

Draft Fairfax Town Council Minutes  
Regular Meeting  
Fairfax Women's Club  
Wednesday, May 4, 2016

Call to Order/Roll Call:

**COUNCILMEMBERS PRESENT:** Barbara Coler  
Renee Goddard  
Peter Lacques  
John Reed  
David Weinsoff

**STAFF MEMBERS PRESENT:** Garrett Toy, Town Manager  
Michele Gardner, Town Clerk  
Janet Coleson, Town Attorney  
Michael Vivrette, Finance Director  
Jim Moore, Planning Director  
Mr. Brian Quint, Bond Counsel  
Mr. Mark Pressman, Municipal Advisor

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

Approval of Agenda and Affidavit of Posting

M/S, Coler/Reed, Motion to approve the agenda and the affidavit of posting. Agenda item #10 will be moved to the end of the agenda.

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

Announcement of Closed Session Action and Special Meeting Action

Mayor Goddard reported the Council gave direction to legal counsel.

Announcements

Mayor Goddard made the announcements as they appeared on the agenda. She added that White Hill School would be presenting the documentary "Screenager" tomorrow night. Councilmember Coler announced that the Marin Clean Energy Deep Green (100% renewable energy) Incentive Program was launched in February. She announced the Fairfax Police Department and Town Manager have been posting a lot of very important announcements on Nextdoor. She encouraged everyone to sign up. Councilmember Weinsoff discussed the Town ordinance that regulates the posting of political/campaign signs. He reported Villa Sake was included in the San Francisco Chronicle's Top 100 Bay Area Restaurants list.

Open Time

Ms. Jody Timms, Fairfax representative to the Commission on Aging, gave a status report.

Ms. Wendy Botwin, Fairfax, discussed the housing crisis in Marin County and asked the Town to declare a "housing state of emergency".

Mr. Gabriel Cordy, Cypress Road, was concerned his favorite restaurant, Casa Mañana, was

being evicted and he wondered whether the Council could protect local businesses.

Mr. Sierra Salin agreed with the previous speaker. He expressed concern with activity at "the Chevron property" and suggested adding a fence to indicate property lines. He discussed some possible uses for this property.

Mr. Todd Greenberg, Bolinas Road, shared a previous speaker's concerns regarding eviction the restaurant Casa Mañana. He noted it was a community gathering spot.

Kiki La Porta supported the comments made about the loss of affordable housing and recommended the Marin Environmental Housing Collaborative website for more information. She stated the idea of an incentive program for Marin Clean Energy Deep Green came from the Fairfax Climate Action Committee. She supported the renewal of the sales tax measure". She noted the Chamber of Commerce adopted a resolution in support of looking at all flood detention basin options including Lefty Gomez Field.

David Haskell discussed the floods of 1982 and 2005, discussed the inception of the Flood Zone 9 District, flood mitigation plans, and spoke in support of the need for detention basins and cleaning out channels. He supported looking at all flood mitigation options.

Mayor Goddard stated she would like staff to bring back a plan regarding reconvening the Affordable Housing Committee.

#### Presentations

1. Water conservation and energy efficiency home visits- Rising Sun Energy Center

Ms. Grace Durante, representing Rising Sun Energy Center, gave a Powerpoint presentation.

#### Consent Calendar

2. **Acceptance of Fiscal Year 2014-15 Audited Financial Statements- Finance Director**
3. **Accept Financial Statement and Disbursement Reports March 2016- Finance Director**
4. **Approval of minutes for the April 6, 2016 Town Council meeting - Town Clerk**
5. **Approval of amendment to the agreement with Wayne Bush for capital project management services in an amount not to exceed \$20,000- Town Manager**
6. **Approval of Town sponsorship of Temporary road and parking lot closure for the Fairfax Festival and Parade on June 11 and 12, 2016- Town Clerk**
7. **Endorse Measure AA San Francisco Bay Clean Water, Pollution Prevention, and Habitat Restoration Program- Councilmember Coler/Climate Action Committee**
8. **Receive Preliminary Operating and Capital Improvement Budget for FY 16-17- Town Manager**
9. **Authorize the Town Manager to sign Amendment to extend Agreement to provide Dispatch services to the Marin Community College District- Police Chief**

Councilmember Coler asked for the removal of item #2 for discussion.

There was no public comment.

M/S, Coler/Lacques, Motion to approve the Consent Calendar with the removal of item #2 for discussion and a correction to the April 6, 2016 minutes.

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

## **2. Acceptance of Fiscal Year 2014-15 Audited Financial Statements- Finance Director**

Finance Director Vivrette discussed the audit results and noted the Town received a "clean" opinion from the auditors that the Financial Statements are free from any material misstatements. He noted that the town's negative fund balance was due to a new rule requiring towns to report and account for unfunded pension liabilities on the actual balance sheets, in addition to changing actuarial assumptions and methods for how the balance is calculated.

Councilmember Coler had questions about the impacts of Governmental Accounting Standards Board (GASB) Pronouncements #68 and #71 (regarding unfunded pension liabilities).

Ms. Katherine Yuen, representing Maze and Associates, discussed the implications of GASB #68 and #71 and stated it was purely a change in the reporting requirements.

In response to Councilmember Lacques' question, Mr. Vivrette stated that this would not affect the town's credit worthiness, as it was being applied nationally.

There was no public comment.

M/S, Coler/Reed, Motion to accept the Fiscal Year 2014-15 Audited Financial Statements.

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

## Regular Agenda

### **11. Adopt a resolution authorizing the issuance and sale of Town of Fairfax 2016 General Obligation Refunding bonds to refinance the Town of Fairfax 2006 General Obligation Bonds for the purpose of maximizing savings to taxpayers- Finance Director, Town Manager**

Town Manager Toy presented a staff report.

Mr. Brian Quint, the Town's bond counsel, stated the documents had been changed to simplify the transaction. Refunding bonds would be issued and the proceeds would be used to pay off the old bonds. There would be an annual savings due to the lower interest rate.

Mr. Mark Pressman, municipal advisor, stated Bank of Marin had a proposed a 2.12% interest rate, and the overall proposal amounted to an annual savings of approximately \$19,000.00 with no penalty on the refinance, which means good flexibility. Mr. Pressman recommended this private placement.

There was no public comment.

M/S, Coler/Reed, Motion to adopt the resolution authorizing the issuance and sale of Town of Fairfax 2016 General Obligation Refunding bonds to refinance the Town of Fairfax 2006 General Obligation Bonds for the purpose of maximizing savings to taxpayers and direct staff to work with bond counsel and the municipal advisor on the private placement.

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

**12. Review design of Class I Bike Lane from Glen Drive to White Hill School's athletic field (Lefty Gomez) along Sir Francis Drake Blvd. to complete the Fairfax Bicycle Spine Project- Town Manager**

Town Manager Toy presented a staff report.

Mr. Andrew Lee, representing Parisi Transportation Consulting, gave a Powerpoint presentation and answered questions from the Council.

A resident asked if any local bicycle organizations were consulted about the plan and if there is a tie-in to other regional bike paths. Mr. Lee stated the outreach for this plan was done in 2012 when the entire corridor was laid out, and they received a lot of community input.

The Council took a 5-minute break at 8:37 p.m.

The Council left the dais in order to conduct the workshop and view the workshop PowerPoint presentation.

**10. Conduct a workshop to discuss/consider the extension of half-cent (0.5%) Sales Tax known as Measure D due to expire in March 2017- Town Manager, Finance Director**

Town Manager Toy laid out the timeline for placing a sales tax measure on the ballot for the November 8, 2016, election. He made a PowerPoint presentation regarding the measure.

Town Manager Toy stated that staff would present the ballot language and proposed ordinance for the Council's consideration at their June meeting. The final language would be included in the resolution calling for the election, for consideration at the July Council meeting. At either the June or July meeting, the Council could select two Councilmembers to work on the argument language.

The Council discussed the sales tax rates and time periods imposed by other jurisdictions.

A resident asked if there was an alternative to increasing taxes as a means of generating revenue to provide better services.

The Council expressed support for a quarter percent increase (to 0.75% rate) and extending the time period, but did not reach consensus regarding the time frame (10 vs. 20 years).

Mayor Goddard asked when the public could weigh in on this issue. Town Manager Toy stated at the Budget Workshop on May 20<sup>th</sup>.

The Council returned to the dais.

**Council Reports and Comments**

Councilmember Lacques reported he attended the Marin Clean Energy meeting; reported Fairfax came in 14<sup>th</sup> place out of over 700 cities in the Cool California Contest; attended the "Take Back Day" on Saturday and picked up some home-generated compost.

Councilmember Reed reported he attended the Ross Valley Paramedic Authority meeting; the Ross Valley Fire Board meeting; the MCCMC meeting; the Transportation Authority of Marin (TAM) meeting; the Finance Committee meeting; an Earth Day demonstration project;

Councilmember Coler reported she attended the Marin Clean Energy Contracts ad hoc committee meeting; the Fairfax Climate Action Committee meeting; the MCCMC meeting; the Community Media Center of Marin Board meeting; served as a judge for a speech tournament for middle school students; the fundraiser for the Peri Park stage.

Councilmember Weinsoff reported the Claus Park project is moving along nicely; the project at Pastori and Sir Francis Drake will be starting in several weeks; he attended the Flood Zone 9 meeting.

Mayor Goddard reported on the Take Back Day; a meeting with the Lansdale Avenue residents regarding speeding and sharing the roadway; the green infrastructure workday at the Pavilion parking lot; the Association of Bay Area Governments (ABAG) General Assembly meeting;

#### Town Manager's Report

Town Manager Toy discussed PG&E's LED Light Program and stated he would have something for the Council to approve in June. He noted he would report back to the Council in June on the timing for conversion of the interim to permanent bike racks.

M/S, Coler/Reed, Motion to adjourn the meeting at 10:13 p.m. in memory of Jory Prum, Diana Morin, and Daniel Barrigan.

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

Respectfully submitted,

Toni DeFrancis  
Recording Secretary