
Ripon City Council Minutes

TUESDAY, DECEMBER 15, 2009 - 7:00 P.M.

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

INVOCATION: Pastor Chuck Roots gave the invocation.

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

OTHERS PRESENT: City Administrator Leon Compton, City Attorney Tom Terpstra, City Engineer Kevin Werner, Planning Director Ken Zuidervart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Police Chief Richard Bull, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, James Bell, Jon Johnson, Mike Teixeira, Brandon Hickson, Doug Dollarhide, Joe Cortes, Amber Cosper, Rick Newlun, Carla Bitters, Dennis Bitters, Robert D., Ian J~, Gerry Nies, Joaquin Murrietta, Wally and Pam Hartley, Sheryl Prater, Darrel Crum, Andy Varian, Dennis Sonke, Christal Krietch, Danielle Pierce, Gertie Soio, Navid Fardanesh, Stephanie Hobbs, Allen Van Slyke, Chuck Roots, Jake Loogman, Melinda Kopp, Lisa Suender, Hart Voshida, Connor Holaday.

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

APPROVAL OF MINUTES: MOTION: MOVED, SECONDED (UECKER, KREBBS) AND CARRIED BY A VOTE OF 3-0 (NUTT ABSENT, GAY ABSTAINING) TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING OF DECEMBER 1, 2009.

APPROVAL OF AGENDA AS POSTED (OR AMENDED): MOTION: MOVED, SECONDED (KREBBS, UECKER) AND CARRIED BY A VOTE OF 4-0 (NUTT ABSENT) TO APPROVE THE AGENDA AS POSTED.

CONSENT CALENDAR

Notes:

1. Income

A. AT&T

Acacia Avenue **\$839.17**

B. T-MOBILE

Base Rent **\$776.87**

2. Bills, Invoices, Payments

A. ROSS F. CARROLL, INC.

Main Street/Stockton Avenue Rehab Project
Progress Payment **\$30,663.00**

B. CAVES & ASSOCIATES

Professional Services **\$868.00**

C. THOMAS H. TERPSTRA – LAW

General \$13,081.50

Police Department Matters \$1,122.50

TOTAL **\$14,204.00**

CONSENT CALENDAR, continued:

3. Resolutions

A. RESOLUTION NO. 09-82

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIPON FOR THE
DEPARTMENT OF TRANSPORTATION
MASTER AGREEMENT NORTH
REHABILITATION PROJECT

This resolution authorizes the City Administrator or City Engineer to execute the Program Supplement Agreement No. 007-N for the North Rehabilitation Project, and direct staff to proceed.

B. RESOLUTION NO. 09-83

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIPON AUTHORIZING
THE APPLICATION FOR PROPOSITION 84
FUNDING FOR THE NITRATE
CONTAINMENT PROGRAM

This resolution authorizes the City Administrator or City Engineer to submit an application for Proposition 84 funding for the nitrate containment program and direct staff to proceed.

4. Miscellaneous Items

A. VAUGHAN CONSTRUCTION

Handicap Ramp 2009 Project
Change Order No. 4 - CDBG-R Funds
Change Order No. 5 - CDBG Funds

Approve Change Order No. 4 and 5 for the installation of additional handicap ramps. Two change orders are required per the grant's guidelines.

☛ End of Consent Calendar ☛

MOTION: MOVED, SECONDED (UECKER, KREBBS) AND CARRIED BY A VOTE OF 4-0 (NUTT ABSENT) TO APPROVE THE CONSENT CALENDAR.

5. **PUBLIC HEARINGS**

Notes:

A. AB1600 **(This item is to be continued to January 5, 2010.)**

Annual Report

This is a public hearing on the annual report of capital fees covered under Government Code Section 66000 et seq. (This item was continued from December 1, 2009)

6. DISCUSSION ITEMS

Notes:

A. CITY BUDGET

Discussion/Action

Consider the current City budget and any necessary amendments or recommendations for the purpose of reaching a balanced budget.

Mayor Winn gave his report with a PowerPoint Presentation. He explained what the Budget Committee had discussed. He said that the residents are provided with services, and the City has great employees who provide these services. He said that it is the Council's desire to come up with a strategy or plan to deal with the growing deficit. He said that Council has already cut the Christmas party, the Mayor's reception, reduced the donation to the Chamber, and the City has withdrawn from the San Joaquin Partnership. We have also discontinued the reimbursement for college tuition, reduced employees at the animal shelter, closed the PAL program, suspended the National Night Out program and the 4th of July fireworks show.

Winn explained that it is sales tax that pays for the services that we provide. He said that the Council has increased the rental fees for the Community Center, for facilities usage, and the recreation programs. Staff has also been given more furlough days. Every department has cut costs. Contributions to outside agencies (library, swimming pool operation costs, school crossing guard) will not be adjusted until the next budget. Winn said that in determining which employees to eliminate depends on the maximum benefit to the General Fund.

Winn said that the Public Works Department has eleven employees to maintain 18 parks which are about 90 acres of land. They also maintain the Mistlin Sports Park, and 15 acres along the Jack Tone Interchange. He said that they may have to mow the grass much less often, close three or four local parks, and close half of the tot lots. We may also have to dedicate the Jack Tone area to Caltrans.

Winn said that the Police Department may eliminate the Special Investigations Unit, and cut a detective. They may have to reduce patrols, eliminate the abandoned vehicle abatement program, and eliminate the School Resource Officer.

Winn said that the Council has to target the amount of reductions needed to come closer to balancing the budget, while making the minimal disruption of services.

Council Member Uecker said that the citizens should have to pay more for some services instead of making staff take all the cuts. He said that the suffering should be spread over the city as a whole.

Winn said that we cannot raise the water, sewer, or garbage fees. Those are fees collected for a specific purpose and these fees cannot go to the deficit. He asked about some found money.

City Administrator Compton said that he contacted the auditor to find out if there is any money that can be transferred into the General Fund. The auditor was able to find \$52,000 that could legally be transferred. Compton said that any funds transferred from any other account would cause financial problems in the future, because those monies would have to be put back into the original account.

6. DISCUSSION ITEMS, continued:

Uecker said that Council needs to take another look at the big-box ordinance. He said that this City needs to be aggressive in ways to make money.

Winn said that at the next meeting, the Council will look at revenue enhancement such as a city sales tax, increasing the hotel Transient Occupancy Tax, amending the retail ordinance, and contacting businesses that were interested in Ripon in the past. He said that the city sales tax initiative can only be put on the ballot when a City Council election is held, which won't be until November. He said that we have to leave it up to the voters to decide. He said he would consider a ½ cent sales tax. Winn explained that 70% of the City's sales tax is paid by people who don't live in Ripon.

Council Member Gay said that we do need to look at the retail ordinance. He said that the location that Wal-Mart wanted was not good, but things are different now. Everything is on the table now. He said that the citizens of Ripon will not endorse a tax or any raise in fees. Gay went on to say that Council needs to look at any proposal a developer has, and maybe the City can collect the fees in a staggered manner.

Winn said that Gay has a legitimate concern since our fees are high, but our fees cover the cost of infrastructure. The costs have to be paid by someone, and he questioned whether or not the citizens of Ripon should pay the fees for the developer.

Council Member Krebbs said that enhancing the revenue will do nothing for the problem now. There is no big box store being built anywhere now. Any new money coming in won't be seen until the latter 2010 or 2011. What do we do to make the payroll in 2010? He said he wants a decision by the second meeting in January.

Gay said that Costco is being built in Lodi. He said that Council should not totally eliminate any possibilities. We should be open to opportunities.

Uecker said he would like to know how much is in reserves before he decides to cut someone. He said he knows the number is always changing.

Compton said he can give the numbers for October. At the end of October, the General Funds reserve was \$1,899,485.00. He said that there is money that was transferred out of the General Fund for General Fund expenditures, and this money could be transferred back. That amount is \$785,104.00. He went on to explain that the only other place where you could move funds, and it was not designed for this, is the General Mitigation Fee, and that stands at about \$5.4 million. At least \$4 million was taken out to pay for the building we are in, but \$1.5 million could be transferred to the General Fund. That is a Council decision.

Uecker said he is willing to use the reserves to save jobs.

Winn said that no one is opposed to using reserves to balance the budget.

Gay said that one reason the Council has waited, is because the numbers keep changing. The numbers are now a little better. We could back off now, but with a plan, we could be ready to move if we need to. He said that Council needs to set the target tonight.

Winn said that the projection is based on trends, and we are now starting to catch up.

6. DISCUSSION ITEMS, continued:

Krebbs said that no matter what we do, we will use reserves of \$800,000 to \$1 million by the end of the year.

Compton said that the trend is that we will use \$1.5 million by the end of the year. We probably won't get anything implemented by March. Compton said that fuel is the sales tax generator, and it is 60% of our sales tax. He said that we need a major sales tax generator. A business built today, will not generate revenue for the City for 1 ½ years. He said that the Council needs to decide how much revenue you are willing to use for the next three years. Compton said that the City used to do 100 houses a year, this year it was 6 houses. He said he doesn't see how housing can get any worse, so the only way we can go up. Whatever plan you come up with to increase the reserves, we will live with for many months to come.

Winn said that we have already used \$1.3 million of our reserves.

Krebbs said that people need to know that we are using our reserves now.

Winn said that next year is expected to be worse than this year. We need to maintain our services and as many jobs as possible. He said that five employees are interested in the Golden Handshake, and that may save between \$300,000 and \$400,000 a year, but it won't help until the next budget.

Compton said that if we lay anyone off, the City has to pay 100% of the Unemployment Benefit.

Winn said that a salary of \$30,000.00 means an unemployment payout of \$18,000.00. He said that the Council needs to set the target, and the process to reach that target.

Krebbs asked how to pick the target.

Compton suggested that they pick so much a month.

Krebbs suggested that the target be \$100,000.00 to be saved each month – that's \$1.2 million a year.

Uecker reminded Council that the staff should not take 100% of the hit.

Winn said that we have to reduce the amount of reserves that we are using.

Gay said he wants to know the cost benefit if someone is laid off. What is the benefit of closing parks. He said that if it is a matter of parks vs. jobs, then let the grass grow. He said he can sacrifice beauty, but he does not want crime to go up.

Winn said we are using reserves to save jobs now. How many more are we going to save. He said that five employees might accomplish the goal of \$100,000.00.

Uecker asked how much the furloughs save.

Compton said that the furlough days should save about \$240,000.00 a year; however, dispatch has to be open all the time, so if a dispatcher were to use a furlough day, someone else would have to work overtime and that will cost extra. The actual savings may be more like \$200,000.00.

MOTION: MOVED, SECONDED (GAY, UECKER) AND CARRIED BY A VOTE OF 3-0 (NUTT ABSENT) TO DIRECT STAFF TO FIND A WAY TO SAVE \$100,000.00 PER MONTH.

6. DISCUSSION ITEMS, continued:

B. REQUEST FOR WAIVER OF REQUIREMENTS AND FEES

Adrian Crane, Modesto
Discussion/Action

Mr. Crane wants use of the Stouffer Park gazebo for a charity run, and requests that the “Ripon-resident” and “Ripon-Nonprofit” requirements be waived, and he would like the permit fees reduced.

Stouffer Park requirements:
-Rent gazebo to Ripon residents only
-Fee reductions are for Ripon nonprofits only
-Amplified music/sound is prohibited in City parks

Adrian Crane, Modesto said that the run will benefit the community in several ways. It will introduce people to the facilities in Ripon and encourage people to exercise. He said that they are going to partner with a nonprofit in Ripon so they don’t need to ask for anything tonight.

Mayor Winn said that their nonprofit partner will have to come before the Council to make any requests.

No action taken.

REPORTS

City Administrator: No Report

City Attorney: No Report

City Engineer: Werner said that the Main Street project by the old car wash will not begin until 2011. He said that they have submitted the documentation for the money, and have finished the redesign.

Planning Director: No Report

Recreation Director: No Report

Director of Public Works: No Report

Chief of Police: No Report

City Council: Uecker said that he and City Administrator Compton and City Engineer Werner attended the League of California Cities Quarterly meeting, and elected a new Board Member.

There being no further business, the meeting adjourned at 8:22 p.m.

(Signed) Chuck Winn

Mayor

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

REDEVELOPMENT AGENCY:

There being no further business, the meeting adjourned at 8:25 p.m.

(Signed) Chuck Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

CLOSED SESSION: The meeting was called to order at 8:30 p.m.

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

OTHERS PRESENT: City Administrator Leon Compton, City Attorney Tom Terpstra, City Clerk Lynette Van Laar, Ken Caves.

IN THE MATTER OF: Personnel Negotiations Pursuant to Section 54957.6 of the California Government Code.

There being no further business, the meeting adjourned at 10:00 p.m.

Ripon Community Redevelopment Agency Minutes

TUESDAY, DECEMBER 15, 2009

AFTER COUNCIL MEETING

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

OTHERS PRESENT: Executive Director Leon Compton, City Attorney Tom Terpstra, City Engineer Kevin Werner, Planning Director Ken Zuidervaart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Police Chief Richard Bull, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, James Bell, Jon Johnson, Mike Teixeira, Brandon Hickson, Doug Dollarhide, Joe Cortes, Amber Cosper, Rick Newlun, Carla Bitters, Dennis Bitters, Robert D., Ian J~~, Gerry Nies, Joaquin Murrietta, Wally and Pam Hartley, Sheryl Prater, Darrel Crum, Andy Varian, Dennis Sonke, Christal Kriletich, Danielle Pierce, Gertie Soio, Navid Fardanesh, Stephanie Hobbs, Allen Van Slyke, Chuck Roots, Jake Loogman, Melinda Kopp, Lisa Suender, Hart Voshida, Connor Holaday

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

APPROVE THE MINUTES: MOTION: MOVED, SECONDED (KREBBS, UECKER) AND CARRIED BY A VOTE OF 3-0 (NUTT ABSENT, GAY ABSTAINING) TO APPROVE TO APPROVE THE MINUTES OF THE REDEVELOPMENT AGENCY MEETING OF DECEMBER 1, 2009.

CONSENT CALENDAR

1. Bills, Invoices, Payments

A. THOMAS H. TERPSTRA – LAW

Redevelopment Matters

\$1,368.00

CONSENT CALENDAR, continued:

2. Miscellaneous Items

A. INTERIM ARBITRAGE REBATE ANALYSIS

Ripon Community Redevelopment Project
Tax Allocation Bonds, Issue 2000

Accept the report prepared by
OmniCap Group LLC.

End of Consent Calendar

MOTION: MOVED, SECONDED (KREBBS, UECKER) AND CARRIED BY A VOTE OF 4-0 (NUTT ABSENT) TO APPROVE THE CONSENT CALENDAR.

3. PUBLIC HEARING

A. RESALE OF AFFORDABLE HOMES TO 'QUALIFIED' HOUSEHOLDS

1110 Pleasant Bay Drive
1223 Robert Court
124 Orange Avenue

This is a public hearing to inform the public of two single-family two-story townhouses units and a pre-owned single-story unit that are to be sold to 'qualified' buyers at affordable prices.

Planning Director Zuidervaart presented his report.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

MOTION: MOVED, SECONDED (UECKER, KREBBS) AND CARRIED BY A VOTE OF 4-0 (NUTT ABSENT) TO ACCEPT THE REPORT.

There being no further business, the meeting adjourned at 8:25 p.m.

(Signed) Chuck Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk