



TOWN OF FAIRFAX

STAFF REPORT

February 3, 2021

TO: Mayor and Town Council

FROM: Garrett Toy, Town Manager

SUBJECT: Adopt two resolutions: (a) Resolution Setting Terms for At-Large Members of the Tree Advisory Committee; and (b) Resolution Amending the Interview and Appointment Policy to Amend the Process for the Tree Advisory Committee

RECOMMENDATION

1. Adopt a Resolution Setting a Term of Three Years for At-Large Members of the Tree Advisory Committee; and
2. Adopt a Resolution Amending the Interview and Appointment Policy to Amend the Process for the Tree Advisory Committee

DISCUSSION

At the January 20, 2021, Council meeting staff was directed to add two resolutions to tonight's agenda for consideration after the second reading and adoption of the Ordinance Amending Section 8.36.030 ("Tree Advisory Committee") of the Town Code to Set Terms for At-Large Members by Resolution.

The first resolution (Attachment A) establishes a term of office of three years for Tree Advisory Committee at-large members. The resolution also provides for the term of the current at-large member who was appointed in 2016 to be extended one year from the date of the adoption of this resolution, so that her term doesn't end immediately. The terms of the other current at-large members will expire in 2022 and 2023.

The second resolution (Attachment B) amends the process to replace an at-large member holding a Tree Committee position dedicated to a representative of the Parks and Recreation Commission, the Planning Commission, or the Open Space Committee. Formerly, the process allowed the at-large member to remain on Tree Committee for one more meeting after one of those bodies notified the Town Clerk of an appointment. The amendment (underlined text in Exhibit A to the Ordinance) is to allow the at-large member to remain on the Tree Committee for six months after notification of the appointment.

FISCAL IMPACT

N/a

ATTACHMENTS

- A. Resolution Setting a Term of Three Years for At-Large Members of the Tree Advisory Committee
- B. Resolution Amending the Interview and Appointment Policy to Amend the Process for the Tree Advisory Committee (with amended language underlined)

RESOLUTION 21-__

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
ESTABLISHING TERMS OF OFFICE FOR AT-LARGE MEMBERS OF THE
TREE ADVISORY COMMITTEE**

WHEREAS, the Town regulates the removal and preservation of trees within the Town through Chapter 8.36 ("Trees") of the Town Code; and

WHEREAS, Section 8.36.030 of the Town Code provides for a Tree Advisory Committee to consist of one member of the Parks and Recreation Commission, one member of the Planning Commission, and one member of the Open Space Committee to be selected by their respective bodies ("the Committees"), and two at-large members to be appointed by the Town Council; provided, however, that if one or more of the Committees does not select one of their members to the Tree Advisory Committee, the Council may appoint an additional at-large member to that vacancy; and

WHEREAS, Section 8.36.030 was amended on February 3, 2020, to provide that terms of all at-large members of the Tree Committee shall be established by the Town Council by resolution; and

WHEREAS, in establishing the terms of office, the Council does not wish to allow the term of any current member of the Tree Committee to expire immediately upon adoption of this resolution; and

WHEREAS, as members resign and additional members are appointed, the terms of members would remain naturally staggered if individual appointments were made for three years from the date of appointment;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Fairfax that the term of office of all at-large members of the Tree Committee shall be for three years from the date of appointment; provided, however, that the term of the current at-large member who was appointed in 2016 shall be extended one year from the date of the adoption of this resolution.

The foregoing Resolution was duly passed and adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 3rd day of February 3, 2021, by the following vote, to wit:

AYES:
NOES:
ABSENT:

BRUCE ACKERMAN, Mayor

Attest: _____
Michele Gardner, Town Clerk

ATTACHMENT A

RESOLUTION 21-__

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
AMENDING THE INTERVIEW AND APPOINTMENT POLICY TO AMEND THE
APPOINTMENT PROCESS FOR THE TREE COMMITTEE**

WHEREAS, the Council's current Interview and Appointment Policy was adopted on August 24, 2013, amended on September 6, 2017, and November 7, 2018; and

WHEREAS, the Town Council now wishes to amend its policy to amend the appointment process for the Tree Advisory Committee;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Fairfax, that the Council Interview and Appointment Policy attached hereto and incorporated herein as Exhibit A is hereby adopted.

The foregoing Resolution was duly passed and adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 3rd day of February 2020, by the following vote, to wit:

AYES:
NOES:
ABSENT:

BRUCE ACKERMAN, Mayor

Attest:

Michele Gardner, Town Clerk

EXHIBIT A

Council Interview and Appointment Policy

1. Town Boards, Committees, and Commissions

- 1.1 Applicants interested in applying for any vacancies on Town Boards, Commissions, and Committees (TBCC), with the exception of the Planning Commission, are required to attend at least one meeting of the specific TBCC prior to being interviewed and appointed by the Town Council. Applicants should inform staff which meeting of the specific TBCC they are planning to attend. Applicants should bring their application/resume to the meeting, where they will be informally interviewed by the TBCC. The TBCC may provide input to the Town Council regarding applicants. Input is not a recommendation, but rather the strengths and weaknesses of an applicant as well as the areas of expertise the TBCC is looking for in a new member.
- 1.2 Applications are due by 5:00pm Thursday of the week prior to the Council meeting in order to be interviewed at the Council meeting.
- 1.3 If more than 3 applications are received for a TBCC vacancy, the respective TBCC should refer only the top three candidates to the Council for interviews. The Town will continue its policy of vacant TBCC seats being open until filled, with the exception of the Planning Commission.
- 1.4 The Council at its discretion may fill vacancies with alternates already on the specific TBCC without interviewing new applicants.
- 1.5 Youth applicants: because youth are non-voting members and their term is only one year, TBCC shall interview youth applicants and appoint them as appropriate.

2. Artist-in-Residence

PARC will issue the RFP and interview applicants. If more than 3 applications are received, PARC would narrow the applicants down to the top 3 for interview and appointment by the Council. PARC will provide input to the Council regarding the strengths and weaknesses of each applicant.

3. Planning Commission

- 3.1. For the Planning Commission, with its greater responsibility, staff will establish a deadline for the applications to encourage people to apply sooner and, thus, create a larger pool of applicants from which to select.
- 3.2. Applicants would be encouraged to attend a Planning Commission (PC) meeting to observe the proceedings. However, the Planning Commission would not informally interview applicants.

3.3. When applications for a vacancy are received, the Council may conduct an informal interview at a special meeting prior to the Council meeting and then make an appointment at the next Council meeting.

4. Tree Advisory Committee (Town Code §8.36.030).

4.1. The Tree Advisory Committee consists of five members as follows: one member of the Planning Commission, one member of the Parks and Recreation Commission, and one member of the Open Space Committee to be selected by their respective bodies (Committees), and two at-large members to be appointed by the Town Council. The Town Council may appoint member(s) at-large to the vacancy(-ies) created when one or more of the above-referenced Committees does not appoint one of its members to the Tree Advisory Committee. The initial order of such appointments is Planning Commission, PARC, FOSC.

4.2. When one of the above-referenced Committees appoints one of its members after the Council has appointed an additional at-large member, the process shall be as follows.

- The Committee shall notify the Town Clerk of the appointment.
- The Town Clerk shall notify the at-large member that their term shall terminate six months from the date the Clerk receives notice. The Committee-appointed member's term shall commence at the first meeting of the Tree Advisory Committee after the expiration of the six-month period. If, for any reason, at the end of the six-month period the Committee-appointed member is unable or unwilling to serve on the Tree Advisory Committee, the at-large member may continue to serve out the remainder of their term on the Tree Advisory Committee.