

# THE MORNING AFTER

*Highlights from the  
Ross Town Council Meeting  
of October 13, 2011*

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## **Town Manager Gary Broad Announces His Resignation**

Town Manager Gary Broad announced he will be leaving the Town of Ross on November 11th to become the St. Helena City Manager. After twenty years of working for the Town, he said he is looking forward to this opportunity to tackle new issues and challenges for a larger organization. He said it has been a wonderful experience working for Ross, and he has enjoyed working with staff, council members, and the community. Mr. Broad noted that he has received over 100 emails from community members, and it's meant a lot to him to receive everyone's thanks for the work he's done and best wishes for the future.



*Town Manager Gary Broad*

Mayor Carla Small said the Council and staff will be working closely together to ensure a smooth transition while the Town looks to fill the Town Manager position. The Council will formally recognize Mr. Broad's achievements and thank him for his service at the November 10th Council meeting.

## **Council Reviews Options to Improve Safety at Sylvan Lane**

The Council discussed alternative measures to improve sight lines for motorists exiting Sylvan Lane onto Lagunitas Road. Currently, the height and bulk of the new Lagunitas Road Bridge makes it difficult for these drivers to see westbound cars as they travel over the bridge. The traffic engineer's report detailed six options to improve the conditions, from installing warning signs and pavement markings that would shift traffic to the south, to adding asphalt to increase the elevation of Sylvan Lane.



*Driver's view when exiting Sylvan Lane.*

The engineer also evaluated the placement of activated warning signs, which would alert drivers when a vehicle was approaching on Lagunitas Road and when a vehicle was waiting at Sylvan Lane to enter Lagunitas Road. The sensors, which would cost between \$15,000 and \$20,000 to install, were endorsed by Sylvan Lane residents. The traffic engineer, however, did not recommend placing an activated warning sign at Sylvan Lane, citing concerns that motorists might "overly rely" on the sign and accidents may occur if the sign malfunctions.

The Council agreed to install enhanced pavement markings and to replace an existing "School" sign on Lagunitas Road with an advance intersection warning sign just before the approach to the bridge. The Council also agreed to spend \$750 to conduct a traffic count study, which will provide information on the feasibility of installing a stop sign at the Sylvan Lane intersection.

## **“Barking Dog” Ordinance Introduced**

The Council introduced an ordinance that would make it unlawful for any person to permit any dog, cat, fowl, or other animal to habitually bark, yelp, howl or create noise that unreasonably disturbs the peace. The ordinance provides for residents to first be provided with a warning, and then a citation if the dog continues to bark for periods of at least 30 minutes in duration. First and second violations would be treated as an infraction and additional violations as a misdemeanor.

Police Chief Erik Masterson explained that the Police Department had received complaints of dogs barking persistently and over extended periods of times, but that the Town’s animal control laws do not address these issues. The ordinance is modeled on a Marin County ordinance and has been successfully used in agencies throughout Marin.

Mayor Pro Tempore Rupert Russell cast the sole vote against ordinance introduction, stating that he felt the ordinance was unnecessary and that Ross residents could be expected to resolve any barking dog issue without a new regulation.



*Mayor Carla Small*

### **Mayor Carla Small’s Report**

I, along with my fellow Council members would like to thank Gary Broad for his service and commitment to our community for the past 20 years and wish him the best as he moves forward with his new opportunity in St. Helena. Thank you, Gary, and we will properly recognize your achievements at the November 10<sup>th</sup> Council meeting.

Roseanna Lourdeaux, once again, coordinated a very successful Town Dinner with record-setting attendance. A special thanks to Peter and Jen Daly of Stuart Rentals, Linda Lopez, the Ross Police Department, Wendy Battey, Ann Peterson, Cynthia Wollam and the parents of Ross School who all participated in making this a great event. Thank you, Roseanna, for the many hours you invested to create such a joyous evening for our community.

On a sad note, Hal Brown has announced his retirement. His service and commitment to Marin will be greatly missed. We thank him for his many accomplishments that include fiscal prudence, FireSafe Marin, 1700 acres of open space, the Safe Routes to School program and his leadership in finding a solution to reduce severe flooding in Ross Valley. His legacy will be everlasting and we wish him the best.

On a happier note, Scot Hunter has filed an application with the governor’s office for the board of supervisor interim position. With almost eight years experience on the Ross Town Council, at least four years spent as Mayor or Mayor Pro Tem, our TAM representative, his MOU negotiations with our Public Safety and his finance background, he has exemplified the necessary skills. At last night’s meeting, a majority of Council members agreed to endorse Council member Hunter for the position.

## **Planning and Building Fee Schedule Amended**

The Council passed a resolution amending the new planning and building fees it established at the September Council meeting. The amendment increases the fee for a variance from \$600 to \$900, but gives planning staff discretion to charge \$600 for a minor variance that, in staff’s view, requires minimal staff time to process. The resolution also creates a new residential building record fee category for residences over 10,000 square feet, and charges these homeowners \$975 for a residential building record inspection. The new fees will become effective in 60 days.

## **Joint Use Agreement Proposed for the Ross School Multi-Purpose Room**

The Council discussed a draft agreement between Ross Recreation and the Ross School District for the joint use of the new Ross School multi-purpose room. The agreement would establish a schedule for the School District and Ross Recreation use, during which time periods the controlling party would be completely and solely responsible for the operation and maintenance of the facilities. Ross Recreation would pay an unspecified amount to rent the facilities from the School District. Mayor Carla Small

expressed concern about liability arising from third party use of the gym, and asked the School to contract directly with these groups. The Council also requested the School respect a 2010 memorandum of understanding between the School and Ross Recreation regarding usage fees for the multi-purpose room. The Ross School board will discuss the draft agreement at their October 26<sup>th</sup> meeting.

### **Ross to Contract with Fairfax for Police Dispatch and Records Management**

The Council agreed to shift police dispatch and records management services from the Marin County Sheriff's Office to the Town of Fairfax. Currently, Ross uses the Marin County dispatch and records management service at a cost of approximately \$35,000, and shares a very busy radio frequency with the County. Chief Masterson explained that the County's records management system, which is integrated into the dispatch system, has limitations in operability and information retrieval.

In order to foster closer working relationships with local agencies, Chief Masterson recommended sharing a radio frequency with smaller, neighboring agencies rather than the County. In his cost-benefit analysis, Chief Masterson looked into contracting with the Town of Fairfax and the San Anselmo Police Department. Both of these agencies utilize a user-friendly records management service and have a smaller number of calls handled by their dispatchers. The Town of Fairfax, however, does not share its radio frequency with other agencies and has the smallest call volume. Fairfax also proposed a five-year fee schedule that was *lower* than the County's current fees and the San Anselmo Police Department's proposed fees.

### **Police Department Bicycle Program Kicks Off**

Police Chief Erik Masterson announced the Ross Police Department has initiated a new bicycle program for police patrol. Thanks to a donation from Ross resident David Nasaw, the Police Department has purchased bike gear and equipment and refurbished two used police bicycles donated by the San Rafael Police Department. Five of the nine police officers, including Chief Masterson, will be dedicated to the bike patrol. Mayor Pro Tem Rupert Russell was especially pleased to hear of the new program. "This is a great opportunity to create more personal interaction between the police and the residents," he said.

*Police Chief Erik Masterson*



### **Ross to Join Marin Energy Authority**

The Council introduced an ordinance approving the Marin Energy Authority Joint Powers Agreement and adopted a resolution requesting membership in the Marin Energy Authority (MEA). These two actions have initiated the process whereby Ross residents and businesses will be enrolled in the Marin Clean Energy program in July 2012. At that time, MEA will be responsible for procuring electricity for its customers, while PG&E will continue to maintain distribution lines and provide billing services. Although ratepayers will automatically be enrolled in Marin Clean Energy, they will have a four-month window to opt-out of the program at no cost and remain with PG&E for electricity generation. MEA will send four notices to Ross ratepayers during that time, advising them of their right to opt out of the program.

The Town has committed to providing updated rate comparisons in May, when residents are asked to make their choice. Marin Clean Energy electricity has a higher renewable energy content than PG&E electricity, but it currently costs more, especially for large users.

### **Council Selects Council Members' Goals**

At a special Council retreat on September 28<sup>th</sup>, Council members selected their personal goals for fiscal year 2011-2012. Mayor Small's goal is to develop regulations for the Town's right of ways, and she has scheduled a meeting with Town staff next week to initiate the process. Council member Rick Strauss' goal is to develop an overlay landscape and lighting plan for the Ross Common and Town-owned land, and Council member Scot Hunter will spearhead the fire consolidation effort. Council member Chris Martin will develop a Council manual that details practices and procedures for Council members to follow, including

meeting and communications protocols, interactions with Town staff, and the powers and responsibilities of the Council. Finally, Mayor Pro Tempore Rupert Russell's goal is to develop regulations for post-emergency permitting that may streamline rebuilding after a declared disaster. He will also explore developing an ordinance that codifies the existing Council policy that allows property owners to rebuild structures and maintain existing nonconformities, rather than requiring new development to comply with current zoning regulations.

## **Council Discusses Fire Consolidation Proposal with Kentfield Fire**

The Council reviewed a chain of recent communications with the Kentfield Fire Protection District regarding possible fire department consolidation. Council members expressed concern with Kentfield's proposed form of governance, which would require an extension of the Fire Protection District boundaries to include the Ross town limits and give the District access to the Town's property tax base. Council members were also concerned that Ross could not be guaranteed representation on the District's board, as the board seats are elected positions. The Council asked Fire Chief Tom Vallee to inquire whether or not Kentfield would consider establishing a joint powers agency. Town Manager Broad said this would be preferable, as the Town can always leave a joint powers agency if consolidation doesn't work out, while joining a district would be "forever."

## **Upgrades to Marin General Hospital in the Works**

The Council heard a presentation by Jon Friedenberg, Chief Fund and Business Development Officer, regarding new hospital facilities for Marin General Hospital. Due to mandatory state requirements, the aging facility must be upgraded by 2020 to meet new seismic standards so the hospital can be fully functional after an earthquake. Mr. Friedenberg explained that advances in medicine and hospital operations will also influence the design of the new buildings. For example, operating rooms will be larger in order to accommodate new technology and all hospital rooms will be single occupancy in order to protect patients' privacy and reduce exposure to infectious diseases. Two new low-profile parking garages will alleviate existing parking and traffic issues in the area, and a new out-patient building will accommodate this growing segment of hospital operations.

Mr. Friedenberg said the \$500 million project will require a voter-approved general obligation bond for funding. The Marin General Hospital (MGH) board is considering placing the issue on the November 2013 ballot. Preliminary estimates show that the bond would cost property taxpayers approximately \$20 to \$30 for each \$100,000 in assessed value. If approved, the MGH board expects to break ground in 2015 and open the new facilities in 2018.



*Public Works  
Director Bob  
Hemati*

## **Public Works Report**

Public Works Director Bob Hemati reported that the Town is working with Coastland Civil Engineering to further develop plans for the Sir Francis Drake Boulevard/Lagunitas Road intersection. Staff and Coastland representatives recently met with the Marin Art & Garden Center (MAGC) to review the plans, and were overwhelmed by the amount of MAGC input. Staff has decided to take the project to the Advisory Design Review (ADR) group's October 25<sup>th</sup> meeting for their input before holding a special community meeting on the project.

The Town is holding a community meeting on Tuesday, October 18<sup>th</sup>, at 7 p.m. at Town Hall to discuss traffic calming and drainage improvements for Bolinas Avenue.

Town Hydrologist Matt Smeltzer will be on-hand to discuss his review of the Bolinas Avenue drainage issues, including the effects of runoff from Oak Avenue in San Anselmo.

## **New Second Unit Regulations Adopted**

The Council adopted an ordinance that allows the Council greater flexibility to review and approve second units. The ordinance allows the Council to grant exceptions to the existing second unit development standards to allow units up to 1,200 square feet, newly constructed units on second stories, and two second units on a lot, all subject to design review.

The ordinance also allows the Council to grant a 500 square foot floor area bonus to property owners who agree to deed restrict their newly constructed second unit to be affordable to a very low income household. Deed restrictions must be in effect for 20 years. Hillside lot property owners are not eligible for the floor area exception, but may request a variance from the Council for a floor area bonus for a deed-restricted second unit. The ordinance goes into effect in 30 days.

### Council Designates COPS Funding Plan

The Council agreed to continue funding one police officer position with Citizens Option for Public Safety (COPS) funding. The Town will receive \$100,000 in COPS funding this year as the recently approved 2011-2012 state budget provided a one-year extension of the COPS program. The state has provided supplemental funding to local communities through the COPS program since 1996 to enhance local public safety services.



### 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 [http://www.townofross.org/pages/town\\_council/staff\\_reports.html](http://www.townofross.org/pages/town_council/staff_reports.html). The minutes of this meeting will be available on the website at [www.townofross.org](http://www.townofross.org) after approval at the November Council meeting.

Senior Planner  
Elise Semonian

Address	Applicant	Approved	Denied	Continued
10 Canyon Road	Dennis and Zara Muren	X		
17 Upper Ames	Kira Matthews	X		
88 Wellington Avenue	Steve and Chris Simpson	X		
33 Winship Avenue	Chris and Mary Ann Neumann	X		
4 Canyon Road	Christian Lind and Lisa Bernardi	X*		

\*Modification to residence approved and pool variance continued to consider findings for denial.

### Upcoming Meetings

The Finance Committee will meet on Wednesday, October 19, at 8:15 a.m. The next regular Town Council meeting will be held on Thursday, November 10, at 6:30 p.m. Agendas and staff reports for all meetings are posted in advance of the meetings on the Town's website at [www.townofross.org](http://www.townofross.org).

All meetings are held at Town Hall unless indicated otherwise. You may email Town Council members by accessing the website [http://www.townofross.org/pages/town\\_council/about\\_our\\_town\\_council.html](http://www.townofross.org/pages/town_council/about_our_town_council.html).

*The Morning After is published following each regular Council meeting by the Town of Ross and is written by Project Planner Christine O'Rourke with support from Administrative Manager Linda Lopez, and reviewed by the Ross Mayor prior to publication. 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.*