



TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930
(415) 453-1584 / FAX (415) 453-1618

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Fairfax Women's Club, 46 Park Road

Wednesday, April 3, 2013, 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 – INITIATION OF LITIGATION pursuant to Government Code Section 54956.9 (c): one potential case

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION pursuant to Section 54956.9 (b): two potential cases

CONFERENCE WITH LEGAL COUNSEL pursuant to Gov. Code Section 54956.9(a): Moises Elterman and Kathleen Carroll, individually and as Trustees v. Town of Fairfax, et al, Marin Sup. Ct. No. CIV 1300923

CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6 Agency designated representative: Garrett Toy, Town Manager; Employee Organizations: SEIU Local 949 Miscellaneous Unit, Police Officers Association and Unrepresented Management Employees

Re-convene in Open Session at the Women's Club:

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 off all cellular phones or place in silent mode.

REGULAR AGENDA

1. Second Reading and Adoption of Ordinance 769, An Ordinance of the Town Council of the Town of Fairfax establishing the procedure for replacement of Council Members who resign before the end of the elected term of office – Town Manager

2. Adoption of Resolution 13-13, a Resolution of the Town Council of the Town of Fairfax proposing a special municipal election be held in its jurisdiction on November 5, 2013; requesting the Marin County Board of Supervisors to consolidate with any other election conducted on said date, requesting election services by the County Clerk; and providing for candidate's statement of qualifications and filing fee – Town Manager
3. Appointment of Candidate to fill the vacancy caused by Ryan O'Neil's resignation from the Town Council, and oath of office to seat new Councilmember – Town Manager/Deputy Town Clerk

BREAK

ANNOUNCEMENTS

Fairfax Food Pantry, Saturdays 9-11 at the Fairfax Community Church, 2398 Sir Francis Drake Blvd, volunteers needed

One Vacancy on the Volunteer Board for a full three-year term to November 30, 2015

One Vacancy on the Affordable Housing Commission for a full four-year term

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

Vacancy for a Youth Commissioner to serve on the Parks and Recreation Commission for a 2-year term

Vacancy on the Open Space Committee for a full four-year term

Festival poster art submissions due April 15th at Town Hall

Fairfax Festival and Parade on June 8 and 9, 2013 – Parade applications available at Town Hall

Farmers Market is coming back and will start on Wednesday, May 1st

April 27th, "Take Back Day" at the former Good Earth location, Claus and Sir Francis Drake, 9 a.m. to 4:00 p.m.

REPORTS AND PRESENTATIONS

4. Quarterly Report from the General Plan Implementation Committee (oral) – Bruce Ackerman, Chair

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.

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

5. Discussion/Consideration of expansion of Volunteer Board – Town Manager
6. Approval of Town Council minutes for the March 6, 2013 meeting – Deputy Town Clerk
7. Approval of a contract with Sustainable Fairfax to implement the mandates of the Zero Waste Grant – Town Manager/Zero Waste Committee
8. Approval of Financial reports for January 2013 – Finance Director
9. Adoption of Resolution No. 13-14, A Resolution of the Town Council of the Town of Fairfax Authorizing Temporary Closure of Broadway from Pacheco to Bolinas Road to Allow a Car Show on Sunday, September 8, 2013 – Deputy Town Clerk

10. Adoption of Resolution No. 13-15, A Resolution of the Town Council of the Town of Fairfax Authorizing Temporary Closure of the streets for the Fairfax Festival and Parade – Deputy Town Clerk
11. Adoption of Resolution No. 13-16, A Resolution of the Town Council of the Town of Fairfax electing to become subject to the uniform construction cost accounting procedures set forth in the Uniform Public Construction Cost Accounting Act, Cal. Public Contract Code §§ 22000 *et seq*
12. Adoption of a Proclamation declaring National Library Week April 14 - 20, 2012 – Deputy Town Clerk
13. Adoption of a Proclamation declaring April as Fair Housing Month in Fairfax – Deputy Town Clerk
14. Proclamation Declaring Thursday, April 25th and Sunday, April 28th, 2013 as Muscular Dystrophy Association “Fill the Boot Days” at Ross Valley Fire Headquarters at 777 San Anselmo Avenue, San Anselmo – Deputy Town Clerk
15. Approval of Request to have the public parking space across the street from 1 Belmont Avenue converted to an accessible parking space – Planning Director

INTERVIEWS AND APPOINTMENTS

16. Interview and Appointment of Candidate(s) to serve on the Volunteer Board for a full three-year term – Deputy Town Clerk

PUBLIC HEARING

17. Adoption of Resolution No. 13-17, adopting traffic study methodology for 1599 Sir Francis Drake Boulevard (“Salami Factory”) – Planning Director

REGULAR AGENDA (Continued)

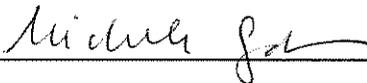
18. Discussion/Consideration of potential projects for the State Department of Parks and Recreation grant funding; adoption of Resolution No. 13-18, a Resolution of the Town Council of the Town of Fairfax authorizing the filing of an application for grant funds for the Per Capita grant program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002; and Adoption of Resolution No. 13-19, a Resolution of the Town Council of The Town of Fairfax authorizing the filing of an application for grant funds for the Roberti-Z'berg-Harris Block Grant Program Under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 – Town Manager
19. Discussion of Protecting Pedestrian Rights-of-way – Mayor Reed
20. Discussion/Consideration of a street mandala project – Councilmember Hartwell
21. Discussion/Consideration of response to Grand Jury Report *Marin On Fire Redux* – Town Manager
22. Discussion/Consideration of a process to select a candidate to fill the seat being vacated by Councilmember Hartwell effective April 9, 2013 – Town Manager

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, Michele Gardner, Deputy 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 March 29, 2013.



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 Deputy Town Clerk at mgardner@townoffairfax.org