
Ripon City Council Minutes

TUESDAY, DECEMBER 14, 2021 – 6:00 PM

REGULAR MEETING

PLEDGE OF ALLEGIANCE:

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

INVOCATION:

Pastor Matt Riddle gave the invocation.

ROLL CALL:

Attendee Name	Title	Status	Arrived
Dean Uecker	Mayor	Present	
Michael Restuccia	Vice Mayor	Present	
Leo Zuber	Council Member	Present	
Daniel de Graaf	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, Senior Civil Engineer Sarah Collins, Lieutenant Daniel Sauer, City Clerk Lisa Roos, Deputy City Clerk Jane Kilgore, Information Systems Technician Hunter Crosby, Kelly Donohue, Stephanie Hobbs, Vince Hobbs, Adam Corkins, Brent Barton, Cynthia Barton, Stephanie Daigre, Matt Riddle, Dennis Bitters, Carla Bitters, Barron Sweet, Carrie Sweet, Mollie Ratto.

PUBLIC DISCUSSION:

Adam Corkins said he has worked from home for the past 22 months. He said his family's livelihood was not affected by the lockdown because remote work was possible, but now he is facing the threat of losing his job. He said his employer has notified employees that they must have the vaccine or be placed on unpaid administrative leave. He said this is a coordinated action to force American workers to get vaccinated or lose their livelihoods and lock them out of a substantial portion of the economy. His job is what provides for his family and is important for their well-being. Corkins believes they should have a right to privacy with regards to medical decisions. He said he believes it is excessive to block Americans from working in their homes for refusing the vaccine, because the eighth amendment declares that excessive bail shall not be required nor excessive fines imposed. He said he believes it is possible to be pro-vaccine and for informed consent. Corkins said the federal mandate is novel and, if even legal, the penalties are excessive and threaten the long-term health of the community.

APPROVAL OF MINUTES:

Motion to approve the minutes of the Regular Ripon City Council meeting of November 9, 2021, the Special Ripon City Council meeting of November 23, 2021 and the Special Ripon City Council meeting of December 7, 2021.

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

- A. CITY COUNCIL - REGULAR MEETING - NOV 9, 2021 6:00 PM
- B. CITY COUNCIL - SPECIAL MEETING - NOV 23, 2021 5:30 PM
- C. CITY COUNCIL - SPECIAL MEETING - DEC 7, 2021 5:30 PM

Mayor de Graaf said he wanted to thank everybody for the kindness and support over the past year and it has been a pleasure to serve as Mayor.

COUNCIL REORGANIZATION: Per Ordinance 800, RMC Section 2.04.020 Mayoral Selection, Council Members shall be seated as follows:

Seat 1	Mayor	Dean Uecker
Seat 2	Vice Mayor	Michael Restuccia
Seat 3	Council Member	Leo Zuber
Seat 4	Council Member	Daniel de Graaf
Seat 5	Council Member	Vacant

(Per RMC 2.04.020, the designated Mayor and Vice Mayor must be queried to accept or decline the positions.)

City Clerk Roos led the Council reorganization. She asked Dean Uecker if he accepted the position of Mayor.

Uecker accepted the position of Mayor.

Roos asked Michael Restuccia if he accepted the position of Vice Mayor.

Restuccia accepted the position of Vice Mayor.

Council Members were seated in their new, respective seats and the meeting was handed over to Mayor Dean Uecker.

RESOLUTION TO APPOINT COUNCIL MEMBER:

RESOLUTION NO. 21-57

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
APPOINTING GARY BARTON TO THE
VACANT RIPON CITY COUNCIL SEAT

This resolution appoints Gary Barton to the vacant Ripon City Council seat.

Motion to approve the Resolution 21-57 appointing Gary Barton to the vacant Ripon City Council seat.

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

ADMINISTERING THE OATH OF OFFICE TO APPOINTED COUNCIL MEMBER:

City Clerk Roos administered the Oath of Office to Gary Barton.

APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Council Member Zuber requested Items 1.3D and 1.3F be pulled from the Consent Calendar for discussion.

Council Member de Graaf requested Item 1.4A be pulled from the Consent Calendar for discussion

Vice Mayor Restuccia requested Item 1.2E be pulled from the Consent Calendar for discussion.

City Administrator Werner requested Item 1.3E be pulled from the Consent Calendar for discussion.

Motion to approve the agenda as amended.

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

1. CONSENT CALENDAR

Motion to approve the Consent Calendar as amended.

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

1.1. Income

A. STATE OF CALIFORNIA

Sales Tax \$690,499.16
(November 2020 \$305,919.37)
FY 2021-22 YTD: \$2,045,598
FY 2020-21 YTD: \$1,266,865

Highway Users Tax \$34,753.69
(November 2020 \$30,749.38)
FY 2021-22 YTD: \$176,829
FY 2020-21 YTD: \$162,443

SB1 Street & Road Tax \$27,009.97
(November 2020 \$25,495.06)
FY 2021-22 YTD: \$139,080
FY 2020-21 YTD: \$120,444

TOTAL \$752,262.82

B. CCATT HOLDINGS

Monthly Acacia Avenue Cell Tower Lease Payment –
November 2021 **\$1,163.34**

C. T-MOBILE

Monthly Acacia Avenue Cell Tower Lease Payment –
November 2021 **\$1,038.15**

D. CHARTER COMMUNICATIONS

Quarterly Franchise Fee Payment – September 2021 **\$25,788.14**

1.2. Bills, Invoices, Payments

A. LAW OFFICE OF THOMAS H. TERPSTRA

General Matters \$15,257.25
Police Matters \$3,872.50
Receivership \$209.00
Golf Course Ext. \$295.00

TOTAL \$19,633.75

B. GRANICUS LEGISLATIVE MANAGEMENT

Annual Legislative Management System Renewal
Invoice #146439
Digital Boardroom \$7,704.00
Agenda & Minutes \$8,220.12

TOTAL \$15,924.12

C. RIPON CHAMBER OF COMMERCE

2022 Membership Investment
Invoice # 809 **\$185.00**

D. PRICE PAIGE & COMPANY	
Audit Services	
Progress Payment – Invoice #20460	\$11,768.00
E. <i>ITEM E WAS MOVED TO ITEMS PULLED FROM CONSENT</i>	
F. VAUGHAN CONSTRUCTION	
Sidewalk Trip Hazard Repairs	
Progress Payment – Invoice #4178	\$3,518.50
G. LDA	
Corporation Yard Design Services	
Progress Payment – Invoice #12/622-03-20	\$25,000.00
H. SHORELINE ENVIRONMENTAL ENGINEERING	
Well 19 Pump Station & Site Design	
Progress Payment – Invoice #926	\$2,345.00
I. D. A. WOOD CONSTRUCTION, INC.	
Stockton Avenue Rehabilitation Project	
Progress Payment – Invoice #9	\$155,357.08
J. SORACCO, INC.	
Well 19 Pump Station	
Progress Payment – Invoice #1	\$65,576.60
K. HALPIN COMPLIANCE SOLUTIONS	
Solid Waste Regulatory Compliance Assistance	
Progress Payment - Invoice #21-R-0709	\$848.40
L. WATER, SEWER AND GARBAGE ENTERPRISE ANNUAL RATE REVIEW	
Water, Sewer and Garbage Fund 4-year Rate Study	
Progress Payment – Invoice #202002-01	\$1,600.00

1.3. Resolutions

A. RESOLUTION NO. 21-58

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ACCEPTING THE CITY OF RIPON
FINANCIAL STATEMENTS AND
INDEPENDENT AUDITOR'S
REPORT FOR THE YEAR ENDED
JUNE 30, 2021

This resolution accepts the City of Ripon
Financial Statements and Independent
Auditor's Report for the year ended June
30, 2021, prepared by Price Paige &
Company Accountancy Corporation.

B. RESOLUTION NO. 21-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ACCEPTING THE CITY OF RIPON MONEY PURCHASE THRIFT PENSION PLAN FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT JUNE 30, 2021 AND 2020

This resolution accepts the City of Ripon Money Purchase Thrift Plan Financial Statements and Independent Auditor's Report June 30, 2021 and 2020, prepared by Price Paige & Company Accountancy Corporation.

C. RESOLUTION NO. 21-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING VSP-SUNLIFE VISION INSURANCE, INSTEAD OF MES VISION INSURANCE, TO BE PROVIDED TO ALL EMPLOYEES AND CITY COUNCIL MEMBERS IN CALENDAR YEAR 2022

This resolution approves the change from MES Vision Insurance to VSP-Sunlife Vision Insurance for calendar year 2022. The City was recently notified that MES Vision Insurance would no longer be accepted by Ripon providers. This change does not impact employee benefits or have a financial impact to the City of Ripon or our employees.

D. ITEM D WAS MOVED TO ITEMS PULLED FROM CONSENT

E. ITEM E WAS MOVED TO ITEMS PULLED FROM CONSENT

F. ITEM F WAS MOVED TO ITEMS PULLED FROM CONSENT

G. RESOLUTION NO. 21-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON ACCEPTING A GRANT DEED / GRANT OF PUBLIC UTILITY EASEMENT OF CERTAIN REAL PROPERTY TO THE CITY OF RIPON

This resolution accepts a Grant Deed / Grant of Public Utility Easement of certain real property located at 1135 Hughes Lane directly in front of the Almond Blossom Storage to the City of Ripon in connection with the 2004 Hughes Lane Street Widening Project, and authorizes the Mayor to sign and execute any and all documents necessary to complete the aforementioned transaction. In 2004, the City of Ripon completed the Hughes Lane Street Widening Project. As part of this project, a dedication of property and a public utility easement was drafted; however, it was never recorded.

H. RESOLUTION NO. 21-62

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ACCEPTING A GRANT DEED /
PUBLIC UTILITY EASEMENT
DEED OF CERTAIN REAL
PROPERTY TO THE CITY OF
RIPON

This resolution accepts a Grant Deed /
Public Utility Easement Deed by Chad N.
DeGraff and Danielle M. DeGraff of
certain real property located at 501 S.
Stockton Ave. to the City of Ripon in
connection with the Stockton Avenue
Rehabilitation Project and authorizes the
Mayor to sign and execute any and all
documents necessary to complete the
aforementioned transaction.

1.4. Miscellaneous Items

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

B. PROFESSIONAL SERVICES AGREEMENT - AMENDMENT NO. 1

Shoreline Environmental Engineering Approve and authorize the Mayor to
sign the First Amendment to the
Professional Services Agreement with
Shoreline Environmental Engineering to
provide construction support services
for the Well 19 Project in the amount
not to exceed \$13,240 (funding source:
Water Enterprise Capital Fund).

C. AMENDED AND RESTATED LEASE AGREEMENT - AMENDMENT NO. 2

TPR Baseball Approve and authorize the Mayor to
sign the Second Amendment to the
Amended and Restated Agreement for
the Lease and Operations of Baseball
Fields and Concession Stand at Mistlin
Sports Park.

D. STOCKTON AVENUE REHABILITATION PROJECT

D.A. Wood Construction, Inc. Approve Change Order No. 6 in the not
Change Order No. 6 to exceed amount of \$11,351.00 to
adjust catch basins to eliminate conflicts
with an MID electrical line and PG&E
gas transmission line.

ITEMS PULLED FROM CONSENT

1.2E : SAN JOAQUIN REGIONAL TRANSIT DISTRICT

Blossom Express Driver
October Invoice #AR112907 **\$1,282.51**

Vice Mayor Restuccia wished to recuse himself from the vote because he is Chairman of the San Joaquin Regional Transit District Board.

Motion to approve Item 1.2E San Joaquin Regional Transit District.

RESULT:	ADOPTED AS AMENDED [4 TO 0]
MOVER:	Leo Zuber, Council Member
SECONDER:	Dean Uecker, Mayor
AYES:	Uecker, Zuber, de Graaf, Barton
ABSTAIN:	Restuccia

1.4A : GENERAL SERVICES AGREEMENT - AMENDMENT NO. 1

Provost & Pritchard

Approve and authorize the Mayor to sign the First Amendment to the General Services Agreement with Provost & Pritchard Consulting Group for consulting services to prepare the Annual Water Loss Audit and Validations for the years 2016 through 2020 in the amount not to exceed \$32,300 (funding source: City Water Enterprise Fund).

Council Member de Graaf said this item involves his employer, Provost & Pritchard, so he would leave the room for this item.

Motion to approve Item 1.4A General Services Agreement - Amendment No. 1.

RESULT:	ADOPTED AS AMENDED [4 TO 0]
MOVER:	Leo Zuber, Council Member
SECONDER:	Michael Restuccia, Vice Mayor
AYES:	Uecker, Restuccia, Zuber, Barton
AWAY:	de Graaf

RESOLUTION NO. _____

1.3D : A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIPON APPROVING THE CITY COUNCIL COMMITTEE ROLES AND RESPONSIBILITIES

This resolution approves the roles and responsibilities for Ripon City Council committees.

Council Member Zuber said the resolution reads as though City Council Members can only attend, and not participate in, outside committee meetings, but asked what if a Council Member is appointed to one of those committees. He said they have already run into this one time and a third Council Member showed up creating a Brown Act violation. City Administrator Werner said this policy is focused on the City Committees the City uses to develop policy and the communication between Council Members and staff. He said they added that section because staff understood it was something that happens at times but it is

more of a suggestion. Werner said if Council wants to explore this more and add more detail, staff will do that. Zuber said he would rather deal with this now instead of when it comes up again.

Council Member Barton asked if Zuber could describe the event where three Council Members showed up. Zuber said it was a meeting of the Chamber of Commerce and the Parking Committee. Two Council Members were part of that committee and a third Council Member showed up as an observer.

Vice Mayor Restuccia said he appreciated Zuber pulling the item because he also had questions.

Zuber said staff needs to discuss this further and bring back a revised version.

RESOLUTION NO. 21-63

1.3E : A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ADOPTING THE PROCESS FOR
CONSIDERING DONATIONS TO CITY
PARKS AND RECREATION
FACILITIES

This resolution adopts the process for considering donations to City parks and recreation facilities.

City Administrator Werner said this is a resolution approving the process for accepting donations to City parks and recreation facilities from the community. Werner said this was discussed at the last meeting. He said it was pointed out to staff that donations under \$10,000 did not have language giving the option to appeal to the City Council if the Parks and Recreation Committee rejected or approved a donation. He said staff added this to the policy and referenced a handout he had given to Council.

Motion to adopt Resolution 21-63 adopting the process for considering donations to City parks and recreation facilities with the changes presented.

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

RESOLUTION NO. _____

1.3F : A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON
ADOPTING THE CIVIL PENALTIES
FOR VIOLATIONS OF RIPON
MUNICIPAL CODE SECTION 8.14.070
ILLEGAL DUMPING, NUISANCE
VEHICLES

This resolution sets civil penalties for violations pursuant to Chapter 8.14.070 “Illegal Dumping; Nuisance Vehicles”.

Council Member Zuber said he pulled this item because he believes it needs more work. He said he is okay with the fine levels but he believes someone will complain when they receive the fine compared to what they may have illegally dumped at the Recycling Center. He said maybe the fines need to be up to \$1,000. Zuber said there is a violation at least once a week. He said there needs to be more language added to clarify how fines are handled. Zuber said the violations have been less since the Recycling Center has limited hours of operation.

Council Member Barton asked who is responsible to enforce the rules. City Administrator Werner said it goes to the Police Department and they investigate any sort of violation and issue any citation associated with it.

Mayor Uecker said they have cameras to help catch people who are dumping illegally.

Zuber said this item needs more work and staff needs to bring back a revised version.

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

2. PUBLIC HEARINGS

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

A. PFFP CAPITAL FUNDS ANNUAL REPORT

This is a public hearing on an annual report of Public Facilities Financing Plan (PFFP) capital fees covered under Government Code Section 66000 et seq.
Recommended Action: Approve the annual PFFP Report for the period ending June 30, 2021.

City Clerk Roos this is an annual report of capital fees for the 2020-21 fiscal year. She said the report is consistent with prior years, except for a few items she wanted to point out. This report split out the Police Department and City Hall Capital Fees. In prior years, this was shown as one line item. The increase in Corporation Yard Fees was not included because it was not effective until September 2021. Goodwin Consulting was asked to evaluate funds with negative funds to determine if any adjustment was necessary to the fees to ensure the City is collecting sufficient revenue. No increases were proposed and they estimate the deficit funds will be eliminated between 2032 and 2047.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

Motion to approve the annual PFFP Report for the period ending June 30, 2021.

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

3. ORDINANCES

Second Reading and Adoption

A. ORDINANCE NO. 910

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF RIPON
AMENDING CHAPTER 5.44
"SIDEWALK DINING ON PUBLIC
WALKWAYS" OF THE RIPON
MUNICIPAL CODE

This Ordinance amends Chapter 5.44
“Sidewalk Dining on Public Walkways” of
the Ripon Municipal Code.

Planning Director Zuidervaart said this is the second reading and adoption for Ordinance 910 with new guidelines for sidewalk dining. There were no changes from the first reading to the second reading.

Motion to waive the second reading and adopt Ordinance No. 910 amending Chapter 5.44 “Sidewalk Dining on Public Walkways” of the Ripon Municipal Code.

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

Second Reading and Adoption

B. ORDINANCE NO. 911

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF RIPON
REPEALING CHAPTER 5.48
"OUTDOOR DINING WITHIN A
PUBLIC RIGHT-OF-WAY" OF THE
RIPON MUNICIPAL CODE

This Ordinance repeals Chapter 5.48
“Outdoor Dining Within a Public Right-of-
Way” of the Ripon Municipal Code.

Planning Director Zuidervaart said this is the second reading and adoption of Ordinance 911 repealing outdoor dining within a public right-of-way.

Motion to waive the second reading and adopt Ordinance No. 911 repealing Chapter 5.48 “Outdoor Dining Within a Public Right-of-Way” of the Ripon Municipal Code.

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

4. DISCUSSION ITEMS

A. MULTI-MODAL STATION PROJECT

Discussion/No Action

Staff to give a short presentation on the progress of the Ripon Multi-Modal Station Project design for City Council input.

Senior Civil Engineer Collins presented a PowerPoint presentation and said she wanted to give Council an update on the Ripon Multi-Modal Station/Transit Facility with the ACE train and to get Council's input on the initial design and future phasing of this project. She said O'Dell Engineering had been hired by San Joaquin Regional Rail Commission (SJRRC) to start the design and environmental phases. The presentation showed the preliminary ultimate layout, including facility, parking and platform. She said the parking analysis is just preliminary.

Collins said staff recently received an update from ACE regarding the planned use for this station. Their plan is that this station will start service in 2024 with one train per day with service starting in Ceres and coming north to Ripon. Collins said the ultimate build-out for ACE would have six trains running per day through this station. With just the one train per day, the Ripon station will not be staffed by ACE employees and all ticket sales will be done electronically, either on-site or online/phone. She said since there will be no ACE train employees on-site, there is no immediate need for a building.

Collins said Phase 1 is anticipated to be complete by 2024, which would include the train platform, off-site improvements and a parking area. Phase 2 would include the building and any additional parking required based on the build-out traffic/parking analysis. This completion date is to be determined and will have many aspects contributing to the build-out of it.

Collins said she is requesting input from Council regarding the building. The City can go with a small building that would be for transit purposes only or staff is recommending a more robust building that includes some community benefit areas. She said the initial layout presented to staff includes multi-purpose rooms, waiting/lobby area, restrooms, and a few office areas. Council Member de Graaf said this is similar to Manteca.

Collins said staff recommends starting with the more robust design and then decide if it is needed because it is easier to change the plan and go smaller than to try to go bigger. Vice Mayor Restuccia said he would go with the larger building. Council Member Zuber agreed and asked Collins about grants. Collins said they have received a grant for over

five million dollars.

Barton asked if there is an idea of the ridership. Collins said it has been requested by staff. Zuber said the numbers will not be there until there are riders.

Barton said understanding who is commuting now, the demographics, and who has at least expressed interest in possibly using this, would be important for the Council to understand what kind of dollars the City will potentially need to devote to this building. Zuber said the model being used now is minimal and based on the assumption that the commuter traffic will be from surrounding towns. Ripon will generate some ridership but most of the passengers will be from the surrounding areas and right now, the expected ridership is unknown.

Barton asked how many parking spots were in the drawing. Planning Director Zuidervaart said the Recycling Center was laid out fully with parking but was unsure of the exact number. He said staff has been pushing for numbers.

Barton asked if the parking is dedicated to the riders and is it paid. Zuidervaart said this is also a question staff has been asking.

Barton asked if the ACE train is self-sustained and is this a budget item for them. City Administrator Werner said it is a little different depending on the station. ACE believes ridership in Ripon will be in the threshold of an unmanned station. He said Zuber is correct, they do not know what the ridership will be. Manteca has City staff not ACE staff operating their station.

Barton asked if Manteca derives any income from ticket sales to offset those expenses. Werner said no, and if the City was to put staff in the building, the City would need to use funds from either the Measure K transit fund or the Local Transportation Funds the City receives.

Collins said the next steps include a parking analysis, traffic study and O'Dell will continue with design.

Vice Mayor Restuccia asked if a robust camera system is in the design. Collins said yes.

Restuccia said other places have physical security and asked if that will be included. Werner said that is not in the plan at this time. Restuccia said he is bringing this up because he believes these are two items that need to be considered.

B. COUNCIL COMMITTEE AND TASK FORCES

Discussion/No Action

Mayor Uecker to discuss Council Committee and Task Force appointments.

Mayor Uecker passed out the Council Committee sheets and asked Council to return the forms to Jane Kilgore by December 20, 2021.

REPORTS

Department Heads:

Planning Director Zuidervaart said the Planning Commission has one item at the upcoming meeting, which is the amended site plan for Doak Development. Vice Mayor Restuccia asked for an update regarding the parking spaces currently being used for outdoor dining. Zuidervaart said the contractor hired by the restaurant was delayed but is scheduled to remove the platforms by January 8, 2022.

Council Member de Graff asked what will happen if it is not removed by January 8. Zuidervaart said at that point, code enforcement would be involved.

Director of Public Works Pease said the annual brush pick-up program runs through January 7, 2022.

Pease said water usage is down 31% from 2013 numbers and down 20% from last year's numbers.

Senior Civil Engineer Collins gave an update on Stockton Avenue saying that utility work should be finished at the end of January with an anticipated completion date of May 2022.

Collins said the Well 19 Improvement Project started last month and irrigation lines have been installed.

Collins said staff is submitting an application for a Clean California beautification grant for the Main Street overpass.

Mayor Uecker asked when paving will begin on Stockton Avenue. Collins said installation of the pavers should begin at the end of January or February.

de Graaf asked if they are controlling the dust. Collins said they will be checking in with the contractors at tomorrow's weekly meeting.

City Council:

Council Member Barton said he would like to thank the Council for entrusting him with the vacant seat. He said Timothy Wheeler was a wonderful Council Member and he will do his best to fill those shoes. Barton said he has an appreciation for the City and will do his best to serve it well. He said as Planning Commissioner, he knows they are blessed by the people who work here. He said the people are highly dedicated and it starts with the Police Department. He said he feels it is important to acknowledge the people who work hard.

de Graaf welcomed Barton and said he looks forward to working with him. He said Kelly Donohue had done a great job with the light parade. He said he appreciates the Council's support. de Graaf thanked everyone for attending the meeting.

Council Member Zuber asked about the striping project downtown and if the weather would delay this. Pease said it should start next week again.

Restuccia said the light parade was nice.

Restuccia said Council received a letter about masks and one of the things recommended was adopting an ordinance like the City of Oroville did. However, Restuccia continued, Oroville even admitted it would not hold up. He said the tyrant in Sacramento has come out with continuing emergency events and is not sharing information, which is what poor leaders do. The County has asked for the information he is using to make these decisions and the State has refused to cooperate. The County is suing the State for the information. Restuccia said he thinks we need to join the lawsuit and feels every city in the State needs to join this lawsuit to sue the Governor for the information in order to prove what he is doing actually follows the science.

City Attorney Terpstra said it would be expensive to join the lawsuit; another option would be letters of support and when the case becomes justiciable and ready to be ruled upon, then the court would entertain friends of the court briefs and we could sign on to one of those. He said staff has found that the most economical decision is typically to sign onto one prepared by another organization. Terpstra said at staff level he will look for the most effective and economical way to help.

Barton said he has next to zero confidence that these orders will stop and said he sees no end.

Council adjourned to the Successor Agency meeting at 7:06 PM and reconvened to the Regular Ripon City Council meeting at 7:08 PM.

CLOSED SESSION

CLOSED SESSION: The closed session was called to order at 7:08 PM.

PUBLIC DISCUSSION ON CLOSED SESSION MATTERS: No one from the public wished to speak at this time.

ROLL CALL: Council Members Gary Barton, Daniel de Graaf, Leo Zuber, Vice Mayor Michael Restuccia, Mayor Dean Uecker.

OTHERS PRESENT: City Administrator Kevin Werner, City Attorney Tom Terpstra, City Clerk Lisa Roos.

IN THE MATTER OF:

- (1) Potential or Pending Litigation pursuant to Section 54956.9(e)(1) of the California Government Code – 1 case.
- (2) Real Property Negotiations pursuant to Section 54956.7 of the California Government Code.

Return to open session.

City Attorney Terpstra said Council met in closed session to discuss two items, staff was given

direction and no reportable action was taken.

There being no further business, the meeting was adjourned at 8:02 PM.

(Signed) Dean Uecker
Mayor

ATTEST:

(Signed) Lisa Roos
City Clerk