

DRAFT Fairfax Town Council Minutes
Regular Town Council Meeting
Fairfax Women's Club
Wednesday, **August 2**, 2017

The regular meeting was preceded by a Closed Session from 5:45 p.m. to 6:30 p.m.

Public Employee Performance Evaluation pursuant to Government Code Section 54957:

Title: Town Attorney

Mayor Reed called the Special meeting to order 6:30 p.m.

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
Ben Berto, Planning Director
Michael Vivrette, Finance Director

Interviews and Appointments

1. Interview and Appointment of applicant to FOSC youth position- *Town Clerk*

The applicant was unable to attend the meeting.

2. Interview and Appointment of applicant to the FOSC vacancy- *Town Clerk*

The Council interviewed and appointed Mr. Chris Borjian to the Fairfax Open Space Committee.

Mayor Reed called the Regular meeting to order at 7:00 p.m.

Approval of Agenda and Affidavit of Posting

M/S, Coler/Goddard Motion to approve the agenda and Affidavit of Posting.

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

Announcement of Closed Session Action

Mayor Reed announced there was nothing to report.

Introduction of New Planning and Building Services Director Ben Berto

The Council welcomed Mr. Ben Berto. Mr. Berto stated he looks forward to working with the Council, Planning Commission, and staff.

Announcements

Mayor Reed made the announcements as they appeared on the agenda. Councilmember Goddard announced that the Streets for People Event will be held on Sunday, August 27th on Bolinas Road from 10:00 a.m. to 4:00 p.m. She will be speaking on a panel regarding civil discourse on August 17th. Councilmember Coler reported there were nine spots remaining in Marin Clean Energy Deep Green Fairfax Incentive Program.

Open Time

Mr. Sierra Salin spoke about community and family.

Ms. Linn Walsh, Dominga Avenue, stated there was a major PG&E gas line project on Dominga and wondered if the street could handle the traffic load from the Streets for People event.

Mr. Frank Egger, Meadow Way, stated he was concerned that the Town Attorney was not a Fairfax employee and therefore her performance evaluation should not be done in Closed Session. He asked if Public Hearing Item #5 was discussed in Closed Session. Councilmember Weinsoff stated "no". Town Attorney Coleson stated the Government Code allows the evaluation of an appointed Town Attorney to be discussed during Closed Session.

Mr. Ray Moritz, Pine Drive, stated he had submitted a Wildland Fuels and Fire Behavior Analysis of Cascade Canyon funded by Fire Safe Marin and had not received a response. He stated he believed an evacuation plan for the canyon was needed.

Ms. Annie Schafer, Dominga Avenue, stated the PG&E work would continue on Dominga through October.

Mr. Ross Asselstein, San Anselmo, agreed with Mr. Moritz about the need for evacuation plans.

Ms. Gina Farr, Forrest Avenue, stated there was a need for an evacuation plan for Forrest Avenue, and she was concerned that a fire hydrant had been out of service since March. She stated that the Town was focused on fixing the Forrest Avenue roadway and not the landslide.

Mr. Doug Smith, Forrest Avenue, was concerned Forrest Avenue would not be fixed before the rainy season.

Ms. Valerie Hood, Dominga Avenue, discussed the issue of fire danger and stated the emergency pathways were not noticed. The area is experiencing high temperatures.

Ms. Deborah Benson, Cascade Drive, asked if the bid for Forrest Avenue included fixing the slide. She had questions about the Town's budget.

Ms. Cheryl Gould, Bolinas Road, was concerned about a fire in Fairfax.

Ms. Kiki La Porta, Glenn Drive, requested a key to the open space gate at the end of her road, as part of an evacuation plan. She stated this was done in Sleepy Hollow.

Mr. Michael Mackintosh introduced Buttercup the snake, who was draped around his neck.

Consent Calendar

1. Accept Financial Statement and Disbursement Reports June, 2017- Finance Director

2. Approval of minutes for the May 3, 2017 Town Council meeting- *Town Clerk*
3. Adopt a resolution setting the living wage pursuant to the annual review requirements of Section 8.56.020 of the Town Code- *Finance Director*
4. Adopt a resolution amending the Debt Management Financial Policy- *Finance Director*

Councilmember Coler noted an incorrect date in item #4 on the first page of Exhibit A.

Councilmember Weinsoff noted there was an addendum to item #2.

M/S, Coler/Goddard, Motion to approve the Consent Calendar with the correction made by Councilmember Coler and the addendum to item #2.

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

Council Reports and Comments

Councilmember Weinsoff reported all of his committees had gone dark for the summer.

Councilmember Coler reported she attended "Give Back Tuesday" (for the Fairfax Volunteers) at Iron Springs; the Marin Clean Energy Board meeting; a dedication for former County Supervisor Pete Arrigoni at the Fairfax Library; a Community Media Center of Marin Board meeting; the Fairfax Age Friendly Task Force meeting;

Councilmember Lacques reported he attended a Finance sub-committee meeting; a screening of "Fractured Lands" sponsored by Sustainable Fairfax.

Councilmember Goddard reported PG&E had program that sends interns to households to change light bulbs to LED, install water-saving devices, etc.; she attended the Hazardous Waste Task Force meeting; met with the representatives of the Farmer's Market; went to the dedication for former Supervisor Arrigoni; the "Give Back Tuesday" night at Iron Springs; a Cascade Neighborhood Disaster Preparedness meeting.

Mayor Reed reported he met several times with the North Bay Conservation Corp.; attended the Volunteer Board meeting; the Chamber of Commerce meeting; the Finance sub-committee meeting.

Town Manager's Report

Town Manager Toy reported the Forrest Avenue project went out to bid on July 20th with the bid opening scheduled for August 10th. Staff applied to the Federal Highway Administration for emergency relief funds but had not heard back. The estimate for the Tamalpais roadwork far exceeds the thresholds for FEMA so the Town will be bidding out this project. The Madrone Road work is under the threshold and the Town received only one bid from a contractor. Staff is talking to FEMA about whether or not this project should go out to bid. PG&E is still working on the project to switch out the street lights to LED.

The Council took a 10-minute break at 8:10 p.m.

Public Hearing

13. Initiative measure "Amending Town General Plan to Prohibit Land Uses That Adversely Affect Community Recreation Sport Fields, Including Lefty Gomez Field, Without Voter Approval". As part of the consideration and discussion, the Council will:

- a. Receive a 9212 Elections Report analyzing the effects and impacts of the Initiative Measure on the Town; and
- b. Accept certification of the Initiative Petition; and
- c. Adopt a resolution to either adopt the measure without alteration or call for an election to submit the measure to the voters at the November 7 regular election- *Town Manager and Town Clerk*

Town Manager Toy and Town Clerk Gardner presented staff reports.

Town Attorney Coleson gave a staff report on the 9212 Elections Report.

Staff answered questions from the Council.

Mayor Reed opened the Public Hearing.

Mr. Michael Macintosh stated the title of the case cited by Town Attorney Coleson was "The Park at Cross Creek vs. Malibu". He stated the velocity of flood water needed to be reduced in order to reduce the amount of water during a flood. People want to know what they are getting with their Flood Tax Revenue.

Mr. John Simmons, Fairfax, stated people should have a voice, and he understood the initiative to be specific to recreational fields.

Ms. Norma Fragoso discussed flooding in her neighborhood last winter. She stated the petition was ill-conceived and not consistent with existing laws, and she did not support it.

Ms. Sabrina Simmons stated the initiative was not a debate about detention basins. Flood Zone 9 has been ineffective in achieving any goals.

Mr. Bruce Ackerman, Valley Road, stated the sirens went off three times last winter and he thought the Town was not protected. Frequent and extreme winter storms will continue and they needed to address how to avoid flooding. He supported the Town and Flood Zone 9 fully evaluating the options before making a decision.

Mr. Berkeley Bouleheim stated supporters of the initiative wanted the flooding problem solved in an effective way.

Mr. Sierra Salin stated who owns the land was important. He agreed with everybody on all sides.

Ms. Diane Hoffman stated she lived in a flood zone. She opposed spending hundreds of thousands of dollars on consultants. The petition represented citizens who want to participate in what happens in Town.

Mr. Mike VanMeter, Shadow Creek, agreed with Ms. Hoffman. He thought Councilmember Weinsoff should not be allowed to vote on this issue.

Ms. Valerie Hood stated the Council should defend local interests. Overbuilding of properties in Town has exacerbated the flooding problem.

Ms. Flora Schneider stated real solutions solve problems and do not create any. She would like to see a rain garden on every property and more permeable surfaces.

Ms. Kyle Redford, Shadow Creek Court, resented that the initiative had been framed in a

condescending way- the supporters shared the concerns about flooding. She had no trust in what had gone on so far in terms of missed opportunities and payments to consultants.

Ms. Roberta Anthes, Snowden Lane, had a question about the 2007 Resolution (No. 2474) regarding the Town joining Flood Zone 9.

Ms. Stephanie Burns, Mountain View, stated the process was disturbing. Stakeholders should be considered in any construction project.

Mr. David Haskell, Glenn Drive, stated he gained a lot of knowledge from reading the 2008 Fairfax Flood Plan which calls for detention basins for 100-year floods. He believes in a participatory process.

Ms. Rebecca Collins, Monte Vista Road, stated she did not feel comfortable with the initiative because it narrows the Town's options. They needed to maintain flexibility.

Ms. Gina Farr stated some people did not want a broader discussion in the community.

Mr. Frank Egger, Meadow Way, stated flooding in downtown Fairfax was caused, in part, by culverts that are too small and the extension of the Town Hall building. The petition protects the Town's limited sports fields.

Lisel, Pacheco Avenue, stated she had to evacuate three times last winter. She discussed climate change and the need to be prepared for the long-term. The initiative should go to the ballot for a vote.

Ms. Laura Miway, Maiden Lane, stated the Sunnyside Nursery property was going to be a detention basin, two blocks from Lefty Gomez Field, and both in Fairfax. She questioned why all the detention basins being discussed were in Fairfax, and why Fairfax should bear all the risk for the entire Ross Valley.

Mr. Larry Bragman discussed the 2007 resolution and noted it requested a reservation of rights to review any project- this was rejected by the County. The Council adopted a resolution in accord with the County's response. This initiative was not the same thing and it should be put on the ballot.

Mr. Ross Asselstine, San Anselmo, stated the Flood Zone 9 process had been backwards- it should have been planning and advisement first and then engineering tied to that. The question that should have been asked initially is: Do we want our playgrounds dug up?

Mr. Marc Hammerman, Fairfax, stated the initiative took no position on detention basins- it called for a vote. He urged the Council to adopt the initiative tonight.

Ms. Lisa Tormey, San Anselmo, stated that solving flooding is one of the most important public safety issues. She stated they must consider what would happen to the communities downstream. She stated the Council should not move forward with the initiative.

Ms. Kiki La Porta, Glenn Drive, stated they must not foreclose options for the future. She would support putting the measure on the ballot.

Ms. Deborah Benson stated this was about the right to vote and she urged the Council to listen to the voice of the people.

Ms. Mallory Geitheim, Willow Avenue, stated the residents should have the right to vote. She

asked about other solutions to flooding, such as walls and dykes.

Mayor Reed closed the Public Hearing.

M/S, Coler/Goddard, Motion to receive, file and accept the Certificate of Sufficiency of Initiative Petition from the Town Clerk, and receive and file the report on the effects and impact the Initiative Measure "Amending Town General Plan to Prohibit Land Uses That Adversely Affect Community Recreational Sports Fields, Including Lefty Gomez Field, Without Voter Approval" has on the Town pursuant to California Elections Code Section 9212, and adopt a Resolution to adopt Measure without alteration- A Resolution of the Town Council of the Town of Fairfax adopting an Initiative Measure Amending the Town of Fairfax General Plan to Prohibit Land Uses that Adversely Affect Community Recreational Sports Fields including Lefty Gomez Park without voter approval in lieu of calling election for said purpose pursuant to Elections Code Section 1295.

AYES: Coler, Goddard, Weinsoff, Mayor Reed

ABSTAIN: Lacques

M/s, Coler/Lacques, move to continue agenda items #6 and #7 with the provision that staff bring back the ordinance for #7 including the Amnesty Provisions.

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

The Council took a 10-minute break at 11:05 p.m.

M/s, Coler/Lacques, move to waive the 11:30 p.m. rule.

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

Workshop

6. Discuss/consider preliminary concepts for design of Parkade and traffic circulation in the downtown- Town Manager

Mayor Reed noted this item was continued.

Regular Agenda

7. Discuss an ordinance to bring the Town Code pertaining to Accessory Dwelling Units (formerly residential second units and junior second units) into compliance with new State Regulations; CEQA categorically exempt per Section 15300.1, and Statutory Exemptions, Public Resources Code Section 21080.15(b)(15) and 21080.17- Town Manager

Mayor Reed noted this item was continued.

8. Discuss/consider response to Marin Civil Grand Jury Report: *Marin's Retirement Health Care Benefits*- Town Manager

Town Manager Toy presented the staff report.

There were no questions or comments from the Council.

M/s, Goddard/Coler, move to approve the response to Marin Civil Grand Jury Report: *Marin's Retirement Health Care Benefits*

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

9. Discuss/consider response to Marin Civil Grand Jury Report: *The Budget Squeeze; How Will Marin Fund its Public Employee Pensions?*- Town Manager

Town Manager Toy presented the staff report.

Councilmember Coler stated she would work with staff on a cover letter regarding some of the assumptions made by the Grand Jury.

M/s, Coler/Goddard, move to approve the response to Marin Civil Grand Jury Report: *The Budget Squeeze; How Will Marin Fund its Public Employee Pensions* with the caveat that staff work with Councilmember Coler on the cover letter.

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

10. Approve revised response to Marin Civil Grand Jury Report: *Overcoming Barriers to Housing Affordability*- Town Manager

Town Manager Toy presented the staff report.

M/s, Goddard/Lacques, move to approve the revised response to Marin Civil Grand Jury Report: *Overcoming Barriers to Housing Affordability*.

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

M/S, Coler/Goddard, Motion to adjourn the Council meeting at 11:35 p.m. in memory of Ross Valley Fire Fighter Chris Mahoney, Ms. Karen Schwin, and Ms. Joan Fong.

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

Respectfully submitted,

Toni DeFrancis
Recording Secretary

DRAFT Fairfax Town Council Minutes
Regular and Special Town Council Meeting
Fairfax Women's Club
Wednesday, September 6, 2017

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

Conference with Labor Negotiator pursuant to Government Code Section 54957.6 Agency designated representative: Garrett Toy, Town Manager; Employee Organizations: SEIU Local 949 Miscellaneous Unit, Police Officers Association and Unrepresented Management Employees

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

Call to Order/Roll Call: Mayor Reed called the regular and special meetings to order, opening them concurrently.

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
Amanda Charne, Assistant Town Attorney

Approval of Agenda and Affidavit of Posting

M/S, Coler/Lacques, Motion to approve the agenda, to place the Special Meeting item after Regular Agenda item #18 and before #19, and to move the Town Council and Town Manager Reports to the end of the agenda.

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

Announcement of Closed Session and Special Meeting Action

Mayor Reed stated the Council gave direction to staff during the Closed Session.

Announcements

Mayor Reed read the announcements as they appeared on the agenda. Councilmember Coler announced there were four spots left for Fairfax residents in the Marin Clean Energy Deep Green Incentive Program. Councilmember Goddard announced Sustainable Fairfax would be hosting two films on Friday, August 15th in the Women's Club. The Live Water Surf Shop would be hosting a film on the Contratti Ball field on August 16th. Councilmember Lacques stated the Golden Gate Electrical Vehicle Association will be meeting on Saturday, September 9th at the Bon Air Center from 10:00 a.m. to 3:30 p.m.

Open Time

An individual, representing a group, read a letter requesting the Council's position on charter schools in the Ross Valley School District, and asking the item be added to a future agenda.

Mary Beth, Dominga Avenue, announced the Fairfax Community Church will be co-sponsoring an event in support of refugees on September 20th from 6:00 p.m. to 8:30 p.m. at the church.

Ms. Cindy Swift, Fairfax CERT Coordinator, stated September was National Preparedness Month. She discussed the CERT Program and stated upcoming classes would be held on October 14th and 21st in Nicasio and on November 11th and 12th at the College of Marin.

Mr. Robert Sandusky, Toyon Road, stated Toyon Road and Oak Road need to be repaved. The potholes are dangerous to drive through.

Mr. Jane Richardson, Madrone Road, asked the Council to require that individuals giving testimony be required to state their name and what town they live in.

Mr. John Fitzpatrick stated there was a need for more parking in Fairfax and suggested the Town buy the lot for sale next to the Bicycle Museum, and make it a public parking lot. He suggested stop sign should be installed at the intersection of Dominga and Napa.

Mr. Richard Applebaum, Woodland Avenue, stated he recently attended a Cascades neighborhood meeting with Ross Valley Fire chief meeting to learn about fire hazards and safety. They discussed a report prepared by Mr. Ray Moritz for "Fire Safe Marin". He was concerned that there is only one way in and one way out of the Cascades. He asked for a response from the Town Council.

Ms. Jody Timms, Fairfax representative to the Commission on Aging, gave a status report and discussed the Fairfax Assessment and Community Plan prepared by the task force. She reported the Age Friendly Fairfax Forum would start on Friday, September 22nd, in the Women's Club, from 11:15 a.m. to 12:15 p.m.

Ms. Kathy Flores, Claus Circle, asked about the status of the project across the street from the Bicycle Museum (former gas station). Town Manager Toy stated the property owner had hired a new contractor and planned to open as soon as possible.

Ms. Flora Schneider, Fairfax, stated she suffered from the scent of her neighbor's laundry detergent and other chemicals. She asked for the Council's help in educating the public about chemical sensitivity.

Ms. Deborah Benson, Cascade Drive, discussed the fire danger in the Cascades and stated that bamboo and private steps are blocking the public path from Cascade to Pine Drive. There is also a new fence and 2 barking dogs, and a car parked across the entrance to the path.

Mr. Mark Bell, Dominga Avenue, stated the noise from Peri's Bar is still a problem because the back door is not always closed. He stated that Peri's was supposed to have an employee watching that door. He was concerned that the police noise readings were not accurate due to calibration issues. He would like the Town to revisit its noise policy.

Ms. Ling Shien Bell, Dominga Avenue, stated the music at the Farmers Market and Streets for People event was too loud. She requested amplified music should be limited to indoors.

Consent

1. Accept Financial Statement and Disbursement Reports July 2017- Finance Director
2. Acceptance of Fiscal Year 2015-16 Audited Financial Statements- Finance Director
3. Approve minutes for the June and July 2017 Town Council meetings- Town Clerk
4. Appoint applicant to FOSC youth position and modify youth appointment process- Town Clerk
5. Appoint Scott Hochstrasser to a second 4-year term on the Affordable Housing Committee- Town Clerk
6. Adopt a proclamation naming September Prostrate Cancer Awareness Month- Town Clerk
7. Adopt a proclamation naming September Pain Awareness Month- Town Clerk
8. Receive status report on the Town's efforts to repair damage caused by the winter storms- Town Manager
9. Authorize Mayor Reed to send a letter in opposition to SB 35 "Affordable Housing: Streamlined Approval Process- Town Manager
10. Authorize Mayor Reed to send letters in support of SB 2 "Building Homes and Jobs Act and SB 3 "Affordable Housing Bond Act of 2018"- Town Manager
11. Authorize support of SB 242 "Property Assessed Clean Energy (PACE) Program: Program Administrator- Councilmember Coler

A request was made for item #2 to be pulled and placed after the Budget Summary report.

Mr. Stan Rosenfeld, Rally Court, thanked the Council for the Proclamation naming September Prostate Cancer Awareness Month. He discussed the ease of prevention by a simple blood test.

M/S, Coler/Lacques, Motion to approve the Consent Calendar with the removal of item #2 to be heard after the Budget Summary Report.

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

Presentations

Ross Valley Watershed Flood Risk Reduction Program Update

Mr. Tony Williams and Ms. Tanya Redfield, representing the Marin County Flood Control and Water Conservation District, gave a PowerPoint presentation about Flood Zone 9- the Ross Valley Watershed Flood Risk Reduction Program. They answered questions from the Council.

Mr. James Riley, representing Stetson Engineering, (and a Fairfax resident) discussed the models that were developed to help evaluate projects. He discussed the pros and cons of some projects including detention basins, including the removal of the Sherman culvert under downtown. He showed a video simulation of the flood path in Fairfax with and without a Sunnyside detention basin. He answered questions from the Council.

Mr. Frank Egger, Meadow Way, stated he was opposed to the Ross Valley Flood Zone 9. He

stated detention basins would not prevent a flood in downtown. He supported enlarging the culvert under Sherman Avenue and dredging and clearing debris out of the creek.

Mr. Michael Macintosh stated he was not pleased with Flood Zone 9's progress, and the way they look at doing everything at once instead of accomplishing many small projects.

Ms. Diana Perdue, Scenic Road, had questions about a detention basin at the former Sunny-side Nursery site. Flooding in the downtown area always comes down to an unexpected event such as a culvert being full. She supported doing small projects, such as creek dredging.

Ms. Norma Fragoso, Meernaa Avenue, stated she had water up to her knees at her house last January and February. She encouraged the Council to continue on the path they have been on with the County- the approach is rationale.

Ms. Linn Walsh, Dominga Avenue, stated she wondered how expanding the Sherman Avenue culvert would impact the properties right on the creek just downstream as well as upstream from the point the culvert drains in to the creek. A balanced approach is wise.

Ms. Flora Schneider stated she agreed that doing smaller projects such as raingardens on every property.

Jamie, Scenic Road, asked how compatible these projects would be with the restoration of the steelhead population.

Supervisor Katie Rice stated they need to address the chronic flooding issues in the Ross Valley through a balanced and incremental approach.

Town Manager Toy recommended the Council continue the Public Hearing Items to the October meeting, due to the late hour.

M/S, Coler/Lacques, Motion to continue the Budget Summary Report, items #13, #14, #15, and the Town Council and Town Manager Reports to the October meeting.

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

2. Acceptance of Fiscal Year 2015-16 Audited Financial Statements- Finance Director

Town Manager Toy presented a staff report.

The Town's auditors Maze and Associates Accountancy Corp. stated the Town received a 'clean' audit- the Financial Statements were materially correct and there were no major errors. They discussed the new GASBY requirement to show the town's pension obligation in its statement of net position, and how this appeared to put the Town in a negative position. They answered questions from the Council.

Ms. Deborah Benson asked why the Town had borrowed \$500,000 instead of using its reserves. Finance Director Vivrette replied the loan was for capital projects such as road repair, not for the regular operating expenses. He also noted that the \$500,000 was in the current fiscal year's budget (F17-18), not the fiscal year that was audited (FY15-16). The \$500,000 was necessary this year for the projected \$900,000 in storm-related repairs.

M/S, Coler/Weinssoff, Motion to accept the Fiscal Year 2015-16 Audited Financial Statements.

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

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

Budget summary report- Town Manager, Finance Director

Mayor Reed stated this item was continued to the October meeting.

M/S, Coler/Goddard, Motion to hear item #16 prior to item #12.

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

16. Discuss/consider residents' petition regarding repair and repavement of Scenic Road-
Town Manager

Bruce and Lynne McDermott, Ridge Road, who had submitted the residents' petition to repair Scenic Road, stated the Town should keep roads safe and in good condition.

The Council noted that they had adopted a pavement management plan that included the repavement of portions of Scenic Road.

Workshop

12. Discuss/consider preliminary concepts for design of Parkade and traffic circulation in the
Downtown- Town Manager

Town Manager Toy presented a staff report, and emphasized that the Town Center Plan and closure of Bolinas Road were off the table.

Mr. Matt Taecker, Taecker Planning and Design, gave a PowerPoint presentation and discussed options for near-term improvements the Parkade, with a view to the longterm.

Mr. Andrew Lee, Parisi Transportation Consulting, presented cost estimates for the improvements. He noted they were conservative estimates, and that without a site survey, they did not know what was below the surface, including the location of some utilities.

Mr. Taecker and Mr. Lee answered questions from the Council.

Ms. Mallory Geitheim, Willow Avenue, asked if the sloped wall along Broadway and the Parkade could be made into a straight retaining wall. She did not support a plastic bus shelter or removing one lane on Broadway.

Ms. Wendy Kallins, Safe Routes to Schools, stated that since 2000 the group had expressed concern about the Claus intersection and the Parkade. She supported long-term planning and adding a bike lane.

Ms. Jane Richardson, Madrone Road, supported car commuters as well as pedestrian and bicycle traffic.

Mr. Richard Applebaum, Woodland Avenue, agreed with Ms. Richardson. He did not support removing one lane on Broadway.

Ms. Jessica Green did not support what the consultants presented.

Ms. Annie Schaefer, Dominga Avenue, supported narrowing the south side lane on Broadway and installing bulb outs in front of Peri's and the theater, fixing the stairs to the Parkade, and addressing bikes and safety measures along Dominga instead of Broadway.

Ms. Linn Walsh, Dominga Avenue, stated any change made should not negatively impact the community. She opposed removing one lane on Broadway, and supported steps, path, ramps, levelling asphalt, curb extensions, landscaping. She supported routing bikes through Dominga instead of Broadway.

Ms. Kathy Flores, Claus Circle, supported safety improvements at the Sir Francis Drake Boulevard/Claus Drive intersection, particularly the sight lines.

Ms. Deborah Benson, Cascade Drive, asked about closing Bolinas Road.

Mr. Frank Egger, Meadow Way, asked about closing Bolinas Road. He supported safety improvements based on police and fire data.

Wendy, Fairfax, asked that accessibility of the entire area be considered, not just an ADA-compliant ramp.

Jamie asked supported improving the surface of the Parkade and getting better cost estimates.

Ms. Florence Schneider supported improvements for pedestrian and bicyclist safety, and permeable surfaces.

The Council reached consensus to maintain the existing number of lanes on Broadway. Staff was directed to bring back the item in November or December with more information on paving and leveling the surface (both permeable and impermeable); prioritizing for ADA compliance (ramp improvement vs. parking lot); pedestrian accessibility of the Parkade; and a bus shelter on either side.

Councilmember Weinsoff left the chambers at 12:46 p.m.

Public Hearing

13. Introduce and read by title only an Ordinance Amending Chapter 17.48 of the Fairfax Town Code Pertaining to Accessory Dwelling Units and Junior Accessory Dwelling Units (Formerly Residential Second Units and Junior Second Units) and Amending Chapters 17.076, 17.080, 17.084, 17.088, 17.116, 17.124 to Make Conforming Changes including Exhibit A: Proposed Town Code Chapter 17.048 to bring Town Code pertaining to Accessory Dwelling Units (formerly residential second units and junior second units) into compliance with State law- Planning Director, Town Manager

Mayor Reed stated this item was continued to the October meeting.

14. Introduce and read by title only an Ordinance of the Town Council of the Town of Fairfax Adding Section 15.040.065 "Electric Vehicle Charging Stations" to Chapter 15.04, Construction Codes, and Setting Forth Procedures for Expediting Permit Processing for Electric Vehicle Charging Stations; Class 3 CEQA Categorically Exemption- Planning Director, Town Manager

Mayor Reed stated this item was continued to the October meeting.

Regular Agenda

15. Discuss/consider presentation from Marin County Health and Human Services regarding tobacco licensing program and other smoking regulations- Town Manager

Mayor Reed stated this item was continued to the October meeting.

M/S, Coler/Lacques, Motion to suspend the 11:30 rule and to hear the rest of the agenda, including the Special meeting item #1.

AYES: Coler, Goddard, Lacques, Mayor Reed

ABSENT: Weinsoff

17. Adopt a resolution to award contract for roadway stabilization project for Tamalpais Road (approx. location 300 Tamalpais) to RWR Construction, Inc. in an amount not to exceed \$190,332- Town Manager

Town Manager Toy presented the staff report. He answered questions from the Council. There was no public comment.

M/S, Coler/Lacques, Motion to adopt a resolution to authorize the Town Manager to award contract for roadway stabilization project for Tamalpais Road (approx. location 300 Tamalpais) to RWR Construction, Inc. in an amount not to exceed \$190,332 and allocate a project contingency reserve of \$20,000 to be used by the Town Manager to cover unforeseen project costs and appropriate \$150,000 to Fund 52, Storm Recovery.

AYES: Coler, Goddard, Lacques, Mayor Reed

ABSENT: Weinsoff

18. Discuss/consider award of contract for the Tamalpais/Mountain View Pavement Rehabilitation project- Town Manager

Town Manager Toy presented a staff report. He answered questions from the Council. There was no public comment.

M/S, Lacques/Coler, Motion to adopt a resolution authorizing the Town Manager to award the contract to Maggiora & Ghilotti for the Tamalpais/Mountain View Pavement Rehabilitation Project not to exceed \$237,237 with a contingency reserve of 10% (approximately \$24,000) to be used by the Town Manager to cover unforeseen project costs.

AYES: Coler, Goddard, Lacques, Mayor Reed

ABSENT: Weinsoff

Mayor Reed noted the next agenda item was the Special Meeting item and they were running the two meetings concurrently.

1. Award Contract for roadway stabilization project for Madrone Road (approx. location 92 Madrone) to RWR Construction Inc. in an amount not to exceed \$120,035- Town Manager

Town Manager Toy presented the staff report. He answered questions from the Council. There was no public comment.

M/S, Coler/Goddard, Motion to adopt a resolution authorizing the Town Manager to award the contract to RWR Construction Inc. for the Madrone Road Stabilization Project (approximate location 92 Madrone) in an amount not to exceed \$120,035 with a project contingency of 10% (approximately \$12,000) to cover unforeseen project costs and appropriate \$72,000 to Fund 52, Storm Recovery.

AYES: Coler, Goddard, Lacques, Mayor Reed

ABSENT: Weinsoff

19. Approve responses to Marin Civil Grand Jury Report: *Public Engagement in Marin- A Pathway to Inclusive Governance*- Town Manager

Town Manager Toy presented the staff report. There was no public comment.

M/S, Goddard/Coler, Motion to approve responses to Marin Civil Grand Jury Report: *Public Engagement in Marin- A Pathway to Inclusive Governance*.

AYES: Coler, Goddard, Lacques, Mayor Reed

ABSENT: Weinsoff

Council Reports and Comments

Mayor Reed stated this item was continued.

Town Manager's Report

Mayor Reed stated this item was continued.

M/S, Coler/Reed, Motion to adjourn the Council meeting at 1:05 a.m. p.m. in memory of Ruby Elizabeth Park and Anne Barbara Kehrlein

AYES: Coler, Goddard, Lacques, Mayor Reed

ABSENT: Weinsoff

Respectfully submitted,

Toni DeFrancis
Recording Secretary