



TOWN OF FAIRFAX

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

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Wednesday, February 1, 2023 at 6:30 pm

Preceded by a Special Meeting to Conduct an Interview at 6:00 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 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
- * 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.

Special Meeting at 6:00 to Conduct an Interview

Women's Club and Zoom Webinar ID 880 3100 1183

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

1. Interview applicant Josh Weinik and consider his appointment to the Open Space Committee – *Town Clerk Michele Gardner*

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

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.

STATE OF THE TOWN

Brief verbal report from the Mayor and Town Manager

ANNOUNCEMENTS

Join a Town Committee! There are vacancies on the Affordable Housing Committee, Volunteer Board, Climate Action Committee, Parks and Recreation Commission, 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**. All comments are limited to 3 minutes, subject to the mayor's discretion. (Note: there is no extra time for groups.) 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 for November/December 2022 – *Finance Director Michael Vivrette*
3. Receive Treasurer's Report for Quarter ending December 31, 2022 – *Town Treasurer Janet Garvin*
4. Approve minutes for Town Council meetings – *Town Clerk Michele Gardner*
5. Receive written report on Councilmembers' assignments, committees, and activities in December and January – *Town Clerk Michele Gardner*
6. Receive report on Town Pavement Condition Index (PCI) Report, known as PTAP-23 – *Public Works Director Loren Umbertis*
7. Receive Climate Action update – *Climate Action Coordinator Sean Youra*
8. Receive Recreation and Community Services Department Quarterly Financial Report for October to December 2022 – *Recreation Manager Anne Mannes*
9. Receive update on Parklets and live music – *Town Manager Heather Abrams, Interim Planning and Building Services Director David Woltering*
10. Adopt a Resolution Terminating the Local Emergency Declared March 30, 2022 at or near 195 Pine Drive, Making a Supplemental Budget Appropriation, Accepting the Work as Complete and Directing the Issuance of a Notice of Completion for the Repairs Made – *Public Works Director Loren Umbertis*

11. Adopt Resolution to Retitle and Amend the Classification and Corresponding Specification and Pay Range of Deputy Town Clerk to Deputy Town Clerk / Administrative Analyst – *Town Manager Heather Abrams*
12. Approve adjustment to the Climate Action Coordinator pay range – *Town Manager Heather Abrams*
13. Adopt Resolution Amending Annual Salary Schedule for Fiscal Year 2022-23 to reflect Salary Range Adjustments for the Climate Action Coordinator and Deputy Town Clerk/Administrative Analyst positions – *Town Manager Heather Abrams*
14. Adopt a resolution to change the regular monthly Planning Commission meeting date from the 4th Thursday of each month to the 3rd Thursday of each month – *Interim Planning and Building Services Director David Woltering, Principal Planner Linda Neal*
15. Reappoint Cindy Swift to another term on the Planning Commission – *Town Clerk Michele Gardner*
16. Reappoint PJ Feffer to another term on the Planning Commission – *Town Clerk Michele Gardner*
17. Receive informational update regarding the Sixth Cycle Housing Element Update Project – *Interim Planning and Building Services Director David Woltering*
18. Adopt Resolution Authorizing the Town Manager to Execute an Amended and Restated Agreement with 4Leaf Inc. for Contract Planner Services – *Town Manager Heather Abrams*
19. Adopt Resolution confirming and continuing the existence of a local emergency declared on January 5, 2023 – *Town Manager Heather Abrams*
20. Receive Information Related to Remote Participation in Public Meetings After February 28, 2023 – *Town Manager Heather Abrams*
21. Authorize the Town Manager to enter into an agreement with the Town of Ross to provide and receive occasional and intermittent police services during the period February 1, 2023 through June 30, 2023 – *Town Manager Heather Abrams, Police Chief Rico Tabaranza*
22. Adopt Proclamation Celebrating Black History Month – *Mayor Cutrano*
23. Adopt Proclamation of Gratitude for Public Works Crew during winter storms – *Mayor Cutrano*
24. Adopt Resolution Authorizing the Temporary Closure of Certain Streets and Portions thereof, to Allow a Little League Opening Day Parade on March 11, 2023, and approve sponsorship – *Town Clerk*
25. Adopt a resolution authorizing a supplemental appropriation of \$15,803 to cover unanticipated costs associated with 378 Scenic and 78 Wreden Road Repair and Rehabilitation Projects – *Public Works Director Loren Umbertis*

REGULAR AGENDA (3 hours approximately)

26. Discuss and consider Residents' Petition submitted per Town Code regarding Ordinance Nos. 870 and 871, and direct staff as appropriate – *Town Manager Heather Abrams*
27. Discuss/Consider Town Council Board & Committee Assignments for 2023 – *Town Clerk Michele Gardner*
28. Authorize the Town Manager to execute Agreement with Marin County Sheriff's Office for Participation in the "Specialized Investigation Unit" – *Police Chief Rico Tabaranza*

29. *This item is continued to March 1, 2023.* 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 Gov. Code section 54954.2(a)(1) on or before January 27, 2023.