

**TOWN COUNCIL
MINUTES**

CALL TO ORDER

Mayor Fredericks called the regular meeting of the Tiburon Town Council to order at 7:30 p.m. on Wednesday, August 5, 2009, in Town Council Chambers, 1505 Tiburon Boulevard, Tiburon, California.

ROLL CALL

PRESENT: COUNCILMEMBERS: Berger, Collins, Fredericks, Gram

ABSENT: COUNCILMEMBERS: Slavitz

PRESENT: EX OFFICIO: Town Manager Curran, Town Attorney Danforth, Director of Administrative Services Bigall, Director of Public Works/Town Engineer Nguyen, Chief of Police Cronin, Town Clerk Crane Iacopi

Prior to the regular meeting, the Council met in closed session, beginning at 6:30 p.m., to discuss the following:

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Section 54956.9(a))

Martha Company v. Town of Tiburon
Bonander, et al. v. Town of Tiburon
Town of Tiburon v. All Persons Interested, etc.
Mostyn v. Town of Tiburon et al.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION, IF ANY

Mayor Fredericks said that there was no action taken in closed session.

ORAL COMMUNICATIONS

None.

PRESENTATIONS

- Independent Campaign Expenditure Ordinance (League of Women Voters)

Don McEnhill of the Marin County League of Women Voters gave the presentation. He introduced League members Judy Binsacca and Suki Sennett who were also in attendance.

Mr. McEnhill asked the Council to consider adopting an ordinance to strengthen reporting by independent expenditure committees. He said the County of Marin had adopted an ordinance put forward by the League on June 2. He said the League was asking all the cities in Marin to follow suit.

Mayor Fredericks asked how the ordinance differed from existing law regulating independent expenditure committees.

Mr. McEnhill said that the enforcement of the requirements of the ordinance would reside in the local city clerk (instead of the State Fair Political Practices Commission) and that local jurisdictions would post the information concerning independent expenditures on their websites much sooner [as a result of the earlier and more stringent reporting requirements of the ordinance].

He said the League's intent was to create a more transparent election climate and one that avoided "dirty" campaigns. Mr. McEnhill said that this would be accomplished by requiring more frequent and additional reports of independent expenditures. He said that the top three donors' names would be listed on campaign pieces. He said that a failure to report donations or expenditures would result in a misdemeanor and fine of \$5,000. However, he noted that the ordinance would be enforced on a complaint basis only.

In considering adoption of an ordinance, Mr. McEnhill said that the Town Council could consider changing certain sections, such as the amount of the fine or penalty.

He also said that the League would like members of the Council (and all elected officials in Marin County) to sign a fair campaign pledge.

Councilmember Gram asked if the League had seen what would amount to violations of the ordinance in other jurisdictions. McEnhill said that he had in his capacity as Campaign Watch Committee chairman.

Gram asked whether the League would endorse the Council's adoption of the concepts in the proposed ordinance as guidelines versus as an ordinance. Mr. McEnhill said that the Council was free to take whatever action they thought was appropriate.

Mayor Fredericks asked if the FPPC fair campaign pledge would satisfy the League's request for all elected officials to sign a fair campaign pledge.

Mr. McEnhill said that the League would like all elected officials in Marin County to sign the League's pledge so that they could use their names on a special mailer. But he acknowledged that it was essentially the same pledge.

Councilmember Collins noted that there had been some reluctance on the part of some members of the San Rafael City Council to sign the pledge due to particular wording, e.g. what constituted negative campaigning.

Mayor Fredericks said that the Town Clerk had informed her that to her knowledge, no independent expenditure committees had been formed in the Town of Tiburon. She said that she would recommend referral of the ordinance to Town staff for further review.

League representative Judy Binsacca, who said she started the Campaign Watch Committee, said that she knew of an example of "dirty" campaigning in Tiburon in 1995. She said that since that time, the local elections had run "beautifully."

In response to a question from Councilmember Gram, Ms. Binsacca said that the 1995 incident was not related to an independent expenditure committee.

Mayor Fredericks thanked the League representatives for their study of the issues and for their efforts in promoting good campaign practices. She said that the Town Council would like to see fair campaign practices, as well.

The Mayor thanked Mr. McEnhill and the League for the presentation.

- Jt. Recreation Committee Annual Report - (Director Cathleen Andreucci)

Committee member Jerry Riessen gave a brief report prior to Ms. Andreucci's presentation. He said that the committee had made great progress over the last two years but there were also challenges ahead.

Director Andreucci said that she had really enjoyed working in the community over the last year and a half. She reviewed all of the programs the department made available for children and teens, as well as adults. She noted that the summer camp program enrollment had bounced back after a decline in the last few years.

Town Manager Curran commented that Ms. Andreucci had done an excellent job in reaching out to the community through her efforts in taking charge of the Tiburon Art Festival and Labor Day Parade, as well.

Mr. Riessen agreed that Ms. Andreucci was doing an outstanding job as demonstrated by the enrollment numbers, and that she was a "fantastic leader."

Ms. Andreucci said that the challenge referred to by Mr. Riessen was the uncertainty of availability of space for use by the department for the after school programs offered at Reed School.

Councilmember Gram asked how the Council could assist them in addressing this issue. Ms. Andreucci said that department would like a permanent space. She said that ideally it should be located at or next to Reed School for convenience of the students in after school programs.

Vice Mayor Berger asked for specific dimensions of the desired classroom and said that he might have some ideas about how to address the situation.

Mayor Fredericks asked if the department was still considering partnering with the Library for space. Ms. Andreucci said that early discussions had centered on office space but that she understood that it was not in the current expansion plans.

The Mayor commented that the Library planning was probably more along the lines of shared program space rather than dedicated space. She encouraged the Director to continue the discussions.

Councilmember Gram asked whether the committee had talked to the school district about placing a classroom uphill from Reed School. Vice Mayor Berger said that the district was considering that space for possible housing for teachers.

Ms. Andreucci said that there had been some discussion about placing a classroom across Tiburon Boulevard near the Belvedere tennis courts. She said that the idea would be fleshed out in the near future.

Ms. Andreucci noted that the Recreation Master Plan to be undertaken in the coming year would be helpful in defining the goals and needs of the community.

The Council thanked Ms. Andreucci and Mr. Riessen for their presentation.

CONSENT CALENDAR

1. **Town Council Minutes** – Approve minutes of July 1, 2009 meeting (Town Clerk Crane Iacopi)
2. **Town Council Minutes** – Approve minutes of July 15, 2009 meeting (Town Clerk Crane Iacopi)
3. **Grand Jury Report** – Approve response to Grand Jury Report, “Saving Major Crimes Task Force” (Town Attorney Danforth)

4. **Taxi Regulation Program** – Adopt resolution approving amendments to Taxi Regulation Program administered by the Marin General Services Authority JPA (Town Attorney Danforth)
5. **Town Monthly Investment Summary** – Adopt June 2009 report (Director of Administrative Services Bigall)

MOTION: To adopt Consent Calendar Item Nos. 1 through 5, as written.
Moved: Berger, seconded by Gram
Vote: AYES: Unanimous
ABSENT: Slavitz

TOWN COUNCIL REPORTS

None.

TOWN MANAGER'S REPORT

None.

WEEKLY DIGESTS

- Town Council Weekly Digest – July 17, 2009
- Town Council Weekly Digest – July 24, 2009
- Town Council Weekly Digest – July 31, 2009

ADJOURNMENT

There being no further business before the Town Council of the Town of Tiburon, Mayor Fredericks adjourned the meeting at 8:12 p.m.

ALICE FREDERICKS, MAYOR

ATTEST:

DIANE CRANE IACOPI, TOWN CLERK