to be kept low; street trees shall not be low branching or suckering trees that require regular pruning to maintain clear visibility; tree species with invasive roots shall be avoided in narrow planters; wide spreading shrubs shall be avoided in narrow planters; etc.
- C. Maintain clear view corridors at all street and driveway intersections per City requirements.

- D. Street trees to be planted at appropriate branch height and spacing so that they do not interfere with vehicles and/or pedestrians, as well as clear of street lights and other utilities. To the greatest extent possible the spacing of street trees and street lights shall be designed together to provide cohesive layout that maintains street tree and street light spacing without gaps in the rhythm of either.
- E. There shall be a variety of plant species selected to meet the functional requirements such as vines, screen shrubs, groundcover, low accents plants, etc., but they shall be designed in broad masses or rows with a simple palette to avoid a 'busy' or overly intense planting layout. Simple clean lines of planting are preferred over a botanical wonderland.
- F. Plant species shall be selected so that no more than 30% of the mature size of the plant needs to be removed in order to maintain the desired height and/or width.
- G. Plant species shall be selected that are appropriate for the climate (Sunset zone 8 and 14), are predominately low water use per WUCOLS 4, are non-invasive, do not freely sucker or have damaging roots, produce minimal seeds and/or pollen (allergens), do not harbor infesting insects, are safe (are not brittle and prone to breakage or wind damage), and are otherwise appropriate for public landscape.
- H. Non-living groundcover such as cobble, DG, ornamental aggregate, etc. may be used in conjunction with overall planting design to provide for aesthetically pleasing landscape while lessening the need for long-term maintenance and irrigation water.
- I. Irrigation systems shall be designed to provide appropriate irrigation without overspray and run-off and installed with durable products that require minimal regular maintenance. Irrigation shall comply with all City standards and code requirements.
- J. Where possible and where the landscape spaces are wide enough, it is encouraged to use the landscape to filter and retain some of the storm water run-off before entering the storm drain system (per the direction/discretion of the Public Works Director).

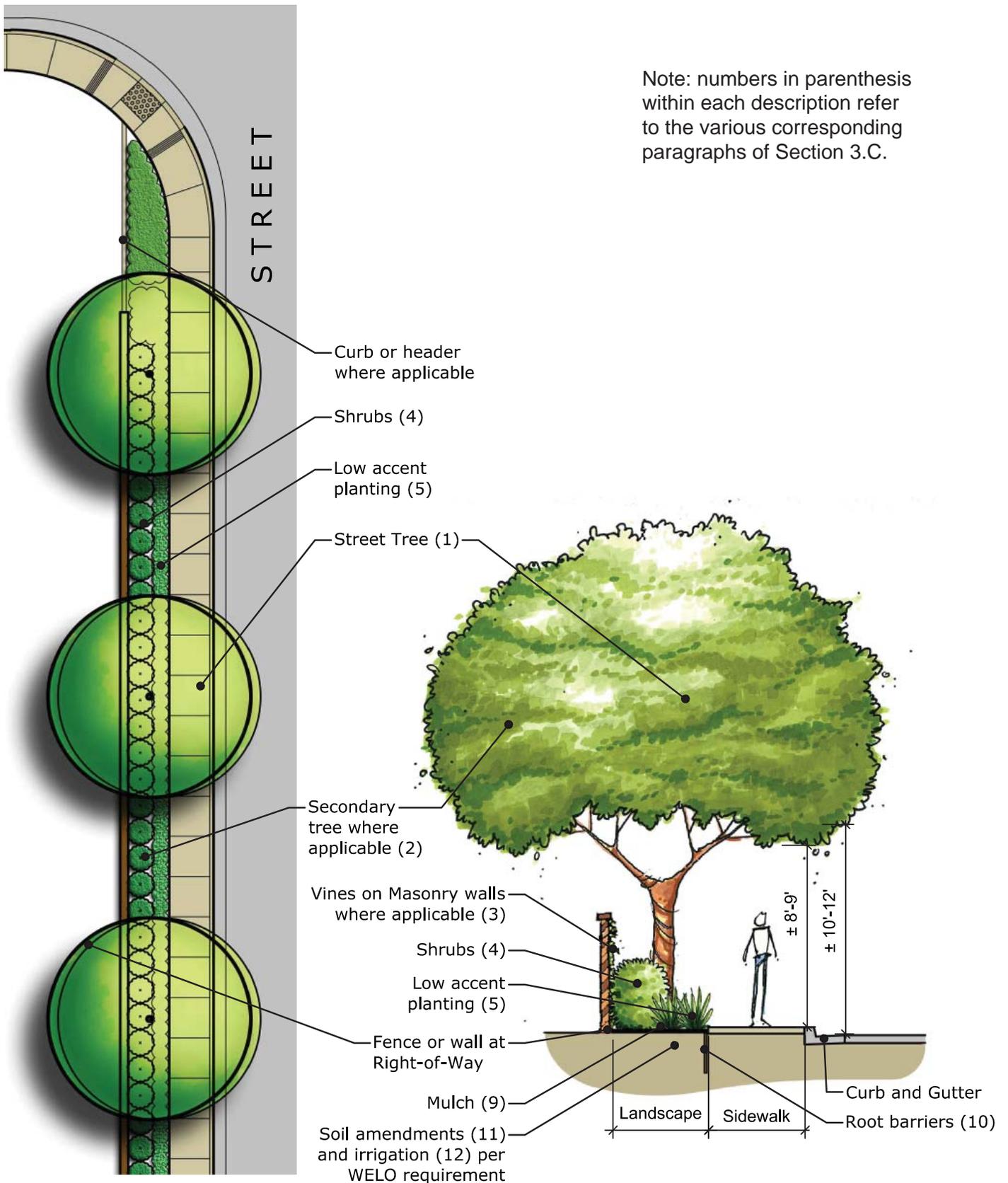
### **3 Typical Streetscape Conditions**

The following are examples of typical streetscape conditions throughout the City of Ripon and common for residential streetscape development. The widths of sidewalks and landscape areas is per the requirements of each street per the City of Ripon. These examples provide direction into how the landscapes within the various spaces are to be developed.

- A. Side Street landscape – This is the area between the curb at the edge of the street and the right-of-way line and/or sound wall or fence. There is typically a pedestrian sidewalk and potential bike path. Landscape consists of street trees (shade) and secondary buffer trees (if the width allows), as well as vines on the wall, shrubs, and groundcover.

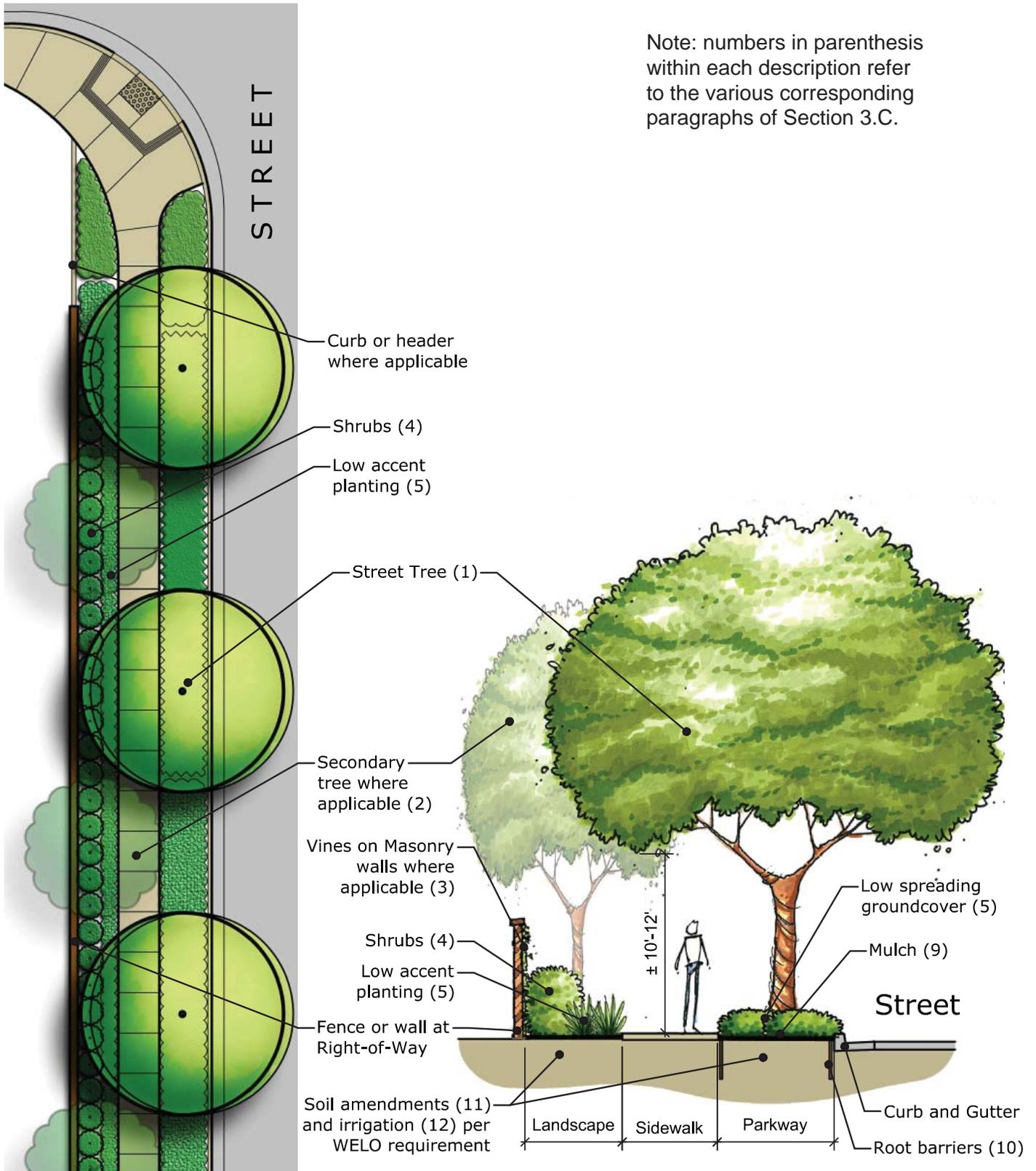
**A.1 Standard Side Street Landscape**

Note: numbers in parenthesis within each description refer to the various corresponding paragraphs of Section 3.C.

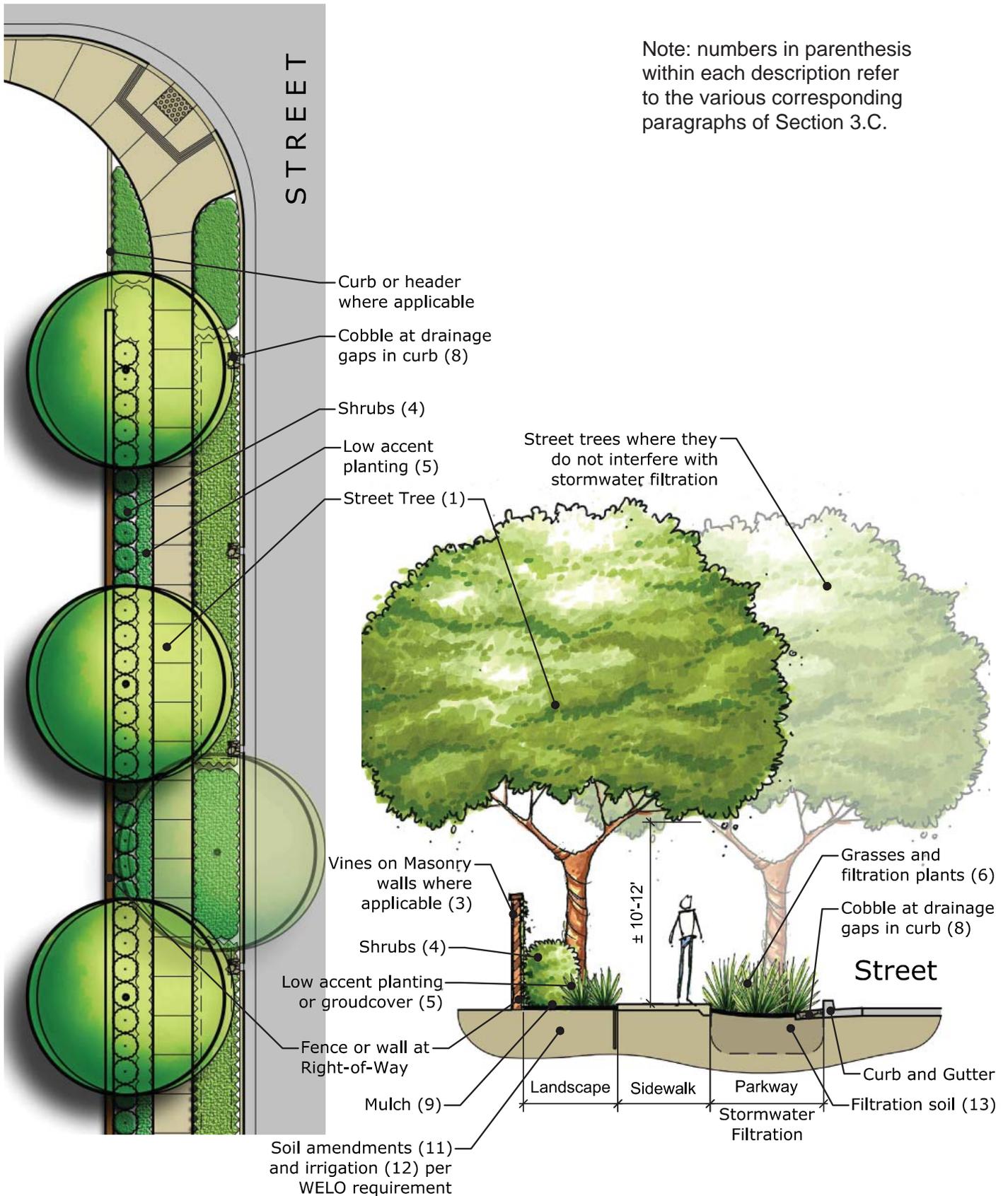


**A.2 Standard Side Street Landscape with Parkway**

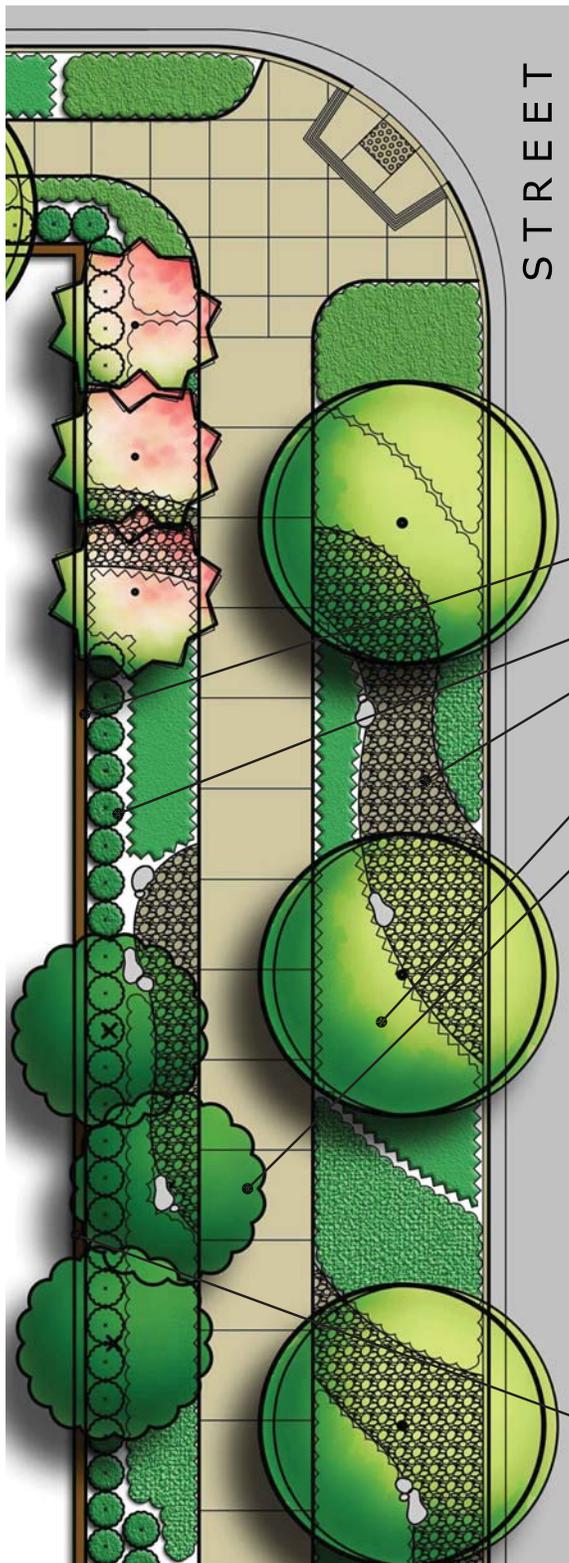
Note: numbers in parenthesis within each description refer to the various corresponding paragraphs of Section 3.C.



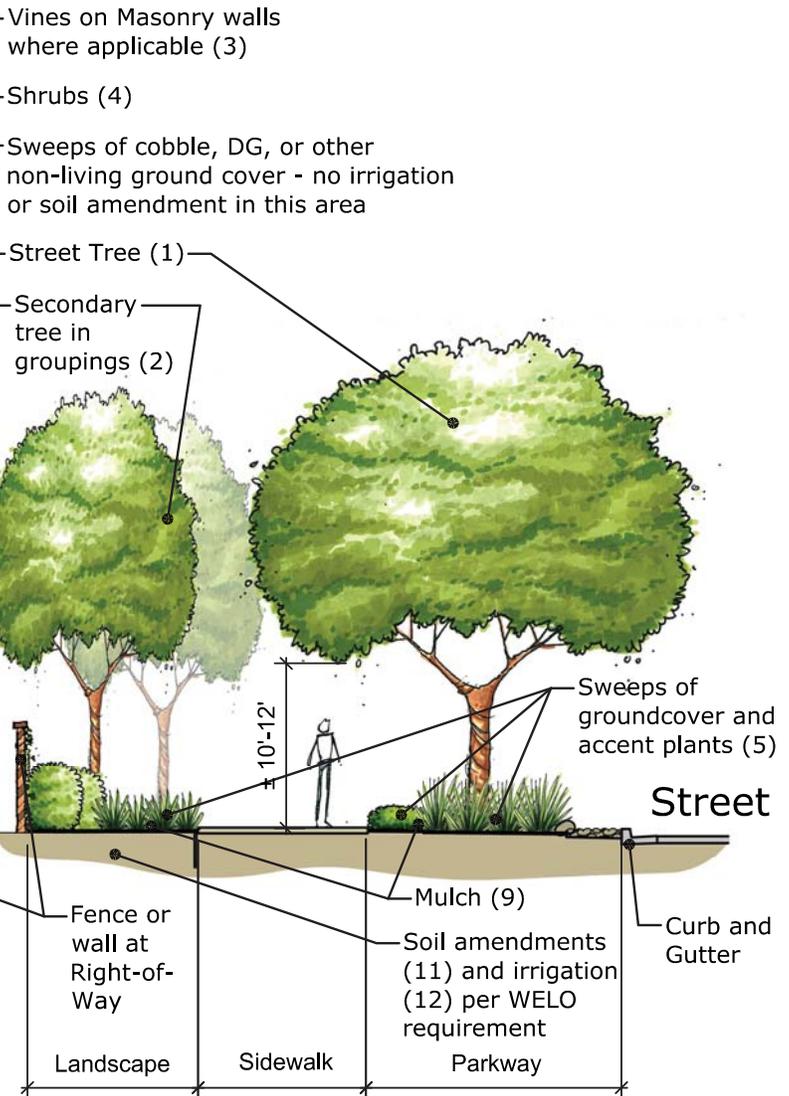
**A.3 Side Street Landscape with Storm Water Filtration**



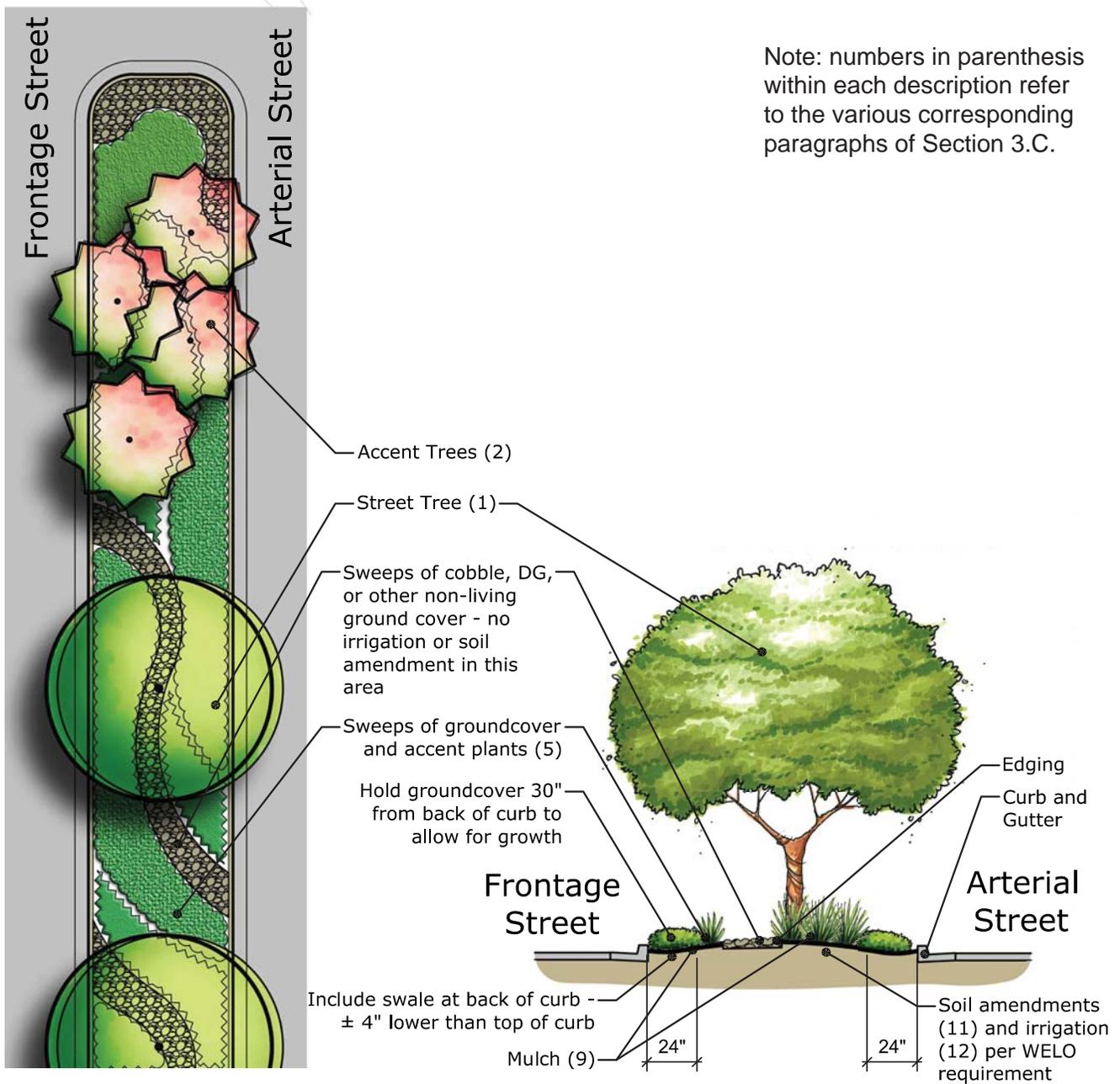
**A.4 Large Site Street Landscape with Optional Non-Living Groundcover**



Note: numbers in parenthesis within each description refer to the various corresponding paragraphs of Section 3.C.

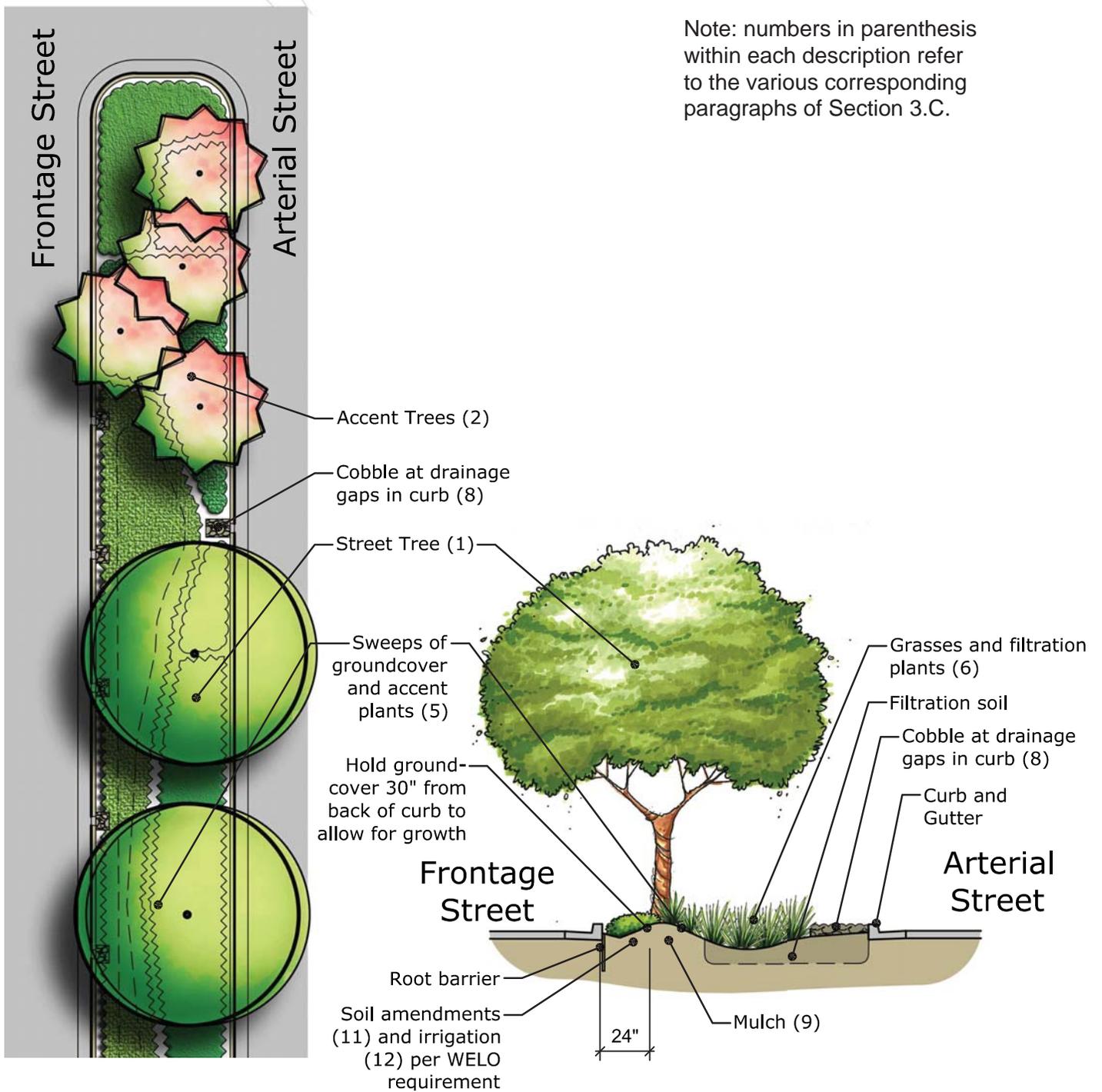


**A.5 Parkway Landscape between Arterial and Frontage Streets**



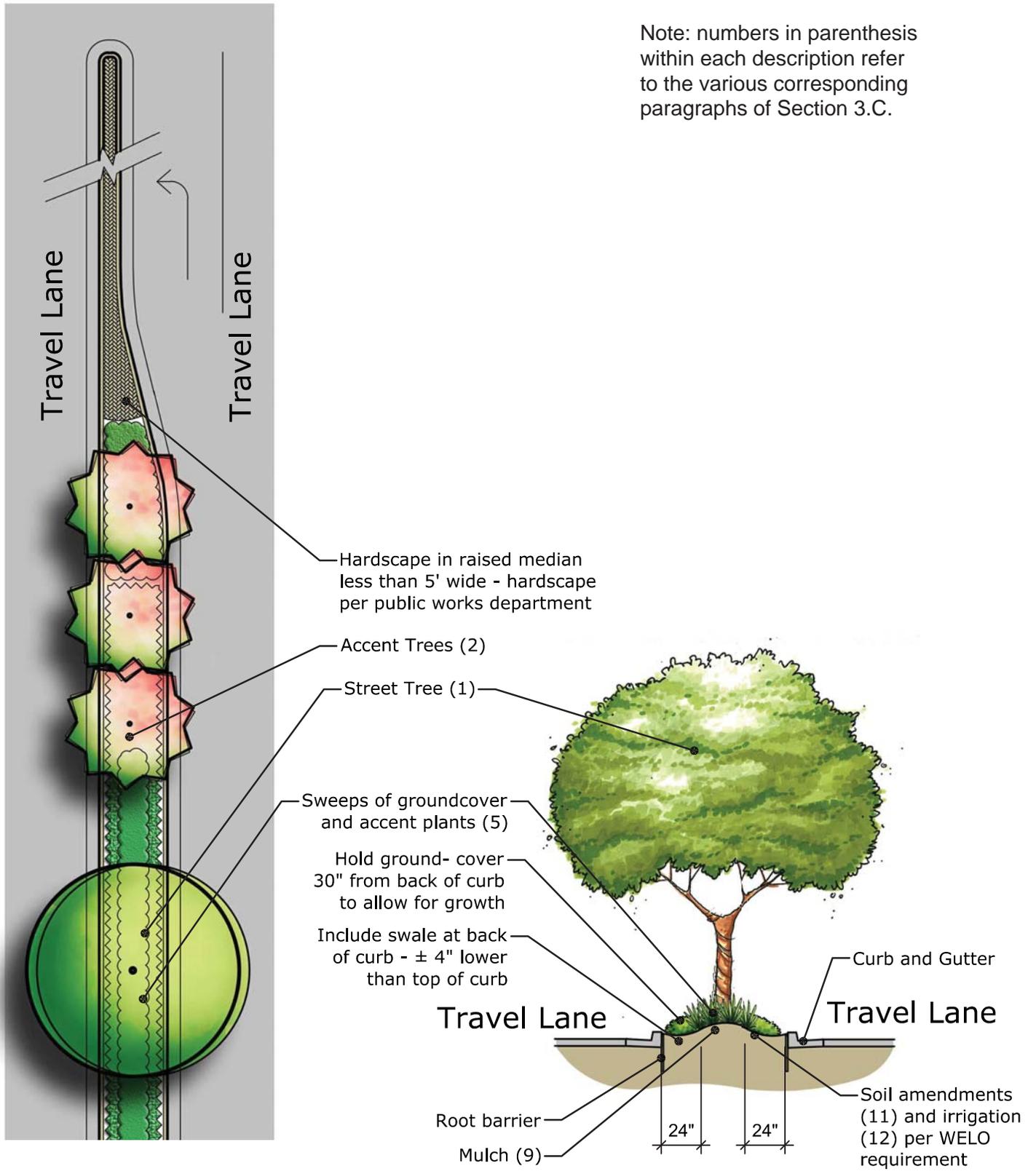
**A.6 Parkway Landscape between Streets with Storm Water Filtration**

Note: numbers in parenthesis within each description refer to the various corresponding paragraphs of Section 3.C.



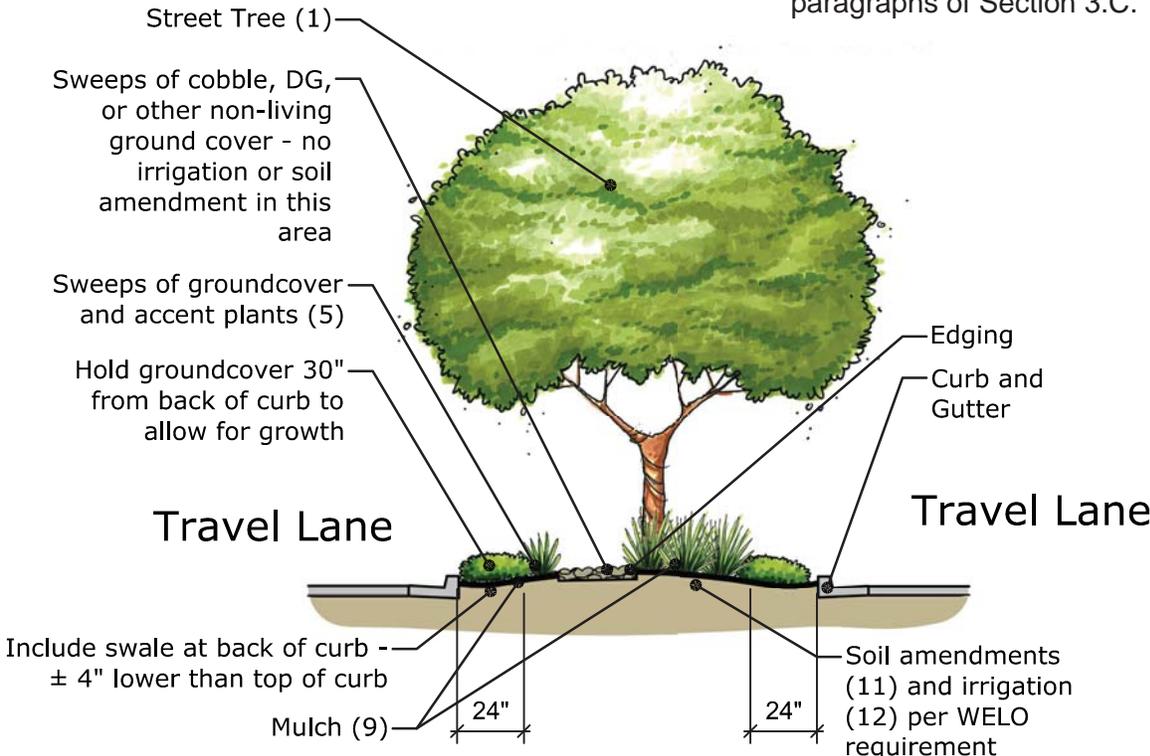
- B. Medians – This is the landscape in the center of the street that provides a buffer between traffic going in opposite direction. There is no pedestrian use within the medians and the landscape serves an aesthetic and safety purpose. Street shade trees should be centered in the median with low growing shrubs and groundcover that allow for clear views. Groundcover shall be maintained clear of the curbs so that it does not grow over the curbs or require maintenance to keep it from growing into the travel lanes. When medians narrow (5' or less) for turn pockets, etc., the landscape between the curbs should be replaced with hardscape such as colored and stamped concrete, bricks or pavers, wet-set cobble, or other durable non-planted material.

**B.1 Narrow Median**



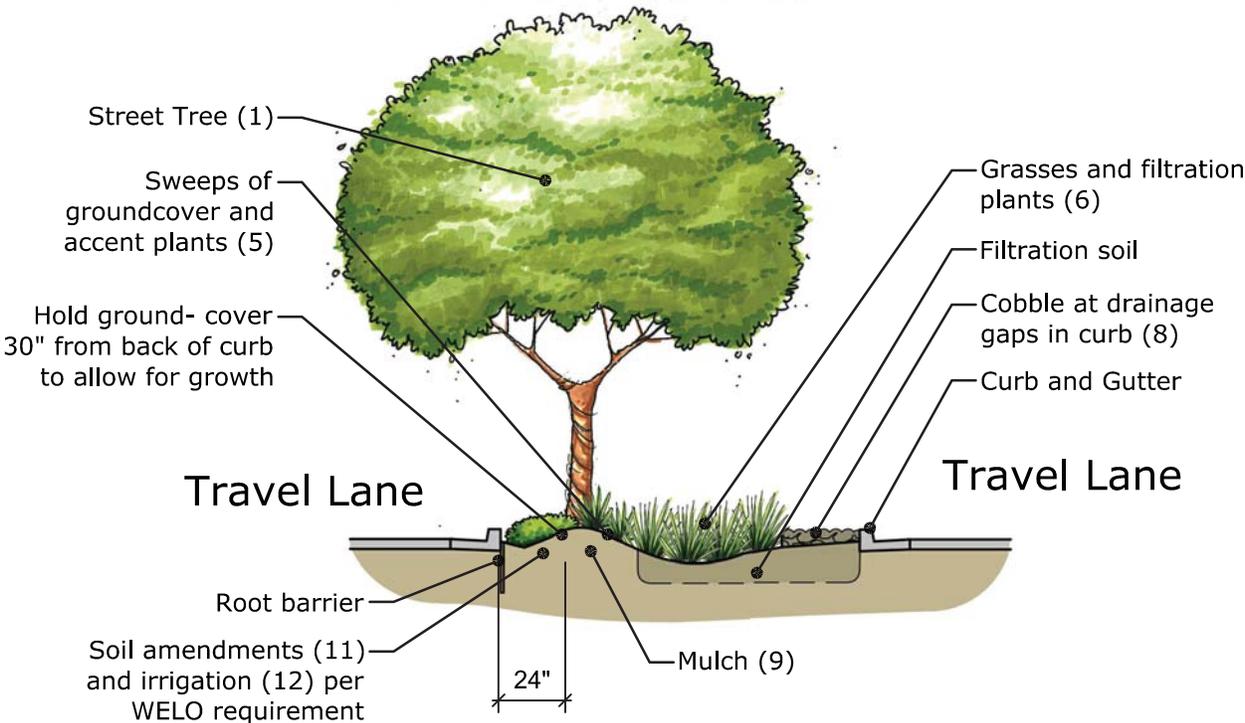
**B.2 Wide Median**

Note: numbers in parenthesis within each description refer to the various corresponding paragraphs of Section 3.C.



**B.3 Wide Median with Storm Water Filtration**

Note: numbers in parenthesis within each description refer to the various corresponding paragraphs of Section 3.C.



**C. Landscape Elements within the streetscape landscape:**

1. **Street Trees** – Standard trees that do not have low branches or invasive roots; are not overly messy (constant leaf drop); do not produce significant amounts of fruit, pollen, or harbor insects; can be deciduous or evergreen; provide shade; do not require substantial maintenance to maintain clear views through and remain clear of vehicle and pedestrian lanes; and provide a clean and simple aesthetic. Typically single species on both sides of the street for at least several blocks before potentially changing to another species. Spacing per City requirements – typically 30' – 40' on center with tree and street light spacing coordinated. See Appendix A for a list of trees suitable for this condition.
2. **Secondary and Accent Trees** – This category of trees is much more diverse than the street trees and is used to accent street corners and neighborhood entries, and provide buffering for residences adjacent to busy streets. Accent trees are smaller, upright trees that can be flowering to enhance/announce major street corners or neighborhood entries. Secondary or backdrop trees typically are located between the sidewalk and wall/fence and provide a buffer between the residences and the noise of the street. They are typically narrow, upright trees and are often evergreen (not required) and planted at a tighter spacing or in informal groups (20' – 25' on center). See Appendix A for a list of trees suitable for this condition.
3. **Vines** – Evergreen vines are to be planted on masonry sound walls (not wood fences) to discourage graffiti and provide greenery along the edge of the street.
4. **Shrubs** – Shrubs that are 3' – 6' tall and wide are to be used along the sound wall or fence to provide a buffer. The species shall be selected to maintain their size without growing into the sidewalk (more narrow than spreading). They are typically evergreen, low to medium water use, and low maintenance.
5. **Low Groundcover and Accent Plants** – These are the majority of the plants in the streetscape and are selected to adequately cover the ground while maintaining clear views through the landscape. They are to be naturally low growing, evergreen, low to medium water use, and low maintenance to maintain their size (height). Wide spreading groundcover is to be avoided in narrow planters especially when adjacent to sidewalks and streets. These plants are to be planted in large masses and/or sweeps with a variety of color and texture with flowering accent plants near the street corners.
6. **Filtration Planting** – These are plants that are appropriate for shallow storm water filtration and retention basins and are typically grasses and grass-like plants that are hardy to inundation.
7. **Non-Living Groundcover** – The use of non-living groundcover such as cobble, boulders, Decomposed Granite (DG), permeable pavers, synthetic lawn, ornamental aggregate, etc. is encouraged for larger landscape planters. The non-living groundcover is to be designed to be cohesive and complimentary with the planting design and to create an overall character and aesthetic. It is not to be used to completely replace plantings and should not exceed 40% of the total landscape area of the streetscape. Non-living groundcover is to be recessed into the soil and to be installed with edging approved by the Community Development and Public Works Directors. Depth to be sufficient to discourage weed growth. Where it is used, there is no need for irrigation or for soil amendments.

8. Cobble at storm drainage curb cuts – In areas where storm water is allowed to flow through gaps in the curb to enter storm water filtration areas, there shall be cobble placed at each opening to dissipate flow velocity and stop filtration planting from growing up to and potentially blocking the run-off from flowing through the gaps in the curbs. The cobble must be recessed into the grade so as not to interfere with the flow of run-off.
9. Mulch – Organic mulch is to be installed and maintained in all planted landscape areas (except potentially the filtration planting) to a minimum depth of 3”.
10. Root Barriers – Linear root barriers shall be installed directly adjacent to sidewalk and curbs wherever a tree is within 7’ of the curb or sidewalk. The linear root barriers shall be a minimum 18” deep with the top flush with the top of soil. They shall be minimum 10’ long centered on the tree.
11. Soil amendments – The planting soil shall be amended per the recommendations of a soil fertility test that is to be performed after mass grading and prior to any landscape planting or irrigation installation. The soil fertility test is to be conducted per the requirements of WELO and the amendments are to be installed per the recommendations of the report. The report is to be provided to the City prior to installation and the City Inspector shall be notified of the installation of the amendments.
12. Irrigation – All planted landscape areas are to be irrigated in compliance with WELO requirements and per City of Ripon standards and requirements. Most landscape is to be irrigated with low-flow bubblers or drip that has been reviewed and approved by the Public Works Director. Pop-Up spray is not allowed unless special conditions warrant and it has been approved by the City. Rotator and/or gear rotor irrigation may be appropriate if the landscape space is wide enough and plantings are low enough to not interfere with the spray pattern. Any spray heads used must be kept 24” clear of the edge of curbs and/or sidewalks. Non-living groundcover is not to be irrigated. All calculations, tables, and requirements of WELO is to be provided with the landscape plans to show compliance.
13. Filtration Soil – Soil within the storm water filtration and retention zones is to be installed per the civil engineer. Grades within the filtration zones and connections to the storm drain system shall meet codes and meet the requirements of the Public Works Director.

**Appendix A - Plant List**

The plants in this Appendix are an example of plant species that are approved and are selected to meet the goals of these guidelines. Plants are provided in groupings of characteristics and locations for appropriate use of each species. This list is not comprehensive; use of additional appropriate plants not on this list is encouraged and permitted with approval by the City. It is the responsibility of the applicant (or their landscape architect) to select correct species and cultivars appropriate for the intended use, location, sun/shade exposure, water use and other important considerations.

TREES					
SPECIES		USES			
BOTANICAL NAME	COMMON NAME	STREET TREES	SCREEN TREE	ACCENT TREE	GENERAL LANDSCAPE USES
Acer palmatum	Japanese Maple			x	x
Acer rubrum 'Sunset'	Sunset Red Maple	x		x	x
Arbutus 'Marina'	NCN		x	x	x
Carpinus betulus 'Fastigiata'	Pyramidal European Hornbeam	x			x
Celtis sinensis	Chinese Hackberry				x
Cercidium 'Desert Museum'	Palo Verde		x	x	x
Cercis occidentalis	Western Redbud			x	x
Chaemaerops humilis	Mediterranean Fan Palm			x	x
Cupressus sempervirens	Italian Cypress			x	x
Lagerstroemia fauriei	Crape Myrtle			x	x
Laurus nobilis 'Saratoga'	Saratoga Laurel	x	x		x
Liquidambar styraciflua 'Rotundiloba'	American Sweetgum	x	x		x
Magnolia grandiflora	Southern Magnolia	x	x		x
Magnolia soulangeana	Saucer Magnolia			x	x
Nyssa sylvatica	Tupelo	x		x	x
Olea europaea 'Swan Hill'	Fruitless Olive		x	x	x
Pinus canariensis	Canary Island Pine	x	x		x
Pinus pinea	Italian Stone Pine		x	x	x
Pistacia chinensis 'keith davey'	Chinese Pistache	x			x
Platanus acerifolia	London Plane tree	x			x
Podocarpus gracilior	Fern Pine		x	x	x
Prunus blireiana	Purple Leaf Plum			x	x
Quercus agrifolia	Coast Live Oak	x	x		x
Quercus coccinea	Scarlet Oak	x			x
Quercus ilex	Holly Oak		x		x
Quercus virginiana	Southern Live Oak	x	x		x
Rhus lancea	African sumac		x	x	x
Sequoia sempervirens	Coast Redwood	x			x
Sophora japonica 'Regent'	Japanese Pagoda Tree			x	x
Trachycarpus fortunei	Windmill Palm			x	x
Ulmus parvifolia 'True Green'	Chinese Evergreen Elm	x			x
Ulmus X frontier	Frontier Elm	x			x
Washingtonia filifera	California Fan Palm	x		x	x
Washingtonia robusta	Mexican Fan Palm			x	x
Zelkova serrata 'Village Green'	Village Green Zelkova	x	x		x

LARGE SHRUBS				
SPECIES		USES		
BOTANICAL NAME	COMMON NAME	EVERGREEN	FLOWERING	LOW WATER USE
<i>Berberis thunbergii atropurpurea</i>	Barberry			x
<i>Callistemon viminalis</i>	Bottlebrush	x	x	x
<i>Camellia sasanqua</i>	Camellia var. (TBD)	x	x	
<i>Ceanothus 'Julia Phelps'</i>	Wild Lilac	x	x	x
<i>Cotoneaster lacteus</i>	Cotoneaster	x	x	x
<i>Escallonia fradesii</i>	Escallonia	x	x	
<i>Feijoa sellowiana</i>	Pineapple Guava	x	x	x
<i>Juniperus species</i>	Juniper	x		x
<i>Leonotis leonurus</i>	Lion's Tail	x	x	x
<i>Leucophyllum frutescens</i>	Texas Ranger	x	x	x
<i>Loropetalum chinensis</i>	Chinese Fringe Flower	x	x	
<i>Nerium oleander</i>	Oleander	x	x	x
<i>Pittosporum tobira 'Variegata'</i>	Variegated Mock Orange	x	x	
<i>Photinia x fraseri</i>	Photinia	x		x
<i>Podocarpus macrophyllus</i>	Long-leaf Yellow-wood	x		
<i>Prunus caroliniana 'Bright 'N Tight'</i>	Compact Caroline Laurel Cherry	x		x
<i>Prunus ilicifolia ilicifolia</i>	Hollyleaf Cherry	x		x
<i>Prunus laurocerasus 'Otto Luyken'</i>	Otto Luyken English Laurel	x		
<i>Raphiolepis indica 'Jack Evans'</i>	Jack Evans Indian Hawthorn	x	x	
<i>Thuja occidentalis</i>	American Arborvitae	x		
<i>Xylosma congestum 'Compactum'</i>	Shiny Xylosma	x		x

MEDIUM SHRUBS				
SPECIES		USES		
BOTANICAL NAME	COMMON NAME	EVERGREEN	FLOWERING	LOW WATER USE
Abelia grandiflora	Glossy Abelia	x		
Agave Species	Century Plant	x		x
Arctostaphylos densiflora 'Howard McMinn'	Howard McMinn Manzanita	x	x	x
Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry		x	x
Buxus microphylla japonica	Japanese Boxwood	x		
Callistemon viminalis 'Little John'	Dwarf Bottlebrush	x	x	x
Cistus purpureus	Orchid Rockrose	x	x	x
Dietes vegeta	Fortnight Lily	x	x	x
Euphorbia species	Euphorbia	x	x	x
Gaura lindheimeri	Gaura	x	x	
Ilex crenata	Japanese Holly	x		
Juniperus species	Juniper	x		x
Lantana montevidensis	Lantana	x	x	
Lavandula	Lavender	x		
Ligustrum japonicum 'Texanum'	Texas Privet	x		
Mahonia aquifolium	Oregon Grape	x	x	x
Myrica californica	Pacific Wax Myrtle	x		x
Myrtus communis 'Compacta'	Dwarf Myrtle	x		x
Nandina domestica	Heavenly Bamboo	x		
Nerium oleander 'Petite Salmon'	Dwarf Oleander	x	x	x
Olea europaea 'Little Ollie'	Little Ollie Olive	x		x
Pittosporum tobira 'Wheeler's Dwarf'	Wheeler's Dwarf Mock Orange	x		
Plumbago auriculata	Cape Plumbago	x	x	
Raphiolepis indica 'Ballerina'	Ballerina Indiana Hawthorn	x	x	x
Rosa floribunda (etc.)	Rose	x	x	
Rosmarinus officinalis	Rosemary	x	x	x
Salvia greggii	Autumn Sage	x	x	x
Salvia species	Sage	x	x	x
Spiraea bumalda	Spiraea	x		
Zauschneria californica	California Fuchsia	x	x	x

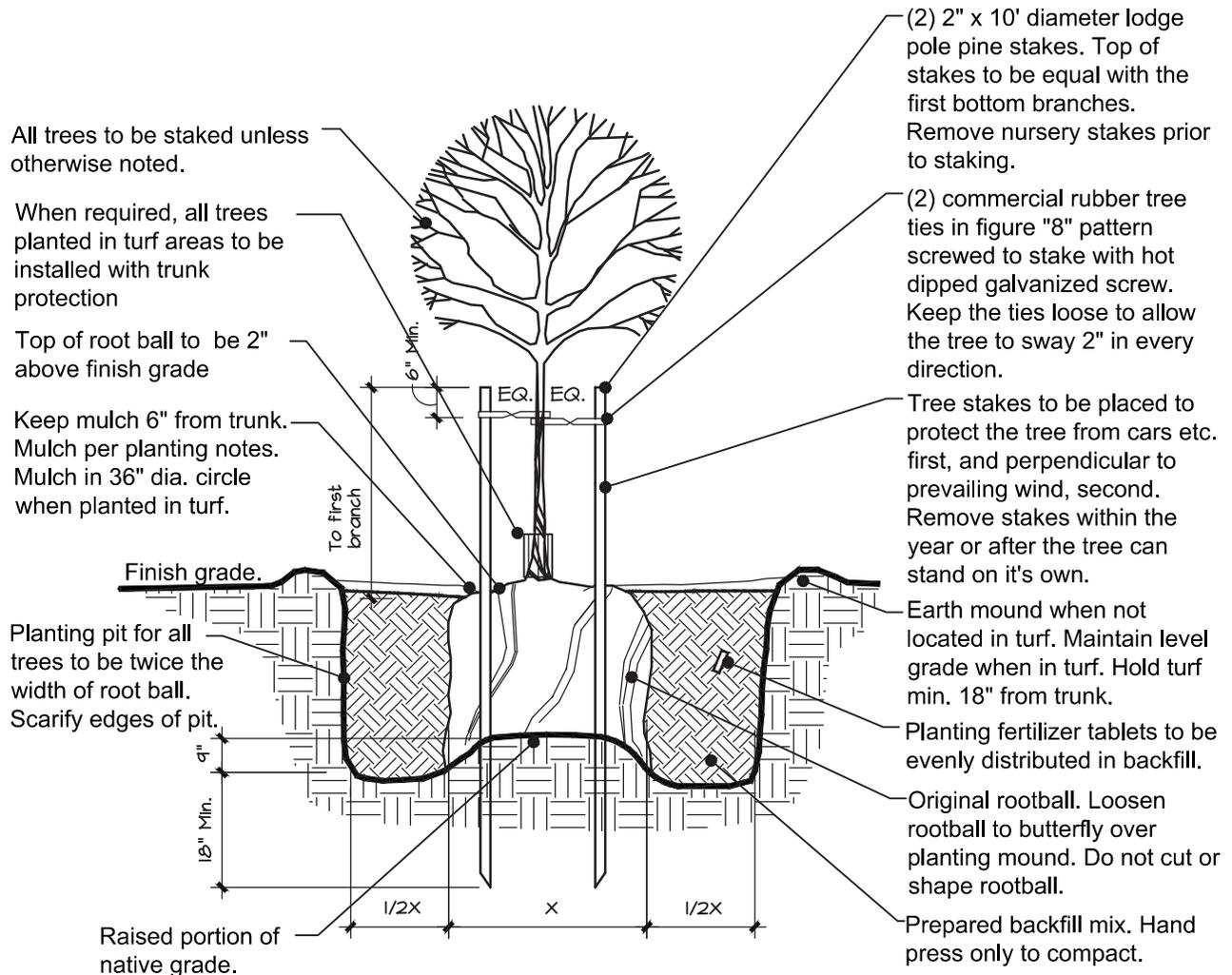
GROUNDCOVER				
SPECIES		USES		
BOTANICAL NAME	COMMON NAME	EVERGREEN	FLOWERING	LOW WATER USE
Acacia redolens	Acacia	X	X	X
Agapanthus africanus 'Queen Anne'	Lily-of-the-Nile	X	X	X
Ajuga reptans	Carpet bugle	X		
Arctostaphylos uva-ursi	Bearberry/ Trailing Manzanita	X		X
Armeria maritima	Sea Thrift	X	X	
Ceanothus species	Wild Lilac/Carmel Creeper	X	X	X
Coprosma pumila 'Verde Vista'	Mirror Plant	X		X
Cotoneaster 'Lowfast'	Bearberry	X	X	X
Delosperma cooperi	Ice Plant	X	X	
Dymondia margaretae	Dymondia	X	X	
Festuca ovina 'Glauca'	Blue Fescue	X		X
Fragaria chiloensis	Beach Strawberry	X	X	
Hermerocallis species	Daylily	X	X	X
Juniperus horizontalis	Juniper	X		X
Mahonia repens	Oregon Grape	X	X	X
Myoporum parvifolium	Myoporum	X		
Rosmarinus officinalis	Rosemary	X	X	X
Rosmarinus o. 'Huntington Carpet'	Huntington Carpet Rosemary	X	X	X
Scaevola 'Mauve Clusters'	Scaevola	X	X	
Sedum species	Stonecrop	X		X
Stachys byzantina	Lamb's Ear	X		
Teucrium lucidrys 'Prostrata'	Germander	X	X	X
Thymus species	Thyme	X	X	X
Trachelospermum asiaticum	Asian Jasmine	X		
Trachelospermum jasminoides	Star Jasmine	X	X	
Vinca minor	Dwarf Periwinkle	X	X	

GRASSES OR GRASS-LIKE				
SPECIES		USES		
BOTANICAL NAME	COMMON NAME	EVERGREEN	FLOWERING	LOW WATER USE
Agapanthus africanus	Lily-of-the-Nile	X	X	X
Calamagrostis a. 'Karl Foerster'	Feather Reed Grass	X		
Carex species	Sedge	X		
Cordyline australis	Cordyline	X		
Dietes vegeta	Fortnight Lily	X	X	X
Festuca species	Fescue	X		
Helictotrichon sempervirens	Blue Oat Grass	X		X
Hemerocallis Evergreen var.	Evergreen Daylily	X	X	X
Iris germanica	Bearded Iris	X	X	X
Liriope gigantea	Giant Lilyturf	X	X	
Miscanthus sinensis	Maidenhair Grass			
Muhlenbergia species	Deer Grass/Muhly	X		
Nassella Tenuissima	Mexican Feather Grass	X		
Pennisetum species	Fountain Grass			
Phormium species	New Zealand Flax	X		
Tulbaghia violacea	Society Garlic	X	X	X
Yucca species	Yucca	X		X

VINES				
SPECIES		USES		
BOTANICAL NAME	COMMON NAME	EVERGREEN	FLOWERING	LOW WATER USE
Clematis species	Clematis		X	
Clytostoma callistegioides	Violet Trumpet Vine	X	X	
Distictis buccinatoria	Blood-Red Trumpet Vine	X	X	X
Ficus pumila	Creeping Fig	X		
Hardenbergia violacea	Lilac Vine	X	X	
Jasminum species	Jasmine	X	X	
Macfadyena unguis-cati	Cat's Claw	X	X	X
Parthenocissus tricuspidata	Boston Ivy			
Trachelospermum jasminoides	Star Jasmine	X	X	
Wisteria chinensis	Wisteria		X	

**Appendix A (cont.) - Tree Planting Detail**

Trees shall be planted adhering to these guidelines and in accordance with the detail below.



**Tree Planting and Staking**

Not to Scale



# MEMO

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**TO:** CITY COUNCIL

**FROM:** TED JOHNSTON

**SUBJECT:** WATER CONSERVATION PROGRAM UPDATE

**DATE:** JUNE 7, 2016

**8. DISCUSSION ITEMS**

**NOTES:**

**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.

## RESOLUTION NO. 16-\_\_

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF RIPON ORDERING MANDATORY  
WATER CONSERVATION MEASURES

WHEREAS, the State of California is experiencing serious drought conditions; and

WHEREAS, Section 13.04.310 of the Ripon Municipal Code prohibits excess use and wasting of water; and

WHEREAS, on January 17, 2014 the Honorable Governor Jerry Brown proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

WHEREAS, on May 9 2015, the Governor issued Executive Order B-37-16 requiring continuous state wide water conservation measures through the end of January 2017; and

WHEREAS, on February 17, 2016 the City of Ripon passed Resolution No. 16-16 that instituted certain mandatory water conservation measures; and

NOW, THEREFORE, BE IT RESOLVED that the City of Ripon does hereby repeal Resolution No. 16-16 and institute the following mandatory water conservation measures which will remain in effect until such time as the aforementioned mandatory water conservation measures are lifted and the City Council adopts a resolution repealing this Resolution:

- Outdoor water use prohibited from 10 am to 6 pm;<sup>1</sup>
- During the months of November through February, all properties within the City of Ripon with an even address are only allowed to water landscaping on Saturday;<sup>1</sup>
- During the months of November through February, all properties within the City of Ripon with an odd address are only allowed to water landscaping on Sunday;<sup>1</sup>
- During the months of March through October, all properties within the City of Ripon with an even address are only allowed to water landscaping on Tuesday, Thursday, and Saturday;<sup>1</sup>
- During the months of March through October, all properties within the City of Ripon with an odd address are only allowed to water landscaping on Wednesday, Friday, and Sunday;<sup>1</sup>

- The use of water for washing vehicles, boats, recreational vehicles, or cleaning of building exteriors is only allowed with the use of an automated shut-off nozzle on the hose;
- No use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculation system;
- No irrigation of ornamental landscapes during and 48 hours following measurable rain fall;
- It is prohibited to use water to wash driveways, sidewalks, patios, parking lots, aprons and other exterior surfaces except for sanitation, public health and safety and fire protection purposes;
- No application of water to outdoor landscaping in a manner that causes excessive runoff; excessive water use is defined as “water that leaves the property of origin in a continuous flow of any dimension for 150 feet from the property, or for more than five minutes in duration.”
- All water leaks, breaks, malfunctions within a water users plumbing, distribution or irrigation system shall be repaired within 24 hours from the time it is discovered;
- Restaurants and food service establishments prohibited from serving water except upon request;
- The irrigation with potable water of landscapes outside of newly constructed homes and buildings shall be in a manner consistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development;

IT IS FURTHER RESOLVED that when the City of Ripon becomes aware of a violation of this resolution, a written notice shall be delivered to the property by first class mail. Upon repeated violations, a penalty will be assessed, as set forth in the Ripon Municipal Code Section 13.04.580, except that each violation shall result in penalties as set forth below:

- First violation within one year period \$50
- Second violation within a one year period \$100
- Third violation within a one year period \$200
- Any additional violation within a one year period \$400

**1** Exceptions may be granted in writing by the Public Works Director for the purposes of establishing newly installed landscape areas or properties that require additional watering days due to the size of the area to be irrigated (e.g., schools, parks, etc.).

PASSED AND ADOPTED at a Special Meeting of the City Council of the City of Ripon this  
14<sup>th</sup> day of June, 2016 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINING:

THE CITY OF RIPON  
A Municipal Corporation

By \_\_\_\_\_  
JACOB PARKS, Mayor

ATTEST:

By \_\_\_\_\_  
LISA ROOS, City Clerk



# MEMO

**To:** Honorable City Council  
**From:** Lisa Roos  
**Date:** June 7, 2016  
**Subject:** Direction for policy on annual utility billing policy

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## **BACKGROUND:**

Staff received the attached request from Councilmembers Zuber to consider a change to our annual utility billing policy.

Currently, the City sends monthly bills to customers that have a balance due of more than \$1.00. Therefore, if a customer has overpaid on their account and has a credit balance, they will not receive a bill.

## **FISCAL IMPACT:**

If the City would opt to send out bills to all customers regardless of their balance due, the annual fiscal impact of this change would be approximately \$3,000 from the Water Fund.

**Request From:**

Leo Zuber

**Request Date:**

6/7/2016

**Requested Meeting Date:**

6/14/16

**Deadlines Associated with this Agenda Item:****Description of Agenda Item:**

Since 1990, the City's municipal code has provided residential utility customers a discount of 5 percent for customers that pay their utility bill annually. The annual bills are sent out to those interested in January of each year and include the cost of garbage, sewer, and water services. This last year, 460 residential customers took advantage of this program.

The change in the water billing structure has complicated the annual utility bill process. The portion of the bill devoted to water is no longer a fixed amount. Part of the water bill changes each month, depending on how much water a customer uses. Currently, customers who opted for the annual payment process are billed the base charge amount in their annual bill. The usage amount is billed to the customer each month. Customers that have a monthly charge less than a dollar are not billed. Customers with larger usage bills can make a deposit to the city and the usage amount is deducted from that deposit. A monthly bill is not sent to these customers.

This process for annual payment results in many customers not receiving any notice about how much water is used each month. In light of city efforts to reduce water usage and make customers more aware of how much water their current practices use, this payment policy needs to be reviewed.

**Recommended Council Action:**

Requesting a discussion of the annual utility billing process and consider policy changes that encourages customers to monitor their actual water use.

# Successor Agency

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# Ripon Redevelopment Successor Agency Minutes

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TUESDAY, JUNE 14, 2016

AFTER COUNCIL MEETING

**ROLL CALL:** Directors Leo Zuber, Mark Winchell, Michael Restuccia, Vice Chairman Dean Uecker, Chairman Jacob Parks.

**OTHERS PRESENT:** Executive Director Kevin Werner, City Attorney Tom Terpstra, Secretary Ken Zuidervaart, City Clerk Lisa Roos, Deputy City Clerk Tricia Raymond, Information Systems Technician Dan Brannon, Director of Public Works Ted Johnston, Police Chief Ed Ormonde, Recreation Director Kye Stevens.

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

**APPROVE OF MINUTES: MOTION:** MOVED/SECONDED (UECKER,WINCHELL) AND CARRIED BY A 5-0 VOTE TO APPROVE THE MINUTES OF THE SUCCESSOR AGENCY MEETING ON MAY 10, 2016.

**CONSENT CALENDAR**

**NOTES:**

**1. Bills**

A. Urban Futures, Inc.

Service fees –

Tax Allocation Refunding Bonds Issue 2007      \$2,150.00

Tax Allocation Bonds, Issue of 2005              \$1,950.00

Tax Allocation Bonds, Issue of 2003              \$0

TOTAL    **\$4,100.00**

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

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

There being no further business, the meeting was adjourned at 8:58 p.m.

(Signed) Jacob Parks  
Chairman

(Signed) Ken Zuidervaart  
Secretary

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# Ripon Redevelopment Successor Agency Agenda

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TUESDAY, JUNE 14, 2016

**AFTER COUNCIL MEETING**

**ROLL CALL:** Directors Leo Zuber, Mark Winchell, Michael Restuccia, Vice Chairman Dean Uecker, Chairman Jacob Parks.

**OTHERS PRESENT:** Executive Director Kevin Werner, City Attorney Tom Terpstra, Secretary Ken Zuidervaart, City Clerk Lisa Roos, Deputy City Clerk Tricia Raymond, Information Systems Technician Dan Brannon, Director of Public Works Ted Johnston, Police Chief Ed Ormonde, Recreation Director Kye Stevens.

**PUBLIC DISCUSSION:** Upon being recognized, come forward to the podium, and state your name and address before proceeding into your subject matter. While the Successor Agency cannot always answer citizens concerns raised during the public comment time, the City staff will be instructed, where appropriate, to either provide a response in the days following each Agency meeting, or to place the issue on a subsequent meeting agenda for the Successor Agency. State law prohibits the Agency from taking action on any item not on the agenda.

**APPROVE OF MINUTES:** Approval of the minutes of the Successor Agency Meeting of May 10, 2016.

**CONSENT CALENDAR**

**NOTES:**

**1. Bills**

A. Urban Futures, Inc.

Service fees –

Tax Allocation Refunding Bonds Issue 2007      \$2,150.00

Tax Allocation Bonds, Issue of 2005              \$1,950.00

Tax Allocation Bonds, Issue of 2003              \$0

TOTAL

**\$4,100.00**

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

Adjournment:

Time:

Respectfully submitted,

Ken Zuidervaart  
Secretary

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# Ripon Redevelopment Successor Agency Minutes

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TUESDAY, MAY 10, 2016

**AFTER COUNCIL MEETING**

**ROLL CALL:** Directors Leo Zuber, Mark Winchell, Michael Restuccia, Vice Chairman Dean Uecker, Chairman Jacob Parks.

**OTHERS PRESENT:** Executive Director Kevin Werner, City Attorney Tom Terpstra, Secretary Ken Zuidervaart, City Clerk Lisa Roos, Deputy City Clerk Tricia Raymond, Information Systems Technician Dan Brannon, Director of Public Works Ted Johnston, Police Chief Ed Ormonde, Recreation Director Kye Stevens.

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

**APPROVE OF MINUTES: MOTION:** MOVED/SECONDED (ZUBER,WINCHELL) AND CARRIED BY A 5-0 TO APPROVE THE MINUTES OF THE SUCCESSOR AGENCY MEETING ON MARCH 8, 2016.

**CONSENT CALENDAR**

**NOTES:**

**1. Bills**

A. US BANK		
Ripon Redevelopment Agency		
Ripon Community Redevelopment Project Tax Allocation Bonds		
Issue 2003 – Debt Service	\$111,153.17	
Issue 2005 – Debt Service	\$108,967.67	
Issue 2007 – Debt Service	\$362,498.96	
	TOTAL	\$582,619.80

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

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

There being no further business, the meeting was adjourned at 8:18 p.m.

(Signed) Jacob Parks  
Chairman

(Signed) Ken Zuidervaart  
Secretary

**CONSENT CALENDAR**  
**Bills, Invoices, Payments**

# UFI URBAN FUTURES | Incorporated

Lisa Roos  
 Finance Director  
 City of Ripon  
 Attn: Successor Agency  
 259 North Wilma Avenue  
 Ripon, CA 95366

## Invoice

**Invoice Number:** CD-2016-91

**Invoice Date:** 05/16/2016

Dear Ms. Roos:

Pursuant to our agreement to provide Continuing Disclosure/Dissemination Agent Services for the below referenced financing(s), the following professional fees for services rendered during the 2014-15 fiscal year is now due and payable to Urban Futures, Inc.

UFI ID #	Bond Par Amount	Bond Issue	Professional Fee
200735	\$ 20,395,000	Tax Allocation Refunding Bonds Issue 2007	\$2,150.00
200523	\$ 5,660,000	Tax Allocation Bonds, Issue of 2005	\$1,950.00
200319	\$ 6,320,000	Tax Allocation Bonds, Issue of 2003	\$0.00
<b>Total Due:</b>			<b>\$4,100.00</b>

For questions regarding this invoice, please contact Valerie Elliott, Accounting Manager, at (714) 283-9334 or via email at [valeriee@urbanfuturesinc.com](mailto:valeriee@urbanfuturesinc.com).

### Please remit payment to:

Urban Futures, Inc.  
 3111 N. Tustin Avenue, Suite 230  
 Orange, CA 92865  
 Attn: Valerie Elliott, Accounting Manager

Sincerely,

URBAN FUTURES, INC.



James Lee, Principal  
 cc: Russell Sager, Analyst

OK - LWZ  
 5-24-16