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

Regular Meeting
Tiburon Town Council
September 16, 2009
Regular Meeting – 7:30 p.m.
Closed Session – 6:30 p.m.

AGENDA

TIBURON TOWN COUNCIL

CLOSED SESSION

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

Martha Company v. Town of Tiburon
Bonander, et al. v. Town of Tiburon
Town of Tiburon v. All Persons Interested, etc.
Mostyn v. Town of Tiburon et al.

CALL TO ORDER AND ROLL CALL

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

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION, 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. **Appeal of Design Review Decision – 166 Rock Hill Road** – Adopt resolution denying appeal of site plan and architectural review approval for construction of a new single family dwelling, with an added condition of approval; Willem and Julia Robberts, Owners/Applicants; Thomas and Ann Lacey, Appellants; Assessor's Parcel No. 039-151-22 – (Planning Manager Watrous)

2. **Seismic Standards** – Adopt resolution endorsing and authorizing use of Seismic Strengthening Standard Plan Set A for applicable residential seismic retrofit projects (Director of Community Development Anderson)

3. **Zelinksy Playground** – Accept project as complete and authorize filing of Notice of Completion (Director of Public Works/Town Engineer Nguyen)

DISCUSSION ITEMS

1. **Discussion of Proposed Settlement Concept for *The Martha Company v. Town of Tiburon* Litigation**; Review of status of Martha Company 43-lot Development currently pending before the County of Marin; Proposed reduced development EIR alternative (Director of Community Development Anderson)

TOWN COUNCIL REPORTS

TOWN MANAGER'S REPORT

WEEKLY DIGESTS

- Town Council Weekly Digest – September 4, 2009
- Town Council Weekly Digest – September 11, 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.