



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

Regular Meeting
Tiburon Town Council
October 21, 2009
Regular Meeting – 7:30 p.m.

AGENDA

TIBURON TOWN COUNCIL

CALL TO ORDER AND ROLL CALL

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

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** – Approve minutes of October 7, 2009 meeting (Town Clerk Crane Iacopi)
2. **2009 Metal Beam Guardrail Replacement Project** – Adopt Resolution accepting project and authorize filing of Notice of Completion (Director of Public Works/Town Engineer Nguyen)
3. **Supplemental Law Enforcement (COPS) Funding** – Adopt resolution authorizing expenditure of funds for FY 2009-2010 (Chief of Police Cronin)
4. **State and Local Government Reform** – Request for Endorsement of Marin County Leadership Summit (Town Clerk Crane Iacopi)
5. **Proposition IA Securitization** – Recommendation to authorize sale of the Town of Tiburon's Proposition IA Receivable from the State of California (Director of Administrative Services Bigall)

ACTION ITEMS

1. **Marin Clean Energy** – Hear Presentation by Marin Energy Authority on Energy Service Provider (ESP) contracts; Public and Council comment (Town Manager Curran, Town Attorney Danforth)
2. **Proposed Memorandum of Understanding (MOU) regarding *The Martha Company v. Town of Tiburon* Litigation** – Consider adoption of Memorandum of Understanding for Reduced density EIR alternative for Martha Company development application currently pending before the County of Marin (Director of Community Development Anderson, Town Attorney Danforth, Town Manager Curran)

Motion to continue without discussion to a Special Town Council meeting on October 26, 2009, at 6:30 p.m. (or other time as Council may determine)

PUBLIC HEARINGS

1. **Design Review Board Appeal** – Consider appeal of Design Review Board approval for Site Plan and Architectural Review to construct a new single family dwelling at 22 Mercury Avenue (Planning Manager Watrous)

Property Address: 22 Mercury Avenue
Assessor Parcel No.: 034-262-31
Applicants: Sam & Jennifer Dibble
Appellants: Jeff & Satoko Boris, Chick & Anne Lettrich, Jim & Moira O'Neal, Rod & Nancy McLeod

2. **Amendments to Title IV, Chapter 13 (Building Regulations)** – Consider amendments to Title IV, Chapter 13 (Building Regulations) of the Tiburon Municipal Code to refine fire sprinkler requirements for secondary dwelling units and make other amendments thereto (Ordinance, first reading); amendment to secondary dwelling unit standards (Resolution)

Motion required to continue without discussion until November 4, 2009

TOWN COUNCIL REPORTS

TOWN MANAGER'S REPORT

WEEKLY DIGESTS

- Town Council Weekly Digest – October 9, 2009
- Town Council Weekly Digest – October 16, 2009

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.

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.