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# Ripon City Council Minutes

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TUESDAY, JUNE 09, 2020 – 6:00 PM

REGULAR MEETING

6:00 PM

**PLEDGE OF ALLEGIANCE:**

The meeting was called to order at 6:00 p.m. with Council Member Uecker leading in the Pledge of Allegiance to the Flag.

**INVOCATION:**

Reverend Luke Jones gave the invocation.

**ROLL CALL:**

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

**OTHERS PRESENT:**

City Administrator Kevin Werner, City Attorney Tom Terpstra, Planning Director Ken Zuidervaart, Recreation Director Kye Stevens, Director of Public Works James Pease, Police Chief Ed Ormonde, Engineering Supervisor Elizabeth Quilici, City Clerk Lisa Roos, Deputy City Clerk Jane Kilgore, Information Systems Technician Dan Brannon, Sheri Coburn, Tom O'Donnell, Dennis Bitters, Tim Wheeler, Wagdy Demyan, Mary Demyan, Harrison Gibbs, Bryce Perkins, Carol Bowman, Kelly Donohue

**PUBLIC DISCUSSION:**

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

**APPROVAL OF MINUTES:**

**Motion to approve the minutes of the Regular Ripon City Council Meeting of May 12, 2020, the Special Ripon City Council Meeting of May 19, 2020, the Special Ripon City Council Meeting of May 29, 2020 and the Special Ripon City Council Meeting of June 2, 2020.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Restuccia, Council Member
<b>SECONDER:</b>	Leo Zuber, Council Member
<b>AYES:</b>	Parks, de Graaf, Uecker, Restuccia, Zuber

1. CITY COUNCIL - REGULAR MEETING - MAY 12, 2020 6:00 PM
2. CITY COUNCIL - SPECIAL MEETING - MAY 19, 2020 4:00 PM
3. CITY COUNCIL - SPECIAL MEETING - MAY 29, 2020 10:00 AM
4. CITY COUNCIL - SPECIAL MEETING - JUN 2, 2020 11:00 AM

**APPROVAL OF AGENDA AS POSTED (OR AMENDED):**

Council Member Restuccia requested Items 1.3C, 1.3D and 1.3E be pulled from the Consent Calendar for discussion.

Council Member Zuber requested Item 1.4F be pulled from the Consent Calendar for discussion.

**Motion to approve the agenda as amended.**

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Leo Zuber, Council Member
<b>SECONDER:</b>	Michael Restuccia, Council Member
<b>AYES:</b>	Parks, de Graaf, Uecker, Restuccia, Zuber

**1. CONSENT CALENDAR**

**Motion to approve the Consent Calendar as amended.**

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Leo Zuber, Council Member
<b>SECONDER:</b>	Michael Restuccia, Council Member
<b>AYES:</b>	Parks, de Graaf, Uecker, Restuccia, Zuber

**1.1. Income**

**A. STATE OF CALIFORNIA**

Sales Tax	\$291,480.33	
(May 2019 \$318,908.07)		
FY 2019-20 YTD: \$3,358,905		
FY 2018-19 YTD: \$3,173,462		
 Highway Users Tax	 \$21,962.90	
(May 2019 \$26,635.76)		
FY 2019-20 YTD: \$347,989		
FY 2018-19 YTD: \$280,948		
 SB1 Street & Road Tax	 <u>\$12,778.07</u>	
(May 2019 \$20,737.35)		
FY 2019-20 YTD: \$273,070		
FY 2018-19 YTD: \$248,890		
		<b>TOTAL \$326,221.30</b>

B. CHARTER COMMUNICATIONS

Quarterly Franchise Fee Payment – March 2020 **\$24,520.30**

**1.2. Bills, Invoices, Payments**

A. PRICE PAIGE & COMPANY

Audit Services

Progress Payment – Invoice #17276 **\$520.00**

B. LDA PARTNERS

Corporation Yard Design Services

Progress Payment – Invoice #3/622-03-20 \$25,000.00

Progress Payment – Invoice #4/622-03-20 \$35,000.00

Progress Payment – Invoice #5/622-03-20 \$40,000.00 **TOTAL \$100,000.00**

C. WGR SOUTHWEST, INC.

City Storm Water Permit Assistance

Progress Payment – Invoice #23639 **\$2,980.00**

D. PADILLA & ASSOCIATES

Professional Services-Disadvantaged

Business Enterprise (DBE) Services

Progress Payment – Invoice #16-RIP-9 **\$750.00**

E. WOOD RODGERS, INC.

Well 12 Phase 2 Impact Analysis

Progress Payment – Invoice #135183 \$2,800.75

Progress Payment – Invoice #135806 \$2,219.60

**TOTAL \$5,020.35**

F. RIPON UNIFIED SCHOOL DISTRICT

Pool Operations Shared Cost

Invoice #ARR20-00099 **\$18,438.73**

G. TERPSTRA HENDERSON

General Matters \$18,447.00

S.G.M.A. \$292.50

Diamond Pet Food Expansion 2017 \$2,443.75

Water Matters \$368.75

2020 Fire District Sales Tax Measure \$16,837.50

**TOTAL \$38,389.50**

H. O'DELL ENGINEERING

Stockton Ave. Rehabilitation - Utility

Pole Relocation Facilitation

Progress Payment - Invoice #3770002 **\$1,500.00**

I. MUNICIPAL FINANCIAL SERVICES

Water, Sewer and Garbage Rate Study Update  
Progress Payment – Invoice #202002-01 **\$960.00**

J. GHD INC.

Downtown Transportation Study  
Progress Payment – Invoice #142841 **\$6,587.50**

K. DIBUDUO & DEFENDIS INSURANCE BROKERS

Employment Practices Liability  
Insurance Renewal  
Effective 07/01/2020 – 07/01/2021 **\$ 14,544.22**

### 1.3. Resolutions

#### A. RESOLUTION NO. 20-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON, CALIFORNIA CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY; REQUESTING THE SAN JOAQUIN BOARD OF SUPERVISORS TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION; ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; DETERMINING THAT NO FILING FEE WILL BE CHARGED FOR THE PROCESSING OF NOMINATION PAPERS; REQUESTING THE SAN JOAQUIN COUNTY BOARD OF SUPERVISORS TO RENDER SPECIFIED SERVICES RELATING TO THE GENERAL MUNICIPAL ELECTION; ADOPTING A PROCEDURE FOR THE RESOLUTION OF A TIE VOTE; AND PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED TUESDAY, NOVEMBER 3, 2020 OF THE PERSONS WHO HAVE BEEN NOMINATED IF THERE ARE NOT MORE CANDIDATES THAN OFFICES TO BE ELECTED AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

This resolution gives notice that the General Municipal Election will be held on November 3, 2020, and that three City Council seats are open for election. All persons interested in running for City Council should contact the City Clerk.

B. RESOLUTION NO. 20-29

A RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
APPROVING THE STORM WATER  
DEVELOPMENT SUBMITTAL  
REVIEW FEE, SURVEY  
MONUMENT PRESERVATION FEE  
AND THE USA MARKINGS  
REMOVAL DEPOSIT RELATED TO  
ENCROACHMENT PERMITS  
AND/OR PRIVATE  
DEVELOPMENT AS THEY  
RELATE TO THE ENGINEERING  
DEPARTMENT

This resolution approves the Storm Water  
Development Submittal Review Fee,  
Survey Monument Preservation Fee and  
the USA Markings Removal Deposit.

*C. ITEM C WAS MOVED TO ITEMS PULLED FROM CONSENT*

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

*E. ITEM E WAS MOVED TO ITEMS PULLED FROM CONSENT*

**1.4. Miscellaneous Items**

A. IRRIGATION SERVICE ABANDONMENT AGREEMENT

APN 259-290-04  
APN 259-380-17  
South San Joaquin Irrigation District

Approve and authorize the Mayor to  
sign the South San Joaquin District  
Irrigation Service Abandonment  
Agreement since irrigation service is not  
needed for these parcels.

B. 2020 LOCAL AGENCY BIENNIAL NOTICE

Conflict of Interest Code

Approve the 2020 Local Agency  
Biennial Notice confirming the City's  
Conflict of Interest Code and authorize  
the Mayor to execute the document.

C. LIEBERT CASSIDY WHITMORE

Agreement for Special Services  
Employment Relations Consortium  
Membership (July 2020 - June 2021)

Approve and authorize the Mayor to  
sign the agreement with Liebert Cassidy  
Whitmore for employment relations  
training & consulting services and  
approve payment of membership dues  
(Dues: \$2,430.00 due before August 1).

D. SERVICE AGREEMENT

Jocelyn E. Roland, Ph.D

Approve and authorize the Mayor to sign the agreement with Jocelyn E. Roland, Ph.D. for psychological services for the Police Department (Cost not to exceed \$6,000).

E. GENERAL SERVICES AGREEMENT

Aspen Survey Company, Inc.

Approve and authorize the Mayor to sign the Services Agreement with Aspen Survey Company, Inc. to provide general land surveying service (Cost not to exceed \$20,000.00).

*F. ITEM F WAS MOVED TO ITEMS PULLED FROM CONSENT*

**ITEMS PULLED FROM CONSENT**

1.3C RESOLUTION NO. 20-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY REPORT FOR THE FISCAL YEAR 2020-2021 PERTAINING TO THE ANNUAL ASSESSMENTS FOR THE CITY OF RIPON'S TEN LANDSCAPE MAINTENANCE DISTRICTS LOCATED IN THE COUNTY OF SAN JOAQUIN, CALIFORNIA DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS A PART OF THE FORMATION OF SAID ASSESSMENT DISTRICTS AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

This resolution approves the City Engineer's preliminary annual report for the City of Ripon's ten Assessment Districts and sets the time and place of the public hearing for July 14, 2020 in the City of Ripon City Council Chambers.

Council Member Restuccia said he is concerned that some of the districts have fund balances and wants to make sure the funds in these accounts are being utilized.

City Administrator Werner said at one point some of the districts were in an operational deficit and if there was a balance in any of those district funds we were draining those. Werner said this is a good point and asked how much should be left in the accounts as far as capital.

Restuccia said rather than transfer general funds, we could let them go down to zero.

Werner referenced the spreadsheet he handed out and said funds are only transferred when the district's balance falls into a deficit. The districts that have a beginning fund balance use that to fund any annual deficits. There is a total of about \$25,000 transferred from the General Fund to cover the annual operational deficits of the districts that do not have a balance. There are 4 districts with increases. Werner said staff defined how much needs to be in the accounts for future capital replacement. There is the ability to adjust the assessment charge to ensure there is enough money in those accounts. The Alexandria and Vineyards subdivisions are new and still have a fairly large surplus due to public works anticipating a need for capital replacement items. Werner said at some point all but four of the districts will be at a zero balance or the Council can define a minimum balance.

Restuccia said he would like to see a Capital Expense analysis and keep it stable.

Werner said some districts will always have negative balances because they are old districts.

Restuccia said the older districts probably need the Capital Expense.

Council Member Zuber said he would like to see consistency in reports versus what is happening. This report shows any deficit we are making up regardless of what we are doing. We need to be careful, we have other things to do with the money.

Werner said staff will add a summary report in the future.

Restuccia confirmed the transfers are what the Council wanted to do.

**Motion to approve Item 1.3.C Resolution No. 20-30 approving the Engineer's preliminary annual report for the City of Ripon's ten Assessment Districts and setting the time and place of the public hearing for July 14, 2020 in the City of Ripon City Council Chambers.**

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Leo Zuber, Council Member
<b>SECONDER:</b>	Michael Restuccia, Council Member
<b>AYES:</b>	Parks, de Graaf, Uecker, Restuccia, Zuber



1.3D RESOLUTION NO. 20-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY ENGINEER'S PRELIMINARY REPORT FOR THE FISCAL YEAR 2020-2021 PERTAINING TO THE ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 05-1, CITY OF RIPON, COUNTY OF SAN JOAQUIN, CALIFORNIA, COMMONLY KNOWN AS CITY OF RIPON LIGHTING DISTRICT DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS 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 preliminary annual report for the City of Ripon Lighting District and sets the time and place of the public hearing for July 14, 2020 in the City of Ripon City Council Chambers.

Council Member Restuccia said there is a shortfall in the lighting districts but there are some loan payments that will be dropping soon and will bring the district close to break even.

City Administrator Werner said the last payment for those bonds is in 2022. He said PG&E also overcharged the City for a number of years on lights and PG&E is aware of that. A number of the lights were converted to LED but were not immediately converted in the billing system so staff is sorting through those to obtain a true negative balance to report back to the Council.

**Motion to approve Item 1.3D Resolution No. 20-31 approving the Engineer's preliminary annual report for the City of Ripon Lighting District and setting the time and place of the public hearing for July 14, 2020 in the City of Ripon City Council Chambers.**

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Leo Zuber, Council Member
<b>SECONDER:</b>	Michael Restuccia, Council Member
<b>AYES:</b>	Parks, de Graaf, Uecker, Restuccia, Zuber

1.3E RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
ADOPTING A CITY DEBT POLICY

This resolution adopts the City of Ripon  
Debt Policy.

Council Member Restuccia asked Danny Kim about the language concerning long term debt for short term expenses. Restuccia said he does not agree with borrowing long term for short term projects.

Kim said Council can deviate from the proposed policy if Council thinks it is needed.

Restuccia said he did not see any minimum debt coverage.

Kim said parameters were not included but they can modify them and add that as Council sees fit. It only applies to certain revenue types of bonds where the debt service coverage can be controlled. The bonds that are presented are successor agency tax allocation bonds which are passive revenue. If and when the Council is contemplating revenue bonds, Council might want to review and incorporate safeguards.

Restuccia said he is concerned about future City Councils and wants to put safe guards in place now.

Restuccia said as he understands, the Council needs to save more than 3% of the debt service or we would not pursue it.

Kim said this is a standard benchmark cities use to determine whether or not to move forward with refunding. He explained this is not an annual debt service, it is cumulative.

Restuccia asked about Section A.B.3 which states the City may issue debt on behalf of other government agencies or private third parties but the City would have no responsibility. He asked how this would work.

Kim said it is rare but sometimes a 501(c)3 may ask a city to issue bonds as a conduit issuer. The city may want to act as a non-conduit issuer for a nonprofit looking to build a hospital or a neighbor city without a Joint Powers Agreement may ask the city's JPA to issue bonds. He said this section can be taken out.

Restuccia asked again how the City is not responsible.

Kim said the City would be a conduit issuer, and the credit is solely with the borrower, therefore the City is not responsible.

Restuccia asked if this will hold up in court.

Kim said yes it does but it can be deleted and revisited later.

Restuccia said to delete it and it can be revisited later if need be.

Restuccia said he likes the no derivative piece but does not see anything excluding Pension Obligation Bonds and thinks that needs to specifically be in this policy.

Council Member Zuber said his question is the policy seems to limit our ability to enter debt for capital projects. He asked if this means we can only borrow for capital projects. The policy can be changed as long as the Council votes for it. Zuber said he feels we need more structure for this. He is not okay with a Council being able to borrow money for whatever they want as long as they have a three fifth vote. He wants an actual public motion from the Council to let the public know they want to borrow money for something. He would like a policy change in order to borrow money.

Kim said the vote requirements could be changed to a fourth-fifth vote.

Zuber said he wants to see this structured so that it needs a fourth-fifth vote before Council can even consider borrowing money. He would like this to be a two step process.

Vice Mayor de Graff said there needs to be a fourth-fifth vote to change the policy.

Restuccia said even if borrowing money is the right thing to do, it needs to be a little difficult to ensure discussion and give the public a chance to say no.

Kim clarified with Council to change the language to reflect the requirement of a fourth-fifth vote to change the policy and no waiver of policies.

Zuber and Restuccia said yes.

City Attorney Terpstra said he will work with staff and consultants to bring this back at a future meeting.

**Item 1.3E was tabled and will be brought back at a later meeting.**

<b>RESULT:</b>	<b>TABLED</b>	<b>Next: 7/14/2020 6:00 PM</b>
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1.4F PROFESSIONAL SERVICES AGREEMENT - AMENDMENT NO. 1

GHD

Approve and authorize the City Administrator to sign the First Amendment to the General Services Agreement with GHD to revise all exhibits for the downtown transportation study based on City provided changes to proposed street sections within the areas of Stockton Avenue, Second Street, Acacia Avenue and Frontage Road (Cost not to exceed \$9,800).

Council Member Zuber said this project needs to move forward because the money will

be available through Council of Governments. There is almost \$4 million available this year. That money is perfect for fixing our downtown area. Zuber said GHD needs to move forward quickly in order for us to include this project for those funds.

City Administrator Werner said GHD has just recently completed all their drawings. Staff is planning to schedule a workshop with the Chamber of Commerce and the Downtown area when COVID is over.

**Motion to approve Item 1.4F approving and authorizing the City Administrator to sign the First Amendment to the General Services Agreement with GHD to revise all exhibits for the downtown transportation study based on City provided changes to proposed street sections within the areas of Stockton Avenue, Second Street, Acacia Avenue and Frontage Road.**

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Leo Zuber, Council Member
<b>SECONDER:</b>	Michael Restuccia, Council Member
<b>AYES:</b>	Parks, de Graaf, Uecker, Restuccia, Zuber

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

**2. RESOLUTIONS**

A. RESOLUTION NO. 20-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON SUPPORTING THE RIPON CONSOLIDATED FIRE DISTRICT UNDERTAKING A LAWFUL AND TRANSPARENT PROCESS TO INCREASE OPERATING REVENUE TO ENSURE LONG-TERM FISCAL VIABILITY AND CONTINUE TO SERVE RESIDENTS AND BUSINESSES OF THE CITY OF RIPON

This resolution supports the Ripon Consolidated Fire District undertaking a lawful and transparent process to increase operating revenue to ensure long-term fiscal viability and continue to serve the residents and businesses of the City of Ripon, including drafting and submitting a proposed property assessment to the owners of all eligible properties within the boundaries of the Fire District.

City Attorney Tom Terpstra said the resolution is an expression of policy making clear that the City Council supports the Ripon Consolidated Fire District. Legal counsel has advised us that a sales tax would be illegal, however a special property assessment could be imposed directly by the Fire District or follow the process under Prop 218. The Council, by adopting the resolution, would encourage Staff our Station and Ripon Consolidated Fire District to move in this direction. The budget presentation will make clear that from the City's standpoint, now is not the time to ask for a sales tax increase. Terpstra reiterated that this is an expression of policy and it is important to show support within the legal parameters we have.

## **PUBLIC HEARING OPENED**

Sheri Coburn, SOS Committee Chairperson, said she is asking the Ripon City Council to add a 1% sales tax on the November ballot of which 50% of this would go to the City for general safety measures and the other 50% would go to the Ripon Consolidated Fire District. Coburn shared that the committee has met individually with each City Council Member to share their immediate concerns about incoming revenue to sustain ambulance services and staff Ripon Fire Station #3. She shared the efforts to circulate a citizen's petition to add a 1% sales tax measure to the ballot with all revenue generated to the Ripon Consolidated Fire District is not legal and would not be collected, so they are asking City Council to put the measure on the ballot. She believes a 1% sales tax would be a win/win for the City of Ripon and Ripon Consolidated Fire District. She is willing to help promote the passage of this sales tax. Coburn said a recent social media petition had over 300 people within 24 hours share that they would support these efforts. She said we have seen neighboring communities, Parlier and Oakdale, pass similar sales tax measures to support their Fire Districts. Coburn said she has met with each Council Member individually and two of the five shared that they have witnessed the inability of the Fire District to respond to calls because they were on other calls. The Ripon Consolidated Fire District has tried twice to pass parcel measures without success. In community surveys during Almond Blossom and a town hall meeting, parcel taxes were not favored; people viewed a 1% sales tax as an equitable approach in solving the Fire District's funding issues. It is a 1% measure that has been employed and helped cities up and down the Hwy 99 and I-5 corridors. Coburn asked that the Council move forward in placing a 1% sales tax on the November 2020 ballot. Coburn shared that calls to the Fire District have increased by 35%. She said we need a solution that citizens will support and a solution that helps the City and the Ripon Consolidated Fire District.

Council Member Uecker said while he highly supports the Fire District, City Council has been told by legal counsel that they cannot do this.

de Graaf said everyone on the Council supports the Fire District. He then asked Terpstra to confirm that even if Ripon put this on the ballot, and it passed with a one hundred percent yes vote, the Department of Tax and Fee Administration would not collect the money. Terpstra confirmed the statement.

Bryce Perkins Chairman of Ripon Consolidated Fire District, said the resolution makes this look like a Ripon Consolidated Fire District effort but it is not, it is a citizen's effort. Ripon Consolidated Fire District is not part of the City. Ripon Consolidated Fire District has one of the worst firefighter to people ratios. In order to staff Station 3, the Fire District needs more money. A parcel tax will be dead on arrival and we do not need to do this a third time. If Ripon Consolidated Fire District cannot find money they will have to close the ambulance service. Ambulance services throughout the state are losing money. Perkins said he believes a sales tax is the best approach. Lathrop did this by way of an MOU post-election that allowed a reasonable amount of public safety money to flow to the Fire Department in order to reopen their stations. Again, this is not a Ripon Consolidated Fire District effort, but an organic effort that is appreciated.

## **PUBLIC HEARING CLOSED**

Terpstra said Counsel has procured an opinion from the State expert and it is illegal and even if passed, could not be collected by the State. We do not say this joyfully but we are duty-bound to follow the law. The Council cannot put a fraudulent measure on the ballot. Terpstra said the expert shows there are several reasons this measure would be illegal. Lathrop was able to show serious need for funds for their Police Department and the Fire Department was brought along to help it pass. Ripon is not in the same situation. There has been parcel taxes that have failed twice, but there is a third way. He said we are suggesting to the Ripon Consolidated Fire District a special assessment tax under Prop 218, which is different than a parcel tax. The City Council lacks the authority to levy a sales tax for the Ripon Consolidated Fire District. However, the District can suggest a Special Assessment tax with an Engineer's report under Prop 218. This has never been tried in Ripon, and wanting to help the Fire Department as much as the Council can within legal parameters, this method should be tried since it has been successful in other communities.

Uecker asked Terpstra to explain how the money would be collected.

Terpstra said it is collected the same way as property taxes.

City Administrator Werner commented that this would be similar to how we do utility bill increases and very similar to the lighting and landscape district fees.

Uecker asked if the vote would only go out to Ripon voters because the Fire District coverage area expands beyond the Ripon voter area.

Werner confirmed it would go out to Fire District boundaries.

Council Member Restuccia asked if there is a possibility for a public meeting between Council, Fire Department, Staff our Station, lawyers and consultants so everyone can hear the same thing together.

Uecker confirmed the Council supports the Fire Department and is aware of the Department's financial needs, but also needs to listen to Legal Counsel. Uecker said he likes Restuccia's suggestion of a meeting. He asked if this has to be done at election time or can it be done at any time.

Werner confirmed the prop 218 process can be done at any time.

de Graaf reiterated that the City Council supports the Fire Department. He said as an engineer he does the Prop 218 process frequently and believes it would work. If the need for a fire station is explained to the public and they work with the community, he believes it would pass. City Council is being asked by SOS to go against the State and Special Counsel and we cannot do that. De Graaf recommends the Prop 218 process.

Restuccia said a Prop 218 tax will hit Bethany Home again.

de Graaf said the purpose of the Engineer's report is to decide how the numbers are broken down to make it a more agreeable idea for people. It is important to get the information to the public so they understand how it is beneficial to them.

Restuccia said this seems to be more of a consistent stream of revenue as compared to sales tax.

Werner explained the City had talked about a sales tax measure in 2008 during the recession when staff positions were being eliminated to reduce expenses. At that time, the City Council made the decision not to move forward with a sales tax measure. Since then, the City has experienced General Fund surpluses over the last eight years. The City has established contingency funds to weather economic downturns without having to impact services like what happened in 2008. At this point, the City has tools to mitigate the economic downturns. As a City, our means to generate revenue is a sales tax measure and special districts such as the Fire District have the legal means to increase revenue by a property tax measure.

Restuccia repeated the desire for an open meeting between the Council and the Fire District Board.

Terpstra said he has tried countless times over the last several months to get a contrary legal analysis and has yet to receive anything that explains how and why he, along with the outside attorney retained by the City, is wrong. Terpstra said he has called for a meeting with the Staff our Station counsel, and nothing has happened. There is no legal ambiguity. Terpstra said whether this is a citizen's petition or the City Council putting a measure on the ballot, it is a distinction without a difference and makes no difference in the final legal analysis. The final legal analysis shows Ripon Consolidated Fire District is a special district and sales tax is not one of its available revenue generating options. The Prop 218 process does consistently pass and this is what our outside legal counsel has communicated to staff.

Restuccia asked what happens if the ambulance service closes, and the Fire District say they cannot run unless Ripon pays 90% of the expenses and we do not have it in the general fund.

Terpstra said that would be a special tax that needs a two-thirds vote to pass. He asked Council to consider that the Prop 218 process has never been attempted here, is highly successful in other towns when done correctly, and would generate a reliable source of income. The prospects of trying to get a special tax measure on the November ballot would be almost impossible. Terpstra asked the Council what the harm would be in trying this clearly legal process and, if unsuccessful, coming back and further discussing.

Restuccia asked if it is possible to use city resources to do the Prop 218 process.

Terpstra said he would look into it.

Uecker reiterated that the Council wants to help the Fire Department.

Mayor Parks said at the end of the day, if the City Attorney is advising the Council that one path is legal and one is not, we need to heed our Attorney's advice. Parks added that it is not a question of supporting the Fire Department, and it should be clear to everyone by now, that we do. We need to do it the right way. Parks said he believes there is an option available before venturing down the sales tax path.

de Graaf said he believes the Council should have a meeting with fire department and legal counsels and talk about it to get everyone on the same page.

Zuber said he does not disagree with anything that was said. He said we need to adopt the resolution with the understanding this is the beginning and not the end. And if that means we come back and have another meeting, that's fine. We need to resolve to work with the Fire District.

**Motion to adopt Resolution No. 20-32 with the understanding that the City Council is committed to continuing discussions with the Ripon Consolidated Fire District regarding this matter.**

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

**3. PUBLIC HEARINGS**

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

**A. VACATION AND ABANDONMENT OF A PUBLIC UTILITY EASEMENT AT ZUMSTEIN ESTATES**

RESOLUTION NO. 20-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON DECLARING THE VACATION AND ABANDONMENT OF A PUBLIC UTILITY EASEMENT WITHIN THE ZUMSTEIN ESTATES SUBDIVISION

This is a public hearing to consider input regarding a partial abandonment of an unused Public Utility Easement within the Zumstein Estates Subdivision.

**Recommended Action:** Adopt the resolution declaring the vacation and abandonment of a public utility easement within the Zumstein Estates Subdivision

Planning Director Zuidervaart said this is a public hearing regarding the partial abandonment of a public utility easement within the Zumstein Estates subdivision.

**PUBLIC HEARING OPENED**

No one from the public wished to speak.

**PUBLIC HEARING CLOSED**



**Motion to approve Resolution No. 20-33 declaring the vacation and abandonment of a public utility easement within the Zumstein Estates Subdivision.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Restuccia, Council Member
<b>SECONDER:</b>	Dean Uecker, Council Member
<b>AYES:</b>	Parks, de Graaf, Uecker, Restuccia, Zuber

**B. PROPOSED FY 2020-2021 CITY BUDGET**

This is a public hearing for the proposed Fiscal Year 2020-2021 City Budget.

City Administrator Werner said that preparing the budget was a challenge with the unknown impact of COVID-19. We are experiencing some significant declines in the General Fund Revenue due to sales tax and the drop in in fuel prices. The City will also see an impact to the General Fund by way of TOT taxes and lease payments. He said we will not see the bottom of this until September. Werner said he is unsure of the impact of property taxes but does not expect a large impact. Werner said during last downturn the City had to dip into reserves and did not know how long it would take to come out of that. Council has worked for a long time to overcome the deficit. The City has put money aside in contingency funds so the largest liability items are still funded. Werner said the 2020-2021 budget is projecting a \$600K deficit to the General Fund. The City will need to limit spending. This will include no employee compensation increases, no capital expenses where possible, no conference expenses, and no change in employee staff level. Werner said his recommendation is for Council pass the proposed budget and staff will work to project monthly the 2020/2021 year as actual expenses are incurred. Staff will bring this back to the Council at the end of 2020 to amend the budget with the updated projections. Werner said there is about \$25,000 that needs to be transferred from the General Fund to the landscape districts. Werner said staff is working on updating a utility rate analysis which will be coming before the City Council in the next few months.

Werner said the Capital Improvement Projects are included in the proposed budget, including projects in sewer, water, garbage, and transportation.

Council Member Zuber asked if the \$11.3 million includes interest from mitigation fund.

Werner confirmed it did.

Zuber referred to the Capital Outlay Summary, asking if the last column of City Expenses are other fund dollars, not the City's General Fund.

Werner confirmed they are.

Werner said it is important to define the process and provide monthly updates.

## **PUBLIC HEARING OPEN**

No one from the public wished to speak.

## **PUBLIC HEARING CLOSED**

No action was taken.

### **4. ORDINANCES**

#### *Second Reading and Adoption*

##### A. ORDINANCE NO. 897

AN ORDINANCE OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
AMENDING TITLE 16, CHAPTER  
16.152 ESTABLISHING MORE  
STANDARDIZED SETBACKS AND  
REGULATIONS REGARDING  
FENCING AND SCREENING

This ordinance amends Title 16, Chapter 16.152, “Fencing and Screening” to establish more standardized setbacks and regulations regarding fencing and screening.

Planning Director Zuidervaart said Council had a minor change to the ordinance regarding supports in residential areas. Language was added to clarify this and can be seen in the redline version of the ordinance in the packet. Zuidervaart said there were residents present who would like to make comments.

Tom O’Donnell said he has not seen the entire proposal but agrees with the standardized setbacks being proposed. O’Donnell said he would like to install lattice and jasmine on his fence adding a two-foot section on top of his fence and that his neighbors would be okay with this addition. O’Donnell said he would like to discuss Section 16.152.080 Screening Standards, B. Placement and the section regarding height limits in required yards. O’Donnell said the first sentence of the screening section is a good guideline for safety but added that he is concerned that we have to be a minimum of two feet away from the fence to have the higher screening and no more than 50% of the property line can have the higher screening. He would like to have a more uniform look, and asked if he and his neighbors agree, why can they not add the screening on top of the fence.

Council Member Restuccia said he likes the lattice idea and the biggest concern was with the fire department. He said the fire department would tear down the fence if they have to go through it. Originally, fifteen years ago, that fencing height would be a concern but that does not seem to be a concern anymore.

Wagdy Demyan said he has the same concern as O’Donnell. Demyan said he built a volleyball fence in his backyard and would like to put lattice on his fence because otherwise the kids knock balls into the neighbor’s yard daily. Without the lattice, it is too easy to break his neighbor’s window. He said most people have lattice and everyone likes it. Six feet is not enough. Demyan said he has pictures to show the Council. Demyan asked Council to give

residents the flexibility to add the lattice.

Zuidervaart provided a history of fencing and said the six-foot fence heights were in place for a couple of reasons. It used to be you did not need a permit for a fence that was six feet or lower. This Code was changed a couple years ago to not requiring a permit for a fence that is seven feet or lower. The other reason Council wanted the six-foot height limit was for esthetics. The reason for the two-foot setback and the 50% restriction was so that someone would not attach lattice to the fence all across the fence to circumvent the Code. If the Council so desires, the building code has been changed to allow a seven-foot fence without a building permit; anything over would require a building permit and engineering to show that your footings are proper for wind load. He said an eight-foot fence is pretty tall. If you have a single story house and an eight-foot fence you would be within a couple feet of your eaves. This is something for the Council to consider.

Restuccia asked if the over seven-foot standard requiring a building permit is our Code. Zuidervaart replied no, this is the state building codes requirement. Restuccia said he would like a seven-foot fence allowance.

Vice-Mayor de Graaf said being over six feet tall himself, he would like a seven-foot tall fence for privacy reasons. Zuber concurred. de Graaf said the question is whether you can screen more than 50% of your yard. If you allow a seven-foot fence, it could go all the way across.

Restuccia asked what the problem is with exceeding the 50% coverage. Zuidervaart replied that you can create an eight-foot high section to cover a certain portion of your yard and the 50% was there so you would not just cover the whole lot line and make an eight-foot fence.

Zuber said that he has a back fence that is 112 feet long and asked if this means that he can only screen 60 feet of that. Zuidervaart replied if you are going over the height max, yes. Zuidervaart said the other option is take this screening section out and make the fence height be seven feet.

Restuccia commented that it looks choppy when we have different fence heights, and if it is between two agreeing neighbors, why not allow it.

Restuccia asked if two neighbors sharing a back yard both wanted screening could one screen 50% and the other screen 50%. Zuidervaart replied that the way the Code reads now is that the screening has to be no closer than two feet to the fence. You cannot attached non-plant material to the fence.

Parks asked if currently anything over six feet is considered screening. Zuidervaart replied yes.

de Graaf asked if per the building code, anything over seven feet would require a building permit. You could do a six-foot fence with a one-foot lattice if you wanted. Zuidervaart replied yes, anything attached to the fence that exceed seven feet requires a building permit. de Graaf commented that allowing seven-foot height the whole way would be good.

Zuber commented that this makes a good argument for a seven-foot fence since there would be a very small number of people who could see over a seven-foot fence. Zuber suggested allowing a resident to construct an eight-foot back fence by building permit with agreement between both neighbors. Zuber added that this should not include side fences where you see it from the street.

Parks asked if Zuber means Council would be okay going up to eight feet for back yards but seven feet for side yards. Zuber replied eight feet and you need a building permit, but only back to back and the neighbors must agree by written permission from the property owner.

Restuccia asked if you do a monument check and the fence is entirely on his property does he still need permission from the neighbor. Zuber replied yes. Zuidervaart commented that he believes Zuber is looking at this from an esthetics standpoint and so both neighbors would have to agree.

Parks requested that this item be brought back to the July meeting with the suggested changes.

Zuidervaart clarified the changes to be to allow seven feet fencing and up to eight feet on the back portion of lot only, with a building permit and written permission from the both property owners.

<b>RESULT:</b>	<b>TABLED</b>	<b>Next: 7/14/2020 6:00 PM</b>
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*Second Reading and Adoption*

B. ORDINANCE NO. 898

AN ORDINANCE OF THE CITY  
COUNCIL OF THE CITY OF RIPON  
AMENDING CHAPTER 12.12 "STREET  
EXCAVATIONS AND  
ENCROACHMENTS" AND CHAPTER  
17.16 "REAL PROPERTY  
DEVELOPMENT FEES" OF THE RIPON  
MUNICIPAL CODE

This Ordinance amends Chapter 12.12  
"Street Excavations and Encroachments"  
and Chapter 17.16 "Real Property  
Development Fees" of the Ripon Municipal  
Code.

**Motion to waive the second reading and adopt Ordinance No. 898 amending Chapter 12.12 "Street Excavations and Encroachments" and Chapter 17.16 "Real Property Development Fees".**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Leo Zuber, Council Member
<b>SECONDER:</b>	Michael Restuccia, Council Member
<b>AYES:</b>	Parks, de Graaf, Uecker, Restuccia, Zuber

## 5. DISCUSSION ITEMS

### A. PG&E COMMUNITY WILDFIRE SAFETY PROGRAM AND IMPACTS TO THE CITY

*Discussion/Action*

PG&E to provide an update on the 2020 Wildfire Safety Program. City Council to discuss options to provide back-up power generation during an extended PG&E power outage.

Public Works Director James Pease introduced Dillon George saying he was here last year to go over the Wildfire safety program and impacts to Ripon. Council had asked him to come back this year to provide an update on where they are in the process this year.

Dillon George said he is our Local Public Affairs representative for PG&E. He was here about a year ago and is glad to be back. George said he appreciates Council's response to COVID and maintaining social distancing. George presented an overview of the Wildfire Safety Program saying the goal is to reduce wildfire potential, improve situational awareness and reduce the impact of Public Safety Power Shutoff (PSPS) events. There has been a lot of repairing and inspecting of our lines. George said PG&E continues to expand the number of weather stations and the number of high-definition cameras in their service territory.

George said that last year there were seven PSPS events. There were events at the beginning of the season and the goal is to make these better and less impactful. The purpose of a PSPS is to reduce the risk of major wildfires during severe weather. One event was at the beginning of the season, two at end of season and there were four very prominent ones in October, where PG&E faced extremely high winds. The largest event affected 930,000 PG&E customers. The goal is to reduce the number of customers impacted by PSPS events by one-third compared to 2019. George said that east of Linden was shut down even though it is Tier 1 because it was connected to areas of Calaveras County. George said PG&E would like to separate them so they will not be impacted. Resources are being added so that if power is shut off, PG&E can get it back on much quicker. There will be resource centers set up. PG&E and California Public Utilities Commission (CPUC) did a map of the entire area of California according to wildfire risk. George showed what types of weather could lead to a PSPS.

Council Member Restuccia asked if they have now been given permission to cut and clear the dry conditions.

George said they do work with property owners as best as they can and have worked with all agencies on this. George said they could cut a tree that is ten feet away from the lines but cannot cut a tree that is fifty feet away from the lines but sixty feet tall.

George shared a mitigation plan slide for 2019 compared to 2020 by the numbers. George said they have replaced wooden poles with composite or steel poles and replaced wire

with thicker wire and undergrounding where possible.

Restuccia asked why PG&E reduced their enhanced vegetation management line miles this year.

George replied enhanced vegetation management is in addition to standard vegetation management and last year PG&E performed additional work. He said standard vegetation management never ends and happens every year.

George then presented a slide on restoration times saying that PG&E waits for a weather all clear and then crews can begin inspections. Crews need to visually inspect the entire line, and then can isolate and repair items that need to be restored. PG&E will be using helicopters to do this inspection and then can restore power quicker.

George said PG&E is working towards making sure they have updated customer contact information in order to update customers on activities and events. PG&E encourages customers to check the weather forecasting and other resources for medical baseline and backup power in order to make sure those with medical needs get power back up. George then presented a slide for resource information that customers can access. George also suggested looking at SJReady.gov for information.

Restuccia commented that he checks the website weekly and it is not very intuitive.

Vice-Mayor de Graaf thanked him for coming.

Pease asked George what it would look like if Ripon was shut down as a Tier 1 community. George said a Tier 1 community like Ripon is surrounded by other Tier 1 communities. The only way Ripon would have an impact would be if there was a transmission line that needed to be shut down. If conditions were so bad that PG&E had to shut off one of their main transmission lines, it would be a situation where there would be several cities on the same transmission lines that would all be impacted. It would have to be a major event for Ripon to be impacted as a Tier 1 community.

Restuccia said if power was not shut off last year, the transmission line that feeds us must be good. George commented in order to shut down a transmission corridor the conditions would have to be outrageously dangerous. Last year was a 1 in 150 year occurrence.

Pease said he wanted to go over specific impacts to Ripon if we were to encounter one of these events. Pease said that we went over this last year and looked at facilities and services. Last year we rented generators to have in case of an emergency and we spent around \$42,000 on those.

Pease said the City is powered 60% from PG&E and 40% from MID. The Police Department and City Hall is powered by MID. The Police Department does have a backup generator if power goes out. Pease said the water systems would be the most impacted by a power outage. Two city wells would be nonoperational, system pressure would drop and water restrictions would need to be implemented. Pease said at the beginning of this year we had two power outage events and lost power to one well that

PG&E provides power to. One event was due to wind and the other was due to an accident. Pease said the well was down for several hours but the City was able to sustain it because it was during winter months when water usage is down. If this happened in the summer this would put us in a bad position.

Pease then discussed the Sewer System saying that without PG&E power, two critical lift stations will be non-operational.

Restuccia asked how someone would know if their lift station was down. Pease replied a homeowner would most likely not even be aware. In a bad situation, sewer would backup in the street.

Pease said there would be no effect on the garbage systems if PG&E were to have an outage as the garbage trucks are power by CNG and we use MID to power those fueling pumps. Pease added that the City has two 10,000 gallon tanks for diesel and gasoline available. This fuel can be used for police and public works vehicles. The Corporation Yard is powered by PG&E, and has a backup generator provided from PG&E.

Pease said 70% of the street lights are powered by PG&E and all but one traffic signal is powered by PG&E.

Pease said the majority of City parks are supplied by our non-potable water systems which are powered by MID. Minimum watering is necessary to avoid loss of landscaping.

Pease said the Senior Center is powered by PG&E without back up. Pease said staff has discussed the possibility of using the senior center to provide a cooling center to our community since an extended power outage is likely to happen during the summer month. A backup generator would be rented if a shutoff notice is received from PG&E.

Pease said City Hall is powered by MID without a backup generator. The Police Department backup generator only has enough power to power the Police Department side and so City Hall staff would relocate to the Police Department in case of an event.

Pease said the Community Center is powered by MID and could be used as a cooling center during outage if not being rented out.

Pease then said Stouffer Hall, the Library and museums would be affected by a PG&E event.

Pease said staff would be providing public outreach by City Website and Nixle.

Pease presented three options to Council regarding buying or renting a 300kW generator, a 56kW generator and a 10kW generator. Pease said the fiscal impact to purchase a portable generator for Well 18, rent a portable generator for the sewer lift stations and purchase a small generator at the fueling station would be approximately \$195,000. Fiscal Impact to purchase all of the generators would be \$244,000. Pease said the fiscal impact to rent all the generators from PG&E would cost between \$51,000-\$59,000

depending on availability. The options were discussed between the Council.

George said PG&E expects these outages to continue to be shorter and less frequent.

Zuber said last year we had zero, and suggested we buy the big generator and rent the small ones for another year. Restuccia concurred.

George stated that he could not guarantee generators will be available; but if it is an emergency water situation, they would work to make one available.

de Graaf asked if the tanks have the ability to put air compressors on them. Pease said he would look into this.

Restuccia asked if we have talked to MID. Pease replied that MID has told the City that they would be unaffected by a PG&E event. The whole State would have to be affected.

Zuber said MID does not have transition lines where the fires would be.

**Motion to purchase a 300kW portable generator for Well 18 at a cost of \$172,000 and rent for one more year, a 56kW portable generator to be used at both Parallel Ave and Oak Ave sewer Lift Stations at an annual cost of \$17,000 and a 10kW portable generator to be used at City fueling station at an annual cost of \$2,000 during fire season.**

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

## B. ACTIVE TRANSPORTATION PROGRAM GRANT APPLICATION

### *Discussion/Action*

Authorize staff to complete the Active Transportation Program (ATP) Grant application for the Second Street Bike Path & Improvements Project, approve and authorize the Mayor to sign the Measure K Renewal Cooperative Agreement C-20-046 with San Joaquin Council of Governments (SJCOG) in order to receive funding for grant application development assistance, and approve and authorize the Mayor to sign the General Services Agreement with GHD, Inc. to provide grant writing services (Cost not to exceed \$15,000.00).

Engineering Supervisor Quilici presented an overview of the Grant Application being proposed to the City Council for the Second Street Bike Path Improvement Project. She



said the goals of the bike path are to install traffic calming measures to improve the mobility, access and safety for the bikeways and walkways. Quilici presented a slideshow highlighting the proposed bike path, street improvements and safety measures.

**Motion to authorize staff to complete the Active Transportation Program (ATP) Grant application for the Second Street Bike Path & Improvements Project, approve and authorize the Mayor to sign the Measure K Renewal Cooperative Agreement C-20-046 with San Joaquin Council of Governments (SJCOG) in order to receive up to \$20,000 in funding for grant application development assistance, and approve and authorize the Mayor to sign the General Services Agreement with GHD, Inc. to provide grant writing services (Cost not to exceed \$15,000.00).**

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

## **REPORTS**

### **Department Heads:**

Public Works Director Pease said water usage was down 26% for April 2020 and 19% for May 2020 compared to 2013.

Planning Director Zuidervart reported the Small Business Assistance Grant Program has 16 applications with checks going out this week.

### **City Council:**

Council Member Zuber said it was a very peaceful weekend despite worries, partially due to the efforts of our Police Department. Zuber said he heard many positive comments from the public.

Zuber said weed abatement is looking great. He said he is concerned about the east side of the frontage road south of Goodwin Drive.

Council Member Restuccia said the weekend went very well thanks to Chief Ormonde. The Ripon Police Department did an excellent job working with the people who came to the protest. He said Ripon can be a model for other cities both from a police standpoint and a protestor's standpoint of what to do during a protest. Restuccia said he would like all five Council Members to draft a letter to thank the other agencies that helped.

Vice Mayor de Graaf said he agrees with Zuber and Restuccia. de Graaf said thank you to the Police Department for all the hard work they always do.

de Graaf said he wanted to share that his brother has served in the Navy as a pilot for over ten years and just retired. de Graaf said thank you to everyone who serves and said thank you to everyone who came to the meeting and participated online.

Mayor Parks said thank you to the people who came to the protests and exercised their first amendment rights. Parks said everything he heard was positive. Parks said thank you to Chief Ormonde for doing a great job and other cities could take note of how well he handled the situation.

City Attorney Terpstra said there would be no closed session.

**SUCCESSOR AGENCY**

There being no further business, the meeting was adjourned at 9:10 PM.

(Signed) Jacob Parks  
Mayor

**ATTEST:**

(Signed) Lisa Roos  
City Clerk