



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

Regular Meeting
Tiburon Town Council
March 3, 2010
Regular Meeting – 7:30 p.m.
Closed Session – 6:00 p.m.
Interviews – 7:10 p.m.

AGENDA

TIBURON TOWN COUNCIL

CLOSED SESSION – (6:00 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 – (7:10 p.m.)

(Heritage & Arts Commission – One Vacancy)
(Design Review Board – One Vacancy)
(Parks, Open Space & Trails Commission – Two Vacancies)

- Jaleh Etemad, 237 Round Hill Road
- Bob McDermott, 601 Ridge Road

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.

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** – Adopt minutes of January 20, 2010 regular meeting (Town Clerk Crane Iacopi)
2. **Town Investment Summary** – Accept January 2010 report (Director of Administrative Services Bigall)
3. **Application for Well Permit** – Approve permit for non-potable water well (Associate Planner Tyler)
Address: 13 Roseville Court
APN: 039-212-07
Applicants: Stephen & Katherine Van Dusen
4. **Town Purchase of Below Market Rate Unit** – Approve purchase of two-bedroom unit at 4 Marsh Road and authorize execution of documents by Town Manager (Director of Administrative Services Bigall)
5. **Amendment to Taxi Cab Fee Schedule** – Adopt resolution incorporating amendments adopted by Marin General Services Agency in November 2009 (Town Attorney Danforth)
6. **Purchase of Tax and Revenue Anticipation Note for Investment Purposes** – Recommendation to Purchase 2010 Tax and Revenue Anticipation Note from the Town of Fairfax, California (Director of Administrative Services Bigall)
7. **Martha Property Memorandum of Understanding (MOU)** – Approve amendments to the November 12, 2009 agreement with the Martha Company regarding timing and definition of open space trails (Town Attorney Danforth)

ACTION ITEMS

1. **Appointments to Boards and Commissions** – Consider reappointment of commissioners whose terms expired on February 28, 2010; consider appointments to fill vacancies on remaining Boards and Commissions (Town Clerk Crane Iacopi)
 - Planning Commission – (John Corcoran Term Expiration)
 - Heritage & Arts Commission – (David Gotz and Ida Mae Berg Term Expirations)
 - Heritage & Arts Commission – (Vacancy created due to resignation of Peggy Bremer)
 - Design Review Board – (Vacancy created by appointment of Frank Doyle to Planning Commission)
 - Parks, Open Space & Trails Commission – (Vacancies created by resignations of Ralph Leighton and Jill Sperber)

PUBLIC HEARINGS

1. **Amendments to Zoning Ordinance** – Introduction and first reading of amendments to 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** – Appeal of Planning Commission conditional approval of a co-located wireless communication facility at 1 Blackfield Drive (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** – Introduction and first reading of an ordinance amending Title V, Chapter 19 (Encroachments) to add a provision authorizing encroachment-related policies to be adopted by the Town Council; to add definitions and other text amendments (Director of Public Works/Town Engineer Nguyen/Town Attorney Danforth)
4. **Amendments to Water Conservation Ordinance** – Introduction and first reading 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)
5. **Amendments to Fee Schedules** – a) Consider adoption of a resolution making various amendments to the Town’s Community Development Fee Schedule and Schedule of Miscellaneous Services; b) Consider adoption of amended Animal Control Fees consistent with those adopted by the County of Marin and municipalities of Marin County (Director of Community Development Anderson)

TOWN COUNCIL REPORTS

TOWN MANAGER’S REPORT

WEEKLY DIGESTS

- Town Council Weekly Digest – January 22, 2010
- Town Council Weekly Digest – February 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.

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.