

AGENDA  
REGULAR FAIRFAX TOWN COUNCIL MEETING  
Fairfax Women's Club, 46 Park Road  
**Wednesday, June 1, 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:

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

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

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 9-12 Noon at the Fairfax Community Church, 1000 Sir Francis Drake Blvd  
Fairfax Volunteers Pavilion Trail Project

There will be no Teen Night on June 3rd.

The Youth Commission will be participating in a Youth Music Showcase with Jack Irving on June 11th at 7pm  
in the Women's Club as part of the Fairfax Festival

Applicants sought for the General Plan Implementation Committee, two community members needed  
Volunteer Board Vacancy to complete an unexpired term to September 30, 2012

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

## **INTERVIEWS AND APPOINTMENTS**

1. Interview and appointment of candidate(s) for appointment to the General Plan Implementation Committee (GPIC)

**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**

2. Presentation of recent Town financial challenges and discussion of possible solutions to balancing the current structural deficit

## **CONSENT CALENDAR**

3. Approval of Financial Statements for April, 2011 - Finance
4. Authorize the Town Manager to sign a Professional Services Agreement with Thomas Vence for solid waste management consulting services for a not to exceed amount of \$5,000 – Town Manager
5. Adoption of Resolution 11-24, opposing a proposed rate increase by Sanitary District No. 1 of Marin County (Ross Valley Sanitary District) and directing the Town Manager to file a vote of protest in accordance with Proposition 218 – Weinsoff
6. Adoption of a Proclamation Declaring June 9, 2011 Linda Bell Day – Weinsoff and Reed
7. Adoption of Resolution 11-25, authorizing the Mayor to execute a Cooperation Agreement with the County of Marin for the Community Development Block Grant Program and Home Program – Town Manager
8. Approval of a letter of support for SB 568, prohibiting food vendors from dispensing prepared food products in polystyrene (Styrofoam) containers – Bragman
9. Adoption of Resolution 11-27, a resolution supporting AB 750 (Hueso), establishing a State of California Investment Bank - Bragman

## **PUBLIC HEARINGS**

10. Adoption of Resolution 11-26, a Resolution approving an Initial Study, Draft Mitigated Negative Declaration and a Traffic Impact Permit for a project encompassing remodeling the existing commercial building, including 416.5 square foot of interior space on a new second floor within the existing building footprint, in order to; 1) bring the structure into compliance with current Building Codes; 2) add exterior improvements and landscaping; and, 3) resurface the parking lot in order 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
11. Second Reading and adoption of Ordinance No. 754, an Ordinance of the Town Council of the Town of Fairfax amending 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
12. Second Reading and adoption of Ordinance No. 759, an Ordinance of the Town Council of the Town of Fairfax regulating the location, number and operation of medical marijuana dispensaries in the Central Commercial (CC), Highway Commercial (CH), Limited Commercial (CL) Districts of the Town – Planning

13. Second Reading and adoption of Ordinance No. 761, extending the Moratorium on the Installation of Smart Meters and Related Equipment within the Town of Fairfax or in, along, across, upon, under and over the public streets and places within the Town of Fairfax - Bragman

## **REGULAR AGENDA**

14. 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
15. Discussion and consideration of natural gas fracking and whether the Fairfax Town Council will sponsor presentation of "Gasland" at the Women's Club on June 3, 2011 – Bragman and Reed
16. Discussion/Consideration of a Volunteer based pedestrian and bicycle road marking project – Reed
17. Discussion/Consideration of revising the Town Code to allow the use of a home hobbyist bee keeping for personal use and directing staff to return to Town Council on July 13, 2011 with amendment – Hartwell-Herrero

## **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 May 27, 2011.

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