

**REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, AUGUST 9, 2018**

1. 4:45 p.m. Commencement.

Mayor Beach Kuhl; Mayor Pro Tempore Elizabeth Brekhus; Council Member Julie McMillan; Council Member Elizabeth Robbins; and Council Member Rupert Russell.

2. Posting of agenda.

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

3. Open time for matters pertaining to the closed session item in agenda item 4 - None

4. Closed Session.

Public Employee Appointment

Title: Town Attorney

5. 6:00 p.m. Open Session. Council will return to open session and announce actions taken, if any. No reportable action. Closed session will continue after open session.

Attorney Trisha Ortiz joined the Town Council meeting attending for Greg Stepanicich.

6. Minutes - July

Mayor Kuhl asked for a motion.

Council Member Robbins moved and Mayor Pro Tempore Brekhus seconded, to approve the Meeting Minutes of July 12, 2018 as amended. Motion carried 4-0. (Russell recused)

7. Demands.

The demands were met.

8. Open Time for Public Expression - None

9. Mayor's Report.

Mayor Kuhl reported that August is usually a slow month in Ross, with many families grabbing a last few days of vacation before school starts again (*August 22*) and indeed the streets don't seem very busy. But actually, there's quite a bit going on. A sewer district contractor is finishing up replacement of large sewer pipes on Lagunitas Road near Ross school. Similar replacements on Shady Lane and Bolinas Avenue have been postponed for ten to twelve weeks awaiting arrival of more pipe. Sealing of various streets has been completed and repaving of Wellington Avenue and Fallen Leaf as well as rebuilding of sidewalks along Wellington Avenue are underway. Samples of new LED streetlights proposed by PG&E to replace the outdated mixture of incandescent and high-pressure sodium lights currently providing us illumination throughout the Town have been installed on Ross Common and in the Winship area. Please let us know if you have comments on their effectiveness.

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Throughout Town, PG&E's contractor is busy trimming trees away from power lines. Because of concerns raised by recent wildfires, more extensive cutting is being done to establish greater clearances based on new clearance standards from the California Public Utilities Commission (CPUC). The Ross Recreation staff is busy preparing for a movie night on Ross Common on Friday, August 17th and for the Town dinner at the same location on September 28th. Save the dates. The Town Council will be taking action at their monthly meeting on amendments to their social host regulations, bicycle and pedestrian plan, and wireless telecommunications facilities regulations.

10. Council Committee & Liaison Reports.

Council Member McMillan announced that on October 1st there will be a "Fire in Marin" class from 7-9pm at St. John's. Residents must sign up in advance to participate. From the Homelessness Committee, there will be a screening of a movie at the Rafael Theater in San Rafael, Thursday at 7pm September 20th. The movie is about how mental illness affects homelessness.

Council Member Robbins discussed Marin Telecommunications Agency and one topic from the last meeting was legislation that allowed infrastructure for telecommunications to be placed on Town property without Town input, called "The Streamlined Act."

11. Staff & Community Reports.

a. Town Manager – No report

b. Ross Recreation

Recreation Manager Mike Armstrong provided a slideshow to the Council on all the activities and programs held at Ross Recreation. The Ross Recreation Summer program will end next week with a middle school girls basketball clinic scheduled for August 13, 14 and 15. Caren Horstmeyer, former Cal women's coach, returns to lead the clinic, which emphasizes basketball skills through drills and games. One of their main camps this summer is Top Gun, which conducts a wide range of sports activities and has weekly field trips to sports venues. During the last week of camp, Top Gun campers attended an Oakland A's game where the A's were victorious over the Toronto Blue Jays. Registration is currently ongoing for the Ross Recreation soccer program. Ross Recreation Fall Program registration for after school programs at Bacich and Ross Schools will open this week. Also, the annual Ross Town Dinner will be held on Friday, September 28th on the Ross Common.

c. Ross Property Owners Association – No report.

d. Ross Historical Society/Jose Moya Library

Fran Cappelletti, representing Ross Historical Society/Jose Moya Library, announced their annual meeting would occur on September 14th at 11am. They are hosting Tom Perry, long-time owner of Sunnyside Nursery. Lunch will follow the meeting.

12. Consent Agenda.

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

a. Town Council response to Marin County Grand Jury Report dated June 8, 2018 entitled "Yellow School Bus for Traffic Congestion Relief."

b. **Town Council acceptance of FY18 Q4 Investment Report.**

c. **Town Council selection of members to Town Council Committees and Town Representatives for FY 2018-19.**

Mayor Kuhl asked for a motion.

Council Member Robbins moved and Mayor Pro Tempore Brekhus seconded, to adopt Consent Agenda as submitted. Motion carried unanimously.

End of Consent Agenda.

13. Public Hearings on Planning Projects.

Public hearings are required for the following planning application. Staff anticipates that this item may be acted upon quickly with no oral staff report, Council discussion, or public comment. If discussion or public comment is requested, the Council may consider the item later in the agenda.

a. 7 Walters Road, Exceptions to Basements and Attics No. 2018-020 BAE, and Town Council consideration of adoption of Resolution No. 2065.

Kes and Laura Narbutas, 7 Walters Road, A. P. No. 072-222-02, R-1:B-A (Single Family Residence, One Acre min. lot size), Low Density (1-3 Units/Acre), Zone X (Outside 1-percent annual chance floodplain) The applicant is requesting an Exceptions to Basements and Attics to allow the conversion of 685 square feet of unfinished existing basement into improved habitable floor area. No modifications to the exterior are proposed.

Project Summary

Lot Area	23,827 sq. ft.	
Existing Floor Area/Ratio	3,735 sq. ft.	15.6% (15% FAR Permitted)
Proposed Floor Area/Ratio	4,420 sq. ft.	18.5%
Existing Lot Coverage	No Change	
Proposed Lot Coverage	No Change	
Existing Impervious Surfaces	No Change	
Proposed Impervious Surfaces	No Change	

Planning Manager Heidi Scoble summarized the staff report and recommended that the Council approve Resolution No. 2065 to allow the conversion of 685 square feet of uninhabitable floor area used for storage into improved habitable floor area at 7 Walters Road.

Mayor Kuhl opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council for action.

Mayor Kuhl asked for a motion.

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Mayor Pro Tempore Brekhus moved and Council Member McMillian seconded, to approve 7 Walters Road, Exceptions to Basements and Attics No. 2018-020 BAE, and adopt Resolution No. 2065. Motion carried unanimously.

End of Public Hearings on Planning Projects.

Administrative Agenda.

14. Discussion and Town Council consideration of the 2018 Update to the 2010 Town of Ross Bicycle and Pedestrian Master Plan.

Public Works Director Rich Simonitch summarized the staff report and recommended that the Council review and discuss the 2018 update to the 2010 Town of Ross Bicycle and Pedestrian Master Plan (*BPMP*) and provide staff with comments and direction for adopting the plan at a future meeting. Staff is looking for council feedback on the priority projects being presented, so that staff can pursue grant funding. The ultimate goal is that one out of every 5 trips made by a resident will be via walking or biking to the destination.

Steve Kinsey, Alta Planning & Design Consultant, provided a powerpoint presentation to the Council explaining the purpose and this serves as an appendix to the Town of Ross' Bicycle and Pedestrian Plan 2010 and provides an updated analysis of existing bicycling and walking conditions, discusses progress made towards the Town's goals, and re-evaluates the list of proposed projects to lend guidance for future bikeway and walkway improvements. It is a requirement by the state for the Town to have an updated plan in order to be eligible for outside funding. Consultant Kinsey stated the main goal of the plan is to focus on the local community and how to make walking and biking safer for residents as they go to and from school and the town center. Consultant Kinsey also noted the importance of providing bike parking in order to encourage people to bike more. The proposed network would close sidewalk gaps and address ADA-compliance issues. This plan also recommends that the Town continues to focus on intersection improvements as this is where the highest risk for pedestrians and bicycles exists. It is proposed that continuous sidewalk/walkway be added to Lagunitas Rd., a walkway be added to Laurel Grove Ave., and pavement markings be added to Shady Lane, Poplar Avenue/Ross Common, and Laurel Grove Avenue. There will be more emphasis for bicycles on Poplar and more emphasis for pedestrians on the creek path. A recreational walking loop is proposed through the creation of a yield roadway on Glenwood Avenue and a new walkway on Fernhill Avenue.

Public Works Director Simonitch stated that because funding opportunities are limited, the following projects are the Town's highest priorities over the next ten years in no particular order:

- Project L – New walkway on Fernhill Ave.
- Project B/C – New walkway and pavement markings on Laurel Grove Ave.
- Project G/H – Pavement markings on Ross Common/Poplar Ave./Shady Lane
- Project P – Sidewalk gap closures on Redwood Drive
- Project I – Sidewalk gap closures on Poplar Ave.

Mayor Kuhl asked staff how anything could be done on Glenwood since it is curvy, narrow, and uphill. Public Works Director Simonitch responded that Glenwood is a current loop used heavily by pedestrians. They must do a study to evaluate what could and could not be done. It would be more of shared right-of-way concept. Possibly add signage to understand that it is a shared route. Consultant Kinsey explained that there is no ability to change the character to provide full

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shoulders, so it is more about finding routing signage with some opportunity for vehicles entering the roadway to see clearly in both directions.

Council Member Robbins questioned which part of Glenwood they were talking about. Public Works Director Simonitch responded that the loop would be Lagunitas, Glenwood, Fernhill, Shady. Council Member Robbins stated that people walk through there all the time and it seems to work just fine, so why put money into that area of Glenwood. She felt Laurel Grove is a community priority. She stated Glenwood is used heavily and happily at this time.

Mayor Pro Tempore Brekhus noted confusion and asked the role of Alta Planning. Consultant Kinsey explained that Alta Planning was retained by the Town with funding from Transportation Authority of Marin to produce a plan, so they are consultants working on the plan.

Mayor Pro Tempore Brekhus is not a huge fan of public works signs. She felt it ruins the look of the community. She felt some of this was a solution in search of a problem. Ross has beautiful tree-lined streets with a lot of charm. She suggested looking at some of the gaps and consider other projects. For example, Winship Park residents complain about the crosswalk where cars are allowed to turn from Bolinas onto Sir Francis Drake in both directions. It is not clear to drivers that kids have a walk sign and that area must be improved. Many parents want a crossing guard. She agrees with the comments on Glenwood and thinks that Fernhill and maybe Lagunitas could be looked at. She is really confused about the gaps described at Shady Lane and further on. Most of Shady Lane residents would not want additional bicyclists. People are frustrated by the cyclists coming through town.

Council Member McMillan discussed the possibility of a sidewalk or better shoulder from Canyon down to Sir Francis Drake along Laurel Grove, as it is very dangerous. Vehicles travel at excessive speeds and that area should be a priority. Public Works Director Simonitch replied that they have been working on that area.

Council Member Russell did not worry too much on smaller streets. There is not a huge demand to change Fernhill. He would rather focus on the dangerous streets such as Sir Francis Drake and Laurel Grove. Council Member Robbins felt completing the sidewalk on Lagunitas going up to Phoenix Lake is important since parts of the roadway are dirt. Council Member Russell felt the dirt is charming and a path is not needed for bikes. Consultant Kinsey clarified that the pathway would be exclusively for pedestrians.

Council Member Robbins asked where the funding is coming from for these projects. Consultant Kinsey explained several sources. Bay Area Air Quality Management District has a transportation for clean air program where they fund a number of bicycle and pedestrian facilities. The State of California has an active transportation program that uses both federal and state funds, which was recently expanded. Those are two very strong programs. In addition, safe access to schools and sales tax dollars are used for those kinds of facilities. All of them require an 11% to 20% match from the local community. Council Member Robbins stated she didn't understand how the plan relates to council actions.

Public Works Director Simonitch explained that once the Council adopted a plan which identifies priority projects, then the Town can apply for grant funding. The adoption of the plan would be

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one of the steps of getting in line for grant funding. Tonight the Council just needs to figure out the top three or four main projects. Then staff will come back at a later date for adoption.

Mayor Kuhl restated that the council needed to give direction on the top three or four projects. Public Works Director Simonitch responded that it sounds like the projects are getting whittled down to three or four with Glenwood being taken off of the list and the Sir Francis Drake/Bolinas intersection being made a priority. He also stated the Laurel Grove extension to Canyon is important and will be a big ticket item as there would be grading and road widening involved.

Mayor Kuhl wanted more consideration to be given for an appropriate walkway to the entrance on Branson down to Norwood and maybe even further down Fernhill. Mayor Pro Tempore Brekhus agrees and is frustrated that Branson is not helping and feels there needs to be a discussion with them. She supported Lagunitas because it is not ADA-compliant. This item needs more understanding of the consequences. Canyon to Laurel Grove depending on cost they must know how many students that area would serve versus how many students Winship Park might serve. She feels rushed. Mayor Kuhl pointed out that they could make suggestions tonight, but there is a lot dependent on cost and further information about volume of pedestrians and bicyclists. His feeling is whatever they say tonight will be very preliminary and depend on several details such as volume and cost. Consultant Kinsey appreciated the input and it seems there is a strong sentiment that Glenwood does not need to be changed. Paved pedestrian pathway along Lagunitas and Laurel Grove, Canyon and Sir Francis Drake can be considered. This is a guidepost for opportunities if a grant program comes along, which is when the deeper consideration of cost and things of that nature will occur. Having projects on the list does not obligate the Council to follow through in any order or any particular time. Councilmember Robbins felt it was important that this would just be a list of opportunities and council would have the ability to approve or deny any project at a later date. Consultant Kinsey confirmed that nothing on the list would go forward without council review and public comment.

Councilmember Robbins top priorities would be: intersection of Sir Francis Drake/Bolinas; Lagunitas sidewalk; Laurel Grove/Canyon walkway; and walkway on Fernhill to Norwood.

Town manager Chinn asked if the other councilmembers agreed with Councilmember Robbins about the top priorities. He stated that none of the projects would be completely town funded and they would just look to the list if any grant opportunities came up that looked like a fit.

Council Member McMillian felt there could be a quick remedy for Bolinas/Sir Francis Drake by having a crossing guard at that location. That would be her highest priority to improve safety. Next would be Laurel Grove to Canyon walkway, third would be the Fernhill to Norwood walkway in conjunction with Branson, and last would be the pathway along Lagunitas. Councilmember Kuhl asked whether the Sir Francis Drake/Bolinas intersection was really just a matter of signal timing. Public Works Director Simonitch said it was not an easy solution as it would impact traffic on Sir Francis Drake. There would need to be signage and a crossing guard to warn drivers about pedestrians. He pointed out that the first step would be to hire a traffic consultant. Mayor Pro Tempore Brekhus stated before they hire a traffic consultant, a crossing guard should be considered. They must look at the cost of a crossing guard. She felt signage would not improve safety. The cheapest and easiest approach would be a crossing guard. Public Works Director Simonitch believed a crossing guard would cost around \$20k annually.

Mayor Kuhl opened the public hearing on this item.

Peter Nelson, Circle Drive resident, noted that trips to Branson are not included in the report. Parking and no parking is an element of a good roadway to improve visibility. In regard to Fernhill, a walkway would improve safety. Very appropriate to have a paved shoulder not a concrete path, just a paved shoulder and the cost was discussed not long ago and it was possibly \$22k total. It is very appropriate in terms of character of the road from Shady up to Glenwood, it seems to be comfortable and improving that shoulder might be most cost effective and safety effective. There are problems with traffic and visibility. In terms of priorities, Norwood to Branson is a priority.

Mayor Pro Tempore Brekhus desired a master plan with some fine-tuning of the requirements in regard to parking being eliminated, trees being removed, etc. Public Works Director Simonitch agreed that each item should have a pros and cons list that would be considered before a project is selected by Council for funding.

Council Member McMillan suggested that staff should work with Ross School superintendent on a short-term basis to explore steps to make Sir Francis Drake/Bolinas intersection safer. Town Manager Joe Chinn responded in the affirmative.

There being no further council comments or public testimony on this item, the Mayor moved onto the next agenda item.

15. Town Council consideration of introduction of Ordinance No. 692, an Ordinance of the Town of Ross amending Ross Municipal Code Title 18 (Zoning), by adding Chapter 18.55 Wireless Telecommunication Facilities, and amending Chapters 18.24, 18.29, and 18.40 regarding wireless telecommunication facilities.

Planning Manager Heidi Scoble summarized the staff report and recommended that the Council hold a public hearing and consider introduction and first reading of Ordinance No. 692 amending the Ross Municipal Code to add Chapter 18.55 establishing wireless telecommunication facilities regulations and amending Chapter 18.24, 18.29, and 18.40 of the Ross Municipal Code regarding wireless telecommunications facilities.

Council Member McMillan asked staff in regard to relocating, would the payment of relocation be made by the wireless telecommunication provider and not the Town. Planning Manager Scoble responded in the affirmative. Mayor Pro Tempore Brekhus asked staff if that is for existing. Planning Manger Scoble responded that it is for existing and proposed. The regulations would establish a benchmark to regulate so the Town would have the protection to identify and prioritize the location of these facilities as well as the design and aesthetics of the facilities. The Town has three facilities on Town Hall property. Two cellular sites located at 33 Sir Francis Drake and a pole located adjacent to the public works building at 35 Sir Francis Drake. These regulations identify where facilities may or may not be located and regulate the aesthetics of the facilities within the public right-of-way.

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Town Manager Joe Chinn explained there is the desire by cellular vendors to have small technology in the right-of-way in a tighter geographic location to the users. He further added that 4G is currently being pushed and in the next several years it will likely be 5G.

Mayor Kuhl opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council for action.

Mayor Kuhl asked for a motion.

Mayor Pro Tempore Brekhus moved and Council Member McMillian seconded, to waive further reading and introduce Ordinance No. 692. Motion carried unanimously.

- 16. Town Council consideration of introduction of Ordinance No. 693, an Ordinance of the Town of Ross amending Ross Municipal Code Title 9 (Peace, Safety and Morals), Chapter 9.60 to change the title to "Social Host Ordinance" and update the regulations governing Loud and Unruly Gatherings.**

Town Manager Joe Chinn summarized the staff report and recommended the Council waive the first reading and introduce Ordinance No. 693 to change the title to "*Social Host Ordinance*" and amending Chapter 9.60 to update the regulations regarding loud and unruly gatherings.

Mayor Kuhl opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council for action.

Mayor Kuhl asked for a motion.

Mayor Pro Tempore Brekhus moved and Council Member Robbins seconded, to waive further reading and introduce Ordinance No. 693. Motion carried unanimously.

- 17. Town Council consideration of introduction of Ordinance No. 694, an Ordinance of the Town of Ross amending Ross Municipal Code Title 2 (Administration & Personnel) by adding Chapter 2.38 "Purchasing" regarding the purchase of supplies, services, and equipment, and Chapter 2.40 "Public Projects" to provide informal bidding procedures for Public Projects under the Uniform Public Construction Cost Accounting Act.**

Town Manager Joe Chinn summarized the staff report and recommend the Council waive first reading and introduce Ordinance No. 694 amending Title 2 (*Administrative & Personnel*) of the Ross Municipal Code by adding Chapter 2.38 (*Purchasing*) regarding the purchase of supplies, services, and equipment, and Chapter 2.40 (*Public Projects*) to provide informal bidding procedures for public projects under the Uniform Public Construction Cost Accounting Act.

Mayor Kuhl opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council for action.

Mayor Kuhl asked for a motion.

Council Member Robbins moved and Mayor Pro Tempore Brekhus seconded, to waive further reading and introduce Ordinance No. 694. Motion carried unanimously.

End of Administrative Agenda.

18. No Action Items:

a. Council correspondence

- None

b. Future Council items


- Town Manager review
- PG&E LED lights

19. Closed Session - Reconvene

20. Open Session: Town Manager and an ad hoc committee of Mayor Kuhl and Mayor Pro Tempore Brekhus directed to negotiate a contract with Ben Stock at Burke, Williams & Sorensen for Town Attorney services and bring back for Council consideration.

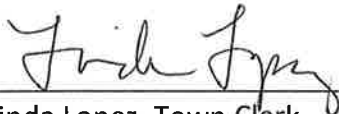
21. Adjournment.

Mayor Kuhl moved to adjourn the meeting at 7:37 p.m.



P. Beach Kuhl, Mayor

ATTEST:



Linda Lopez, Town Clerk