



**CITY OF FAIRFIELD
CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 4, 2021; 6:00 PM
VIA TELECONFERENCE**

MINUTES

CALL TO ORDER

Mayor Harry T. Price called the meeting to order at 6:12 p.m.

ROLL CALL

On roll call were Councilmembers Pam Bertani, Cat Moy, Doriss Panduro, Chuck Timm, and Scott Tonnesen; Vice-Mayor Rick Vaccaro, and Mayor Price.

INVOCATION

There was no invocation due to the Pastor being absent.

PLEDGE OF ALLEGIANCE

Councilmember Timm led the Pledge of Allegiance.

COUNCIL REPORTS

Vice-Mayor Vaccaro made a motion requesting that item 7 be continued to the May 18, 2021, Council meeting. Councilmember Moy seconded the motion. By a roll call vote, the motion carried unanimously.

Councilmember Bertani passed on giving a report. She made a motion asking that all items, except for cannabis item 10, be continued to May 18, 2021. Councilmember Moy seconded the motion. By a roll call vote, the motion failed 3-4, with Councilmembers Timm and Tonnesen, Vice Mayor Vaccaro, and Mayor Price voting no.

Vice-Mayor Vaccaro made a second motion to remove everything from the agenda, except items 7 and 10. Councilmember Moy seconded the motion. By a roll call vote, the motion passed unanimously. This motion overrode the first motion to continue item 7.

CITY MANAGER REPORT

City Manager Stefan Chatwin recommended that since Solano County is still in the Red Tier regarding COVID-19, that the May 18, 2021 council meeting be held virtually via Zoom.

CITY ATTORNEY REPORT

City Attorney Greg Stepanicich reported that during closed session, council unanimously voted to settle the Nevarez vs. City of Fairfield case, in the amount of \$22,000 to settle the case.

CITY CLERK REPORT

City Clerk Karen Rees reported that the City was accepting applications for openings on the Youth Commission, Planning Commission, and Rockville Hills Regional Park Citizens Advisory Committee.

PRESENTATIONS

1. Councilmember Doriss Panduro presented a Public Service Recognition Week (May 2-8) Proclamation
2. Councilmember Tonnesen presented a proclamation declaring May as Building Safety Month

PUBLIC COMMENTS

Bill Barnickel spoke about cannabis.

Kam Holzendorf spoke about a recent police incident.

Edward Russell spoke about racism.

Ana Petero spoke about a community clean up at Fermi Drive and Lopes Road.

Kerby Lynch and Christian Cisneros spoke about the need for social equity and racial healing.

Liz Jackson Simpson spoke about cannabis.

Lucy spoke about police brutality regarding an incident that occurred October 20, 2020.

CONSENT CALENDAR

3. Resolution 2021-81 of the City Council of the City of Fairfield Approving the Execution of the Purchase and Sale Agreement and Joint Escrow Instructions Between the City of Fairfield and LBM Partnership for the Purchase of Vacant Property at Peabody Road and Dobe Lane for Future Fire Station 39
4. Resolution 2021-82 of the City Council of the City of Fairfield Authorizing Acceptance of FY 2020-2021 Low Carbon Transit Operations Program Grant Allocations from the Greenhouse Gas Reduction Fund for Electric Infrastructure Upgrades at the Fairfield Corporation Yard

Councilmember Timm made a motion to approve the Consent Calendar as presented. Councilmember Bertani seconded the motion. By a roll call vote, the motion carried unanimously.

City Manager Stefan Chatwin reported he had conferred with staff and stated that Items 5, 6, 8, and 9 could be continued to May 18, 2021 Council meeting, at Council's discretion.

Councilmember Moy made a motion to continue item 5, and public hearings on items 6, 8, and 9 to the May 18, 2021, Council meeting. Councilmember Timm seconded the motion. By a roll call vote, the motion carried unanimously.

NEW BUSINESS

5. Discussion and Formation of a Multi-Jurisdictional Homeless Two-by-Two Subcommittee to Respond to Homelessness

Item was continued to May 18, 2021.

PUBLIC HEARINGS

6. Public Hearing; and Resolution 2021-83 of the City Council of the City of Fairfield Amending Fees for Recovery of Costs of the Building Safety Division for Counter Services, Plan Review, Inspection, and Code Enforcement and Ordering the Fees to be Adjusted Annually to Stay Current with Expenses

Item 6 was continued to May 18, 2021.

7. Senior Management Analyst of Housing Services Department LaTanya Terrones recommended to Council that it open the public hearing; and approve Resolution 2021-84 of the City Council of the City of Fairfield Approving the Community Development Block Grant Adoption of the FY 2021- 2022 Annual Action Plan;

and Resolution 2021-85 of the City Council of the City of Fairfield Approving the Community Development Block Grant Substantial Amendment to the FY 2019 -2020 Annual Action Plan to Reprogram CARES ACT Funds.

Mayor Price opened the public hearing.

John Eckstrom and Tina Werblin spoke on item 7.

Mayor Price closed the public hearing.

Councilmember Tonnesen made a motion to approve Resolution 2021-84 and 2021-85 Councilmember Timm seconded the motion. By a roll call vote the motion carried 5-2, with Councilmembers Bertani and Moy voting no.

8. Public Hearing; and

First Reading and Introduction of Ordinance 2021-07 of the City Council of the City of Fairfield Approving the Fourth Amendment to the Amended and Restated Development Agreement Between the City of Fairfield and Canon Station LLC Regarding Land in the Train Station

Specific Plan Area

Item 8 was continued to May 18, 2021.

9. Continued Public Hearing;

and Hear Presentation and Discuss, Consider and Take Action to (1) Award Preliminary Approval to Operate a Commercial Cannabis Manufacturing Business in the City to One Finalists, (2) Direct Staff to Prepare a Resolution for Adoption that Authorizes the City Manager to Issue a Commercial Cannabis Manufacturing Permit to Operate a Commercial Cannabis Manufacturing Business in the City to the Selected Finalist in Accordance with the Requirements and Procedures for Operation in Fairfield Municipal Code Chapter 10E and Any Conditions of Approval, and (3) Provide Direction to Staff in Identifying any Additional Conditions of Approval, Such as Community Benefits, to be Included with the Resolution Authorizing the Issuance of a Commercial Cannabis Manufacturing Permit.

Item 9 was continued to May 18, 2021.

Mayor Price left the meeting due to a potential conflict of interest on item 10, due to property ownership.

10. Senior Planner Amy Kreimeier recommended to council that it open the continued public hearing to hear public testimony, and discuss, consider, and take action to (1) Award Preliminary Approval Operate a Commercial Cannabis Retail Business in the City to Selected Finalists (2) Direct Staff to Prepare a Resolution for Adoption that Authorizes the City Manager to Issue a Commercial Cannabis Retail Permit to Operate a Commercial Cannabis Retail Business in the City to Each of the Selected Finalists in Accordance with the Requirements and Procedures for Operation in Fairfield Municipal Code Chapter 10E and Any Conditions of Approval and (3) Provide Direction to Staff in Identifying Any Additional Conditions of Approval, Such as Community Benefits, to be Included with the Resolution Authorizing the Issuance of a Commercial Cannabis Retail Permit

Vice Mayor Vaccaro opened the continued public hearing.

The following individuals spoke on item 10.

Bill Barnickel, Kam Holzendorf, Kari Rader, Charlena Berry, Matt Hawes, Nancy Duley, Elena Skouras, Sarah Low Daley, Joe Summers, Victor Gruber, Mario Fernandez, Simi Kaur, Hassan Sabbagh, Janet Krusinski, NW, Ashley Alvarez, Dr. David Isom, Josh Reish, Tom Wilson, Ms. Martinez, Leticia Garcia, Francisco Martinez, Kasey Donovan, Ryan McGilley, Ferlin Ruiz, Jessica, Sylvia Vargas, John Gomez, Jeff Tucker, Kayla Bearg, Fidel Chavez, Tori Lesarley, Rovante Robinson, Valeria Davalos, Sebastian B., Amber Dobson, Arianna S., Ed Brown, Maggie Vargas, Jofil Borja, Mark, Danny Bernardini, Doug I., Gizzell St. Vincent, Francisco Zarate, Greg Wright, Jocelyne von Strong, Danny, Samantha D., Jamie Eikenberry, Tiffany Williams, Edward Russell, Coach Pepe (Jose), Eleanor Pormento, AJ Schrader, Ryan Anderson, Michael Zumpano, Erin Davis, Dr. Douglas, Luis Jimenez, Mindy Galloway, Jasmine Moore,

Ana Vasquez, Lisa, Jody Ballard, Darian, Nick Haddox, Jennifer Arteaga, Matt Ballard, Floyd Trammell, Carina Vasquez, Shannon Bush, Adeola Adedipe, Richard Miller, Henry Barragan, James Araby, Karina, Jasmine, Toni, Francisco Contreras, Laura Mendez, Nate, Raymond Courtemanche, Ed Blakely, Angela White, Drew B., Eddie Serano, Henry Barragan, Morgan, and Michelle Coleman.

After public comment, each of the 14 cannabis retail permit applicants gave a two-minute rebuttal. They spoke in alphabetical order:

Brian Mitchell of Authentic Fairfield LLC; Chris Francy of CCC Associates of Fairfield (Culture Cannabis Club); Daniel Wise of Community Veterans of Fairfield; Darren Dykstra of East of Eden North Bay LLC; Josh Black of Element 7 Fairfield; Hayley Andrew of Fairfield Cannabis Collective; Rajan Dave of Fairfield Erudite Ventures (HerbNJoy); Chris Hester of Horizon Fairfield LLC; Jim Inglebright of J.J.V.I. Enterprises (The Bright Spot); Lauren Carpenter of Responsible and Compliant Retail LLC (Embarc); Dan Sharp of The Showcase LLC; Amy Jenkins of SPCF LLC (Sparc); Alida Lehman of 3 Bros Fairfield; and Juan Garcia Flores of Walkerville Lake Corp Clinica Center.

Vice Mayor Vaccaro called for a ten-minute recess at 10:55 p.m. Council reconvened at 11:05 p.m.

Each Councilmember shared their top four candidates:

Councilmember Tonnesen – JJVI, Embarc, The Showcase, CCC (Culture)
Councilmember Timm – JJVI, Embarc, The Showcase, Authentic Fairfield
Councilmember Panduro – CCC, JJVI, Embarc, The Showcase
Councilmember Bertani – JJVI, Embarc
Councilmember Moy – JJVI, Authentic, Embarc, CCC
Vice Mayor Vaccaro – Authentic, JJVI, Embarc, The Showcase

Councilmember Moy stated she had concerns with applicant, The Showcase, and said her concerns were based on documents she compiled. City Manager Chatwin asked her to forward all documents to him and he would distribute them to City Attorney Stepanicich and each councilmember for review. City Attorney Stepanicich stated that The Showcase would be given time at the next council meeting to address the concerns raised by Councilmember Moy.

After a lengthy discussion, Councilmember Moy made a motion to allow up to three permits. Councilmember Bertani seconded the motion. The motion failed 2-4, with Councilmembers Panduro, Tonnesen, and Timm; and Vice Mayor Vaccaro voting no.

Councilmember Tonnesen made a motion to allow up to four permits. Councilmember Timm seconded the motion. By a roll call vote, the motion carried unanimously.

After lengthy discussion, Councilmember Tonnesen made a motion to award preliminary approval to JJVI, Embarc, and The Showcase. Councilmember Timm seconded the motion. The motion failed 3-3, with Councilmembers Bertani, Moy and Panduro voting no.

After more discussion, Councilmember Moy made a motion to award preliminary approval to JJVI and Embarc, as they each received 6 votes. Councilmember Timm seconded the motion. The motion carried unanimously.

Upon further discussion, Councilmember Timm made a motion to agendize Authentic LLC, The Showcase, and CCC (Culture Cannabis Club) at the May 18, 2021 council meeting to discuss and determine if any of these applicants shall be given preliminary approval for a retail cannabis permit. Councilmember Tonnesen seconded the motion. By a roll call vote, the motion carried unanimously.

THE MEETING WAS ADJOURNED AT 12:01 A.M. MAY 5, 2021, IN MEMORY OF CHARLIE LUM, WHO DIED APRIL 14, 2021, TO TUESDAY, MAY 18, 2021, 6:00 P.M., VIA TELECONFERENCE.

City Clerk

Mayor