
Ripon City Council Minutes

TUESDAY, NOVEMBER 10, 2015

REGULAR MEETING

6:00 P.M.

PLEDGE OF ALLEGIANCE: The meeting was called to order at 6:00 p.m. with Council Member Mark Winchell leading in the Pledge of Allegiance to the Flag.

INVOCATION: Angelo Contreras gave the invocation.

ROLL CALL: Council Members Mark Winchell, Michael Restuccia, Dean Uecker, Vice Mayor Jake Parks, Mayor Leo Zuber.

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, Planning Secretary Mitzi Johnston, Computer Tech Dan Brannon, Jaime Fountain, Rosa Alvarado, Lauren Bartels, Esmeralda Valdez, Hunter Gallup, Angelo Contreras, Cody Beato, Mariah Rivera, Gaynl Trotter, Tori Jordan, Emilio Villalobos, Gabe Beltran, Isaac Lopez, Devin Corso, Victor de la O, Jake Veltkamp, Haley Simmons, Mark McPeak, Karla Calderon, Dennis Bitters, Gary Barton, Jonathan Soto, Jasmine Weed, Jared Lundrigan, Analisa Ragel

PUBLIC DISCUSSION:

No one wished to speak.

APPROVAL OF MINUTES:

MOTION: MOVED/SECONDED (RESTUCCIA, WINCHELL) AND CARRIED BY A 5-0 VOTE TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON OCTOBER 13, 2015.

APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Engineering Supervisor Pease said there was a minor change to Item 3J where the liaison officer is City Clerk L. Roos.

Mayor Zuber requested Item 2C be pulled for discussion from the Consent Calendar.

MOTION: MOVED/SECONDED (RESTUCCIA, PARKS) AND CARRIED BY A 5-0 VOTE TO APPROVE THE AGENDA AS AMENDED.

CONSENT CALENDAR

NOTES:

1. Income

A. STATE OF CALIFORNIA

Retail Sales Tax
(October 2014 \$159,100.00) \$174,600.00
Highway User Tax
(October 2014 \$38,771.54) \$26,679.70

TOTAL \$201,279.70

B. WASTE MANAGEMENT

Franchise fee payment – September 2015 \$1,845.82

C. BERTOLOTTI DISPOSAL

Franchise fee payment – 3rd Quarter 2015 \$1,657.12

D. GILTON SOLID WASTE MANAGEMENT

Franchise fee payment – 3rd Quarter 2015 \$4,769.11

E. CCATT HOLDINGS

Acacia Avenue Cell Tower Lease \$968.73

2. Bills, Invoices, Payments

A. PRICE PAIGE & COMPANY

Audit Services \$11,735.00
Progress Payment – Invoice #9134

B. DE NOVO PLANNING GROUP

Housing Element \$4,730.00
Progress and Final Payment - Invoice #1616

CONSENT CALENDAR

NOTES:

2. Bills, Invoices, Payments, Continued:

C.	KLA LANDSCAPE ARCHITECTURE Landscape Design Guidelines Progress Payment – Invoice #15-8235 Invoice #15-8298	<i>Item 2C was pulled for discussion.</i> \$1,200.00 <u>\$2,400.00</u>	
	TOTAL		\$3,600.00
D.	SAN JOAQUIN REGIONAL TRANSIT DISTRICT Blossom Express Driver August Invoice #AR109122 September Invoice #AR109123	 \$2,062.75 <u>\$2,100.75</u>	
	TOTAL		\$4,163.50
E.	T. MITCHELL CNG Station Expansion Design Services - Invoice #2689		\$189.31
F.	GOODWIN CONSULTING GROUP North Pointe Specific Plan Progress Payment- Invoice #8216		\$8,582.50
G.	AMERICAN PAVEMENT SYSTEMS Asphalt Rubber Cape Seal Project Progress Payment – Invoice #15-90-3		\$361,785.84
H.	G.M. CONSTRUCTION & DEVELOPERS, INC. Water Meter Installation Project Progress Payment – Invoice #3694.2		\$256,525.65
I.	MUNICIPAL FINANCIAL SERVICES Water, Wastewater, Garbage Revenue & Rate Studies Progress Payment– Invoice #201308-10		\$900.00

CONSENT CALENDAR

NOTES:

2. Bills, Invoices, Payments, Continued:

J. NATIONAL METER & AUTOMATION, INC.

Material Purchases for the Water
Meter Installation Project
Progress Payment –

Invoice #S1064420.001	\$110,185.92
Invoice #S1064420.003	\$117,158.40
Invoice #S1064427.001	\$5,676.48
Invoice #S1064427.003	\$10,501.92
Invoice #S1064420.010	\$65,944.11
Invoice #S1064420.012	\$40,616.89
Invoice #S1064427.005	<u>\$10,643.40</u>

TOTAL		\$360,727.12
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K. WOOD ROGERS

Well Site Suitability Assessment &
Design Services

Progress Payment – Invoice #96529

Well 5 & 12 Assessments & Design Services – Invoice #96530	\$6,123.88
	<u>\$1,250.00</u>

TOTAL		\$7,373.88
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L. TERPSTRA HENDERSON

Professional Services –

General Matters	\$12,062.25
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Police Matters	\$1,979.65
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Redevelopment Matters	\$1,512.50
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v. J-M Manufacturing Co. et al.	<u>\$52.50</u>
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TOTAL		\$15,606.90
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3. Miscellaneous Items

A. QUARTERLY INVESTMENT POLICY REVIEW

July 1, 2015 to September 30, 2015

Accept the City's quarterly investment report
for the period ending September 30, 2015.

CONSENT CALENDAR

NOTES:

3. Miscellaneous Items, Continued:

B. BASECAMP ENVIRONMENTAL

General Services Agreement

Authorize the Mayor to sign the agreement with Basecamp Environmental for CEQA Initial Study/Mitigated Negative Declaration for the Ripon Gardens II Project. Costs are paid by the Developer.

C. KD ANDERSON & ASSOCIATES, INC.

General Services Agreement

Authorize the Mayor to sign the agreement with KD Anderson & Associates, Inc. for Traffic Engineering Consultant Services for the Ripon Gardens II Project. Costs are paid by the Developer.

D. KD ANDERSON & ASSOCIATES, INC.

General Services Agreement

Authorize the Mayor to sign the agreement with KD Anderson & Associates, Inc. for Traffic Engineering Consultant Services for River Road/Fulton Avenue Residential Subdivision. Costs are paid by the Developer.

E. RIVER ROAD/FULTON AVENUE SUBDIVISION

Reimbursement Agreement

Authorize the Mayor to sign the Reimbursement Agreement with Rod Lowe for staff time to respond to a variety of applications, including, but not limited to, a subdivision application and development agreement for the property located at the south/west corner of River Road and Fulton Avenue.

F. SPRINT

Consent to Sublease

Authorize the Mayor to sign the consent to sublease the Sprint cell tower located at 1220 S. Acacia Avenue.

G. RIPON GARDEN APARTMENTS, LLC

Final Acceptance for Project Improvements

Accept the off-site project improvements for the Ripon Garden Apartments.

CONSENT CALENDAR

NOTES:

3. Miscellaneous Items, Continued:

H. O.C. JONES AND SONS, INC

Mistlin Sports Park Softball Fields
Restroom and Concession Facilities

Accept the project and authorize staff to record a Notice of Completion. Authorize staff to release the Retention (\$59,206.08) thirty-five days after recording the Notice of Completion.

I. PROCLAMATION

National Homeless Youth Awareness
Month

Proclamation to the Women’s Center to announce November as National Homeless Youth Awareness Month.

J. AMERICANS WITH DISABILITIES
ACT (ADA)

Grievance Policy and Procedure

Adopt the ADA Grievance Policy and Procedures, as required to remain in Compliance with the Americans with Disabilities Act as a recipient of Federal and State Funding.

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

MOTION: MOVED/SECONDED (PARKS, WINCHELL) AND CARRIED BY A 5-0 VOTE TO APPROVE THE CONSENT CALENDAR AS AMENDED.

Discussion on Item 2C.

Mayor Zuber asked when the plans would be complete. Zuidervaart said that he has a meeting scheduled for next week with KLA and he hopes the guidelines will be brought before the City Council for approval at the January 2016 meeting. Zuber asked how we are paying for these guidelines. Zuidervaart replied that it is coming out of the general fund. Zuber asked if these standards will be written into the development agreements. Zuidervaart replied that it will be written into the development agreements that they will need to comply with these Landscape Design Guidelines. Restuccia asked if our guidelines are more severe than the states guidelines, would they be enforceable. Zuidervaart replied yes.

MOTION: MOVED/SECONDED (PARKS, RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO APPROVE CONCENT CALENDAR ITEM 2C.

PRESENTATION OF PROCLAMATION

Mayor Zuber presented a proclamation to the Women’s Center Youth and Family Services declaring November as National Homeless Youth Awareness Month. Zuber said that it is important that we recognize that a problem exists and that we try to deal with the problem by providing means and opportunities for our youth.

4. **PUBLIC HEARINGS**

Notes:

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

A. AB1600

A Public Hearing on an annual report of capital fees covered under Government Code Section 66000 et seq.

Action: Review and Approve the Annual AB1600 Report

City Clerk Roos said this is a public hearing on our annual report of capital fees for the fiscal year ending June 30, 2015 pursuant to California Government Code Section 66000. Roos said that we are required to report the following items within 180 days of the fiscal year end: a) a description of the fee; b) the amount of the fee; c) the beginning and ending balance of each account; d) the amount of the fees collected and the interest earned; e) an identification of each public improvement of which fees were expended and the amount of the expenditures of each improvement, including the total percentage of the cost of the public improvement that was funded with fees; f) an identification of an approximate date by which the construction of the public improvement will commence; g) a description of each interfund transfer or loan made; and h) the amount of refunds made.

Zuber asked how we have a \$6.5M deficit. City Administrator Werner replied that we sometimes have to put in and pay for infrastructure before the fees are collected. Zuber asked where the money comes from. Werner replied that we borrow from other funds but that we track and charge interest rates.

Zuber said that \$5M of the \$6.5M is the City Hall/Police Department Building and we are getting further in debt. Werner commented that growth has happened at a slower rate than anticipated. Werner then added that staff plans to have Goodwin Consulting come in to take another look at our fees.

PUBLIC HEARING OPENED

No one wished to speak on this item.

PUBLIC HEARING CLOSED

MOTION: MOVED/SECONDED (RESTUCCIA,UECKER) AND CARRIED BY A 5-0 VOTE TO APPROVE THE ANNUAL AB600 REPORT

B. 2016 HEALTH AND WELFARE PLAN FOR COUNCIL MEMBERS

RESOLUTION NO. 15-67

**RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ADOPTING AN INCREASE IN THE
COST OF PROVIDING HEALTH
BENEFITS TO THE CITY
COUNCIL MEMBERS**

As required by Ripon Municipal Code 2.04.010, prior to the City Council approving any increase in the cost of providing health benefits to City Council Members, the City Council may consider whether to accept said increase at a public meeting after public input.

Werner said that this is a public hearing on a resolution to increase the cost of providing health benefits to the City Council Members. Werner commented that the Council had previously passed an Ordinance which requires that the City Council approve any amendments.

PUBLIC HEARING OPEND

No one wished to speak on this item.

PUBLIC HEARING CLOSED

MOTION: MOVED/SECONDED (WINCHELL, PARKS) AND CARRIED BY A 5-0 VOTE TO APPROVE RESOLUTION 15-67 ADOPTING AN INCREASE IN THE COST OF PROVIDING HEALTH BENEFITS TO THE CITY COUNCIL MEMBERS

5. RESOLUTIONS

Notes:

A. RESOLUTION NO. 15-68

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ADOPTING AN INCREASE IN THE COST OF PROVIDING HEALTH BENEFITS TO THE **ADMINISTRATIVE STAFF AND NON-REPRESENTED POLICE DEPARTMENT EMPLOYEES**

This resolution adopts an increase of health benefits for the City of Ripon administrative staff and non-represented police department employees.

B. RESOLUTION NO. 15-69

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ADOPTING AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING FOR FISCAL YEARS 2014-2016 FOR ALL EMPLOYEES OF THE CITY OF RIPON **POLICE OFFICER'S ASSOCIATION**

This resolution adopts Amendment No. 2 of the 2014-2016 Memorandum of Understanding for all employees of the City of Ripon Police Officer's Association, which provides an increase of health benefits.

C. RESOLUTION NO. 15-70

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ADOPTING AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING FOR FISCAL YEARS 2014-2016 FOR ALL EMPLOYEES OF THE CITY OF RIPON **POLICE SERGEANT'S ASSOCIATION**

This resolution adopts Amendment No. 2 of the 2014-2016 Memorandum of Understanding for all employees of the City of Ripon Police Sergeant's Association, which provides an increase of health benefits.

D. RESOLUTION NO. 15-71

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ADOPTING AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING FOR FISCAL YEARS 2014-2016 FOR ALL EMPLOYEES OF THE CITY OF RIPON WORKING IN THE CLASSIFICATION OF **PUBLIC WORKS MAINTENANCE AND PUBLIC WORKS FOREMAN**

This resolution adopts Amendment No. 2 of the 2014-2016 Memorandum of Understanding for all Public Works Maintenance and Public Works Foreman employees, which provides an increase of health benefits.

Zuber asked if the Resolutions in items 5A, 5B, 5C and 5D could be addressed together as they all relate to the same topic. Attorney Terpstra said yes they could be presented and voted on together.

Werner said that staff met with different bargaining groups and met with non-represented staff and the health care benefits are the same except for the changes to wording that is shown in red in the Council's staff reports.

MOTION: MOVED/SECONDED (RESTUCCIA, WINCHELL) AND CARRIED BY A 5-0 VOTE TO ADOPT RESOLUTIONS 15-68, 15-69, 15-70 AND 15-71 ADOPTING AN INCREASE IN THE COST OF PROVIDING HEALTH CARE BENEFITS

E. RESOLUTION NO. 15-72

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ESTABLISHING PLANNING AGENCY FEE SCHEDULE AND RESCINDING ALL PREVIOUS RESOLUTIONS IN CONFLICT HEREWITH

This resolution adopts the revised Planning Agency Fee Schedule replacing the previous fee schedule adopted with Resolution No. 15-26.

Planning Director Zuidervaart said that this amendment to the fee schedule was to include the two new applications that were previously approved by City Council which were the Seasonal Temporary Use permit fee and the Minor Use Permit fee.

Council Member Restuccia said that these fees should cover our costs and asked if they do this. Zuidervaart said that the fee for a seasonal temporary use falls more in the line with the cost of a special event permit structure rather than a site plan review fee and a minor use permit would be similar to a site plan process (\$700) which is about half the cost of a conditional use permit (\$1,494). Zuidervaart said that he is looking at pulling together our fees with other cities for comparison.

MOTION: MOVED/SECONDED (RESTUCCIA, UECKER) AND CARRIED BY A 5-0 VOTE TO ADOPT RESOLUTION 15-72 ADOPTING THE NEW PLANNING AGENCY FEE SCHEDULE

6. ORDINANCES

Notes:

First Reading and Introduction

A. ORDINANCE NO. 828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIPON ADDING CHAPTER 16.184 TO THE RIPON MUNICIPAL CODE RELATING TO DONATION BINS

This ordinance adds Chapter 16.184 to the Ripon Municipal Code relating to Donation Bins.

Zuidervaart said that he had gone through most of the this Ordinance at the October meeting but that Council had requested some changes which have been incorporated.

Zuidervaart said that staff had received a letter from a bin owner who was concerned about the fee for placement of a bin saying it seemed excessive. Zuidervaart said that staff time to review an application costs about \$400. If they were to review two bins it would bump that cost up. Zuidervaart said that it is up to the Council to opt to allow for two bins under one permit.

Council Member Uecker said that he thinks a higher fee might be a good thing as it will deter too many.

Zuber asked if this ordinance is for both profit and non-profits and Zuidervaart replied yes, that he was advised by the City Attorney to treat them the same.

City Attorney Terpstra concurred and said that for profit and non-profit would be treated the same across the board and the only difference would be that a non-profit would not be required to obtain a business license and for profit agencies would need to obtain a City business license.

Council Member Winchell asked if this ordinance would affect our recycling bins. Zuidervaart replied that the recycle bins are City sponsored and so they would not need to obtain a permit.

Winchell asked about the ADA requirements. Zuidervaart replied that the applicant will have to make sure that where the bin is to be placed does not interfere with ADA accessibility.

Zuidervaart said that the letter he received also talked about their concerns over the 1,000 foot buffer between these collection bins. Zuidervaart said that there is language in the ordinance that gives the Planning Director the authority to allow for occasional adjustments to that buffer if deemed appropriate. Zuidervaart added that some cities have five (5) or six (6) bins lined up next to each other and the City of Ripon would like to avoid this.

Winchell asked about enforcement. Zuidervaart replied that enforcement will happen through the Ordinance which they will have to comply with. Code Enforcement will enforce the code.

Winchell clarified that the ordinance says that the Owner and Operator are equally liable and that they have 24 hours to react to a complaint and 72 hours to resolve the issue or they will be fined \$250.00. Zuidervaart replied that this is correct.

Restuccia commented that the penalties might not be high enough.

Zuber commented that the code says that they cannot be placed in any residential district but that Schools are in residential districts. Zuidervaart replied that school sites are zoned public semi-public (PS) so the code will not affect the schools but that it may affect churches in residential zones. If a bin is put down at the recycling center it should fall under the City's control as we lease the lot from the property owner for recycling purposes so we would be the authorized agents in this case.

Terpstra added that we would have to work with the Property Owner to make sure they are comfortable with it.

Zuber wanted to make sure that everyone understands that when this ordinance is put in place everyone is going to have to pay a fee to have a donation/collection bin.

Terpstra stated that this guards against a for profit agency working with a non-profit to get around our ordinance.

MOTION: MOVED/SECONDED (RESTUCCIA, PARKS) AND CARRIED BY A 5-0 VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 828.

B. ORDINANCE NO. 829

AN ORDINANCE OF THE CITY OF
RIPON REZONING CERTAIN
REAL PROPERTY IN THE CITY
OF RIPON

This ordinance amends the General Plan Land Use designation from RC (Regional Commercial) to VHD (Very High Density Residential) and rezones the property from C2R (Regional Commercial) to R4U (Multiple Family Residential Urban) located at 1705 N. Jack Tone Road
APN: 228-110-06

Zuidervaart said that this ordinance is a follow-up to the Housing Element.

MOTION: MOVED/SECONDED (UECKER, WINCHELL) AND CARRIED BY A 5-0 VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 829.

C. ORDINANCE NO. 830

AN ORDINANCE OF THE CITY OF
RIPON REZONING CERTAIN
REAL PROPERTY IN THE CITY
OF RIPON

This ordinance rezones the properties located at 300 E. Milgeo Road, 771 John Roos Avenue, and 253 Idaho Street from UR (Urban Reserve) to R1 (Single Family Residential) APN: 261-200-27, 261-200-25, 261-190-12

MOTION: MOVED/SECONDED (UECKER, RESTUCCIA) AND CARRIED BY A 5-0 VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 830.

D. ORDINANCE NO. 831

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF RIPON
AMENDING CHAPTER 9.10 OF
THE RIPON MUNICIPAL CODE

This ordinance amends Chapter 9.10 of the Ripon Municipal Code dealing with Medical Marijuana Dispensaries.

Zuidervaart said that this ordinance prohibits the delivery of medical marijuana in the City of Ripon.

Terpstra said that in conjunction with the Medical Marijuana Safety Act this would give the City of Ripon the ability to prohibit the delivery of medical marijuana.

MOTION: MOVED/SECONDED (PARKS, UECKER) AND CARRIED BY A 5-0 VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 831.

7. **DISCUSSION ITEMS**

Notes:

A. FIREWORKS ORDINANCE

Discussion/No Action

Discuss the City's current ordinance Chapter 9.28 regarding the possession and discharge of illegal fireworks.

Chief Ormonde said that he is looking for direction to prepare an ordinance that would allow the City to deal with property owners that are lighting off illegal fireworks or allowing this activity to take place on their property.

Winchell asked how we will deal with the situation if there is an absentee owner and it is a tenant that is setting off illegal fireworks. Ormonde replied that the ordinance has not been written yet. Ormonde said that our current municipal code says "upon viewing the use of illegal fireworks" and we can seize them but if no one claims ownership or states that they shot them off, there is no one that is held accountable.

Winchell commented that this ordinance would give you teeth. Ormonde said that it would. Ormonde added that the Police and Fire Department spend a lot of time chasing these without accountability and the use of illegal fireworks continues to grow.

Zuber asked if they have checked with other City's that have this in place to find out if it has helped. Ormonde replied no, and added that it seems like the most logical way to go.

Restuccia said that he likes Winchell's comment about absentee owners being on the hook.

Zuber asked if it was the consensus of the Council to pursue an ordinance and all agreed.

**B. MISTLIN SPORTS PARK
FINANCIAL REPORT**

Discussion/No Action

Staff to present a financial report of Mistlin Sports Park.

Recreation Director Stevens provided a four year snapshot of the expenses and revenue of the Mistlin Sports Park. Stevens said that they have added softball field, soccer field, concessions and restroom facilities as well as an employee. Stevens said that the expenses did go up but so did revenue. Stevens said that this year we had trouble with grub worms in a field which caused an increase in the maintenance/repair of the fields. Stevens said that with the drought we also had to replace sprinklers and adjust the timers and it affected man hours. Stevens said that the Park went from two lighted fields to six lighted fields and an operational concession room so the expenses for these additions were increased. Stevens said that we are recovering about 71% of our expenses and this percentage should continue to increase. Stevens added that the park brings in a lot of tournament play in addition to local youth programs. This Park is also used for the Almond Blossom Festival, Fourth of July show, and Color the Skies.

Restuccia asked if this report captures all the costs associated with Mistlin Sports Park. Stevens said that he believes it does.

Restuccia asked if we considered revising the fee structure. Stevens said that the fee structure is looked at every year. Stevens said that in addition to this being a sports facility, it is also one of twenty parks in town. Stevens said that our goal is to offset the costs and we are headed in an upward trajectory.

Vice Mayor Parks commented that the grub worm problem caused the City to have to replace sod and asked if we have to do maintenance on the fields every five years. Stevens said that there is not a set time frame on maintenance issues; it really depends on the amount of use. Stevens added that you cannot anticipate issues such as grub worms. Stevens commented that this was a high year with expenses.

Parks asked if there is room for growth and if the added lights will provide more flexibility to use. Stevens said that there is room for growth but added that there are no lights for the soccer fields. These fields are mainly used on the weekend. The baseball and softball fields are not at capacity. Stevens said that currently the City receives a set payment for the rental of the baseball/softball fields.

Parks asked if the concession and cages income was increasing. Stevens replied that the concessions have only been operational since July and they are not yet at 100%.

Council Member Uecker asked if alcohol was allowed to be sold in the baseball area, would revenue go up. Stevens commented that there is currently a City wide ban on alcohol at our public parks.

Winchell asked if lighted soccer field would increase our revenue. Stevens replied that it would but it would also increase our expenses.

Zuber said that he thought the City turned the fountain off and asked about the expense shown on the report. Stevens replied that the fountain was turned off in May but that this report is for fiscal year July 2014 through June 2015.

Zuber asked if the baseball use quadrupled TPR's revenue, would the City still receive the same amount. Stevens replied that it is a set payment. Stevens then said that this next fiscal year should allow us a better comparison.

Zuber commented that when this park was started we were told that it would pay for itself.

Werner said that it was also done to help local businesses to be more successful through economic development.

Zuber commented that we don't benefit unless we get these fees under control.

Werner commented that we do not rent the park to ourselves for our recreation programs. Zuber suggested that we put that number in there to show that there is a value.

C. BUDGET UPDATE

Discussion/No Action

Staff to present an update on the Fiscal Year 2014-2015 budget.

Werner gave a brief overview of our fiscal year 14/15 budget and said that we projected a \$900K surplus. Werner said that our sales tax was down 14% to date because of the drop in gas prices.

D. WATER CONSERVATION

Discussion/Action

Staff to report on the City's Water Conservation Program. City Council to consider winter water rules, including limiting outdoor watering to one day per week.

Public Works Director Johnston said that our well levels have decreased an average of 2-4%. From 2013 to current we have reduced the water amount in our wells about one (1) foot per year. Two wells dropped down eleven (11) feet. Johnston said that they are keeping a close eye on two of the wells but overall we are in good shape.

Johnston said that regarding water conservation, we are at the same percentage. Johnston said that we have hung 420 door hangers, had 103 personal contacts, given 98 penalty assessments bringing our total penalty assessment to date up to 165. Johnston said that we are also in the process of sending out second notices. Approximately eleven (11) have refused the registered letters and the City is in the process of hand delivering those notices.

Winchell asked if we could turn their water off. Johnston replied that our regulations do not allow for that but we may consider putting restrictors on their meters.

Johnston said that a few people have contested their citations and they are looking at these on a case by case basis.

Johnston said part of the process is educating people such as not watering for 48 hours after a storm.

Johnston said that staff is recommending that the City Council modify the resolution to address a one day watering schedule for the winter months.

Restuccia commented that reducing watering to one day a week during the month is a good idea.

Johnston said that he would like to encourage people to turn their water systems off.

Parks asked the audience if they have any suggestions on how we can reduce our water usage.

Jasmine Wynne (Sultana Ct) said that she comes from a big family and they skip a day showering to help.

Emily S. said that she has noticed and reported overwatering but she has not seen any action taken. Emily said that she does not feel that it is being enforced.

Gaynl Trotter (Orange Ave) said that her grandmother only took a bath once a week. Trotter said that this problem is bigger than Ripon and the state needs to stop fracking and stop the twin tunnels.

Zuber commented that dropping to three (3) days should have done it and we are going to get nailed by the State.

Uecker asked if it is staff recommendation that we reduce watering to one day a week. Johnston replied yes.

Zuber concurred with staff's recommendation and asked if the water conservation person would be working on the weekend. Johnston replied yes, and then said that they will place notifications on the garbage cans so we can get the information out to every resident.

Maria Rivera (E. River Rd) asked the Council what they do with the extra water that is in the water pitchers. Roos replied that we water the plants with the excess water.

MOTION: MOVED/SECONDED (UECKER, PARKS) AND CARRIED BY A 5-0 VOTE TO ADOPT RESOLUTION NO. 15-73 LIMITING OUTDOOR WATER USE TO ONE DAY PER WEEK DURING THE WINTER MONTHS.

REPORTS

Department Heads:

Ormonde invited all to attend the quarterly town hall meeting.

James Pease, Engineering Supervisor said that the water meter installation is moving along. They are about 25% complete having installed 480 meters so far and should be complete by April 1st. Zuber asked if they will remove all the markings they are placing in the street. Pease said that the marking would be removed.

Uecker invited all to the events on Veterans Day at both the Veterans Wall and the VFW hall.

Zuber commented that the downtown trick or treat event was really well put together. Zuber commented that a good number of businesses participated and it was a great turnout and he wanted to applaud the coordinator (Crystal Brown).

Zuber addressed the audience about basic rules of conduct for public meetings and mentioned that for future meetings in order for students to receive credit for attending they will need to have a form signed by one of the Council Members.

There being no further business the Regular Council Meeting was adjourned at 7:55 p.m.

(Signed) Leo Zuber
Mayor

ATTEST:
(Signed) Lisa Roos
City Clerk