



TOWN OF FAIRFAX

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

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Wednesday, November 2, 2022, at 6:30 pm

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

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 occupied, please participate online instead.

How to participate remotely:

- * 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.

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 ANY CLOSED SESSIONS

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

Join a Town Committee! There are vacancies on the Climate Action Committee, Parks and Recreation Commission, Volunteer Board, and Open Space Committee. See the [Town website](#) for details.

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 September 2022 – *Finance Director Michael Vivrette*
3. Approve minutes for the September 2022 Town Council meetings – *Town Clerk Michele Gardner*
4. Receive written report on Councilmembers' assignments, committees, and activities in October – *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. CEQA: exempt from the California Environmental Quality Act pursuant to section 15269(b)(d) of the State CEQA Guidelines. – *Public Works Direct Loren Umbertis*
6. Receive Treasurer's Report Quarter Ending September 30, 2022 – *Town Treasurer Janet Garvin*
7. Receive Public Works Projects and Programs Status Update – *Public Works Direct Loren Umbertis*
8. Reappoint Ted Pugh to the Tree Advisory Committee – *Town Clerk Michele Gardner*
9. Receive Fairfax Recreation and Community Services Department Quarterly Financial Report for July – September 2022 – *Recreation and Community Services Manager Anne Mannes*
10. Authorize the mayor to send a letter of concern to MTC and Caltrans regarding the Highway 37 Interim Solution and Elevated Causeway – *Town Clerk Michele Gardner*
11. Receive report of Town Hall closure and winter furlough days for Town Hall employees from December 23, 2022 to January 3, 2023 – *Town Manager Heather Abrams*
12. Adopt a Resolution Establishing the Regular Council Meeting Dates for the Months of January and July in 2023, and confirm 2023 regular meeting calendar – *Town Clerk Michele Gardner*
13. Authorize the mayor to send letter to the Marin County Board of Supervisors in support of Golden Gate Village Resident's Plan for Deep Green Renovations and a Pathway to Ownership – *Town Clerk*

REGULAR AGENDA

14. Discuss Electric Bicycle (“E-bike”) Safety Actions in Fairfax – *Town Manager Heather Abrams, Public Works Director Loren Umbertis, Police Chief Rico Tabaranza*
15. Adopt Ordinance Amending Chapter 5.54 “Just Cause Evictions” of Title 5 of the Fairfax Town Code and Adopt Ordinance Amending Chapter 5.55 “Mandatory Mediation for Rental Increases” of Title 5 of the Fairfax Town Code. CEQA: exempt from the California Environmental Quality Act pursuant to section 15061(b)(3) of the State CEQA Guidelines. – *Town Attorney Janet Coleson, Interim Planning and Building Services Director David Woltering*
16. Introduce Ordinance to Adopt the 2022 California Building Standards Code, California Code of Regulations, Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11 and 12, Which Consists of the California Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical Building, Existing Building, Green Building Standards, and Referenced Standards Codes, with Local Amendments, and Adopting the 2021 Edition of the International Property Maintenance Code. CEQA: exempt from the California Environmental Quality Act pursuant to section 15061(b)(3), or in the alternative sections 15307 and 15308, of the State CEQA Guidelines. – *Building Official Mark Lockaby, Climate Action Coordinator Sean Youra, Interim Planning and Building Services Director David Woltering*
17. Introduce Ordinance to adopt the 2022 California Fire Code, portions of the 2021 International Fire Code with certain local amendments and additions, and Appendix A of the 2021 International Wildland-Urban Interface Code. CEQA: exempt from the California Environmental Quality Act pursuant to section 15061(b)(3), or in the alternative sections 15307 and 15308, of the State CEQA Guidelines. – *Rob Bastianon, Sr. Fire Inspector, Ross Valley Fire Department*
18. *This item is continued to December 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*

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 Tom Shearer

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 October 28, 2022.