

AGENDA  
REGULAR FAIRFAX TOWN COUNCIL MEETING  
Fairfax Women's Club, 46 Park Road  
**Wednesday, August 17, 2011, at 7:00 p.m.**

Preceded by a Special Meeting Closed Session at 6:30 p.m. at Town Hall, 142 Bolinas Rd.

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

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 - Existing 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  
“Economics of Happiness” will be showing on Friday, August 19, 2011 at the Women's Club at 7:00 PM  
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 (Interviews and appointments to be made at September 7<sup>th</sup> meeting)  
Vacancy on the Fairfax Youth Commission for Ross Valley youth between 14 and 19 years of age

**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

## **INTERVIEWS AND APPOINTMENT**

1. Interview and appointment of candidates to serve on the General Plan Implementation Committee

**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 May 4 meeting - Town Clerk
3. Authorize the Town Manager to sign agreement with Carol Golsch for Town website maintenance for an amount not to exceed \$15,000 per year – Town Manager
4. Authorize the Town Manager to extend agreement with Wayne Bush for public works consulting services for an amount not to exceed \$40,000 for the fiscal year July 1, 2011 to June 30, 2012 – Town Manager
5. Adoption of Resolution No. 11-42 a Resolution of the Town Council of the Town of Fairfax approving the negotiated Memorandum of Understanding with the Fairfax Police Officers Association for the period of July 1, 2011 through June 30, 2013, employees to pay 5% of the 9% employee portion of PERS retirement cost - Town Manager
6. Adoption of Resolution No. 11-43 a Resolution of the Town Council of the Town of Fairfax approving the negotiated Memorandum of Understanding with the SEIU for the period of July 1, 2011 through June 30, 2013, employees to pay 5% of the 8% employee PERS retirement cost - Town Manager
7. Adoption of Resolution No. 11- 44 a Resolution of the Town Council of the Town of Fairfax approving the negotiated Memorandum of Understanding with the Management Group for the period of July 1, 2011 through June 30, 2013, including employee payment of 5% of the 8% employee PERS retirement cost - Town Manager
8. Approval of second amendment to the Town Manager's employment agreement to increase the out of pocket contribution to the employee portion of PERS to match the contribution agreed to in the Management MOU, a total of 5% of the 8% employee contribution – Town Manager
9. Authorize the Town Manager to sign the first amendment to the Police Chief's employment agreement creating an out of pocket contribution of the employee portion of PERS to match the contribution agreed to in the POA MOU, a total of 5% of the 9% employee contribution – Town Manager
10. Adoption of Resolution No. 11- 45 a Resolution of the Town Council of the Town of Fairfax approving the borrowing of funds for Fiscal Year 2011-12 and the issuance and sale of a 2011 tax and revenue anticipation note therefore – Finance
11. Adoption of Resolution No. 11-46, a Resolution of the Town Council of the Town of Fairfax authorizing temporary closure of a portion of Glen Drive for a bike race fund raiser on Saturday, October 1, 2011, from 8 am to 5 pm - Town Clerk

## **PUBLIC HEARINGS**

12. Introduction of Terrapin Crossroads Project and Consideration of Adoption of Resolution No. 11-47, a Resolution of the Town Council of the Town of Fairfax Establishing a Methodology for Preparing A Traffic Impact Study for a project encompassing the construction of a 16,570 square foot commercial building designed for use as a Performance Art Building; Assessor's Parcel No. 001-183-17, 2000 Sir Francis Drake Blvd., Fairfax - Planning
13. Adoption of Resolution No. 11-48, a Resolution of the Town Council of the Town of Fairfax amending the Master Fee Schedule – Town Manager
14. Adoption of Resolution 11- 49, a Resolution of the Town Council of the Town of Fairfax adopting the Fiscal Year 2011-12 Town Budget – Town Manager

## **REGULAR AGENDA**

15. Approve authority for the Mayor to write a letter on behalf of the Town Council replying to a PG&E letter dated August 8, 2011 which would request further assurances to provide notice to town residents prior to future possible installation of smart meters in Fairfax. Authority is also requested to compose an additional letter to the California Public Utilities Commission requesting their assistance in this matter - Bragman
16. Discussion/Consideration of direction to the Mayor to send a letter to the Marin Community Foundation requesting that they reconsider their decision to close the Marin Youth Center - Bragman
17. Discussion and Consideration of Action to Commence Safety Improvements for Safe Routes to School – Bragman/Reed

## **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 August 12, 2011.

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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)**