

Fairfax Town Council Minutes
Regular Meeting
Fairfax Women's Club
Wednesday, August 6, 2008

Call to Order/Roll Call:

COUNCILMEMBERS PRESENT: Larry Bragman
Susan Brandborg (7:40 p.m.)
Mary Ann Maggiore
Lew Tremaine
David Weinssoff

STAFF MEMBERS PRESENT: Michael Rock, Town Manager
Jim Karpiak, Town Attorney
Ann Welsh, Planning Director
Kathy Wilkie, Public Works Director
Mark Lockaby, Building Official
Laurie Ireland Ashley, Interim Finance Director
Judy Anderson, Town Clerk

Mayor Maggiore called the meeting to order at 7:35 p.m.

Approval of Agenda and Affidavit of Posting

M/S, BragmanWeinssoff, Motion to approve the agenda and the affidavit of posting.

AYES: Bragman, Maggiore, Tremaine, Weinssoff
ABSENT: Brandborg

M/S, Weinssoff/Bragman, Motion to hear the item regarding Youth Services before the item regarding Fire Prevention DVD's

AYES: Bragman, Maggiore, Tremaine, Weinssoff
ABSENT: Brandborg

Announcements

Mayor Maggiore made the announcements as listed on the agenda.

Open Time

Valeri Hood, Dominga Ave., spoke in support of Chad's Café's efforts to have low key acoustic music and an ABC license; urged the Council to support the business and help him succeed; that Chad had been told that because of the complaint of one resident within 100 feet that he would not be allowed to have live music; suggested that the Council pass a resolution or in some other way support Chad's local business; and submitted a petition that she had circulated in support of acoustical music.

Chad, owner of Chad's Grill and Garden Café, stated that he always checked the sound level on the music and used low amplification, and that, because the protest was lodged, that he was going forward with his efforts to get an ABC license but without the permission to have music.

David Crole, Claus Drive, spoke to the Council about the fire danger for the hillside behind Bennett House at 58 Taylor; noted that there had been a fire at that location a couple of years previous; and expressed concern about another fire at that location. He further stated that the

neighbors had removed a lot of scotch broom on the hillside but that people used the site as an encampment and the potential for a fire in the area was great. He asked for the Town's help.

Dave Nyberg, Claus Drive, stated that he had lived there for three years; that he had noticed that the place in question was trashed and had started cleaning up garbage; that he had organized 3 or 4 cleanups by the neighborhood with the volunteers; that there was a great fire danger there; that people camped at the site; and suggested that it could be made into a mini-park.

Mayor Maggiore asked that the Fire Chief follow up on the space.

Alice de Calle, stated that she had asked to have the curbs cut for ten years on the Town's sidewalks on behalf of the Bennett House residents and stated that she thought that the Center Blvd. Project was a disaster.

Patrick Troupe, organizer of the Good Festival announced that it was scheduled for the following Saturday and Sunday, and described some of the activities planned.

Rose Taber, Bolinas Road, stated that she hadn't realized that Chad was asking for amplified music and stated that she and other citizens had worked to implement the noise ordinance in the past. She asked why acoustical music couldn't be enough and stated that amplified music wasn't allowed at any other restaurant downtown.

Mayor Maggiore stated that she and Town Manager Rock could meet on the issue and see if they could come up with a resolution.

Adoption and Presentation of Resolution No. 2563, A Resolution of the Town Council of the Town of Fairfax commending Kay Ryan on her appointment as Poet Laureate of the United States, Weinsoff

M/S, Weinsoff/Brandborg, Motion to adopt Resolution No. 2563, A Resolution of the Town Council of the Town of Fairfax commending Kay Ryan on her appointment as Poet Laureate of the United States.

AYES: All

Mayor Maggiore resented a resolution to Kay Ryan in honor of her appointment as Poet Laureate.

Vice Mayor Weinsoff read the resolution out loud to the audience and expressed the pride that the Town was feeling because of her appointment as Poet Laureate.

Report from Russell Hamel of Community Action Marin regarding the Fairfax Youth Program

Russ Hamel, Executive Director of Community Action Marin (CAM) reported on the youth program. He stated that it had been the most successful year yet; that they had gone from a deficit to a profit; that the program was at capacity; that the average attendance was about ten; that a summer program was underway; that field trips were taken weekly under the direction of Mario Flores; that CAM was able to purchase a van to accommodate the needs of the Fairfax Youth Project; that he had asked the Police Department to help them identify at risk kids to include in the program; and that they were looking forward to the 5th year of the program.

M/S, Tremaine/Bragman, Motion to approve the agreement with CAM to provide the youth program.

Mayor Maggiore opened the discussion to the public.

Cindy Ross, Lansdale Ave., stated that her son attended sometimes, and enjoyed the activities

offered but suggested a possibility for homework help or peer tutoring in the future program. Russ Hamel responded that he had hoped to have homework time at the program but that the supervisor had trouble supervising while tutoring. He stated that they would love to have volunteers to make the homework help possible.

Vice Mayor Weinssoff suggested that Drake High School students could help out as part of their required community service and Mayor Maggiore stated that she met regularly with the Leadership Council at Drake and would suggest that they volunteer at the youth program.

M/S, Tremaine/Bragman, Motion to approve the contract for the Fairfax Youth Services with Community Action Marin for the 2008-09 Fiscal Year.

AYES: Bragman, Brandborg, Maggiore, Tremaine
NOES: None
ABSTAINED: Weinssoff

County Supervisor Hal Brown presentation regarding funding and distribution of Fire Prevention DVD to Ross Valley residents, Weinssoff

In the absence of Supervisor Brown, Vice Mayor Weinssoff described the funding and planned distribution of the DVD's. He explained that he and San Anselmo Council Member Peter Breen had received enough copies of the DVD, "Marin on Fire" narrated by Peter Coyote to distribute to each household; that "Marin on Fire" provided important information about fire prevention; that Hal Brown had contributed \$10,000 to the production of the DVD's; that an address label was affixed for every address in Fairfax, San Anselmo and Sleepy Hollow; that they would be handed out to residents personally; that he was looking for volunteers to help distribute the DVD in the community; that they could be picked up at Town Hall within the next week; that there would be a booth at the Town picnic for distribution of the DVD's; and that the public was urged to watch the DVD and take responsibility for fire prevention.

Mayor Maggiore opened the discussion to the public.

Valeri Hood, Dominga Ave., suggest that it be advertised in the paper that the DVD's were available at Town Hall and offered to distribute them at the Good Festival the following weekend.

Interview and appointment of candidate(s) for appointment to the Fairfax Youth Commission

The candidate was not present for the interview.

Interview and appointment of candidate(s) to the Affordable Housing Advisory Committee

The Town Council interviewed candidate Peter John Ramsay.

M/S, Weinssoff/Bragman, Motion to appoint Peter John Ramsay to the Affordable Housing Committee.

AYES: All

Interview and Appointment of candidate (s) for the Planning Commission to complete an unexpired term to February 28, 2009

The Town Council interviewed candidate Peter John Ramsay.

M/S, Tremaine/Brandborg, Motion to appoint Peter John Ramsay to complete an unexpired term on the Planning Commission to February 28, 2009.

AYES: All

Interview and appointment of candidate for the Design Review Board for a full three-year term to July 31, 2011

M/S, Bragman/Brandborg, Motion to appoint Kristen Coffey to the Design Review Board for a full three-year term to July 31, 2011.

AYES: All

Interview and appointment of candidate to the Volunteer Board for a full three-year term

Appoint Tim Barrett to the Volunteer Board for a full three year term to August 31, 2008.

CONSENT CALENDAR

Request for authorization to release plans and specifications for various overlay projects in Town including Upper Scenic Road

Adoption of Resolution No. 2564, A Resolution of the Town Council of the Town of Fairfax Setting the Living Wage Pursuant to the Annual Review Requirements of Section 8.56.020 of the Town Code

Adoption of Resolution No. 2565, A Resolution of the Town Council of the Town of Fairfax authorizing Lease Financing of Clean Renewable Energy Bonds (CREBS) and Approval of related documents and actions

M/S, Weinsoff/Tremaine, Motion to approve the Consent Calendar with the removal for discussion of the item regarding calling for an election to ban plastic bags and to make the Town Clerk an appointed position.

AYES: All

Adoption of Resolution No. 2566, A Resolution of the Town Council of the Town of Fairfax Calling for an Election and Ordering the Submission of an Initiative Petition to Ban Plastic Bags In Fairfax and a Question Regarding Whether or Not the Town Clerk Should be an Appointed Position to the Qualified Voters of the Town at an Election to Be Held on November 4, 2008, Requesting Election Services of the County Clerk, and Setting the Ballot Language for Both Issues

Councilmember Bragman acknowledged that the Town Council had received an amended resolution regarding the plastic bag ordinance.

Councilmember Brandborg stated that she wasn't comfortable with the clerk being appointed by the Town Manager because it would put too much power in the hands of the Town Manager and that the Clerk was intended to be a watchdog for the people.

Town Manager Rock explained that the requirements for the Clerk position would be part of the hiring process.

Councilmember Bragman stated that the timing with the initiative on the ballot was unfortunate; that making the Clerk an appointed position removed a whole layer of accountability to the public; that the appointment of the Clerk should be by the Town Council, the elected officials; that there was no job description for the Town Clerk in the Town Code; and that a model ordinance should be brought to the Council to define the duties of the Clerk.

Councilmember Brandborg stated that the position should be appointed by the Town Council who

are accountable to the people.
Mayor Maggiore opened the discussion to the public.

Ingrid Weiss, Chamber of Commerce, asked why the issue was being brought forward at that time.

Valeri Hood, Dominga Ave., stated that she would have liked to have the issue be more a part of a public hearing process.

Renee Goddard, Cascade Drive, thanked the Town Council for bringing the plastic bag ordinance forward and thanked them for taking the lead on the issue. She noted that China and Bangladesh had banned plastic bags and were way ahead of most places in our country.

Andy Peri, Cypress Drive, Green Sangha, thanked the Town Council for supporting their effort and the Clerk for her help, with particular thanks to Councilmember Bragman and Renee Goddard. He stated that 500 billion to a trillion plastic bags were being produced every year; that Bangladesh had banned them more than a decade before; that the plastic industry was going to continue to tell us that recycling was the answer, when only 1% of the plastic bags got recycled; that the heart and soul of the ordinance was about sustainability; and he urged passage of the resolution.

Chris Lang, Canyon Road, stated that Councilmember Bragman had brought the ordinance to the Chamber in the past; that the Chamber hadn't received any complaints from merchants about the proposed ban; that the Chamber supported the ordinance; that Fairfax led the county in recycling; that the previous ordinance had been advisory in nature; and stated that it was good that it would be on the ballot for the people of Fairfax to decide.

Councilmember Bragman stated that the initiative was an example of local democracy; that the proponents had been forced to do it as an initiative to let the people decide; and that placing the measure on the ballot was the way to avoid litigation.

Councilmember Brandborg stated that she would prefer that the language for the Clerk's position give the Council the authority to appoint the Clerk.

Councilmember Tremaine stated that the Council didn't have any choice but to put the initiative on the ballot; that regarding the Clerk's position, he approved of the Manager appointing the clerk; that the key would be how a job description was crafted; and that he would like to direct staff to create a job description for the Clerk position.

M/S, Tremaine/Weinsoff, Motion to adopt LT/DW, M/S, to adopt Resolution No. 2566, A Resolution of the Town Council of the Town of Fairfax Calling for an Election and Ordering the Submission of an Initiative Petition to Ban Plastic Bags In Fairfax and a Question Regarding Whether or Not the Town Clerk Should be an Appointed Position to the Qualified Voters of the Town at an Election to Be Held on November 4, 2008, Requesting Election Services of the County Clerk, and Setting the Ballot Language for Both Issues

Mayor Maggiore stated that it was time that the Clerk was appointed and that it was time to ban plastic bags.

Councilmember Bragman stated that he would like to make a friendly amendment to the motion to have the ballot language stated that the clerk shall be hired by the Town Manager subject to the approval of the Town Council.

Town Attorney Karpiak stated that the authority had to be given to the Town Council or the Town Manager.

AYES: Brandborg, Maggiore, Tremaine, Weinsoff
NOES: Bragman

Mayor Maggiore adjourned the meeting for a break from 9:07 p.m. to 9:20 p.m.

Adoption of Resolution No. 2567, A Resolution of the Town Council of the Town of Fairfax Approving, Authorizing and Directing Execution of a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority

Bond Counsel was present and presented a report on the steps to be taken. In response to a request from Councilmember Weinsoff, the Bond Counsel assured the Town Council that there was no risk involved. Councilmember Brandborg received assurance from the Bond Counsel that the money will be used for the original purpose of Measure K.

Mayor Maggiore opened the discussion to the public and no speakers came forward.

M/S, Tremaine/Bragman, Motion to adopt Resolution No. 2567, A Resolution of the Town Council of the Town of Fairfax Approving, Authorizing and Directing Execution of a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority

AYES: All

Adoption of Resolution No. 2568, A Resolution of the Town Council of the Town of Fairfax Authorizing Execution and Delivery of Joint Exercise of Powers Agreement with California Municipal Finance Authority, Establishing the Fairfax Financing Authority

Interim Finance Director Ashley presented the staff report.

Mayor Maggiore opened the discussion to the public and no speakers came forward.

M/S, Tremaine/Bragman, Motion to adopt Resolution No. 2568, A Resolution of the Town Council of the Town of Fairfax Authorizing Execution and Delivery of Joint Exercise of Powers Agreement with California Municipal Finance Authority, Establishing the Fairfax Financing Authority.

AYES: All

The Town Council recessed and reconvened as the Fairfax Financing Authority

Election of Officers of the Fairfax Financing Authority; and Adoption of Resolution No. 2008-1, A Resolution of the Fairfax Financing Authority Approving By-Laws and a Conflict of Interest Code, and Setting Time and Place for Regular Meetings of the Board

Interim Finance Director Ashley presented the staff report.

The Appointment of officers was made in accordance with the By-Laws with the Chair to be the Mayor; the Vice Chair to be the Vice Mayor; the Secretary to be the Town Clerk; and the Executive Director, Treasurer and Controller to be the Town Manager.

Mayor Maggiore opened the discussion to the public and no speakers came forward.

M/S, Bragman/Tremaine, Motion to adopt Resolution No. 2008-1 of the Fairfax Financing Authority Approving the By-Laws and a Conflict of Interest Code and Setting the Time and Place for Regular Meetings of the Board.

AYES: All

Adoption of Resolution No. 2008-2, A Resolution of the Fairfax Financing Authority Authorizing the Issuance and Sale of 2008 General Obligation Revenue Bonds in the Principal Amount of Not to Exceed \$2,500,000. to Finance Construction of Public Capital Improvements and Purchase of General Obligation Refunding Bonds From the Town of Fairfax, and Approving Related Documents and Actions

Interim Finance Director Ashley presented the staff report.

Mayor Maggiore opened the discussion to the public and no speakers came forward.

M/S, Brandborg/Tremaine, Motion to Adopt Resolution No. 2008-2, SB/2008-2, A Resolution of the Fairfax Financing Authority Authorizing the Issuance and Sale of 2008 General Obligation Revenue Bonds in the Principal Amount of Not to Exceed \$2,500,000. to Finance Construction of Public Capital Improvements and Purchase of General Obligation Refunding Bonds From the Town of Fairfax, and Approving Related Documents and Actions.

AYES: All

The Fairfax Financing Authority adjourned their meeting and reconvened as the Fairfax Town Council.

Adoption of Resolution No. 2569, A Resolution of the Town Council of the Town of Fairfax Authorizing the Issuance and Sale of Its 2008 General Obligation Revenue Bonds to Refund Outstanding 2000 General Obligation Bonds, Authorizing and directing the Execution of a Paying Agent Agreement and Certain Other Related Documents, and Authorizing Actions Related Thereto

Vice Mayor Weinsoff asked and received assurance from the bond counsel that the Town Council had no liability in adopting the resolution before them.

Councilmember Brandborg suggested that a not to exceed amount of \$2,500,000 be stated in the third "Whereas" in the resolution.

Mayor Maggiore opened the discussion to the public and no speakers came forward.

M/S, Brandborg/Tremaine, Motion to adopt Resolution No. 2569, A Resolution of the Town Council of the Town of Fairfax Authorizing the Issuance and Sale of Its 2008 General Obligation Revenue Bonds to Refund Outstanding 2000 General Obligation Bonds, Authorizing and directing the Execution of Paying Agent Agreement and Certain Other Related Documents, and Authorizing Actions Related Thereto, with a change in wording of the third "Whereas" in the resolution to read, "the Town Council has determined to issue its Town of Fairfax 2008 General Obligation Refunding Bonds in the aggregate principal amount of not to exceed \$2,500,000 (the "Refunding Bonds") for the purpose of refunding all or a portion of the outstanding 2000 Bonds and thereby realizing financial savings to the Town and the property taxpayers of the Town."

AYES: All

Discussion and acceptance of the Economic Sustainability Plan

Consultant Pam Gibson stated that the Economic Sustainability Plan was a collection of ideas, that some would be implemented and some would be discarded; that suggestions that had been made at the previous meeting had been incorporated into the Plan; and thanked the Town Council and the 45 businesses and organizations who had contributed to the Plan. She stated that she would be available to take calls in the future from the Town.

Mayor Maggiore opened the discussion to the public.

Chris Lang, President of the Chamber, thanked the Town Council for initiating the study and stated that he thought the Plan was great. He stated his preliminary priorities as: (1) Maintenance of the Parkade; (2) planting of street trees; (3) the design and implementation of a streetscape program; and (4) upgrading of the crosswalks, with a tie-in to the Bike and Pedestrian Plan. He stated that new crosswalks were needed on Bolinas and on Broadway; that merchants should be encouraged to improve Elsie Lane; that the unsuccessful application of Book Beat to install seating along the alley be resurrected; that activity was needed in the Mono Lane area. He stated that his priorities as the most important goals were attainable in the short term.

Morgan Hall, Bolinas Rd., thanked Ms. Pam Gibson for providing a framework; stated that he wanted to put in a plug for street trees on Bolinas Road; and expressed his hope that such a plan would be put before the Town Council in the near future.

Mayor Maggiore stated that she had been in conversation with Public Works Director Wilkie about the street tree plan for Bolinas Road and that they would like to meet with him about the plan.

Ingrid Weiss, Executive Director of the Fairfax Chamber of Commerce, asked the Council not to file the report away and asked that it be used and followed.

Introduction and First Reading of Ordinance No. 736, An Ordinance of the Town Council of the Town of Fairfax Approving the Marin Clean Energy Authority Joint Powers Agreement and Authorizing the Implementation of a Community Choice Aggregation Program

Town Attorney Karpiak presented the staff report.

Councilmember Brandborg asked when the next "opt out" time would be.

Councilmember Bragman stated that he had looked for something in the agreement like a hold harmless agreement so that it wouldn't impact the general fund;

Town Attorney Karpiak stated that the protection for the JPA appeared in another code; that the voting shares would be determined by how many cities joined and would be based on the electricity usage in the entities; and that the various withdrawal dates would allow time to see who would be joining and what the voting shares would be.

Councilmember Tremaine stated that it was no surprise that the larger cities would have the most shares and that it was a fact of life in Marin County.

Councilmember Brandborg stated that unless Novato and San Rafael joined, that it wouldn't go forward.

Town Manager Rock stated that two out of three of the large entities, San Rafael, Novato and the County, had to join to make it viable.

Councilmember Bragman stated that PG&E hadn't met their renewable energy goals and that he supported creating choice for our consumers.

Councilmember Tremaine stated that it gave citizens a choice; that he was glad to see it on our agenda; that the effort had started in Fairfax and he was delighted that we were the ones to see it first; and that Supervisors McGlashan and Brown had helped make it happen.

Mayor Maggiore stated that she was thrilled that it was before the Council and that we were small but mighty.

M/S, Tremaine/Bragman, Motion to waive further reading of Ordinance No. 736, An Ordinance of

the Town Council of the Town of Fairfax Approving the Marin Clean Energy Authority Joint Powers Agreement and Authorizing the Implementation of a Community Choice Aggregation Program.

AYES: All

M/S, Tremaine/Bragman, Motion to introduce Ordinance No. 736, An Ordinance of the Town Council of the Town of Fairfax Approving the Marin Clean Energy Authority Joint Powers Agreement and Authorizing the Implementation of a Community Choice Aggregation Program.

AYES: All

Staff report on the status of the vacant store at the former New Albion Book Store site and recommendation for action

Building Official Lockaby presented the report and described his discussions with the owner; stated that the owners had responded to requests to secure the building; and that they had received many inquiries about renting the building.

Vice Mayor Weinsoff stated that the Council could declare it a public nuisance; that the plumbing and wiring and framing needed to be redone; and that the Council could ask to have it agendized for abatement as a nuisance.

Councilmember Tremaine stated that the Council had to do something; that it had gone on for too long; that he supported the initiation of an abatement procedure; that the property was on the main thoroughfare through town; and that because of the degree of dilapidation, the Council should go forward with abatement.

Councilmember Brandborg agreed that we the Town needed to go forward with abatement.

Mayor Maggiore opened the discussion to the public.

Chris Lang, Chamber of Commerce, agreed with Council comments that it was time to initiate an abatement process. He thanked the Council for addressing the issue.

Alan Honda, 133 Gregory Drive, General Contractor, prospective buyer, stated that he had done some remodeling to the deceased father's property in Woodacre; that he had provided the family with estimates for work that needed to be done on the property; that four adult sisters owned the property and had an emotional attachment to the property; that the sisters had trouble reaching consensus on what to do with the property; that they were requesting a reasonable amount of time to sell the property; and that he was negotiating with them for a purchase.

Councilmember Weinsoff asked Mr. Honda if he thought it made sense to go forward with the abatement process and that abatement could be an embarrassing experience for the property owners.

Mr. Honda agreed that starting the abatement process might move them along, but noted that the owners had decided to sell the property; that their intentions were good; and that he would like them to be given time to sell the property.

Mayor Maggiore stated that ten years was a long time to allow to move it forward.

Councilmember Tremaine stated that there was no harm in directing staff to start the process; that there was a lot of time built into the process; that he hadn't heard anything to suggest to him that they should delay the process; that the Town had waited long enough; and that the Council needed to show that they were serious about getting something done at the property.

Councilmember Brandborg stated that she had been through several abatements, and that something usually happened before the Council had to take real action.

Ingrid Weiss, Chamber of Commerce, stated that the business community would be so disappointed if the Council took no action on the property.

M/S, Tremaine/Weinsoff, Motion to direct staff to begin the abatement process.

Councilmember Brandborg suggested that Mr. Honda contact Town Manager Rock to find out about the process.

AYES: All

Adoption of Resolution No. 2570, A Resolution of the Town Council of the Town of Fairfax Establishing Additional Duties for the Town Treasurer and Authorizing Compensation for the Town Treasurer

Town Manager Rock presented the staff report; stated that the Town Treasurer's duties had been established to improve the oversight of the finances of the Town; and that we had a town treasurer who was highly qualified.

Councilmember Bragman confirmed that her salary would be \$300/month and expressed his support for the resolution.

Councilmember Tremaine stated that it was a good move for the Town and that we had the right person for the job.

Councilmember Brandborg stated that it was good to see the duties outlined and formalized.

Mayor Maggiore opened the discussion to the public.

David Glick, Cascade Drive, stated that Barbara Petty was the right woman for the job and that he supported the resolution.

Barbara Petty, thanked the Council and public for the kind comments; stated that she was looking forward to helping the Town, especially when the auditors came back; and was hopeful that policies and procedures would be in place by then.

M/S, Bragman/Tremaine, Motion to adopt Resolution No. 2570, A Resolution of the Town Council of the Town of Fairfax Establishing Additional Duties for the Town Treasurer and Authorizing Compensation for the Town Treasurer.

AYES: All

Affordable Housing Update, Maggiore

Mayor Maggiore reported on a meeting of the Affordable Housing Task Force with Marin Environmental Housing Collaborative (MEHC); stated that they had offered to advise us regularly for free; thanked Planning Director Welsh and Town Manager Rock for putting the meeting together; suggested that the Task Force meet with Marin Community Foundation (MCF) about what they were going to do with their two million dollars for affordable housing; suggested that maybe MCF could use it for affordable housing consulting and/or design; reported that there was an interesting Mill Valley discussion about their unsuccessful second unit amnesty ordinance and how they had nudged their known illegal units and got them to come forward; and that they continued to talk to the Friedmans about the progress on their property.

Councilmember Tremaine stated that it was refreshing to sit down with MEHC; that the priority would be that 100% of a project be affordable housing; that MEHC would be helpful as we moved forward; that they were anxious to work with the Town; that he felt enthusiastic about their contact with the group.

Mayor Maggiore stated that MEHC had asked to do a presentation before the Council met on the Mixed Use Overlay.

Authorization to solicit bids for the Energy Efficiency Lighting Retrofit of Town Facilities

Public Works Director Wilkie presented the staff report.

Councilmember Tremaine noted that the money to be used was the amount that was overcollected through the Utility Users Tax that the Council had decided to use it to save energy. He further stated that they had talked about what to do with the overcollected tax many years ago and that it was good to see it finally come forward.

Public Works Director Wilkie thanked Yvonne Roberts for her work on the project.

Vice Mayor Weinsoff noted that the Fairfax Theater was the first theater in the country to go solar.

M/S, Bragman/Tremaine, Motion to authorize staff to solicit bids for the Energy Efficiency Lighting Retrofit of Town Facilities.

AYES: All

Reports From Town Officials

Councilmember Brandborg attended the North Bay League of California Cities meeting and reported that Shawn Marshall of Mill Valley had been selected as the President Elect and Alice Fredericks as a member of the Board. She reported on the status of AB32, legislation regarding climate change and stated that she would make copies available to the Council on request. She also reported on a possible resolution to be brought forward in opposition to taking local funds to balance State budget.

Mayor Maggiore announced the Small City Mayors' conference to be held on Saturday, October 25th workshop and asked the Council to give her any names of those who might want to attend and participate.

On motion duly made and carried, the meeting was adjourned to August 20, 2008.

Respectfully submitted,

Judy Anderson, Town Clerk