

Fairfax Town Council Minutes  
Regular Meeting  
Women's Club, 46 Park Road, Fairfax  
and via Zoom  
Wednesday, December 6, 2023

Mayor Cutrano called the Regular meeting to order at 6:30 p.m.

Call to Order/Roll Call:

**COUNCILMEMBERS PRESENT:** Bruce Ackerman  
Lisel Blash  
Barbara Coler  
Chance Cutrano  
Stephanie Hellman

**STAFF MEMBERS PRESENT:** Heather Abrams, Town Manager  
Michele Gardner, Town Clerk  
Janet Coleson, Town Attorney  
Jeff Beiswenger, Planning Director  
Christine Foster, Deputy Town Clerk  
Loren Umbertis, Public Works Director

Approval of Agenda

Councilmember Hellman asked that Future Agenda Items be placed on the agenda.

Vice Mayor Coler stated staff is recommending the continuation of item #4.

M/S, Coler/Blash, Motion to approve the agenda with the change recommended by Councilmember Hellman and the continuation of item #4.

AYES: Ackerman, Blash, Hellman, Vice Mayor Coler, Mayor Cutrano

Announcement of Closed Session Action, If Any

Mayor Cutrano stated there had not been a Closed Session, so there was nothing to report. .

Regular Agenda

1. Reorganization of the Town Council: Selection of Mayor and Vice Mayor

Town Clerk Gardner presented the staff report. There were no questions from the Council.

Mayor Cutrano opened the meeting to public comments.

Sierra Salin asked for kindness and a balanced approach.

Michael Macintosh stated the Council's job is to represent the voice of the majority while protecting the voice of the minority.

Mark Bell stated residents should have more than two minutes to speak.

Candice Ricker thanked Mayor Cutrano and Vice Mayor Coler for their service.

Todd Greenberg wished the incoming Mayor the best of luck.

Lynn Yetter discussed her support for the mayor position.

Joe McGarry thanked Mayor Cutrano for his service this year.

Mayor Cutrano closed the meeting to public comments.

M/S, Hellman/Cutrano, Motion to elect Vice Mayor Coler as Mayor.

AYES: Ackerman, Blash, Hellman, Vice Mayor Coler, Mayor Cutrano

M/S, Ackerman/Hellman, Motion to elect Councilmember Blash as Vice Mayor.

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

The Council took a 10-minute break.

### Open Time

Sierra Salin discussed a variety of topics.

Ling Shien Bell opposed sound pollution.

Kendra Scott and Susie Bergen, representing the Spruce Road Coalition, addressed concerns regarding noise and dust affecting the neighborhood.

Kathy Flores stated that Fairfax roads are problematic and asked for improvements to infrastructure.

Frank Egger, Cascades, stated he received a Cancellation Notice from his insurance carrier. He asked the Council to help residents obtain alternative insurance.

Mark Bell stated the public should get three minutes to give testimony.

Candice stated there was a fire in the encampments last week. She also noted the Chamber of Commerce events have been wonderful.

Todd Greenberg noted the Chamber of Commerce WinterFest is scheduled for December 15<sup>th</sup>. He thanked Mayor Coler for her focus on "Back to Basics".

Scott Mason made some comments.

Kristin Amelie, Fairfax representative to the Commission on Aging, noted Accessory Dwelling Units (ADU) are not the affordable housing solution many thought they would be.

Renee Goddard, Cascade Drive, asked for more kindness.

Philip S. asked Mayor Coler to allow residents to speak for three minutes.

Lynn Yetter thanked Jerry Kelly, local business owner, for promoting the Town on NextDoor. She opposes light pollution in residential areas.

Michael Mackintosh was concerned about the condition of Bolinas Road and possible subsidence.

## Regular Agenda

### 2. Adopt a Resolution Authorizing the Town Manager to Negotiate and Execute an Agreement with Marin Sanitary Services for Street Sweeping Services for a Period of Three (3) Years in an Amount not to exceed \$451,971.

Public Works Director Umbertis presented the staff report and Justin Wilcox, representing Marin Sanitary Service (MSS) gave a PowerPoint presentation. They answered questions from the Council regarding whether the new service would be better at avoiding creating particulate matter; complaints about dust; areas where there are a lot of parked cars; how residents are contacted including apps; cost for self-management and maintenance; when the schedule would be posted and if a notice could be sent; if the sweeper picks up small rocks; the sweeping zones and the leafy season; who is responsible for cleaning up leaves in the street; if a map of the existing service could be provided; if sweeping could be done during the day when people are at work.

Mayor Coler opened the Public Hearing.

Sierra Salin stated he would like to see a cost comparison between the current and proposed service.

Michael Mackintosh stated these machines create a dust storm if they go over an area of dirt.

Mark Bell asked if companies in the East Bay were contacted for this contract.

Todd Greenberg asked about the possibility of getting grants for a new cost-effective street sweeper.

Lyn Yetter suggested an "Adopt a Gutter" Program and having residents take more responsibility in cleaning the streets.

Philip S., Scenic Road, opposes a street sweeping contract and was not in favor of alternate side of the street parking.

Mayor Coler closed the Public Hearing.

Councilmember Hellman requested to agendize a community survey gauging the interest level for a bond measure to fund road improvements.

M/S, Cutrano/Blash, Motion to Adopt a Resolution Authorizing the Town Manager to Negotiate and Execute an Agreement with Marin Sanitary Services for Street Sweeping Services for a Period of Three (3) Years in an Amount not to Exceed \$451,971.

AYES: Ackerman, Cutrano, Hellman, Vice Mayor Blash, Mayor Coler

### 3. Adopt a Resolution Authorizing the Town Manager to Negotiate and Execute a Professional Services Agreement with Fairchild Broms Design for the Preparation of Construction Documents, Plans and Specifications for the Interior Remodel of Fire Station 21 in an amount Not to Exceed \$47,000

Public Works Director Umbertis presented the staff report and gave a PowerPoint presentation. Staff answered questions from the Council regarding how asbestos would be handled; the timeline for Council approval of an agreement; if the pole would remain; why the estimate increased; if the construction proposal would go out to bid; the location and layout of the EOC.

Mayor Coler opened the meeting to public comments.

Rick Hamer asked if this remodel triggers an upgrade in terms of other code requirements.

Michael Mackintosh questioned the scope of the project and if the recent electrification rules will be followed.

Frank Egger asked why there were no female firefighters/paramedics in the Ross Valley Fire Department and had questions about the terms of a loan from Sleepy Hollow.

Mayor Coler closed the meeting to public comments.

M/S, Hellman/Cutrano, Motion to Adopt a Resolution Authorizing the Town Manager to Negotiate and Execute a Professional Services Agreement with Fairchild Broms Design for the Preparation of Construction Documents, Plans and Specifications for the Interior Remodel of Fire Station 21 in an amount Not to Exceed \$47,000.

AYES: Ackerman, Cutrano, Hellman, Vice Mayor Blash, Mayor Coler

4. Accept Report on Renter Protections Implementation Estimates, Discuss/Consider Pilot Implementation of Rent Stabilization Program, and Adopt a Resolution Authorizing the Town Manager to Enter into an Agreement with ECHO Housing for warm-line Informational services in an amount not to exceed \$36,000

Mayor Coler stated this item was continued to a date uncertain.

The Council took a 5-minute break at 9:20 p.m.

5. Receive 2021 Fairfax Green House Gas (GHG) Inventory Report

Climate Action Coordinator Youra presented a staff report. County Sustainability Coordinator Christine O'Rourke gave a PowerPoint presentation. They answered questions from the Council regarding whether the upward trend in zero emission vehicles will continue; if they anticipate a decline in transportation emissions in the coming years; if the significant decreases related to waste are on par with other jurisdictions; how the pandemic years factor in, if there is data regarding the use of solar panels in Fairfax.

Mayor Coler opened the meeting to public comments.

Mark Bell, Dominga Avenue, asked if the Council could do something about reducing "true up" charges.

Todd Greenberg had questions about the data presented.

Rick Hamer stated the efforts and data collection seems to be one-dimensional. He discussed the Green Building Standards including "Beauty" points.

Sierra Salin noted that conservation, education, and lifestyle choices matter.

Mayor Coler closed the meeting to public comments.

M/S, Ackerman/Cutrano, Motion to waive the 10:00 p.m. rule.

AYES: Ackerman, Hellman, Vice Mayor Blash, Mayor Coler

Consent Calendar

6. Receive Financial Statement and Disbursement Reports for October 2023- Finance Director
7. Approve Minutes for October 18, and November 1, 2023, Town Council meetings- Town Clerk
8. Receive written report on Councilmember assignments, committees and activities in November 2023- Deputy Town Clerk
9. Receive report from Pacific Gas and Electric Company (PG&E) electricity outage and reliability information- Town Manager
10. Reappoint Tom Childers to the Tree Advisory Committee- Deputy Town Clerk

Councilmember Hellman wanted to pull item #7 for discussion.

It was noted there were supplements to item #7, #8, and #10.

Mayor Coler opened the meeting to public comments.

Mark Bell made a comment on item #8 and opposed the two-minute time limit for public testimony.

Todd Greenberg asked the Council to pull item #9 from the Consent Calendar.

Mayor Coler closed the meeting to public comments.

M/S, Hellman/Coler, motion to pull item #7 from the Consent Calendar.

AYES: Ackerman, Cutrano, Hellman, Vice Mayor Blash, Mayor Coler

M/S, Cutrano/Ackerman, motion to approve the rest of the Consent Calendar including the supplements.

AYES: Ackerman, Cutrano, Hellman, Vice Mayor Blash, Mayor Coler

7. Approve Minutes for October 18, and November 1, 2023, Town Council meetings- Town Clerk

Councilmember Hellman was concerned about the lack of content in the minutes.

Mayor Coler opened the meeting to public comments.

Todd Greenberg noted the different types of meeting minutes.

Rick Hamer suggested this matter be reviewed by the Town Attorney.

Debra Benson asked that any email sent to the recording secretary by a Councilmember be included in the minutes.

P.J. Feffer supported action-specific meeting minutes.

Mayor Coler closed the meeting to public comments.

Town Clerk Gardner clarified that the minutes are intended to reflect legislative action.

M/S, Cutrano/Ackerman, motion to approve item #7 including the supplement.  
AYES: Ackerman, Cutrano, Vice Mayor Blash, Mayor Coler  
NOES: Hellman

### Council Reports and Comments

Mayor Coler stated these reports were included in written form in the packets.

### Town Manager Report

Town Manager Abrams reported several major Public Works Projects are complete and a Notice of Completion will be issued in January for the Scenic, Porteous, and 145 Canyon Road projects. The Planning Department is working diligently on the Housing Element with a Special Council meeting scheduled for next week. The Craft Faire is scheduled for December 9<sup>th</sup> with the Menorah Lighting scheduled for December 14<sup>th</sup>. The Chamber of Commerce Winter Market will occur on December 15<sup>th</sup>. Police Sergeant Cade will be promoted to Lieutenant effective December 16<sup>th</sup>.

### Future Agenda Items

Mayor Coler stated the following would be on an upcoming agenda: 1) Polling for a bond for roads; 2) Formation of a Homeless Subcommittee; 3) Bicycle Safety Helmet.

The meeting was adjourned at 10:30 p.m. in memory of Rob Schwartz.