



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

October 19, 2005  
6:00 P.M. – EOC Tour (Tiburon PD)  
6:30 P.M. – Closed Session  
7:30 P.M. – 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.ci.tiburon.ca.us](http://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.

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## AGENDA

### CLOSED SESSION

#### **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(Section 54956.9(a))

*Town of Tiburon v. Sylvia*

#### **CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION**

(Section 54956.9(b))

Threatened Litigation by County of Marin

#### **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Section 54957)

Title: Town Manager  
Town Attorney

## TIBURON REDEVELOPMENT AGENCY

### CALL TO ORDER AND ROLL CALL

Boardmember Fredericks, Boardmember Gram, Boardmember Slavitz, Vice Chair Smith, Chair Berger

### CONSENT CALENDAR

1. **Approval of Minutes** – December 1, 2004
2. **Approval of Minutes** – June 29, 2005

### ANNUAL MEETING

3. **Report by Director of Administrative Services** – Redevelopment Agency Annual Report

### ADJOURNMENT

## TIBURON TOWN COUNCIL

### CALL TO ORDER AND ROLL CALL

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

**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 5, 2005
2. **Recommendation by Town Manager** – Authorize Budget Amendment for Interim Director of Public Works/Town Engineer Hourly Services
3. **Recommendation by Chief of Police** – Approve Proposed Utilization for Supplemental Law Enforcement Services(COPS) Fund for FY 2005-06
  - a) A Resolution of the Town Council of the Town of Tiburon Approving an Expenditure Plan for the Utilization of Supplemental Law Enforcement Funds (“COPS”) Monies Received in Fiscal Year 2005-2006
4. **Recommendation by Interim Director of Public Works/Town Engineer** – Award of Contract for Railroad Marsh Cattail Removal

**PUBLIC HEARING**

5. **Report by Planning Manager** – Appeal of Planning Commission Denial of Conditional Use Permit Application for 2<sup>nd</sup> Story Banquet Facility Expansion Plan for Caprice Restaurant – *Continued from August 3, 2005*

Applicant/Appellant: Pt. Tiburon Plaza, Inc.  
Address: 2000 Paradise Drive  
Assessor Parcel No. 059-172-46

6. **Recommendation by Town Attorney and Interim Director of Public Works/Town Engineer –**  
Town Ordinance pertaining to Encroachments in Public Right-of-Way

*Second Reading of and Adoption of Ordinance*

- a) An Ordinance of the Town Council of the Town of Tiburon  
Repealing existing Chapter 19 (Encroachments) of the  
Tiburon Municipal Code and replacement with a new Chapter 19  
(Encroachments, General) and adding a new Chapter 19A  
(Use of Public Right-of-Way) to the Tiburon Municipal Code

7. **Recommendation by Director of Community Development and Planning Manager – Zoning**  
Ordinance Amendment to add a Section Regulating Antennas and Wireless Communication  
Facilities; Consideration of Wireless Communication Facilities Standards

*Introduction and First Reading of Ordinance*

- a) An Ordinance of the Town Council of the Town of Tiburon  
Amending Provisions of Chapter 16 (Zoning) of the Tiburon  
Municipal Code regarding Wireless Communication Facilities

**COUNCIL AND COMMITTEE REPORTS**

**WRITTEN COMMUNICATIONS**

**Town Council Weekly Digest** – October 7, 2005

**Town Council Weekly Digest** – October 14, 2005

**ADJOURNMENT**

**FUTURE TOWN COUNCIL MEETINGS:**

- November 2, 2005
- November 16, 2005
- December 7, 2005

**MEETINGS & ACTIVITIES:**

- TOWN COUNCIL CANDIDATE FORUM – Tuesday, October 18, 2005 –  
7:00 p.m. (Town Council Chambers)
- EMPLOYEE APPRECIATION EVENT – Friday, October 21, 2005 – 4:00 p.m. (Ferry Landing)
- MUNICIPAL ELECTION (TOWN COUNCIL) – Tuesday, November 8, 2005
- TOWN COUNCIL/RUSD JT. MEETING – Wednesday, November 30, 2005 –  
7:30 p.m. (Town Council Chambers)

- TOWN HOLIDAY PARTY – Wednesday, December 14, 2005 –  
6:00 p.m. (Town Council Chambers)

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

- Appeal of Design Review Board Approval of Site Plan and Architectural Review – 77 Round Hill Road –  
(November 2)
- South Knoll Playground Renovation Award of Contract
- Notice of Completion – South Knoll Restroom
- Award of Contract to Televiser Storm Drains