



**MINUTES**  
**FAIRFAX OPEN SPACE COMMITTEE**  
**16 Park Road / Youth Center, Fairfax, CA 94930**  
**Tuesday, March 22, 2016, 7:30 PM**

**Fairfax Open Space Members:**

Chris Powers -- Acting Chair	Jack Judkins
Michael Ardito	Nancy Rogers
Ray Burgarella	Michael Simler
Ruth Horn	Hannah Salaverry ( <i>ex officio member</i> )

1. **Call to Order and Roll Call:** Chris Powers, Acting Chair  
Chris Powers called meeting to order at 7:45 p.m. when the quorum was reached. Present: Chris Powers, Michael Ardito, Ruth Horn, Nancy Rogers, Michael Simler, and Hannah Salaverry. Absent: Ray Burgarella and Jack Judkins. Guests included Town Councilmember / FOSC website master Barbara Coler; former FOSC member / chair Mimi Newton; former Fairfax Town Councilmember Frank Egger.
2. **Approval of Agenda for March 22, 2016 and Minutes from February 23, 2016**  
Agenda for March 22 was approved. Approval of minutes from the February 23 meeting was postponed until next meeting when a quorum of FOSC members attending February 23 meeting will be present. It was later learned that absent members from prior meetings may vote for approval of those minutes.
3. **Open Time for Public Expressions** (*The public is welcome to address the Committees at this time on matters not on the agenda. Please be advised that pursuant to Government Code 54954.2, the Committees are not permitted to take action on any matter not on the agenda, unless it determines that an emergency exists, or that the need to take action arose following posting of the agenda. Each speaker is limited to three minutes and a spokesperson for an organization is limited to five minutes.*) No members of the public were present to talk about issues other than those agendaed.
4. **Treasurer's Report:** Ray Burgarella  
The report was postponed until the next meeting.
5. **Development of FOSC Budget for 2016-17; Town Council workshop on May 20**  
This agenda item was postponed until April FOSC meeting when it was expected the FOSC treasurer will be able to attend the FOSC meeting to determine FOSC representation at the workshop.
6. **Potential Reporting on Form 700** – Town Councilmember and FOSC Liaison Barbara Coler.  
This form is used statewide pursuant to the Fair Political Practices Commission reporting requirements for people with decision-making authorities to report personal financial worth (such as property and stocks) to determine when voting there may be a conflict of interest. At this time, FOSC members are not required to file Form 700, but it may be determined by this October whether FOSC members will be included. After much discussion, Barbara Coler indicated that FOSC member Jack Judkins could explain more details about Form 700 reporting.
7. **FOSC Continuing Business** – discussion and possible action on:
  - **Update regarding Wall Property (and potential open space acquisition)**  
Mimi Newton reminded FOSC members that Wall property owner Marshall Rothman still has his offer open to sell about 80 acres as open space for \$3 million from his 99-acre property. Michael Ardito reminded FOSC members that government entities such as the Town of Fairfax or the County of Marin are under some constraints to only purchase property up to the appraised value. It was mentioned that seeking the appraised value of property can be expensive in itself. There were renewed questions regarding adjoining properties to the Wall property such

as County lands and/or the “Cappy property.” Frank Egger asked historical questions about who and what was paid for areas of the Wall property that had landslides. More research is necessary to answer those and other questions.

8. **Lutheran Church and Potential Open Space Acquisition (back 18 acres)** – Barbara Coler  
Barbara Coler reported that the Resources for Community Development has indicated to the Town of Fairfax that only two acres of the 20-acre property can be built for senior housing at that location. There is an option for the Town or County to purchase the back 18 acres as open space. The cost figure of \$300,000 was mentioned for the 18 acres. Marin Open Space Trust has indicated some interest in purchasing this property for open space. In terms of this property, FOSC needs to look at its criteria list for acquisitions. There was lengthy discussion about a potential tax assessment district for purchase of open space. The issue of the “no quid pro” decision from the Supreme Court needs to be reviewed by FOSC members.
9. **Status and Future of FOSC Website** – discussion and possible action: Chris Powers  
Barbara Coler reported that a website design usually costs about \$10,000, but FOSC received theirs done for only \$1,250. She reported that our website is now working again after being seriously hacked in January. Also, Pay Pal on the FOSC website is working again. We recently received \$305 via Pay Pal prior to December 2015.
10. **Future Approaches for Outreach and Fundraising** – Chris Powers  
After much discussion, it was mentioned that FOSC needs to check with Town Manager Garrett Toy about legalities and in the future for FOSC to refresh the authorization of fundraising for specific properties.
11. **Possible music concert fundraiser(s) in 2016** – discussion and possible action: Chris Powers; Nancy Rogers; and Mimi Newton, former FOSC Chair  
After much discussion, for an “Open Space Day in Fairfax” with music and activities, someone needs to check with Susan Waters about the calendar availability of the Contratti Ballpark for this purpose.
12. **Discussion and possible action on annual broom pull(s) at Jolly Hill or elsewhere**  
Due to the temporary cancellation of “Gift of Love” events in Marin and the lack of FOSC members available to do a Jolly Hill broom pull there or elsewhere soon in Fairfax, this issue was postponed for further discussion. The right weather and damp soil conditions also will be necessary to schedule a broom pull.
13. **Discussion and possible action on “Give Back Tuesday” in June** – Michael Ardito  
Michael Ardito reported that Iron Springs offered Tuesday, June 21 as the possible date for the next Give Back Tuesday for FOSC. The Committee voted to go ahead with the June 21 date which will allow outreach again during the Fairfax Festival and an extra week to get ready (rather than the Tuesday immediately after the Fairfax Festival).
14. **Discussion and possible action on participation in Bay Area Open Space Conference on May 19**  
Michael Ardito was planning to attend the annual conference and take advantage of early registration discounts. He asked if any other FOSC members were interested to attend and could be the “official” FOSC representative to receive full or partial financial reimbursement from FOSC. Chris Powers indicated interest and subsequently discovered he had a scheduling conflict and could not attend.
15. **Discussion about compliance with Brown Act**  
Due to continuing concerns and confusion about compliance with the Brown Act, Michael Ardito offered to contact San Anselmo about its online training for Open Space members. It was noted that most members of FOSC, especially new members, have not taken the Fairfax attorney’s training about the Brown Act.
16. **FOSC Subcommittee Reports** (including Tree Committee participation)  
Michael Ardito provided an update from the Tree Committee regarding the ongoing discussions about saving the redwood trees at Fairfax Square, 85 Bolinas Road.

**17. Confirmation of Acting Chairs for April, May, June, July, August**

Prior to the meeting, Jack Judkins confirmed that he would be available to chair the April and May meetings. Michael Ardito reconfirmed that he was scheduled to chair the June, July and August meetings.

**18. Discussion and possible action on FOSC Membership** (decrease number or adding youth members) Continued to next meeting.

**19. Quorum Call for FOSC meeting on April 26, 2016.** Everyone indicated they would be able to attend the next meeting.

**20. Members Expressions**

Michael Ardito mentioned that the annual San Anselmo Open Space lecture fundraiser was scheduled for Saturday, April 16. He also mentioned the Marin IJ Forums conducted by columnist Dick Spotswood that are on-line and shown periodically on the local Marin access station.

**21. Adjournment**

The meeting was adjourned about 10:10 p.m.