



FAIRFAX TOWN COUNCIL MEETING STAFF REPORT

MEETING DATE	December 4, 2024
PREPARED FOR	Mayor and Town Council
PREPARED BY	Janet Coleson, Town Attorney and Heather Abrams, Town Manager
SUBJECT	Waive Second Reading, Read by Title Only, and Adopt of an Ordinance Repealing Town Code §2.08.040 Procedure in Absence of Quorum from the Town Code

RECOMMENDATION

Waive second reading, read by title only and adopt an ordinance repealing Town Code §2.08.040 Procedure in Absence of a Quorum.

DISCUSSION

In crafting the Town Council's Rules and Procedures Handbook, we conducted a brief review of the Town Code to ensure no conflicting or outdated provisions were in place.

Town Code §2.08.040 Procedure in Absence of Quorum provides for a unique and unusual means of addressing the lack of a quorum that does not appear to be in keeping with modern procedures of a Town Council.

The Town Attorney's Office recommends repealing this section with further review of the Town Code in the future to identify any other out of date or unnecessary provisions.

FISCAL IMPACT

There is no fiscal impact resulting from the introduction and adoption of this ordinance.

ATTACHMENT

Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX AMENDING THE FAIRFAX TOWN CODE, REPEALING SECTION 2.08040 PROCEDURE IN ABSENCE OF QUORUM

WHEREAS, the Town Council of the Town of Fairfax seeks to eliminate certain outdated or unnecessary provisions of the Town Code.

NOW THEREFORE, the Town Council of the Town of Fairfax does ordain as follows:

Section 1. The above recitals are true and correct and are hereby incorporated into this ordinance by this reference.

Section 2. Fairfax Town Code Section 2.08.040 Procedure in Absence of Quorum is hereby repealed.

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Effective Date. This ordinance shall be effective thirty (30) days after the date of its adoption.

Section 5. Posting. Within fifteen days after the passage of this ordinance, the Town Clerk shall cause it or a summary of it to be posted in the three places designated by resolution of the Town Council.

Section 6. Compliance with CEQA. This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the Town. The Town Council hereby finds that this Ordinance does not have the potential to cause a direct or reasonably foreseeable indirect physical change in the environment and therefore is not a project as that term is defined under CEQA.

The foregoing ordinance was introduced at a special meeting of the Town Council of the Town of Fairfax held on the 19th day of November, 2024.

ADOPTED and ordered posted at a meeting of the Town Council of the Town of Fairfax, held on the 4th day of December, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

MAYOR

CHRISTINE FOSTER
DEPUTY TOWN CLERK