

**TOWN COUNCIL  
MINUTES**

**CALL TO ORDER**

Mayor Berger called the regular meeting of the Tiburon Town Council to order at 7:30 p.m. on Wednesday, April 20, 2005, in Town Council Chambers, 1505 Tiburon Boulevard, Tiburon, California.

**ROLL CALL**

PRESENT: COUNCILMEMBERS: Berger, Fredericks, Gram, Slavitz, Smith

PRESENT: EX OFFICIO: Town Manager McIntyre, Director of Administrative Services Bigall,  
Director of Public Works/Town Engineer Echols,  
Town Clerk Crane Iacopi

**CLOSED SESSION**

**CONFERENCE WITH LABOR NEGOTIATOR**

(Section 54957.6)

Bargaining Unit: MAPE  
Negotiator: Town Manager and Director of Administrative Services

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

Mayor Berger said that no action was taken but that the Council would reconvene in closed session at the conclusion of the regular meeting.

**ORAL COMMUNICATIONS**

None.

**INTRODUCTION OF NEW TOWN EMPLOYEE**

- Troy Bassett, Project Coordinator

Town Engineer Echols introduced the new undergrounding project coordinator, Troy Bassett. He said that Ms. Bassett was a graduate of UC Berkeley and a State-registered architect; in addition,

she is a long-time Tiburon resident, and that her experience and qualifications made her well-suited for the position.

Mayor Berger welcomed Ms. Bassett and also said that it was gratifying to him that a friend was joining the Town Staff.

Ms. Bassett thanked the Council and concurred with the Mayor's remarks.

#### APPOINTMENTS TO BOARDS, COMMISSIONS & COMMITTEES

- Design Review Board – (One Vacancy)

Item continued pending the interview of another candidate.

#### CONSENT CALENDAR

1. **Approval of Town Council Minutes** – April 6, 2005
2. **Recommendation by Director of Administrative Services** - Accept Town Monthly Investment Summary for March 2005
3. **Recommendation by Director of Administrative Services** – Accept third Quarter FY04-05 Financial Reports
4. **Recommendation by Town Engineer/Director of Public Works** – Approve Plans and Specifications 2005 Street Rehabilitation Program
5. **Recommendation by Town Engineer/Director of Public Works** – Award of Contract for Installation of Solar Panels at Town Hall
6. **Recommendation by Town Engineer/Director of Public Works** - Award of Contract for Trestle Glen Bike & Pedestrian Path
7. **Recommendation by Town Engineer/Director of Public Works** – Award of Contract for South Knoll Restroom

Councilmember Gram asked that Item No. 5 be removed for further discussion.

MOTION: To approved Consent Calendar Item Nos. 1 through 4, and 6 & 7, above.  
Moved: Slavitz, seconded by Fredericks  
Vote: AYES: Unanimous

Consent Calendar Item No. 5: **Recommendation by Town Engineer/Director of Public Works** – Award of Contract for Installation of Solar Panels at Town Hall

Councilmember Gram said that he felt compelled to ask for discussion of the item. He said that the contract price had come in 33% higher than estimated and previously approved by Council.

Town Engineer Echols said that the low bidder for the contract had been rejected by the Town in December 2004 because of a failure to provide adequate insurance coverage. According to Echols, new bids were subsequently solicited and opened in March 2005.

The Engineer stated that two bids received in the amount of \$57,000 and \$80,000, both of which were substantially higher than the estimates. Mr. Echols said that one of the contractors had told him that the Town's insurance requirements portion of the bid cost him \$30,000.

Mayor Berger asked whether the Town's insurance requirements could be amended.

Town Engineer Echols said that the Town Attorney had advised additional liability insurance for this type of project [work on building that was open to the public]. He acknowledged that if the requirements were reduced, the bids would probably be more favorable.

Councilmember Smith asked about the insurance limits. The Town Engineer said that the Town asked for \$2 million liability in the aggregate, as well as automobile liability. He noted that the installers of solar panels were not large contractors who would normally have large liability policies.

Councilmember Gram asked whether the solar panel consultants had misrepresented the price of the installation; the Town Engineer said that they were correct based on their experience for the size of job.

Councilmember Fredericks asked if there was some sort of pool insurance that could be obtained. The Town Engineer said that he had called other cities and agencies to no avail.

Mayor Berger noted that as energy costs continue to rise, these contractors would be more and more in demand.

The Council noted that part of the attraction of installing solar panels was the eventual pay-off over time; they asked how much longer the additional contract cost would take to amortize. Councilmember Gram pointed out that since the Town was fully funding the project, with money upfront, a revised amortization schedule was important.

Town Manager Echols agreed to bring back an undated financial analysis. The Mayor and Vice Mayor said it was important to review such an analysis because it had been part of the reasoning used by the Council to approve the installation of solar panels at Town Hall in the first place.

Councilmember Slavitz asked whether any more rebate opportunities would be lost as a result of further delays.

The Town Engineer said that the rebates would continue to be reduced over time and that the Town was under obligation to have a signed contract (per the State program) by June.

Item continued to May 4, 2005.

#### COUNCIL AND COMMITTEE REPORTS

The Council discussed a date for the next Homeowner's Summit. A tentative date of Saturday, June 11 was selected, pending confirmation of a location.

#### WRITTEN COMMUNICATIONS

**Town Council Weekly Digest** – April 8, 2005

**Town Council Weekly Digest** – April 15, 2005

#### ADJOURNMENT

There being no further regular business before the Town Council of the Town of Tiburon, Mayor Berger adjourned the regular meeting at 8:00 p.m., to closed session.

#### *Continuation of Closed Session*

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(Section 54957.6)

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Negotiator: Town Manager and Director of Administrative Services

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

Mayor Berger announced that no action was taken.

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**ADJOURNMENT**

There being no further business before the Town Council of the Town of Tiburon, Mayor Berger adjourned the regular meeting at 8:30 p.m., to the next regular meeting scheduled for May 4, 2005..

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MILES BERGER, MAYOR

ATTEST:

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DIANE CRANE IACOPI, TOWN CLERK