



# Town of Fairfax Town Council Regular Meeting

Wednesday, October 4, 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:** 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 are public records and are added to the meeting record.

### **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 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.

### **PUBLIC HEARINGS**

1. Introduce and read by title only 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*
2. Introduce and read by title only an Ordinance relating inclusionary housing requirements; adopt a Resolution adopting affordable housing requirements and program regulations; and adopt a Resolution adopting affordable housing in-lieu fees and commercial/non-residential linkage fees in the master fee schedule. CEQA exempt per CEQA Guidelines § 15378(b)(4). – *Planning & Building Services Director Jeff Beiswenger*
3. Adopt Resolution Declaring the Conditions at 67 Live Oak Road a Public Nuisance and Ordering the Town Manager to Abate the Nuisance, APN:001-236-20 – *Building Official Mark Lockaby*
4. Appeal of Planning Commission August 17, 2023, action approving a new residence at 34 Hill Avenue – *Principal Planner Linda Neal*
5. *This item is continued to November 1, 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 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.*

6. Receive Financial Statement and Disbursement Reports for August 2023 – *Finance Director Michael Vivrette*
7. Approve minutes for the July 12, August 2, and August 7, 2023 Town Council meetings – *Town Clerk Michele Gardner*

8. Receive written report on Councilmembers' assignments, committees, and activities in September 2023 – *Deputy Town Clerk Christine Foster*
9. Adopt Resolution Approving a Side Letter to Amend the Memorandum of Understanding (MOU) with Fairfax Police Officers' Association (POA) 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, Town Attorney Janet Coleson*
10. Approve amendments to employment agreement with Town Manager Heather Abrams – *Town Attorney Janet Coleson*
11. Receive report of Town Hall closure and winter furlough days for Town Hall employees from December 25, 2023 to January 2, 2024 – *Town Manager Heather Abrams*
12. Adopt a Resolution Establishing the Regular Council Meeting Dates for the Months of January, July, and October in 2024, and confirm the 2024 Council regular meeting calendar – *Town Clerk Michele Gardner*
13. Adopt Resolution Thanking and Dissolving the Fairfax Volunteer Board – *Town Manager Heather Abrams, Parks and Recreation Coordinator Maria Baird*
14. Appoint Councilmember Lisel Blash to the MCCMC Homelessness Subcommittee to fill vacancy – *Town Clerk Michele Gardner*
15. Proclamation for Ageism Awareness Day – *Mayor Cutrano*
16. Proclamation for National Hispanic Heritage Month – *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**

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 Government Code section 54954.2(a)(1) on or before September 29, 2023.