



TOWN OF TIBURON
Regular Meeting
Town Council Chambers
1505 Tiburon Boulevard
Tiburon, CA 94920

October 20, 2004
6:00 PM – Closed Session
7:30 PM – 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.ci.tiburon.ca.us.

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

Pursuant to California Government Code Sections 54950 et seq., the Town Council will hold a closed session. More specific information regarding this meeting is indicated below:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Section 54956.9(c))

Initiation of Litigation - Case name withheld because disclosure would jeopardize existing settlement negotiations

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Section 54957)

Title: Town Manager
Town Attorney

CALL TO ORDER AND ROLL CALL

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

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.

PRESENTATION

- Jt. Recreation Department Annual Report – Priscilla Tripp, Committee Chair

CONSENT CALENDAR

1. **Approval of Town Council Minutes** – October 6, 2004
2. **Approval of Town Council Minutes** – October 9, 2004
3. **Recommendation by Chief of Police** – COPS Spending Program FY 2004-05
 - a) A Resolution of the Town Council of the Town of Tiburon Approving the COPS Spending Program for FY 2004-05
4. **Recommendation by Planning Manager** – Appeal of Design Review Board Decision to Deny a Site Plan and Architectural Review Application to Modify Previously Approved Plans to Legalize Construction of an As-Built Addition to an Existing Single-Family Dwelling

Property Address: 100 Lyford Drive
Applicants/Appellants: Fred and Rhonda Soofer
Assessor Parcel No.: 58-222-14
 - a) A Resolution of the Town Council of the Town of Tiburon Upholding the Appeal of Fred and Rhonda Soofer
5. **Recommendation by Town Manager** – Approve Funding for Public Fountain Project Artist Stipends
6. **Recommendation by Town Manager** – Budget Authorization and Amendment for alternate MERA Site Test

REGULAR AGENDA

7. **Recommendation by Director of Public Works/Town Engineer** – Proposed Undergrounding of Utilities District – Accept Petitions and Boundary Map
 - a) A Resolution of the Town Council of the Town of Tiburon of Intention to Make Acquisitions and Improvements – “Hawthorne Terrace/Pilgrim Heights Undergrounding of Utilities Assessment District”

COUNCIL, COMMITTEE AND COMMISSION REPORTS

WRITTEN COMMUNICATIONS

Town Council Weekly Digest – October 8, 2004

Town Council Weekly Digest – October 15, 2004

ADJOURNMENT

FUTURE MEETINGS & AGENDA ITEMS – Note: These items are tentative until they appear on the final agenda

- Precise Plan Amendment – Expansion of Building Envelope at 4 Indian Rock – (November 3)
- Design Review Board Appeal of Site Plan and Architectural Review for Construction of a Single Family Dwelling at 79 Round Hill Road – (November 3)
- Transfer of Reserves FY 2004-05 – (November 3)
- FY 2003-04 Audit Report and Adoption – (November 17)
- Lyford Cove Undergrounding District – Public Hearing and Ballot Tabulation – (November 17)
- Tiburon Police Association Contract – (November 17)
- Election of Mayor/Vice Mayor – (December 1)
- Town Holiday Party – (December 15)
- Annual Meeting of Tiburon Redevelopment Agency
- 3rd Quarter FY Budget Report
- Tiburon Glen Precise Development Plan
- Soda LLC – Waiver of Annexation Agreement
- Revised Street Impact Fee Schedule
- Raccoon Lane Undergrounding Project – Reaffirm Resolution of Intention
- Proposed Erosion and Siltation Control Ordinance
- County-wide Services JPA
- Adoption of Updated Personnel Rules and Regulations
- Trestle Glen Bike and Pedestrian Path Improvements – Plans and Specifications