
Ripon City Council Minutes

TUESDAY, OCTOBER 09, 2018 – 6:00 PM

REGULAR MEETING

6:00 PM

PLEDGE OF ALLEGIANCE:

The meeting was called to order at 6:00 PM with Vice Mayor Zuber leading in the Pledge of Allegiance to the Flag.

INVOCATION:

Pastor Chris Williams gave the invocation.

ROLL CALL:

Attendee Name	Title	Status	Arrived
Dean Uecker	Council Member	Present	
Daniel de Graaf	Council Member	Present	
Jake Parks	Council Member	Absent	
Leo Zuber	Vice Mayor	Present	
Michael Restuccia	Mayor	Present	

OTHERS PRESENT:

Executive Director Kevin Werner, City Attorney Tom Terpstra, Secretary Ken Zuidervart, City Clerk Lisa Roos, Deputy City Clerk Tricia Raymond, Information Systems Technician Dan Brannon, Director of Public Works Ted Johnston, Police Chief Ed Ormonde, Recreation Director Kye Stevens, Engineering Supervisor James Pease, Ernie Tyhurst, Marylynn Wheeler-Reynolds, Vince Hobbs, Jason Laughlin, Karen Swan, Ronald Warren.

PUBLIC DISCUSSION:

Jason Laughlin on behalf of Assemblyman Heath Flora provided an update on multiple bills that Flora was in favor of that passed including AB1914, AB2561, AB2600, AB2461, AB2989 and Resolutions 181 and 179.

Marylynn Wheeler-Reynolds said she is the owner of Lot 15 purchased from builder Mark Wilbur. She came before Council to state she purchased land for \$5,000 that the house sits on and it is in her name.

Reynolds said she does not live at the property anymore due to a divorce, but the divorce papers were botched and not done correctly, nor were they signed or recorded by a judge. Reynolds went on to share information on her paperwork and disclosed how she has been arrested by the Ripon Police Department for trespassing since the property is said to be owned by her ex-husband.

APPROVAL OF MINUTES:

Motion to approve the minutes of the Regular Ripon City Council Meeting of September 11, 2018.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Leo Zuber, Vice Mayor
SECONDER: Dean Uecker, Council Member
AYES: Uecker, de Graaf, Zuber, Restuccia
ABSENT: Parks

A. CITY COUNCIL - REGULAR MEETING - SEP 11, 2018 6:00 PM

Motion to approve the minutes of the Regular Ripon City Council Meeting of September 11, 2018.

APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Vice Mayor Zuber requested Item 1.1A, 1.3A, and 1.4D be pulled from the Consent Calendar for discussion.

Motion to approve the agenda as amended.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Dean Uecker, Council Member
SECONDER: Leo Zuber, Vice Mayor
AYES: Uecker, de Graaf, Zuber, Restuccia
ABSENT: Parks

1. CONSENT CALENDAR

Motion to approve the Consent Calendar as amended.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Leo Zuber, Vice Mayor
SECONDER: Daniel de Graaf, Council Member
AYES: Uecker, de Graaf, Zuber, Restuccia
ABSENT: Parks

1.1. Income

A. *ITEM A WAS MOVED TO ITEMS PULLED FROM CONSENT CALENDAR*

B. T-MOBILE

Monthly Acacia Avenue Cell Tower Lease Payment –
September 2018 **\$955.02**

C. CCATT HOLDINGS

Monthly Acacia Avenue Cell Tower Lease Payment -
October 2018 **\$1,065.27**

D. WASTE MANAGEMENT

Monthly Franchise Fee Payment - August 2018 **\$3,305.19**

1.2. Bills, Invoices, Payments

A. CENTRAL SAN JOAQUIN VALLEY RISK MANAGEMENT AUTHORITY

2018-2019 2nd Quarter Deposits **\$169,127.00**

B. BANC OF AMERICA LEASING

Ripon Public Financing Authority
2011 Waste Water Bonds **\$167,825.00**

C. PRICE PAIGE & COMPANY

Audit Services
Progress Payment – Invoice #14055 **\$11,685.00**

D. TERPSTRA HENDERSON

General Matters \$10,815.75
Police Matters \$3,863.54
Receivership \$731.50

TOTAL \$15,410.79

E. WGR SOUTHWEST, INC.

City Stormwater Permit Assistance
Progress Payment – Invoice #21049 **\$1,125.00**

F. WOOD RODGERS, INC.

Well 12 Phase 2 Impact Analysis
Invoice #120207 \$1,120.00
Well 19 Plan, Specs & Bid Progress
Invoice #120179 \$13,474.46

TOTAL \$14,594.46

G. ROADRUNNER DRILLING & PUMP COMPANY

Well No. 19
Progress Payment – Invoice #1 **\$47,405.48**

H. TAYLOR BACKHOE SERVICE, INC.

Handicap Ramp Improvements
2018 & Senior Center Parking Lot Project
Progress Payment – Invoice #4 **\$106,596.43**

1.3. Resolutions

A. *ITEM A WAS MOVED TO ITEMS PULLED FROM CONSENT CALENDAR*

1.4. Miscellaneous Items

A. WELL 19 PROJECT

Road Runner Drilling, Inc.

Adopt the Negative Declaration Environmental Document for Domestic Water Well 19 and direct staff to file the Notice of Determination. Approve Change Order 1 to demolish and install two domestic private wells in conjunction with the installation of Well 19 (Cost not to exceed \$77,074).

B. AGRICULTURAL LEASE AGREEMENT

Travaille and Phippen Farms

Approve and authorize the Mayor to sign the Agricultural Lease Agreement with Travaille and Phippen Farms for the property located at Clinton South and Jack Tone Road (APN: 245-34-006) for storing and stockpiling harvested almonds.

C. HANDICAP RAMP IMPROVEMENTS 2018/SENIOR CENTER PARKING LOT PROJECT

Taylor Backhoe Service, Inc.

Approve Change Order No.2 for asphalt placement at the recycling center and additional concrete and striping (Cost not to exceed \$54,511.39).

D. ITEM D WAS MOVED TO ITEMS PULLED FROM CONSENT CALENDAR

E. CLAIM

State Farm Insurance

Accept the claim filed by State Farm Insurance.

F. PROCLAMATION

Kai de Arth
Ethan Orcutt

Present a proclamation to Kai de Arth and Ethan Orcutt for earning the badge of Eagle Scout.

G. PROCLAMATION

Women's Center
Alicia Keener

Proclaim October as Domestic Violence Awareness Month.

ITEMS PULLED FROM CONSENT CALENDAR

1.1A : STATE OF CALIFORNIA

Sales Tax	\$228,371.21
(September 2017 \$358,076)	
FY 2018-19 YTD: \$706,106	
FY 2017-18 YTD: \$791,376	
Highway Users Tax	\$30,162.44
(September 2017 \$29,203.71)	
FY 2018-19 YTD: \$82,669	
FY 2017-18 YTD: \$86,869	
SB1 Street & Road Tax	<u>\$25,042.38</u>
FY 2018-19 YTD: \$25,042	

TOTAL \$283,576.03

Vice Mayor Zuber said the sales tax is lower compared to this time last year. Zuber asked if this was a trend or a timing issue.

City Administrator Werner said in May the state switched to a new automated system, which has caused delays. The money will show up shortly and the number will jump back up.

Mayor Restuccia said he had the same question and thanked staff for clarifying.

Motion to approve Item 1.1A State of California income.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Leo Zuber, Vice Mayor
SECONDER:	Dean Uecker, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

1.3A: RESOLUTION NO. 18-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING THE RIPON CODE OF ETHICS TO INCLUDE SENIOR STAFF	This resolution amends the Ripon Code of Ethics to include Senior Staff.
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Vice Mayor Zuber said in Section 6 of the Policy it refers to Council and appointed officials. Zuber asked if senior staff should be included in this section since it is everywhere else in the policy.

City Attorney Terpstra said senior staff was not included because employees are governed by the Merit System.

Terpstra said he will discuss the section further with Vice Mayor Zuber.

Motion to approve Resolution 18-79 amending the Ripon Code of Ethics to include Senior Staff.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Leo Zuber, Vice Mayor
SECONDER:	Dean Uecker, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

1.4D : PEREIRA PROPERTY ANNEXATION AND RESIDENTIAL SUBDIVISION PROJECT

Reimbursement Agreement

Approve and authorize the Mayor to sign the Pereira Property Reimbursement Agreement that provides reimbursement for staff time to respond to an application for a proposed annexation and residential subdivision project located at 22898 North Ripon Road (north of Boesch Drive).

Vice Mayor Zuber said the agreement had deposit discrepancies. One section said \$10,000 and another said \$15,000.

City Attorney Terpstra said staff recognized the discrepancy and the amount will be fixed to read \$10,000.

Motion to approve and authorize the Mayor to sign the Pereira Property Reimbursement Agreement that provide reimbursement for staff time to respond to an application for a proposed annexation and residential subdivision project located at 22898 North Ripon Road.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Leo Zuber, Vice Mayor
SECONDER:	Dean Uecker, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

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

PRESENTATION OF PROCLAMATIONS

Mayor Restuccia presented proclamations to Kai de Arth and Ethan Orcutt for earning their badge of Eagle Scout.

Mayor Restuccia presented a proclamation to Alicia Keener with the Women’s Center proclaiming October as Domestic Violence Awareness Month.

2. RESOLUTIONS

A. RESOLUTION NO. 18-80

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
OPPOSING SAN JOAQUIN COUNTY'S
COUNTY COMMERCIAL CANNABIS
BUSINESS TAX: (MEASURE B)

Mayor Restuccia has requested the City Council consider this resolution opposing the San Joaquin County's County Commercial Cannabis Business Tax, which is on the November 6, 2018 ballot. If the tax passes, all types of medical and adult-use commercial cannabis businesses will be allowed in the County, excluding outdoor cultivation and cannabis events. If the tax fails, the current ban on medical and commercial cannabis businesses in the unincorporated areas of San Joaquin County will remain in place.

Mayor Restuccia requested the City Council consider opposing the San Joaquin County's County Commercial Cannabis Business Tax which is on the November 6, 2018 ballot. If the tax passes, all types of medical and adult-use commercial cannabis businesses will be allowed in the County, excluding outdoor cultivation and cannabis events. If the tax fails, the current ban on medical and commercial cannabis businesses in the unincorporated areas of San Joaquin County will remain in place

Restuccia invited Supervisor Chuck Winn to speak further on the topic.

Supervisor Chuck Winn said in 1996 the State passed the Compassionate Medical Marijuana Act and for 21 years the State has allowed medical marijuana. California, Washington, Colorado and Oregon have passed a recreational marijuana use act and that has caused major changes to occur.

Winn said Proposition 64 was to allow the merge of medical and recreational adult-use marijuana. It also allowed the cities and counties to maintain the same prohibitions, which Escalon, Ripon, Lodi and San Joaquin County have.

Winn said Measure B proposes to enact a tax and if the tax passes all the marijuana business already excluded will be able to operate in unincorporated areas, not within cities. The concern is if this measure passes marijuana businesses will be able to set up next to cities that prohibit them.

Winn said to oversee this measure it will cost an estimated \$8 million in services from various groups. The revenue to be generated based on 20 applications received is approximately \$2,300,000. The proposed revenue never reaches its mark. Winn said an even bigger problem with legalization is the illegal growth and how they intermixed.

Winn thanked the Council for letting him share background information on Measure B and hopes it can educate voters.

Restuccia said when you read about this tax it says the money will help education, but in researching it, there's not even enough funds generated.

Vice Mayor Zuber asked if this was passed by the Board of Supervisors.

Winn said yes, with 3-2 vote.

Zuber asked if the other three feel like it is all going to work out.

Winn said unfortunately it is all about the money. In looking at the measure there is always a hook and the hook in this place is education and children. If those ideas were not part of the measure, it would not pass.

Zuber said his concern is with the resolution. Nowhere in the resolution does it say the City Council opposes Measure B.

City Attorney Terpstra said the language can be added and provided to the Mayor for signature.

Motion to approve Resolution 18-80 as revised to fully oppose the San Joaquin County's County Commercial Cannabis Business Tax : Measure B and authorize the Mayor to sign.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Leo Zuber, Vice Mayor
SECONDER:	Daniel de Graaf, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

DISCUSSION ITEM 4C MOVED UP FOR DISCUSSION

4.C : MILITARY STREET BANNER PROGRAM

Discussion/Action

Mayor Restuccia is requesting the City Council consider approving the American Legion Post #190 Military Street Banner Program to honor residents who have served in the United States Armed Forces and to promote civic pride, with the following requirements:

- The American Legion Post #190 to submit to the Engineering Department details of the bracket to attach the banners to the poles for review and approval;
- The American Legion Post #190 contractor to obtain an encroachment permit from the Engineering Department prior to beginning any work in the public right of way; and

- The American Legion Post #190 contractor to remove all brackets and banners 90 days from the time the program is no longer being offered to residents.

Mayor Restuccia requested Discussion Item 4.C be moved up for discussion behind Resolution Item 2.A.

Mayor Restuccia is requesting the City Council consider approving the American Legion Post #190 Military Street Banner Program to honor residents who have served in the United States Armed Forces and to promote civic pride as outlined in the agenda and packet.

Ernie Tyhurst and John Chandar Jr. with the American Legion Post #190 said a committee has been researching and working on this project for some time. They would like to see the banners installed along Fulton Avenue since it's namesake belongs to a veteran. Tyhurst said currently the Post manages the Veterans' Wall which has 780 names on it. In calculating how the banner program would work it could take up to 25 years for each person on the wall to be recognized in the banner program if each person or family participated.

Tyhurst said the American Legion committee read all conditions and has agreed to the conditions set forth by the City and will be covering all the costs.

Vice Mayor Zuber there will only be 18 available poles for banners on Fulton Avenue. With 780 Veterans in town, that would take 43 years for each banner to be posted.

Zuber asked if the only banners posted will be those bought by the veteran or their family.

Tyhurst said yes.

Zuber asked the Council if we are setting a precedence for other groups to use light poles to advertise. Zuber asked if there should be a policy or guidelines to follow.

City Attorney Tersptra said Council can look at programs on an individual basis if and when they arise, just as Council is doing tonight. Terpstra said you cannot create a policy or procedures until you know what the project will entail.

Zuber asked about the affordability of purchasing a banner.

Tyhurst said the members have discussed a scholarship program to assist families that cannot afford to participate.

Restuccia said guidelines for this type of project may be a good idea for future Council to follow.

Zuber said he would like to think about it some more. It's better to be proactive then reactive.

Motion to approve the Military Street Banner Program along with specified requirements stated in the staff report. Direct staff to create a policy for banner programs.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Daniel de Graaf, Council Member
SECONDER:	Dean Uecker, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

B. RESOLUTION NO. 18-81

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ADOPTING POLICIES AND PROCEDURES FOR THE BMR PLUS AFFORDABLE HOUSING PROGRAM	This resolution adopts policies and procedures for implementing the City of Ripon’s BMR Plus Affordable Housing Program.
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Planning Director Zuidervaart said this resolution adopts policies and procedures for the BMR Plus Affordable Housing Program that was previously approved by Council.

Mayor Restuccia said he has no problem with approving the policy and procedures, but in the exhibit it reads the approved credit score was 660. Restuccia asked if that was standard industry acceptance.

Zuidervaart said that number was provided by local real estate lenders in town.

Vice Mayor Zuber asked what happens if a BMR house is available and no one qualifies. He asked if it converts to open market or stays BMR.

Zuidervaart said it stays a BMR house and the developer will have to continue to market it.

Restuccia asked if no one qualifies and multiple houses are sitting and someone wants to move into Ripon, can they qualify.

Zuidervaart said there are different pools and the builder can move to the next one if no one is meeting qualifications.

Zuber said he thought the program read you had to either live or work in Ripon to qualify.

Zuidervaart said that is correct.

Restuccia asked if there was a certain number of declines the builder reviewed before going to the open market.

Zuidervaart said no. Right now The Vineyards has five applicants who have all qualified and been approved.

Restuccia asked if the Planning Department sees the declined applications.

Zuidervaart said the application process is automated and he doesn't see the information.

Motion to approve Resolution 18-81 adopting policies and procedures for implementing the City of Ripon's BMR Plus Affordable Housing Program.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Leo Zuber, Vice Mayor
SECONDER:	Dean Uecker, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

C. RESOLUTION NO. 18-82

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIPON ADOPTING
THE HEALTH AND WELFARE
BENEFITS TO BE PROVIDED IN
CALENDAR YEAR 2019

This resolution adopts the health and welfare benefits to be provided in 2019, including:

1. Provide the following health and welfare plans for calendar year 2019:
 - Kaiser Healthcare
 - CSAC Blue Shield Healthcare
 - Premier Access Dental
 - American Specialty Health Chiropractic
 - MES Vision
 - Sunlife Life Insurance
 - Sunlife Long term Disability
2. For Administrative Staff and Non-represented Police Department employees participating in the Blue Shield healthcare plan for calendar Year 2019, the City and employees are to share in the premium increase above the 2014 baseline premium the City has agreed to fund of \$1,415.
3. For Administrative Staff and Non-represented Police Department employees participating in the Kaiser healthcare plan for calendar Year 2019, the City and employees are to share in the premium increase above the 2014 baseline premium the City has agreed to fund of \$1,760.
4. For calendar year 2019, the City to continue reimbursing Administrative Staff and Non-represented Police Department employees participating in the Blue Shield healthcare plan for 100

percent of the deductible cost. Also, the City to reimburse these employees for co-insurance cost after \$2,000 is paid by the employee.

City Administrator Werner said this is the annual process for Council to consider approving the health and welfare plans for Calendar year 2019.

Werner shared slides comparing the 2018 health and welfare annual premium cost to the 2019 renewal quotes received. Werner said the overall rates increased by 1.9% this year.

Werner said the City is currently in the second year of a 2-year contract with both Premier Access Dental and MES Vision.

Werner said the employees with Blue Shield family coverage will pay \$175.68 a month and employees with Kaiser family coverage will pay \$123.34 a month. These rates start January 1, 2019.

Restuccia wanted to thank staff and the Council for a job well done with saving \$183,000 annually with the re-structuring of the Blue Shield program.

Motion to approve Resolution 18-82 adopting the health and welfare benefits to be provided in calendar year 2019.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Uecker, Council Member
SECONDER:	Leo Zuber, Vice Mayor
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

3. PUBLIC HEARINGS

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

A. 2019 HEALTH AND WELFARE PLAN FOR CITY COUNCIL

RESOLUTION NO. 18-83

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.

Recommended Action: Approve the Resolution adopting an increase in cost of health benefits for calendar year 2019.

Mayor Restuccia said 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.

PUBLIC HEARING OPEN

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

PUBLIC HEARING CLOSED

Vice Mayor Zuber said he wanted to clarify that the health and welfare benefits for Council are priced the same way they are for the employees. If there is a Council member in a family plan, there is out of pocket expense.

Werner said yes. They are treated the same way.

Motion to approve Resolution 18-83 adopting an increase in cost of health benefits for calendar year 2019.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Leo Zuber, Vice Mayor
SECONDER:	Dean Uecker, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

B. UNMET TRANSIT NEEDS

San Joaquin Council of Governments
Michelle Lacondeguy

This is a public hearing to consider unmet transit needs within the City of Ripon.

City Administrator Werner said this is an annual process to determine if there are any unmet transit needs in Ripon.

Michelle Lacondeguy with San Joaquin Council of Governments said she is here to answer any questions and take request for unmet transit needs in Ripon.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

C. SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN 2019 FEE UPDATE

RESOLUTION NO. 18-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON AMENDING THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE

This is a public hearing to consider the Development Fee increase for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for all new development pursuant to the SJMSCP within the City of Ripon.

PLAN (SJMSCP) DEVELOPMENT FEE

Recommended Action: Adopt the resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan 2019 Development Fee.

Planning Director Zuidervaart said this is a mandated annual public hearing. He said every year the fees go through a review and are adjusted based on property values. If the cost of land goes up or down, the fees are adjusted accordingly. Zuidervaart said the fees proposed by the SJMSCP are going down from \$9,701 to \$6,700 per acre in 2019.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

Motion to adopt Resolution 18-84 amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Development Fee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Uecker, Council Member
SECONDER:	Leo Zuber, Vice Mayor
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

4. DISCUSSION ITEMS

A. FISCAL YEAR 2017-18 GENERAL FUND SURPLUS

Discussion/Action

Staff is recommending that the City Council approve transferring the fiscal year 2017-18 general fund surplus to the Street and Road Reserve fund (\$432,000), the General Capital Department Reserve fund (\$635,993), and \$243,000 be used to purchase one-time capital expenses for the various City departments.

Additionally, it is recommended the City Council: (1) Authorize staff to move forward with the Community Center Parking Lot Expansion project using pavers and relocating the middle baseball field; (2) Approve and authorize the Mayor to sign the professional services agreement (Attachment A) with LDA Architects (not to exceed \$15,000) to complete a preliminary design for the new

Corporation Yard at Doak Boulevard; and
(3) Authorize staff to move forward with obtaining a consultant to do a circulation, walkability, and parking study south of Main Street, between Stockton Ave and Locust Ave.

City Administrator Werner said this is the time of year when we close all accounts including the General Fund, discuss surplus, and have a discussion on how to move forward.

Werner shared a slide and discussed the General Fund budget comparison from the previous year and said there was a drop in revenue of 1%, which is a result of one-time development fees. Recurring revenue is up 3.9% and expenses are up 3.2%.

Werner said in March staff and the City Council held a workshop to discuss goals, policies and implementation and shared a table of items discussed in Reserve Funds, Capital Projects and Council priorities.

Werner said staff is recommending that the City Council approve transferring the fiscal year 2017-18 general fund surplus to the Street and Road Reserve fund (\$432,000), the General Capital Department Reserve fund (\$635,993), and \$233,000 be used to purchase one-time capital expenses for the various City departments.

Werner said staff additionally is recommending the City Council to authorize staff to move forward with the Community Center Parking Lot Expansion project using pavers and relocating the middle baseball field. Approve and authorize the Mayor to sign the professional services agreement with LDA Architects (not to exceed \$15,000) to complete a preliminary design for the new Corporation Yard at Doak Boulevard and authorize staff to move forward with obtaining a consultant to do a circulation, walkability, and parking study south of Main Street, between Stockton Ave and Locust Ave.

Vice Mayor Zuber said if we are going to look at the movement in downtown he would like to see the north side of Main Street and areas in between the frontage road, including alleyways included.

Mayor Restuccia said the projects presented are all great projects to look at. Restuccia commended staff and past councils, because when you look at the financial statements the reserves are good for potential downturns and issues.

Motion to approve the transfer of funds for fiscal year 2017-2018 General Fund Surplus and authorize staff to move forward with recommended projects.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Leo Zuber, Vice Mayor
SECONDER:	Daniel de Graaf, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

B. GRAND JURY REPORT - CODE ENFORCEMENT VOLUNTEER EVALUATION

Case No. 0117

Direct Staff to forward this staff report and minutes of this City Council meeting to the Grand Jury.

Discussion/Action

Planning Director Zuidervaart said as part of the response to the Grand Jury Case No. 0117 "Code Enforcement Departments of San Joaquin County" staff said they would take a look at the ability or need for use of volunteers to assist City staff with code enforcement compliance.

Zuidervaart said the number of staff hours dedicated to code enforcement has not been cut due to fiscal shortfalls created by the recession, but rather increased over the last 5 years. At some point in the future when code enforcement activities dictate the need to assign additional staff to conduct code enforcement activities, the City will analyze all options available to this vital local agency function.

Motion to direct staff to forward this staff report and minutes of this City Council meeting to the Grand Jury.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Leo Zuber, Vice Mayor
SECONDER:	Daniel de Graaf, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

C. ITEM 4C WAS MOVED UP FOR DISCUSSION UNDER RESOLUTIONS.

D. ACCEPT CREDIT CARDS FOR OVER-THE-COUNTER PAYMENTS

Discussion/Action

Authorize the Mayor to execute the Customer Service Agreement with Billing Document Specialists for the purpose of accepting credit card payments over-the-counter for all types of City payments.
Cost to City - One-time set up fee - \$300;
Monthly fee - \$25
Cost to Customer - 3% of payment or \$2.00 (whichever is greater)

City Clerk Roos said at the August 14, 2018 City Council meeting, Council Member Parks requested staff evaluate expanding credit card services to include Police Department payments. In analyzing this expansion of service, Staff found it would be convenient for the public to be able to make payments at the Police Department or City Hall with their credit or debit cards.

Roos said staff has reached out to BDS who is our current provider of card payment services for utility bills. They would provide the services requested to process over-the-

counter payments. The City would remain in compliance with Payment Card Industry Data Security Standards through the services provided by BDS.

In the past, the City has opted for a revenue neutral method of credit card processing. This means that the customer pays a convenience fee for the ability to pay by debit or credit card. Staff recommends that we continue to pass on this fee to the customer because the card reader machines are provided for their convenience.

Roos said the total costs for offering this new service is a \$900 one-time cost and \$300/year thereafter. These costs would be charged to the enterprise funds as we anticipate most of the use would be for utility bills. Staff will analyze the over the counter use and adjust the cost allocation accordingly in the future.

Vice Mayor Zuber asked what will happen to the Recreation Departments pay online system.

Roos said the Recreation Department payment system will remain and staff will monitor it along with the additional BDS service system.

Motion to authorize the Mayor to execute the Customer Service Agreement with Billing Document Specialists for the purpose of accepting card payments over-the-counter for all types of City payments.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Daniel de Graaf, Council Member
SECONDER:	Dean Uecker, Council Member
AYES:	Uecker, de Graaf, Zuber, Restuccia
ABSENT:	Parks

REPORTS

Department Heads:

Police Chief Ormonde said the department has been battling traffic issues lately. At the end of September, the department spent 3 days at various locations monitoring and citing violators. Within those three days, 72 citations were given and 100 stops were made for various violations.

Director of Public Works Johnston said September water usage was down 16% compared to 2013.

Johnston said last Wednesday's storm was a 1 in 500-year event and dropped 1.6 inches of rain in 30 minutes. The storm drains were working; they just could not keep up with the rainfall.

Planning Director Zuidervaart said Diamond Pet Food is working with a consultant and installing a new odor system, which should be fully functioning in the next couple of months. They are also looking to add a fourth line, so that item will come to Council June/July of 2019.

Zuidervaart said there is no Planning Commission meeting this month.

Engineering Supervisor Pease gave an update and timeline on approved projects.

Pease said the City received a \$3,900,000 grant from SJCOG for the Multi-Modal Station.

Information Systems Technician Brannon gave an update on the new cameras and the license plate readers being installed around town. Installation should be complete by November.

City Council:

Council Member de Graaf thanked the members of the public for attending the meeting.

Vice Mayor Zuber asked about darkened windows on cars.

Ormonde said it was illegal and that he had two officers certified to enforce the law and a third officer in the process of being certified.

Zuber asked about street work on Quiet Street and Ridge Avenue.

Pease said it was a sewer installation for a new house on Ridge Avenue.

SUCCESSOR AGENCY

There being no further business, the meeting was adjourned at 7:54 PM.

(Signed) Michael Restuccia
Mayor

ATTEST:

(Signed) Tricia Raymond
Deputy City Clerk