



# TOWN OF FAIRFAX

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

## AGENDA

### REGULAR FAIRFAX TOWN COUNCIL MEETING

**Wednesday, August 3, 2022, at 6:30 pm**

Via Teleconference Only (no physical location)

Preceded by a Special Meeting in Closed Session at 5:30 pm via Teleconference Only

#### ADVISORY NOTICE

Due to the declared State of Emergency and to ensure public health and safety by limiting human contact that could spread the COVID-19 virus, and pursuant to AB 361 and Fairfax Town Council Resolution, there will be no in-person meeting location for the public to attend.

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>. The public may participate as described below.

\*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. Zoom Webinar ID 880 3100 1183.

**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 5:30 pm**

Zoom Webinar ID for Public Comment on Closed Session: <https://us02web.zoom.us/j/87872227835>

**5:30 PM – CALL TO ORDER – ROLL CALL – APPROVAL OF AGENDA**

#### **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.*

ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTER:

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 Organizations: Fairfax Police Officers' Association, Service Employees Union International ('SEIU') Local 1021; Unrepresented Employee Units

#### **Regular Meeting at 6:30 PM**

Zoom Webinar ID 880 3100 1183 <https://us02web.zoom.us/j/88031001183>

**6:30 PM – CALL TO ORDER – ROLL CALL**

**APPROVAL OF AGENDA**

**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 available on the Town website, or by contacting Town Clerk Michele Gardner, [mgardner@townoffairfax.org](mailto:mgardner@townoffairfax.org).

- Planning Commission
- Climate Action Committee
- Parks and Recreation Commission
- Volunteer Board
- Open Space Committee

## **PRESENTATIONS** (*Public comments on presentations are limited to 2 minutes each.*)

1. Presentation – *California State Senator Mike McGuire*
2. Presentation on Homelessness – *Ashley Harte Macintyre, Marin County Health and Human Services, and Marin Countywide Stormwater Pollution Prevention Program staff*
3. Library Garden Project – *Margaret Miles, Fairfax Branch Manager, Marin County Library*

## **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 2 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.*

4. 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*
5. Receive Financial Statement and Disbursement Reports June 2022 – *Finance Director Michael Vivrette*
6. Approve minutes for the May 13 and June 15, 2022, Town Council meetings – *Town Clerk Michele Gardner*
7. Receive written report on Councilmembers' assignments, committees, and activities in July – *Administrative Analyst Lorena Barrera*
8. Reappoint Mallory Geitheim to the Affordable Housing Committee – *Town Clerk Michele Gardner*

9. Receive Treasurer's Report for Quarter Ending June 30, 2022 – *Town Treasurer Janet Garvin*
10. Adopt resolution to set the living wage for Town employees and Town contract employees pursuant to the annual review requirements of Section 8.56.020 of the Town Code – *Finance Director Michael Vivrette*
11. 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 – *Town Manager Heather Abrams*
12. Receive Quarterly Financial Report on Department of Recreation and Community Services from April through June 2022– *Recreation and Community Services Manager Anne Mannes*
13. Adopt a Resolution Adopting a Trade-in and Rebate Program for Landscape Equipment – *Climate Action Coordinator Sean Youra*
14. Receive Quarterly Climate Action Status Update – *Climate Action Coordinator Sean Youra*
15. Approve Responses to Marin County Civil Grand Jury Report entitled *Electrifying Marin's Buildings: A Countywide Approach* – *Climate Action Coordinator Sean Youra*
16. Adopt Resolution Authorizing Notice Inviting Bids for 378 Scenic Road Storm Damage Repair, Town Project No. 51-813 – *Heather Abrams, Town Manager*
17. Adopt Resolution Authorizing Notice Inviting Bids for 78 Wreden Avenue Storm Damage Repair, Town Project No. 51-826 – *Heather Abrams, Town Manager*
18. Adopt a resolution of the Town of Fairfax approving an agreement with the County of Marin to purchase two undeveloped parcels on Upper Ridgeway Avenue to preserve open space and authorizing the Town Manager to execute the agreement and take all necessary actions to facilitate the purchase – *Town Attorney Janet Coleson*

#### **PUBLIC HEARINGS**

19. ***This item is continued to September 7, 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)

20. Introduce an ordinance of the Town of Fairfax adding Chapter 5.58 entitled "Parklets" to Title 5 of the Fairfax Town Code; introduce an ordinance of the Town of Fairfax amending Town Code Chapter 12.32 ("Temporary Carports and other Structures in the Public Rights-of-Way") to include separate processes for granting encroachment permits for residential structures from commercial parklet structures, amending Section 12.32.020 to regulate only residential structures and adding Section 12.32.025 to regulate commercial structures and amending Chapter 17.096 ("CH Highway Commercial Zone"), Section 17.096.040 ("Principal Permitted Uses and Structures") and Chapter 17.100 ("CC Central Commercial Zone"), Section 17.100.040 ("Principal Permitted Uses and Structures") to allow parklets as a permitted use and parklet enclosures with an encroachment permit issued by the Public Works Department for commercially developed properties in the CH and CC zone districts, and adopt a resolution of the Town of Fairfax adopting "Parklet Standards" and find it exempt from CEQA pursuant to Sections 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations– *Town Manager Heather Abrams (80 minutes)*

21. Receive Status Update on Green Building Reach Code and Ordinance Development – *Climate Action Coordinator Sean Youra* (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  
In memory of  
Judy Kantor, Tim Mazzola,  
Sarah (Sally) Bobst Chourré, and Ramakumar**

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](mailto: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](http://www.townoffairfax.org).

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

This meeting notice was posted in accordance with Government Code section 54954.2(a)(1) on or before July 29, 2022.