

**CITY OF FAIRFIELD  
CONCURRENT MEETING**

**TUESDAY, DECEMBER 3, 2019; 6:00 P.M.  
COUNCIL CHAMBER, CIVIC CENTER**

**CITY COUNCIL**

**MINUTES**

Councilmember Catherine Moy participated by teleconference from 3089 Potrero Way, Fairfield, CA 94534. Pursuant to Government Code Section 54953(b)(3), the teleconference location was accessible to the public. An agenda for the meeting was posted and members of the public were provided an opportunity to directly address the City Council at the teleconference location.

**CALL TO ORDER**

Mayor Harry T. Price called the meeting to order at 6:00 p.m.

**ROLL CALL**

On roll call were Councilmembers Catherine Moy (by telephone), Chuck Timm, and Rick Vaccaro; Vice-Mayor Pam Bertani, and Mayor Price.

**INVOCATION**

Pastor Art Zacher of Berean Baptist Church gave an invocation.

**PLEDGE OF ALLEGIANCE**

Boy Scout Troop 100 led the Pledge of Allegiance.

**COUNCIL REPORTS**

Councilmember Moy requested that the Council meeting be adjourned in honor and memory of Gerald "Chach" Quinn, who died November 27, 2019.

Councilmember Timm reported he and the Council received a letter from Rhoda Chandler of The Downtown Coalition signed by 35 downtown residents asking for parking and other issues to be resolved in the area. He stated that Council and staff would work to address their concerns.

Councilmember Vaccaro reminded everyone to be safe during the holiday festivities. He thanked the Public Works, Fire, and Police Departments for their hard work during the recent storms.

Vice-Mayor Bertani also thanked staff for their excellent efforts during the recent storms. She invited the community to attend the Christmas Tree Lighting and Holiday Festivities on December 6.

Mayor Price reported that the Solano Winds would be holding a holiday concert at the Downtown Theatre on December 6 at 8 p.m., following the tree lighting ceremony.

## **CITY ATTORNEY REPORT**

City Attorney Greg Stepanicich reported that during a closed session before the Council meeting, two personnel matters were resolved. He stated that a settlement agreement was reached with Lt. Kevin Carella of the Police Department, stating his leave banks would be restored for the time he was on paid leave. The City will make Cobra payments on Lt. Carella's behalf in the amount of \$21,554. The City Attorney further stated that Lt. Carella submitted his resignation letter effective December 4, 2019, and that he has provided a full release of any claims against the City of Fairfield.

The second matter regarding Public Works Construction Manager Tom Martian resulted in a settlement of a compensation dispute for performance of many duties outside his job classification that began during the Great Recession. Mr. Martian will be given a 7.5% salary increase dating back to 2014, when a study concluded he was performing duties outside his scope of classification. City Attorney Stepanicich further stated that he will be given a retroactive payment of approximately \$51,000, but that starting in 2022, his salary will be reduced by 12.5% to reflect the reduction of his duties back to his normal classification.

## **CITY MANAGER REPORT**

Interim City Manager Sean Quinn reported that the Community Services Foundation would be collecting coats and toys for their annual drive on December 7 and 8 in front of WalMart and Macy's, benefitting the Parks & Recreation Department's Fun on the Run program. He stated that the coats and toys would be distributed starting December 16.

## **CITY CLERK REPORT**

City Clerk Karen Rees reported that the City Manager's Office is accepting applications for the Fairfield 101 Civic Academy spring session and that the first session would be held on February 12. She also reported that the Community Services Foundation is seeking volunteers to help sort and bag toys on December 14 at the Allan Witt Park gymnasium.

## **PRESENTATIONS**

1. Dawn La Bar of the City Manager's Office recognized volunteers that assisted during the recent Senior Home Assistance Repair Event (SHARE).

## **PUBLIC COMMENTS**

Edward Russell reported there would be a free math tutoring clinic at the mall on December 12.

Bryan Lynch spoke about a domestic violence incident on his block.

John Takeuchi spoke about an artifact that was found on Cement Hill Road.

Carson Newton spoke about marijuana regulations.

Jose Ramirez thanked the Public Works Department for fixing potholes.

Ebony Antoine spoke about a holiday event for her non-profit, Broken by Violence.

Rhoda Chandler spoke about her letter to Council from The Downtown Coalition.

Sandra Lowe spoke about the issues concerning The Downtown Coalition's letter.

**Convened meeting of the Housing Authority at 6:48 p.m.**

**Reconvened meeting of the City Council at 6:49 p.m.**

### **CONSENT CALENDAR**

3. Resolution 2019-277 of the City Council of the City of Fairfield Approving Plans and Specifications and Awarding a Contract to DV Electric Co. for the Lee Bell Neighborhood Park Lighting Improvement Project and Updating the Fiscal Year 2019/2020 Budget

4. Resolution 2019-278 of the City Council of the City of Fairfield Authorizing Execution of the Train Station Parcel Map

5. Resolution 2019-279 of the City Council of the City of Fairfield Summarily Vacating a Public Utility Easement Located Within the Lands of the Fairfield-Vacaville Hannigan Train Station

6. Resolution 2019-280 of the City Council of the City of Fairfield Approving the Plans and Specifications and Awarding a Contract to Dominguez Landscape for the Smith Ranch (Rancho Solano) Landscape Maintenance District

Due to a potential conflict of interest due to property ownership in Rancho Solano, Councilmember Vaccaro abstained from voting on item 6.

7. Resolution 2019-281 of the City Council of the City of Fairfield Authorizing Execution of an Agreement between the City of Fairfield and Boyett Petroleum for the Provision and Delivery of Renewable Diesel at the City of Fairfield Corporation Yard

8. Resolution 2019-282 of the City Council of the City of Fairfield Approving the Plans and Specifications and Awarding a Contract to Dominguez Landscape for the Rolling Hills-Kolob-Waterman Highlands Landscape Maintenance Districts

Due to a potential conflict of interest due to property ownership in the designated area, Mayor Price and Vice-Mayor Bertani abstained from voting on item 8.

9. Resolution 2019-283 of the City Council of the City of Fairfield Approving the Report of the Advisory Board for Calendar Year 2019 and Proposed Budget for Fiscal Year 2020 in Connection with the North Texas Street Business Improvement District; and

Resolution 2019-284 of the City Council of the City of Fairfield Declaring Intention to Levy an Assessment Against Businesses within the North Texas Street Business Improvement District for Fiscal Year 2020 and Setting a Time and Place for Hearing Objections Thereto

10. Resolution 2019-285 of the City Council of the City of Fairfield Authorizing the City Manager to Execute an Estoppel Certificate and First Amendment to and Partial Termination of Temporary Deed Restriction and Declaration of Covenants Relating to Canon Station Planning Area 4

Councilmember Timm made a motion to approve the Consent Calendar. Councilmember Vaccaro seconded the motion. By a roll call vote, the motion carried unanimously with Councilmember Vaccaro abstaining on item 6 and Mayor Price and Vice-Mayor Bertani abstaining on item 8.

### **NEW BUSINESS**

11. Resolution 2019-240 of the City Council of the City of Fairfield Creating the Housing Services

Department; and

Resolution 2019-286 of the City Council of the City of Fairfield Amending the Listing of Classifications and Salaries; and

Resolution 2019-258 of the City Council of the City of Fairfield Amending the Departmental Position Control List

Nora Dizon spoke on item 10.

Councilmember Moy made a motion to approve Resolutions 2019-240, 2019-286, and 2019-258. Councilmember Vaccaro seconded the motion. By a roll call vote, the motion carried unanimously.

12. Director of Finance Emily Combs recommended to Council that it approve Resolution 2019-287 of the City Council of the City of Fairfield Establishing a Tiered System Prescribing Required Procurement Methods and Appropriate Signing Authority for City Purchases of Supplies and General Contractual Services; and

First Reading and Introduction of Ordinance 2019-10 of the City Council of the City of Fairfield Amending Chapter 28 (Purchase of Supplies and General Contractual Services) of the Municipal Code to Update the City of Fairfield's Purchasing Guidelines.

After a discussion, Council requested that all quotes \$50,000 and over should be submitted by a formal written quote. And for quotes under \$50,000, Council agreed that an email would suffice as an oral quote, as it is written documentation. Council also requested that they receive quarterly reports on contracts that are not voted on by Council.

Councilmember Timm made a motion to approve Resolution 2019-287 with the above-noted changes. Vice-Mayor Bertani seconded the motion. By a roll call vote, the motion carried unanimously.

Councilmember Timm made a motion to waive the full reading of Ordinance 2019-10 and read by title only, and to introduce the ordinance for first reading. Councilmember Vaccaro seconded the motion. By a roll call vote, the motion carried unanimously.

City Attorney Stepanicich left the dais due to a potential conflict of interest, as his law firm represents Marin Clean Energy.

13. Assistant Public Works Director Felix Riesenbergs recommended to Council that it approve Resolution 2019-288 of the City Council of the City of Fairfield Requesting Membership in Marin Clean Energy and Authorizing the City Manager to Execute the Memorandum of Understanding and all other Related Documents; and

First Reading and Introduction of Ordinance 2019-11 of the City Council of the City of Fairfield Authorizing the Implementation of a Community Choice Aggregation Program in the City of Fairfield and Authorizing the City Manager to Execute the Marin Clean Energy Joint Powers Agreement

CEO of Marin Clean Energy Dawn Weisz gave a presentation.

Nora Dizon, Sandra Sato, Bonnie Hamilton, Marilyn Farley, and John Takeuchi spoke on item 13.

Councilmember Vaccaro made a motion to approve Resolution 2019-288. Vice-Mayor Bertani seconded the motion. By a roll call vote, the motion carried unanimously.

Councilmember Timm made a motion to waive the full reading of Ordinance 2019-11, read by title only, and introduce the ordinance for first reading. Councilmember Vaccaro seconded the motion. By a roll call vote, the motion carried unanimously.

## **PUBLIC HEARINGS**

14. Chief Building Official Jeff Thomas recommended to Council that it open the public hearing; and Approve Resolution 2019-289 of the City Council of the City of Fairfield Adopting Hourly Rates for the Community Development Department's Building Division.

Mayor Price opened the public hearing. There were no requests to speak. Mayor Price closed the public hearing.

Vice-Mayor Bertani made a motion to approve Resolution 2019-289. Councilmember Timm seconded the motion. By a roll call vote, the motion carried unanimously.

15. Assistant Fire Marshall Steven Conti recommended to Council that it open the public hearing; and adopt Ordinance 2019-09 of the City Council of the City of Fairfield Repealing and Replacing Chapter 8 (Fire Protection) of the Fairfield City Code, Adopting by Reference California Code of Regulations, Title 24, Part 9, known as the 2019 California Fire Code, with Amendments to Reflect Local Conditions, and Adopting by Reference Certain Portions of the 2018 International Fire Code; and

Resolution 2019-290 of the City Council of the City of Fairfield Making Express Findings and Determinations that Amendments of the 2019 California Fire Code, as Adopted by the City of Fairfield are Reasonably Necessary because of Local Climactic, Geological, and/or Topographical Conditions.

Mayor Price opened the public hearing. There were no requests to speak. Mayor Price closed the public hearing.

Vice Mayor Bertani made a motion to adopt Ordinance 2019-09. Councilmember Timm seconded the motion. By a roll call vote, the motion carried unanimously.

Councilmember Timm made a motion to approve Resolution 2019-290. Councilmember Vaccaro seconded the motion. By a roll call vote, the motion carried unanimously.

**THE MEETING WAS ADJOURNED AT 8:11 P.M. TO TUESDAY, DECEMBER 17, 2019, 6:00 P.M., COUNCIL CHAMBER.**

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City Clerk

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Mayor