

Fairfax Town Council Minutes
Special Meeting
Fairfax Women's Club
Via teleconference due to COVID-19
Wednesday, February 17, 2021

The Special meeting was preceded by a Closed Session from 5:45 p.m. to 6:30 p.m.

There was no public comment.

Conference with Labor Negotiator pursuant to Government Code Section 54957.6
Agency designated representative: Garrett Toy, Town Manager
Employee Organization: Fairfax Police Officers Association

Mayor Ackerman called the Special meeting to order at 6:40 p.m.

Call to Order/Roll Call:

COUNCILMEMBERS PRESENT: Bruce Ackerman
Barbara Coler
Chance Cutrano
Renee Goddard
Stephanie Hellman

STAFF MEMBERS PRESENT: Garrett Toy, Town Manager
Michele Gardner, Town Clerk
Janet Coleson, Town Attorney

Approval of Agenda and Affidavit of Posting

M/S, Cutrano/Goddard, Motion to approve the affidavit of posting and the agenda as follows:
Consent Calendar item #4 shall be pulled for discussion and placed before item #5, and move
item #9 after item #6.

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

Announcement of Closed Session Action

Mayor Ackerman announced the Closed Session resulted in no action or direction to staff.

Consent Calendar

1. Approve minutes for the Town Council meeting of December 16, 2020- Town Clerk
2. Schedule two joint special study sessions on March 17th: One with the Planning Commission to discuss the Housing Element process and the other with the Climate Action Committee to discuss the updated Climate Action Plan- Town Manager
3. Adopt a Resolution Appointing a Representative and Two Alternates to the Marin Emergency Radio Authority (MERA) Board of Directors- Town Manager
4. Adopt a Resolution Approving a Side Letter to Amend the Memorandum of Understanding

(MOU) with Fairfax Police Officers' Association (FPOA) to extend the current MOU from June 30, 2021 to June 30, 2020 with no other changes- Town Manager

The Council discussed having a Councilmember serve as one of the alternates.

There were no public comments.

M/S, Goddard/Hellman, Motion to approve Consent Calendar item #1 with the supplement included, item #2, item #3 amended to appoint Councilmember Cutrano as the first alternate and Sergeant William Cade as the second alternate, and the removal of item #4 to the Regular Agenda.

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

Regular Agenda

4. Adopt a Resolution Approving a Side Letter to Amend the Memorandum of Understanding (MOU) with Fairfax Police Officers' Association (FPOA) to extend the current MOU from June 30, 2021 to June 30, 2020 with no other changes- Town Manager

Town Manager Toy presented the staff report

Mayor Ackerman opened the meeting to public comments.

Naomi Alessandra requested this be postponed so that the PPPSA could provide input.

Mimi Newton supported the FPOA and opposed delay of the hiring process.

Brian Poindexter stated that Police Department matters should not be on the Consent Calendar.

Deborah Benson supported the Fairfax Police Department, and opposed involvement of Town committees in labor negotiations.

Richard Applebaum stated his concern with the current process.

Joe McGarry supported postponing the item so that the PPPSA could provide input.

Veronica Geretz, PPPSA member, stated that reviewing the MOU is one of the committee's tasks.

Jane Richardson Mack supported the Fairfax Police Department, and opposed involvement of committees.

John Romaidis supported the comments of the previous speaker.

Patrece Bryan, RESJ and PPPSA member, stated she did not support either group's involvement in this matter, as it was not their charge.

Frank Egger, Meadow Way, supported the resolution.

The Council noted that adoption of the resolution would not affect the ability of the PPSA to make recommendations.

M/S, Coler/Goddard, Motion to Adopt a Resolution Approving a Side Letter to Amend the Memorandum of Understanding (MOU) with Fairfax Police Officers' Association (FPOA) for the period July 1, 2018 through June 30, 2021

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

5. Consider the creation of a temporary skate/scooter park in the western portion of the Pavilion parking lot, provide direction to staff regarding key policies and direct staff to proceed, if appropriate- Town Manager

Town Manager Toy presented the staff report.

Steven Tejeiro gave a PowerPoint presentation and an update on the temporary Skate Park.

Mayor Ackerman opened the meeting to public comments.

Cass Morrison, John Romaidis, Bridget Carlson, Steven Wasserman, Andrea Sumits, Kent Madson, Bill King, Jamison Wells, John Daley, Andrew Harris, Ilo, Lina, Jake, Cooper, and Woolf Barnato, and Holly Bragman supported the project.

The Council discussed the proximity to the compost bin, losing some parking spaces, noise and the hours of operation, recycling, garbage, a timeline for the temporary park of twelve to twenty-four months with a six-month check-in.

M/S, Hellman/Cutrano, Motion to support the creation of the temporary skate/scooter park per the staff report.

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

The Council took a 10-minute break at 9:17 p.m.

6. Introduce and read by title only an Ordinance Adding Sections 10.28.020, "Designated Skate Park Areas", and 10.28.030, "Safety Equipment Required", to Chapter 10.28 of the Fairfax Municipal Code, entitled "Skateboards", Setting Forth Procedures for Authorizing Designated Public Areas as Skating Facilities and Requiring Use of Safety Equipment. Categorically exempt from CEQA under CEQA guidelines Section 15303 (Class 3)- Town Manager

Town Manager Toy presented the staff report.

There were no public comments.

In response to Council questions, Town Attorney suggested the following amendments: 1) The word "areas" throughout shall be changed to "area", and "parks" shall be "park" and "facilities" shall be "facility" except in the CEQA Section; 2) The wording "skateboard or other wheeled recreational devices" will be changed to "non-motorized skateboards, scooters, in-line skates, or roller skates"; 3) Any reference to location shall be changed to "the Pavilion/Bank Street Public Parking lot"; 4) Elimination of the fifth "Whereas"; 5) The addition of Section 6, Sunset Date, shall read: "This Ordinance shall terminate and be of no further force or effect at midnight on April 3, 2023".

M/S, Coler/Cutrano, Motion to Introduce and read by title only an Ordinance Adding Sections 10.28.020, "Designated Skate Park Area", and 10.28.030, "Safety Equipment Required", to Chapter 10.28 of the Fairfax Municipal Code, entitled "Skateboards", Setting Forth Procedures for Authorizing a Portion of the Pavilion/Bank Street Public Lot as a Skating Facility and Requiring Use of Safety Equipment with the amendments made by Town Attorney Coleson.

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

7. Discuss results of Cascade Drive questionnaire and direct staff as appropriate-
Town Manager

Councilmember Goddard recused herself from this item due to the location of her residence.

Town Manager Toy presented the staff report. Mr. David Parisi, Town traffic engineer, discussed traffic surveys and stated the goal of the project was to reduce speeds.

Mayor Ackerman opened the meeting to public comments.

Minna supported the 15 mile per hour speed limit.

Steve Wasserman supported the 15 mile per hour speed limit.

Deborah Benson did not support the current configuration of the road.

Richard Applebaum supported a line down the middle of the road and a 15 mile per hour speed limit.

Frank Egger, Save Fairfax, supported a double yellow center line.

Janet Fitzgerald did not support the current roadway configuration.

Steve did not support the current roadway configuration.

Mark Bell did not support the current roadway configuration.

John had concerns about fire.

Mr. Parisi stated the original intent of the project was to create traffic calming measures and reduce speeds.

M/S, Coler/Hellman, Motion to go back to the double yellow line throughout, posting 15 mile per hour advisory signs, and removing all the fog lines with the exception of the totally flat area where the traffic engineer says there is plenty of room.

AYES: Coler, Hellman, Mayor Ackerman

NO: Cutrano

RECUSED: Goddard

Mayor Ackerman asked staff to do everything possible to slow traffic down.

At 12:14 a.m. Councilmember Goddard returned to the meeting.

M/S, Coler/Cutrano, Motion to waive the 11:30 p.m. rule and continue with the rest of the agenda.

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

8. Discuss/consider expanding the closure of the lower portion of the Mono Parking Lot from up to five (5) days per week to up to seven (7) days per week and authorize staff as appropriate- Town Manager

Town Manager Toy presented the staff report.

Councilmember Goddard noted the closure of the lot is handled by volunteers and the idea is to make it manageable for them.

Mayor Ackerman opened the meeting to public comments.

Beth Verdekal supported fewer cars and more pedestrian/bicycles in the downtown.

M/S, Goddard/Cutrano, Motion to expand the closure of the lower portion of the Mono Parking Lot from up to five (5) days per week to up to seven (7) days per week and authorize staff to do so as appropriate.

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

9. Receive oral status update of the Parks and Recreation Commission's exploration of a permanent location for a skate and scooter park- Town Manager

Town Manager Toy presented a staff report

There were no public comments.

There were no comments from the Council.

M/S, Coler/Goddard, Motion to adjourn the meeting at 12:32 a.m. in memory of Ms. Arlene Spencer.

Respectfully submitted,

Toni DeFrancis, Recording Secretary