



TOWN OF TIBURON
Town Council Chambers
1505 Tiburon Boulevard
Tiburon, CA 94920
December 3, 2003

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

CALL TO ORDER AND ROLL CALL

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

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. **Recommendation by Town Clerk** – Certification of November 4, 2003 Election Results
 - a) A Resolution of the Town Council of the Town of Tiburon Certifying the Results of the General Municipal Election Held in the Town of Tiburon on November 4, 2003 for the Purpose of Electing Two Town Councilmembers
2. **Recommendation by Town Clerk** – Adoption of Annual Town Appointments List
3. **Recommendation by Director of Administrative Services** – Update Town Signature Authority
 - a) A Resolution of the Town Council of the Town of Tiburon Authorizing the Signing and Endorsing of Checks and Other Instruments of Payment and Access to Documents Retained in Safekeeping
4. **Recommendation by Director of Administrative Services** – Accept Town Audit Report for Fiscal Year Ending June 30, 2003
5. **Recommendation by Director of Administrative Services** – Accept Town Investment Report for October 2003
6. **Recommendation by Administrative & Financial and Analyst** – Update Hourly Rate Schedule for Town Personnel
 - a) A Resolution of the Town Council of the Town of Tiburon Adopting a Revised Hourly Rate Schedule for Town of Tiburon Personnel

7. **Recommendation by Planning Manager** – Resolution Memorializing Council Action in the Appeal of Design Review Board Decision Pertaining to 81 East View Avenue
 - a) A Resolution of the Town Council of the Town of Tiburon Memorializing the Granting of an Appeal by Jeffrey Kaiser Of the Denial of Site Plan and Architectural Review for Property located at 81 East View Avenue
8. **Recommendation by Director of Public Works/Town Engineer** – Accept as Complete Fiscal Year 2003 Drainage Program
9. **Recommendation by Director of Public Works/Town Engineer** – Authorize Budget Amendment
 - a) Greenwood Beach Drainage Channel Restoration Project
 - b) South of Knoll Playground Tile Program
 - c) Public Works Corporation Yard Roof Repair
10. **Recommendation by Town Manager** – Interpretation of Management and Mid-Management Compensation Resolutions
11. **Recommendation by Mayor** – Recognition of Outgoing Councilmember Thompson
 - a) A Resolution of the Town Council of the Town of Tiburon Recognizing and Commending Andrew Thompson for His 12 Years of Service to the Town of Tiburon and The Tiburon Town Council

PUBLIC HEARING

12. **Recommendation by Town Manager** – Adopt Animal Services Ordinance & Approve Fee Schedule
Second Reading and Adoption of Ordinance
 - a) An Ordinance of the Town Council of the Town of Tiburon Repealing Chapter 20 (Animals and Fowl) of the Tiburon Town Code and Adopting a New Chapter 20 (Animals) of The Tiburon Town Code
 - b) A Resolution of the Town Council of the Town of Tiburon Adopting a Fee Schedule in Conjunction with Adoption of Chapter 20 (Animals) of the Town Code

REGULAR AGENDA

13. **Report by Town Attorney** – Status Report on MERA Litigation (no report attached)

COUNCIL COMMITTEE AND COMMISSION REPORTS

WRITTEN COMMUNICATIONS

Town Council Weekly Digest – November 21, 2003

Town Council Weekly Digest – November 28, 2003

SPECIAL PRESENTATION

Mayor Slavitz will make a Presentation in Recognition of Outgoing Councilmember Andrew Thompson.

TOWN COUNCIL COMMENTS

ADMINISTRATION OF OATH TO COUNCILMEMBERS ELECT

The Town Clerk will administer the Oath of Office to Councilmembers Elect Jeff Slavitz and Paul Smith and present them with Certificates of Election.

SEATING OF THE NEW TOWN COUNCIL

Councilmember Thompson will step down and Councilmembers Elect Slavitz and Smith will take their seats at the Council Dais.

ELECTION OF MAYOR

Outgoing Mayor Slavitz will receive nominations for the Office of Mayor and conduct the election.

TOWN COUNCIL COMMENTS

ELECTION OF VICE MAYOR

The Mayor-elect will take the Chair and conduct the election of Vice Mayor.

TOWN COUNCIL COMMENTS

ADJOURNMENT – *To a celebration at the home of Alice Fredericks*

UPCOMING MEETINGS & EVENTS

December 6, 2003 – Holiday Festival of Trees (Main Street)

December 17, 2003 – Town Holiday Party – (Servino's Ristorante)

December 24, 2003 through January 2, 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.

Future Meetings

- Interviews for Planning Commission Vacancy – (January 7, 2004)
- Annual Fee Report and New Fee Schedule for Community Development Department – (January 7)
- Trestle Glen Bike Study Negative Declaration – (January 21)
- Replacement of Ned's Way Bus Shelter – (January 21)
- General Plan Open Space & Conservation Element – (February)
- Proposed Hawthorne/Hilary Undergrounding District – (February)
- 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