



**Agenda Item No. 11a.**

**Staff Report**

**Date:** October 3, 2014

**To:** Mayor Elizabeth Brekhus and Councilmembers

**From:** Elise Semonian, Senior Planner

**Subject:** Marin Transit, Design Review New Bus Stop Shelters, Sir Francis Drake Blvd. and Lagunitas Road Intersection, File No. 1973

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**Recommendation**

Council approve use permit subject to the findings and conditions attached.

**Project Summary**

Design review of plans for new Marin Transit bus shelters for the Sir Francis Drake Boulevard and Lagunitas Road intersection. The project includes replacing the existing bus shelter on the west side of Sir Francis Drake Boulevard (APN 073-242-17) with a new, smaller, shelter and installing a new shelter at the bus stop on the east side of Sir Francis Drake Boulevard, in the right-of-way adjacent to the Marin Art & Garden Center (APN 072-231-23). The shelters will match others Marin Transit is installing in other locations in the County under their Local Bus Stop Revitalization program. The shelters are dark green metal with a bowed roof and metal screen walls.

**Background and Project Description**

The applicant is proposing two new bus shelters as described above. There are three northbound and three southbound bus stops on Sir Francis Drake Boulevard at its intersection with Bolinas Avenue, Lagunitas Road and Ross Terrace (old Marin General area). There is one bench and shelter for the northbound direction near Ross Terrace. There are two shelters for the southbound service at Bolinas and Lagunitas Roads.

Town records date the Bolinas and Lagunitas bus shelters back to the late 1930s, when Pacific Greyhound Lines began operating bus service to San Francisco to take over the transportation of commuters upon the abandonment of railroad service. Pacific Greyhound lines erected a bus shelter at the intersection of Sir Francis Drake Boulevard and Lagunitas Road with council authorization in 1942. Greyhound used an old railroad shelter near Bolinas Avenue.

The southbound shelter location is adjacent to the town park. The park was originally owned by the Kittle estate, who also owned the property now occupied by the Marin Art & Garden Center. The Kittle's objected to the bus stops adjacent to their sites and considered them a detriment to their property. The Kittle's encumbered the Town park property with a condition that only permits park use of the site. A reversionary interest was retained in the event the park use was changed. The Kittle's objected to any use of the park site for a bus shelter and the town attorney confirmed this restriction in 1945. The Marin Art & Garden Center site may have similar restrictions.

Golden Gate transit replaced the bus shelters in 1979 with the current structures (the Bolinas Avenue shelter was replaced in 2009 with an encroachment permit after it was damaged by an accident). Prior to the recent intersection improvement project, the bus amenities on the northbound stop consisted of a bench and trash can. The 1979 shelters were designed by a Sausalito architectural firm Cherk and Politzer, not renowned architects. Although the shelter represents 1970s architecture, staff has no reason to believe the shelter is historic.

The proposed Marin Transit shelters are a finished dark green. However, the applicant indicates the shelters may be finished in a brown color to match the town signs and improvements. They did not believe there would be an additional cost for a brown finish.

Marin Transit indicated the mesh walls are less appealing to graffiti than plexiglass. The shelter may have solar powered lighting.

### **Discussion**

New buildings are subject to design review (RMC §18.41.020) and the structures meet the definition of a "building." (RMC §18.12.060). Therefore, design review is required. Town design review criteria are primarily directed at residential development. The following design review purposes and criteria are relevant to this application:

- Enhance important community entryways, local travel corridors and the area in which the project is located.
- Upgrade the appearance, quality and condition of existing improvements in conjunction with new development or remodeling of a site.
- Buildings should use materials and colors that minimize visual impacts, blend with the existing land forms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Colors and materials should be compatible with those in the surrounding area. High-quality building materials should be used.
- Natural materials such as wood and stone are preferred, and manufactured materials such as concrete, stucco or metal should be used in moderation to avoid visual conflicts with the natural setting of the structure.
- Soft and muted colors in the earthtone and woodtone range are preferred and generally should predominate.

Staff believes the proposed shelter is small enough that it will not visually detract from the entrance to Town. The steel structures would replace a steel structure.

The Advisory Design Review Group considered the shelter design and colors at their September meeting. They were in favor of the standard green color, which they believed attractive and easier for the district to maintain than a custom color. Staff is in favor of either dark green or a brown finish and agrees it may be easier for the district to maintain a color that matches its other shelters.

According to the plans submitted for the shelters, the existing bus shelter may be on the park property. Staff has recommended conditions of approval that require Marin Transit to confirm by survey that both shelters are entirely in the right-of-way, or to secure appropriate approvals from the adjacent property owners prior to erection of the shelters. Staff has also requested Marin Transit to provide evidence that Golden Gate Transit has consented to removal of the existing structure prior to its demolition.

Based on town minute history indicating Golden Gate Transit left Ross residents without a bus shelter in the winter, staff recommends leaving the old shelter until the new one is ready for installation.

The improvements further Town Climate Action Plan goals to increase public transit use and “work with transit providers to construct and improve bus shelters at existing bus stops.”

Staff believes the Council may make the required findings in support of the design and recommends Council approve the shelters subject to the conditions below.

**Fiscal, resource and timeline impacts**

The \$58,000 cost of the shelter replacement would be born by Marin Transit and there would be no operating or funding impacts associated with the project. If approved, the project could be subject to encroachment permit fees.

**Alternative actions**

1. Continue the project for modifications; or
2. Make findings to deny the application.

**Environmental review (if applicable)**

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Sections 15303 (new small facilities and structures). No exception set forth in Section 15300.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources.

**Attachments**

1. Conditions of Approval
2. Project plans and photo
3. Correspondence received
4. History of bus shelters

## **Attachment 1**

### **Conditions of Approval, Design Review of Bus Shelters, Sir Francis Drake Boulevard and Ross Common Intersections**

1. This approval shall allow the construction of two new bus shelters at the intersection of Sir Francis Drake Boulevard and Lagunitas Road consistent with the plans approved by the Town Council on October 9, 2014, except as otherwise provided in these conditions.

2. The shelters shall be located entirely within the public right-of-way and the applicants shall retain a surveyor to confirm the right of way boundary prior to erection of the proposed bus shelters unless the applicants can demonstrate they have written permission to locate the structures on the adjacent sites owned by the Town of Ross and Marin Art & Garden Center.

3. The applicants are responsible for removal of the existing shelter. The existing shelter shall not be removed until the new shelter is available to be installed to replace it.

4. The applicants shall pay any costs associated with town attorney review of deeds to ensure the shelter structure may be located on Town property, unless otherwise agreed to by the Town.

5. Prior to demolition of the existing shelter, the applicants shall provide the Town with written evidence the Golden Gate Transit District has approved removal of the existing shelter.

6. The applicant shall ensure the property lines and survey flags and markers near the southbound site are maintained and not disturbed. All trash and debris shall be promptly removed from the construction site.

7. An encroachment permit is required. The town manager is authorized to include conditions of approval in the encroachment permit to ensure the shelter area is maintained free of debris and graffiti, in addition to any other terms specified.

8. These conditions shall be binding on the applicant and all successors in interest. In case of transfer of ownership, the new owner of the establishment shall provide the Town with written acknowledgement of these conditions of approval.



9. The applicant is responsible for ensuring that all improvements comply with disabled access regulations, regardless of whether a building permit is required for the work.

10. No advertising shall be permitted at the shelters.

11. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys' fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

**LEGEND**

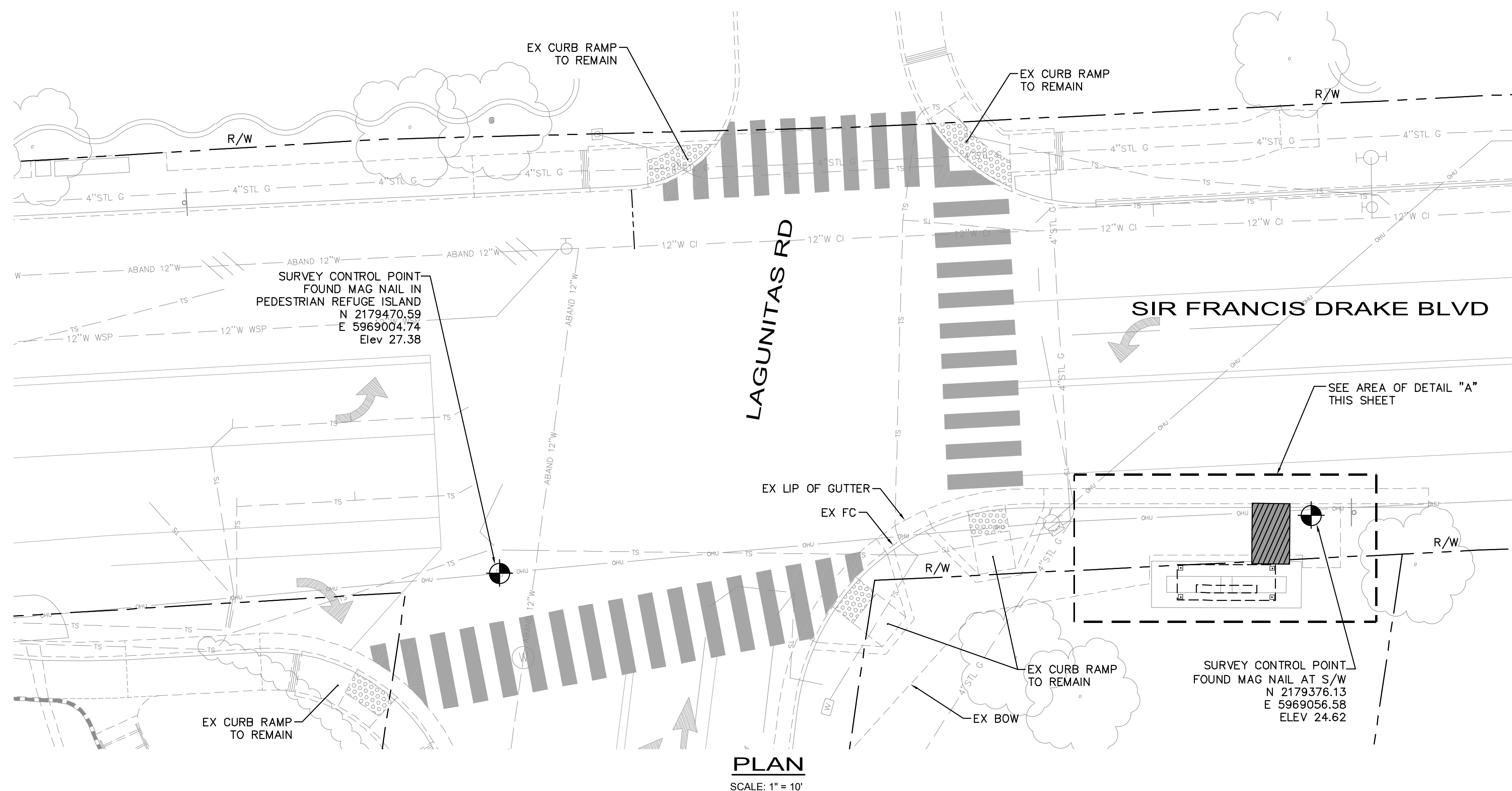
(APPLIES TO THIS SHEET ONLY)

-  SIGN AND POST
-  BUS BOARDING/ALIGHTING AREA

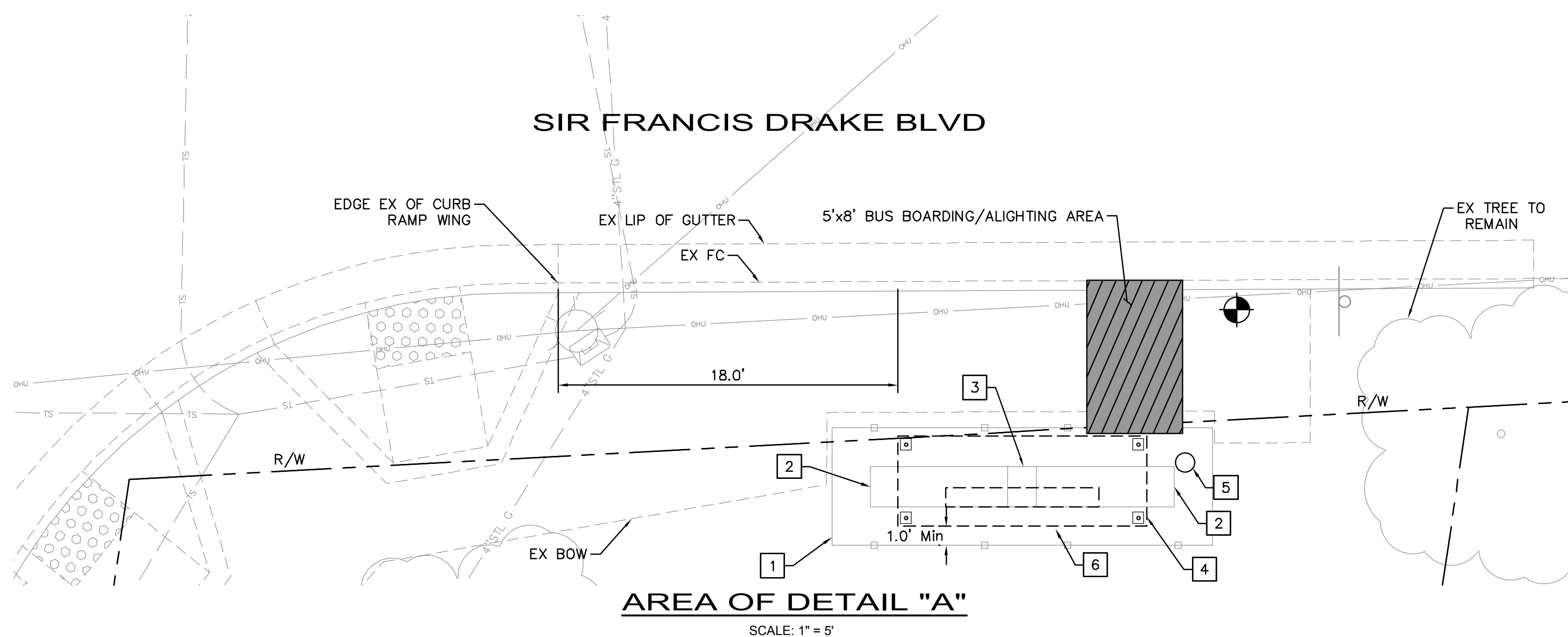
**ABBREVIATIONS**

(REFER TO COUNTY OF MARIN UNIFORM CONSTRUCTION STANDARDS, DRAWING NO. 1 DATED MAY 2008 FOR STANDARD ABBREVIATIONS)

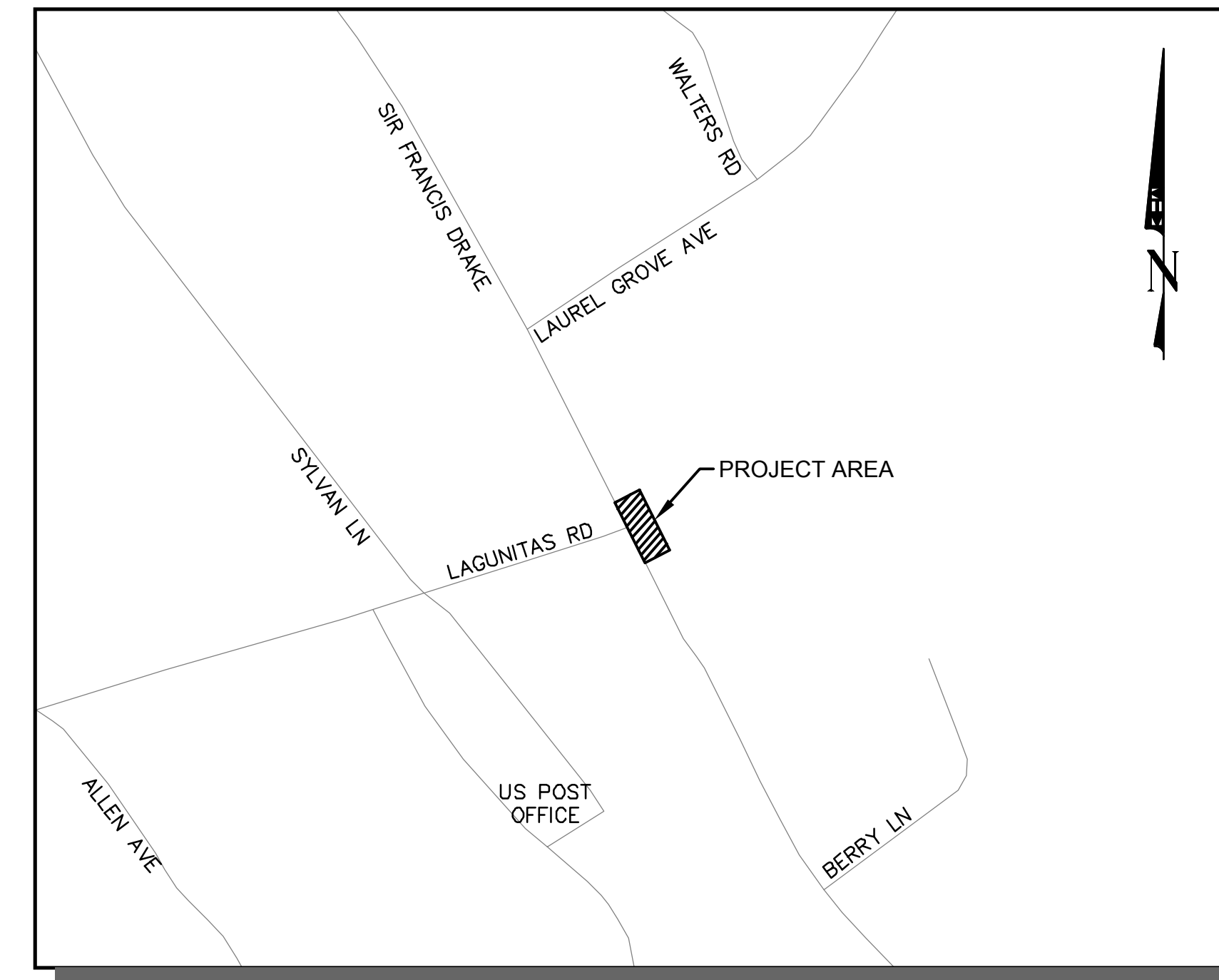
- FC FACE OF CURB
- STD STANDARD
- MCTD MARIN COUNTY TRANSIT DISTRICT
- BOW BACK OF WALK



**PLAN**  
SCALE: 1" = 10'



**AREA OF DETAIL "A"**  
SCALE: 1" = 5'



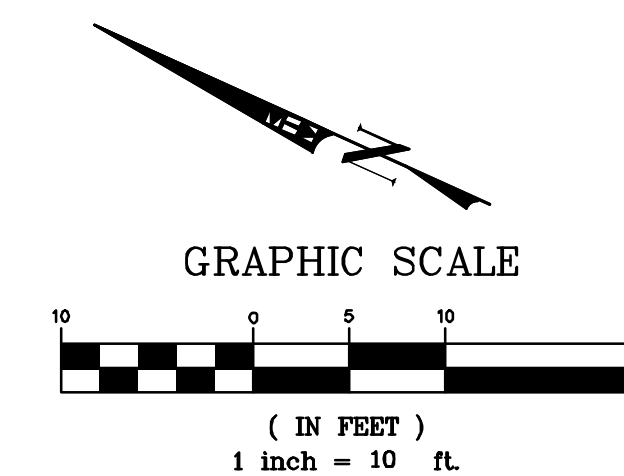
**LOCATION MAP**  
NTS

**GENERAL NOTES** (APPLIES TO THIS SHEET ONLY)

1. CONTRACTOR SHALL VERIFY AND LOCATE ALL EXISTING UTILITIES PRIOR TO THE START OF CONSTRUCTION. ANY CONFLICTS DISCOVERED DURING CONSTRUCTION SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND RESOLUTION SHALL BE APPROVED PRIOR TO CONTINUING OF CONSTRUCTION ACTIVITIES.
2. ALL EXISTING SURFACE IMPROVEMENTS CONFLICTING WITH THE CONSTRUCTION OF THE WORK SHOWN ON THIS PLAN SHALL BE REMOVED UNLESS OTHERWISE NOTED.
3. CONSTRUCTION SHALL CONFORM TO THE COUNTY OF MARIN UNIFORM CONSTRUCTION STANDARDS, DATED MAY 2008. UNLESS OTHERWISE NOTED.
4. SAWCUTTING OF EXISTING ASPHALT CONCRETE SHALL BE CUT THROUGH THE FULL DEPTH OF EXISTING ASPHALT CONCRETE IN A NEAT, STRAIGHT, LINE.
5. CONTRACTOR SHALL PROVIDE TEMPORARY ACCESSIBLE COMPLIANT PATH OF TRAVEL (POT) DURING CONSTRUCTION IN ACCORDANCE WITH CALIFORNIA BUILDING CODE. A PLAN DETAILING THIS ACCESSIBLE COMPLIANT POT SHALL BE SUBMITTED AND APPROVED BY THE COUNTY ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.
6. "SITE PREPARATION" INCLUDES ALL WORK NECESSARY TO PREPARE THE SITE TO RECEIVE THE SHOWN IMPROVEMENTS, INCLUDING SAWCUTTING, CLEARING AND GRUBBING, REMOVAL OF STRIPING AND ALL OTHER EXISTING HIGHWAY FACILITIES IN CONFLICT WITH THE PROPOSED IMPROVEMENTS, MODIFICATION/CAPPING OF EXISTING IRRIGATION SYSTEM, AND ROADWAY EXCAVATION.
7. CONTRACTOR SHALL SUBMIT TRAFFIC HANDLING PLANS FOR REVIEW AND APPROVAL TO THE TOWN OF ROSS. APPROVAL SHALL BE OBTAINED 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
8. BACKGROUND TOPOGRAPHY AND RIGHT-OF-WAY INFORMATION IS BASED ON APPROVED DESIGN PLANS PROVIDED BY THE TOWN OF ROSS AND DOES NOT REPRESENT A TOPOGRAPHIC SURVEY. CONTRACTOR SHALL CONTACT THE ENGINEER IF ISSUES AND/OR CONFLICTS ARISE.

**CONSTRUCTION NOTES** (APPLIES TO THIS SHEET ONLY)

- 1 REMOVE EXISTING TRANSIT SHELTER.
- 2 REMOVE EXISTING BENCH.
- 3 REMOVE EXISTING NEWSPAPER STAND.
- 4 FURNISH AND INSTALL 13' DOME ROOF TRANSIT SHELTER WITH IN-SHELTER LIGHTING PER MANUFACTURER SPECIFICATIONS.
- 5 FURNISH AND INSTALL TRASH RECEPTACLE.
- 6 FURNISH AND INSTALL 8' STANDARD METAL BENCH.



**Kimley»Horn**

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WWW.KIMLEY-HORN.COM



DESIGNED BY	DRAWN BY	CHECKED BY
KT	CG	JP
PLANS PREPARED UNDER SUPERVISION OF:		
KEVIN TSOI, P.E. REGISTERED CIVIL ENGINEER		
JULY 2014	74561	
DATE	RCE NO.	



**PROJECT LAYOUT PLANS**  
**SIR FRANCIS DRAKE BLVD/LAGUNITAS RD**  
SB BUS STOP NO. 341

ROSS

MCTD BUS STOP IMPROVEMENTS

DRAWING NO  
PL-04  
SHEET  
07 of 17  
JOB No.  
095806001

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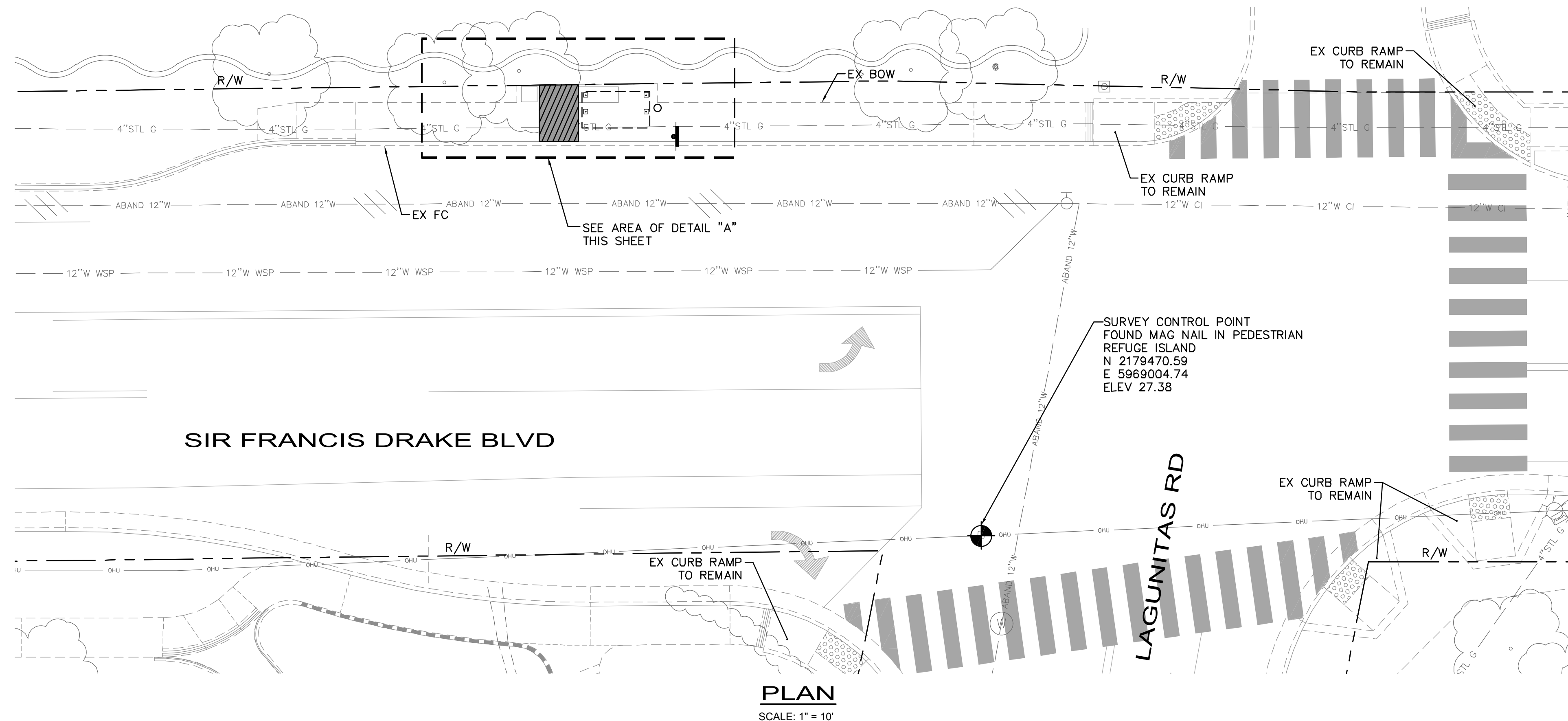
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(APPLIES TO THIS SHEET ONLY)

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- CONCRETE SECTION
- BUS BOARDING/ALIGHTING AREA

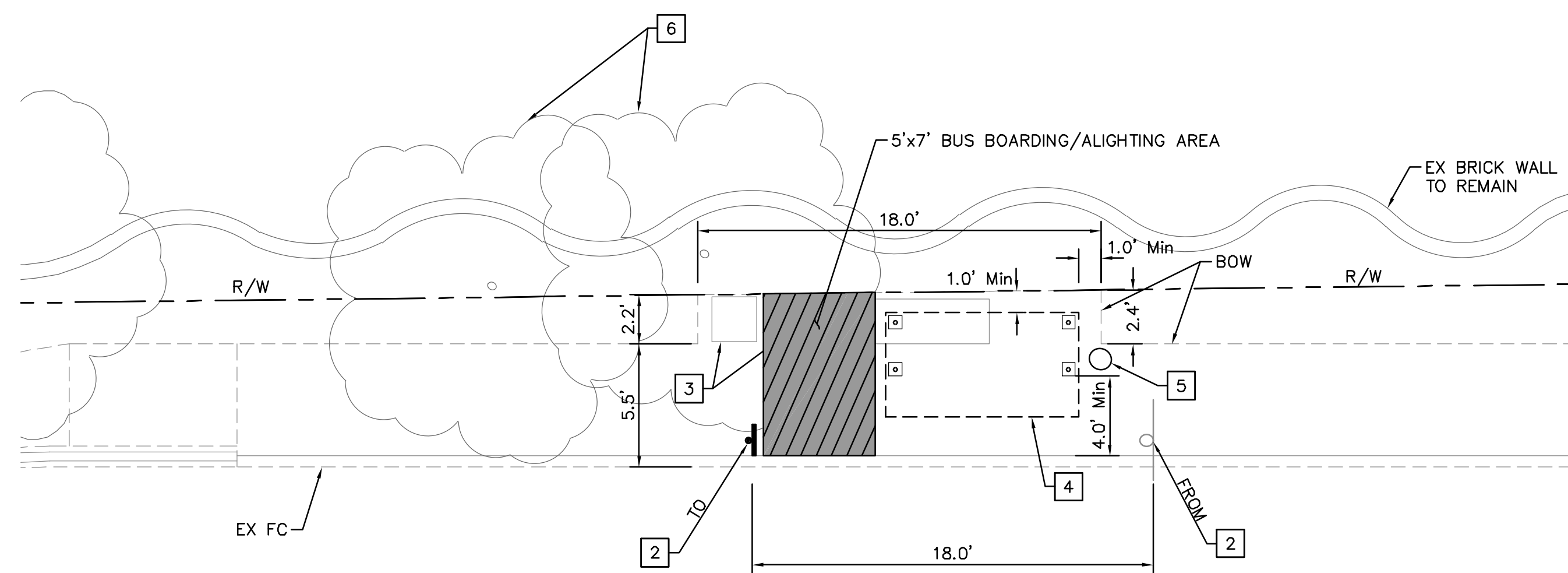
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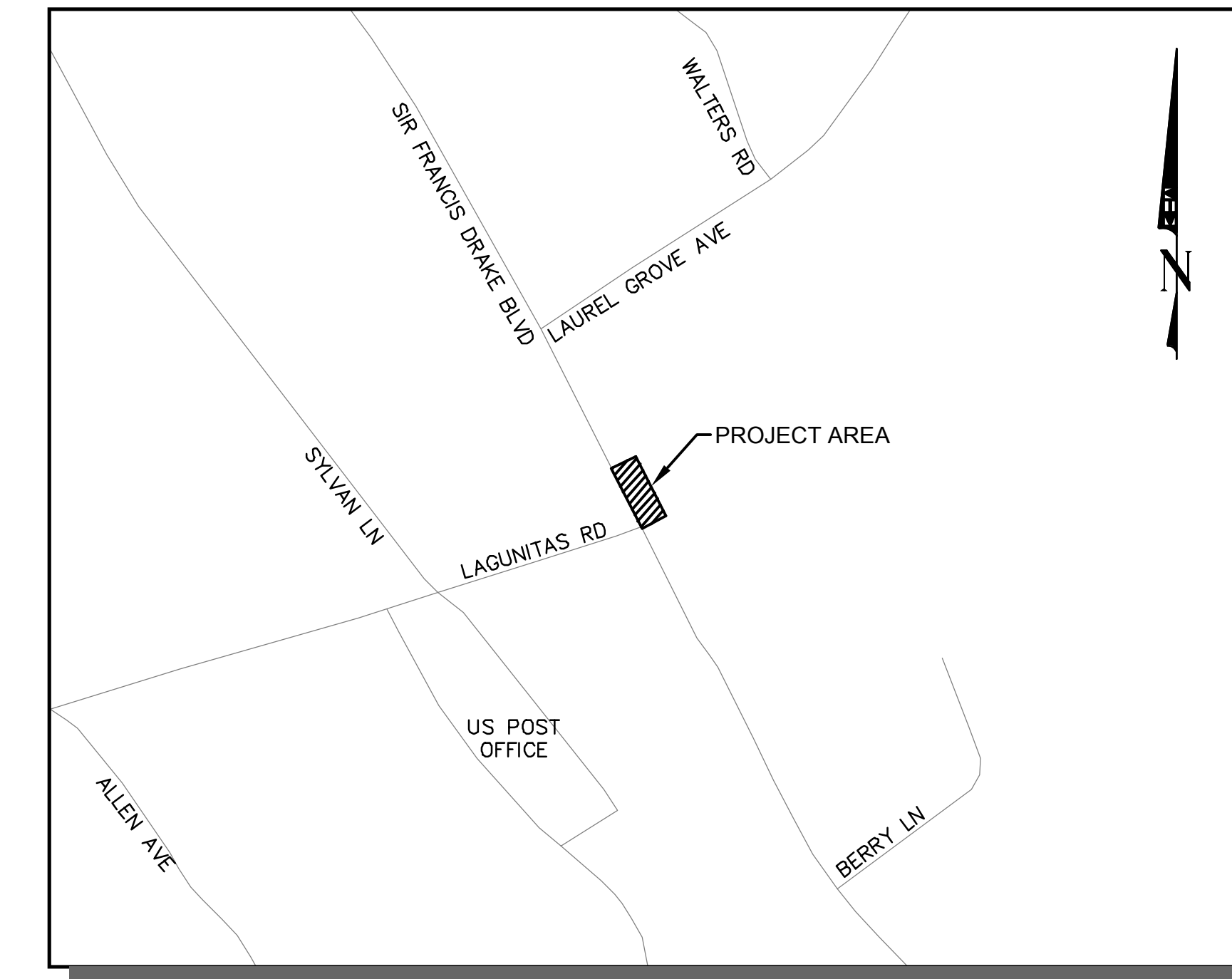
**PLAN**  
SCALE: 1" = 10'



**SIR FRANCIS DRAKE**

**AREA OF DETAIL "A"**

SCALE: 1" = 5'



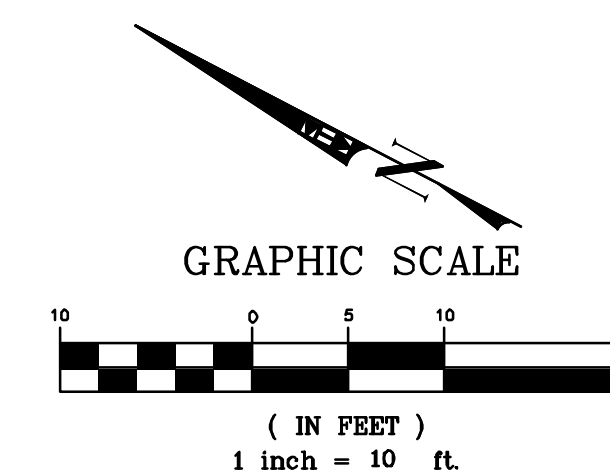
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**CONSTRUCTION NOTES** (APPLIES TO THIS SHEET ONLY)

- 1 REMOVE EX LANDSCAPE IN CONFLICT WITH PROPOSED IMPROVEMENTS. CAP AND REMOVE EXISTING IRRIGATION BELOW SIDEWALK GRADE. CONTRACTOR SHALL COORDINATE WITH THE COUNTY OF MARIN AND OBTAIN APPROVAL 72 HOURS PRIOR TO THE REMOVAL OF LINES.
- 2 REMOVE AND RELOCATE EXISTING SIGN AND POLE. INSTALL MCTD BUS STOP SIGN PER COUNTY STD 310.
- 3 REMOVE EXISTING STATION FURNITURE.
- 4 FURNISH AND INSTALL 9' DOME ROOF CANTILEVER TRANSIT SHELTER WITH IN-SHELTER LIGHTING PER MANUFACTURER SPECIFICATIONS.
- 5 FURNISH AND INSTALL TRASH RECEPTACLE.
- 6 TRIM EXISTING TREE TO PROVIDE 15' CLEARANCE FROM THE GROUND. CONTRACTOR TO OBTAIN PERMIT FROM THE TOWN OF ROSS PRIOR TO TREE TRIMMING.



**Kimley»Horn**

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DESIGNED BY	DRAWN BY	CHECKED BY
KT	CG	JP
PLANS PREPARED UNDER SUPERVISION OF:		
KEVIN TSOI, P.E. REGISTERED CIVIL ENGINEER		
JULY 2014	74561	
DATE	RCE NO.	



**PROJECT LAYOUT PLANS**  
**SIR FRANCIS DRAKE BLVD/LAGUNITAS RD**

NB BUS STOP NO. 342

ROSS

MCTD BUS STOP IMPROVEMENTS

DRAWING NO

PL-05

SHEET

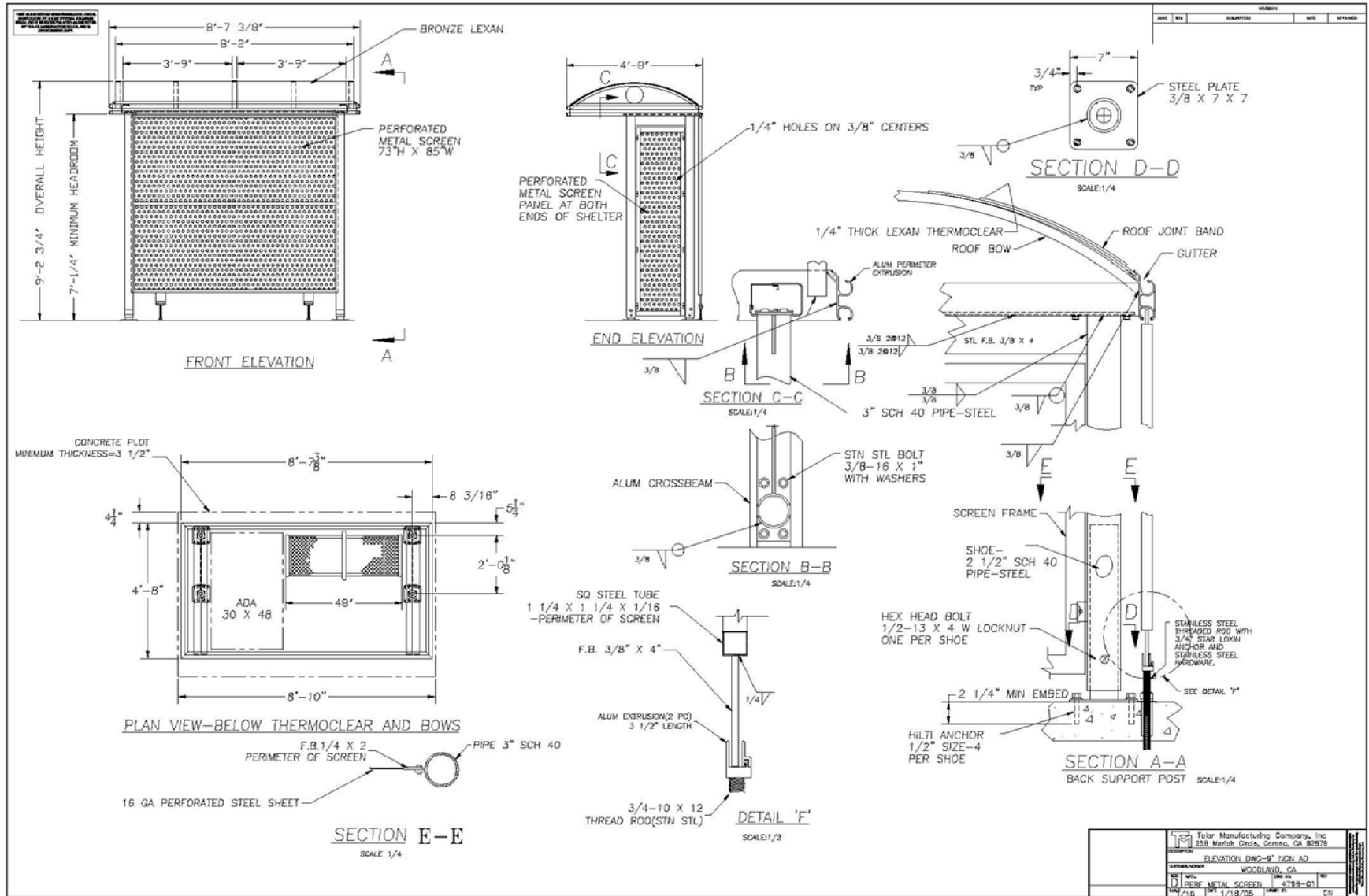
08 of 17

JOB No.

095806001

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K:\BA\_L\Lowy\095806001 - Marin Transit Bus Stop Improvements\CADD\Plan Sheets\01\_Bus Package\1\PL-05 - SIR FRANCIS DRAKE & LAGUNITAS.Rvt - 11:53pm - 7/10/2014 - 1:53pm Plotted by: claudia.garcia



Tator Manufacturing Company, Inc	
259 Mariah Circle, Corona, CA 92678	
PROJECT:	ELEVATION DWG-9" HIGH AD
LOCATION:	WOODLAND, CA
DATE:	11/18/06
SCALE:	AS SHOWN
BY:	4798-01
CHECKED:	
DATE:	
SCALE:	

## Elise Semonian

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**From:** sterling sam <familysam2002@yahoo.com>  
**Sent:** Monday, September 22, 2014 5:47 PM  
**To:** Elise Semonian; Rob Braulik  
**Subject:** Marin Transit plans for new bus shelter on SW corner of Lagunitas Road & SFDB

Rob & Elise,

This is just a note regarding the proposed replacement of the existing bus shelter on the southwest corner of Sir Francis Drake Blvd. & Lagunitas Road. While I have no problem with the proposed shelter, I would only ask that if the plans are approved, that the contractors be made well aware of where my property is. Unfortunately, just like the paving and curbing work done recently at that same intersection, my property is the only one immediately adjacent to the work. Please advise them that the survey flags, NOT the fence, delineates my property. I don't want to have any issues with having to clean up innumerable discarded coffee cups, lids, empty packs of cigarettes, etc., and having to contact any of you with the town to report the problem. The workers should make use of the garbage can which is within the existing bus shelter.

Thanks,

Sterling Sam  
29 SFDB

The regular monthly meeting of the Town Council of the Town of Ross was held at the Town Hall, Thursday evening, March 13, 1941 at eight o'clock.

PRESENT: Mayor Cantelow, Councilmen Livermore, Borda and Eells.

ABSENT: None.

Mayor Cantelow took the chair and called the meeting to order.

The minutes of the regular meeting of February 13 were read and approved.

The Chair then inquired if anyone present desired to address the meeting.

Mr. H. Vandel responded and introduced Mr. Thos. Nelson of Mill Valley to represent him in ~~in~~ presenting to the Council his complaint regarding the placing of a Bus Stop sign in the neighborhood of his driveway. Mr. Nelson stated that Mr. Vandel's complaint was based on the following facts.

1. The stop sign in question was originally placed at the entrance to Winship Park.
2. There is no pavement adjoining curb where sign now is, whereas there is a solid pavement at the Winship Avenue site.
3. The dust from the road and the fumes from the bus are obnoxious and detrimental to his garden.
4. His driveway might be interfered with and the area which might be used by his neighbor, Mrs. Glahn is blocked, whereas there is 30 feet clear space at Winship Avenue.

Mr. Smith, representing Greyhound Bus Line, was asked to state his position in the matter. He stated that:

1. The Northbound stop was originally placed where it now is.
  2. At Mr. Vandel's request it was moved South to the Winship Avenue location.
  3. Upon being advised by the Chief of Police that residents in that area were complaining, the stop was moved North to a point in front of Haley's residence.
  4. It was subsequently moved to the original location just South of Mr. Vandel's drive.
- Mr. Smith also stated that it was immaterial to the Greyhound where the stop sign was placed.

After considerable discussion, the matter was referred to the Police Committee and the Chairman of the Park Committee for investigation and action.

Councilman Livermore suggested that the Greyhound Line be asked to pave the road out to the curb at the point where stop sign is finally placed.

A letter from the Pacific Greyhound Lines was then read, in which they stated it was their desire to erect a shelter convenience at or adjoining the corner of Red Hill and Lagunitas Roads. Since they had been unsuccessful in their negotiations for a lease of private property in this vicinity, they suggested the use of Town property adjacent to the Town Hall. Mr. Eells expressed the opinion that such use of Town property would be prohibited ~~under~~ by the terms and conditions of the bond issue under which the property was purchased. In response to the Mayor's suggestion that the question of using the Northwestern Pacific Station be given consideration, Mr. Smith stated that it might be possible to originate a bus from this point during the commuting hours, if the traffic warranted it, but that he thought it improbable that ~~the~~ Greyhound would even consider that station as a stop during the regular runs.

Mrs. D. M. Broy and Mr. E. C. Lloyd appeared in reference to cutting trees in Ross Common. Mayor Cantelow reported on a meeting of the Park Committee and himself with interested members of the School Board and stated that an agreement had been reached as to which trees should be removed at this time. Mrs. Broy expressed her disapproval of the action taken and stated she felt that it would be necessary to remove more trees than had been agreed upon. After considerable discussion, it was decided that the Park Committee would confer with the School Board when actual

The regular monthly meeting of the Town Council of the Town of Ross was held at the Town Hall, Thursday evening, August 14, 1941, at eight o'clock.

PRESENT: Mayor Cantelow, Councilmen Bells, Borda and Wayman

ABSENT: Councilman Livermore.

Mayor Cantelow took the chair and called the meeting to order.

The minutes of the regular meeting of July 10, were read and approved.

The chair then inquired if anyone present desired to address the meeting.

Mr. John Pugh responded and asked that the provisions of ordinance #122 be modified in order that he would be able to build a dwelling as planned on his lot on Wordsworth Avenue. After discussion, permission was granted.

Mr. Howard appeared with petition, signed by several residents of Ross, regarding the hazardous condition existing on Wordsworth Avenue, in reference to traffic. He was told that this question would receive serious consideration by the Council.

Mr. Thomas Minto presented plan of proposed road in portion of Morrison tract and asked for acceptance by the Town. After discussion, the matter was referred to the Chairman of the Road Committee, with power to take such action as in his judgement is proper, after conferring with the City Engineer and Roadmaster.

Mr. Wm. Smyth appeared in reference to acceptance of road known as Thomas Court. He was advised that the Council required further time to consider the matter since the Fire Chief recommended that a double hydrant be placed on this road.

Mr. Oglesby presented plans for building shoulders on Red Hill and Ross Landing Road. After approval by Council, these plans were ordered submitted to the State Highway Dept. for approval.

Communications: From Mr. E.G. Schmiedell in reference to a shelter for bus passengers. His suggestion was tabled at this time because it was felt that it was not possible to carry out his idea at the present time on account of the expenditure which would be involved.

From Mr. Carl Youngberg in reference to traffic conditions on Redwood Drive. Referred to the Police Committee with power to act.

From Mr. Thos. Berry regarding an acacia tree which he wanted removed. The Police Chief advised that the tree has been cut down.

From Mr. Peryam regarding elm beetles, referred to Mayor Cantelow.

From Pacific Coast Assc. Of Fire Chiefs asking that the Fire Chief attend the convention at Reno September 8-9-and 10th. After discussion it developed that such attendance would interfere with vacation periods already scheduled, and permission to attend was denied.

The question of creating a Defense Council in the Town was laid over for future consideration.

The action of the Committee, authorizing changes in the lighting of certain portions of the streets, was ratified by the Council.

The action of the Committee ordering a "No Parking" sign on Fallen Leaf Avenue, was ratified and the following resolution was passed

453 Pursuant to adjournment from January 20, the Ross Town Council met on Monday evening, January 31, 1944, at eight o'clock.

PRESENT: Councilmen Eells, Livermore, Borda and Lohmann

ABSENT: Councilman Wayman.

The reading of the minutes of the previous meeting was waived,

A letter from the Board of Supervisors advising of a meeting on Feb. 9 was read and several of the Council expressed their intention to attend.

A letter from Capt. Larsen asking for a refund of the amount of penalty imposed for tardy payment of taxes be refunded. Refund ordered.

After some discussion, the bill of \$167.13 covering re-imbusement of taxes to Kittle & Co. for payment of rental on property used as a bus stop was ordered paid. Upon motion by Councilman Borda, Councilman Wayman was delegated to confer with Mr. B. H. Dibblee and discuss the possibility of obtaining a strip 25 feet in width on the north line of the property.

Mayor Eells reported that he had not yet been able to obtain a man to replace James McInerney and that he would continue in his efforts to do so.

The request of Mr. Bernt, which was presented at the meeting of January 20, was supplemented by a map showing the proposed lay-out of the playground area contemplated. After some discussion, the matter ~~was~~ was referred to the Park Committee for investigation and report.

It was the consensus of the Council that Mr. Schmiedell would probably be able to obtain more satisfaction by a personal appeal to the Water District asking that the picnic grounds at Phoenix Lake be closed and that such a request should not come from the Council.

The question of planting trees south of the station area was tabled for the time being but will be considered when making plans for the future.

There being no further business to come before the meeting, it was, upon motion duly made and seconded, adjourned.

Mayor of the Town of Ross

ATTEST.

  
Clerk of the Town of Ross.

The regular monthly meeting of the Town Council of the Town of Ross was held Thursday evening, March 9, 1944, at eight o'clock.

PRESENT: Councilmen Eells, Borda, Lohmann, Cantelow and Fisher.

ABSENT: None

The minutes of the regular meeting of February 10th were approved as read.

COMMUNICATIONS:

From Mrs. Edna S. Rogers asking that a sign be erected at the point where her driveway leaves Chestnut Street in order that drivers will know that the driveway is not a public street. Referred to Chief Regoni for consultation with Mrs. Rogers, to advise her that her problem seems to be her personal grief and nothing over which the Town has any control.

From the San Rafael Chamber of Commerce setting forth in detail the several serious housing problems which have been brought to their attention and to which, in their opinion, immediate action is required. Since none of the problems specified seemed to be applicable ~~to~~ to the Town of Ross, the communication was ordered filed.

From Jane Needham asking that the Park be left undisturbed. Ordered filed.

From the American Red Cross War Fund asking that the Town of Ross contribute to the War Fund. Request denied as there was no provision made for same in current budget.

From the League of California Cities announcing a series of planning institutes to be held in Los Angeles and Oakland during the month of March. Ordered filed.

Mayor Eells announced that James McInerney's employment had been terminated on account of his ill health and that he had vacated the cottage. He also announced that he considered the Town fortunate in being able to obtain the services of Russell Jeffs who commenced as swing man, replacing McInerney, on March 5th.

Resolution #283<sup>415</sup> was introduced and read to the Council. 415

RESOLUTION OF ACCEPTANCE.

It is hereby RESOLVED and DETERMINED BY the City Council of the Town of Ross, California, that the right-of-way described in the foregoing grant is necessary, useful and to the best interests of said Town of Ross and its inhabitants and that the foregoing Grant of Right-of-way for street and roadway purposes be and the same is hereby accepted.

It is further RESOLVED that the City Clerk of said Town be and he is hereby authorized and directed forthwith to cause the foregoing Grant to be recorded in the Office of the County Recorder of the County of Marin, State of California.

Said resolution was adopted by the following vote, to-wit;

AYES : Councilmen Eells, Borda, Lohmann, Cantelow and Fisher

NOES : None

ABSENT: None

Borda  
Councilman/reported that Mr. Wayman had advised him that he had not as yet received a reply from Mr. Dibblee in reference to the possibility of the Kittle Estate relinquishing a portion of their property to the Town in order that an adequate bus stop might be built.

Councilman Lohmann reported that the Park Committee had met with Mesdames Livermore, Wolcott and Jenkins who suggested that the trees in the old orchard, together with some other small trees and shrubs, be removed in order that more space would be available for playground purposes. All of the work attached to making these removals would be assumed by the group interested in this project. Councilman Lohmann advised that he was in favor of allowing this work to be done provided that the Town

of the Council were present but not as representatives of the Council. He said that the inability of the Town to meet the cost of spraying the trees and the fact that an Ordinance would not be feasible were discussed at length. As a result of the meeting a letter was drafted asking every resident of Ross to contribute to a fund on the basis of \$1.00 for every elm on their property or on the road area fronting their property. This letter would, he stated, be mailed within a few days.

4/13/44

COMMUNICATIONS:

From the State Director of Civilian Defense concerning present requirements of Civilian Defense. Ordered filed.

From the Pacific Coast Electrical Association announcing their annual meeting on May 10, 1944. Ordered filed.

From W. O. Wayman enclosing a copy of letter sent by him to B. H. Dibblee in refernce to bus stop. Ordered filed.

From the "Youth Canteen" in San Rafael asking for a monthly contribution. Request denied.

From the Town of San Anselmo advising of the formation of a committee to keep the Council informed relative to the current and future operation of the bus transportation system. Ordered filed.

From the Shoreline Planning Association in reference to obtaining funds for shore and beach projects. Ordered filed.

From Ethel B. Voorhees in reference to elm heetles. Ordered filed as action will be taken by committee.

From Gladys S. Smith in reference to a proposed Art Centre which a group would like to establish in Ross. Since it would be impossible to give a definite answer to their request without knowing the location which would be involved, Mayor Bells volunteered to communicate iwth Mrs. Smith and discuss the matter with her.

The regular monthly reports of Officers were read and ordered filed.

Councilman Lohmann reported on the Honor Roll which was to be erected by the Ross Post of the American Legion, and stated that a site in the Chapel Park had been selected. After considerable discussion in refer-ence to cutting down or trimming the shrubbery on the Lagunitas Road side of the Park, Mr. Lohmann stated that he would communicate with Mr. Heywood and clear up what was apparently a misunderstanding.

Mr. Mosle reported that the Town of Ross was in good shape in regards to Civilian Defense matters.

The following demands were read and warrants in payment of same were ordered drawn on the Treasurer.

323	L. Riznik & Son	306.84
324	C. J. Bradley	3805.00
325	Wm. G. Cowan	196.80
326	Russell Jefts	138.48
327	J. J. Regoni	196.80
328	Alfred Massara	154.40
329	Andrew Bellotti	170.20
330	Wm. Rattray	82.40
331	Jordan L. Martinelli	74.30
332	C. J. Bradley	25.00
333	Wm. Rattray	3.75
334	John Ferrero	106.30
335	J. B. Rice Company	.68
336	R. F. Mercier	1.80
337	A. N. Nipper	1.21
338	Standard Oil Company	27.13
339	Elliott's New Method Laundry	1.51
340	Shand & Jurs Co.	2.44
341	National Parts Co.	2.34
342	Deysher & Lafargue	124.72
343	James Massara	2.50
344	Wm. P. Plunkett	2.00
345	George Boldini	2.00
346	Harry Brogioli	2.00
347	Edgar Fischer	2.00
348	Louis Leoncini	2.00

Chief of Fire Department

Wm. G. ~~REGONI~~ Cowan

Roadmaster

J. J. Regoni

Helath Officer

Anne Brady M. D.

City Engineer

J. C. Oglesby.

477  
4/18/44

Councilman Borda reported that he had a conversation with Mr. B. H. Dibblee in which Mr. Dibblee had expressed as his opinion that the Town would be better of considering the purchase of a piece of property south of the bus stop and building a bridge across from the station. He also suggested using a portion of the Corporation Yard. He also expressed his willingness to discuss the matter with the members of the Council.

Councilman Cnatelow then stated that his carefully considered opinion, after much thought, was that the Ross Recreation Association be given permission to move the Judas tree to another location in the Park. Upon motion by Councilman Cantelow, seconded by Councilman Borda, and unanimously carried, the Mayor was authorized to advise Mrs. Livermore that the backstop could remain and be completed where it was now located and that the Judas tree could be moved to a location selected by the Council with the understanding that all work in connection with moving the tree would be done at the expense and risk of the Ross Recreation Association. Mayor Eells announced that he would so advise Mrs. Livermore and at the same time would tell her that the Association would have to pay for 750 ft of wire which was necessary to relocate the fire alarm system.

Mayor Eells stated that he had advised Mrs. Smith that no definite answer could be given relative to the Council's position in reference to her inquiry in connection with the establishment of an Art Center since approval of her request would necessitate a change in the zoning ordinance and that any request for re-zoning would have to come from the owners of the property.

Councilman Lohmann reported that Mr. Heywood had advised him that the Legion had asks for bids for the construction of the Honor Roll and that as soon as same were received and it was ascertained whether or not the Legion could finance the program he would again communicate with the Council for permission to proceed with its erection.

Communication:

Council

From the Marin Municipal Chest asking that the ~~Town~~ consider authorizing their regular contribution . Contribution of \$25.00 authorized.

There being no further business to come before the meeting it was, on motion duly made and seconded, adjourned.

\_\_\_\_\_  
Mayor of the Town of Ross

ATTEST:

\_\_\_\_\_  
City Clerk of the Town of Ross.



The regular monthly meeting of the Town Council of the Town of Ross was held Thursday evening, January 11, 1945 at eight o'clock.

PRESENT: Councilmen Eells, Fisher and Smith.

ABSENT : Councilmen Borda and Lohmann.

The minutes of the previous meeting were approved as read.

Communications:

From Robert C. Alderman asking that the former railroad station be made available as a shelter for High School students waiting for the bus. Referred to Mayor Eells.

From Allen and Lutzi offering their services as architects in the event the Town was contemplating any post war building. Ordered filed.

From Kittle & Co. enclosing current tax bills and asking for reimbursement in accordance with agreement for lease of ground for bus shelter. Reimbursement was authorized and the Clerk was instructed to write Kittle & Co. asking them to set a price on the entire parcel and on a strip 30 feet wide on the north line of the property.

Mayor Eells reported that he had been unable to identify the bay tree about which Mr. Burtchaell had written and that so far he could see there was no bay tree interfering with the entrance the garage mentioned.

The regular monthly reports of officers were read and ordered filed.

Ordinance #141 "Ordinance amending section 2 of Ordinance No.61 of the Town of Ross, Entitled "Regulating the setting of fires, blasting, etc." and providing for the issuance of fire permits."

was read in its entirety was adopted by the following vote.

AYES: Councilmen Eells, Fisher and Smith.

NOES: None

ABSENT: Councilmen Borda and Lohmann.


Upon motion duly made and seconded, Mayor Eells was authorized to arrange for certain improvements and redecorating to be done in the apartment occupied by the Fire Chief.

Demands numbered from 176 to 216 inclusive were read and ~~issued~~ warrants, in payment of same, were ordered drawn on the Treasurer.

There being no further business to come before the meeting, it was, upon motion duly made and seconded, adjourned.

ATTEST:

\_\_\_\_\_  
Mayor of the Town of Ross

  
\_\_\_\_\_  
City Clerk, Town of Ross.

The regular monthly meeting of the Town Council of the Town of Ross was held Thursday evening, April 12, 1945, at eight o'clock.

PRESENT: Councilmen Eells, Borda, Fisher, Smith and Lohmann.

ABSENT: None

Dr Frier addressed the Council in reference to a request he had made for the use of the old station as an office in which to practice dentistry. After some discussion, Dr. Frier agreed to inspect the property to ascertain its suitability for his purpose and to report back to the Council.

Mrs. Livermore addressed the Council in connection with a letter which the Ross Recreation Association had submitted asking that the station property be made available to them for their and other activities. After some discussion, it was decided that the Association would inspect the premises and make an offer for the rental of same, if they would prove adequate for their purposes.

A communication from the Marin County Association of Fire Departments, setting forth a resolution to the effect that there be no whistles or sirens blown upon notification that hostilities had ceased in Europe, was read. After discussion, Councilman, seconded by Councilman Fisher, moved that the Fire Chief be instructed to blow the fire siren upon official notice of the cessation of hostilities. Carried unanimously

The monthly reports of officers were read and ordered filed.

Mayor Eells reported that his conversations with Mr. Biblee regarding the acquisition of a portion of the Kittle property had been unproductive and that it would appear that, if the Town desired to obtain the property, it ~~was~~ would probably be necessary to resort to condemnation proceedings.

During the discussion that followed, Councilman Lohmann expressed as his opinion the possibility of moving the building a short distance north so that it would be entirely removed from the Kittle property. The Council adjourned to the site of the bus stop and agreed that such action would be practicable. After returning to the Council chambers, Councilman Lohmann, seconded by Councilman Borda, moved that ~~the~~ Kittle and Co. be notified that the Town of Ross elected to cancel the contract in connection with leasing a portion of their property for a bus stop. Attorney Martinelli was instructed to so advise Kittle and Co.

Councilman Lohmann reported that, after inspecting the property several times, he would advise that Miss Schmiedell's request to be allowed to top several trees be denied.


A contract from the Standard Oil Company of California covering the sale of gasoline to the Town of Ross was presented and was approved by Councilmen Eells, Borda and Fisher, Councilmen Lohmann and Smith not voting.

Demands numbered from 306 to 351 inclusive were read and warrants in payment of same were ordered drawn on the Treasurer.

There being no further business to come before the meeting, it was, upon motion duly made and seconded, adjourned.

\_\_\_\_\_  
Mayor Town of Ross.

ATTEST:

  
\_\_\_\_\_  
City Clerk, Town of Ross.

BENJAMIN H. DIBBLEE  
RUSS BUILDING  
SAN FRANCISCO

April 10, 1945

Mr. William Rattray, City Clerk  
Town of Ross  
Marin County, California

Dear Mr. Rattray,

Your letter of January 12th has never been answered. On the 8th of February, 1944, Mr. W. O. Wayman, then a member of the Town Council of Ross, wrote me asking if Kittle & Company, of which I am President, would give to the Town some property on which a Station could be erected for the Greyhound Bus. On April 13, 1944, I wrote Mr. Wayman, saying that Mr. Borda had spoken to me about this matter and I told him I would be glad to talk about it with him, or other representatives of the Town, whenever they wanted me to do so. I have not heard from them as yet.

I feel certain that Kittle & Company will not be willing to give any property to the Town. It seems to me almost presumptuous on the part of the Town to ask Kittle & Company - one-half of which is owned by Mrs. John Kittle - to give any property to the Town.

Many years ago Kittle & Company requested the Town to accept Walters Road as a City street. A great deal of money has been spent on Walters Road, but it is still a private road.

Not long ago the Town put a Bus Stop on the sidewalk in front of Mrs. Kittle's property, without so much as asking if she had objections to their so doing. This Bus Stop was of course a detriment to her property.

Furthermore, the Kittle family did not think it either considerate or courteous of the Town to put an ugly sign on the little Memorial Park property which was given to the Town by members of the Kittle family; and it was especially annoying to those members of the Kittle family who paid for the planting of this little Park that some valuable azalea plants, they had paid for, were destroyed when the sign was erected.

Mr. William Rattray, City Clerk: Page 2

April 10, 1945

As to selling property to the Town for a Bus Stop, it would seem entirely fair that the price to be paid would have to take into consideration the fact that when busses start - after a stop - the noise is most disagreeable and injurious to the adjoining property.

Very truly yours,

*B.H. Dibble*

BHD.M.

The regular monthly meeting of the Ross Town Council was Thursday evening, May 10, 1945, at eight o'clock.

PRESENT: Councilmen Eells, Borda, Smith and Lohmann

ABSENT: Councilman Fisher.

The minutes of the previous meeting were approved, as read.

COMMUNICATIONS:

From Senator Thomas Keating referring to enactment of a Chapter 581 of the Statutes of 1943 providing for an additional allowance of gas tax etc. to cities whose population had grown as a result of war industries etc. Since any benefits which might be derived by the Town of Ross under this act would be contingent upon a new determination of population by the United States Bureau of Census, the Clerk was instructed to write the Bureau and ascertain the cost of making such new determination.

From B. H. Dibblee in answer to inquiry relating to the possibility of the Town acquiring a portion of the Kittle property on which the bus stop is located. Since this matter had already been disposed of by moving the bus stop, the letter was ordered filed.

From D. C. McMillin asking permission to pay delinquent taxes on an installment basis. Upon the advise of Attorney Martinelli, the request was denied.

From the Marin Music Chest asking consideration of their request for a contribution the same as in former years. After some discussion, the request was granted and a contribution of \$25.00 was authorized.

From the Ross Recreation Association stating that were withdrawing their request for the use of the station building.

From Caroline S. Livermore stating that plans were being formulated for the establishment of an Art and Garden Centre on the Kittle property to be maintained as a living memorial, and asking that the property be re-zoned if it is found that re-zoning is necessary. Mrs. Livermore was asked to submit detailed plans of the proposed venture to Mr. Martinelli so that he could determine whether it would be possible to operate under the present ordinances or whether re-zoning would be necessary.

From DR. Frier submitting a plan for a small office building. He stated that the old station building would not be suitable for his purpose and suggested that he be allowed to lease a portion of land south of the station where he could erect the building. Since this question would also involve re-zoning he was asked to wait until the Council could consider the question further,

From Sohner Tree Service submitted tentative bid for spraying the elm trees in the sum of \$350.00. Permission to proceed with the work was given.

Councilman Lohmann was appointed to the Finance Committee in place of Councilman Fisher during his absence.

Monthly reports of officers were read and ordered filed.

A communication from the League of California Cities, asking for the adoption of a resolution urging the adoption of Assembly Bill 578 prohibiting the discharge and display of fireworks, was read and in response, the following resolution was proposed and adopted by the following vote.

Councilman Borda recommended the purchase of a new flag. Recommendation was approved. He also suggested that the Fire Chief be asked to attend future meetings of the Council and extended to the members of the Council an invitation from the Chief to view the resuscitator which had been purchased with funds raised by public subscriptions.

Councilman Lohmann reported that the Greyhound Bus asked that a letter be written agreeing that the bus stop would be moved at the expense of the Town and that no increase of rental was contemplated. Such a letter was ordered written.

Reply - It has been stated to Mr. Ray Smith that they would make a survey. If such survey reveals that the bldg. is on their property - we will cause it to be removed - we have never believed the bldg. to encroach.

October 15, 1945

The Board of Trustees  
of the Town of Ross  
Ross, California

Dear Sirs:

By deed bearing date June 30, 1927, Allen I. Kittle and Lucia H. K. Sherman, as parties of the first part, conveyed to the Town of Ross, as party of the second part, a parcel of real property located therein subject to the condition that the property should be used "solely as a public park", the language of the condition being:

"upon the express condition that the premises hereby conveyed shall be held, maintained and used solely as a public park and for no other purpose or purposes whatsoever, and should the said property hereby conveyed be used for any other purpose or purposes then the title of said party of the second part in and to the said premises shall immediately cease and determine and become null and void, and the title to said premises shall immediately revert to and become again vested in the said parties of the first part, their heirs or assigns."

The Board of Trustees of the Town of Ross, by resolution No. 90 adopted December 8, 1927, accepted the said deed "upon the trusts, terms and conditions therein set forth".

Recently a shed to accommodate passengers using Greyhound busses has been placed on or near such parcel of

The Board of Trustees  
of the Town of Ross

- 2 -

real property. We have not been able, as yet, to ascertain whether such shed has been actually located on said property or not. As the owners of the reversionary interest in said property, however, we wish to advise you, as Mr. Benjamin H. Dibblee has orally informed you on our behalf, that we are not willing that the said parcel of property be used now or in the future as a location for a shed or station to accommodate passengers using such busses, or for any other use in connection with the operation of such busses, or for any other purpose than that for which the property was deeded. We, consequently, have to request that if the shed be located upon said property, it be removed immediately.

Very truly yours,

Marjorie Woolsey Kittle  
Lucia H. K. Sherman-

The regular monthly meeting of the Town Council of the Town of Ross was Thursday evening, November 8, 1945, at eight o'clock.

PRESENT: Councilmen Bells, Fisher, Smith and Lohmann.

ABSENT: Councilman Borda.

The minutes of the previous meeting were approved as read.

Dr. Pacheco appeared before the Council and asked that he be allowed to negotiate for the use of the station building in which to establish his dental office. Mayor Bells explained to him that as there was a possibility that the site would be required for a postoffice building, the Council would not, at this time, consider any other requests for the use of the building. ~~XXXXXX~~ He also explained that Dr. Frier had made a similar request previously and that if any disposition was made of the building, he would have first consideration. Both Dr. Pacheco and Dr. Frier said they understood the situation and would consider the matter closed.

COMMUNICATIONS:

From Marjorie W. Kittle and Lucia K. Sherman in reference to location of bus stop shelter and asking that it be removed if it is found that it is placed on the park property. Referred to the City Attorney for answer.

From John Bolles asking that the Town of Ross adopt a building code and recommending that the uniform building code, together with the rules and regulations of the National Board of Fire Underwriters be adopted. Recommended codes to be reviewed by the City Attorney who will report to the Council.

From Oscar M. Hueter asking that a refund of \$10.50 be made to correct error in assessment under assessment #573. The City Clerk explained that an error had been made in including personal property in the assessment and that a refund was in order. Refund approved.

From Department of Public Health, Sacramento, in reference to situation regarding City Health Officer. Mayor Bells reported that shortly after Dr. Brady's resignation as Health Officer had been accepted, he was advised by the principal of the Ross School that a serious situation had arisen in that they were without the services of the school nurse and the Town was without a Health Officer. In view of the emergency, Mayor Bells asked ~~XXXX~~ Dr. Brady to accept a re-appointment as Health Officer and to work with the County Health Officer during the emergency. This was done and the emergency situation was brought under control.

Upon motion, duly made and seconded, Mayor Eell's action in re-appointing Dr. Brady was confirmed.

Councilman Lohmann was asked to use his best efforts to obtain someone to act as Health Officer.

The letter above referred to was referred to The City Attorney who stated that he would communicate with the County Health Office in an effort to work out some plan whereby the services of the County Health Office would be available to the Town.

The monthly reports of officers were read and ordered filed.

The resignation of Councilman Smith was accepted with regrets.

Councilman nominated Reese Tucker to fill the vacancy created by the resignation of Councilman Smith and, upon motion, duly made and seconded he was elected to fill the vacancy. Upon being sworn in, Mr. Tucker took his seat with the Council, and was appointed Chairman of the Finance Committee and to the Police and Fire Committee.

The resignation of C. J. Bradley as Treasurer and Tax Collector was announced and accepted with expressions of regret.

Councilman Lohmann nominated George R. Mosle to fill the vacancy created by the resignation of Mr. Bradley, and, upon motion, duly made and seconded, he was elected to fill the vacancy.

Demands numbered from 100 to 135 were read and warrants, in payment thereof, were ordered drawn on the Treasurer.

MARTINELLI & GARDINER  
ATTORNEYS AT LAW  
ALBERT BUILDING  
SAN RAFAEL, CALIFORNIA

November 9, 1945

*Copies*

Mrs. Marjorie Woolsey Kittle  
Ross, Marin County  
California

My dear Mrs. Kittle:

The City Council of the City of Ross, California have handed to me for reply the letter dated October 15, 1945 addressed to the Board of Trustees by yourself and Lucia Sherman, in which you have referred to the trusts and conditions of the deed to the public park in Ross.

You also referred to the shed to accommodate Greyhound passengers.

It has been reported that you propose to have a survey made upon said property in order to ascertain whether the shelter is actually located on the property.

The City Council believes that it is not and certainly it was not their intention to locate the shelter upon the property and they have always believed that the shed was entirely upon the street or highway area.

If it should appear from the result of your survey that the shed is entirely or partly upon said property and if you will so inform the City Council by a subsequent letter, I am sure that due regard will be had for the matter and that no encroachment of the shed in violation of any of the conditions of the grant is intended, nor would it be permitted.

Very respectfully yours,

  
City Attorney

JLM/mec

The regular monthly meeting of the Town Council of the Town of Ross was Thursday evening, October 10, 1946, at eight o'clock.

PRESENT: Councilmen Lohmann, Borda, Wheat and Tucker.

ABSENT: Councilman Fisher.

The minutes of the previous meeting were approved as read.

Messrs. Spalding and Stell addressed the Council requesting that the elm trees on Norwood Avenue be trimmed and that question of elm tree beetles be investigated at this time. Matter was referred to Road Committee and the Chief of Police was requested to consult with Roger Sohner in reference to the advisability of spraying at this time.

Mr. Von Trachtenberg addressed the Council asking permission to rebuild his garage on Poplar Avenue. He was advised to submit his request in writing and to produce sketch of contemplated changes.

Communications:

From Mrs. E. C. Smith complaining about the elm trees on Allen Avenue. Referred to Councilmen Lohmann and Borda for action.

From Mrs. Monte McGee asking that the elm trees on Norwood Avenue be trimmed. Referred to Councilmen Borda and Lohmann for action.

From several residents on Loma Linda Avenue complaining of parking conditions and asking that a "Not a Through Street" sign be placed at the intersection of Loma Linda with Wellington Ave. Chief of Police was requested to have such a sign erected.

From the Marin Garden Show expressing their appreciation for the co-operation accorded them in connection with their recent show.

Councilman Wheat announced that a barbecue pit had been erected on Town property near the Fire House and would be paid for out of the Park Fund.

Chief of Police Regoni was instructed to obtain bid for building a shelter for Northbound bus passengers.

The regular officers reports were read and ordered filed.

Councilman Tucker was appointed to serve as a member of the Finance Committee in place of Councilman Fisher.

Demands numbered from 73 to 105, inclusive, were read and ~~xxx~~ warrants in payment thereof were ordered ~~xx~~ drawn on the Treasurer.

There being no further business to come before the meeting, it was, on motion duly made and seconded, adjourned.

E. Lohmann  
Mayor.

ATTEST:

Gene Hallway  
City Clerk.

The regular monthly meeting of the Town Council of the Town of Ross was Thursday evening, November 14, 1946, at eight o'clock.

PRESENT: Councilmen Lohmann, Borda, Wheat and Tucker.

Absent; Councilman Fisher.

The minutes of the previous meeting were approved after the following correction was noted:

Councilman Wheat reported that the ~~members~~ members of the Volunteer Firemen's organization have constructed a barbeque pit as authorized.

The Superintendent ~~and~~ of Streets was instructed to assign numbers to each house in Ross.

Report of Treasurer, showing balance of \$29,781.46 was read.

The Tax Collector was authorized to cancel assessment on John Martin property.

Mr. R. Bernt addressed the Council asking that a police officer be assigned to duty at the Bolinas Avenue crossing during the hours of heavy traffic. After some discussion the matter was referred to the Police Committee for action.

Upon motion of Councilman Borda, Ordinance No. 148, amending Ordinance No. 116, providing for moving the official bulletin board from its present location at the Railroad Station to the southbound bus stop shelter and providing for an additional bulletin board to be located at the corner of Redwood Avenue and Ross Common, was introduced and read in full.

A bid of \$67.90 from Eklund for replacing lights on Nowwood Avenue bridge was approved. Mr. Bernt stated that he thought the lights were unnecessary.


The Council then retired to executive session and upon their return to the Council Chambers, Ordinance No. 149, amending Ordinance No. 101, was introduced and read by title.

Councilman Wheat was appointed to serve on the Finance Committee in the absence of Councilman ~~Fisher~~. Fisher.

Demands numbered from 106 to 144, inclusive were read and warrants in payment of same were ordered drawn on the Treasurer.

There being no further business to come before the meeting, it was, on motion duly made and seconded, adjourned.

ATTEST:

  
Mayor, Town of Ross.

  
City Clerk.

continue the renewal of this policy with Minto & Wilkie.

Mayor Lohmann announced that he had been unable to get any co-operation from the Greyhound Lines in connection with building a shelter for north bound passengers and suggested that Town employees be assigned to construct same, under the supervision of J. Regoni. Approved.

12/12/46

The regular monthly reports of officers were read and ordered filed.

Councilman Wheat recommended that authority be granted the Chief of Police to purchase two batteries for the police car. So ordered.

Councilman Fisher suggested that lights be placed on all fire alarm boxes so that they would be more readily found and instructions thereon read. Councilman Wheat will confer with the Fire Chief.

Councilman Borda announced that Mr. Tonini, residing at #1 Bolinas Avenue, had complained to him about people parking in front of his residence all day and most of the night and blamed the condition on the action of the Town of San Anselmo in restricting parking on San Anselmo Ave. After some discussion, during which it developed that the San Anselmo restrictions did not apply to the north side of Bolinas Avenue and therefor probably did not provoke the condition complained of, the matter was tabled without any action being taken.

Councilman Fisher was asked to prepare a resolution of appreciation to be sent Vincent Hallinan for his work on Ordinance No. 149.

A request from Mrs. Sturgeon for permission to enlarge the garage on her property was denied.

A request from the Town of San Anselmo for co-operation in an effort to keep the creek in a clear condition was referred to J. Regoni.

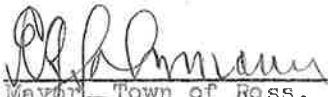
A letter from Charles E. Sloan, Mayor of the City of Mill Valley, was read advising of a meeting of all Councils on Friday, December 13th for the purpose of discussing way and means to obtain additional revenues. Ordered filed.

Public notice No. 47-18 advising of an application for permit to construct a fill north of Point San Quentin was ordered filed.


A bid from H. R. Eklund of \$135.00 to trim the large tree in front of the Town Hall for Christmas was rejected.

Demands numbered from 145 to 173 were read and warrants, in payment of same, were ordered drawn on the Treasurer.

There being no further business to come before the meeting, it was, on motion duly made and seconded, adjourned.

  
Mayor, Town of Ross.

ATTEST:

  
City Clerk, Town of Ross.

Resolution 286 regularly introduced and adopted.  
See copy in this book.

11/10/77

- 17. Consideration of Hold Harmless Agreement - Paved Parking Lot between Lagunitas Road and the Ross Post Office.  
Mr. Elliott reported that a hold harmless agreement is not necessary because the lease, entered into on August 14, 1957, with Richard Zoellner, reserves the right of the Town to use Parcel 2 for pedestrian and vehicular traffic and such portion of Parcel 1 as is now devoted to sidewalk use.  
The post office building reverts to the Town in 1992.
  
- 18. Other Business.
  - 1. Heard from the Clerk that a majority of Town Employees have expressed a desire to join Kaiser Foundation Health Plan. On motion by Mr. Jones, seconded by Mr. Chase, it was unanimously passed Basic B coverage for the employees.
  - 2. Asked the Chief of Police to consider marking the first 25' of Olive Avenue as NO PARKING.
  - 3. Directed Mr. Lunding to write the Transit District asking for temporary bus shelters.
  - 4. Heard from the Finance Chairman a recommendation to start a new patrolman, with POST training, at \$1100 and to increase the salary of Patrolman Parkhurst to \$1100 (55B) effective November 1. Mr. Chase so moved, seconded by Mr. Jones, and unanimously passed.
  
- 19. Adjournment.  
The meeting was adjourned at 11:20 P.M.

\_\_\_\_\_  
MAYOR

A T T E S T

\_\_\_\_\_  
Town Clerk

Introduction and Adoption of Emergency Ordinance No. 391.

Amending Section 10.28.070(29) of the Ross Municipal Code Prohibiting Parking on Certain Streets.

On motion by Mr. Jones, seconded by Mr. Chase, Ordinance No. 391 was read in full and adopted as an emergency ordinance by the following vote:  
Ayes - Allen, Jones, Chase, Osterloh, Maginis.

10. Discussion of Dead Tree at Corner of Olive and Walnut.  
A letter was read from John Lord stating that the dead pine tree, which is on his property, will be removed on the morning of the 9th of December. Discussion on the matter was postponed until the next meeting.
11. Confirmation of Hiring of Two Patrolmen.  
On motion by Mr. Jones, seconded by Mr. Maginis, the hiring of James Reis and Gary Long was unanimously confirmed. Both patrolmen have passed their physicals, are POST graduates, and will start at salaries of \$1100.00 (55B). Mr. Lang will commence working for the Town on December 12th and Mr. Reis on December 26th.
12. Other Business.
1. Directed the Clerk to advise Supervisor Boxer that no councilman volunteered to serve as the Ross representative to the Priority Setting Committee (a County-wide citizen participation body consisting of a council person from each participating city and a member of the Board of Supervisors).
  2. Heard from Attorney Elliott that he is endeavoring to get the Town withdrawn from the Dautrich case.
  3. Received a report from Building Inspector Lunding that erection of the Ross bus shelters is scheduled for December 31.
  4. Heard from the Mayor that the election department of the County of Marin has requested passage of a resolution in regard to the Katharine Branson Initiative petition on or before December 22d.
  5. On motion by Mr. Maginis, seconded by Mr. Chase, Resolution No. 1032 Requesting the Marin County Board of Supervisors to Authorize the County Clerk to Render Services regarding the Election to be held on March 7, 1978 was unanimously passed.

12-8-77

Mr. Strathdee offered to tear down the recently shingled carport if the Council would allow the illegal deck to remain.

Mr. Jones moved denial of the application and removal of the deck within thirty days. Mr. Chase seconded the motion, which was unanimously passed.

Mr. Strathdee said he felt he should not be punished and asked if there could be a compromise. Mrs. Osterloh replied that this was not the time to compromise.

Mr. Jones remembered that the Council had had difficulty on a previous occasion with the applicant on a construction job on Redwood Avenue.

11. Report on Bus Shelters.

Mr. Lunding reported that his efforts in regard to bus shelters have resulted in a promise by the District that construction will commence on January 25th. He has made tentative arrangements for construction by the Town in the event that these promises are not kept, and he requested that the Town Attorney be authorized to pursue injunctive action in the event construction does not go forth as indicated. Mr. Maginis expressed admiration for the shelter built on the Cedars School property and wondered if the Town could copy that rustic plan and receive reimbursement from the Bridge District. Mr. Lunding estimated the cost of two such shelters at \$8,000. It was decided that Mr. Elliott would contact the District's attorney about this arrangement if construction is not commenced by January 25th. The Mayor commended Mr. Lunding and Mr. Bettini for their efforts.

12. Discussion on Renovation of Ross Automotive Building.

1-12-78  
Architect Van Logan presented plans and explained the prospective owners want to convert the garage property into something the Town will be proud of. They hope to provide a green area in downtown Ross. The plans show a park area on the left side and rear of the property, with an arcade in the center. The lower floor will provide eight partitioned rental spaces, stairs will lead to office space on the second floor. The lower floor has 6500 square feet of retail space, the upper floor, 700 square feet. No structural alterations will be made and the new shops will compliment the existing shops in the commercial area. Mayor Allen worried about the need for additional parking and said if the present creek plans are approved, 48 to 50 parking spaces will be lost. Mr. Jones explained that the purpose and plan of the Town's ordinance was that off-street parking would be required if the property were renovated or

Mr. Chase said the lights proposed by Mr. Goodman are the least objectionable he has seen and wondered how much responsibility a property owner should have for his neighbor's concerns.

Mr. Maginis felt a property owner should be entitled to maximum use of his property.

Mr. Jones said there is a high concentration of population along Sir Francis Drake and night illumination of a tennis court could affect many properties.

Mrs. Osterloh also sympathized with neighbors concerned about encroachment on their privacy.

Mr. Chase moved that a use permit for night illumination of the Goodman's tennis court be approved, subject to review within one year and with the condition that the lights not be used after 10:00 P.M. Mr. Maginis seconded the motion, which passed by a three to two vote, Mr. Jones and Mrs. Osterloh dissenting.

8. Report on Zaidlin Rental unit, 160 Sir Francis Drake Blvd  
Mr. Elliott reported that Mr. Zaidlin was sent a Notice of Intention to Abate Nuisance and has stated that the illegal use has been stopped.
9. Report on Bus Shelters.  
Mr. Lunding reported that the new bus shelters have been installed.
10. Report on Strathdee Deck.  
Mr. Lunding reported that on February 3d, an agent for Mr. Strathdee brought two proposed stairway plans to his office and asked for verification of the dimensions and extent of improvement. An inspection by Mr. Lunding revealed that the deck had been completely removed. The agent was advised that by obtaining a building permit and filing a drawing, he could proceed with the stairs. The agent agreed to come in on Monday morning and obtain the permit. An inspection made on February 8th showed the stairs had been completed, without benefit of the permit. Mr. Lunding promised to follow through on the matter.
11. Discussion of Ross Automotive Renovation.  
Architect Van Logan displayed a new plan, which explored various areas where parking can be developed. The area adjacent to the building and behind the building on the Hamer property would allow 21 spaces. He explained that he is trying to retain the character of what is presently there and that the use of the shops will be controlled. He said he would be willing to provide further setback from the street. The existing building has a total of 9,000 sq. ft., with 7,000 sq. ft. which is usable. It would be possible to build a structure of 4500 sq. ft. and provide spaces for 27

29-78

The ADR asked if the town investigated repair of the windows. The manager indicated the cost of new windows was similar to the cost of repairing. The new windows would lower energy use.

Peter Nelson indicated seismic safety should be considered too.

Mark Fritts was comfortable replacing the windows with a more modern window and noted double panes in the office and the south facing windows would be noticeable. However, he could not comment on CEQA. The manager indicated the town attorney in an email indicated CEQA exemptions would apply to the project.

The ADR had a mix of comments on the windows, but ADR Recommended:

- All Wood material is preferable, but aluminum exterior is acceptable.
- Two members had a preference to repairing the existing windows versus complete replacement in the main town hall room and would be more flexible for replacement in the office area.
- The ADR strongly recommended ensuring the window detail is kept exactly the same, particularly when it comes to the width of the mullions and muntins and true divided lites.
- The ADR strongly recommending requiring the window supplier to create a sample sash to ensure the windows can be made to specifications.
- If council prefers to maintain historical context and considers the building historical, then single pane windows are preferred. However, double pane windows would be acceptable to reduce heating/cooling load. However, heating/cooling load will be affected even more by planned window coverings.

**5. Review of Sir Francis Drake/Lagunitas Road Intersection Bus Shelter Plans**

Review of Marin Transit plans for new bus shelters for the Sir Francis Drake Boulevard and Lagunitas Road intersection. The project replacing the existing bus shelter on the west side of Sir Francis Drake Boulevard and the installation of a new shelter at the bus stop on the east side of Sir Francis Drake Boulevard, in the right-of-way adjacent to the Marin Art & Garden Center. The ADR Group will review the design and color of the proposed shelters and provide comments to staff.

The ADR group considered the design and proposed color, including the option of using a brown paint similar to the Ross town signs. The ADR group felt the dark green color selected by the transit agency may be more affordable and easier for the agency to maintain in the future.

ADR members asked about the newspaper racks. Councilmember Kuhl believed there may be first amendment issues in removing them. Staff suggested considering upgraded racks to improve the appearance of the area.

The ADR group supported the new bus stop design and recommended the dark green finish.