



FAIRFAX SPECIAL TOWN COUNCIL MEETING STAFF REPORT

MEETING DATE October 18, 2023
PREPARED FOR Mayor and Town Council
PREPARED BY Heather Abrams, Town Manager
SUBJECT Receive proposal letter from Marin Open Space Trust regarding Wall Property and Mayor Cutrano's reply to said letter

RECOMMENDATION

Accept the two attached letters as an informational report.

DISCUSSION

At the [September 6, 2023 Special Town Council meeting](#), the Council [authorized](#) the Mayor and Vice Mayor to negotiate and execute an agreement with the Marin Open Space Trust (MOST) regarding the exploration and possible purchase for open space of the 100-acre property commonly known as the Wall Property.

On September 29, 2023 the Mayor and Vice Mayor received a letter from MOST outlining their intention to undertake the project. On October 10, Mayor Cutrano replied to MOST supporting their proposal. The Subcommittee requested that staff share the letters with the full Council; the letters are attached for your convenience.

FISCAL IMPACT

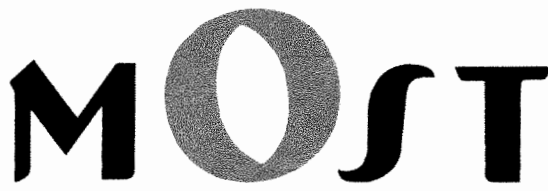
None at this time.

ATTACHMENTS

- A. Letter from Marin Open Space Trust
- B. Reply to letter from Open Space Trust

BOARD MEMBERS

Bill Long, Chair
Elizabeth Byers, Vice Chair
Ann Thomas, Secretary/Treasurer
Ralph Mihan, Legal Consultant
Joyce Applen
Jonathan Braun
Don Dickenson
Steve Petterle



Marin Open Space Trust

September 29, 2023

Honorable Mayor and Councilmembers
Town of Fairfax
142 Bolinas Road
Fairfax, CA 94930
ATT: Mayor Cutrano and Vice Mayor Coler

Dear Mayor Cutrano, Vice Mayor Coler, Councilmembers Ackerman, Blash and Hellman:

Over the last 15 years we have had discussions with members of the Fairfax Community on the goal of preserving the Wall property for scenic open space and public access. Recent changes in ownership of the property have created an opportunity and your Council has decided to work with MOST to secure that outcome. We share your high regard for the unique value for this property and will be pleased to cooperate with your Council to permanently preserve this open space.

MOST is prepared to undertake the purchase of the Wall property and transfer it to Marin County Open Space District. At our expense we will seek to secure an acceptable purchase agreement with the owner, obtain an appraisal and conduct due diligence in ongoing coordination with your Council and MCOSD. Throughout this effort we will cooperate on messaging and coordinate on fundraising with your Council subcommittee of Mayor Cutrano and Vice Mayor Coler. At times, we may need to share sensitive information which each of us will treat accordingly, understanding that the Town is subject to the provisions of the California Public Records Act.

It may develop at some point despite best efforts that it appears infeasible to continue the effort to purchase the Wall property. After full communication with the Town and MCOSD, MOST may, in its sole judgment, decide to terminate its purchase agreement and related activities. The most probable cause would be the unwillingness of MCOSD to accept the property; failure to arrive at an acceptable price or to timely secure adequate funding could be other causes.

Please advise if our proposal is satisfactory.

Sincerely,

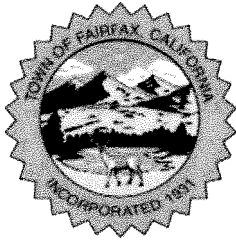
A handwritten signature in cursive script that reads "Bill Long".

Bill Long
Board Chair

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TOWN OF FAIRFAX

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October 10, 2023

Mr. Bill Long, Board Chair
Marin Open Space Trust (MOST)
P.O. Box 4133
San Rafael, CA 94913

Dear Mr. Long (Bill):

We are in receipt of your letter dated September 29, 2023 regarding MOST's proposal to undertake specified actions to purchase and preserve the Wall Property for scenic open space and public access. We support MOST's actions and have no objections to your proposal as stated.

Speaking on behalf of the Fairfax Town Council, we sincerely appreciate MOST's efforts to preserve the Wall Property.

Sincerely,

Chance Cutrano
Mayor, Town of Fairfax

ATTACHMENT B