
Ripon City Council

Special Meeting Minutes

August 21, 2018

PLACE: CITY HALL – COUNCIL CHAMBERS
259 N. WILMA AVENUE
RIPON, CA 95366

TIME: 5:00 PM

CALL TO ORDER:

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

OTHERS PRESENT:

City Administrator Kevin Werner, Deputy City Attorney Katie Luchessi, Planning Director Ken Zuidervaart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Lieutenant Danny Sauer, City Clerk Lisa Roos, Deputy City Clerk Tricia Raymond, Information Systems Technician Dan Brannon, Engineering Supervisor James Pease.

PUBLIC DISCUSSION:

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

1. RESOLUTIONS

A. RESOLUTION NO. 18-77

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON, CALIFORNIA PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED ON TUESDAY, NOVEMBER 6, 2018

This resolution cancels the General Municipal Election to be held on November 6, 2018 and appoints to the office of Council member the two candidates that were to be elected at that time due to the fact that there are not more candidates than offices.

City Clerk Roos said at the close of the nomination period on August 10, 2018, only two candidates were nominated for the two offices that will be available at the November 6, 2018 election. City Council has the ability to follow Section 10229 of the Election Code and may choose how to proceed.

The first option is for Council to appoint to office the persons who have been nominated. City Council can appoint Dean Uecker and Mike Restuccia to the office of Council member to serve for four year terms and cancel the election. If the City Council makes an appointment, the City Clerk shall not accept for filing any statement of write-in candidate which are submitted after the appointments are made. This option would also have a cost savings to the City because we would not incur the estimated \$31,000 to consolidate our election with San Joaquin County.

The other option is to hold the election. In this case, the election would proceed as scheduled on November 6, 2018 and there is the option that a write-in candidate could go through the process and be eligible to be elected. If the City Council desires to continue to hold the election, then no action should be taken on the resolution.

Roos said staff recommends that the City Council approve the resolution to cancel the Municipal Election on November 6, 2018 and appoint Dean Uecker and Mike Restuccia to the offices of Council member to serve for four year terms.

Motion to approve Resolution 18-77 appointing Dean Uecker and Mike Restuccia to the offices of Council member to serve for four year terms and cancel the Municipal Election on November 6, 2018.

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

2. TOPIC OF DISCUSSION

A. THE VINEYARDS SUBDIVISION IMPROVEMENT AGREEMENT

BMCH California, LLC	Accept The Vineyards Subdivision Improvements completed by BMCH California, LLC.
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Engineering Supervisor Pease said The Vineyards Subdivision Improvements have been completed.

Vice Mayor Zuber said the staff report read some minor things had to be completed before any more houses were finalized.

Pease said a punch list has been completed, except for a few follow-up items that the Developer has agreed to complete. The Developer has 13 homes that are ready for finals from the building department and buyers are ready to move in. The Developer has agreed to complete these last remaining items within the public right-of-way prior to any future houses receiving final inspections.

Council Member Uecker said he is very impressed with the look of the project.

Zuber said the elevations are nice and he is impressed with the project as well. Other developers will have a neighborhood to reference.

Motion to accept The Vineyards Subdivision Improvements completed by BMCH California, LLC.

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

B. CRIMINAL PROCEDURE: USE OF FORCE BY PEACE OFFICERS

Objection Letter

Authorize the Mayor to sign and direct staff to send a letter to the Senate Appropriations Committee opposing AB 931 Criminal procedure: use of force by peace officers.

Mayor Restuccia said this letter opposes AB 931 Criminal procedure: use of force by peace officers. Restuccia said he sent it to Assemblyman Heath Flora's office and they suggested the letter be addressed to Assemblywoman Shirley Weber and a copy sent to the Senate Public Safety Committee.

Vice Mayor Zuber said Weber is the author, but copies should also go to Senator Galgiani and Assemblyman Flora.

Motion to authorize the Mayor to sign the letter and direct staff to send the letter to Assemblywoman Shirley Weber and copies to Senator Galgiani, Assemblyman Flora and the Senate Public Safety Committee.

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

3. ADJOURNMENT

There being no further business, the meeting was adjourned at 5:10 PM.

(Signed) Michael Restuccia
Mayor

ATTEST:

(Signed) Tricia Raymond
Deputy City Clerk