

**TOWN COUNCIL
MINUTES**

CALL TO ORDER

Mayor Slavitz called the special meeting of the Tiburon Town Council to order at 6:34 p.m. on Wednesday, October 5, 2011, at Del Mar Middle School Gymnasium, 105 Avenida Miraflores, Tiburon, California.

ROLL CALL

PRESENT: COUNCILMEMBERS: Collins, Fraser, Fredericks, O'Donnell, Slavitz

PRESENT: EX OFFICIO: Town Manager Curran, Town Attorney Danforth, Community Development Director Anderson, Director of Administrative Services Bigall, Public Works Director Nguyen, Police Chief Michael Cronin, Police captain Hutton, and Recording Secretary Harper

CALL TO ORDER AND ROLL CALL

Councilmember Collins, Councilmember Fredericks, Councilmember O'Donnell, Vice Mayor Fraser, and Mayor Slavitz

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION, IF ANY

Mayor Slavitz said there was no action to report from the Closed Session.

ORAL COMMUNICATIONS

None

CONSENT CALENDAR

MOTION: To approve Consent Calendar items 1-5.

Moved: Fraser, seconded Fredericks

Vote: AYES: Unanimous

1. **Town Council Minutes** – Adopt minutes of August 31, 2011 Special Meeting (Town Clerk Crane Iacopi)
2. **Update Schedule of Fines** – Update Schedule of Fines for violations of the Municipal Code enforced by Administrative Citation (Director of Community Development Anderson)

3. **Marin General Services Agency** – Adopt resolution extending the Marin County Abandoned Vehicle Service Authority Vehicle registration fee until April 2022
4. **2011 Street Improvement Project** – Authorize award of contract for the Trestle Glen Boulevard and Paradise Drive 2011 Street Improvement Project to Team Ghilotti, Inc., and adopt amendment to FY 2011-12 budget to complete the bid alternate (Director of Public Works/Town Engineer Nguyen)
5. **Storm Drain Maintenance Project** – Authorize award of contract for the 2011 Storm Drain Maintenance Project to Roto-Rooter (Director of Public Works/Town Engineer Nguyen)
6. **Wireless Communication Facilities Amendment** – Consider amendment to Title IV, Chapter 16 (Zoning) of Town Code to create an additional exemption from the Conditional Use Permit Requirement for Wireless Communication Facilities (WCFs) – (Planning Manager Watrous) – *Final adoption of ordinance continued without discussion to October 19, 2011 regular meeting*

PUBLIC HEARINGS

1. **Belvedere-Tiburon Public Library Expansion Project** – 1501 and 1505 Tiburon Boulevard; Consider Certification of Final EIR and Project Merits of Applications for General Plan Amendment, Rezoning, and Amendments to the Point Tiburon Master Plan and Point Tiburon Precise Plan Associated with a Planned 17,000 Square Foot Addition to the Existing Library Facility (Director of Community Development Anderson)

Mayor Slavitz briefly outlined meeting and speaker protocols, stating the meeting would conclude by 10:30 p.m. and be continued.

Director of Community Development Anderson gave the staff report, a brief description and history of construction and increased patronage over time of the Belvedere-Tiburon Public Library building, which has led to the necessity to the proposal for expansion. In December 2008, Belvedere-Tiburon Library Agency (BTLA) filed applications proposing expansion which included General Plan amendments, rezonings, and amendments to the Point Tiburon Master Plan and Point Tiburon Precise Plan. The project has been reduced and refined to address environmental impacts and improve General Plan policy consistency. A prior 2004 approval was not pursued for a location behind the existing building on a portion of Zelinsky Park.

Mr. Anderson said what is not before the Council is final design, which will be considered in the future, and described the purpose of the meeting, to:

1. Hold a public hearing;
2. Consider the recommendations of the Planning Commission regarding the project EIR and the land development applications;

3. Certify the EIR for the project;
4. Deliberate on the merits of all applications and the expansion project and provide direction to the applicant; and
5. Consider introducing and holding first reading of three ordinances and continue the item to a specific date for possible final action on the ordinances and on resolutions associated with the applications.

The project design and layout has been modified over time and last month the BTLA abandoned the original design in favor of a design based on “Alternative D” in the EIR, with some slight architectural and site layout refinements. The latest design is called “Refined Alternative D”.

Mr. Anderson stated that a 3-volume EIR had been prepared for the project, and he summarized the key findings of the EIR regarding aesthetics, air quality, biological resources, land use and planning, noise, and transportation/parking. He explained that the EIR examined four alternatives to the project, which included a “No Project” alternative (Alternative A), three on-site development alternatives (Alternatives B, C and D). Alternative A (No Project) was deemed the environmentally superior alternative, but Alternative D was identified as the environmentally superior alternative among the “build” alternatives studied. He stated that although Alternative D would not avoid significant impacts on air quality, noise or ground vibration, the EIR concluded that with mitigation, it would reduce impacts on Railroad Marsh plants and wildlife and impacts on scenic views of the Tiburon Ridge to less than significant levels. The Planning Commission disagreed with the latter impact conclusion. Mr. Anderson noted that staff has reviewed the Refined Alternative D layout and found it to be very similar to Alternative D in site planning and layout and also in terms of potential environmental impacts.

Mr. Anderson discussed the proposal’s conformance with Town plans and regulations, for General Plan consistency, Zoning Ordinance conformance, and other applicable plans. He said the Town has received numerous letters and e-mails regarding the project merits as well as late mail received, in support of and in opposition to the project, with opposition focusing on the following issues:

- Objection to the conversion of open space land between the Library and Marsh
- Objection to moving parking farther away from the Town Hall building
- Objection to the scale, need, and cost for a much larger Library facility
- Objection to the loss of views from Tiburon Boulevard opposite the proposed addition

Mr. Anderson indicated that there were several issues remaining to be resolved, and noted that the balancing of benefits provided by a major public project versus environmental impacts and community character issues is one of the more challenging aspects of being a Councilmember. He said that remaining issues include the scale of the expansion, significance of visual impact on the ridgeline, biological impacts on Railroad Marsh, Policy OSC-20 regarding wetland buffer setbacks, parking adequacy, and Mar West Street intersection improvements.

Mr. Anderson stated that the Planning Commission recommended certification of the EIR while disagreeing with the EIR’s finding of a less-than-significant impact regarding scenic view impacts

from Tiburon Boulevard for Alternative D. The Planning Commission recommended approval of the various applications, but recommended that the Town Council “consider the feasibility of reducing the size of the project”. The Commission also recommended adding certain mitigation measures, and imposed additional conditions regarding intersection improvements, parking lot layout and circulation. He said that staff supports the Planning Commission recommendations as reasonable, appropriate, and based on sound environmental and policy considerations, and recommended that the Town Council:

1. Hold a public hearing on the project and close the public hearing.
2. Consider adoption of the Resolution certifying the project’s EIR.
3. Time allowing, deliberate on the land development applications and provide any desired direction to the applicant.
4. Time allowing, introduce and holding first reading of the three ordinances regarding the rezonings and the amendment to the Point Tiburon Master Plan.
5. Continue the item to the meeting of October 19, 2011.

Councilmember O’Donnell said one interesting aspect of Alternative D with parking in the rear is the potential to change the intersection of Tiburon Boulevard and Mar West. He emphasized that no traffic study was prepared for this, and it seems that information presented to the Planning Commission is nebulous as to the type of configuration and whether a signal would or would not be required. He thinks this is part in parcel to the project and is of community interest. Mr. Anderson responded that traffic was identified at the outset as an impact. A detailed traffic study was performed by DKS and used the Town’s traffic model and factoring in the library development, which concluded that eventually at build-out of the peninsula Mar West Street will need a traffic signal. However, the traffic consultant also concluded that the library project alone will not get it to that point. Their recommendation was that the Town require a reasonable contribution towards the eventual funding of a signal. Caltrans also pointed out that the left-turn pocket needed to be extended, which he said is a recommended condition of approval on the project.

Councilmember O’Donnell asked if there was consideration to do a roundabout or rotary at that location. Mr. Anderson replied this was not part of the traffic study.

Vice Mayor Fraser voiced concerns about crosswalk safety, pointing to the increased traffic situation at the library. Councilmember O’Donnell again suggested incorporation of a roundabout, which he said may help mitigate traffic coming into Town. He directed the Council’s attention to the existence of a round-about at the other end of Town which he believes creates a positive community feel. Mr. Anderson acknowledged his concerns, but said this suggestion is complicated by the fact that Caltrans owns and maintains the roadway. Roundabouts are not typically seen on state highways; however, the topic can be broached and in fact the Town is in the process of hiring a traffic consultant to look at both the Mar West Street and Beach Road intersections for traffic circle feasibility. In the meantime, any monetary contribution from the Library could be put toward a traffic improvement other than a signal if such other improvement can receive the required approvals.

Mayor Slavitz referred to the chart on page 64 of the EIR, which shows a before-and-after parking analysis for the project. Before the building expansion, there are 58 spaces; 27 are for the library and 31 are for Town Hall. After the expansion, 74 spaces are needed for the library and 31 for Town Hall, totaling 105 spaces. The new lot would be 52 spaces with a deficit of 53 spaces which he questioned, noting there is also no parking proposed in front of the library. Mr. Anderson explained that the summary analysis is based on figures generated by the Institute of Transportation Engineers. In doubling the size of the building, they assume a doubling of the required parking and of traffic generation. They assume a straight-line calculation, resulting is a situation which would be substantially under-parked. One of the ways the Library and Town Hall function today is that employees of the Town and Library park off-site with a lease arrangement. All parking on-site is available for Library patrons and Town Hall customers. Normally, the on-site parking figures would take into account both workers and visitors.

Mayor Slavitz confirmed that the consultant provided a list of mitigation measures that would get much closer to the 74 parking spaces, some of which include things like implementing 2-hour on-street parking. He noted that Town Hall employees park in the Abrams lot next door and he asked if the fleet vehicles could park there, as well. Mr. Anderson said they may, or they may end up in the new lot, which will be shared between the Library and Town Hall. He added that the storage container in the parking lot is expected to be removed in the near future.

In response to Mayor Slavitz' question regarding the plan's inclusion of street parking, Mr. Anderson said the EIR traffic consultant has indicated there is relatively a large supply of on-street parking nearby that is available for use, and that parking located further away is also not counted but could be utilized for major events.

Councilmember Collins asked whether or not the expansion project may limit any Town Hall expansion plans in the future. Mr. Anderson replied yes; with Zelinsky Park relocated behind and the proposed Town Plaza in between, other than construction of additional floors, Town Hall is not likely to expand. City Manager Curran added that the current plan is to build the Ned's Way recreation facility and move the Recreation Agency out to that site, freeing the upstairs for Town Hall use. If this does not come to pass, should there be a need for Town Hall expansion the next option would be to secure an alternative off-site location for Recreation Agency staff since they do not need to be in the Town Hall building to fulfill their function.

Mayor Slavitz asked for clarification that the project would create additional vehicle miles traveled (VMT). Mr. Anderson said the Bay Area Air Quality Management District (BAAQMD) plan says if a community is approving a General Plan Amendment, which will also result in more vehicle miles traveled, it is an automatic conflict with their plan and is deemed a significant impact.

Councilmember Fredericks referred to parking need and said she was thinking about how the library square footage would be represented in parking needs because it is not the same thing as a place whose major push is to hold large events. She asked how the number of people per square feet would apply in this case and asked for other models to give some people some level of certainty. Mr. Anderson said staff found a broad range of parking ratios for libraries with no hard and fast number

as a standard. He believed that to some degree each library is unique in the types of functions and facilities they have, and staff and the consultants found no industry standard, so chose one in the middle of the range.

Councilmember O'Donnell pointed out a paradox between the EIR analysis finding that the Town's population and use is not growing and the Air District's position on additional vehicle miles traveled from increased use and need for parking. Mr. Anderson recognized the increase in usage and demand for parking, but said there will not be a straight-line relationship between the increased square footage of the building and increased parking demand and trip generation, even though the models used for parking and trip generation in the EIR assume such a straight-line increase. Staff said they were unaware of any model that is sophisticated enough to estimate incremental traffic and parking increases for expansion of an existing library building, noting the parking demand and traffic generation would increase somewhat with the expansion, although not by 2.5 times like the square footage of the library building.

Vice Mayor Fraser questioned the timing for construction of the project, assuming some form of project is approved. Mr. Anderson deferred this question to Library representatives, and clarified that the general plan amendment, rezoning, and master and precise plan amendment applications before the Town Council this evening do not expire with time. Once the design application comes to the Council, presumably the Council will exempt it from the zoning ordinance and can set a time limit on that approval.

Councilmember Collins questioned and received confirmation that if the zoning ordinance is changed and the General Plan Amendment is approved, this does not limit future amendment by future Councils and/or Planning Commissions; although once the Library has begun physical construction of the addition, the project is legally vested.

Mayor Slavitz asked whether the option of a two-story parking structure was explored. Mr. Anderson acknowledged previous consideration for a podium-style parking structure behind the library building and confirmed that the EIR consultant was asked to look at this as an alternative. He stated that the EIR consultant found that such a structure would worsen biological impacts compared to at-grade parking and could not be considered as an alternative that would reduce project impacts.

Mayor Slavitz questioned and confirmed that if the proposal moves forward there is current capacity for all Town Hall fleet cars to be parked in the Abrams lot, though this has not been broached with the owner of the adjacent lot. He then asked for the applicant's presentation of their project.

Beverlee Johnson, Chair of BTLA, stated the Library project is well thought-out and beautiful. It supports the General Plan policies and will greatly benefit the community. It is a result of close collaboration between BTLA, the design team, and the Town's planning staff. She provided a brief overview of the history of the project as previously described by Mr. Anderson, said they selected a team of architects who prepared conceptual drawings and a firm specializing in library design that

prepared the needs assessment. She then introduced the design team who were available to answer questions.

Deborah Mazzolini, Library Director, summarized key findings of the needs assessment and building program and said information on the library can be found at www.thelibrary.info. They found that the role of the Library is ever-changing, becoming much more multi-faceted, and supportive of learning and cultural understanding. While successful and with excellent ambience, the current library lacks space, which impedes functionality. It was designed to be a branch of the Marin County Library system and needs to expand to meet both current and future needs.

Ms. Mazzolini provided statistics on visits, percentages of Belvedere and Tiburon library cards, volunteers, checkouts, reference questions, computer sessions, programs in FY 2011, and annual circulation desk check-ins and checkouts per capita compared to nearby communities. She said a driving force in the expansion early on was a need to increase the size of the Children's Room. The needs assessment found there was no place for children to do homework or to group-study. It is currently overcrowded with limited storage and the expansion would more than double the size of the Children's Room. She described the current makeshift teen area, which is inadequate and noisy. In the new library, teens would benefit with group-study rooms, technology, increased collection space and additional seating. She described seating/people space, programming/events space, technology stations, sharing resources within the community, training, needs for space of collections, undersized staff work areas and service desks, and the need to develop flexible and reconfigured spaces. The needs assessment also identified the library as places that become vibrant centers of community interaction, and they would like to move their current bookstore to the library and have a small café or coffee cart facing on the Town Plaza.

Jennifer Devlin, EHDD Architects, said they worked with staff and library representatives in developing Alternative D. She cited the need to preserve and enhance the library and its character, to maintain it as an important place in town, and said it creates a threshold and gateway to the other end of Tiburon Boulevard. She gave a PowerPoint presentation, describing the views taken from across Tiburon Boulevard that respect the separation between the library and Town Hall; meeting rooms, the front and rear entrances, the bookstore, parking, large open windows, and a design that allows views of hills and views looking northwest past Town Hall. She presented and described differences between the proposed project and Alternative D, which increases the separation between Town Hall and the addition and increases the size to a 27,500 square foot project. The refinement to Alternative D changes the rotation of the building to increase open space. She further described the new project's entrances/exits, ingress/egress, pathway access from the private parking lot to Town Hall and through to the library, connection of both buildings for a cohesive frontage, and Zelinsky Park. She outlined the floor plan, areas of the proposed expansion, and façade drawings of the new addition.

Manuela King, the project's landscape architect, described landscape features of the project, the surrounding beauty of the downtown core, aerial photos of the existing library and Town Hall, and described the current unsafe pedestrian experience at the driveways to the buildings. She said the Town has an opportunity to create a spectacular library and a beautiful gateway, a new Town Plaza,

an enlarged park and promenade, children's garden area, marsh enhancement, clear way-finding, activation of public space, trail connections, plaza concepts, seating areas within the plaza garden setting, and circulation to the park, library, pathways, and Town Hall, with ADA access, marsh restoration and the opportunity for interpretive signage.

Riley Hurd, legal counsel for the Library Agency, said the need for library expansion is a good problem to have. Regarding the zoning change, more usable space is achieved and the General Plan indicates the project as something to be supported. Regarding the 100 foot buffer, the EIR indicates that a 50-foot buffer for the marsh is adequate for biological purposes. He asked the Council to agree with the independent consultant's conclusion regarding scenic view blockage and certify the EIR, or, if they so chose, agree with the Planning Commission's conclusion regarding scenic view impacts and adopt a statement of overriding considerations to approve the project.

Vice Mayor Fraser questioned whether the Library tracks residency of user visits and checkouts. Ms. Mazzolini said yes; 77% of residents have library cards, and 56% are taxpaying residents, with another 15% to 20% unincorporated county (Paradise Drive-area) users, and 15% inter-library loans with other libraries. The remaining users are people in the unincorporated county area in Strawberry at about 12%.

Vice Mayor Fraser asked if it would be fair to say that 60% of its use is by residents of Tiburon and Belvedere. Ms. Mazzolini said there are many people in the unincorporated area, but cards are taxed by their library jurisdiction, and outside users provide an income source. Their circulation figures total 320,000 or about 190,000 to the taxpaying jurisdiction.

Councilmember Fredericks asked Ms. Mazzolini to clarify 'taxpaying areas' and questioned whether these support the library. Ms. Mazzolini said most of their financial support comes from taxes and the only increase residents saw for the current facility was a \$30 parcel tax increase to build the existing building, which is what they are using to pay off the construction debt. There was also a \$36 parcel tax for the County that transferred to this Library. But basically, she concluded, taxes are the same relative to the prior Beach Road library location.

Councilmember Fredericks asked if tax revenues that come to the Library include revenues from people who live in places other than the 94920 zip code. Ms. Mazzolini said no; revenue comes only from the Library's tax-paying jurisdiction.

Councilmember Collins requested feedback regarding concerns expressed about the cost of the library, its impact to taxpayers, a potential gap in funding, and increased building valuation. Ms. Mazzolini noted that BTLA's premise is to raise money through private philanthropy to pay for the project. If they are unable to raise sufficient funds, the BTLA may consider constructing the project in phases.

Councilmember O'Donnell questioned the additional annual cost for the library's expansion, and how would this be made up by taxpayers. Ms. Mazzolini noted this information was contained in the agenda packet; they compared the costs of operation in the current library and expanded library,

which totals \$240,000. She confirmed that this would not be made up by taxpayers. Mr. Hurd interjected, stating that the increased operating budget of \$240,000 is already built into the library's current budget. Also important is that while the library has taxing authority, it requires a super-majority vote to change the flat tax. Any additional operating costs associated with the expansion are intended to be privately funded.

Mayor Slavitz expressed concerns about parking, increased usage, and associated impacts from the expansion. Ms. Mazzolini noted that the Library currently deals with overcrowding and tight service points. The service area has about 16,500 persons, which she said will not change much. She confirmed they do not expect substantially-increased usage by local residents or users visiting from Mill Valley or other cities that have their own libraries.

Councilmember Collins noted there are currently 3,800 users per week now and he asked what is expected for the expansion. Ms. Mazzolini said this is difficult to predict, as there has been no analysis done. They believe their service base will not increase and briefly described additional circulation and materials to teens, which has increased by 20% per year from 2007 to 2011.

Jackie Shafer, Teen Librarian, said the teens are wonderful and well behaved. She regularly sees up to 30 to 35 teens every Tuesday in the Teen Lounge and said many take the bus to the library after school.

Councilmember O'Donnell noted that one comment that came up in Planning Commission meetings, as well as from letters, is that the amount of space for staff in the new building is inordinately larger than the public space. He asked Ms. Mazzolini to elaborate on this and how it fits in with the plan or whether there is room for some reduction. Ms. Mazzolini said the office spaces are very small and will not increase. What has increased is the need for space for technical services for cataloging, acquisitions, mail room, deliveries, storage of technical equipment and server equipment which was not designed into the original building. This increase is significant and also serves to improve and ensure a quieter public environment.

Councilmember Collins asked about the so-called 'petting zoo' area. Ms. Mazzolini said this term was coined by a staff member and the petting zoo has been very successful. It is an area where users are able to test out reading devices or tablets such as I-Pads, Kindles or Sony Readers for two hour blocks, in anticipation of a possible purchase of one of these items for personal use.

Vice Mayor Fraser asked whether the Library expects an increase in the number of visits per week. Ms. Mazzolini said she hopes visits increase; however, what will not change significantly is their service area population.

Councilmember Collins clarified with Ms. Devlin the amount of common space throughout the library, which includes such areas relating to space for books, shelving, first and second floor reader stations, internet stations, and the lobby entrance.

Andy Sohn, EHDD Architects, briefly described and explained some of the nomenclature used by architects, which is sometimes different from what is used for typical library space identification terms by library personnel.

Councilmember Collins asked if thought was given to the upper nave itself for additional space for stairs with banisters, like a balcony that is cantilevered out. Ms. Devlin said they looked at this initially; it is an expensive space to build, it did not allow for reading areas on the second floor, and structurally it would not work.

Councilmember O'Donnell voiced concern with placing parking in the rear, feeling people may enter from the rear and not from the front of the building. He has seen other examples in towns where this design is used and the front acts only as a façade. Ms. Devlin recognized this as a good observation to which they paid close attention. The General Plan calls for parking in the rear and she agreed most people will enter from the back of the building. However, this is why activity functions were placed in the front like the bookstore, café, community room, and the plaza area. People will also park on the street and hopefully will come around and activate the plaza activities and space, and this is why they maintained both entrances.

Mayor Slavitz referred to a question that came up regarding the mass of the building along the frontage. He referred to the existing library's simple roof and on the opposite side in the new design is a gabled roof which enhances its presence. It seems to him that the addition looks more massive than the original structure and he questioned if there was an alternative that could be considered. Ms. Devlin said they looked at about 50 design alternatives. The ceiling of the existing library and the nave is lower than the roofline. They are able to put two stories up against the one story and not include the ridge height. They looked at a scheme that simplified the ridge on the east side without gables, which makes the building appear more massive. She thinks given the fact that the second floor is being occupied, there are large windows, and the slope of the roof is the same as the existing building, it makes this feel bigger when looking at the drawings. In actuality, they are able to make the footprint smaller, so from a character point of view, the overall mass is made smaller.

Councilmember Fredericks questioned and confirmed that the setback from edge of curb to facing windows on the gabled portion of the building is roughly 35 to 40 feet.

Mayor Slavitz referred to the use of the plaza space, street parking, and parking lot as all the same size despite a much larger building. He asked for an explanation of how that would not contribute to a parking shortage. Ms. Devlin said she could add nothing more to the analysis that has been done, but creating a place that encourages a pedestrian environment will encourage alternatives with bicycles and use of the bus stop.

Vice Mayor Fraser questioned and confirmed that the Town, as is done now, will have the ongoing responsibility for care and maintenance of the marsh.

BREAK

Mayor Slavitz called for a short break at 8:35 p.m., and upon reconvening the meeting at 8:43 p.m., he called for public comment.

Public Comments:

Lou Weller, Planning Commissioner, recounted the recommendations of the Planning Commission, stating the majority believed that while the rationale has been made to increase the library, its scale as proposed was out of proportion to Town Hall. And, even though the space between the two buildings was expanded, it was still narrow enough to create a scenic view impact. Additionally, they discussed reducing the height at the front of the building and stepping it back so that the two-story facade did not affect views as much, and for the square footage allocated for staff offices to be reduced. He noted that the draft minutes have been completed and accurately reflect what was said at the Planning Commission meeting.

Anyu Silverman, freshman at Redwood High School, supported the library expansion, voiced the need for more space, and questioned why there would be any amount of opposition.

Nicole Schwakopf spoke of her daily trips to the library, the severe lack of space, and voiced support for the expansion.

Jerry Schwakopf voiced support for the project, her love for reading, and discussed the library's important connection to the community and her ability to serve as a volunteer.

Mo Newman said the best thing the town can do is to have a place for teens to hang out, and a library is one of those places.

Jennifer Bank voiced support for the expansion of the library which she believes will greatly benefit and enhance the lives of her family and children.

Wyman Harris said he thinks that an overused library is a wonderful problem to have, thinks the expansion will serve as a wonderful legacy for the next generation and is one of the best things to do for the community.

Margaret Jones cited the fact that Mill Valley's library has no parking and works well. She discussed the history of the Founder's Room, its significant amount of use and limited space, voiced opposition to it being used for office space, and asked that it be saved.

Rita Fink discussed her work to move the library from a storefront 16 years ago when the Council adopted a resolution to give the land to the Library in memory of her husband. She relayed her regular patronage and work at the Library, its limited space, the popularity of the Founder's Room, and voiced support for expansion.

Ric Postle read a statement into the regarding his passion for the library which he gave at the Planning Commission meeting. He believes the expansion will broaden the Library's mission and

will evolve as a place for photography, video, music and film enjoyment, and be used as a hub or forum to socialize and use technology.

Jim Levorsen spoke of naysayers at the time the library was at the post office building, the work to build a foundation, and requested the Council's support for the expansion project.

Joan Don, Chairman of the Library Art Committee, spoke of their annual art shows of which the library receives 25% in proceeds and activities that generate money used for the library expansion fund, to buy art, CDs, DVDs, art works, and memberships to the Asian Art Museum. She cited limitations of the Founder's Room and felt the expansion will enhance the library's cultural legacy.

Ron Helow spoke of his family's avid use of the library and his time spent understanding the need for expansion, and voiced his support.

Lynn Lubbock said she lives at the lower end unit closest to the marsh and open space and is most affected by the expansion and size of the parking lot out of the 34 homeowners in their community. She asked that they be kept apprised of the landscaping and lighting process in moving forward. She also hopes the marsh will continue to be maintained as it is now.

Connie Pierce said she and her husband look forward to an expanded library which will solidify its role as a social, educational center in the community. In living across from it, they have voiced concerns which are on record, have worked with the library architectural committee and are optimistic to be able to work out height, massing, light and glare issues that could be problematic and look forward to the expansion.

Carol Forell commended the Council on their astute questions and amount of time spent analyzing the matter. As part of the founding group, she supports expansion, but believes the proposal is too big. She is concerned that the aesthetic approach will no longer exist with the removal of the open space and courtyard, feels the addition comes too far out toward the street, thinks there are problems with handicapped parking being far away from Town Hall, opposes removal of the Founder's Room and current children's area, and said the nave will not be seen well due to the proposed reconfiguration.

Sharon Bass voiced concerns about inadequate parking given the amount of service the rooms will provide, voiced concern about parking on Mar West Street which is not well lit, and that parking will be situated just outside the reading room and will ruin its ambience due to increased noise.

Carol Kurland, Library Foundation Board of Directors, said she visited some of the newer libraries in the area and came away feeling that the Belvedere-Tiburon library has the bones and framework to expand well. The only thing they lack is the space to realize their potential. She discussed examples she had seen which were much larger, and felt that the needs of groups could be served with the expansion. She hoped that the Council will help strengthen their ability to nurture and support the life of the community with the expansion.

Heather Cameron, President of the BTLA Foundation, recited the Foundation's mission and said they are fully committed to the expansion and are actively planning a campaign. They completed a philanthropy plan and are moving ahead with enthusiasm and confidence.

Susan Schneider referred to the photovoltaic panels which she hoped will make the project a LEED-certified "Gold" building in the future, voiced concerns about parking, said the 52-car parking lot is close to the marsh and exhaust fumes will change the habitat and inevitably result in added debris. She is also worried about the snowy egrets and blue herons and asked to scale back the size of the project and accompanying parking lot in order for the wildlife to survive.

Ann Aylwin, Reed Union School District Representative, is excited about the proposed expansion for schools, kids and community, as well as the vibrant space which will be created between Town Hall and the Library. She toured other renovated libraries, she recognized that schools have seen a 25% increase, and said the library will provide a place for them. She acknowledged Mill Valley's thriving library and community center and loves the design for the expansion.

Ken Weil supported the expansion as stated that as a former library director, he has overseen four library projects and knows the positive impact that a modern, well-designed library has on the community as a whole. He recognized the majority of residents support expansion and knows they will make it part of their life.

Bonnie Spiesberger, Trustee of the BTLA Foundation, voiced support for the project and echoed the many positive comments made tonight. She visited many libraries in the Bay Area and found they all looked ahead to the future. The explosion of library use across the state addresses educational needs of students and adults, and an expanded library will benefit all user groups.

Allan Bortel said 54% of Tiburon residents are over 45; while only 33% of Californians are over age 45, with 33 years as the median age. Aging in place is going to create greater demand by seniors and an expanded Library will be the most important place in town for them. It will have no stairs, no noise and will provide intellectual stimulation. He believes the square footage is not enough, noted that seniors will be able to ride Whistle Stop, and thinks some of the parking concerns are very much overdone.

Stephanie Evans said she is a brand new resident to Tiburon, and the Library is part of the reason why she wants to spend the second part of her life here. She thanked the Library staff for a recent tour and voiced support for the expansion.

Charles Auerbach said he was on the original steering committee for the plan to develop the library and is happy that the plan incorporates more space and that the architect has melded the addition into the building to make it look like original construction. In regards to use of the back entrance, he thinks the beautiful façade in the front will be heavily used by pedestrians, bicyclists, those taking the bus, parents dropping off their children, and others.

Andra Nirenberski discussed her patronage and participation with the Library over the last 12 years; agrees there is a significant lack of space for all users and feels confident that the expansion will meet the needs of the community and is flexible enough to make future changes.

Eric Schoenberg explained his experience when walking his dog along the fire road at St. Hilary's Open Space and thinks there are much larger buildings and spaces in the area, such as the tennis courts and Marsh Road apartments. He did not believe parked cars would cause damage from fumes and voiced support for the expansion.

Hank Bruce, former DRB member and current member of the Library Architectural Committee, cited the significant amount of hard work that has gone into the project and the responsiveness to comments. The project is incredibly complex; many restrictions have been solved, and he asked the Council to think about the library being more of a town center.

There being no one else desiring to speak, Mayor Slavitz closed the public hearing at 9:55 p.m. He asked the Library if it wished to make any clarifications or responses.

Riley Hurd briefly described the history of prior approvals for the library, which he felt were important factors relating to size and need. He believes the current expansion accommodates the needs of teens, adults, seniors, artists, volunteers, and many others, said the 100-foot buffer policy is not based on science specific to the marsh, but that the EIR analysis is and states that a 50-foot buffer is adequate. He also noted that parking was analyzed thoroughly in the EIR and has been deemed a less than significant impact; the Town's policies support the expansion; there has been demonstrated need; and the Council has heard of the many benefits and is aware of community support. He said the building will be functional, cost-effective and green. Regarding the Planning Commission's issue on views, he believes they are not blocking but rather framing the view, and he asked for the Council's support of the expansion and approval as soon as possible.

Mayor Slavitz thanked all speakers for their comments and for respecting time limits, and suggested the Council begin with discussion of the EIR.

Councilmember Fredericks said the EIR issue to be addressed is whether or not there is significant major impact on the scenic view. This is difficult because it is not just perceptual but how individuals have experienced that view, and the Planning Commission recommended the Town Council find that the impact is significant and unavoidable. This is a view one sees as they head into town or in the area immediately opposite the Library. The ridge view is not the same as open water view, but it is important and precious. People see it coming into town as a geological land form that identifies the town. In fact, that view is obscured and not continuous at times of the year because of trees and the changing perspective. She likened it to urban capture and said it is fleeting. With the new expansion, there will be a 48-foot front corridor which is not insignificant and is three times the width of some of the roads in her neighborhood. While it will change the view, it will be on balance with new views from the library. What one gets will be the experience of the view while sitting in the library, as well as the open spaces accessible and created by the project. A promenade will also be captured, and she thinks that if this can be considered a mitigation, she would not find that the

impact on the view is significant and unavoidable but rather a change and, overall, a significantly larger capture of the available view.

Councilmember O'Donnell completely agreed with Councilmember Fredericks' point of view and said they are not closing the view but expanding a public facility from which the view will be enhanced. Users will see it from the back of the library building. The view of the ridgeline can also be seen from other places in downtown.

Councilmember Collins said he is hearing there is disagreement with the EIR that found elimination of the view to be significant and unavoidable. When in a tunnel, one doesn't have to look left or right and he believes the view of the open space is very important. It can be seen and it does not need to be framed by a 48-foot wide corridor which has trees, lattice work, and a walkway in its middle. Therefore, the 48 feet is not the real width through which to see the view. In his view, this violates the General Plan, specifically Goal OSC-C and Policies LU-11, OSC-8, OSC-29, OSC-30, and more. The view of the open space is part of the Town's land that many citizens fought for, and he feels there is another way to go about expanding the library that is not being presented.

Vice Mayor Fraser cited the differing points of view, stating the people who worked on the project did a thorough job. Clearly there is a need in the community. He supported the expansion as the right thing to do and said he believes it is a matter of degree. The Planning Commission did a superlative job in making the proper recommendations to the Council. They made a clear statement about views, traffic and parking, and he is troubled by what the Commission said about views when, in fact, they will impact the scale of this building. He suggested that the Council hold a dialogue about scale and views before making a decision, recognized that the Commission made good recommendations, thinks staff was accurate in saying it will obstruct 60% of current views, and he questioned if there is a way to balance it to end up with what they want while taking into consideration the guidelines and principles of the General Plan.

Mayor Slavitz questioned what the end result is of certifying the EIR by the Council with a finding of significant visual impact. Mr. Anderson said the finding is an informational observation and does not necessarily limit the project. He said the scenic view impact could be something the Council finds useful in moving forward with its comments on the project or the Council can simply approve the project and override the impact if it chooses.

Mayor Slavitz questioned what would happen if there are changes to the scale and design of the project, and Mr. Anderson noted any changes would need to be considered in terms of their merit.

Councilmember Fredericks asked whether the EIR provided quantitative analysis of view loss of the ridgeline, specifically the 60% figure used in the staff report. Mr. Anderson responded that Staff generated the 60% loss of ridge view estimate following completion of the EIR by scaling from the various photo-simulations contained in the EIR. Using this method Staff determined that approximately 60% of the existing span of ridge view would be blocked by Alternative D.

Mayor Slavitz said he is very happy with the project, and felt the Library is part of the community and people's lives and clearly can be a lot more than it is now. He referred to page 5 of the staff report and the key EIR findings and agrees with most of them. He also understands Councilmember Collins' comments and would agree with the Planning Commission recommendation that the view blockage with Alternative D does create a significant and unavoidable impact which, functionally, has no bearing on whether the project can be approved. He stated that design changes might alleviate that problem. He noted parking was also a big concern of his, but the comment made about the Mill Valley Library is absolutely right on: that library is bigger, very busy, and there is no parking and yet it functions. He said he would love to understand how the Town might judge the project's parking better. He supports certifying the EIR with the scenic impact finding of the Planning Commission realizing it makes more of a statement than an actual difference in the project.

Councilmember Fredericks said if the Council does make a finding that the view change is a significant and unavoidable impact, she asked if they will have to make findings to override it. Mr. Anderson said if the Council chooses to approve the project as proposed it will need to include rationale for approving the project while significant impacts remain. This would need to be done in any event, because there are other significant and unavoidable impacts, in addition to the view impact, where a statement of overriding considerations will be necessary.

Vice Mayor Fraser supported the Mayor's point about the fact that the finding of the Commission makes it more or less a statement only.

Councilmember O'Donnell voiced confusion over the process and suggested discussing other elements individually.

Councilmember Fredericks voiced support for the 50-foot setback buffer. She questioned whether the Council had to vote separately on the view blockage finding. Mr. Anderson responded that Exhibit 1 is the draft resolution which would certify the EIR. The issue relating to the ridge blockage impact is the last paragraph and the Council could choose to keep or delete this paragraph.

Councilmember Fredericks said given there is no legal impact, she asked if the EIR could be certified making a note that some Councilmembers disagree and others do not, and then go forward into the discussion of the merits of the project.

Town Attorney Ann Danforth did not recommend this process. She said the resolution appears to be supported by a majority of the Councilmembers. If the Council views the impact as significant and unavoidable, there would be the question in connection with the merits as to whether this impact might warrant a reduction in scale. The vote could also indicate that two Councilmembers disagreed with this particular paragraph.

Mayor Slavitz asked if there is a way to vote on the EIR separate from this paragraph. Ms. Danforth suggested voting on the resolution as prepared and those Councilmembers who oppose it could indicate for the record why they voted in dissent.

Councilmember Fredericks pointed out that the EIR does not contain the paragraph. Ms. Danforth said the way resolutions have been set up is that they adopt the findings of the EIR and note any exceptions. The Council can make findings by individual impact, but the result is that if the Council wants to certify the EIR it must be done by a resolution that is agreed to by all. Councilmember Fredericks said she objects to voting for a resolution that has a paragraph that is not in the EIR and prefers to certify the EIR as it is written.

Ms. Danforth said the process used by the Planning Commission was to have a vote on whether to include the paragraph in the resolution, and then hold a separate vote on the resolution itself. She said staff could return with findings regarding specific impacts later.

Councilmember Fredericks confirmed with staff that if the paragraph was left out now, staff could later craft findings to be adopted prior to any project approval.

Councilmember Collins noted that the paragraph deals with Alternative D, and he asked whether or not it should read, "Refined Alternative D". Mr. Anderson responded that the EIR did not address the refined project design, which did not yet exist, only Alternative D.

Councilmember Collins raised the issue of how parking would be addressed, and Mr. Anderson said there will be a lengthy resolution containing CEQA findings, which the Council will need to adopt prior to acting on the merits of the project.

Mayor Slavitz confirmed with Ms. Danforth that the resolution can exclude the final paragraph if the wish is to have a resolution that all Councilmembers can support, and that instead of addressing the issue in the certification resolution, the Council could adopt a separate resolution at a later date that contains more detailed findings regarding the environmental impacts.

MOTION: To certify the EIR and adopt the resolution (Exhibit 1 of the Staff Report) as amended, deleting the last paragraph.

Moved: O'Donnell, seconded by Collins.

Vote: AYES: Unanimous

MOTION: To read by title only the rezoning ordinance (Exhibit 2 of the Staff Report).

Moved: Collins, seconded by Fredericks.

Vote: AYES: Unanimous

Mayor Slavitz read, "An Ordinance of the Town Council of the Town of Tiburon Rezoning Certain Property from OS (Open Space) to P (Public/Quasi-Public) Zone to Accommodate an Expansion of the Belvedere-Tiburon Public Library".

MOTION: To pass first reading of the ordinance.

Moved: Fredericks, seconded by Fraser.

Vote: AYES: Collins, Fraser, Fredericks, O'Donnell & Slavitz
NOES: None

MOTION: To read by title only the rezoning ordinance (Exhibit 3 of the Staff Report).
Moved: O'Donnell, seconded by Collins.
Vote: AYES: Unanimous

Mayor Slavitz read, "An Ordinance of the Town Council of the Town of Tiburon Rezoning Certain Property from NC (Neighborhood Commercial) to P (Public/Quasi-Public) Zone to Correct a Prior Mapping Error".

MOTION: To pass first reading of the ordinance.
Moved: O'Donnell, seconded by Collins.
Vote: AYES: Collins, Fraser, Fredericks, O'Donnell & Slavitz
NOES: None

MOTION: To read by title only the master plan amendment ordinance (Exhibit 4 of the Staff Report).
Moved: Fraser, seconded by Collins.
Vote: AYES: Unanimous

Mayor Slavitz read, "An Ordinance of the Town Council of the Town of Tiburon Amending the Point Tiburon (Northwestern Pacific Railroad) Master Plan (PD#42) to Accommodate an Expansion of the Belvedere-Tiburon Public Library".

MOTION: To pass first reading of the ordinance.
Moved: Fraser, seconded by Collins.
Vote: AYES: Collins, Fraser, Fredericks, O'Donnell & Slavitz
NOES: None

Mayor Slavitz stated that the public hearing has been closed, and he suggested a motion to continue the item to October 19, 2011 for the Council to consider the merits and findings of the project.

MOTION: To continue the item to the meeting of October 19, 2011 for deliberation on the project merits and findings.
Moved: Fredericks, seconded by Fraser.
Vote: AYES: Unanimous

2. **Alta Robles Precise Development Plan** – Consider actions related to the Alta Robles Precise Development Plan and rezoning applications for the eventual subdivision of 52.2 acres of land, currently developed with one single-family dwelling into 14 single-family residential lots (Planning Manager Watrous) – *item continued without discussion to November 2, 2011*

MOTION: To continue without discussion to November 2, 2011.
Moved: Fraser, seconded by Collins.
Vote: AYES: Unanimous

TOWN COUNCIL REPORTS

None

TOWN MANAGER'S REPORT

None

WEEKLY DIGESTS

- Town Council Weekly Digest – September 9, 2011
- Town Council Weekly Digest – September 16, 2011
- Town Council Weekly Digest – September 23, 2011
- Town Council Weekly Digest – September 30, 2011

No discussion.

ADJOURNMENT

There being no further business before the Town Council of the Town of Tiburon, Mayor Slavitz adjourned the meeting at 10:37 p.m.

JEFF SLAVITZ, MAYOR

ATTEST:

DIANE CRANE IACOPI, TOWN CLERK