
6 Nov 24 Town Council Meeting - Agenda Item #2

From Cindy Swift <c.swift@comcast.net>

Date Tue 11/5/2024 10:43 AM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>

Town Council/Staff:

I appreciate the detailed Staff Report.

Focusing on the sub committee's recommendations (top of pg 4 of Attachment A) I ask that either during the Town Manager's verbal report or the Town Council's questions of staff before Public Comment that the following be addressed as I assume that other members of the public may have similar questions:

1. Anti-camping ordinance that would prohibit camping in town parks – define the term 'town parks' and what that includes as there are neighborhood parks in Fairfax.
2. Ordinance process and timeline – considering that Little League Spring season starts in February:

Can staff address the ordinance process requirements for both a regular ordinance and an emergency ordinance to include requirements of first and second readings and whether they are done at 'regular' town council meetings or 'special' town council meetings?

Thank you

Cindy Swift


Allow Marin Alliance for Medical Marijuana to Relocate in Fairfax

From Dale Gieringer <dale@canorml.org>

Date Wed 11/6/2024 9:40 AM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>

Cc Lauren Mendelsohn <lauren@omarfigueroa.com>; Ellen Komp <ellen@canorml.org>

 1 attachments (365 KB)

Marin_Alliance_Support_le.docx;

To the Fairfax Town Council:

[California NORML](#) wishes to express our support of the citizen's petition to let the Marin Alliance for Medical Marijuana relocate their business in Fairfax.

The Marin Alliance is the longest operating cannabis dispensary in the nation. Marin County is sadly lacking in other legal dispensaries. For over 25 years, the Marin Alliance has been a beacon for medical marijuana patients across the county. The Marin Alliance has been an ongoing cultural attraction for Fairfax. We urge you to allow it to relocate within the city.

Respectfully,

Dale Gieringer, Ph.D.
Director, California NORML

California NORML
www.canorml.org



*California Chapter of the National Organization for the Reform of Marijuana Laws
2261 Market St. #278A, S.F., CA 94114 - www.canorml.org - (415) 563-5858 / (510) 540-1066
LA Office: (310) 652-8654*

Nov 6, 2024

Town Council
Town of Fairfax
142 Bolinas Rd.
Fairfax CA 94930

Re: Relocation of the Marin Alliance for Medical Marijuana

We are writing in support of the citizen's petition to let the Marin Alliance for Medical Marijuana relocate their business in Fairfax. The Marin Alliance is the longest operating cannabis dispensary in the nation. Marin County is sadly lacking in other legal dispensaries. For over 25 years, the Marin Alliance has been a beacon for medical marijuana patients across the county. The Marin Alliance has been an ongoing cultural attraction for Fairfax. We urge you to allow it to relocate within the city.


Respectfully,

A handwritten signature in black ink, appearing to read "D. Gieringer".

Dale Gieringer,
Director, Cal NORML
Co-author, CA Compassionate Use Act of 1996 (Prop 215)
www.canorml.org

Letter on Agenda Item 2

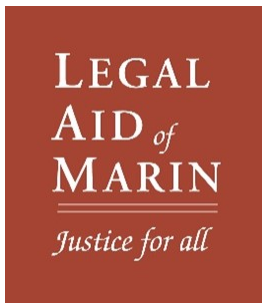
From Ethan Strull <estrull@legalaidmarin.org>
Date Wed 11/6/2024 3:02 PM
To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>
Cc Lucie Hollingsworth <lhollingsworth@legalaidmarin.org>

 1 attachments (42 KB)

Letter for Fairfax Town Council 11.6.docx;

Please see attached.

Ethan Strull (he/him/his)
Housing Policy Advocate
[Legal Aid of Marin](http://www.legalaidmarin.org)
415-320-4697
1401 Los Gamos Drive, Suite 101
San Rafael, CA 94903



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November 6, 2024

Dear Fairfax Town Council,

We write regarding Agenda Item 2: the discussion of homelessness and the proposal for an anti-camping ordinance. We would like to first acknowledge Fairfax community members' frustration surrounding the unhoused people living in the Town. As an organization that works to prevent homelessness for low-income tenants and helps unhoused residents resolve fines and fees resulting from traffic and lifestyle tickets, we share your frustrations on the difficulty to solve this profound issue.

Legal Aid of Marin runs Marin's Community Court program in partnership with the court and St. Vincent's de Paul. Here we see firsthand the results of criminalizing homelessness. Receiving tickets for the mere act of sleeping, along with other lifestyle tickets that target our homeless residents, puts up additional barriers to getting housed. These are tickets they will never be able to pay for. They cause immense stress, exacerbate mental health issues, and further erode trust with law enforcement, city staff, and the community as a whole. These tickets also put up even more barriers to re-housing efforts. We understand that this council feels pressure to clear homeless residents from city streets, but these amendments will only add to the unhoused population.

The Fairfax Town Council Homelessness Subcommittee Report makes very clear that there is currently a shortage of temporary or transitional housing: "there are more than 922 chronically homeless individuals on the waiting list for Permanent Supportive Housing in Marin." **What the report doesn't make clear is that there are only 144 shelter beds in Marin County, and it takes weeks or months to secure one of these beds.** In the absence of other housing options, the "important considerations" of an anti-camping ordinance become likely outcomes. Unhoused individuals *will* get displaced to communities without such ordinances or to more remote locations in Fairfax, causing trauma and disruption of services along the way. We encourage Fairfax to take proactive steps, in collaboration with local nonprofits and neighboring municipalities, and to refrain from criminalizing a population that still needs to sleep, eat, and go to the bathroom whether they have a roof over their head or not. We urge this council to show restraint and compassion and create an ordinance that works to eliminate homelessness rather than exacerbate it.

Sincerely,

Lucie Hollingsworth
Policy Attorney
Legal Aid of Marin

Fwd: Marin Alliance Item on November 7th Agenda

From Larry Bragman <bragmanlaw@gmail.com>

Date Tue 11/5/2024 1:32 PM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>

Cc Lauren Mendelsohn <lauren@omarfigueroa.com>; Lynnette Shaw <cbcmarinalliance@gmail.com>

 1 attachments (25 KB)

FAIRFAX ORDINANCE 10.25.24 DRAFT.docx;

Dear Council:

This is a duplicate of the email I sent to you individually. I look forward to talking to further when I return. Thanks again,

Larry Bragman
Sent from my iPhone

Begin forwarded message:

From: Larry Bragman <bragmanlaw@gmail.com>

Date: November 4, 2024 at 9:04:04 PM CST

To: Lynnette Shaw <cbcamm@gmail.com>, Lauren Mendelsohn <lauren@omarfigueroa.com>, tom B <tsbiii@gmail.com>, Omar Figueroa <omar@omarfigueroa.com>

Subject: Fwd: Marin Alliance Item on November 7th Agenda

Here you go. No responses yet.

----- Forwarded message -----

From: **Larry Bragman** <bragmanlaw@gmail.com>

Date: Mon, Nov 4, 2024 at 4:05 PM

Subject: Marin Alliance Item on November 7th Agenda

To: Chance Cutrano <ccutrano@townoffairfax.org>, Barbara Coler <bcoler@townoffairfax.org>, Bruce Ackerman <backerman@townoffairfax.org>, Lisel Blash <LBlash@townoffairfax.org>, Stephanie Hellman <shellman@townoffairfax.org>

Cc: Pal.attorney <janet.coleson@pal.attorney>, Heather Abrams <habrums@townoffairfax.org>, Jeff Beiswenger <jbeiswenger@townoffairfax.org>

Dear Council:

I'm in my home state of Wisconsin until Wednesday afternoon when I'll head back to California. I don't expect to be back in time for your meeting and therefore am writing to briefly update you about the challenges facing the Marin Alliance.

The owner of School Street Plaza has sent "Notices to Terminate" to all tenants, including the Alliance. We have been talking to them about extending the Alliance's lease but have not been able to do so. As of today, the dispensary is supposed to vacate in 60 days.

I met with Janet Coleson, Heather Abrams and Jeff Beiswenger a couple months ago to see if we could engage with the Town to facilitate a relocation of the dispensary.

The Alliance cannot relocate its license under the current code which requires it to go through another public vetting process. This is a very complex and laborious process from which the Alliance has always been exempt as a legacy business.

On the other hand, if the Council simply amended the relevant code section to permit the Alliance to relocate to another site as a continuing operation, it would facilitate an orderly transition to a new location with a minimum of disruption of its service to the community, including many medical patients.

Hence, Lynnette's team drafted some proposed ordinance changes to allow the Alliance to relocate with a minimum of delay and disruption.

There are other changes included in the attached draft but the most important change is to include a relocation exemption for the Alliance as an ongoing, legacy business.

The other changes included in the draft are not as urgent and could be reviewed in the normal course of business. At any rate, our draft with suggested changes is attached.

The Alliance situation is currently on your agenda for your upcoming meeting. While I do not believe that I will be back in time to appear, please feel free to email me if you have any questions, suggestions, etc.

In the meantime, thank you all for your service and dedication to Fairfax.

Larry

cc: Janet Coleson, Heather Abrams, Jeff Beiswenger

--

Law Office of Lawrence Bragman
912 Lootens Place, Second Floor

San Rafael, CA 94901

(415) 459-6060

(415) 459-6067 (Fax)

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homelessness, town meeting

From Lauraine Rose <lauraine3@icloud.com>

Date Fri 11/1/2024 8:55 PM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>

Hi,

Thanks for the work you do.

I was just reading over the agenda for the upcoming town council meeting, in particular, all of the details regarding the homeless encampment. I was wondering if anyone has ever invited these unhoused individuals to our meetings. It might be productive to hear what they have to say. Or, is that not allowed if they are not official Fairfax residents?

Thank you for your attention,
Lauraine Rose

Re: Comment on Item #1 on the 11/6/24 Fairfax Town Council Agenda

From Lauren Mendelsohn <lauren@omarfigueroa.com>

Date Wed 11/6/2024 2:39 PM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>

 1 attachments (182 KB)

FAIRFAX ORDINANCE 10.25.24 DRAFT.docx.pdf;

Good afternoon Honorable Councilmembers:

Attached are draft amendments to the Fairfax Municipal Code that would allow Lynnette Shaw and the Marin Alliance dispensary to relocate to a new site in town without having to stop providing essential services to the community. The amendments would also allow Lynnette Shaw and the Marin Alliance dispensary to operate this business like other licensed cannabis dispensaries in California that can have a single premises instead of two, which is expensive and inefficient, and complicates things tremendously when it comes to regulatory compliance. The amendments would also allow Ms. Shaw to transfer her permits to an LLC controlled by her, rather than being forced to continue operating as a sole proprietor. Even the Department of Cannabis Control has commented that Fairfax's restrictions are illogical and make it harder for Ms. Shaw to comply. The most pressing change though is allowing Ms. Shaw to relocate her permits to a new location -- the need for which is due to circumstances beyond her control, namely, termination of her lease -- without having to go through a lengthy re-application and review process.

I will be attending tonight's meeting and am happy to answer questions about these proposed amendments.

Thank you.



Lauren A. Mendelsohn, Esq.

Junior Partner

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On Tue, Nov 5, 2024 at 2:26 PM Lauren Mendelsohn <lauren@omarfigueroa.com> wrote:

Dear Honorable Councilmembers:

I represent Lynnette Shaw of the Marin Alliance dispensary with regards to cannabis licensing and regulatory compliance. The Marin Alliance is the oldest cannabis dispensary in California, which has served the community for over two decades. It is the only walk-in dispensary in Marin County, providing an essential service to thousands of medical patients and adult-use consumers in Fairfax and the surrounding area.

As you may know, the owner of School Street Plaza, where Ms. Shaw currently operates the Marin Alliance out of, has sent all tenants notices to terminate their leases. At this point, Ms. Shaw may have to vacate by the end of this year. Under the current town code, Ms. Shaw would need to go through a lengthy re-application process simply to relocate to a different location in town, which would take several months during which time she would be forced to shut down. This would be devastating to the Marin Alliance as well as to the community members who depend on their products and services.

Given that the Marin Alliance has been recognized as a legacy business and granted other exemptions in the town code (which refers in many places to the "existing medical marijuana dispensary that has been legally and continually operating as of April 3, 2018"), and given that the need to move was created by factors out of Ms. Shaw's control, I ask that you create an expedited pathway for Ms. Shaw to relocate her dispensary permits to another suitable location within town limits as a continuing operation. Some other amendments to the town code (shown in the draft submitted by Mr. Larry Bragman, which I prepared) would also benefit the Marin Alliance in the long term, but dealing with the relocation issue is by far the most pressing.

Please let me know if you have any questions about Ms. Shaw's request, and thank you for your consideration of this critical and urgent matter.

Respectfully,

Lauren Mendelsohn



Lauren A. Mendelsohn, Esq.

Junior Partner

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lauren@omarfigueroa.com

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Proposed Amendments to Fairfax Town Municipal Code

SECTION 5.56.040 OF THE FAIRFAX MUNICIPAL CODE IS AMENDED TO READ AS FOLLOWS:

(Added text underlined, deleted text ~~stricken through~~)

§ 5.56.040 Permit Requirements.

(A) Any person seeking to establish or operate a medicinal or adult-use cannabis business from a premises located in the town must first obtain and maintain a commercial cannabis business permit in accordance with this chapter prior to establishing and/or operating.

(B) Commercial cannabis business permits may be issued to no more than two cannabis retail ~~locations~~ operations at any one time in the following activity categories, or in any combination thereof:

(1) ~~Medical-use only storefront~~ Storefront retailer, which may be medical-use, adult-use or both; and/or

(2) Delivery-only retailer(s) (non-storefront retailer), which may be medical-use, adult-use or both.

The existing medical marijuana dispensary that has been legally ~~and continually~~ operating as of April 3, 2018 shall be counted as one operation ~~location~~, which may conduct both storefront and delivery operations out of the same premises in accordance with State regulations. In the event that the existing medical marijuana dispensary ceases to operate in accordance with a legally-issued permit for more than one year, another a permit may be issued for another operator ~~or location~~ such that at all times, two, but not more than two, ~~retail locations~~ retailers may hold permits to legally operate. Notwithstanding the foregoing or anything else herein, the existing medical marijuana dispensary may relocate to a different location in town without going through the permit application procedure in §5.56.060 and §5.56.070. Any interruption of business during the relocation process shall not be deemed to be a cessation of operations. One retail location may consist of side-by-side licensed premises as defined in 16 Cal. Code of Regulations § 5025, in order to permit the operation of both a medical use storefront retailer and adult-use delivery-only retailer by a single operator.

(C) When the number of commercial cannabis business permit locations falls below the limit set forth above, the Town Manager (or his or her designee) shall post a notice of availability that the town will be accepting applications for commercial cannabis business permit(s). The notice shall include the dates during which applications will be accepted, information regarding application requirements and directions, and the contact information for questions. The notice shall be posted on the town' s website and on the three public places in the Town of Fairfax designated for official postings.

SECTION 5.56.120 OF THE FAIRFAX MUNICIPAL CODE IS AMENDED TO READ AS FOLLOWS:

(Added text underlined, deleted text ~~stricken through~~)

A permit shall expire if not in active use for a period of six months at any time after the date of issuance. **ACTIVE USE** means conducting the commercial cannabis activity authorized by the permit following receipt of a certificate of occupancy, if required. This period may be extended if ~~the permit has applied for a state commercial cannabis license that has active use has~~ been delayed through no fault of the permittee or during the relocation process described under Section 5.56.040. Expired permits may not be renewed but the permit holder may apply again when a permit vacancy occurs.

SECTION 5.56.130 OF THE FAIRFAX MUNICIPAL CODE IS AMENDED TO READ AS FOLLOWS:

(Added text underlined, deleted text ~~stricken through~~)

5.56.130 TRANSFER OF PERMITS.

(a) A commercial cannabis business permit issued under this chapter is valid only as to the permittee and approved site, and is therefore nontransferable to other persons or locations, except as described herein. A commercial cannabis business permit is not property and has no value. A commercial cannabis business permit may not be transferred, sold, assigned or bequeathed expressly or by operation by law. Any attempt to directly or indirectly transfer a commercial cannabis business permit shall be deemed to constitute a voluntary surrender of such permit and such permit shall therefore be automatically rendered null and void.

(b) Notwithstanding the foregoing: ~~Except, however,~~

(i) If the permittee is a partnership, corporation, limited liability company or other entity, and one or more of the owners should die, one or more of the surviving owners may acquire, by purchase or otherwise, the interest of the deceased owner without affecting a surrender or termination of such permit and in each case the permittee shall thereafter be deemed to be the surviving owner(s).

(ii) If the permittee is a sole proprietorship, the individual sole proprietor may transfer the permit to an entity in which they are the sole owner without affecting a surrender or termination of such permit.

(iii) ~~Additionally, a~~ A commercial cannabis business permit may be endorsed to add an additional owner, provided such prospective new owner satisfies the requirements for applicants, including but not limited to, a criminal history check and the qualifications listed in § 5.56.080, as approved by the Town Manager.

(iv) The existing medical marijuana dispensary that has been legally and continually operating as of April 3, 2018 shall be counted as one operation and may relocate to a different location in town without going through the permit application procedure in §5.56.060 and §5.56.070. Any interruption of business during the relocation process shall not be deemed to be a cessation of operations.

SECTION 5.56.170 OF THE FAIRFAX MUNICIPAL CODE IS HEREBY ADDED TO READ AS FOLLOWS:

(Added text underlined, deleted text ~~stricken through~~)

5.56.170 APPLICATION OF THIS ARTICLE TO EXISTING MEDICAL MARIJUANA DISPENSARIES

(A) An existing medical marijuana dispensary that was legally operating as of April 3, 2018 does not require a permit pursuant to this chapter to continue its existing operations as ~~storefront~~ a medicinal or adult-use cannabis retailer, which may conduct delivery as well as storefront operations in accordance with state laws and regulations. Said dispensary shall be able to transfer the location of its operations without going through the permit application procedure in 5.56.060 and 5.56.070. All general building and zoning requirements applicable to other types of businesses must be complied with.

~~—(B) However, if such a medical marijuana dispensary has received a permit to operate an adult-use cannabis delivery service from its existing premises pursuant to §5.56.300 as of December 31, 2019, then such adult use deliveries may continue until expiration of the adult-use delivery permit. Upon expiration of adult-use delivery permit approved under § 5.56.300, the owner shall be required to obtain a commercial cannabis business permit and comply with the provisions of this Article I for the adult-use cannabis delivery service, without the need to undergo the application review procedure set forth in § 5.56.070.~~

~~—(C) Alternatively, if such a medical marijuana dispensary has not received a permit to operate an adult-use cannabis delivery service pursuant to § 5.56.300 as of December 31, 2019, the owner shall be required to apply for a commercial cannabis business permit and comply with the provisions of Article I, including the application review procedure set forth in § 5.56.070, in order to operate an adult-use cannabis delivery service.~~

SECTION 5.56.300 OF THE FAIRFAX MUNICIPAL CODE IS AMENDED TO READ AS FOLLOWS:

(Added text underlined, deleted text ~~stricken through~~)

§ 5.56.300 ~~ADULT-USE~~ CANNABIS DELIVERIES BY CERTAIN EXISTING MEDICAL MARIJUANA DISPENSARIES.

A medical marijuana dispensary that was legally operating as of April 3, 2018 as well as any successor or approved transferee thereof and is permitted to operate, and conduct operations both as a medical marijuana and adult-use marijuana retailer, including both storefront and delivery operations service, ~~may operate an adult-use cannabis delivery service from the location of its existing premises upon obtaining a cannabis business permit pursuant to this section and in conformance with the requirements of § 17.110.230 of this Code and state law.~~ The Town Council shall adopt permit procedures and permit

regulations by resolution. ~~If no permit has been issued as of December 31, 2019, this § 5.56.300 sunsets and shall be of no further force and effect.~~

SECTION 17.110.040 OF THE FAIRFAX MUNICIPAL CODE IS AMENDED TO READ AS FOLLOWS:

(Added text underlined, deleted text ~~stricken through~~)

§ 17.110.040 CANNABIS RETAIL USES.

(A) Cannabis retailers may be permitted subject to the approval of a commercial cannabis business permit pursuant to Chapter 5.56 of this Code, and provided there shall be no more than two cannabis retailer locations at any one time, which may conduct delivery and/or storefront operations, and which may serve medical as well as adult-use customers. ~~in the following use categories, or in any combination thereof:~~

~~—(1) Medical use cannabis storefront retailer(s); and/or~~

~~—(2) Delivery only Adult use cannabis retailer(s);.~~

This limit shall include any medical marijuana dispensary that was legally operating as of April 3, 2018, ~~and continues to operate, and which may be permitted to conduct adult use cannabis deliveries pursuant to § 17.110.050 ("Adult Use Cannabis Deliveries By Certain Existing Medical Marijuana Dispensaries"), below~~ or any successor or approved transferee thereof. ~~In the event that the existing medical marijuana dispensary ceases to operate in accordance with a legally issued permit, another a permit may be issued for another operator or location such that at all times, two, but not more than two, retail locations may hold permits to legally operate. One retail location may consist of side-by-side licensed premises as defined in 16 Cal. Code of Regulations § 5025, in order to permit the licensing and operation of both a medical use storefront retailer and adult use delivery only retailer by a single operator.~~

(B) Cannabis retailers may be permitted in the following zones:

(1) Medical-use cannabis storefront retailers: Highway Commercial (CH) and Central Commercial (CC) and Limited Commercial (CL).

~~(2) Cannabis delivery only retailers: Highway Commercial (CH), Central Commercial (CC) and Limited Commercial (CL).~~

(C) Cannabis retailers shall not be allowed within the specified distances to the following uses that are in existence at the time the cannabis use is established. Specifically, a cannabis retailer shall not locate or establish:

(1) ~~Medical use cannabis s~~ Storefront retailers (including storefront retailers that also operate by delivery): Within a ~~600-150-foot~~ radius of a school, ~~or youth center, daycare center or tutoring center. (See Cal. Business and Professions Code § 26054.)~~ Within a 300 foot radius of a daycare center or tutoring center.

(2) ~~Cannabis-d~~ Delivery-only retailers: Within a ~~250-~~150-foot radius of a school or youth center. Pursuant to Cal. Business and Professions Code § 26054(b), as may be amended, the town finds that no setback or radius is necessary for cannabis delivery-only retailers near day care centers or other potentially sensitive uses, beyond the radii contained herein.

The distances specified in this section shall be the horizontal distance measured in a straight line from the property line of the specified use to the closest property line of the lot on which retailer is to be located without regard to intervening structures. (See Cal. Business and Professions Code § 26054(b); Cal. Health and Safety Code § 11362.768(c).)

(D) Cannabis retailers shall meet all standards for development in the underlying zoning district, in the town's General Plan, and in any applicable specific plans or master plans, and in addition:

(1) Parking shall be provided in accordance with the following:

(a) Medical-use cannabis storefront retailers: Town Code § 17.052.030(F) for retail and personal service stores at a rate of three spaces for the first 500 square of gross floor area and one space for each additional 500 square feet thereafter, plus one space per delivery vehicle unless an employee vehicle is used to conduct deliveries.

(b) Cannabis delivery-only retailers: Town Code § 17.052.030(K) for industrial uses, including wholesale and storage: one space per two employees of the maximum shift, plus one space per delivery vehicle unless an employee vehicle is used to conduct deliveries.

(2) Size of facility. The size of the facility shall not exceed ~~4,500~~ 2000 square feet exclusive of restroom facilities and common areas. unless approval is obtained from the Town Manager.

(3) If an application for a proposed cannabis retailer requires compliance with Chapter 17.020 ("Design Review Regulations"), then notwithstanding any provision of Chapter 17.020 to the contrary, the Planning Commission shall provide a recommendation on such design review application and final approval authority shall vested in the Town Council. The Town Council's review and decision shall in all respects comply with the criteria set forth in Chapter 17.020.

(4) If an application for a proposed cannabis retailer requires a traffic impact permit pursuant to Chapter 17.056 ("Traffic Impact Permit"), then notwithstanding any provision of Chapter 17.056 to the contrary, the Town Council shall not be required to approve the methodology used in the traffic study pursuant to § 17.056.070.

(5) If an application for a proposed cannabis retailer requires a sign permit pursuant to Chapter 17.064 ("Signs"), then notwithstanding any provision of Chapter 17.064 to the contrary, the Planning Commission shall make a recommendation on such sign permit, and final approval authority shall vested in the Town Council. The Town Council's review and decision shall in all respects comply with the criteria set forth in Chapter 17.064, ~~except signage shall be limited to a single window or wall sign and in no circumstances shall any signage for a cannabis retailer exceed six square feet in area.~~

SECTION 17.110.050 OF THE FAIRFAX MUNICIPAL CODE IS AMENDED TO READ AS FOLLOWS:

(Added text underlined, deleted text ~~stricken through~~)

§ 17.110.050 ~~ADULT-USE CANNABIS DELIVERIES BY CERTAIN~~ APPLICATION TO EXISTING MEDICAL MARIJUANA DISPENSARIES.

(A) A ~~medical~~ marijuana dispensary that was legally operating as of April 3, 2018 or any successor or permitted transferee thereof ~~and is permitted by the town to operate a medical marijuana delivery service,~~ may operate as a permitted use in any commercial district, ~~an adult-use cannabis delivery-only service from its then-existing premises,~~ subject to each of the following conditions:

(1) The dispensary shall, prior to conducting any commercial cannabis activities, ~~adult-use cannabis deliveries,~~ obtain and maintain at all times:

(a) A valid state cannabis license authorizing the type of commercial cannabis activities proposed ~~adult-use cannabis deliveries~~ which has been issued by the appropriate state licensing authority pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Cal. Business and Professions Code Division 10);

(b) A commercial cannabis business permit pursuant to Title 5, Division II, Chapter 5.56 of this Code; and

(c) Any other state and local licenses or permits required by this Code or state law.

(2) All cannabis deliveries must conform to state laws and regulations adopted pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act except as set forth herein regarding the state buffer zone.

~~(3) No adult-use customers shall be permitted to access or remain in the business premises of a medical marijuana dispensary.~~

~~(4) No adult-use cannabis retail sales shall be permitted to occur at the premises of a medical marijuana dispensary.~~

~~(B) Pursuant to Cal. Business and Professions Code § 26054(b), as may be amended, the town finds that no setback or radius is necessary for the conduct of adult-use cannabis deliveries by an eligible, existing medical marijuana dispensary pursuant to this section, beyond the zoning regulations contained herein.~~


~~(C) This section is not intended to give any person or entity independent legal authority to operate an adult-use cannabis non-storefront retail delivery service, it is intended only to clarify the zoning restrictions regarding certain existing medical marijuana dispensaries that may conduct adult-use cannabis deliveries in the town pursuant to this Code and state law. This section is in addition to any other business license and regulatory requirements~~

Proposed Amendments to Fairfax Town Code

~~imposed on medical marijuana dispensaries and non-storefront retail cannabis delivery services by this Code or other applicable state law.~~

Letter from Dr. Christopher Nyland regarding Item #1 on tomorrow's Town Council agenda

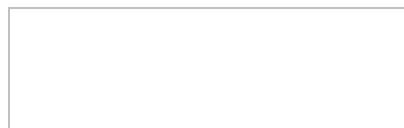
From Lauren Mendelsohn <lauren@omarfigueroa.com>
Date Tue 11/5/2024 2:51 PM
To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>
Cc CR Nyland <c.r.nyland@gmail.com>

 1 attachments (1,014 KB)
Letter from Dr. Nyland.pdf;

Good afternoon Honorable Councilmembers:

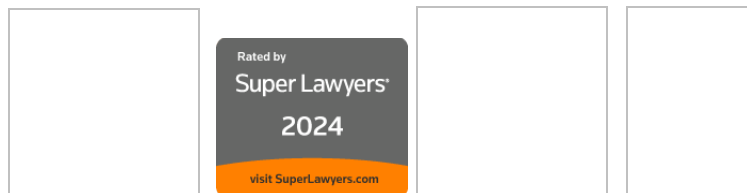
Attached please find a letter from Dr. Christopher R. Nyland, MD, regarding Lynnette Shaw's request to relocate the Marin Alliance dispensary (Item #1 on the 11/6/24 Town Council agenda).

Thank you.



Lauren A. Mendelsohn, Esq.
Junior Partner
Law Offices of Omar Figueroa
lauren@omarfigueroa.com
www.omarfigueroa.com

7770 Healdsburg Avenue
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11 Sept 2024

Christopher R Nyland MD
12 Dutch Valley Ln
San Anselmo CA 94960
C.R.Nyland@gmail.com
510-455-7259

To Whom it may Concern,

I hope this letter finds you well. I am writing to you in my capacity as a palliative and hospice care physician, with years of experience caring for patients suffering from life-limiting illnesses, including but not limited to cancer, HIV, Alzheimer's, and chronic pain conditions. My practice is rooted in the belief that providing compassionate and evidence-based care for symptom management is essential to improving quality of life for individuals with serious medical conditions.

It has come to my attention that the only marijuana dispensary operating in Marin County is at risk of losing its lease due to the sale of the property, with an imminent termination of the business's lease agreement. This dispensary, which has served the community for many years, provides an invaluable service to patients who rely on medical cannabis for relief from distressing symptoms such as pain, nausea, anxiety, and appetite loss—symptoms that traditional medications sometimes fail to adequately address.

The staff at this dispensary are not only knowledgeable about the therapeutic benefits of cannabis, but they also create a welcoming and compassionate environment, which is vital for patients who may feel stigmatized by their use of marijuana as part of their medical treatment. These professionals offer guidance to patients on the safe and effective use of cannabis, helping to reduce the stigma that often surrounds its use, particularly for those facing terminal or debilitating conditions.

As a physician who has witnessed firsthand the relief that cannabis can provide to suffering patients, I am deeply concerned about the potential closure of this dispensary without adequate time to secure a new, suitable location. Many of my patients depend on the accessibility and expertise of this business to manage their symptoms and maintain their quality of life.

I respectfully request that the court consider granting the dispensary additional time to relocate and continue its operations. This extension would help ensure that patients in Marin County do not lose access to this vital resource, which serves an important public health function. The sudden loss of this service would have a direct and harmful impact on many vulnerable individuals who rely on the care and counsel provided by the dispensary's staff.

Thank you for your time and consideration of this request. I trust that you will recognize the significant public health role this dispensary plays in our community and hope you will allow them the necessary time to find a new location and continue their work for the benefit of the patients they serve.

Sincerely,
Dr Christopher R Nyland

A handwritten signature in blue ink, appearing to read 'Chris Nyland', written over a horizontal line.

Palliative and Hospice Physician

Comment on Item #1 on the 11/6/24 Fairfax Town Council Agenda

From Lauren Mendelsohn <lauren@omarfigueroa.com>

Date Tue 11/5/2024 2:27 PM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>

Dear Honorable Councilmembers:

I represent Lynnette Shaw of the Marin Alliance dispensary with regards to cannabis licensing and regulatory compliance. The Marin Alliance is the oldest cannabis dispensary in California, which has served the community for over two decades. It is the only walk-in dispensary in Marin County, providing an essential service to thousands of medical patients and adult-use consumers in Fairfax and the surrounding area.

As you may know, the owner of School Street Plaza, where Ms. Shaw currently operates the Marin Alliance out of, has sent all tenants notices to terminate their leases. At this point, Ms. Shaw may have to vacate by the end of this year. Under the current town code, Ms. Shaw would need to go through a lengthy re-application process simply to relocate to a different location in town, which would take several months during which time she would be forced to shut down. This would be devastating to the Marin Alliance as well as to the community members who depend on their products and services.

Given that the Marin Alliance has been recognized as a legacy business and granted other exemptions in the town code (which refers in many places to the "existing medical marijuana dispensary that has been legally and continually operating as of April 3, 2018"), and given that the need to move was created by factors out of Ms. Shaw's control, I ask that you create an expedited pathway for Ms. Shaw to relocate her dispensary permits to another suitable location within town limits as a continuing operation. Some other amendments to the town code (shown in the draft submitted by Mr. Larry Bragman, which I prepared) would also benefit the Marin Alliance in the long term, but dealing with the relocation issue is by far the most pressing.

Please let me know if you have any questions about Ms. Shaw's request, and thank you for your consideration of this critical and urgent matter.

Respectfully,
Lauren Mendelsohn



Lauren A. Mendelsohn, Esq.

Junior Partner

Law Offices of Omar Figueroa

lauren@omarfigueroa.com

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Re: Special Edition: Homelessness Subcommittee Report

From Mallory <mal7799@yahoo.com>

Date Tue 11/5/2024 1:33 PM

To Christine Foster <cfoster@townoffairfax.org>

How about putting some fairfax residents on your subcommittee ?

Sent from my iPhone

On Oct 23, 2024, at 1:45 PM, Town of Fairfax <cfoster@townoffairfax.ccsend.com> wrote:

October 23, 2024

Homelessness in Fairfax

Fairfax Town Council Homelessness Subcommittee Report

Background and Current Status

The Town of Fairfax maintains an active partnership with Marin County and neighboring jurisdictions to address and prevent homelessness while ensuring support and safety for all residents. This report summarizes key initiatives, partnerships, the status of homeless services in Fairfax, and recommendations for next steps

Fairfax Homeless Encampment Overview

Since 2021, a small encampment has been established in Fairfax, maintaining a stable population of [4-5 individuals](#). *Most of Fairfax's unhoused individuals do not live in the encampment.*

Fairfax's homeless population has fluctuated over time. (See Figure 1 below).

Table 1. Fairfax's Homeless Population Over Time

Source: [Marin County Point in Time Count Reports, 2017-2024](#). Point In Time counts are conducted in January of each year. However, two years were skipped due to the COVID-19 pandemic.
<https://housingfirst.marinhhs.org/point-time-count>

County Partnership and Services

Marin County Health and Human Services, through their [Division of Homelessness and Whole Person Care](#), provides comprehensive support services. Fairfax receives the highest per capita homeless services support from the County.

Outreach Services

- Two dedicated outreach care teams operating since March 2022
- Enhanced outreach frequency with teams visiting three times weekly

Housing-Based Case Management

Fairfax participates in the Central Marin Area [High Utilizer Case Management Program](#), alongside Corte Madera, Larkspur, Ross, and San Anselmo. This collaborative program:

- Provides case management for chronically homeless individuals who frequently utilize municipal services
- Facilitates access to housing vouchers through Marin Housing Authority
- Achieved significant success with 38 individuals housed out of 68 enrollees county-wide
- Maintains active housing pathways for the remaining 30 participants

Fairfax Engagement

- The Fairfax Police Department conducts regular foot patrols of the area as part of their daily beat assignments, maintaining positive relationships with encampment residents.
- The Fairfax Public Works Department has worked with encampment residents to collect and remove debris left at the campsite on a regular basis.
- Fairfax also participates in the Marin Mobile Free Shower Program, which provides service on Thursday afternoon at the Fairfax Library.

Significant Achievements

- In 2023, two of the original encampment residents were housed through the collaboration between Fairfax and the County of Marin.
- As of 2024, three more encampment residents are currently on a structured housing pathway.

Local Government Response

The Fairfax Homelessness Subcommittee, established October 4, 2023, includes:

- Vice Mayor Blash
- Council Member Cutrano

Both representatives also serve on the Marin County Council of Mayors & Councilmembers (MCCMC) Homelessness Ad-Hoc Committee, ensuring coordinated regional response to homelessness issues. Novato, San Rafael, and Sausalito, and the County have all pursued different policies over the last four years at great cost to taxpayers and with varied success.

Vice Mayor Blash and Councilmember Cutrano have:

- Met regularly with town staff, including the town attorney, police chief, public works director, and town manager to review how the town is addressing the encampment and what potential strategies could be implemented
- Met with constituents about their concerns and visited the encampment regularly.
- Discussed the legal and financial challenges associated with prior homelessness policy and implementation in Marin and the surrounding region with other Marin elected officials and experts
- Investigated new pathways for shelter and housing within Town limits (sites on private land)
- Developed partnerships with Marin service providers (securing additional funding for case management through the High Utilizer Case Management program earlier this year).
- Engaged with Homeward Bound leadership regarding shelter bed availability

Legal Developments

As of June 28, 2024, the [U.S. Supreme Court's decision in *City of Grants Pass, Oregon v. Johnson*](#) has overturned previous Ninth Circuit restrictions on regulating camping on public property. The Supreme Court's decision has clarified that anti-camping ordinances do not constitute cruel and unusual punishment under the U.S. Constitution.

While some legal risks remain, several regional municipalities have begun implementing such ordinances. The Town is currently:

1. Reviewing implications for local homeless policy enacted by neighboring jurisdictions following the Supreme Court's decision
2. Maintaining close coordination with Marin County Health and Human Services
3. Evaluating potential changes to address homelessness within the community

Recent Developments and Opportunities

1. Marin has had an historic shortage of shelter beds and housing affordable to extremely low-income residents
2. There are more than **922** chronically homeless individuals on the waiting list for Permanent Supportive Housing in Marin
3. A lack of housing vouchers to pay for housing has meant that unhoused individuals frequently stay in local shelters for months,

unable to move into permanent housing. This situation has further limited the availability of shelter beds.

4. [Homeward Bound](#) is the primary provider of shelter beds in Marin
5. Homeward Bound recently re-opened its San Rafael shelter, Jonathan's Place, with additional shelter beds and supportive housing, in addition to its Novato shelter.
6. Homeward Bound's new veterans housing development in Novato has effectively ended veteran homelessness in Marin, providing dozens of new permanent housing units with support services
7. Recent federal voucher distribution for this veteran housing project is finally freeing up additional shelter beds
8. Homeward Bound will be opening additional housing in 2025
9. More housing vouchers should come online in 2025

With changes in the shelter and housing voucher situation there may be increased capacity to accommodate Fairfax encampment residents in coming months.

Proposed Action Plan

The Homelessness Subcommittee shares the community's concerns about the impact of regional changes to homelessness policy, the potential for an influx of unhoused residents to Fairfax as a result, and potential impacts on the Town's resources and abilities to ensure safe public spaces and successful [Housing First](#) strategies. Fairfax is a very small town that lacks the land and resources to pursue many of the strategies adopted by some of our larger neighbors.

As such, the Committee recommends that the Town Council consider directing staff to:

1. Develop an anti-camping ordinance that would:
 - a. Prohibit camping in town parks
 - b. Include a specific effective date
 - c. Align with current legal precedent
1. Implement a coordinated transition plan including:
 - a. Offering available shelter beds to current encampment residents
 - b. Setting a clear departure date from the park
 - c. Ensuring continuity of case management services through the High Utilizer Case Management program

Important Considerations

Voluntary Participation. While shelter will be offered, encampment residents:

- Cannot be compelled to accept shelter placement
- May choose not to remain at Homeward Bound facilities
- May not be eligible for Homeward Bound facilities
- Will still be subject to anti-camping ordinance restrictions regardless of shelter acceptance

Impact on individuals and surrounding communities. Implementation of anti-camping ordinances may result in:

- Displacement of unhoused individuals to communities without such ordinances
- Displacement of unhoused individuals to more remote locations in Fairfax
- Trauma and disruption of services for displaced individuals
- Need for regional coordination and response

Recommendation

The Homelessness Subcommittee recommends that the Town Council direct staff to:

1. Draft an anti-camping ordinance
2. Establish an implementation timeline
3. Develop a coordinated transition plan with service providers
4. Return to Council with specific ordinance language and implementation strategy for review and approval at the next Town Council meeting

This approach balances the Town's responsibility to maintain public spaces with the need to provide humanitarian support and services to unhoused individuals.



Town of Fairfax | 142 Bolinas Road | Fairfax, CA 94930 US

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Fairfax existing rent control ordinance, confusions.

From Michael Conti <ciaomichael@icloud.com>

Date Sun 11/3/2024 4:29 PM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>

Hello,

I know this is on the ballot, but have a question on the existing ordinance. I feel things are poorly worded or vague in places when it comes to leases and rental contracts.

I own a single family home. Built before 1995. I only own one property, so this is my primary residence.

I decide to rent my home out for a period of time, the renter's lease contract specifies that period of time: 4 months, 6 months, 1 year, etc. 1) At the end of the lease am I allowed to take my house off the rental market for any reason, even if I don't move back in? And 2) do I need to provide relocation fees to the tenant in this case or any case where the original lease is not changed? In other words, do leases contracts matter?

Another detail, from what I am reading on the town's site, it's very confusing to state that the rent control ordinance does not apply to single family homes but that the just cause ordinance does apply. The language is teases out an individual element of the ordinance and applies different definitions for it.

Thank you,
Michael

Re: One time clean up before rain - To all Future and present council members committed to encampment resolution

From Marin Town and Country Club <mtcc@classactionlocator.com>

Date Fri 11/1/2024 2:56 PM

To Lisel Blash <LBlash@townoffairfax.org>; Sean Fitzgerald <seanfitz10@yahoo.com>

Cc Doug Kelly <dougkelly57@gmail.com>; Heather Abrams <habrams@townoffairfax.org>; Chance Cutrano <ccutrano@townoffairfax.org>; Frank Egger <fjegger@gmail.com>; Todd Hedgewell <hedgewell@yahoo.com>; Mike Ghiringhelli <mg@gfoods.net>; Cindy Swift <cindyswiftforfairfaxtc@gmail.com>; Rico Tabaranza <rtabaranza@fairfaxpd.org>; Stephanie Hellman <shellman@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Christine Foster <cfoster@townoffairfax.org>

Dear Lisel:

Please also identify any and all funds the Town receives related to the homeless encampment.

It appears to me that the Town is not attempting to relocate or remove this encampment. Is there a financial aspect where the Town is acquiring financial assistance through programs etc.?

All of this needs to be placed in the packet for the general public to read in the agenda.

Clerk or no Clerk, I will formalize this through a legal binding PRA.

Michael Mackintosh

From: Lisel Blash <LBlash@townoffairfax.org>

Sent: Friday, November 1, 2024 2:27 PM

To: Marin Town and Country Club; Sean Fitzgerald

Cc: Doug Kelly; Heather Abrams; Chance Cutrano; Frank Egger; Todd Hedgewell; Mike Ghiringhelli; Cindy Swift; Rico Tabaranza

Subject: RE: One time clean up before rain - To all Future and present council members committed to encampment resolution

Hi Michael,

Thanks for your email. I will address these questions on November 6.

Please note that there has been no Fairfax ordinance drafted yet to my knowledge.

Our department of Public Works coordinates with the campers to remove debris from the area, and they confirmed that they visited again today.

Best,

Lisel Blash
Fairfax Town Council



The opinions expressed in this email are those of this individual Council Member and are not representative of the entire Council or Town of Fairfax unless otherwise stated.

From: Marin Town and Country Club <mtcc@classactionlocator.com>

Sent: Friday, November 1, 2024 1:43 PM

To: Lisel Blash <LBlash@townoffairfax.org>; Sean Fitzgerald <seanfitz10@yahoo.com>

Cc: Doug Kelly <dougkelly57@gmail.com>; Heather Abrams <habrams@townoffairfax.org>; Chance Cutrano <ccutrano@townoffairfax.org>; Frank Egger <fjegger@gmail.com>; Todd Hedgewell <hedgewell@yahoo.com>; Mike Ghiringhelli <mg@gfoods.net>; Cindy Swift <cindyswiftforfairfaxtc@gmail.com>; Rico Tabaranza <rtabaranza@fairfaxpd.org>; Barbara Coler <bcoler@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>

Subject: Re: One time clean up before rain - To all Future and present council members committed to encampment resolution

Dear Lisel:

Last Wednesday Sean accompanied me to the Camp, around 10:30. It was my second visit that morning.

I saw Chance on his phone at the back of the Pavilion. I asked each camper to come out and look over my shoulder and look at the man talking on his phone. Each camper told me that they had never met or talked to him.

After Sean was explaining about Johnathan's to the campers, where there was great interest; we expanded the conversation to ask about if you or anyone else was visiting them. Ruben Mowery was the only one who could recall meeting with you, although he could not remember your name from the rare visit. I described you and he said yes it was Lisel.

Jenoa Esberg (Jeny) was leaving the camp and Chance tried to engage her. Both of their postures and distance between them, illustrated their fear of speaking to the other.

I walked down and Jeny left. I told Chance that I was more than disappointed in being misled at the Council meetings to believe that the two of you were visiting our campers possibly twice a week to help them. According to the campers each of you have been absent. No books from the Library, no help. I apologized to Chance for throwing him under the bus, since Shaylee Koontz had join us. But I emphasized bad form to mis-lead us about the many visits and lack of your helping and lack of compassion.

Shaylee shook my hand and supported that Chance had not met with her. Shaylee said the only one or agency helping her was "Odessey(sp)".

Over the last couple of months at each of my visits there has always been between 7 and 10 campers. My count, actually meeting them contradicts your reports of only 4 campers. Where did the count of 4 come from?

I want to know:

Why are we being misled by the current Council about this encampment?

Why has the Town not encouraged vouchers for housing? (The campers said there has been no offering of vouchers)

Why has the Council handicapped our Police Department from enforcing our Ordinances prohibiting camping in our park?

Why has the Council not taken a compassionate approach to look for a more community compatible placement for our campers?

Why has the Council ignored our different youth groups that used to use the Pavilion and the Little League Field?

Why has the Council allowed these campers to live in a growing pile of filth?

Why until our march down Bolinas Ave has the Council refused the petitions to place this on the Agenda?

Why has the Council not engaged the community?

I heard that the hastily gathered No Camping Ordinance being prepared by Staff, allows for a fee to camp. This is not acceptable. By your own prior Ordinances 870 & 871 (and modified) would give these campers renter's protections after 29 days. If the inexpensive camp fee of \$6.00/night is installed I will rent the entirety of the space for the next year. I will take an option of 5 years thereafter.

I for one will oppose having Staff draft this No-Camping Ordinance without a "local" citizen advisory group. Our community is excluded from these processes. Our community better knows the needs of our community. Our community offers more tangible compassion to the campers than the Council or staff. Our community will be here tomorrow and after staff takes new employment outside of Fairfax.

I have heard reasonable concerns why not to provide bathrooms and dumpsters to the campers. However, I cannot believe we are incapable of not coming up with a workable solution. Had the community been allowed to be engaged we may have already found a solution.

I find it appalling to be intentionally mis-lead by this Council. I find it more appalling with all the false virtue signaling by this Council that you have not done your job and you have not helped these campers. They have all expressed a real interest in being housed with a shower and a real bed.

Disappointedly

Michael Mackintosh

From: Lisel Blash <LBlash@townoffairfax.org>

Sent: Friday, November 1, 2024 12:28 PM

To: Sean Fitzgerald

Cc: Doug Kelly; Heather Abrams; Chance Cutrano; Marin Town and Country Club; Frank Egger; Todd Hedgewell; Mike Ghiringhelli; Cindy Swift; Rico Tabaranza

Subject: RE: One time clean up before rain - To all Future and present council members committed to encampment resolution

Hi Sean,

We've met several times with Paul Fordham. We will discuss a comprehensive approach on November 6. That comprehensive approach will likely involve multiple stakeholders working together.

Contact me separately about the camper who needs imminent help.

Best,

Lisel Blash

Fairfax Town Council



The opinions expressed in this email are those of this individual Council Member and are not representative of the entire Council or Town of Fairfax unless otherwise stated.

From: Sean Fitzgerald <seanfitz10@yahoo.com>

Sent: Friday, November 1, 2024 12:06 PM

To: Lisel Blash <LBlash@townoffairfax.org>

Cc: Doug Kelly <douggkelly57@gmail.com>; Heather Abrams <habrams@townoffairfax.org>; Chance Cutrano <ccutrano@townoffairfax.org>; mtcc@classactionlocator.com;

Frank Egger <fegger@gmail.com>; Todd Hedgewell <hedgewell@yahoo.com>; Mike Ghiringhelli <mg@gfoods.net>; Cindy Swift <cindyswiftforfairfaxtc@gmail.com>; Rico

Tabaranza <rtabaranza@fairfaxpd.org>

Subject: Re: One time clean up before rain - To all Future and present council members committed to encampment resolution

Thanks lisel,

But there's still an overwhelming garbage here that needs to be picked up. (These photos are from just within the last 30 minutes.)

Mike Ghiringhelli has offered to donate a dumpster and we can get people here to move it all within a couple of hours.

All of the campers here have agreed to help move out the piles of garbage, including Joey, who is living in the worst pile.

Down the back of the hill is a tremendous amount of small plastic was that flowing down the hill.

You keep telling me what the problem is with Jonathan's place. But had you been there at the meeting with the CEO - He said he'd be willing to work with the town. if you or someone from the town made the phone call and asked for them to make room for somebody, they're going to work with us. One here desperately wants to get out of here.

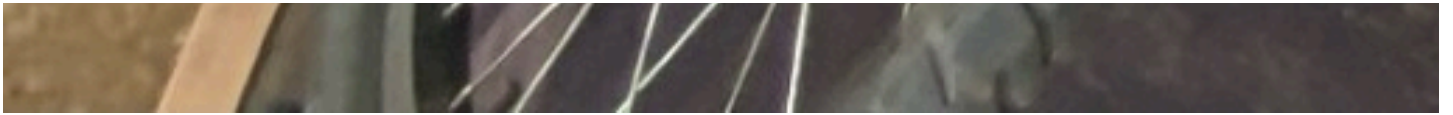
























Sent from my iPhone

On Nov 1, 2024, at 11:32 AM, Lisel Blash <LBlash@townoffairfax.org> wrote:

Hello All,

Thanks for your concern. The last request was received by public works and addressed. I am cc'ing the public works director here.

I've spoken with a supervisor with one of the case management teams about referrals to Jonathan's Place. She indicated that they did refer to Jonathan's place, but that there were 50 referrals for every 4-5 spaces that open up. I asked her to make sure to that campers were being referred to Jonathan's place.

We will discuss a more comprehensive approach on November 6.

Best,
Lisel Blash
Fairfax Town Council
<image001.png>

The opinions expressed in this email are those of this individual Council Member and are not representative of the entire Council or Town of Fairfax unless otherwise stated.

From: Doug Kelly <douggkelly57@gmail.com>
Sent: Friday, November 1, 2024 11:28 AM
To: Sean Fitzgerald <seanfitz10@yahoo.com>
Cc: Heather Abrams <habrams@townoffairfax.org>; Lisel Blash <LBlash@townoffairfax.org>; Chance Cutrano <ccutrano@townoffairfax.org>; mtcc@classactionlocator.com; Frank Egger <fegger@gmail.com>; Todd Hedgewell <hedgewell@yahoo.com>; Mike Ghiringhelli <mg@gfoods.net>; Cindy Swift <cindyswiftforfairfaxtc@gmail.com>
Subject: Re: One time clean up before rain - To all Future and present council members committed to encampment resolution

I am happy to volunteer. WE need a dumpster, as you suggest.

Doug

On Fri, Nov 1, 2024 at 11:18 AM Sean Fitzgerald <seanfitz10@yahoo.com> wrote:

Good morning,

I passed through the camp today on my way to morning coffee as I do every day.

One camper is asking desperately to get to Jonathan's place shelter. I'm speaking with Jonathan's Place about how we can place him Monday.

The rest of the camp said they would be happy to help clean up if they were brought a big garbage bin and bags and gloves.

I would like to suggest a mobile dumpster be brought up there so we can take the mass garbage out or something on wheels that can be brought closer to them.

I suggest with the help of DPW and some volunteers in town we can get the hillside behind them, picked up and free trash and the bulk trash that's built up gone and we could do it in one day.

I would also like to suggest someone in town encourage them to clear the blankets/garbage out of within the bay laurel trees; that tree is suffering and being harmed. The roots are exposed from all the aggressive sweeping. I don't think it's too much to ask them to clear it out to save that tree. We used to care about our trees in town so much we had a tree committee.

Please - let's put all differences aside and clean it up. Not clear them out - just clean it! For the health of the creek, the people there and all of us.

We could do it on Saturday or Sunday this weekend or Monday. I can help get a volunteer core if needed. Many in town want to help.

Regards

Sean Fitzgerald

Sent from my iPhone

Supporting Lynette Shaw and Marin Alliance

From Sarah Shrader <sarah@safeaccessnow.org>

Date Wed 11/6/2024 12:57 PM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfax.org>

Dear City Council of Fairfax,

I am writing to express my support for Marin Alliance and Lynette Shaw. Lynette has been providing access for medical cannabis patients for over two decades, and has proven to operate with excellent standards.

Please consider her no fault eviction notice, and find a solution that would allow her relocation in a quick and efficient manner. An extensive waiting period to re-open at a new location will likely impact thousands of medical cannabis patients from safe access, as this is the only storefront location in Marin County.

I previously sat on Sonoma County's *Cannabis Advisory Group* and San Francisco's *State Legalization Task Force*. It is concerning to me that the only cannabis dispensary in Marin County is at risk of closing their doors. Please have compassion for Marin Alliance's circumstances, and for the medical cannabis patients of Marin County, by finding a resolution that would allow for a rapid relocation.

Thank you,

Sarah Shrader

Advocate with Americans for Safe Access