

Fairfax Town Council Minutes  
Regular Meeting  
Fairfax Women's Club  
Wednesday, **March 2, 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

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

Approval of Agenda and Affidavit of Posting

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

Announcements

Mayor Goddard made the announcements as they appeared on the agenda. Councilmember Coler announced that the Pedestrian Flag Pilot Program was launched on Saturday February 27<sup>th</sup>. Councilmember Lacques announced that the fundraiser for Sustainable Fairfax was scheduled for Saturday, April 2<sup>nd</sup> at the Bicycle Museum.

Open Time

Emma Lauter, creator of the Pedestrian Flag Program, stated she and her friends were monitoring the Pedestrian Flag Program and they noted that about 63 people used the flags at the Elsie Lane and Bolinas intersection and 46 people used the flags at the theater/Parkade crosswalk. They received a lot of positive comments from people.

Presentations

1. One Plan Bay Area 2040

Mr. Hing Wong, Senior Regional Planner for the Association of Bay Area Governments (ABAG), and Mr. Brad Paul, Deputy Executive Director of ABAG, gave a PowerPoint presentation.

Kirsten, Rocca Drive, stated Fairfax was a small, unique Town and alternative housing units should be considered.

Consent Calendar

2. **Accept Financial Statement and Disbursement Reports January 2016- Finance Director**

3. **Approval of minutes for the February 3, 2016 Town Council meeting- Town Clerk**
4. **Reappointment of Planning Commissioner Philip Green - Town Clerk**
5. **Receive Fairfax Open Space Committee Annual Report- Town Manager**
6. **Accept Marin Sanitary Services Fourth Quarterly Report (October-December 2015) and Annual report 2015- Town Clerk**
7. **Receive Ross Valley Healthy Community Collaborative (RVHCC) Report- Town Manager**
8. **Accept Fairfax Department of Recreation and Community Services Annual Report- Recreation Manager**

Councilmember Weinsoff noted that in the minutes, the name Reidell should be changed to Nardell.

Councilmember Lacques noted that his comment on page 6 left off mid-sentence, and he requested adding the words: "...it in with a discussion of an ordinance regarding delivery or dispensary" to complete the sentence.

M/S, Weinsoff /Reed, Motion to approve the Consent Calendar with corrections to the February 3<sup>rd</sup> minutes.

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

#### Council Reports and Comments

Councilmember Weinsoff reported he attended the MCCMC meeting and the MCCMC Legislative Committee meeting; the Ross Valley Fire Board meeting; the Flood Zone 9 workshop at White Hill School.

Councilmember Coler reported she attended the Flood Zone 9 meeting; the Climate Action Committee meeting; the Marin Telecommunications Agency Board meeting; the Marin Clean Energy meeting; the MCCMC meeting; the Community Media Center of Marin Board meeting.

Councilmember Reed reported he attended the Ross Valley Fire Board meeting; a meeting regarding the Yellow School bus system; the MCCMC meeting; a Transportation Authority of Marin (TAM) meeting; met with various individuals regarding trails; the Bicycle Pedestrian Plan public input session held by Alta Planning.

Councilmember Lacques reported he attended the Flood Zone 9 workshop.

Mayor Goddard reported she attended the Flood Zone 9 workshop; a Ross Valley Healthy Community Collaborative meeting; the Bicycle Pedestrian Plan workshop; the Local Task Force Advisory Committee meeting on Solid and Hazardous Waste.

#### Town Manager's Report

Town Manager Toy discussed the recent renovations to the Women's Club, including the rest room, sound system, stage, new memory foam chairs, new dais tables, a new podium and a/v table, and roof repairs. Future renovation plans include new tables, painting the interior, refinishing the floor, installing an ADA lift to make the stage accessible, and upgrading the

lighting. The Pavilion roof was repaired and the solar panels were replaced.

### Public Hearings

9. Adopt a resolution approving a rate decrease schedule for Marin Sanitary Services (MSS) for the provision of solid waste (garbage) and recycling services and amending the agreement with MSS to substitute the Free On-Call Household Hazardous Waste (HHW) Pick-up program with a Semi-Annual Curbside Clean-Up Service and On-Call Bulky Item service. 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 adverse significant effect on the environment- Town Manager

Town Manager Toy presented a staff report.

Mayor Goddard opened the Public Hearing.

Mr. Scott Holt, HF&H Consultants, gave a PowerPoint presentation regarding the independent rate review process and findings.

Ms. Marva Sheehan, HF&H Consultants, discussed the rate setting methodology.

Ms. Patty Garbarino, President of MSS, discussed their mission and new programs.

Mr. Joe Garbarino, MSS Co-founder, discussed markets and diversion rates, and supported extended producer responsibility.

Ms. Kim Scheibly, Municipal Contracts & Communications Manager, discussed how they are improving communications with customers, Customer Appreciation Day, and plans for Earth Day.

Mr. Ray Piombo, MSS General Manager, discussed the collection of organics.

There was no public comment.

Mayor Goddard closed the Public Hearing.

M/S, Coler/Lacques, Motion to adopt a resolution approving the rate schedule for Marin Sanitary Services (MSS) for the provision of solid waste (garbage) and recycling services and authorize the Mayor to sign the amendment to the agreement with MSS.

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

The Council took a 5-minute break at 9:15 p.m.

10. Introduction and first reading by title only of an ordinance 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 adverse significant effect on the environment- Town Manager

Town Manager Toy presented a staff report.

Mayor Goddard opened the Public Hearing.

Kirstin, Rocca Drive, had a question about how this ordinance pertained to the removal of a tree.

Mayor Goddard closed the Public Hearing.

M/S, Weinsoff/Coler, Motion to Introduce and waive first reading and read by title only an Ordinance 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

### Regular Agenda

11. Accept 2015-16 Mid-Year Budget Review Report and discuss/consider budget revisions- Finance Director, Town Manager

Town Manager Toy Finance and Director Vivrette presented staff reports

M/S, Coler/Reed, Motion to accept the Mid-Year Budget Review Report with the following amendment: 1) an additional \$5,000 shall be allocated to the Sidewalk Program.

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

12. Discussion/consideration of schedule to consider ordinances regarding medical marijuana cultivation and delivery standards and community outreach plan regarding such ordinances- Town Manager, Finance Director

Town Manager Toy presented a staff report.

Mr. Ryan Skelsky, Executive Director of Marin Patient Access, thanked the Council for being pro-active with respect to regulation. He offered his services to the Council.

M/S, Coler/Reed, Motion to accept the schedules for the delivery standards and for cultivation standards with the following revision to the cultivation standards schedule: the Council will consider the online forum results and discuss Ordinance No. 797 at their April 6<sup>th</sup> meeting, and potentially consider an ordinance at their May 4<sup>th</sup> meeting.

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

Mayor Goddard stated she would like to rearrange the agenda and hear item #14 prior to item #13.

14. Introduction and first reading by title only 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 a staff report.

Mr. Larry Bragman, Hickory Road, Marin Municipal Water District Board member, stated the change being considered will bring the Town Code up to California Plumbing Code. He supported adoption of the ordinance, and stated the change had a big impact on water usage.

Mr. Frank Egger, Meadow Way, Ross Valley Sanitary District Board member, stated Fairfax had a history of being progressive on environmental issues. He noted that reducing water use also reduced wastewater. He supported adoption of the ordinance.

Ms. Mallory Geithem stated the cost to replace a toilet would not be a deal-breaker in Marin County, considering the home prices. She supported adoption of the ordinance.

M/S, Coler/Reed, Motion to Introduce and waive first reading and read by title only Ordinance No. 796, an Ordinance 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

13. Discussion/consideration of financing Town infrastructure through refinancing of bonds-  
Town Manager, Finance Director

Town Manager Toy and Finance Director Vivrette presented staff reports.

M/S, Weinsoff/Reed, Motion to direct staff to pursue the financing as recommended in the staff report.

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

M/S, Coler/Reed, Motion to adjourn the meeting at 11:25 p.m.

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

Respectfully submitted,

Toni DeFrancis  
Recording Secretary