



# TOWN OF FAIRFAX

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

## AGENDA

### REGULAR FAIRFAX TOWN COUNCIL MEETING

Wednesday, March 1, 2023 at 6:30 pm

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

Fairfax Women's Club, 46 Park Road

The Council will meet in person. Members of the public may attend in person, by Zoom, or by telephone.

**How to Participate in-person:** Come to the Women's Club at 46 Park Road, Fairfax.

**How to participate by Zoom:** Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment: <https://us02web.zoom.us/j/88031001183> (Zoom Webinar ID 880 3100 1183)

**How to participate by telephone:** Call 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)

**By email:** send written comments to the Town Council by 3:00 pm on the day of the meeting to read and consider before the meeting. Emails are part of the meeting record.

Regular meetings are broadcast on Channels 27 and 99 and livestreamed on <https://www.cmcm.tv/27> or <https://www.townoffairfax.org/watch-live-2/>.

### **Special Meeting at 6:00 to Conduct Interviews and Make Appointments**

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 applicants to the Open Space Committee and the Community Emergency Preparation Committee – *Town Clerk Michele Gardner*

### **REGULAR MEETING 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 – ROLL CALL – PLEDGE OF ALLEGIANCE**

#### **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.

## **PRESENTATIONS**

1. Presentation of a Proclamation to David Woltering, Interim Planning and Building Services Director
2. Presentation from PG&E regarding Smart Meter Implementation – *Mark Van Gorder, PG&E Government Affairs, North Bay*

## **ANNOUNCEMENTS**

Join a Town Committee! There are vacancies on the Planning Commission, Affordable Housing Committee, Volunteer Board, Climate Action Committee, Parks and Recreation Commission, and Open Space Committee. The Town is also seeking a representative to the Marin Commission on Aging. 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.*

3. Receive Financial Statement and Disbursement Reports for January 2023 – *Finance Director Michael Vivrette*
4. Approve minutes for the November 2 and 11, 2022 Town Council meetings – *Town Clerk Michele Gardner*
5. Receive written report on Councilmembers' assignments, committees, and activities in February – *Town Clerk Michele Gardner*
6. Adopt a Resolution opposing Initiative No. 21-0042A1, the Taxpayer Protection and Government Accountability Act – *Town Manager Heather Abrams*
7. Adopt a Resolution Establishing the Council's Regular Meeting Date in July 2023 on July 12, 2023 – *Town Clerk Michele Gardner*
8. Adopt a Resolution Terminating the Local Emergency Declared by the Town Manager on January 5, 2023 and ratified by Resolution 23-02 by the Town Council on January 10, 2023 as a result of the December and January winter storms – *Public Works Director Loren Umbertis*

## **REGULAR AGENDA**

9. Receive 2022-23 Mid-Year Budget Review Report – *Finance Director Michael Vivrette, Town Manager Heather Abrams,*
10. Receive and Discuss report on Town Pavement Condition Index (PCI) Report, known as PTAP-23, and Authorize Town Manager to execute an amendment in the amount of \$66,720 to the contract with Pavement Engineering Inc (PEI) to develop Bid Documents including Plans and Specifications for proposed Roadway Improvements for Fiscal Year 2022- 2023 – *Public Works Director Loren Umbertis*

11. Discuss fencing along banks of Fairfax Creek from School St to Town Hall and direct staff to proceed with design and solicitation of bids for construction – *Public Works Director Loren Umbertis*
12. Discussion of an offer of a land donation from the Cresci Family for a property near the Canyon Road bridge; Assessor's Parcel # 003-044-19; RS-6 Residential Single-family Zone – *Linda Neal, Principal Planner*
13. Introduce a Reusable Foodware Ordinance and Introduce an Ordinance Prohibiting the Sale of Polystyrene Foam Coolers and Ice Chests – *Climate Action Coordinator Sean Youra, Town Attorney Janet Coleson*
14. Introduce an Ordinance Establishing Regulations for the Land Division and Development of Qualified Senate Bill 9 Properties. Statutorily exempt from CEQA. – *Town Attorney Janet Coleson*
15. *This item is continued to April 5, 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](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 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 February 24, 2023.