

AGENDA  
REGULAR FAIRFAX TOWN COUNCIL MEETING  
Fairfax Women's Club, 46 Park Road  
**Wednesday, March 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 matter:

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 - 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**

Free classical Indian Dance Performance at the Women's Club, Thursday, March 10<sup>th</sup>, 7 to 8:30 p.m., sponsored by PARC and Marin County Free Library

Little League Opening Day Parade, Saturday, March 12<sup>th</sup> at 10:00 a.m.

Annual Brewfest sponsored by PARC and the Chamber of Commerce, Saturday, March 19<sup>th</sup>, 1-5 p.m. at the Fairfax Pavilion

Teen Night at the Youth Center on Friday, March 4<sup>th</sup>, from 7 to 9 p.m.

**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**

1. Presentation from HF&H Consultants on proposed solid waste rate increase - Marva Sheehan

**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**

2. Approval of Town Council minutes of January 12 and February 2, 2011 – Town Clerk
3. Approval of Financial Reports through January, 2011- Finance
4. Report on the status of the presence of perchlorethylene (PCE) at the Fair Anselm retail center – Town Manager
5. Adoption of Resolution No. 11-03, Approving a Job Description and Salary Schedule for the Chief Building Official/Public Works Manager position – Town Manager
6. Adoption of Resolution No. 11- 09 a Resolution of the Town Council of the Town of Fairfax adopting overall financial policies – Finance
7. Adoption of Resolution No. 11-10, a Resolution of the Town Council of the Town of Fairfax adopting a reserve policy – Finance
8. Adoption of a Proclamation declaring April as Fair Housing Month in Fairfax – Clerk
9. Approval of the termination of the MOU with San Anselmo for recreation program support – Clerk
10. Adoption of Resolution No. 11-12, a Resolution of the Town Council of the Town of Fairfax Authorizing Temporary Closure of Certain Streets and Portions Thereof, to allow a Little League Opening Day Parade on Saturday, March 12, 2011 – Town Clerk
11. Adoption of Resolution No. 11-13, a Resolution of the Town Council of the Town of Fairfax Honoring Fairfax Library Branch Manager Gail Wiemann on the occasion of her retirement – Town Clerk
12. Adoption of Resolution No. 11-14, a Resolution of the Town Council of the Town of Fairfax in support of Wisconsin Public Workers Union - Bragman

### **PUBLIC HEARINGS**

13. Introduction and First Reading of Ordinance No. 759, an Ordinance of the Town Council of the Town of regulating the location, number and operation of medical marijuana dispensaries in the Central Commercial (CC), Highway Commercial (CH), Limited Commercial (CL) and Commercial Recreation (CR) Districts of the Town – Planning
14. 77 Porteous Avenue; Application # 10-32, Request for a driveway width Variance to construct a 33-foot wide driveway to provide the required three on-site parking spaces for a new single-family residence; Assessor's Parcel No. 002-082-26; Residential RD 5.5-7 Zone; Scott Hurd, applicant/owner; CEQA categorically exempt, § 15303(e); Adoption of Resolution No. 11-15, a Resolution of the Town Council of the Town of Fairfax granting a driveway variance for a project located at 77 Porteous Avenue - Planning

### **REGULAR AGENDA**

15. Discussion/Consideration of terminating Agreement with Muni Services for administering the Business License Program – Finance
16. Discussion of status of the solid waste and recycling contract with Marin Sanitary Service – Zero Waste Committee
17. Update on Marin Superior Court No. CV 086177, Town of Fairfax v John and Marlia Berg - Bragman

18. Discussion/Consideration of possible consolidation of the Planning Commission and the Design Review Board – Planning
19. Adoption of Resolution No. 11-16, Establishing a General Plan Implementation Committee and Setting the Membership and Terms – Planning
20. Discussion/Consideration of a local sales tax in the Town of Fairfax – Bragman
21. Discussion/Consideration of allocation of \$2500 from Measure I Youth Services funds to the West Marin Little League for the completion of the batting cage at Contratti Field – Bragman
22. Consideration of the use of Open Space funds for litigation related to protecting access rights to Town owned open space - Bragman

## **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 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 February 24, 2011.

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