
Ripon City Council Minutes

TUESDAY, JUNE 2, 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 Dean Uecker, Garry Krebs, Vice-Mayor Elden “Red” Nutt, Mayor Chuck Winn
Absent: Council Member Charlie Gay

OTHERS PRESENT: City Administrator Leon Compton, City Attorney Tom Terpstra, City Engineer Kevin Werner, Planning Director Ken Zuidervaart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Lt. Ed Ormonde, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Melinda Kopp, Paul Vander Veen, Navid Fardanesh, Carla Travaille, Lisa Suender, Gerry Nies, Ken Yamashita.

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 4-0 (GAY ABSENT) TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING OF MAY 19, 2009.

APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Mayor Winn announced that a closed session needs to be added to the agenda in the matter of Ripon Farm Service.

MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE ADDING A CLOSED SESSION IN THE MATTER OF RIPON FARM SERVICE TO BE HELD AFTER THE ADJOURNMENT OF THE REDEVELOPMENT AGENCY MEETING.

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

CONSENT CALENDAR

Notes:

1. Income

A. COUNTY OF SAN JOAQUIN

Municipal Sewer	\$1,600.54	
Ripon Lighting	\$554.75	
General Fund	\$62,076.27	
TOTAL		\$64,231.56

B. CHARTER COMMUNICATIONS

Franchise Fee (Jan. - Mar.)	\$19,293.19	
Franchise Fee (March 31, 2009)	\$1,088.17	
TOTAL		\$20,381.36

C. SPRINT NEXTEL

MCI Ground Lease		\$419.28
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2. Bills, Invoices, Payments

A. THOMAS H. TERPSTRA – LAW

Professional Services		\$12,580.50
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B. WEST COAST NETTING

Mistlin Baseball Netting		
Progress Payment		\$23,920.00

C. DSWA

Well No. 12 - SMI		
Progress Payment		\$2,904.00

CONSENT CALENDAR:

2. Bills, Invoices, Payments, continued:

D.	WOMACK STRIPING, INC., Wilma Avenue Roundabout Progress Payment	\$6,252.50
E.	INTERWEST CONSULTING GROUP Transportation Planning Progress Payment	\$625.00
F.	RIPON UNIFIED SCHOOL DISTRICT Swimming Pool Costs 50% Share	\$58,631.09

3. Resolutions

A. RESOLUTION NO. 09-34

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR THE FISCAL YEAR 2009-2010 FOR THE CITY OF RIPON LIGHTING DISTRICT, COUNTY OF SAN JOAQUIN, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's Annual Report for the **CITY OF RIPON LIGHTING DISTRICT** and sets the time and place of the public hearing to be on June 16, 2009 in the City of Ripon City Council Chambers.

CONSENT CALENDAR:

3. Resolutions, continued:

ASSESSMENT DISTRICT RESOLUTIONS (3B - 3I)

B. RESOLUTION NO. 09-35

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR THE FISCAL YEAR 2009-2010 FOR ASSESSMENT DISTRICT NO. 98-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS JACOB'S LANDING; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's Annual Report for the **JACOB'S LANDING** Assessment District and sets the time and place of the public hearing to be on June 16, 2009 in the City of Ripon City Council Chambers.

(Assessment: \$116.34)

C. RESOLUTION NO. 09-36

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR THE FISCAL YEAR 2009-2010 FOR ASSESSMENT DISTRICT NO. 92-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS FARMLAND ESTATES; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's Annual Report for the **FARMLANDESTATES** Assessment District and sets the time and place of the public hearing to be on June 16, 2009 in the City of Ripon City Council Chambers.

(Assessment: \$50.00)

CONSENT CALENDAR:

3. Resolutions, continued:

D. RESOLUTION NO. 09-37

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR THE FISCAL YEAR 2009-2010 FOR ASSESSMENT DISTRICT NO. 89-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS DUTCH MEADOWS; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's Annual Report for the **DUTCH MEADOWS** Assessment District and sets the time and place of the public hearing to be on June 16, 2009 in the City of Ripon City Council Chambers.
(Assessment: \$29.10)

E. RESOLUTION NO. 09-38

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR THE FISCAL YEAR 2009-2010 FOR ASSESSMENT DISTRICT NO. 94-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS MAIN STREET LANDSCAPING DISTRICT; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's Annual Report for the **MAIN STREET LANDSCAPING** Assessment District and sets the time and place of the public hearing to be on June 16, 2009 in the City of Ripon City Council Chambers.
(Assessment: 50% = \$136.96, plus 50% determined by linear footage fronting Main Street)

CONSENT CALENDAR:

3. Resolutions, continued:

F. RESOLUTION NO. 09-39

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR THE FISCAL YEAR 2009-2010 FOR ASSESSMENT DISTRICT NO. 89-2, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS COUNTRY WOODS, UNIT NO. 2 AND ZUMSTEIN ESTATES; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's Annual Report for the **COUNTRY WOODS, UNIT NO. 2 AND ZUMSTEIN ESTATES** Assessment District and sets the time and place of the public hearing to be on June 16, 2009 in the City of Ripon City Council Chambers.
(Assessment: \$75.82)

G. RESOLUTION NO. 09-40

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR THE FISCAL YEAR 2009-2010 FOR ASSESSMENT DISTRICT NO. 02-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS CAROLINA'S LANDSCAPE MAINTENANCE DISTRICT; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's Annual Report for the **CAROLINA'S LANDSCAPE MAINTENANCE** Assessment District and sets the time and place of the public hearing to be on June 16, 2009 in the City of Ripon City Council Chambers.
(Assessment: \$154.10)

CONSENT CALENDAR:

3. Resolutions, continued:

H. RESOLUTION NO. 09-41

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR THE FISCAL YEAR 2009-2010 FOR ASSESSMENT DISTRICT NO. 96-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS BOESCH-KINGERY; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's Annual Report for the **BOESCH-KINGERY** Assessment District and sets the time and place of the public hearing to be on June 16, 2009 in the City of Ripon City Council Chambers.
(Assessment: \$58.84)

I. RESOLUTION NO. 09-42

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S ANNUAL REPORT PERTAINING TO THE LEVYING OF ANNUAL ASSESSMENTS FOR THE FISCAL YEAR 2009-2010 FOR ASSESSMENT DISTRICT NO. 07-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS CORNERSTONE 1 LANDSCAPE MAINTENANCE DISTRICT; DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICT; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

This resolution approves the City Engineer's Annual Report for the **CORNERSTONE-1 LANDSCAPE MAINTENANCE** Assessment District and sets the time and place of the public hearing to be on June 16, 2009 in the City of Ripon City Council Chambers.
(Assessment: \$132.30)

☞ **End of Consent Calendar** ☞

4. PUBLIC HEARINGS

Notes:

A. CITY BUDGET 2009 - 2010

<u>Category</u>	<u>Total Expenses of all Funds</u>	
General	\$9,340,210.00	This is a public hearing on the proposed budget for the fiscal year 2009-2010.
Streets	\$464,906.00	
Water	\$2,677,250.00	
Garbage	\$1,426,675.00	
Sewer District	\$1,439,900.00	
Rdv. Agency	\$6,015,998.00	

Letter from the Stockton-San Joaquin County Public Library	Consider the revised bill from the Ripon branch library.
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Vice Mayor Nutt stated that he would abstain from voting on Account No. 89300 (Donation to the Chamber) because he is on the Chamber Board of Directors.

Council Member Uecker stated that he needed to abstain because he is also on the Chamber Board.

Mayor Winn pulled the Donation to the Chamber from the budget, and stated that it will be voted on at the June 16 meeting, when the Council would have a full quorum.

City Administrator Compton said that a workshop on the budget was held at the last meeting. Since that time a letter was received from the Stockton/San Joaquin County library about the funding for the Ripon branch. He said that this budget has a \$300,000 deficit that will be covered by reserves. He said that the City depends on sales tax, and 62% of our sales tax comes from fuel sales.

Mayor Winn said he attended the Friends of the Library meeting to ask what the City’s contribution pays for. He said it should be for salary and not operating expenses. He also noted that the amount the county is requesting is less than what the City gave last year.

Council Member Uecker said that \$30,649.00 is not much to give, but if the economy gets tougher, the decisions will become harder.

Council Member Krebbs said he was impressed by the number of young people using the library. He said that the \$30,649 expense is a bargain for the City.

Vice Mayor Nutt said that the library is not a responsibility of the City, just like the Chamber is not a responsibility of the City, but they are still part of the community. He said that we can’t keep going like we have been – the economy took a nose dive and it won’t recover overnight. Nutt said that we have to keep that in mind because we are using \$300,000 from the reserves. He also said that the City should continue to support the library as long as possible; however, we can’t keep doing this if money is not there.

PUBLIC HEARING, continued:

Winn said that it is a legitimate issue. He asked how long does the City continue to subsidize programs that we are not responsible for. He said that this council is committed to making a decision tonight. The state is looking at taking a lot more money from us. Winn said that the Council will have to make some adjustments in the coming months. He said that what the Council does tonight is not cast in stone. Winn also said that we cannot finance a library any other way.

Melinda Kopp, Ripon Branch Library, said that summer reading sign-ups have begun, and in two days, Ripon has more sign-ups than all the other branches – 120 kids so far. She said that the program runs all summer.

Paul Vander Veen, Ripon, said that the retirement contribution could be reduced.

Mayor Winn said that the retirement contribution is contractual for most employees.

Carla Travaille, Ripon, said that she is concerned about the lack of revenue. She said that the City should not just look at the library when looking to cut expenses.

Winn said that the Council will continue to monitor the revenue situation. He said that cities our same size are laying off up to 15 employees. He said that Ripon does have a reserve, but we do not take it lightly. The Council is not just looking at the library, but it was brought up because of the letter sent by the county.

Eric Vander Veen, Ripon, asked how passing a \$300,000 deficit budget is a good thing. The Council should make more cuts now, and not wait until things get worse.

Winn said that the Council is looking at the City's responsibility to provide services. Other cities have made those cuts and their council meeting are packed with people because they are losing services. We do not want to reduce services to public safety, parks, safe water, or garbage collection. If we lay off people, than we have to cut services. No one wants their services cut. The City takes in money for particular services, but by law, we cannot move money around. The General Fund is the problem – all other funds are in good shape. The City is paying for things we should not pay for – the library, the swimming pool, the chamber. He said that the Council will not let the City go bankrupt. He said that services will be reduced if necessary.

Winn said that government entities are required to have a reserve, and this is money we have collected over years – set aside for times like these.

Lisa Suender, Friends of the Library, said that they pulled from their own funds – money left over from the building fund - to donate \$20,000 for the matching funds. She said that this is a one time donation. She said that the PALs kids now come to the library because it is a safe haven for the kids.

Mayor Winn asked for a motion from the Council regarding the library's request.

MOTION: MOVED, SECONDED (KREBBS, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE DONATING \$30,649.00 TO THE RIPON BRANCH OF THE STOCKTON/SAN JOAQUIN COUNTY LIBRARY.

Vice Mayor Nutt requested to be notified if the need for reserves goes beyond \$300,000.

PUBLIC HEARING, continued:

Mayor Winn said that he looks at the budget every month and he will give notice when and why it goes over \$300,000.

MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE 2009 - 2010 CITY BUDGET WITH THE AMENDMENT TO THE LIBRARY DONATION, AND THE VOTE ON THE CHAMBER DONATION TO BE CONTINUED TO JUNE 16, 2009.

REPORTS

City Administrator: No Report

City Attorney: Terpstra said he will report out on the Closed Session after the meeting adjourns.

City Engineer: No Report

Planning Director: No Report

Recreation Director: Stevens said that he and City Administrator Compton went to Lindsay to view a 172,000 sq. ft. indoor recreation facility which holds a fitness center, swimming pool, arcade, laser tag, rock climbing wall, boxing ring, theater, soccer fields, baseball fields, and more; but they don't know how they will get the \$350,000 per month to keep it open.

Director of Public Works: No Report

Chief of Police: No Report

City Council: Mayor Winn said he attended a Council of Governments meeting regarding making Highway 99 an interstate. The COG Board voted 'No' on the interstate, and instead, use any money to expand two-lane areas to three lanes.

There being no further business, the meeting adjourned at 8:10 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 8:11 p.m.

(Signed) Chuck Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

CLOSED SESSION: The meeting was called to order at 8:15 p.m.

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

Absent: Council Members Charlie Gay

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

IN THE MATTER OF:

Conference with Legal Counsel pursuant to Section 54956.9 of the California Government Code.
- Ripon Farm Service

The meeting adjourned at 8:30 p.m., and the Closed Session was continued to June 5, 2009.

Ripon Community Redevelopment Agency Minutes

TUESDAY, JUNE 2, 2009

AFTER COUNCIL MEETING

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

Absent: Director Charlie Gay

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, Lt. Ed Ormonde, Bull, Recreation Director Kye Stevens, Melinda Kopp, Paul Vander Veen, Navid Fardanesh, Carla Travaille, Lisa Suender, Gerry Nies, Ken Yamashita.

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

APPROVE THE MINUTES: MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE MINUTES OF THE REDEVELOPMENT AGENCY MEETING OF MAY 19, 2009.

CONSENT CALENDAR

1. Income

A. COUNTY OF SAN JOAQUIN

Redevelopment

\$371,816.05

