



City of Ripon

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August 19, 2013

Via U.S. Mail and Email

Honorable David P. Warner, Presiding Judge
San Joaquin County Superior Court
Post Office Box 201022
Stockton, California 95201
Email: grandjury@sjcourts.org

Re: San Joaquin County Grand Jury 2012-2013 Report – Case No. 1112

Dear Judge Warner:

In response to San Joaquin County Grand Jury Case No. 1112, the City Council of the City of Ripon responds as follows.

RESPONSE TO GRAND JURY CASE No. 1112 District Board Ignores the Peoples' Right to be Informed

FINDINGS:

F4.1: Membership on the District Board is seen as a family right and obligation passed through generations, or as a pathway for political advancement.

Response to F4.1: After review of the City of Ripon's process for appointment of a member to serve on the San Joaquin County Mosquito and Vector Control Board, the City disagrees with the Grand Jury's categorical finding that "Membership on the District Board is seen as a family right and obligation passed through generations, or as a pathway for political advancement." While this may be the case in other municipalities, it has not historically been true in Ripon. The City's current appointee has been serving as Ripon's representative since 2007, and bore no familial relationship to his predecessor. Additionally, the prior appointee did not use this position as a stepping stone for political advancement. Upon notification by the District Board that a new appointment is required, the Mayor and the City Council review the qualifications and performance of the current

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Ken Zuidervart

DIRECTOR OF PUBLIC WORKS

Ted Johnston

RECREATION DIRECTOR

Kye Stevens

appointee, along with his or her willingness to continue to serve. In years where the current appointee no longer wishes to serve on the District Board, the City Clerk will post the vacancy in the local newspaper and on the City's website where residents of the City of Ripon may apply for the position. Thereafter, the Mayor recommends either reappointment of the current appointee or appointment of a new candidate to the City Council, which must then ratify said appointment by majority vote at a public meeting. The fact that the appointment process is conducted in an open and public meeting, with full opportunity for public input, should provide appropriate safeguards against nepotism and cronyism.

F4.2: Long terms on the District Board may lead to complacency in reviewing District financial conditions and a clear understanding of issues brought before the Board for consideration.

Response to F4.2: The City of Ripon does not have an opinion on this finding. The length of service/term limits of members of the District Board is a matter which falls under the jurisdiction of San Joaquin County and/or the San Joaquin County Mosquito and Vector Control Board.

F5.1: Issues regarding non-transparent functioning and actions of the District Trustees bring into question the need for the District Board as presently appointed by the cities and the County Board of Supervisors.

Response to F5.1: The City of Ripon does not have an opinion on this finding. The length of service/term limits of members of the District Board is a matter which falls under the jurisdiction of San Joaquin County and/or the San Joaquin County Mosquito and Vector Control Board.

RECOMMENDATIONS:

R4.1: No later than November 1, 2013, the County Board of Supervisors and the City Council of each city in the county petition the appropriate agencies and/or State legislature to establish term limits of two consecutive four-year terms for District Board Trustees.

Response to R4.1: By way of this response, a copy of which shall be sent to the San Joaquin County Board of Supervisors and the San Joaquin County Mosquito and Vector Control Board, the City of Ripon hereby petitions the governing boards of those specific agencies to consider the establishment of term limits for trustees if they so deem appropriate, keeping in mind the appropriate balance between the advantages of continuity, and the disadvantages associated with a lack of turnover. Future decisions of those agencies pertaining to the term limits for the District Board will be strictly adhered to by the City of Ripon in its appointment process.

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If there are questions or concerns regarding any aspect of this Response, please feel free to contact City Attorney Thomas H. Terpstra, or send correspondence to the City Council at 259 N. Wilma Avenue, Ripon, California, 95366.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Uecker". The signature is fluid and cursive, with the first name "Dean" and the last name "Uecker" clearly distinguishable.

Dean Uecker
Mayor