

Fairfax Town Council Minutes
Special Meeting
Women's Club, 46 Park Road and via teleconference
Wednesday, September 21, 2022

Mayor Hellman called the Closed Session meeting to order at 4:00 p.m.

Call to Order/Roll Call:

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

STAFF MEMBERS PRESENT: Heather Abrams, Town Manager
Michele Gardner, Town Clerk
Janet Coleson, Town Attorney
Michael Vivrette, Finance Director

There was no public comment.

The Council adjourned to Closed Session on the following matters:

Conference with Labor Negotiators
Government Code Section 54957.6
Agency Designated Representatives: Town Manager Heather Abrams, Finance Director
Michael Vivrette, HR Consultant Deborah Muchmore, Town Attorney Janet Coleson
Employee Organization: Fairfax Police Officers' Association, Service Employees International
Union ('SEIU') 1021, Unrepresented employees

Conference with Legal Counsel- Anticipated Litigation
Initiation of Litigation
Government Code Section 54956.9(d)(4)- one case

Mayor Hellman called **Special Meeting** to order at 6:50 p.m. (due to technical difficulties)

Call to Order/Roll Call:

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

STAFF MEMBERS PRESENT: Heather Abrams, Town Manager
Michele Gardner, Town Clerk
Janet Coleson, Town Attorney
David Woltering, Interim Planning Director
Loren Umbertis, Public Works Director
Michael Vivrette, Finance Director

Approval of Agenda and Affidavit of Posting

M/S, Ackerman/Coler, motion to approve the agenda and the affidavit of posting.

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

Report out on Closed Session

Mayor Hellman reported there was nothing to report from the Closed Sessions.

Consent Calendar

1. Notice of Amendments to the Memorandum of Understanding (MOU) with the Service Employees International Union (SEIU), Local 1021 for the Period July 1, 2022, through June 30, 2024 and the Fiscal Year 2022-2023 Budget (Note: No Council action to be taken at this meeting- Town Manager)
2. Notice of Amendments to the Memorandum of Understanding (MOU) with the Fairfax Police Officers Association (FPOA) for the Period July 1, 2022, through June 30, 2024 and amending the Fiscal Year 2022-2023 Budget (Note: No Council action to be taken at this meeting- Town Manager)
3. Adopt a Resolution awarding Contract to RWR Construction, Inc. for Roadway Stabilization Of 78 Wreden Avenue and 378 Scenic Road in an amount not to exceed \$344,956- Public Works Director

Mayor Hellman stated staff asked the Council to continue items #1 and #2 to the October 6th meeting.

Public Works Director Umbertis had a comment on item #23 regarding possible FEMA funding.

Mayor Hellman opened the meeting to public comments.

Michael Mackintosh was concerned that when he requested that the Council pull an item from the Consent Calendar for discussion, the Council did not do so.

Mayor Hellman closed the meeting to public comments.

M/S, Goddard/Cutrano, Motion to approve the Consent Calendar with the continuation of items #1 and #2 to the October 6, 2022 meeting.

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

Regular Agenda

4. Introduce Ordinance amending Title 5 of Town Code Chapter 5.54, Just Cause Evictions, and Chapter 5.55, Mandatory Mediation for Rental Increases, with a Rent Stabilization Program

Town Attorney Coleson presented a staff report and noted there are more changes that need to be made to the Ordinance. She asked the Council to continue this item to the October 6th meeting. She answered questions from the Council regarding the Rent Stabilization, Just Cause, and Community Stability Board; establishing the base rent; the role of Legal Aid of Marin, who would be responsible for getting the program up and running.

Mayor Hellman opened the meeting to public comments.

Bridget, Jill Kurth, Curt Ries, Peter Guest, Veronica Geretz, Susan Adams, Laura, Lauren Tamiken, Rainero Miranda, Sharon Chappelle, Jessie Hunt, Wendy, Kyle and June, David Levin, Susan Mulloy, Eryka Mulligan, Kelly Newman, Ellen Lovelidge, P.J. Feffer, Chris P., Leah Simon-Weisberg, Lucy Hollingsworth, Spirit Wiseman, Linda McCarron, supported the ordinance.

Michael Mackintosh stated expenses that landlords have to pay have dramatically increased.

Ned Monty was concerned about the unintended consequences.

Mayor Hellman closed the meeting to public comments.

Vice Mayor Cutrano stated there was a need to help Fairfax residents and those working in the community. He had some concerns with the model ordinance- the Council was not clear about what they wanted with respect to the separate Rent Board. Some work could be contracted out with the Council serving as an Appeals Board. Some of the sections should be in the Just Cause and not Rent Stabilization.

Councilmember Coler liked the concept of what they are doing but had some concerns which she had submitted to staff. Affordable housing should apply to both Rent Stabilization and Just Cause.

Councilmember Goddard discussed her concerns about the duties and responsibilities of the Rent Board. She cited some concerns with respect to the Stabilization Ordinance.

Councilmember Ackerman stated everything looked good but the section regarding the independent board that would have its own Executive Director. This is out of scale for the Town. Education should be provided for tenants and landlords.

Mayor Hellman wanted a simple, clear approach to the exemptions. All rental units should apply to Just Cause but Rent Stabilization was a more defined universe.

The Council discussed "family unit" situations and applicability.

The Council agreed reached consensus on four years for the demolition provision in the Rent Stabilization Ordinance.

The Council discussed changing the attorney fees provision and changing it to actual damages to be available to both sides.

The Council reached consensus to remove the tenant habitability plan.

Mayor Hellman stated she would like this to return on October 6th for the first reading with the second reading on November 2nd.

5. Review and approve Town Strategic Plan Outline

Town Manager Abrams presented a staff report. Greg Larson, consultant, was available for questions.

Councilmember Ackerman stated it was valuable to look at a 3-year time frame.

Councilmember Coler stated she would prefer doing an annual goal-setting retreat to come up

with ten to twelve specific goals for the year.

Councilmember Goddard appreciated the strategic planning experience.

Vice Mayor Cutrano stated the Goals and Strategies Section could take multiple years and he would like to see specific or measurable goals.

Mayor Hellman appreciated the strategic planning exercise. She noted the Mission and Vision subcommittee had yet to meet. She supported measurable goals.

Mayor Hellman opened the meeting to public comments.

There were no comments.

Mayor Hellman closed the meeting to public comments.

The meeting was adjourned at 10:05 p.m. in memory of George Gray and Yvonne Beller.