CITY OF FAIRFIELD
FAIRFIELD CITY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 17, 2023; 6:00 PM
COUNCIL CHAMBER, 1000 WEBSTER STREET
FAIRFIELD, CA 94533 OR VIA ZOOM

MINUTES

CALL TO ORDER

Mayor Catherine Moy called the meeting to order at 6:02 p.m.

ROLL CALL

On roll call were Councilmembers Doug Carr, Doriss Panduro, Scott Tonnesen, Rick Vaccaro, and K. Patrice Williams; Vice Mayor Pam Bertani, and Mayor Moy.

INVOCATION

Worship Pastor Sam Morris of BayNorth Church of Christ gave an invocation.

PLEDGE OF ALLEGIANCE

Councilmember Panduro led the Pledge of Allegiance.

COUNCIL REPORTS

Vice Mayor Bertani reported that the Clergy Action Network (CAN) would hold its next meeting on Tuesday, January 24, from 3-4:30 p.m. in Council Chamber. They will begin planning for a sit-down Easter dinner, the 2nd Annual Juneteenth event, and will discuss upcoming activities at Travis Air Force Base. Next, she reported that she and Mayor Moy would begin a "Listening Tour," a series of town hall meetings in each district to listen to residents' concerns. The first town hall will be held on February 11, from 11 a.m. to 1 p.m., at Bethel Community Church. Lastly, she invited residents to the Council Retreat on Friday, February 3, 5:30-8:30 p.m., and Saturday, February 4, from 9 a.m. to noon, where Council will set its goals and priorities for the year.

Councilmember Carr stated that he did not have anything to report.

Councilmember Panduro reported that she and the North Texas Street Business Association members visited businesses last week to inform them of a Business Watch meeting on January 18 at 12 p.m. at Fairfield-Suisun Chamber of Commerce, 1111 Webster Street, to address concerns that business owners have about homelessness. Homeless Intervention Team will be there to answer questions.

Councilmember Vaccaro commented that Mayor Harry T. Price's memorial service was beautiful and a proper send-off for a man who served the city of Fairfield for over 25 years. Next, he thanked Fire, Police, and Public Works departments for their efforts in dealing with the ongoing heavy rainfall and flooding over the past several weeks. He stated he appreciates how hard they work!

Councilmember Tonnesen reported that work is being done to mitigate the debris flowing into the creeks and ponds due to the heavy rainfall and that several local agencies are involved. He said he looks forward to having Mayor Moy and Vice Mayor Bertani's "Listening Tour" town hall meeting in his District (2).

Councilmember Williams stated that Mayor Price's memorial service was beautiful, inspirational, and well-organized. She reported that she was able to obtain timely information about anything rain-related on the City's social media platforms, including where to get sandbags. She also stated that the City's newer website is "amazing" and easy to navigate. She encouraged people to sign up for the Fairfield Weekly report promoted on the City's website.

Mayor Moy shared that she thought Mayor' Price's celebration of life service was perfect. She thanked City staff for their excellent job in planning such a lovely service and executing every detail perfectly. She commented that they could be professional event planners. She also thanked Councilmember Vaccaro and former Councilmember Chuck Timm for helping the family navigate this difficult time. Next, she reported that a series of town hall sessions on the dangers of fentanyl would be held on January 18, 25, and 31 at different locations. The Fairfield-Suisun Unified School District in collaboration with Fairfield Fire and Police Departments hosts these sessions. She thanked Councilmembers Panduro and Tonnesen for their part in working with FSUSD. She emphasized the importance of education in battling this often-fatal drug.

CITY MANAGER REPORT

City Manager David Gassaway thanked Public Works staff for their hard work dealing with the storms and flooding. He gave special thanks to staff members Carlos Cuenta, Josh Annon, Ross Giron, Giovanni Hernandez, Mario Betancourt, Zach Canaday, Jalani Parker, Brian Garcia, Daniel Camara, and George Shimboff. He stated that they worked overtime to keep storm drains and ditches clear of debris. Next, he stated that Item 8 on consent calendar would be pulled and brought back at a later date. Regarding Item 5, he clarified that Mayor Moy has chosen Vice Mayor Bertani as the first alternate on the Fairfield Suisun Sewer District Board, and that Councilmember Williams would serve as second alternate.

CITY ATTORNEY REPORT

City Attorney David Lim had nothing to report from closed session.

CITY CLERK REPORT

City Clerk Karen Rees shared that Mayor Price's memorial service was beautiful. She thanked City Manager staff members Kelly Ballard, Esther Beavers, Ria Adams, and Maribel Viray for their excellent work on the service arrangements and logistics. She also thanked Valerie Kiehn, a graphic designer from the Marketing and Outreach Division, who did an exceptional job designing the program.

PRESENTATIONS

1. Councilmember Carr presented a proclamation declaring it "National Slavery and Human Trafficking Awareness Month" to Executive Director Kari Cordero and the Sexual Assault Nurse Examiners / Sexual Assault Response Team (SANE-SART).

2. Fairfield Poet Laureate read her moving poem "Beyond the Dream," honoring Dr. Martin Luther

King, Jr.

3. Councilmember Williams presented a proclamation recognizing "Dr. Martin Luther King Jr. Day" to Tri-Valley NAACP President Nikila Gibson. Councilmember Williams stated that Vice Mayor Bertani was the first Black woman to be elected to Fairfield's City Council, helping pave the way for her to be the second.

PUBLIC COMMENTS

Bryan Lynch spoke about vacant lots.
Jeff Trager spoke about upcoming events at the Downtown Theatre.

CONSENT CALENDAR

All matters listed on the Consent Calendar are to be approved with one motion unless a member of the City Council or the public requests that separate action be taken on a specific item.

4. Approval of Meeting Minutes from November and December 2022

5. Minute Action Approving Mayor's Appointments to the Fairfield-Suisun Sewer District Board for 2023

6. Resolution 2023-01 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

Councilmember Williams asked for Item 7 to be pulled for discussion.

7. Resolution 2023-02 of the City Council of the City of Fairfield Intention to Establish a Community Facilities District, One or More Improvement Areas and a Future Annexation Area for the One Lake Project ("Resolution of Intention to Establish") and;

Resolution 2023-03 of the City Council of the City of Fairfield Intention to Incur Bonded and Other Indebtedness ("Resolution of Intention to Incur Debt")

City Manager David Gassaway pulled Item 8 and stated it would be returned at a future meeting.

8. Resolution 2023-04 of the City Council of the City of Fairfield Approving an Amendment to Resolution 99-302 Revising the Structure and Duties of the Fairfield Golf Advisory Board

9. Resolution 2023-05 of the City Council of the City of Fairfield Approving the Plans and Specifications and Awarding a Contract to Dirt & Aggregate Interchange, Inc. for the Fairfield Highway Safety Improvement Program Cycle 9 Guardrail Project, Federal Aid Project No. HSIPL 5132-052 and Authorizing an Update to the Fiscal Year 2022-2023 Budget

Councilmember Vaccaro made a motion to approve the Consent Calendar as presented, excluding Items 7 and 8. Vice Mayor Bertani seconded the motion. The motion carried unanimously, 7-0.

Vice Mayor Bertani made a motion to approve Item 7. Councilmember Vaccaro seconded the motion.

The motion carried unanimously, 7-0.

NEW BUSINESS

10. Director of Finance John Furtado recommended to Council that it approve Resolution 2023-06 of the City Council of the City of Fairfield Approving the City's Fiscal Year 2021-22 Annual Comprehensive Financial Report and the Draft Schedule of Expenditures for Federal Awards Report (Single Audit) and Other Reports.

Councilmember Panduro made a motion to approve Resolution 2023-06. Councilmember Vaccaro seconded the motion. The motion carried unanimously. (7-0)

11. Associate Attorney Marian Slocum recommended to Council that it approve the First Reading and Introduction of Ordinance 2023-01 of the City Council of the City of Fairfield Amending Section 2.7 to Chapter 2, Article II of the Fairfield Municipal Code Regarding Appointment, Removal, and Term of Office of the City Manager to Reflect the Current Number of Council Members Required for a Majority Vote, Remove the Requirement for an Indefinite Term, and Remove the Gender Classification of the City Manager.

Councilmember Vaccaro made a motion to waive the full reading, read by title only, and introduce Ordinance 2023-01 for first reading. Councilmember Carr seconded the motion. The motion carried unanimously (7-0).

PUBLIC HEARINGS

12. Junior Planner Yee-Lynn Wong recommended to Council that it open the Public Hearing; and approve the First Reading and Introduction of Ordinance 2023-02 of the City Council of the City of Fairfield Amending Section 25.20.3 of Chapter 25, Article I of the Municipal Code, also Known as the Zoning Ordinance, to Include Section 25.20.3.4 SB 9 Development Regulations and Associated Table 25-2.1 RVL and RL District Development Regulations Under Senate Bill 9.

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

Councilmember Tonnesen made a motion to waive full reading, read by title only, and introduce Ordinance 2023-02 for first reading. Vice Mayor Vaccaro seconded the motion. The motion carried unanimously (7-0).

13. Senior Planner Jonathan Atkinson recommended to Council that it open the Public Hearing; and approve Resolution 2023-07 of the City Council of the City of Fairfield Adopting a Specific Plan Amendment (SP2022-002) for the Heart of Fairfield Plan to Redesignate Parcels at 601 Beck Avenue (APN: 0028-920-300), 649 Beck Avenue (APN: 0028-920-290), and 699 Beck Avenue (APN: 0028-920-280) from Community Commercial (CC) to Mixed-Use West Texas (MU-WTS); and

First Reading and Introduction of Ordinance 2023-03 of the City Council of the City of Fairfield Amending Various Sections of Chapter 25, Article I of the Municipal Code, also Known as the Zoning Ordinance, to Adjust Land Use Regulations and Development Standards in Alignment with the Goals and Objectives of the Heart of Fairfield Plan; Correcting the Description of the West Texas Street (HWT) District; Adjusting Permit Requirement Thresholds for Heart of Fairfield Plan Zoning Districts; Creating Definitions for Amenity Zone, Activity Zone, and Transparency; and Amending Chapter 25, Article I of the Municipal

Code, Also Known as the Zoning Map, Rezoning a Parcel at 1100 Texas Street (APN: 0030-174-080) from Public Facilities (PF) District – Downtown Area Parking (P1) Overlay District To Downtown (HD) District – Downtown Area Parking (P1) Overlay District, and Parcels at 601 Beck Avenue (APN: 0028-920-300), 649 Beck Avenue (APN: 0028-920-290), and 699 Beck Avenue (APN: 0028-920-280) from Community Commercial (CC) District To HWT District; and

First Reading and Introduction of Ordinance 2023-04 of the City Council of the City of Fairfield Amending Various Sections of Chapter 25, Article I of the Fairfield Municipal Code, also Known as the Zoning Ordinance, to Address New Issues, Correct Typographical Errors, Make Minor Organizational Revisions, Clarify Language, Bring the Zoning Ordinance into Closer Alignment with General Plan Goals, Objectives, and Policies; and Bring the Zoning Ordinance into Full Compliance with State Law

Mayor Moy opened the public hearing.

Chris Angle spoke on Item 13.

Mayor Moy closed the public hearing.

Councilmember Vaccaro made a motion to approve Resolution 2023-07. Councilmember Bertani seconded the motion. The motion carried unanimously (7-0).

Councilmember Panduro made a motion to waive full reading, read by title only, and introduce Ordinance 2023-03. Councilmember Vaccaro seconded the motion. The motion carried unanimously (7-0).

14. Public Hearing; and Resolution 2023-08 of the City Council of the City of Fairfield [Approving/Sustaining] [Denying/Overruling] the Appeal of the Revocation of Business License Number 07000966 Belonging to Smoke N More LLC, Located at 1306 West Texas Street, Fairfield, CA 94533

City Clerk Rees announced Item #14 and read the title. City Attorney David Lim announced that because he would be assisting Code Enforcement on the matter, advice to the City Council as the hearing body would be handled by John Robinson, an attorney with the firm of Castillo, Moriarty, Tran & Robinson. Mr. Lim left the dais to assist Code Enforcement, and Mr. Robinson took the City Attorney's seat on the dais to advise the City Council.

Mayor Moy called the hearing to order. Owner/Appellant Ahmed Saeed was present for Smoke Shop N More LLC with attorneys Brandon Kline and John Coyle. City Code Enforcement Officers Jeremy Profitt and Elizabeth Dalby were present for the City with City Attorney David Lim.

Mr. Kline and Mr. Coyle presented arguments for Smoke Shop N More. Mr. Profitt presented arguments for the City. Various hearing Officers/Councilmembers asked follow-up questions to both parties. Sgt. Frank Piro of the Fairfield Police Department and Mr. Lim assisted Mr. Profitt in answering follow-up questions on behalf of the City. No members of the public spoke on this issue.

Mayor Moy closed the public hearing and brought the matter back before the City Council. Councilmember Carr moved to deny the appeal and revoke the business license of Smoke Shop N More, and Councilmember Vaccaro seconded the motion. The motion was approved 7-0.

Recommended Action

Hold public hearing and adopt resolution **approving/sustaining** or **denying/overruling the appeal** of the revocation of business license #07000966 for Smoke N More LLC.

Funding Source

N/A

Contact: John Robinson, (803) 348-8545

Mayor Moy opened the public hearing.

Mayor Moy closed the public hearing.

Councilmember Carr made a motion to approve Resolution 2022-08. Councilmember Vaccaro seconded the motion. The motion carried unanimously, 7-0.

MEETING WAS ADJOURNED AT 9:18 P.M. TO TUESDAY, FEBRUARY 7, 2023, 6:00 P.M., COUNCIL CHAMBER.

_____

City Clerk

_____

Mayor