

Fairfax Town Council Minutes  
Regular Meeting  
Fairfax Women's Club  
Wednesday, May 3, 2017

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  
Michael Vivrette, Finance Director  
Janet Coleson, Town Attorney  
Katy Wisinski, Assistant Town Attorney  
Linda Neal, Principal Planner  
Sean Kennings, Contract Planner

Mayor Reed called the Regular meeting to order at 7:10 p.m.

Approval of Agenda and Affidavit of Posting

Councilmember Coler asked that items #6 and #7 be heard prior to the Public Hearing.

Councilmember Lacques suggested continuing item #7 to the next meeting.

M/S, Lacques/Coler, Motion to approve the agenda and the affidavit of posting, with the continuation of item #7, and hearing item #6 before item #5.

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

Announcements

Mayor Reed made the announcements as they appeared on the agenda. Councilmember Coler reported there were 18 spots available for the Marin Clean Energy Deep Green Program. Councilmember Goddard reported it was Bike Month: May 10th was bike to school day and May 11th was bike to work day.

Open Time

Ms. Mallory Geitheim, Willow Avenue, stated she had a list of about 40 people who would like a dog park in Fairfax.

Ms. Jody Timms, Fairfax representative to the Commission on Aging, presented the Age Friendly Fairfax Community Assessment and Strategic Action Plan. The document represents three years of work.

Mr. Lon Peterson, representing the Marin Municipal Water District, shared some upcoming events and meetings.

Councilmember Weinsoff reported he would not be seeking re-election and that it had been a privilege to have served on the Council for 12 years. The Mayor and Council thanked him.

#### Consent Calendar

1. **Accept Financial Statement and Disbursement Reports March 2017 - Finance Director**
2. **Approval of minutes for the March 2017 Town Council meeting- Town Clerk**
3. **Approve Town sponsorship of temporary road and parking lot closure for the Fairfax Festival and Parade on June 10 and 11, 2017- Town Clerk**
4. **Amend an agreement with Municipal Resources Group to increase the not-to-exceed amount for project management services by \$15,000- Town Manager**

Mayor Reed opened the public comment and seeing none, closed it.

M/S, Weinsoff/Goddard, Motion to approve the Consent Calendar with a correction to the March 2017 Council minutes.

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

#### Presentation

##### Ross Valley Healthy Community Collaborative (RVHCC) report on activities

Ms. Bridget Clark, Coordinator for RVHCC, gave a PowerPoint presentation and reported on recent activities and future plans.

#### Council Reports and Comments

Councilmember Weinsoff reported Flood Zone 9 was meeting in two weeks for a CEQA scoping session and he encouraged everyone to attend. He reaffirmed his support for detention basins, and noted that the downtown was currently serving as one.

Councilmember Coler reported she attended the Marin Telecommunications Agency Board meeting; the Marin Clean Energy Board meeting; several MCCMC meetings; a County wide Community Development Block Grant meeting; a Countywide Assessment of Fair Housing Committee meeting; an environmental meeting hosted by Congressman Jared Huffman; several Community Media of Marin meetings.

Councilmember Lacques reported he attended the Climate Action Committee meeting.

Councilmember Goddard reported she attended the Chamber of Commerce monthly meeting; a Ross Valley School District Board meeting; an MCCMC meeting regarding homelessness; helped with "Take Back Day"; attended the Marin Organizing Committee's event "Yes, in My Backyard".

Mayor Reed reported he attended the Ross Valley Paramedic Authority meeting; several Ross Valley Fire Board meetings; several Chamber of Commerce events; the event hosted by Congressman Huffman; an MCCMC meeting; a Transportation Authority of Marin (TAM) meeting.

## Town Manager's Report

Town Manager Toy reported the Town had declared a local emergency for three roads in Town: Tamalpais, Madrone Road, and Forrest Avenue. Staff was close to completing the design phase, had another check-in with FEMA, and will get estimates for the road improvements.

## Regular Agenda

6. Second Reading by Title Only and Adoption of an Ordinance Changing the Regular Election from November of Odd-Numbered Years to the Statewide General Election in November of Even-Numbered Years and Amending Chapter 2.04 of the Fairfax Town Code Pertaining to Municipal Elections and decreasing the term of each municipal officer to be elected in 2017 and in 2019 by 12 months to transition the election schedule- Town Manager

Town Manager Toy presented the staff report. There were no questions from the Council, but Councilmember Coler made a statement regarding her reasons for voting against the ordinance, noting that the vast majority of agencies in Marin had extended their terms for one year, and stating that holding elections in 2017 and 2019 for 3-year terms was fiscally irresponsible.

M/S, Lacques/Goddard, Motion to waive the second reading and read by title only and adopt the Ordinance Changing the Regular Election from November of Odd-Numbered Years to the Statewide General Election in November of Even-Numbered Years and Amending Chapter 2.04 of the Fairfax Town Code Pertaining to Municipal Elections and decreasing the term of each municipal officer to be elected in 2017 and in 2019 by 12 months to transition the election schedule.

AYES: Goddard, Lacques, Weinsoff, Mayor Reed

NOES: Coler

## Public Hearings

5. Consideration of the proposed 54 unit Victory Village Affordable Senior Housing Project Located at 2626 Sir Francis Drake Boulevard through the proposed adoption of three (3) Resolutions approving and adopting a Mitigate Negative Declaration and Mitigation Monitoring Program, General Plan Amendment, a Parcel Map, Density Bonus, Design Review Permit, Traffic Impact Permit, and Excavation Permit; and introduction, waiver of First reading, and reading by title only an Ordinance of the Town Council of the Town of Fairfax Amending Fairfax Town Code Chapter 17.012, Adding a New Chapter 17.090 (RM-S Multi-Family Residential- Senior), and Amending the Town Zoning Map; and authorizing to enter into agreements governing Project approvals. The Planning Commission recommended approval of the Project on April 20, 2017. CEQA has been conducted through preparation of a Mitigated Negative Declaration and Mitigation Monitoring Program, per CEQA Guidelines Section 15070(b)(2).

Councilmember Coler recused herself from this item since she lives adjacent to the project, and left the chambers at 8:15PM.

Town Manager Toy presented an introductory staff report.

Contract Planner Kennings presented a staff report and PowerPoint presentation. He answered questions from the Council.

Assistant Town Attorney Wisinski presented a report on the documents for review tonight.

Mayor Reed opened the Public Hearing.

Ms. Alicia Klein, Senior Project Manager for Resources for Community Development (RCD), stated RCD was selected by Christ the Victor Church five years ago to create a vision and a legacy for the community. She gave a PowerPoint presentation about the project and answered questions from the Council.

Mr. Rick Williams, Project Architect, discussed the design. His PowerPoint presentation included the existing site, the proposed site plan, the proposed building plan, landscape concept, frontage improvements including utilities and drainage, proposed elevations, sustainability features, and more. He discussed the recent changes made to the plan including the entry elevation and the height change.

Ms. Lisel Blash, Fairfax, thanked staff, the Planning Commission, and the Council for doing the hard work to do the right thing. Victory Village is the right project at the right time, and Fairfax is the right place.

Ms. Kiki LaPorta, Glenn Drive, agreed with the comments made by the previous speaker. She read a letter from the League of Women Voters in support of the project.

Mr. Bob Pendoley, speaking on behalf of the Marin Environmental Housing Collaborative, stated the group supported affordable housing that respected the environment and promoted social justice. Victory Village lives up to these values.

Ms. Esther Statler, representing the Marin Organizing Committee (MOC), stated they support Victory Village. She noted there was a dire need for affordable housing in Marin County.

Mr. John Cook, Alhambra Circle, supported the project. He acknowledged he would be impacted by the project (dust and noise) but stated he could live with it.

Ms. Jennifer Rienks, Fairfax, thanked the Council for the transparent process.

Mr. Tony Gardner, Bothin Road, supported the project and asked the Council to approve it.

Mr. Larry Bragman congratulated the Council for getting this far and doing the special zoning. He believed the "right of first refusal" provision needed to be recorded as a Condition of Approval of the Rezoning, and assignable.

Ms. Miriam Weinstein, Oak Tree Lane, was very happy about the green building aspects of the project. She hoped for Fairfax preferences.

Ms. Silver Clark, Cascade Drive, thanked the Council and staff for putting forth this beautiful facility.

Mayor Reed closed the Public Hearing.

The Council took a 5-minute break at 10:05 p.m.

Assistant Attorney Wisinski made clarifying comments regarding some of the public testimony.

M/S, Weinsoff/Goddard, Motion to adopt Resolution #17-09, approving a Mitigate Negative Declaration and adopting a Mitigation Monitoring and Reporting Program; adopt Resolution #17-

10, approving a General Plan Amendment for the Victory Village Senior Housing Project at 2626 Sir Francis Drake Boulevard; introduce and waive first reading and read by title only Ordinance No. 808, an Ordinance of the Town Council of the Town of Fairfax Amending Fairfax Town Code Chapter 17.012, Adding a New Chapter 17.090 (RM-S Multi-Family Residential- Senior), and Amending the Town Zoning Map; adopt Resolution #17-11, approving a Parcel Map, Density Bonus, Design Review Permit, Traffic Impact Permit, and Excavation Permit for the Victory Village Senior Housing Project at 2626 Sir Francis Drake Boulevard; and authorize the execution of project agreements, and approve the staff recommended changes to the Conditions of Approval.

AYES: Goddard, Lacques, Weinsoff, Mayor Reed

RECUSED: Coler

7. Discuss the concept of a Fair Housing Ordinance- Town Manager

Mayor Reed noted this item had been continued.

Mayor Reed adjourned the meeting at 11:00 p.m.

Respectfully submitted,

Toni DeFrancis  
Recording Secretary