

TOWN OF FAIRFAX STAFF REPORT September 2, 2015

TO: Mayor and Town Council

FROM: Garrett Toy, Town Manager

SUBJECT: Discuss/consider resident complaint regarding truck noise at Good Earth

RECOMMENDATION

Discuss/consider resident complaint regarding truck noise at Good Earth.

DISCUSSION

At its August 5th meeting, the Council considered comments from the owners of Good Earth and a resident regarding truck noise emanating from Good Earth in the mornings. This discussion was in response to issues raised by a resident, Mr. Franks, during open time at several Council meetings.

After their discussion, the Council requested that this issue be agendized for this evening's meeting and directed staff to monitor the situation. In response to the Council's direction, police officers have been making an effort, time permitting, to report their observations of Good Earth truck deliveries in the morning. Attached are 12 police reports covering the period from August 7th to August 26th. The observation period ranges between 5:30am and 6:30am. Only one report (August 7th) indicates a possible violation of the number of trucks prior to 6:00am. The other reports do not indicate any violations. The police log indicates no noise complaints were received regarding the Good Earth between August 5th and August 25th.

For your reference, attached is a letter and revised "receiving protocol" for trucks that Good Earth emailed to staff on August 4th, but was received too late for the Council packet.

FISCAL IMPACT

None

ATTACHMENTS

Police Reports Receiving Protocol



CAD INCIDENT REPORT 1508070004

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08/07/2015

Location GOOD EARTH	NATURAL	FOOD	S, 720 CENTI	ER BL		Cross Streets PASTORI AV/PACHECO AV			City FAIRFAX		
Incident Type XPAT - EXTR	A PATROL			*	Call	Taker			Dispatcher HUSSEIN, RAAZ		
Date 08/07/2015	Priority 2		Primary Unit 5K1	Beat	Fire	Zone	Area DNTN	Map F5	Source O		
Caller Name					Caller Ad	dress				Caller Pho	ne
Dispositions Extra Patrol							Weapon		Alm Level	Case Num	ber
Vehicles							Associated	l Incidents			
	5:29:54	Special	Circumstance	s							***************************************
Dispatched En Route On Scene 05	:30:02 :32:52	Person	S	So	ex DOB	F	lace		DŁ		
Unit Times Officer 5K1 Richar	rs dson, Rhond		Dispatched 1	Enroute	On Sce. 05:30:0		Clear 5:32:52	Disp-On Sce N/A	ne Enrt-On Scene N/A	On Scene-Clear 02:50	Disp-Clear 02:50
Incident Comment	-									· · · · · · · · · · · · · · · · · · ·	

Officers checked the area for town code violations.

TIME	#	EVENT	BY
05:30:02	1	5K1 Incident initiated at Good Earth Natural Foods, 720 Center Bl, Fairfax 2	R. Hussein
05:30:02	2	5K1 10-97. Good Earth Natural Foods, 720 Center BI, Fairfax	R. Hussein
05:30:53	3	5K1 1 semi arrived at the back of the loading dock and 1 small truck just arrived and	R. Hussein
	4	is parking in the parking lot.	K. Hussem
05:32:52	5	5K1 10-8.	R. Hussein
05:32:53	6	5K1 Closed - Disposition XP	R. Hussein



CAD INCIDENT REPORT 1508080008

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08/08/2015

Location				no. Umoligida de transcripto	***********						
	TH NATURAL	FOOD!	S, 720 CENTE	ER BL		PASTOR	ets J AV/PACF	HECO AV	City FAIRFAX		
Incident Type XPAT - EX	TRA PATROL			***************************************	Marin antiques	Call Taker HUSSEIN	,		Dispatcher HUSSEIN, RAA	17	
Date 08/08/2015	Priority 2		Primary Unit 5K1	Beat	-	Fire Zone	Area DNTN	Map :	Source O		
Caller Name					Call	ller Address				Caller Pho	ne
Dispositions Extra Patrol							Weapon		Alm Level	Case Numb	er
Vehicles					·		Associated	Incidents			
Incident Times Received	05:33:19	Special	Circumstances	5					***************************************		
Created Dispatched En Route	05:33:28	Persons	j	Sı	ex D	DOB F	Race		DL		
On Scene Closed Rcvd-Closed	05:33:28 05:34:07 00:48										,
Unit Times Off 5K1 Ric	ficers chardson, Rhone		Dispatched E	Enroute			Clear 5:34:07	Disp-On Scene N/A	e Enrt-On Scene N/A		Disp-Clear 00:39

Incident Comments

Officers checked the business parking lot for town code violations, i.e. trucks unloading.

TIME	#	EVENT	ву
05:33:28	1	5K1 Incident initiated at Good Earth Natural Foods, 720 Center Bl, Fairfax 2	R. Hussein
05:33:28 05:34:07	2	SK1 10-97. Good Earth Natural Foods, 720 Center Bl. Fairfax	R. Hussein
05:34:07	3 4	5K1 10-8. I box truck backed up to the dock and is unloading.	R. Hussein
03.54.00	7	5K1 Closed - Disposition XP	R. Hussein
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CAD INCIDENT REPORT 1508100011

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08/10/2015

Location									
	H NATURAL	FOODS, 720 CENT	ER BL	PASTOR			City FAIRFAX		
Incident Type XPAT - EXT	RA PATROL	6		Call Take			Dispatcher HUSSEIN, RAAZ		
Date 08/10/2015	Priority 2	Primary Unit 5L4	Beat	Fire Zone	Area DNTN	Map 8	Source O	· VL	
Caller Name				Caller Address	1	<u> </u>		Caller Pho	пе
Dispositions			1		Weapon		Alm Level	Case Numi	ber
Vehicles					Associated	l Incidents			
	06:10:18	Special Circumstance	ès						
Dispatched En Route On Scene	06:10:51 06:10:51	Persons	Se	x DOB	Race	*	DL		
Closed Revd-Closed	N/A								
Unit Times Offic 5L4 Peor	cers o, Mario	Dispatched	Enroute	On Scene 06:10:51	Clear	Disp-On Scene N/A	Enrt-On Scene N/A	On Scene-Clear N/A	Disp-Clear
Incident Commer	nts								

Officers checking the area for loading trucks in violation of town ordinance.

TIME	# EVENT	BY
6:10:51	1 5L4 Incident initiated at Good Earth Natural Foods, 720 Center Bl, Fairfax 2	R. Hussein
6:10:51	2 3L4 10-97. Good Earth Natural Foods, 720 Center R1 Fairfax	R. Hussein
6:11:48	Three trucks were observed by the loading docks and all appeared to be unloading.	R. Hussein



CAD INCIDENT REPORT 1508110008

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Location GOOD EARTH NATURA	L FOODS, 720 CENTE	R BL	Cross Street PASTOR	ets I AV/PACI		City FAIRFAX			
Incident Type XPAT - EXTRA PATRO	L		1			Dispatcher STEVENS, KATHLEEN			
Date Priority 08/11/2015 2	Primary Unit	Beat	Fire Zone	Area DNTN	1	ource O	urce		
Caller Name		Call	er Address	<u> </u>			Caller Pho	ne	
Dispositions Extra Patrol			***************************************	Weapon		Alm Level	Case Numb	ær	
Vehicles				Associated	Incidents			the state of the s	
Incident Times Received 06:14:37 Created 06:15:01	Special Circumstances							NAME OF THE PROPERTY OF THE PR	
Dispatched En Route	Persons	Sex D	OOB I	Race		DL			
On Scene 06:15:01 Closed Rcvd-Closed N/A									
Unit Times Officers 5L2 Peoro, Mario	Dispatched E				Disp-On Scene N/A	Enrt-On Scene N/A	On Scene-Clear 00:05	Disp-Clear 00:05	

Incident Comments
0615: 1 truck with engine off, unloading.

TIME	#	EVENT	BY
06:15:01	1	5L2 Incident initiated at Good Earth Natural Foods, 720 Center Bl, Fairfax 2	K. Stevens
06:15:01	2	5L2 10-97. Good Earth Natural Foods, 720 Center Bl, Fairfax	K. Stevens
06:15:06	3	5L2 10-8. Freed	K. Stevens
06:15:06	4	5L2 Incident returned to pending status	K. Stevens
06:30:40	5	Closed - Disposition XP	K. Stevens
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			al-



CAD INCIDENT REPORT 1508120006

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08/12/2015

Location			***************************************	AND DESCRIPTION OF THE PARTY OF	niekszekieczniesze wataton Alberta				etometos entrodocas estados espaços de la companya	
1	RTH NATURAL	FOODS, 720 CENT	ER BL	PASTOF		CHECO AV	City FAIRFAX			
Incident Type XPAT - Ex	E XTRA PATROL	,			Call Taker STEVENS, KATHLEEN			Dispatcher STEVENS, KATHLEEN		
Date 08/12/2015	Priority 2	Primary Unit	Beat	Fire Zone	Area DNTN	Map F5	Source O			
Caller Name			C	Caller Address				Caller Pho	пе	
Dispositions					Weapon		Alm Level	Case Numl	per	
Vehicles					Associate	d Incidents		<u> </u>		
Incident Time Received	06:10:04	Special Circumstance	es					The second secon		
Created Dispatched En Route On Scene Closed Rcvd-Close	06:10:32 06:10:32 d N/A	Persons	Sex	DOB	Race		DL			
<u> </u>	eoro, Mario	Dispatched	Enroute		Clear 06:10:38	Disp-On Scen N/A	e Enrt-On Scene N/A	On Scene-Clear 00:06	Disp-Clear 00:06	
Incident Com	ments									

06:10 hrs - one truck, backing in, preparing to unload.

	TIME	#	EVENT	ВУ
	06:10:32	1	5L2 Incident initiated at Good Earth Natural Foods, 720 Center Bl, Fairfax 2	K. Stevens
	06:10:32 06:10:38	2	5L2 10-97. Good Earth Natural Foods, 720 Center Bl, Fairfax	K. Stevens
	06:10:39	3 4	5L2 10-8. Freed 5L2 Incident returned to pending status	K. Stevens
1		4	352 incident retained to pending status	K. Stevens
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CAD INCIDENT REPORT

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Location GOOD E	ARTH N	ATURAL	FOOD	S, 720 CENTI	ER BL	Cross St PASTO	treets DRI AV/PAC	CHECO AV	City FAIRFAX		
Incident T XPAT -		PATROL				Call Tal HUSSI	er EIN, RAAZ		Dispatcher HUSSEIN, RAAZ		
Date 08/14/201	15	Priority 2		Primary Unit 5K1	Beat	Fire Zor	e Area DNTN	Map F5	Source O		
Caller Nan					C	aller Addres	\$			Caller Phone	
Disposition Extra Patr						HI THE RESIDENCE OF THE PARTY O	Weapon		Alm Level	Case Number	
Vehicles							Associate	d Incidents			
Incident Ti Received	05:5	2:05	Specia	l Circumstance	S	And of the control of				AND THE RESERVE OF THE PROPERTY OF THE PROPERT	
Created Dispatch En Route On Scene Closed Revd-Clo	ed e e 05:5 05:5	52:13 52:13 54:35	Person	i S	Sex	DOB	Race		DL		
Unit Times 5K1		son, Rhon	ıda	Dispatched	Enroute	On Scene 05:52:13	Clear 05:54:35	Disp-On Sc N/A		On Scene-Clear Disp-Clear 02:22 02:22	
Incident Co Office		ed the area	a for ille	egal unloading	of delive	ry trucks.					
TIME		#	EVEN	(T				A CONTRACTOR OF THE CONTRACTOR		BY	
05:52:13 05:52:13 05:54:33		1 2 3 4	5K1 (ncident initiate 10-97. Good Ea One truck back unloaded.	arth Natur	ral Foods, 7	20 Center Bl	, Fairfax	Fairfax 2	R. Hussein R. Hussein R. Hussein	
05:54:35 05:54:36		5	5K1 1	10-8. Closed - Dispo	sition XP	or my my my state to make the state of the s				R. Hussein R. Hussein	



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Location						Streets	- Aller		City	
GOOD EARTH N	IATURA	L FOOD	S, 720 CENTI	ER BL		1	/PACH	IECO AV	FAIRFAX	
Incident Type XPAT - EXTRA	PATRO	L			Call T HUS	aker SEIN, RA	ΑZ		Dispatcher HUSSEIN, RAA	Z
Date	Priority 2	PARTITION OF THE PARTIT	Primary Unit 5K1	Beat	Fire Z	1 18 5	ı IIN	Map F5	Source O	
Caller Name		L		1	Caller Addr			1.0	1	Caller Phone
Dispositions Extra Patrol		**** ** ******************************		A CONTRACTOR OF THE CONTRACTOR		Wea	pon		Alm Level	Case Number
Vehicles						Asse	ciated	Incidents		
	49:28	Specia	l Circumstance	8		Total Control	through of the same shift reasonable			
Dispatched En Route On Scene 05:	50:12 50:12 50:17 49	Person	IS	4	Sex DOB	Race			DL	
Unit Times Officer: 5K1 Richard	s Ison, Rho	nda	Dispatched	Enrout	e On Scene 05:50:12			Disp-On Sco N/A		On Scene-Clear Disp-Clear 00:05 00:05
Incident Comments Officers check		ea for ille	egal unloading	of deli	very trucks.	and Market American				
TIME	#	EVEN	ir							BY
05:50:12 05:50:12 05:50:17 05:50:18 05:50:30	1 2 3 4 5 6	5K1 1 5K1 1 5K1 C	Closed - Dispo	arth Na sition 2 the str	tural Foods, CP	720 Cent	er BI, F	airfax	I in the loading	R. Hussein R. Hussein R. Hussein R. Hussein R. Hussein



CAD INCIDENT REPORT 1508170012

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Location GOOD EARTH NATURAL FOODS, 720 CENTER Incident Type XPAT - EXTRA PATROL				ER BL	SHEAT STORY OF THE SHEAT STORY O			ss St STC			PA	CHECO AV		ty AIRFAX			
					THE PROPERTY AND ADDRESS.			Tak EVE		, KA	тн	LEEN		spatcher TEVENS, KA	THI	LEEN	
Date 08/17/2015	Priority 2		Primary Unit 5L2	Beat	distributed by the party of the		Fire	Zon		Area DN	TN	Map F5	So	urce			***************************************
Caller Name	J				C	ılle	r Ad	Address						, , , , , , , , , , , , , , , , , , ,		Caller Pho	me
Dispositions			***************************************		STO STANDONESSA			Control of the contro	T Construction of the Cons	Wea	pon			Alm Level		Case Num	ber
Vehicles										Asso	ciat	ed Incidents		L			
	14:43	Special	Circumstance	S.	27.014.02.02.02.02.02.02.02.02.02.02.02.02.02.										-		
Dispatched En Route	14:51 14:51	Persons	3		Sex	D	ОВ	The second secon	Ra	ace		DL					
Unit Times Officers 5L2 Peoro, 1			Dispatched	Enrou	te constant		n Sc 5:14		CI	ear		Disp-On S N/A		Enrt-On Scene N/A	On N/A		r Disp-Clear N/A
Incident Comments 0615: 1 truck,	unloading	, engine	off.						:						W-1-1		
TIME	#	EVEN	T !	egypetyddiad â fa	A CONTRACTOR OF THE PERSON NAMED IN COLUMN TO SERVICE AND SERVICE				Part and the second sec		A constraint of the constraint					BY	
06:14:51 06:14:51	1 2	5L2 In 5L2 I	icident initiate 0-97. Good Ea	ed at G arth Na	ood atur	E al F	arth 1000	Natu Is, 72	iral 1 20 C	Food ente	ls, 7 r Bl	/20 Center E , Fairfax	31, Fai	rfax 2	unamananan da va da v	K. Stever K. Stever	
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08/18/2015

Location GOOD EARTH N	ER BL	Cross Stro	eets RI AV/PAC	HECO AV	City FAIRFAX	City				
Incident Type XPAT - EXTRA PATROL					Call Take			Dispatcher STEVENS, KATHLEEN		
Date 08/18/2015	Priority Primary Unit Beat Fire			Fire Zone		Map F5	Source O			
Caller Name			***************************************	(Caller Address		<u> </u>		Caller Phone	
Dispositions				L		Weapon		Alm Level	Case Number	
Vehicles				***************************************		Associated	l Incidents			
	05:29	Special Circu	ımstance	S						····
Dispatched En Route	07:56 07:56	Persons		Sex	x DOB	Race		DL		***************************************
Unit Times Officers 5L2 Peoro, 1		Dispa	tched I	Enroute		Clear 06:08:05	Disp-On Sc N/A	ene Enrt-On Scene N/A	On Scene-Clear Dis	
Incident Comments 0607: 1 truck,	unloading	, engine off.			4		***************************************			
TIME	#	EVENT	N. 1	T. A. V.		Sagar S			BY	
06:07:56 06:07:56 06:08:05 06:08:06	1 2 3 4	5L2 10-97. (5L2 10-8. Fr 5L2 Incident	Good Ea reed	rth Natur	d Earth Natura ral Foods, 720 ling status	Center BI, 1	0 Center BI, Fairfax	Fairfax 2	K. Stevens K. Stevens K. Stevens K. Stevens	



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Location GOOD EARTH N	ATURAL	FOOL	OS, 720 CENT	ER BL	Cross Stre PASTOR		HECO AV	City FAIRFAX		
Incident Type XPAT - EXTRA PATROL					Call Taker STEVEN	S, KATHL	THLEEN			
Date Priority Primary Unit Beat 2			Fire Zone	Area DNTN	Map F5	Source O				
Caller Name			Caller Address				Caller	Phone		
Dispositions			VIII TO THE TOTAL THE TOTAL TO THE TOTAL TOT			Weapon		Alm Level	Case N	lumber
Vehicles						Associated	I Incidents		L	
Incident Times Received 06:09:34 Created 06:14:35 Dispatched En Route On Scene 06:14:35 Closed		Specia	al Circumstance	es			***************************************			
		Person	ns	S	Sex DOB	DB Race DL				
Rcvd-Closed N/A										***************************************
Unit Times Officers 5L2 Peoro, 1			Dispatched	Enroute	On Scene 06:14:35	:ar :15:01	Disp-On Sc N/A	ene Enrt-On Scene N/A	On Scene-0 00:26	Clear Disp-Clear 00:26
Incident Comments 0614 hrs : 1 tru	ick, engin	e off, u	nloadking.			1				
TIME	# 1	EVE	NT						BY	
06:14:35 06:14:35 06:15:01 06:15:02	2 3 4	5L2 1	10-97. Good E 10-8. Freed Incident return	arth Nat	ood Earth Natura tural Foods, 720 ending status	Center BI,	Fairfax		K. Ste K. Ste K. Ste	evens evens



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08/21/2015

Location GOOD EA	RTH NATURAL	FOODS, 720 CENT	TER BL	Cross Stree		HECO AV	City FAIRFAX		
Incident Typ XPAT - E	e XTRA PATROL			Call Take HUSSEI	r N, RAAZ		Dispatcher HUSSEIN, RAAZ		
Date 08/21/2015	Priority 2	Primary Unit 5K1	Beat	Fire Zone	Area DNTN	Map F5	Source O		
Caller Name				Caller Address	1			Caller Pho	ne
Dispositions Extra Patro	l		***************************************	Weapon Alm Level			Case Number		
Vehicles				**************************************	Associate	d Incidents			
Incident Tim Received	05:50:04	Special Circumstance	es		1				
Created Dispatched En Route On Scene Closed Rcvd-Clos	05:50:08 05:51:35	Persons	Se	x DOB	Race		DL		
Unit Times 5K1	Officers Richardson, Rhon	Dispatched da	Enroute	On Scene 05:50:08	Clear 05:51:35	Disp-On Sc N/A	enc Enrt-On Scene N/A	On Scene-Clea	r Disp-Clea 01:27
5K1	Richardson, Rhon	da 05:54:12	05:54:12	2 05:54:12		N/A	N/A	N/A	N/A

Incident Comments

Officers checked the area for illegal unloading of delivery trucks.

-	TIME	#	EVENT	ВУ	
	05:50:08	1	5K1 Incident initiated at Good Earth Natural Foods, 720 Center Bl, Fairfax 2	R. Hussein	
	05:50:08	2	5K1 10-97. Good Earth Natural Foods, 720 Center Bl, Fairfax	R. Hussein	
	05:50:46	3	1 semi parked by the loading dock, not unloading.	R. Hussein	
	05:51:35	4	5K1 10-8.	R. Hussein	
	05:51:36	5	5K1 Closed - Disposition XP	R. Hussein	
	05:54:08	6	Reopened	R. Hussein	
	05:54:12	7	5K1 ENRT. Good Earth Natural Foods, 720 Center Bl, Fairfax	R. Hussein	
	05:54:12	8.	5K1 10-97.	R. Hussein	
	05:54:32	9	The semi just finished unloading and drove away.	R. Hussein	
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08/26/2015

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Location				Cross Str	Cross Streets City				
GOOD EAR	RTH NATURAL	FOODS, 720 CENT	ER BL	PASTO	RI AV/PAC	FAIRFAX			
Incident Type			·····						
1	: KTRA PATROL			Call Take	_		Dispatcher		
APAI - E	CIKA PATROL	,		STEVE	NS, KATHI	LEEN	STEVENS, KA	THLEEN	
Date	Priority	Primary Unit	Beat	Fire Zone	Area	Мар	Source		
08/26/2015	2	•			DNTN	F5	0		
					1 2	112	L		
Caller Name			C	Caller Address				Caller Pho	ne
Dispositions					Weapon		Alm Level	Case Numl	
•					vveapon		Aim Level	Case Numi	jei
Vehicles					Associate	d Incidents			
Incident Time	·s	Special Circumstance	es			***************************************		***************************************	
Received	06:11:15	De la communicación de la							
Created	06:11:44							****	
Dispatched	00111111	Persons	Sex	DOB	Race		DL		
En Route									
On Scene	06:11:44								
Closed	00.11.11								
Rcvd-Close	d N/A						*		
Tera-Close	W 11/21	<u> </u>		***************************************		*******************************			
Unit Times C	fficers	Dispatched	Enroute	On Scene	Clear	Disp-On Sce	ne Enrt-On Scene	On Scene-Clean	Disp-Clear
5L2 P	eoro, Mario			06:11:44	06:11:46	N/A	N/A	00:02	00:02
T	4.	***************************************							***************************************

Incident Comments

0611: Two trucks, unloading, with engines off.

	3 1 1975A.15. 1663A.63	. El desemble												
	TIME	#	EVENT	BY										
	06:11:44	1	5L2 Incident initiated at Good Earth Natural Foods, 720 Center Bl, Fairfax 2	K. Stevens										
	06:11:44	2	5L2 10-97. Good Earth Natural Foods, 720 Center Bl, Fairfax	K. Stevens										
	06:11:46	3	5L2 10-8. Freed	K. Stevens										
	06:11:46	4	5L2 Incident returned to pending status	K. Stevens										
-275 -274														
.2														
-														

PROTOCOL FOR 5AM RECEIVER ROLE

UPDATED Aug 4, 2015. Al B.

The one and only approach for a large semi-trailer and truck to drop products to Good Earth BEFORE 7:00 AM.

Drivers direction to Good Earth

Head west on Sir Francis Drake Blvd to Fairfax.

Drive PAST the store itself, DO NOT TURN LEFT ONTO Pastori Ave.

Go one block and turn left (just past the first gas station) onto Pacheco Ave.

(Pacheco Ave street sign isn't visible from SF Drake)

Your making a left turn off of SF Drake and essentially completing "the U-turn" back towards the Good Earth on Broadway.

Proceed East back towards the store.

Turn left into driveway, just past the store building itself.

Proceed toward loading dock by going thru parking lot the opposite direction of parking lot arrows (parallel to the store front), eventually putting the nose of the truck back towards the "Pastori Ave parking lot entrance- that you didn't use upon your original approach to the store. Our receiver will help facilitate the backing up of trailer to the dock and its leveler.

Receiving Role 5:00 AM truck role

- -In place Monday's thru Saturday's.
- -Arrive no later than 4:55am.
- -Be equipped with flashlight when needed.
- -Open driveway on Center Blvd. (this will entail moving the A-Frames out of the way from entrance)
- -Mandatory that the receiver is positioned on the ground in either full view of left or right side mirrors of Cab.
- -Make sure no beeps are used! (follow up report required if they were used)
- -No Air-brake noise is allowed. (the drivers will be told this ahead of time and follow up report required if they are used)

There are two sets of brakes. Trailer brakes ARE NOT required to be set if trailer is on level ground. The tractor air-brakes should be minimized greatly (they will be aware of the technique needed to accomplish this w/o causing noise, but we must enforce this and be sure to include describing in daily report if noise is caused.)

-Remain with driver until he/she pulls away from dock. Help facilitate the unloading of truck completely WITHOUT making ANY NOISE!

Commons, All Forms, Transportation Folder

- -No idling!
- -No noise from Roll-up doors!
- -No compressors left running!
- -No radios!
- -No loud voices allowed! (except in emergency-ha)
- -No noise from placing of empty pallets being re-loaded back onto truck. Did I mention that the goal is to literally cause no noise during the entire process?
- -Drivers are allowed to leave the property out Pastori driveway and right onto SF Drake. Please open and close the entrance to Pastori for the drivers.

Follow up at end of shift

- -A written report daily on any issues that caused noise is required.
- -Supervisor to receive daily.
- -Continue to log all trucks pulling onto the parking lot before 7:00 am.
- -Be aware of the fact that rogue drivers could be waiting in the surrounding neighborhood(s) for the clock to hit 7am. Please let supervisor aware if you know this to be happening.

August 4, 2015

To: Garrett Toy, Town Manager Fairfax Town Council

Cc: Iim Moore

From: Al Baylacq, Partner Good Earth

Memo: In regards to Mr. Franks recent claims

Firstly, we have NOT let our guard down on any aspect of the on-going effort to control noise in the early mornings around here.

We devote valuable HOURS everyday of every week to uphold our agreements and have since we last had the chance to converse back in Feb of this year.

It comes as great surprise to see Mr. Franks so upset, as he visibly was at last Town Council meeting, towards us. We are aware of a couple of infractions on our part since February of this year (I recognize those below).

It is our position at this point that we need to keep to the actual facts on the ground as they relate to our ability to control truck drivers.

If there are any police reports that substantiate our inability to control the truckers or parking lots, I'd request that we be made aware of them.

The Big 3 large truck companies have full understanding of our situation and we have had nearly perfect record for months and months with all 3 of them. We have 100% buy-in from all three companies for; 1-time of delivery, 2- no use of air brakes, 3- no use of back up beeps. That said, I'm aware of the following breakdowns:

-July 1st, Veritable Vegetable Produce "new driver" showed up 15 minutes before 6am (we watched dock video), and with the support of the ownership of VV we fixed it immediately from happening again with this specific driver. (he even moved the gate himself to get in)

-On April 29th we had a beer truck with new driver pull into dock at 5am. Our receiver explained to him emphatically, that he needs to leave the premises.

The driver who already had offloaded his pallet, left it, and then took off with out even leaving an invoice to our receivers' surprise. We don't know what happened to him, but we have not seen that driver back.

-Back in Feb. of this year, our main grocery distributer UNFI for two consecutive weeks sent 2 trucks for us on Friday mornings (because of the increased size of our weekend loads). The trucker that is "not our normal driver, but not a new driver for UNFI" missed the "delivery to GE FX" memo. Our communication with transportation manager resulted in changes that formalized the important notification for all deliveries to all drivers. We haven't had any issues prior to this event with UNFI for close to one year and not with UNFI trucks since.

We have added hours for our staff to accommodate managing the parking lots at evenings and mornings.

We built a nice fence, brought recycled water to the area in front of the fence and have established

No back up beeps continue to be the rule here along with no use of air-brakes. Garbage and recycling are happening after 8am everyday.

I (we) really don't know what could be done to satisfy Mr. Franks, but it appears that he is the only person in our neighborhood still complaining about noise issues. Am I wrong?

Sincerely,

Al Baylacq, Owner Good Earth Natural Foods.