



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

Special Meeting  
Tiburon Town Council  
October 26, 2009  
Special Meeting – 6:30 p.m.  
Closed Session – 6:00 p.m.

## AGENDA

### TIBURON TOWN COUNCIL

#### CLOSED SESSION – (6:00 p.m.)

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

*Martha Company v. Town of Tiburon*

#### 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.

#### ACTION ITEMS

1. Proposed Memorandum of Understanding (MOU) regarding *The Martha Company v. Town of Tiburon* Litigation – Consider adoption of Memorandum of Understanding for Reduced density EIR alternative for Martha Company development application currently pending before the County of Marin (Director of Community Development Anderson, Town Attorney Danforth, Town Manager Curran)

*Continued without discussion from the October 21, 2009 Town Council meeting*

#### 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.