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# Ripon City Council Meeting Notice & Agenda

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CITY HALL, 259 NORTH WILMA, RIPON, CALIFORNIA

TUESDAY, DECEMBER 11, 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, DECEMBER 11, 2018

REGULAR MEETING

6:00 PM

**CLOSED SESSION AT 5:30 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) Real Property Negotiations pursuant to Section 54956.8 of the California Government Code.

(a) APN: 259-06-072

(2) Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) - 2 cases

**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 - NOV 13, 2018 6:00 PM

**ADMINISTERING THE OATH OF OFFICE TO NEWLY ELECTED COUNCIL MEMBERS:**

**COUNCIL REORGANIZATION:**

Per Ordinance No. 800, RMC Section 2.04.020 Mayoral Selection, Council Members shall be seated as follows:

- Seat 1 Mayor Leo Zuber
- Seat 2 Vice Mayor Jacob Parks
- Seat 3 Council Member Daniel de Graaf
- Seat 4 Council Member Dean Uecker
- Seat 5 Council Member Michael Restuccia

(Per RMC 2.04.020, the designated Mayor and Vice Mayor must be queried to accept or decline the positions.)

**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 \$515,184.36  
(November 2017 \$260,500)  
FY 2018-19 YTD: \$1,508,948  
FY 2017-18 YTD: \$1,247,376

Highway Users Tax \$28,773.48  
(November 2017 \$27,975.82)  
FY 2018-19 YTD: \$135,560  
FY 2017-18 YTD: \$144,988

SB1 Street & Road Tax \$24,248.89  
FY 2018-19 YTD: \$105,858  
FY 2017-18 YTD: \$0

**TOTAL \$568,206.73**

**B. CCATT HOLDINGS**

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

|   |                    |
|---|--------------------|
| C. T-MOBILE   |                    |
| Monthly Acacia Avenue Cell Tower Lease Payment –<br>November 2018 | <b>\$955.02</b>    |
| D. CHARTER COMMUNICATIONS   |                    |
| Quarterly Franchise Fee Payment – September 2018                  | <b>\$23,866.86</b> |
| E. WASTE MANAGEMENT   |                    |
| Monthly Franchise Fee Payment – October 2018                      | <b>\$13,072.67</b> |

**1.2. Bills, Invoices, Payments**

|  |                   |
|--|-------------------|
| A. SAN JOAQUIN REGIONAL TRANSIT DISTRICT   |                   |
| Blossom Express Driver<br>October Invoice #AR111446  | <b>\$1,275.26</b> |
| B. STANTEC   |                   |
| Wastewater Discharge Permit<br>Groundwater Monitoring<br>Progress Payment<br>3 <sup>rd</sup> Quarter 2018 & Misc. 2 <sup>nd</sup> Quarter 2018 –<br>Invoice #1431601 | <b>\$1,691.25</b> |
| C. PROVOST & PRITCHARD   |                   |
| Stockton Ave. Rehabilitation Project<br>Community Impact Assessment and<br>Initial Site Assessment<br>Progress Payment – Invoice #70512                              | <b>\$57.50</b>    |
| D. MUNICIPAL FINANCIAL SERVICES  |                   |
| Water, Sewer and Garbage Rate Study Update<br>Progress Payment – Invoice #201704-02(a)   | <b>\$4,095.00</b> |
| E. WOOD RODGERS, INC.  |                   |
| Well 19 Plan, Specs & Bid Support<br>Progress Payment – Invoice #122028  | <b>\$3,590.00</b> |
| F. TERPSTRA HENDERSON  |                   |
| General Matters  | \$9,977.25        |
| Police Matters   | \$4,084.28        |
| Code Enforcement   | \$742.50          |
| Receivership   | \$2,221.28        |
| Diamond Pet Food Expansion   | <u>\$1,275.00</u> |

**TOTAL \$18,300.31**

G. PRICE PAIGE & COMPANY

Audit Services  
Progress Payment – Invoice #14269 \$2,930.00

H. ASSOCIATED PENSION CONSULTANTS

Annual Administration Services for  
Non-Public Safety Retirement Plan \$5,220.00

**1.3. Miscellaneous Items**

A. RIVER ROAD WIDENING

McFadden Construction, Inc.                      Award the bid for the River Road Widening Project in the amount of \$1,321,713 to McFadden Construction, Inc. and authorize staff to proceed.

B. 303 W. MAIN STREET LEASE - AMENDMENT NO. 2

Natural Path and Wellness Center                      Approve and authorize the Mayor to sign the Natural Path Wellness Center Lease Amendment No. 2 to allow the lessee to make the necessary repairs to the building.

C. GENERAL SERVICES AGREEMENT

MCR Engineering                      Approve and authorize the Mayor to sign the agreement with MCR Engineering to provide technical support and assistance in updating the existing storm drain models (Cost not to exceed \$12,000).

D. GENERAL SERVICES AGREEMENT

Fehr & Peers                      Approve and authorize the Mayor to sign the agreement with Fehr & Peers to provide transportation planning and engineering services (Cost not to exceed \$6,900).

E. GENERAL SERVICES AGREEMENT

WGR Southwest, Inc.                      Approve and authorize the Mayor to sign the agreement with WGR Southwest, Inc. to assist City staff in completing the required activities and annual reports for the Phase II MS4 General Storm Water Permit (Cost not to exceed \$28,040).

F. CLAIM

Christina C. Dearth

Deny the claim filed by Christina C. Dearth

G. GENERAL SERVICES AGREEMENT

O'Dell Engineering

Approve and authorize the Mayor to sign the agreement with O'Dell Engineering to provide landscape improvement plans for the Doak Blvd Shared-Use Path Project (Cost not to exceed \$6,000).

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

**2. RESOLUTIONS**

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ACCEPTING THE CITY OF RIPON FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT AND SINGLE AUDIT REPORT FOR THE YEAR ENDED JUNE 30, 2018

This resolution accepts the City of Ripon Financial Statements and Independent Auditor's Report and the Single Audit Report for the year ended June 30, 2018, prepared by Price Paige & Company.

**3. PUBLIC HEARINGS**

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

A. PFFP CAPITAL FUNDS ANNUAL REPORT

This is a public hearing on an annual report of Public Facilities Financing Plan (PFFP) capital fees covered under Government Code Section 66000 et seq. **Recommended Action:** Review and approve the annual PFFP Report as required by AB1600 for the period ending June 30, 2018.

B. ANNUAL REVIEW OF DEVELOPMENT AGREEMENTS

Orchard View Subdivision  
Cornerstone II Subdivision  
Silverstone Subdivision  
Alexandra Place Subdivision  
The Vineyards Subdivision  
Meadowbrook Subdivision  
Meadowood Subdivision  
Gil Plaza  
Ripon Gardens II  
Calvary Reformed Church Master Plan

A public hearing for annual review of current development agreements by the City Council to determine whether or not there has been compliance in good faith with the terms and conditions therein, and accept the written report from the Planning Commission on its determination of the Development Agreements.

**Recommended Action:** Should the City Council agree with the Planning Commission’s recommendation, the following motion would be appropriate: “The City Council accepts this staff report as the written report from the Planning Commission that there has been compliance in good faith, with the terms and conditions of each perspective Development Agreement.”

4. ORDINANCES

*Second Reading and Adoption*

A. ORDINANCE NO. 880

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.

*First Reading and Introduction*

B. ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING CHAPTER 10.12 "TRAFFIC CONTROL DEVICES" TO THE RIPON MUNICIPAL CODE

This Ordinance amends Chapter 10.12 "Traffic Control Devices" of the Ripon Municipal Code.



**5. DISCUSSION ITEMS**

**A. DIAMOND PET FOOD EXPANSION PROJECT UPDATE AND EIR SCOPING MEETING**

*Discussion/No Action*

Diamond Pet Food will provide an update on their proposed expansion project and the City of Ripon's Environmental Consultant will conduct a public scoping meeting to obtain comments from public agencies or other interested parties regarding issues to be analyzed in the Diamond Pet Food Expansion Project Environmental Impact Report.

**B. 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.

**C. COUNCIL COMMITTEE AND TASK FORCES**

*Discussion/No Action*

Mayor Zuber to discuss Council Committee and Task Force appointments.

**REPORTS**

**Department Heads:**

**City Council:**

**SUCCESSOR AGENCY**

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



Tricia Raymond, Deputy City Clerk

12/06/2018

Date