CITY OF FAIRFIELD FAIRFIELD
CITY COUNCIL
REGULAR CONCURRENT MEETING
TUESDAY, AUGUST 16, 2022; 6:00 PM
COUNCIL CHAMBER, 1000 WEBSTER STREET, FAIRFIELD, CA 94533 OR VIA ZOOM

COUNCIL MINUTES

CALL TO ORDER

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

ROLL CALL

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

INVOCATION

Councilmember Bertani asked everyone to join her in reciting the Lord's Prayer.

PLEDGE OF ALLEGIANCE

Councilmember Timm led the Pledge of Allegiance.

COUNCIL REPORTS

Vice Mayor Vaccaro reported that National Night Out was a huge success. He stated he enjoyed participating in the backpack giveaways to students the past two weekends. He said Fairfield schools open on August 17 and cautioned everyone to slow down and be safe. Lastly, he shared that his grandson Mason starts Kindergarten tomorrow!

Councilmember Bertani did not have a report but thanked retiring City Attorney Greg Stepanicich for his 24 years of dedicated service to the City of Fairfield. She did add that Mt. Calvary Baptist Church had extra backpacks for any student that did not receive one.

Councilmember Moy also enjoyed the backpack events and reported that the "best bakery" downtown would give students a cupcake after school on August 18 and 19.

Councilmember Panduro thanked the non-profits and service providers that participated in backpack giveaways. She gave a special thank you to the Lions Club, who served free ice cream at both events. She also thanked the Fire and Police departments for cooking 1,400 hotdogs. She stated that the Fairfield-Suisun Unified School District Resource Office also has extra backpacks.

Councilmember Timm reported he and Mayor Price attended the Sudie M. Smith Scholarship Program annual event at Jelly Belly on August 13 to a sold-out crowd. He shared that Sudie was a cafeteria worker at Armijo High School for many years. Since 1997, her family has bestowed a memorial scholarship in her honor through the Assist-A-Grad Scholarship Program at Armijo. He wished Greg Stepanicich a long and healthy retirement.

Councilmember Tonnesen reported that a ribbon-cutting and grand opening event will be held on August 13 at 5 p.m. at Allan Witt Park for the new pickleball courts, refurbished tennis courts, and a new futsal court. He gave a special thank you to George Kennedy, who was instrumental in bringing pickleball to Fairfield.

Mayor Price reported that he and Interim City Manager David Gassaway attended a ribbon cutting at Sullivan Elementary School for the Dual Immersion Program, which has moved from B. Gale Wilson School to Sullivan for TK-5th grade. B. Gale Wilson will continue to house the middle school Dual Immersion program.

CITY MANAGER REPORT

Interim City Manager David Gassaway invited the community to attend the 30th Annual Tomato & Vine Festival in downtown Fairfield on September 10 and 11. Next, he announced that the Federal Transit Administration (FTA) had awarded $12 Million to the City of Fairfield for their transit electrification efforts, which will significantly impact that program. He thanked Transit Manager Diane Feinstein, Transportation Planner Shaun Vigil, and Transportation Technician April Cobb for their efforts in helping to secure the funds. Lastly, he reported that Fairfield Fire Chief Luckenbach has met with the Cordelia Fire District, who would possibly like to contract with Fairfield Fire for fire services when the new station #36 is completed in 2024. The City is exploring if we would be able to provide those services. He stated there were no changes to the agenda.

CITY ATTORNEY REPORT

City Attorney David Lim had nothing to report.

CITY CLERK REPORT

City Clerk Karen Rees reported that 11 candidates filed paperwork to run for elected office: three for Mayor, three for District 1; two for District 3; and three for District 5. The election is on November 8, 2022. She congratulated former City Attorney Greg Stepanicich on his retirement!

PRESENTATIONS

1. Proclamation recognizing Greg Stepanicich's retirement presented by Mayor Harry Price.

2. Proclamation declaring National Suicide & Prevention Week presented by Councilmember Chuck Timm to Tracey Lacey, Mental Health Services Coordinator from Solano County, and Charlene Noveras, a member of the County's Suicide Prevention Committee.

3. Community Development Management Analyst Jonathan Luong presented the Youth Photography Contest Awards to Michael Lamb and Markus Taliaferro. Samantha Atwood was absent.

PUBLIC COMMENTS

Jeff Trager spoke about upcoming events at the Downtown Theater.

Nora Martinez spoke about homelessness.

Bryan Lynch thanked Code Enforcement Officer Elizabeth Dalby. He spoke about the vacant lot at Sunset and Tabor Avenue.

Jack Batson spoke about Item 19, as he had to leave early.

Nora Dizon thanked staff for the live music concert in Ridgeview Park. She also thanked staff and the Police Department for Fairfield's wonderful National Night Out events.

K. Patrice Williams spoke about the new one-way streets downtown.

CONSENT CALENDAR

4. Approval of Meeting Minutes from July 2022

5. Resolution 2022-198 of the City Council of the City of Fairfield Reconsidering and Authorizing Public Meetings to be Held Via Teleconferencing Pursuant to Government Code Section 54953(e) and Making Findings and Determinations Regarding the Same

6. Resolution 2022-199 of the City Council of the City of Fairfield Approving and Authorizing the Execution of the Grazing License Between the City of Fairfield, the County of Solano, and Pacific Livestock, Inc. for the Approximately 288-Acre Property Commonly Known as the Wilcox Triangle Property Located in Solano County, California

7. Resolution 2022-200 of the City Council of the City of Fairfield Approving the Second Amendment to Declaration of Easements, Covenants and Restrictions Entered Into By and Among the City of Fairfield, a California Municipal Corporation, Tallen California LLC, a California Limited Liability Company, 99 Cents Only Stores LLC, a California Limited Liability Company, and McDonald's the USA, LLC, a Delaware Limited Liability Company Against Real Property located in the City of Fairfield, More Commonly Known as Parcels 1, 2, 3, 4 and 5, as shown on that Certain Map Entitled: "Fairfield Home and Garden Center II," Which Map was Filed in the Office of the County Recorder of Solano County, California on March 13, 1995, in Book 39 of Parcel Maps at Page 21

8. Resolution 2022-201 of the City Council of the City of Fairfield Approving the Professional Services Agreement for Geographic Information System Assessment and Strategy with Vestra Resources, Inc.

9. Resolution 2022-202 of the City Council of the City of Fairfield Approving a Loan and Third Amendment to the Purchase and Sale Agreement Between the City of Fairfield and APRR Management, LLC, and Authorizing Execution of a Promissory Note, Deed of Trust, and Assignment Agreement for Engineering/Architectural Plans for the Hotel Property

10. Resolution 2022-203 of the City Council of the City of Fairfield Authorizing Amendments to the Departmental Position Control List

11. Resolution 2022-204 of the City Council of the City of Fairfield Authorizing the City Manager to Execute an Agreement for the Exchange of Real Property and Joint Recording Instructions between the City of Fairfield and Fairfield-Suisun Unified School District

12. Resolution 2022-205 of the City Council of the City of Fairfield Authorizing the City Manager to Execute Grant Deeds Transferring Certain Real Property, Easements, and Similar Instruments, Related to the Villages at Fairfield Development (Parcels C & G)

13. Resolution 2022-206 of the City Council of the City of Fairfield Authorizing the City Manager to Execute Amendment No. 5 to the Design Services Agreement between the City of Fairfield and Callander Associates, Inc., for the Implementation Plan of the Central Fairfield Revitalization

14. Resolution 2022-207 of the City Council of the City of Fairfield Approving the Plans and Specifications and Awarding a Contract to All About Building, Inc. for the Fire Station 35 – Alterations and Fire Station 40 – Door Replacement Project

15. Resolution 2022-208 of the City Council of the City of Fairfield Authorizing the City Manager to Execute the Second Amendment to the Memorandum of Understanding by and Among the Cities of Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, Solano County Transit, and the Solano Transportation Authority for Intercity Taxi Card Program Services

16. Resolution 2022-209 of the City Council of the City of Fairfield to Suspend Competitive Bidding and Authorize the City Manager to Purchase Automatic Passenger Counters from Urban Transportation Associates for Fairfield and Suisun Transit (FAST) Vehicles

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

NEW BUSINESS

Vice Mayor Vaccaro asked that Item 22 be moved to the first item under New Business.

22. Public Works Management Analyst Chris Lewis recommended to Council that it open the public hearing and approve Resolutions 2022-217 to 2022-232 of the City Council of the City of Fairfield Approving the Fiscal Year 2022-2023 Engineer's Reports, Confirming the Fiscal Year 2022-2023 Diagrams and Assessments, and Ordering the Fiscal Year 2022-2023 Improvements for Landscaping and Lighting Maintenance Districts No. 1 – Gateway, No. 3 – Waterman Highlands, No. 5 – Smith Ranch, No. 6 – Peppertree, No. 7 – Rolling Hills, No. 8 – Kolob Estates, No. 10 – Southbrook, No. 11 – Paradise Valley North, No. 12 – Downtown Business District, No. 13 – North Cordelia, 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 – Corporate Commons

Mayor Price opened the public hearing.

David Renaud and June Johnsen spoke on Item 22.

Mayor Price closed the public hearing.

Vice Mayor Vaccaro made a motion to approve Resolutions 2022-217 to 2022-232 (consecutively). Councilmember Timm seconded the motion. By a roll call vote, the motion was carried unanimously.

17. Assistant Public Works Director of Engineering, Ryan Panganiban opened the discussion on forming a Landscaping and Lighting Maintenance Districts Oversight Committee.

June Johnsen and Michael Zeiss spoke on item 17.

Option 2 would be a standing committee with five members meeting twice annually.

After a lengthy discussion, Councilmember Bertani made a motion to approve a modified Option 2, with a seven-member committee, one from each district and one at large member, with quarterly meetings, including reporting directly to the City Council each quarter. Vice Mayor Vaccaro seconded the motion. By a roll call vote, the motion was carried unanimously.

18. Public Works Management Analyst Chris Lewis recommended to Council that it approve Resolutions 2022-210 to 2022-213 of the City Council of the City of Fairfield Authorizing a Loan and Budget Transfer from the Intergovernmental Loan Fund to Landscaping and Lighting Maintenance District No. 1 – Gateway, District No. 3 – Waterman Highlands, District No. 6 – Peppertree, and District No. 12 – Downtown Business District for Landscape Maintenance Services Through the Fiscal Year 2022-2023 and Authorizing an Update to the Fiscal Year 2022-2023 Budget.

Councilmember Timm made a motion to approve Resolutions 2022-210, 2022-211, and 2022-213. Councilmember Bertani seconded the motion. By a roll call vote, the motion was carried unanimously.

19. Assistant Public Works Director of Utilities Michael Hether recommended to Council that it approve Resolution 2022-214 of the City Council of the City of Fairfield Authorizing the Mayor and City Manager to Execute an Indemnification Agreement between Solano County and the City of Fairfield; and

Resolution 2022-215 of the City Council of the City of Fairfield Authorizing the Mayor and City Manager to Execute a Potable Water Service Agreement Between Solano Irrigation District and the City of Fairfield for the Middle Green Valley Specific Plan Area

Duane Kromm, Michael Zeiss, Marilyn Farley, Roger Merrill, Nora Dizon, Anthony Russo, Beth Schoenberger (online), and James Bezek spoke on Item 19.

Councilmember Tonnesen made a motion to approve Resolutions 2022-214 and 2022-215. Councilmember Timm seconded the motion. By a roll call vote, the motion carried 6-1, with Councilmember Moy voting no.

Councilmember Tonnesen asked if Item 21 could be moved before Item 20, as he had to recuse himself from Item 20, as he owns real estate property near the defendant's location.

PUBLIC HEARINGS

21. Community Development Management Analyst Jonathan Luong recommended to Council that it open the public hearing; and approve the First Reading and Introduction of Ordinance 2022-09 of the City Council of the City of Fairfield Amending Chapter 27, Article X, Section 27.1104 of the Fairfield Municipal Code, Also Known as the City of Fairfield Community Preservation, to Establish the Regulations of Vacant Window Storefronts in the Downtown.

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

Councilmember Tonnesen made a motion to waive the full reading of Ordinance 2022-09, read by title only, and introduce the ordinance for the first reading. Councilmember Bertani seconded the motion. By a roll call vote, the motion was carried unanimously.

20. City Attorney David Lim recommended to Council that it open the Public Hearing; and hear Resolution 2022-216 of the City Council of the City of Fairfield [Approving/Sustaining] [Denying/Overruling] the Appeal of the Revocation of Business License Number 21001161 Belonging to Auto Service and Towing, Located at 1350 North Texas Street, Fairfield, CA.

The matter was called to order at approximately 8:59 p.m. as the last item on the agenda. City Clerk Rees read the item number and title. Councilmember Tonnesen recused himself because he lived within 500 yards of the subject property and left the Council Chamber. Mayor Price opened the public hearing and asked the parties to introduce themselves. Jeremy Profitt introduced himself to the City. Randy

Thomas, attorney for Auto Service and Towing (dba Payless Towing), introduced himself, along with owner Mubasher Choudhery.

City Clerk Rees swore all witnesses. Mr. Profitt presented for the City. Mr. Thomas and Mr. Choudhery presented for Auto Service and Towing. The Council asked questions of both sides. Mr. Thomas and Mr. Choudhery were given unlimited time to submit their issues and discuss the matter with the Council. Interim City Manager David Gassaway also spoke on behalf of the City. Both sides agreed to allow all 64 pages of written documents and accompanying photos to be considered by the Council to make their decision. After further discussion and questions by the Council, a motion by Councilmember Bertani, second by Vice-Mayor Vacarro to deny the appeal of Auto Service and Towing without prejudice. City staff directed to continue working cooperatively with Auto Service and Towing to obtain a conditional use permit to allow the business to operate. Attorney Mr. Thomas waived any irregularities in allowing the denial of the appeal without prejudice. Motion passed 6-0, with Councilmember Tonnesen abstaining due to recusal. –Matter Concluded-

THE MEETING WAS ADJOURNED AT 9:57 P.M. TO TUESDAY, SEPTEMBER 6, 2022, AT 6:00 P.M., COUNCIL CHAMBER.

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City Clerk

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Mayor