



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

January 19, 2005
6:45 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.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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Section 54956(a))

Fenster v. Town Council, Planning Commission & Library Agency

Siciliano v. Town of Tiburon

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Section 54956.9(c))

[Property Dispute regarding Easement over a portion of 160 Gilmartin)

Initiation of Litigation – Case name(s) withheld because disclosure would jeopardize existing settlement negotiations

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION (Section 54956(b)(3)(C))

Name of Claimant: Kasey Boak, 1895 Mar West

CALL TO ORDER AND ROLL CALL

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

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** – December 15, 2004
2. **Approval of Town Council Minutes** – January 5, 2005

3. **Recommendation by Director of Administrative Services** – Accept Monthly Investment Summary for December 2004
4. **Recommendation by Director of Administrative Services** – Pt. Tiburon Below Market Rate Units – Authorize Town Manager to Sell 20 Marsh Road to Marin Housing Authority – *continued from December 15, 2004*
5. **Recommendation by Director of Community Development** – Budget Amendment to Fund Continuation of Advance Planner Position through June 30, 2005

APPOINTMENTS TO TOWN BOARDS, COMMISSIONS & COMMITTEES

6. **Recommendation by Town Clerk** – Appointments to Boards, Commissions and Committees
 - a) Announcement of Pending Vacancies on Town Boards & Commissions in 2005
 - b) 2005 Council Committee Liaison Appointments

PUBLIC HEARING

7. **Recommendation by Planning Manager** – Ring Mountain Precise Plan Amendment (PD#10)

Property Address: 8 Mariposa Court
Owners: Jeff and Sheryl Ott
Applicant: Nick Noyes Architecture
Assessor Parcel No.: 038-440-08

REGULAR AGENDA

8. **Recommendation by Advance Planner** – Amend Solar Panel Policy to Comply with New State Legislation
9. **Recommendation by Director of Public Works/Town Engineer** – Trestle Glen Bike and Pedestrian Path Improvements –
 - a) Adopt Final Plans and Specifications and Authorize Bid Process
 - b) Adopt Resolution Authorizing Application for Matching CAL/TRANS Grant Funds
10. **Recommendation by Director of Public Works/Town Engineer** – Proposed 2004/05 Street Rehabilitation Program Streets List
11. **Recommendation by Director of Community Development** – Annual Development Fee & Street Impact Fee Report
 - a) Receive Annual Development Fee Report
 - b) Adopt Resolution making Findings for Street Impact Fee

WRITTEN COMMUNICATIONS

Town Council Weekly Digest – December 17, 2004

Town Council Weekly Digest – December 22, 2004

Town Council Weekly Digest – January 7, 2005

Town Council Weekly Digest – January 14, 2005

ADJOURNMENT

FUTURE MEETINGS

- January 25, 2005 – Del Mar Valley Undergrounding District Homeowner's Advisory Meeting (Town Council Chambers, 7:30 p.m.)
- February 7, 2005 – Annual Town Council/Town Staff Retreat

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

- Selection of Downtown Plaza Fountain Finalist – (February 2)
- Taxicab Ordinance – Introduction and 1st reading – (February 2)
- Revised Street Impact Fee Schedule – (February 2)
- Lyford Cove Undergrounding of Utilities Assessment District – Approve Sale of Bonds – (February 2)
- Annual Report from Marin-Sonoma Mosquito & Vector Abatement District Representative – (Feb. 16)
- Resolution Partially Upholding Appeal of Charles & Dales Sofnas of Design Review Board Decision to Approve a Site Plan and Architectural Review Application for Construction of a new Single Family Dwelling at 79 Round Hill Road– *continued from November 17, 2004*
- Adoption of FY 2003-04 Audit Report
- Tiburon Glen Precise Development Plan
- Soda LLC – Waiver of Annexation Request
- Del Mar Valley Undergrounding of Utilities Assessment District – Adoption of Preliminary Engineer's Report and Actions related thereto
- 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