



# FAIRFAX TOWN COUNCIL MEETING STAFF REPORT

<b>MEETING DATE:</b>	July 12, 2023
<b>PREPARED FOR:</b>	Mayor and Town Council
<b>PREPARED BY:</b>	Christine Foster, Deputy Town Clerk
<b>SUBJECT:</b>	Receive report on Councilmembers' assignments, committees, and activities in June.

## **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**

June 7—Special Meeting of the Fairfax Town Council

June 7—Regular Meeting of the Fairfax Town Council

June 10—Fairfax Festival Parade

June 12—Transportation Authority of Marin Administration, Projects, and Planning ExCom Meeting

June 13—Meeting with Town Manager Abrams and Vice Mayor Coler regarding Town Manager contract amendments.

June 13—Pacific Gas and Electric Outage Report draft review with Town Manager Abrams and representatives of PGE including Mark van Gorder, head of Government Affairs for the North Bay and Austin Sharp, Customer Care Expert.

June 14—Mayor and Manager Meet-up at the Fairfax Farmers Market. The Town Manager and I tabled for two hours and engaged with approximately 20 residents.

June 14—Ross Valley Fire Board June meeting. [Access the agenda packet here.](#)

June 12—Transportation Authority of Marin Administration, Projects, and Planning Executive Committee meeting.

June 16—Ribbon cutting and Grand Opening for Henhouse's West County Pub with the Fairfax Chamber of Commerce.

June 21—Special Meeting of the Fairfax Town Council

June 22—Planning Meeting with Councilmember Ackerman, Climate Action Committee member Joe Hewling, Climate Action Coordinator Sean Youra, Climate Action Fellow Paul Whang, and Director of Public Works Loren Umbertis regarding the development of a PG&E Resilience Hub Grant Application for the Fairfax Pavilion.

June 22—Transportation Authority of Marin (TAM) May meeting. [Access the agenda packet here.](#)

June 22—Discussion with Bill Whitney, Project Manager at TAM, regarding next steps in the Fairfax-Bolinas Rd interjurisdictional road rehabilitation planning process.

June 22—Discussion with Scott McDonald, Principal Transportation Planner at TAM, regarding the opportunity for Fairfax to apply for [TFCA/TDA Article 3 funds](#) from TAM.

June 27—July Agenda Setting Meeting with Vice Mayor Coler, Town Manager Abrams, and Town Attorney Coleson.

June 27—Meeting with Councilmember Blash regarding various active transportation initiatives in the Town and the Ross Valley including: e-bike policy and follow-up with the Marin County Bicycle Coalition and Safe Routes to School, the re-establishment of a Bicycle Pedestrian Advisory Committee, and the potential to apply for [TFCA/TDA Article 3 funds](#) from TAM.

June 28—Closed Session of the Fairfax Town Council

June 28—Meeting with Town Manager Abrams and Vice Mayor Coler regarding Town Manager contract amendments.

June 28—Marin Emergency Radio Authority (MERA) June Governing Board meeting.

June 28—Marin County Council of Mayors and Councilmembers (MCCMC) June meeting.

June 29—Meeting with Director of Public Works, Loren Umbertis, regarding the [TCFA/TDA Article 3 funding cycle](#) with TAM.

June 30—Meeting with Summer Cassel, District Representative for Senator Mike McGuire regarding the timeline for a budget request for the Fairfax-Bolinas Road. I also received an invitation to speak at Senator McGuire’s upcoming Fairfax / San Anselmo Town Hall on June 13<sup>th</sup>.

June 30—Opening Celebration of Susan Pascal Beran’s new art work in the Fairfax Parkade.

## **HIGHLIGHTS**

### Ross Valley Fire Board (RVFB)

- *General Fund Reserve Policy:* The RVFB approved a General Fund Reserve Policy of 10% based on our direction to staff to develop such a policy at the Regular May Meeting of the RVFB. [Find the staff report here.](#)
- *2023-2023 Budget Adoption:* At our June 2023 meeting, the RVFB adopted our 2023-2024 budget for the Ross Valley Fire Department. [Find the adopted budget here.](#)
- *Ongoing Discussion regarding Fire Station Rehabilitation:* At our June 2023 meeting, the RVFB continued our discussion about the staff recommendation to approve the one-time use of \$800,000 from undesignated reserves to partially fund San Anselmo Station 19, San Anselmo Station 20, and Fairfax Station 21 remodel projects.
  - Onetime proposed funding amounts of \$200,000 for Station 19, \$300,000 for Station 20 and \$300,000 for Station 21 (totaling \$800,000).
  - The proposed \$800,000, approximating 6.24% of the FY 22/23 Operating Budget, would allow the additional work on the fire stations to be completed and all the Ross Valley Fire Department to maintain a healthy General Fund reserve as stipulated in the new General Fund Reserve Policy.
  - Any single expenditure of Authority funds in excess of three percent (3%) of the adopted operating budget of the Authority, however, requires the unanimous vote of the full Board. There was not unanimous agreement regarding the use of funds to rehabilitate fire stations.
  - Elected representatives from Ross, in particular, pointed to language elsewhere in the JPA agreement that states it is the responsibility of each municipality to maintain their fire stations.
  - These discussions will continue at meetings later this year. [Find the staff report here.](#)

### Transportation Authority of Marin (TAM)

- *Transportation \$ Coming to Fairfax:* SB 1, also known as the Road Repair and Accountability Act of 2017, provides annual funding for the Local Streets and Roads Program to address deferred maintenance on the local streets and roads system through the prioritization and delivery of basic road maintenance and rehabilitation projects. Funds for SB 1 programs are derived from per-gallon excise taxes on gasoline and diesel fuel, sales taxes on diesel fuel, and registration taxes on motor vehicles. The FY2023/24 State Local Street and Road (LSR) funding estimates available for Fairfax include \$222,725 from the annual state gas tax and \$187,627 in additional LSR funds for a total of \$410,352 available for Fairfax.
- *North South Greenway over Corte Madera Creek wins State Award:* The recently completed multi-use pathway over Corte Madera Creek was presented with the Active Transportation Project of the Year Award by the California Transportation Foundation (CTF). The project was recognized for closing a key gap in the transportation network and providing a safe and separate facility, replacing the old 4-foot, narrow pathway with a 12-foot-wide multi-use path that is Americans with Disabilities Act (ADA) compliant. The new path enhances access and encourages use of major public transportation facilities in Marin, including the Larkspur Ferry Terminal, local and regional bus service, and the Larkspur SMART station.
- *Crossing Guard Contract Approval:* The TAM Board authorized the Executive Director to negotiate and enter into a contract with All City Management Services Inc. (ACMS), to provide crossing guard services. The agreement will become effective August 1, 2023 and have a term of three years with an option for two (2) one-year extensions. The Not to Exceed amount for the initial 3-year period is \$6.7 million.
- *Safe Routes to Schools Contract Approval:* At our June 2023 meeting, the TAM Board authorized the Executive Director to negotiate and enter into an agreement with Parametrix Inc. for Safe Routes to Schools (SR2S) services. The contract would be for three years with an option for two additional years, with an initial Not to Exceed (three-year) amount of \$3,650,000.
- *Marin-Sonoma Narrows Allocation Request:* At our June 2023 meeting, the TAM Board approved an Allocation Request Resolution, required by the Metropolitan Transportation Commission (MTC), so that TAM staff could submit an allocation request in the amount of \$87,978,000 in Regional Measure 3 (RM3) funds for the Marin Sonoma Narrows (MSN) Project.
  - For a refresher: the MSN Project will widen 17 miles of U.S. 101 from four to six lanes by adding one high occupancy vehicle (HOV) lane in each direction, create a controlled-access freeway section (no traffic signals or intersections) through the historic “Narrows” to improve traffic flow, and upgrade the highway to current freeway standards from State Route (SR) 37 in Novato (Marin County) to Old Redwood Highway in Petaluma (Sonoma County). Last year we broke ground on the final segment (B7) of the MSN, which is expected to be completed the Summer of 2025.
- *2023-2024 Budget Adoption:* At our June 2023, meeting, the TAM Board reviewed and adopted the Proposed TAM FY2023-24 Annual Budget, including the work plan and salary schedule effective as of July 1, 2023.
  - Expected revenue collection and reimbursement for FY2023-24 is \$50.28 million while the proposed expenditure is \$62.07 million. TAM’s fund balance will be reduced by \$11.79 million but will remain positive at \$29.66 million by the end of FY2023-24.
  - The only substantive change since the TAM Board reviewed the budget on May 25, was that staff has increased the expenditure for the budget line “Measure B Element 3.3 – Alternative Fuels Vehicle Program” from the initial \$250,000 to \$336,000 for FY2023-24. The \$86,000 budget increase is to cover the EV charging rebate needs for 42 chargers that the Tamalpais Union School District plans to install

- *North-South Greenway & Cross Marin Bikeway Status Report*: As I reported in my last Councilmember report, TAM staff has been developing a status report that illustrates the progress of the North-South Greenway (NSGW) and Cross Marin Bikeway (CMB), two primary bicycle/pedestrian corridors in Marin County running north-south and east-west, respectively. At my request, TAM staff included the CMB in this gap closure study. ([The staff report and presentation slide deck starts at page 211 of the TAM agenda packet found here.](#)) Following our June 12th meeting of our Administration, Projects and Planning (AP&P) Executive Committee, staff incorporated numerous comments I provided at the ExCom meeting.
  - Staff incorporated my recommendation for the Cross Marin Bikeway linkage to Fairfax-Bolinas Road to be called out as a critical part of the network and an important connection to open space. The incorporation of the multiuse value of this transportation facility will help the Fairfax-Bolinas Rd score more competitively in future competitive grant cycles.
  - In addition, staff incorporated my feedback that this report will enable our communities to submit more competitive grants to regional and state transportation agencies to close the remaining gaps in Marin’s active transportation network. Neighboring counties, such as Contra Costa County, have successfully submitted grant proposals that bundle numerous smaller projects as part of a more regional goal (e.g, closing all gaps in the NSGW and CMB.) I reiterated my support for this strategy at the TAM meeting.
  - Furthermore, this status report will aid TAM staff in creating a more comprehensive Countywide Active Transportation Plan. Staff incorporated my request that a Countywide Active Transportation Plan be added to TAM’s 2023-24 Work Plan to coincide with the Countywide Transportation Plan.
  - Staff incorporated key themes raised by other TAM Board members, including the recommendation that TAM staff consider a future effort to rank the gaps in the county active transportation network and Supervisor Lucan’s recommendation to consider future branding and marketing of these corridors in order to improve the cohesion and clarity of the network.

**Vice Mayor Coler**

June 7—Marin Local Agency Formation Commission (LAFCO) – The Commission: appointed Chair Kious and Vice Chair Coler for another year; appointed Larry Chu as the public member and Roger Smith as the alternate – 4 year terms; Read Proclamations for Tod Moody and Rick Savel who served on LAFCO; discussed the CalLAFCO conference – attendees, award nominations; approved the 6th amendment to the EO agreement; adopted 1) Reorg of East Blithedale ROW to the City of MV, & 2) Annexation of 10 Friendly Lane to Novato Sanitary District; adopted the Final Operating Budget for FY 22/23; and conducted a Closed Session on the EO Performance Evaluation.

June 10—Fairfax Festival – Participated in the parade with the other council members and the Mayor.  
 June 11, 13, 20, 27, and July 11—Met with Town Manager on Town matters (with Mayor 6/13; 6/20; & Agenda setting mtg with Mayor 6/27; July 11).

June 15—Attended Marin Wildfire Prevention Authority Board meeting – The Board: approved the 6th amendment to agreement with C. Jourdain PhD who writes grant apps, is assisting the Board developing performance metrics, strategic planning, etc.; authorized the EO to issue RFQs for Veg. Mgt. Services (a Master Services Agreement will be developed); approved the Strategic Performance Measures for Goal 1 (Veg. Mgt.), Goal 3 (Grants), & Goal 5 (D-Space) – will be shown as % rather than numbers of acres, miles, etc. to be clear as to relative completions; approved the EO to partner with the

City of Paradise and others to submit a grant application to the Gov's Office of Planning & Research for development of a statewide reinsurance pool for wildfire resilient communities. Directors McMillian and Kertz submitted letters of interest for President and VP of the Board (TB voted on at the August mtg, no mtg to be held in July). FireSafe Marin reported that about 5,000 people attended Ember Stomp (nearly double last year). Note change in Resident Grants (this year limited to those who qualify as AFN - ~80% qualify): the FY 23/24 Budget included \$800,000 allocated for the MWPA Home Hardening and Defensible Space Grants Program for residents– Coler has requested that the Board review this mid-year to ensure that limiting to AFN does not create a barrier to residents taking action.

June 15—MCE Clean Energy Board meeting (June 15) – The Board approved: a reimbursement policy for Directors traveling on MCE business; and amendments to MCE's Operating Rules and Regulations. A proclamation was read/adopted for Director Kevin Haroff who has resigned the Larkspur Council and MCE as he has moved to another City – he has served 10 years on MCE. New cities who are seeking to join MCE are Hercules, Suisun City and Dixon (Vacaville had expressed interest but a majority of their Council voted no). MCE's Local Sol (Novato - Cooley Quarry 100% solar) program was undersubscribed (and is now MCE's least expensive program) – staff recruited low-income customers – with 149 added the program is now fully subscribed & fills a DEI objective. Other items of interest: MCE was recommended by DOE for a \$1M grant to partner with 30 agencies for increasing EV charging outlets; pilot MCE program in Richmond for underserved residents– offers no interest loans for installing battery storage in homes; Western grid regionalization bill AB 538 is now 2 year bill (dead this session); CPUC has a proposed decision to provide MCE >\$158M over 8 years for its energy efficiency programs (but did not approve \$26M request for MCE's Peak Flex program); Beth Craig (Fairfax resident and former CAC member is a new MCE hire for digital outreach technology work.

June 16—Attended HenHouse Brewing Grand Opening.

June 21—Attended Town Council Special Meeting.

June 22—Attended Community Media Center of Marin Board meeting – Continued discussion of Novato entering into an agreement with CMCM to serve as its Designated Access Provider (DAP) for Public, Education and Government (PEG) programming. Coler participated in a meeting with CMCM's attorney, Board Chair and ED to finalize the proposed DAP agreement (June 16). The Novato City Council approved the DAP at their Council meeting on June 27. The rest of the Cities/Towns/County have had CMCM as its DAP since its inception – Marin General Services Administration (MGSA) took over the responsibilities to oversee that DAP agreement from the Marin Telecommunications Agency (MTA) in June 2020 (MTA was disbanded at that time). CMCM is planning an Open House on Saturday September 23 – an outreach opportunity to encourage more memberships & for current members (\$35/year for individuals & \$25/year for seniors/youth) – see <https://cmcm.tv/> to learn more about CMCM.

May 22—Marin County Mayors & Councilmembers (MCCMC) Legislative Committee – The Committee voted to send an oppose letter on: AB 821 (Grayson) – allows Superior Court actions within 90 days on inconsistencies with zoning and General Plans; and a support letter on: AB 1657 (Wicks) – The Affordable Housing Bond Act of 2024- for the March 2024 ballot would provide \$10.1B for funding housing. Updates on a prior bill the Committee has taken action on: SB 329 (Dodd) for city council member compensation was enrolled and delivered to the Governor on June 21st. Other items of interest: CalCities reports that the Legislature may be planning meeting in the Fall to discuss the various issues related to open meetings/teleconferencing (TC) bills – concerns are that there are some that have used TC for convenience (vacations, avoiding difficult votes, etc.); CalCities potential ballot

measure to “take back local control” – discussions are at staff level currently, no possibility of getting on the 2024 ballot, possibly 2026 or later. The Budget was passed by the legislature June 15 and there are 25 trailers bills – the Governor’s large infrastructure package to streamline the CEQA process (includes the Delta Tunnel – huge enviro opposition) was a large obstacle to passage (many felt these should be taken up in policy committees rather than thru budget trailer bills)[Note- a deal was made for the infrastructure package which took out the Delta Tunnel – good news for the environment]. A complete Budget Deal was struck with the Pro Tem, Speaker, and Governor Newsom – he signed the budget June 27.

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.

June 28—Attended Marin County Mayors and Councilmembers monthly meeting – The meeting was held in person and hosted by Sausalito. Presentations: Congressman Jared Huffman provides an update from Washington, DC and responded to questions; Kate Hartley, Director, Bay Area Housing Finance Authority, provided an introduction and discussion about Bay Area Housing, BAHFA’s proposed November 2024 GO Bond & Marin’s Affordable Housing Needs. A business meeting was held prior with a vote for Melissa Blaustein and Eli Hill as President and Vice President of MCCMC, respectively.

June 28—Attended Council Closed Session.

June 29—Participated in site visit to the Cresci Property with Planner Neal, Town Manager Abrams and Councilmember Blash.

June 30—Attended reception for Susan Pascal Beran’s (one of our Artists in Residence) Soul Sail sculpture in the Parkade.

### **Councilmember Ackerman**

June 2—MCE Tech Committee.

June 6—Marin/Sonoma Mosquito & Vector Control District special board meeting.

June 6—Orientation meetings for new Flood Zone 9 member.

June 7—Town Council regular meeting, preceded by committee appointments.

June 10-11—Fairfax Festival!

June 12—Presentation (with Loren Unbertis) to County Microgrid Working Group - Presentation by invitation on progress and lessons learned on Pavilion/Microgrid project.

June 14—Flood Zone 9 Board Meeting (as Chair).

June 14—Marin/Sonoma Mosquito & Vector Control District regular board meeting.

June 21—BayREN on-line forum on electric grid operation.

June 21—Town Council special meeting, directing staff to modify Just Cause Evictions ordinance.

June 22—Pavilion/Microgrid project meeting with Town staff.

June 23—Flood Zone 9 meeting with County staff.

June 25—Assemblymember Damon Connolly gathering at Tara Firma Farm.

June 26—Flood Zone 9 meeting with County staff.  
June 26—Flood Zone 9 Board Meeting (as Chair).  
June 28—Town Council meeting in closed session.  
June 28—Staff discussion re potential land donation site.  
June 28—Marin County Council of Mayors & Councilmembers regular meeting.

Other meetings with staff and with residents.

### **Councilmember Blash**

Formal (meetings representing the town of Fairfax)

June 7—Fairfax Town Council Meeting  
June 12—TAM (Transportation Authority of Marin) Executive Committee (as an observer/alternate)  
June 16—ABAG General Meeting. I am an alternate but served as a delegate for this meeting in place of Council Member Hellmen. At this meeting we voted on the ABAG annual budget, which included a small increase in membership fees. We also heard from Tracy Hadden Loh, a Fellow at the Brookings Institution's Center for Transformative Placemaking, on Prosperity and the Power of Place in the Bay as well as from a panel of local electees and experts in a Presentation on Bay Area Case Studies: Local Efforts that Drive Regional Prosperity.  
June 21—Fairfax Town Council Special Meeting on Just Cause for Evictions Ordinance/Rent Stabilization  
June 22—TAM (Transportation Authority of Marin) Board (as an observer/alternate)  
June 28—Fairfax Town Council Special Closed Session  
June 28—Marin County Mayors and Council Members Meeting, Sausalito  
June 29—Visited potential access points to the proposed Cresci Ranch property donation  
July 12—Fairfax Town Council Meeting

Informal Community Events (re: engaging with the community)

June 10-11—Fairfax Festival and Parade  
June 10—Community Land Trust Association of West Marin (CLAM) Annual Meeting (affordable housing), Pt. Reyes Station. This is the first in-person annual meeting since the start of the COVID pandemic of this group which creates community-governed affordable housing in West Marin. The Land Trust movement is a positive, community-driven effort to create lasting affordable housing.  
June 12—Marin Women's Political Action Committee (MWPAC) General Membership meeting, San Rafael. MWPAC supports and endorses women candidates, and women supporting candidates, to run for office.  
June 13—Made a short presentation to the Marin League of Women Voters Transportation, Landuse, and Housing Committee on Fairfax Housing issues.  
June 14—Spahr Center Meet and Greet with the new Director, Joe Tuohy. The Spahr Center serves the LGBTQ+ and HIV/AIDS community. The Spahr Center provides services throughout Marin, including pride festivals and parades, youth services, HIV prevention and care, training, and senior programs.  
June 16—Henhouse West County Pub grand reopening celebration  
June 30—Reception for Susan Pascal Beran's SoulSail sculpture at the Fairfax Parkade

### **Councilmember Hellman**

June 7—Fairfax Town Council meeting – several amendments to the Just Cause Eviction ordinance were discussed including definition clarity, what state law requires in several instances (which are currently confounding the public), adding language adjustment to support legislative intent on subtenancies, exemptions for owner occupied homes with room rentals, JDU’s among, simplification of relocation expenses among others. Council directed staff to come back with an ordinance -targeting August meeting (TBD) for first reading.

June 10/11—44<sup>th</sup> Annual Fairfax Festival: Attended parade and festivities.

June 14—RVFA Board meeting: <https://rossvalleyfire.org/2023/50481-board-meeting-june-14-2023> Regarding [Item 8](#), no consensus (6 Ayes from Sleepy Hollow, Fairfax, and San Anselmo and 2 Nays from Ross) was reached. Gave staff direction to explore alternatives for station upgrades. Next meeting July 19<sup>th</sup>.

June 23—Ross Valley Fire Department badge ceremony to recognize newly promoted Fire Captain Benjamin Herbertson and recognize Fire Chief Jason Weber for his 5 years of service.

June 26—Speaking engagement at CARA (The California Alliance for Retired Americans) Marin Chapter meeting. Other speakers included Supervisor Dennis Rodoni, MCOE Superintendent John Carroll, and COM Board Trustee Paul da Silva.

June 27—Meeting with town manager Heather Abrams and PD Chief Tabaranza about personal, public, and town council safety.

June 28: —MCCMC meeting in Sausalito. Executive Committee for the 2023-24 business year was elected: Melissa Blaustein, Sausalito, will serve as President for 2023-24 and Eli Hill, San Rafael, will serve as Vice President for 2023-24. Congressman Jared Huffman provided an update from Washington, DC and responded to questions. Kate Hartley, Section Director for the Bay Area Housing Finance Authority (BAHFA), provided an introduction and discussion about Bay Area Housing, BAHFA's proposed 2024 GO Bond & Marin's Affordable Housing Needs.

\*Daily/ongoing: discussions with community members about RVFD station upgrades, Tenant Protection policies, e-bike safety, local Homeless encampment.