

**TOWN COUNCIL  
SPECIAL AND REGULAR MEETING  
MINUTES**

**SPECIAL MEETING – 7:15 p.m.**

On March 2, 2016, the Council held a special meeting, as follows:

**CALL TO ORDER AND ROLL CALL**

Councilmember Fredericks, Councilmember O'Donnell, Vice Mayor Fraser, Mayor Tollini; Councilmember Doyle was absent.

**INTERVIEWS FOR VACANCIES ON TOWN BOARDS & COMMISSIONS**

(The Ranch Committee – One Vacancy for Tiburon appointee)

- Erin Burns, 406 Ned's Way

**ADJOURNMENT – to regular meeting**

**REGULAR MEETING – 7:30 P.M.**

**CALL TO ORDER**

Mayor Tollini called the regular meeting of the Tiburon Town Council to order at 7:30 p.m. on Wednesday, March 2, 2016, in Town Council Chambers, 1505 Tiburon Boulevard, Tiburon, California.

**ROLL CALL**

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

PRESENT: EX OFFICIO: Town Manager Chanis, Town Attorney Stock,  
Director of Community Development Anderson,  
Director of Public Works/Town Engineer Barnes,  
Town Clerk Crane Iacopi

**ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION, IF ANY**

None.

## ORAL COMMUNICATIONS

George Landau raised an issue about meeting process and procedure. He said it would have been helpful at the last meeting if the councilmembers had described their concerns with the Town's leaf blower regulations prior to opening the public hearing. He said he would have been better able to address their concerns if he had known them before he spoke during public time. Landau suggested that the Council state their positions before public comment in order to allow the public an opportunity to address their concerns.

## CONSENT CALENDAR

1. **Town Council Minutes** – Adopt minutes of February 3, 2016 meeting (Town Clerk Crane Iacopi)
2. **Town Council Minutes** – Adopt minutes of February 17, 2016 meeting (Town Clerk Crane Iacopi)
3. **Slurry Seal Project** – Approve award of contract for the 2016 Various Streets Slurry Seal Project to American Pavement Systems (Director of Public Works/Town Engineer Barnes)

MOTION: To adopt Consent Calendar Item Nos. 1 through 3, as written.

Moved: O'Donnell, seconded by Fredericks

Vote: AYES: Fraser, Fredericks, O'Donnell

ABSENT: Doyle

ABSTAIN: Tollini (Item No. 1 - Feb. 3, 2016 minutes)

## ACTION ITEMS

1. **Appointments to Boards, Commissions and Committees** – Consider reappointment of commissioners whose terms have expired; consider appointment to fill a vacancy on The Ranch Committee (Town Clerk Crane Iacopi)

Town Clerk Crane Iacopi summarized the written staff report and recommendations. There were no Council questions or comments, or public comment.

MOTION: To reappoint the following commissioners whose terms expired on February 29, 2016: Lou Weller (Planning Commission); Bryan Chong and Michael Tollini (Design Review Board), Michael McMullen and Phillip Feldman (Parks, Open Space & Trails Commission), Daniel Amir and Kenna Norris (Heritage & Arts Commission); and to direct staff to continue to advertise to fill the remaining vacancies on Town Boards, Commissions and Committees.

Moved: Fredericks, seconded by Fraser

Vote: AYES: Unanimous

ABSENT: Doyle

2. **General Plan Status Report** – Recommendation to review and accept annual status report for implementation of the Town’s General Plan (Director of Community Development Anderson)

Director Anderson gave the report and responded to questions from Council. He said this was the 11<sup>th</sup> annual status report on the Town’s General Plan, *Tiburon 2020*, since its adoption in 2005.

Anderson said the report showed programs that had been completed since the last review, others that had been abandoned, and also programs that were continuing. He said the annual report had been reviewed by the Town’s Planning Agency, the Tiburon Planning Commission, which recommended acceptance by the Council. He said a copy would be forwarded to the State Department of Housing and Community Development (HCD) and to the Governor’s Office of Planning & Research (OPR) in Sacramento by April 1, as required by law.

Councilmember Fredericks suggested a tense change to a sentence on page 7; then she asked if the Regional Housing Needs numbers would be updated as part of Plan Bay Area this cycle. Director Anderson responded that the regional housing needs allocations were separate from the Plan Bay Area update scheduled for 2017, and that it would be at least five more years before the next cycle of regional housing numbers were developed, tied to Housing Element updates and not Plan Bay Area.

Fredericks asked whether the Golden Gate Bridge District might be mentioned on page 12, as it is involved in corridor transportation planning. Anderson said that the Town’s program [General Plan Transportation Element] only references the Transportation Authority of Marin; however, he noted that the Town was nevertheless involved in the planning referenced by Councilmember Fredericks.

Councilmember O’Donnell concurred that this [transportation] does need greater attention, as does utility undergrounding (page 2). He asked when a particular pole would come down in the last part of the Lyford Drive/ Mar West project. Town Engineer Barnes said that Comcast and ATT were both working to remove the pole. Barnes went on to say that in 2014, the Council had approved the undergrounding of poles between Lyford Drive and Ned’s Way and noted that PG&E had found a way to add funds from this Rule 20A to the Rule 20B project.

Councilmember O’Donnell moved on to questions about the Open Space and Conservation Element (page 4) and said that while it states this project had been “abandoned”, he said the removal of eucalyptus trees near Del Mar continued to be raised. He said that neighbors had come to him to find out if there was any way to address the removal of this non-native species.

Director Anderson said that because the trees are located on town property, the Town’s policy about removal of trees on public property came into play. He said that the policy sets forth a process to be followed; that interested parties can ask to remove the trees, at their own expense, but that the request for removal of significant public trees must first be referred to the Parks Open

Space and Trails Commission. He noted that a policy decision could be made as to whether the Town wanted to contribute to the removal and noted that it had done so on occasion in the past.

Moving on, O'Donnell said the Town's solar requirement for new homes should be included in the OSC-p discussion on Green Building principles. Director Anderson said it had been noted in that section as having been adopted in 2015.

Vice Mayor Fraser said that he would like to raise the issue of the Downtown "parking problem" as perceived by residents, to a higher level of review. He suggested helping residents possibly through some sort of permit program so that they did not have to pay \$10 or \$11 to park in order to shop or dine downtown. He suggested forming a subcommittee to bring this forward.

Councilmember Fredericks asked whether this subsidy would come from the Town's General Fund. Vice Mayor Fraser said he did not know at this time what the funding source would be.

Councilmember O'Donnell said that downtown parking had been studied in the past and that the suggested solution had been to install parking meters. He said the idea was that some of the revenue from the meters could be used to subsidize the lot owners and create a resident pass system. He said the concept of meters did not receive a positive public response and the concept appeared to have been dropped for the time being.

Mayor Tollini said she supported raising this topic to a higher level of discussion.

Councilmember Fredericks called for a point of order, as this item was not agendaized. She asked if it might be a topic for the Council retreat instead.

MOTION: To accept the General Plan Status Report, as amended, and direct staff to file copies with the appropriate state agencies.

Moved: Fredericks, seconded by O'Donnell

Vote: AYES: Unanimous

ABSENT: Doyle

3. **Las Lomas Lane Path** – Authorize vacation of portion of Las Lomas Lane for public pedestrian easement (Director of Community Development Anderson) – *continued without hearing until March 16, 2016*
4. **McKegney Green Soccer Field Upgrade** – Receive staff report regarding proposed project to upgrade McKegney Green playing field; consider authorization of project scoping study (Director of Public Works/Town Engineer Barnes)

Director Barnes said McKegney Green, constructed in 1975, was currently in poor condition. He said the Tiburon Peninsula Soccer Club (TPSC) had proposed entering into a partnership with the Town to make improvements to the Green and to enlarge the field.

Barnes said TPSC suggested a new sand-based turf field, similar to the ones located in Mill Valley. Barnes said the proposed field would be 135,000 to 150,000 square feet in size, about double the size of the existing field, and large enough for a full-sized soccer field and a smaller play field. He said costs estimates ranged from \$1.3 to \$2.2 million, and that these variations in cost were more fully detailed in the written staff report.

Director Barnes said staff recommended that the Council discuss the matter and provide direction, and authorize execution of a predesign scoping study for improvements to McKegney Green.

Councilmember Fredericks said the Council had been discussing how to make the Green more safe and sustainable for at least a decade. However, she said the improvements detailed in the TPSC proposal were much larger in scope and more expensive than what had been previously discussed. She asked whether the Town could make the Green more functional without an expanded use. Barnes answered affirmatively.

Fredericks also asked whether a new sand field would have to be protected or whether it could also be used for more general use. Barnes said a sand field is a special field but noted that in Mill Valley, these fields have uses other than for soccer play.

Fredericks said that she envisioned a smaller, less expensive project that would still provide better drainage, etc. to the field.

Director Barnes described the four layers of a sand field – the playing surface, the sand, irrigation, and a drainage layer. He said such a field could be reconstructed [on the existing footprint] from the bottom up. He said that if just the top layer were reconstructed, there would still be drainage and other problems in the underlying layers. Therefore, Barnes said even a smaller scope project would still need to reconstruct these layers.

Councilmember Fredericks said her concern [for a larger project] was expanded use, including use by non-residents. She asked if the scoping study would address this issue. She also said that water costs would be an important issue to address.

Town Manager Chanis concurred, and said that many of these issues – irrigation and year-round use – were already issues with the existing field.

Councilmember O'Donnell asked whether irrigation [for a new field] had been discussed with Richardson Bay Sanitary District. Director Barnes said not at this juncture, but that it would be addressed in the scoping study. He noted that the district had a very restrictive water permit that limits the use of grey water irrigation to November 15 through March 15.

Director Barnes went on to say that the current field is not sand-based, and if the Town were to construct a sand-based field, it would have to be irrigated year-round or it would not survive. He said the turf would require regular watering.

Mr. Ross said there are two main uses of the Green – one is for picnics, kites and dogs; the other is for soccer. He said this was by far the biggest use of the Green. Of the 800 kids in the TPSC, Ross said 700 of these were from Tiburon.

But Ross said that he is worried about safety, in addition to the unevenness (playability) of the Green. He said its condition is “close to terrible”. He said that if field expansion is a concern, then the current situation is also unworkable. Mr. Ross said a smaller field, if it were made more flat and useable, might work. He also said that turf might work. But for the two groups of constituents – the “open space” users and the soccer players – Ross said the field is still unavailable and unattractive, and for the latter, it is unsafe and unplayable.

Another speaker whose name was not clearly stated [a Dr.xxx], said he concurred with the concerns expressed about the condition of the field and safety. He said that for this debate to have gone on for 10 years was disgraceful. He said he liked the idea of “thinking big” and of considering artificial turf. He said the turf fields installed in Petaluma did not have the black “stuff” that some turf fields have.

The speaker said there could be two regulation soccer fields in that location [McKegney Green]. He said that children comprise 30% of our population and should not suffer. He said that a group of children had come to the Council in November to talk about the injuries they had sustained in using that field. He said he appreciated that the Council was paying attention and said it was time to do something.

There being no more speakers, Mayor Tollini closed the public comment period.

Councilmember Fredericks referenced the census statistics and said that recent figures showed that 53% of the town’s population was over the age of 45. She also suggested that the Recreation Needs Assessment presented to the Council in 2011 be considered in the planning process. She said that survey showed a desire for more playgrounds and sports fields; she suggested that it be a source document for the scoping study.

Finally, Fredericks said that while turf is sometimes controversial, she agreed with Vice Mayor Fraser’s suggestion to consider it. She said she supported moving forward with the scoping study and hoped that it would include a discussion of the best use of the fields for all users.

Councilmember O’Donnell agreed that McKegney Green is a “world class” space; a magnificent green space in a magnificent location. But he said the field is dilapidated and needs to be repaired. He acknowledged that the sports users were looking elsewhere; he said that turf is not a panacea and could open up a can of worms of other issues. He suggested that the Council keep the debate simple and fix up the soccer field and figure out how to do it most effectively, without delay. He said he would like to see it fixed this summer before the start of soccer season in the Fall.

O'Donnell said that it would be too hard to float a bond within this time frame, and that bond issues were not easily achievable. He urged the Council to avoid "over-engineering" and the [over] use of consultants. He said he was disappointed that the Town had not yet reached out to Richardson Bay Sanitary District and started asking questions. He said more leg work was needed.

With regard to field size, O'Donnell said a standard soccer field was 74,000 square feet. He said that this size field, and a smaller one for kids, was already within the existing footprint. He wondered where the 150,000 square foot number had come from.

With regard to cost estimates, he said that when he saw the \$2.2 million figure he was aghast. He asked how this could be when another vendor said they could do the work for under \$800,000?

Councilmember O'Donnell said that he feared becoming bogged down in a bureaucratic morass over this project. He suggested just going ahead with scraping the [field] surface, figuring out how to irrigate it, and make the project work.

O'Donnell acknowledged the disappointment expressed by many local soccer families over the condition of the field. He said "let's just get going with this and get it done quickly". He said the community would support this approach and that there was already some money (\$400,000) in the current year's budget for it. He said that TPSC had said they'll contribute \$150,000. He recommended moving forward to repair the existing field. [This drew applause from the audience.]

Vice Mayor Fraser said he understood the passion and need to get it done quickly; he said he would defer to those members who had families who used the field. However, he said there should be a long-range plan, and if the immediate need is to repair the field, so be it, but there can be a long-range plan, as well. He said he supports the speed and acceleration of the project, but staff should call the turf vendor and get information at the same time; in other words, run parallel processes.

Councilmember Fredericks said another way to frame this would be to undertake a short-term "fix" as well as a scoping plan. She asked if authorizing the scoping plan would hold up the project.

Town Manager Chanis said that even if the town undertook to repair the field, it would first need a design and a public bidding process for the work. And he said that would not address the issues of irrigation at all. Furthermore, Chanis said the low [\$700,000] estimate referenced in the staff report was for construction only, not design.

Mayor Tollini asked if there was a cheap, inexpensive way to do this. She said if the project could not really be done for the low estimate, for the reasons stated, then a scoping study really was needed.

Councilmember O'Donnell said it was clear that more legwork had to be done. But he said the low estimate bidder, Martin Bros., had experience in this area, having constructed the fields in Strawberry as well as AT&T Park; he said that could probably do their own construction management, as well. He agreed that a design was needed, as well as public bids. But he said he was wary of the consulting fees that stifle and bog down projects.

O'Donnell offered to work with staff to develop the information needed from Richardson Bay Sanitary District. He said that it was time for the "rubber to meet the road".

Councilmember Fredericks said that because McKegney Green was on Bay fill, she was not comfortable going forward without a design in place. She continued to support the need for a scoping study.

Mayor Tollini asked if the study was scrapped, who would obtain the necessary permits from BCDC. Councilmember O'Donnell asked how long the study would take and who had managed the BCDC permit process for the Blackie's Pasture area improvements.

Director Barnes said that the environmental consultant [on Blackie's project] had worked on the BCDC permit. He said that a scoping study could be done, at best, by early April.

Council continued to discuss the process with staff.

Mayor Tollini asked if it was realistic to think that this project could be done by the Fall.

Vice Mayor Fraser again suggested running a parallel process with the scoping study, but to hire a designer and have something ready by April.

Town Manager Chanis said it is difficult to have a designer start on a design without all the necessary information, including size, type and quality of field, infrastructure, etc. However, he said that staff could hire someone to start this work, if directed.

Councilmember O'Donnell asked for a timeline, working backwards from a proposed construction start date of August 1. He asked when the bidding would need to start to accomplish this. Director Barnes said 60 days -- it would take one month from bid opening to prepare the report for Council and award the bid; and before that, it would have to be out to bid for 30 days.

Councilmember O'Donnell concluded that under this timeline, an award could be considered by the Council at its July 20 meeting, in order to start construction on August 1.

Mayor Tollini asked how long the design process would take. Director Barnes said that a preliminary design would be needed to apply to BCDC, and there were tribal consultations

required in this area to be undertaken, which Director Anderson said would take a few months to process.

Vice Mayor Fraser said he encouraged putting the pedal to the metal but said it was unrealistic to think the project would be done by the beginning of the school year.

Councilmember O'Donnell said that a parallel track could be followed, as some of the information is basic.

Town Manager Chanis agreed that certain elements are common to all designs, but said they are not completely parallel paths.

Mayor Tollini concurred that it would be difficult to hire a designer without answers to many of the questions. Noting that the proposal said the scoping study would include 50 hours of work, she asked if it would be possible to have the scoping study by the next regular Council meeting.

Town Manager Chanis said it was not likely, because it meant coordinating with various people and conducting meetings and the like. He said two weeks seemed unrealistic.

Vice Mayor Fraser said he would concur with pursuing the scoping study, as recommended, because it would contain information that is useful to the Town. Councilmember Fredericks said she would support it as well, as did Mayor Tollini.

In response to a question from the Vice Mayor, Town Manager Chanis said staff could start reaching out to designers immediately. He said that staff could ascertain which firms might be available and how much they charged, as this was not part of the bidding process.

Councilmember O'Donnell said that the Town had a potential funding partner in TPSC which would have to start fundraising immediately for the coming season. He said the Town should not let this funding opportunity to slip away.

MOTION: To authorize the Town Manager to execute the agreement [with Aby Arnold Associates] for the scoping study, as recommended in the staff report, and to proceed with all due diligence and speed on the project.

Moved: Fredericks, O'Donnell

Vote: AYES: Unanimous

ABSENT: Doyle

## **TOWN COUNCIL REPORTS**

Vice Mayor Fraser reported on the Yellow Bus Challenge. He said the committee had been meeting with a "laser focus" every two weeks, to review routes for the 2016-17 school year, and to work on grant funding and new technology. He said they had received great support from the

Marin Transit Agency Director Robert Betts, who is managing the program for Reed School, as well as the Mill Valley, and the Ross Valley schools. He said that agency staff is sending a proposal to its board of directors at an upcoming meeting to discuss a continuation of this program and its cost-savings across three districts.

The Vice Mayor said the draft Joint Powers Agreement (JPA) would go to the Reed Union School District board on March 8 for its consideration, and to the Belvedere and Tiburon Councils on March 14 and 16, respectively. He said a letter had been sent to the Marin County Board of Supervisors to request funding support. He said everything was fairly positive and moving forward. He especially noted the camaraderie he had experienced while riding the Yellow Bus and said that it was symbolic of our changing community.

Councilmember Fredericks commended the Vice Mayor and committee for their “extraordinary efforts”.

On another matter, Councilmember O’Donnell asked when the ferry float would return to downtown. Town Manager Chanis said it was scheduled to be returned on Saturday, March 5.

**TOWN MANAGER REPORT**

None.

**WEEKLY DIGESTS**

- Town Council Weekly Digests - February 26, 2016

**ADJOURNMENT**

There being no further business before the Town Council of the Town of Tiburon, Mayor Tollini adjourned the meeting at 9:15 p.m.



ERIN TOLLINI, MAYOR

ATTEST:



DIANE CRANE IACOPI, TOWN CLERK