



Town of Fairfax Town Council Meeting

Wednesday, January 24 2024 | 6:30 p.m.
Fairfax Women's Club, 46 Park Road, Fairfax CA
and [Zoom Webinar ID 880 3100 1183](#)

Preceded by a Special Meeting in Closed Session | 5:15 pm
Fairfax Town Hall, 142 Bolinas Road

Agenda

PUBLIC PARTICIPATION NOTICE

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>.

In-person and remote participation

- Women's Club at 46 Park Road, Fairfax
- Join the Zoom webinar <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.

Public Comment

- Email written comments to the [Town Council](#) before 3:00 p.m. to be posted online. Emails received after the cutoff time will be posted online and made part of the record the next business day.
- You may also provide comments in-person and over Zoom during the meeting. For Zoom, use the 'raise hand' feature to provide verbal public comment.
- Speakers are limited to two (2) minutes.

Special Meeting in Closed Session at 5:15 p.m.

Town Hall, 142 Bolinas Road, Fairfax CA

5:15 PM – CALL TO ORDER – ROLL CALL – APPROVAL OF AGENDA – PUBLIC COMMENT

ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTER:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code §54954.5

Property: APN Nos. 001-251-31, 001-150-12, 001-160-09, and 001-171-51

Agency negotiators: Council subcommittee of Mayor Coler and Council Member Cutrano, Town Manager, & Town Attorney

Property owner negotiators: Sequoia Mortgage Capital, Inc.

Under negotiation: Both price and terms

Reconvene In Open Session

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 two (2) minutes per person. The Council is not permitted to take action and state law strictly limits the right of the Council to discuss any unagendized item. (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 HEARING

1. Introduce and read by title only zoning amendments to the following chapters of Title 17 (Zoning) of the Fairfax Municipal Code to implement Program 2-A (Workforce Housing Overlay) of the Housing Element: 17.012 (Zones Established); 17.126 (WHO Workforce Housing Overlay Zone); 17.092 (CL Limited Commercial Zone); 17.096 (CH Highway Commercial Zone); and 17.100 (CC Central Commercial Zone). Adoption of this ordinance is consistent with the Environmental Impact Report prepared for the recently adopted 2023-31 Housing Element – *Planning & Building Services Director, Jeff Beiswenger*

REGULAR AGENDA

Speakers are limited to two (2) minutes per person, per item.

2. Receive and Discuss Five-Year Plan for Streets and Roads Improvement Program – *Public Works Director Loren Umbertis*
3. This item is continued to March 6, 2024. 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

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.

4. Receive Financial Statement and Disbursement Reports for November 2023 – *Finance Director Michael Vivrette*
5. Approve minutes for the December 6, 2023, Town Council meeting – *Deputy Town Clerk, Christine Foster*
6. Receive written report on Councilmembers' assignments, committees, and activities in December 2023 – *Deputy Town Clerk, Christine Foster*
7. Waive second reading and adopt an ordinance to amend the following chapters of Title 17 (Zoning) of the Fairfax Municipal Code: 17.060 (Ridgeline Development); 17.072 (Hill Area Residential Development Overlay Zone); 17.124 (UR Upland Residential Zone). Adoption of this ordinance has been analyzed as part of the Environmental Impact Report prepared for the 2023-31 Housing Element project. Adoption of this ordinance has been analyzed as part of the Environmental Impact Report prepared for the recently adopted 2023-31 Housing Element – *Jeff Beiswenger, Planning and Building Services Director*
8. Receive Notice of amendments to the Memorandum of Understanding (MOU) with Fairfax Police Officers' Association (POA) to Approve Revised Side Letter to 2018-2022 Fairfax Police Officers' Association Agreement for CalPERS Compliance – *Town Manager, Heather Abrams and Town Attorney, Janet Coleson*
9. Adopt Resolutions Authorizing a Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2023/2024 and 2024/2025 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to 1) Update the Town's Bike and Pedestrian Master Plan and 2) Complete Design and Implement Pedestrian Curb Ramp and Sidewalk Improvements at identified locations – *Loren Umbertis, Public Works Director*
10. Receive Climate & Environment Department Quarterly Update – *Climate Action Coordinator, Sean Youra*

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

In memory of Brian Joseph Fischer, and Olivia Beltran

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 cfoster@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.

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 January 19, 2024.