

**REGULAR MEETING of the ROSS TOWN COUNCIL**  
**THURSDAY, AUGUST 8, 2024**

*Held In-Person and Teleconference via Zoom*

*Mayor Kircher participated from his home, 24 El Camino Bueno, Ross, CA*

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

Mayor Bill Kircher, Jr. (participated via teleconference); Mayor Pro Tem Julie McMillan; Council Members Teri Dowling; Elizabeth Robbins; Mathew Salter; Town Manager Christa Johnson; Town Attorney Ben Stock.

**2. Posting of agenda/changes to agenda.**

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

Mayor Pro Tem McMillan said Item 7e. will be moved to follow the Consent Agenda and Item 8 will be continued to the Council's September 12<sup>th</sup> meeting. There were no other changes to the agenda.

**3. Open Time for Public Expression.**

None.

**4. Mayor's Report.**

None.

**5. Council Committee & Liaison Reports.**

Council Member Dowling reported on the July 25<sup>th</sup> TAM meeting, noting she was joined by Council Member Salter, Alternate. The first 2 hours consisted of a workshop to help establish a Countywide Transportation Plan. The second two hours was the monthly business meeting. There was an informational presentation on the Sonoma-Marín Area Rail Transit and an update on the Mobility Hubs Planning Grant. Key takeaways were, SMART has fully restored weekday service levels, expanded weekend service, implemented free field trips for K-12 students, begun free pilot program (April 1<sup>st</sup>) for youth and older adults and launched a micro transit pilot project at the Larkspur Station.

Council Member Salter reported meeting with the CEO of Marin Clean Energy (MCE) and receiving an update on Ross's participation whereby the Town has about 80% of residents as users of the utility. He invited them to have a table at the next Live on the Common.

Mayor Pro Tem McMillan reminded everyone of the meeting with Executive Officer Mark Brown of the Marin Wildfire Prevention Authority and Kathleen Cutter who leads the Defensible Space inspections, along with the Barber Winship Firewise neighborhood group and the Bald Hill Firewise Community on September 18<sup>th</sup> from 5:00 p.m. to 7:00 p.m. at the Marin Art

and Garden Center. They will also have vendors with Vulcan Vents, gutter guards, Fire Safe Marin, and an insurance agent so residents can speak to people who get work done. An article will also be included in the Morning After and promotion of the event will start on September 3<sup>rd</sup>.

**6. Staff & Community Reports.**

**a. Town Manager**

Town Manager Johnson gave the following report:

I'd like to introduce our new college intern, Charlotte Deforrest. Charlotte is a rising junior at UCLA and is working full time for the Town during the month of August. She is mainly working on planning dept items, specifically housing element implementation. It's fun having her around Town Hall and we are appreciative of the work she is doing.

We plan to continue our internship program and are currently recruiting for a part time intern to continue assisting with implementation of the housing element's action items and other projects. The recruitment information is posted on the Town's website and has been sent out far and wide to colleges in the region.

You may have noticed the lovely fence that the Dodge Family built along the Ross Common via an encroachment permit at no cost to the Town. It replaces a chain link fence that the Town installed there many years ago. The property owner matched the fence to the Town's fence by 6 Redwood. The Dodge family has agreed to maintain the fence in perpetuity.

In other Ross Common news, the shed that was recently approved by the Town Council was installed two days ago. It looks great and blends in with the surrounding foliage. And you may have noticed that a small parklet was installed by Public Works staff to the left of the Post Office. It is a small area consisting of decomposed granite and an age-friendly bench installed on the small concrete pad facing the lawn. This project is part of the 2021 Council adopted Common landscaping plan.

Fire season has come on strong. We continue to find cars parked illegally on roads that may prevent access by emergency vehicles. The Ross municipal code requires there to be 12 feet of unobstructed roadway at all times to allow access by emergency vehicles. Five signs reminding drivers of this requirement were recently installed at five locations. During the month of August Police officers will provide warnings to violators. This will soon transition into enforcement.

The 3<sup>rd</sup> annual wildfire prevention festival called Ember Stomp will be held on Saturday, Sept 7, 11am to 5pm at the Marin Civic Center. Admission is free.

And lastly, school is starting up this month. Ross School begins on August 20<sup>th</sup> and Branson begins on August 26<sup>th</sup>. Both schools have various teacher training, orientations, etc. that begin before the first day of school.

**b. Ross Property Owners Association**

Diane Doodha gave the RPOA report, stating two projects are under consideration. One is a plan to refresh the flowers around the Post Office and the second project relates to the Ross Common grass field areas that require upgrading, both of which she described. Council Member Salter asked and confirmed the next Live on the Common will be September 6<sup>th</sup> and thereafter, October 18<sup>th</sup>.

**7. Consent Agenda**

The following items will be considered in a single motion, unless removed from the Consent Agenda.

Mayor Pro Tem McMillan removed Item 7e. and asked that it be moved to the Administrative Agenda. Also removed was Item 7h. by Council Member Robbins. There were no public requests or public comments.

**Council Member Robbins moved and Council Member Dowling seconded, to approve Consent Calendar Items a, b, c, d, f, and g. Motion carried unanimously (5-0).**

- a. Minutes: Regular Meeting, July 11, 2024**
- b. Demands for July 2024.**
- c. Town Council to approve and authorize the Town Manager to execute the Amended and Restated Joint Exercise of Powers Agreement for the Marin Wildfire Prevention Authority.**
- d. Town Council to approve the Town of Ross response to the Marin County Civil Grand Jury Report entitled “*Cyber Preparedness: Are we there yet?*” and authorize the Mayor to sign the response form.**
- f. Town Council to accept the Investment Report for the twelve-month period ended June 30, 2024.**
- g. Town Council to:**
  - 1. Authorize the Town Manager, or her designee, to purchase one 2025 Ford Police Hybrid Interceptor utility vehicle from Folsom Lake Ford, for a cost not-to-exceed \$60,000.**
  - 2. Authorize the Town Manager, or her designee, to purchase, install and cover labor costs related to emergency equipment necessary to convert the 2025 Ford Police Hybrid Interceptor utility vehicle from Priority 1, Public Safety Upfitting Company for a cost not to exceed \$25,000.**

Removed From Consent:

- h. Town Council to authorize the Town Manager to execute a Professional Services Agreement with Moe Engineering Inc. in the amount of \$58,388 for Civil Engineering services related to the Allen Avenue widening project and provide a 10% contingency of \$5,840 for unforeseen changes in scope.**

Council Member Robbins said the Town had not considered the project until it was brought to the Town's attention at the April 25<sup>th</sup> budget workshop that there is a safety problem on Allen Avenue where people bike and walk on Allen Avenue with no sidewalk. The proposal made by neighbors was to install a curb which may or may not mean parking is allowed and there are likely 14 spaces along the street, so she asked to be careful to address the safety issue but not automatically remove the ability for the 14 parking spaces. She suggested possibly a wider street and because kids bike more than they walk, to install a bike lane and not a curb.

Also, there are 16 homes along the street, and she recommended restricting parents dropping off kids on the street.

Public Works Director Rich Simonitch responded that staff is looking at the project on a phased approach. The consultant has structured his proposal to do a bit of surveying to identify the right-of-way where he believes there could be opportunity for pavement widening. They want to arrive at a couple of alternatives, and this would be brought back to the Council, along with public outreach, and make a decision at that time as to whether or not they go to final engineering.

Council Member Robbins asked to consider the fence put up by the school, and suggested the school might be willing to move the fence back a bit and provide some space for road widening, and Mr. Simonitch agreed. Staff will need to determine whether this right-of-way area as well as right-of-way on the other side can be used. He said he was not a proponent of installing a curb similar to Laurel Grove and staff will come up with alternatives and present them to the Council in a few months.

Council Member Salter asked, and Mr. Simonitch explained the process when selecting a vendor and Moe Engineering's background.

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

**Council Member Robbins moved and Council Member Dowling seconded, to approve Consent Calendar Item h. Motion carried unanimously (5-0).**

**End of Consent Agenda.**

**There are no Public Hearings on Planning Projects – Part 1.**

## Administrative Agenda

### **8. Ross Recreation Update. (Borthwick)**

This item was continued to the September 12, 2024 Town Council meeting.

### **7e. Town Council to adopt Resolution No. 2432 approving the Town of Ross Annex for inclusion into the 2023 Marin County Multi-Jurisdictional Local Hazard Mitigation Plan. (Item moved from the consent agenda.)**

Public Works Director Rich Simonitch gave the staff report and recommendation for the Town Council to adopt Resolution No. 2432 approving the Town of Ross Annex for inclusion into the 2023 Marin County Multi-Jurisdictional Local Hazard Mitigation Plan.

He gave a brief PowerPoint presentation on the description of the planning process, hazard and climate related data and how staff will be utilizing the data, hazard identification and risk assessment developed during the planning process, mitigation strategies and goals, and the plan adoption, monitoring, and evaluation process.

Council Member Salter referred to atmospheric river events, and he asked, and Mr. Simonitch provided an overview of how Marin Fire monitors this to ensure the Town is safe.

Mayor Kircher referred to the table and contribution of climate change to wildfire which is considered moderate. He attended an event the MWPA put on where the warming climate is resulting in a longer dry season and a shorter wet season. The longer dry season, compounded by winds in the fall, has vastly increased fire danger and fire behaviors they have not yet seen. So, he believes climate change is not just moderate but possibly more severe.

Mr. Simonitch said in considering all aspects, cities have been at risk for many years with wildfires and it may have increased a bit, but flooding, atmospheric rivers, and the frequency of high intensity storms is more influenced by climate change than the occurrence of wildfires. It is a subjective view, and he would have no problem increasing the medium climate change influence for wildfires up to high, given there is a good argument for that.

Mayor Pro Tem McMillan agreed with Mayor Kircher that it should be changed to high. The program he referred to is Daniel Swain who has a Ph.D. from Stanford on climate change issues. His talk revealed that atmospheric rivers will be worse as well as wildfires. His presentation is available on the MWPA website. It is largely due to the heat drying out the fuel, and atmospheric rivers produce tons more fuel, coupled with the heat and fire suppression.

Mr. Simonitch agreed to bring back changes to the plan in the future, noting that the plan is a living document. FEMA's review was approved in July 2024 and the plan is being brought to all member agencies for adoption of their own annex and community profiles into the comprehensive Marin Multi-Jurisdiction Local Hazard Mitigation Plan. He then described work

and events to be undertaken with the Marin County Fire and the Office of Emergency Management, and Town staff's work on priority programs and integrating policies and possible future ordinance changes into planning documents.

Mr. Simonitch then introduced Steven Torrence, Director of Emergency Management, County of Marin County, stating the Office of Emergency Management was instrumental in providing most of this information and compiling information in the plan.

Steven Torrence, Director of Emergency Management for Mairn County, stressed this document was not easy to put together and Marin County was one of the first counties in the U.S. to approach FEMA with a multi-jurisdictional document. In December 2023, FEMA changed all rules, and climate change was a new requirement of the plan, as well as community outreach and equity items. This is a living document, and they consistently monitor data. The working groups can provide updates as needed based upon new data and teachings from events. They have taken steps to bring in all cities and special districts to be included in the multi-jurisdictional plan and this allows for the most mitigation dollars through grants to come into the county.

Council Member Salter asked how there are checks and balances to ensure everyone is doing their part to ensure mitigations are put in place. Mr. Torrence said they support all jurisdictions and if a multi-jurisdictional project is being proposed, the scope of work details responsibilities, authorities, and duties for each partner agency. As funding comes in, the County can be the fiscal agent to be able to fund the projects and track all follow-up and closure of projects.

Mayor Pro Tem McMillan opened the public comment period, and there were no speakers.

**Council Member Dowling moved and Council Member Robbins seconded, to approve Consent Calendar Item e. Motion carried unanimously (5-0).**

**End of Administrative Agenda.**

**There are no Public Hearings on Planning Projects – Part 2.**

**9. No Action Items: (Mayor)**

**a. Council Correspondence – None.**

**b. Future Council Items – Council Member Robbins recommended an item regarding the Ross Valley Fire Station Lease. There was no second. Mayor Pro Tem McMillan said she would support this item once the Town Council receives the Standards of Coverage Assessment report.**

Town Manager Johnson stated the Town Council will need to discuss the lease with the Paramedic Authority which ends September 30<sup>th</sup>. She will work with the Town Attorney and determine whether the item will be scheduled for Closed Session or the regular agenda.

Council Member Salter asked if the Council could recognize community members they believe are contributing to the Town. Mayor Pro Tem McMillan stated there is a provision in the code that allows the Council to do this. The most recent person recognized was Robert Smithton for picking up trash twice daily in the Town, and she welcomed continuation of this. Town Attorney Ben Stock said this is in the Town's procedures under Section 5.

Mayor Pro Tem McMillan adjourned the meeting at 7:06 p.m.

Council Member Salter stated a member of the public has a comment and asked if they could speak. Town Attorney Stock said Mayor Pro Tem McMillan can re-open the meeting and take public comments.

Mayor Pro Tem McMillan reopened the meeting.

Public Comments:

Patrick McGregor, 35 Poplar, said he is a retired Navy Captain, and he voiced concerns with kids setting off an explosion when he was walking his dog near the Post Office. He explained that as he walked down towards the pizza place, a new black car pulled up and three young men got out and they set up something which exploded. He spoke with neighbors who were also afraid and out on the street. Police came by who were indifferent to the situation, and nothing was done. He cited additional issues of young Ross residents speeding on e-bikes near Allen Park behind him and throughout the town.

**10. Adjournment.**

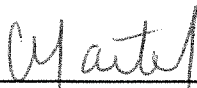
The meeting adjourned at 7:15 p.m.



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C. William Kircher, Jr., Mayor

**ATTEST:**



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Cyndie Martel, Town Clerk

