

AGENDA
REGULAR FAIRFAX TOWN COUNCIL MEETING
Fairfax Women's Club, 46 Park Road
Wednesday, November 4, 2009, at 7:30 p.m.

Preceded by a Special Meeting Closed Session at 6:00 p.m. at Town Hall, 142 Bolinas Road

6:00 PM – Call to Order and Adjourn to Closed Session on the following matters:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Govt. Code Section 54957 Title: Town Manager

CONFERENCE WITH LEGAL COUNSEL pursuant to Government Code Section 54956.9(a), PENDING LITIGATION, Marin Superior Court No. CV 086177, Town of Fairfax v. John and Marlia Berg

7:30 PM – 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.

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

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

INTERVIEW AND APPOINTMENT

1. Interview and appointment of candidate to serve a full three-year term on the Volunteer Board to November 30, 2013

PRESENTATION

2. Presentation of Audit for Fiscal Year 2007 – 2008 – *Capporici and Larson, Certified Public Accountants*

CONSENT CALENDAR

3. Approval of Town Council minutes of October 7, 2009 – *Town Clerk*

4. Accept and File Monthly Finance Report for September, 2009 – *Finance*
5. Accept and File Quarterly Report from the Town Treasurer – *Town Treasurer*
6. Accept and File Quarterly Financial Report - *Finance*
7. Adoption of 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 – *Police*
8. Adoption of a Resolution of the Town Council of the Town of Fairfax approving the form of authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the seller's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith - *Finance*
9. Approval of Amendment to Town Manager's contract to include an out of pocket contribution to the employee portion of retirement to match the contribution agreed to in the Management Employees MOU – *Town Manager*
10. Approval of a letter for the Mayor's signature to Attorney General Edmund G. Brown objecting to Sutter Health taking millions of dollars in profit out of Marin County and into their Corporation – *Weinsoff*
11. Approval of a letter of appreciation for the Mayor's signature to the Town of Tiburon for the approval of the Tax and Revenue Anticipation Note (TRAN) - *Weinsoff*

REGULAR AGENDA

12. Adoption of a Resolution of the Town Council of the Town of Fairfax establishing rules for the use of the Fairfax tennis courts – *Police*
13. Report on the status of the General Plan and Specific Plan – *Planning*
14. Report on the status of the abatement of a nuisance on Oak Manor Drive Assessor's Parcel Number 174-070-71, Phillips - *Planning*
15. Approval of Town Response to the Grand Jury request regarding the makeup and operation of the Fairfax Town Council – *Town Manager*
16. Discussion of Ross Valley School District Shared Use Facilities Planning - *Weinsoff*

REPORTS FROM TOWN OFFICIALS

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

ADJOURNMENT *In Memory of Frank Elliott, former Ross Valley School District Superintendent*

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 Web site 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 October 29, 2009.

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