



# TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930  
(415) 453 - 1584 / FAX (415) 453 - 1618

## AGENDA

### REGULAR FAIRFAX TOWN COUNCIL MEETING

Wednesday, June 7, 2023 at 6:30 pm

In-person at the Fairfax Women's Club, 46 Park Road and via Zoom teleconference

Preceded by a Special Meeting in person at 5:45 pm to Conduct Interviews and Make Appointments

#### PUBLIC PARTICIPATION NOTICE

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

#### How to Participate in the meeting in-person:

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

#### How to 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.

**Before 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 are part of the meeting record.

#### Special Meeting at 5:45 pm to Conduct Interviews and Consider Appointments

Fairfax Women's Club, 46 Park Road, Fairfax

#### 5:45 PM – CALL TO ORDER – ROLL CALL– APPROVAL OF AGENDA

1. Interview and consider appointment of applicants to the Community Emergency Preparedness Committee and the Climate Action Committee appoint a Council liaison to the Community Emergency Preparedness Committee –*Town Clerk Michele Gardner*

#### Regular Meeting at 6:30 PM

Hybrid Meeting: Women's Club and Zoom Webinar ID 880 3100 1183

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

#### 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 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 (from May 30, 2023)**

### **ANNOUNCEMENTS**

Join a Town Committee! There are vacancies on the Planning Commission, Affordable Housing Committee, Volunteer Board, Climate Action Committee, and Parks and Recreation Commission. [Learn more about our boards and commissions and how to apply by visiting our website.](#)

### **PRESENTATIONS** (25 minutes)

1. Marin Wildfire Prevention Authority – *Mark Brown, Executive Officer*
2. Marin Transit – *Robert Betts, Director of Operations and Service Development*
3. Proclamation for Gun Violence Awareness – *Mayor Cutrano*
4. Proclamation for LGBTQ+ Pride Month – *Mayor Cutrano*

### **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 3 minutes, subject to the mayor's discretion. (Note: there is no extra time for groups.) 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**

5. Conduct Public Hearing for Fiscal Year 2023-24 Proposed Operating and Capital Improvement Budget and provide direction to staff – *Town Manager Heather Abrams, Finance Director Michael Vivrette*
6. Adopt a Resolution Approving the Inclusionary Housing and Commercial Linkage Studies and Direct staff to bring back an Inclusionary Housing Ordinance and Housing Impact Fee Ordinance for Consideration – *Contract Planner Dan Hortert*
7. Receive Report, Discuss Options, Provide Direction to Staff following Workshop on Just Cause Evictions – *Town Manager Heather Abrams*
8. Adopt a Resolution Approving a Sidewalk Pilot Program; Authorize the Town Manager to pay up to \$170,000 to a contractor to shave or grind trip hazards on the identified sidewalks one time only in FY 23/24; and increase the sidewalk replacement/repairs grant maximum from \$1,000 to \$2,000 per property owner – *Public Works Director Loren Umbertis*
9. Introduce Ordinance Adding Section 2.65 to Title 2 of the Fairfax Municipal Code Authorizing the Use of Electronic Signatures – *Town Attorney Janet Coleson*
10. *This item is continued to July 12, 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.*

*The opportunity for public comment (3-minute limit) on consent calendar items will occur prior to the Town Council's vote on the Consent Calendar.*

11. Receive Financial Statement and Disbursement Reports for April 2023 – *Finance Director Michael Vivrette*
12. Approve minutes for March 2023 Town Council meetings – *Town Clerk Michele Gardner*
13. Receive written report on Councilmembers' assignments, committees, and activities in May 2023 – *Town Clerk Michele Gardner*
14. Reappoint Brett Kelly to a full term on the Planning Commission – *Town Clerk Michele Gardner*
15. Adopt a Resolution Authorizing Execution of a Three-Year Cooperation Agreement with the County of Marin for the Community Development Block Grant (CDBG) and HOME Programs – *Town Manager Heather Abrams*
16. Receive Annual Report by Marin Sanitary Service for Solid Waste Services for 2022 – *Town Manager Heather Abrams*
17. Appoint the Town Manager to the Board of the Hazardous and Solid Waste Joint Powers Agreement County of Marin ("Zero Waste Marin") – *Town Manager Heather Abrams*
18. Approve the First Amendment to the Amended and Restated Consultant Services Agreement with 4Leaf, Inc., to extend the term of the agreement to December 31, 2023 – *Town Manager Heather Abrams*
19. Adopt five resolutions setting taxes to be collected by the Marin County Auditor-Controller for Fiscal Year 2023-24 – *Finance Director Mike Vivrette*
  - a. Resolution Setting the Amount of \$210 for the Special Municipal Services Tax for Fiscal Year 2023-24
  - b. Resolution Setting the Utility Users' Tax Rate of 4% for Fiscal Year 2023-24.
  - c. Resolution Setting the Pension Tax Rate of \$.091 per \$100 of assessed valuation to Support Fairfax Pension Obligations for Fiscal Year 2023-24.
  - d. Resolution Setting a Fee of \$15 per run-off unit for the Purpose of Funding Local Stormwater Pollution Prevention Activities for Fiscal Year 2023-24.
  - e. Resolution Setting the Tax Rate of \$.00225 per Assessed Valuation for the General Obligation Bonds (Measure K Bond Assessment)
20. Adopt a Resolution Confirming and Levying the Ross Valley Paramedic Authority (RVPA) Tax in the amount of \$94.50 for Fiscal Year 2023-24 – *Finance Director Michael Vivrette*
21. Adopt a Resolution Continuing Expenditures and Revenues in Accordance with the FY 2022-23 Town Budget and Continuing the FY 2023-24 Town Budget Adoption – *Town Manager Heather Abrams, Michael Vivrette, Finance Director*
22. Receive Treasurer's Report for first quarter ending March 31, 2023 – *Town Treasurer Janet Garvin*
23. Receive Public Works Projects and Programs Status Update – *Public Works Director Loren Umbertis*

24. Second reading and adoption of Ordinance Amending Town Code Section 2.12.070(B)(3) to Amend the Requirement for Town Council Ratification of Appointment, Removal or Demotion of Department Heads by the Town Manager, and Finding the Action Exempt from CEQA – *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**

**FUTURE AGENDA ITEMS**

Agenda Forecast

**ADJOURNMENT**

In memory of Maria Burrafato and  
Claudette Rhae Myatt Greenblat

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](mailto: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](http://www.townoffairfax.org).

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

This meeting notice was posted in accordance with Gov. Code section 54954.2(a)(1) on or before June 2, 2023.