

AGENDA

ADJOURNED FAIRFAX TOWN COUNCIL MEETING

Fairfax Women's Club, 46 Park Road

Wednesday, November 19, 2008 at 7:30 p.m.

7:30 PM – CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA AND AFFIDAVIT OF POSTING

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

The deadline has been extended from October 15 to November 30, 2008 for the Fairfax

Floodgate Grant Rebate Program for local businesses

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. Presentation of the Town's New Traffic and Speed Measuring Collection Device, Chief of Police
3. Presentation by Will Rigney, Director of External Affairs for AT&T on *Project Lightspeed*

PUBLIC HEARINGS

4. Appeal of Planning Commission decision on Use Permit application #08-43 to deny installation of bathroom facilities in detached accessory structure at **51 Meernaa**, Residential Single Family, RS-6 Zone, Assessor's Parcel No. 002-092-19; Keith Hennessey, owner/appellant ; and Adoption of Resolution No. 2593, A Resolution of the Town Council of the Town of Fairfax Upholding the Decision of the Planning Commission on an Appeal of a Condition of Approval of a Project at 51 Meernaa Avenue - Planning
5. Appeal of Planning Commission denial of Use Permit Application #08-44 to construct a garage on an existing parking deck located at **177 Frustuck Avenue**; Residential Single Family, RS-6 Zone, Assessor's Parcel No. 003-193-0; John Owens and Diana Dullaghan, owners/appellants, and Adoption of Resolution No. 2594, A Resolution of the Town Council of the Town of Fairfax Making a Determination Regarding the Appeal of the Decision of the Planning Commission on a Project at 177 Frustuck Avenue - Planning

REGULAR AGENDA

6. Update on code compliance issues and possible abatement concerning vacant commercial building (formerly the New Albion Bookstore) (oral report) – Building
7. Proclamation establishing Days of Remembrance to recall the aerial pesticide sprayings for the Light Brown Apple Moth, Bragman
8. (A) Second Reading and Adoption 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) Second Reading and Adoption 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
9. Second Reading and Adoption 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

REPORTS FROM TOWN OFFICIALS

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

ADJOURNMENT

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 14th day of November, 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