

AGENDA  
REGULAR FAIRFAX TOWN COUNCIL MEETING  
Fairfax Women's Club, 46 Park Road  
**Wednesday, November 3, 2010 at 7:30 p.m.**

Preceded by a Special Meeting Closed Session at 6:45 p.m. at Town Hall, 142 Bolinas Rd

6:45 PM – Call to Order and Adjourn to Closed Session on the following matters:

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

Vacancy for a citizen member with housing experience on the Affordable Housing Committee  
Vacancy on the Planning Commission to complete an unexpired term to January 31, 2011

**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

**PRESENTATIONS**

1. Community Media Center of Marin presentation on broadcasting Town Council meetings – Michael Eisenmenger, Executive Director
2. Presentation to the Pavilion Clean-up Day volunteers in recognition of their efforts – Mayor Tremaine
3. Quarterly Treasurers Report – Town Treasurer

**INTERVIEWS AND APPOINTMENTS**

4. Interview and appointment of applicant to serve on the Planning Commission to complete an unexpired term to January 31, 2011 - Town Clerk

5. Interview and appointment of applicant to serve on the Affordable Housing Committee – Town Clerk

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

### **TOWN MANAGER REPORT**

#### **CONSENT CALENDAR**

6. Approval of Town Council minutes of September 11, 15, 29, 2010 – Town Clerk
7. Approval of Financial Reports through September, 2010 - Finance
8. Report on the status of the presence of perchlorethylene (PCE) at the Fair Anselm retail center – Town Manager
9. Adoption of a Resolution of the Town Council of the Town of Fairfax approving the creation of a Town Theater Director position – Town Manager
10. Adoption of a Resolution of the Town Council of the Town of Fairfax declaring the public works street sweeper and asphalt tack oiler as surplus to the needs of the Town and authorizing the Public Works Department to dispose of same by public auction – Public Works
11. Approval of a change of the regular Town Council meeting date to January 12, 2011 – Town Clerk
12. 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 for 2010-2011 – Police Chief
13. Approval of a letter to the County of Marin Community Development Agency opposing the proposed installation of a cell phone tower at Camp Tamarancho – Open Space Committee

#### **PUBLIC HEARINGS**

14. Introduction and first reading of Ordinance No. 756 adopting Uniform Building Codes – Building
15. Introduction and first reading of Ordinance No. 757 adopting Uniform Fire Codes – Fire Chief
16. Introduction and first reading of Ordinance No. 758 extending Interim Ordinance No. 753, an Interim Ordinance of the Town Council of the Town of Fairfax prohibiting the establishment of new medical marijuana dispensaries in any zoning district within the Town – Planning

#### **REGULAR AGENDA**

17. Approval of amendment to contract with Marin Humane Society to forgo the scheduled 4% increase for fiscal year 2010-2011, to extend the current contract to June 30, 2012, and to provide a two percent contract increase in FY 2011-2012 – Town Clerk
18. Second Reading and Adoption of Ordinance No. 755, an Ordinance of the Town Council of the Town of Fairfax changing the regular Council meeting time from 7:30 p.m. to 7:00 p.m. – Town Clerk
19. Discussion/Consideration of direction to staff to work with the Marin Community Food Bank to locate a food pantry in Fairfax – Town Manager
20. Adoption of a Resolution of the Town Council of the Town of Fairfax authorizing the Mayor to send a letter to mortgage lenders requesting that they amend their home loan modification programs to better serve Fairfax homeowners – Reed
21. Discussion of status of the Smart Meter deployment in Fairfax - Bragman

**ADJOURNMENT to November 17, 2010, at 7:30 p.m. for a Financial Sustainability Workshop**

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, 2010.

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**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](mailto:janderson@townoffairfax.org)**