



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

June 29, 2005
6:15 P.M. – Closed Session
7:30 P.M. – Adjourned 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 54956.9(a))

Zimmerman v. Morphew et al
Bonander & Mulberg v. Town of Tiburon

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Section 54956.9(b))

Threat of litigation received from Reed Union School District

CONFERENCE WITH LABOR NEGOTIATOR

(Section 54957.6)

Bargaining Unit: MAPE
Negotiator: Town Manager and Administrative Services Director

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** – June 15, 2005
2. **Recommendation by Director of Administrative Service** – Accept Investment Summary – May 2005

3. **Recommendation by Director of Administrative Services** – Authorize Town Manager to Negotiate Sale of Town-Owned Real Estate at 32 Marsh Road
 - a) A Resolution of the Town Council of the Town of Tiburon Authorizing the Town Manager to Execute Documents Related to the Sale of 32 Marsh Road, Tiburon, California and the Conveyance of the Property
4. **Recommendation by Director of Public Works/Town Engineer** – Authorize Execution of Cooperative Funding Agreement with Cal/TRANS and County of Marin for Highway 101-East Blithedale/Tiburon Boulevard Interchange Safety Improvements
 - a) A Resolution of the Town Council of the Town of Tiburon Authorizing the Town Manager to Execute a Contribution Agreement with the State of California Department of Transportation To Initiate Construction of, and Cost Sharing Agreement for, Safety Improvements to the U.S. Highway 101 Southbound Offramp to East Blithedale Avenue/Tiburon Boulevard, and Appropriating Funds Therefor
5. **Recommendation by Assistant Planner** – Application for Irrigation Well Permit
Address: 121 Barn Road
Applicant: Kurcher
Assessor Parcel No. 038-162-44
6. **Recommendation by Town Clerk** – Reappointment of Allan Bortel to Marin Commission on Aging

REGULAR AGENDA

7. **Recommendation by Town Manager** – Adoption of FY 2005-06 Municipal Budget and Related Resolutions
 - a) A Resolution of the Town Council of the Town of Tiburon Adopting a Municipal Budget for the Town of Tiburon and the Tiburon Redevelopment Agency for the Fiscal Year Ending June 30, 2006
 - b) A Resolution of the Town Council of the Town of Tiburon Repealing Resolution No. **24-2003** and Adopting an Amended Management Recognition and Incentive Compensation Program
 - c) A Resolution of the Town Council of the Town of Tiburon Repealing Resolution No. **25-2003** and Adopting an Amended Mid-Management, Professional & Confidential Employees Recognition and Incentive Compensation Program
 - d) A Resolution of the Town Council of the Town of Tiburon Establishing an Appropriations Limit for the Fiscal Year 2005-2006 Pursuant to Article XIII B of the Constitution of the State of California (Gann Limit)

8. **Recommendation by Town Manager** – Authorize Sale of Bonds – Del Mar Valley Underground Utilities Assessment District
 - a) A Resolution of the Town Council of the Town of Tiburon Authorizing Issuance of Limited Obligation Improvement Bonds

PUBLIC HEARING

9. **Recommendation by Town Manager** – Mill Valley Refuse 18th Amendment to Franchise Agreement
10. **Report by Planning Manager** – Appeal of Design Review Board Approval of addition of Second Story at 689 Hilary Drive

Assessor Parcel Number: 055-211-07
Applicant: Ignatius Tsang
Appellants: Jocelyn McDonnell, Andy Garde & Joe Keller

11. **Recommendation by Town Attorney & Director of Community Development** – Economic Exception Ordinance (*continued from June 15, 2005*)

Introduction & First Reading of Ordinance

- a) An Ordinance of the Town Council of the Town of Tiburon Adding a new Article VII to Title IV, Chapter 16 of the Tiburon Municipal Code regarding Economic Exceptions

COUNCIL AND COMMITTEE REPORTS

WRITTEN COMMUNICATIONS

Town Council Weekly Digest – June 17, 2005

Town Council Weekly Digest – June 24, 2005

ADJOURNMENT

FUTURE MEETINGS

July 6, 2005 – Regular Meeting – CANCELLED
July 20, 2005 – Regular Town Council Meeting
August 3, 2005 – Regular Town Council Meeting
August 17, 2005 – Regular Town Council Meeting

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

- Risk Management Presentation
- Lyford Cove Utility Undergrounding Assessment District Award of Contract
- Funding Agreement for Downtown Plaza Fountain
- Commission Agreement for Downtown Plaza Fountain
- Tiburon Glen Precise Development Plan
- Drainage Improvements – Notice of Completion