



TOWN OF FAIRFAX

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

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Wednesday, January 19, 2022, at 7:00 pm

Preceded by a **Special meeting in Closed Session at 6:30 pm**

VIA TELECONFERENCE ONLY

ADVISORY NOTICE

Due to the declared State of Emergency and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, and pursuant to AB 361 and Fairfax Town Council Resolution, this meeting will be held via teleconference only.

There will be no in-person meeting location. The public can participate in the 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 896 3178 4147** or join <https://us02web.zoom.us/j/89631784147>
- 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, up to 3:00 pm on the day of the meeting. All emails will be included in the meeting record.

Special Meeting in Closed Session Closed Session 6:30 pm

Zoom Webinar ID 860 2649 1026 or <https://us02web.zoom.us/j/86026491026>

6:30 PM – CALL TO ORDER – ROLL CALL– APPROVAL OF AGENDA AND AFFIDAVIT OF POSTING

PUBLIC COMMENT ON CLOSED SESSION ONLY

Public comment will be received on the closed session matter listed below before the Council adjourns to the closed session. To comment, please use one of the following options:

- To speak on Zoom, select the **Raise Hand** icon and you will be unmuted when it is your turn.
- **Listen/speak by phone:** +1(669) 900-9128 or +1 346 248-7799 and use Webinar ID above. (Press *67 before dialing to hide your phone number.) To speak **press *9** and you will be unmuted when it is your turn.
- **Prior to the meeting**, you may **email** written comments to the Town Clerk for the Town Council to read and consider. All emails will be included in the meeting record.

ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTER:

Public Employee Performance Evaluation

Govt. Code Section 54957

Title: Town Manager

Regular Meeting at 7:00 PM

Zoom Webinar ID 896 3178 4147 or join <https://us02web.zoom.us/j/89631784147>

7:00 PM – CALL TO ORDER – ROLL CALL

APPROVAL OF AGENDA AND AFFIDAVIT OF POSTING

REPORT OUT ON CLOSED SESSION

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 are available on the Town website, or by contacting Town Clerk Michele Gardner at mgardner@townoffairfax.org.

- **Planning Commission:** 1 vacancy
- **Community Emergency Preparedness Committee:** **NEW** committee! Seats available for community members, CERTs, NRG members, and FireWise members
- **Climate Action Committee:** up to 4 vacancies
- **Parks and Recreation Commission:** 1 vacancy
- **Volunteer Board:** 1 vacancy
- **Open Space Committee:** 1 vacancy

Fairfax Food Pantry: Saturdays 8:00-10:00am, 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 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. Adoption of a Resolution Making Findings and Determinations under AB 361 for the Continuation of Virtual Meetings – *Town Attorney Janet Coleson*
2. Receive Financial Statement and Disbursement Reports November 2021 – *Finance Director Michael Vivrette*
3. Approve minutes for the Town Council meetings of October 20 and November 3, 2021 – *Town Clerk*
4. Receive written report on Councilmembers' assignments, committees, and activities in December – *Town Clerk Michele Gardner*
5. Adopt Resolution Authorizing Amendment No. 2 to the Professional Services Agreement with Tom Origer & Associates for Pavilion Project Archeology – *Interim Public Works Director Jonathon Goldman*

6. Adopt a Resolution Authorizing an Agreement with the Federated Indians of Graton Rancheria for Treatment of Tribal Cultural Resources and Tribal Monitoring for the Pavilion Project – *Interim Public Works Director Jonathon Goldman*
7. Adopt a Resolution Authorizing a Professional Services Contract with SPI Consulting Engineers, Inc. for Pavilion Project Bid Document Consulting – *Interim Public Works Director Jonathon Goldman*
8. Adopt a Resolution Setting the Planning Commission Regular Meeting Date and Time on the Fourth Thursday of Each Month, and Repealing and Replacing All Former Resolutions re Same – *Planning and Building Services Director Ben Berto*
9. Adopt a Resolution Confirming the Continuing Existence of a Local Emergency at or Near 2378 Sir Francis Drake Boulevard, Fairfax, and Continuing Authorization for the Emergency Procurement of Materials and Labor without Competitive Bidding – *Interim Public Works Director Jonathon Goldman*
10. Receive Town Telecommunications Status Update – *Interim Public Works Director Jonathon Goldman*

PUBLIC HEARINGS (30 minutes)

11. Adopt an Urgency Ordinance Amending Section 17.048.010 of the Fairfax Municipal Code Regarding Accessory Dwelling Units and Determining the Ordinance to be Exempt from CEQA – *Planning Director Ben Berto, Town Attorney Janet Coleson*
12. ***This item is continued to February 2, 2022.***
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 Linda Neal, Town Attorney Janet Coleson*

REGULAR AGENDA (3 hours approximately)

13. Housing Sites Draft Inventory Discussion and Engagement Update – *Planning and Building Services Director Ben Berto* (60-90 minutes)
14. Discuss/consider short-term rental regulations and provide direction to staff – *Town Clerk Michele Gardner* (45-60 minutes)
15. Discuss/consider Council Board and Committee Assignments for 2022 – *Town Clerk Michele Gardner* (15 minutes)

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

Agenda Forecast

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 January 14, 2022.

/s/