

Fairfax Town Council Minutes  
Regular Meeting  
Fairfax Women's Club  
Wednesday, February 7, 2018

The Regular meeting was preceded by a Closed Session from 5:45 p.m. to 7:00 p.m.

Public Employee Performance Evaluation pursuant to Government Code Section 54957:  
Title: Town Attorney

Call to Order/Roll Call:

**COUNCILMEMBERS PRESENT:** Bruce Ackerman  
Barbara Coler  
Renee Goddard  
Peter Lacques, Mayor  
John Reed

**STAFF MEMBERS PRESENT:** Garrett Toy, Town Manager  
Michele Gardner, Town Clerk  
Janet Coleson, Town Attorney  
Michael Vivrette, Finance Director

Mayor Lacques called the Regular meeting to order at 7:05 p.m.

Approval of Agenda and Affidavit of Posting

M/S, Coler/Ackerman, Motion to approve the agenda and the affidavit of posting.  
AYES: Ackerman, Coler, Goddard, Reed, Mayor Lacques

Announcement of Closed Session Action

Mayor Lacques announced there was nothing to report.

Announcements

Mayor Lacques made the announcements as they appeared on the agenda. Councilmember Coler made several announcements: the next Commission on Aging meeting was March 1<sup>st</sup> at the Margaret Todd Senior Center in Novato at 10:00 a.m. The next Age Friendly Forum would be held on February 23<sup>rd</sup> at the Fairfax Library, from 1:00 p.m. to 2:00 p.m., followed by a free "Smart Phone" class from 2:00 p.m. to 4:00 p.m. The Ross Valley Senior Luncheon would be held on March 1<sup>st</sup> at noon in the Women's Club. Although the Marin Clean Energy Deep Green Initiative had ended in November, there were seven Fairfax signups since then.

Open Time

Mr. Mark Bell, Dominga Avenue, stated the Fairfax Noise Ordinance is inadequate. The music coming from the side patio of Peri's Bar was 98 decibels. He discussed road maintenance and cracks along Forrest Avenue.

Mr. Tom O'Neil, Dominga Avenue, asked for a moment of silence in memory of Mr. Dennis Peron. He had questions regarding sales of recreational marijuana.

Ms. Cindy Swift, Fairfax CERT Coordinator, announced the following CERT training dates: March 24<sup>th</sup> and 25<sup>th</sup> at the College of Marin. The April class will be in Mill Valley and the May class will be in Nicasio. She encouraged everyone to visit [www.readymarin.org](http://www.readymarin.org).

Mr. Richard Applebaum, Woodland Avenue, asked the Council to write a letter in opposition to SB 828.

Mr. David Haskell, representing the Fairfax Chamber of Commerce, stated they look forward to working closely with the Council.

### Presentations

1. Presentation on Homelessness- Andrew Henning, Director San Rafael Homeless Planning and Outreach

Mr. Andrew Henning gave a PowerPoint presentation on homelessness in Marin. He answered questions from the Council.

Ms. Karen Strolia, Project Manager for Downtown Streets Team, discussed the Marin Mobile Care Project. She answered questions from the Council.

The Council thanked Mr. Henning and Ms. Strolia for their good work.

2. Receive annual report from the Fairfax Volunteer Committee- Volunteer Committee Chair

Mr. George ("Geo") Taylor, Chair of the Volunteer Committee, presented the Annual Report to the Council. He stated the Food Pantry in Fairfax is in its 6<sup>th</sup> year and distributes 4,000 to 6,000 pounds of food every Saturday to approximately 125 families. He discussed some of the other projects run by the committee including Creek Cleanup and the Annual Picnic. He thanked the Council for providing the many generous resources. He answered questions from the Council.

Mayor Lacques called to order the Special Meeting at 8:00 PM to run concurrently with the Regular meeting, and stated the Consent Calendar item would be added to the Regular Meeting Consent Calendar.

### Special Meeting Consent Calendar

1. Adopt a Resolution Approving an Agreement with Maggiora and Ghilotti to Repair Potholes on Scenic and Crest Roads in a Total Not-to-Exceed \$24,700- Town Manager

### Consent Calendar

3. Accept Financial Statements and Disbursement Reports December 2017- Finance Director
4. Approval of minutes for the January 16, 2018 Town Council meeting- Town Clerk
5. Receive Fairfax Department of Recreation and Community Services Annual Report- Recreation and Community Services Manager
6. Approve contract with Sustainable Fairfax to implement the mandates of the Zero Waste grant including public education and outreach services related to recycling and green waste- Town Clerk

7. Second Notice and approval of amendment to resolution for management employees- Town Manager
8. Authorize the Vice Mayor to prepare a letter opposing the removal of protections on oil drilling off the California coast- Vice Mayor Coler
9. Sponsorship of the Little League Opening Day Parade on March 17, 2018- Town Manager
10. Approve temporary road and parking lot closure for the Car Show on Sunday, September 9, 2018- Town Clerk
11. Biennial review of the Conflict of Interest Code and adoption of Resolution No. 18-? Confirming Biennial Review with No Amendments to the Conflict of Interest Code adopted pursuant to Resolution No. 16-22- Town Clerk
12. Approve Agricultural Community Event Farmers Market right of entry agreement to continue to operate a Farmer's Market in Bolinas Park in 2018 and 2019- Town Manager
13. Notice of Amendment to Memorandum of Understanding (MOU) with SEIU Local 1021 (Fairfax non-management employees) regarding new employee orientations in compliance with AB 119- Town Manager
14. Authorize Mayor to send letter in opposition to SB 827 (Wiener) which would exempt certain housing projects from locally developed and adopted height limitations, densities, parking requirements, and design review standards- Mayor Lacques
15. Adopt a resolution declaring a police vehicle as surplus and authorizing its disposal by public auction- Police Chief Morin

Councilmember Goddard recused herself from voting on Consent Calendar item #6. She referred to item #5 and asked about the Arts and Culture Collaborative. Recreation and Community Services Manager Anne Mannes clarified the work of the Collaborative.

Councilmember Goddard made a comment on item #12, regarding reusable bags. She asked that item #14 be pulled for discussion.

Councilmember Ackerman made comments on Consent Calendar items #10 and #12. He noted that several residents had expressed concerns regarding the Car Show and its impact on parking and traffic downtown, and suggested this celebration of the automobile was something the Council might consider discontinuing in the future.

Mr. Mark Bell, Dominga Avenue, referred to item #12 and stated the music from the Farmers Market was too loud. He asked that the item be pulled for discussion.

Councilmember Coler made a comment on item #5.

Councilmember Reed stated items #10 and #12 should be pulled for discussion. He made a comment about item #10 and #12. He had also received comments from the public regarding the Car Show, both for and against.

M/S, Reed/Goddard, Motion to approve the Consent Calendar, with the exception of item #6, the removal of item #14 for discussion, and including the Special Meeting Item #1 the supplements to items #8 and #11.

AYES: Ackerman, Coler, Goddard, Reed, Mayor Lacques

Councilmember Goddard recused herself and left the dais.

The Mayor opened public comment on Item #6.

Ms. Jennifer Hammond, Executive Director of Sustainable Fairfax, thanked the Council for its support of the Zero Waste goals and discussed the organizations programs and focus.

M/S, Coler/Reed, Motion to approve Consent Calendar item #6.

AYES: Ackerman, Coler, Reed, Mayor Lacques

ABSENT: Goddard

### Interviews and Appointments

#### 16. Interviews of applicants and appointment to fill the remainder of an unexpired term on the Planning Commission- Town Clerk

The Council interviewed the following individuals for the unexpired term on the Planning Commission: Ms. Michele Rodriguez, Mr. John Romaidis, and Ms. Connie Siegenthaler. The applicants answered questions from the Council.

Mr. Richard Applebaum, Woodland Avenue, stated what matters the most was the candidate's values, not resume qualifications.

M/S, Goddard/Ackerman, Motion to appoint Ms. Michele Rodriguez to fill the remainder of an unexpired term on the Planning Commission.

AYES: Ackerman, Coler, Goddard, Reed, Mayor Lacques

M/S, Coler/Reed, Motion to rearrange the agenda and hear item #18 next.

AYES: Ackerman, Coler, Goddard, Reed, Mayor Lacques

#### 18. Discuss/consider Resident Petition for Downtown Parking Lot Purchase Proposal- Town Manager

Town Manager Toy presented the staff report. He answered questions from the Council regarding the environmental hazard potential of the former gas station property.

Mr. John Fitzpatrick stated there was an obvious need for more parking in downtown Fairfax. He stated the upside to the proposal outweighed the downside. This is a rare chance for the Town to purchase the property and create 30 to 50 parking spaces plus a rest room. He answered questions from the Council.

Yuri stated he supported Mr. Fitzpatrick's proposal. He owns a business in Fairfax and more parking was needed. He suggested charging for overnight parking passes.

Mr. Richard Applebaum, Woodland Avenue, stated the parking was a problem, and supported looking at it strategically.

Ms. Nicole Delechi, Hickory Road, supported the proposal, and stated the parking issue would only get worse. She noted that real-estate is an investment.

Mr. George Fitzpatrick, Napa Avenue, supported the proposal, adding that it was an opportunity.

The Council did not express support of pursuing this idea.

Councilmember Coler asked Town Manager Toy to talk to the property owner to find out what they plan to do with the property prior to selling it.

The Council took a 10-minute break at 10:15 p.m.

### Council Reports and Comments

Councilmember Ackerman reported he attended the League of California Cities “Boot Camp”; the Women’s March in Oakland, the Manor Hill Fire Wise Neighborhood Steering Committee meeting; the EcoFest Conference; the Marin/Sonoma Vector Control Board Conference.

Councilmember Reed reported he attended the Volunteer Board meeting; the MCCMC meeting; a Transportation Authority of Marin (TAM) meeting; met with the North Bay Conservation Corp.

Councilmember Coler reported she attended the Marin Clean Energy Contract Sub-Committee meeting; a Marin Telecommunications Agency meeting; a Fairfax Open Space Committee meeting; the County’s Assessment of Fair Housing meeting; the MCCMC meeting; the Community Media Center of Marin Board meeting; the Age Friendly Task Force meeting.

Councilmember Goddard reported she attended a retreat with the Marin Prevention Network; a Coalition Connection meeting; was a judge in the Safe Routes to Schools Art Contest.

Mayor Lacques reported he attended the MCCMC meeting; the Ross Valley Fire Board meeting; the Climate Action Committee meeting; met with the Chamber of Commerce; attended a Mayor’s conference in Sacramento; attended a Single Payer Health Care Rally.

### Town Manager Report

Town Manager Toy reported that the Town Engineer was looking at adding lighted crosswalk systems at two more locations on Sir Francis Drake Boulevard.

### Regular Agenda

17. Receive status report on the Town’s capital improvement projects including the efforts to repair damage caused by the winter storms- Town Manager

Town Manager Toy presented a staff report. He answered questions from the Council.

There were no public comments.

14. Authorize Mayor to send letter in opposition to SB 827 (Wiener) which would exempt certain housing projects from locally developed and adopted height limitations, densities, parking requirements, and design review standards- Mayor Lacques

Councilmember Goddard stated she would like a similar letter written regarding SB 828. Councilmember Coler stated it should be a separate letter.

Town Manager Toy stated he would bring back a letter regarding SB 828 in March for Council’s approval.

There were no public comments.

M/S, Reed/Coler, Motion to authorize the Mayor to send a letter in opposition to SB 827 which

would exempt certain housing projects from locally developed and adopted height limitations, densities, parking requirements, and design review standards.

AYES: Ackerman, Coler, Goddard, Reed, Mayor Lacques

Future Agenda Items

Councilmember Goddard stated she would like a conversation about the Pledge of Allegiance.

Councilmember Coler stated she would like to discuss ADA accessibility in the Parkade.

M/S, Coler/Reed, Motion to adjourn the meeting at 11:25 p.m. in memory of Mr. Charlie Bartsch, Ms. Dorothy Reed, and Mr. Dennis Peron.

AYES: Ackerman, Coler, Goddard, Reed, Mayor Lacques

Respectfully submitted,

Toni DeFrancis  
Recording Secretary