



TOWN OF TIBURON
Town Council Chambers
1505 Tiburon Boulevard
Tiburon, CA 94920
November 5, 2003

7:00 PM – Closed Session
7:30 PM – Regular Meeting

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (415) 435-7377. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Belvedere-Tiburon Library located adjacent to Town Hall. Agendas and minutes are posted on the Town's website, www.tiburon.org/government.

Upon request, the Town will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least 5 days before the meeting. Requests should be sent to the Office of the Town Clerk at the above address.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing(s) described later in this agenda, or in written correspondence delivered to the Town Council at, or prior to, the Public Hearing(s).

TIMING OF ITEMS ON AGENDA

While the Town Council attempts to hear all items in order as stated on the agenda, it reserves the right to take items out of order. No set times are assigned to items appearing on the Town Council agenda.

AGENDA

CLOSED SESSION

Conference with Legal Counsel

(Section 54956.9(a))

Howard Zack, Diane Zack v. MERA

MERA v. Town of Tiburon and Dean Bloomquist

Citizens for Open Process in Antenna Siting (COPAS) v. MERA

Conference with Legal Counsel – Anticipated Litigation

(Section 54956.9(b))

Significant Exposure to Litigation: One Case

CALL TO ORDER AND ROLL CALL

Councilmember Berger, Councilmember Gram, Councilmember Thompson, Vice Mayor Fredericks, Mayor Slavitz

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION, IF ANY

ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject not on the agenda may do so now. Please note however, that the Town Council is not able to undertake extended discussion or action tonight on items not on the agenda. Matters requiring action will be referred to the appropriate Commission, Board, Committee or staff for consideration and/or placed on a future Town Council meeting agenda. Please limit your comments to no more than three (3) minutes.

CONSENT CALENDAR

All items on the Consent Calendar may be approved by one motion of the Town Council unless a request is made by a member of the public, staff or Town Council that an item be transferred to the Regular Agenda for separate discussion and consideration. Likewise, any item on the Regular Agenda may be moved to the Consent Calendar. If you would like to speak on any of these items on the Consent Calendar below, please do so now.

1. **Approval of Town Council Minutes** – October 15 , 2003
2. **Approval of Town Council Minutes** – October 22, 2003
3. **Recommendation by Mayor** – Third Amendment to Town Manager's Employment Agreement

4. **Recommendation by Town Manager** – Adopt recommendations of Joint Services Authority Oversight Committee
 - a) A Resolution of the Town Council of the Town of Tiburon Affirming the Roles of the Marin County General Services Joint Powers Agency and the Marin County Joint Services Authority Oversight Committee
5. **Recommendation by Town Manager** – Chamber of Commerce Citizen of the Year
 - a) A Resolution of the Town Council of the Town of Tiburon Commending Chris Morrison upon his Selection by the Tiburon Peninsula Chamber of Commerce as the 2003 Citizen of the Year
6. **Recommendation by Planning Manager** – Resolution Memorializing Partial Granting of Appeal
 - a) A Resolution of the Town Council of the Town of Tiburon Memorializing the Partially Granting of an Appeal by St. Hilary Catholic Church of the Denial of a Site Plan and Architectural Review for Property located at 761 Hilary Drive

REGULAR AGENDA

7. **Recommendation by Director of Community Development** – Application by Belvedere-Tiburon Library Agency for Proposed Library Expansion
 - a) Authorize Town Manager to Sign Application Forms on behalf of the Town to Enable the Library to Apply for Actions on Town-owned Property
 - b) Consider Request by Library for Waiver of Planning Processing Fees
8. **Recommendation by Town Manager** – Downtown Public Art Project

PUBLIC HEARING

9. **Recommendation by Planning Manager** – Appeal of Design Review Board Denial of a Site Plan and Architectural Review application for Construction of an Addition to an Existing Single-Family Dwelling, with a Floor Area Exception – *Request for Continuance to November 19, 2003*

Address: 81 Eastview
Appellant: Jeff Kaiser
AP Number: 60-105-51

COUNCIL COMMITTEE AND COMMISSION REPORTS

WRITTEN COMMUNICATIONS

Town Council Weekly Digest – October 17, 2003

Town Council Weekly Digest – October 24, 2003

Town Council Weekly Digest - October 31, 2003

ADJOURNMENT - *In honor and memory of the Marin County Firefighters battling the Southern California Wildfires*

UPCOMING MEETINGS & EVENTS

November 4, 2003 – Town Council Election
November 5, 2003 – Regular Meeting
November 13, 2003 – Undergrounding of Utilities Public Information Meeting (Bel Aire School)
November 19, 2003 – Regular Meeting; Farewell to Outgoing Councilmember Andrew Thompson
November 20, 2003 – MCCMC (Ross)
November 27/28, 2003 – Thanksgiving Holiday
December 3, 2003 – Regular Meeting; Election of Mayor/Vice Mayor; seating of New Council
December 17, 2003 – Town Holiday Party
December 23, 2003 – January 1, 2004 – Town Hall Holiday Closure
January 7, 2004 – Town Council Meeting
January 2004 – Town Council/Staff Retreat

UPCOMING AGENDA ITEMS – Note: These items are tentative until they appear on the final agenda.

November 19, 2003

- Adoption of Annual General Plan Status Report
- Marin County Tourism Business Improvement District
- Upgrade of McKegey Green Playing Field Surface
- Town Investment Summary – September 2003
- Town Auditor's Report for FY ending June 30, 2003
- Amend Animal Control Ordinance – Introduction and First Reading
- Modifications to Street Lights along Tiburon Boulevard in Downtown Tiburon
- Selection of new Paint Color for Town Council Chambers
- Renewal of Agreement for Engineering Services (Harris & Associates)

Future Meetings

- Interviews for Planning Commission Vacancy
- Proposed Jet Ski Ordinance
- Proposed Erosion and Siltation Control Ordinance
- Proposed Drainage Impact Fee
- Revised Alarm Permit Fee Schedule
- Revised Road Impact Fee Schedule
- Raccoon Lane Undergrounding Utilities District
- Accept Storm Drain Project as Complete
- Recommendation by Town Manager of Revenue Enhancement /Cost Recovery Ideas
- Appeal of Planning Commission Decision to Deny an Application to Amend the Cypress Hollow Precise Development Plan to amend a building envelope at 65 Monterey Drive ; Applicant/Appellant Eckhard Evers