
Ripon City Council Minutes

TUESDAY, JANUARY 20, 2009 - 7:00 P.M.

PLEDGE OF ALLEGIANCE: The meeting was called to order as indicated at 7:00 p.m. with Vice Mayor Nutt leading in the Pledge Allegiance to the Flag

INVOCATION: Tom Terpstra gave the invocation.

ROLL CALL: Council Members Charlie Gay, Dean Uecker, Garry Krebbs, Vice-Mayor Elden “Red” Nutt, Mayor Chuck Winn

OTHERS PRESENT: City Administrator Leon Compton, City Engineer Kevin Werner, City Attorney Tom Terpstra, Planning Director Ken Zuidervaart, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Director of Public Works Ted Johnston, Police Chief Richard Bull, Recreation Director Kye Stevens, Jessica Taylor, Daniela Garcia, Serena Rios, Bobbie Juarez, Brad Fairchild, Terry Chatas, Barbara Schneider, Scott King, Trina King, Brigitte & Stuart Long, Koryn Hartley, Ashlyn Cornilsen, John Mangelos, Katie Burtleson, Robert Losacco, Hilary Bernett, Nathan Collins, Candace Hanible, Osman Samano, Karla Arteaga, Courtney Net~s, Amanda Crandall, James Moore, Andy Varian, Navid Fardanesh, Adam Schwertfeger, David Garza, Nick Silva, Eric Caranaugh, Brad Wall, Mike Dillman, Rich Yawornisky.

PUBLIC DISCUSSION: Brigitte Long, Ripon, said that she is speaking on her own behalf, as well as the Ripon Memorial Library. She said that she and her husband are moving out of state, but that they enjoyed playing an active role in the community. She said that, as the President of the Ripon Memorial Library, she does not want to see the library close. She said it took commitment and dedication for the new library to happen. She said she is disappointed that there is no formal relationship between the City and the library. She said that most people believe that the library is a county and state responsibility, but there has been a steep decline in funding for libraries. She said that all bond measures have failed. Long said that the Friends of the Library donated \$20,000 from the remains of their building fund to allow the City to qualify for matching funds for the library. She said that this year the Friends were only able to raise \$16,500.00. She said she would like to see a council member become a liaison between the City and the library. She would like council members to participate in the library programs and attend the annual meeting.

Mayor Winn said that Stu and Brigitte Long are examples of what makes the country great. They had the passion and commitment to make a difference. He said that they will be missed.

APPROVAL OF MINUTES: **MOTION:** MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING OF JANUARY 6, 2009.

APPROVAL OF AGENDA AS POSTED (OR AMENDED): **MOTION:** MOVED, SECONDED (KREBBS, NUTT) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE AGENDA AS POSTED.

CONSENT CALENDAR

Notes:

1. Income

A. STATE OF CALIFORNIA

Highway Users Tax \$21,523.39

Motor Vehicle License Fee \$4,378.56

TOTAL **\$25,901.95**

B. COUNTY OF SAN JOAQUIN

Measure K - Local Streets and Roads \$52,535.49

General Fund (12/29/08) \$678,984.52

Municipal Sewer \$34,681.62

Ripon Lighting \$129,483.55

General Fund (12/31/08) \$113,830.88

TOTAL **\$1,009,516.06**

C. T-MOBILE

CPI - Base Rent **\$769.89**

2. Bills, Invoices, Payments

A. McROY-WILBUR COMMUNITIES

Cornerstone I - Well 18 Improvements
Progress Payment **\$2,572.00**

B. McROY-WILBUR COMMUNITIES

Cornerstone I - Tot Lot
Progress Payment **\$46,055.21**

CONSENT CALENDAR:

2. Bills, Invoices, Payments, continued:

C.	BOVEE ENVIRONMENTAL MANAGEMENT, INC.	
	Inspections 211, 213, 251 S. Stockton Avenue	\$1,000.00
D.	ENGEO, INC.	
	Professional Services APN: 259-278-04, 05	\$2,100.00
E.	NEIL O. ANDERSON	
	Mistlin Sports Park Parking Lots Progress Payment	\$1,266.00
F.	ROSS F. CARROLL, INC.	
	Main Street/Stockton Avenue Rehab Project Progress Payment	\$72,630.00
G.	ROSS F. CARROLL, INC.	
	Mistlin Sports Park Parking Lots Progress Payment	\$211,003.70

3. Resolutions

A. RESOLUTION NO. 09-1

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ACCEPTING A DEED TO CERTAIN REAL
PROPERTY TO THE CITY OF RIPON

This resolution accepts a Grant Deed from
Gaynl Clair Trotter to complete the Public
Utility Easement Dedication for property
located near the corner of Stockton Avenue
and Oregon Street.
(11 sq. ft.)

CONSENT CALENDAR:

3. Resolutions, continued:

B. RESOLUTION NO. 09-2

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ACCEPTING A DEED TO CERTAIN REAL
PROPERTY TO THE CITY OF RIPON

This resolution accepts a Grant Deed from Marines Alvin DeWeerd to complete the Public Utility Easement Dedication for property located near the corner of Avenue 'A' and Oregon Street.
(114 sq. ft.)

C. RESOLUTION NO. 09-3

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ACCEPTING A DEED TO CERTAIN REAL
PROPERTY TO THE CITY OF RIPON

This resolution accepts a Grant Deed from Janette T. Davidheiser to complete the Public Utility Easement Dedication for property located near the corner of Avenue 'A' and Oregon Street.
(124 sq. ft.)

D. RESOLUTION NO. 09-4

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ACCEPTING A DEED TO CERTAIN REAL
PROPERTY TO THE CITY OF RIPON

This resolution accepts a Grant Deed from Luis and Tomasa Carrillo to complete the Public Utility Easement Dedication for property located near the corner of Stockton Avenue and Oregon Street.
(79 sq. ft.)

E. RESOLUTION NO. 09-5

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ACCEPTING A DEED TO CERTAIN REAL
PROPERTY TO THE CITY OF RIPON

This resolution accepts a Grant Deed from Wayne P. Talbot, Jr. to complete the Public Utility Easement Dedication for property located near the corner of Stockton Avenue and Washington Street.
(11 sq. ft.)

CONSENT CALENDAR:

3. Resolutions, continued:

F. RESOLUTION NO. 09-6

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ACCEPTING A DEED TO CERTAIN REAL
PROPERTY TO THE CITY OF RIPON

This resolution accepts a Grant Deed from John Rodenburg to complete the Public Utility Easement Dedication for property located near the corner of Stockton Avenue and Washington Street.
(54 sq. ft.)

G. RESOLUTION NO. 09-7

RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
AUTHORIZING THE CITY OF RIPON TO
ADOPT THE CITY OF RIPON MONEY
PURCHASE THRIFT PENSION PLAN AS
AMENDED AND RESTATED
EFFECTIVE JULY 1, 2008

This resolution approves the Amended and Restated City of Ripon Money Purchase Plan, effective July 1, 2008.

4. Miscellaneous Items

A. JACK TONE CROSSING CORP.

Final Acceptance

Accept the Jack Tone Crossing, Corp. subdivision improvements. As-Built drawings and a one-year Maintenance Bond have been received.

B. NEIL O. ANDERSON & ASSOC.

Mistlin Sports Park Parking Lots
Change Order No. 1

Approve Change Order No. 1 for additional geotechnical testing services.
(Cost: \$2,524.40)

C. ROSS F. CARROLL, INC.

Mistlin Sports Park Parking Lots
Change Order No. 7

Approve Change Order No. 7 to complete required field adjustments.
(Cost: \$6,225.00)

CONSENT CALENDAR:

4. Miscellaneous Items, continued:

D. AETNA HMO-HRA

Clarification of Medical Insurance Reimbursements

The new medical insurance plans were approved on October 7, 2008, but clarification is needed for the employees who receive hospital care. Accept the clarification of medical insurance reimbursements.

- The Aetna HMO/HRA plan will reimburse \$250 for single persons, or \$500 for families. The HRA reimbursement can only be claimed once a year.
- The City also offers an additional \$250 reimbursement toward hospital bills (individual or family). The City's reimbursement is separate and in addition to the Aetna HRA reimbursement. Also, the City will make a reimbursement for multiple occurrences during the year.
- The Aetna PPO or Kaiser plans do not qualify for the HRA reimbursement, but do qualify for the City reimbursements.
- These reimbursements are available only if the employee has actually had to expend that money.

👉 End of Consent Calendar 👈

MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE CONSENT CALENDAR.

5. PUBLIC HEARINGS

Notes:

A. AMENDMENT TO THE IRONGATE DEVELOPMENT AGREEMENT

Braddock and Logan
DA05-02
PEA05-03

This is a public hearing to consider an amendment to the Irongate Development Agreement potentially removing the west portion of the project located on S. Mohler Road between S. Mohler Road and S. Olive Avenue from the Development Agreement – leaving the Iron Gate East portion located between S. Highland Avenue and S. Mohler Road to be built out by the Developer.

Planning Director Zuidervaart introduced the report explaining that Braddock and Logan (the developers) are no longer in a position to develop or control the property for the Irongate West portion of the project. The development agreement required that both developments be built at the same time. Braddock and Logan have only built out 1/3 of the Iron Gate East project. Valley Development Group held the option to develop a custom-home development on the Iron Gate West property, but forfeited their option due to the economic down turn. The property was then purchased by Mr. Robert Brocchini, who is, at this time, farming the land. Because of the restrictions in the development agreement, Braddock and Logan cannot pull the rest of the permits. Zuidervaart presented a list of deal points for possible amendments to the development agreement. He asked Council to decide if they are in support of splitting the project, and to provide staff with direction regarding the deal points.

Mayor Winn said that in the original development agreement, the storm drain basin was to be in the Iron Gate West portion of the project. He asked if the project can go ahead without the basin.

City Engineer Werner said that they can go ahead by expanding the Lan Park Storm Basin which will provide adequate drainage.

Winn asked why the Speed Indicators would be a/c powered instead of solar powered.

Public Works Director said that there have been problems with the batteries in the solar units, and they need constant maintenance.

Winn mentioned that the solar units are useless at night or on foggy days.

Council Member Krebs said that once a Speed Indicator unit is wired in, it cannot be moved. He said he wants more flexibility if a problem arises on another street.

Vice Mayor Nutt pointed out that the Police Department has two mobile Speed Indicator trailers, but he agrees that the units should be useful 24/7.

Krebs said he would want the a/c units installed where there will be no cutting of the sidewalks if the units have to be moved.

PUBLIC HEARING OPENED

Andy Bye, Braddock and Logan, said he is here to request a new development agreement. He said that the subdivision maps were approved on different dates, so they were always separate projects even though the development agreement was for both projects. He said that one project, Iron Gate East, was for production homes, and Iron Gate West was for custom homes. The subdivision improvement agreements were approved separately. He said that Braddock and Logan has built 25 homes in Iron Gate East and they have sold 20. He said they are not asking for more or less, but just want the Iron Gate East project as it was approved in 2005. Bye said that one issue is how to implement the affordable units plan, since some were substituted with in-lieu fees. He said that they would like to get that money back to build second-units instead of separate family-units. He said that in the original agreement, they were to build semi-custom homes on Mohler Road. He said that there are only seven lots on Mohler, and it is not cost affective to build single-family semi-custom houses on these lots while the rest are production homes. Bye said there is also the issue of using two lots for the well site. That drops the lot count to five. That means no property tax from these lots for the City. Also, in the original agreement, the wireless technology was limited to 'not to exceed' \$26,000.00. They do not have a cap in the new recommendations, but the cost would have to be spread over the remaining homes. The speed signs that were required for both projects will now have to be paid for by the remaining homes. The power for these signs has not been included in the design. He said that the developer should not have to fix a problem that the developer did not create. Bye said that in the past two years, Braddock and Logan has laid off 30% of their staff - something they have not had to do in their 61-year history. He said they are losing \$70,000 to \$80,000 on every home they sell. He said that this is not the city's problem, but they need to work together to get the project finished.

Council Member Uecker asked how much money was paid in in-lieu fees.

Bye said it was \$211,000.00.

Council Member Gay asked how the money would be used.

Bye said they would build seven affordable units: six second-units and one separate low-income unit.

Planning Director Zuidervaart said that there are several options, but they must keep to the 10% rule.

Council Member Krebbs asked if the cost of the wireless could be cut in half, or at least less.

Chief Bull said that the development agreement set it for \$26,000 per project. The plan will need to be re-engineered.

Winn said that the Council is not asking for custom homes on Mohler, but custom-looking homes. He asked if Braddock and Logan has an inventory of house plans that can be pulled from.

Bye said that the build-out will be all one-story homes, and they don't have single-story plans for houses big enough for the lots on Mohler. He said it costs between \$20,000 and \$30,000 for new plans. He said that people are wanting one-story homes in today's market.

Winn asked if they will still use the two lots for the well site, or if there is an alternate location for the well site.

Bye said that no other two lots add up to a half-acre.

Mayor Winn said that if they can provide an alternate half-acre of land – that could work for us.

City Engineer Werner said he will talk with Braddock and Logan about an alternative site. He said he does have some concern about the quality of the well site. There will need to be a test well, or tests on nearby wells. He said he would recommend keeping the requirement in the agreement until we find a good well site.

Chief Bull said he would put the cap on the wireless technology back to \$26,000 for the one project.

Terry Chatas, Ripon, said he is concerned about the project. He said he originally wanted out of his \$689,000 contract, but was held to it. He said he asked Braddock and Logan about the build-out and was told the project would be done. Now he is hearing that the floor plans will be changed to all one-story homes, and his home value has gone down. Now they are changing it again to include more low cost housing. He said he prefers the developer's original vision, and it is unfair that he is left holding the bag. He thought custom homes would be going in – not lesser value homes. He said he is against the amendment.

Council Member Uecker said that the city is trying to get the project completed, but all our homes have lost value. He pointed out that the developer could choose to walk away.

Winn said that the City of Ripon works to ensure that developers build a quality production home. We require added details. He said a previous developer bailed out after building half the project. Sometimes they lose the ability to complete a project, but we try to do the best we can. Ripon has always had medium-priced quality homes.

Chatas said he chose Ripon for its spacious homes. He said that the Council is discussing wells, and asked if he is on a well or city water. Winn explained that the well water goes into our tower which feeds our water system, and he is on city water.

Mike Dillman, Ripon, said he owns the first home in Iron Gate West. He said he was living and working out of the area when his father was approached by a developer to sell 20 acres for \$295,000. He signed the papers on this death bed. He said he was not there to help his parents with the decision. He built his home on the remaining two acres. Mr. Brazil said he needed a road access through his two acres to access the subdivision. He said he worked with Mr. Brazil making an exchange. He would get city water and sewer service and there would be no money exchanged. He placed his home on the land predicated on the road going through. He put in a well at the cost of \$7,000, but later he was told by the city that he can't use it because it is where the road will be built. He said his land was annexed but not zoned R1, but Urban Reserve. He said he can't do anything without paying large fees. He said he would rather be back in the county, but now he is in the city and is facing a lot of expenses. He said there needs to be some means to mitigate these fees so he can accomplish what he needs to do to fix his home.

Winn said he understands his frustration. He said that the developer no longer has control over the property which is now being farmed. The property changed hands. Winn said that staff can work with him to help. Winn said the City cannot make Dillman whole, but we can work with you.

Dillman said he has already filed several applications with the city, but he just wanted Council to know who he is. He said it is unfortunate, but this issue has affected a lot of people. He said he appreciates what the Council does on behalf of the city.

PUBLIC HEARING CLOSED.

Council Member Uecker made a motion to accept the recommendations as discussed.

Mayor Winn asked for a clarification of the discussion.

Planning Director Zuidervaart listed the recommendations.

1. Building Cycle Permits - 1st Cycle: 15 permits, 2nd Cycle: 19 permits
2. Affordable Units - reimburse the in-lieu fees to construct six second-dwelling units, build two townhouses (four units: three moderate-income, one low-income)
3. Garage Setbacks - use new setbacks
4. Lots along Mohler Road - use the two plans, but make them look different
5. Well Site - city will do some testing and find the half-acre for a well site located within or in the vicinity of the Iron Gate East subdivision as approved by the City Engineer.
6. Wireless Technology - \$26,000 limit (2 a/c speed indicator signs, mesh camera system)
7. Storm Drain Basin - will supply the 5.3 to 6.0 acres adjacent to the Lan Park Storm Basin. The City will pay up to \$150,000 per acre.
8. Iron Gate West Property - before any amendment to this development agreement is affective, there must be a Preliminary Development Agreement with the owner. This must be locked down before the rest can become effective. The property is already annexed to the city.

Byde objects to obligation No. 8. He said that this obligation should not be put on Braddock and Logan.

City Attorney Terpstra said that we are here tonight because Braddock and Logan made the decision to not keep the option on Iron Gate West. We do not want to have the problem that we had with DeJong Estates, where the property owner said he did not want to do a development agreement, and saying that we can't make him comply with city standards – it was a real fight. If we cannot get Iron Gate West developed as a custom subdivision, then we must have some assurance that we can get an acceptable development agreement. The future residents out there will want some assurance that the Council has control over the development of the property.

Council Member Gay clarified that we have to have an agreement from Brocchini first.

Terpstra said that the property owner understands that the property is annexed to the city, and in order to develop it he needs to enter into a formal agreement with the city. We can reserve the right to rezone that property to Urban Reserve so it does not have development rights. The owner just needs to understand that he does not have development rights. It can be a very simple agreement. Terpstra said that he is under the impression that Mr. Brocchini understands and is OK with this.

Zuidervaart said he understands the same. A new agreement can be put together fairly quickly, and it is just a matter of getting both parties into City Hall to sign the agreements, and bring it back to City Council for approval.

Byde said he has attempted to contact Mr. Brocchini about four times and he has only been successful once. He said he offered to pay for the development agreement process, his attorney fees, the whole thing for him. Mr. Brocchini said he was not interested. If he does not want to sign a DA, Braddock and Logan is powerless to make Mr. Brocchini sign. Byde said that if he does not sign, we are left out to dry.

Zuidervaart said it is not zoned Urban Reserve right now. It is zoned Very-Low Density. So we want Mr. Brocchini to agree to zone it Urban Reserve.

Terpstra said that otherwise, Mr. Brocchini has a general plan designation, a zoning classification, and annexation. Those are three big entitlements that you do not give out until they have a development

agreement that meet City standards. From a legal standpoint, the Council is in a difficult position. This is important based on past experience. We have some time to work this through, but we do not want to move forward on the concessions until we have the signed agreement from Mr. Brocchini.

Mayor Winn said that along with trying to call him, we need to send a letter so we have evidence of trying to contact him.

City Attorney Terpstra said that the Development Agreement Committee has spent a considerable amount of time working on this. We could not come to an agreement on a lot of this, so the decision was to bring it to Council to handle the issues. Until we know where the Council wants to go with this, trying to reach an agreement with Mr. Brocchini comes at the end of the process.

City Administrator Compton said he was involved at the beginning of the process. When we originally did the DA, the concern was whether or not the project will get finished. He tried to put a restriction in the DA about the housing units they could build until Iron Gate West was built. The custom homes were important. For a variety of reasons, Braddock and Logan chose to not follow through with their development agreement. It was their choice. It was a financial decision. They chose to give up control of that property – not us. We have made it abundantly clear to Braddock and Logan, over and over, in this agreement, this is your problem. We want you to get both parties to agree. It is not staff's job to chase Brocchini down to do Braddock and Logan's job. It was a nightmare to resolve the DeJong project with K&B Homes. We have a vision of nice, half-acre lots with custom homes. You give up the ability for the city to get what you want through a development agreement – and you will if you don't get some restrictions – somebody is going to be asking questions in the future – how did this happen. You will have to say it happened because you let Braddock and Logan off the hook. If they want the development agreement split, let them do their job.

Terpstra said that we want to see Braddock and Logan and Mr. Brocchini come in together. This is one development agreement to which they are all signatories, but we want Braddock and Logan to take ownership of the problem.

MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE RECOMMENDED CHANGES AS LISTED:

1. Building Cycle Permits - 1st Cycle: 15 permits, 2nd Cycle: 19 permits;
2. Affordable Units - reimburse the in-lieu fees to construct six second-dwelling units, build two townhouses (four units: three moderate-income, one low-income);
3. Garage Setbacks - use new setbacks;
4. Lots along Mohler Road - use the two plans, but make them look different;
5. Well Site - city will do some testing and find the half-acre for a well site located within or in the vicinity of the Iron Gate East subdivision as approved by the City Engineer;
6. Wireless Technology - \$26,000 limit (2 a/c speed indicator signs, mesh camera system);
7. Storm Drain Basin - will supply the 5.3 to 6.0 acres adjacent to the Lan Park Storm Basin. The City will pay up to \$150,000 per acre;
8. Iron Gate West Property - before any amendment to this development agreement is affective, there must be a Preliminary Development Agreement with the owner.

AND THAT A NEW DEVELOPMENT AGREEMENT CAN BE ENTERED INTO AFTER BRADDOCK AND LOGAN SECURE THE PRELIMINARY DEVELOPMENT AGREEMENT WITH MR. ROBERT BROCCINI.

6. **DISCUSSION ITEMS**

Notes:

A. McROY WILBUR COMMUNITIES, INC.

Naming of Tot Lot
Cornerstone
Discussion/Action

Mark Wilbur requests that the tot lot in the Cornerstone subdivision, located at River Road and N. Ripon Road be named the “Margaret Wilbur Children’s Park.”

MOTION: MOVED, SECONDED (KREBBS, NUTT) AND CARRIED BY A VOTE OF 5-0 TO APPROVE NAMING THE TOT LOT IN THE CORNERSTONE SUBDIVISION, LOCATED AT RIVER ROAD AND N. RIPON ROAD, THE “MARGARET WILBUR CHILDREN’S PARK.”

B. VALK-RIGG DEVELOPMENT AGREEMENT

Extension of Final Payment
Discussion/Action

Robert Valk requests an extension for the final payment by making payments (plus interest) over a 5-year period, to be paid on March 1 of each year, beginning this year. If the Council approves of the extension payment plan, direct the City Attorney to prepare the necessary documents.
(Final Payment: \$39,801.19)

MOTION: MOVED, SECONDED (UECKER, GAY) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE EXTENSION FOR THE VALK-RIGG DEVELOPMENT AGREEMENT FINAL PAYMENT BY MAKING PAYMENTS (PLUS INTEREST) OVER A 5-YEAR PERIOD, TO BE PAID ON MARCH 1 OF EACH YEAR, BEGINNING THIS YEAR, AND THE CITY ATTORNEY IS DIRECTED TO PREPARE THE NECESSARY DOCUMENTS.

C. ARCHES

Main Street/Stockton Avenue Rehab Project
Discussion/Action

Approve the changes to the message and add lighting on the arches
Cost:
Lighting - \$29,300.00
Logo - \$6,000.00

Council Member Gay recused himself from this item and left the room.

6. DISCUSSION ITEMS, continued:

City Engineer Werner said that the arches were added late in the project, and recently some comments from the Downtown Committee were made on the designs as to what the text should read. Some people thought the phrase “City of Ripon” was too governmental and they preferred the phrase “Historic Ripon.” This change along with adding the Ripon logo will cost \$6,000.00. If the City elects to add a message to the back side of the arches, the cost would be \$12,000.00. Lighting would also add cost to the project. Staff recommends that Council approve a change order to modify the configuration to add the City logo and amend the text to “Historic Ripon” on the front of the arches (nothing on the back), and add lighting to the front of the arch and the necessary infrastructure to add lighting on the back if needed in the future. The total change order would cost \$35,300.00.

Vice Mayor Nutt said he cannot approve any additional costs in these economic times, even if it is paid for with grant money. He said he never liked the arches in the first place.

City Engineer Werner said that the grant money is spent, and this change order would be paid out of Redevelopment Funds.

Council Member Krebs said he likes the text change. He said he loves the downtown area and wants it brought back to life.

Mayor Winn said that this is an appropriate and legitimate use of Redevelopment Funds. Redevelopment money cannot be used to remove our budget deficit.

Nutt said he knows this is Redevelopment money, but it is money that can be used somewhere else. He is not in favor of this change, or any changes at Mistlin Sport Park. He said he is not in favor of any projects at all.

Council Member Uecker said he likes the new design better.

Mayor Winn allowed comments from the public.

Dave Collins, Ripon, said that the arches were part of the original plan, and he likes the new look. He said that lighting makes people feel safe. Lighting says “Welcome.” It benefits the whole community.

John Mangelos, Ripon, said that change orders are a way for companies to make more money. If the logo raises the cost, don’t put it up there. He said he does like the new lighting.

Werner said that is a good point, but we can’t anticipate everything at the time of design. He said this could be done on a time and materials basis to limit the cost.

Krebs said that lighting is important. He also said that he usually does not like signs, but he wants the downtown to be a magnet for people in the surrounding areas. We should make the area charming so people will want to come back, and this will bring in sales tax.

Winn asked staff to go back to the contractor for a better price. He said we have a responsibility to revitalize the downtown – currently we have eleven vacant properties. He said that many years down the road, we don’t want people saying we should have done this. We don’t want to miss this opportunity. Winn also said that the logo is important.

6. DISCUSSION ITEMS, continued:

MOTION: MOVED, SECONDED (UECKER, KREBBS) AND CARRIED BY A VOTE OF 3-0 (NUTT- NO, GAY ABSTAIN) TO APPROVE A CHANGE ORDER MODIFYING THE CONFIGURATION ADDING THE CITY LOGO AND AMEND THE TEXT TO “HISTORIC RIPON” ON THE FRONT OF THE ARCHES (NOTHING ON THE BACK), AND ADD LIGHTING TO THE FRONT OF THE ARCH AND THE NECESSARY INFRASTRUCTURE TO ADD LIGHTING ON THE BACK. STAFF IS TO WORK WITH THE CONTRACTOR FOR A BETTER PRICE.

Council Member Gay returned to the meeting.

D. BUDGET REVIEW

Mid-Year Update
Discussion/Action

Discuss the recommendations and
provide direction to staff.

City Administrator Compton introduced the mid-year budget update. He said that the Council adopted a deficit budget in November, and the fiscal year ends in June. He said that the deficit is worse than anticipated and the Council needs to take steps now, because more steps will be needed in June. Compton said that there will be a \$940,000.00 shortfall because of this most unusual economy. He said the Council approved a \$285,000.00 shift from the capital reserve fund. He said the cause of the deficit a \$1 million reduction in revenue. Compton explained that this year there are 27 pay periods at an additional cost of \$120,000.00. However, there will be a time in the future with only 25 pay periods, so that \$120,000.00 will be made up. Compton listed the actions already taken:

- Reduced park maintenance
- Eliminated two Public Works seasonal employees
- Moved one Building Inspector to an open Public Works position
- Terminated the hourly Building Inspection Department secretary
- Reduced the number of cell phones in several departments
- Eliminated paid internships
- Eliminated departments' conference expenses
- Eliminated most of the general fund capital expenditures
- Eliminated the Christmas party
- Eliminated the Mayor's reception
- Reduced the Chamber's donation
- Withdrew from the San Joaquin Partnership
- Reduced library funding
- Modified the community center rental policy
- Discontinued the Fourth of July fireworks show
- Suspended purchase of Police Department take-home cars
- Froze one Police Officer position
- Froze one CSO position
- Reduced computer support from outside agency
- Reduced police overtime
- Reduced training budget
- RPD reduced fuel expenses
- Terminated 10 part-time animal control employees

6. DISCUSSION ITEMS, continued:

- Terminated 5 part-time P.A.L. employees
- Increased Livescan Fingerprinting Fee
- Increased Parking Citation Fee
- Implemented new City Rotation Tow Truck Policy increasing revenue
- Increased the towed vehicle release fee
- Increased the Abandoned Vehicle Abatement increasing revenue
- Implemented new contract for cost savings on pet food
- Eliminated National Night Out
- Eliminated VIPS conference
- Eliminated VIPS training
- Eliminated the purchase of the License Plate Reader
- Encourage voluntary furlough days
- Lowered the thermostat
- Mandated that computers must be turned off when not in use
- Eliminated the cost-of-living raises for all non-union employees

Compton also listed areas for the Council to consider more cuts.

- Stop funding all non city functions or obligations. These include the chamber and the library.
- Eliminate High School Crossing Guard
- Freeze Sick Leave Buy Out
- Eliminate Holiday Buy Out for Non Essential PD Personnel
- Further Reduce Jack Tone Interchange Maintenance
- Voluntary Furlough Days
- Mandatory Furlough Days
- Freeze College Tuition for Full Time Employees
- Lay Off Most Public Works Hourly Workers
- Reduce Number of Hourly Workers at Animal Shelter
- Eliminate the Youth Commission
- Reduce Swimming Pool Hours
- Reduce PALS Hourly Workers
- Eliminate PALS Altogether for Additional Savings
- Require Use of Comp. Time Instead of Overtime

Compton said that eliminating these expenses would take care of the short fall for this year. Whatever the Council does not eliminate goes into the deficit. He said that the city could be down another \$500,000.00 in the next budget because of the loss in sales tax. He said there is no way to foresee the amount coming from gas tax because the price has fluctuated between \$2 and \$4 a gallon. Compton requested that the Council take some action tonight, particularly the Holiday Buy Out since union negotiations will begin in February. He also said that the Council may need to consider a sales tax. The lack of funds will affect City services. It is up to the public to determine if we continue to provide services as we have in the past.

Vice Mayor Nutt said he wants a budget review committee.

Mayor Winn said he had asked Compton to prepare this summary. He said his plan was to get information one week, and act on it the next week.

This item will be brought back at the February 3 Council meeting for a vote.

6. DISCUSSION ITEMS, continued:

E. COMMISSION APPOINTMENT RECOMMENDATIONS

Planning Commission	Consider the appointments to vacancies on the various commissions, and direct staff to prepare any necessary documents for the appointments or changes to commissions.
Parks and Recreation Commission	
Historical Museum Commission	
Senior Commission	
Community and Youth Commission	
<i>Discussion/Action</i>	

Mayor Winn said that he wants the Council to consider three options: 1) Have the interviews and appointments made by the Mayor and Vice-Mayor; 2) Have the interviews and appointments made by the whole council; 3) Have the Mayor make the recommendations.

After a general discussion, Council agreed that the interviews and appointments should be made by the whole Council.

Winn said that he wants the Council Members to rate the applicants and turn in their lists to him. Then interviews will be set up with the top candidates.

Winn asked if any of the commissions should be disbanded.

John Mangelos, Historical Museum Commission, said that even with the last resignation, nothing will change if the commission is disbanded because the Historical Committee will go on. He did ask that a liaison be appointed from the Council.

After a general discussion Council agreed to keep all commissions, and Vice Mayor Nutt was appointed to be the liaison to the Historical Museum Commission.

REPORTS

City Administrator: No Report

City Attorney: No Report

City Engineer: No Report

Planning Director: No Report

Recreation Director: No Report

Director of Public Works: No Report

Chief of Police: Bull said that he has provided the Council with the 2008 Crime Statistics. He explained that while calls and arrests have gone up, the population has also gone up. He said his officers do an outstanding job, and all the technology that the department has is why crime has not gone up more.

City Council: No Reports

There being no further business, the meeting adjourned at 10:12 p.m.

(Signed) Charles Winn

Mayor

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

REDEVELOPMENT AGENCY:

There being no further business, the meeting adjourned at 10:13 p.m.

(Signed) Charles Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

Ripon Community Redevelopment Agency Minutes

TUESDAY, JANUARY 20, 2009

AFTER COUNCIL MEETING

ROLL CALL: Directors Charlie Gay, Dean Uecker, Garry Krebbs, Vice-Chairman Elden “Red” Nutt, Chairman Chuck Winn.

OTHERS PRESENT: Executive Director Leon Compton, City Engineer Kevin Werner, City Attorney Tom Terpstra, Secretary Ken Zuidervaart, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Director of Public Works Ted Johnston, Police Chief Richard Bull, Recreation Director Kye Stevens, Jessica Taylor, Daniela Garcia, Serena Rios, Bobbie Juarez, Brad Fairchild, Terry Chatas, Barbara Schneider, Scott King, Trina King, Brigitte & Stuart Long, Koryn Hartley, Ashlyn Cornilsen, John Mangelos, Katie Burleson, Robert Losacco, Hilary Bernett, Nathan Collins, Candace Hanible, Osman Samano, Karla Arteaga, Courtney Net~s, Amanda Crandall, James Moore, Andy Varian, Navid Fardanesh, Adam Schwertfeger, David Garza, Nick Silva, Eric Caranaugh, Brad Wall, Mike Dillman, Rich Yawornisky.

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

APPROVE THE MINUTES: MOTION: MOVED, SECONDED (NUTT, KREBBS) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE REDEVELOPMENT AGENCY MEETING OF JANUARY 6, 2009.

CONSENT CALENDAR

1. Income

A. COUNTY OF SAN JOAQUIN

Redevelopment

\$2,350,789.57

CONSENT CALENDAR, continued:

2. Bills, Invoices, Payments

A. URBAN FUTURES, INC.

Redevelopment Agency Plan
Amendment
Progress Payment

\$8,072.50

End of Consent Calendar

MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE CONSENT CALENDAR.

There being no further business, the meeting adjourned at 10:13 p.m.

(Signed) Charles Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk