



TOWN OF TIBURON
Town Council Chambers
1505 Tiburon Boulevard
Tiburon, CA 94920

August 17, 2005
7:00 P.M. – Closed Session
7:30 P.M. – Regular Meeting

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.

AGENDA

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

(Section 54957.6)

Bargaining Unit: MAPE
Negotiator: Town Manager and Director of Administrative Services

CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION

(Section 54956.9(b))

Threatened litigation by County of Marin

CALL TO ORDER AND ROLL CALL

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

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION, IF ANY

ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject not on the agenda may do so now. Please note however, that the Town Council is not able to undertake extended discussion or action tonight on items not on the agenda. Matters requiring action will be referred to the appropriate Commission, Board, Committee or staff for consideration and/or placed on a future Town Council meeting agenda. Please limit your comments to no more than 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 public, staff or Town Council that an item be transferred to the Regular Agenda for separate discussion and consideration. Likewise, any item on the Regular Agenda may be moved to the Consent Calendar. If you would like to speak on any of these items on the Consent Calendar below, please do so now.

1. **Approval of Town Council Minutes** – August 3, 2005
2. **Recommendation by Director of Administrative Services** – Accept Town Monthly Investment Summary – July 2005
3. **Report by Director of Public Works/Town Engineer** – Lyford Cove Undergrounding of Utilities Assessment District Construction Bids
4. **Recommendation by Associate Planner** – Approve Application for Irrigation Well Permit

Property Owner: Sharam Tajback
Address: 3 Francisco Vista
Assessor Parcel No. 039-111-11

5. **Recommendation by Town Manager** – Response to Marin County Grand Jury Report
6. **Recommendation by Town Manager** – Resolution in Support of *Community United*
 - a) A Resolution of the Town Council of the Town of Tiburon Opposing the 2005-06 State Education Budget and Calling Upon Governor Schwarzenegger to Honor his Promise to Uphold Proposition 98 Funding for Schools
7. **Recommendation by Director of Community Development** – Parcel Map and Notification Agreement for 41 Main Street
 - a) A Resolution of the Town Council of the Town of Tiburon Approving a Parcel Map for the Condominiumization of a Mixed Use Commercial/Resident Project Located at 41 Main Street And authorizing the Town Manager to Execute an Agreement With Respect to the Parking Leases Associated with the Property (Assessor Parcel No. 059-151-04)

REGULAR AGENDA

8. **Recommendation by Director of Public Works/Town Engineer** – Request by Landmark’s Society to Relocate Gallows Frame Wheels to Shoreline Park Near the Donahue Building
9. **Recommendation by Director of Community Development** – Review of Martha Company Property Development Applications
 - a) A Resolution of the Town Council of the Town of Tiburon Asserting its Right of First Review for Development Applications Associated with the Martha Company Property (Assessor Parcel No. 059-251-05)
 - b) Appoint Town Council Ad Hoc Subcommittee to Review Applications

PUBLIC HEARING

10. **Recommendation by Planning Manager** – Application to Amend Building Envelope; Round Hill Oaks Precise Development Plan

Property Owners: Stephanie Cyr and Richard Donick
Applicant: Weir/Andrewson Associates, Inc.
Address: 10 Round Hill Terrace
Assessor Parcel No. 058-301-42

- a) A Resolution of the Town Council of the Town of Tiburon Approving an Amendment to the Round Hill Oaks Precise Development Plan (PD#36) for Property Located at 10 Round Hill Terrace (Assessor Parcel No. 058-301-42)

11. **Report by Director of Public Works/Town Engineer** – Appeal of Encroachment Permit Conditions for Installation of Fence and Gate at 696 Hilary Drive

Owner/Appellant: Mark Gineris
Address: 696 Hilary Drive
Assessor Parcel No. 055-212-04

COUNCIL AND COMMITTEE REPORTS

WRITTEN COMMUNICATIONS

Town Council Weekly Digest – August 5, 2005

Town Council Weekly Digest – August 12, 2005

ADJOURNMENT

FUTURE AGENDA ITEMS – Note: These items are tentative until they appear on the final agenda

- Adoption of Tiburon General Plan – (September 7)
- Economic Exception Ordinance – (September 7)
- Marin Commission on Aging Annual Report – (September 21)
- Results of Community Telephone Customer Service Survey – (September 21)
- Accept Street Rehabilitation Project as Complete
- Award of Contract to Televiser Storm Drains
- Appeal of Planning Commission Denial of Conditional Use Permit Application for 2nd Story Banquet Facility Expansion Plan for Caprice Restaurant – (continued to October 5)