

REGULAR MEETING of the ROSS TOWN COUNCIL  
THURSDAY, MARCH 12, 2020

**1. 6:00 p.m. Commencement.**

Mayor Elizabeth Brekhus; Mayor Pro Tempore Julie McMillan; Council Member Beach Kuhl; Council Member Elizabeth Robbins; Rupert Russell; and Town Attorney Benjamin Stock

**2. Posting of agenda.**

Town Manager Joe Chinn reported that the agenda was posted according to government requirements.

**3. Minutes – February 13, 2020.**

Council Member Robbins requested an amendment to page 7 to state: “Council Member Robbins said that the asphalt needs to match the compressed granite on Shady. It is lighter within the granite and not blended in well, and she asked if staff could use different grade asphalt so it blends in better.”

Mayor Brekhus opened the public comment period, and there were no speakers.

Mayor Brekhus asked for a motion.

**Mayor Pro Tempore McMillan moved and Council Member Kuhl seconded, to approve the February 13, 2020 Regular Meeting Minutes, as amended. Motion carried unanimously. (Vote: 5-0).**

**4. Demands.**

The demands were met.

**5. Open Time for Public Expression.**

None.

Mayor Brekhus re-arranged the order of the agenda to hear Item 7 ahead of Item 6.

**7. Mayor’s Report.**

As many of you know, we are still waiting on final election results. As there are still more ballots to count, we can only provide preliminary results at this time and will do so in tomorrow’s Morning After. The Town will certify the results next month and any changing of the guard will occur at the next meeting.

One rotation is known and that is that Council Member Rupert Russell is retiring.... again. Demonstrating our commitment to recycling, we asked Rupert to return to the Council after Carla Small resigned, to fill in for the remainder of her 2-year term. Rupert graciously accepted, and we were able to resume council business without missing a beat. Rupert, I know I speak for everyone in saying, we love the way you pronounce the word “garage.” And we thank you for

agreeing to serve a second time around, and on behalf of the entire Town, your volunteer work on our behalf is admirable and to be commended.

I am grateful to serve on this Council with you and others and I know I am not alone in feeling this way. It has given me an opportunity to get to know residents I would not otherwise have known, to dive deep into issues of local importance that I might otherwise have observed from a distance, and to give back to a community that has given so much to me. Thank you, Rupert, and to all members of the Council for your gracious service and best intentions. We wish you a happy retirement.

Finally, I hope you all stay safe during these uncertain times. If the Town gets any information appropriate to pass on to you, we will do so as our Town staff is monitoring the virus updates very closely from the County and State.

**6. Town Council recognition of the outstanding service of Council Member Rupert Russell.**  
Mayor Brekhus, on behalf of the Town Council, recognized the outstanding service of Council Member Rupert Russell and presented him with a gift. Council Member Russell then gave brief parting words and a round of applause followed.

**8. Council Committee & Liaison Reports.**  
None

**9. Staff & Community Reports.**  
**a. Town Manager**

Town Manager Joe Chinn reported on the Town's work with County OES and the Marin County Health Officer on COVID-19 and its impact on the closing of large gatherings, extra precautions at elderly facilities, and certain school closings. Information which is regularly updated can be found at the CDC's website as well as on [www.marinhhs.org/coronavirus](http://www.marinhhs.org/coronavirus).

Mr. Chinn added that a presentation was given by the new Countywide Disaster Preparation Coordinator, Michael Huynh, at the Disaster Council Board meeting. More information should be available by early May related to Get Ready with a new round of Get Ready classes beginning in the fall.

**b. Ross Property Owners Association.**  
No report.

**10. Consent Agenda.**

The following items will be considered in a single motion, unless removed from the consent agenda:

Council Member Robbins requested removal of Item A.

**a. Town Council approval of draft letter in support of Amazon Reuse Boxes Initiative.**

Council Member Robbins suggested the Council address issues the Town has jurisdiction over and questioned why a letter is being sent to Amazon. She cited the Town's overall recycling goals, asked why Amazon was being singled out given the use of cardboard by many other companies.

Mayor Brekhus opened the public comment period.

Carolyn Lund, Committee member of Amazon to Reuse Boxes Initiative, spoke of the eight Marin communities which have endorsed the initiative, Amazon as the number one user of cardboard boxes in the world and sanitation issues and urged the Council to join other cities in the initiative.

Doug Ryan urged the Council to use its resources to solve the unfunded pension liability the Town is facing.

Council Member Robbins cited the Town's current cardboard recycling efforts and could not see Amazon re-using the same boxes.

Mayor Brekhus said the committee is requesting a pilot study and may determine recycling boxes works or does not work. This would be a Ross-related item and questioned whether or not Amazon would respond.

Mayor Pro Tempore McMillan asked and confirmed with Ms. Lund that residents Buffy Ballard, Olympic Ballard and Seton Sequa spoke on this item but they could not be here tonight.

Mayor Brekhus voiced support of the Town joining in with the other eight jurisdictions and hoped to hear more from Amazon.

Council Member Kuhl voiced support of a pilot program and suggested deferring any action until the Committee determines what information could be obtained.

Mayor Brekhus asked for a motion.

**Mayor Pro Tempore McMillan moved and Council Member Russell seconded, to approve a draft letter in support of Amazon Reuse Boxes Initiative. Motion carried unanimously (5-0).**

**End of Consent Agenda.**

**Administrative Agenda.**

- 11. Town Council consideration of adoption of Resolution No. 2147 adopting an initial study/mitigated negative declaration and mitigation monitoring and reporting program and approving preparation of 80% design plans for the Winship Avenue Bridge (Bridge No. 27C0074) over San Anselmo Creek Replacement Project.**

Rich Simonitch, Public Works Director, gave a presentation and overview of the request for adoption of Resolution No. 2147, adopting an initial study/mitigated negative declaration (ISMND) and mitigation monitoring and reporting program (MMRP) and approving preparation

of 80% design plans for the Winship Avenue Bridge (Bridge No. 27C0074) over San Anselmo Creek Replacement Project.

Mr. Simonitch spoke about the need to address impacts and safety, flood protection improvement of a structurally deficient bridge and the CEQA process and the ISMND and MMRP as outlined per the staff report and PowerPoint presentation.

Mayor Brekhus referred to page 218 and the angle piece that goes to number 35 in the drawing. She asked and confirmed with Mr. Simonitch that the portion beyond the right-of-way is a vertical earth wall which is a steep slope adjacent to the bridge and not a pier system. Added survey work is needed of where the property lines actually lie relative to the physical improvements.

Michelle Johnson, Quincy Engineering, clarified that the property line identified is the Town's right-of-way.

Mr. Simonitch then pointed to the diagram on page 215, the Quincy Engineering right-of-way diagram which is slightly different than shown on the original. The right-of-way portion is where the Town would acquire easements and fee right-of-way, if needed and this will be the next step in this process as soon as the environmental document is certified.

Mayor Brekhus said it was suggested there was a structure that appears to go over the property line and onto the Crane property.

Mr. Simonitch clarified this is a portion of the existing decorative rock wall. He also pointed to the square which is the rock pilaster in front of the northwest corner of the Crane property which does not have to be removed as part of the project.

Mayor Brekhus pointed to the area on one map and asked and confirmed with Ms. Johnson that the document she was referring to was created by Ross Valley Sanitation District and the Quincy Engineering document on page 215 was the more accurate of the two maps.

Mr. Simonitch then described the decorative rock wall, final determination of the actual property line by record survey and filing, and he confirmed that what the Mayor was also referring to are the proposed concrete wing walls down in the creek.

Mayor Brekhus asked if there is a need to use someone's property, and Mr. Simonitch explained the Town may need to acquire temporary construction easements on either side of the bridge for construction purposes, and next steps would be whether they need to obtain fee title for the wingwalls or put these areas in an easement.

Mayor Brekhus asked if the Town Attorney could speak to the expense of this.

Town Attorney Ben Stock said the process for acquiring easements occurs once environmental documents are certified. Expense depends on appraisals of the property and negotiations with the property owner(s) to acquire the property.

Council Member Kuhl asked if these expenses are part of what is paid by the County, and Mr. Simonitch confirmed it is not the Town paying for it, as long as Caltrans determines it is necessary for the construction of the property.

Council Member Kuhl clarified that the plans are intended to outline what is generally necessary to construct the new bridge and the Council is being asked to approve moving forward with an 80% design of the project outlined in the documents.

Council Member Russell asked and confirmed that the closest resident is at 86 Sir Francis Drake when dismantling the bridge which will include standard construction activities and are not significant impacts. It is mainly the directional drilling portions and the potential for pile driving that are within that 25 feet, and there are sound mitigation measures proposed which are identified in the environmental documents.

Mayor Brekhus announced that all members of the Council visited the Crane property at 86 Sir Francis Drake Boulevard.

Mr. Simonitch concluded his presentation with mention of supplemental correspondence that was received as a matter of public record. The owner of 74 Sir Francis Drake (Ryan) provided corrections to the elevation information of his property mentioned in the staff report, and supplemental correspondence as comments on the Mitigated Negative Declaration from 86 Sir Francis Drake (Crane) and 78 Sir Francis Drake (Hobart) that were received during the 30 day review period and were forwarded to Town Council prior to this hearing.

Mayor Pro Tempore McMillan confirmed with staff that pile driving is the more onerous process relating to the cause of vibration. Mr. Simonitch added that once more geotechnical information is received they will propose which method will be used, with the pricing set.

Mayor Pro Tempore McMillan asked and confirmed with Mr. Simonitch, and Mr. Stock concurred, that there is no hydrological impact from the project as a stand-alone project, notwithstanding the San Anselmo flood risk reduction project wherein mitigation measures have been addressed in that EIR.

Council Member Robbins inquired as to hydrologic capacity and she confirmed that raising the bridge deck increases hydrologic capacity so water is able to pass through easier instead of backing up and flooding upstream properties, but no additional water will be introduced so the project will not cause increases in water downstream.

Council Member Robbins asked if there was a hydrologist present.

Liz Lewis, Marin County Flood Control District, spoke about the benefits to the 635 Ross Valley parcels with the San Anselmo project. The EIR identified 18 or 19 parcels downstream that were potentially impacted and identified some significant and unavoidable impacts because the parcels are privately owned and mitigation measures address how those properties will receive

flood mitigation measures as a result of this work. Additional work has been done since the EIR's certification to focus on exactly what needs to be done and where. Now, two properties at 20 Winship and 78 Sir Francis Drake will receive flood mitigation measures as outlined in the memo dated February 19, 2020.

Council Member Robbins asked if there were more properties in Ross adversely affected by the San Anselmo project.

Ms. Lewis said the EIR focused on the 25 year flow event and determined that with the project there will be an increase in water service elevation such that it will get above the first finished floor elevation for whatever that habitable structure is. They looked at the water service elevation during an existing 25 year flow event and then with the project. The 25 year flow event was the trigger so if there was new inundation that the modeling showed there would be water above that first finished floor with the project, and this is how those shaded properties were identified. She then pointed to a column which outlines the type of mitigation proposed.

Mayor Brekhus asked and confirmed with Ms. Lewis that the District looked at finished floor elevations and not crawl spaces, and this is what was certified as part of the EIR.

Mr. Chinn asked staff to summarize Figure 10-B.

Mr. Simonitch presented Figure 10-B and explained the conditions with the Winship project without the San Anselmo Flood Risk Reduction Project. With the Winship project alone there is benefit to upstream properties. Downstream of the bridge there is no change along the channel and several locations along the westerly side of the channel are reduced. There are other scenarios they could look at if both projects are done.

Mayor Brekhus asked and Mr. Simonitch explained that "foreseeable projects" include the Sunny Side Detention Basin, Building Bridge #2 complete removal, bridge replacement at Azalea, Tacoma, Madrone, Center Avenue, the Winship Bridge, and unit four measures 1 through 3.

Mayor Brekhus asked for the approval status of these projects, and Ms. Lewis replied all of these projects have dedicated funding, are in different levels of design and were considered as projects for CEQA purposes in considering cumulative analysis for hydrology and hydraulics. This does not necessarily mean they have been approved by the District and Board of Supervisors, but there is enough information known about the design to allow that information to be entered and analyzed as part of the hydraulic modeling exercise.

Mayor Brekhus recognized that for CEQA purposes they have to identify these, and what they have approval of is the San Anselmo project and Winship, if this one gets approved. She asked if there was a slide showing impacts for just those two projects.

Ms. Lewis said there is a slide showing the impacts of the two but would defer to Mr. Simonitch in terms of what is there for the ISMND.

Mr. Simonitch clarified that the detail they are showing for the ISMND are all projects of Ross Valley and the Winship Bridge project—not just the Winship Bridge and San Anselmo project.

James Riley, Stetson Engineers, stated they performed the hydraulic analysis and did not just analyze the San Anselmo and Winship Bridge projects. If done alone, they would show lesser effects along Creekside properties than the analysis seen here with all of the foreseeable because some of those foreseeable are due to replacement of others in downtown San Anselmo.

Another issue brought up regarding the effect of the bridge downstream. Mr. Riley explained while increasing capacity, its purpose is to divert less water into the flood plain. Downstream where Ross Creek joins San Anselmo Creek, whether or not there is more water in the channel up stream and less water in the flood plain or vice versa, they both join together downstream so there is no effect beyond Ross Creek. The rise does not cross the threshold of significance except for three properties.

Council Member Robbins thought the water that would have spread out in San Anselmo would now spread out in Ross, affecting the creek's fish ladder here.

Mr. Riley stated again, the water all pinches together and all water that comes from San Anselmo in the channel or flood plain comes back together again near Ross Creek so the fish ladder will not see any difference. There is no effect, but there still will be flooding there in a large flood.

Council Member Robbins asked if the County Supervisors who determined that “significance” level as the first finished floor could determine something different, and Mr. Riley deferred this question to the Board of Supervisors.

Mayor Brekhus referred to the red areas on the map on 7-C which are properties affected and there are the ones with the number 1. Mr. Simonitch explained 7-C are with the foreseeable projects and they do not incorporate the bridge project.

Mayor Brekhus stated the number 1 is not in red and she asked why this is.

Mr. Riley explained the black ones are 0” to 1” increases and they were put in red because there are not many of those and he explained the value spread and color translator.

Council Member Kuhl suggested focusing on information of what happens with the Winship Bridge project.

Mayor Pro Tempore McMillan said some people have mentioned that repair might be better than replacement. She asked if this was viable and what cost would the Town pay given the work that has already been done.

Mr. Simonitch said they would have to take pieces of the bridge to determine what it is made of. They would have to enter into a new consultant contract and pay back Caltrans  $\pm$ \$300,000 which reflect the monies expended to date to replace the bridge.

Council Member Kuhl and Mayor Brekhus asked and confirmed with Mr. Chinn that the Council adopted Resolution No. 2006 on May 11, 2017 directing the design consultant team and staff to proceed with completion of project tasks necessary for the replacement of the Winship Bridge along the existing roadway alignment parallel with the existing right-of-way, including demonstrating compliance with CEQA guidelines.

At that time, one of the reasons they were told not to pursue rehabilitating the bridge was because of the bridge's ranking system of the State inspecting the bridge which ranges from zero to 10 and this bridge was a 4 in that ranking. They were also told that if the bridge went down to a 3, the State could require the Town to rebuild the bridge.

Mayor Brekhus asked and confirmed with Mr. Chinn that the Council discussed the replacement and the Council chose to replace the bridge and not to repair it.

Mayor Pro Tempore McMillan said she did not think the replacement of the Winship Bridge would exacerbate any flood issues downstream and the flood issues are going to occur because of the San Anselmo work already going on and approved by the County Supervisors. She asked what the Town's exposure is to flooding based on replacing the Winship Bridge.

Town Attorney Stock said there is a lot of case law around what is 'reasonableness' and what is 'substantial cause' but there is liability in either scenario and it is the Town's liability because the bridge is a Town project.

Mayor Brekhus thought one possible policy choice is to say they will pursue this on the condition they get Flood District indemnity for the Town of Ross to protect the Town.

Council Member Kuhl said one factor when defending a claim as to determining whether the Council did something reasonable could be the fact the bridge was a 4. If it got down to a 3 they would have to replace it anyway, and Mr. Stock concurred.

Mayor Brekhus opened the public comment period.

Frank Malin, 6 Fernhill, spoke about Town and County's money and efforts to mitigate flooding since the 2005 flood disaster and this bridge project becomes an integral part of a group of steps along the creek to keep more water in and not out. He asked for approval of the project and then asked to move the fish ladder to push flooding farther down.

Jennifer Mota, 82 Sir Francis Drake Boulevard, voiced concern over noise during construction given the proximity of her residence. She believes the San Anselmo project will raise water levels and water will be in her crawl space as well as other properties, with no mitigation provided and approving this project without a model run is irresponsible.

William Nicholson, 19 Garden Road, asked the Council to think about access and egress from Winship Park when the bridge is no longer there especially for emergency situations. He

recommended the Council work with San Anselmo to remove the ability for vehicles to park on both sides of Barber Street and lastly asked that the message board taken down 5 years ago be reinstalled.

Samantha Hobart, 78 Sir Francis Drake Boulevard, cited incorrect noticing information, questioned why the Winship project must start now and not in conjunction with the San Anselmo flood risk project, spoke of FEMA guidelines and did not see evaluation of any level or measurement of risk for either project.

Doug Ryan, 74 Sir Francis Drake Boulevard, said he was told by the Flood Advisory Committee three years ago that any mitigation would not be his responsibility. Subsequently, Supervisor Rice visited his house but has not responded to any of his emails. He voiced concerns with incorrect flood measurements of his property, inaccurate water modeling and impacts to his house, and cited several errors in dates which do not serve as proper notice.

John Crane, 86 Sir Francis Drake Boulevard, voiced concerns with flooding and significant damage to all aspects of his house. Construction of a new bridge will raise waters 4" and flood his home. His back door is 11 feet from the bridge and not 25 to 30 feet as erroneously stated in the ISMND and he will be unable to live in his house during construction. He asked to factor this into the budget, reconsider the project, explore alternatives to revise the ISMND, and add more mitigation measures.

Chris Martin, Flood Zone 9 Advisory Board member, spoke of a similar Lagunitas Bridge project in 2008 when he was on the Town Council. Like the Winship Bridge, it was seismically unsafe and the way it handled water was inadequate because of a bottleneck where water would spill over to Sylvan Lane. Over the past few years, the bridge has handled water far better than in the past with no flood events at Sylvan Lane. The San Anselmo Flood project will significantly reduce flooding and will be the most beneficial project Ross Valley has had in 50 years, and he asked the Council to adopt the resolution.

Mayor Brekhus said when the Council approved the replacement of the Lagunitas Bridge she asked if it showed any properties taking on increase of water as a result.

Mr. Martin said he did not know if they had modeling in those days. They looked at how much water passed through the bridge and the blockage that created flooding was considered.

Mr. Simonitch referred to the rehabilitation versus replacement and explained in May 2017 he was working closely with Quincy Engineering and they wanted to ensure they had the correct facts. Quincy Engineering contacted Caltrans and asked what the prospects were of doing a rehabilitation of the bridge using highway bridge program funding which is included in the minutes. Caltrans said it was highly unlikely given the tight economic and funding for rehabilitation. Also, Caltrans had grant funding for replacement but no longer allowed grant applications for bridge rehabilitation.

Additionally, they could not have gone out and obtained construction bids for rehabilitating the bridge. They would also need to take apart the bridge deck and arches to determine what the bridge was made of which would be a significant cost. They have gone over every angle and aspect of the infeasibility of rehabilitating the bridge and this discussion has carried through over time. At this point, they would have to give back the \$300,000 to Caltrans spent on getting to this level and forfeit the rehabilitation.

Mayor Brekhus asked and confirmed with Mr. Simonich that this information was in a presentation from the 2017 Council meeting and there was a paragraph stating Caltrans was not likely to fund any rehabilitation; however, he did not remember talking about return of funds but this is typical of any grant program.

Council Member Russell asked how likely 86 Sir Francis Drake would be damaged.

Mr. Simonich spoke of a similar boring jack sewer project done by Ross Valley Sanitation District and this never got above the point of vibration levels, with no damage to structures. If a contractor damages the deck and it falls on the property the contract documents outline that the contractor is responsible for repairing the property back to as is or better condition.

Mayor Brekhus commented that she saw how close the house is to the bridge and asked again if the contractor would take on liability if the residence was damaged.

Mr. Stock said the City of Calistoga had the exact same project and the City made sure the construction documents were clear about the house and any damages. Ultimately, the homeowner has an option to file a claim with the Town and the contractor would be the one to make the homeowner whole from any damages caused.

Mayor Brekhus asked and confirmed that in the opposite case where the Town might cause damage to the contractor, the Town's insurance would cover that, given any deductibles.

Mr. Chinn added that when the Town settled a claim over Town liability in 2005 flooding for not taking flood protection efforts, the insurance paid most if not all of the claim in the settlement.

Council Member Robbins commented that the homeowner would have to have careful documentation and photographs of everything in order to show there was damage, and Mr. Stock stated the City of Calistoga required a contractor to photograph and measure everything before the start of the project.

Council Member Robbins agreed that documentation is important along with relaying to homeowners what to do in the case of damage. She also did not believe it was unreasonable for the County to be asked to take on some responsibility and suggested this be part of the resolution.

Council Member Russell said it is very unlikely County will agree with this; however, this is not to say the Town cannot ask.

Mayor Brekhus commented that residents are paying taxes which fund the Flood Control District and this is a flood control project. The Town is relying on the District in terms of their modeling, expertise, and flood improvements are needed. Her vote will be based upon the condition for an indemnity clause, as Ross residents would have to bear the burden.

Council Member Kuhl cited the importance of the bridge getting replaced for flood relief and while he felt bad for Mr. Crane, he voiced support of the project moving forward.

Mayor Brekhus suggested the Town be prudent with funds, said many questions have not been answered in the EIR, did not support taking on unlimited liability and thinks the District should indemnify the Town. If they refuse, the Council can discuss the matter further.

Mayor Pro Tempore McMillan asked if the Council could rely on the facts which show the bridge is not making the flood situation worse, given it is the San Anselmo project that will exacerbate any flooding.

Mr. Stock restated the recommendation before the Council and said the drawings must be approved before going out for bid. He suggested the Council direct staff to seek indemnity from the District and then return when the bid set of plans are before the Council. If they do not have indemnity at that time, the Council can decide whether or not to approve the plans.

Mayor Brekhus said at that point in time the Town could owe a lot more because they will have spent a lot to have the plans to 80% and recommended discussing the indemnity now.

Council Member Robbins commented that indemnifying the Town is not a new idea, stating the Town spoke about it for the Corte Madera Creek project; however, Council Member Kuhl noted that was the County's project and the Winship Bridge is the Town's project.

Mayor Pro Tempore McMillan cited concerns with impacts to the Mr. Crane's house and egress and ingress out of Winship Park and construction staging blocking the driveway of 20 Winship and access to this house which needs to be configured in the construction management documents.

Council Member Kuhl made a motion to adopt the resolution. Council Member Robbins asked for an amendment to the resolution to request the County indemnify the Town or unexpected flood damages.

Council Member Kuhl did not accept the amendment and the motion failed.

Council Member Robbins suggested adopting the resolution and including a request to ask the County for indemnification.

**Council Member Kuhl made a motion and Council Member Russell seconded, to adopt Resolution No. 2147. Motion failed by the following vote: (2-3): Ayes: Kuhl, Russell; Noes: McMillan, Robbins, Brekhus.**

**Council Member Robbins moved and Mayor Pro Tempore McMillan seconded, to adopt Resolution No. 2147, as amended, to include a request to ask the County to indemnify the Town of Ross for unexpected flooding in the future. Motion carried by the following roll call vote (3-2): Ayes: Robbins, Russell and McMillan; Noes: Kuhl and Brekhus.**

**BREAK**

Mayor Brekhus called for a brief break at 8:30 p.m. and, thereafter, reconvened the regular meeting.

**12. Discussion of Five-Year Financial Forecast and upcoming budget.**

Town Manager Chinn gave an overview of the five-year financial forecast and upcoming budget as contained in the staff report. He described the Town's goals, reasons to forecast, identifying surpluses and deficits, determining the ability to fund alternative programs and services in the short-term and long-term, and reducing long-term CalPERS costs and future pension obligations. Staff is projecting an \$8.0 million budget with a \$435,000 surplus. Over time, revenues are growing slower than expenses but over 5 years the Town can still maintain current service levels.

Council Member Russell cited the current financial market and questioned the existence of impacts on the Town's budget with investment earnings.

Mr. Chinn stated a slight recession would not greatly affect the Town given the Town's reliance on property taxes versus sales taxes and hotel/motel taxes which are much more volatile in a recession than property taxes which have a couple year lag in market impact until they change. The Town has two years to adjust to any significant impact in property taxes and has a variety of funding cushions. Therefore, he would first reduce expenses if there was a severe disaster or recession. He stated the Town is likely to have small surpluses to help fund capital and one-time expenses and staff recommends increasing the transfer of \$400,000 next year to something higher which will come to the Council on April 23<sup>rd</sup>. With a recession, the Town could lower the amount available for the transfer for future capital facilities or lower the additional \$200,000 to pension funding above what is required.

Regarding employee retiree health care costs, one of the Town's trusts is over-funded and they have zero costs, so they have an asset versus a liability in this case. Staff has discussed developing a capital facilities and funding plan and will return in the next few months to discuss options for a police and fire station.

Mr. Chinn then discussed the budget schedule and the Town's future plans to implement certain policy programs, disaster preparation programs, master plans and projects, workforce housing review, age-friendly programs, additional community events, added recreation programs and camps, participation in County flood protection plan and creek restoration, and undergrounding districts.

Mayor Pro Tempore McMillan asked and confirmed with Mr. Simonitch that the best location for EV charging stations would be the Post Office parking lot versus Ross Common.

Mayor Brekhus opened the public comment period, and there were no speakers.

**13. Town Council designation of Council representative to the Marin Wildfire Prevention Authority Board of Directors.**

Town Manager Chinn briefly described the composition of the JPA and said a member is needed from the Ross Council for the Board of Directors.

Mayor Pro Tempore McMillan said she would like to be designated as representative because of her work with the MCCMC Disaster Preparedness Committee since 2018.

Mayor Brekhus opened the public comment period, and there were no speakers.

**Council Member Kuhl moved and Council Member Robbins seconded, to designate Mayor Pro Tempore McMillan to the Marin Wildfire Prevention Authority Board of Directors. Motion carried unanimously (5-0).**

**End of Administrative Agenda.**

**14. Action Items:**

- a. **Council correspondence:** None
- b. **Future Council items:** None

Council Member Russell thanked Council Members for their support during his term and said it has been fun and an honor to serve.

**15. Adjournment.**

Mayor Brekhus moved to adjourn the meeting at 9:03 p.m.

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Elizabeth Brekhus, Mayor

**ATTEST:**

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Linda Lopez, Town Clerk