

DRAFT Fairfax Town Council Minutes  
Regular Meeting  
Fairfax Women's Club  
Wednesday, December 4, 2013

The regular meeting was preceded by a Closed Session from 6:15 p.m. to 7:00 p.m.-  
Conference with Legal Counsel- Anticipated Litigation pursuant to Government Code  
Section 54956.9(d)(2) and (e)(1): One case

Call to Order/Roll Call:

**COUNCILMEMBERS PRESENT:** Larry Bragman  
Barbara Coler  
Renee Goddard  
John Reed  
David Weinsoff

**STAFF MEMBERS PRESENT:** Garrett Toy, Town Manager  
Michele Gardner, Town Clerk  
Janet Coleson, Town Attorney  
Jim Moore, Planning Director  
Mike Vivrette, Finance Director  
Roger Meagor, Fire Chief  
Chris Morin, Chief of Police  
Mark Lockaby, Building Official  
Linda Neal, Principal Planner

Mayor Reed called the meeting to order at 7:00 pm.

Approval of Agenda and Affidavit of Posting

M/S, Bragman/Weinsoff, Motion to approve the agenda and the affidavit of posting with the  
removal of item #20 from the agenda.

AYES: All

Announcement of Closed Session Action

Mayor Reed announced there was no action to report.

Agenda

Adoption of Resolution 13- A Resolution of the Town Council of the Town of Fairfax, reciting  
the fact of the General Election held on November 5, 2013 declaring the result and such other  
matters as provided by law

Town Clerk Gardner presented the staff report.

M/S, Coler/Bragman, Motion to adopt Resolution 13- A Resolution of the Town Council of the  
Town of Fairfax, Reciting the Fact of the General Election Held on November 5, 2013, Declaring  
the Result and Such Other Matters as Provided by Law.

AYES: All

Break

Town Clerk Gardner administered the Oath of Office to Councilmembers Coler, Goddard, Reed, and Weinsoff.

The Council took a short break for refreshments.

#### Selection of Mayor and Vice Mayor

M/S, Bragman/Goddard, Motion to select Councilmember Weinsoff as Mayor.

AYES: All

M/S, Weinsoff/Goddard, Motion to select Councilmember Bragman as Vice Mayor.

AYES: All

The Council thanked Councilmember Reed for his leadership as Mayor during the last year.

#### Announcements

Mayor Weinsoff made the announcements as they appeared on the agenda.

#### Open Time for Public Expression

Mr. Sierra Salin stated that global issues are local issues. He asked everyone to get more involved.

Ms. Valerie Hood, Dominga Avenue, stated the recent Fairfax Film Series event generated \$367. The next film will be about Smart Meters.

Mr. Jerry Peletier, Hickory Road, stated Hickory Road has not been paved in over 50 years. The street is corroded. Mayor Weinsoff asked staff when the street was scheduled to be paved. Building Official Lockaby stated the Town recently received a report on all streets and he does not recall when this street would be repaved. Mayor Weinsoff asked for a report in January.

Ms. Ginger Mason, representing the Pesticide Free Zone, stated the Marin County Agricultural Commissioner is proposing a ten-year plan to get rid of invasive plants in West Marin. Part of the plan has to do with aerial pesticide applications in the unincorporated areas of Marin. She is opposed to this plan and stated there were other methods for removing weeds. Councilmember Bragman stated the Council recently submitted comments to the County about this issue.

Mr. Garry Graham, owner of 19 Broadway, stated he recently hired a new music manager and the tradition of live music in Fairfax lives on. He asked the Council to continue running the Town in a fiscally responsible manner.

Mr. Mark Pizarro, Hickory Road, stated Hickory Road was in horrible shape. It is full of potholes, ruts, and covered with gravel and is a hazard to bicyclists. He urged the Council to repave the road as soon as possible.

#### Council Reports and Comments

Councilmember Reed reported he met with a real estate representative for Marin Municipal Water District (MMWD) regarding a right-of-way near the Egger Preserve and the possibility of building a trail; attended several Fire Board meetings; a Transportation Authority of Marin (TAM) Safe Routes to School subcommittee meeting; a GPIC meeting regarding climate change; a Marin County Open Space Public Forum regarding the EIR for their Trails Plan; the Marin Council of Mayors and Councilmembers (MCCMC) meeting in San Rafael; had a phone

conversation with the TAM staff regarding the Dynamic Rideshare Pilot Program.

Councilmember Coler reported she attended an overview briefing with the County regarding the Flood Control Retention Basin Projects; the MCCMC meeting; the Meadow Way community meeting regarding the assessment of the Meadow Way Bridge.

Councilmember Bragman reported he attended the Meadow Way Bridge community meeting; the Marin Energy Authority (MEA) meeting; the MCCMC meeting.

Councilmember Goddard reported she attended several Zero Waste Committee JPA meetings; joined the Coalition for Healthy Youth; attended several Ross Valley School Board meetings.

Mayor Weinsoff reported he attended the MCCMC meeting and was appointed to the Disaster Committee; attended a Flood Zone 9 meeting.

### Town Manager Report

Town Manager Toy congratulated the Councilmembers on their reelection. He clarified that Town Hall would reopen to the public on January 6<sup>th</sup>. Staff would be working on January 2<sup>nd</sup> and 3<sup>rd</sup> on getting ready for the upcoming year.

### Consent Calendar

**Approval of Town Council minutes for the November meeting - Town Clerk**

**Approval of October 2013 financial report-- Finance Director**

**Acceptance of Marin Sanitary Service Quarterly Report July-September 2013- Town Manager**

**Approval of contract with Sustainable Fairfax to implement the mandates of the Zero Waste grant and provide public education and outreach for the Mandatory Commercial Recycling and Construction Debris Ordinances- Town Manager**

**Acceptance of status report of the clean-up of property at 159 Willow- Building Official**

**Approval of the Notice of Completion for the Sir Francis Drake Bike Lane Striping Project- Town Manager**

**Adoption of Resolution 13- in support of SB 405 (Padilla and AB 158 (Levine) to phase out single-use plastic grocery bags- Town Manager**

**Adoption of Resolution 13- in support of removing commercial properties from Proposition 13 to close the loophole to avoid tax assessments- Mayor John Reed**

**Award of bid for Scenic Road Pavement Rehabilitation- Town Manager**

**Adoption of Resolution 13-57 in support of urgent international rescue of Fukushima Daiichi nuclear facility- Mayor Reed, Councilmember Bragman**

**Approval of Town Council Meeting schedule for calendar year 2014- Town Clerk**

**Acceptance of draft Climate Action Plan (CAP) and letter from the General Plan Implementation Committee (GPIC) requesting the formation of a Climate Action**

**Committee (CAC) to Implement the CAP- Planning Director**

**Adoption of Resolution 13-56 to apply to the Bay Area Air Quality Management District for a grant to fund bike racks- Town Manager**

Town Attorney Coleson noted Consent Calendar item #6 should be voted on separately.

Mr. Michael Macintosh asked that items #6 and #10 be removed from the Consent Calendar for discussion.

Ms. Marybeth Brannin, Fukushima Fallout Awareness Network, urged the Council to pass Resolution 13-57.

Ms. Valerie Hood stated there were several Websites regarding the rescue of Fukushima Daiichi nuclear facility.

Mr. Jim Hadel, Ecological Options Network, stated the Fukushima disaster proves that the nuclear industry is essentially a criminal enterprise. He supported the adoption of Resolution 13-57.

Mr. Sierra Salin supported the adoption of Resolution 13-57.

M/S, Bragman/Coler, Motion to approve the Consent Calendar with the removal of item #6 and #10 for discussion.

AYES: All

**Approval of contract with Sustainable Fairfax to implement the mandates of the Zero Waste grant and provide public education and outreach for the Mandatory Commercial Recycling and Construction Debris Ordinances- Town Manager**

Councilmember Goddard recused herself from voting on this item because she is a Boardmember of Sustainable Fairfax.

Town Manager Toy stated the Town has contracted with Sustainable Fairfax for several years and has been very pleased with its services. The Town did not go out to bid or send out a Request for Proposal (RFP). Sustainable Fairfax is a non-profit organization and the Town gets a lot of "bang for the buck".

M/S, Bragman/Coler, Motion to approve the Contract with Sustainable Fairfax

AYES: Bragman, Coler, Reed, Mayor Weinsoff (Goddard recused)

**Reports and Presentations**

**Presentation to retiring Fire Chief Meagor**

Mayor Weinsoff read a Proclamation honoring Fire Chief Roger Meagor on the occasion of his retirement for his dedicated service to the people of the Town of Fairfax and presented him with a gift from the Town in appreciation.

Fire Chief Meagor stated it has been an honor and pleasure to serve as Fire Chief for the Town of Fairfax.

## Public Hearings

Council Directed Referral of Planning Commission approval of a Conditional Use Permit, Design Review, Sign Permit and Traffic Impact Permit (TIP) to open a gas station/convenience market on a site that has historically been used as a gas station/auto repair business; Project is categorically exempt from CEQA per Section 15301(a)- Planning Director

Town Manager Toy presented a staff report. He noted the property is located in the Highway Commercial Zone and is thus not subject to the "Chain/Formula Store" restrictions.

Town Attorney Coleson stated that the Town's Zoning Map, which included the rezoning of properties zoned Highway Commercial to Central Commercial, was adopted by resolution, and that the zoning map will need to be brought back to the Council for adoption by ordinance.

Councilmember Bragman suggested they expand the Chain/Formula Store Ordinance to cover the Highway Commercial and Limited Commercial Zones in the interim. Town Manager Toy stated staff would review this.

Mayor Weinsoff read the four findings required to grant a Conditional Use Permit.

Councilmember Goddard noted she had filed the Directed Referral and stated she would listen to the testimony with an open mind and make a fair and unbiased decision.

Councilmember Reed had questions about pedestrian and vehicular circulation and asked about installing a crosswalk on Broadway from the Little League Field/School Street Plaza area. Mr. David Parisi, traffic engineer, stated the site lines along Broadway near the project area were pretty good but a crosswalk is normally installed at an intersection. Councilmember Reed asked if the right-of-way goes up to the curb. Mr. Parisi stated it was a tight right-of-way in the project area and the applicant is proposing a sidewalk along the property frontage. Councilmember Reed asked about installing a crosswalk at Bank Street. Mr. Parisi stated that would need to be looked at.

Councilmember Reed asked if franchises were allowed to charge extra for services. Town Manager Toy stated the applicant could answer this question.

Councilmember Bragman stated his name appeared on a Facebook page/site called "No Chevron in Fairfax" although he was not invited and did not give permission to use his name. He asked the organizer of the site to remove his name. He stated he is listening to the testimony from all parties with an open mind. Councilmember Goddard stated she also requested that her name be deleted from the site.

Councilmember Goddard had questions about how sight lines are evaluated.

Mayor Weinsoff opened the Public Hearing.

Mr. Ron Jacob, representing PM Design Group, gave a brief overview of the project.

Councilmember Goddard asked about the installation of a sidewalk along Broadway. Mr. Jacob stated the rear wall of the building is right on the right-of-way and installing a sidewalk along the entire roadway is not possible. They will extend the existing sidewalk at the corner of the site (Broadway and Bank Street) from Broadway as far as possible to the rear wall. Sidewalks must be a minimum of 4 feet wide.

Councilmember Coler stated the plan shows four, not five, dedicated parking spaces. Mr. Jacob

stated there were five dedicated parking spaces shown on the site plan. Councilmember Coler asked if vehicles would need to back out on Sir Francis Drake Boulevard from the parking spaces. Mr. Jacob stated "no".

Councilmember Bragman stated the General Plan is clear in its intent to keep this area historic and he asked if the corporate branding could be eliminated from the canopy. Mr. Jacobs stated they would be willing to discuss this suggestion.

Councilmember Bragman asked about the product mix planned for the convenience store. Mr. Jacobs stated the owner has flexibility in adding healthier products. Councilmember Bragman asked about the possibility of a "franchise within the franchise". He would not be in favor of this type of commercial development.

Councilmember Reed asked if any thought was given to putting doors into store from the sidewalk on the Broadway side allowing pedestrians to pass through the building, effectively extending the sidewalk that currently ends at the building, by having it run through the building. Mr. Jacobs stated there would be a ramp that goes into the site.

Councilmember Goddard asked what would happen if the Town decided to reclaim the parking space that is in the right-of-way. Mr. Jacobs stated most codes allow the dispensers to be counted as parking spaces.

Councilmember Bragman asked staff to clarify if there is a public right-of-way that goes through the site. Planning Director Moore stated "yes". Councilmember Bragman had questions about the turning radius since he was concerned it would go into the public right-of-way.

Mr. David Parisi, traffic engineer, stated if the facility was constructed as currently proposed the eastern driveway on Sir Francis Drake would be partially in that extension area. Tanker trucks would need to traverse that easement area. If the Town decided to develop Bank Street it would not affect the dispenser bays or the building but it would eliminate one parking space. This proposal could somewhat dictate the future development of Bank Street.

Councilmember Bragman asked about the Encroachment Permit process. Senior Planner Neal stated the applicant needs to formalize the encroachment that has occurred for many years as a condition of approval and file for a revocable Encroachment Permit. This is recorded at the County and attached to the deed. Town Manager Toy stated this was a separate, administrative process.

Councilmember Coler stated the five parking spaces were fewer than the ten required for the lot size. She stated the Town Code does not include the parking at the bays. Senior Planner Neal stated the code was silent on this issue and the Planning Commission decided to count the bay parking.

Ms. Daylene Whitlock, traffic engineer with W Trans, stated she prepared the traffic study for the project. She noted the study looks at off-site traffic impacts - how much traffic the site would generate and how much that would change operations at adjacent intersections. Looking at the intersections and adding in the traffic generated from the project they found that there would be an imperceptible change and the average delay would be a few tenths to a second's difference. They also looked at pedestrian connectivity and recommended improvements to the sidewalks along Sir Francis Drake Boulevard. They did not look at pedestrian connectivity on the south side of the site. They also looked at bicycle facilities.

Mayor Weinsoff asked Mr. Parisi if he had reviewed the traffic study. Mr. Parisi stated "yes" and asked for additional analysis since he saw potential unsafe conditions. The issues from a traffic

perspective include on-site circulation, parking, and pedestrian and bicycle access in and around the site

Councilmember Coler stated the Claus Circle/Sir Francis Drake Boulevard intersection was already congested and another 1,500 new trips per day would not be acceptable. She was concerned about vehicles backing out onto Sir Francis Drake and thought that would cause more accidents. She was very concerned about the lack of designated parking spaces. Ms. Whitlock noted the site plan has changed subsequent to the preparation of the traffic report.

Councilmember Goddard asked if the proposed Broadway driveway would be two-way serve as both an entrance and an exit. Ms. Whitlock stated it was two-way. Councilmember Goddard asked if the egress would be right-turn only. Ms. Whitlock stated "no". Senior Planner Neal noted the Planning Commission is recommending a six-month review.

Councilmember Bragman asked Ms. Whitlock about the turning radius issue. Ms. Whitlock stated that changing the way a truck enters the site would allow it to avoid going into the easement. She would provide this information at the January meeting.

Councilmember Bragman stated he was comparing a plot map with the plans and the Bank Street extension looks narrower than the actual right-of-way. He asked for better information. He stated one of the intents of the Traffic Impact Ordinance was to meet the goals and objectives of the community.

Mr. Steve Sabahi, real estate agent, stated he sold the property to the applicant. He is very familiar with the business of gas stations and the competitive nature of the branded and unbranded market. He stated that unbranded stations are more prone to wild fluctuations in the market. He discussed the volume of fuel being sold at the two current locations and the potential sales from three locations. He stated this was potential tax revenue for the Town. He added that the current site is an eyesore.

Councilmember Bragman questioned the revenue figures discussed by Mr. Sabahi and asked if a branded gas station would detract from the sales of other stations. Mr. Sabahi stated a lot of revenue is going to other cities because people are purchasing fuel elsewhere.

Mr. Arash Salkhi, applicant, stated independent and branded gas stations were two different customer bases. His branded station would bring in the customers who are leaving Town to purchase gas. He stated he has started to brand his other locations to be competitive.

Councilmember Reed asked Mr. Salkhi if he was aware of any gas stations that sold "carbon credits". Mr. Salkhi stated "no" but he was proposing to install solar panels, electric charging stations, and hydrogen at the site.

Mayor Weinsoff asked Mr. Salkhi if the franchise agreement mandates signage. Mr. Salkhi stated Chevron's rules dictate that his application include the standard items. He received Chevron approval for a white or cream colored canopy and to eliminate the logo from the canopy. Chevron is working with him to reduce the amount of signage and giving him a lot of leeway. The monument sign would include the logo. Mayor Weinsoff asked about the "Extra Mile" sign. Mr. Salkhi stated illumination of all signs has been eliminated and the "Extra Mile" sign has been reduced to the minimum size. He might be able to eliminate the "Extra Mile" sign altogether.

Councilmember Coler stated the "Extra Mile" store was a separate franchise and the proposed store seemed quite large. She asked Mr. Salkhi about a smaller version or possibly the elimination of the "Extra Mile" store. This would allow for more parking, access, turning radius

on the site. Mr. Salkhi stated the convenience store was included in the Chevron package and he would not want to eliminate it. The proposal is for a mid-sized store and he has a lot of leeway with Chevron to sell whatever he wants at whatever price he wants. Councilmember Goddard asked if he would be selling alcohol. Mr. Salkhi stated he is requesting an Alcoholic Beverage Control Board (ABC) license.

Councilmember Coler asked Mr. Salkhi to respond to the following questions at a subsequent meeting: 1) When will the clean up be completed with Regional Water Quality Control Board approval?; 2) Provide more detail about the clean up that was done, what was conducted to date, and what remains to be done; 3) Will there be monitoring of ground water on site for a number of years?; 4) How can the Town be assured that all necessary clean up has been conducted?; 5) Will the clean up costs be reimbursed? 6) What steps are being taken to ensure that there will not be additional contamination by the tanks?; 7) What measures would be taken to minimize or eliminate the release of vapors during gas pumping? She asked that Mr. Salkhi provide documentation in addition to answering these questions.

Mayor Weinsoff noted the late hour and asked the Council to continue all items except #18 and #19.

M/S, Reed/Coler, Motion to continue items #10, #21, #22, #23.

AYES: All

Ms. Jennifer Hammond, Iron Springs Road, presented a petition with "over 700" signatures in opposition to the application. She stated this plan does not meet the General Plan's focus on independent businesses, a pedestrian friendly downtown, and an environmentally friendly small town.

Mr. Christopher Lang stated he walked the site and made a suggestion to the Town Manager regarding a sidewalk from the First Federal Bank to the Broadway crosswalk. He stated the Town has been inhospitable to developers of homes and businesses in the past and he urged everyone to use caution. He stated a Town with more than one gas station is in a beneficial position.

Mr. Tony Yudice, Forrest Terrace, stated this project would make the Elsie Bank Roadway Project possible and push Bank Street over to Sir Francis Drake Boulevard. He stated this would change the entire traffic flow in Town.

Ms. Mallory Geithem, Willow Avenue, asked what time of year the traffic report was performed. Traffic during the summer is very congested. She had questions about the additives put into gasoline. She asked what percentage of the revenue comes from the convenience store vs. the gasoline.

Ms. Rachel Vaughan, Redwood Road, stated she started the Facebook group about this issue. She agreed with the concerns that have been raised- parking, zoning, traffic, etc. She opined that a gas station at this location was insane and violates the findings that must be made for a conditional use permit. She displayed ideas for other projects to go in that location.

Mr. Sierra Salin stated there is a better use for this property. He was concerned about industrial chemicals that pollute the land.

Mr. Mark Squire, Frustuck Avenue, stated he was opposed to the private use of a public right-of-way and he would like to understand the process that allowed this to happen. He asked if the project included disabled parking spaces. He noted there were still toxins in Town from a Chevron spill that occurred years ago.



Peter, Claus Circle, discussed examples of pollution caused by oil companies.

Mr. Ronnie Cruzman, Porteous Avenue, stated he loved the independence of Fairfax. He stated the project would increase traffic in Town and does not fit within the character of the Town.

Mr. Frank Egger, Meadow Way, stated he was a member of the Council when the Formula Store Ordinance was adopted, and that its purpose and intent was to prohibit the very kind of store that is being proposed tonight. He did not believe that the findings for a Conditional Use Permit could not be made, and that the project is not in keeping with the small-town character of Fairfax. In addition, he is not convinced that the application is exempt from the CEQA.

Mr. John Humphries, Cascades, stated he was opposed to something that looks like it belongs in a strip mall. The Town has enough gas stations.

Mr. Bruce Ackerman, Valley Road, asked about compliance with the General Plan when some of the programs have not yet been carried out (rezoning of Commercial Highway to Central Commercial). The traffic studies should look at both the current and proposed configurations. It would be problematic for west-bound traffic to enter and exit the station.

Mr. Seth Goddard, Fairfax, stated he opposed the application. He asked for clarification about the zoning of the property and if there was a time limit on the process. He did not want a gas station at this location.

Ms. Hannah Doress, Porteous Avenue, stated there were laws in place created with a different world that had different issues and concerns. She discussed climate change and sea level rise, and how gas stations drive such change.

Mr. Brandon Barber of Amazon Watch felt it was delusional to increase gas consumption. He asked the Town not to do business with Chevron or any oil company that put profits over people.

Ms. Lena Strayer, Muriel Place, stated her car runs on bio-diesel. She lives in Fairfax because it is a small town that takes pride in its locally owned businesses. She asked the Council to look for a positive alternative to the project.

Mr. Mark Vendetti, Muriel Place, stated the cars that would be backing out from the convenience store would be running onto the sidewalk and Sir Francis Drake Boulevard. He was concerned that the other stations in Town might go out of business.

Mr. John Ferrero Jr., owner of the Rhino Gas Station, stated he was there to defend his business against a person who owns a vast number of gas stations. This would put pressure on his business. Mayor Weinsoff asked Mr. Ferrero if his station was for sale. Mr. Ferrero stated "yes".

Mr. John Rumadus, Madrone Road, stated he opposed the project. He asked what Fairfax would gain from the business.

Ms. Jane Mack stated she has never had to wait in line for gas in Fairfax. Fairfax does not need a third station.

Ms. Kiki LaPorta, Fairfax Chamber of Commerce Co-President, stated the Chamber's motto is to support a thriving, sustainable, local economy. The Chamber has not taken a position on this

project at this time. She summarized the results of a survey sent by the Chamber to the business community.

Ms. Wendy Botwin stated she moved to Fairfax for the small Town character. She stated the project would be an ugly eyesore in the middle of Town.

Mr. David Haskell thanked the Council for caring about “the little things”. He stated there was a bigger issue here- divest from the fossil fuel industry.

A resident stated she moved to Fairfax because it is attractive and clean.

Richard, Sequoia Avenue, stated the majority of residents should find the project appropriate and desirable for it to be approved, but that did not seem to be the case. There should be some clear and unique benefit for it to happen.

Mr. Sean Chirtel stated the sentiments of the Town about the project seem clear. The business owner’s statement that his business model would include having a high volume of business goes against the assertion that there would be a negligible impact on traffic.

Mayor Weinsoff stated the Public Hearing would remain open until the next Council meeting where more public testimony would be heard.

Councilmember Coler asked staff for a clear evaluation of the comparison between the Extra Mile vs. other retail convenience stores, and stations that do not have a convenience store.

Councilmember Goddard asked how often gas would be delivered. Mr. Salkhi stated deliveries would probably be every second or third day. He has control over delivery times.

Councilmember Goddard stated she would like more information about the turning radius and how this would affect other businesses.

Councilmember Bragman asked that the public right-of-way be staked in the field or presented as an overlay on the proposed plans. Planning Director Moore stated this information is shown on the plans but staff would come back with more information regarding the widening of Bank Street, the easement, etc.

Applicant requested and staff agreed that the display boards presented by Applicant at the meeting were entered into the record of the public hearing.

The Council took a 5-minute break at 11:50 p.m.

Second Reading By Title Only and Adoption of Ordinance No. 773 to Adopt the 2013 California Building Standards Code, California Code of Regulations, Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11, and 12 Which consists of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical Building, Existing Building, Green Building Standards, and Referenced Standards Codes, and Adopting the 2012 Edition of the International Property Maintenance Code-Building Official

Building Official Lockaby presented a staff report.

Councilmember Goddard had questions about CalGreen Tier One.

Councilmember Bragman referred to page 3, newly created second units, and asked if that was statutory language. Town Manager Toy stated this was a section of the Fire Code that was added to the Building Code to provide consistency. Councilmember Bragman asked for

clarification between “newly constructed” vs. “newly created”. Fire Chief Meagor stated “newly created” has been interpreted as a situation where there was no second unit in existence in the past. Town Manager Toy stated the ambiguity could be addressed in an Amnesty Ordinance.

Mayor Weinssoff opened the Public Hearing.

There were no comments. Mayor Weinssoff closed the Public Hearing.

M/S, Coler/Reed, Motion to waive second reading and adopt Ordinance No. 773, an Ordinance of the Town of Fairfax Amending Chapter 15.04 of the Town Code and Adopting the 2013 California Building Standards Code, California Code of Regulations, Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11 and 12, Which Consists of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical, Building, Existing Building, Green Building Standards, and Referenced Standards Codes, and Adoption the 2012 Edition of the International Property Maintenance Code.

AYES: All

Second Reading By Title Only and Adoption of Ordinance No. 774 to Adopt the 2013 California Fire Code, Portions of the 2012 International Fire Code, and Appendix A of the 2012 International Wildland-Urban Interface Code- Fire Chief

Fire Chief Meagor presented a staff report.

Mayor Weinssoff opened the Public Hearing.

There were no comments. Mayor Weinssoff closed the Public Hearing.

M/S, Reed/Coler, Motion to waive second reading and adopt Ordinance No. 774, an Ordinance of the Town of Fairfax Amending Chapter 8.04 of the Fairfax Municipal Code, Adopting the 2013 California Fire Code, Portions of the 2012 International Fire Code, and Appendix A of the 2012 International Wildland-Urban Interface Code Prescribing Regulations Governing Conditions Hazardous to Life and Property From Fire or Explosion; Providing for the Issuance of Permits for Hazardous Uses or Operations; and Establishing a Fire Prevention Bureau and Providing Officers Therefore and Defining Their Powers and Duties.

AYES: All

Regular Agenda

Discussion/consideration of the proposed relocation of the Multi-Age Program (MAP) to the Red Hill School site by the Ross Valley School District (RVSD)- Councilmember Goddard, Mayor Reed

Mayor Weinssoff stated this item had been removed from the agenda.

Discussion of the use of proceeds from the Marin Parks, Open Space, and Farmland Preservation Transactions and Use Tax Ordinance (Measure A)- Town Manager

Mayor Weinssoff stated this item had been continued.

Adoption of Resolution 13-55 Directing Staff to Develop Requirements for Posting Noticing Signs for Projects Proposed in the Town's Commercial Zones- Town Manager

Mayor Weinssoff stated this item had been continued.

Discussion/consideration of disposition of Town surplus personal property- *Town Manager*

Mayor Weinsoff stated this item had been continued.

M/S, Bragman/Coler, Motion to adjourn the meeting at 12:09 p.m. in memory of Nancy Helmers, Fairfax resident for over 40 years and environmental advocate.

AYES: All

Respectfully submitted,

Toni DeFrancis  
Recording Secretary