



Town of Fairfax Town Council Regular Meeting

Wednesday, November 1, 2023 | 6:30 p.m.
Fairfax Women's Club, 46 Park Road, Fairfax CA
and [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 in the meeting 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: you may email written comments to the Town Council. All emails received are public records and are added to the meeting record. Emails received prior to the meeting day will also be posted online.

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, IF ANY

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. (Gov. Code §54954.2). If there are still raised hands after 30 minutes, Open Time will be continued to the end of the agenda.

PUBLIC HEARINGS

1. Adopt a Resolution Approving Maximum Rates Collected by Marin Sanitary Service for Solid Waste Services to be Effective January 1, 2024 – *Town Manager Heather Abrams, R3 Consulting Group, Inc.*
2. *This item is continued to January 24, 2024.* 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

REGULAR AGENDA

3. Adopt Resolution Adopting Fleet Zero-Emissions Policy – *Climate Action Coordinator Sean Youra*
4. Discuss/consider Residents' Petition submitted per Town Code regarding implementation of rent control ordinances, and direct staff as appropriate – *Town Manager Heather Abrams*
5. Adopt Resolution Authorizing the Temporary Closure of Bolinas Road between Elsie and Broadway for a Chamber of Commerce Holiday Event on December 15, 2023, from 4 p.m. to 9 p.m. and approve sponsorship of the closure – *Town Manager Heather Abrams*
6. Provide direction to Town Representatives on the Ross Valley Fire Board regarding the Funding Plan and Start Date for a third fire fighter on certain engines – *Town Manager Heather Abrams*

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 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.

7. Receive Financial Statement and Disbursement Reports for September 2023 – *Finance Director Michael Vivrette*
8. Approve minutes for the September 6, 13, and October 4, 2023 Town Council meetings – *Town Clerk Michele Gardner*
9. Receive written report on Councilmembers' assignments, committees, and activities in October 2023 – *Deputy Town Clerk Christine Foster*

10. Receive Treasurer's Report for Quarter Ending September 30, 2023 – *Town Treasurer Janet Garvin*
11. Receive Public Works Department Quarterly Status Update – *Public Works Direct Loren Umbertis*
12. Receive Fairfax Recreation and Community Services Department Quarterly Financial Report for July–September 2023 – *Recreation and Community Services Manager Anne Mannes*
13. Receive Climate Action Department Quarterly Status Update – *Climate Action Coordinator Sean Youra*
14. Second Reading by Title only and Adoption of an Ordinance Amending the Town's Zoning Code to Prohibit New Gas Filling (Service) Stations and Prohibit Expansion of Fossil Fuel Infrastructure for Existing Gas Filling (Service) Stations; CEQA categorically exempt: § 15307, § 15308 and § 15061(b)(3), and § 15300.2 – *Town Manager Heather Abrams*
15. Second Reading by Title only and Adoption of an Ordinance Adding Chapter 17.140 "Affordable Housing" to Title 17 "Zoning" of the Fairfax Municipal Code Relating to Inclusionary Housing Requirements; CEQA exempt per CEQA Guidelines § 15378(b)(4). – *Planning & Building Services Director Jeff Beiswenger*
16. Second Reading by Title only and Adoption of an Ordinance Amending Title 17 (Zoning) of the Fairfax Municipal Code to Add the Following New Chapters: Chapter 17.010 (Rules of Measurement), Chapter 17.026 (Ministerial Approvals for Qualifying Housing Developments), Chapter 17.027 (Procedures For SB 330 Applications for Housing Developments), and Chapter 17.050 (Affordable Housing Density Bonus) and to Update the Following Chapters: Chapter 17.006 (Definitions), Chapter 17.020 (Design Review Regulations), Chapter 17.024 (Required Permits), Chapter 17.032 (Use Permits), Chapter 17.040 (General Zone Regulations), Chapter 17.044 (Exceptions and Modifications), Chapter 17.048 (Residential Accessory Dwelling Units and Junior Accessory Dwelling Units), Chapter 17.052 (Off-Street Parking and Loading Requirements), Chapter 17.056 (Traffic Impact Permit), Chapters 17.076 To 17.090 And 17.116 Related to Residential Zones, Chapter 17.136 (Floor Area), Chapter 17.138 (Regulations Applying In Multiple Zoning Districts), and Chapter 15.02 (Construction Codes) to Implement the General Plan Housing Element and Determining the Ordinance to be Exempt From CEQA – *Planning and Building Services Director Jeff Beiswenger*
17. Receive report on Traffic Improvement Safety Project at Creek Road, Meernaa Avenue, and Porteous Avenue to improve safety for vehicles, bicycles and pedestrians including the addition of a stop sign and other street markings – *Public Works Director Loren Umbertis*
18. Adopt a Resolution Adopting Rules of Decorum for Town of Fairfax Public – *Town Manager Heather Abrams*
19. Adopt a Proclamation in Support of United Against Hate Week – *Deputy Town Clerk Christine Foster*
20. Adopt a Proclamation Declaring November 2023 Native American Heritage Month – *Mayor Cutrano*
21. Adopt a Proclamation Recognizing Veterans Day – *Mayor Cutrano*

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 Kay Coleman

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.

Meetings are broadcast, recorded, and uploaded to the Town's website.

This meeting notice was posted in accordance with Government Code section 54954.2(a)(1) on or before October 27, 2023.