

AGENDA  
REGULAR FAIRFAX TOWN COUNCIL MEETING  
Fairfax Women's Club, 46 Park Road  
**Wednesday, March 6, 2013, at 7:00 p.m.**

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

**6:00 PM** – Call to Order and Adjourn to Closed Session on the following matter:

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION pursuant to Government Code Section 54956.9 (c): two potential cases

PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Govt. Code Section 54957 Title: Town Manager

Re-convene in Open Session:

**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 all cellular phones off or place in silent mode.

**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 Planning 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

FOCAS sponsored Clothing, Toy and Equipment Swap for families with children 0 – 10 years; Saturday, **March 9<sup>th</sup>, 9 – 11 a.m.**, with drop-off on March 8<sup>th</sup>; \$15/family, all proceeds to FOCAS

Easter Egg Hunt, Saturday, 10 a.m., **March 30<sup>th</sup>**, Sponsored by the Parks and Recreation Commission

## **REPORTS AND PRESENTATIONS**

1. Proclamation from the Town Council of the Town of Fairfax Commending Rudy Contratti for 25 Years of Excellent Service to the Town – Town Clerk
2. Annual Report from the Volunteer Board – Holly Bragman, Volunteer Board Chair
3. Quarterly Report from the General Plan Implementation Committee – Bruce Ackerman, Chair
4. Annual Report from Marin Sanitary – Steve Rosa/Kim Scheibly

**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

## **INTERVIEWS AND APPOINTMENTS**

5. Interview and appointment of candidate(s) to serve on the Planning Commission for a full four-year term to February 28, 2017 – Town Clerk

**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**

6. Approval of Town Council minutes for the February 6, 2013 meeting - Town Clerk
7. Approval of Financial reports for December, 2012 – Finance
8. Approval of By-Laws for the General Plan Implementation Committee – Planning Director
9. Approval of Contract with Coastland Engineering for construction management services for Bike Spine Project – Town Manager
10. Approval of contract extension with Nader Tamarinae for engineering/project management for Town bridge work – Town Manager
11. Approval of issuance of a Request for Proposals for engineering/design of future Bridge projects – Town Manager
12. Approval of Contract with Nerviani Paving for pavement repair required for Bike Spine and Sir Francis Drake Bike Lane Striping Project – Public Works Manager
13. Adoption of Notice of Completion for the Pastori Sidewalk Project – Public Works Manager
14. Adoption of Resolution No. 13-8, a Resolution of the Town Council of the Town of Fairfax designating Town Manager Garrett Toy as the Agent for the Town of Fairfax for the California Emergency Management Agency (Cal EMA) – Town Manager

## **PUBLIC HEARINGS**

15. Adoption of Resolution No. 13-9, approving the methodology for a traffic impact study to be prepared for use of the gas station property at 2001 Sir Francis Drake Boulevard as a gas station/convenience store – Planning Director
16. Adoption of Resolution No. 13-10, a Resolution of the Town Council approving the initial study and adopting the Mitigated Negative Declaration for the Fair Anselm Creek Restoration Project at 731 to 771 Center Boulevard; Assessor's Parcel No. 002-131-14; Central Commercial CC Zone District; Rich Dowd, applicant; Rich Hall, Fairfax Center Properties LLC, owner – Planning Director

## **REGULAR AGENDA**

17. Discussion/Consideration of Model Ordinances for Mandatory Commercial Recycling and Construction and Demolition Debris Ordinance – Zero Waste Committee/Town Manager
18. Approval of a contract with Sustainable Fairfax to implement the mandates of the Zero Waste Grant – Town Manager/Zero Waste Committee
19. Selection of operator for the management of the Farmers Market for 2013 and authorization for the Town Manager to execute a contract – Town Manager
20. Discussion of Protecting Pedestrian Rights-of-ways – Mayor Reed
21. Mid-Year Budget Review – Finance
22. Discussion/Consideration of local preference purchasing policy for professional services, supplies and materials, and public works projects using informal bid process – Town Manager
23. Council Committee Assignments; Appointment of Alternate to the Ross Valley Fire Board, Liaison to the Youth Commission and Tree Committee member to replace former Councilmember O'Neil – Town Clerk
24. Adoption of Resolution No. 13-11, a Resolution of the Town Council of the Town of Fairfax Authorizing Temporary Closure of Certain Streets and Portions Thereof, to allow a Little League Opening Day Parade on Saturday, March 9, 2013

## **ADJOURNMENT to Thursday, March 14, 2013, to Interview Council Candidates**

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, Judy Anderson, 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 February 28, 2013.

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**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 Town Clerk at [janderson@townoffairfax.org](mailto:janderson@townoffairfax.org)**