

**AGENDA**  
**REGULAR FAIRFAX TOWN COUNCIL MEETING**  
**Fairfax Women's Club, 46 Park Road**  
**Wednesday, September 3, 2014, at 7:00 p.m.**

Preceded by a Special Meeting Closed Session at 5:30 p.m. at Town Hall, 142 Bolinas Road

**5:30 PM – Call to order and adjourn to closed session on the following matters:**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Government Code section 54956.9(d)(2) and (e)(1): one case

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Government Code §54956.9(d)(1)  
*Egger, et al. v. Gardner*, Marin Superior Court No. CV1401704

**6:15 PM - Reconvene in Open Session at the Women's Club, 46 Park Road:**

1. Interview of Applicants for Artist in Residence 2014-15 – Town Manager

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

**INTERVIEWS/APPOINTMENTS**

2. Interview/appointment of candidate for the Volunteer Board – Town Clerk
3. Appointment of Artist in Residence 2014-15 – Town Manager, FOCAS Director

**ANNOUNCEMENTS**

Town Picnic, Sunday, Sep.14, from 12 noon to 5 pm, Contratti Ball Field  
General Plan Forum II: School Street Plaza /10 Olema, Wednesday, Sep. 17, 6 to 8 pm, Women's Club  
Affordable Housing Committee meeting, Wednesday, Sep. 24, from 3 – 5pm, Women's Club  
One vacancy on PARC (applications at Town Hall and on Town website)  
Fairfax Chipper Days, October 5th and 12th, Noon – 5 PM

Red Cross Emergency Shelter Exercise, Saturday, October 18th, from 9 – 4, volunteers needed  
Fairfax Food Pantry, Saturdays 9-1, Fairfax Community Church, 2398 Sir Francis Drake, volunteers needed

**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.

### **CONSENT CALENDAR**

4. Approve a restated and amended employment agreement with the Police Chief – Town Manager
5. Approval of Management Analyst job classification and salary range – Town Manager
6. Accept request from Councilmember Bragman to withdraw the rent control issue from consideration by the Town's Affordable Housing Committee and the Town Council – Town Manager, Councilmember Bragman
7. Approve Contract Amendment No. 3 with the California Infrastructure Consultancy to begin and complete the design phase for the Creek Road Bridge and Marin, Spruce, and Canyon Road Bridge projects – Town Manager
8. Accept Financial Statement and Disbursement Reports for July 2014 – Finance Director
9. Approval of minutes for the July 16, 2014 Town Council meeting – Town Clerk
10. Designate Cittaslow Committee as an unofficial town committee – Town Manager
11. Adopt a resolution to opt-in to the CaliforniaFIRST PACE program enabling property owners in the Town of Fairfax to access PACE financing for eligible renewable energy, energy efficiency, and water conservation improvements to real property – Town Manager, Councilmember Coler
12. Support for California Assembly Bill 1014, a bill to reduce gun violence in our communities – Mayor Weinsoff
13. Proclamation Declaring September 2014 Prostate Cancer Awareness Month – Town Clerk
14. EPA Green Power Community Challenge Rankings 2014 – Town Clerk
15. Approve the reprogramming of State Park Per Capita Grant funds from the Pavilion Seismic Retrofit project to the construction of a new Pavilion parking lot – Town Manager

### **PRESENTATIONS**

Rest Program – Marin Organizing Committee (Patti Breitman)

**COUNCIL REPORTS AND COMMENTS** (Brief announcements and reports on Councilmember assignments, committees and activities, including reports from meetings attended at Town expense)

### **TOWN MANAGER'S REPORT**

MEIRA; agenda-setting process; legal costs; closed session criteria

### **PUBLIC HEARINGS**

16. Adoption of a report describing the measures taken to alleviate the condition which led to the adoption of Ordinance No. 781, and adoption of Ordinance No. 782, an Ordinance of the Town Council of the Town of Fairfax Enacted Pursuant to California Government Code Section 65858 Extending the Interim Urgency

Zoning Ordinance Prohibiting Approvals of Formula Businesses and Formula Restaurants Within the Highway Commercial (CH) Zoning District During the Pendency of the Town's Adoption of Permanent Zoning Regulations For Such Uses and Declaring the Urgency Thereof– Town Manager

17. Adoption of a resolution adopting an Amendment to the General Plan to (1) formally correct typographical errors on tables and maps, (2) make minor narrative revisions to correct numerical inconsistencies and provide additional clarity regarding the PDD zoning for Opportunity Sites, (3) correct the listing of the General Plan designation for Assessor's Parcel No. 174-070-50 (commonly known as 2600 Sir Francis Drake Boulevard, site of the Jehovah's Kingdom Hall), from Planned Development District (PDD) To Upland Residential 7-10 (UR-7), and (4) clarify that figures contained in Housing Element tables are for illustrative purposes only; Exempt from CEQA per 14 C.C.R. §15061(b)(3) – Planning Director, Town Manager

## **REGULAR AGENDA**

18. Discussion/consideration of the concept of expanding the youth center – Town Manager
19. Introduction and first reading by title only of Ordinance No. 784, an Ordinance of the Town Council of the Town of Fairfax Amending Title 8 ("Health and Safety") of the Town Code by Adding Chapter 8.19 ("Paper Bag Reduction") to Reduce Paper Bag Waste by Imposing a Ten Cent Charge at the Point of Sale. CEQA: exempt per § 14 C.C.R. §§ 15061(b)(3), 15307, and 15308 – Town Manager, Councilmember Goddard
20. Second reading by title only and adoption of Ordinance No. 783, an Ordinance of the Town Council of the Town of Fairfax Amending Title 8 ("Health and Safety") of the Town Code to Add Chapter 8.14 ("Collection, Recycling, and Disposal of Waste Generated from Construction, Demolition, and Renovation Projects"). CEQA: exempt per 14 C.C.R. §§ 15061(b)(3) and 15308 – Town Manager

## **ADJOURNMENT**

If any of the matters described above is 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.

Meetings may be broadcast, recorded and uploaded to the Town's website.

I, Michele Gardner, Deputy 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 August 29, 2014.

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