



TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930
(415) 453 - 1584 / FAX (415) 453 - 1618

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Wednesday, June 2, 2021, at 7:00 pm

Preceded by a Special Meeting in Closed Session at 6:00 p.m.

VIA TELECONFERENCE ONLY

ADVISORY NOTICE

Due to Coronavirus and consistent with State of California Executive Order N-29-20 and Marin County Public Health Orders, this Town Council meeting will be held via tele- and videoconference only.

There will be no in-person meeting location. The public can participate in meeting as follows:

- **Watch** on <https://www.townoffairfax.org/watch-live-2/> or <https://www.cmcm.tv/27>
- **Watch** on TV Comcast Channel 27 or AT&T Channel 99
- **Watch/speak** on Zoom: Webinar ID **825 7474 2727** or join <https://us02web.zoom.us/j/82574742727>
- To speak during the Public Comment time, select the **Raise Hand** icon and you will be added to the queue and unmuted when it is your turn.
- **Listen/speak by phone:** +1(669) 900-9128 and use Webinar ID above. If you receive a busy signal, call +1 346 248-7799. (Press *67 before dialing to hide your phone number.) To speak during the public comment time **press *9** and you will be added to the queue and unmuted when it is your turn.
- **Prior to the meeting**, you may **email** written comments to the Town Council to read and consider. Emails received prior to 3pm will be included in the meeting record.

Closed Session Special Meeting

6:00 PM – CALL TO ORDER – ROLL CALL – PUBLIC COMMENT (on closed session item only)

For public comment on the closed session ONLY, join Zoom <https://us02web.zoom.us/j/88110015250> or call 1(669)900-9128 and enter webinar ID 881 1001 5250 promptly at 6:00 pm, before the Council adjourns to the closed session. **NOTE:** This Zoom info is only for the closed session public comment.

ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTER:
CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION
Government Code Section 54956.9(d)(2) & (e)(1)
One case

Regular Meeting

Zoom: Webinar ID 825 7474 2727 or join <https://us02web.zoom.us/j/82574742727>

7:00 PM – CALL TO ORDER – ROLL CALL

APPROVAL OF AGENDA AND AFFIDAVIT OF POSTING

ANNOUNCEMENT OF CLOSED SESSION ACTION (JUNE 1 AND 2, 2021)

LAND ACKNOWLEDGEMENT

The Fairfax Town Council acknowledges that we are located on the un-ceded ancestral lands of the Coast Miwok people of present-day Marin County. We honor with gratitude the land itself, and all of its ancestors: past, present, and emerging.

MEETING PROTOCOL

The Mayor shall maintain order at the 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. Please turn off all cellular phones or place in silent mode.

The Town Council will review the agenda at 10:00 P.M. to ascertain which items, 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.

ANNOUNCEMENTS

Vacancies on Boards and Commissions: Applications available on the Town website, or by contacting Town Clerk Michele Gardner, mgardner@townoffairfax.org.

- **Climate Action Committee** up to 4 vacancies
- **Parks and Recreation Commission:** 1 vacancy
- **Volunteer Board:** 2 vacancies
- **Planning Commission:** 1 vacancy
- **RESJ:** 4 vacancies and 2 youth vacancies

Fairfax Food Pantry: Saturdays 8:30-10:30am, Fairfax Community Church, 2398 SFD Blvd.

To receive Town agendas, newsletters, and updates by email, visit www.townoffairfax.org to subscribe.

OPEN TIME FOR PUBLIC EXPRESSION:

This is the time to address the Council on matters not on the agenda. Individuals are limited to 3 minutes, groups to 5 minutes, subject to the Mayor's discretion. The Council is not permitted to take action and state law 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. (Gov. Code §54954.2)

CONSENT CALENDAR

The Council may approve the entire consent calendar with one action (vote). In the alternative, items on the Consent Calendar may be removed by any Town Council or staff member for separate discussion and vote. The opportunity for public comment on consent calendar items will occur prior to the Town Council's vote on the Consent Calendar.

1. Receive Financial Statement and Disbursement Reports April 2021 – Finance Director
2. Receive written report on Councilmembers' assignments, committees, and activities in May – Town Clerk
3. Approve minutes for the March 26, 2021 Town Council special meeting and the April 21, 2021 Town Council-Planning Commission special joint meeting – Town Clerk
4. Adopt a Resolution Proclaiming June 2021 as LGBTQ+ Pride Month and Approving Flying the Pride Flag at Town Hall for the Month of June – Town Manager
5. Authorize the Town Manager and/or Police Chief to execute Memorandum of Understandings (MOU's) for the 2021-2023 Marin Operational Area with the County of Marin and for the 2021-2023 Emergency Operations Center and Optional Emergency Management Services with the Marin County Sheriff's office – Town Manager
6. Adopt a Resolution Adopting the revised Climate Action Plan – Town Clerk
7. Adopt a Resolution Approving the List of Projects Funded by SB 1: The Road Repair and Accountability Act for Fiscal Year 2021-22 – Town Manager

PUBLIC HEARINGS

8. 63 Spring Lane: Appeal of Planning Commission action approving a Hill Area Residential Development, Design Review, Tree Removal, and Excavation permits and a Retaining Wall Height Variance, to allow the construction of a three story, 2,511 square foot, 3 bedroom, 2 ½ bathroom single-family residence with an attached 648 square-foot garage/storage; Assessor's Parcel No. 002-174-05; Residential Single-family RS-6 Zone; Stacy and John Peoples, owners; Noel Bouey, appellant; CEQA categorically exempt, § 15303(a). – Principal Planner
9. Introduction and first reading by title only of an Ordinance of the Town Council of the Town of Fairfax Amending Chapter 17.020 and Adding Section 17.020.030(c) to Include the Requirement of a Design Review Permit for Changes in the Exterior Color of a Structure or the Alteration of a Significant Design Element Which is a Part of the Design of the Building in All Zones Except RD 5.5-7, RS 6, RS 7.5, UR 7 and UR 10; Exempt from CEQA pursuant to CEQA Guidelines Section 15060(c)(2), 15061(b)(3), 15305 and 15378 (continued from May 5, 2021 Council meeting) – Principal Planner
10. ***This item is continued to the July 7, 2021 Town Council Meeting.***
80 Crest Road: Appeal of a Planning Commission denial of a Height Variance for an unpermitted Ground Floor Level that would result in the height of the residential structure being approximately 50 feet; Assessor's Parcel No. 002-152-32; Residential Single-family RS-6 Zone; Verle and Marene Sorgen, appellants/owners; CEQA categorically exempt, § 15301(e)(2)(1). – Principal Planner, Town Manager

REGULAR AGENDA

11. Discuss/consider report on data collected to evaluate the 6-month pilot program of 2 Council meetings per month; consider proposed schedule for Special Council meetings thru December 2021; and provide direction to staff – Town Manager
12. Appoint a Councilmember to the Racial Equity and Social Justice Committee (RESJ) – Town Manager

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

FUTURE AGENDA ITEMS

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 the Town Clerk prior to the meeting: (415) 453-1584 or mgardner@townoffairfax.org.

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection www.townoffairfax.org.

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

Affidavit of Posting: I, Michele Gardner, 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, 3) Bulletin Board, Fairfax Women's Club, and at www.townoffairfax.org and that each of said postings was completed on or before May 28, 2021.

/s/