

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, January 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
Administrative Services Bigall, Director of Public
Works/Town Engineer Barnes, Acting Police Chief
Seyler, Planning Manager Watrous, Town Clerk
Crane Iacopi

ORAL COMMUNICATIONS

Mayor Tollini welcomed Town Manager Greg Chanis' to his first Town Council meeting as manager.

There were no other oral communications.

CONSENT CALENDAR

1. **Town Council Minutes** – Adopt minutes of November 18, 2015 regular meeting (Town Clerk Crane Iacopi)
2. **Town Council Minutes** – Adopt minutes of December 2, 2015 regular meeting (Town Clerk Crane Iacopi)
3. **Town Investment Summary** – Adopt report for month ending November 30, 2015 (Director of Administrative Services Bigall)
4. **Vacancies on Town Boards, Commissions and Committees** – Announce pending vacancies in 2016 (Town Clerk Crane Iacopi)
5. **Town Council Board and Committee Assignments** – Adopt updated list of Town Council committees and board representation for 2016 (Mayor Tollini)

6. **Administrative Fine Schedule** – Adopt resolution updating the schedule of fines for violations of the Town Code enforced by administrative citation (Community Development Department)
7. **Annual Development Fee Report** – Receive annual report on the status of the Town’s Development Impact Fees pursuant to the California Government Code (Community Development Department)
8. **In-lieu Housing Fees** – Receive required five-year report of the Town’s In-Lieu Housing Fees and adopt resolution making the required findings pursuant to California Government Code (Community Development Department)
9. **Stormwater Impact Fees** – Receive required five-year report of the Town’s Stormwater Impact Fees and adopt resolution making the required findings pursuant to California Government Code (Community Development Department)
10. **Las Lomas Lane Pedestrian Easement** – Consider acceptance of a Grant of Easement for Public Pedestrian Access from William and Susan Lukens over an undeveloped portion of Las Lomas Lane; property adjacent to Assessor Parcels 059-121-08, 059-122-56 and 57, in the vicinity of Centro West Street at Las Lomas Lane (Community Development Department)
11. **Point Tiburon Bayside Stairs** (Mar West Street near Las Lomas Lane) – Consider approval of an agreement for acquisition of a Public Pedestrian Easement over the Point Tiburon Bayside Condominium Association Common Area and for use and maintenance of a stairway leading down from Mar West Street to the Common Area; authorize Town Manager to execute the agreement; authorize a budget amendment for the easement purchase (Community Development Department)
12. **Associate Civil Engineer position** – Recommendation to reclassify vacant Engineering Technician position to Associate Civil Engineer (Department of Public Works/ Administrative Services Department)

Vice Mayor Fraser asked to remove Item No. 11 for discussion. He said he had heard the stairway in question needed upgrades and repairs, possibly costing \$80,000. Fraser asked if the Point Tiburon Condominium Association would bring the stairway up to code prior to the Town taking possession.

Town Attorney Stock replied affirmatively, noting that under the agreement, Point Tiburon will construct the stairway and the Town will not acquire ownership until all the necessary work with permits are completed and signed off on by the Town.

MOTION: To adopt Consent Calendar Item Nos. 1 through 12, as written.

Moved: O’Donnell, seconded by Fraser

Vote: AYES: Unanimous

ACTION ITEMS

1. **Golden Gate Bridge, Highway and Transportation District Route 8** – Receive report from GGBHTD Planning Director regarding commuter Route 8 bus service and commuter ferry service (Mayor Tollini)

The Council received a report from GGBHTD Planning Director Ron Downing. He said the two components of the service proposal undergoing public review were: 1) whether the Bridge District would assume the Blue & Gold Ferry Service (due to Blue & Gold's proposed elimination of its commuter ferry routes); and 2) whether to continue the GGBHTD ferry commuter bus service, Route 8.

Mr. Downing said that Route 8 had a long history of under-performance as a bus route and had been on the district's "radar" for a number of years. He said the town had participated in a Tiburon Peninsula transit needs assessment which called for more transit to Highway 101; as a result of this survey, and the stated needs, he said the shuttle service on the peninsula had been "beefed up".

Downing said the district was respectful of the concerns expressed by Route 8 riders, however, he said that the ridership was not consistent, one reason being that people no longer tend to commute to the city five days a week anymore. He said an alternative was to use Route 219 shuttle service to bring commuters to Strawberry, where they could connect to bus service to San Francisco. He said the district had moved trips around to accommodate commuters, and would further alter Bus Route 4 from Mill Valley in March. Downing said in no way did the district want this change [elimination of Route 8] to be construed as "leaving people stranded"; rather, he said steps were being taken to accommodate commuters from Belvedere and Tiburon.

Mr. Downing noted that there were a whole host of issues that needed to be resolved in order for the district to consider taking over the ferry service. He said the California Public Utilities Commission (CPUC) would need to take action, and that would not take place until late spring or perhaps June of this year.

Meantime, Mr. Downing said that the district had crafted alternatives for everyone who uses the bus and ferry service. He noted the comment period would remain open until Friday at 4:30 p.m.

The Council had some questions and comments on the report.

Councilmember Fredericks commented that people did not like the idea of crossing over the freeway overpass in Strawberry in order to connect to a [southbound] bus. Alternative, she asked if the new routes more or less coincided with Route 8, and would not require crossing over the freeway.

Mr. Downing answered affirmatively, and said the district had responded to the concerns about crossing over the freeway and rerouted Route 4 (morning service) to the back of the Strawberry Shopping Center to accommodate people with these concerns. He said that riders requiring more frequent service could still cross over and catch a southbound bus. In the evening, Downing said there was much more frequent northbound service to the freeway bus pad and Route 219 connection.

Councilmember O'Donnell asked how the financial [fare] systems would work together in the proposed ferry and bus service. Mr. Downing said that the Clipper Cards would make the fare changeover "seamless".

Vice Mayor Fraser asked for a more graphic description of the routes and connections in the Strawberry area, which Mr. Downing provided. He also wanted to know how much time it would take to make these connections and arrive in San Francisco. Mr. Downing said that it would take about an hour, with a short wait time between connections.

Mayor Tollini asked how many of the busses would go through Mill Valley [which adds another 10-15 minutes added to the route]. Mr. Downing said that three or four go through Mill Valley, but that during mid-day, there would be more opportunities [bus service] for Tiburon residents going to San Francisco.

Mayor Tollini opened the item for public comment.

Drew Marks, 43-year peninsula resident and Route 8 rider, said that some of the stated information was factually incorrect. He said that the reason he takes the Route 8 bus is that it is direct and convenient. He said that Route 8 riders disagreed with the GGBHTD staff's assessment and noted that he had a petition with 48 signatures opposing the elimination of Route 8. He said that the busses are "almost full" when you get to the highway and that there are 30-35 riders on the first bus home in the evening.

Mr. Marks said the Belvedere City Council had sent a letter opposing the elimination of Route 8, and he urged the Tiburon Town Council to do the same. He said that people take the bus for enjoyment and efficiency, and that public transit should indeed be a convenient and efficient way to get to work. He said that Route 4 was not a solution.

There being no further comment, Mayor Tollini closed the item to public comment.

Councilmember O'Donnell agreed with the comment about efficiency, adding he thought the bridge district's intention was not to reduce public service. He said that he had done an informal survey of Route 8 ridership, and said that one morning he counted only eight riders picked up along the route all the way to Strawberry. He also said he knew of a disabled rider for whom the crossing of the freeway would indeed be an issue. He said the issues being discussed were not easy to resolve, and he wondered what might be done that would effect a change at this juncture.

Councilmember Fredericks commented that Route 8 appeared to be efficient for a few riders, but that public transit's mandate was to serve the greater needs of the public. She said that the district had to subsidize the Route 8 service, a subsidy which could likely be used to improve efficiency elsewhere. She said she hoped the outcome would be a decision made in the best possible way.

Fredericks noted that the "trade-off" to the elimination of Route 8 would be an extra 10 minutes on the route through Mill Valley, or to get off at the highway and take an express bus to the city. But she said that the crossing of the freeway had been eliminated from the proposal.

Vice Mayor Fraser said that change, in general, is difficult. He wondered if there might be some way to incentivize it, perhaps through a one-time (six month) fare reduction or the like.

Councilmember Fredericks said that maybe there should be a six-month monitoring period to count ridership, or perhaps a trial period for the new service. She said that if the 143 people who signed the petition would take the bus, the route would be in great shape.

Mayor Tollini said that perhaps the Council could send a letter to GGBHTD asking for a confirmation of ridership and asking the district to explore an incentive for the transition. She said if the number of riders on Route 8 was higher than expected, perhaps the district would consider continuing to subsidize it.

Councilmember Fredericks [who also serves as a director of the GGBHTD] said that the district already provides a 25-29% subsidy to its bus routes, and for Route 8, it is three to four times that amount. She said it did not make sense to create an incentive for a select few.

Mayor Tollini said that if ridership could be increased, that would be a great goal to shoot for.

Councilmember Fredericks said she thought in this market a fare reduction would not carry that much weight, but she agreed that asking for consideration for promotion and incentive for the new service might be worthwhile.

Councilmember O'Donnell said his approach and advice to riders would be to try the new service and see if they like it.

There was no motion made to take further action.

2. **Yellow School Bus Program** – Consideration of future options for funding the Yellow School Bus Program and formation of a joint powers authority (Vice Mayor Fraser/Councilmember O'Donnell/Town Manager Chanis/Town Attorney Stock)

In his report, Town Manager Chanis summarized the success of the Yellow Bus Challenge Program (YBCP) in doubling student ridership and helping to reduce traffic on Tiburon Boulevard.

The Town Manager said that during the current school year, a number of changes were made in the operation of the YBCP, including expanding the number of routes, clustering passengers by school, and subsidizing the cost of bus passes. According to Chanis, these changes, along with the decision to stagger “bell times” at the schools, have resulted in increased ridership on buses serving the Reed Unified School District (RUSD) and reduced school-related traffic congestion on Tiburon Boulevard.

Town Manager Chanis noted that a committee comprised of representatives and volunteers from the City of Belvedere (City), Town of Tiburon (Town), and RUSD -- (the Committee) - - meets regularly to oversee implementation of the YBCP, troubleshoot problems or issues, and develop a strategy to ensure the YBCP continues and improves in the future. He said that although the Committee feels the current year’s experience has been positive, it has identified a number of areas in need of improvement, including:

- Performance of the current service provider, who has been unable to consistently provide the level of service required for a successful operation.
- Administrative management of the YBCP, which has placed an unanticipated burden on RUSD staff.
- Streamlining of the bus pass purchasing process and improved access to information about the YBCP.
- Long-term funding of the YBCP.

Chanis said the Committee has also developed a list of recommendations, which if implemented, will allow the YBCP to better serve the users of the service and partner agencies in the future. These recommendations include:

- Develop a bus pass purchasing platform that creates efficiencies, streamlines administration and improves the flow of YBCP information to families and staff. Due to the timelines associated with the goal of having passes for the 2016-2017 school year available for sale in April/May 2016, this work needs to be completed in the first quarter of 2016, which makes it an expense in the current fiscal year.
- Create a Joint Powers Authority (JPA), initially comprised of the Town, City and RUSD, to establish, operate and maintain a school bus system to mitigate traffic congestion during RUSD bell times. (He noted that a draft agreement to establish the proposed JPA was attached to the staff report).

Once established, Chanis said the Committee recommends the JPA consider the following actions:

- Solicit proposals from qualified companies to provide bus service beginning in the 2016-2017 school year.
- Recruit and hire administrative staff to coordinate the YBCP.

- Explore options for identifying and securing a permanent source of funding (In addition to bus pass sales) for the program, including investigating the possibility of seeking a voter-approved parcel tax.
- Study the potential benefits of inviting the Town of Corte Madera and County of Marin to join the JPA in the future.

Town Manager Chanis also reviewed costs and funding for the YBCP for the current and coming fiscal years (detailed in the written staff report). He pointed out that the proposed JPA would not provide funding in the current year; he also said that costs could be further reduced if other sources of funding are identified.

Vice Mayor Fraser echoed the comments of the Town Manager and lauded the 15-member committee for its efforts and commitment. He said that the additional costs for software development were warranted and would provide real-time information that could be added to the ticket-purchasing platform. He said that committee member Sally Wilkinson, an expert in information technology and business, was volunteering her time to develop this application.

The Vice Mayor also touched on the problems with the current bus provider which had been verified by some other districts. He suggested that the cost difference for a more expensive but reliable service would have to be borne through ticket price. He said families could anticipate the annual fare cost to rise from \$215 to about \$300.

Fraser said that what really works about the YBCP is the collaboration between the City, Town and RUSD. He said the proposed JPA would mirror the school district boundaries. He said the RUSD board, at a recent meeting, had expressed its interest in wanting to be involved, but he said the board had asked for more information about what [the JPA] would entail. Fraser cautioned that “pausing” at this juncture would not help anyone, and warned that the program might implode if the program members were not “all in”.

As for funding sources, Fraser said that a ballot measure for a proposed parcel tax had been discussed. He said that a community poll on this issue had also been discussed, however, it would cost around \$75 - \$100K for such a poll. He said the City and Town had done a good job in providing funding for this program to date, but the question remained as to how to assume some of these additional costs.

Councilmember Fredericks said that in reviewing the goals and purposes of the JPA, she wondered whether anyone had considered broadening it from simply bus service to congestion relief. Fredericks said this would allow for future funding for improvements such as bus stops, sidewalks, and lights.

Vice Mayor Fraser said what he heard at the RUSD board meeting last night was that “we need to do one thing right first” and later on, the JPA board could work with and make changes to the accord.

Town Attorney Stock noted that this issue had come up and been considered initially by the Committee. He said the JPA had started out with a broader goal, and he said that there was nothing to prohibit it from being made more broad in future. He also noted that with the example of bus shelters, and other facilities would be part of operating a bus service, the cost of which would fall under “operations”.

Councilmember Fredericks said that with a sales tax expenditure plan, you must clearly state what the funds are used for. Town Attorney Stock said that likewise, with a parcel tax, the language must clearly state what the funds will be used for. He said the joint powers agreement could be more broad, while the ballot language could be more specific.

Committee member Councilmember O’Donnell said that they would like to invite the County and Corte Madera to be in at the “get go”, as well, especially if the JPA district boundaries included these areas. He said that due to the many Proposition 218 legal challenges, might not it be better to include them now rather than adding them later.

Town Attorney Stock said this was a valid concern and had been discussed by the Committee. However, he said he had been given direction to draft the JPA for the three parties and to make it easy for the others to join later. The policy question would be whether to include them at the front end, so that they would have a “seat at the table”.

Vice Mayor Fraser said that the idea of “starting small” seemed to make sense at this time. He said that Corte Madera had joined the YBCP because they understood the rationale for it and that there were 100 or more kids from that jurisdiction in RUSD. He said that the YCBP had promised a maximum bus time of 30 minutes in order to make it work for parents and kids in Corte Madera. In turn, the Corte Madera Town Council had contributed \$25,000 to the program.

Councilmember O’Donnell said that the City and Town had been spearheading this effort from the beginning; he said that other areas, such as Paradise ay and Corte Madera, understand the benefits and so he would lean towards including them, and at least find out if there is an interest in the taxation and subside (benefit).

Mayor Tollini opened the floor to public comment.

District 3 Supervisor Kate Sears, who said she had come to the meeting to hear the discussion on firearms regulation, said the County would be willing to talk about a JPA, as well as other ways to participate. She suggested that for timing reasons noted in the staff report, the current parties should proceed with its plans to adopt the JPA.

Sears said the YBCP is a fantastic model and the lessons learned from it are being shared with other communities, such as Mill Valley, who want to emulate the program.

Councilmember O’Donnell said that the Town of Tiburon and City of Belvedere had ponied up \$300,000 or more combined to date. He said that the problems of traffic congestion were wider than just Tiburon and affected all of southern Marin. He said that he would like to talk

to the County as soon as possible about participating in the “bridge year” program. He noted that Marin Transit had been a very able and active participant at the table.

Supervisor Sears noted that Mill Valley Middle School had agreed to subsidize a person like Robert Betts (manager of Marin Transit) in its plans. She indicated a willingness to continue the discussion with Tiburon.

The discussion returned to the Council.

Councilmember O’Donnell said that he was in favor of the JPA and cost subsidy, adding that he would like to have the County’s participation, as well.

O’Donnell said that he was both a Councilman [and member of the Committee] as well as a customer. He said the Yellow Bus program had been a positive experience for his son. He said that often programs only receive negative publicity and he wanted to represent the “silent majority” of people for whom it had been a success. He said he hoped the program could continue, with RUSD being a partner in the JPA. He said while it might not be necessary for the school district to contribute to the subsidy, it was important that they have a voice at the table.

Vice Mayor Fraser agreed; he said there would be no JPA consisting solely of Belvedere and Tiburon; rather, its formation was conditioned upon the participation of all three parties. He said it was important to know where RUSD stood as soon as possible, as bus passes for the coming year go on sale in April.

Councilmember O’Donnell said he supported formation of the JPA with the three parties, with the mission of adding the Town of Corte Madera and the County of Marin at a later date.

Councilmember Fredericks said she, too, supported staff’s recommendations. She asked for clarification of the dollar amount being contributed by the Town. She also said she fully supported Councilmember O’Donnell’s idea of adding Corte Madera and the County, and perhaps even Mill Valley, when the time is right. She said she would vote in favor of the current JPA, as written.

Town Manager Chanis confirmed the Town’s [previously approved] contribution for the current school year was \$325,000; he said there would be a more precise number for the upcoming fiscal year when the FY 2016-17 Operating Budget was presented to the Council.

Councilmember Doyle also concurred with O’Donnell’s comments about the YBCP and his recommendation to get Corte Madera and the County involved in the program. He said that as a “kid” riding the bus, he found it to be a positive experience during the day; a break between school and home.

Mayor Tollini said the numbers don't lie; that there had been a measurable reduction in traffic as a result of the YBCP, as evidenced by the traffic studies. She applauded everyone's efforts toward making the program a success.

Mayor Tollini said she, too, would support staff's recommendations, and asked for a motion to:

1. Reaffirm the Town's support of the Yellow Bus Challenge Program and continued participation on the Yellow Bus Challenge 2.0 Committee and,
2. Review the Draft "*Joint Powers Agreement to establish, operate and maintain a school bus system to reduce traffic*" and provide direction to the Town Manager, who will work with representatives from Belvedere and the Reed Union School District to finalize the document for Town Council consideration at the February 17, 2016 Town Council meeting and,
3. Direct staff to include, for Town Council consideration, an appropriation in the Fiscal Year 2016-2017 Town Operating Budget, to subsidize the Yellow Bus Challenge program in School Year 2016-2017.

Moved: Fredericks, seconded by Fraser

Vote: AYES: Unanimous

3. **Regulation of Firearms** – Discussion of options for the Tiburon Town Council to consider regarding amendments to Chapter 32 of the Town Code (Mayor Tollini/Vice Mayor Fraser)

Mayor Tollini said she was fully in support of Second Amendment rights. She said she had asked staff to place a discussion of this item [Chapter 32] on the agenda so that the town could weigh in against the kinds of guns used in recent crimes and mass shooting. She said these events had created a "tipping point" between the rights of certain types of gun ownership and public safety and welfare. She said that as a mother and a community leader, she wants the Town to be at the forefront of this discussion and to take action in order to make our community a safer place, and to send a message to County and State leaders.

In his staff report, Town Manager Chanis said that some local jurisdictions have begun reviewing their regulations to determine whether there are additional measures that can be enacted at a local level to address the increase in gun violence. He said that most California cities that have considered further regulation have focused on regulations in the following areas:

1. Possession of large capacity magazines.
2. Reporting requirements for lost or stolen firearms.
3. Requirements for the safe storage of firearms.
4. Further regulating firearm dealers.

Chanis' report further analyzed these types of regulations. He also included copies of ordinances adopted by the City of San Francisco, City of Sunnyvale, and proposed state legislation, the "Safety for All" initiative. He said staff would seek direction from the

Council as to any amendments to the Town Code it might want to consider, and if so, direct staff to return with a draft amended ordinance.

Councilmember Fredericks asked whether it is possible to restrict certain types of business activities in the town. Town Attorney Stock said that action would be impermissible; he said the Town has to allow a location somewhere to sell firearms and ammunition. He said that it could be made clear, however, that the location must be located in a commercial zone.

In referencing other legislation, Councilmember Fredericks asked if the State or Federal regulations might preempt any changes to the Town Code.

Attorney Stock said that cases interpreting the Second Amendment indicated there was no blanket prohibition. But he said that the State of California regulates multiple areas involving firearms and has preempted discrete areas of gun regulation, including licensing of firearms dealers.

Fredericks asked if the lists of dealers with permits, or permittees, would be a public document. Town Attorney Stock said he would look into this question further.

Councilmember Fredericks asked if Lt. Governor Newsom's "Safety for All" initiative passed, would it preempt all local control of the sale of firearms and ammunition.

Attorney Stock said that it would likely preempt several categories under consideration. He said the initiative included sections on the regulation of large capacity magazines and lost and stolen firearms, both of which were under discussion in the council's review of Chapter 32. Attorney Stock added that a local jurisdiction could enact more stringent regulations if not preempted.

Vice Mayor Fraser said he had been present in meetings with the Mayor and Town Attorney that had included a local expert from the Law Center to Prevent Gun Violence on these types of regulation. He said he was aligned with the Mayor in her desire to regulate large capacity magazines, lost or stolen firearms, and possibly firearms dealers. He said he personally did not want to see the people of Tiburon owning or selling large capacity weapons.

Mayor Tollini opened the matter to public comment.

Supervisor Kate Sears expressed her support and appreciation to the Mayor for bringing this matter forward. She said it would be fabulous if Tiburon was the first town to take action, and it could provide a model for other cities, and the County of Marin. She said it was the right way to go.

There being no further comment, the discussion returned to the Council.

Councilmember Fredericks said she, too, would support amendments to the Town Code. She suggested writing a letter of support for Newsom's bill; also requesting that it be amended to not usurp local control, if the Council thought it was important to make that statement.

Attorney Stock noted that if Newsom's initiative passed, the town would be unable to enact stricter legislation on the areas covered under the initiative. Mayor Tollini said that the areas under consideration in the Town's regulations tracked Newsom's bill.

Councilmember O'Donnell recalled the Sandy Hook school shooting that had taken place during his term as mayor. He said that [former] New York Mayor Michael Bloomberg had, with his own funds, formed an organization called "Mayors Against Illegal Firearms" which O'Donnell had subsequently joined. After joining, O'Donnell said that Town was flooded with public records requests and letters opposing gun regulation, and he said he had been counseled at the time to be careful about joining larger initiatives outside of local control. He said someone told him when he ran for office that local officials should concentrate on the 4 P's: Police, Potholes, Policy and Parks (or programs).

O'Donnell said that he understood the symbolic nature of strengthening regulations but he advised a cautious approach to avoid any legal issues. He said that President Obama had spoken eloquently about gun regulation. He said he would be in favor of supporting legislation, such as the Lt. Governor's initiative, rather than adopt a "symbolic" local ordinance. However, he said he would support the majority vote on this matter.

Councilmember Doyle reiterated his belief that legislation should not be adopted to regulate the "lowest common denominator". He said it was common sense to track lost or stolen firearms, and to regulate large capacity magazines, and that he would support local regulation for its symbolic purposes. He commented that Tiburon was not Montana where, for instance, one can purchase firearms at the local WalMart. But he said the Town should "not make a big deal" about regulating firearms.

Vice Mayor Fraser said he agreed that the Town should proceed cautiously on this issue but said that the symbolic nature of it was important.

Vice Mayor Fraser and Councilmember Doyle said they also concurred with the recommendation to send a letter of support to Newsom for his "Safety for All" initiative.

Mayor Tollini said she was encouraged by a conversation with the Chief of Police who had told her that anything the Town could do to get even one large capacity magazine off the street would be moving in the right direction. She said she would like to build a coalition of cities in the County who were interested in doing so.

Tollini went on to say that after the 101 California shooting, locals activists banded together and used their influence to recommend stricter firearms regulations, which were now State law. She said she wanted to send a letter of support for "Safety for All", as well as consider amendments to local regulations.

Councilmember Fredericks said that she and the seated Mayor [Mayor Tollini] comprised the Town's ad hoc legislative subcommittee, and they might write the letter on behalf of the Council.

MOTION: To direct staff to prepare amendments to Chapter 16 (Zoning) and Chapter 32 (Regulation of Firearms) of the Town Code for Council's future consideration; and send a letter of support to Lt. Governor Newsom for his "Safety for All" initiative.
Moved: Fredericks, seconded by Doyle
Vote: AYES: Unanimous

PUBLIC HEARINGS

1. **145 Rancho Drive** – Request to amend Cypress Hollow Precise Development Plan (PD#45) to create a secondary building envelope (Community Development Department)

Owners/Applicants: Rapport Investment Group, LLC
Assessor Parcel No.: 034-392-10

Senior Planner Watrous summarized the application in the staff report, and noted the Planning Commission's approval and recommendation to approve the amendment. There were no additional questions or comments from the Council.

Mayor Tollini opened the public hearing. There was no public comment. Mayor Tollini closed the public hearing.

MOTION: To adopt the resolution approving the precise plan amendment, as written.
Moved: Fredericks, seconded by Fraser
Vote: AYES: Unanimous

2. **35-37-39 Lyford Drive** – Request to amend 35-37-39 Lyford Drive Precise Development Plan (PD#35) and approve a condominium use permit (Community Development Department)

Owners/Applicants: Richardson Bay Land Company
Assessor Parcel No.: 058-301-49

Councilmember Doyle recused himself from hearing the item.

Senior Planner Watrous summarized the discussion in the staff report. He said the applicant proposed creating three (3) separate condominium parcels to allow separate ownership of each of the existing single-family dwellings. He said the Planning Commission's recommended approval of the amendment to the PDP and condominium use permit.

Mayor Tollini opened the public hearing.

Michael Heckman spoke, representing the owners, Alan Allen and his wife, who were out of town. He said the Planning Commission had done a thorough review of the ownership structure and proposed changes.

Councilmember O'Donnell said that he was happy to support the proposal while also noting the Town had recently spent around \$200,000 in drainage improvements to the parcels as a result of a settlement with the applicants.

There being no further comment, Mayor Tollini closed the public hearing.

MOTION: To adopt the resolution approving the PDP amendment and condominium use permit, as written.

Moved: O'Donnell, seconded by Fraser

Vote: AYES: Fraser, Fredericks, O'Donnell, Tollini

RECUSED: Doyle

TOWN COUNCIL REPORTS

None.

TOWN MANAGER REPORT

Town Manager Chanis said the Town had received information from Blue & Gold Fleet that their Tiburon dock platform would be undergoing repairs, thereby cancelling ferry service between February 16 and 28, 2016. He said B&G would provide busses to service the ferry passengers during commute hours but not during the mid-day runs. He said that the Tiburon ferry tickets would be honored on the Larkspur and Sausalito ferries.

In response to Mayor Tollini's earlier remarks, Chanis said how welcoming everyone had been to him, and his wife, Polly, thereby making their transition to living in Tiburon both easy and enjoyable.

WEEKLY DIGESTS

- Town Council Weekly Digests December 4, 11 & 25, 2015
- Town Council Weekly Digests January 8 & 15, 2016

Received.

ADJOURNMENT

There being no further business before the Town Council of the Town of Tiburon, Mayor Tollini adjourned the meeting at 9:19 p.m.

ERIN TOLLINI, MAYOR

ATTEST:

DIANE CRANE IACOPI, TOWN CLERK