

**DRAFT MINUTES**

**SPECIAL FAIRFAX TOWN COUNCIL MEETING  
Economic Development Advisory Committee/  
Town Council Strategic Planning Workshop**

Fairfax Women's Club, 46 Park Road  
Saturday, February 17, 2007, 9:00 a.m. to Noon

Mayor Bragman called the meeting to order at 9:04 a.m.

Roll Call

Town Council members present: Bragman, Brandborg (9:10 a.m. arrival), Maggiore, Tremaine, Weinsoff

Economic Development Committee members present: Burton, Codoni, Graham, Smith, Squire, Venezia

Staff present: Town Manager Kelly, Finance Director Roth, Town Clerk Anderson

Also present: Michael Mackintosh, owner, Marin Town and Country Club; Elon Rosenfeld, Parks and Recreation Commission; Barbara Petty, Planning Commissioner

Approval of Agenda and Affidavit of Posting

M/S, Tremaine/Weinsoff, Motion to approve the agenda and the affidavit of posting.

AYES: All

Open Time

No speakers came forward.

Economic Development Advisory Committee (EDAC) meeting (9 – 11:00 a.m.)

**Discussion with Michael Mackintosh regarding the future of Marin Town and Country Club property**

Michael Mackintosh, owner, Marin Town and Country Club, stated that he was waiting to get a response from the Town to a proposal he had submitted the previous April.

Garry Graham, speaking for the Committee, described the committee's meeting with Mr. Mackintosh and recommended that the Town work with him on the development of the property; that the proposed 55-unit hotel on the property would provide needed income to the Town; stated that the Measure F tax would expire in June of 2010; that they didn't support another tax measure unless all other options had been explored; recommended that the zoning on the property be changed to accommodate development at the Marin Town and Country Club if necessary as it was a "jewel of a property"; and encouraged the Town Council to move the plan forward.

Mark Squire noted that they met as a subcommittee of EDAC and that they were presenting more of an idea list than recommendations and that the committee hadn't voted on it.

Town Manager Kelly clarified that Mr. Mackintosh had presented ideas for the property in April but had not submitted plans to the Town nor had he included a written proposal.

Councilmember Tremaine stated that Mr. Mackintosh had given them a list of ideas, not a real proposal; that certain elements fit the existing zoning like the restaurant, hotel, dance hall and museum; that he didn't see the point of the proposed gymnasium; suggested that Mr. Mackintosh move forward with the aspects of the plan that fit the zoning; suggested that Mr. Mackintosh find an operator who would sign a long-term lease to develop and manage the pool and other aspects of the plan; that re-locating the current residents would have to go to a vote of the people; and that a section of the property would have to be rezoned to allow for any housing at the site.

Vice Mayor Maggiore stated that without a proposal in writing in front of her, she was not prepared to make any decisions.

Michael Mackintosh stated that he didn't believe that different zones on the property were feasible; that potential housing unit sales at the site would provide the capital for the other elements; that he would prefer a plan for the whole property rather than chopping it up; that the proposed gym would allow for different uses like children's sports and car shows and that it would help with flooding because of the planned basement parking; and noted that a convention center had been suggested for the site.

Mayor Bragman opened the discussion to the public.

Cindy Ross, Pastori Avenue homeowner, expressed concern about problems with drainage and traffic; stated that she wasn't comfortable with the process; that the neighbors put up with traffic and dust when the Country Club was used as a construction staging location; that no written proposal was available for review; and requested that Mr. Mackintosh submit a proposal to the Town so that the citizens and the Town Council could review the plans.

Niccolo Caldararo, Frustuck Ave., stated that every town was like a corporation with the citizens as shareholders; that zoning protected properties; that he had read the committee's report; that the more development that occurred, the more cost there would be to the town; that only raising taxes generated more positive income flow; that the passage of Measure F showed that the citizens were willing to pay for quiet; that every new home generated more traffic; and that Mr. Mackintosh had told him that he wasn't planning to develop the property but that he had decided to do so.

Barbara Petty, Forrest Avenue, Planning Commissioner, stated that she had purchased her property 6.5 years previously; that Mr. Mackintosh had said at that time that he was going to leave the property as it was; that a letter that was circulated during the last election by Mr. Mackintosh was unfair; and that the Town Council didn't have anything before them to review.

Stan Schriebman, 51 Hickory, expressed sympathy for Mr. Mackintosh but stated that he envisioned chaos getting in and out of the Country Club with the kind of development being described and asked that the traffic concerns be addressed.

Michael Mackintosh described the background of his dealings with the town on a planned project on the culvert by the bridge leading to Marin Town and Country Club; that he had helped out with the World Music Festival by providing parking on his property; that he had allowed the Town to use his property for the staging of capital improvement projects but stopped it when his neighbors were inconvenienced and complained about the staging; that he didn't want to create housing, but wanted to restore the club; that he hadn't tried to fool people; that he wanted to work with the community; that the Town had been saying "no" to the property owners for 34 years at the site; and that he was just trying to get input about what would be acceptable at Marin Town and Country Club.

Bill Madsen, Porteous Ave., stated that there was a kind of "disconnect" regarding the Marin Town and Country Club; that the owner had reported that plans for the property had been rejected for 34 years; that the citizens were asking for input; and suggested that charrettes/workshops be held with the community about the property.

Mark Squire, Good Earth, stated that the purpose of the meeting was to brainstorm about how they could move to the next step at Marin Town and Country Club; that the community had offered ideas; that the ideas should be listened to without rejection; and that the housing piece of the plan would have to go to the voters.

Mr. Mackintosh stated that he was not interested in re-zoning the property and that he was trying to be open to ideas.

George DeTuncq, stated that Mr. Mackintosh generated a fog of words that caused confusion; that he needed to win the vote of the Planning Commission and Town Council for any improvements at the property; that no progress would be made until a specific project was submitted to the Town; and suggested that Mr. Mackintosh get serious and provide specifics to the Town. He also stated that there had been efforts made by the Building Department to correct health and safety violations at MTCC and that he had talked to building inspectors who had been unable to enforce the health and safety laws there.

Councilmember Brandborg stated that it was not up to the Council to advise Mr. Mackintosh on how to proceed and that he needed to come forward with some kind of a plan.

Councilmember Tremaine stated that the majority of the Council thought it would be worthwhile to have Mr. Mackintosh speak to them in an informal setting to start the dialog; that if he was planning to go before the voters with a plan he wholeheartedly recommended community workshops; that there were things that could be done on the property under the current zoning; that there would be a series of public hearings once a proposal was submitted; and stated that Marin Town and Country Club was an underachieving asset of the community that could become an asset.

Niccolo Caldararo, Frustuck Ave., stated that development didn't mean more tax revenue; that any development at the site would create more traffic; that the number of

rental units at the site was allowed to increase while he was on the Town Council; and that Mr. Mackintosh knew there were limitations to what could be done on the property when he purchased it.

Jeff Burton, Shadow Creek Court, suggested that Mr. Mackintosh should leave the meeting with some direction as to how to move forward; asked that those present stop the personal attacks; stated that he would like to see something at the Marin Town and Country Club site; that the tax revenue needed to be increased; and that Mr. Mackintosh had received a wealth of advice at the meeting.

Mayor Bragman stated that, as a lawyer, he valued process; that specific notice was needed; that it was incumbent on the property owner to present some kind of plan; and that, without a concrete proposal, it was not possible to get input without going through the process.

Councilmember Weinsoff suggested that Mr. Mackintosh meet with some people like Mr. DeTuncq and Barbara Petty for input on possibilities for the property; that a workshop or charrette would bring forth all the ideas and input needed; and suggested that he use the flexibility of the Brown Act to advise the community of his plans.

Cindy Swift, stated that there was hostility; that she wasn't opposed to something being developed on the property but that she hadn't been treated with honesty and respect so that the hostility was justified.

George DeTuncq, suggested that Mr. Mackintosh build a house on the property and live in the community to avoid the perception that he is an outside developer.

Mr. Mackintosh thanked the Council for the input and the comments made at the meeting.

Mayor Bragman adjourned the meeting for a break from 10:34 a.m. to 10:49 a.m.

### **Ideas for economic development from the community members of the Economic Development Advisory Committee**

Garry Graham, speaking for the citizen members of the Committee, stated that the Committee was still developing their report and would present it to the Town Council at the next Strategic Planning meeting.

There was a consensus of the committee to have the next meeting on Saturday, March 24<sup>th</sup>.

### **Strategic Planning Workshop meeting (11:00 a.m. – Noon)**

#### **Council discussion and consideration of the POST Police Consolidation Study**

Mayor Bragman described the joint meeting on the topic held on January 31<sup>st</sup> with the San Anselmo Town Council and noted that the study was available for review on the Town's Web site.

Councilmember Tremaine stated that he was glad that they had met with San Anselmo; that they had a lot to talk about with San Anselmo; that they should be exploring economies in all areas including public works and police.

Mayor Bragman stated that they might be able to share services without a full consolidation; that perhaps nighttime share police dispatch might be possible in Fairfax without adding space or staff; that the sharing of patrol staff could be expanded upon.

Councilmember Brandborg noted that no financial information had been included in the POST presentation and that a thorough analysis including finances was needed; that Fairfax had dispatched for San Anselmo on occasion in the past; and that she recommended

Councilmember Weinsoff stated that Supervisor Hal Brown had offered money for a consolidation study; that Measure F would run out in 2010; and that the Council needed to explore all opportunities to save money.

Vice Mayor Maggiore stated that the Council had a due diligence obligation to explore options to save money; that the POST study didn't provide any financial information; and that the two police departments had different cultures.

Mayor Bragman stated that there was only one successful merger in California and that was the Twin Cities Police Department; that the Twin Cities budget exceeded the budgets of Fairfax and San Anselmo combined; that there were about 1500 more residents in the twin cities than in Fairfax and San Anselmo; that the citizens in the Twin Cities were spending more on police services than Fairfax and San Anselmo; that the services provided were not necessarily better in Twin Cities; that Corte Madera lost their police station when they consolidated; and asked if Police Chief Hughes could provide data from the Fairfax Police Department for comparison.

Councilmember Weinsoff asked how many departments had attempted consolidation that already shared services like San Anselmo and Fairfax and suggested that Mayor Bragman share the information on the Twin Cities Police Department that he had obtained with the rest of the Council.

Councilmember Brandborg stated that Twin Cities was much different than Fairfax and San Anselmo because the Twin Cities community had a much healthier financial status with much more money to spend on services. She noted that Mr. Sylstra of POST had said that other consolidation attempts had failed because of the lack of political will. She further stated that assuming that a new facility would be needed was putting the cart before the horse.

Mayor Bragman stated that the political will should be guided by the facts; that to combine the two agencies would require a new facility; that Twin Cities was considering building a \$15 million facility; and that decisions made had to have an empirical basis.

Councilmember Tremaine stated that the Council needed someone to evaluate the possibilities and tell them what economies were available; that nothing should preclude them from exploring the possibility; and that he thought there would be places to save if there was the political will to investigate.

Garry Graham stated that the Council had to determine whether or not savings could be realized; that he wanted to keep the Fairfax Police Department the way it was; that there was nothing wrong with either department; and suggested that the Council let the economics guide them but not to forget about the cultural differences.

Councilmember Brandborg stated that there was already sharing and cooperation going on; that nobody wanted to see a reduction in the level of service; and that if money could be saved without a reduction in service, it had to be explored. She stated that they made a promise to the voters after Measure "L" failed and to get Measure "F" passed whereby they would explore all options to save money to avoid going back to the taxpayers with another tax measure in 2010, and that they needed to consider everything.

Pete Arrigoni, 15 Rockridge Road stated that Twin Cities was different than Fairfax and San Anselmo; suggested that Twin Cities Chief Green be asked how they were able to get the political will for the consolidation; and that Twin Cities was a wealthy entity and could afford a new public safety facility. He also stated that the increases in pension and health care costs had to be met and that if there was no consolidation of services, the town would have to go back to the voters with another tax measure.

Niccolo Caldararo, Frustuck Ave., stated that, if other consolidations were studied, it would be found that they didn't save money; that it made sense to look at Twin Cities; that retirement costs were ballooning and couldn't be reduced without reducing personnel; suggested that police and fire could be consolidated; that the fire service could be privatized; and questioned the value of spending time on studying consolidation for a small savings that could result in an inferior police department.

Vice Mayor Maggiore stated that the POST consolidation study wasn't enthusiastically in support of consolidation and that she wanted to hear from Chief Hughes.

Councilmember Tremaine stated that they should be looking at every way to work together with San Anselmo to save money, not just police consolidation; that a full-fledged consolidation might not happen, but that he wanted to work with San Anselmo to talk about ways to share and save.

George DeTuncq, stated that the average voter was not as complex as the discussion and that different police cultures would not be an issue for most residents unless they had more contact with the police departments.

Niccolo Caldararo, Frustuck Ave., stated that, when he went door-to-door in support of Measure "F", residents were more concerned about getting their streets paved and other services more than police services; that the POST showed that not much money could be saved so asked why the Council was bothering with it; and suggested that the Council study the overall costs for all services.

Police Chief Hughes stated that many important points had been raised in the discussion including talking about the service levels versus the cost for the services as well as the cultures of the two towns. He suggested that if the Council wanted to discuss any of the issues raised, they should do it with San Anselmo and recommended that they move forward with the POST recommended facilitated meeting. Such a meeting, he

suggested, would give people a chance to have questions answered and to help make decisions.

Town Manager Kelly stated that one option would be to have the Town Managers, Police Chiefs, and Finance Directors of the two Towns meet and discuss potential cost savings that could be achieved through shared services in different areas.

M/S, Tremaine/Weinsoff, direct staff to pursue a meeting between the Town Managers, Police Chiefs and Finance Directors of the two Towns for the purpose of discussion and recommendation of areas for service cooperation and consolidation/cost-saving options with respect to shared services in police as well as other Town services; ask staff to recommend the type of consultant to be hired to provide the Town Councils more specific and rigorous financial analysis of potential cost savings that could be achieved through service sharing and/or consolidation; and direct staff to include Mayor Bragman's request for budgetary information from the Town of San Anselmo.

Council Member Maggiore stated that she was very concerned with the Town of Fairfax maintaining its own sense of identity and did not want to see the Town absorbed under a larger entity.

AYES: Bragman, Brandborg, Tremaine, Weinsoff  
NOES: Maggiore  
ABSENT: None

The meeting was adjourned at 12:15 p.m.

Respectfully submitted,

Judy Anderson, Town Clerk