

AGENDA  
REGULAR FAIRFAX TOWN COUNCIL MEETING  
Fairfax Women's Club, 46 Park Road  
**Wednesday, July 13, 2011, at 7:00 p.m.**

Preceded by a Special Meeting Closed Session at 5:00 p.m. at Town Hall, 142 Bolinas Rd.

5:00 PM – Call to Order and Adjourn to Closed Session on the following matter:

PUBLIC EMPLOYEE APPOINTMENT pursuant to Govt. Code Section 54957 Title: Finance  
Director

CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code 54957.6 Agency designated  
representatives Larry Bragman, Mayor, Pam Hartwell-Herrero, Vice Mayor and Michael Rock, Town Manager;  
Employee Organizations: SEIU, POA, and Management employees

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

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION pursuant to Gov. Code 54956.9 (a);  
Donald Sipple, et al v. the City of Alameda, et al., Los Angeles Sup. Ct. No. BC462270

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**

Fairfax Food Pantry – Saturdays 10-12 Noon at the Fairfax Community Church, 1000 Sir Francis Drake Blvd  
Fairfax Volunteers Trail Project

Applicants sought for the General Plan Implementation Committee, two community members needed  
Volunteer Board Vacancies, one to complete an unexpired term to September 30, 2012; and one full three-  
year term to August 31, 2014

Vacancy on the Fairfax Youth Commission for Ross Valley youth between 14 and 19 years of age

Register now for Camp Fairfax and exciting new summer programs– new FOCAS guide available

**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 by Maze and Associates of the Fiscal Year 2009/10 Financial Statements (Audit) and acceptance by the Town Council

**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 for the April 6, 14 and June 22, 2011 meeting - Town Clerk
3. Adoption of Resolution 11-37 of the Town Council of the Town of Fairfax authorizing the issuance of a private placement tax and revenue anticipation note (TRAN) for the 2011-12 fiscal year – Finance

### **PUBLIC HEARINGS**

4. **9 Scenic Road; Application # 10-30 - Appeal** of Planning Commission approval of a Use Permit to legalize an unpermitted conversion of an accessory structure from a storage/workshop (u occupancy) to living space (R-3 occupancy). Specifically a request that the Town Council eliminate the requirement that the converted accessory structure be retrofitted with a sprinkler system; Assessor's Parcel No. 001-146-04 – Planning
5. Review of Proposed Draft Budget for 2011-2012 – Town Manager

### **REGULAR AGENDA**

6. Adoption of Resolution No. 11-38, a Resolution of the Town Council of the Town of Fairfax, California, Calling for the Holding of a General Municipal Election on November 8, 2011, for the Election of Certain Officers, 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
7. Adoption of Resolution No. 11-39, and for the Submission to the Voters of a Question Relating to a Local Sales 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
8. Second Reading and adoption of Ordinance No. 762, An Ordinance of the Town Council of the Town of Fairfax Amending Section 5.16.130 of the Fairfax Town Code to Remove Real Estate Agents from Business License Fee Obligations – Town Clerk
9. Discussion/Consideration of natural gas fracking – Bragman and Reed
10. Discussion/Consideration of extension of building and variance permits for an additional year – Bragman
11. Discussion/Consideration of voting on behalf of the Town as Council representatives to outside agencies – Bragman

12. Discussion/Consideration of Town Council compensation - 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, Susan Waters, Administrative Assistant 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 8, 2011.

---

**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)**