

7/14/86

2. Uniform Building Code Standards, 1985 Edition
3. Uniform Housing Code, 1985 Edition
4. Uniform Code for the abatement of dangerous buildings, 1985 Edition

AYES: All (5)

COPY

Adoption of Ordinance No. 550, amending Chapter 10 of the Fairfax Town Code, adopting the Uniform Fire Code and Uniform Fire Code Standards, 1985 Edition.

Ordinance No. 550
Amending Chapter 10 of the Fairfax Town Code
adopting the Uniform Fire Code and
Uniform Fire Code Standards, 1985 Edition

M/S, Egger-Duncan to waive further reading of Ordinance No. 550, amending Chapter 10 of the Fairfax Town Code, adopting the Uniform Fire Code and Uniform Fire Code Standards, 1985 Edition.

AYES: All (5)

Prior to the motion for adoption, Councilmember Egger stated, and the Council concurred, that if the ordinance did not currently provide requirements for non-combustible roof materials, it be brought back to Council.

M/S, Egger-Duncan to adopt Ordinance No. 550, amending Chapter 10 of the Fairfax Town Code, adopting the Uniform Fire Code and Uniform Fire Code Standards, 1985 Edition.

AYES: All

NEW BUSINESS

Correspondence and petition requesting public acquisition of property at the end of Canyon Road

Town Administrator Cate indicated that the Town had received correspondence from a Mr. Arguimbau of 697 Cascade Drive stating that he and others who live in the area of Cascade Drive and Canyon Road had received a letter from a person who had recently inherited some two acres at the end of Canyon Road. In that letter the owners of the inherited property were inquiring of the neighbors if they were interested in purchasing the property. Administrator Cate stated that development in that area would be difficult at best and that the property owners in the area are quite concerned that steps be taken to assure that the property would not be developed, and that it be added to the Elliott Nature Preserve. Mr. Cate advised the Council that he did in fact inform Mr. Arguimbau that the Town was not in a financial position to make such an acquisition, but would be happy to play a role in coordinating dedication or use our offices to work with the Marin County Open Space District in arranging for purchase.

Mr. Arguimbau of 697 Cascade Drive addressed the Council. He stated that the property in question was approximately 600 feet in length and 150 feet deep and runs from the end of Canyon Road out past the end of Cascade Drive with a small trail running through it. He indicated that presently there was no economically feasible way to develop this land, but that eventually it could be developed. He also mentioned that the price at the present time is lower than it ever will be and that now would be the opportune time to purchase the land prior to the tax revisions contemplated. In circulating his petition, he was impressed that 90% of the people approached signed it.

M/S, Lippi-Duncan to favor asking staff to investigate any way at all the Town can assist in coordinating dedication to the Town or the Marin County Open Space District and report back to Council

on the options that are available.

AYES: All (5)

Authorization to bid, Storm Damage Repair Projects

Town Administrator Cate stated that the Town Engineer had finalized the design and plans and specifications for repair work which will require going to formal bid on a total of five projects requiring repair and restoration as a result of the February 1986 storm. The projects proposed for bid were:

1. Removal of debris from the Marin Town and Country Club site, \$11,000
2. Repair slipout at 205 Pine Drive, \$90,000
3. Retaining wall replacement (at Berry Trail and across from 355 Scenic), \$38,500
4. Repair slipout on Upper Scenic Road, \$44,000
5. Repair roadway washout at 64 Spring Lane, \$11,000

Town Administrator Cate stated that the proposed bids came to a total dollar figure of \$194,500 and that reimbursement in full for the costs would come from a combination of Federal and state disaster funds. He recommended that Council authorize the Town Engineer to advertise for bids on the repair projects, with a special call for bids for debris removal from the Marin Town and Country Club site in ten (10) days.

M/S, Duncan-Lippi to authorize the Town Engineer to advertise for bids on the storm damage repair projects.

AYES: All (5)

M/S, Lippi-Duncan to proceed with a special call for bids for debris removal from the Marin Town and Country Club site in ten (10) days.

AYES: All (5)

Recommendation to execute agreement with U.S. Soil Conservation Service, Cascade Creek Project

Town Administrator Cate stated that this was the second step in proceeding with the Emergency Protection Program along Cascade Creek that was previously agreed to by Council wherein the Town would act as sponsor to enable certain property owners to receive grant funding for emergency restoration work. He indicated that the project was under design and that the Council would be requested to authorize obtaining bids at their August 11 meeting.

M/S, Duncan-Lippi to authorize the Town Administrator to execute the agreement between the Town and the Soil Conservation Service.

AYES: All (5)

Report on Moratorium Initiative Petition:

a. Certificate of Town Clerk regarding Initiative Petition

M/S, Lippi-Egger to accept the Certificate of the Town Clerk regarding an Initiative Petition as having sufficient valid signatures to qualify as a valid Initiative Petition.

AYES: All (5)

Mayor Sherman then called a Regular Adjourned Council Meeting for July 21, 1986 at 8 P.M. to further discuss the Initiative Petition.

the Town Council. The expiration date of the current agreement with Fairfax Garbage Disposal Company is June 30, 1988. They are requesting an extension of time to June 30, 1998, with the option to renew the contract for another fifteen year period. In addition, they are asking for an update of other matters that were in the previous franchise agreement (free pick-up service twice a year, recycling, etc.).

Mayor Sherman opened the Public Hearing.

Mr. Al Bianchi, legal counsel for the company, thanked the Council and staff for their cooperation.

Mayor Sherman closed the Public Hearing.

Mayor Sherman stated that the Council will consider the resolution regarding the above matters at the February regular meeting.

Request for variance to allow a 30 foot curb cut at 93 Meernaa to accomodate a 3 car garage approved by the Planning Commission.

A three car garage at 93 Meernaa Avenue was approved by the Planning Commission on October 23, 1986, subject to approval of the design of the garage by the Fairfax Design Review Board. The Design Review Board approved an amended design of the proposed garage on November 13, 1986. The Fairfax Town Code Section 20-42 limits the size of residential curb cuts to twenty feet and therefore the applicant is requesting a variance to increase the size of the existing curb cut to thirty feet to accommodate the garage. The proposed curb cut would not be eliminating any existing street parking spaces.

Mayor Sherman opened the Public Hearing.

There being no testimony, Mayor Sherman closed the Public Hearing.

M/S, Lippi-Baker, move to approve application 86-V-33 to increase an existing curb cut to thirty feet subject to conformance with the approved variance 86-V-29 and design review 86-DR-9.

AYES: All (5)

NEW BUSINESS

Request by Marin County Open Space District for transfer of title of 38 acres of Town owned land in the Elliott Nature Preserve to the District as a condition of the Minkel property purchase.

In July, 1986, the Council received a petition from residents at the end of Cascade Drive and Canyon Road requesting that the Town take steps to see that a two acre parcel of land, owned by the Minkel family, be brought under public ownership and be made a part of the Elliott Nature Preserve. The property was brought before the Board of Directors of the Marin County Open Space District for consideration and agreement was reached to purchase the property with \$28,000 being allocated from the District, another \$2,000 coming from concerned neighbors, and \$1,000 from the Town of Fairfax. A condition of purchase was that the Town transfer ownership of the Town owned 38 acres abutting the Preserve. The properties could then be under the unified umbrella of the Open Space District and governed by their open space policies, and the County would maintain the property as well as assume full liability for any future problems.

Mr. Don Dimitratos, representing the Open Space District, stated that the District's policies are more strict than the Town's.

Mr. Martin Siem, 673 Cascade Drive, stated that the District has not been a good "neighbor" in that some rip-rap they had installed cause some erosion on his property.

Ms. Helen Wright, property owner on Cascade Drive, expressed

concern with the protection of Fairfax's rights once the property is transferred.

Mr. Nick Arguimbau, 697 Cascade Drive, stated that if the Council were to vote against the proposal, the unfortunate consequence would be that the two acres would probably be developed.

Councilmember Egger, in a memorandum to the Council, expressed the following concerns:

1. Will transfer of the title of the Elliott Nature Preserve require the Town to reimburse the State either the amount of the grant monies use to purchase it or today's fair market value?
2. Will the Town have to meet other State Law requirements for disposal of Town owned property even though it is going to a County agency?
3. Do we have to first offer the land to either local or state agencies?
4. Will County ownership now make the end of Cascade Drive a destination place by advertising it regionally and in the end a parking lot?

He expressed concern with the loss of Park lands and stated that the property should remain in control of the Town.

M/S, Lippi-Duncan, move to approve the request from the Marin County Open Space District for transfer of title of the 38 acres of Town owned land in the Elliott Nature Preserve to the District as a condition of the Mikel property purchase with the following conditions:

1. That there be a deed restriction that would stipulate that the property would revert back to the Town of Fairfax ownership if the County Open Space District should attempt to sell, trade, or exchange the property,
2. That the County Open Space District and the County dedicate this property to open space,
3. The District is prohibited to make any permanent improvements without the consent of the Town of Fairfax.

AYES: Baker, Duncan, Lippi, Mayor Sherman (4)

NOES: Egger (1)

Recommendation to adopt Emergency Ordinance No. 561, providing for a one year moratorium on accepting applications for second units.

Community Development Director Marion stated that the draft Urgency Ordinance places only a 45 day pause on acceptance of accessory residential unit applications, rather than the 12 month maximum period discussed by the Planning Commission and the Town Council. She stated that recent changes in State law limit the effective period of an initial urgency ordinance to 45 days. In order to extend the urgency ordinance it will be necessary to hold a legally noticed public hearing, issue a report as to the emergency conditions and the plans to rectify the situation, and introduce and adopt a subsequent ordinance. The pause will allow staff the opportunity to assess the type and conditions of existing accessory units.

M/S, Duncan-Egger, move to waive further reading of Ordinance No. 561, an urgency ordinance suspending acceptance of applications and issuance of permits for residential accessory units authorized by Article 22 of the Fairfax Zoning Ordinance.

AYES: All (5)

M/S, Duncan-Baker, move to adopt Ordinance No. 561, an urgency ordinance suspending acceptance of applications and issuance of permits for residential accessory units authorized by Article 22 of the Fairfax Zoning Ordinance.

modification, if necessary, to allow natural wood exteriors for downtown buildings, and further recommended a theme be set for the downtown area (possible Alpine village). Councilman Egger recommended representation for the town in meeting and finding solutions to regional problems.

At suggestion of Councilman Egger, majority of council agreed to change seating arrangement at council table. City Attorney and City Administrator to sit at level with members of city staff. Councilman Egger stated this would give the audience proper perspective. Councilmen Nelder and Souza objected to the reseating.

Referring to Elliott property at end of Cascade Drive (500 acres), Councilman Egger stated that this property is possibly faced with development. Councilman Egger advised that "People For Fairfax Cascades" (a group of Marinites formed to preserve the land by purchase of the property) requested to appear before council. Future agenda item.

Councilman Egger next referred to the Baxter, McDonald & Company governmental Consolidation study. Councilman Parkerson commented at this point on Phase 2 of city facilities - firehouse development. He stated he was not in favor of the proposal, and to proceed with the project would not be in the best interest of the town.

Councilman Parkerson moved, Councilman Egger seconded, for purpose of discussion, that no further money be spent by architect on Phase 2, firehouse facility, until a full evaluation of the benefits of the Baxter, McDonald & Company study has been received.

Councilman Souza commented that this meeting was scheduled as a workshop session, with no formal agenda, and therefore no motions should be made. Mayor Gately replied that the motion was not out of order, since this is an adjourned meeting.

Commenting to the motion, Mayor Gately stated he opposed discontinuing the expenditure of monies at this stage, as stopping the work now would waste a large portion of the money. The Mayor offered the following criteria: (1) economic feasibility; (2) can it be done without encroachment on the park; (3) will facility be overwhelming for that corner of the park.

Councilman Parkerson stated that the intent of his motion was to establish that action taken thus far on expenditure of funds to design firehouse was, in his opinion, not based on strong rationale as to benefits to the city.

Following brief discussion, motion and seconded withdrawn.

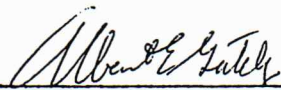
At suggestion of Councilman Souza, Mayor Gately directed that discussion of implementation of Phase 2 - fire and police facilities - be scheduled for adjourned meeting on May 23, 1972. Representative from Baxter, McDonald & Company to make presentation, if possible.

At request of Councilman Egger, city staff to contact representative of "People for Fairfax Cascades" regarding presentation at May 23rd adjourned meeting. Mayor Gately directed first agenda item will be city facilities.


Councilman Parkerson requested the City Administrator to include a progress report on the Sir Francis Drake intersection in list of priorities.

Adjourned at 10:15 P.M. to 8:00 P.M., May 23, 1972.

Meeting adjourned,


Mayor

ATTEST:


City Clerk

instructed to determine if the loan company violated the town code in connection to city ordinance relative to sale of property.

People for Fairfax Cascades

Councilman Egger requested that "People for Fairfax Cascades" be contacted and invited to make presentation at May 23rd adjourned meeting.

Duplex at 159 Porteous

Councilman Egger referred to discussion at the May 11, 1972, Design Review Board meeting on above-captioned item. Councilman Egger expressed concern regarding a culver under the residence. Mayor Gately stated he would discuss this with the Chairman of the Design Review Board.


Councilmen's Salaries

At request of Councilman Parkerson, City Administrator directed to obtain legal opinion from City Attorney relative to method by which councilmen's salaries may be adjusted.

Adjournment

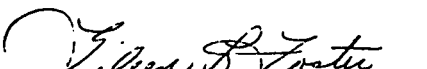
At 11:55 P.M. it was unanimously moved and seconded to adjourn to May 23, 1972, at 8:00 P.M.

Meeting Adjourned



Mayor

ATTEST:



City Clerk

Following brief discussion, motion and seconded withdrawn.

At suggestion of Councilman Souza, Mayor Gately directed that discussion of implementation of Phase 2 - fire and police facilities - be scheduled for adjourned meeting on May 23, 1972. Representative from Baxter, McDonald & Company to make presentation, if possible.

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Adjourned at 10:15 P.M. to 8:00 P.M., May 23, 1972.

Meeting adjourned,


Mayor

ATTEST:


City Clerk

IN THE COUNCIL CHAMBERS OF THE CITY OF FAIRFAX

June 12, 1972

Regular meeting of the Fairfax City Council called to order by Mayor Gately at 8:00 P.M. on Monday, June 12, 1972.

Present: Councilmen Egger, Nelder, Parkerson, Souza (arrived 8:15 P.M.) and Mayor Gately. Also present: City Attorney Myers, City Administrator Crowe, Acting Police Chief Grasso

White Hill
Students
Participa-
tion in
City Govern-
ment Day

Introduction of Participants in City Government Activities Day

Mayor Gately introduced and welcomed the following eighth grade students from White Hill School, participants in City Government Activities Day, who led the Pledge of Allegiance to the Flag:

Larry Brookins, Mayor
Dan McDermott, Mayor pro tempore
Jan Peterson, Councilman
Gretchen Schlant, Councilman
Ann Parkerson, Councilman
Gary Foster, City Administrator
Julie Roberts, City Attorney
Kim Ingraham, City Clerk
Chuck Dahl, Police Chief

Approval of
Minutes

Approval of Minutes

Councilman Egger moved, Councilman Parkerson seconded, to approve minutes of May 2, 8 and 23, 1972, as distributed.

AYES: All

Approval
of Warrants

Approval of Warrants

Councilman Egger moved, Councilman Nelder seconded, that warrants #6250 thru #6330 in the amount of \$27,985.58 and payroll checks in the amount of \$30,127.69 be approved.

AYES: All

People for
Fairfax
Cascades
Presenta-
tion

People for Fairfax Cascades Presentation

Karin Urquhart, member of "People for Fairfax Cascades", explained that the group's objective is to save the 500 acres of the Floyd Elliott property at the end of Cascade Drive from development by having it purchased and allowing it to remain in its natural state. Colored slides of the area, picturing meadows, streams, hiking trails and hilltop views were shown. Mrs. Urquhart urged City Council to request that the Marin County Parks and Recreation Department give the Elliott property top priority for public purchase.

Question and answer period followed the presentation.

All councilmen expressed the opinion that this property should be preserved for a natural park area.

Councilman Egger moved, Councilman Parkerson seconded, that the City of Fairfax endorse the "People for Fairfax Cascades" and their proposal to preserve the Elliott property in the Fairfax Cascades for permanent open space through acquisition.

AYES: All

Letter from Jean Vaccaro regarding Animal Control Ordinance

Clerk read a letter dated May 24, 1972 from Jean Vaccaro protesting the manner in which the Humane Society is enforcing the animal control ordinance. Mrs. Vaccaro complained that her dog had been followed home by a Humane Society officer on five different occasions, and stated that she had refused to sign the citation as her way of showing her dissatisfaction with the animal control ordinance and the manner and attitude in which the drivers issue citations.

Mayor Gately indicated his agreement with members of the audience when they stated that the roaming dog problem was greater in the downtown area than in residential neighborhoods, and stated that he would personally contact the Humane Society to discuss their pickup policies and to request that they concentrate their efforts in the downtown area.

Open Space Preservation Program submitted by Marin County Parks and Recreation Department

City Administrator read above-captioned correspondence dated May 17, 1972. Mr. Crowe advised that the Marin County Parks and Recreation Department is asking cities to endorse this general concept with regard to the procedures to be followed in the acquisition and maintenance of open space areas within the County of Marin.

Councilman Souza moved, Councilman Nelder seconded, that the Fairfax City Council reaffirm support for Open Space Preservation Program.

Discussion followed.

Councilman Parkerson was of the impression that this program would lend assistance as to how priorities would be established when and if a Regional Park District was formed.

Complaint
from Jean
Vaccaro re
Animal
Control
Ordinance

Open Space
Preserva-
tion Program

Marin County Solid Waste Study

Following a discussion of Marin County Solid Waste Study and town representation on the Solid Waste Management Committee, M/s, Souza-Parkerson, that the Town support the Marin County Solid Waste Study. Councilman Souza amended motion: to proceed with selecting an appointee to Solid Waste Management Committee, and notify Chairman of the County Committee of this action.

AYES: All

The Mayor announced that applications are being received from residents for membership on the County's Solid Waste Committee. Elisa Carlson and Gloria Duncan volunteered for appointment.

Bus Depot Agreement

M/s, Parkerson-Souza, to approve extension of bus depot operating agreement between Louis Puccinelli and Town of Fairfax to June 16, 1973, at a monthly subsidy of \$125.00.

AYES: All

Council requested that Mr. Puccinelli furnish a full financial statement prior to June, 1973.

Open Space Priorities

Councilman Egger referred to Council for consideration as open space priority the Harry Brogioli property on Sir Francis Drake opposite the Oak Manor shopping center (AP 1-271-16). Councilman Egger stated that by keeping this parcel undeveloped it serves as a visual break from development, makes the ride through Fairfax toward west Marin more enjoyable, and gives public access to a stretch of approximately 350' of the Fairfax creek. He noted that this fiscal year the county has budgeted \$700,000, this amount being separate from the countywide park and open space district, and which could be used to purchase property under immediate threat. Councilman Egger suggested presenting both the Cascades and Brogioli property to the county as open space priorities

M/s, Egger-Parkerson, to respond to County Department of Parks & Recreation letter of November 6, 1972, and recommend the acquisition of the Harry Brogioli property on Sir Francis Drake, which is shown in both Fairfax area general plan and countywide plan as creek and stream preserve, and that the town further notify the county that by the first of the year the Council will submit complete priority list of open space lands for the Town of Fairfax.

Karen Urquhart expressed concern that efforts to acquire the Brogioli property might ruin chances for future county purchase of the Cascade property.

Thereafter, Councilman Egger amended motion to include Fairfax Cascades (Elliott property), as well as Brogioli property.

Councilman Nelder made substitute motion, seconded by Councilman Souza, to table original motion to regular January meeting. Councilman Souza amended substitute motion, staff to prepare report of priorities for regular January meeting.

AYES: COUNCILMEN Nelder, Souza, Gately
NOES: COUNCILMEN Egger, Parkerson

The Mayor directed that open space priorities be the first agenda item at regular January meeting and urged all citizens who have recommendations regarding open space land to attend the meeting.

Oral Communications

Flood Insurance

Heard request from Richard Chinlund that the Council consider participation in federal flood insurance program.

Continued to regular January meeting. Staff to report on ramifications of flood insurance.

Parkade Christmas Decorations

Council joined Councilman Nelder in commending all those responsible for this years holiday decorating of the downtown area, the parkade in particular.

Tiny Tots Equipment

At request of Park & Recreation Commission, M/s, Souza-Nelder, to appropriate \$150 from Unappropriated Parks & Recreation Fund Reserve.

AYES: All

Dorothy Olson, Director Tiny Tots Program, advised that tumbling mats will be purchased.

Appointments to Park & Recreation Commission

M/s, Gately-Nelder, to appoint Irma Kay and Gratia Landley to the Park & Recreation Commission, to fill vacancies created by Joe Martinez and Roman Hainski.

AYES: All

Terms of office to expire April 5, 1976.

Recessed at 9:50. Reconvened at 10:00 P.M. with all councilmen present.

IN THE COUNCIL CHAMBERS OF THE TOWN OF FAIRFAX

January 8, 1973

Regular meeting of the Fairfax City Council called to order at 8:00 P.M. by Mayor Gately who led the Pledge of Allegiance to the Flag.

Present: Councilmen Egger, Nelder, Parkerson, Souza and Mayor Gately. Also present, City Administrator Crowe, City Attorney Myers, Police Chief Grasso, Fire Chief Thornton, City Engineer Albritton

Approval
of
MinutesApproval of Minutes

M/s, Souza-Egger, to approve minutes of meetings of October 24, November 13, 14, 21, 28, December 5 and 11, 1972, as distributed.

AYES: All

Approval
of
WarrantsApproval of Warrants

M/s, Egger-Parkerson, to a-prove warrants #6818 through #6893 in the amount of \$15,478.47 and payroll in the amount of \$37,256.64.

AYES: All

Open Space
PrioritiesOpen Space Priorities

The City Administrator read his memo dated January 5, 1973 listing numerous areas to be considered for park and recreational uses.

The majority of Council felt that the areas to be considered for open space priority should include ridge tops, the Elliott property and Circle V Ranch.

Councilman Nelder stated that it was premature to establish the Elliott land as No. 1 priority since the majority of the land is not buildable and should have further study. He suggested the Council call a meeting for the purpose of specifically discussing open space priority. No action taken on this suggestion.

Councilman Souza stated that because limited funds are available, priorities should be established from the most pressing needs. He felt that ridge tops should be the first priority and Circle V Ranch second in priority.

Several members of the audience urged that action be taken establishing the Elliott property as the top open space priority.

M/s, Parkerson-Egger, that the Town Council establish the Elliott property as No. 1 open space priority, Circle V Ranch as No. 2 priority, and other ridge areas surrounding the Town of Fairfax general plan area as the No. 3 priority.

Open Space
Priority
Motion

AYES: All

Mayor Gately stated that other priorities will be determined at a public hearing after a report from the Citizens Committee for General Plan Review.

Bus Shelter at Village West

Bus Shelter
at
Village
West

John Grybel referred to his letter of December 1, 1972 in which he requested that a bus shelter be erected at the Village West development. He suggested that Gentry might be agreeable to constructing a bus shelter in place of a commitment to build a bridge connecting several units on Olema Drive with the rest of the development.

M/s, Egger-Souza, that the Town of Fairfax request Gentry Development Corporation to install a bus shelter at Village West, the shelter to be approved by the Planning Commission. Councilman Souza amended motion: to refer request from Gentry (to eliminate bridge) to Planning Commission. Amendment accepted.

AYES: All

Drainage Problem Areas

Drainage
Problem
Areas

City Administrator read letter from City Engineer dated January 4, 1973 covering preliminary investigation of various problem drainage conditions in the Town. City Engineer diagrammed and commented on each of the areas.

M/s, Nelder-Souza, to authorize the City Engineer to proceed with plans and specifications for repair of Meernaa Avenue as outlined in his letter of January 4, 1973, Item #5.

Motion to
Repair
Meernaa

AYES: All

Mr. Albritton estimated that the job would be completed by the end of September. Approximate cost, \$20,000.

Mr. Albritton stated that it would cost approximately \$132,000 for headwall construction and pipe undergrounding at Woodlane. City Administrator stated that this was out of the realm of financial feasibility, noting that gas tax funds could not be used for the project. Council briefly discussed forma-

Woodlane

M/s, Gately-Souza, to deny appeal on the grounds that it is not a timely appeal.

AYES: COUNCILMEN Gately, Souza and Mayor Parkerson
 NOES: COUNCILMAN Egger
 ABSENT: COUNCILMAN Nelder

Councilman Gately explained his vote: "I regret having to do this as Mr. Hamilton's comments bear study; however, from technical standpoint we cannot legally extend the time."

Councilman Souza explained his vote: "I concur with Councilman Gately: the points raised by appellant should be responded to by the Planning Commission."

Councilman Egger read from Marin Municipal Water District minutes dated 2-14-73 and 3-14-73 which referred to granting water to the Canon Village & Tennis Club Development. Councilman Egger then read a letter dated March 8, 1973 addressed to Marin Municipal Water District and written by the City Administrator, regarding the status of the development. Councilman Egger next read a letter dated March 7, 1973 written by the developer, James B. McKenney to the City Administrator, requesting that a letter be directed to the Water District, and furnishing verbatim the information relayed to the Water District.

Petition Requesting One-Way Designation, Tamalpais Road

One-Way
 Designa-
 tion on
 Tamal-
 pais Rd.

Received petition signed by eight residents of upper Tamalpais Road requesting that at the time Scenic Road is repaired and reopened as one-way road, that the block of Tamalpais Road between the junction with upper Scenic and the junction with Mountain View Road be designated one-way in the downhill direction. William Butcher, representing the petitioners, cited the narrowness of the road and its blind curves as the reason for requesting the change.

M/s, Gately-Parkerson, that for a minimum six-month period, upon the reopening of Scenic Road, the block on Tamalpais Road between Scenic and Mountain View Road be made one-way downhill, and that the Street Superintendent obtain necessary signs.

AYES: All, with Councilman Nelder absent.

Minkel
 Property
 Canyon
 Road

Minkel Property (A.P. 3-014-10) End of Canyon Road

Considered letter from Jane Forster, Forster Realty, dated June 11, 1973, offering to sell to the town the Minkel property consisting of 2.06 acres (14 lots) located at the end of Canyon Road. Asking price, \$20,000. Mrs. Forster suggested that this

property could be used for ingress and egress area for the Elliott Property should it ever be purchased for open space or park use.

City Administrator reported that for ingress and egress to the Elliott property it does not appear that this would be a feasible use for this property in that several hundred feet of road, and possibly a bridge, would have to be constructed. Mr. Crowe recommended the offer be rejected at this time inasmuch as this does not appear to be a priority item, nor has there been any inquiry or any pressure for development of these lots.

Mayor Parkerson appointed a committee consisting of Councilmen Egger and Gately to investigate this property in terms of open space possibilities. The Committee will also review progress made thus far by the Citizens Committee for General Plan Review.

Request for Annexation, Deer Park School Property

(See Council minutes of 3-12-73 and 4-9-73 for previous discussion.)

Reginald Hammond, Fairfax Supt. of Schools, read his letter dated May 21, 1973, in which he requested that the Deer Park School property be annexed to the Town of Fairfax for the main purposes of better police and fire protection.

Gary Sharp, 134 Porteous Avenue, Fairfax, presented petition containing 204 signatures, requesting annexation.

M/s, Souza-Egger, to instruct City Attorney to initiate annexation proceedings of Deer Park School area, consisting of approximately 58 acres.

AYES: ALL, with Councilman Nelder absent.

Bus Depot Agreement Renewal

Louis Puccinelli, operator of the Fairfax Bus Depot, requested renewal of the agreement between he and the Town to provide for the Town to pay \$125 per month to subsidize the operation of the depot. The agreement expired June, 1973. An evaluation of the financial statement presented by Mr. Puccinelli for the period 1/1/73 thru 5/31/73 indicates a net profit of \$324.92 exclusive of any subsidies, and \$1,449.92 with subsidies.

M/s, Egger-Souza, that the Town of Fairfax continue subsidizing the Fairfax Bus Depot for an additional six-month period (from June 16, 1973 thru December 15, 1973) at a monthly subsidy of \$125 per month.

AYES: ALL, with Councilman Nelder absent.

Annexation

Deer
Park
School
Property

Bus
Depot
Agreement
Renewal

IN THE COUNCIL CHAMBERS OF THE TOWN OF FAIRFAX

January 14, 1974

Regular meeting of the Fairfax City Council called to order at 8:00 P.M. on January 14, 1974 by Mayor Parkerson who led the Pledge of Allegiance to the Flag.

Present: Councilmen Egger, Gately (departed at 9:50 P.M.), Nelder, Souza and Mayor Parkerson. Also present: City Attorney Myers, City Administrator Crowe, Police Chief Grasso, Building Inspector Klarenbach

Approval of Minutes

Minutes

M/s, Souza-Egger, to approve minutes of the meetings of December 4, 10 and 26, 1973.

AYES: All

Approval of Warrants

Warrants

M/s, Egger-Souza, to approve Warrants #7750 through #7814 in the amount of \$42,856.63 and payroll in the amount of \$42,543.30.

AYES: All

Elliott Property: County Proposal for Town Financial Participation for Acquisition of Remaining 38 AcresElliott
Property
Acquisition

County Supervisor Peter Arrigoni spoke briefly on the purchase of the Cascade Canyon property from Floyd Elliott, saying this is the first significant open space acquisition under the county's open space park district approved by voters in 1972.

Pierre Joske, Director, Marin County Dept. of Parks and Recreation, reviewed background of the Open Space District and presented the following information on the Cascade Canyon Open Space proposal:

Total Area	-	481 acres
Appraised Value	-	\$405,000
Gift by Owner	-	32,818
Purchase Amount	-	372,182
Taxes (est'd)	-	4,620
Rental	-	24,818
Total Cost		\$401,620
County Share (2/3)		267,747
City Share (1/3)		133,873

Mr. Joske explained that in return for financial commitment the Town would receive title to approximately 38 acres of meadowland in bottom of canyon (for use as Town sees fit), which would be third option to be exercised before January 1976. Mr. Joske requested the Council consider the following: (1) accept the concept of 38 acres being a part of the Town of Fairfax and the Town's responsibility; (2) accept the funding suggested in his presentation in terms of amounts suggested and timing; and (3) allow Town staff to negotiate with County staff to discuss means by which this could be accomplished.

Approximately one dozen residents spoke in favor of the purchase, saying the property is one of the most significant and beautiful open space areas in the County and urged its preservation for future generations.

Council comments:

Councilman Nelder expressed his appreciation of the property, and noting the cost of the land, suggested a bond issue to resolve financing the Town's portion of the purchase.

Councilman Gately maintained that the decision to acquire the land was established at the time Council agreed to declare the property as No. 1 Open Space Priority. Councilman Gately suggested that the Council go on record at this time approving the purchase, and schedule a meeting for a later date to determine financing.

Motion

M/s, Egger-Parkerson, that the Town of Fairfax reaffirm its position in support of the acquisition of the total Elliott property, including the Town's cooperation and contribution toward the purchase of the lower 38 acres.

Discussion followed. Referring to previous comments from the audience, Councilman Souza noted that the comments referred to preserving the land for open space in terms of a wilderness state and not open space in terms of a regional park. Councilman Souza felt that use of the land as a regional park would require an environmental impact report in order to determine its affects on the Town. Councilman Parkerson noted that the proposed agreement defines the area as the "Elliott Nature Preserve."

Substitute Motion

Substitute M/s, Souza-Nelder, to direct City Administrator and City Attorney to prepare necessary information for the implementation of agreement with the County relating to Parcel #3.

Amended Motion

Discussion followed concerning whether Councilman Souza's motion was a substitute motion or an amendment. It was agreed to make it an amendment to read as a two-part motion: That the Town of Fairfax reaffirm its position in support of the acquisition of the total Elliott Property, including the Town's cooperation and contribution toward the purchase of the lower 38 acres: City Administrator and City Attorney directed to prepare necessary information for the implementation of agreement with the County relating to Parcel #3.

AYES: All

Council action greeted with applause from the audience. Councilman Egger thanked Floyd Elliott for his efforts in preserving the land, Karen Urquhart for her diligence in interesting residents of the area in this proposal, and Supervisor Arrigoni for his efforts at the County level. Councilman Nelder added, "Don't forget the taxpayers."

Council recessed at 8:45 p.m. Reconvened at 8:55 p.m., with all Councilmen present.

Public Hearing: Ord. No. 369 (Abandoned Vehicle Abatement) - Robert Smith, 73 Dominga

Ord. 369
Abandoned
Vehicles

(R.Smith)

The hearing on above-captioned item, requested by Robert Smith, was declared open. Mr. Smith was not present. Councilman Egger requested action be tabled pending Mr. Smith's presence. No action taken on this request. Police Chief Grasso reported that the 1965 Ford Mustang registered to Robert Smith was inoperative in driveway on private property at 78 Dominga. There being no further comments, the hearing was closed.

M/s, Nelder-Souza, to abate public nuisance (Ford Mustang, License #MLW 891, registered to Robert Smith) located at 73 Dominga Ave., Fairfax.

AYES: COUNCILMEN: Gately, Nelder, Souza and Mayor
Parkerson
NOES: COUNCILMEN: Egger

Public Hearing: Ord. No. 369 (Abandoned Vehicle Abatement) - Franklin Carter - 7 Acacia Rd.

Ord. 369
Abandoned
Vehicles

(Carter)

The hearing on above-captioned item, requested by Franklin Carter, was declared open. Mr. Carter advised that the nuisance (Chevrolet panel truck, license #CNA 735) has been abated. There being no further comments, the hearing was closed.

No action taken.

Public Hearing, Ord. No. 393 (Creek Setback): Amending Ord. No. 352

Ord. 353
(Creek
Setbacks)

A hearing was set for this time to consider the above-captioned matter, and notice given according to law. The hearing was declared open.

ORDINANCE NO. 393

AMENDING ORDINANCE NO. 352 OF THE TOWN OF
FAIRFAX BY THE ADDITION THERETO OF A NEW
SECTION NUMBERED 20.25

was read in full. There being no comments, the hearing was closed.

M/s, Gately-Egger, to introduce Ordinance No. 393.

AYES: All

Ord #397 Ord. No. 397: Amending Uniform Traffic Ord. (Shifting of Parked Vehicles)

Shifting
of
Parked
Vehicles

ORDINANCE NO. 397

AMENDING THE UNIFORM TRAFFIC ORDINANCE BY
THE ADOPTION OF A NEW SECTION DESIGNATED
SECTION 11.9

having been read by title and introduced at the meeting of January 14, 1974, was again read by title.

M/s, Egger-Souza, to waive further reading of Ord. #397.

AYES: All, with Mayor Parkerson absent

M/s, Egger-Souza, to adopt Ordinance No. 397.

AYES: All, with Mayor Parkerson absent

Ord 398 Ord. No. 398: Establishing Fire Zones

Fire
Zones

ORDINANCE NO. 398

AMENDING SECTION 6-3 OF THE FAIRFAX TOWN CODE

having been read by title and introduced at the meeting of January 14, 1974, was again read by title.

M/s, Souza-Egger, to waive further reading of Ord. #398.

AYES: All, with Mayor Parkerson absent

M/s, Souza-Egger, to adopt Ordinance No. 398.

AYES: All, with Mayor Parkerson absent

Buon
Gusto
Property

Buon Gusto Property Rezoning

In his memo dated 1-15-74 Councilman Souza referred to the 11-21-73 public hearing on Zoning Ord. No. 352 at which time a motion was made to rezone Buon Gusto property (AP 1-131-09 and 1-131-47) to RM Multiple. Councilman Souza stated that the motion inadvertently included Parcels 1-131-08, 1-131-53 and 1-131-54, and recommended that this item be referred to the Planning Commission for public hearing to include only Buon Gusto property in the RM Multiple Zone.

Referred to City Attorney to draft proposed amendment to Zoning Ordinance No. 352.

Tax
Deeded
Prop-
erties

Tax Deeded Properties

Councilman Egger reviewed the Open Space Committee's report on above-captioned matter, dated 2-5-74, in which the Committee recommended that the Town purchase Parcels 1-053-06 (Berry Trail and Spruce), 2-062-16 (Wood Lane), and 3-071-25 (Laurel Drive) from the County at a cost of approximately \$10 per parcel.

M/s, Egger-Gately, to instruct staff to proceed with the purchase of above-mentioned properties at a cost NTE \$10.00 each, and authorize Mayor to sign agreement on behalf of the Town.

AYES: All, with Mayor Parkerson absent

Council Communications

Minkel Property, Canyon Road

Councilman Egger, member Open Space Committee, advised Council that Ms. Forster (Jane Forster Realty) had again inquired as to the status of the Minkel Property (offered to the town for \$20,000). At Councilman Egger's recommendation, Council agreed to advise Ms. Forster that the open space element has not advanced to the point where the Town is in a position to make a determination on the offer.

Structure at 255 Scenic Road

Building Inspector Klarenbach advised Council of his action to refuse a building permit on above-mentioned property because of slide problems in the immediate area. Council directed the Building Inspector to inform the individual of his right to appeal this administrative decision.

Curbs, Gutters and Sidewalks on Bolinas Road

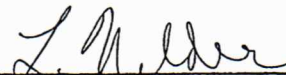
City Administrator reviewed his memo of 2-8-74 in which he recommended that an additional \$700 be appropriated from the 2106 Gas Tax Fund for the purpose of replacing curb, gutter and sidewalk area on Bolinas Road by contract.

M/s, Gately-Souza, to appropriate \$700 from 2106 Gas Tax Fund for the purpose of replacing curb, gutter and sidewalk area on Bolinas Road (across from Town Hall): tree wells to be installed where feasible.

AYES: All, with Mayor Parkerson absent

Adjournment: 12:15 A.M. by unanimous vote on motion duly made and carried, to executive session at 8:00 P.M. in the Town Hall to interview planning consultant applicants.

ATTEST:



Mayor pro Tempore



City Clerk

M/s,.Gray-Gately, to adopt Resolution No. 1019.

AYES: All

Resolution No. 1019 on file in Clerk's Office.

Res. #1020 Res. No. 1020: Concerning Need for State Tax Relief to Implement Conservation and Open Space Elements of General Plans

RESOLUTION NO. 1020

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF FAIRFAX CONCERNING THE NEED FOR STATE TAX RELIEF TO IMPLEMENT THE CONSERVATION AND OPEN SPACE ELEMENTS OF GENERAL PLANS

Read by title.

M/s, Gray-Gately, to adopt Resolution No. 1020.

AYES: All

Resolution No. 1020 on file in Clerk's Office.

Ord. #407 Ord. No. 407: Amending Public Employees' System Contract

ORDINANCE NO. 407

AN ORDINANCE OF THE TOWN OF FAIRFAX AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE TOWN OF FAIRFAX AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM

read by title and referred to City Attorney for review prior to introduction.

Ord. #405 Ord. No. 405: Eliminating reference to fees on appeal

ORDINANCE NO. 405

AMENDING SECTION 2-99.2 OF THE FAIRFAX TOWN CODE

having been read by title and introduced at the meeting of April 22, 1974, was again read by title.

M/s, Garrison-Gray, to waive further reading of Ord. No. 405.

AYES: All

M/s, Garrison-Gray, to adopt Ord. No. 405.

AYES: All

Historical Formation of Historical Society

Society

Discussion continued to June 3, 1974 meeting.

Pedestrian
Easement
Report

Pedestrian Easement Progress Report

M/s, to authorize Street Department to remove the upper portion of the stairs on the easement between Hillside and Forrest (approximately 100').

AYES: All

Tree Report Tree Committee Report

Council reviewed recommendations of Tree Committee as a result of the Committee's May 5, 1974 inspection tour.

Removal of dead Madrones in park and Pavilion area. Cost for removal approximately \$662. Street Superintendent directed to budget \$662 in 1974-75 FY Budget.

M/s, Gray-Garrison, to feed redwood tree in Honor Grove at a cost NIE \$26.00, to be appropriated from Parks Acct. 20-470-16: Town crew to remove metal clamps from Honor Grove redwood trees.

AYES: All

Council authorized Street Superintendent to have dead branches removed from oak tree at 7 San Gabriel Drive, as well as oak tree in the park.

Elliott
Property

Elliott Property

Mayor Egger noted that earlier in the year Council authorized the City Administrator to meet with County Parks & Recreation Director Pierre Joske regarding Council action on the Elliott property.

Council authorized the Mayor to meet with Mr. Joske to implement Council action of the previous date.

Countywide Review Agency

Council directed that this be a June 10th agenda item.

Parks and Recreation Commission Appointment

M/s, Egger-Gately, to appoint Larry Fulton to fill vacancy on Parks & Recreation Commission: term of office to expire April 5, 1978

AYES: All

Crowe v. Fairfax

M/s, Gately-Gray to authorize City Attorney to file Demurrer to Petition for Writ of Mandate and return Answer to Petition for Writ of Mandate.

AYES: All

Fire and Police Appointments

No action taken on Mayor Egger's suggestion that a councilman be present during Fireman and Police Officer oral examinations. Council agreed that a councilman may be present if he so wishes.

Mayor Egger moved that it be the policy of the present City Council that appointment be from the top three on the eligibility list, unless department head has valid reason to recommend otherwise. Motion withdrawn after discussion and agreement that department head will make recommendation for hiring to City Council, who will act as appointing authority during absence of City Administrator.

Identification and Surveillance of High Accident Locations Survey

Councilman Garrison and Mahoney volunteered to serve as committee to meet with Lampmann & Associates representative and City Engineer to review above-captioned report.

Open Space Plan

Mayor Egger reported that very little base mapping is available and the County base mapping of Fairfax will not be available until January 1, 1975. County cost for this mapping would be approximately \$2,000: the cost for Cartright Aerial Surveys (the firm doing the work for the County) to move the Fairfax mapping program up would be \$6900. Councilman Mahoney suggested that the contract with Wallace McHarg Roberts & Todd be re-written to read "excluding mapping." Council agreed that Mayor Egger will contact WMRT for figure to convert mapping. Mayor Egger clarified that the 90-day moratorium will go into effect from the date the contract is signed.

M/s, Gately-Gray, to authorize the Mayor to contact WMRT and attempt to have included in the contract the transfer of the open space plan on the rough map to any future maps.

AYES: COUNCILMEN Garrison, Gately, Gray, and Mayor Egger

NOES: COUNCILMEN Mahoney

Adjournment: 1:15 A.M. on motion duly made and carried, to executive session with Police Chief, and thereafter to 8:00 P.M., June 3, 1974.


MAYOR

ATTEST:


CITY CLERK

Countywide
Review
Agency

Parks & Rec.
Comm. App't.

Crowe v.
Fairfax

Fire & Police
appointments

High Accident
Locations
Survey

Open Space Plan

Motion

Adjourn

Women's Day
Cele. (cont.)

Following general discussion, M/s, Gray-Mahoney, to approve in principle the request of the Marin Women's News Journal to hold a combined arts and crafts fair and musical show in the Fairfax Park and Pavilion on April 5, 1975, subject to recommendations of the Parks & Recreation Commission and town staff.

AYES: All

Open Time
Cascade
Canyon (pur-
chase of
Elliott
Prop.)

Open Time for Public Expression

Cascade Canyon (Purchase of Elliott Property)

Supervisor Arrigoni referred to a November 26, 1974 letter from City Administrator Haden furnishing a funding proposal for the purchase of the Elliott property. The proposal is based on an additional \$50,000 being provided by the County (in addition to the \$64,487 previously committed by the County). Supervisor Arrigoni requested the City Council to take formal action on this funding proposal which he will present to the County Open Space District on February 11, 1975. Supervisor Arrigoni stated that his request for an additional \$50,000 contribution will be based on the generous gift by the Ettinger family and the desire to keep the Cascade Canyon property from being developed and available for open space and recreation purposes for all the people of Marin County.

M/s, Gately-Gray, that the City Council concur with the City Administrator's proposal of November 26, 1974 regarding the purchase of the Elliott property and urge the Marin County Open Space District to agree with the proposal.

AYES: All

Corte Mad.
Flood Con.
Project

Corte Madera Flood Control Project

Supervisor Arrigoni stated that there has been some misunderstanding as to who has final authority on the property through San Anselmo and Fairfax and stated that he would ask the Flood Control staff and County Counsel to investigate the ramifications of deauthorization at this time.

Council recessed at 9:30 P.M. Reconvened at 9:40 P.M. with all councilmen present.

Final Acce.
of Improve.
Construct-
ed at Vil.
West

Final Acceptance of Improvements Constructed at Village West

Discussion continued from January 13, 1975 meeting.

City Administrator stated that staff had investigated complaints previously presented by the various homeowners and had met with the representative of the Village West Homeowners Association and representative of Crocker Homes, Inc., at which time the following agreements were made: (1) Units at 7 and 9 Aloma Way: The paving will be modified to divert water away from unit carports on to Aloma Way; (2) Common area adjacent to 10 Arboleda Circle - a Christy drain will be installed to augment the existing drainage facilities; (3) Common area adjacent to unit at 334 Olema Road - a Christy drain will be installed in the planting area to augment existing drainage; (4) Carports fronting on Banchemo Way - a curb will be installed to redirect the flow of water into the existing street drainage system; (5) Creek railing - the railing along the creek off Charo Way will be extended per City Engineer request and specifications. Mr. Jetmore, Controller for Crocker Homes, Inc., stated that these actions would be accomplished in the immediate future. Additionally, any other problems that might arise for which the developer has responsibility under the subdivision agreement will be corrected prior to the expiration of the one-year maintenance period.

Mr. Haden stated that the homeowners have requested that the town withhold final acceptance until the developer has accomplished the corrections. Mr. Haden advised that once the corrections are made, staff would have no reason not to recommend approval of the project. The Administrator recommended that the town wait until the corrections are completed, review after the next heavy rain, and if the corrections appear to be satisfactory, accept at the next Council meeting.

M/s, Gray-Mahoney, to continue action to adjourned February meeting.

AYES: COUNCILMEN: Gately, Gray, Mahoney, and Mayor Egger

NOES: COUNCILMEN: Garrison

Canyon Village and Tennis ClubCanyon Vill.
& Tennis Cl.

Mayor Egger noted a mud slide and water covering tennis courts at Canyon Village & Tennis Club. City Engineer to investigate.

Application for Use Permit for Tax and Business Service, 3 Bolinas Rd.
by James H. Miller

App. for
use permit
Tax & Busi.
Ser. 3
Bolinas Rd.
by J. Miller

At its meeting of January 30, 1975 the Planning Commission recommended approval of subject use permit to operate a tax and business service (a conditional use in the Central Commercial Zone) at 3 Bolinas Road.

M/s, Gray-Gately, to grant Use Permit to operate a tax and business service at 3 Bolinas Road, with the condition that the permit will be subject to renewal one year from date of approval.

AYES: All

Application for Use Permit for Waiver of Parking Requirement at 42 Bolinas Road
(adjacent to Town parking lot), A.P. 2-115-15 by Harry Fong, owner.

App. Use
Permit by
Harry Fong

At its meeting of January 30, 1975 the Planning Commission recommended approval of subject application with the condition that the back part of the parcel be brought up to a pleasant appearance and have marked parking spaces: this improvement of parking spaces to be at applicant's expense and to be worked out with the City Administrator.

Following discussing, M/s, Gately-Garrison, to approve application for Use Permit to waive the parking requirement at 42 Bolinas Road, with the condition that the area in the rear of existing buildings be made more presentable and attractive, and that marked parking spaces be provided; all improvements and maintenance will be made at applicant's expense.

AYES: All

Council directed Mr. Fong to meet with the City Administrator prior to commencing work on this project in order that all parties can meet with the architect to resolve the details of the granting of this Use Permit and determine if a survey is necessary to adequately locate existing property and easement lines.

Application for Use Permit to Construct Carport inside front setback line and
Approval under Excavation Ord. #386, 89 Ridge Road, A.P. 1-042-10 and 1-042-11,
by Alan and Carole Beadle

App. Use
Permit by
Alan &
Carole
Beadle

Subject application was approved by the Planning Commission at its meeting of January 30, 1975, with conditions. City Administrator Recommended approval.

Councilman Gray expressed concern that the applicants have been building and occupying the structure for several years and recommended that this application be continued to the adjourned Council meeting in order for applicants to be present and answer specific questions. No action on this recommendation.

M/s, Gately-Garrison, to approve application with the following conditions established by the Planning Commission on January 30, 1975: (1) The continuation of the gutter line as required by the Street Superintendent (concrete swale); (2) Survey to enable submittal of a precise plot plan; (3) Engineering plans signed by a structural engineer. Further, to approve application under Excavation Ord. #386, with the following conditions set forth by the Planning Commission: (1) a soils report by a soils engineer, to include any ground on this or adjacent lots which in his opinion might be affected by this excavation to be reviewed and approved by the City Engineer; (2) Building Inspector to determine date when construction may begin, based on the rainy season; (3) Exposed cuts and fills are to be planted with ground cover; (4) Floor grade of the carport to be $\frac{1}{4}$ " slope; (5) Same conditions as granted under Use Permit.

AYES: COUNCILMEN: Garrison, Gately, Mahoney, Egger

NOES: COUNCILMEN: None

ABSTAIN: COUNCILMEN: Gray

Financial Review of First 6 Months of Fiscal Year 1974-75

Financial
Review 1st
6mon. of
FY 1974-75

Heard midyear financial review by City Administrator that the town's financial status is generally good.

Elliott Property Purchase (cont.)

As recommended by City Administrator, M/s, Egger-Gately, to authorize staff to proceed with the purchase of the Elliott property and agree to deed restrictions which will place the Elliott Nature Preserve in open space perpetuity; further to transfer \$4,377 of revenue sharing funds from existing tennis court reserve fund to complete the Elliott property purchase.

AYES: All

Proclamation - World Law Day

Mayor proclaimed October 12, 1975 as World Law Day.

AYES: All

Resolution No. 1045: Establishing Salary Schedule, FY 1975-76RESOLUTION NO. 1045

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF FAIRFAX
ESTABLISHING SALARY SCHEDULE FOR TOWN EMPLOYEES FOR THE
FISCAL YEAR 1975-76, TO BE EFFECTIVE JULY 1, 1975

M/s, Gately-Egger, to adopt Resolution No. 1045.

Resolution No. 1046: Adopting FY 1975-76 BudgetRESOLUTION NO. 1046

RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF FAIRFAX
ADOPTING THE TOWN BUDGET FOR THE 1975-76 FISCAL YEAR

M/s, Gately, Egger, to adopt Resolution No. 1046.

AYES: All

Total budget for FY 1975-76 - \$921,820.

Resolution No. 1047: Adopting Tax Rates for FY 1975-76RESOLUTION NO. 1047

A RESOLUTION DETERMINING THE AMOUNT OF MONEY REQUIRED TO
BE RAISED BY TAXATION UPON ALL TAXABLE PROPERTY WITHIN
THE TOWN OF FAIRFAX FOR THE PURPOSE OF DEFRAYING THE
EXPENSES OF THE GENERAL TOWN GOVERNMENT AND PROVIDING THE
NECESSARY MONEY FOR THE PARK AND RECREATION FUND, RETIRE-
MENT FUND AND PUBLIC SAFETY BOND REDEMPTION FUND, AND
FIXING THE NECESSARY TAX RATES FOR THE FISCAL YEAR 1975-76

M/s, Gately Egger, to adopt Resolution No. 1047.

AYES: COUNCILMEN: Egger, Gately, Mahoney and Mayor Gray

NOES: COUNCILMEN: Garrison

Resolution No. 1047 sets the following tax rates for FY 1975-76: General Fund, \$1.34; Parks & Recreation Fund, \$.16; Retirement Fund, \$.24; Public Safety Bond Redemption Fund, \$.08; Total Tax Rate, \$1.82 per each hundred of assessed valuation.

Ordinance No. 415: Fees charged for Residential Building Inspections

Ordinance No. 415 increases fees charged for residential building inspections from \$25.00 to \$50.00.

ORDINANCE NO. 415

AMENDING SECTION 6-A.04 OF THE FAIRFAX TOWN CODE RELAT-
ING TO FEES CHARGED FOR RESIDENTIAL BUILDING INSPECTION

read by title.

M/s, Egger-Mahoney, to waive further reading of Ordinance No. 415.

AYES: All

M/s, Egger-Mahoney, to introduce Ordinance No. 415.

AYES: All

Proclamation
World Law
Day

Res.#1045
Establishing
Salary Sched.
FY 75-76

Res.#1046
Adopting FY
75-76 Budget

Res.#1047
Adopting
Tax Rates
For FY 75-76

Ord.#415
Fees charge
for Resid.
Building
Inspections

JULY 14, 1975

275

Use Permit Application, by Jerd Lapham

these conditions are to be accomplished to the satisfaction of the City Engineer and Fire Chief.

AYES: All

Use Permit Application for Office on ground floor, 1620 Sir Francis Drake (Lois Aylesworth Realty) See end of minutes.

Bocce Ball Ct.Improv. Bocce Ball Court Improvements

As recommended by the Parks & Recreation Commission at its meeting of June 24, 1975, M/s, Gately-Egger, to approve \$130 be allocated from the Parks & Recreation Fund for material to improve the bocce court, with the labor to be donated by Fire Department personnel.

AYES: All

Improvements to include installation of benches and repair of worn boards on the court: The floor of the court to be filled and leveled.

Approval of Insur. Spec's & Authorize call for Bids Approval of Insurance Specifications and Authorize Call for Bids

Following review of the town's existing and proposed insurance program for FY 1975-76 as presented by the City Administrator, M/s, Gately-Mahoney, to authorize staff to obtain binder for the insurance program as proposed by the City Administrator in his memo of July 17, 1975.

AYES: All

M/s, Gately-Mahoney, to approve insurance specifications as prepared by the City Administrator, with the notation on Exhibit "C" that automatic sprinkler system in pavilion is scheduled for completion September 1975: called for bids to be opened at 4:30 p.m. August 14, 1975; award to be made at the September 8, 1975 meeting.

AYES: All

Fairfax Faire Daye Fairfax Faire Daye

Following presentation of plans and program for Fairfax Faire Daye by City Administrator and Committee member Gerry Brown, M/s, Gately-Egger, to approve the plans as presented and authorize the following: (1) the closure of Elsie Lane from Bolinas to Mono parking lot between 9:00 a.m. and 8:00 p.m.; (2) No parking on Bolinas Road adjacent to Bolinas Park from Elsie to the town hall from 9:00 a.m. to 8:00 p.m. on August 16; (3) the Native Sons of the Golden West and the House Husbands' Assn. to sell beer and wine from 10:00 a.m. to 7:30 p.m.

AYES: All

The Fairfax Faire Daye Committee agreed to the following: (1) to pay all fees associated with the rental of the pavilion; (2) to provide proof of insurance and a hold harmless statement to the town; (3) to pay all costs of additional police officers: these officers will be required from 12 noon to 11:30 p.m. and will consist of one regular officer and one reserve officer. The Committee also will provide a matron to monitor the women's rest room facilities. There will be no amplified music.

Elliott Property Purchase Elliott Property Purchase

City Administrator reported that the town has received permission from the State of California to acquire the Elliott Nature Preserve, and furnished the following cost figures:

\$187,920	sales price
6,960	option (8 mos)
1,200	title insurance
100	escrow fees
1,530	taxes
<u>\$197,710</u>	
<u>-120,000</u>	County funds
77,710	
<u>73,333</u>	Town funds committed
\$ 4,377	Additional Town funds required

Bus Terminal Subsidy (cont'd)

Charles Austin spoke in favor of the subsidy. Glenn Meagher opposed the subsidy.

Following brief discussion, Council appointed Mayor Gray and Councilman Garrison as a committee to look into the possibility of subsidizing Uncle Gaylord's operation in Fairfax. No further action taken, pending staffs receipt of additional specific operating information from the firm.

Elliott Property Project AgreementRESOLUTION NO. 1051

A RESOLUTION BY THE CITY COUNCIL OF THE TOWN OF FAIRFAX, AUTHORIZING THE MAYOR TO EXECUTE THE PROJECT AGREEMENT, STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT OF 1974 FOR THE CASCADE CANYON PROJECT

M/s, Egger-Garrison, to adopt Res. No. 1051, and authorize the Mayor to execute project agreement on behalf of Town: add the words "and related activities" to project description.

AYES: ALL

Res. No. 1051 authorizes staff to apply for \$21,537 from the state to be used to purchase the 45-acre Elliott property parcel, to be used as a nature preserve.

Pavilion Walk-Through

Scheduled final Council walk through inspection for Sept. 10 at 5:00 p.m., prior to final payments to the contractor.

Automatic Response Agreement with San Anselmo

City Administrator presented Resolution No. 1050 authorizing the Town of Fairfax to enter into automatic response agreement with the San Anselmo Fire Department. The joint powers agreement authorizes providing backup fire protection between the two towns. Fire Chief Thornton estimated a cost to Fairfax of \$500 for a communication system between the two fire departments. City Administrator stated that the agreement will benefit owners of commercial property by reducing the cost of their fire insurance: The additional fire protection will improve the merchants' rating by underwriters.

RESOLUTION NO. 1050

AUTHORIZING AUTOMATIC RESPONSE
AGREEMENT WITH THE SAN ANSELMO
FIRE DEPARTMENT

M/s, Garrison-Egger, to adopt Resolution #1050 and authorize the Mayor to execute the automatic agreement on behalf of the Town.

AYES: ALL

At suggestion of Councilman Egger, Council asked for a progress report prior to the end of the year.

M/s, Garrison-Egger, to authorize expenditure of \$500 from ending balance fund for purchase of necessary call-back equipment.

AYES: ALL

Fire Chief's Retirement

Received letter from Fire Chief Thornton stating his intention to retire from the Town's Fire Department approximately Nov. 1, 1975.

M/s, Gately-Gray to accept Fire Chief Thornton's retirement effective November 1, 1975 and to approve Fire Chief position description as presented by City Administrator.