

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Fairfax Women's Club, 46 Park Road

Wednesday, May 6, 2009, at 7:30 p.m.

Preceded by a Special Meeting Closed Session at 6:30 p.m.

6:30 PM - Call to Order and Adjourn to Closed Session on the following matter:

CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6
Agency designated representative: Michael Rock, Town Manager; Employee Organizations: SEIU
Local 949 Miscellaneous Unit, Police Officers Association and Management Employees

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.

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 Volunteer Board for an unexpired term to July 31, 2010

Vacancy on the Parks and Recreation Commission for a full four-year term to April 30, 2013

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.

APPOINTMENTS/REPORTS

1. Annual report from Representative to the Marin Commission on Aging
2. Interview and appointment of candidate to serve as the Fairfax representative to the Marin Commission on Aging for a three-year term to June 30, 2012 – Town Clerk
3. Interview and appointment of candidate to serve on the Volunteer Board to complete an unexpired term to July 31, 2010 – Town Clerk
4. Interview and requested re-appointment of candidate to the Volunteer Board for a full three-year term to May 30, 2012 - Town Clerk

PRESENTATIONS

5. Presentation by the League of Women Voters regarding proposed Campaign Finance Reform

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

6. Approval of Town Council minutes of November 19, 2008 and March 4, 2009 – Town Clerk
7. Accept and File Monthly Finance Report for March 2009 and First Quarter 2009 Investment Report – Finance
8. Adoption of Resolution No. 09-30, a Resolution of the Town Council of the Town of Fairfax appointing Town Manager Michael Rock as Deputy Town Clerk – Town Manager
9. Accept and File Report on the Floodgate Grant Program – Public Works
10. Acceptance of a \$10,000 Grant for the Deer Park Trail from the Emig Trust Fund
11. Adoption of Resolution No. 09-31, A Resolution of the Town Council of the Town of Fairfax commending the Ross Valley Fire Department for hosting the Fire Explorer Training Program - Brandborg
12. Report on FEMA flood map and Flood insurance – Bragman
13. Adoption of Resolution No. 09-32, A Resolution of the Town Council of the Town of Fairfax Authorizing the Artists-in-Residence to Renew the Mural at Central Field – PARC
14. Adoption of Resolution No. 09-33, A Resolution of the Town Council of the Town of Fairfax Authorizing the Director of Public Works to Implement the Resurfacing of Sir Francis Drake Boulevard From June Court to the West Town Limit Through the American Recovery and Reinvestment Act of 2009 – Public Works

PUBLIC HEARINGS

15. 177 Frustuck Avenue; Application # 09-02; Appeal of the Planning Commission's denial of a request for a setback variance, a height variance, encroachment permit and a second unit use permit in order to construct a second unit underneath an existing three story, single-family residence and to construct parking for the second unit within the required side yard setback and the adjacent public right-of-way; Assessor's Parcel No. 003-193-02; Residential Single-family RS 6 Zone; John Owens and Diana Dullaghan,

appellants/property owners; CEQA categorically exempt, § 15301(e), 15303(a) and 15305(a) and (b) - Planning

16. Introduction and First Reading of Ordinance No. 743, An Ordinance of the Town of Fairfax Repealing and Replacing Town Code Chapter 8.36, Regulating the Removal of Trees – Planning

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17. Approval of Town contract with Camille Esposito, Fairfax Open Circle Arts (FOCAS) to establish children’s recreational programming in Fairfax – PARC
18. Update on the status of the General Plan Elements - Planning
19. Report from the Affordable Housing Committee regarding potential sites – Bragman and Tremaine
20. Adoption of Resolution No. 09-34, A Resolution of the Town Council of the Town of Fairfax Adopting Guidelines for all Town Council appointed Commissions, Committees, and Boards – Town Manager
21. Adoption of Resolution No. 09-35, A Resolution of the Town Council of the Town of Fairfax adopting Mission, Vision and Core Values for the Town -Town Manager
22. Report and Discussion on Brush Clearing Project on Scenic Road – Bragman
23. Review of the Town’s policies regarding contracts – Bragman
24. Request for a letter from the Mayor urging the Marin-Sonoma Mosquito and Vector Control District to preserve the “No-Spray List” – Bragman

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 30th day of April, 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