

**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, September 21, 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, Town Clerk Crane  
Iacopi

**ORAL COMMUNICATIONS**

Resident Ken Weil, Hilary Drive, spoke in favor of the Hawthorne Drive undergrounding project and asked the Council to extend the petition deadline by another month, until October 31. He said this was the neighborhood's fourth attempt at undergrounding and they needed a little more time to complete this important step.

Sandra Smith, also of Hilary Drive, spoke in support of Mr. Weil's request and asked the Council to please allow them to conclude this process.

Mayor Tollini acknowledged the speakers and said the matter was on the Council's radar.

**INTRODUCTION OF NEW TOWN EMPLOYEE**

- Samantha Bonifacio – Building Permit Clerk

Director Anderson introduced Samantha Bonifacio, the newest member of the Building Division. He said Ms. Bonifacio had a degree in urban planning from the University of Cincinnati, and had served as an intern in Ohio in planning and building services for two different cities. Anderson also said she had experience working in customer service. The Council welcomed Ms. Bonifacio to the Town. She said she was looking forward to working here.

DRAFT

*Town Council Minutes #xx -2016*

*September 21, 2016*

*Page 1*

## **CONSENT CALENDAR**

1. **Town Council Minutes** – Adopt minutes of July 20, 2016 meeting (Town Clerk Crane Iacopi)
2. **Town Council Minutes** – Adopt minutes of August 3, 2016 meeting (Town Clerk Crane Iacopi)
3. **Town Council Minutes** – Adopt minutes of August 17, 2016 meeting (Town Clerk Crane Iacopi)
4. **Town Investment Summary** – Accept reports for July and August 2016 (Director of Administrative Services Bigall)
5. **1860 Mountain View Drive** – Adopt resolution memorializing the granting of an appeal of a denial of an Encroachment Permit for the installation of a security gate in Town right-of-way at 1860 Mountain View Drive (Public Works Department)  
AP No.           059-042-11  
Applicant:     John Merten, Studio Green  
Owner:         MV 1860 LLC
6. **“Bay Day”** – Adopt resolution proclaiming October 1 “Bay Day” in the Town of Tiburon (Town Manager)
7. **Town-owned Housing Policy** – Adopt revised policy for town-owned Below Market Rate rental units at Point Tiburon Marsh (Town Manager)
8. **Conflict of Interest Code Update** – Adopt resolution accepting the biennial review and update of the Town’s Conflict of Interest Code (Town Clerk/Town Attorney)
9. **Police Vehicle Replacement** – Recommendation to approve a FY 2016-17 budget amendment to replace a police vehicle (Department of Administrative Services)

MOTION:     To adopt consent calendar Item Nos. 1 through 9, as written.

Moved:       Fredericks, seconded by Doyle

Vote:         AYES:         Unanimous  
               ABSTAIN:    Tollini (Item Nos. 3 and 5)  
               RECUSED:    O’Donnell (Item No. 5)

## **ACTION ITEMS**

1. **Open Space Management Project Update** – Discussion and adoption of prioritization plan for Town-maintained open space (Department of Public Works)

In his power point presentation, Director of Public Works Barnes gave an overview of the Town’s Open Space Management Plan (“Plan”). He said the Town’s open space includes 250

DRAFT

acres and 21 parcels, and includes a number of work items. He said the Plan provides for completing each item one time.

Director Barnes said the total cost for all items was estimated at \$450,000 to \$500,000 in 2010, and that the Plan states the estimates should be updated after a few years of work, based on actual cost. He said staff now believes the estimate to be closer to \$600,000. He also noted the report states that each work item will need to be repeated about three times with a cost of 25% to 50% of the original cost for each repeat. Because of the repeat work, the total cost is estimated to be \$1.25 and \$1.5 million.

The Director said in fiscal year 2013 and prior years, the \$25,000 budget for Open Space Management was exhausted on fuel reduction tasks. The sole funding source was the Measure A fund, provided to the Town by the County of Marin, to “maintain, preserve and renovate existing parks, preserves and recreational facilities”.

With urging from proponents of the open space work, Barnes said the Council increased funding in fiscal year 2014 by allocating General Funds. Expenditures in FY 2014 and FY 015 were \$39,536 and \$35,238 respectively, and funding for the current fiscal year is \$53,000. He said this represents about 4% of the total cost of the plan.

While this amount seems low, Director Barnes said staff noted at the Council Retreat that the Town spends under 3% per year of the total cost of the Storm Drain Master Plan on storm drain work. In recognition of the funding constraints for this work, the various activities and projects included in the [Open Space] Plan were prioritized, resulting in a list which includes priority 1 through priority 9 activities.

The Director said staff believes that there are basically four options for approaching work in the open space: 1) Maintain the current priorities and funding; 2) Increase overall funding; 3) Change priorities, if only temporarily; and 4) Add more funding specifically targeted for sensitive species protection.

Barnes said the Town had mostly worked on priority 1 and 2 projects each year since 2010, based on meetings and input received from the Tiburon Fire Protection District, as well as open space advocates. He said that even though there were 21 parcels included in the Plan, the work has been done each year in the Middle Ridge area. Both pine removal for fire safety and invasive species removal projects have been done in the area, the latter for the protection of native plant species.

Barnes said the priority 2 item on the open space proponent’s list involves weeding in an area around an endangered species, the Tiburon Jewel Flower. He said wild oats in the serpentine outcrop area need to be removed by hand around this flower. He said while there is no federal requirement to weed non-native species in this area, if staff does go into this area, the Jewel Flower needs to be protected from damage by its actions. Barnes went on to say the proponent recommended hiring a specific individual for this work. He said the Town cannot contract with this individual as she is not a contractor, so he suggested using a contractor such as the

Conservation Corps, under direct observation of a biologist.

Councilmember Fredericks said she understood the concept of priority levels 1 (Fire Abatement close to homes), and 2 (abatement farther away from homes), but wondered conceptually about the differentiation between levels 3 and 9. Director Barnes discussed general philosophies but agreed that the other levels were harder to discern.

Councilmember Fredericks asked why the Middle Ridge area was a priority. Director Barnes said that the open space proponent, who is also a botanist, had identified this area as a location of sensitive plant species. Fredericks asked why repairs to the Fire Road were a priority in the Town's Plan. Barnes said that it not been maintained since 2008. Fredericks noted the importance of keeping a road passable to firefighters, but she wondered why it was not in the Town's trails or roads budget. Director Barnes said it has been part of this Plan for a number of years.

Councilmember O'Donnell asked if the Fire Road was the one off of Vistazo, or Gilmartin Drive. Director Barnes said it was the one off Gilmartin that loops over to the "Hippie Tree." He noted the Vistazo Fire Road was part of the County-maintained open space.

Vice Mayor Fraser complimented the Department of Public Works on the work that has been accomplished in the Plan. He said that fire abatement serves the greatest good with the greatest return. He asked if in considering Option 4 (additional funding), would it mean taking money away from other priorities.

Director Barnes said that an additional \$50,000 over 30 years would help fight invasives, but agreed that there was no end to the battle. He said it was a large endeavor to remove broom.

Vice Mayor Fraser also asked if there was ever a time when all priorities (1 through 9) would get done. Director Barnes responded that given the time it would take to complete all the priorities and the adjacent invasive species it was probably not possible to ever finish.

Town Manager Chanis noted that the Plan had been adopted in 2010, during difficult economic times. He said staff supports all of the goals of the Plan and would be happy to work with the Council to see how to accomplish them. He said there were two "moving parts" to consider – the level of funding and order of priority.

Councilmember O'Donnell commented that priority 1 work was not likely to ever go away. He asked if the Town was taking care of broom removal in the proper way; that is, cutting or pulling. Director Barnes said that in the Plan, the Town does as much broom removal as possible through cutting and painting with herbicide. But this year, he said they had started wrenching and pulling in the Spring, with plans to return to an area three consecutive years. He said this was the preferred method (although it covered slightly less area). He also said the Town is trying to reduce the use of herbicide.

Councilmember Fredericks said that even if the Town diligently removed invasives, and the area abuts other areas where removal is not undertaken, how does it prevent re-seeding and the like. She also wondered whether priority for removal should be given to the areas where the indigenous species are located, especially if we are in danger of losing them.

Fredericks said it would be helpful to have a better idea of the area or areas where the endangered native plant species are located in order to quantify an enhanced program. But she stopped short of wanting to re-order the priorities of the Plan, as did the rest of the Council. She said the priorities might be “sensitized” a bit.

The Mayor asked for staff’s feedback on using Public Works Staff in the open space. Director Barnes said the 2007 Matrix report said the Town was maintaining its parks at a “B” grade level. He said since that time, the Town had added park areas to its inventory. Because of this, he said the other acreage in open space areas had not been “opened up” for work, to date.

Councilmember O’Donnell asked about seasonal workers since they had been added to the Department budget. Director Barnes agreed that \$50,000 was in the budget for seasonal labor and had been used for vegetation cutting from roads, not in the open space. He said the reason is that the workers must be supervised, under the contract, and cannot drive town vehicles. O’Donnell suggested this might be a good discussion point at the next retreat.

Town Manager Chanis said that maintenance of the “high profile areas” of Town had been the focus of the Public Works, so crews had not been sent into the open space.

Councilmember Fredericks referenced the Director’s previous comment on storm drain funding. She asked if there were sources of funding for this State-mandated program. Director Barnes said there had been a push in Sacramento to make storm drainage a utility, but this effort had so far been unsuccessful.

Mayor Tollini opened the matter to public comment.

Jerry Riessen, Marinero Circle, complimented the Council for its efforts over the past number of years to enhance the Old Rail Trail. He said he and Jim Wood had come to the Council three years ago with a proposal for improvement, and they personally worked to remove broom and weeds. He said the Council deserved credit for enhancing the trail.

Riessen said that broom was not a “category 1 scourge”. He said he had pulled lots of broom and “if you pull it for a few years, you win”. He said it takes three years to get rid of it, and that the proper method of removal was pulling.

Riessen said it was important for the Council to “take care of what’s been given to you” and said the Council is the steward of the open space lands in Tiburon. But he said there were lots of maintenance issues that come with acquisition of open space, and the Council (or Councils before this one) would have made a better deal if they had asked the developers to fund

maintenance of the land in perpetuity. He said the elected officials in other municipalities have also come to understand this when they see the task before them.

Mr. Riessen said he understood that homeowners would want the Council to care about fire hazard abatement but he said he hoped they would also care about nature and the endangered plants in the Town. He said allocating \$25,000 over 30 years is a poor decision and he asked that the Council study the possibility of removing more broom. He advocated sending the Plan back to staff with a more aggressive approach to this problem.

There being no one else who wished to speak, Mayor Tollini closed the public comment period.

Councilmember Doyle commented on the success of the annual Coastal Clean-Up Days, and what a great turnout they get. He said what about a “Broom Day” with 75-100 people with the puller equipment in the open space. He said it could be a Town-sponsored event.

Councilmember Fredericks said the “Broom Buster” team had worked for many years in the open space. She asked if there were “stands” of broom that could be tackled by a group, or whether the plants are scattered through the open space. Director Barnes said both.

Councilmember O’Donnell said the presence of broom on private property should also be addressed, especially in the Gilmartin Drive area. He said this could be a coordinated effort.

Mayor Tollini said the effort to raise awareness could be part of high school environmental programs, and even community service programs in the local school district. Councilmember Fredericks said it would be great to have our own kids doing broom removal in Town.

Councilmember O’Donnell recommended continuation of Option 1 of the staff report, utilizing the current funding levels but revisiting the matter during the Spring. He acknowledged, however, that it may be time to become more aggressive with broom removal.

Vice Mayor Fraser suggested that we “augment” the program and focus on broom removal and the protection of native plants. Councilmember Fredericks reiterated that it would be helpful to identify more specifically where these plants are located.

Director Barnes said he was hearing the direction to come up with a plan to remove broom and other invasive species – and Mayor Tollini added, “in a more aggressive manner (not five years).” Town Manager Chanis cautioned that setting a timeframe might be arbitrary at this juncture. However, he said staff could come back with a budget for overall funding and priorities.

Vice Mayor Fraser recommended that we “stay on course, and augment what he have.” Councilmember O’Donnell agreed and said augmenting could include Councilmember Doyle’s recommendation for a Spring broom removal event, and maybe even a “Green Team” approach.

The Town Manager said staff would be happy to work on a volunteer program. Fredericks said it should be promoted as an “event”.

Mayor Tollini asked if the Town does more to protect the native species, does this represent changing priorities. Town Manager Chanis said yes, it would be somewhat like taking priorities out of order.

Councilmember Fredericks recommended simply creating a “triage” work area for the plants, but said if we’ve done nothing in six or seven years to protect the native species, they would certainly become even more endangered.

The Mayor said it would be useful to discuss these priorities further. Councilmember Fredericks agreed, stating we need to determine what’s at risk and where they are at risk.

Town Manager Chanis summed up the discussion by stating staff would continue to “steer the course” but work on a broom removal event and prepare more detailed information regarding sensitive species and options for funding levels, at next year’s retreat.

## **TOWN COUNCIL REPORTS**

Councilmember Fredericks commented on the unpredictable schedule of the commuter ferry service as everyone awaited the transition between Blue & Gold and the Golden Gate Bridge, Highway and Transportation District. She said the three-way negotiation between the parties involved (Blue & Gold, Argo Investments, and the Bridge District) was close to being finalized and that she would receive more information at a meeting on Friday.

## **TOWN MANAGER REPORT**

Town Manager Chanis discussed possible meeting cancellations in October due to travel conflicts, and perhaps scheduling a special meeting. He said he would reach out to Council so they could look at their calendars.

## **WEEKLY DIGESTS**

- Town Council Weekly Digests – August 19 & 26, 2016
- Town Council Weekly Digests – September 2, 9 & 16, 2016

Received.

## **ADJOURNMENT**

There being no further business before the Town Council of the Town of Tiburon, Mayor Tollini adjourned the meeting at 8:35 p.m.

DRAFT

*Town Council Minutes #xx -2016*

*September 21, 2016*

*Page 7*

---

ERIN TOLLINI, MAYOR

ATTEST:

---

DIANE CRANE IACOPI, TOWN CLERK

DRAFT

*Town Council Minutes #xx -2016*

*September 21, 2016*

*Page 8*