

Fairfax Town Council Minutes
Regular Meeting
Fairfax Women's Club
Wednesday, **October 7, 2015**

The regular meeting was preceded by a Closed Session from 6:30 p.m. to 7:00 p.m.

Conference with Legal Counsel- Existing Litigation
Government Code Section 54956.9(d)(1)
Miller v. Town of Fairfax, et al., Marin Superior Court No. CIV1502245

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

Mayor Coler called the meeting to order at 7:00 pm

Approval of Agenda and Affidavit of Posting

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

Announcement of Closed Session Action

Mayor Coler announced there was nothing to report.

Announcements

Mayor Coler made the announcements as they appeared on the agenda, adding the Great Shake Out event. Councilmember Goddard announced that a Sustainable Fairfax bicycle tour of household rainwater catchment and gray water systems.

Open Time

Mr. Sierra Salin discussed a variety of subjects including support rent control, the absence of people aged 18 to 25, the importance of programs of choice in our local public schools.

Ms. Li-Chien Bell, Dominga Avenue, was concerned about the condition of the bridge that runs between Dominga Avenue and Forrest Avenue, and requested the Town remove ivy. She expressed concern over the noise coming from downtown. She supported reducing the speed on Dominga Avenue to 15 mph.

Ms. Jody Timms, Fairfax Representative to the Marin Commission on Aging, reported on its activities.

Ms. Emma Lauter, representing the Reduce by Two Committee of Sustainable Fairfax, discussed pedestrian safety in crosswalks and proposed a trial use of pedestrian flags at certain intersections in Town, offering to provide the flags.

Ms. Linn Walsh, and Mr. Eric Leland, and Mr. Graham Irwin, Dominga Avenue, discussed a traffic-calming effort they engaged in (“Slominga”) for Dominga Avenue and Napa Avenue. They supported the use of pedestrian flags.

Ms. Anya Chandler, Barker Avenue, was in favor of the use of pedestrian flags. She suggested the use of signage on Chipper Day to further publicize the event.

Mr. Joseph Odem, Porteous Avenue, supported the use of signs for Chipper Day, and expressed concern regarding the vegetative debris that appeared to have been thrown over the fence where properties on his street backed up on open space. He asked for help in working with neighbors to encourage them not to throw debris onto the open space, as it created a fire hazard.

Paul Neal, Westbrae, discussed the recent homicide, noted quality of life issues, and thanked the police for the help.

Consent Calendar

Accept Financial Statement and Disbursement Reports August 2015- Finance Director

Approval of minutes May 27, May 28, August 26, and September 2, 2015 Town Council meetings- Town Clerk

Approve sponsorship of temporary closure of Dominga and Napa Avenues following the Halloween Parade- Town Manager

Approve Contract Amendment No. 5 with the California Infrastructure Consultancy for additional environmental services required for the Bridge Preventive Maintenance Program (BPMP) bridges and additional design services for Creek Road Bridge under the BPMP program as requested by Caltrans- Town Manager

Approve a restated and amended employment agreement with the Police Chief- Town Manager

Authorize the Vice Mayor to send a letter to the Metropolitan Transportation Commission (MTC) requesting them to fully fund the Association of Bay Area Governments (ABAG) for FY 15-16 and to expand their evaluation of the potential consolidation of MTC and ABAG planning departments- Vice Mayor Goddard

Appoint Councilmember Lacques to the MCCMC Policy Committee on Sea Level Rise- Town Clerk

M/S, Reed/Lacques, Motion to approve the Consent Calendar with the removal of item #7 for discussion under the regular agenda.

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

Presentations

Marin Business Emergency Readiness- M’Ber project- Garry Lion, Vice Mayor, Mill Valley

Mill Valley Vice Mayor Garry Lion discussed the M'Ber project and gave a Powerpoint presentation.

Ross Valley Flood Protection & Watershed update, including detention basin sites- Scott Lyle, Program Manager

Supervisor Katie Rice introduced Mr. Scott Lyle, Program Manager.

Mr. Scott Lyle presented a Powerpoint presentation on the proposed detention basin systems and answered questions.

Mr. Frank Egger, Meadow Way, had questions about the reduction in the flood level once the detention basins were built. He was concerned about undersized culverts and king tides.

Mr. Michael Macintosh, noted politics influenced the decision-making process, which was also driven by consultants who are paid for by taxpayers.

The Council thanked Supervisor Rice and Mr. Lyle for the presentation.

The Council took a 10-minute break at 9:20 p.m.

Mayor Coler rearranged the order of the agenda: Councilmember reports and the Town Manager report would be heard after the regular agenda. Item #7 would be heard after item #11.

Regular Agenda

Discussion/consideration of retrofitting streetlights with LED fixtures and participating in PG&E programs to manage and finance the retrofit project- Town Manager

Town Manager Toy gave a staff report.

The Mayor noted that Marin Clean Energy did not handle such projects for government.

Councilmember Reed had concerns regarding the color temperature of the LEDs, and confirmed the Council would have control over it even with the turnkey program.

Councilmember Lacques expressed concerns over the amount of light, flickering.

Mr. Bruce Ackerman discussed the roles that Marin Clean Energy and PG&E could play in this program. He had questions about PG&E's turnkey program.

Ms. Cassidy DeBaker, member of the Climate Action Committee, agreed with the comments made by Mr. Ackerman. She noted the initial discussions focused on the downtown area.

It was the consensus of the Council to direct staff to look at two options (cobra-heads only, and cobra-heads and top hats) and a pilot demonstration, and to consider greenhouse gases.

Authorize the Vice Mayor to send a letter to the Metropolitan Transportation Commission (MTC) requesting them to fully fund the Association of Bay Area Governments (ABAG) for FY 15-16 and to expand their evaluation of the potential consolidation of MTC and ABAG planning departments- Vice Mayor Goddard

Town Manager Toy gave a staff report.

Councilmember Reed requested language be added regarding ABAG's obligation to represent and work with local governments.

M/S, Weinsoff/Reed, Motion to authorize the Vice Mayor to send the letter with an additional sentence or two reflecting Councilmember Reed's request, to the Metropolitan Transportation Commission (MTC) requesting them to fully fund the Association of Bay Area Governments (ABAG) for FY 15-16 and to expand their evaluation of the potential consolidation of MTC and ABAG planning departments.

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

Discussion of financing Town infrastructure through low-interest capital loans from other governmental entities- Town Manager

Town Manager Toy gave a staff report.

It was the consensus of the Council to direct staff to continue to pursue this matter and to get an analysis of the comparison bond debt.

Second reading by title only and adoption of Ordinance No. 794 Adding Article II to Chapter 17.138 of the Town Municipal Code ("Small Residential Rooftop Solar Renewable Energy Systems") to Provide a Permitting Process for Small Residential Rooftop Solar Energy Systems- Town Clerk

Town Manager Toy gave a staff report.

Councilmember Lacques noted that he had not supported bifurcating this ordinance at the first reading, but that he supported this part of the bifurcation.

M/S, Weinsoff/Goddard, Motion to waive the second reading and read by title only and adopt Ordinance No. 794, an Ordinance of the Town of Fairfax Adding Article II to Chapter 17.138 of the Town Municipal Code (Small Residential Rooftop Solar and Renewable Energy Systems") to Provide a Permitting Process for Small Residential Rooftop Solar Energy Systems.

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

Adoption of a Resolution adopting the Checklist and Standard Plan(s) Pursuant to Section 17.138.250 ("Processing of Small Residential Rooftop Solar Energy System Applications") of Ordinance No. 794

Town Manager Toy gave a staff report.

M/S, Weinsoff/Lacques, Motion to approve a Resolution of the Town Council of the Town of Fairfax Adopting a Checklist and Standard Plan(s) Pursuant to Section 17.138.250 ("Processing of Small Residential Rooftop Solar Energy Systems Applications") of Ordinance No. 794 including the three pages provided in the supplemental staff report dated October 7, 2015.

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

Second reading by title only and adoption of Ordinance No. 795 Amending Chapter 3.36 ("Public Bidding") of the Fairfax Town Code to Increase Contract Award Limits as Specifically Set Forth in Section 3.36.020-Town Manager

Town Manager Toy gave a staff report.

M/S, Goddard/Reed, Motion to waive the second reading and adopt Ordinance No. 795, an Ordinance of the Town Council of the Town of Fairfax Amending Chapter 3.36 ("Public Bidding") of the Fairfax Town Code to Increase Contract Award Limits as Specifically Set Forth In Section 3.36.020.

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

Council Reports and Comments

Councilmember Weinsoff reported on the Claus Park Project -the contractors have removed all of the vegetation except for the trees, and the next step is to add drought tolerant vegetation, benches, and tables; he attended the Senior Fair held on September 19th.

Mayor Coler reported she attended the Senior Fair and thanked the Task Force for Age Friendly Fairfax and all those who participated; performed two Ribbon Cuttings for local businesses; met with the Chamber of Commerce; attended the Chamber Mixer; attended the Countywide Public Disaster and Emergency Preparedness meeting; an all day Marin Clean Energy Board meeting/retreat; the Community Media Center of Marin Board meeting; the Sprit of Marin Awards; the Fairfax Disaster Council meeting; a Dining with Democrats meeting.

Councilmember Reed reported he attended several of the educational walks sponsored by Sustainable Fairfax; the Chamber Mixer; the Volunteer Board meeting; a Transportation Authority of Marin (TAM) meeting; met with the Gardener's Alliance; several Safe Routes to Schools meetings.

Councilmember Goddard reported she attended the Senior Fair; the Open House for the Youth/Community Center; several Ross Valley Healthy Community Collaborative meetings; the Cyber Safety Event at White Hill School.

Councilmember Lacques reported he attended the Ross Valley Fire Board meeting; a Zero Waste Subcommittee meeting; the MCCMC meeting; the "Get Ready" training at the Fairfax Library.

Town Manager's Report

Town Manager Toy reported the basketball court near the Women's Club had been repaved and restriped. The new backboard would be installed soon. The lights at the tennis courts were allowed to remain on until 9:00 p.m.

M/S, Weinsoff/Lacques, Motion to adjourn the meeting at 11:12 p.m. in memory of Mr. Steven Carter who was tragically killed just outside of Town limits.

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

Respectfully submitted,

Toni DeFrancis
Recording Secretary