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# Ripon City Council Meeting Notice & Agenda

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CITY HALL, 259 NORTH WILMA, RIPON, CALIFORNIA

TUESDAY, NOVEMBER 13, 2018 – 6:00 PM

## 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 Tuesday 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 three 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 City Hall, 259 N. Wilma Avenue by 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 website to register – [www.cityofripon.org](http://www.cityofripon.org) and click on and fill out the “Receive City Notices” form. 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 website.

### 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             |

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# Ripon City Council Agenda

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TUESDAY, NOVEMBER 13, 2018

REGULAR MEETING

6:00 PM

**CLOSED SESSION AT 5:00 P.M.**

**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.

**IN THE MATTER OF:**

(1) Conference with Legal Counsel - Pending Litigation

Significant exposure to litigation pursuant to Section 54956.9 (d)(1) of the California Government Code - 1 case

(a) City of Ripon v. Henry Vanden Bosch, et al. - San Joaquin County Superior Court case #STK-CV-URP-2018-0001009.

(2) Real Property Negotiations pursuant to Section 54956.8 of the California Government Code.

(a) APN: 259-06-072

(3) Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) – 1 case

**PLEDGE OF ALLEGIANCE:**

**INVOCATION:**

**ROLL CALL:**

Council Members Dean Uecker, Daniel de Graaf, Jake Parks, Vice Mayor Leo Zuber, Mayor Michael Restuccia.

**OTHERS PRESENT:**

City Administrator Kevin Werner, City Attorney Tom Terpstra, Planning Director Ken Zuidervaart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Police Chief Ed Ormonde, City Clerk Lisa Roos, Deputy City Clerk Tricia Raymond, Information Systems Technician Dan Brannon, (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:**

- 1. CITY COUNCIL - REGULAR MEETING - OCT 9, 2018 6:00 PM

**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 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.

**1. CONSENT CALENDAR**

**1.1. Income**

A. STATE OF CALIFORNIA

Sales Tax \$287,657.70  
(October 2017 \$195,500)  
FY 2018-19 YTD: \$993,764  
FY 2017-18 YTD: \$986,876

Highway Users Tax \$24,116.80  
(October 2017 \$30,142.76)  
FY 2018-19 YTD: \$117,012  
FY 2017-18 YTD: \$106,786

SB1 Street & Road Tax \$24,494.98  
FY 2018-19 YTD: \$81,609

**TOTAL \$336,269.48**

B. T-MOBILE

Monthly Acacia Avenue Cell Tower Lease Payment –  
October 2018 \$955.02

C. CCATT HOLDINGS

Monthly Acacia Avenue Cell Tower Lease Payment -  
November 2018 \$1,065.27

D. BERTOLOTTI DISPOSAL, INC.

Quarterly Franchise Fee Payment – September 2018 \$1,629.29

E. WASTE MANAGEMENT

Monthly Franchise Fee Payment - September 2018 \$1,799.85

|  |  |                   |
|--|--|-------------------|
| F. GILTON SOLID WASTE MANAGEMENT, INC.           |  |                   |
| Quarterly Franchise Fee Payment – September 2018 |  | <b>\$7,782.05</b> |

**1.2. Bills, Invoices, Payments**

|  |  |                   |
|--|--|-------------------|
| A. MUNICIPAL FINANCIAL SERVICES            |  |                   |
| Water, Sewer and Garbage Rate Study Update |  |                   |
| Progress Payment – Invoice #201704-01(a)   |  | <b>\$2,730.00</b> |

|                                      |                   |                         |
|--------------------------------------|-------------------|-------------------------|
| B. PROVOST & PRITCHARD               |                   |                         |
| Stockton Ave. Rehabilitation Project |                   |                         |
| Community Impact Assessment and      |                   |                         |
| Initial Site Assessment              |                   |                         |
| Progress Payment – Invoice #69718    | \$2,448.75        |                         |
| Progress Payment – Invoice #70093    | <u>\$4,177.44</u> |                         |
|                                      |                   | <b>TOTAL \$6,626.19</b> |

|  |  |                   |
|--|--|-------------------|
| C. TAYLOR BACKHOE SERVICE, INC.          |  |                   |
| Handicap Ramp Improvements               |  |                   |
| 2018 & Senior Center Parking Lot Project |  |                   |
| Progress Payment – Invoice #5            |  | <b>\$3,263.25</b> |

|                                    |  |                   |
|------------------------------------|--|-------------------|
| D. WOOD RODGERS, INC.              |  |                   |
| Well 19 Plan, Specs & Bid Support  |  |                   |
| Progress Payment – Invoice #121463 |  | <b>\$8,247.92</b> |

|                                   |  |                   |
|-----------------------------------|--|-------------------|
| E. WGR SOUTHWEST, INC.            |  |                   |
| City Stormwater Permit Assistance |  |                   |
| Progress Payment – Invoice #21179 |  | <b>\$4,370.00</b> |

|                                   |  |                   |
|-----------------------------------|--|-------------------|
| F. PRICE PAIGE & COMPANY          |  |                   |
| Audit Services                    |  |                   |
| Progress Payment – Invoice #14099 |  | <b>\$4,790.00</b> |

|  |                   |                         |
|--|-------------------|-------------------------|
| G. SAN JOAQUIN REGIONAL TRANSIT DISTRICT |                   |                         |
| Blossom Express Driver                   |                   |                         |
| July Invoice #AR111398                   | \$1,358.04        |                         |
| August Invoice #AR111399                 | \$1,305.26        |                         |
| September Invoice #AR111444              | <u>\$1,126.23</u> |                         |
|  |                   | <b>TOTAL \$3,789.53</b> |

|                            |                   |                          |
|----------------------------|-------------------|--------------------------|
| H. TERPSTRA HENDERSON      |                   |                          |
| General Matters            | \$8,975.25        |                          |
| Police Matters             | \$2,064.15        |                          |
| Receivership               | \$904.00          |                          |
| Diamond Pet Food Expansion | <u>\$1,487.50</u> |                          |
|                            |                   | <b>TOTAL \$13,430.90</b> |

**1.3. Resolutions**

A. RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
APPROVING THE GENERAL FUND  
TRANSFERS BASED ON THE  
FISCAL YEAR 2017-2018 SURPLUS

This resolution approves the General  
Fund transfers of the Fiscal Year 2017-  
2018 surplus of \$1,311,930.

**1.4. Miscellaneous Items**

A. PARKVIEW ELEMENTARY SAFE ROUTE TO SCHOOL PROJECT

T & S West

Approve Change Order No.1 for the  
installation of pedestrian crossing  
flashing beacons on Fulton Avenue  
(Cost not to exceed \$33,700).

B. QUARTERLY INVESTMENT POLICY REVIEW

July 1, 2018 - September 30, 2018

Accept the City's quarterly investment  
report for the period ending September  
30, 2018.

C. HANDICAP RAMP IMPROVEMENTS 2018 & SENIOR CENTER PARKING  
LOT

Taylor Backhoe Service, Inc.

Accept the work completed by Taylor  
Backhoe Service, Inc. and authorize the  
filing of a Notice of Completion with  
retention (\$14,095.43) to be paid 35  
days after recording of notice.

D. SAN JOAQUIN COUNTY COMMISSION ON AGING

Phil Lang Appointment

Appoint Phil Lang to the San Joaquin  
County Commission on Aging.

E. GENERAL SERVICES AGREEMENT

De Novo Planning Group

Approve and authorize the Mayor to  
sign the agreement with De Novo  
Planning Group to prepare a Farmland  
Mitigation Program (Cost not to exceed  
\$18,710.00).

F. OPPOSITION LETTER

FCC Further Notice of Proposed Rulemaking

Approve sending the Federal Communications Commission a letter opposing the recent Further Notice of Proposed Rulemaking, which proposes to (1) allow cable companies to deduct the fair market value for a wide range of public benefits from their franchise fee obligations and (2) prohibit local government from regulating the facilities and equipment used by cable operators in the provision of non-cable services (such as wireless communications).

G. PROCLAMATION

Women's Center  
Alicia Keener

Proclaim November as National Homeless Youth Awareness Month.

H. PROCLAMATION

Healings in Motion

Proclaim November as National Caregiver Appreciation Month.

**\*\*END OF CONSENT CALENDAR\*\***

**PRESENTATION OF PROCLAMATIONS**

**2. ORDINANCES**

*First Reading and Introduction*

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON ADDING CHAPTER 5.54 "MOBILE VENDORS" TO THE RIPON MUNICIPAL CODE

This ordinance adds Chapter 5.54 to Title 5, Business Taxes, Licenses and Regulations entitled "Mobile Vendors" to the Ripon Municipal Code pertaining to Mobile Vendors within the City of Ripon.

**3. DISCUSSION ITEMS**

A. WATER, SEWER, GARBAGE ENTERPRISE FUNDS YEAR 4 UPDATE

*Discussion/Action*

Staff is recommending the City Council reduce the February 1, 2019 water rate increase from 11% to 4%, reduce the sewer rate increase from 10% to 0%, and move forward with the 5% garbage rate increase as originally approved.

B. FINANCIAL AUDITS - FISCAL YEAR 2017-2018

*Discussion/No Action*

Price Paige & Company has completed the audit of the City of Ripon's Financial Statements and the Money Purchase Thrift Pension Plan for the fiscal year ending June 30, 2018. Resolutions will be brought forward in December for City Council acceptance.

C. POLICY FOR BANNERS IN CITY RIGHT-OF-WAY

*Discussion/Action*

Staff is recommending the City Council consider approving the attached policy for banners in City Right-of-Way.

**REPORTS**

**Department Heads:**

**City Council:**

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



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

November 08,  
2018

\_\_\_\_\_  
Date