

THE MORNING AFTER

*Highlights from the
Ross Town Council Meeting
of December 11, 2008*

Volume 2, No. 12

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Got Milk? (Or...the Town Manager goes to the Movies?)

Hats off and congratulations to Ross resident Sean Penn for his excellent portrayal of Harvey Milk in the recently released movie Milk. Harvey Milk's political rise was a local story of global proportion and includes all the elements necessary for a fascinating plot – political intrigue, failure, success and...murder. As I complete my 25th year in local government, I think Milk's legacy is as true as ever – we can apply our passion locally to effectuate change on a broader scale. Take a couple of hours this holiday season to see Milk; I think you'll be glad you did. And consider taking even more time to work toward your political passions in life...again, I think you'll be glad you did.



Ross Joins Marin Energy Authority

The Council adopted an ordinance approving a joint powers agreement to join the Marin Energy Authority (MEA) and explore implementation of Marin Clean Energy and other greenhouse gas reduction programs. The Town now joins the County of Marin and the communities of San Anselmo, Mill Valley, Tiburon, Belvedere and Sausalito in a joint effort to provide Marin residents with an alternative renewable energy source. San Rafael is also expected to join.

The MEA's immediate tasks are to develop an implementation plan and to solicit bids from energy service providers to fulfill long-term renewable energy contracts. Once these bids are returned, the MEA should know if they can provide renewable energy mixes to customers at prices projected in the Marin Clean Energy business plan. If not, the Town could elect to withdraw from the MEA.

The majority of Council members agreed that while there are still many unanswered questions that need to be addressed, the Town should participate in further exploring the feasibility of Marin Clean Energy. There is no immediate financial obligation to Ross since the County has already committed to paying \$500,000 for MEA start-up costs. Council member Hunter noted that the County will be paying for these costs, whether or not Ross joins the MEA.

Mayor Pro Tempore Rick Strauss expressed concern about creating a second bureaucracy to purchase power for Ross residents. He urged the Town and the other Marin jurisdictions to work with PG&E to develop more renewable energy sources and provide alternative energy purchasing plans for Ross customers.



Council members worried about potential renewable energy cost burdens given the current economic situation. The opt-out provision, whereby residents are automatically enrolled in Marin Clean Energy

unless they proactively decline the program, was also of concern. Mayor Pro Tempore Strauss stressed that community outreach and education were critical.

The Council's decision to join the MEA preserves the option for Ross residents to participate in Marin Clean Energy if they choose. Mayor Bill Cahill and Council members Chris Martin and Scot Hunter approved the ordinance. Mayor Pro Tempore Rick Strauss abstained and Council member Michael Skall opposed.



Mayor Bill Cahill's Report

The Town hosted its annual holiday party at the Marin Art & Garden Center on Monday. Town staff, Council members and their spouses enjoyed a fun and entertaining evening. Many thanks to Linda Lopez for planning the party.

On Wednesday, the Ross School Board of Trustees elected Dan Bernhard to serve as president and Scott Chronert as vice president and town liaison. The School Board has committed to attending Ross Town Council meetings every other month to report on school construction progress. A board representative will attend the January meeting.

Council member Chris Martin serves as a board director of the Marin Telecommunications Agency, which franchises and regulates telecommunications services in Marin. Council member Martin reports that AT&T is launching a new broadband service that will directly compete with Comcast. AT&T will be locating one surface-mounted equipment box per 600 residences. The Town will work with AT&T in the placement of these boxes within Ross rights-of-way.

Council Reconsiders Construction Time Limits

The Council continued property owner Rick Newton's appeal of a \$201,000 penalty for failure to complete his Laurel Grove home reconstruction within the time limits allowed under Town ordinance. Chapter 15.50 of the Ross Municipal Code provides 18 months to complete projects valued at over \$500,000. Penalties for tardy projects increase from \$200 to \$1,000 per day.

The 94 Laurel Grove building permit expired on August 2, 2007, but construction was not finished until May 19, 2008. Mr. Newton and his project manager, Douglas Abrams, argued that the start date of the project should be reset because the project required a demolition permit and entirely new plans were developed and approved by the Council on June 14, 2006.



The owner of this home at 94 Laurel Grove appealed a construction time limit penalty of \$201,000.

After listening to the applicant's argument, Council member Hunter noted that the Town rarely, if ever, upholds construction time limit penalties upon appeal. Most Council members agreed that penalties could be overly burdensome.

The Council referred the "Construction Completion Ordinance" to the public works committee for review and possible Council amendment. The ordinance was adopted in 2003 in response to ongoing frustration by residents with the noise, parking and traffic impacts of construction activity persisting well past allowed time periods. Town Manager Gary Broad emphasized that the ordinance has been very effective in curbing such abuses.

Sir Francis Drake Pathway to Remain on East Side

The Council decided to leave the proposed Sir Francis Drake Boulevard pathway on the east side of the roadway from the Marin Art & Garden Center to the southern Town limit as originally planned. The Town's consultant, Questa Engineering, had suggested the Council consider moving the pathway to the west side due to engineering and construction cost considerations. Community members at the Council meeting, however, supported retaining the pathway on the east side of the roadway, pointing out that there were more residences and children on that side and that the need for a safe walkway was well worth the added expense.



The Town received a \$200,000 federal grant for pathway construction. Jeffrey Peters with Questa Engineering estimated that the east side alternative would cost at least an additional \$40,000.

Council Continues New House Application

The Council continued an application for a new home at 54 Baywood Avenue in order to allow the property owners, Ross and Ligia Parmenter, more time to develop a new design that adheres to the hillside lot regulations. Parmenter had requested approval for a 1,198 square foot residence and a 262 square foot garage with a car lift. A packed Council chamber, including a number of former mayors and Council members, admonished the Council to not exceed the hillside lot ordinance guidelines which recommended a maximum of 840 square feet of development for the property. The Council praised the project design and integration into its hillside setting, but directed the applicant to scale back the project size to a square footage more in keeping with the hillside lot ordinance guideline levels.



Council Thanks Outgoing Chief of Protocol Molly Gamble

The Council commended Molly Gamble for serving as Chief of Protocol from January 1, 2007, through December 31, 2008, and presented her with several gifts of appreciation. Molly led the hugely successful Town Centennial Celebration this year as well as two Fourth of July celebrations. Mayor Cahill thanked Molly for her countless hours of hard work, and noted that she made it all look easy and effortless.

Molly Gamble opens gifts while her daughter, Lila, and Mayor Cahill look on.

Council Amends Investment Policy

The Council amended the Town's current Investment Policy to allow surplus funds to be invested in negotiable certificates of deposit (CDs) that are federally insured by the Federal Deposit Insurance Corporation. Town policy requires funds to be invested in safe and sufficiently liquid assets, including government notes and bonds. Prior to the amendment, the Town could not invest more than 30% of surplus funds in certificates of deposit. The Town can capture higher rates of return at lower risk by moving funds from money market accounts into CDs.



Council Meetings Scheduled for 2009

The Council voted to schedule monthly meetings on the following Thursday nights in 2009: January 15, February 12, March 12, April 16, May 14, June 11, July 9, August 13, September 10, October 8, November 12 and December 10. Council meetings are typically held on the second Thursday of the month; due to holidays, Council meetings will be held on the third Thursday in January and April. The August meeting will be held only if necessary.



Planning Application Scoreboard

The Town Council took the following action on planning applications considered at last night's Council meeting. For more information on each planning application, you can view staff reports at <http://www.townofross.org/town-council/current-meeting-reports/>. The minutes of this meeting will be available on the Town website at www.townofross.org after approval at the January Council meeting.

Address	Applicant	Approved	Denied	Continued
54 Baywood Ave.	Ross and Ligia Parmenter			
205 Lagunitas Rd.	Lagunitas Country Club			
14 Walnut Ave.	Loretta Gargan and Catherine Wagner			
2 Upper Road West	Alan Grujic			

Upcoming Town Council Meeting

The next Town Council meeting will be on Thursday, January 15, at 6:30 p.m. Agendas and staff reports are posted in advance of the meeting on the town's website at www.townofross.org. Happy holidays!

The Morning After is published following each regular Council meeting by The Town of Ross and is written by Project Planner Christine O'Rourke and edited by Town Manager Gary Broad with support from Linda Lopez. The newsletter is not an official record of the meeting's proceedings and does not cover all agenda items. No portion of this newsletter may be copied, reproduced or reprinted without advance written permission from the Town of Ross. If you'd like to receive The Morning After and other town information via email, contact llopez@townofross.org.