



# TOWN OF FAIRFAX

## STAFF REPORT

### February 1, 2023

**TO:** Mayor and Town Council

**FROM:** Michele Gardner, Town Clerk

**SUBJECT:** Receive report on Councilmembers' assignments, committees, and activities in December and January

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#### **RECOMMENDATION**

Receive Councilmember activities report.

#### **DISCUSSION**

Every month, each Councilmember provides a list of the meetings they attended in the preceding month on behalf of the Town, for inclusion in this report. Under the agenda section entitled "Council Reports and Comments" Councilmembers may choose to highlight one of those meetings.

#### **Mayor Cutrano**

- 12/15—Transportation Authority of Marin (TAM) December Meeting
- 12/20—Agenda Setting meeting with Town Manager Abrams, Town Attorney Coleson, and Vice Mayor Coler
- 1/9—Transportation Authority of Marin's Administration, Projects, & Planning Executive Committee Meeting
- 1/10—Special Meeting of the Fairfax Town Council
- 1/11—Ross Valley Fire Board Special Meeting
- 1/11—Ross Valley Fire Board Regular January Meeting
- 1/11—Closed Session of the Ross Valley Fire Board
- 1/14—Attended launch of "Usefull" (reusable/returnable cup service) at the Good Earth coffee bar.
- 1/14—Meeting with Assemblymember Damon Connolly regarding storm impacts on housing and transportation facilities in Fairfax, grid reliability and PG&E, and housing affordability and stability
- 1/15—Ross Valley Safe Routes to School Task Force Spring Fall Meeting
- 1/17— Agenda Setting meeting with Town Manager Abrams, Town Attorney Coleson, and Vice Mayor Coler
- 1/17—Meeting with Town Manager Abrams and Councilmember Hellman regarding updates to contracts and implementation timelines for Town's rent stabilization ordinance.
- 1/18—League of California Cities New Mayors and Councilmembers Conference Day 1: Workplace Harassment Re-certification
- 1/19— League of California Cities New Mayors and Councilmembers Conference Day 2: Ethics Training Re-certification
- 1/19—Meeting with Senate Majority Leader Mike McGuire regarding storm impacts on housing and transportation facilities in Fairfax, grid reliability and PG&E, and housing affordability and stability
- 1/19—Check-in call with Councilmember Ackerman regarding the Subcommittee dedicated to Spruce Rd Neighbors and Fairfax Lumber and Hardware

- 1/22—Meeting with leadership of Marin Professional Firefighters, IAFF Local 1775 regarding Ross Valley Fire District facilities and services.
- 1/23—Housing Element Subcommittee Meeting with Vice Mayor Coler, Town Manager Abrams, Interim Planning Director Woltering, and Andrew Hill of Dyett and Bhatia.
- 1/24—Meeting at Fairfax Lumber and Hardware with Augie Venezia and Charlie Cain
- 1/24—Check-in call with Marin County Council of Mayors and Councilmembers (MCCMC) Homelessness Subcommittee Co-Chair Rachel Kertz, Councilmember from San Rafael.
- 1/24—Fairfax Open Space Committee Meeting
- 1/25—Meeting with Fairfax Police Chief Tabaranza and Town Manager Abrams regarding public safety items: Marin’s Special Investigation Unit, staffing, budgeting, homelessness services.
- 1/25—Marin Emergency Radio Authority (MERA) Meeting
- 1/25—Marin County Council of Mayors and Councilmembers (MCCMC) City Selection Committee Meeting
- 1/25—Marin County Council of Mayors and Councilmembers (MCCMC) January Meeting
- 1/26—Meeting with Supervisor Katie Rice, Leelee Thomas with the Marin County Community Development Agency, Town Manager Abrams, Interim Planning Director Woltering, Town Attorney Coleson, and Councilmember Hellman regarding opportunities for affordable housing preservation in the Town of Fairfax.
- 1/26—Transportation Authority of Marin (TAM) January Meeting
- 1/30—Meeting with Town Manager Abrams and the Fairfax Chamber of Commerce
- 1/31—Attended the Marin County Board of Supervisors Meeting where an item related to affordable housing in Fairfax is scheduled to be discussed.

**HIGHLIGHTS:**

Ross Valley Fire Department is evaluating options for managing the agency. This was brought about by the expiration of the contract for services with the Marin County Fire Department. Because Marin County Fire Department has chosen not to renew the contract for services with Ross Valley Fire Department, the Board needs to develop a plan for the management of the agency going forward. Local Motion Solutions was hired to investigate various options. On January 11<sup>th</sup>, the Ross Valley Fire Board held a Special Meeting Workshop to discuss the options. The staff report for that workshop can be found [here](#). The draft report from Local Motion Solutions can be found [here](#). Local Motion’s workshop presentation can be found [here](#). Some of the details were also captured in an article in the Marin Independent Journal here: <https://www.marinij.com/2023/01/14/ross-valley-central-marin-fire-pact-gains-traction/>. On February 15<sup>th</sup>, Local Motion Solutions will present its findings to the Fairfax Town Council and the general public at a Special Meeting of the Fairfax Town Council. There will be time to ask questions and solicit input at that Special Meeting.

The Transportation Authority of Marin has launched a “New Year Commute Challenge.” The Challenge will be underway from January 25<sup>th</sup> through March 7<sup>th</sup>. To help participants Jump-start their commute in 2023, the program will offer bonus rewards on top of the year-round rewards. Leaderboards for categories include transit, bike/walk, and carpool. Learn more and join at [marincommutes.org/rewards](http://marincommutes.org/rewards).

With the help of ongoing advocacy from community-based organizations and local agencies, Senate Majority Leader Mike McGuire was able to secure \$10 million state general fund earmark to help resolve flooding issues in Marin City. At our TAM Administration, Projects and Planning (AP&P) Executive Committee meeting and General Board meeting we adopted a

resolution to enter into a fund transfer and funding agreement with the California Department of Transportation and the County of Marin to secure \$10 million in earmarked state general funds for Marin City flood mitigation projects. Marin County Department of Public Works has requested \$10 million from FEMA, which is currently under evaluation. If DPW is successful in increasing its FEMA grant funding to the requested amount, a total of \$20 million would be available to invest in resolving flooding issues along US-101 from the Richardson Bridge to Marin City.

In December 2022, Caltrans completed the Planning and Environmental Linkages (PEL) study for State Route 37. The PEL study is a “pre-environmental clearance” effort that seeks to collect preliminary input from stakeholders, develop initial project concepts and facilitate the subsequent environmental clearance efforts for the long-term corridor-wide, sea level rise project. View the project webpage for the final study report and more information. Outstanding questions remain regarding the scope, cost, timeline, and impacts of the proposed improvements to state Route 37. Some of those concerns were captured in the Marin Independent Journal Article here: <https://www.marinij.com/2022/12/18/marin-officials-air-lingering-concerns-on-highway-37-plan/>

The Federal Highway Administration (FHWA) awarded a \$400 million grant to the Golden Gate Bridge, Highway and Transportation District (District) to complete the final phase of the Golden Gate Bridge seismic retrofit. The grant is provided through the FHWA’s Bridge Investment Program, which received \$12.5 billion in funding from the Infrastructure Investment and Jobs Act of 2021. The Golden Gate Bridge seismic retrofit will strengthen the Bridge against major earthquakes and disasters. Due to the scale of the project, the seismic retrofit has been broken up into four phases, three of which have already been completed. The final phase of the project, called Phase 3B, includes strengthening the main span of the Bridge, two side spans, both towers, the south tower pier, and the underside of the toll plaza.

The California Supreme Court unanimously decided to reject and remand the lawsuit regarding [Regional Measure 3](#). Conclusion of litigation over the voter-approved Regional Measure 3 would result in:

- \$150 million for the San Francisco Bay Trail/Safe Routes to Transit
- \$135 million to fix the Highway 101/580 interchange in Marin.
- \$120 million to complete the Sonoma-Marín Narrows project.
- \$100 million to improve Highway 37.
- \$30 million for Downtown San Rafael Bettini Transit Center Relocation
- \$40 million to help move SMART into Windsor and Healdsburg.
- Tens of millions to help expand public transit in the two-county region.

### **Vice Mayor Coler**

- Met with Town Manager several times on Town matters (Dec 13, 20; Jan 3, 11, 17, 31).
- Attended Marin Local Agency Formation Commission (LAFCO) meeting (Dec 8) – The Commission approved: Annexation of 5030 Paradise Drive into the Corte Madera Sanitary District; Amending the Sphere of Influence for the Southern Marin Fire Protection District (SMFPD) to include all of the City of Mill Valley and Annexation all of the City of Mill Valley into the SMFPD – this is one of the final, necessary pieces of the consolidation of Mill Valley Fire with the SMFPD. The Commission approved a shared services agreement BTW Marin LAFCO and Santa Cruz LAFCO. The Commission commended three Commissioners leaving LAFCO – Judy Arnold, Damon Connolly and James Campbell.

- Attended MCE Virtual Holiday Party (Dec 9).
- Attended Town of Fairfax Craft Faire (Dec 10).
- Marin Wildfire Prevention Authority (MWPA) Board meeting (Dec 15) – The Board approved: Four Finance Policies – Amended Fund Disbursements to Members, Amended Grant App/Approval, Amended Budget Prep & Whistleblower Policy; Appointment of 4 Citizen’s Oversight Committee members – Rebecca Suggs (Novato), Kingston Cole (Taxpayers), Larry Minikes (Enviros) & Genevieve Biggs (Civic Group); renewed agreement with Remy, Moose, Manley for legal environmental services; a Cooperative Agreement with County Agencies for fire fuel work in Marin County Open Space and Parks.
- MCE Marin Clean Energy Board meeting (Dec 15) – The Board approved: an agreement for Western Systems Power Pool with Geysers Power Company [100 MW of an existing 725 MW geothermal generation facility; Bundled renewable energy and resource adequacy – 24/7; fixed price with no escalation, located in Lake & Sonoma Counties, 10 year contract term, start is 6/1/2027; community benefits of \$50K for adjacent communities]; Power Purchase Agreement with Geysers Power Company [7 MW of a 725 MW geothermal generation facility; Bundled renewable energy and RA – 24/7; fixed price with no escalation; located Lake/Sonoma Counties; guaranteed operation 6/1/2025; 20 year contact term; PLA – Union Labor Agreement; community benefits of \$50K for adjacent communities]; finalized the Rate Adjustment effective 1/1/2023 - *rate increase of \$0.04 per kWh or 8% of total household energy costs. Based on proposed and forecasted rates, MCE is projecting a 2% savings compared to PG&E (about \$3/month for a typical residential customer*; Approved Resolution increasing the Power Purchasing Agent’s Authority to \$400,000 (was \$100k); Honored through resolutions Board members of more than 5 years who are leaving – Tom Butt (Richmond & Board Chair); Denise Athas (Novato); Ford Greene (San Anselmo); Brad Wagenknecht (Napa County & all Napa cities). The Board elected a new Chair (Shanelle Scales- Preston of Pittsburg) and another officer. Coler joined the Ad Hoc Contracts Committee for 2023.
- MCE Executive Committee meeting - Jan 6 meeting canceled.
- Attended Town Council Special meeting (Jan 10) – Ratify emergency declaration by the Town Manager as EOC issued January 5, 2023. The regular Town Council meeting was canceled due to extreme weather and many power outages.
- Watched the Nielsen Mersksamer presentation on YouTube RE: Town of Fairfax ordinances rent control/just cause held by some landlords on Jan 9.
- Attended Marin Wildfire Prevention Authority Board meeting (Jan 19) – The Board approved: an RFP to be issued for specialized GIS work for MWPA projects; Board received reports on: Workplan progress (note: additional monies were redirected to D-Space and Home Hardening grants for residents - ~\$579,000 has been awarded since July 2022) and Parcel Level Risk Analysis by Willow Consulting – data from home inspections is being input into DIS software so risk analysis can be performed as to the most effective areas, d-space removal and home hardening can be used in the future for program metrics and for policy determinations (at this time the data set is small, after the end of the fiscal year likely will be an appropriate time for these discussions).
- MCE Marin Clean Energy Board meeting – Jan 19 meeting was canceled.
- Marin County Mayors & Councilmembers (MCCMC) Legislative Committee (Nov/ Dec meetings were not held as Legislature in recess, Jan 23 mtg held) – Staff for Assemblymember Connolly and Senator McGuire attended and provided brief update. Committee lobbyists provided update on the Governor’s budget - \$22.5B deficit (LAO stated the deficit is an additional \$14B) – budget as \$297B, May Revise will provide a better picture of the budget as large amount of revenue will be in at that time. They also stated that there will be another stream of housing bills, some members have expressed that it may be best to work on funding for affordable

housing, e.g., tax credits – expect multiple bills on funding for such. February 17 is the bill introduction deadline – typically expect about 1500 bills. Senator McGuire’s aide noted his successful work to secure one-time funding for Marin County area (\$40M, with \$20M for Hwy 37 Marin area of flooding fix).

- MCCMC LEGISLATIVE COMMITTEE SCOPE OF ADVOCACY: Fiscal Protection: protect city revenues from state Local Control: support legislation that enhances local control of resources to provide services while supporting regional co-operation. Oppose unfunded mandates and preemption of local authority and control of land use Transportation Investment: promote stable transportation finance structure for state and local government. Multimodal, enhancing livable communities Housing/Land use: protect local government land use authority. Oppose punitive housing legislation, and legislation that restricts or reduces local discretion on land use decisions. Other legislation can be recommended to MCCMC at a regular meeting.
- Attended Town of Fairfax Housing Element Subcommittee meeting (Jan 23) – By Zoom with staff, Housing Element consultants and Mayor Cutrano.
- Attended Fairfax Age Friendly Task Force meeting (No Nov & Dec meetings, Jan 27 mtg held) – Did not attend Jan 27 meeting due to conflict – updated Age Friendly Scorecard and submitted to Task Force Chair and staff prior for uploading to the Town website.
- Attended Power Association of Northern California (PANC) virtual meeting as MCE Board member (Jan 31) - California Air Resources Board Chair Liane Randolph discussed the latest on the Board’s Scoping Plan and what it means for the electricity industry.

### **Councilmember Ackerman**

- 12/3 and numerous other dates: conversations with citizens about the effects of Just Cause ordinance
- 12/6, 12/13, 12/20 - Meetings with Town Manager
- 12/7 - Flood Zone San Anselmo Building Bridge Two subcommittee
- 12/7 - Town Council Meeting
- 12/8 - Webinar on GHG emissions measurement
- 12/13 - Climate Action Committee special meeting (rescheduling of regular December meeting)
- 12/14 - Marin/Sonoma Mosquito & Vector Control District board meeting
- 1/9 - Attended, to listyen, local zoom webinar on rent control
- 1/10 - Council regular meeting canceled due to power outages, but special meeting held with one agenda item, to declare a state of emergency due to storms
- 1/11 - Marin/Sonoma Mosquito & Vector Control board meeting
- 1/13 and numerous other dates: conversations with citizens about the effects of Just Cause ordinance
- 1/17 - Fairfax Climate Action Committee regular meeting
- 1/19 - Flood Zone San Anselmo Building Bridge Two subcommittee
- 1/25 - Marin County Council of Mayors & Councilmembers regular meeting
- 1/29 - Climate Action Committee special planning meeting in Women's club

### **Councilmember Hellman**

- January 26: Meeting with Leelee Thomas, Marin County Deputy Director of Housing & Federal Grants Division, Supervisor Katie Rice, Mayor Cutrano, Town Manager Abrams, Dir of Planning D. Woltering, City Attorney J. Coleson regarding Sherwood Oaks Apartments.
- January 25: January regular MCCMC: Update provide by Senator Mike McGuire regarding the Current Legislative Session. Presentation by Ron Arlas regarding Marin County Civil Grand Jury and upcoming application period
- January 25: Meeting with Jason Fried LAFCO regarding RVFA governance model options.

- January 23: Meeting with Marci Trahan, RVSD Superintendent – exchanged town and district update.
- January 20: Peri Park homeless encampment – visited with 2 members to check in after the storm(s) and discussed what large items were unwanted/for disposal.
- January 20: Meeting with Lucie Hollingsworth (Legal Aid of Marin), Leah Simon-Weisberg (ACCE), Mayor Cutrano, Curt Reis (DSA) regarding recent Fairfax tenant protection policies.
- January 19: Meeting with leadership of North Bay Labor Council and Mayor Cutrano on topic of Fairfax renter protection policies.
- January 17: Fairfax Festival 2023 community volunteer committee meeting. Many topics discussed including the goal of paying all performing artists on all stage – some additional fundraising and sponsorships needed.
- January 11: Ross Valley Fire Board meeting. Presentation by Local Motion Solutions on leadership and governance model. Hellman appointed to Chair of the Board.
- January 11: Meeting with Felix AuYeung with MidPen Housing and Mayor Cutrano regarding Sherwood Oaks apartments.
- December and January: Held 11 separate discussions with community members regarding recent Fairfax tenant protection policies.
- December 2: Meeting with Lucie Hollingsworth (Legal Aid of Marin), Mayor Cutrano, Curt Reis (DSA) regarding recent Fairfax tenant protection policies.

### **Councilmember Blash**

(Note: Councilmember Blash took office on December 7, 2022 and has not yet been assigned to committees.)

- Dec.-Jan.: Numerous conversations with members of the public re: rent stabilization and just cause ordinances.
- January 18-20: Attended the New Mayors and Council Members Academy in Sacramento. This Academy, hosted by the League of California Cities, provided an introduction to the basic legal and practical framework under which city officials operate. It included material on AB 1234 (Ethics and Open Government laws) and required harassment prevention training.
- January 24: Met with the Town Manager