

---

# Ripon City Council Minutes

---

**TUESDAY, MARCH 3, 2009 - 7:00 P.M.**

**CLOSED SESSION:** The meeting was called to order at 6:00 p.m.

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

**OTHERS PRESENT:** City Administrator Leon Compton, City Engineer Kevin Werner, City Attorney Tom Terpstra, City Clerk Lynette Van Laar

**IN THE MATTER OF:**

- 1) Property Negotiations pursuant to §54956.8 of the California Government Code  
APN: 259-01-004

RESOLUTION NO. 09-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF RIPON AUTHORIZING THE MAYOR TO EXECUTE A LETTER  
OF UNDERSTANDING WITH UNION PACIFIC RAILROAD  
REGARDING CERTAIN REAL PROPERTY

**MOTION:** MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 3-0 (GAY, KREBBS - ABSENT) TO APPROVE RESOLUTION NO. 09-23.

- 2) Conference with Legal Counsel pursuant to §54956.9 of the California Government Code  
Ripon Farm Service

There being no further business, the meeting adjourned at 6:50 p.m.

**REGULAR MEETING**

**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:** Glen Shirk gave the invocation.

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

**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, Lieutenant Ed Ormonde, Lorraine Goff, Bernice Finley, Victoria Nielsen, Glen W. Shirk, Joseph Plasch, Anthony Huber, Vince Franscella, Karla Arteaga, Colby Gomes, Mike Engel, Tyler Is~~, Robyn Udavi, Leo Zuber, Wally & Pam Hartley, Robert Laybourn, Danielle & Jerry Pierce, Linda Van Tol, Kyle Mendel, Angelica Ochoa, Ryan Baker, Deana Shelling, Kari Howard, Dane Wells, Carla Travaille, Allison Travaille, Cristian Rodriguez, Chris Vincent, Jake Loogman, Trina Pham, Carie Huerta, Bryce Hekmer, Navid Fardanesh, Camden Dowhower, Francisco Tustin, Koryn Hartley, Jocelyn Barbosa, Myra Alvarez, Diana Lujano, Paul Staley, Cynthia Nunes, Tiffany Canfield.

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

**APPROVAL OF MINUTES: MOTION:** MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 3-0 (GAY, KREBBS - ABSENT) TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING OF FEBRUARY 17, 2009.

**APPROVAL OF AGENDA AS POSTED (OR AMENDED): MOTION:** MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 3-0 (GAY, KREBBS - ABSENT) TO APPROVE THE AGENDA AS POSTED.

**CONSENT CALENDAR**

**Notes:**

**1. Income**

A. STATE OF CALIFORNIA

Retail Sales Tax **\$175,000.00**

B. COUNTY OF SAN JOAQUIN

Municipal Sewer \$845.07

Ripon Lighting District \$326.33

General Fund \$999,508.82

TOTAL **\$1,000,680.22**

C. RUDY BONZI, INC.

Franchise Fee (January) **\$393.15**

D. CHARTER COMMUNICATIONS

Franchise Fee (October - December 2008) **\$20,959.38**

**2. Bills, Invoices, Payments**

A. ECO-LOGIC

Report of Waste Discharge  
Progress Payment **\$1,558.50**

B. LCS TRANSPORTATION CONSULTANTS, INC.

Short Range Transit Plan  
Progress Payment **\$4,955.31**

**CONSENT CALENDAR**

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

C.	RMC WATER AND ENVIRONMENT	
	Water System Model Development	
	Progress Payment	<b>\$3,278.75</b>
D.	INTERWEST CONSULTING GROUP	
	Transportation Planning	
	Progress Payment	<b>\$3,450.00</b>
E.	VAUGHN CONSTRUCTION	
	Handicap Ramp 2009	
	Ripona Elementary School	
	Progress Payment	<b>\$87,584.04</b>
F.	SIERRA NEVADA CONSTRUCTION	
	S. Frontage Road, Phase 2	
	Progress Payment	<b>\$14,604.30</b>
G.	ROSS F. CARROLL, INC.	
	Main Street/Stockton Avenue Rehab	
	Project	
	Progress Payment	<b>\$10,800.00</b>
H.	ROSS F. CARROLL, INC.	
	Mistlin Sports Park - Parking Lots	
	Progress Payment	<b>\$181,474.88</b>

**CONSENT CALENDAR**

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

I. THOMAS H. TERPSTRA – LAW

General \$13,766.00

Police Department \$408.50

TOTAL **\$14,174.50**

**3. Resolutions**

A. RESOLUTION NO. 09-24

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

This is a resolution to accept the deed to  
certain real property located at 430 W.  
Main Street.  
APN: 259-271-02

**4. Miscellaneous Items**

A. REVISED VALK PAYMENT AGREEMENT

Valk Development Agreement  
Robert Valk  
Leonard Rigg

Authorize the Mayor to sign the Payment  
Agreement with Robert Valk and Leonard  
Rigg. The request for a payment extension  
was approved by Council on January 20,  
2009.

**👤 End of Consent Calendar 👤**

**MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 3-0 (GAY, KREBBS - ABSENT) TO APPROVE THE CONSENT CALENDAR.**

**5. DISCUSSION ITEMS**

**Notes:**

**A. CITY BUDGET**

Update  
*Discussion*

The City Administrator will report on the meetings with the bargaining units. Mayor Winn will give an update of the state's budget.

City Administrator Compton said he has met with both units, and the Public Works local union agreed to a one-day furlough. He said he has not heard back from the Police Officer's Association.

Mayor Winn, reporting on the state budget, said that cities are always concerned about what the state will take away. He said he called Senator Cogdill, but he had no definitive information. Winn said that the city has received about \$75,000.00 in additional funds, and city employees are working at saving money. He said he will have more details by the next meeting.

Winn said that he received an alternative idea to furloughs. The recommendation is to require a 5% reduction in salary for all city employees, but to offset that salary decrease by giving one vacation day per month in exchange. He also suggested that all city employees who did not receive their cost-of-living raise this year, would instead receive an additional ten vacation days. He said that, this way, public services would not be cut as they would be if the city furloughed the employees. He said that this idea is purely conceptual and is an option to discuss.

Council Member Uecker said that this plan gives employees a lot of time off.

Winn said that the time will be permitted when the job allows.

City Administrator Compton said that he has no concerns. He said the employees know when works needs to be done, and they already voluntarily come in early and stay late when necessary. He said that this will not be a problem, but if it should become a problem, it will be addressed.

Winn asked the Council if they want to move forward with this concept.

**MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 3-0 (GAY, KREBBS - ABSENT) TO GIVE TEN VACATION DAYS TO ALL CITY EMPLOYEES WHO DID NOT RECEIVE THEIR COST-OF-LIVING RAISE THIS YEAR, AND TO AUTHORIZE THE CITY ADMINISTRATOR TO GO BACK TO THE BARGAINING UNITS WITH THE OPTION OF ACCEPTING A 5% REDUCTION IN SALARY AND GAINING ONE VACATION DAY PER MONTH IN EXCHANGE.**

Winn announced that there will be a budget workshop on Tuesday, March 17. He said that they will be looking at revenue and expenditure projections. He said his goal is to finalize next year's budget by June 30, 2009. He added that the city needs a contingency plan in anticipation of more state budget reductions.

Winn also mentioned that the state has plans for a new prison, but needs to find funding and the state is considering a sales tax increase. He said that when the state runs short of money, it takes it from counties and

**5. DISCUSSION ITEMS, continued:**

cities. The state took \$375,000.00 from Ripon's Redevelopment Agency this year, and may take another \$400,000.00 next year. Winn said he is looking at restructuring Ripon's resources and may move some employees around. He said he has also requested the actual cost of government - what it cost's to provide each service.

Winn gave a presentation about the need to accept and adapt to change, because more changes are coming and people need to be receptive to change.

Mayor Winn gave a presentation on "Who Moved my Cheese." The main concepts were:

- Change Happens
- Anticipate Change
- Monitor Change
- Adapt to Change
- Change
- Enjoy Change
- Be Ready to Change Quickly and Enjoy it Again and Again

*No action was required at this time.*

**B. WASTEWATER TREATMENT PLANT FACILITY ANALYSIS**

WWTP Master Plan  
*Discussion/Action*

Accept the report and authorize staff to proceed with the following actions:

- Confer with the State Regional Water Quality Control Board
- Update sewer connection fee
- Prepare WWTP preliminary design report
- Investigate land purchase opportunities
- Review river discharge and regional waste water opportunities

City Engineer Werner gave a presentation of the WWTP Facility Report. He showed the map of the existing sewer treatment plant, and discussed the capacity analysis noting that the city's last permit was issued in 1994 and we may be required to get a new permit. He explained the regulatory requirements noting that our fees are \$16.00 per household, and the other cities charge between \$23 and \$46 per month for sewer. He said that if we get a new permit, there will be more stringent guidelines than those we use now.

Werner said that the long-term alternatives are: buy more land to expand the current site, relocate to a whole new site, or participate in a regional site.

Werner said that to remain at the current site with upgrades will cost about \$118 million. The cost here is for a more sophisticated level of treatment and increased maintenance. To move to a whole new site will cost about \$170 million. And finally, to participate in a regional site will cost \$227 million. Werner said that staff recommends the first option.

**5. DISCUSSION ITEMS**

**B. continued:**

**MOTION:** MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 3-0 (GAY, KREBBS - ABSENT) TO ACCEPT THE REPORT AND AUTHORIZE STAFF TO PROCEED WITH THE FOLLOWING ACTIONS: DISCUSS ANALYSIS AND RECOMMENDED LONG-TERM ALTERNATIVE WITH THE STATE REGIONAL WATER QUALITY CONTROL BOARD; UPDATE SEWER CONNECTION FEE; OBTAIN SCOPE AND FEE FROM CONSULTANTS TO PREPARE PRELIMINARY DESIGN REPORT, WHICH INCLUDES A RECOMMENDATION FOR THE ADVANCED TREATMENT SYSTEM; INVESTIGATE LAND PURCHASE OPPORTUNITIES; AND CONTINUE TO DISCUSS RIVER DISCHARGE AND REGIONAL WASTE WATER OPPORTUNITIES AS LONG-TERM POSSIBILITIES.

Mayor Winn commented that standards are a moving target that end up costing millions. Once standards are reached, the standards are raised again. It is an unreachable goal.

City Engineer Werner said it is a balancing act between the regulatory process that protects our water, and the tax payer that pays for it.

## **REPORTS**

**City Administrator:** No Report

**City Attorney:** Terpstra said that during the Closed Session, the Council received an update on the Ripon Farm Service issue, and they gave direction to Counsel on how to proceed. Terpstra also said that the Council approved a resolution authorizing the Mayor to execute a Letter of Understanding to purchase property located on Main Street (currently used for the car wash) from the Union Pacific Railroad.

**City Engineer:** Werner reminded everyone that water in the storm drains goes directly to the river. Any illegal dumping should be reported to the City.

**Planning Director:** No Report

**Recreation Director:** Absent

**Director of Public Works:** Johnston said that the Almond Blossom Festival was very successful. He said that the work load for his department was much less at the new location. Mayor Winn said that a lot of people were surprised to see all the facilities that are at the Mistlin Sports Park.

**Chief of Police:** (absent) Lieutenant Ormande said that there was no report from the Police Department.

**City Council:** Nutt said that there is always a lot of cooperation between the Police Department and Public Works Department, and the Festival would not run as well without it. He said that a lot of out-of-town people complemented him on the park.

Uecker complemented Johnston on his work during the festival.

Winn said that there will be a shortfall of Measure K funding. It dropped from \$754 million to \$666 million, and may be reduced by up to 7% next year. Winn also said that he attended the League of California Cities Board Meeting, and they are wanting to raise funds to put a measure on the ballot to require a spending limit so the state can no longer spend more money than it has.

There being no further business, the meeting adjourned at 8:05 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 8:07 p.m.

(Signed) Chuck Winn

---

Chairman

ATTEST:

(Signed) Jeanne D. Hall

---

Deputy City Clerk

---

# Ripon Community Redevelopment Agency Minutes

---

**TUESDAY, MARCH 3, 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, 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, Lieutenant Ed Ormonde, Lorraine Goff, Bernice Finley, Victoria Nielsen, Glen W. Shirk, Joseph Plasch, Anthony Huber, Vince Franscella, Karla Arteaga, Colby Gomes, Mike Engel, Tyler Is~~, Robyn Udavi, Leo Zuber, Wally & Pam Hartley, Robert Laybourn, Danielle & Jerry Pierce, Linda Van Tol, Kyle Mendel, Angelica Ochoa, Ryan Baker, Deana Shelling, Kari Howard, Dane Wells, Carla Travaille, Allison Travaille, Cristian Rodriguez, Chris Vincent, Jake Loogman, Trina Pham, Carie Huerta, Bryce Hekmer, Navid Fardanesh, Camden Dowhower, Francisco Tustin, Koryn Hartley, Jocelyn Barbosa, Myra Alvarez, Diana Lujano, Paul Staley, Cynthia Nunes, Tiffany Canfield.

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

**APPROVE THE MINUTES: MOTION:** MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 3-0 (GAY, KREBBS - ABSENT) TO APPROVE THE REDEVELOPMENT AGENCY MEETING OF FEBRUARY 17, 2009.

**CONSENT CALENDAR**

**1. Bills, Invoices, Payments**

A. URBAN FUTURES INC.

Redevelopment Plan Amendment	
Professional Fee	<b>\$6,813.75</b>

B. THOMAS H. TERPSTRA – LAW

Redevelopment Plan Amendment	<b>\$648.00</b>
------------------------------	-----------------

**CONSENT CALENDAR, continued:**

**2. Miscellaneous**

A. TERMINATION AGREEMENT

Cornerstone II OPA  
McRoy/Wilbur Communities, inc.

Authorize the Chairman to sign the  
Termination Agreement between the Ripon  
Redevelopment Agency and  
McRoy/Wilbur Communities, Inc.

**End of Consent Calendar**

**MOTION:** MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 3-0 (GAY, KREBBS - ABSENT) TO APPROVE THE CONSENT CALENDAR.

There being no further business, the meeting adjourned at 8:07 p.m.

(Signed) Chuck Winn

---

Chairman

ATTEST:

(Signed) Jeanne D. Hall

---

Deputy City Clerk