



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

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

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### **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](http://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.

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## **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*

*Siciliano v. Tiburon*

*Xanadu v. Town of Tiburon*

### 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.

### APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- Design Review Board - (One Vacancy)

### 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** – August 6, 2003
2. **Approval of Town Council Minutes** – August 20, 2003

REGULAR AGENDA

3. **Recommendation by Director of Public Works/Town Engineer** – Reconsideration of Approval of Inclusion of Portion of Hawthorne Drive in Del Mar Valley Utility Undergrounding Assessment District – *continued from August 6, 2003*
4. **Recommendation by Director of Public Works/Town Engineer** – Presentation by W-Trans regarding Traffic Safety Improvements to Intersection of Tiburon Boulevard at Reed Ranch Road
5. **Recommendation by Town Manager** - Notice to Cancel Extension of Mill Valley Refuse Service, Inc. Franchise Agreement

PUBLIC HEARING

6. **Recommendation by Director of Community Development** - Certification of Final EIR / Tiburon Glen Residential Project
  - a) A Resolution of the Town Council of the Town of Tiburon Certifying the Final Environmental Impact Report for the Tiburon Glen Precise Development Plan (PD#22) to Create Eight Building Sites on 26.03 Acre Parcel; 3700 Block of Paradise Drive near Norman Way; Assessor's Parcel #39-241-01

COUNCIL COMMITTEE AND COMMISSION REPORTS

WRITTEN COMMUNICATIONS

**Town Council Weekly Digest** – August 8, 2003

**Town Council Weekly Digest** – August 15, 2003

**Town Council Weekly Digest** – August 22, 2003

**Town Council Weekly Digest** – August 29, 2003

ADJOURNMENT

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

**September 17, 2003**

- Responses to Marin County Grand Jury Report
- Appeal of Design Review Board approval of additions to single family home with variances at 524 Virginia Drive; Applicants, George & Dora Gavros; Appellants No. 1, Wayne Snow, 100 Jefferson Drive; Appellant No. 2, Gaye & Francois Varnay, 525 Virginia Drive
- County Request for the Creation of a Business Improvement District
- COPS Funding Resolution for FY 2003-04

- Town-Initiated Text Amendments and Open Space Rezoning (Chapter 16 of the Town Code) – Introduction and First Reading of Ordinance
- Town Investment Policy

**Future Meetings**

- Report on Downtown Plaza Public Art Project
- Proposed Jet Ski Ordinance
- Proposed Erosion and Siltation Control Ordinance
- Proposed Taxicab Ordinance
- Proposed Drainage Impact Fee
- Revised Alarm Permit Fee Schedule
- Revised Road Impact Fee Schedule
- Raccoon Lane Undergrounding Utilities District
- Recommendation by Town Manager of Revenue Enhancement /Cost Recovery Ideas
- Report on Library Expansion
- 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