

Fairfax Town Council Minutes
Regular Meeting
Via teleconference due to COVID-19
Wednesday, **December 2, 2020**

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

Call to Order/Roll Call:

COUNCILMEMBERS PRESENT: Bruce Ackerman
Chance Cutrano (incoming)
Barbara Coler
Renee Goddard
Stephanie Hellman
John Reed (outgoing)

STAFF MEMBERS PRESENT: Garrett Toy, Town Manager
Michele Gardner, Town Clerk
Janet Coleson, Town Attorney
Chris Morin, Police Chief

Mayor Goddard explained the various ways the public could participate in the meeting.

Mayor Goddard stated she would like to rearrange the order of the agenda as follows: 1) Continuation of item #15; 2) Move Open Time so it is heard after item #7; 3) Move Town Manager's Report to after #7 but before Open Time.

Approval of Meeting Agenda and Affidavit of Posting

M/S, Ackerman/Reed, Motion to approve the Affidavit of Posting and the agenda with the following change: 1) Continuation of item #15; 2) Move Open Time so it is heard after item #7; 3) Move Town Manager's Report after #7 but before Open Time.

AYES: Ackerman, Coler, Hellman, Reed, Mayor Goddard

Land Acknowledgement

Announcements

Mayor Goddard made the announcements as they appeared on the agenda.

Consent Calendar

1. Receive written reports on Councilmember's assignments, committees, and activities in November- Town Clerk
2. Approve minutes for Town Council meetings of May 15 and 27, 2020, August 12 and 19, 2020, and the Fairfax Financing Authority meeting on August 19, 2020- Town Clerk
3. Ratify appointment of Lieutenant Rico Tabaranza as the Interim Police Chief- Town Manager

Councilmember Ackerman referred to item #1 and stated he and Mayor Goddard have been serving on a working group that is researching the possible renaming of Sir Francis Drake Boulevard. The item will be on the December 16th Council agenda.

Councilmember Hellman asked that item #3 should be pulled to allow the public to speak.

Ms. Shelby LaMotte thanked Mayor Goddard for her leadership.

Mr. Joseph McGarry referred to item #3 and had a question about the proposed compensation. He supported the appointment of Lt. Tabaranza.

Mr. Larry Bragman referred to item #3 and stated he supported the appointment.

Ms. Veronica Geretz thanked Mayor Goddard and Councilmember Ackerman for their work on the issue of renaming Sir Francis Drake Boulevard.

Councilmember Coler reported the televised version of the meeting was briefly interrupted by the symphony.

Town Manager Toy discussed the Police Memorandum of Understanding and the difference between an "Acting Chief" and an "Interim Chief".

M/S, Coler/Reed, Motion to approve the Consent Calendar items #1, #2, and #3.

AYES: Ackerman, Coler, Hellman, Reed, Mayor Goddard

Regular Agenda

4. Proclamation in Honor of Police Chief Morin- Councilmember Coler

Councilmember Coler read the Proclamation in Honor of Police Chief Chris Morin.

Chief Morin thanked the Council and stated it was an honor and privilege to have served the Town of Fairfax.

Town Manager Toy presented Chief Morin with a gift and stated it was a pleasure working with him.

Mayor Goddard opened the meeting to public comments.

Mr. Sierra Salin stated the Town would miss Chief Morin.

Mr. John Romaidis, Mr. Frank Egger, Ms. Valerie Hood, Ms. Debra ("Dee Lee") Benson, Mr. Larry Bragman, Ms. Barbara Petty, Ms. Jane Richardson, Ms. Veronica Geretz, the Council and staff thanked Chief Morin for his service and wished him well in his retirement.

Mayor Goddard closed the meeting to public comments.

5. Adopt a Resolution Reciting the Fact of the General Election held on November 3, 2020 Declaring the Results and such other Matters as Provided by Law- Town Clerk

Town Clerk Gardner presented the staff report.

Mayor Goddard opened the meeting to public comments.

Ms. Ruby Tcherepanova thanked the Council for their hard work and asked the public to think about how they deliver their message.

Mayor Goddard closed the meeting to public comments.

M/S, Reed/Coler, Motion to Adopt a Resolution Reciting the Fact of the General Election held on November 3, 2020, Declaring the Results and such other Matters as Provided by Law
AYES: Ackerman, Coler, Hellman, Reed, Mayor Goddard

6. Proclamation in Honor of Councilmember John Reed- Mayor Goddard

Mayor Goddard read the Proclamation in Honor of Councilmember John Reed.

Councilmember Reed stated Fairfax is a special place and it was his pleasure to have served on the Council. He hopes to run into people on the trails!

Town Manager Toy presented Councilmember Reed with a gift and thanked him for his support of staff over the years.

Mayor Goddard opened the meeting to public comments.

Marin County Supervisor Katie Rice thanked Councilmember Reed for his service and wished him well in his future endeavors.

Mr. Sierra Salin, Mr. Larry Bragman, Ms. Holly Bragman, Mr. Chance Cutrano, staff and the Council thanked Councilmember Reed for his years of service.

Mayor Goddard closed the meeting to public comments.

7. Administer the Oath of Office to Newly Elected Officials- Town Clerk

Town Clerk Gardner administered the Oath of Office to newly elected Councilmembers Coler, Ackerman, and Cutrano.

Mayor Goddard opened the meeting to public comments.

Ms. Veronica Geretz congratulated Councilmember Cutrano.

Mayor Goddard closed the meeting to public comments.

Town Manager's Report

Police Chief Morin discussed the status of a disturbing incident that occurred in Fairfax on November 24th regarding an individual who was posting swastika stickers in the Town.

Mayor Goddard delivered a statement about the incident.

Open Time

Mr. Sierra Salin asked about the status of the bus shelter and the proposal for removable sides.

Dr. Jody Timms, Fairfax representative to the Commission on Aging, gave a status report on the Commission's activities. The December 10th meeting will include a discussion on legislative updates and California's Master Plan on Aging. The Age Friendly Marin Forum will be held on

December 16th and will be a discussion on “Cultivating an Empowered Life- Looking Forward to 2021”. A Bay Area Age Friendly Meeting was held on November 20th and included a discussion on “Digital Literacy and Inclusion”. The Age Friendly Fairfax “scorecard” was recently updated by Councilmember Coler. One of the Age Friendly Fairfax Strategic Goals is to support disaster preparedness for older adults.

Ms. Pam Meigs, Ross Valley Sanitary District Board member, stated the district created a Scholarship Program and gave a \$4,000 award to three recipients. The district also expanded eligibility for the Sewer Service Charge Assistance Program in addition to the 25% discount for eligible low-income property owners. She reported the 9-acre parcel owned by the district in Larkspur Landing will be signed off by the Environmental Protection Agency (EPA).

Mr. Richard Applebaum suggested the Town take action in opposition to hateful symbolic language. He would also like to know where each councilmember stands on development.

Mr. Walt Vernon, representing the Climate Action Committee (CAC), gave a status report. He noted there is a competition between Fairfax and San Anselmo to see who can get 20% of households signed up for Marin Clean Energy (MCE) Deep Green first. The CAC is hosting a Community Conversation every second Monday about revisions the Climate Action Plan.

Ms. Veronica Geretz thanked Mayor Goddard for her leadership, and suggested people strive to connect across their differences.

Mr. Joe McGarry thanked Mayor Goddard for her leadership. He opposed the County Sheriff Department’s recently formed JPA for drugs, out of concern for potential biased enforcement.

Mr. Deborah Benson, member of the Tree Committee, was concerned about an email she had received from Councilmember Hellman relating to the Tree Committee.

Ms. Mallory Geithem supported MCE Deep Green. She requested the Affordable Housing Committee meet on a regular basis. She supported creating a separate Design Review Board.

Ms. Jane Richardson Mack, Tree Committee member speaking as a resident, was concerned about Councilmember Hellman’s remarks about the Tree Committee.

Ms. Valerie Hood stated the Tree Committee members had a right to offer public comment as residents.

Mr. Mark Bell expressed concerns about the Cascade Drive striping. He was interested in the cost of various public works projects.

Steve, Cascade Drive, stated restriping Cascade Drive made a bad situation worse. He was concerned that the Police and Fire Departments were not consulted.

Ms. Amy Flynn, Forrest Avenue, thanked the Town for removing the brush in her neighborhood.

8. Reorganization of the Town Council: Selection of Mayor and Vice Mayor- Town Clerk

Town Clerk Gardner presented the staff report.

Councilmember Coler clarified that the staff report was not an attempt to direct the reorganization in any way.

Mayor Goddard opened the meeting to public comments.

Mr. Brad Clark, Mr. Richard Applebaum, Ms. Jessica Lerner, Ms. Sandy Hatcher, Ms. Mallory Geitheim, supported the selection of Councilmember Hellman as Vice Mayor.

Mr. Christof Bessler supported each Councilmember having a chance to be Mayor.

Mr. Tunafish Salin asked everyone to be careful of what they say on-line.

Mr. Frank Egger noted the positions of mayor and Vice Mayor rotated among the Council, but that could change with an elected Mayor.

Mayor Goddard closed the meeting to public comments.

M/S, Cutrano/Coler, Motion to select Vice Mayor Ackerman as Mayor.

AYES: Ackerman, Coler, Cutrano, Hellman, Mayor Goddard

Mayor Ackerman entertained a Motion to select the Vice Mayor.

M/S, Coler/Goddard, Motion to select Councilmember Hellman as Vice Mayor.

AYES: Coler, Cutrano, Goddard, Hellman, Mayor Ackerman

Mayor Ackerman reviewed the agenda pursuant to the 10:00 rule.

M/S, Coler/Goddard, Motion to continue item #13 to the December 16th meeting.

AYES: Coler, Cutrano, Goddard, Hellman, Mayor Ackerman

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

Consent Calendar

9. Adopt a Resolution approving a future application for California Per Capita Grand Funds-
Town Manager

10. Approve Amendment #3 Agreement with Fredric C. Diving Architects (FCDA) in an amount not to exceed \$40,000 for additional design and structural engineering services required for the Pavilion Seismic Retrofit project-Town Manager

11. Approve response to 2019-2020 Marin County Civil Grand Jury Report Entitled *The Gun Next Door: Firearm Safety in Marin County*- Police Lieutenant

12. Receive report on the status of Residential Rental Assistance Program to assist extremely low-income renters whose household incomes were adversely affected by COVID-19 and who are at risk of homelessness- Town Manager

Councilmember Coler referred to item #9 and suggested changing the wording related to who can sign various documents to "Town Manager *or designee*".

In answer to questions from Councilmembers Goddard, Hellman, and Cutrano about item #12, Town Manager Toy stated the program as approved allows one month's rent, which the Council could reevaluate in January.

Mayor Ackerman opened the meeting to public comments and seeing none, closed the meeting to public comments.

The Council reached consensus and directed staff to add the item to the December 16, 2020 agenda to consider a change to the program's current grant limit.

M/S, Goddard/Cutrano, Motion to approve the Consent Calendar with the amendment to the resolution in Item #9 as recommended by Councilmember Coler.

AYES: Coler, Cutrano, Goddard, Hellman, Mayor Ackerman

Regular Agenda

14. Approve response to 2019-2020 Marin County Grand Jury Report entitled *Climate Change How Will Marin Adapt?*- Town Manager

Town Manager Toy presented the staff report. He noted the report had been reviewed by the Climate Action Committee (CAC), who had provided comments.

Mayor Ackerman opened the meeting to public comments.

Ms. Wendy Kallins, speaking on behalf of the Marin Climate Action Network, stated they support the stronger language of the Fairfax Climate Action Committee. There should be coordination between the different committees in the County.

Mayor Ackerman closed the meeting to public comments.

The Council went over each response in detail and made a number of suggestions.

M/S, Coler/Goddard, Motion to approve responses to 2019-2020 Marin County Grand Jury Report entitled *Climate Change: How Will Marin Adapt* subject to the recommendations by the Council subject to Councilmember Cutrano working with staff on modifications to the language.
AYES: Coler, Cutrano, Goddard, Hellman, Mayor Ackerman

13. Discuss concept of forming a Community Emergency/Disaster Preparedness Committee- Town Manager

Mayor Ackerman stated this item was continued.

15. Provide direction to staff regarding the closure of the lower portion of Mono Alley and Reopening the Mono Parking Lot from Wednesday through Sunday- Town Manager

Mayor Ackerman stated this item was continued.

Public Hearings

16. 80 Crest Road: Appeal of a Planning Commission Denial of a Height Variance for an unpermitted Ground Floor Level that would result in the height of the residential structure being approximately 50 feet; Assessor's Parcel No. 002-152-32; Residential Single-Family RS-6 Zone; Verle and Marlene Sorgen, appellants/owners; CEQA Categorically Exempt Per Sections 15301(e)(2)(1), 15060(c)(3)- Principal Planner, Town Manager

Mayor Ackerman stated this item has been continued to the December 16, 2020 meeting.

Council Reports and Comments

Mayor Ackerman stated a written report and comments were contained in the packet.

M/S, Goddard/Coler, Motion to adjourn the meeting at 11:45 p.m. in memory of Ms.Gail Koffman and Mr. Jack Stewart.

AYES: Coler, Cutrano, Goddard, Hellman, Mayor Ackerman

Respectfully submitted,

Toni DeFrancis,
Recording Secretary