

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Fairfax Women's Club, 46 Park Road

Wednesday, November 5, 2008 at 7:30 p.m.

Preceded by a Special Meeting Closed Session at 6:30 p.m. at the Youth Center, 16 Park Rd.

6:30 PM – SPECIAL MEETING - CLOSED SESSION

CALL TO ORDER

Convene in Open Session at the Youth Center, 16 Park Road

Adjourn to Closed Session on the following matters:

CONFERENCE WITH LEGAL COUNSEL pursuant to Government Code Section 54956.9 (b),
ANTICIPATED LITIGATION: (2) Two potential cases

CONFERENCE WITH LEGAL COUNSEL pursuant to Government Code Section 54956.9 (c),
INITIATION OF LITIGATION: (1) potential case

PUBLIC EMPLOYEE APPOINTMENT pursuant to Government Code Section 54947: Planning
and Building Services Director

7:30 PM – CALL TO ORDER – OPEN SESSION – WOMEN'S CLUB, 46 PARK ROAD

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA AND AFFIDAVIT OF POSTING

ANNOUNCEMENT OF CLOSED SESSION ACTION

MEETING PROTOCOL

The Mayor shall maintain order at the meetings in accordance with Robert's Rules of Order and the Council has a responsibility to be a model of respectful behavior in order to encourage community participation and citizen input at Council 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.

The Town Council will review the agenda at **10:00 P.M.** to ascertain which items will be heard that evening and which, 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. Please turn all cellular phones off or place in silent mode.

ANNOUNCEMENTS

New members welcome on the General Plan Advisory Committee

New members welcome on the Fairfax Youth Commission, Ages 14 to 19, Ross Valley residents
Vacancy on the Measure F Oversight Committee
Vacancy on the Open Space Committee for an unexpired term to June 30, 2012
Vacancy on the Parks and Recreation Commission for an unexpired term to April 30, 2009
First Annual Fairfax Fine Arts and Crafts Faire, November 9th, 10-5, at the Fairfax Pavilion,
Free Admission, sponsored by the Artists in Residence and the Parks and Recreation
Commission

OPEN TIME FOR PUBLIC EXPRESSION (3 minute time limit per person) - If you wish to address the Council, please approach the podium and state your name and address. Individuals have 3 minutes to speak, 5 minutes if representing a group. This is the time set aside for individuals wishing to address the Council on matters not listed on the agenda. State law (Government Code Section 54954.2) provides that Council is not permitted to take action and 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.

INTERVIEWS AND APPOINTMENTS

1. Interview and appointment of candidate(s) to the General Plan Advisory Committee – Town Clerk

PRESENTATIONS

2. Report on Youth Commission Activities by Maya Meissner, and acknowledgment of service to departing Commissioner Ginny Aballo
3. Presentation by Mayor Maggiore regarding Women's Work, Key Women in Commerce in the Community
4. Presentation by Henry Gardner, Executive Director of ABAG, Affordable Housing Calculations
5. Presentation of the Mixed Use Overlay, An Overview and Next Steps, Larry Kennings, Planning Consultant

CONSENT CALENDAR (Members of the audience may address any item on the Consent Calendar at this time)

6. Approval of Town Council minutes of June 4, July 2, and July 16, 2008 - Town Clerk
7. Approval of the Underground Utility Fund Project List – Public Works
8. Authorization for Town Manager to execute a contract with a Records Management Consultant – Town Clerk
9. Adoption of Resolution No. 2584, A Resolution of the Town Council of the Town of Fairfax Adopting the Police Department Plan to Allocate Funds for the Citizens Option for Public Safety (COPS) Program for 2008-2009 - Police
10. Adoption of Resolution No. 2585, A Resolution of the Town Council of the Town of Fairfax Expressing our Appreciation for the Thirty Years of Public Service by Michael O'Reilly
11. Adoption of Resolution No. 2586, A Resolution of the Town Council of the Town of Fairfax Awarding Contract for the San Rafael – Fairfax Bicycle Feasibility Study to Alta Planning and Design for \$140,000 – Public Works

12. Adoption of Resolution No. 2587, A Resolution of the Town Council of the Town of Fairfax Authorizing Submittal of a Pre-disaster Mitigation Grant Application for a Seismic Retrofit of the Pavilion and Designating the Town Manager to represent the Town – Public Works
13. Adoption of Resolution No. 2588, A Resolution of the Town Council of the Town of Fairfax Accepting Notice of Completion for the Creek Road Bridge Project – Public Works
14. Adoption of Resolution No. 2589, A Resolution of the Town Council of the Town of Fairfax Accepting Notice of Completion for the Center Blvd. Improvement Project – Public Works
15. Adoption of Resolution No. 2590, A Resolution of the Town Council of the Town of Fairfax Accepting Notice of Completion for the Park and Hill Overlay Project – Public Works

PUBLIC HEARINGS

16. (A) Introduction and First Reading of Ordinance No. 738 An Ordinance of the Town Council of the Town of Fairfax Repealing Ordinance No. 736 (Approving the Marin Energy Authority Joint Powers Agreement and Authorizing the Implementation of a Community Choice Aggregation Program) – Town Attorney

(B) Introduction and First Reading of Ordinance No. 739, An Ordinance of the Town Council of the Town of Fairfax Approving the Revised Marin Energy Authority Joint Powers Agreement and Authorizing the Implementation of a Community Choice Aggregation Program – Town Attorney
17. Introduction and first reading of Ordinance No. 740, An Ordinance of the Town of Fairfax amending Sections 8.36.050 and 8.36.110 of the Town Code to require Town-initiated tree removals to obtain permits and adding a noticing requirement for emergency removals – Town Attorney

REGULAR AGENDA

18. Update on code compliance issues and possible abatement concerning vacant commercial building (formerly the New Albion Bookstore) (oral report) – Building
19. Discussion/Consideration of letter to Ross Valley Sanitary District requesting resurfacing of Cascade Drive and rehabilitation of Doc Edgar Park, Bragman
20. Discussion of Ross Valley Fire Service tree removal procedures and coordination with the Tree Committee, Bragman
21. Adoption of Resolution No. 2591, A Resolution of the Town Council of the Town of Fairfax authorizing membership in the Franchisers Group to allow for an rate review of solid waste and recycling services charged to the rate payers in Fairfax – Town Manager
22. Adoption of Resolution No. 2592, A Resolution of the Town Council of the Town of Fairfax Adopting a Revised Exhibit “A” to the Conflict of Interest Code for the Town of Fairfax – Town Clerk

REPORTS FROM TOWN OFFICIALS

COUNCIL REPORTS AND COMMENTS (Brief announcements and reports on Councilmember activities, including reports from meetings attended at Town expense)

ADJOURNMENT to November 19, 2008

If any of the matters described above are 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 Town Hall at 453-1584.

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection on the public counter at Town Hall in a folder next to the agenda packet. Such documents are also available on the Town's website at "townoffairfax.org" subject to staff's ability to post the documents before the meeting.

I, Judy Anderson, Town Clerk of the Town of Fairfax, County of Marin, State of California, do hereby certify that I posted a copy of this Agenda at three public places in the Town of Fairfax, to wit: 1) Bulletin Board, Town Hall Offices; 2) Bulletin Board, Fairfax Post Office, and 3) Bulletin Board, Fairfax Women's Club and that each of said postings was completed on the 31st day of October, 2008

In an effort to make our agendas available in a more timely and efficient manner, we have created a noticing list for the distribution of Town Council agendas via email. If you would prefer to receive Town Council agendas via email, please provide your email address to the Town Clerk at janderson@townoffairfax.org