

AGENDA
REGULAR FAIRFAX TOWN COUNCIL MEETING
Fairfax Women's Club, 46 Park Road
Wednesday, August 5, 2009, at 7:30 p.m.
**Preceded by a Special Meeting Closed Session at 6:30 p.m. in the
Town Manager's Office, 142 Bolinas Road**

6:30 PM – Call to Order and Adjourn to Closed Session on the following matters:

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code 54956.8: Property:
210 Sir Francis Drake Blvd., Fairfax Town Negotiators: Michael Rock, Town Manager and Jim Moore, Planning
and Building Services Director; Negotiating Party: Joe Wahnsiedler; Under Negotiation: Price and terms of
payment

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

Vacancy on the Volunteer Board for a full three-year term

Two vacancies on the Parks and Recreation Commission for full four-year terms

"Camp Earth" for children 5 – 10, sustainable summer camp, August 17 – 21, 2009

Final performances of Sam Parry's musical Relativity – the Musical! will be playing at the Fairfax Pavilion on
August 6, 7 and 8

The Good Festival to be held on Saturday, August 8th, 11:00 a.m. to 6:00 p.m., Bolinas Park

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 on the Parks and Recreation Commission for a full four-year term to August 31, 2013.

PRESENTATIONS

2. Presentation of Resolution of Commendation to Karen Arnold for her service to the Town as a Parks and Recreation Commissioner
3. Presentation on the Street Smarts Campaign by Deborah Cole, Parisi Associates Transportation Consulting – Public Works
4. Update on Marin Energy Authority by Jamie Tuckey, County of Marin

CONSENT CALENDAR

5. Approval of Town Council minutes of June 20 and July 1, 2009 – Town Clerk
6. Accept and File Monthly Finance Reports for April and May, 2009 – Finance
7. Adoption of a Resolution of the Town Council of the Town of Fairfax making findings for the denial of the appeal for 177 Frustuck Avenue – Planning
8. Adoption of a Resolution of the Town Council of the Town of Fairfax Accepting Upper Scenic Road as a Town-maintained road – Public Works (continued from June 3 and July 1 meetings)
9. Authorization to release plans and specifications to bidders and to award the contract to the lowest qualified bidder for Sir Francis Drake Resurfacing funded through the American Recovery and Reinvestment Act – Public Works
10. Authorization to release plans and specifications to bidders and to award the contract to the lowest qualified bidder for the Glen Drive Culvert FEMA project – Public Works
11. Adoption of a Resolution of the Town Council of the Town of Fairfax in opposition to a statewide proposition sponsored by PG&E to require local governments to obtain a 2/3 vote of the electorate before providing a community choice electricity program - Bragman
12. Approval of request from Parks and Recreation Commission (PARC) to draft an ordinance for Council consideration to prohibit music from being played on the tennis courts – PARC, Town Manager

PUBLIC HEARING

13. Request that the Town Council determine that the keeping of livestock, fowl and a recreational vehicle on an undeveloped parcel of property in Fairfax be declared a public nuisance and direct Town Attorney to begin nuisance abatement proceedings against the property owner; Residential Single-family RS 6 Zone District; Adoption of a Resolution of the Town Council of the Town of Fairfax declaring a nuisance, Patrice Phillips, property owner - Planning
14. Introduction and First Reading of Ordinance No. 742, 50% Remodel Ordinance (continued from June 3 and July 1) – Planning

REGULAR AGENDA

15. Report on status of State Budget and impact on the Town of Fairfax – Town Manager
16. Report on the status of the General Plan and Specific Plan – Planning
17. Acceptance of response to Grand Jury report entitled, “Saving Marin Major Crimes Task Force” – Police Department

18. Acceptance of the Town of Fairfax 2005 Greenhouse Gas Emissions Inventory and setting of an emissions reduction target for 2020 of 15% below 2005 levels – Town Manager
19. Discussion/Consideration of endorsement of Pilot Low Income Elderly and Disabled Cable Discount - Bragman
20. Discussion/Consideration of traffic issues on Mono Lane – Tremaine
21. Adoption of a Revised Resolution of the Town Council of the Town of Fairfax, California, Calling for the Holding of a General Municipal Election to be Held on November 3, 2009, for the Election of Certain Officers and for the Submission to the Voters of a Question Relating to the Renewal of a Special Municipal Services Tax for Five (5) years, Requesting the Marin County Board of Supervisors to Consolidate with any other Election Conducted on that Date, and Requesting Election Services of the County Clerk, and Setting the Ballot Language – Town Clerk
22. Introduction and First Reading of Ordinance No. 745, an Ordinance of the Town Council of the Town of Fairfax Establishing an Administrative Enforcement Mechanism for Violation of the Town Code – Building/Planning
23. Discussion of contract for solid waste and recycling services with Marin Sanitary Service – Solid Waste Subcommittee; Bragman, Brandborg
24. Adoption of a Resolution of the Town Council of the Town of Fairfax Adopting Mission, Vision and Core Values for the Town – Town Manager
25. Designation of Voting Delegates and Alternates for the League of California Cities Annual Conference, September 16-18, 2009, San Jose – Town Clerk
26. Authorization for Town Manager to execute a Memorandum of Understanding with the Town of San Anselmo for Jointly Sponsored Recreation Programs – Town Manager
27. Authorization for Mayor Weinsoff to sign a letter to Marin County Supervisor Brown requesting funding for various projects in Fairfax – Town Manager

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 Alex Forman, MMWD Board Member

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 July 31, 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