



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

August 3, 2005
6:30 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 – ANTICIPATED LITIGATION

(Section 54956.9(b))

Threatened litigation by Reed Union School District

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Section 54956.9(a))

Claim No. E200405A0326-00-se\37AA404490

Fenster v. Town of Tiburon
Bonander et al. v. Town of Tiburon
Siciliano v. Town of Tiburon
Town of Tiburon v. Sylvia
Zimmerman v. Town of Tiburon

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

(Section 54956.9(b))

Case name withheld because disclosure would jeopardize existing settlement negotiations

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.

PRESENTATION

- Heritage & Arts Commission Annual Report

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** – July 13, 2005
2. **Approval of Town Council Minutes** – July 20, 2005
3. **Recommendation by Town Manager** – City of Belvedere Special Event Permit Application for Labor Day Parade
 - a) Authorize Street Closure
 - b) Authorize Monetary Donation

PUBLIC HEARING

4. **Report by Planning Manager** – Appeal of Planning Commission Denial of Conditional Use Permit Application for 2nd Story Banquet Facility Expansion Plan for Caprice Restaurant

Applicant/Appellant: Pt. Tiburon Plaza, Inc.
Address: 2000 Paradise Drive
Assessor Parcel No. 059-172-46

COUNCIL AND COMMITTEE REPORTS

WRITTEN COMMUNICATIONS

Town Council Weekly Digest – July 22, 2005

Town Council Weekly Digest – July 29, 2005

ADJOURNMENT

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

- Appeal of Encroachment Permit Conditions at 696 Hilary Drive – (August 17)
- Economic Exception Ordinance – (August 17)
- 41 Main Street – Approve Parcel Map – (August 17)
- Gallows Wheels Placement at Donohue Bldg. – (August 17)
- Response to Marin County Civil Grand Jury Report – (August 17)
- Adoption of Tiburon General Plan – (September 7)
- Precise Plan Amendment – 10 Round Hill Terrace – (August 17)
- Lyford Cove Undergrounding of Utilities Assessment District Award of Contract
- Risk Management Presentation