TOWN OF TIBURON

Town Council Chambers
1505 Tiburon Boulevard
Tiburon, CA 94920

February 2, 2005
7:00 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

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 –** January 19, 2005

2. **Recommendation by Director of Administrative Services –** Accept Second Quarter FY 2004-05 Financial Report

3. **Recommendation by Advance Planner −** Amend Solar Panel Policy to Comply with New State Legislation – *Continued from January 19, 2005*

REGULAR AGENDA

4. **Recommendation by Director of Administrative Services** − Lyford Cove Utility Undergrounding Assessment District Bond Issuance

   a) A Resolution of the Town Council of the Town of Tiburon Authorizing Issuance of Limited Obligation Improvement Bonds

PUBLIC HEARING

5. **Recommendation by Fountain Plaza Committee −** Selection of Artist Finalist for Construction of Fountain in Downtown

6. **Recommendation by Town Manager** – Amendment to Town Code Pertaining to Taxicabs

   Introduction and First Reading of Ordinance

   a) An Ordinance of the Town Council of the Town of Tiburon Repealing Chapter 11 of Title III of the Tiburon Municipal Code and Adopting a New Chapter 11 Regulating Taxicab Operation

WRITTEN COMMUNICATIONS

Town Council Weekly Digest − January 21, 2005

Town Council Weekly Digest – January 28, 2005

ADJOURNMENT

FUTURE MEETINGS

- February 7, 2005 – Annual Town Council/Town Staff Retreat

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

- Revisions to Town's Street Impact Fee – (Feb. 16)
- Update Town Staff Hourly Cost Recovery Resolution – (Feb. 16)
- Annual Report from Marin-Sonoma Mosquito & Vector Abatement District Representative – (Feb. 16)
- Soda LLC – Waiver of Annexation Request – (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* – (March 2)
- Adoption of FY 2003-04 Audit Report

- Special Event Permit Application for Classic Car Show at Shoreline Park – (March)
- Tiburon Glen Precise Development Plan
- 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
- Approval of County-wide Services JPA
- Adoption of Updated Personnel Rules and Regulations