



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

**TIBURON TOWN COUNCIL**

November 2, 2016  
Regular Meeting - 7:30 p.m

**AGENDA**

**CALL TO ORDER AND ROLL CALL**

Councilmember Doyle, Councilmember Fredericks, Councilmember O'Donnell, Vice Mayor Fraser, Mayor Tollini

**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.

**PRESENTATION**

**Presentation**

Congratulations to Mary Rogers on the occasion of her 100th Birthday (Mayor Tollini and Town Staff)

**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.

**CC-1. Town Council Minutes**

Adopt minutes of October 5, 2016 Regular meeting (Town Clerk Crane Iacopi)

Documents:

[CC-1. OCTOBER 5 DRAFT MINUTES.PDF](#)

## **CC-2. Town Council Minutes**

Adopt minutes of October 19, 2016 Regular meeting (Town Clerk Crane Iacopi)

Documents:

[CC-2. OCTOBER 19 DRAFT MINUTES.PDF](#)

## **CC-3. Town Investment Summary**

Accept report for month ending September 30, 2016 (Director of Administrative Services Bigall)

Documents:

[CC-3.PDF](#)

## **ACTION ITEMS**

### **AI-1. McKegney Green Update**

Discussion of Council Sub-Committee recommendations and possible consideration of contract award for design (Town Manager/Department of Public Works)

Documents:

[AI-1. MCKEGNEY GREEN.PDF](#)

### **AI-2. New Morning Cafe Sidewalk Improvement Project**

Consideration of award of contract, and associated budget adjustments, for design work related to frontage improvements at New Morning café site (Department of Public Works)

Documents:

[AI-2.PDF](#)

### **AI-3. Storm Drain Update**

Receive staff report on recent video inspection of storm drains, and consider allocating additional funds for the 2016-2017 Storm Drain Improvement/Repair Project (Department of Public Works)

Documents:

[AI-3.PDF](#)

### **AI-4. Tiburon Boulevard Curb Cuts/Ramp Upgrades**

Consider allocation of additional funding for this Caltrans directed project for curb/ramp upgrades on Tiburon Boulevard (Department of Public Works)

Documents:

[AI-4.PDF](#)

## **PUBLIC HEARINGS**

### **PH-1. 2017 Building Codes**

Amend Chapter 13 (Building Regulations) of the Tiburon Municipal Code to adopt new State of California Construction and Building Codes for 2017 (Community Development Department) - *Introduction and first reading of ordinance*

Documents:

[PH-1. 2017 BUILDING CODE UPDATES.PDF](#)

**PH-2. Electric Bicycle Use**

Amend Chapter 23 (Traffic) of the Tiburon Municipal Code with regard to electric bicycle use (Community Development Department) - *Introduction and first reading of ordinance*

Documents:

[PH-2. ELECTRIC BICYCLE USE.PDF](#)

**TOWN COUNCIL REPORTS**

**TOWN MANAGER REPORT**

**WEEKLY DIGESTS**

**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

**TOWN COUNCIL  
MINUTES**

**CALL TO ORDER**

Mayor Tollini called the regular meeting of the Tiburon Town Council to order at 7:30 p.m. on Wednesday, October 5, 2016, in Town Council Chambers, 1505 Tiburon Boulevard, Tiburon, California.

**ROLL CALL**

PRESENT: COUNCILMEMBERS: Doyle, Fraser, Fredericks, O'Donnell, Tollini

PRESENT: EX OFFICIO: Town Manager Chanis, Director of Public Works/Town Engineer Barnes, Town Clerk Crane Iacopi

**ORAL COMMUNICATIONS**

Pamela McConnell-Douglas referenced the correspondence she had sent to the Council in the Digest, and asked if they had received it. She reviewed the information; her background and life in Marin; her education and experience as a paralegal and model. Nevertheless, she said she was unable to find work and asked why no one would give her a job. She spoke about the impact of this, on her human dignity. She asked the Council if it could help.

Ms. McConnell also said a number of individuals in town were harassing her. She said she could not understand this because all she sought was peace. Her husband, Steven Douglas, also spoke, and expressed his sentiment in one phrase, "Peace on Earth".

**ACTION ITEMS**

**1. Update on Capital Project Planning Process – subcommittee recommendation on criteria for project ranking.**

Town Manager Chanis said the Council had discussed the topic of capital project planning and prioritization at the Town Council/Staff Retreat on April 1, 2016, and again on July 20, 2016, when it appointed a subcommittee to develop criteria for project ranking. He said Mayor Tollini and Councilmember Fredericks were appointed to this committee.

The Town Manager said the subcommittee decided to use the County of Marin's criteria as a basis for its own recommendations. He also said staff had looked beyond Marin County for other

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CIP ranking methodologies, but believes the County's combines both simplicity and useful criteria that effectively differentiates between projects.

Town Manager Chanis said the questions for the Council, in reviewing the committee's recommendations, were: Are these the right criteria, the right weightings, and the right rankings. In his powerpoint presentation, Town Manager Chanis reviewed these three areas and asked for feedback. The subcommittee members also commented on the process and how they arrived at the findings.

Chanis said the County's methodology includes eight criteria, weighted, each of which can be scored between 1 and 5 or 6. He said the subcommittee developed eight criteria with rankings primarily between 0 and 4. He presented the following list, as Exhibit 1 to the staff report:

**Proposed Criteria Guide for CIP Rating  
October 5, 2016**

- a. Meets General Plan Policy (3)**
  - 0 – Meets no policies
  - 1 – Meets one policy
  - 2 – Meets two policies
  - 3 – Meets over two policies
  
- b. Required by Legal Mandate (3)**
  - 0 – No legal mandate
  - 1 – Yes, specific Mandate with a specified timeframe
  - 2 – Yes, more than 1 mandate with a specified timeframe
  - 3 – Yes, officially noted to be in violation of a Mandate
  
- c. Avoid Consequences of Deferred Maintenance (2)**
  - 0 – No additional cost or consequence of deferred maintenance
  - 1 – Will cost more to fix if delayed.
  - 2 – Problem within 5 years
  - 3 – Problem within 1 year
  - 4 – Problem current or imminent
  
- d. Dedicated or Non-GF source of funding available (1)**
  - 0 – Only funding is unallocated GF
  - 1 – Allocated GF available
  - 2 – Other Town Funding available
  - 3 – Federal Grant funding with match
  - 4 – Non Federal Grant Funded with match
  - 5 – Wholly grant funded
  
- e. Effect of Project on Operating Costs (Energy, Water, etc.) (1)**
  - 0 – No savings or increases operating costs
  - 1 – Small saving expected (less than 5% of project costs annually)
  - 2 – Yes, moderate saving expected (at least 5% of project costs annually)
  - 3 – Yes, significant saving expected (more than 10% of project costs annually)

**f. Removes/Reduces Threats to Health & Safety (4)**

- 0 – Unlikely to be a danger
- 1 – Problem within 10 years
- 2 – Problem within 5 years
- 3 – Problem within 1 or 2 years
- 4 – Imminent danger
- 5 – Is currently a threat to Health & Safety

**g. Large Functional Benefit to Residents (2)**

- 0 – Minimal Functional Benefit
- 1 - Few users – Minor Benefit to Residents
- 2 – Moderate number of users – Benefit to Residents
- 3 – Significant benefit to Residents

**h. Large Aesthetic Benefit to Residents (1)**

- 0 – No aesthetic benefit
- 1 – Minor aesthetic benefit
- 2 – Some Aesthetic Benefit
- 3 – Great Aesthetic Value but project purpose is not Aesthetics
- 4 – Large aesthetic benefit; item’s primary purpose is aesthetic (e.g. landmark building, sculpture)

Vice Mayor Fraser said it seemed like a lot of criteria to consider. Mayor Tollini said that the number of criteria did seem like a lot but after considering it, she said it was likely that staff would use the top four or five criteria to present project information to the Council, while the Council would most likely focus on the bottom three criteria (aesthetic benefit to residents, functional benefit to residents, and health and safety).

Vice Mayor Fraser commented that two criteria stood out for him – functionality and aesthetics – and he wondered how the Council could weigh these on behalf of the residents. He suggested that there be public outreach on these two points, especially as the Town’s demographic continues to change.

Mayor Tollini said the subcommittee hoped for public participation when they undertook this task.

Town Manager Chanis said that transparency is what this process is all about. He acknowledged that aesthetics are in the eye of the beholder, so it would warrant discussion, while function could be something as beneficial as properly maintained storm drains. Director of Public Works Barnes said another way to look at it might be to take into account how many people would be affected by a particular project.

Councilmember Fredericks said the Town’s “General Plan is our biggest, longest view of the Town of Tiburon.” Town Manager Chanis commented that the plan also “makes suggestions on things we should and should not do”. Fredericks said this would not preclude any discussion of projects the public is passionate about.

Town Manager Chanis said the prioritization process is a tool that gives us a framework, and should be treated as a guide rather than a hard and fast rule. Fredericks agreed that it is a wise way to do planning and also prepare for opportunities to present themselves.

On the subject of planning, Councilmember Fredericks asked whether there might be an opportunity to address Sea Level Rise or climate change within this framework. For instance, to take into account projects near the water that might be affected. Fredericks said it would show the Town's readiness to incorporate this information into its criteria. She asked whether this had been addressed yet in the General Plan.

Town Manager Chanis said the County was taking the lead on a draft report on Sea Level Rise and was in the process of developing a predictive model.

Councilmember O'Donnell asked about the ranking of projects; for instance, could the Council decide to fund a project rated 2.5 versus a 4.5 project. Town Manager Chanis said, absolutely, Council had the discretion to do so. He reiterated that the prioritization process was meant to be used as a planning tool and as a guide; not to "box" in the Council, and to help balance resources with projects.

O'Donnell used an example of when the Town receives matching funds, and said that could be the trigger to move forward with a project. He said grants were often time sensitive. Fredericks concurred and agreed that would be the time to move a project up the ranking ladder.

Mayor Tollini talked about, as an example, whether the Town would spend a million dollars on a project ranked high in order to meet a "legal" criterion. Chanis said a good example of this was the need to upgrade the ferry landing to meet new accessibility standards. He said no one had this on their radar and yet, it just recently surfaced. But again, he said the prioritization process was the beginning, not the end of the discussion on capital projects.

Councilmember O'Donnell said he liked the criteria, and as presented, made perfect sense. He said the [1-4] ranking system was excellent, as well.

Vice Mayor Fraser said he was still thinking about the process. He said that projects arise, sometimes unexpectedly. The Yellow Bus Challenge is an example of this. He said they are still important projects.

Councilmember Doyle asked whether there was a computer program that might do all the calculations. But he said all the work that had been done on this program was great. He said a "common sense" approach was good but the Council needed something like this, as well.

Councilmember Fredericks said she was comfortable with the program but wanted the Council to go through a cycle of ranking. Mayor Tollini said that the Council should "play with it" to see if it works well and to make changes if it does not.

The Council went on to discuss the “weighting” of projects.

Fredericks wondered whether a project might be weighted on the basis that it meets a General Plan policy. After some discussion, Town Manager Chanis said a column might be added to the project list to reflect this, rather than using it as a ranking tool.

Fredericks also suggested that where legal mandates were concerned, a timeframe on how long the Town had to meet them might be useful in determining weight. Mayor Tollini cautioned that this weighting might change the scoring criteria; that it was a different concept if tied to timing.

Vice Mayor Fraser also said grant funding may not necessarily weight a project to a higher priority. He said there are still “nice to have” versus “need to have” projects, after all.

Councilmember Doyle commented that all the criteria seemed to be resident-based. He asked whether there might be criteria for projects that enhance the Town for non-residents, and residents.

Councilmember Fredericks suggested that this could be classified as an economic benefit to the Town, for instance. She said it might be added as a General Plan criterion as residents/local-serving commercial enterprises, or business enterprises.

Town Manager Chanis said the County uses the terms, “users” or “public”, rather than “residents”. But he said staff had not seen criteria and how to quantify these definitions.

In summing up the discussion, Director Barnes said he heard that Council wanted to add a column on the ranking sheets about whether the project complies with General Plan Policy and to add a criterion for commercial benefit. He said he heard that climate change criteria would be left off, for now.

Town Manager Chanis said he heard that there was general consensus to move forward and finalize the criteria and weighting, and to develop a project portfolio and project sheets to bring to the Council.

Chanis said that left the question of ranking and the best way to do it. He said there were several options--for staff/council to rank projects together, for staff to rank them, for staff to rank some and Council others, or perhaps other ideas.

He said typically the way these programs work is for staff and Council representatives to work together, for instance in a Council subcommittee, and then go to full Council with recommendations. He said he did not require an answer to this question tonight.

O’Donnell said to avoid a ranking bias, and because the Council is elected to be the overseers of this process, he would prefer to discuss the projects in an open forum, such as the Town Council/staff retreat, and following the retreat, rank projects with staff and a subcommittee.

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Councilmember Fredericks said that before Council can rank projects, it needs technical and cost information. The Town Manager said that's what the project sheets would be used for; that they provide a summary of this information.

Councilmember Fredericks said she also would prefer that staff rank projects and bring them to the Council for review. The Mayor said she thought the Council members should rank projects individually and then discuss them in an open meeting.

Councilmember O'Donnell asked where the projects would originate. Fredericks asked if this would be at the retreat, or before. Town Manager Chanis said it would be helpful to have them before the retreat. Vice Mayor Fraser suggested that the Council work on projects in January and February, prior to the March retreat; and that these projects be brought to the retreat by the staff, already ranked.

Mayor Tollini said commencement of work on the project sheets should occur as soon as possible. Town Manager Chanis said staff could come back to Council with these in a couple of months, and then the retreat would be the culmination of the process.

### **TOWN COUNCIL REPORTS**

Councilmember Doyle said that there were signs denoting "public shore" in Tiburon but he wondered how to make it accessible to people. He said it was possible the Town already had beach and water access through public shore access. Town Manager Chanis said he would look into this further.

### **TOWN MANAGER REPORT**

Town Manager Chanis said he would be out of the office on vacation from October 13 until October 24, 2016.

### **WEEKLY DIGESTS**

- Town Council Weekly Digests – September 23 & 30, 2016

Received.

### **ADJOURNMENT**

There being no further business before the Town Council of the Town of Tiburon, Mayor Tollini adjourned the meeting at 9:03 p.m.

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ERIN TOLLINI, MAYOR

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ATTEST:

DIANE CRANE IACOPI, TOWN CLERK

**TOWN COUNCIL  
MINUTES**

**CALL TO ORDER**

Mayor Tollini called the regular meeting of the Tiburon Town Council to order at 7:30 p.m. on Wednesday, October 19, 2016, in Town Council Chambers, 1505 Tiburon Boulevard, Tiburon, California.

**ROLL CALL**

PRESENT: COUNCILMEMBERS: Doyle, Fraser, Fredericks, O'Donnell, Tollini

PRESENT: EX OFFICIO: Town Attorney Stock, Director of Community Development Anderson, Director of Administrative Services Bigall, Town Clerk Crane Iacopi, Community Development Department Aide Stefani, Management Analyst Creekmore

**ORAL COMMUNICATIONS**

Bob Austrian, 45 Southridge West, referenced the correspondence he had sent to the Council and discussed the content. He said there was an unfair imbalance in the View Ordinance adopted by the Town and that the way it is written makes it difficult for those neighbors impacted by an overgrown tree to take action. He said that he, and several of his Southridge West neighbors also present, are requesting assistance from the Council to form a task force made up of laypeople, attorneys, staff and Council to discuss common confusions arising from the ordinance, and how to best seek remedies from their neighbors, particularly if the neighbor is uncooperative.

Mr. Austrian continued by saying that this is a serious community issue, as Tiburon residents are sensitive to the value of their homes, and impacted views affect selling prices, which, in turn, affect the Tiburon economy as a whole. He commended the Design Review Board and the Planning Commission for their excellence in providing assistance with local renovations, but said there was no comparable body to deal with tree issues, and that residents should be relieved of the burden of mediating and arbitrating privately.

Lalita Waterman, also of Southridge West, introduced herself as one of several neighbors who came to voice her support of Bob Austrian's sentiments about the View Ordinance. She said that while many neighbors try to help each other, others are not cooperative, and the View Ordinance does not support a level playing field. She stated her belief, and the belief of her neighbors, that the problem lies within the ordinance because it gives tactical and financial advantages to the owners of the offending trees. She offered her assistance to the task force.

## PRESENTATION

- 20<sup>th</sup> Annual Heritage Preservation Award – Laleh Zelinsky, Recipient

Fran Hall, Chair of the Heritage and Arts Commission, made the presentation on behalf of the commission. She said the purpose of the award was to recognize excellence in safeguarding yesterday's treasures for the Tiburon Peninsula residents of today and tomorrow and to laud significant contributions and exceptional commitment in historic stewardship.

Chair Hall said Laleh Zelinsky, wife of the first Heritage Preservation Award honoree, Edward Zelinsky, has continued the giving tradition of the Zelinsky family and is recognized for donating the "Coming About" fountain and shares with the rest of the Zelinsky family in donating land for Tiburon's Town Hall, the Belvedere-Tiburon Library and Zelinsky Park.

Laleh Zelinsky accepted the award and thanked the Heritage and Arts Commission and the Council for the honor, and thanked those that came to support her.

The Council congratulated her on the award.

Vice Mayor Fraser said he has known Mrs. Zelinsky for eight or nine years and has worked with her throughout the community. He said that both Tiburon and Belvedere were the communities they are today because of people like her.

Councilmember O'Donnell said Mrs. Zelinsky has brought a sense of style and grace to what she does, as can be seen in Ark Row. He expressed gratitude on behalf of Tiburon and Belvedere.

Councilmember Fredericks thanked her for the dignity she brings to our history.

Councilmember Doyle said Tiburon is lucky to have a family like the Zelinskys who have contributed so much to Tiburon to make it what it is today.

Mayor Tollini thanked her for all she has done, and expressed her hope that she feels honored here tonight.

## CONSENT CALENDAR

1. **Town Council Minutes** – Adopt minutes of September 21, 2016 Regular Meeting (Town Clerk Crane Iacopi)
2. **Citizen of the Year** – Adopt resolution commending Tom O'Neill upon his selection as the 2016 Business Citizen of the Year (resolution to be presented in November at Chamber Lunch) (Town Clerk Crane Iacopi)
3. **Town Manager Agreement** – Recommendation to adopt resolution approving a one-time payment of \$5,000 to Town Manager, as provided in Employment Agreement (Town Attorney Stock)

MOTION: To adopt Consent Calendar Items 1 through 3, as written.  
Moved: Fredericks, seconded by Fraser  
Vote: AYES: Unanimous

### **TOWN COUNCIL REPORTS**

Councilmember Fredericks announced the Golden Gate Bridge Highway and Transit District was arranging tours of their bus, bridge and ferry facilities for elected officials. She said the Council will be receiving an invitation and encouraged everyone to attend.

### **WEEKLY DIGESTS**

- Town Council Weekly Digests – October 7 & 14, 2016

Received.

### **ADJOURNMENT**

There being no further business before the Town Council of the Town of Tiburon, Mayor Tollini adjourned the meeting at 7:45 p.m.

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ERIN TOLLINI, MAYOR

ATTEST:

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DIANE CRANE IACOPI, TOWN CLERK



**TOWN OF TIBURON**  
 1505 Tiburon Boulevard  
 Tiburon, CA 94920

Town Council Meeting  
 November 2, 2016  
 Agenda Item: CC-3

**STAFF REPORT**

To: **Mayor and Members of the Town Council**  
 From: **Administrative Services Department**  
 Subject: **Investment Summary – September 2016**  
 Reviewed By: *[Signature]*

**BACKGROUND**

Pursuant to Government Code Section 53601, staff is required to provide the Town Council with a report regarding the Town’s investment activities for the period ended September 30, 2016.

**ANALYSIS**

**September 2016**

Agency	Investment	Amount	Interest Rate	Maturity
Town of Tiburon	Local Agency Investment Fund (LAIF)	\$20,265,363.62	0.634%	Liquid
	Housing note to Former Town Manager	\$ 800,000.00	0.614%	Based on Contract
	Money Market (Bank of Marin)	\$ 100,000.00	0.15%	Liquid
<b>Total</b>		<b>\$21,165,363.62</b>		

The total invested at the end of the prior month was \$21,715,363.62; therefore the Town’s investments decreased by \$550,000 from August 2016.

**FINANCIAL IMPACT**

No financial impact occurs by accepting this report. The Town continues to meet the priority principles of investing – safety, liquidity and yield in this respective order.

**RECOMMENDATION**

Staff recommends that the Town Council:  
 Move to accept the Investment Summary for September 2016

Prepared By: Heidi Bigall, Director of Administrative Services



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Town Council Meeting  
November 2, 2016

Agenda Item:

AI-1

## STAFF REPORT

**To:** Mayor and Members of the Town Council

**From:** Department of Public Works  
Office of the Town Manager

**Subject:** Staff update on McKegney Green Renovation Project and consideration of approving contract for design work

**Reviewed By:** [Signature]

## BACKGROUND

Since Spring 2015, staff has been meeting with representatives of the Tiburon Peninsula Soccer Club (TPSC), outside consultants, interested residents and Town Council regarding the condition of McKegney Green and a potential project to upgrade the field.

The playing field at McKegney Green was constructed in 1975. The existing field is about 200,000 SF (4.6 acres) of natural turf. This 200,000 SF includes a sand-based field that is 330 feet by 225 feet or about 75,000 SF (1.8 acres). This portion of the field includes a 10" layer of sand beneath it for improved drainage. The entire field is crowned to drain to both sides at 2 - 3%. The field is currently irrigated with recycled water treated to a secondary level. This water is supplied by Richardson Bay Sanitation District (RBSD), under a permit granted to the RBSD by the San Francisco Bay Regional Water Quality Control Board (RWQCB). The current permit, granted to RBSD in the 1980's, contains numerous conditions including limitations on the amount of water that can be used, and the time of year the water can be utilized. In addition, the use of recycled water is subject to regulations established by the California Department of Public Health. Although allowed under DPH regulations when the RBSD permit was issued, irrigating playing fields with recycled water treated to a secondary level would not be permitted under current DPH regulations.

Since its construction, the McKegney Green playing field has received minimal maintenance including reseeded, limited resodding, and repairs to irrigation as needed. The playing field is currently in poor condition, with the field surface exhibiting significant inconsistency in the areas of turf growth, wear resistance and drainage. In addition, the irrigation system is aged and operating beyond its expected useful life, resulting in some areas that are too dry for proper growth and other areas that are muddy and tear up easily under the stress of play.

Council discussed the playing field at the March 2, 2016 meeting, and authorized a pre-design scoping study to determine the project requirements, and potential options for a renovation of McKegney Field. Staff engaged Abey-Arnold Associates for that study on March 4, 2016.

Prior to the completion of the pre-design scoping study, the McKegney Green project was discussed again with Council at the April 1<sup>st</sup> retreat. These discussions focused on the elevated salt content present in both the recycled water currently used for irrigation as well as the soil at McKegney Field. Council requested that we investigate alternative turf grasses that may better tolerate these conditions.

The pre-design scoping study was presented to Council on May 4, 2016. At that meeting, staff also presented a spreadsheet that included preliminary cost estimates for a wide variety of project options. After receiving the Staff Report, accepting public comment, and discussing the issue at some length, Council directed staff to solicit design proposals for a renovation of McKegney Green based on the following criteria:

- 1) A 110,000-square foot playing field
- 2) Reduce the crown slope of the field
- 3) Sand based turf
- 4) Upgraded drainage

Council also asked for an updated cost estimate based on the above criteria, and a clearer analysis of the potential use of Paspalum turf with the existing recycled water supply.

On June 3, 2016, Staff distributed a memo providing Council a clearer analysis of the options for turf, as well as updated cost estimates for the 110,000 square foot field. The turf analysis concluded the use of Paspalum would be experimental at best, and was not recommended. Regarding estimated project costs, the cost for a 110,000 square foot sand based field with a reduced crown, improved drainage and potable water was estimated at approximately \$2M. Moreover, even though the consultant recommended against using Paspalum turf with the current source of irrigation water, we did ask the consultant to provide an estimate for that scenario, which is approximately \$1.6M.

In response to Council's direction to solicit design proposals, staff received proposals from Verde Design, and Abey-Arnold Associates. On August 3, 2016, Staff brought the proposals forward to Council. Staff recommended Abey-Arnold Associates be selected for the field design when Council is prepared to move forward. However, Staff recommended against proceeding with the design phase of the project until a funding plan was in place to ensure completion of the project.

At the August 3, 2016 Council meeting, a sub-committee was formed to look at the scope of work and possible funding options. Staff also received direction to place test patches of Paspalum and Tifway2 turf at McKegney Green.

Staff has placed the test patches and they are now open for play. It is too early to provide any meaningful results from this test.

On September 8, 2016, staff met with the Council subcommittee to discuss the project, and during that meeting, the field design was refined and the size reduced. The new field as set forth by the sub-committee includes the following design elements:

1. Sand Based
2. 75,000 SF

3. Removal of the existing crown (understanding that increases the grass that must be replaced)
4. Improved drainage
5. Potable water for irrigation

Staff was asked to reach out to Abey Arnold and obtain:

1. A new project estimate based on the refined field design.
2. A new cost for the design of the project.

Abey Arnold has provided this information, with the total estimated construction cost for the field, including soft costs and contingencies, estimated at \$1.6 million (**Exhibit 1**). The cost proposal for the design is \$54,070 (**Exhibit 2**), which includes \$12,600 of work that would occur during the construction phase.

### ANALYSIS

Staff and Council have been investigating options for McKegney Green since the Spring of 2015. There have been four Council meetings as well as meetings with individual Council members and the sub-committee. Throughout this process, Staff and Council have analyzed fifteen different options for the field. It appears if the Town wants a fully functional sports field, the cost is going to be in the neighborhood of \$1.6 million. Options that cost less are unsatisfactory for various reasons.

At this point Council should decide two things:

1. Does the Town want to continue to have a sand based sports field at McKegney Green?
2. If so, how will the project be funded?

### FINANCIAL IMPACT

The total estimated cost of the proposed McKegney Green project is approximately \$1.6 M. There is no funding for construction included in the 2016-2017 CIP. Although Council has had preliminary discussions about the possibility of forming a partnership with local soccer proponents and others to finance the project, Council has not yet reached consensus on the details of that plan. If Council ultimately moves forward on this project, the following are funding strategies that may be considered:

1. Town funds entire project cost from Unallocated General Fund Reserves, currently estimated at \$3.5M.
2. Town funds a portion out of General Fund Unallocated Reserves and seeks remainder of funding from donations.
3. Town issues debt for funding entire project cost.
4. Town issues debt for a portion of project cost and seeks remainder of funding from private donations.

One last thing for Council to consider is timing. If there is any thought of having the field renovated next Summer, it is imperative the design work begin immediately. The cost of the design portion of the recommended consultant's proposal is \$54,070 including, \$12,600 for work

during the construction phase. The 2016/17 CIP budget includes funding for this for design work, and the proposed costs are well within the approved CIP budget.

Ongoing maintenance costs for the renovated field are expected to be about \$45,000 per year. In addition, we should anticipate resodding of the field every ten years.

## **RECOMMENDATION**

Staff recommends the Town Council:

1. Receive staff report on status of McKegney Green Project.
2. Authorize the Town Manger to execute a contract with Abey-Arnold Associates for the design of the McKegney Green renovation.

Prepared by: Patrick Barnes, Director of Public Works  
Greg Chanis, Town Manager

Exhibits:

1. McKegney Green Project Estimate
2. Abey-Arnold McKegney Green design proposal

PRELIMINARY OPINION OF PROBABLE COSTS

Date: 10/10/2016

Project: McKegney Green Athletic Field Study, Tiburon CA

**Council Sub Committee Recommended Scope**

**Renovate Exist. Sand Field , Upgrade Drainage, use MMWD water source**

**(Remove Crown on Field )**

Item #	Description	Quantity	Unit	Price	Total
1	Mobilization/Staking	1	LS	\$20,000.00	\$20,000.00
2	Demolition, Turf Removal/Offhaul to 5" depth at existing Sand based turf Area (80,000 s.f.)	1,000	CY	\$50.00	\$50,000.00
3	Demolition, Turf Removal/Offhaul to 3" depth at Soil based turf areas (105,000 sf)	1,000	CY	\$50.00	\$50,000.00
4	Stockpile existing Sand, (limited to what can be kept 'clean')	1,100	CY	\$15.00	\$16,500.00
5	Crown Removal and Offhaul- (create 1.5% crown, existing=3%)	2,000	CY	\$50.00	\$100,000.00
6	Rough Grading	4,000	CY	\$10.00	\$40,000.00
7	Fine Grading	185,000	SF	\$0.15	\$27,750.00
8	Irrigation- Controller (2 wire, MMWD compliant)	1	EA	\$17,000.00	\$17,000.00
9	Irrigation- Master Valve - Flow Sensor	2	EA	\$3,000.00	\$6,000.00
10	Irrigation- RCV, (valves, 2 wire transponder)	25	EA	\$500.00	\$12,500.00
11	Irrigation- QCV	20	EA	\$300.00	\$6,000.00
12	Irrigation- Gate Valves	5	EA	\$400.00	\$2,000.00
13	Irrigation- Mainline	750	LF	\$17.00	\$12,750.00
14	Irrigation- Laterals	4,500	LF	\$10.00	\$45,000.00
15	Irrigation- Control Wire in conduit (2 wire system)	1,000	LF	\$5.00	\$5,000.00
16	Irrigation- Rotor Heads	105	EA	\$150.00	\$15,750.00
17	Irrigation- Drip Irrigation at 'Treatment Areas'	9,000	SF	\$4.00	\$36,000.00
18	Irrigation- (Remove all 14 McKegney RCV's from Existing Reclaimed water Mainline)	1	lump	\$5,000.00	\$5,000.00
19	Irrigation-new POC, BFP	1	lump	\$5,000.00	\$5,000.00
20	MMWD Allotment, Meter, Fees	1	lump	\$312,000.00	\$312,000.00
21	<b>New Sand Section (90,000 sf, 8" depth)</b>	<b>2,860</b>	<b>Ton</b>	<b>\$55.00</b>	<b>\$157,300.00</b>
22	Reinstall 'Existing' Sand Section (90,000 sf, 4" depth)	1,100	CY	\$15.00	\$16,500.00
23	New Drainage Lines w/ deep trenches, gravel, fabric	1,800	LF	\$40.00	\$72,000.00
24	Sod Turf, (bermuda / perennial rye)	185,000	SF	\$0.90	\$166,500.00
25	Soil Preparation at remaining 'soil' turf areas	95,000	SF	\$0.50	\$47,500.00
26	Storm Drainage Treatment Areas (Planting and Soil)	9000	SF	\$5.00	\$45,000.00
27	SWPPP-Monitoring	1	lump	\$10,000.00	\$10,000.00
28	Maint Equip, (Aerator, Verticutter, Reel Mower)	1	lump	\$75,000.00	\$75,000.00
				<b>Sub Total</b>	<b>\$1,374,050.00</b>
				<b>10% Contingency</b>	<b>\$137,405.00</b>
				<b>7% Softcosts</b>	<b>\$96,183.50</b>
				<b>Grand Total</b>	<b>\$1,607,638.50</b>

PRELIMINARY OPINION OF PROBABLE COSTS

Date: 10/10/2016

Project: McKegney Green Athletic Field Study, Tiburon CA



# DRAFT

September 21, 2016

Patrick Barnes  
Director of Public Works, Town Engineer  
Town of Tiburon  
1505 Tiburon Blvd.  
Tiburon, CA 94920

**RE: McKegney Field Design**

## Scope of Work:

Provide bid documents for the renovation of McKegney Field based on the following the Council's Field Sub Committee recommendations.

- Install an updated sand based natural grass field and that the field dimensions will kept to the approximate size of the existing sand based field, (includes playing surface and sideline runout areas).
- The updated field will be regraded to remove the current exaggerated crown. The new grades will have less than a 2% slope.
- The upgraded field will include a full 12" section of the appropriate sand material.
- A drainage system is to be installed, and a storm water 'treatment' will be included.
- The irrigation system within the McKegney Field turf area will be replaced in it's entirety, (175,000 s.f), using MMWD water.
- The current reclaimed water mainline will remain to provide water to the existing irrigation system at the 'South of Knoll' turf area.

## Included are:

1. Provide construction documents for bidding and construction observation.
2. Estimate the projected construction costs, with contingencies.
3. Provide projected water use and maintenance requirements. Included will be the associated costs for installation of the irrigation system and special irrigation and maintenance procedures necessary for a successful sand based turf field.

**Fee/Task Breakdown:**

A. <i>Project Initiation, (Kick off meeting, site visit)</i>	\$350.00
B. <i>Base Information: (Topo Survey of existing Conditions)</i>	\$5,350.00
C. <i>Base Information: (Video of Existing Storm Drains)</i>	\$2,000.00
D. <i>Base Information: (Survey of Mean High Tide)</i>	\$900.00
E. <i>SWPPP:</i>	\$3,100.00
F. <i>Drainage Calculations</i>	\$1,625.00
G. <i>BCDC Permitting</i>	\$6,125.00
H. <i>MMWD Permitting</i>	\$1,400.00
I. <i>60% Construction Drawings</i>	\$10,500.00
J. <i>90% Construction Drawings</i>	\$3,500.00
K. <i>100% Construction Drawings</i>	\$3,500.00
L. <i>Project Technical Specifications</i>	\$2,100.00
M. <i>Soils Analysis: (Amendment Recommendations)</i>	\$500.00
N. <i>Cost Estimate</i>	\$1,400.00
O. <i>Meetings with Staff/Sub-committee (4- 2 hours each)</i>	\$1,400.00
P. <i>Construction Observation, 72 hours, (6 week construction period, site visits, reports, RFI responses, submittal review, close out.)</i>	\$12,600.00
<b>Total design fees –</b>	<b>\$54,070.00</b>

Any Landscape Architectural work provided in addition to items above, (e.g.: additional Landscape Plans submittals or modifications, meetings, additional Construction Observation hours above estimated time allotted) will be billed as extra services as follows:

Principal	\$175.00/hour
Sr. Designer/Drafting	\$120.00/hour
Administration	\$65.00/hour

Please call if you have any questions.

Sincerely

Peter Arnold, PLA  
CA Reg #3372



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Town Council Meeting  
November 2, 2016  
Agenda Item:

AI-2

## STAFF REPORT

**To:** Mayor and Members of the Town Council  
**From:** Office of the Department of Public Works  
**Subject:** New Morning Café Frontage Design Award and Budget Modification  
**Reviewed By:** 

### BACKGROUND

Resolution No. 2015-08 of the Town of Tiburon Planning Commission approved a conditional use permit to construct a mixed-use commercial/residential building intended for eventual condominium-type ownership located at 1694-1696 Tiburon Boulevard, the current site of the New Morning Café. The conditions of approval for the project include:

Applicants agree to financially contribute to a future Town project to improve the Tiburon Boulevard frontage and reduce pedestrian congestion as identified in General Plan Policy DT-30 and Program DT-r. Said contribution amount shall be finalized prior to issuance of a building permit for this project.

The owner's design team anticipates construction on the New Morning Café building will begin summer next year. Staff has not yet received a building permit submittal for the project. Ideally, the frontage work would happen during construction to avoid construction on the frontage after the new building is opened.

The project is complicated by the following factors:

1. Half the area is in the Caltrans right of way and half on a privately-owned land.
2. The exiting area slopes away from the building and then meets a raised area before the driveway for the parking area. When the raised area is removed it will be difficult to properly separate the driving area from the walkway, maintain drainage and match the building entrance height.
3. There are utility boxes in the frontage at the curb ramp. Guidelines for access ramps state that Gratings, access covers, and other appurtenances shall not be located on curb ramps, landings, blended transitions, and gutters within the pedestrian access route. Therefore, as part of the frontage improvement project we will likely need to relocate:
  - a. Two water meter boxes

- b. A PG&E box
  - c. An AT&T vault
4. It will be difficult to fit any aesthetic features into the frontage width, and still provide proper width for pedestrian travel, but there is a desire to include aesthetics if possible. If this involves planting, irrigation lines and a meter may be required.

Given the complexity of the design and the need for formal drawings both for bidding and for the Caltrans encroachment permit, staff solicited requests for proposals from four design consultants.

## **ANALYSIS**

Consultants are busy and three consultants decided they could not properly staff the project at this time. A typical response was, "Once we looked at the project it was not as straightforward as we thought and we do not have staff availability to support it." Staff ultimately received one proposal.

The cost of completing the work as set forth in the proposal is \$56,300 and includes 406 hours of engineering time. There is an optional item for an additional \$6,380 for a survey if needed. If the New Morning Café building plan survey is sufficient an additional survey will not be needed. project. Nonetheless, staff believes it is wise to fund the entire cost of the design including survey in order to keep the project on track.

The cost seems reasonable, but staff notes that this only assumes one response to comments from Caltrans, which, in our experience, is optimistic. The consultant's schedule has the bid opening occurring in early April.

The 2016/17 CIP included \$30,000 for this project as a placeholder. The design cost is \$62,680. At this time, there are so many variables in the project that staff cannot confidently provide even a preliminary estimate of total project cost. We can provide a cost estimate at 60% design once the issues are a better defined. Staff considered starting this project with a pre-design study (similar to what was done with Mckegney Green) to determine issues, approaches and costs, but the schedule will not allow that if we are going to build next summer.

## **FINANCIAL IMPACT**

At this time, there is not a definitive agreement with the owners of New Morning Café regarding the sharing of costs for this project. Staff recommends beginning the necessary design work, and then approaching the property owners once we have a preliminary cost estimate for the work.

The 2016/17 CIP included \$30,000 for this project as a placeholder. This funding came from the Street Frontage Improvement Fund and essentially emptied that fund.

The total proposed design cost is \$62,680 (less \$6,380 if no survey is required). The FY 2016-2017 Budget included \$30,000 for this project, therefore, an additional \$32,680 is needed for the design work as proposed. Additional funds would come from Gas Tax Reserve Fund, which staff estimates will have a \$1.2M balance as of 6/30/17. Staff notes that there is another project being considered by Council today (curb ramps) that would utilize \$120,000 from the Gas Tax Reserve

Fund. If both of these are funded, staff estimates the balance in the Gas Tax Reserve Fund as of 6/30/17 would be approximately \$1.05M.

## RECOMMENDATION

Staff recommends that the Town Council:

1. Move to increase the CIP budget for the New Morning Café Frontage Project by \$32,680 to a total of \$62,680.
2. Move to allow the Town Manager to enter into a contract for the design of the New Morning Café Frontage Project to Harris and Associates in an amount not to exceed \$62,680.

Exhibits:                      Proposal

Prepared by:                 Patrick Barnes, Director of Public Works

# TOWN OF **TIBURON**

New Morning Cafe Frontage  
Improvements Project No. 17-ST-02

September 29, 2016



**Section 1. Cover Letter .....2**  
**Section 2. Key Personnel .....3**  
**Section 3. Subcontractors .....4**  
**Section 4. Project Work Plan .....5**  
**Section 5. Project Schedule .....9**  
**Section 6. Fee Information .....10**  
**Appendix .....12**

Resumes





September 29, 2016

Patrick Barnes  
Town Engineer  
Town of Tiburon Public Works  
1505 Tiburon Blvd.  
Tiburon, CA 94920

### Town of Tiburon Public Works Request for Proposals New Morning Café Frontage Improvements

Dear Mr. Barnes

Thank you for inviting Harris & Associates (Harris) to propose on civil engineering design services for the New Morning Café Frontage Improvements Project. The Town of Tiburon (Town) exemplifies all of the best characteristics of a small town. Residents and visitors alike value the open space, breathtaking views, and natural beauty offered by this Town. This sidewalk reconstruction project will provide a wider path of travel to pedestrians that will enhance service and improve safety, but preserve the Town's valued characteristics. Harris has the experience, ability, and professional excellence to help make your project a reality.

Harris has been serving the professional service needs of public agencies, institutions, and private clients for more than 42 years. Harris has served the Town of Tiburon for many years in various capacities. Some of our work for the Town include:

- Pine Terrace Path project that involved obtaining encroachment permit from Caltrans
- The Lyford Drive Right Turn Lane Project that also involved obtaining an encroachment permit
- Multiple Street rehabilitation and drainage projects that also included sidewalk improvements
- Providing staff augmentation service as Deputy Town Director
- On-call services that involved speaking with residents to resolve drainage issues

Harris brings an integrated one-team approach, joining the City's team to efficiently design the desired sidewalk improvements. Harris will be your extension of staff. Project Manager Siva Natarajan (925.969.8030 Siva.Natarajan@WeAreHarris.com) has more than 12 years of experience with public works improvement projects.

One of the important keys to a successful project includes proactive, early and continuous coordination with the various agencies and stakeholders involved, to avoid and minimize delays. We bring current working relationships with PG&E, expertise coordinating with utilities, and a successful history of community outreach. Together, Harris and the Town, working with property owners can make New Morning Café Frontage Improvements project a success.

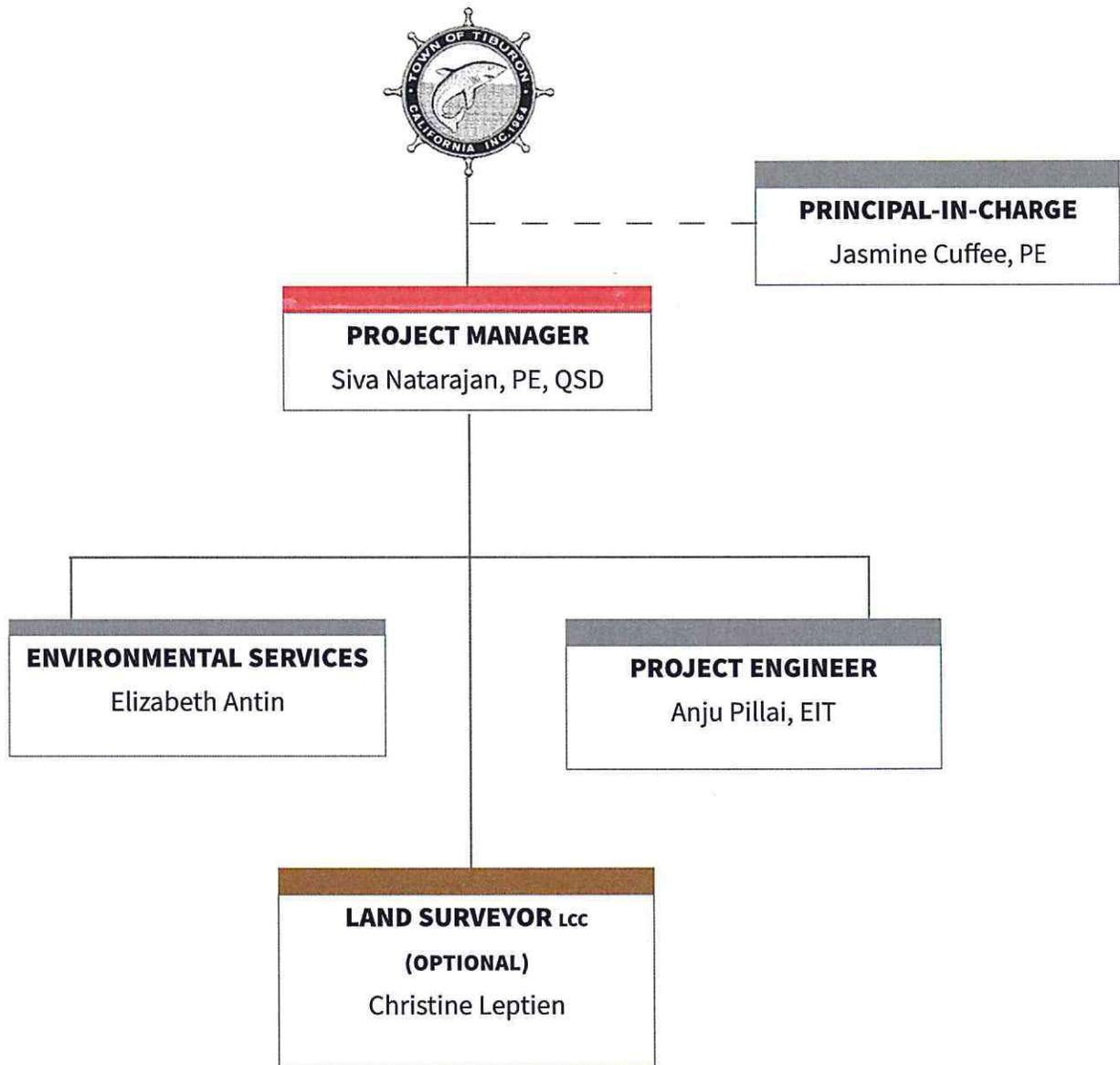
We look forward to working with the Town of Tiburon again.

Sincerely,  
Harris & Associates, Inc

Jasmine Cuffee, PE, QSD  
Director, Engineering Services  
925-969-8024  
Email@WeAreHarris.com

## Section 2. Key Personnel

Harris & Associates (Harris) brings an integrated one-team approach, joining the Town's team to efficiently design the desired sidewalk improvements.



## Section 3. Subcontractors

LCC Engineering & Surveying, Inc. (LCC) has provided land surveying services since 1954. LCC's licensed surveyors are well known and regarded for surveying expertise across Alameda, Contra Costa, and Solano Counties. LCC's projects typically involve improvements to existing city streets or other infrastructure including pavement, sidewalks, bikeways, pathways and grading. They are proficient in the use of current state and local agency Standards.

<b>Key Staff</b>	<b>Professional Background/ Qualifications</b>
<b>Christine Leptien-Parks, PE, PLS</b>	BS, Civil Engineering
<b>Professional Civil Engineer, CA</b>	62 years
<b>Additional Resources</b>	
<b>Andrew Lam, PE</b>	BS, Civil Engineering
<b>Professional Civil Engineer, CA</b>	
<b>Survey Chief of Party</b>	
<b>Peter Wollman, LS</b>	Professional Land Surveyor, CA
<b>Noel Crisolo, EIT</b>	BS, Civil Engineering
<b>Engineer in Training, CA</b>	

<b>Office Providing Services:</b>	930 Estudillo St Martinez, CA 94553 925.228.4218
<b>Firm Size:</b>	9 employees 5 registered professionals
<b>Years in Business:</b>	62 years

## Section 4. Project Work Plan



### Project Understanding

The Town of Tiburon, in coordination with the property owner of New Morning Café is planning to reconstruct the sidewalk in front of the Café, on Tiburon Boulevard side, in order to improve pedestrian access by creating a wider path of travel. Based on visiting the project site, reviewing the survey information provided for reference and as noted in the RFP, few important project elements to consider are:

- Existing grades between the Café and adjacent curb are very flat, which will require special attention to drainage
- Presence of a large AT&T vault, a PG&E box and two water meter box that will have to be relocated
- Obtaining encroachment permit from Caltrans
- Coordination with private property improvements
- Obtaining CEQA clearance

The completed project must meet Town, Caltrans and utility agency standards. In addition, due to working with a private property owner, the design should take the Café construction into consideration. Harris is well suited to assist the Town with this project because our team has successfully designed various projects that involve obtaining encroachment permits from Caltrans, coordinating utility relocation efforts with various utility agencies and coordinating with property owners for many agencies including Tiburon.

### Project Approach & Methodology

The successful completion of a project lies in the planning and management of often complex process. Harris understands the importance of working with the property owner and various stakeholders in order to have a successful project.

#### PROJECT MANAGEMENT:

Project Manager Siva Natarajan will be responsible for managing the project and the project team from inception through preparing final construction documents; assisting Town staff during the public bid process, provide design support to Town's construction manager and/or inspector during construction.

Siva's project management tasks include:

- Serving as primary point-of-contact with the Town
- Managing in-house staff and subconsultants
- Coordinating efforts with various stakeholders
- Monitoring progress of individual tasks and coordinating completion of work products
- Monitoring task budgets and project schedule
- Performing day-to-day administration

Every month, a brief progress report will accompany each Harris invoice. It will include current budget and schedule status, any design issues and next steps.

**Deliverable:** Progress reports and invoices.

#### KICK-OFF MEETING:

The Harris team will meet with Town staff to discuss project details, confirm the scope of work and review the project schedule and budget. This is a good opportunity to establish goals, discuss availability of existing project documents, conceptual designs, format of deliverables and clarify responsibilities of each party. Following the meeting, we will prepare meeting notes that will include project team's contact information, action items and an updated tentative schedule.

**Deliverable:** Meeting notes, contact list and tentative schedule.

## PRELIMINARY ENGINEERING:

### *Information Gathering:*

The Harris team will gather available existing background information of the project site, such as:

- Existing topographic map and survey data
- Preliminary design data including any conceptual design
- Existing record maps and as-built plans
- Right of way and property data
- Town contract documents

This activity will require assistance from Town staff in researching documents and resolving design parameters and project issues. Harris will prepare a list of requested documents and coordinate with Town staff to obtain information.

We understand that existing topographic and right of way data will be provided by Town for use in design. We will use the information provided by Town but cannot be responsible for errors or omissions in the data. If there is any difficulty for Town in acquiring/using the available survey data for this project, our subconsultant LCC Engineering & Surveying can prepare the topographic base map and right of way as an optional service.

**Deliverable:** List of requested documents.

**Field Investigation:** The Harris team will perform a detailed site reconnaissance to review/verify existing conditions such as sidewalk features, utilities, and drainage conditions. Existing curb ramp located in front of New Morning Café will be evaluated to address any necessary safety or accessibility upgrades to bring the facility to current design standards. We will also review existing traffic conditions to determine how pedestrian traffic should be handled during construction.

**Environmental Permits:** It is anticipated that the project will qualify for a Class 2 Categorical Exemption (CE) from the California Environmental Quality Act (CEQA). Harris will prepare a memorandum documenting the rationale for the Town's administrative record. The memorandum will include a brief project description, the qualifications for a CE, and the project findings in support of a CE. Harris will prepare the Notice of Exemption (NOE)

to file with the Marin County Clerk and the State Clearinghouse.

**Deliverable:** Project memo and Notice of Exemption.

**Utility Coordination:** Town staff have already contacted the three utilities that serve this area. Harris will continue the coordination efforts by:

- Sending utility notices to all three agencies to inform about the project
- Request their facility maps to verify existing vaults/boxes and service mains
- Provide tentative project schedule and anticipated time of construction

Harris will identify locations to relocate the utility vault and boxes. The preliminary locations will be coordinated with the respective utilities to gather their input. New meters may be required due to potential relocation of the water laterals. In that case, we will include notes in the drawings and specifications that will require the contractor to coordinate the effort with MMWD and at the request of Town, provide a plumber to tie into the new service.

**Deliverable:** Preliminary utility letter and Notice to owner.



## PRELIMINARY DESIGN (60% SUBMITTAL):

**Design Memo:** Harris will prepare a design memo based on input gathered during the kick-off meeting and information gathered during preliminary engineering phase. The memo will briefly summarize the approach taken to arrive at the preferred design and if any alternate options were considered.

**60% PS&E:** Harris will prepare 60% Design plans, preliminary estimate of probable construction costs

and outline specifications. Harris will obtain the latest version of the Town's specifications to use in this project. This level of plans will include the Title sheet and Site Plan that will show the extent of proposed improvements and conceptual layout of the sidewalk and curb ramp. The locations to relocate existing utilities that were identified during the preliminary engineering phase will also be shown on the plans.

The PS&E and design memo will be submitted for review by Town. Prior to each submittal, all plans and documents will be reviewed internally by Harris' Quality Manager, **Jasmine Cuffee**. Following review, we will meet with Town staff to discuss comments on the preliminary design. Final design will not proceed until the concept is approved by the Town.

**Access Easement:** We understand that Town is already in discussion with the Café owner and that the owner is a partner in the project. Harris will assist the Town to obtain temporary Rights of Entry to perform work within the limits of private property. Harris will identify the limits of impact to private property and prepare the necessary forms and exhibit showing the area of work. This will allow Town staff to negotiate with the property owner and obtain signatures from all parties involved.

**Utility Coordination and Environmental Clearance:** Harris will coordinate with all three utilities by submitting the 60% plans for their review along with a 'Notice to Owner' letter to each utility agency requesting their facilities be relocated per design and in accordance with the franchise agreement.

We expect that all environmental permitting would be complete by this time.

**Deliverable:** Design Memo, Three (3) sets of plans (34"x22") and preliminary opinion of construction costs along with a one copy of outline technical specifications. Plans will include:

- Title Sheet
- Demo Plan
- Site Plan (Grading and utility relocation)
- Construction Details

#### **DETAILED DESIGN (90% SUBMITTAL):**

Once Town has had an opportunity to review the 60% submittal, Harris design team will meet with Town staff to review the comments. We will then prepare the

90% submittal after resolving and incorporating any comments based on the meeting. All comments from the 60% submittal will be resolved prior to submitting the 90% plans.

The 90% submittal will be submitted to Caltrans towards obtaining an encroachment permit to perform work within the right of way. Harris will complete all necessary applications and coordinate with Caltrans staff to secure the encroachment permit.

**Deliverable:** Three (3) sets of plans (34"x22") and opinion of construction costs along with a one copy of technical specifications (6) sets of plans to Caltrans Encroachment Permit.



#### **FINAL SUBMITTAL:**

After review of the 90% PS&E by Town staff, we will meet to resolve any comments. Once all the comments have been resolved, Harris will prepare the Final stamped and signed bid documents ready to advertise.

**Deliverable:** Stamped and Signed Mylar plans (34"x22") and technical specifications. Electronic copy of the Drawings, Specifications and Opinion of Probable Construction costs.

#### **BID PERIOD SERVICES:**

Siva will assist the Town by preparing a draft staff report that will be used by Town staff to receive authorization from Town Council. We will also assist the Town by bidding the project and work with Town's reproduction firm to distribute bidding documents to prospective bidders. Siva will also assist the Town during pre-bid meeting and answer any design related questions. We will log the questions and provide the

Town with documented responses. Any addenda that were issued during the bid period will be incorporated in to the plans and specifications, following Town standards.

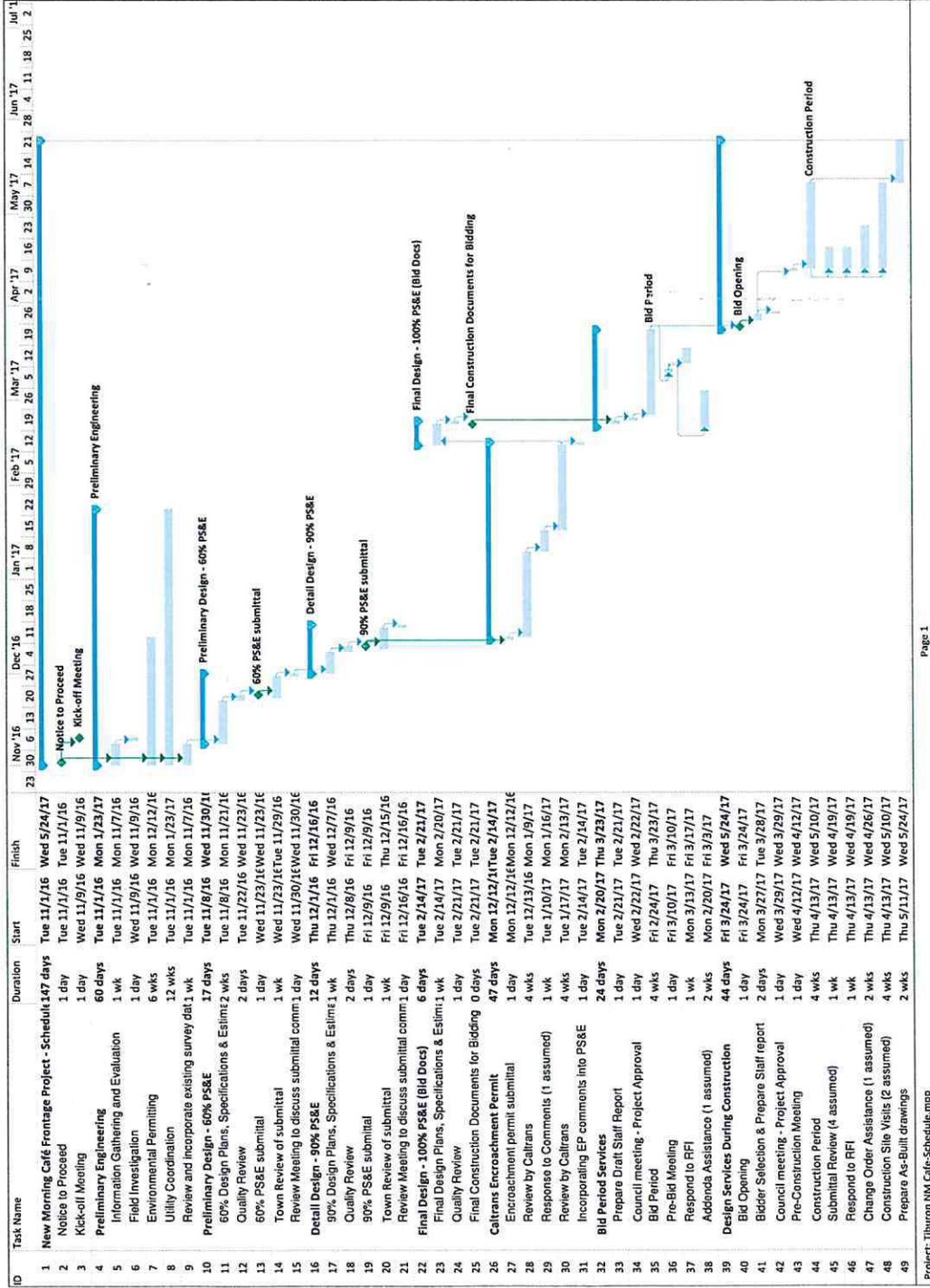
#### **DESIGN SERVICES DURING CONSTRUCTION:**

Harris team will perform the following tasks to support the Town during construction:

- Analyze the bids received for conformance with the Contract and bid requirements,
- Identify the lowest bidder and prepare a bid table
- Prepare staff report to submit to Town Council
- Review product and material submittals from contractor
- Review RFIs or change order requests form contractor and provide responses
- Visit construction site during major construction activities and when requested by Town
- After completion of project, prepare record drawings per Town standards, based on marked up set of plans from contractor



# Section 5. Project Schedule



# Section 6. Fee Information

## NEW MORNING CAFE FRONTAGE PROJECT

9/28/2016

### Level of Effort Fee

TASK, PHASE, DESCRIPTION	STAFF	HARRIS & ASSOCIATES			TOTALS
		PD HOURS	PM HOURS	PE HOURS	
<b>1.0 PROJECT MANAGEMENT</b>					
1.1 Project Management			12		
1.2 Kick-off Meeting		2	2	4	
SUBTOTAL HOURS		2	14	4	20
SUBTOTAL DOLLARS		\$440	\$2,380	\$440	\$3,260.00
<b>2.0 Preliminary Engineering</b>					
2.1 Information Gathering and Evaluation			2	4	
2.2 Field Investigation			6	6	
2.3 Environmental Permitting		4	12		
2.4 Utility Coordination			8	12	
2.5 Review and incorporate existing survey data			2	8	
SUBTOTAL HOURS		4	30	30	64
SUBTOTAL DOLLARS		\$880	\$5,100	\$3,300	\$9,280.00
<b>3.0 PRELIMINARY DESIGN (60% PS&amp;E)</b>					
3.1 60% Design Plans			8	24	
3.2 60% Engineer's Estimate			2	4	
3.3 Outline Technical Specifications			12	4	
3.4 Quality Review		2	2	4	
3.5 Design Memo			2	6	
3.6 Review Meeting to discuss submittal comments			2	2	
SUBTOTAL HOURS		2	28	44	74
SUBTOTAL DOLLARS		\$440	\$4,760	\$4,840	\$10,040.00
<b>4.0 DETAILED DESIGN (90% PS&amp;E)</b>					
4.1 90% Design Plans			8	16	
4.2 90% Engineer's Estimate			2	4	
4.3 90% Technical Specifications			8	4	
4.4 Temporary Rights-Of-Entry			4	12	
4.5 Quality Review		2	2	4	
4.6 Review Meeting to discuss submittal comments			2	2	
SUBTOTAL HOURS		2	26	42	70
SUBTOTAL DOLLARS		\$440	\$4,420	\$4,620	\$9,480.00
<b>5.0 FINAL DESIGN</b>					
5.1 Final Design Plans			4	12	
5.2 Final Engineer's Estimate			2	2	
5.3 Final Technical Specifications			4	2	
5.4 Quality Review		2	2	2	
SUBTOTAL HOURS		2	12	18	32
SUBTOTAL DOLLARS		\$440	\$2,040	\$1,980	\$4,460.00
<b>6.0 CALTRANS ENCROACHMENT PERMIT ASSISTANCE</b>					
6.1 Encroachment permit application			4	4	
6.2 PS&E Submittal for EP			2	8	
6.3 Response to Comments (1 assumed)			4	8	
6.4 PS&E Re-submittal for permit (1 assumed)			2	4	
6.5 Incorporating EP comments into PS&E			2	2	
SUBTOTAL HOURS			14	26	40
SUBTOTAL DOLLARS			\$2,380	\$2,860	\$5,240.00
<b>7.0 BID PERIOD SERVICES</b>					
7.1 Prepare Draft Staff Report			4		
7.2 Project Bidding			4	4	
7.3 Pre-Bid Meeting			2	4	
7.4 Respond to RFI			4	4	
7.5 Addenda Assistance (1 assumed)			4	6	
SUBTOTAL HOURS			18	18	36
SUBTOTAL DOLLARS			\$3,060	\$1,980	\$5,040.00

**NEW MORNING CAFE FRONTAGE PROJECT**

9/28/2016

**Level of Effort Fee**

TASK, PHASE, DESCRIPTION	STAFF	HARRIS & ASSOCIATES			TOTALS
		PD HOURS	PM HOURS	PE HOURS	
<b>8.0 DESIGN SERVICES DURING CONSTRUCTION</b>					
8.1 Bid analysis and lowest bidder selection			2	2	
8.2 Prepare Staff report			4	2	
8.3 Pre-Construction Meeting			2	2	
8.4 Submittal Review (4 assumed)			4	10	
8.5 Respond to RFI			4	4	
8.6 Change Order Assistance (1 assumed)			4	4	
8.7 Construction Site Visits (2 assumed)			6	4	
8.8 Prepare As-Built drawings			4	12	
SUBTOTAL HOURS			30	40	70
SUBTOTAL DOLLARS			\$5,100	\$4,400	\$9,500.00
<b>A. HARRIS HOURS AND COST</b>					
HOURS PER POSITION		12	172	222	
HOURLY RATE (TYPICAL)		\$220.00	\$170.00	\$110.00	
HARRIS SUBTOTAL COST		\$2,640.00	\$29,240.00	\$24,420.00	\$56,300.00
<b>TOTAL COST FOR TEAM (NOT-TO-EXCEED BASIS):</b>					<b>56,300.00</b>
<b>B. OPTIONAL SERVICES</b>					
LCC Engineering & Surveying			Survey and Right of Way	\$5,800.00	
<b>TOTAL COST FOR OPTIONAL SERVICES (INCLUDING 10% MARKUP):</b>					<b>6,380.00</b>
<b>ASSUMPTIONS UPON WHICH COST PROPOSAL IS BASED:</b>					
<ol style="list-style-type: none"> <li>1 Staff Abbreviations                      PD Project Director                      PM Project Manager                      PE Project Engineer</li> <li>2 Hours and fee are subject to adjustment during scoping session with agency.</li> <li>3 Hours and fee for individual tasks are a guide; the total hours and cost for the project takes precedence.</li> <li>4 Hours and fee may be renegotiated if the project is delayed by factors beyond Harris' control.</li> <li>5 Town will perform the following tasks:                      -Access to any available drawings or information relevant to the project.                      -Right of Way and Property Line information in AutoCAD format                      -Final "front-end" specifications</li> <li>6 No traffic study is included.</li> <li>7 The number of budgeted meetings is indicated on the spreadsheet. Additional meetings not identified in the scope will be charged at the hourly rates noted in Section A.</li> <li>8 All submittals will be made as described in the proposal. Printing of additional hardcopies will be by agency (or Harris at cost+10% )</li> <li>9 Agency comments at each review stage will be presented to Harris on one consolidated set of marked up documents</li> <li>10 Redesign required due to changes made by Agency after 90% design approval are subject to additional fee to Harris &amp; Associates</li> <li>11 No public meetings will be required.</li> <li>12 Town to provide permissions to enter private property for Harris and Subs.</li> </ol>					

# Jasmine Cuffee, PE, QSD

## PRINCIPAL-IN-CHARGE

Jasmine Cuffee has over 24 years of experience in the design of various public works improvement projects specializing in roadway design, pavement rehabilitation, site design, storm drain, water, reclaimed water, and sanitary sewers. Her pipeline experience consists of various projects using current trenchless technology methods. Her responsibilities have included design of drainage, grading, and horizontal and vertical alignments for both roadway and pipeline; preparation of specifications and cost estimates; budget analysis; community relations; coordination with various agencies; processing of federal funding documents; and project management.

### RELEVANT EXPERIENCE

- **Town of Tiburon, 2004 Capital Improvements.** Project Manager. Jasmine was responsible for overall project oversight for various improvements throughout the Town of Tiburon. The project included construction of roadway and storm drain improvements in public ROW and private properties with limited access. Improvements include new sidewalk, curb and gutter, asphalt berms, and hillside slope stability improvements. Involvement and input from residents, Caltrans, City of Belvedere, and other agencies were required for approval of proposed work.
- **Town of Tiburon, Pine Terrace Pathways.** Project Manager. Jasmine is leading the team that is preparing construction documents for the reconstruction of two pedestrian paths, including design of retaining walls (approximately 3-4 FT high). Tasks include site inspection, coordination with Town staff; preparation of plans, specifications, and cost estimate; and bidding and design services during construction.
- **Town of Tiburon, Mar West Street Rehabilitation.** Project Manager. Jasmine managed a team of design engineers, geotechnical engineers, and surveyors for design services starting from preliminary design through construction for the Mar West Street Rehabilitation project. This federally funded project included: rehabilitation of street pavement along Mar West between Tiburon Boulevard and Paradise Drive; remediation of approximately 240 LF of hillside settlement located along Mar West; construction of a four-foot-wide asphalt concrete path that will run parallel with and adjacent to Mar West Street; and adjustment of the street grades at the Tiburon Peninsula Club to conform to the recently constructed curb and gutter. This project also included drainage improvements, such as installation of storm drain pipes, inlets, headwall, trash rack, and a rip-rap v-ditch.
- **Town of Tiburon, 2004 Capital Improvements.** Project Manager.
  - Jasmine was responsible for overall project oversight for various improvements throughout the Town of Tiburon. The project included construction of roadway and storm drain improvements in public ROW and private properties with limited access. Improvements include new sidewalk, curb and gutter, asphalt berms, and hillside slope stability improvements. Involvement and input from residents, Caltrans, City of Belvedere, and other agencies were required for approval of proposed work.

### EDUCATION

BS, Civil Engineering

### REGISTRATIONS

Professional Civil Engineer, CA

### CERTIFICATIONS

State Water Resources Control Board, Qualified SWPPP Developer (QSD)

### TRAINING

American Public Works Association (APWA), Management Training, 2004

American Public Works Association, QSD Workshop Training, 2015

Association of Bay Area Governments (ABAG), Overflow and Backup Prevention and Response, 2010

Association of Bay Area Governments (ABAG), Sanitary Sewer, 2010

Association of Bay Area Governments (ABAG), Sewer Response Workshop, 2010

Envision Sustainability Professionals (ENV SP) Training

### AFFILIATIONS

Bay Area Water Works Association (BAWWA)

North Bay Engineers Club (NBEC), Secretary, 2016

### SPEAKING ENGAGEMENTS

“Pipe Bursting,” Monterey BWWA Annual Vendor Show, 2014

“Pipeline Rehabilitation Near High-Risk Utilities - Meadow Lane Collection Sewer Upgrade,” City of Concord, North American Society for Trenchless Technology (NASTT) No-Dig Conference, 2007

- **Town of Tiburon, 2006 Street Rehabilitation.** Project Manager. For this \$1.2 million project, Jasmine was responsible for leading a team in the preparation of construction documents for pavement rehabilitation of streets located in various areas throughout the town. The treatments used for rehabilitating the streets included mill and overlay, asphalt concrete overlay, and slurry seal. Construction of sidewalk, driveway, retaining walls, and curb ramps was also included with this project.
- **Town of Tiburon, 2005 Street Rehabilitation.** Project Manager. For this \$400,000 project, Jasmine led a team in the preparation of construction documents. Prior to the design phase, she prepared a cost analysis of the proposed street rehabilitation improvements recommended by the pavement management software program. The cost analysis was completed in order to verify that the costs for the necessary improvements were within the Town's available budget for construction and design. The treatments used for rehabilitating the streets included mill and overlay, asphalt concrete overlay, and pulverize-in-place AC overlay. Project challenges included working along narrow, curved streets, and conforming to existing steep driveways.
- **City of El Cerrito, 2004 Storm Drain Rehabilitation Program.** Project Manager. Jasmine directed staff in preparing construction documents for storm drain improvements to alleviate flooding at private properties. The project includes installation of large reinforced concrete boxes and pipes through private properties and along public right-of-way. The project also utilized horizontal directional drilling methods to install new pipe between existing properties, which had limited access for construction. This technique avoided impact to existing facilities and landscape features in the project site during construction, such as fences, ponds, trees, and paths. A drainage study was also performed to evaluate causes of flooding in a residential area located near an existing creek. Conceptual solution alternatives were presented to address the drainage issues. This study required field investigations, obtaining input from residents that were impacted from previous flooding, evaluation of pipeline TV inspection, coordination with properties contributing to runoff, and hydraulic calculations.
- **City of San Rafael, Fourth Street/West End Revitalization.** Project Manager.
  - Managed design services to revitalize San Rafael's West End Village neighborhood and improve the safety of children, pedestrians, and bicyclists on 5th Avenue
  - Included: roadway resurfacing and street widening; removal and replacement of all curb, gutter, and sidewalk; street trees; 1,350 LF Caltrans Class III bicycle/pedestrian pathway; bike pavement delineation; shoulder striping and signage; evaluation and upgrade of the storm drainage surface and underground system; joint trench for power for public entertainment functions, streetlights, tree lighting, and fiber optic communications
  - Harris' design increased accessibility to businesses, efficiency for public transit, and the overall safety of the San Rafael community
  - Served as the manager and day-to-day contact for the City, directing the project team and subconsultants and coordinating the work with other agencies and stakeholders
  - Performed public outreach by attending public workshop meetings and meeting with merchants and residents one-on-one
- **City of San Rafael, Fifth Avenue Bicycle/Pedestrian Pathway.** Project Director.
  - Improvements to 1,350 feet of Fifth Avenue, between Happy Lane and California Avenue, in San Rafael
  - Improvements included street widening, new sidewalk serving as a bicycle/pedestrian pathway, bike pavement delineation, ADA-compliant curb ramps, and additional signage.
  - The project increased safety for children, pedestrians, and bicyclists along this two-lane residential street that serves as a major route for an elementary school and a future residential development
  - Oversaw preparation of preliminary plans and a cost estimate to determine if the project costs were within the City's budget.
  - Worked with the City to coordinate with residents on front yard impacts and modifications.

# Siva Natarajan, PE, QSD

## PROJECT MANAGER

Siva Natarajan is a detail-oriented and results driven civil engineer with more than 12 years of transportation, public works improvement, and land development experience. Siva has worked on a variety of transportation projects for Caltrans and various local agencies including interchange design, roadway widening, safety improvements, streetscape improvements, intersection improvements, pedestrian and bicycle trail design, parking lot improvements, utility undergrounding, and stormwater treatment design. His primary duties include managing multiple projects, keeping track of budgets and schedules; preparing construction documents, delegating work within the project team; coordinating with subconsultants and various agencies; providing design support during construction and acting as the client's primary project contact.

### RELEVANT EXPERIENCE

- **Town of Danville, *Various Streets and Roads Preservation*.** Project Manager.
  - Town of Danville, *Various Streets and Roads Preservation*. Project Manager. This \$1.7 million federally-funded OBAG project includes rehabilitation of two major arterials designed to Town of Danville and Caltrans Standards. Work involves restoring pavement to serviceable condition, and upgrading curb ramps and pedestrian push buttons to current standards. Harris is responsible for preparing PS&E, as well as providing bid services, for rehabilitating existing pavement on portions of El Cerro Boulevard and Sycamore Valley Road. The project also involves developing Caltrans submittals for funding authorizations and encroachment permit. The accelerated design schedule required close coordination with the Town and four specialty subconsultants. Duration: October 2014 - October 2015
- **City of Gonzales, *Gonzales Old Town Low Impact Development*.** Project Manager.
  - This \$500,000 project retrofits existing curb and gutter to install stormwater treatment basins in new curb bulb-out extensions to capture and infiltrate stormwater run-off. Siva assisted the City with project administration and reporting; planning, design, and engineering; construction contracting; monitoring and performance; and public outreach tasks.
- **City of Capitola, *Park Avenue Sidewalk*.** Project Manager.
  - This project included the addition of new curb, gutter, and sidewalk on a 0.5-mile stretch of Park Avenue. New and existing curb ramps were constructed and modified to comply with ADA standards. Siva was responsible for client coordination, utility coordination, and geometric design.
- **Pacific Gas & Electric, *Edenvale Service Center*.** Project Engineer.
  - This project involved the reconstruction of approximately 11 acres of pavement, which includes a parking lot with approximately 370 spaces. Siva was responsible for coordinating with PG&E staff and the environmental consultant on design and preparation of notice-of-inspection, SWPPP, Stormwater Control Plan, pavement design, stormwater treatment, ADA improvements, and grading of the site to create positive drainage. The project also provided replacement and

### EDUCATION

MS, Civil Engineering

BS, Civil Engineering

### REGISTRATION

Professional Civil Engineer,  
CA

### CERTIFICATE

Geographic Information  
Systems (GIS)

### TRAINING

ASCE, Pedestrian Safety at  
Uncontrolled Intersection

Caltrans Utility Process for  
Local Agencies

Envision Sustainability  
Professionals (ENV SP)  
Training

Institute of Transportation  
Engineers, ADA Accessibility  
Workshop

Institute of Transportation  
Studies, University of  
California Extension,  
Geometric Design

Rehabilitation Asphalt  
Pavements for Long Term  
Serviceability

### AFFILIATIONS

American Public Works  
Association (APWA), Member,  
2016

East Bay Municipal Engineers  
(EBME)

realignment of the sewer and storm drain lines, parking lot planter island modifications, and low impact development (LID) features including bioinfiltration and an overflow system. Dates: March 2014 – ongoing

- **Pacific Gas & Electric, Oakland Service Center.** Project Engineer.
  - This \$4 million project included the reconstruction of approximately 12 acres of pavement, which includes a parking lot with approximately 500 spaces. Siva was responsible for coordinating with PG&E staff and the environmental consultant on design and preparation of notice-of-inspection, SWPPP, Stormwater Control Plan, pavement design, stormwater treatment, ADA improvements, and grading of the site to create positive drainage. The project also provided replacement and realignment of storm drain lines, and LID features including bioinfiltration and an overflow system. Dates: March 2014 – ongoing
- **East Bay Regional Park District, San Francisco Bay Trail Project.** Senior Engineer.
  - \$5.5M, 1.7-mile recreation trail on Carquinez Scenic Drive that was closed since 1983 due to landslides
  - Project includes stabilizing slopes and embankments with retaining walls and debris walls, installing new and repairing existing drainage facilities, and rehabilitating the existing roadway to a multi-use pedestrian/bicycle trail
  - Responsible for preparing geometric design including layout of the retaining/debris walls, preparing construction documents and providing support during construction
- **Contra Costa County, Walnut Boulevard Pedestrian and Bicycle Improvements.** Designed 2400 feet long pedestrian access path along Walnut Boulevard. Project includes pavement widening, ADA accessible curb ramps, driveways and sidewalk improvements, retaining walls, curb & gutter, striping and storm drain modifications. Estimated project cost is \$0.5 million.
- **Contra Costa County, Vasco Road Safety Improvements Phase I.** Associate Engineer. This \$8 million project was implemented to improve safety along Vasco Road corridor. Project consists of constructing concrete median barrier, roadway widening, bridge widening, pavement overlay, wildlife crossings, wildlife exclusion fencing, mechanically stabilized earth (MSE) retaining walls and drainage improvements along 1 mile of Vasco Road South of Brentwood. Conducted preliminary safety and widening studies, geometric design, prepared construction documents for the PS&E phase and provided support during construction.
- **City of Oakley, Main Street SR-4 Widening.** Associate Engineer.
  - 1,400-foot-long pavement widening; frontage improvements including curb, gutter and sidewalk; storm drainage, street lighting, and traffic signal improvements.
  - Developed geometric design project plans that included design conforming to existing properties and planned for future driveways.
  - •All improvements conformed to ADA requirements.
  - Project Cost: \$1 million
- **Town of Danville, Hartz Avenue Beautification.** Senior Engineer. This project included the \$1.9 million renovation and enhancement of a 1,300 LF section of streetscape between Railroad Avenue and Diablo Road to match historic Hartz Avenue, including the extension of an existing parking lot. The project was designed to meet C.3 requirements by constructing various curb bulb outs along Hartz Avenue. The project also included improvements to pavement; addition and reconstruction of curb, gutter, sidewalk, and driveways; utility relocations; and new storm drain, designed in accordance with Town of Danville and Caltrans Standards. Plans also included demolition.

# Anju Pillai, EIT

## PROJECT ENGINEER

Anju Pillai has seven years of experience in civil design. She was previously an employee of the City of Modesto, thus has a great depth of understanding for the particular challenges faced by public agencies. Her most recent experience includes performing design, preparation of plans and quantity take-offs for a variety of locally and federally funded projects including street preservation, sidewalks, and street lighting.

### RELEVANT EXPERIENCE

- **Town of Tiburon, *Base Map for Tiburon Blvd.*** Undergrounding. Project Engineer.
  - Harris prepared the base map for the Rule 20A/B undergrounding project on Tiburon Blvd.
- **Town of Danville, *Various Streets and Roads Preservation Project.*** Project Engineer.
  - This \$1.7 million federally-funded OBAG project includes rehabilitation of two major arterials designed to Town of Danville and Caltrans Standards. Work involves restoring pavement to serviceable condition, and upgrading curb ramps and pedestrian push buttons to current standards. Harris is responsible for preparing PS&E, as well as providing bid services, for rehabilitating existing pavement on portions of El Cerro Boulevard and Sycamore Valley Road. The project also involves developing Caltrans submittals for funding authorizations and encroachment permit. The accelerated design schedule required close coordination with the Town and four specialty subconsultants.
- **City of Capitola, *Park Ave Sidewalks.*** Project Engineer.
  - Installation of new sidewalks for approximately one third of a mile
  - Federally funded
  - Responsible for field investigation, assisting with design, preparation of plans and quantity take-offs
- **Marin County, *Civic Center Drive Improvements and Veterans' Memorial Auditorium (VMA) Parking Lot.***
  - Project Engineer. The project consists of streetscape and widening work on Civic Center Drive and rehabilitation of the Veteran's Memorial Auditorium parking lot. Harris is responsible for the preparation of a 35% design package and working to coordinate a variety of subconsultants including landscape, traffic, environmental, and survey.
- **City of Cotati, *Pavement Rehabilitation.*** Project Engineer.
  - Harris provided pavement rehabilitation design based on Harris' previous pavement management plan assessments. Anju was responsible for field work and collecting street data (utility cover quantities, lengths, widths, striping, and digouts) and transferring the data to detailed spreadsheets.
- **City of Gonzales, *CDBG Project.*** Project Engineer. Harris provided pavement rehabilitation design based on Harris' previous pavement management plan

### EDUCATION

MS, Civil Engineering  
B.Tech, Civil Engineering

### CERTIFICATIONS

Engineer-in-Training (EIT)

### TRAININGS

AutoCAD Civil 3D 2015  
Bi-Trans  
Primavera Project Planner (P6)  
QuickNet  
Sim Traffic  
Synchro

assessments. Anju was responsible for field work and collecting street data (utility cover quantities, lengths, widths, striping, and digouts) and transferring the data to detailed spreadsheets.

- **City of Modesto, Assistant Traffic Engineer.**
  - Responsible for implementing Traffic Engineering projects for the efficient functioning of the City's Traffic Signal System Network. Responsible for implementing ITS technologies and administering CMAQ, HES and CEC funded projects, preparing federal grant applications, providing input to City's operating budget, performing engineering design of traffic signals and roundabouts, i.e. preparing plans, specifications and estimates based on Caltrans Standards, Highway Design Manual and Federal MUTCD Standards.

#### Key Projects

- Modesto Signal Modification and Retiming Project, including State Routes 108, SR 132 and Interstate 99
- Briggsmore/Sisk/Hwy 99 Right –turn Lane and Signal Modification Project
- Extension of Left-turn Lanes on Briggsmore Avenue at SR 108
- Expansion of ATMS (Advanced Traffic Management System) on College Ave, Modesto
- City of Modesto Closed Circuit Television System Project
- Briggsmore Avenue Breakaway Streetlight Modifications Project
- Street Improvements and Traffic Signal Modifications on Woodland Avenue at Carpenter Road
- Installation of Collector Roundabouts at the intersections of Kodiak/Lincoln Oak Kodiak/Temescal, Hillglen/Roselle, College/Bowen, and Kodiak/Roselle
- Installation of Lighted Crosswalks on Major and Minor Collector Streets
- **City of Santa Clara, El Camino Real Street Lighting Improvements.** Project Engineer.
  - Improving street lighting on El Camino road in Santa Clara from Sunnyvale to San Jose
  - Responsible for providing utility base maps

# Christine M. Leptien-Parks, P.E., P.L.S.

## PROJECT SURVEYOR (SUBCONSULTANT)

Christine began working part-time for LCC in 1992 and joined the firm full-time in May of 1996 upon completion of her undergraduate education. She obtained her license to practice civil engineering in February 1999. Since then, she has been directly responsible for the preparation of plans, specifications and estimates for streets, parking lots, parks, utilities, storm drains, and wastewater facilities. Christine has also had extensive field experience as a both a Chainman and a Party Chief on our survey crews over the years, leading her to obtain a license to practice land surveying in August 2003. Christine became a Principal in the firm in February 2008. Christine has been involved in most of LCC's major projects over the last eighteen years, and in recent years has led design teams and survey teams as Project Manager on numerous projects.

### RELEVANT EXPERIENCE

- **City of Martinez, Berrellesa Street Bay Trails Project.** Project Surveyor.
  - Christine was responsible for furnishing plans, specifications and estimates (PS&E) for the construction of a section of the Bay Trail from the UPRR right of way, along Berrellesa Street to the existing Bay Trail at the end of Berrellesa Street. The project consisted of approximately 500 lineal feet of 8 foot wide asphalt concrete path. Design included topographic surveys, conform grading earthwork calculations, plans, sections, specifications, estimates, and Construction staking.
- **City of Martinez, Hidden Valley/Hidden Lakes Parks.** Project Surveyor.
  - LCC provided aerial and supplemental topographic surveys and mapping for the entire park limits (over 17 acres). Christine worked with a local landscape architect to prepare civil plans (grading, utilities, and drainage), specifications and estimates for the improvement project of these two major parks in the City of Martinez. This work included over 4800 linear feet of pathways within the park. She also coordinated with the Architect and oversaw the preparation a PS&E package for construction. LCC also performed all construction staking for the project.
- **City of Pleasant Hill, Lisa Lane Sidewalk & Bikeway, Safe Routes to School Project.** Project Surveyor.
  - This project was a Safe Routes to Schools project. The work consisted of the construction of concrete sidewalks, curb ramps, curb and gutter, new driveways and driveway approaches, concrete walls, ac dike, pavement, striping, signing, grading, various storm drain improvements, landscaping, and all other related work. This also including street improvements for a Class II Bikeway on both sides of the street. Christine oversaw the preparation of the topographic base map, right of way surveys and mapping, and PS&E design documents including submittals to Caltrans. LCC also provided construction staking for this project.

### EDUCATION

BS, Civil Engineering  
San Jose State University, San Jose, CA

### REGISTRATIONS

Professional Civil Engineer,  
CA  
#59061  
Licensed Professional Land Surveyor, CA #7893

### AFFILIATIONS

California Land Surveyor Association  
East Bay Municipal Engineers  
American Society of Civil Engineers  
American Council of Engineering



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Town Council Meeting  
November 2, 2016  
Agenda Item: *AI-3*

## STAFF REPORT

**To:** Mayor and Members of the Town Council  
**From:** Office of the Director of Public Works  
**Subject:** Staff update on FY 2016-2017 Storm Drain Inspection, and request to authorize Storm Drain Repair Project design phase.  
**Reviewed By:** *[Signature]*

### BACKGROUND

In 2008, the Town completed a Storm Drain Master Plan (SDMP). Regarding the condition of the storm drains made of corrugated metal pipe (CMP), the plan states, "Several corrugated metal pipes placed in the 1940s and 1950s (estimated) have failed or are failing and are in immediate need of replacement." The economic life of CMP runs from 20 to 40 years, depending on environmental conditions. Failure is normally defined as the first perforation of the pipe. Virtually all CMP storm drains in Tiburon are over 40 years old.

The Town began cleaning and inspecting selected storm drain lines in 2011. The Town has identified 854 storm drain pipe segments. Prior to this year, 162 segments had been cleaned and inspected, with reports on 116 pipe segments. Of the inspected CMP segments with reports, 47% were found to have serious defects and were repaired or replaced.

In the FY 2016-2017 CIP Budget, Council approved \$130,000 in funding to clean and inspect over 70 CMP segments this year. The list of pipes to be inspected changed significantly from the time the CIP Budget was adopted until the work was completed. First, Public Works staff looked at many of the remaining CMP segments in advance of the contract being written and found many lines listed in the SDMP were not CMP. Then a number of additional CMP lines were found by Public Works that were not in the SDMP. This is noted as we have determined that perhaps as many as 75% of the pipes in the storm drain masterplan may be incorrect with respect to at least one descriptive element, such as material, size or location. Ultimately, the contractor inspected a total of 50 line segments.

### ANALYSIS

Of the fifty lines inspected, twenty (40%) have major defects, that is, holes in the pipe. Two of these are on private property and were not dedicated to the County or Town leaving eighteen that need to be repaired or replaced. Others storm drain pipes have minor defects and exhibit signs of wear consistent with their age. Staff believes repair of these pipe segments can be delayed to future budget years. We do note, however, that when it is possible to simply line a CMP storm drain, there is considerable savings if the work is done prior to a hole developing.

Of the eighteen CMP segments that need repair now, ten segments, totaling 949 feet, should be increased in size, which requires complete replacement. The other six segments totaling 932 feet can be repaired by grouting and lining. Grouting and lining may be less expensive depending on the location of the segment. This will be determined during design.

Based on the last four storm drain projects completed in Tiburon, and information on recent bids from projects in other Marin jurisdictions, staff estimates the total cost of replacement and/or repair of all 18 CMP segments will be approximately \$550 per linear foot, or \$1.1M. It is important to note this estimate is preliminary, and will be refined throughout the design process.

A list of the 18 CMP segments identified with major defects is provided in the Table 1 below.

**Table 1**

<b>Watershed</b>	<b>Road</b>	<b>Length</b>	<b>Existing Diameter</b>	<b>Diameter needs increasing?</b>
Belveron B Watershed	Trestle Glen	80	24	No
East End 5 Watershed	Paradise	33	15	Yes
East End 5 Watershed	Paradise & Mar East	65	10	Yes
East End 5 Watershed	Paradise	125	12	Yes
East End 5 Watershed	Paradise	125	12	Yes
East End 5 Watershed	Paradise	125	12	Yes
Old Landing 1 Watershed	Hacienda Drive	247	15	No
Rock Hill A Watershed	Hawthorne	55	24	No
Mar West-Racoon	Lagoon View Drive	51	1	No
Old Landing 1 Watershed	Hacienda Drive	365	12	No
Rock Hill B Watershed	Hawthorne	39	12	Yes
Rock Hill B Watershed	Hawthorne	42	15	No
Rock Hill B Watershed	Rock Hill	237	20	No
Seafirth	Seafirth Lane	129	12	Yes
Seafirth	Seafirth Lane	120	18	No
Paradise	Paradise	55	12	Yes
Paradise	Paradise	55	18	Yes
Paradise	Paradise	55	18	Yes

**FINANCIAL IMPACT**

The Town maintains two reserve funds for use on this type of project, the Streets and Drainage Fund and the Drainage Impact Fund. The status of these funds is summarized in Table 2 below.

**Table 2**

<b>Fund</b>	<b>Balance as of 6/30/16</b>	<b>FY 16-17 Budgeted Revenue</b>	<b>FY 16-17 Budgeted Expenditures</b>	<b>FY 16-17 Estimated Actual Expenditures</b>	<b>Estimated Funds available</b>
<b>Streets/Drainage</b>	1,224,955	70,000	(290,000)	(165,000)	1,129,955
<b>Drainage Impact</b>	79,694	20,000	(100,000)	(100,000)	(306)

The estimated \$1.13M in available funds indicated above is a combination of the remaining balances in both reserve funds (\$1,004,919) and the estimated total unexpended CIP funds included in the FY16-17 Budget (\$125,036).

If Council wishes to proceed with addressing the CMP segments with major defects, staff will take the following steps:

1. Develop and issue a Request for Proposals to develop a biddable set of Plans and Specifications for the proposed project scope.
2. Return to Council for consideration to award contract for the design work.
3. Once bid set is complete, staff would bid the project and return to Council for consideration of the award of a construction contract, and authorization for any required budgetary transfers.

**RECOMMENDATION**

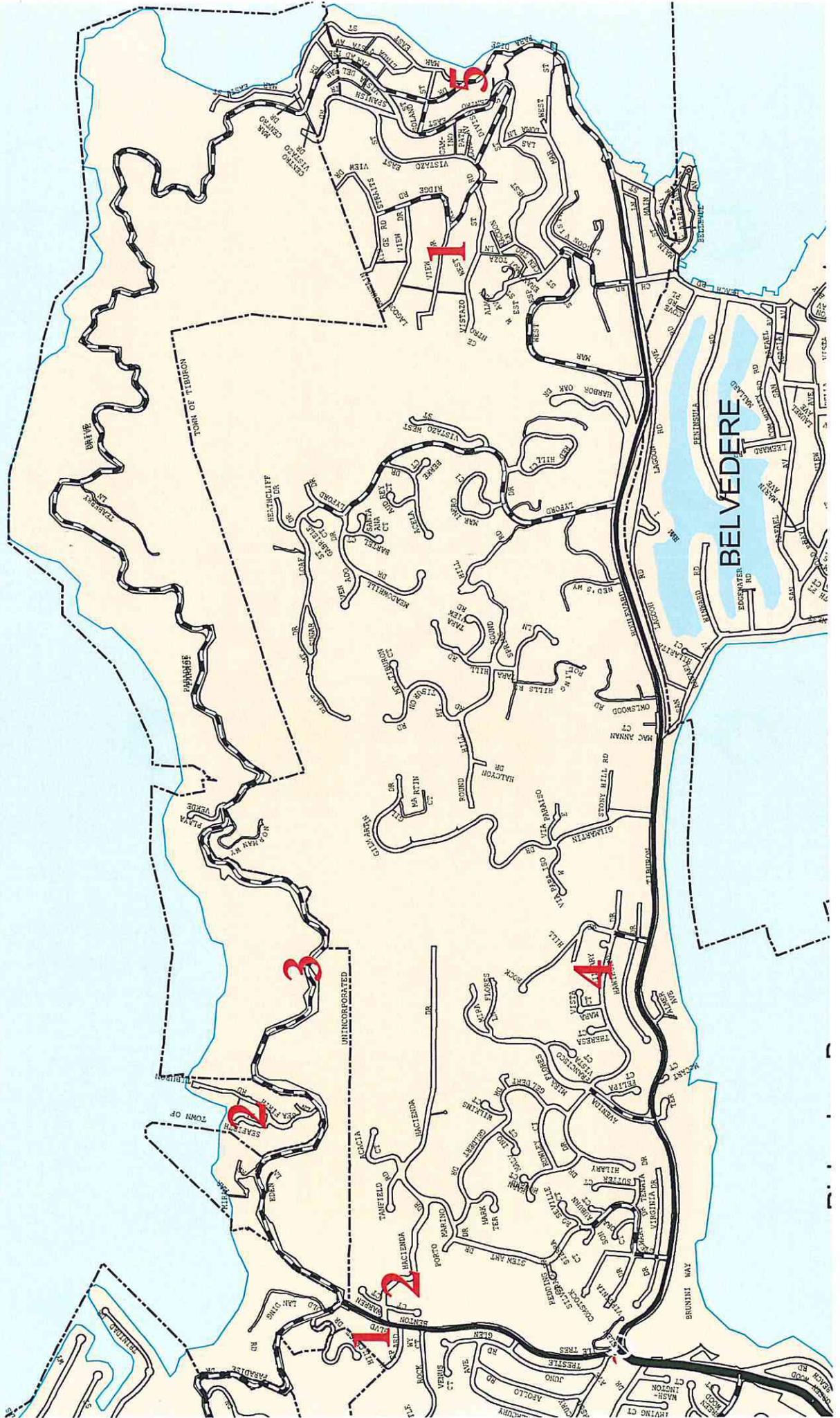
Staff recommends that the Town Council:

1. Receive staff report on status of Storm Drain Inspection process.
2. Authorize staff to issue a Request for Proposals for the design work associated with repairing, or replacing, the 18 CMP segments listed in Table 1 of the Staff Report.

Exhibits: Maps showing locations of damaged storm drain pipes

Prepared by: Patrick Barnes

# Number & Location of Storm Drain Pipes Needing Repair





**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Town Council Meeting  
November 2, 2016  
Agenda Item: *AI-4*

## STAFF REPORT

**To:** Mayor and Members of the Town Council  
**From:** Office of the Director of Public Works  
**Subject:** Recommendation to Approve Additional Funding for Curb Ramps on Tiburon Blvd  
**Reviewed By:** *uc.*

### BACKGROUND

There are numerous Tiburon General Plan policies supporting robust pedestrian facilities for all users. Policy C-8 specifically states, "The Town shall remove barriers, where feasible, to allow people of all abilities to move freely and efficiently throughout the Planning Area, with the highest priority given to areas that are near Downtown or in other flat areas."

Caltrans is developing a project to address ADA deficiencies on certain locations along 131 in Marin County. The project is funded by Caltrans for the locations within the State ROW. Caltrans has asked if we want to include additional locations outside of the State ROW in the project. The additional work at these locations would be coordinated by Caltrans, but be funded by the Town.

About 7 locations lie outside state ROW in Tiburon, between Mar West and Main Street. One of these is the corner of Juanita and Tiburon Blvd near the New Morning Café and is part of another project Council is considering this evening. The other six ramps are at the following locations and depicted in the attached maps:

- 1D – Tiburon Blvd and Mar West
- 1E – Tiburon Blvd and Mar West
- 3A – 1680 Tiburon Blvd
- 5A – Tiburon Blvd and Main Street
- 5D – Tiburon Blvd and Main Street
- 5E – Tiburon Blvd and Main Street

Caltrans estimates the cost of this work at \$140,000 which includes:

- PS&E (Design Support) - \$22,500
- Row Support- \$0
- Row Capital- \$0
- Construction Support - \$22,500
- Construction Capital Cost-\$95,000

## ANALYSIS

Three of these ramps are large and difficult. The construction estimate is reasonable based on recent work done along Tiburon Blvd. Staff believes that a consultant designer would need to charge more to design the project. Caltrans has some economy of scale in completing the work as the contract will include 20 to 40 ramps along 131 and 101. Further, any designer hired by the Town would need to add the work required to get a permit from Caltrans.

Staff recommends directing Caltrans to include the Town portion of the work in their larger project, as we believe it will be the most efficient way to complete the work.

If Council approves and funds this project, Caltrans will draft a cooperative agreement to capture the cost sharing for our review.

## FINANCIAL IMPACT

The FY 2016/17 CIP included \$20,000 for curb ramps and sidewalks. The additional \$120,000 would come from the Gas Tax Reserve Fund.

Staff notes that there is another project being considered by Council today (New Morning Cafe) that would utilize \$32,680 from the Gas Tax Reserve Fund. If both of these are funded, staff estimates the balance in the Gas Tax Reserve Fund as of 6/30/17 would be approximately \$1.05M.

## RECOMMENDATION

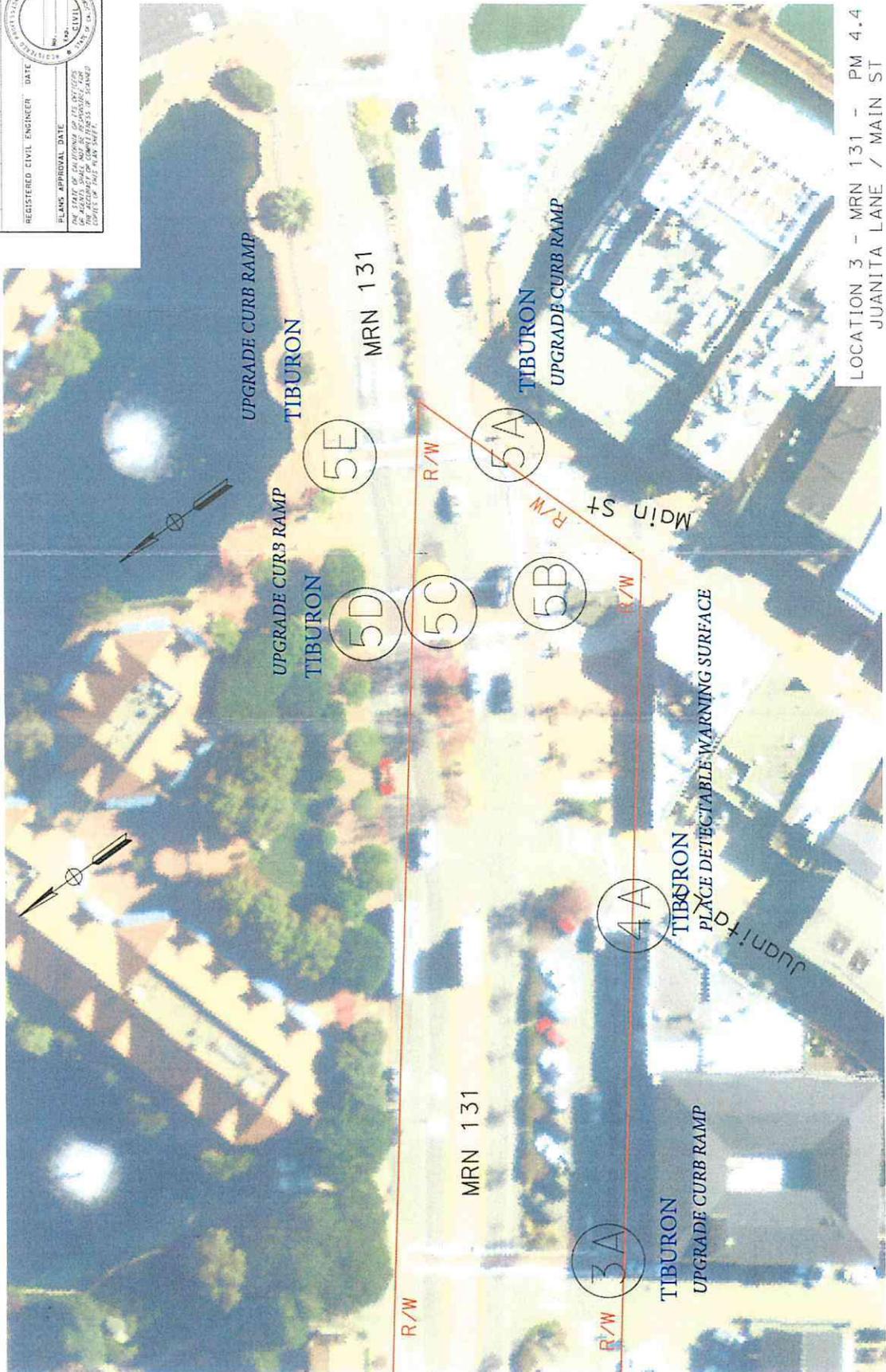
Staff recommends that the Town Council:

1. Approve additional funding in the amount of \$120,000 from Gas Tax for curb ramp upgrades.
2. Allow the Town manger to execute the cost sharing agreement with Caltrans once finalized.

Exhibits: Maps showing locations of curb ramps

Prepared by: Patrick Barnes, Director of Public Works

DIST COUNTY ROUTE 04 MRN 131 4.0/4.4  
 SHEET TOTAL 04/04  
 PROJECT NO. 0412000027 K  
 REGISTERED CIVIL ENGINEER DATE  
 PLANS APPROVAL DATE  
 IN ALL CASES, THESE PLANS SHALL NOT BE OPERATED FOR THE PURPOSES OF CONSTRUCTION OR MAINTENANCE OF THE PROJECT UNLESS THEY ARE APPROVED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION.



LOCATION 3 - MRN 131 - PM 4.4  
 JUANITA LANE / MAIN ST  
 NO SCALE

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	MARWICK CHEUNG	CHECKED BY	DATE REVISION
DESIGNED BY	REVISION BY	DATE REVISION		

DATE	COUNTY	ROUTE	TOTAL PROJECT	SHEET NUMBER	TOTAL SHEETS
04	MRN	131	4.0/4.4		

REGISTERED CIVIL ENGINEER DATE: 04/04/04

PLANS APPROVAL DATE: \_\_\_\_\_

THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 COUNTY OF SAN DIEGO



LOCATION 1 - MRN 131 - PM 4.0  
 MAR WEST AVENUE / COVE ROAD  
 NO SCALE

PROJECT NUMBER & PHASE: UNIT 0696 RELATIVE HORIZONTAL SCALE: 1" = 40' HORIZONTAL USERNAME: P3113066 DON FILE: 03/04/131.dgn

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	WARWICK CHEUNG	CHECKED BY	DATE REVISION
DESIGNED BY	DATE REVISION	REVISION BY	DATE REVISION	

04/04/04 131.dgn



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Town Council Meeting  
November 2, 2016  
Agenda Item: *PH-1*

## STAFF REPORT

To: **Mayor & Members of the Town Council**

From: **Community Development Department**

Subject: **Amend Title IV, Chapter 13 (Building Regulations) of the Tiburon Municipal Code to Adopt by Reference and with Modifications the Latest State-Authorized Construction Codes; File MCA2016-04; Introduction of Ordinance**

Reviewed by: *H.C.*

## BACKGROUND

Approximately every three years, the State of California adopts updated uniform construction codes and allows local government agencies limited latitude to modify those codes by ordinance. Local agency modifications may provide for requirements that are more restrictive, but not less restrictive, than the state-adopted codes. The new state codes will go into effect on January 1, 2017.

The draft ordinance before the Town Council contains the Town's proposed adoption of the most recent State of California-authorized construction codes, with modifications for local conditions, and ratifies the two local Fire Districts' adoption of the 2016 California Fire Code and any other fire-related codes adopted by those Districts.

## ANALYSIS

There are few substantive changes to the standardized construction codes during this cycle that involve the Town's localized amendments.

During the most recent code adoption cycle in 2013, the Town of Tiburon chose to adopt those portions of Tier 1 of the CalGreen Code that it could lawfully adopt. Those provisions will be carried over with the 2016 CalGreen Code. The energy efficiency provisions of the California codes are now sufficiently robust that the Town no longer needs to adopt its own separate enhancements, so those provisions are being deleted.

## ENVIRONMENTAL STATUS

Adoption of this ordinance is ministerially exempt from the requirements of CEQA per state statutes.

## **STAFF RECOMMENDATION**

Following a public hearing, staff recommends that the Town Council:

1. Hold a public hearing and consider any testimony.
2. Move to read by title only and introduce the ordinance (**Exhibit 1**) amending Title IV, Chapter 13 (Building Regulations) of the Tiburon Municipal Code to adopt updated construction codes with modifications, waiving further reading. Hold a roll call vote on the introduction. The item would return for adoption at the next regular Town Council meeting.

## **EXHIBITS**

1. Draft Ordinance

**Prepared by:** Clay Salzman, Building Official

Scott Anderson, Director of Community Development 



44 **13-4.1 Building Code.**

45 The Town Council hereby adopts, for the purpose of providing minimum  
46 requirements for the protection of life, limb, health, property, safety and welfare of the  
47 general public, that certain code known as the 2016 California Building Code (based on  
48 the International Building Code, 2015 Edition), Volume 1 and Volume 2, including the  
49 following appendices: Appendices F, H, I, J and M as published by the California  
50 Building Standards Commission in the California Code of Regulations, Title 24, Part 2,  
51 hereinafter referred to as the "California Building Code", save and except such portions  
52 as are hereinafter amended or modified by Section 13-4.1.1 of this chapter.

53 **13-4.1.1 Amendments made to the 2016 California Building Code.**

54 The 2016 California Building Code is amended to read as follows:

55 (a) Section 1.8.5.1 is amended to read as follows:

56 1.8.5.1 General. Subject to the provisions of law, including Code of Civil  
57 Procedure Section 1822.50 et. seq., officers and agents of the Building Official  
58 may enter and inspect public and private properties to secure compliance with  
59 the provisions of this code and the rules and regulations promulgated by the  
60 department of housing and community development. For limitations and  
61 additional information regarding enforcement, see the following:

62 (The remainder of this section is unchanged.)

63

64 (b) Section 1.8.8.1 is amended to add the following sentence thereto:

65 For appeal of non-administrative provisions of the code, the local appeals board  
66 and the housing appeals board shall be the Tiburon Building Code Appeals  
67 Board, except that if required by Health and Safety Code section 19957.5, the  
68 local appeals board and the housing appeals board shall be the County of  
69 Marin's Disability Access Appeals Board. The town council shall hear appeals  
70 of administrative provisions as generally described in the administrative chapter  
71 of this code.

72

73 (c) Chapter 1, Division II is modified as follows:

74 (1) Section 104.6 is amended to add the following phrase to the end of  
75 the last sentence:

76 ", including the warrant provisions of Section 1822.50 et. seq. of  
77 the Code of Civil Procedure of the State of California."

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(2) Section 105.2 is amended to delete subsections 2, 4, 5, 6 and 12, and to modify subsections 1 and 7 to read as follows:

1. Detached accessory structures used as playhouses or play structures provided that the structure:

- a. Does not exceed one-hundred twenty (120) square feet in area and is portable (i.e., is not anchored or affixed in any way);
- b. Does not exceed twelve (12) feet in height; and
- c. Contains no plumbing, electricity or heating or cooling appliances.
- d. Does not exceed one-story.

7. Painting, papering, tiling, carpeting, counter tops and similar finish work; except that repaving and/or re-striping of parking lots shall require a permit.

(3) Section 105.5 is amended to read as follows:

1. All permits issued by the Building Official shall expire by limitation and become null and void eighteen (18) months from the date the permit is issued, except as follows:

- a. In instances where the project is unusually large or complex, a twenty-four (24) month permit may be issued in the reasonable discretion of the Building Official at the time of initial issuance; or
- b. In instances where the permittee has proceeded with due diligence and made substantial progress but is unable to complete the project because of unforeseen circumstances beyond the control of the permittee, one extension of up to six (6) months may be granted, without payment of additional charges or penalties. In determining whether due diligence has been exercised, the Building Official shall consider whether work began promptly after permit issuance, whether work was conducted on a regular basis and any other relevant facts.

2. Once the initial permit and/or approved six (6) month extension has expired, a Stop Work Order shall be issued and work shall not recommence until the permit is reactivated and extended. Reactivation and extension shall be allowed only if there have been no substantive changes to the approved plans

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and specifications and a Reactivation/Extension Charge equal to the original project construction permit fees is paid. A Reactivation/Extension Charge, for purposes of this section, is primarily a penalty for failure to complete the project within the allotted time, and secondarily a fee to recover the cost of providing additional building inspection division services, and is defined as the subtotal of the building, electrical, plumbing, mechanical, grading, and business license fee portions of the original permit. A permit reactivated and extended under this subsection shall be valid for an additional six (6) months beyond the date of its expiration prior to the reactivation/extension granted pursuant to this paragraph.

3. If the project is not completed within the six (6) month extension allowed under subsection 2 above, a Stop Work Order shall be issued on the date of expiration and work shall not recommence until the permit is reactivated and extended. Reactivation and extension of the permit for another six (6) month period shall be allowed only if there have been no substantive changes in the approved plans and specifications and a Reactivation/Extension Charge equal to three (3) times the original project construction permit fees, as defined in subsection 2 above, is paid. The Building Official may, in his sole discretion, reduce the penalty based on such reasons as the project's nearness to completion and/or the cause of the delay. A permit reactivated and extended under this subsection shall be valid for an additional six (6) months beyond the date of its expiration prior to the reactivation/extension granted pursuant to this paragraph.

4. If the project is not completed within the six (6) month extension allowed under subsection 3 above, a Stop Work Order shall be issued and the matter referred to the town council for resolution. The town council may reactivate and extend the permit for an additional six (6) months upon submission and acceptance of a completion schedule for the project and payment of five (5) times the original project construction permit fees (as defined in subsection 2 above) as a Reactivation/Extension Charge, and provided that there have been no substantive changes in the approved plans and specifications. The town council may, in its sole discretion,

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reduce the reactivation/extension charge based on such reasons as the project's nearness to completion and/or the cause of the delay.

5. If the project is not completed within the six (6) month extension allowed under subsection 4 above, or pursuant to this subsection 5, a Stop Work Order shall be issued and the matter referred to the town council for resolution. The town council may impose additional requirements, such as the retention of a qualified contractor for owner/builder projects or retention of a qualified construction manager for a contracted project, in order to promote swift completion. The town council may reactivate and extend the permit upon imposition of any such conditions deemed reasonable, and payment of five (5) times the original project construction permit fees (as defined in subsection 2 above) as a Reactivation/Extension Charge, provided that there have been no substantive changes in the approved plans and specifications.

(4) Section 109.2 is amended to read as follows:

109.2 Schedule of Fees.

On buildings, structures, electrical, gas, mechanical and plumbing system alterations requiring a permit, a fee for each permit shall be required as set forth in the Building Division Fee Schedule as adopted by resolution of the town council and amended from time to time.

(5) Section 109.4 is amended to read as follows:

109.4 Work commencing before permit issuance.

Any person who commences any work without a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty as set forth in the Town's Schedule of Fines, established by resolution of the town council and amended from time to time.

(6) Section 113.1 is amended by adding the following sentence thereto:

For appeal of non-administrative provisions of the code, the local appeals board and the housing appeals board shall be the Tiburon Building Code Appeals Board, except that if required by Health and Safety Code section 19957.5, the local appeals board and the housing appeals board shall be the County of

193 Marin's Disability Access Appeals Board. The town council  
194 shall hear appeals of administrative provisions as generally  
195 described in the administrative chapter of this code.

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197 (d) Section 501.2 is amended to read as follows:

198 501.2 Address Numbers.

199 1. The following standards for address markings shall apply to residential  
200 buildings:

201 a. All residential structures shall display a street number in a prominent  
202 position so that it shall be easily visible from the street. The numerals in  
203 these numbers shall be no less than four inches in height, and one-half  
204 inch in width, of a color contrasting to the background and located so  
205 they may be clearly seen and read. If a building is not easily visible from  
206 the street, then the numbers are to be mounted at the access drive  
207 leading to the building.

208 b. At each vehicular access to a multiple family dwelling complex having  
209 four or more buildings, there shall be an illuminated diagrammatic  
210 representation (plot plan) of the complex, which shows the location of  
211 the viewer and the building units within the complex.

212 c. In multiple family dwelling complexes, any building having a separate  
213 identifying factor other than the street number shall be clearly identified  
214 in the manner described in subsection a. Each individual unit of  
215 residence shall have a unit identifying number, letter, or combination  
216 thereof displayed upon the door.

217 d. Maps of the multiple family complex will be furnished to the police  
218 department and applicable fire district upon completion of construction.  
219 The maps shall include building identification and unit identification.

220 e. Buildings shall be numbered in such a manner and sequence as to  
221 meet with the approval of the enforcing authority.

222 f. This section shall not prevent supplementary numbering such as  
223 reflective numbers on street curbs or decorative numbering, but this  
224 shall be considered supplemental only and shall not satisfy the  
225 requirements of this section.

226 2. The following standards for address markings shall apply to commercial  
227 buildings:

228 a. The address number of every commercial building shall be located  
229 and displayed so that it shall be easily visible from the street.

230 b. The numerals in these numbers shall be no less than six inches in  
231 height, one-half inch in width, and of a color contrasting to the  
232 background. In addition, any business which affords vehicular access to  
233 the rear through any driveway, alleyway, or parking lot shall also display  
234 the same numbers on the rear of the building.

235 c. When required by the Building Official, approved numbers or  
236 addresses shall be placed on all new and existing buildings in such a  
237 position as to be plainly visible and legible from the fire apparatus road  
238 at the back of a property or where rear parking lots or alleys provide an  
239 acceptable vehicular access. Number height and width shall comply  
240 with Section 501.2.

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242 (e) Section 903.2, first sentence, is amended to read as follows:

243 903.2 Where required.

244 Approved automatic sprinkler systems in new buildings and structures shall be  
245 provided in the locations described in this section, provided that where  
246 applicable code provisions adopted by the Tiburon Fire Protection District or  
247 Southern Marin Fire Protection District are more restrictive, the more restrictive  
248 provisions shall control.

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250 (f) Section 1015.2 is amended by adding the following sentence:

251 Guards are also required at waterfront bulkheads, fixed piers and gangways.

252

253 (g) Section 1505 is amended to read as follows:

254 The roof covering on any structure regulated by this code shall be as specified  
255 in California Building Code Chapter 15 with the following conditions:

256 1. All new buildings and new additions shall have at least a Class A-  
257 listed or noncombustible roof covering.

258 2. Where alterations or repairs to existing roofs involve more than fifty  
259 (50) percent of the total area of an existing building within a one year  
260 time period, the entire roof shall be retrofitted with at least a Class A-  
261 listed or noncombustible roof.

262 3. Where applicable code provisions adopted by the Tiburon Fire  
263 Protection District or Southern Marin Fire Protection District are more  
264 restrictive, the more restrictive provisions shall control.

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266 (h) Appendix J "GRADING" is amended as follows:

267 J103.3 Grading Permit Fees. Fees shall be as set forth in the Building Division  
268 Fee Schedule established by resolution of the town council as amended from  
269 time to time.

270 J110.3 Mud, Loose Dirt, or Debris on Public Street. No person, firm or  
271 corporation who has a valid building, demolition or grading permit shall permit  
272 any mud, loose dirt or debris to be removed from the job site and deposited on  
273 any public street or sidewalk.

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## 275 13-4.2 Residential Code.

276 The Town Council hereby adopts, for the purpose of providing minimum  
277 requirements for the protection of life, limb, health, property, safety, and welfare of the  
278 general public, that certain code known as the 2016 California Residential Code (based  
279 on the International Residential Code, 2015 edition), including Appendices G, H, and J  
280 published by the International Code Council, and as amended by the California Building  
281 Standards Commission in the California Code of Regulations, Title 24, Part 2.5,  
282 hereinafter referred to as the "California Residential Code," save and except such  
283 portions as are hereinafter amended or modified by Section 13-4.2.1 of this chapter.

### 284 13-4.2.1 Amendments to the 2016 California Residential Code.

285 The 2016 California Residential Code is amended as follows:

286 (a) Section 1.8.5.1 is amended to read as follows:

287 1.8.5.1 General. Subject to the provisions of law, including Code of Civil  
288 Procedure Section 1822.50 et. seq., officers and agents of the Building Official  
289 may enter and inspect public and private properties to secure compliance with  
290 the provisions of this code and the rules and regulations promulgated by the  
291 department of housing and community development. For limitations and  
292 additional information regarding enforcement, see the following:

293 (The remainder of this section is unchanged.)

294

295 (b) Section 1.8.8.1 to delete the final sentence and add the following:

296 For appeal of non-administrative provisions of the code, the local  
297 appeals board and the housing appeals board shall be the Tiburon  
298 Building Code Appeals Board, except that if required by Health and  
299 Safety Code section 19957.5, the local appeals board and the housing  
300 appeals board shall be the County of Marin's Disability Access Appeals

301 Board. The town council shall hear appeals of administrative provisions  
302 as generally described in the administrative chapter of this code.

303

304 (c) Chapter 1, Division II is modified as follows:

305 (1) Section 104.6 is amended to add the following phrase to the end of  
306 the last sentence:

307 " , including the warrant provisions of Section 1822.50 et. seq. of  
308 the Code of Civil Procedure of the State of California."

309 (2) Section 105.2 is amended to delete (building) subsections 2, 3, 4, 5,  
310 9 and 10, and to modify subsections 1 and 6 to read as follows:

311 1. Detached accessory structures used as playhouses or play  
312 structures provided that the structure:

- 313 a. Does not exceed one-hundred twenty (120)  
314 square feet in area and is portable (i.e., is not  
315 anchored or affixed in any way);
- 316 b. Does not exceed twelve (12) feet in height; and
- 317 c. Contains no plumbing, electricity or heating or  
318 cooling appliances.
- 319 d. Does not exceed one-story.

320 6. Painting, papering, tiling, carpeting, counter tops and similar  
321 finish work; except that repaving and/or re-stripping of parking  
322 lots shall require a permit.

323 (3) Section 105.5 is amended to read as follows:

324 Section 105.5 Expiration.

325 1. All permits issued by the Building Official shall expire by  
326 limitation and become null and void eighteen (18) months from  
327 the date the permit is issued, except as follows:

- 328 a. In instances where the project is unusually large or  
329 complex, a twenty-four (24) month permit may be issued  
330 in the reasonable discretion of the Building Official at the  
331 time of initial issuance; or
- 332 b. In instances where the permittee has proceeded with  
333 due diligence and made substantial progress but is  
334 unable to complete the project because of unforeseen  
335 circumstances beyond the control of the permittee, one  
336 extension of up to six (6) months may be granted,  
337 without payment of additional charges or penalties. In

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determining whether due diligence has been exercised, the Building Official shall consider whether work began promptly after permit issuance, whether work was conducted on a regular basis and any other relevant facts.

2. Once the initial permit and/or approved six (6) month extension has expired, a Stop Work Order shall be issued and work shall not recommence until the permit is reactivated and extended. Reactivation and extension shall be allowed only if there have been no substantive changes to the approved plans and specifications and a Reactivation/Extension Charge equal to the original project construction permit fees is paid. A Reactivation/Extension Charge, for purposes of this section, is primarily a penalty for failure to complete the project within the allotted time, and secondarily a fee to recover the cost of providing additional building inspection division services, and is defined as the subtotal of the building, electrical, plumbing, mechanical, grading, and business license fee portions of the original permit. A permit reactivated and extended under this subsection shall be valid for an additional six (6) months beyond the date of its expiration prior to the reactivation/extension granted pursuant to this paragraph.

3. If the project is not completed within the six (6) month extension allowed under subsection 2 above, a Stop Work Order shall be issued on the date of expiration and work shall not recommence until the permit is reactivated and extended. Reactivation and extension of the permit for another six (6) month period shall be allowed only if there have been no substantive changes in the approved plans and specifications and a Reactivation/Extension Charge equal to three (3) times the original project construction permit fees, as defined in subsection 2 above, is paid. The Building Official may, in his sole discretion, reduce the penalty based on such reasons as the project's nearness to completion and/or the cause of the delay. A permit reactivated and extended under this subsection shall be valid for an additional six (6) months beyond the date of its expiration prior to the reactivation/extension granted pursuant to this paragraph.

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4. If the project is not completed within the six (6) month extension allowed under subsection 3 above, a Stop Work Order shall be issued and the matter referred to the town council for resolution. The town council may reactivate and extend the permit for an additional six (6) months upon submission and acceptance of a completion schedule for the project and payment of five (5) times the original project construction permit fees (as defined in subsection 2 above) as a Reactivation/Extension Charge, and provided that there have been no substantive changes in the approved plans and specifications. The town council may, in its sole discretion, reduce the reactivation/extension charge based on such reasons as the project's nearness to completion and/or the cause of the delay.

5. If the project is not completed within the six (6) month extension allowed under subsection 4 above, or pursuant to this subsection 5, a Stop Work Order shall be issued and the matter referred to the town council for resolution. The town council may impose additional requirements, such as the retention of a qualified contractor for owner/builder projects or retention of a qualified construction manager for a contracted project, in order to promote swift completion. The town council may reactivate and extend the permit upon imposition of any such conditions deemed reasonable, and payment of five (5) times the original project construction permit fees (as defined in subsection 2 above) as a Reactivation/Extension Charge, provided that there have been no substantive changes in the approved plans and specifications.

(d) Section R319.1 is amended to read as follows:

R319.1 Address Numbers. The following standards for address markings shall apply to residential buildings:

a. All residential structures shall display a street number in a prominent position so that it shall be easily visible from the street. The numerals in these numbers shall be no less than four inches in height, and one-half inch in width, of a color contrasting to the background and located so they may be clearly seen and read. If a building is not easily visible from the street, then the numbers are to be mounted at the access drive leading to the building.

414 b. At each vehicular access to a multiple family dwelling complex having  
415 four or more buildings, there shall be an illuminated diagrammatic  
416 representation (plot plan) of the complex, which shows the location of  
417 the viewer and the building units within the complex.

418 c. In multiple family dwelling complexes, any building having a separate  
419 identifying factor other than the street number shall be clearly identified  
420 in the manner described in subsection a. above. Each individual unit of  
421 residence shall have a unit identifying number, letter, or combination  
422 thereof displayed upon the door.

423 d. Maps of the multiple family complex will be furnished to the police  
424 department and applicable fire district upon completion of construction.  
425 The maps shall include building identification and unit identification.

426 e. Buildings shall be numbered in such a manner and sequence as to  
427 meet with the approval of the enforcing authority.

428 f. This section shall not prevent supplementary numbering such as  
429 reflective numbers on street curbs or decorative numbering, but this  
430 shall be considered supplemental only and shall not satisfy the  
431 requirements of this section.

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433 (e) Section R312.1.1 is amended by adding the following sentence:

434 "Guards are also required at waterfront bulkheads, fixed piers and gangways."  
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435

436 (f) Section R313.3, first sentence, is amended to read as follows:

437 R313.3 Where required.

438 Approved automatic sprinkler systems in new buildings and structures shall be  
439 provided in the locations described in this section, provided that where  
440 applicable code provisions adopted by the Tiburon Fire Protection District or  
441 Southern Marin Fire Protection District are more restrictive, the more restrictive  
442 provisions shall control.

443

444 (g) Section R905 is amended to read as follows:

445 The roof covering on any structure regulated by this code shall be as specified  
446 in California Residential Code Chapter 9 with the following conditions:

447 1. All new buildings and new additions shall have at least a Class A-  
448 listed or noncombustible roof covering.

449 2. Where alterations or repairs to existing roofs involve more than fifty  
450 percent of the total area of an existing building within a one year time

451 period, the entire roof shall be retrofitted with at least a Class A-listed or  
452 noncombustible roof.

453 3. Where applicable code provisions adopted by the Tiburon Fire  
454 Protection District or Southern Marin Fire Protection District are more  
455 restrictive, the more restrictive provisions shall control.

456

457

### 458 13-4.3 Plumbing Code.

459 The Town Council hereby adopts, for the purpose of providing minimum  
460 requirements for the protection of life, limb, health, property, safety and welfare of the  
461 general public, that certain code known as the 2016 California Plumbing Code (based  
462 on the Uniform Plumbing Code, 2015 Edition), including Appendices A, B, D, I, and L  
463 published by the International Association of Plumbing and Mechanical Officials, and as  
464 amended by the California Building Standards Commission in the California Code of  
465 Regulations, Title 24, Part 5, hereinafter referred to as the "California Plumbing Code",  
466 save and except such portions as are hereinafter amended or modified by Section 13-  
467 4.3.1 of this chapter.

#### 468 13-4.3.1 Amendments made to the 2016 California Plumbing Code.

469 The 2016 California Plumbing Code is amended as follows:

470 (a) Section 1.8.5.1 is amended to modify the first sentence to read as  
471 follows:

472 Section 1.8.5.1 General. Subject to the provisions of law, including Section  
473 1822.50 et. seq. of the Code of Civil Procedure of the State of California,  
474 officers and agents of the Building Official may enter and inspect public and  
475 private properties to secure compliance with the provisions of this code.

476 (The remainder of this section is unchanged)

477

478 (b) Section 1.8.8.1 is amended by deleting the final sentence and adding  
479 the following sentence thereto:

480 For appeal of non-administrative provisions of the code, the local  
481 appeals board and the housing appeals board shall be the Tiburon  
482 Building Code Appeals Board, except that if required by Health and  
483 Safety Code section 19957.5, the local appeals board and the housing  
484 appeals board shall be the County of Marin's Disability Access Appeals

485 Board. The town council shall hear appeals of administrative provisions  
486 as generally described in the administrative chapter of this code.

487

488 (c) Chapter 1, Division II is amended as follows:

489 (1) Section 101.1 is amended to read as follows:

490 These regulations shall be known as the California Plumbing  
491 Code, may be cited as such, and will be referred to herein as  
492 "this code".

493 (2) Section 103.1 is amended to read as follows:

494 The definition of "AUTHORITY HAVING JURISDICTION" is amended to  
495 read as follows:

496 AUTHORITY HAVING JURISDICTION — The Authority Having  
497 Jurisdiction shall mean the Building Official or his duly authorized  
498 representative.

499

500 (3) Section 103.4.2 is deleted.

501

502 (4) Section 104.3 is amended to read as follows:

503 103.2.1 Application. To obtain a permit, the applicant shall apply  
504 to the Authority Having Jurisdiction for that purpose. Every such  
505 application shall:

506 (The remainder of this section is unchanged.)

507

508 (5) Section 104.3.2 is amended to read as follows:

509 104.3.2 General. Fees shall be assessed in accordance with the  
510 provisions of this section and as set forth in the Building Division  
511 Fee Schedule adopted by resolution of the town council and  
512 amended from time to time.

513

514 (6) Section 104.5 is amended to read as follows:

515 104.5 Fees. Any person desiring a permit required by this code  
516 shall, at the time of issuance therefore, pay a fee, which fee  
517 shall be as set forth in the Building Division Fee Schedule  
518 adopted by resolution of the town council and amended from  
519 time to time.

520

521 (7) Section 105.2.6 is amended to replace the fourth paragraph with  
522 the following:

523 To obtain re-inspection, the applicant shall first pay the re-  
524 inspection fee in accordance with the Building Division Fee  
525 Schedule adopted by resolution of the town council and  
526 amended from time to time.

527 (8) Table 1-1 is deleted.

528  
529 (9) Section 203.0 is amended to read as follows:

530 The definition of "AUTHORITY HAVING JURISDICTION" is amended to read  
531 as follows:

532 AUTHORITY HAVING JURISDICTION — The Authority Having  
533 Jurisdiction shall mean the Building Official or his duly authorized  
534 representative.

535

#### 536 **13-4.4 Electrical Code.**

537 The Town Council hereby adopts, for the purpose of providing minimum  
538 requirements for the protection of life, limb, health, property, safety and welfare of the  
539 general public, that certain code known as the 2016 California Electrical Code (based  
540 on the National Electrical Code, 2014 Edition) as published by the National Fire  
541 Protection Association, and as amended by the California Building Standards  
542 Commission in the California Code of Regulations, Title 24, Part 3, hereinafter referred  
543 to as the "California Electrical Code", save and except such portions as are hereinafter  
544 amended or modified by Section 13-4.4.1 of this chapter.

#### 545 **13-4.4.1 Amendments made to the 2016 California Electrical Code.**

546 The 2016 California Electrical Code is amended or modified as follows:

547 (a) Section 89.108.4.2 is amended to read as follows:

548

549 89.108.4.2 Fees. Any person desiring a permit required by this code  
550 shall, at the time of issuance thereof, pay a fee, which shall be as set  
551 forth in the Building Division Fee Schedule adopted by resolution of the  
552 town council and amended from time to time.

553

554 (b) Section 89.108.5.1 is amended to modify the first sentence to read as  
555 follows:

556 Section 89.108.5.1 General. Subject to other provisions of law,  
557 including Section 1822.50 et. seq. of the Code of Civil Procedure of the  
558 State of California, officers and agents of the Building Official may enter  
559 and inspect public and private properties to secure compliance with the  
560 provisions of this code.

(The remainder of this section is unchanged.)

562

563 (c) Section 89.108.8.1 is amended by adding the following sentence  
564 thereto:

565 For appeal of non-administrative provisions of the code, the local  
566 appeals board and the housing appeals board shall be the Tiburon  
567 Building Code Appeals Board, except that if required by Health and  
568 Safety Code section 19957.5, the local appeals board and the housing  
569 appeals board shall be the County of Marin's Disability Access Appeals  
570 Board. The town council shall hear appeals of administrative provisions  
571 as generally described in the administrative chapter of this code.

572

573 (d) Article 100 is amended to read as follows:

574 The definition of "Authority Having Jurisdiction" is amended to read as  
575 follows:

576 Authority Having Jurisdiction (AHJ)—The Authority Having  
577 Jurisdiction shall mean the Building Official or his or her duly  
578 authorized representative.

579

580 (e) Section 210.12 (B) is amended by adding the following sentence:

581 The provisions of this section shall apply to existing dwelling units when  
582 electrical service panels or sub-panels are replaced or upgraded.

### 583 13-4.5 Fire Code.

584 The Town Council hereby adopts, for the purpose of providing minimum  
585 requirements for the protection of life, limb, health, property, safety and welfare of the  
586 general public, that certain code known as the 2016 California Fire Code (as adopted  
587 and modified by the current Tiburon Fire Protection District and Southern Marin Fire  
588 Protection District ordinances), which Code and ordinances are hereby referred to,  
589 ratified, and made a part hereof as if fully set forth herein. Copies of said code and  
590 ordinances are on file and available for public inspection in the office of the town clerk.

### 591 13-4.6. Housing Code.

592                   The Town Council hereby adopts, for the purpose of providing minimum  
593 requirements for the protection of life, limb, health, property, safety and welfare of the  
594 general public, that certain code known as the Uniform Housing Code (1997 Edition, as  
595 published by the International Conference of Building Officials), hereinafter referred to  
596 as the "Uniform Housing Code", save and except such portions as are hereinafter  
597 changed or modified by Section 13-4.6.1 of this chapter.

598                   **13-4.6.1 Amendments made to the 1997 Uniform Housing Code.**

599                   The 1997 Uniform Housing Code is amended as follows:

600                   (a)       Section 103 is amended to revise the second sentence of the first  
601 paragraph to read as follows:

602                               Such occupancies in existing buildings may be continued as provided  
603 by the California Existing Building Code, as contained in Title 24, Part  
604 10 of the California Code of Regulations, except such structures as are  
605 found to be substandard as defined by this code.

606  
607                   (b)       Section 104.1 is amended to read as follows:

608                               All buildings or structures that are required to be repaired under the  
609 provisions of this code shall be subject to the provisions of the  
610 California Existing Building Code, as contained in Title 24, Part 10 of  
611 the California Code of Regulations.

612  
613                   (c)       Section 201.1 is amended to revise the first paragraph to read as  
614 follows:

615                               The Building Official and his designees are hereby authorized and  
616 directed to enforce all of the provisions of this code. For such purposes,  
617 such officials shall have the powers of law enforcement officers.

618  
619                   (d)       Section 201.2 is amended to read as follows:

620                               Whenever necessary to make an inspection to enforce any of the  
621 provisions of this title, or whenever the Building Official or his authorized  
622 representative has reasonable cause to believe that there exists in any  
623 building or upon any premises an immediate threat to health and safety,  
624 the Building Official or his authorized representative may enter such  
625 building or premises at all reasonable times to inspect the same or to  
626 perform any duty imposed upon the Building Official by this code;  
627 provided, that if such building or premises be occupied he shall first

628 present proper credentials and demand entry; and if such building or  
629 premises be unoccupied he shall first make a reasonable effort to locate  
630 the owner or other persons having charge or control of the building or  
631 premises and demand entry. If such entry is refused, the Building  
632 Official, or his authorized representative, shall have recourse to every  
633 remedy provided by law to secure entry, including the warrant  
634 provisions of Section 1822.50 et seq. of the Code of Civil Procedure of  
635 the State of California.

636  
637 (e) Section 203.1 is amended by adding the following sentence thereto:  
638 For appeal of non-administrative provisions of the code, the housing  
639 advisory and appeals board shall be the Tiburon Building Code Appeals  
640 Board. If required by Health and Safety Code section 19957.5, the  
641 housing advisory and appeals board shall be the County of Marin's  
642 Disability Access Appeals Board. The town council shall hear appeals  
643 of administrative provisions of this code.

644  
645 (f) Section 301 is amended to read as follows:  
646 No building or structure regulated by this code shall be erected,  
647 constructed, enlarged altered, repaired, moved, improved, removed,  
648 converted or demolished unless a separate permit for each building or  
649 structure has first been obtained as required by the Building Code.

650  
651 (g) Section 302 is deleted.

652  
653 (h) Section 303 is amended to read as follows:  
654 Buildings or structures within the scope of this code and all construction  
655 or work for which a permit is required shall be subject to inspection by  
656 the Building Official as provided by this code and in accordance with the  
657 applicable requirements of the Building Code.

658  
659 (i) Section 401 is amended as follows:  
660 The definition of "Building Code" in Section 401 is amended to read as  
661 follows:

662 BUILDING CODE is the California Building Code as adopted  
663 with amendments by the Town of Tiburon.

664

665 (j) A definition for "Building Official" is added to Section 401 to read as  
666 follows:

667 BUILDING OFFICIAL is the Building Official in the Community  
668 Development Department of the Town of Tiburon.

669

670 (k) The definition of "Mechanical Code" in Section 401 is amended to read  
671 as follows:

672 MECHANICAL CODE is the California Mechanical Code as adopted  
673 with amendments by the Town of Tiburon.

674

675 (l) The definition of "Plumbing Code" in Section 401 is amended to read as  
676 follows:

677 PLUMBING CODE is the California Plumbing Code as adopted with  
678 amendments by the Town of Tiburon.

679

#### 680 13-4.7 Mechanical Code.

681 The Town Council hereby adopts, for the purpose of providing minimum  
682 requirements for the protection of life, limb, health, property, safety and welfare of the  
683 general public, that certain code known as the 2016 California Mechanical Code (based  
684 on the Uniform Mechanical Code, 2015 Edition) as amended by the California Building  
685 Standards Commission in the California Code of Regulations, Title 24, Part 4,  
686 hereinafter referred to as the "California Mechanical Code", save and except such  
687 portions as are hereinafter amended or modified by Section 13-4.7.1 of this chapter.

#### 688 13-4.7.1 Amendments made to the 2016 California Mechanical Code.

689 The 2016 California Mechanical Code is amended as follows:

690 (a) Chapter 1, Division I, Section 1.8.8.1 is amended by adding the  
691 following sentence thereto:

692 For appeal of non-administrative provisions of the code, the board of  
693 appeals shall be the Tiburon Building Code Appeals Board, except that  
694 if required by Health and Safety Code section 19957.5, the board of  
695 appeals shall be the County of Marin's Disability Access Appeals Board.  
696 The town council shall hear appeals of administrative provisions as  
697 generally described in the administrative chapter of this code.

698

699 (b) Chapter 1, Division II is amended as follows:

700  
701  
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735

(1) Section 101.1 is amended to read as follows:

These regulations shall be known as the California Mechanical Code, may be cited as such, and will be referred to herein as "this code".

(c) Section 107.1 is amended by adding thereto:

For appeal of non-administrative provisions of the code, the board of appeals shall be the Tiburon Building Code Appeals Board, except that if required by Health and Safety Code section 19957.5, the board of appeals shall be the County of Marin's Disability Access Appeals Board. The town council shall hear appeals of administrative provisions as generally described in the administrative chapter of this code.

(d) Section 104.3.2 is amended to read as follows:

104.3.2 General. Fees shall be assessed in accordance with the provisions of this section and as set forth in the Building Division Fee Schedule adopted by resolution of the town council and amended from time to time.

(e) Section 104.5 is amended to read as follows:

104.5 Fees. Any person desiring a permit required by this code shall, at the time of issuance for the permit, pay a fee, which fee shall be as set forth in the Building Division Fee Schedule adopted by resolution of the town council and amended from time to time.

(f) Section 105.2.6 is amended to replace the third paragraph with the following:

To obtain re-inspection, the applicant shall first pay the re-inspection fee in accordance with the Building Division Fee Schedule adopted by resolution of the town council and amended from time to time.

(g) Section 203.0 is amended as follows:

The definition of "AUTHORITY HAVING JURISDICTION" is amended to read as follows:

736 AUTHORITY HAVING JURISDICTION — The Authority Having  
737 Jurisdiction shall mean the Building Official or his duly  
738 authorized representative.

739

740 **13-4.8 Dangerous Building Code.**

741 The Dangerous Building Code of the Town shall be the California Code for the  
742 Abatement of Dangerous Buildings (1997 edition, as published by the International  
743 Conference of Building Officials), on file with the office of the Town Clerk, which Code  
744 is hereby referred to, adopted and made a part hereof as if fully set forth herein, save  
745 and except such portions as are hereinafter amended or modified by Section 13-4.8.1  
746 of this chapter.

747 **13-4.8.1 Amendments made to the 1997 California Code for the Abatement of**  
748 **Dangerous Buildings.**

749 The 1997 California Code for the Abatement of Dangerous Buildings is  
750 amended as follows:

751 (a) Section 103 is amended to read as follows:

752 All buildings or structures which are required to be repaired under the  
753 provisions of this code shall be subject to the provisions of the  
754 California Existing Building Code, as contained in Title 24, Part 10 of  
755 the California Code of Regulations.

756

757 (b) Section 201.3 is amended to read as follows:

758 Whenever necessary to make an inspection to enforce any of the  
759 provisions of this title, or whenever the Building Official or his authorized  
760 representative has reasonable cause to believe that there exists in any  
761 building or upon any premises an immediate threat to health and safety,  
762 the Building Official or his authorized representative may enter such  
763 building or premises at all reasonable times to inspect the same or to  
764 perform any duty imposed upon the Building Official by this code;  
765 provided, that if such building or premises be occupied he shall first  
766 present proper credentials and demand entry; and if such building or  
767 premises be unoccupied he shall first make a reasonable effort to locate  
768 the owner or other persons having charge or control of the building or  
769 premises and demand entry. If such entry is refused, the Building  
770 Official, or his authorized representative, shall have recourse to every

771 remedy provided by law to secure entry, including the warrant  
772 provisions of Section 1822.50 et seq. of the Code of Civil Procedure of  
773 the State of California.

774  
775 (c) Section 203 is deleted.

776  
777 (d) Section 204 is amended to read as follows:  
778 All buildings or structures within the scope of this code and all  
779 construction or work for which a permit is required shall be subject to  
780 inspection by the Building Official as provided in this code and in  
781 accordance with the applicable requirements of the Building Code.

782  
783 (e) Section 205.1 is amended by adding the following sentence thereto:  
784 For appeal of non-administrative provisions of the code, the board of  
785 appeals shall be the Tiburon Building Code Appeals Board, except that  
786 if required by Health and Safety Code section 19957.5, the board of  
787 appeals shall be the County of Marin's Disability Access Appeals Board.  
788 The town council shall hear appeals of administrative provisions of this  
789 code.

790  
791 (f) Section 301 is amended as follows:  
792 The definition of "Building Code" is amended to read as follows:  
793 BUILDING CODE is the California Building Code as adopted with  
794 amendments by the Town of Tiburon.

795  
796 (g) A definition of "Building Official" is added to read as follows:  
797 BUILDING OFFICIAL is the Building Official in the Community  
798 Development Department of the Town of Tiburon.

799

#### 800 13-4.9 Green Building Standards Code.

801 The Town Council hereby adopts, for the purpose of providing minimum  
802 requirements to enhance the public health and welfare and assure that residential and  
803 commercial development is consistent with the Town's desire to create a more  
804 sustainable community by incorporating green building measures into the design,  
805 construction, and maintenance of buildings and appurtenant development, that certain  
806 code known as the California Green Building Standards Code, 2016 edition (also  
807 known as the 2016\_CALGreen Code) as published by the California Building Standards

808 Commission in the California Code of Regulations, Title 24, Part 11, herein referred to  
809 as the "CALGreen Code," save and except such portions as are hereinafter amended  
810 or modified by Section 13-4.9.1 of this chapter.

811 **13-4.9.1 Amendments made to the 2016 CALGreen Code.**

812 The California Green Building Standards Code is amended as follows:

- 813 (a) For new residential construction only (not including additions), the Town  
814 Council hereby adopts as mandatory measures the following otherwise  
815 voluntary divisions of Appendix A4:
- 816 1. Division A4.1 (Planning & Design);
  - 817 2. Division A4.3 (Water Efficiency & Conservation);
  - 818 3. Division A4.4 (Material Conservation and Resource Efficiency);
  - 819 4. Division A4.5 (Environmental Quality); and
  - 820 5. Division A4.6 (Tier 1 & Tier 2), deleting all Tier 2 measures.

- 821
- 822 (b) For new nonresidential construction only (not including additions), the  
823 Town Council hereby adopts as mandatory measures the following  
824 otherwise voluntary divisions of Appendix A5:
- 825 1. Division A5.1 (Planning & Design);
  - 826 2. Division A5.3 (Water Efficiency & Conservation);
  - 827 3. Division A5.4 (Material Conservation and Resource Efficiency);
  - 828 4. Division A5.5 (Environmental Quality); and
  - 829 5. Division A5.6 (Tier 1 & Tier 2), deleting all Tier 2 measures.
- 830

831 **13-4.10 Energy Code.**

832 The Energy Code of the Town shall be the California Energy Code, 2016  
833 edition, and the appendices thereof, as published by the California Building Standards  
834 Commission, on file with the office of the Town Clerk, which Code and appendices are  
835 hereby referred to, adopted and made a part hereof as if fully set forth herein.

836 **13-4.11 Miscellaneous Portions of the Building Standards Code.**

837 The Town Council hereby adopts, for the purpose of providing minimum  
838 requirements for the protection of life, limb, health, property, safety, and welfare of the  
839 general public, 2016 California Building Standards Code Part 8 (Historical Building

840 Code), Part 10 (Existing Building Code), and Part 12 (Referenced Standards Code),  
841 said codes being on file with the office of the Town Clerk.

842

843 **Section 3. Findings Pursuant to Health & Safety Code.**

844

845 A. California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5  
846 require that findings be made in order to change or modify building standards found  
847 in the California Building Standards Code based on local climatic, geologic, or  
848 topographic conditions. Therefore, the Town of Tiburon hereby finds that these  
849 changes or modifications to the Building Code as adopted herein are reasonably  
850 necessary because of the following local climatic, geological and topographical  
851 conditions:

852

853 1. Climatic conditions:

854

- 855 a. Most of the annual rainfall in Tiburon occurs during the winter, it receives no  
856 measurable precipitation between May and October. During this time, temperatures  
857 average between 60 and 85 degrees. These conditions eliminate most of the  
858 moisture in the natural vegetation and heavily wooded hillsides. The area also  
859 suffers periodic droughts that can extend the dry periods to other months of the year.  
860 These conditions can be further exacerbated by occasional off-shore hot, dry, Santa-  
861 Ana winds.
- 862 b. Most of the annual rainfall in Tiburon occurs during the winter, and some portions  
863 of Tiburon are subject to tidal influences, there are times that flooding conditions  
864 occur in low-lying areas.
- 865 c. Tiburon is situated within a densely populated major metropolitan area (the San  
866 Francisco Bay Area) that generates and releases into the atmosphere significant  
867 quantities of greenhouse gases, which have detrimental effects to the local climate  
868 as determined by the State of California.

869

870 2. Geologic conditions:

871

- 872 a. Tiburon lies near several earthquake faults, including the very active San Andreas  
873 Fault and the Hayward Fault, and there are significant potential hazards such as road  
874 closures, fires, collapsed buildings, and isolation of residents requiring assistance.
- 875
- 876 b. Much of the Downtown commercial area is located on bay alluvial soils, which are  
877 subject to liquefaction in the event of an earthquake.

878

879 3. Topographic conditions:

880

- 881 a. Much of Tiburon is located in steep, hilly areas; many of the residential areas are  
882 heavily landscaped; and many exist adjacent to hilly open space areas which are  
883 characterized by dry vegetation and have limited access. In addition, the steepness

884 of grades located in the hills and dales results in narrow and winding roads, and  
885 limited water supply.

886

887 b. The major arterial route between Tiburon and U. S. Highway 101 is Tiburon  
888 Boulevard (State Highway 131). Should that highway become impassable, the only  
889 alternative roadway on and off the Peninsula is Paradise Drive, a narrow, winding  
890 road easily subject to closure in storms and having an extensive history of lane  
891 failures due to unstable soils and poor drainage. This would result in traffic  
892 congestion, severely limiting emergency access.

893

894 B. Adoption by Reference of Tiburon Fire Protection District and Southern Marin Fire  
895 District Findings:

896

897 The Town Council further adopts by reference all applicable climatic, geological,  
898 and topographical conditions findings of the Tiburon Fire Protection District and the  
899 Southern Marin Fire Protection District in their most recently-enacted ordinances  
900 adopting and modifying the California Fire Code and other related codes.

901

902 C. The above modified building standards are listed below with the corresponding  
903 climatic, geological or topographical condition which necessitates the modification.

904

Residential Building Code Section Number	Building Code Section Number	Climatic, geological and topographical condition
R319.1	501.2	1a, 2a, 3a, 4
R313.3	903.2	1a, 2a, 3a, 3b, 4
R312.1.1	1015.2	1b, 2a, 4
R905	1505	1a, 4

905

906 **Section 4. Repeal of Local Energy Efficiency Enhancements.**

907

908 Article V (Energy Efficiency Standards) of Title IV, Chapter 13 is deleted in its entirety.

909

910 **Section 5. Severability.**

911

912 If any section, subsection, clause, sentence, or phrase of this Ordinance is for any  
913 reason held to be invalid or unconstitutional by a decision of a Court of competent  
914 jurisdiction, such decision shall not affect the validity of the remaining portions of the  
915 Ordinance. The Town Council of the Town of Tiburon hereby declares that it would have  
916 passed this Ordinance, any section, subsection, sentence, clause or phrase thereof,  
917 irrespective of the fact that any one or more sections, subsections, sentences, clauses, or  
918 phrases may be declared invalid or unconstitutional.

919

920 **Section 6. Effective Date.**

921

922 A summary of this Ordinance shall be published and a certified copy of the full text  
923 of this Ordinance shall be posted in the office of Town Clerk at least five (5) days prior to  
924 the Council meeting at which it is adopted. This Ordinance shall be in full force and effect  
925 thirty (30) days after the date of adoption, or on January 1, 2017 (whichever occurs last),  
926 and the summary of this Ordinance shall be published within fifteen (15) days after its  
927 adoption, together with the names of the Councilmembers voting for or against same, in a  
928 newspaper of general circulation in the Town of Tiburon, County of Marin, State of  
929 California.

930  
931

932 This ordinance was read and introduced at a regular meeting of the Town Council of  
933 the Town of Tiburon, held on the \_\_\_ day of \_\_\_\_\_, 2016, and was adopted at  
934 a regular meeting of the Town Council of the Town of Tiburon, held on the \_\_\_\_ day of  
935 \_\_\_\_\_, 2016, by the following vote:

936

937

938 AYES: COUNCILMEMBERS:

939

940 NAYS: COUNCILMEMBERS:

941

942 ABSENT: COUNCILMEMBERS:

943

944

945

946

947

948

949

950 ATTEST:

951

952

953

954

955 \_\_\_\_\_  
DIANE CRANE IACOPI, TOWN CLERK

\_\_\_\_\_  
ERIN TOLLINI, MAYOR  
TOWN OF TIBURON



indicating how the various classes of electric bicycles relate to the various classes of bicycle lanes for operator use (see **Exhibit 1**).

The proposed amendments (shown in redlined format in **Exhibit 2**) follow the guidance provided in the Vehicle Code and the chart. In addition, for safety purposes, the amendments propose a 15 mile per hour speed limit for wheeled vehicles and devices on Old Rail Trail, replacing the currently vague “unsafe speed” standard. Electric bicycles and exclusively pedal-powered bicycles can achieve speeds in excess of 15 miles per hour. Staff expects that electric bicycle users will either not feel the need to use the electric motor on the level Old Rail Trail, or will throttle back to a reasonable speed within the 15 mile per hour limit when on Old Rail Trail.

## **ENVIRONMENTAL STATUS**

Adoption of this ordinance is categorically exempt from the requirements of the California Environmental Quality Act pursuant to Sections 15301 and 15061(b)(3).

## **STAFF RECOMMENDATION**

Following a public hearing, staff recommends that the Town Council:

1. Hold a public hearing and consider any testimony.
2. Move to read by title only and introduce the ordinance (**Exhibit 3**) amending Title VI, Chapter 23 (Motor Vehicles and Traffic) of the Tiburon Municipal Code, waiving further reading. Hold a roll call vote on the introduction. The item would return for adoption at the next regular Town Council meeting.

## **EXHIBITS**

1. California Electric Bicycle Policy chart.
2. Redlined version of proposed amendments.
3. Draft Ordinance.

Prepared by: Scott Anderson, Director of Community Development

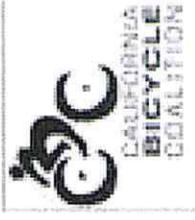


# CALIFORNIA ELECTRIC BICYCLE POLICY



	VEHICLE			USER			BIKEWAY ACCESS			
	PEDESTAL OPERATED	MAXIMUM MOTOR-ASSISTED SPEED (MPH)	MINIMUM AGE (YEARS)	DRIVER'S LICENSE	LICENSE PLATE	HELMET	CLASS I BIKE PATH	CLASS II EDGE LANE	CLASS III BIKE ROUTE	CLASS IV PROTECTED LANE
BICYCLE 	YES	N/A	N/A	NO	NO	17 AND UNDER	YES	YES	YES	YES
TYPE 1 E-BIKE 	YES	20	N/A	NO	NO	17 AND UNDER	YES	YES	YES	YES
TYPE 2 E-BIKE 	NO	20	N/A	NO	NO	17 AND UNDER	YES	YES	YES	YES
TYPE 3 E-BIKE 	YES	28	16	NO	NO	YES	NO	YES	YES	YES
MOPED 	NO	N/A	16	YES	YES	YES	NO	YES	YES	NO

\*REVISED 08-2016



REDLINED VERSION OF AMENDMENTS

23-24 Vehicles and horses prohibited on bicycle/pedestrian paths.

(a) No person shall operate or drive any motorized vehicle upon any portion of any bicycle or pedestrian paths owned by the Town of Tiburon. This prohibition shall not apply to: ~~the Town of Tiburon's official vehicles, or to emergency vehicles, operated by public employees.~~

- (1) The Town of Tiburon's official vehicles, or to emergency vehicles, operated by public employees;
- (2) Vehicles operated by any public utility company engaged in emergency repairs, or any vehicle operated under the terms of a valid encroachment permit issued by the Town of Tiburon;
- (3) Any "class 1 electric bicycle" or "low-speed pedal-assisted electric bicycle." as defined in California Vehicle Code section 312.5;
- (4) Any "class 2 electric bicycle" or "low-speed throttle-assisted electric bicycle." as defined in California Vehicle Code section 312.5.

(b) No person shall permit or allow any horse to enter any paved portion, exclusive of identified crossing points, of any bicycle or pedestrian path owned by the Town of Tiburon.

23-25 Use of vehicles on ~~multi-use path~~ Old Rail Trail.

(a) Permitted vehicles and devices. The following uses shall be permitted only on the asphalt concrete portion of that certain multi-use path owned by the Town of Tiburon, commonly known as Old Rail Trail, and formerly the Northwestern Pacific Railroad Company right-of-way, more particularly described in those certain deeds conveying the property to the Town of Tiburon, recorded in Book 2426, Page 99, and Book 2429, Page 428, of the Official Records of Marin County:

- (1) Roller skates or roller blades;
- (2) Skateboards;
- (3) Pedal-powered, non-motorized bicycles or tricycles with a width of not more than thirty-six inches and used for recreational purposes;
- (4) "Class 1 electric bicycles" or "low-speed pedal-assisted electric bicycles" and "class 2 electric bicycles" or "low-speed throttle-assisted electric bicycles." as defined in California Vehicle Code section 312.5;
- (4) (5) Baby carriages and strollers;
- (5) (6) Conveyances for disabled persons;
- (6) (7) Emergency vehicles;
- (7) (8) Department of public works vehicles.

(9) Vehicles operated by any public utility company engaged in emergency repairs, or any vehicle operated under the terms of an encroachment permit issued by the Town of Tiburon.

(b) Vehicles required to yield the right-of-way to pedestrians. Under all circumstances the rider or operator of wheeled vehicles or devices which are permitted uses on ~~the multi-use path~~ Old Rail Trail under subsection (a) of this section, shall yield the right-of-way to pedestrians; due and proper care for the health and safety of pedestrians shall at all times be exercised by the rider or operator of such vehicles or devices.

(c) Group riding. No more than two persons shall ride or operate wheeled vehicles or devices side-by-side on ~~the multi-use path~~ Old Rail Trail.

(d) Racing—Unsafe riding. It is unlawful for any person riding or operating any wheeled vehicle or device to race any other such vehicle or device or person upon ~~the multi-use path~~ Old Rail Trail. It is also unlawful for any person riding or operating any wheeled vehicle or device to engage in any unsafe riding or operating which endangers the health or safety of any person, including the operator or such vehicle.

(e) Dangerous speed. It is unlawful for any person to ride or operate any wheeled vehicle or device on ~~the multi-use path~~ Old Rail Trail at a speed greater than fifteen (15) miles per hour, an unsafe speed, or to endanger the health, safety or property of any other person while riding or operating any wheeled vehicle or device on ~~the multi-use path~~ Old Rail Trail, or to ride or operate such vehicle or device on ~~the multi-use path~~ Old Rail Trail in a reckless, wanton or careless manner so as to endanger the health or safety of any person, including such rider or operator.

(f) Applicability of traffic regulations. Every person who rides or operates any wheeled vehicle or device permitted on ~~the multi-use path~~ Old Rail Trail shall have all the rights and shall be subject to all of the duties applicable to the driver of a vehicle under this chapter except those provisions which by their very nature can have no application to such persons.

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4 **ORDINANCE NO. 567N.S. (DRAFT)**  
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6 **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIBURON**  
7 **AMENDING MUNICIPAL CODE TITLE VI, CHAPTER 23 (REGULATION OF**  
8 **MOTOR VEHICLES AND TRAFFIC) TO AUTHORIZE THE USE OF CERTAIN**  
9 **CLASSES OF ELECTRIC BICYCLES ON BICYCLE AND PEDESTRIAN PATHS**  
10 **OWNED BY THE TOWN OF TIBURON, INCLUDING OLD RAIL TRAIL, AND TO**  
11 **ESTABLISH A MAXIMUM SPEED LIMIT ON OLD RAIL TRAIL**  
12  
13

14 The Town Council of the Town of Tiburon does ordain as follows:

15 **SECTION 1. ADOPTION OF AMENDMENTS TO MUNICIPAL CODE.**

16 **A. Title VI, Chapter 23, Section 23-24 is amended to read as follows:**

17 23-24 Vehicles and horses prohibited on bicycle/pedestrian paths.

18 (a) No person shall operate or drive any motorized vehicle upon any portion of any  
19 bicycle or pedestrian paths owned by the Town of Tiburon. This prohibition shall not  
20 apply to:

- 21
- 22 (1) The Town of Tiburon's official vehicles, or to emergency vehicles, operated by  
23 public employees;
  - 24 (2) Vehicles operated by any public utility company engaged in emergency repairs, or any  
25 vehicle operated under the terms of a valid encroachment permit issued by the Town  
26 of Tiburon;
  - 27 (3) Any "class 1 electric bicycle" or "low-speed pedal-assisted electric bicycle," as  
28 defined in California Vehicle Code section 312.5;
  - 29 (4) Any "class 2 electric bicycle" or "low-speed throttle-assisted electric bicycle," as  
30 defined in California Vehicle Code section 312.5.

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32 (b) No person shall permit or allow any horse to enter any paved portion, exclusive of  
33 identified crossing points, of any bicycle or pedestrian path owned by the Town of  
34 Tiburon.

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EXHIBIT NO. 3

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**B. Title VI, Chapter 23, Section 23-25 is amended to read as follows:**

23-25 Use of vehicles on Old Rail Trail.

(a) Permitted vehicles and devices. The following uses shall be permitted only on the asphalt concrete portion of that certain multi-use path owned by the Town of Tiburon, commonly known as Old Rail Trail, and formerly the Northwestern Pacific Railroad Company right-of-way, more particularly described in those certain deeds conveying the property to the Town of Tiburon, recorded in Book 2426, Page 99, and Book 2429, Page 428, of the Official Records of Marin County:

- (1) Roller skates or roller blades;
- (2) Skateboards;
- (3) Pedal-powered, non-motorized bicycles or tricycles with a width of not more than thirty-six inches and used for recreational purposes;
- (4) “Class 1 electric bicycles” or “low-speed pedal-assisted electric bicycles” and “class 2 electric bicycles” or “low-speed throttle-assisted electric bicycles,” as defined in California Vehicle Code section 312.5;
- (5) Baby carriages and strollers;
- (6) Conveyances for disabled persons;
- (7) Emergency vehicles;
- (8) Department of public works vehicles.
- (9) Vehicles operated by any public utility company engaged in emergency repairs, or any vehicle operated under the terms of an encroachment permit issued by the Town of Tiburon.

(b) Vehicles required to yield the right-of-way to pedestrians. Under all circumstances the rider or operator of wheeled vehicles or devices which are permitted uses on Old Rail Trail under subsection (a) of this section, shall yield the right-of-way to pedestrians; due and proper care for the health and safety of pedestrians shall at all times be exercised by the rider or operator of such vehicles or devices.

(c) Group riding. No more than two persons shall ride or operate wheeled vehicles or devices side-by-side on Old Rail Trail.

(d) Racing—Unsafe riding. It is unlawful for any person riding or operating any wheeled vehicle or device to race any other such vehicle or device or person upon Old Rail Trail. It is also unlawful for any person riding or operating any wheeled vehicle or device to engage in any unsafe riding or operating which endangers the health or safety of any person, including the operator or such vehicle.

(e) Dangerous speed. It is unlawful for any person to ride or operate any wheeled vehicle or device on Old Rail Trail at a speed greater than fifteen (15) miles per hour,

80 or to endanger the health, safety or property of any other person while riding or  
81 operating any wheeled vehicle or device on Old Rail Trail, or to ride or operate such  
82 vehicle or device on Old Rail Trail in a reckless, wanton or careless manner so as to  
83 endanger the health or safety of any person, including such rider or operator.  
84

85 (f) Applicability of traffic regulations. Every person who rides or operates any wheeled  
86 vehicle or device permitted on Old Rail Trail shall have all the rights and shall be  
87 subject to all of the duties applicable to the driver of a vehicle under this chapter except  
88 those provisions which by their very nature can have no application to such persons.

89 **SECTION 2. SEVERABILITY.**

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91 If any section, subsection, clause, sentence, or phrase of this Ordinance is for any reason held to  
92 be invalid or unconstitutional by a decision of a Court of competent jurisdiction, such decision  
93 shall not affect the validity of the remaining portions of the Ordinance. The Town Council of the  
94 Town of Tiburon hereby declares that it would have passed this Ordinance, any section,  
95 subsection, sentence, clause or phrase thereof, irrespective of the fact that anyone or more  
96 sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.  
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98 **SECTION 3. PUBLICATION AND EFFECTIVE DATE.**

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100 This Ordinance shall take effect and be in force thirty (30) days after the date of passage, and  
101 before the expiration of fifteen (15) days after passage by the Town Council, a copy of the  
102 ordinance shall be published with the names of the members voting for and against it at least  
103 once in a newspaper of general circulation published in the Town of Tiburon.  
104

105 This ordinance was introduced at a regular meeting of the Town Council of the Town of Tiburon  
106 on \_\_\_\_\_, 2016, and was adopted at a regular meeting of the Town Council of the Town  
107 of Tiburon on \_\_\_\_\_, 2016, by the following vote:  
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109 AYES: COUNCILMEMBERS:

110

111 NAYS: COUNCILMEMBERS:

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113 ABSENT: COUNCILMEMBERS:

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\_\_\_\_\_  
ERIN TOLLINI, MAYOR  
TOWN OF TIBURON

119 ATTEST:

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121

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123

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DIANE CRANE IACOPI, TOWN CLERK