



# 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, August 6, 2014, at 7:00 p.m.

Preceded by a Special Meeting Closed Session at 6:00 p.m. at Town Hall, 142 Bolinas Road

#### 6:00 PM – Call to order and adjourn to closed session on the following matters:

##### CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code section 54956.9(d)(2) and (e)(1): two cases

##### CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code §54956.9(d)(1)

*Egger, et al. v. Gardner*, Marin Superior Court No. CV1401704

CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6 Agency designated representative: Garrett Toy, Town Manager; Employee: Police Chief

Reconvene in Open Session at the Women's Club, 46 Park Road:

#### 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.

#### ANNOUNCEMENTS

Town Council Workshop/Forum re: 10 Olema and School Street Plaza, Wednesday, Sept. 17, Women's Club  
Art Show: Artist-in-Residence Matt Tasley and Friends, Friday, August 22, 7–10 PM, Fairfax Pavilion  
Fairfax Food Pantry, Saturdays 9–1, Fairfax Community Church, 2398 SFD Blvd, volunteers needed  
One vacancy on PARC and one on the Volunteer Board (applications at Town Hall and on Town website)  
Fairfax Farmers Market every Wednesday, Bolinas Park, 4 – 8 pm

**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.

### **PRESENTATIONS**

Introduction and oath of new Police Officer Nicholas Acton – Chief Morin, Town Clerk

### **CONSENT CALENDAR**

1. Adoption of a Resolution setting the Living Wage pursuant to the annual review requirements of section 8.56.020 of the Town Code – Town Clerk
2. Approval of Financial Reports for June 2014 – Finance Director
3. Approval of minutes for the July 2nd, 12th, and 24th Town Council meetings – Town Clerk
4. Appreciation of community contributions to the Sustainable Garden at the Women's Club – Councilmember Goddard, Town Clerk
5. Reassignment of Town Council representative and alternate to the Association of Bay Area Governments – Town Clerk
6. Purchase of two Rectangular Rapid Flashing Beacon (RRFB) systems in an amount not to exceed \$18,150 for the Center Blvd. mid-block crossings – Town Manager
7. Approval of social security payments for part-time employees and the adoption of a resolution adopting a Part Time, Temporary, and Seasonal (PTS) 457 Deferred Compensation Plan for those PTS employees not covered under the Town's CalPERS retirement plan – Town Manager, Finance Director
8. Adoption of a resolution in support of a statewide and national ban on non-therapeutic uses of antibiotics in livestock production, and the Protection of Antibiotics for Medical Treatment Act / Prevention of Antibiotic Resistance Act (PAMTA/PARA) – Mayor Weinsoff

**COUNCIL REPORTS AND COMMENTS** (Brief announcements and reports on Councilmember assignments, committees and activities, including reports from meetings attended at Town expense)

### **TOWN MANAGER'S REPORT**

### **PUBLIC HEARINGS**

9. Adoption of Ordinance No. 781, an Interim Urgency Zoning Ordinance of the Town Council of the Town of Fairfax Prohibiting Approvals of Formula Businesses and Formula Restaurants within the Highway Commercial (CH) Zoning District during the Pendency of the Town's Adoption of Permanent Zoning Regulations and Declaring the Urgency Thereof – Town Manager

### **REGULAR AGENDA**

10. Discuss/consider residents' petition regarding the noise ordinance – Town Manager
11. Second reading, by title only, and adoption of Ordinance No. 780 to Repeal Ordinance No. 778, a zoning ordinance that amended Town Code Chapters 5.52, 17.012, 17.020, 17.092, 17.096, and 17.104, and added Chapter 17.130, rezoned all parcels then-zoned Highway Commercial (CH) to Central Commercial (CC) Zone, rezoned APN 002-112-13 and 001-104-012 from Limited Commercial (CL) to Planned Development District (PDD); rezoned APN's 174-070-17 and 174-070-50 from UR-7 to PDD, added a Public Domain (PD) Zone, rezoned selected parcels to Public Domain (PD), provided for the supremacy of the Zoning Map over the text in event of discrepancy, corrected typographical errors, and updated the Town Zoning Map to reflect these zoning changes, in its entirety. CEQA: exempt per 14 C.C.R. § 15061(b)(3). – Town Manager

12. Designate Councilmembers to author ballot arguments and rebuttals, if needed, for the renewal of the Special Municipal Services Tax (a.k.a. Measure I) and designate co-signators for said arguments and rebuttals – Town Manager
13. Introduction and first reading, by title only, of Ordinance No. 783, an Ordinance of the Town Council of the Town of Fairfax Amending Title 8 (“Health and Safety”) of the Town Code to Add Chapter 8.14 (“Collection, Recycling, and Disposal of Waste Generated from Construction, Demolition, and Renovation Projects”). CEQA: exempt per 14 C.C.R. §§ 15061(b)(3) and 15308 – Town Manager
14. Introduction and first reading, by title only, of Ordinance No. 784, an Ordinance of the Town Council of the Town of Fairfax Amending Title 8 (“Health And Safety”) of the Town Code By Adding Chapter 8.19 (“Paper Bag Reduction” To Reduce Paper Bag Waste By Imposing a Ten Cent Charge at the Point of Sale”). CEQA: exempt per § 14 C.C.R. §§ 15061(b)(3), 15307, and 15308.– Town Manager, Councilmember Goddard
15. Discuss/consider revisions to sign ordinance regarding non-commercial signs – Councilmember Coler, Town Manager
16. Discuss/consider a Fairfax rent control ordinance and residents’ petition for a One-Year Moratorium on Rent Increases – Vice Mayor Bragman

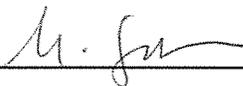
## **ADJOURNMENT**

If any of the matters described above is 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.

Meetings may be broadcast, recorded and uploaded to the Town’s website.

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 August 1, 2014.

  
\_\_\_\_\_

**If you would like to receive Town Council agendas via email, please send your email address to [mgardner@townoffairfax.org](mailto:mgardner@townoffairfax.org) .**