



TOWN OF FAIRFAX

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

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Wednesday, July 6, 2022, at 6:30 pm

In-person at the Fairfax Women's Club, 26 Park Road
and via teleconference

Preceded by a Special Meeting to Conduct Interviews at 6:00 pm

Preceded by a Special Meeting in Closed Session at 5:15 pm (teleconference only)

ADVISORY NOTICE

This Meeting will be held both in-person and virtually for the protection of public health and safety, consistent with AB 361 during the declared state of emergency. It will be broadcast on Channels 27 and 99, and livestreamed on <https://www.townoffairfax.org/watch-live-2/> or <https://www.cmcm.tv/27>

How to participate in the meeting in person:

- * Stay home if you are experiencing any COVID-like symptoms (even if you test negative)
- * Face coverings are strongly recommended for attendees
- * All attendees are encouraged to be fully vaccinated and boosted
- * Attendance will be limited to no more than 20 persons and all in-person attendees should socially distance as recommended by public health authorities. If the seats in the chambers are occupied, please participate online instead.

How to participate in the meeting virtually: Zoom Webinar ID 880 3100 1183

*Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment:

<https://us02web.zoom.us/j/88031001183>

*Dial in to Zoom's telephone number +1(669) 900-9128 or +1(346) 248-7799 and press *9 to provide verbal public comment.

Before 3:00 pm on the day of the meeting you may **email** written comments to the Town Council to read and consider before the meeting. All emails are part of the meeting record.

Special Closed Session at 5:15 pm

Zoom Webinar ID 810 1647 3996

5:15 PM – CALL TO ORDER – ROLL CALL – APPROVAL OF AGENDA AND AFFIDAVIT OF POSTING

PUBLIC COMMENT ON CLOSED SESSION ONLY: <https://us02web.zoom.us/j/81016473996>

Public comment will be received on the closed session matter listed below before the Council adjourns to the closed session.

ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS:

CONFERENCE WITH LABOR NEGOTIATORS

Government Code section 54957.6

Agency Designated Representatives: Town Manager Heather Abrams, Finance Director Michael Vivrette, HR Consultant Deborah Muchmore, Town Attorney Janet Coleson

Employee Organization: Fairfax Police Officers' Association

Special Meeting to Conduct Interviews at 6:00 PM

5:15 PM – CALL TO ORDER – ROLL CALL– APPROVAL OF AGENDA AND AFFIDAVIT OF POSTING

1. Interview applicant Lisa Hillstrom and consider her appointment to the Parks and Recreation Commission (PARC) – Town Clerk
2. Interview applicant Iris Waskaw for appointment to the Fairfax Volunteer Board – Town Clerk

Regular Meeting at 6:30 PM

6:30 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.

PRESENTATIONS

1. Proclamation of Gratitude to Joan Bostian for her Contributions to the Community through the Women's Fitness Center – *Mayor Hellman*
2. Proclamation in Honor of Hamid Shamsapour – *Mayor Hellman*

OPEN TIME FOR PUBLIC EXPRESSION (Up to 30 minutes)

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). If there are still raised hands after 30 minutes, Open Time will be continued to the end of the agenda.

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.

3. Adopt Resolution Allowing for In-Person, Hybrid Teleconferenced, or Fully Teleconferenced Meetings of All Legislative Bodies Pursuant to the Provisions of AB 361 – *Town Clerk Michele Gardner*

4. Receive Financial Statement and Disbursement Reports May 2022 – *Finance Director Michael Vivrette*
5. Approve minutes for the June 1, 2022, Town Council meeting – *Town Clerk Michele Gardner*
6. Receive written report on Councilmembers' assignments, committees, and activities in June – *Administrative Analyst Lorena Barrera*
7. Adopt a Resolution Confirming the Continuing Existence of a Local Emergency at or near 195 Pine Drive, Fairfax, and Continuing Authorization for the Emergency Procurement of Materials and Labor Without Competitive Bidding – *Interim Public Works Director Hamid Shamsapour*
8. Adopt a Resolution Calling for a General Municipal Election to be held on November 8, 2022, for the Election of Certain Officers, Requesting the Marin County Board of Supervisors to Consolidate with any other Election Conducted on that Date, and Requesting Election Services of the County Elections Department – *Town Clerk Michele Gardner*
9. Adopt a Resolution Calling for an Election for Renewal of the Ross Valley Paramedic Authority Four-Year Special Parcel Tax at an Increased Rate for 2024-2027– *Town Clerk Michele Gardner*
10. Adopt a Resolution expanding membership of the Volunteer Board to include residents of the 94930-zip code area, limiting unexcused absences of board members, and setting terms of office three years from the date of appointment of individual members – *Town Manager Heather Abrams*
11. Appoint Iris Waskaw to the Volunteer Board – *Town Clerk Michele Gardner*
12. Reappoint Jack Judkins to the Open Space Committee – *Town Clerk Michele Gardner*
13. Adopt a Resolution extending the current terms for Temporary Outdoor Use Permits and Temporary Encroachment Permits to December 15, 2022 – *Town Manager Heather Abrams*
14. Second Reading and Adoption of an Ordinance Amending Town Code Title 17 (Zoning), Chapters 17.008 ('Definitions'), 17.052 ('Off-Street Parking and Loading Requirements'), Chapters 17.076 ('RS-7.5 Single-Family Residential Zone, Medium Density'), 17.080 ('RS-6 Single-Family Residential Zone, High Density'), 17.124 ('UR Upland Residential Zone'), Incorporating a Definition of "**Short-Term Rental**", Providing Parking Regulations for Said Short-Term Rental Use and Including Short-Term Rentals as Permitted Uses in All Single-Family Residential Zone Districts; and Introduce an Ordinance of Town Council of the Town of Fairfax Adding New Chapter 5.57 Entitled "Short-Term Rental Program"; and Adopt a Resolution Adopting Policies and Procedures For The Administration of the "Short-Term Rental Program" as Set Forth in Fairfax Town Code Chapter 5.57. This item is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §§ 15061(b)(3) and 15301(a) – *Town Attorney Janet Coleson*
15. Second Reading and Adoption of an Ordinance Amending Section 1.08.020(A), 'Violations Designated Infractions', of Title 1 of the Fairfax Municipal Code and Adding Chapter 8.74, 'Gasoline Powered Landscape Equipment,' to Title 8 of the Fairfax Municipal Code. This item is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines § 15061 – *Climate Action Coordinator Sean Youra, Town Attorney Janet Coleson*
16. Adopt a Resolution Adopting the Operating and Capital Improvement Budgets for Fiscal Year July 1, 2022, through June 30, 2023, and Providing for the Appropriation of Expenditures in Said Budgets and Repealing All Resolutions in Conflict Herewith – *Town Manager Heather Abrams, Finance Director Mike Vivrette*

17. Adopt a Resolution Making Certain Findings and Determinations in Compliance with Section XIII B of the California Constitution (Gann Initiative) and Setting the Appropriation Limit for Fiscal Year 2020-21 – *Finance Director*
18. Authorize the Mayor to send a letter in support of the services provided by the Fairfax-San Anselmo Children’s Center – *Town Manager Heather Abrams*
19. Authorize the Town Manager to prepare and submit the Fiscal Year 22-23 work plan to Marin County for the use of the Town’s Measure A park funds – *Town Manager Heather Abrams*
20. Adopt Resolution Authorizing the Town Manager to Execute First Amendment to Agreement with Ralph Andersen & Associates for Recruitment Services for Planning & Building Services Director – *Town Manager Heather Abrams*
21. Adopt Resolution Amending the Salary Schedule Reflecting an Adjustment to the Planning & Building Services Director and Public Works Director – *Town Manager Heather Abrams*

PUBLIC HEARINGS

22. ***This item is continued to August 3, 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 (Times listed are only approximate)

23. Discuss possible amendments to Town Code Chapter 5.54 ‘Just Cause Evictions’ and provide direction to staff – *Town Manager Heather Abrams (45 minutes)*
24. Adopt Resolution Authorizing the Town Manager to Execute a Professional Services Agreement with Interwest Consulting for Public Works Consulting Services – *Town Manager Heather Abrams, Town Attorney Janet Coleson (10 mins)*
25. Adopt a Resolution Appointing David Woltering as Interim Planning & Building Services Director and Approving Employment Contract – *Town Manager Heather Abrams, Town Attorney Janet Coleson (10 min)*
26. Discuss/consider Pavilion Seismic Retrofit Project additional funding request – *Interim Public Works Director Hamid Shamsapour (40 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, Lorena Barrera, Administrative Analyst 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 July 1, 2022.

/s/