



**CITY OF FAIRFIELD  
CITY COUNCIL  
REGULAR CONCURRENT MEETING WITH CONFLICTS  
TUESDAY, JUNE 1, 2021; 6:00 PM**

**MINUTES**

**CALL TO ORDER 6:00 PM**

Mayor Harry T. Price called the meeting to order at 6:02 p.m.

**ROLL CALL**

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

**INVOCATION**

Worship Pastor Jeff Hood of First Baptist Church gave an invocation.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilmember Moy.

**COUNCIL REPORTS**

Councilmember Bertani thanked Mayor Price, City Manager Stefan Chatwin, Councilmember Tonnesen, staff, and all twenty-five pastors who attended the first Clergy Action Network meeting held on May 25, 2021, at Willow Hall in the Community Center. She reported the next meeting is scheduled on June 22 and every fourth Tuesday following, at the same location. She stated the first meeting was a great start.

Vice Mayor Vaccaro congratulated all seniors from the Class of 2021 for completing their studies and graduating during the COVID-19 pandemic. He stated they had challenges during their junior and senior years unlike any in recent history, and they still managed to graduate. He thanked all teachers, administration staff, and parents for supporting the graduates during a very tough time. He also congratulated the Class of 2020, who graduated online and did not have the pleasure of receiving their diplomas in person due to the pandemic. He stated they deserve special recognition.

Councilmember Moy thanked Mayor Price for attending the poignant Memorial Day service with her, honoring our fallen soldiers. She also reported she talked with a veteran who is homeless due to the pandemic and said she is working with staff to connect him to services.

Councilmember Panduro reported she and Councilmember Tonnesen rode along with the Police Department's Homeless Intervention Team and stated they were very impressed with

their dedication. They were able to see them in action and it was eye opening. She stated they were also able to see HEART in action. She thanked everyone involved and stated both teams make Fairfield a better community.

Councilmembers Timm and Tonnesen passed on giving reports, due to the lengthy agenda.

Mayor Price reported he enjoyed attending the ribbon cutting at the new Allan Witt Dog Park. He stated it was nice to see people walking to the event with their dogs, one couple had their dogs in a motorized dog car.

### **CITY MANAGER REPORT**

City Manager Stefan Chatwin reported that Solano County will enter the Orange Tier on June 2, 2021, with respect to COVID-19, which will allow for council to meet in person at the next meeting on June 15 at 6 p.m. A ribbon cutting ceremony will occur that evening at 5:30 p.m. to officially open the newly remodeled Council Chamber.

### **CITY ATTORNEY REPORT**

City Attorney Greg Stepanicich stated there was no reportable action during closed session prior to the council meeting.

### **CITY CLERK REPORT**

City Clerk Karen Rees stated that lots of volunteers are needed for the July 4 Parade and family activities on Sunday, July 4<sup>th</sup> and that registration is online or to call her directly.

### **PRESENTATIONS**

1. Communications Manager Bill Way gave a Marketing and Outreach update. He reported that his division won a Gold Telly Award, two Silvers, and six Bronze for various videos created in 2020.
2. Vice-Mayor Vaccaro read the LGBTQ Pride Month Proclamation that proclaimed June 2021 to be Pride Month in Fairfield, California. Executive Director of Solano Pride Center, Jonathan Cook, accepted the proclamation and thanked council for their support.

### **PUBLIC COMMENTS**

Larry Ortega spoke about closing the digital divide.

Jenny Huff asked if the City of Fairfield would consider flying the Pride flag during the month of June.

Sherri Stith stated she and her real estate client were discriminated against as African Americans from a potential landlord regarding leasing commercial space in Fairfield. Councilmember Bertani asked City Manager Stefan Chatwin and City Attorney Greg

Stepanicich to research the situation. Councilmember Moy stated she had replied to Ms. Stith's email regarding this matter and asked for the matter to be addressed.

Jonathan Cook of Solano Pride Center thanked Council for the proclamation that proclaims the month of June as Pride Month in the City of Fairfield.

**Convened meeting of the Housing Authority at 6:33 p.m.**

City Clerk Rees read the following statement: The holding of a joint meeting of the City Council and Housing Authority entitles the Councilmembers to receive additional compensation of \$35 for attending this joint meeting.

**Adjourned meeting of the Housing authority at 6:45 p.m.**

**Convened meeting of the Paradise Valley Maintenance and Monitoring District at 6:45 p.m.**

**PVMMD CONSENT CALENDAR**

**Adjourned meeting of the PVMMD at 6:58 p.m.**

**Reconvened meeting of the City Council reconvened at 6:58 p.m.**

**CONSENT CALENDAR**

City Attorney Stepanicich stated that regarding conflicts of interest with assessment districts, that in the past, councilmembers were required to abstain from voting on items, when they lived or owned property in those districts. However, the FPPC has ruled that no abstention is necessary when the councilmembers do not receive any special benefits and pay the same rate as everyone else. Therefore, there is no conflict of interest for the City's assessment districts.

5. Second Reading and Adoption 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

6. Second Reading and Adoption of Ordinance 2021-08 of the City Council of the City of Fairfield Amending Sections 10E.7 and 10E.9 of Chapter 10E of the Fairfield City Code Regarding Eligibility for Commercial Cannabis Business Permits

7. Second Reading and Adoption of Ordinance 2021-09 of the City Council of the City of Fairfield Amending Section 25, Article I of the Fairfield Municipal Code (Also Known as the Zoning Ordinance of the City of Fairfield) Repealing Section 25.32.3 and Adding Section 25.33 to Establish Regulations Governing Wireless Telecommunication Facilities in the City of Fairfield; and

Second Reading and Adoption of Ordinance 2021-10 of the City Council of the City of Fairfield

Amending Chapter 16 of the Fairfield Municipal Code by Amending Sections 16.4.1, 16.4.6.(D), 16.4.27, and Adding Sections 16.4.6(O), 16.4.6(P), and 16.4.6.(Q) to Establish a “Dig Once” Policy for Protecting Investment in Street Paving and Guttering and Installing Underground Conduits for Fiber Optic Cable

8. Resolution 2021-102 of the City Council of the City of Fairfield Approving the Second Amendment to the Communications Facility Ground Lease Between the City of Fairfield and New Cingular Wireless PCS, LLC for the Cellular Site Located Off of Manuel Campos Parkway, Fairfield, More Commonly Known as APN 0167-100-160
9. Resolution 2021-103 of the City Council of the City of Fairfield Authorizing Amendment No. 1 to Task Order No. 9 for Coastland Civil Engineering to Provide Additional Engineering and Design Services for the Temporary Fire Station 39 Civil Improvements Project at North Bay Regional Water Treatment Plant
10. Resolution 2021-104 of the City Council of the City of Fairfield Approving the Final Map and Authorizing Execution of the Subdivision Improvement Agreement for the Villages at Fairfield – Village I – Unit 2 Subdivision; and

Resolution 2021-105 of the City Council of the City of Fairfield Authorizing Execution of the Landscape Improvement Agreement for the Villages at Fairfield – Village I – Unit 2 Subdivision

11. Resolution 2021-106 of the City Council of the City of Fairfield Authorizing Execution of the Improvement Agreement for Villages at Fairfield – Village I – Phase 2 Master Infrastructure Plan
12. Resolution 2021-107 of the City Council of the City of Fairfield Levying Special Taxes within Community Facilities District No. 1 of the City of Fairfield for Fiscal Year 2021-2022
13. Resolution 2021-108 of the City Council of the City of Fairfield Granting Preliminary Approval of Engineer’s Report, Declaring Intention to Order Levy and Collection of Assessments, and Providing for Notice of a Hearing Thereon for the Smith Ranch Assessment District
14. Resolution 2021-109 of the City Council of the City of Fairfield Granting Preliminary Approval of Engineer’s Report, Declaring Intention to Order Levy and Collection of Assessments, and Providing for Notice of a Hearing Thereon for Maintenance District No. 5 – Smith Ranch
15. Resolution 2021-110 of the City Council of the City of Fairfield Granting Preliminary Approval of Engineer’s Report, Declaring Intention to Order Levy and Collection of Assessments, and Providing for Notice of a Hearing Thereon for Maintenance District No. 7 – Rolling Hills
16. Resolution 2021-111 of the City Council of the City of Fairfield Granting Preliminary

Approval of Engineer's Report, Declaring Intention to Order Levy and Collection of Assessments, and Providing for Notice of a Hearing Thereon for Maintenance District No. 8 – Kolob Estates

17. Resolution 2021-112 of the City Council of the City of Fairfield Granting Preliminary Approval of Engineer's Report, Declaring Intention to Order Levy and Collection of Assessments, and Providing for Notice of a Hearing Thereon for Maintenance District No. 12 – Downtown Business District
18. Resolution 2021-113 of the City Council of the City of Fairfield Granting Preliminary Approval of Engineer's Report, Declaring Intention to Order Levy and Collection of Assessments, and Providing for Notice of a Hearing Thereon for Maintenance District No. 13 – North Cordelia
19. Resolutions 2021-114 Through 2021-124 of the City Council of the City of Fairfield Granting Preliminary Approval of Engineer's Report, Declaring Intention to Order Levy and Collection of Assessments, and Providing for Notice of a Hearing Thereon for Maintenance Districts No. 1 – Gateway, No. 3 – Waterman Highlands, No. 6 – Peppertree, No. 10 – Southbrook, No. 11 – Paradise Valley North, No. 14 – Woodlake, No. 15 – Gold Ridge, No. 16 – Creekside at Cordelia, No. 17 – Chadbourne-Beck-Cordelia, No. 18 – Gold Ridge Park, and No. 19 – Suisun Valley Road / Kaiser

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

## **NEW BUSINESS**

20. Senior Economic Development Manager Jorge Barrera recommended to Council that it approve Resolution 2021-125 of the City Council of the City of Fairfield Adopting the Heart of Fairfield Downtown Roadmap, Business and Industrial Parks Roadmap, and Marketing and Business Attraction Roadmap as Components of the Economic Development Strategic Plan for the City of Fairfield and Authorizing the City Manager to Take Certain Actions Related Thereto

Audrey Taylor of Chabin Concepts gave a presentation on item 20.

Councilmember Tonnesen made a motion to approve Resolution 2021-125. Councilmember Timm seconded the motion. By a roll call vote, the motion carried unanimously.

21. City Manager Chatwin opened a discussion of the City Council of the City of Fairfield regarding commemorative flags and asked for direction.

Chatwin stated that current City policy, consistent with government code, states that the American flag be flown at the top of the flagpole in first honor, and the California flag below it. Fairfield has no current policy regarding the flying of commemorative or ceremonial flags. He stated that the city had been asked by Solano Pride Center to fly the LGBTQ flag during

the month of June to celebrate Pride Month.

City Attorney Stepanicich recommended moving forward with a new policy regarding commemorative flags and directing staff to prepare a resolution outlining procedures and parameters for flying commemorative flags, which would be flown in third place on the flagpole, below the American and California flags.

After discussion, Council agreed that they would like to see the Pride flag flown during the month of June. Councilmember Moy stated she would prefer to wait until a new policy is in place but that she supports flying it.

Vice-Mayor Vaccaro made a motion to fly the Pride flag starting June 2, 2021. Councilmember Bertani seconded the motion. By a roll call vote, the motion carried unanimously.

## **PUBLIC HEARINGS**

22. City Attorney Stepanicich recommended to Council that it open the Limited Reopened Public Hearing; and continue Discussion to Consider and Take Action to (1) Award Preliminary Approval to 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.

City Attorney Stepanicich reported that he advised Mayor Price to abstain from voting on the public hearing held May 4, 2021, due to his rental property ownership less than 1,000 ft. from Embarc's location. However, he stated that the mayor can participate this evening as council already voted 6-0 on Embarc and JJVI to grant preliminary approval during that meeting, and staff was directed to prepare a resolution of approval, which council will vote on at June 15, 2021, council meeting for these two applicants. As council will only be considering the applications of The Showcase LLC (Showcase), Authentic Fairfield LLC (Authentic), and CULTURE Cannabis Club (CCC) Associates this evening, he advised that the mayor can preside over and participate in the meeting tonight, as there is no conflict of interest.

In addition, he stated that he and the entire council had received additional information from unknown parties making allegations against Showcase and Authentic. Stepanicich further stated he advised council to not consider this information this evening, as the City Attorney's Office needs to review and investigate the allegations. He expressed his displeasure with the fact that the information was submitted after the hearing was closed and that it appears it was submitted by disgruntled applicants. Nevertheless, he felt the information should be investigated.

City Attorney Stepanicich's recommendation was to continue the hearing this evening. His

office will prepare a report on their findings for council. But, he emphasized that if anything else is submitted in the future, it will not be considered, as the hearing is closed.

Mayor Price opened the public hearing.

Dan Sharp of The Showcase LLC gave a prepared statement.

Mayor Price closed the public hearing.

Councilmember Moy read a statement directed to Dan Sharp of The Showcase LLC.

Councilmembers Timm and Tonnesen stated they were ready to move forward. Councilmember Bertani stated she did not agree with investigating the anonymous allegations that were submitted, as the public hearing was closed, and due process was given.

City Attorney stated it was time for council to deliberate.

Councilmember Moy made a motion to award preliminary approval to Authentic Fairfield LLC. Councilmember Timm seconded the motion. By a roll call vote, the motion carried 6-1 with Councilmember Bertani voting no.

Councilmember Timm made a motion to award preliminary approval to The Showcase LLC. Mayor Price seconded the motion. By a roll call vote, the motion carried 5-2 with Councilmembers Bertani and Moy voting no.

Councilmember Timm made a motion to have City Attorney Stepanicich and his law office continue investigation into allegations. Councilmember Moy seconded the motion. The motion passed 6-1, with Councilmember Bertani voting no.

23. Assistant Public Works Director of Utilities, Michael Heather, recommended to Council that it open the public hearing regarding the Draft 2020 City of Fairfield Urban Water Management Plan (UWMP).

Mayor Price opened the public hearing. There were no requests to speak. Mayor Price closed the public hearing. Council accepted the draft report of the UWMP. The item will return at the June 15, 2021. Council meeting for final action.

**ADJOURNED MEETING AT 8:53 P.M. IN MEMORY OF LONG TIME RESIDENT DAVID J. MARIANNO, SR., WHO PASSED AWAY JUNE 1, 2021, TO TUESDAY, JUNE 15, 2021, 6:00 P.M., COUNCIL CHAMBER, 1000 WEBSTER STREET, FAIRFIELD, CA.**

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City Clerk

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Mayor