

**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, July 20, 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, Town Attorney Stock,
Director of Community Development Anderson,
Director of Public Works/Town Engineer Barnes,
Director of Administrative Services Bigall, Chief of
Police Cronin, Town Clerk Crane Iacopi

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

1. **Town Council Minutes** – Adopt minutes of June 1 and June 15, 2016 meetings (Town Clerk Crane Iacopi)
2. **Town Investment Summary** – Accept report for period ending June 30, 2016 (Director of Administrative Services Bigall)
3. **League Voting Delegate** – Approve appointment of delegate to League of California Cities Annual Meeting in October (Town Clerk Crane Iacopi)
4. **Grand Jury Reports** – Authorize Town response to Grand Jury Reports on a) Police Firearm Security; and b) Web Transparency (Town Manager Chanis)
5. **Hazardous Material Spills** – Recommendation to approve execution of Joint Powers Agreement for Hazardous Materials Spill Management (Town Manager Chanis)

Councilmember Fredericks made corrections to pages 3 and 10 of the June 1, 2016 meeting minutes. On Page 3, she said clarified that the Town's newly formed Parking Authoring was not formed to consider a parking project. On Page 10, Fredericks said that in the negotiations with

Golden Gate Bridge, Highway & Transportation District for the Tiburon ferry service, Blue & Gold Fleet said it preferred a trial period for the proposed late-night ferry service.

Mayor Tollini noted she was not present at that meeting.

MOTION: To adopt consent calendar Item Nos. 1 through 5, with amendments to Item No. 1.
Moved: O'Donnell, seconded by Fraser
Vote: AYES: Unanimous
ABSTAIN: Tollini (June 1, 2016 minutes)

ACTION ITEMS

1. Town of Tiburon 2016 Consolidated Reassessment District – Consider actions related to the formation of the district (Town Manager Chanis):

- a) Resolution of Intent to Levy Reassessments and to Issue Refunding Bonds Upon the Security Thereof;
- b) Resolution Adopting a Reassessment Report for the 2016 Consolidated Reassessment District, Confirming and Ordering the Reassessments Pursuant to Summary Proceedings and Directing Actions with Respect Thereto;
- c) Resolution Authorizing Issuance of Refunding Bonds for the 2016 Consolidated Reassessment District, Providing for Execution of a Fiscal Agent Agreement and Other Matters With Respect Thereto, and Making Findings With Respect to and Approving the Issuance of Bonds by the Tiburon Public Financing Authority.

Town Manager Chanis said that in connection with funding of utility undergrounding in various neighborhoods in the Town over the past years, the Town established several assessment districts and issued several series of assessment bonds. Chanis said staff has been exploring the possibility of refinancing these bonds with lower interest rates in order to reduce payments for property owners currently being assessed to pay the bonds. He said preliminary analysis indicates that debt service savings are available, if market interest rates do not change significantly in the near term.

Chanis said the Town Council will consider adoption of resolutions tonight which form a consolidated reassessment district to refinance up to six series of the Town's utility undergrounding assessment bonds and the Town's Main Street assessment bonds (the "Prior Bonds"), authorize the levy of reassessments, and authorize the issuance of reassessment bonds and their sale to the Tiburon Public Financing Authority.

He said the Board of Directors of the Tiburon Public Financing Authority will consider adoption of a resolution authorizing the issuance and sale of its revenue bonds to investors, with the proceeds of the sale to be used to purchase the Town's reassessment bonds.

Councilmember O'Donnell asked if the current term for payment of the bonds would remain unchanged; that is, there would be no extension of payments for the property owners. This was confirmed by counsel.

Mayor Tollini asked about language in the resolution which states that the benefit "is more than local or ordinary public benefit". Bond Counsel Paul Thimmig said this was a "term of art" from the statute governing assessment districts.

Mayor Tollini asked if the terms for the refinancing would be better than the current terms. Mr. Thimmig said they would, and that the refinancing would save not only the property owners money but the Town, as well. For instance, he said going forward Town staff would have to manage one assessment district, rather than six.

Mayor Tollini opened the matter to public comment. There was none.

MOTION: To adopt the above resolutions, as written.
Moved: Fredericks, seconded by Doyle
Vote: AYES: Unanimous

ADJOURNMENT - 7:35 p.m.

ADJOURN TO CONDUCT THE MEETING OF THE TIBURON PUBLIC FINANCING AUTHORITY IN TOWN COUNCIL CHAMBERS

**AGENDA
TIBURON PUBLIC FINANCING AUTHORITY
JULY 20, 2016, 7:35 PM**

ORAL COMMUNICATIONS

None.

ACTION ITEMS

1. **Town of Tiburon 2016 Consolidated Reassessment District** – Adopt resolution Authorizing the Issuance and Sale of Revenue Bonds for the Purpose of Financing the Acquisition and Reassessment Bonds for the Town of Tiburon 2016 Consolidated Reassessment District, and Approving Related Agreements and Actions (Town Attorney Stock)

Chair Tollini waived reading of the staff report and asked for public comment on the matter. There was no public comment.

MOTION: To adopt the resolution, as written.
Moved: Doyle, seconded by Fredericks
Vote: AYES: Unanimous

ADJOURNMENT

RECONVENE REGULAR MEETING – Tiburon Town Council (7:40)

ACTION ITEMS (continued)

2. **Tiburon Bicycle and Pedestrian Master Plan Update** – Review and Consider Adoption of Updated Plan; Consider Initial Study and Adoption of a Draft Negative Declaration for the Plan Update (Department of Public Works/Community Development Department)

Director of Community Development Anderson said the Town of Tiburon, in coordination with other Marin municipalities and the County of Marin, is in the process of updating its Bicycle Pedestrian Master Plan (BPMP), most recently revised in 2008. He said the Transportation Authority of Marin (TAM) oversees the contract and funding for the BPMP updates for the various jurisdictions, which helps to ensure the plans are somewhat integrated. He said that TAM had retained the consulting firm of Alta Planning + Design to prepare the draft updates.

Anderson said that a major benefit of an updated BPMP is that it enables the Town to qualify for certain grants and monies for which it would not otherwise be eligible. He noted that scarcity of funds is the primary limiting factor in making significant improvements to bicycle and pedestrian infrastructure.

Director Anderson said the update of Tiburon's Bicycle and Pedestrian Master Plan (BPMP) began in 2015. It was the topic of two workshops (on May 19, 2015 and January 18, 2016) and two public hearings (on March 29, 2015 and May 25, 2016) held before the Parks, Open Space & Trails Commission (POST) and the Planning Commission.

He said there was considerable testimony and correspondence received from residents at these hearings concerning the plan. But the overwhelming majority of comments came from the residents of Greenwood Beach Road, as this area is most affected by the upswing in bicycle traffic that is noticeable and disruptive to the neighbors.

Anderson noted that both POST and the Planning Commission recommended adoption of the BPMP, and that the Planning Commission recommended various amendments to the plan. He said that staff concurs with the Planning Commission's recommended revisions, and he recommended that the Town Council adopt the updated BPMP incorporating the revisions as set forth in the draft resolution attached to the staff report.

If adopted by the Town Council, Anderson said Town staff will incorporate the approved revisions into the BPMP and release a final version as adopted on July 20, 2016. He said Staff will also file a CEQA Notice of Determination for the project.

Director Anderson then introduced Kyle James, a consultant from Alta Planning + Design.

In his power point presentation, Mr. James explained the terminology for different types of bike lanes: Class I (a simple shared-use path); Class II (contains a bicycle lane, and another slide showed the use of a buffered bicycle lane); Class III (has a bicycle route and another slide showed the option of a Class III route with shared lane markings); Class IV (showed a protected bikeway) and another slide showed a protected intersection. He said that Tiburon had a strong bicycle and pedestrian network already in place and he said the emphasis might be to focus on gap closure and strengthening existing infrastructure.

Vice Mayor Fraser said he was an original member of the Town Council's Bicycle-Pedestrian Advisory Committee and had worked on the first master plan in 2001. He said that education and safety are paramount when mixing walking, bicycling, and auto travel. He said that some people do not know the rules of the road when it comes to these modes of travel. He said it was important for the Town to have a sustainable plan when it came to education, in order to ensure success of any new bicycle/pedestrian master plan.

Mr. James agreed, stating that safety is very important and is one of the bases used for prioritizing projects. He said there is an opportunity for education, and some organizations emphasize it. For instance, he said that the Marin Bicycle Coalition provides training for people in lieu of them have to pay fines for violations.

Vice Mayor Fraser said that Tiburon is a destination; he said education must be a priority and incorporated into our plan.

Councilmember O'Donnell said he, too, was involved in review of the BPMP in 2008, when he served on the Town's Planning Commission. He said that the Commission and the Council have affirmed the critical importance of Class IV bikeways.

O'Donnell stressed the importance of safety in the area vicinity of East Strawberry Drive where it connects with the State Highway (Tiburon Boulevard) and thence to Greenwood Beach Road. He said there are shortcuts but no real connection, and this is one of the most critical areas for public safety, as children using the Strawberry Recreation District facilities have no safe way to get there. He said parents would like to not have to drive there all the time; he wondered why a Class IV lane could not be added in that area.

Director of Public Works Barnes said that the Town has put in for a Class IV bikeway in the Regional Transportation Plan. He said the Town had commissioned a gap study including this project and the study was accepted by the Town and the County of Marin. He said the estimated

project cost for the Class IV bikeway connector along Tiburon Boulevard between E. Strawberry Drive and Greenwood Cove Drive was \$2.55 million.

Mayor Tollini opened the matter to public comment.

1) Kathy McLeod said the plan is modern and will solve a lot of problems; likes the idea of a “complete streets” plan and prioritizing as we go; favored “sharrows” (Class III) and said it is a good communication tool; said more “sharrows” could mean less confusion; said the Class IV proposal will probably need a new study but is happy that it’s included in the Master Plan update.

2) Wendy Kallins, Safe Routes to School representative, expressed appreciation that Safe Routes was invited to be part of the planning process; said (school route) signage was included in the Plan by POST and the Planning Commission on Greenwood Beach Road, which would add a level of perception and safety; said a Task Force is in the process of mapping all school routes and hopes to incorporate those into the Master Plan in the future; thanked all participants for their good work.

3) Frances Barbour, Belveron East resident who is active in the neighborhood association and Safe Routes to School, said she is also a bike commuter; agreed with need for education and said 3-5 grade students are a receptive audience; said paint is a cheap and an inexpensive way to educate; also would like to see a sensor for bikes at Trestle Glen Boulevard that would trigger the light change but not hold up the light at that intersection for as long.

4) Bruce Abbott, Greenwood Beach Road, was also appreciative of process but said that the inclusion of their street on the Bay Trail maps was becoming increasingly intolerable; said the new plan offered a solution to this problem and would better connect a bicycle route between Tiburon and other communities such as Mill Valley; encouraged the Council to pursue this solution [Class IV bike lane on Tiburon Boulevard].

5) Tudor Jones, Greenwood Beach Road said bikers sometimes rode 4-5 abreast on Greenwood Beach Road; he suggested increased enforcement of rules of the road; said he agreed that the Class IV lane would be preferable and thanked the Council for its consideration.

6) Brenda Foster, Greenwood Beach Road, said it was only a matter of time before an accident occurred on their street; said she had seen a distracted rider from Blazing Saddles crash into a parked car and said these type of riders were unfamiliar with the area and the terrain; said she looked forward to a positive change.

7) Sylvia Wilkerson, Greenwood Beach Road resident since the 1980s, also appreciated the efforts; said she and her neighbors were not just cranky citizens but were concerned about everyone’s safety; thanked the Council for considering the revised plan.

8) Martina Seremetis from Belvedere, participant in Bike Train and Safe Routes to Schools, extolled the virtues of walking and biking to school and said perhaps the buses wouldn't be needed someday.

9) Hans Bernwall, Greenwood Beach Road, said he had been yelled at by bicyclists as he backed out of his carport; said the street was not made for the volume of bicyclists currently flooding the area; asked that the bicycles be moved to Tiburon Boulevard with a barrier (Class IV bike lane); said this discussion had been going on since 2008 and nothing had been done.

10) Patrick Seidler, Transportation Alternatives for Marin, said this was a great exercise in democracy and funding could be found and obtained (for the Class IV bike lane study); said Tiburon is a connector to the North/South Greenway in the Countywide Plan; said "separated cycling facilities" worldwide proved to be the best way to go (Class IV being an example); suggested that paint and plastic poles could go a long way to accomplishing the goals; also that public and private partnerships were available for funding.

11) Chris Petrino, Greenwood Beach Road, said page 3 of report was misleading as to the number of bicyclists exceeding the speed limit on Greenwood Beach Road and that the record should be corrected; also that there were accidents there every weekend that were not reported; said it was not the kids riding to school; rather, the "road bikes" that were the problem; he suggested installation of a speed bump as well.

There being no one else wishing to speak, Mayor Tollini closed the matter to public comment.

Councilmember Fredericks asked whether a feasibility study [for Class IV bike lanes and other recommendations] would address funding availability. Director Barnes said that it could. Fredericks said it would be helpful, and a good idea, to have this information. She said on a local level, it's difficult to get funding for Safe Routes to School projects.

Director Barnes commented that the Planning Commission's recommendations would have to compete for grant funding with other regional transportation plans.

Councilmember O'Donnell said the question of who was going to pay for the study was also important.

Councilmember Fredericks asked if the Class IV bike lane would be located in the County of Marin, and whether the County would help pay for the study. Director Barnes said it would be in the CalTrans right-of-way from Highway 101 to Trestle Glen for its entire length, and that most of the state highway in that span is located in County jurisdiction.

O'Donnell said he was worried about the taxpayers funding yet another study that might just collect dust. He said a lot more was needed to bring it to bear. He recounted the process he went through to have the median renovation project approved by CalTrans and said it was a very challenging year. He noted that a Class IV bike lane needs more than a \$25- \$50,000 study, but

that if the County and CalTrans want it, it can be done. He recommended that the project language be added to the Town's BPMP per the Planning Commission's recommendation.

Director Anderson agreed that it would be important to put this project study into the Town's plan in order to qualify for future grant money and funding.

Councilmember O'Donnell expressed concern about changing the Bay Trail signage because it would divert travelers away from the Richardson Bay Audubon Center, which he said is an iconic destination. He thought the Bay Trail maps should continue to designate the Richardson Bay Audubon Center as being on the Bay Trail, even if as a spur or alternate route.

Councilmember Fredericks said this could be addressed in the Class IV study as well. Director Anderson said that according to the Bay Trail project manager, the Bay Trail maps would be changed only if a Class I or Class IV bike lane was constructed on Tiburon Boulevard, not a Class II bike lane.

Councilmember O'Donnell also asked about greater enforcement of speeding bicyclists, especially on weekend mornings. Chief of Police Cronin said the Town might use radar, and noted that the area where bicycles and people meet at the end of Greenwood Beach Road is patrolled. But he also noted that a bicycle going 25 mph is not in violation of the law. Chief Cronin added that the department once again had a motorcycle patrol officer.

Councilmember O'Donnell said that the Bicycle Pedestrian Master Plan update had been a long process, commencing in 2001, and revised in 2008. He said the Town should "soldier on" with what [infrastructure] it had in place and accept the fact that Greenwood Beach Road is the optimal way to get to Blackie's Pasture for now. He asked for the understanding and forbearance of the residents there, unless they could come up with the millions of dollars needed for a Class IV bike lane.

Councilmember Fredericks said that as a member of the Council, she had been involved in transportation issues for 15 years, and that Councilmember O'Donnell was right, up to a point. She said the Town should do what's feasible now, queue up for transportation and grant funding, then "grab it and do it". She said it is important to maintain one's position in the queue for funding.

Fredericks said it was appropriate for the Council to support the Planning Commission's recommendations; first, the Class II bike lane in the County and Town plan, and then a Class IV feasibility study and funding sources.

Councilmember Doyle agreed, stating the dangers of travelling the road (Highway 131) were real for bicyclists and it would be nice to have a barrier there. On Greenwood Beach Road, Doyle suggested putting up 25mph speed signs up as an interim measure, and to park a patrol car on the road. He said improvements were being made and the Town should support the Planning Commission recommendations.

Vice Mayor Fraser said he, too, supported the recommendations of the Planning Commission. He said he shared the concerns and frustrations of the process, but he said the Town had a lot to gain by it. He endorsed a feasibility study, perhaps funded by grant monies, and to get the County and other parties involved, as well. Fraser said that we needed to look forward toward change. He said we should look at Class IV bike lanes, especially for the safety of children and pedestrians on Tiburon Boulevard. He agreed with the recommendation to “patrol” Greenwood Beach Road with a parked patrol car and possibly the use of PSAs in that area. He said we should look closely at increased enforcement of speeding bicyclists.

Mayor Tollini said the ability to walk and bicycle in Town is important to the quality of life here, and that the Old Rail Trail is our “jewel in our crown”.

The Mayor commended the Planning Commission and POST for doing a good job in their review of the plan; she also commended the community for its involvement and input into the process. She said the Town should do what it can now and keep our eye on the radar for funding. She also said we should do what we can to alleviate traffic on Greenwood Beach Road.

Councilmember O’Donnell asked whether the resolution should be amended to state that the Town would only pay its portion for a feasibility study.

Councilmember Fredericks said that the [outcome of the] study would benefit Tiburon residents even though the installation would be in the County (or CalTrans).

O’Donnell also asked that no changes be made to the Bay Trail that would exclude the Audubon Center, and he said enhanced enforcement (on Greenwood Beach Road) should be included in the plan.

Vice Mayor Fraser stressed that education should be a component of the adopted plan. He said he had advocated it for some time, ever since he was a member of the Town’s Bicycle/Pedestrian Committee.

The Town Manager summed up the Council discussion:

- interest in funding the feasibility study for a Class IV bike lane, with grant funding
- the scope of the study has not been fully defined
- a scope of project costs and funding to return to Council.

Broadly, Town Manager Chanis said the Council had indicated its interest in studying the Class IV bike lane recommendation.

Councilmember O’Donnell said while this was not stated in the draft resolution, he wanted to be clear that \$250,000 would not come out of the Town’s pocket. Councilmember Fredericks concurred it would not be a good idea to “load up” the resolution thusly. Town Manager Chanis said any request for funding would have to come back to the Council for approval.

O'Donnell asked about the Bay Trail designation. Chanis said any potential realignment would be part of the study, as well. Director Barnes suggested the Council could add language to ensure that the Audubon Center not be excluded from the Bay Trail signage and the like.

Vice Mayor Fraser continued to ask for a sustainable safety program to be part of the plan, possibly tightening up the language in in Section 4.3.5. Director Anderson said that text to that effect would be added to the education section of the Plan.

MOTION: To adopt the resolution approving the BPMP plan, as amended above, and adopting the negative declaration.

Moved: O'Donnell, seconded by Fredericks

Vote: AYES: Unanimous

3. **Capital Project Planning** – Recommendation to form ad hoc Council subcommittee to set priorities for capital project planning (Town Manager Chanis)

Town Manager Chanis said staff had presented a proposed framework for capital project planning at the Town Council/Staff Retreat on April 1, 2016. If implemented, he said the framework would provide for a systematic approach to the planning, budgeting and financing of capital projects. The proposal envisioned the following steps:

- Development of a Project Portfolio
- Ranking of projects within the portfolio based on a set of established criteria
- Approval of prioritized Project Portfolio and integration into annual budget process
- Review and adjustments to Project Portfolio on annual basis and/or as new projects are identified

Chanis said Council indicated its interest in pursuing development of this planning process for its obvious benefit as a tool for budgeting, as well as to make the process more open and accountable. He also said the Council indicated support for the formation of a Council ad hoc committee to assist staff in developing this planning tool. Members of the ad hoc Committee would work with staff to develop the criteria used to prioritize potential projects, and approve an initial Project Portfolio for consideration by Council, according to the Town Manager. He said Mayor Tollini and Councilmember Fredericks had volunteered to serve on the subcommittee.

Chanis said staff anticipates the ad hoc committee would have its initial meeting in August, and would be required to meet 3-5 times prior to the development of the proposed 2017-2018 Town budget.

During the discussion of this item, some members of the Council wondered if the Project Portfolio should be reviewed by the entire Council in a public workshop, or perhaps a quarterly prioritization meeting, rather than by an ad hoc committee.

The Town Manager noted there were many variations on how to develop and utilize this process. He said the example presented at the retreat was similar to what was used by the County of Marin. He said the type of process was ultimately up to the Council to select.

MOTION: To appoint Mayor Tollini and Councilmember Fredericks to serve on an ad hoc Committee to establish the criteria for developing a Capital Project Planning program.

Moved: O'Donnell, seconded by Fraser

Vote: AYES: Unanimous

TOWN COUNCIL REPORTS

Vice Mayor Fraser provided a brief update and distributed some information provided at the July 19 Disaster Advisory Council meeting regarding "evacuation routes" – markings to be placed in streets. He showed an example of the symbols used in Belvedere and said one of the advisory council members advocated for this in Tiburon, as well.

Councilmember Fredericks provided information about Measure A funding for Safe Pathways to School. She said there was only \$3.48 million in last year's budget for these types of projects; therefore, there was a backlog of projects. She estimated that funds might not be available until FY 2019-20.

TOWN MANAGER REPORT

None.

WEEKLY DIGESTS

- Town Council Weekly Digests – June 17 & 24, 2016
- Town Council Weekly Digests – July 1, 8 & 15, 2016

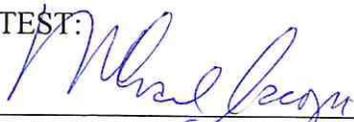
ADJOURNMENT

There being no further business before the Town Council of the Town of Tiburon, Mayor Tollini adjourned the meeting at 9:33 p.m.



ERIN TOLLINI, MAYOR

ATTEST:



DIANE CRANE JACOPI, TOWN CLERK