

Fairfax Town Council
DRAFT Regular Meeting Minutes
Fairfax Women's Club
April 6, 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
Brian Quint, Bond Counsel
Mark Pressman, Bond Advisor

Mayor Goddard called the meeting to order at 7:03 pm

Approval of Agenda and Affidavit of Posting

M/S, Coler/Lacques, Motion to approve the agenda and the Affidavit of Posting, with the following rearrangement of the agenda: Item #16 will be heard after item #11.

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

Announcements

Mayor Goddard made the announcements as they appeared on the agenda. She added that the Town Take-Back Day will be held on April 30th at the Pavilion parking lot from 10:00 a.m. to 4:00 p.m., to include drugs, electronic, confidential shredding; and free compost will be available to Fairfax residents. A free hands-on green infrastructure workshop will be offered on Saturday, April 23rd from 10:00 a.m. to 2:00 p.m. Councilmember Coler stated the Deep Green Incentive Program, launched on February 26th had 39 sign-ups, and encouraged residents to sign up. The Fairfax Climate Action Committee would be available on Saturday to explain and help people sign up for free energy installs in homes.

Introduction of new Town employee, Public Works Maintenance Worker John Freeman- Town Manager

The Council welcomed Mr. Freeman; Mr. Freeman expressed his pleasure to be here.

Open Time

Ms. Ling Shien Bell, Dominga Avenue, stated that at her house she heard loud music from Peri's late into the night, as well as during the day on weekends. She questioned the outdoor music in the patio area.

Mr. Mark Bell, Dominga Avenue, suggested Peri's install an automatic closing device on its back door, to mitigate the noise traveling to Dominga Avenue.

Mr. Ryan Skelsky, Sir Francis Drake Boulevard, invited the Council to an event to be hosted by "Sharefax", a Fairfax-based cannabis education group.

Presentations

1. Fairfax to San Rafael Transit Study- Transportation Authority of Marin ("TAM")

Mr. Scott McDonald, TAM Senior Transportation Planner, and Mr. Dave McClausen, consultant, gave a Powerpoint presentation.

Consent Calendar

2. **Accept Financial Statement and Disbursement Reports February 2016- Finance Director**
3. **Approval of minutes for the March 2 and 18, 2016 Town Council meetings- Town Clerk**
4. **Adopt a resolution authorizing the Town Manager to execute a revised Joint Exercise of Powers Agreement between the Town of Fairfax and the County of Marin and other member municipalities comprising the Marin County Major Crimes Task Force- Police Chief**
5. **Approval of Work Program to Develop a Draft Town Center Plan- Planning Director, Town Manager**
6. **Adopt a resolution in Support of Safe Routes to Schools- Mayor Goddard and Vice Mayor Reed**
7. **Approve the submittal of a grant application to the County of Marin for an Age Friendly Marin Mini-Grant of \$5,000- Town Manager**
8. **Approve purchase agreement with Alpha Alarm for replacement of security monitoring/recording system for Police Department and Town Hall- Police Chief**
9. **Authorize the Mayor to send a letter in support of AB1758, the Internet for All Now Act of 2016- Councilmember Coler**
10. **Approval of Town Council Goals for 2016- Town Manager**
11. **Designate Mayor Goddard and Vice Mayor Reed as the Council liaisons to neighborhood meetings that arise regarding pedestrian, bicyclist, and vehicle safety- Mayor Goddard**

Several Councilmembers had comments on Item 5, including concerns that the plan address all pertinent issues in an appropriate manner, that workshop dates would be agreed upon by the Council, and that controversial issues be handled delicately or perhaps separately.

Town Manager Toy encouraged the Council to email him their individual concerns and he would report back next month.

Councilmember Lacques referred to item #9 and requested staff send a copy to State Assembly Member Levine and State Senator McGuire.

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

M/S, Coler/Weinsoff, Motion to approve Consent Calendar items # 2 through 11 without Item 5 and with Councilmember Lacques' request re item #9 and the clerical corrections to the March 2, 2016 minutes, and to take up Item 5 separately.

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

M/S, Weinsoff/Coler, Motion to approve Item #5, with the consensus that the Council may email their individual concerns to the Town Manager.

AYES: Coler, Weinsoff, Mayor Goddard

NOES: Lacques, Reed

Vice Mayor Reed asked that the record reflect he was not able to state all of his concerns and he would email them to staff with the hope that the Council supported them.

Regular Agenda

16. Approve temporary bike rack/corral on Center Boulevard in a parking space in front of Iron Springs (approximate location) - Mayor Goddard

Town Manager Toy presented a staff report.

The owner of Iron Springs Pub and Brewery stated the owner of Sunshine Bicycles supported the installation of the bike rack in the recommended parking spot closest to the crosswalk.

M/S, Coler/Weinsoff, Motion to direct staff to do everything necessary to work with Iron Springs to install a temporary bike rack/corral on Center Boulevard in the parking space in front of Iron Springs as depicted in the staff report map.

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

The Council took a 5-minute break at 8:15 p.m.

Public Hearing

12. Adopt a Resolution of the Town Council Authorizing the Issuance and Sale of its 2016 General Obligation Refunding Bonds to refund the Town of Fairfax 2006 General Obligation Bonds to finance infrastructure improvements- Finance Director, Town Manager

Mayor Goddard opened the public hearing.

Town Manager Toy noted that there was a supplemental staff report submitted, with a different recommendation from the original staff report: do a simple refinance of the bonds and give the \$20,000 in savings to the taxpayers. He noted that if the Council chose to follow this recommendation, the Fairfax Financing Authority would not be required to issue the revenue bonds.

Mr. Brian Quint, Town Bond Counsel, stated there had been an election in 1999 authorizing the sale three series of bonds, which were issued in 2000, 2002, and 2006. The Town was currently considering the refunding of the 2006 series. He discussed the three options outlined in the staff report: take \$20,000 out to use on capital projects; do a traditional refinance and pass the \$20,000 to the tax payers; or do nothing. Mr. Mark Pressman, Town Municipal Advisor, joined Mr. Quint to answer questions from the Council.

M/S, Coler/Weinsoff, Motion to direct Bond Counsel to revise the documents for a transaction that would be a straight General Obligation Bond refunding to pass all savings through to the taxpayers and return to the May Town Council meeting for approval.

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

The Council took a recess at 8:50 p.m. to convene a special meeting of the Fairfax Financing Authority (please see separate minutes of the Fairfax Financing Authority).

Mayor Goddard reconvened the Regular meeting of the Town Council at 8:53 pm

Council Reports and Comments

Councilmember Weinsoff reported on the Claus Circle Park improvement project; ideas pertaining to "safe routes for seniors"; he reminded residents that Marin Sanitary Service offers smaller garbage cans at a lower rate.

Councilmember Coler reported she attended the Fairfax Climate Action Committee meeting; the Upper Ross Valley Community Development Block Grant Planning Area meeting; the Marin Clean Energy meeting; the Town Council retreat; the Fairfax Open Space Committee meeting; the Community Media Center of Marin Board meeting; Marin Clean Energy Ad Hoc Inclusion Committee meeting; the Countywide Community Development Block Grant meeting; the MCCMC meeting; the Women's Hall of Fame event; met with Ms. Emma Lauter regarding the Pedestrian Flag Program;

Councilmember Reed reported he attended the Gardeners Alliance meeting; several meetings pertaining to the trails system; the Ross Valley Fire Board meeting; the Ross Valley Paramedic Authority meeting; a Safe Routes to Schools meeting; the Council retreat; a Transportation Authority of Marin (TAM) meeting.

Councilmember Lacques reported he attended the Council retreat; the MCCMC meeting; the Sustainable Fairfax fundraiser.

Mayor Goddard reported she attended the Chamber of Commerce monthly meeting; several Ross Valley Healthy Community Collaborative meetings; the Lansdale neighborhood forum; assisted with the White Hill Middle School Composing Program; attended a meeting with the Fairfax Recreation staff; the Egg Hunt; the Women's Hall of Fame event; the Council retreat; the MCCMC meeting.

Town Manager's Report

Town Manager Toy reported staff had had the water in the Women's Club tested and no contaminants were found.

Councilmember Coler asked about the status of installing permanent bike racks in front of Coffee Roasters. Town Manager Toy stated he was working on it with Traffic Engineer David Parisi. Councilmember Coler asked about the status of the Peri Park stage and ramp. Town Manager Toy stated May 1st is the target date.

Regular Agenda

14. Discuss/consider the extension of half-cent (0.5%) Sales Tax due to expire on March 2017 and direct staff as appropriate- Town Manager, Finance Director

Town Manager Toy presented a staff report.

The Council discussed extending the tax, and raised the possibility of increasing the period of time from 5 to 10 years, as well as increasing the amount from a half cent. It was noted that the money raised by the sales tax stays in Fairfax.

Mr. Ryan Skelsky, Fairfax resident, spoke in support of increasing both the time period and the amount of the tax.

Finance Director Vivrette noted that the revenue from this tax mitigates and justifies the cost of Council decisions that keep Fairfax as Fairfax.

M/S, Weinsoff/Lacques, Motion to direct staff to schedule a workshop as soon as possible and to present projections for a ½-cent, ¾-cent, and 1-cent Sales Tax.

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

15. Discuss/consider results of the Town on-line forum regarding medical marijuana cultivation and direct staff as appropriate- Town Manager

Town Manager Toy presented a staff report.

Mayor Goddard noted there was no public comment.

The Council discussed the results and reached consensus on several revisions to Ordinance No. 797 introduced at the January 13, 2016, Town Council meeting.

Staff was directed to draft an ordinance for first reading at the next Council meeting with the four suggestions made by the Council in redline: add licensed daycares and preschools; change "adjacent" to 200 feet from schools; remove "primary" from before "bedroom"; clarify that either the primary caregiver or the patient (not both) may grow.

17. Approve responses to Grand Jury Report: "2015-16 Web Transparency Report Card: Bringing Marin County's Local Government to Light"- Town Manager

Town Manager Toy presented the staff report.

Mayor Goddard noted there was no public comment.

M/S, Coler/Weinsoff, Motion to approve the response for submittal to the Marin County Civil Grand Jury.

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

M/S, Weinsoff/Lacques, Motion to adjourn the meeting at 10:15 p.m. to a Special Meeting of the Fairfax Financing Authority.

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

The Council took a 3-minute recess at 10:15 p.m. to convene a special meeting of the Fairfax Financing Authority (please see separate minutes of the Fairfax Financing Authority).

Mayor Goddard reconvened the Regular meeting of the Town Council at 10:19 pm

19. Second reading by title only and adoption of an Ordinance of the Town of Fairfax Amending Chapter 12.44 ("Street Trees and Shrubs") of the Town Code. Exempt from the California Environmental Quality Act per 14 CCR 15061(b)(3), as it can be shown with certainty that

the action will have no significant adverse effect on the environment- Town Manager

Town Manager Toy presented the staff report.

M/S, Lacques/Reed, Motion to waive second reading and read by title only and adopt Ordinance No. 801 of the Town Council of the Town of Fairfax Amending Chapter 12.44 ("Street Trees and Shrubs") of the Town Code.

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

20. Second reading by title only and adoption of an Ordinance of the Town of Fairfax Amending Town Code Chapter 17.132, Water Conservation, Reducing the Effective Flush Volumes for Newly Installed Toilets and for Toilets on Properties Involved in Sales or Transfers from 1.6 to 1.28 Gallons. CEQA categorically exempt, 14 C.C.R. Section 15061(b)(3) and 14 C.C.R. Section 15308- Planning Director

Town Manager Toy presented the staff report.

M/S, Coler/Weinsoff, Motion to waive second reading and read by title only and adopt Ordinance No. 796 of the Town Council of the Town of Fairfax Amending Town Code Chapter 17.132, Water Conservation, Reducing the Effective Flush Volumes for Newly Installed Toilets and for Toilets on Properties Involved in Sales or Transfers from 1.6 to 1.28 Gallons

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

M/S, Weinsoff/Lacques, Motion to adjourn the meeting at 10:22 p.m. and to send best wishes to Jory Plum for a speedy recovery.

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

Respectfully submitted,

Toni DeFrancis, Recording Secretary