



# TOWN OF FAIRFAX

## STAFF REPORT

### July 1, 2020

**TO:** Mayor and Town Council

**FROM:** Garrett Toy, Town Manager

**SUBJECT:** Discuss/consider the formation of two Town committees: one to address issues of racial equity, social justice, systemic racial bias, and diversity and the other to explore police practices, public safety alternatives and funding and other related issues; schedule a community listening session; and provide direction to staff on the formation of the committee(s)

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### **RECOMMENDATION**

Discuss/consider the formation of a Racial Equity and Social Justice Committee; Consider forming a Police Practices and Public Safety Budget/Service Alternatives Committee after a Community Listening Session; and provide direction to staff on the formation of the committee(s).

### **BACKGROUND**

At its June 17th meeting, the Council received a report that discussion of the formation and purpose of a Racial Equity and Social Justice Committee would be agendized for the Council's July 1st meeting. The Council requested staff to provide options with regard to the structure and process for forming committees to address issues of racial equity, social justice, systemic racial bias, and diversity; and the second to explore police practices and public safety budget and service alternatives.

The Town has used two structures for Town boards and commissions.

1) The Town Council appoints members to the board/commission that is either established by ordinance or resolution. The ordinance or resolution establishes the mission/purpose of the Board or Commission (e.g., PARC). In case of the Tree Committee, its membership includes at-large members as well as members from other Council appointed board/commissions such as the Planning Commission. No Councilmembers are appointed to be on the board/commission. The board/commission creates its own meeting agenda and makes annual reports to Council on its activities.

2) The Town Council appoints a Council subcommittee of two to a board/commission. Examples are the Climate Action Committee (CAC), Zero Waste Committee, and Finance Committee. The CAC meets on a regular basis. The other Council committees meet as needed. All these committees create their own meeting agendas and report back to the entire Council as needed.

*All the Town's Boards/Commission are subject to the Brown Act which requires the meetings to be open and properly noticed to the public.*

## **DISCUSSION**

The Council will need to provide staff direction on the following key policy/action items:

### **Form a Racial Equity and Social Justice Committee**

From the Council's discussions, it appears the Council would like to form this Committee prior to convening a community listening session. For our purposes, we used the Committee name suggested by Councilmember Hellman.

Typically, the Council would discuss the purpose/mission of the committee, goals/objectives, name, and its membership. However, such a discussion would probably require a special Council meeting unto itself. For this evening, the Council may want to provide preliminary comments on these issues and wait until after the community listening session to provide more direction to the Committee. In the interim, the Council could move forward with the application and interview process since that will take some time. After the Committee is formed, the Council can always ask the Committee to flesh out some of these issues.

The Council will need to take action to form a committee. This can be done by minute action (i.e., motion) or adoption of a resolution.

### **Form a Police Practices and Public Safety Budget/Service Alternatives Committee after a Community Listening Session**

From the Council's discussions, it wasn't clear if the Council wanted to form this Committee prior to a community listening session. Staff recommends the Council convene the community listening session prior to forming this Committee. The listening session would provide valuable community input regarding this Committee. Furthermore, it would probably behoove the Council to form one committee at a time to focus the discussion on that specific committee. It should be noted that it is the same process to form this committee as stated above.

For purposes of this staff report, we are assuming that the Council will choose to form the Racial Equity and Social Justice Committee (Committee) and wait to form the other committee.

#### Assign up to Two (2) Councilmembers to the Committee

The Council usually assigns two Councilmembers to a committee. Should the entire Council want to actively participate in this Committee's discussion, the Council would need to notice a special Council meeting for that express purpose. The Council has done this before for community workshops, presentations, and special study sessions. The Council has also had joint meetings with the Planning Commission for matters of mutual interest.

Another approach is for the Council to appoint a committee which only consists of community members. The Town Council would then periodically request joint meetings with the committee to receive updates and discuss issues of mutual interest.

#### Determine Number and Composition of Members

The Council needs to decide the number and composition of the Committee. The Council may want to designate member categories such as youth, senior, business, at-large, and/or persons of color. The Council should also decide if members must be residents or can be business employees/owners and/or people living outside the Town limits.

We probably are going to want to limit the membership to no more than 12 people to keep the Committee meetings more manageable.

#### Use the Regular Interview and Appointment Process

Typically, the Council would require an application and interview process by which to appoint members. We would use the standard Town application, but the Council will need to set an application deadline. The interviews are open to the public. As a result, we recommend scheduling a special Council meeting to conduct the interviews because of the number of potential applicants, especially if it is a 9-12-member Committee. Staff recommends a two- week deadline for applications with interviews scheduled sometime before the August 5<sup>th</sup> Council meeting.

### Dedicate Staff Resources to Assist the Committee

For the Committee to be more effective, it will require staff support for the remote meetings, agendas, action minutes, and other administrative tasks. We would either reallocate or increase the hours of part time staff to provide support to the Committee.

### Convene a Community Listening Session with Facilitator

At its June 17th meeting, the Council supported scheduling a special meeting to convene a community listening session. The community listening session would allow all participants to comment on issues of racial equity, social justice, systemic racial bias, diversity, police practices/policies, public safety budget and service alternatives, and any other matter of interest. The Mayor suggests that the Town retain a moderator to facilitate the meeting and summarize the comments in a written report. The Mayor would also like, if possible, the meeting to occur outside on the ballfield subject to social distancing guidelines, face covering requirements, and applicable Marin County Shelter-in-Place guidelines.

### **SUMMARY OF KEY ACTION ITEMS**

Below is a summary of the key action items requiring Council direction.

1. Form a Racial Equity and Social Justice Committee (Committee)
2. Defer the formation of a Police Practices and Public Safety Budget/Service Alternatives Committee
3. Assign up to Two (2) Councilmembers to the Committee
4. Determine Number and Composition of Members
5. Use the Regular Interview and Appointment Process
6. Dedicate Staff Resources to Assist the Committee
7. Convene a Community Listening Session with Facilitator (outside if possible)

Depending on the actions, the Council may want to be prepared to select dates for the special Council meetings.

### **FISCAL IMPACT**

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