



Town of Fairfax Town Council Regular Meeting

Wednesday, September 6, 2023 | 6:30 p.m.
Fairfax Women's Club, 46 Park Road, Fairfax CA
[Zoom Webinar ID 880 3100 1183](#)

Agenda

PUBLIC PARTICIPATION NOTICE FOR HYBRID MEETINGS

This meeting will be held in person and virtually on Zoom. It will also be broadcast on Channels 27 and 99 and livestreamed on <https://www.townoffairfax.org/watch-live-2/> and <https://www.cmcm.tv/27>.

Participate in the meeting in-person:

Come to the Women's Club at 46 Park Road, Fairfax.

Participate remotely:

*Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment:

<https://us02web.zoom.us/j/88031001183>

*Dial in to Zoom's telephone number +1(669) 900-9128 or +1(346) 248-7799 and press *9 to provide verbal public comment. Zoom Webinar ID 880 3100 1183.

Participate in writing before the meeting: Up until 3:00 pm on the day of the meeting you may **email** written comments to the Town Council to read and consider before the meeting. All emails received by midnight are public records and are added to the meeting record. Note: staff does read emails aloud at the meeting.

Regular Meeting at 6:30 p.m.

Hybrid meeting at the Fairfax Women's Club and via [Zoom](#)

6:30 PM – CALL TO ORDER – PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

LAND ACKNOWLEDGEMENT

The Fairfax Town Council acknowledges that we are located on the un-ceded ancestral lands of the Coast Miwok people of present-day Marin County. We honor with gratitude the land itself, and all of its ancestors: past, present, and emerging.

MEETING PROTOCOL

The Mayor shall maintain order at the meetings. The Council and the audience are expected to refrain from using profane language and/or ridiculing the character or motives of council members, staff, or members of the public and to maintain the standards of tolerance and civility. Please turn off all cellular phones or place them in silent mode.

The Town Council will review the agenda at 10:00 P.M. to ascertain which items, if any, will be continued to another meeting. Any matter not started by 11:30 P.M. will be continued to an adjourned or regular council meeting unless the Council votes to suspend this rule.

ANNOUNCEMENT OF CLOSED SESSION ACTION

August 29, 2023 Special Meeting in Closed Session

ANNOUNCEMENTS

1. Introduction of Planning and Building Services Director Jeff Beiswenger
2. Special thanks to George Taylor, Sam Silverstein, and Iris Waskow for their service on the Volunteer Board.
3. Town Picnic—Sunday, September 17th at Contratti Field, starting at noon
4. Art Walk—Friday, September 29th at participating businesses in downtown Fairfax, 5:30-9:00 pm

Sign up for the Town Newsletter for more information on these town-wide events.

OPEN TIME FOR PUBLIC EXPRESSION (Up to 30 minutes)

This is the time to address the Council on matters not on the agenda. All comments are limited to 2 minutes. The Council is not permitted to take action and state law strictly limits the right of the Council to discuss any unagendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda. (Gov. Code §54954.2). If there are still raised hands after 30 minutes, Open Time will be continued to the end of the agenda.

REGULAR AGENDA

1. Receive Marin Countywide Electric Vehicle Acceleration Strategy presentation from Christine O'Rourke, MCEP Sustainability Coordinator, and provide direction to staff on whether to develop a work plan as proposed in Appendix A of the EV Acceleration Strategy – *Climate Action Coordinator Sean Youra*
2. Read by title only and adopt ordinance revising Town Code Chapters 5.54 'Just Cause Evictions' and 5.55 'Rent Stabilization Program' – *Town Attorney Janet Coleson*
3. Discuss/consider Residents' Petition submitted per Town Code regarding costs associated with Ordinance Nos. 870 and 871, and direct staff as appropriate – *Town Manager Heather Abrams*
4. *This item is continued to October 4, 2023. 80 Crest Road: Appeal of a Planning Commission denial of a Height Variance for an unpermitted Ground Floor Level that would result in the height of the residential structure being approximately 50 feet; Assessor's Parcel No. 002-152-32; Residential Single-family RS-6 Zone; Verle and Marene Sorgen, appellants/owners; CEQA categorically exempt, § 15301(e)(2)(1). – Principal Planner Linda Neal, Town Attorney Janet Coleson*

CONSENT CALENDAR (10 minutes approximately)

The Council may approve the entire consent calendar with one action (vote). In the alternative, items on the Consent Calendar may be removed by any Town Council or staff member for separate discussion and vote. Public comment for items on the Consent Calendar happens all at once, rather than after each individual item. During the public comment period on Consent items, speakers may comment on any items from this section of the agenda. Each speaker will have up to two minutes and may only speak once.

5. Receive Financial Statement and Disbursement Reports for July 2023 – *Finance Director Michael Vivrette*
6. Approve minutes for the May 19, June 7, and 21, 2023 Town Council meetings – *Town Clerk Michele Gardner*
7. Receive written report on Councilmembers' assignments, committees, and activities in August 2023 – *Deputy Town Clerk Christine Foster*
8. Receive Treasurer's Report for Quarter Ending July 30, 2023 – *Town Treasurer Janet Garvin*
9. Receive Age-Friendly Strategic Plan Implementation Scorecard prepared by Vice Mayor Coler
10. Receive Climate Action Committee Annual Report and Plan – *Climate Action Coordinator Sean Youra*
11. Proclamation in support of Prostate Cancer Awareness Month – *Mayor Cutrano*
12. Receive Notice of Amendments to the Fairfax Police Officers Association Memorandum of Understanding (FPOA MOU) for salary equity adjustment of 1% for Lieutenant, Sergeant, Dispatchers and Police Services Technicians, and 3% for Officer and Corporal positions – *Town Manager Heather Abrams*
13. Approve Amended and Restated Employment Agreement with Police Chief Rico Tabaranza for the period of July 1, 2023 through June 30, 2024 – *Town Manager Heather Abrams*
14. Receive Notice of amendments to the employment agreement with Town Manager Heather Abrams – *Town Attorney, Janet Coleson*
15. Receive status update on the Fairfax bridge projects – *Public Works Director Loren Umbertis*
16. Receive Multi-Jurisdictional Hazard Mitigation Plan Update – *Building Official Mark Lockaby*
17. Receive status update on the Sixth Cycle Housing Element Update – *Planning Director Jeff Beiswenger*
18. Authorize execution of Second Amendment to the Three-Year Cooperation Agreement with the County of Marin for the Community Development Block Grant (CDBG) and HOME Programs – *Town Manager Heather Abrams*

COUNCIL REPORTS AND COMMENTS

(Brief announcements and reports on Councilmember assignments, committees, and activities, including reports from meetings attended at Town expense.)

TOWN MANAGER'S REPORT

ADJOURNMENT

In memory of Barbara Burghart-Perreault, Diane Sherry Bright, and John (Radj) Hauf

If any of the matters described above is challenged in court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this agenda, or in written correspondence delivered at, or prior to, this Council meeting.

If you need an accommodation to attend or participate in this meeting due to disability, please contact the Town Clerk prior to the meeting: (415) 453-1584 or mgardner@townoffairfax.org.

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection www.townoffairfax.org.

This meeting notice was posted in accordance with Government Code section 54954.2(a)(1) on or before August 31, 2023.