



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

May 18, 2005
6:00 P.M. – Reception
6:30 P.M. – Closed Session
7:15 P.M. – Interview
7:30 P.M. – 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(b)(3)(C))

One Case

INTERVIEWS

- Planning Commission (7:15 p.m.) – Al Aguirre, 60 Mt. Tiburon Road

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.

PRESENTATION

- 10th Annual Heritage Preservation Award – Jim Mitchell, Recipient

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

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** – May 4, 2005
2. **Recommendation by Director of Administrative Services** – Accept Monthly Investment Summary for April 2005
3. **Recommendation by Town Engineer/Director of Public Works** – Adopt Final Plans and Specifications for Lyford Cove Utility Undergrounding Assessment District

PUBLIC HEARING

4. **Recommendation by Director of Public Works/Town Engineer** – Formation of Del Mar Valley Utility Undergrounding Assessment District

Those homeowners who have not yet submitted a ballot, or those who wish to change their vote on the ballot already submitted, may do so at any time up to the close of the Public Hearing.

- a) **Project Summary.** There will be a brief summary of the project and proposed financing by representatives of the proposed District and Staff.
- b) **Public Hearing.** Speakers will have three (3) minutes and will be asked to state their name, address and identify the property they own or represent within the proposed Assessment District.
- c) **Submittal of Ballots.** The Mayor will ask for the final submittal of ballots to the Town Clerk.
- d) **Tabulation of Ballots.** The Public Hearing will be closed and the Council will take a short recess to allow the Town Clerk time to open and tabulate the ballots.
- e) **Results.** Based upon the results of the balloting, the Town Council will then discuss the matter and determine how to proceed. If the Council decides to proceed with the formation of the Assessment District, it will adopt the following resolution:
 - (i) A Resolution of the Town Council of the Town of Tiburon Adopting the Engineer's Report, Confirming the Assessment, Ordering the Work and Acquisitions and Directing Actions with Respect thereto – Town of Tiburon, Del Mar Valley Utility Undergrounding Assessment District

REGULAR AGENDA

5. **Recommendation by Town Engineer/Director of Public Works** – Award of Contract for Installation of Solar Panels at Town Hall – *continued from May 4, 2005*

COUNCIL AND COMMITTEE REPORTS

WRITTEN COMMUNICATIONS

Town Council Weekly Digest – May 6, 2005

Town Council Weekly Digest – May 13, 2005

ADJOURNMENT

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

- Town Council/Planning Commission Workshop – (May 23)
- HOMEOWNER’S SUMMIT – Library Founder’s Room (June 11)
- Tiburon Hosts MCCMC – Servino’s (June 22)
- Presentation on Energy Aggregation “Community Choice” – (June 1)
- FY 2005-06 Municipal Budget Public Hearing – (June 1)
- Resolutions Calling an Election in November 2005 for the purpose of Electing Three Councilmembers – (June 1)
- Continuation of Police Services for “Friday Nights on Main” – (June 1)
- FY 2005-06 Budget Adoption – (June 15)
- Mill Valley Refuse Service 18th Amendment to Franchise Agreement – (June)
- Amend Ordinances pertaining to Encroachment Permits and Economic Exceptions – (June)
- Cypress Hollow Landscape & Lighting District adoption of annual Assessment – (June)
- Funding Agreement for Downtown Plaza Fountain
- Lyford Cove Utility Undergrounding Assessment District Award of Contract
- Authorize Town Manager to Negotiate and Execute Agreement for Retention of Public Opinion Survey Firm
- Tiburon Glen Precise Development Plan
- Drainage Improvements – Notice of Completion