

AGENDA

REGULAR FAIRFAX TOWN COUNCIL MEETING

Fairfax Women's Club, 46 Park Road

Wednesday, October 17, 2007 at 7:30 p.m.

Preceded by a Special Meeting Closed Session at 6:30 p.m. at the Youth Center, 16 Park Rd.

6:30 PM – SPECIAL MEETING - CLOSED SESSION

CALL TO ORDER

Convene in Open Session at the Youth Center, 16 Park Road

Adjourn to Closed Session on the following matters:

CONFERENCE WITH LEGAL COUNSEL pursuant to Government Code Section 54956.9(a),
PENDING LITIGATION, Marin Superior Court No. CV 064668, Legnitto v. Town of Fairfax;
and Marin Superior Court No. CV 074051, North Bay Coalition to Support Plastic Bag
Recycling v. Town of Fairfax; and

CONFERENCE WITH LEGAL COUNSEL pursuant to Government Code Section 54956.9(b),
ANTICIPATED LITIGATION, two potential cases

7:30 PM – CALL TO ORDER – OPEN SESSION – WOMEN'S CLUB, 46 PARK ROAD

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENT OF CLOSED SESSION ACTION

APPROVAL OF AGENDA AND AFFIDAVIT OF POSTING

MEETING PROTOCOL

The Mayor shall maintain order at the meetings in accordance with Robert's Rules of Order and the Council has a responsibility to be a model of respectful behavior in order to encourage community participation and citizen input at Council 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.

The Town Council will review the agenda at **10:00 P.M.** to ascertain which items will be heard that evening and which, 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. Please turn all cellular phones off or place in silent mode.

ANNOUNCEMENTS

Annual Halloween Parade sponsored by the Fairfax Chamber of Commerce, Wednesday, October 31st, 5 p.m. in front of Fairfax Theater, ending at Fairfax Park

Cascade Canyon Emergency Siren location meeting, Wednesday, October 24th, 7 p.m., at the Women's Club

Town Council Strategic Planning, Saturday, October 27th, 9:30 a.m. to Noon, at the Women's Club

Presentation of Fairfax creeks study, Matt Smeltzer, November 10th, 10:00 a.m. to Noon, at the Women's Club

New members welcome on General Plan Advisory Committee

New members welcome on the Fairfax Youth Commission, Ages 14 to 19, Ross Valley residents

OPEN TIME FOR PUBLIC EXPRESSION (3 minute time limit per person) - If you wish to address the Council, please approach the podium and state your name and address. Individuals have 3 minutes to speak, 5 minutes if representing a group. This is the time set aside for individuals wishing to address the Council on matters not listed on the agenda. State law (Government Code Section 54954.2) provides that Council is not permitted to take action and 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.

PUBLIC HEARING (Continued from September 19th)

1. 183 Frustuck Avenue; Appeal # 07-28 - Appeal of the Planning Commission's approval of a Hill Area Residential Development Permit, Excavation Permit and Encroachment Permit to construct a 3,050sf single-family residence, a 610sf garage and a 134sf utility room for a total square footage of 3,794sf single-family residence (includes a 610sf garage); Assessor's Parcel No. 003-193-13; Residential Single-family RS 6 Zone; Shane Deal, owner; Niccolo Caldararo, appellant; CEQA categorically exempt, § 15303(a); Adoption of Resolution No. 2513, A Resolution of the Town Council of the Town of Fairfax regarding the Decision on Appeal No. 07-28 (continued from 9-19-07)

CONSENT CALENDAR (Members of the audience may address any item on the Consent Calendar at this time)

2. A Proclamation declaring Sunday, October 21st, 2007, as *Take a Step For Marin Abused Women's Services* to honor MAWS on the occasion of their 30th anniversary, Brandborg
3. Adoption of Resolution No. 2516, A Resolution of the Town Council of the Town of Fairfax Adopting the Police Department Plan to Allocate Funds for The Citizens Option for Public Safety (Cops) Program for 2007-2008

REGULAR AGENDA

4. Introduction and First Reading of Ordinance No. 725, A Social Host Liability Ordinance for Underage Drinking, Maggiore
5. Second Reading and Adoption of Ordinance No. 723 amending Ordinance No. 721 to permit the use of tandem parking for the second unit amnesty period only, Brandborg
6. Status Report on Wall Property, Tremaine
7. Discussion and consideration of the adoption of Resolution No. 2517, A Resolution of Intention of the Fairfax Town Council to initiate an amendment to Chapter 17.020 of the Fairfax Town Code to include design criteria encouraging the use of sustainable construction

and landscaping (Recommended by the Design Review Board)

8. Status report and discussion about the Ross Valley Sanitary District's sewer replacement project that runs from the end of Meadow Way along Cascade Creek to Bolinas Road, and coordination of utility district projects, Bragman
9. Request from Electric Auto Association to allow public access to the Town's small paddle inductive electric car charger

COUNCIL REPORTS AND COMMENTS (Brief announcements and reports on Councilmember activities, including reports from meetings attended at Town expense)

ADJOURNMENT in honor of Otis Guy on the occasion of his retirement from Ross Valley Fire, Weinsoff

If any of the matters described above are 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 Town Hall at 453-1584.

I, Judy Anderson, Town Clerk of the Town of Fairfax, County of Marin, State of California, do hereby certify that I posted a copy of this Agenda at three public places in the Town of Fairfax, to wit: 1) Bulletin Board, Town Hall Offices; 2) Bulletin Board, Fairfax Post Office, and 3) Bulletin Board, Fairfax Women's Club and that each of said postings was completed on the 11th day of October, 2007.

In an effort to make our agendas available in a more timely and efficient manner, we have created a noticing list for the distribution of Town Council agendas via email. If you would prefer to receive Town Council agendas via email, please provide your email address to the Town Clerk at janderson@townoffairfax.org