

AGENDA  
REGULAR FAIRFAX TOWN COUNCIL MEETING  
Fairfax Women's Club, 46 Park Road  
**Wednesday, February 2, 2011, at 7:00 p.m.**

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

6:00 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 Marlia Berg

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

Re-convene in Open Session:

**7:00 PM – CALL TO ORDER**

**INTERVIEWS AND APPOINTMENTS**

1. Interview and appointment of candidate to the Design Review Board for a full three-year term to January 31, 2014 – Town Clerk
2. Interview of Planning Commission Candidates for appointment to complete an unexpired term to January 31, 2012 – Town Clerk

**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 on the Design Review Board for a full three-year term to January 31, 2014  
Vacancy on the Planning Commission to complete an unexpired term to January 31, 2012  
Fairfax Library to close from February 7th until February 21st for the installation of new carpeting

**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

### **PRESENTATION**

3. Presentation by Dawn Weisz of Marin Energy Authority

**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**

4. Approval of Town Council minutes of November 30, 2010 and December 15, 2010 – Town Clerk
5. Report on the status of the presence of perchlorethylene (PCE) at the Fair Anselm retail center – Town Manager
6. Adoption of Resolution No. 11-03, Approving a Job Description and Salary Schedule for the Chief Building Official/Public Works Manager position – Town Manager
7. Adoption of Resolution No. 11-04, Approving a Job Description and Salary Schedule for the Building Inspector/Maintenance Worker position - Town Manager
8. Adoption of Resolution No. 11-05, A Resolution of the Town Council of the Town of Fairfax Declaring a Police Department Patrol Vehicle As Surplus to the Needs of the Town And Authorizing the Police Department to Dispose of Same by Public Auction – Police Department

### **PUBLIC HEARINGS**

9. 720 Center Blvd., Fair-Anselm Shopping Center; Application #11-03; Request for approval of a proposed scope of work (methodology) of a Traffic Impact Permit for a project encompassing remodeling the existing commercial building to bring into compliance with current Building Codes to open as a natural foods grocery store; Assessor's Parcel No. 002-131-12; Highway Commercial CH Zone District; Good Earth Natural Foods, applicant; John Fry, applicant's representative; LRG Capital Real Estate Partners, owners - Planning

### **REGULAR AGENDA**

10. Discussion/Consideration of proposed changes to the Town's smoking ordinance to provide Clean Indoor Air and Health Protection including the Regulation of the Exposure to Smoke in Multi-Unit Apartment Buildings - Bragman
11. Adoption of Resolution No. 11-02 of the Town Council of the Town of Fairfax in support of a local currency project (continued from 1-12-11) – Reed
12. Adoption of Resolution No. 11-06 of the Town Council of the Town of Fairfax adopting an Electronics Communication policy – Finance
13. Discussion/Consideration of Council Committee Assignments – Town Clerk

**ADJOURNMENT to Fiscal Sustainability Workshop, Wednesday, February 16th**

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 January 27, 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)**