



TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930

(415) 453 - 1584 /FAX (415) 453-1618

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Thursday, October 6, 2022, at 6:30 pm

In-person at the Fairfax Women's Club, 46 Park Road and via Zoom teleconference

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

Preceded by a **Special Meeting in Closed Session** at 5:00 pm at Town Hall, 142 Bolinas Road

HYBRID MEETING ADVISORY NOTICE

This meeting will be held in person and, consistent with AB 361 during the declared state of emergency, the 6:30 pm meeting is also being held virtually on Zoom. 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 COVID-19 symptoms
- * Face coverings are strongly recommended for attendees
- * All attendees are encouraged to be fully vaccinated
- * All in-person attendees should socially distance as recommended by public health authorities. If all seats in the Chambers are 50% occupied, please participate online instead.

How to participate remotely:

- *Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment: HYPERLINK "https://us02web.zoom.us/j/88031001183" <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 5:00 pm, Fairfax Town Hall, 142 Bolinas Road

5:00 PM – CALL TO ORDER – ROLL CALL – APPROVAL OF AGENDA – PUBLIC COMMENT

ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTER:

Public Employee Performance Evaluation

Govt. Code Section 54957

Title: Town Manager

Special Meeting at 6:00 PM to Conduct Interviews

Women's Club and Zoom Webinar ID 880 3100 1183

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

6:00 PM – CALL TO ORDER – ROLL CALL

1. Interview and consider appointment of applicant Joe Franaszek to the Open Space Committee – *Town Clerk*
2. Interview and consider appointment of applicant PJ Feffer to the Planning Commission – *Town Clerk*

Regular Meeting at 6:30 PM

Women's Club and Zoom Webinar ID 880 3100 1183

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

6:30 PM – CALL TO ORDER – PLEDGE OF ALLEGIANCE

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 the Climate Action Committee, Parks and Recreation Commission, Volunteer Board, and Open Space Committee. Apply on the Town website, or by contacting Town Clerk Michele Gardner, mgardner@townoffairfax.org.

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 (10 minutes approximately)

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. 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*
2. Receive Financial Statement and Disbursement Reports August 2022 – *Finance Director Michael Vivrette*
3. Approve minutes for the August 9, 2022 Town Council meeting – *Town Clerk Michele Gardner*
4. Receive written report on Councilmembers' assignments, committees, and activities in September – *Administrative Analyst Lorena Barrera*

5. Adopt 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 – *Public Works Direct Loren Umbertis*
6. Approve agreement with the County of Marin for proceeds from the Marin Parks, Open Space, and Sustainable Agriculture Transactions and Use Tax Ordinance (Measure 'A') and revise composition of the Measure 'A' Committee– *Town Manager Heather Abrams*
7. Receive Climate Action Committee Annual Report and Plan – *Climate Action Coordinator Sean Youra*
8. Receive Climate Action Department Quarterly Update – *Climate Action Coordinator Sean Youra*
9. Adopt Resolution Amending Climate Action Committee Membership and Terms – *Town Clerk Michele Gardner*
10. Notice of Amendments to the Memorandum of Understanding (MOU) with the Service Employees International Union, Local 1021 (SEIU) for the Period of July 1, 2022, through June 30, 2024, and the Fiscal Year 2022-2023 Adopted Budget (Note: no Council action to be taken at this meeting) – *Town Manager Heather Abrams*
11. Notice of Amendments to the Memorandum of Understanding (MOU) with the Fairfax Police Officer's Association (FPOA) for the Period of July 1, 2022, through June 30, 2024, and Amending the Fiscal Year 2022-2023 Adopted Budget (Note: no Council action to be taken at this meeting) – *Town Manager Heather Abrams*
12. Notice of Amendments to the Resolution Establishing Wages and Benefits for Management and Confidential Employees and Part-time Employees for the Period of July 1, 2022, through June 30, 2024 (Note: no Council action to be taken at this meeting) – *Town Manager Heather Abrams*
13. Adopt Resolution Authorizing the Town Manager to Purchase and Outfit One Police Vehicle (Hybrid) in an amount not to exceed \$85,000 – *Police Chief Tabaranza*

REGULAR AGENDA (Times listed are only approximate)

14. Consider a Variance for 125 Live Oak (APN # 001-236-03) to have a 38-foot-wide driveway/parking deck per Town Code Chapter 12.12, and Code § 12.12.050 to access the Planning Commission approved single-family residence and ADU; Categorically exempt from CEQA, § 15303(a). – *Principal Planner Linda Neal (10 minutes)*
15. Petition from Neighbors regarding Concerns about Operations at Fairfax Lumber – *Interim Planning and Building Director David Woltering, Building Official Mark Lockaby (20-30 minutes)*
16. Adopt Resolution Adopting Fees for the Parklet Program for Inclusion in the Master Fee Schedule – *Interim Planning Director David Woltering (15 minutes)*
17. Discuss allowing amplified music in parklets and provide direction to staff – *Town Manager Heather Abrams (30 minutes)*
18. Discuss Green Building Model Reach Code and provide direction to staff – *Climate Action Coordinator Sean Youra (45 minutes)*
19. *This item is continued to October 11, 2022.* Introduce ordinances amending Title 5 of Town Code Chapter 5.54, Just Cause Evictions, and Chapter 5.55, Mandatory Mediation for Rental Increases, with a Rent Stabilization Program – *Town Attorney Janet Coleson (60 minutes)*

20. *This item is continued to November 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*

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.

This meeting notice was posted in accordance with Government Code section 54954.2(a)(1) on or before September 30, 2022.