



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

Regular Meeting  
Tiburon Town Council  
March 17, 2010  
Regular Meeting – 7:30 p.m.  
Closed Session – 6:30 p.m.  
Interviews – 7:20 p.m.

## AGENDA

### TIBURON TOWN COUNCIL

#### CLOSED SESSION – (6:30 p.m.)

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

*Bonander v. Town of Tiburon*  
*Town of Tiburon v. All Persons Interested (Del Mar Valley Undergrounding)*  
*Mostyn v. Town of Tiburon et al.*

#### INTERVIEWS FOR VACANCIES ON BOARDS & COMMISSIONS – (7:20 p.m.) (Jt. Recreation Committee – One Vacancy)

- Tina Warren, 11 St. Bernard Lane

#### CALL TO ORDER AND ROLL CALL

Councilmember Fraser, Councilmember Fredericks, Councilmember O'Donnell, Vice Mayor Slavitz, Mayor Collins

#### CLOSED SESSION ANNOUNCEMENT, IF ANY

#### 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.

## PRESENTATION

- Discussion of Sanitary District No. 5 Proposed Rate Increase – (Bob Lynch, General Manager)

## 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. **Amendments to Zoning Ordinance** – Adopt Ordinance amending Title IV, Chapter 16 (Tiburon Zoning Ordinance) to incorporate comprehensive reformatting and text amendments (Director of Community Development Anderson)
2. **Wireless Communication Facility at Cove Shopping Center** – Adopt resolution memorializing denial of appeal of Planning Commission conditional approval of a co-located wireless communication facility at 1 Blackfield Drive, with additional conditions regarding signage (Director of Community Development Anderson)

Address: 1 Blackfield Drive, Cove Shopping Center, Blockbuster building  
APN: 034-212-18  
Applicant: Clearwire LLC  
Appellant: Peter Pursley, 2 Carmel Way, San Anselmo, CA 94960

3. **Amendments to Encroachment Ordinance** – a) Adopt ordinance amending Title V, Chapter 19 (Encroachments) to add a provision authorizing encroachment-related policies to be adopted by the Town Council; b) Adopt Policy pertaining to Encroachments (Director of Public Works/Town Engineer Nguyen/Town Attorney Danforth)

## ACTION ITEMS

1. **Appeals Policy and Procedures** – Consider adoption of a resolution revising the Town Council's policy and procedures regarding the processing, scheduling, and reconsideration of appeals (Director of Community Development Anderson/Town Attorney Danforth)

## PUBLIC HEARINGS

1. **Amendments to Water Conservation Ordinance** – Second reading and adoption of an ordinance repealing Title IV, Chapter 13E (Water Conservation) of the Tiburon Municipal Code, and adoption of regulations contained in Marin Municipal Water District ordinance (Ordinance No. 414) regarding water-efficient landscapes and water conservation (Director of Community Development Anderson)

TOWN COUNCIL REPORTS

TOWN MANAGER'S REPORT

WEEKLY DIGESTS

- Town Council Weekly Digest – March 5, 2010
- Town Council Weekly Digest – March 12, 2010

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.