



TOWN OF TIBURON  
Tiburon Town Hall  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Regular Meeting  
Tiburon Town Council  
February 7, 2007  
7:00 p.m.\*  
NOTE: Meeting Venue\*  
and Time\*

## AGENDA

### TIBURON TOWN COUNCIL

#### CLOSED SESSION (6:00 p.m.)

Tiburon Police Department, 1155 Tiburon Boulevard, Tiburon CA 94920

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Section 54956.9(a))

*County of Marin v. Martha Company*

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

One Case – (Kol Shofar Appeal, letter from appellant's attorney dated September 6, 2006)

#### REGULAR MEETING (7:00 P.M.)

\*Reed Elementary School Multi-purpose Room, 1199 Tiburon Boulevard, Tiburon CA 94920

#### CALL TO ORDER AND ROLL CALL

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

#### CLOSED SESSION ANNOUNCEMENT

#### ORAL COMMUNICATIONS

Persons wishing to address the Town Council on subjects not on the agenda may do so at this time. Please note however, that the Town Council is not able to undertake extended discussion or action on items not on the agenda. Matters requiring action will be referred to the appropriate Commission, Board, Committee or staff for consideration or placed on a future Town Council meeting agenda. Please limit your comments to 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 Town council, public or staff to remove an item for separate discussion and consideration. If you wish to speak on a Consent Calendar item, please seek recognition by the Mayor and do so at this time.

1. **Town Council Minutes** – January 17, 2007
2. **Town Attorney Employment Agreement** – Adopt Second Amendment to Agreement and Authorize Budget Amendment (Town Manager Peggy Curran)

## ACTION ITEMS

3. **Appeals of Planning Commission Decisions to Certify the Environmental Impact Report and to Deny the Conditional Use Permit Application for Expansion of an Existing Religious Facility and Day School** - Report by Director of Community Development Scott Anderson and Planning Consultant Lisa Newman

Address: 215 Blackfield Drive  
Assessor Parcel No.: 038-351-34  
Applicant/Appellant: Congregation Kol Shofar (“CKS”)  
Appellant: Tiburon Neighborhood Coalition (“TNC”)

Actions for Council Consideration:

- a) Adopt Resolution Denying CKS appeal of Environmental Impact Report (EIR) Certification
- b) Adopt Resolution Denying TNC appeal of Environmental Impact Report (EIR) Certification
- c) Adopt Resolution Certifying the Environmental Impact Report (EIR) for the project
- d) Adopt Resolution Making California Environmental Quality Act (CEQA) Findings of Fact
- e) Adopt Resolution Partially Granting the CKS appeal of the Conditional Use Permit (CUP) denial, approving a Conditional Use Permit, and adopting a Mitigation Monitoring Program

## TOWN COUNCIL REPORTS

### TOWN MANAGER’S REPORT

### WEEKLY DIGESTS

- Town Council Weekly Digest – January 19, 2007
- Town Council Weekly Digest – January 26, 2007
- Town Council Weekly Digest – February 2, 2007

## ADJOURNMENT

## GENERAL PUBLIC INFORMATION

### 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.