

# AGENDA

## REGULAR FAIRFAX TOWN COUNCIL MEETING

Fairfax Women's Club, 46 Park Road

**Wednesday, March 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(a), PENDING LITIGATION, Marin Superior Court No. CV 064668, Legnitto v. Town of Fairfax; and

CONFERENCE WITH LEGAL COUNSEL pursuant to Government Code Section 54956.9(a), PENDING LITIGATION, Marin Superior Court No. CV060796 , Bourhis v. Lord, et al; Marin Superior Court No. CV062735 , Beaumont v. Town of San Anselmo et al; Marin Superior Court No. CV065507 Mooe v. Town of San Anselmo, et al; and Marin Superior Court No. CV065556 Avins. v. Town of San Anselmo, et. al.

CONFERENCE WITH LEGAL COUNSEL pursuant to Government Code Section 54956.9(b), ANTICIPATED LITIGATION, one potential case.

PUBLIC EMPLOYEE APPOINTMENT pursuant to Government Code Section 54957: Public Works 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 General Plan Advisory Committee  
New members welcome on the Fairfax Youth Commission, Ages 14 to 19, Ross Valley residents  
Vacancy on the Parks and Recreation Commission for an unexpired term to March 31, 2010  
Vacancy on the Volunteer Board for an unexpired term to March 31, 2009  
Vacancy on the Design Review Board for an unexpired term to January 31, 2011  
Vacancy on the Open Space Committee, four-year term  
Vacancy on the Measure F Oversight Committee  
Annual Brewfest, Saturday, March 15<sup>th</sup>, 1 to 5 p.m., Fairfax Pavilion  
Easter Egg Hunt sponsored by the Parks and Recreation Commission on Saturday, March 22<sup>nd</sup>,  
at 10:30 a.m. in Bolinas Park  
9<sup>th</sup> Annual Documentary Film Festival at Fairfax Theater, March 28<sup>th</sup> and 29<sup>th</sup>

**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.

1. Presentation by the Fairfax Youth Commission

#### **INTERVIEWS AND APPOINTMENTS**

2. Interview and appointment of candidate(s) to serve on the Fairfax Open Space Committee to complete an unexpired term to June 30, 2008

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

3. Accept and file financial report of expenditures and revenue from July 1, 2007 to December 31, 2007 (continued from 2-20-08)
4. Approval of Town Council Minutes of January 9, 12, and 30, 2008
5. Adoption of Resolution No. 2531, A Resolution of The Town Council of The Town of Fairfax Authorizing Temporary Closure of Certain Streets and Portions Thereof, To Allow a Little League Opening Day Parade on Saturday, March 29, 2008
6. Adoption of Resolution No. 2532, A Resolution of The Town Council of The Town of Fairfax Opposing Governor Schwarzenegger's Proposed Across-the-Board Budget Cuts and Supporting the Alternate Budget of the Legislative Analyst Which Provides Full Funding for Local Schools, Bragman
7. Proclamation declaring April as FAIR HOUSING MONTH in Fairfax
8. Award of Bid for Upper Scenic Road Stabilization Project to Linscott Engineering for \$31,650
9. Authorization to Advertise and Solicit Construction Bids for the Pastori Storm Drain Pipe Replacement Project

#### **PUBLIC HEARING**

10. Hearing to Declare a Public Nuisance and Order Abatement at 67 Live Oak and to Adopt Resolution No. 2533, A Resolution of the Town Council of the Town of Fairfax Declaring the Conditions on the Property at 67 Live Oak, assessor's parcel number 001-236-20, to be a Public Nuisance and Ordering the Town Manager to Cause the Abatement of the Nuisance
11. 75 Taylor Drive; Application # 08-09 Request for a Variance to have a second driveway accessing a single-family residential property; Assessor's Parcel No. 001-211-14; Residential Single-family RS 6 Zone; Chris and Sarah Gaidano, applicants/owners; CEQA categorically exempt, § 15305(a)

## **REPORTS FROM TOWN OFFICIALS**

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

## **REGULAR AGENDA**

12. Adoption of Resolution No. 2534, A Resolution of the Town Council of the Town of Fairfax Opposing the California Department of Food and Agriculture Aerial Spray Program to Eradicate the Light Brown Apple Moth, Bragman
13. Introduction and First Reading of Ordinance No. 732, an Ordinance of the Town of Fairfax adopting the Marin County Animal Control Ordinance by reference
14. Discussion/Consideration of formal policy/ordinance regarding resolutions on state and national issues, Tremaine/Bragman

## **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.

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 29th day of February, 2008

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