

15 January 2022

Ross Town Council  
Ross Town Hall  
31 Sir Francis Drake Blvd  
Ross, CA 94957

Dear Ross Town Council,

We strongly encourage the Town Council to approve the expansion of The Branson School to 425 students without imposing additional restrictions.

We have lived in Ross for 25 years and all 3 of our children attended Ross School. Two went on to Redwood High School and our youngest son is currently a senior at Branson. The increase in student body will not have any personal benefit for our family. We have never before written a pollical response and are doing so now after this last Town Council meeting on 13 January 2022.

The town's voters approved the expansion of the school student body. The Town Council's duty is to move forward the expansion with regulations to ensure that it does not affect the town's traffic and emergency response.

We attended the town council meeting virtually this week. We were appalled at the Town Council's response with unnecessary and hostile questioning and the overall direction of the meeting. Council member Elizabeth Brekhus' comments on only admitting students in a 1- to 3- mile radius was profoundly tone deaf in the era of EDI (Equity, Diversity and Inclusion) and asking questions such as whether we can make them [Branson] get an electric bus or do a second traffic study were examples of regulatory overreaches. The relative silence of other Council members was surprising. Community members were left to comment, overwhelmingly and articulately in favor of approving the conditions of the expansion.

Lyle was at the Post Office prior to the Branson ballot measure when Mayor Robbins was asked by a Ross resident about the ballot measure. Her reply was "Never to going to happen while I am here". This is not a personal decision; this was voted upon and approved by the voters of the Town of Ross and should not be delayed or unreasonable conditions imposed due to displeasure regarding the vote outcome.

The Branson School is an asset to the town of Ross, an invaluable resource, and an excellent neighbor. The School could move and sell the land to developers who could add housing with alternative uses on this site. That would markedly increase traffic and change the town's character.

Branson has tried to meet all of the town's requirements including traffic, public safety, and other concerns. No matter what Council members' personal feelings toward The Branson School may be, the Town Council has been charged with moving forward with an equitable

solution for the School. Suggesting additional arbitrary, costly, and punitive restrictions approaches an abuse of power.

We were both shocked and embarrassed by the Council's behavior during this meeting, which demonstrated every negative stereotype of the Town of Ross and its residents. Again, we urge the Council to approve the expansion of The Branson School student body without imposing additional restrictions.

Respectfully,

Andria Langenberg, MD  
Lyle Shlager, MD  
77 Wellington Avenue  
Ross, CA 94957

**Linda Lopez**

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**From:** Catherine Pedneault <catherine\_pedneault@branson.org>  
**Sent:** Wednesday, February 2, 2022 5:21 PM  
**To:** Linda Lopez  
**Subject:** In Favor of Branson School Enrollment Increase

Dear Town Council Members,

My name is Catherine Pedneault. I want to express my full support to the Branson School in its plan to increase enrollment to 420 students.

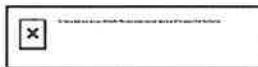
My family and I have lived at 41 Glenwood Avenue since 1998. Beside being a neighbor to the school, I work full time at Branson and am also the parent of a Branson alumnae. My daily life gives me the chance to know and work alongside all of our students. With their talents and their kindness, they do not cease to amaze me. I invite you to take a look at the following article that introduces the incredible projects that some of our juniors created and will soon undertake. It is my hope that more students from different backgrounds will have the opportunity to contribute to our community, develop their talents, and further their education at such a wonderful institution. I urge you to consider what happens in the classrooms during the day, and not only focus on how students get to and from campus.

The Branson School is an asset to the Town of Ross.

Please vote yes and allow Branson to fully increase its enrollment as specified in the application.

Thank you,

Catherine Pedneault



## **JUNIOR FELLOWSHIP WINNERS ANNOUNCED**

Congratulations to the Class of 2023  
Junior Fellowship recipients, who were announced last  
week in Assembly. [Learn more about their plans and  
projects.](#)

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**Catherine Pedneault** (she/her)  
Programming and Operations Coordinator

[catherine\\_pedneault@branson.org](mailto:catherine_pedneault@branson.org) | [branson.org](http://branson.org)



## **Linda Lopez**

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**From:** elika rosenbaum <elika.rosenbaum@gmail.com>  
**Sent:** Wednesday, February 2, 2022 3:11 PM  
**To:** Linda Lopez  
**Subject:** Branson

Honorable Council Members,

I write in support of the permit change requests made by The Brandon School. I hope you will vote in favor of expanding the school's population.

Elika Rosenbaum  
14 Madrona Ave, Ross, CA 94957

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Elika Rosenbaum, CPA  
Notary Public

## **Linda Lopez**

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**From:** Christa Johnson - Town Manager  
**Sent:** Friday, February 4, 2022 3:10 PM  
**To:** Linda Lopez  
**Subject:** Fwd: Support of Branson's proposed enrollment increase

Sent from my iPhone

Begin forwarded message:

**From:** Torie Clancy <torie.clancy@gmail.com>  
**Date:** February 4, 2022 at 2:21:47 PM PST  
**To:** CouncilAll <towncouncil@townofross.org>  
**Cc:** Brian Clancy <brian.clancy22@gmail.com>  
**Subject:** **Support of Branson's proposed enrollment increase**  
**Reply-To:** torie.clancy@gmail.com

Dear Ross Town Council members and staff,

We extend our appreciation to the members of the Town Council for volunteering your time to promote the town's best interests. Additionally, we are grateful to the town staff for working tirelessly to ensure that decisions can be made based on reliable information.

We are Ross residents with two sons, one who is in the eighth grade at Ross School and the other who is a freshman at Branson (and commutes to school via bicycle daily). We are writing to encourage the Town Council to approve Branson's application to increase its enrollment by 25 students per year in each of the next four years. In addition, we think it is imperative that the Town Council reach a final decision at next week's meeting on February 8<sup>th</sup>. In fairness to the community and parties who have invested significant time and effort in this matter, particularly staff of both the town and Branson, it is time to bring this to a conclusion. Branson has worked diligently and cooperatively with the town to address concerns and deserves to have clarity as it prepares to make admission decisions for the class entering in the fall of this year.

Having researched Branson's application and attended the virtual Town Council meeting on January 13<sup>th</sup>, we would like to share our thoughts and add our voice regarding some of the following key issues:

### **Traffic & Neighborhood Impact**

The prospect of additional traffic appears to be the primary concern of the Town Council, as expressed during the most recent meeting. Branson has committed to keep traffic at current levels, despite the proposed enrollment increase. To support this commitment, the school has undertaken extensive analysis and produced a detailed traffic management plan. The town administration has had the opportunity to review Branson's plan and conduct its own independent research and analysis. To date, there appears to be no significant, specific challenges offered to the detailed proposals provided by Branson.

### **Measure F**

As emphasized during the January 13<sup>th</sup> meeting, it is important to respect the role of the Town Council and the fact that passage of Measure F does not translate into any binding commitment for the Town Council to approve Branson's application for expansion. While recognizing this fact, we believe it is important for the Town Council to place significant weight on the expression of voter support that the passage of Measure F represents. Practically speaking, it would be reasonable to conclude that few, if any, residents voted to approve Measure F while, at the same time, were opposed to the natural result of that vote, Branson's current application for expansion. Further, speaking anecdotally, we know many residents who did not appreciate the nuance of this two-stage process and believed their vote on Measure F was an explicit approval of Branson's expansion.

### **Conditions on Approval**

We are strongly opposed to the Town Council placing conditions on approval that would interfere with the Branson administration's ability to make the best decisions for the school community. In the same way that the Town Council is protective of its authority to make decisions for Ross, it should demonstrate an equal respect for the authority of the Branson administration to make thoughtful, informed, long-term decisions for the school. This includes the fundamental and vital ability to craft the community of students that make up the school's core. We hope the Town Council will set aside some of the troubling discussions that surfaced at the last meeting regarding potential restrictions on the geographical diversity of Branson's potential additional students.

### **Property & Community Values**

The Town of Ross has enjoyed dramatic appreciation in real estate values over many years. The Ross School was a deciding factor for our family when we moved from the East Coast seven years ago. Similarly, the Branson School attracts families to the Town of Ross and provides additional significant support to property values. There are very few towns in the country that can boast they are home to both an exceptional K-8 public school and a nationally-recognized independent high school. These institutions have become a key aspect of the identity of our community as consisting of families that prioritize educational opportunities and excellence for their children.

### **Partnership & Trust**

After 100 years of partnership, it seems difficult to imagine that the Town Council and Branson have not yet established the basis of trust and respect that would allow the Town Council to approve Branson's application. If there are unintended and/or unexpected negative outcomes, then it will be incumbent on all interested parties to come together in good faith to arrive at a mutually beneficial solution. It is literally impossible to anticipate and plan for all potential future issues.

### **1978 Baseline**

As we have just entered 2022, it seems ludicrous that Branson be confined to standards that were determined 44 years ago, without consideration for modifications warranted by the passage of time and related changes in the delivery of a holistic educational experience.

The Branson School has taken extensive steps to address potential concerns and has consistently shown its willingness to go above and beyond to be a caring, respectful neighbor. For the reasons outlined above, we hope the members of the Ross Town Council will approve Branson's application for increased enrollment on February 8<sup>th</sup>.

Yours respectfully,

Torie and Brian Clancy  
PO Box 2003  
Ross, CA 94957

## **Linda Lopez**

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**From:** David Peterson <dpeterson307@aol.com>  
**Sent:** Sunday, February 6, 2022 8:05 PM  
**To:** Elizabeth Robbins; Elizabeth Brekhus; Julie McMillan; Beach Kuhl; Bill Kircher; CouncilAll; Linda Lopez  
**Cc:** peter.wais@ucsf.edu; charlie@charlesgoodman.com; kreid@bortonpetrini.com; peter.gpwhite@gmail.com; charlie@usa.net  
**Subject:** Branson Enrollment Increase

The Council should carefully examine any decision to increase enrollment at the Branson School and consider the long-term implications to the Town.

### Fiscal Impact:

Previous Staff analysis shows that with Branson's requested increased enrollment will cost the Town over \$180,000 per year. This represents a significant portion of the Ross Public Safety Parcel Tax. Both Fire and Police indicated that these costs were considerably under the actual costs. In addition to these costs, there is cost of the Measure F election and the added Staff time to prepare the reports over this issue and the costs to monitor the Permit Conditions going forward. It is fiscally irresponsible to approve the enrollment increase without some reimbursement to the Town for all these costs.

### Traffic and Congestion:

While Branson has put forth a Traffic Plan intended to generate a net neutral traffic, there is not sufficient monitoring to ensure its effectiveness or sufficient penalties for the inevitable increase in traffic. Much of the Traffic Plan depends on busing and carpooling. The Town's infrastructure is not meant to handle the large buses and the additional traffic this entails. No matter how you cut it, more students means more teachers, more staff, more traffic and more events with larger attendances. The Town does not have the Staff or resources to monitor and control this level of activity.

### The School is Poorly Located.

The school is located deep in the heart of a totally residential neighborhood in a very small town. All other private schools in the Bay Area of comparable sized are located in larger towns and cities. They are generally not in primarily residential areas and are served by major arteries and roadways able to handle the resultant traffic. Being located in a larger town allows an equally larger tax base to absorb the cost of public safety and necessary infrastructure resulting from their presence. As a private, not for profit school, Branson pays no property tax on the 16 acres it occupies. If this space were developed with residential properties, which it is zoned for, it would result in hundreds of thousands of dollars of additional property tax while causing much, much less financial burden on the Town.

### The Proposed Conditions Placed on the Use Permit are Insufficient and Unenforceable:

Branson has not accurately reported enrollment in the past to comply with the current Use Permit, nor have they limited the level of afterschool sports and other activities as required. It has been reported that the sport events have increased many folds while the Permit required that the number of events be limited to those held in 1978. The Town nor Staff have the capability to monitor such conditions..., nor the will.

### Dishonest About Need to Increase Enrollment:

Branson has maintained the reason for the needed increase in enrollment is financial and they cannot continue to exist at the present level. This is provably untrue. Based on an analysis of their 990 Federal Tax Returns, in the 10-year period from 2008 through 2017 Branson showed a positive cash flow of over \$19 Million and this has continued in subsequent years. And Branson has the highest per capital endowment of all its peers. They spent lavishly on Measure F. They have recently acquired two residential properties in Ross adjacent to the campus in addition to the one held for many years. This at a reportedly \$6+ Million. What do they plan to do with this additional property?? Remember they expressed a desire to have an enrollment of 1,000 when they planned to move to Tiburon.

They have said that the enrollment increase is necessary to compete for students and to offer diversity. This too is untrue. They remain highly selective in accepting only a small portion of those applying. If it is more diversity they wish, then use some of the accumulating cash to offer scholarships too under privileged and recruit from other than white communities.

Trust:

In the last Council Meeting when discussing increased enrollment for Branson, one Council Member said something to the effect of "It's a matter of trust." Branson has proven in the past that they cannot be trusted to:

1. Not to exceed enrollment limits or accurately report their true enrollment.
2. To limit the number of extra-curricular and sporting event as required by their Permit.
3. Be honest about their financial position.
4. To protect their students from sexual abuse by the staff. Please Google "Branson Sexual Abuse" and read all the recent articles before you allow the expansion of enrollment in our Town.

<https://stopschoolsexualabuse.com/branson-school-sexual-abuse>

<https://www.marinij.com/2021/06/07/branson-school-faces-another-sexual-abuse-lawsuit/>

<https://www.marinij.com/2021/06/14/branson-coach-denies-knowledge-of-sexual-abuse-claims/>

<https://www.sfchronicle.com/education/article/EXCLUSIVE-One-woman-s-lawsuit-is-unearthing-16089488.php>

[https://www.branston.org/cf\\_enotify/view.cfm?n=25](https://www.branston.org/cf_enotify/view.cfm?n=25)

[https://www.branston.org/cf\\_enotify/view.cfm?n=182](https://www.branston.org/cf_enotify/view.cfm?n=182)

If it is decided to allow for some increased enrollment, it should be small to start and conditioned on an annual renewal of the Use Permit, much like the Lagunitas Club's Permit.

Also, you should review and implement some, if not all, of the recommendations made by Charlie Goodman in his letter of February 5, 2022. To that I would add that you require Branson to hire traffic control officers to monitor daily drop off and pickup times as well as all events where over 50 or more spectators and participants are expected.

BRANSON DOES NOT NEED TO INCREASE ENROLLMENT TO CONTINUE AND PROSPER IN ROSS.

Thank you for scheduling a special meeting for this issue. The matter deserves much more research and input before reaching a conclusion. I hope you will do the right thing for the Town both now and for future residents.

David Peterson  
[dpeterson307@aol.com](mailto:dpeterson307@aol.com)  
(415) 596-7124 Cell  
PO Box 1445  
Ross, CA 94957



February 5, 2022

To: Ross Town Council

Re: The Branson School "Use Permit" Application for increased student population

If the Council decides to grant a minimal increase in the number of students, then it should apply several regulations and rules to the "Use Permit".

Additionally, there should there be:

1. Limits to the number of Trips for students and faculty
2. Limits on the number of Sporting Events
3. Limits on the number of Lectures
4. Limits on the number Graduation attendance
5. Limits on Any and all Uses that would Attract Visitors

Similar to the Towns' "Tree Ordinance":

1. The Town should hire an attorney to write the "Rules and Regulations" and
2. The applicant (Branson School) should pay for the charges.

This agreement needs to have "teeth", with penalties for non-compliance and additional fees for multiple offenses. This is the correct time to address these issues, so both parties know what to expect. It will also help future Councils. Let's be as clear as possible.

Charles Goodman

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Saturday, February 5, 2022 2:38 PM  
**To:** Meredith Rupp; Linda Lopez  
**Subject:** Fwd: Branson

Sent from my iPhone

Begin forwarded message:

**From:** Dan Kalafatas <dkalafatas@yahoo.com>  
**Date:** February 5, 2022 at 2:25:49 PM PST  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Branson

Elizabeth, Beach, Elizabeth, Bill, Julie, and Kelly,  
I know a number of you personally and live on 20 Glenwood Avenue here in Ross.

I am writing with my support for Branson's expansion and as a neighbor of Branson in the neighborhood proximate to campus.

I see students walking to school from time to time and have had no concerns about traffic to date. I've reviewed Branson's traffic management plan, find it robust, believe it thoughtfully integrates new students such that it does not negatively impact the neighborhood, and am comfortable with the many measures Branson is utilizing to make sure traffic is net neutral or better.

I have also known Branson as a school that is well managed and committed to keeping its promises. I believe the penalties of \$50,000 - \$100,000 Branson has agreed to as further assurance to the Town are significant.

Please grant their expansion. In my assessment, what is on the table is a reasonable ask with a good plan.

Dan Kalafatas  
20 Glenwood Avenue

**Linda Lopez**

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**From:** peter wais <peter.gpwhite@gmail.com>  
**Sent:** Monday, February 7, 2022 7:59 AM  
**To:** Elizabeth Robbins; Elizabeth Brekhus; Julie McMillan; Beach Kuhl; Bill Kircher; CouncilAll  
**Cc:** Linda Lopez; charlie@charlesgoodman.com; kreid@bortonpetrini.com; charlie@usa.net; David Peterson  
**Subject:** Re: Branson Enrollment Increase

Dear Ross Town Council Members,

Many important issues have been raised by other impacted Ross residents in regards to the use permit application you are considering from the Branson School to substantially increase its enrollment.

A major impact of such a substantial increase in capacity at Branson (i.e., 33% more students, faculty and staff) that is plain for everyone to see would be construction of state-mandated facilities to accommodate so many new students. Such construction would likely involve both reconstruction of existing Branson facilities \*and\* new construction. The generalities of this inevitable construction, let alone the specifics that Town regulations require, have not been addressed in the current use permit application.

The Town Council cannot properly evaluate the impact of the incomplete use permit application before it now without weighing the relevant construction information. I implore the members of the Town Council to withhold consideration of this matter, which is certainly the largest construction/commerce matter in Ross for decades, until you have all of the information necessary to make a thoughtful and balanced decision and to do so on the public record.

Respectfully

Peter Wais  
25 Upper Road  
[peter.gpwhite@gmail.com](mailto:peter.gpwhite@gmail.com)

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 12:07 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Preparation for Ross Town Council Meeting, February 8

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Leslie Bergholt <lesliebergholt@yahoo.com>  
**Sent:** Saturday, February 5, 2022 4:21 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Fw: Preparation for Ross Town Council Meeting, February 8

Dear Ross Town Council Members,

Thank you for your tireless work on the behalf of the members of the town of Ross.

I am writing in response to Chris Mazzola's email (See Below) regarding the town's most recent request of the Branson School. As we have emailed in the past, my husband, Jeff Bergholt and I are in favor of the growth of the student body at The Branson's school.

Regarding the most recent requests as outlined in Chirs Mazzola's below email we feel #1) An Immediate Enrollment Rollback seems impossible for any school to manage and impossible to abide by. In addition, this rule could lead to unnecessary animosity between the Branson Community and the Town of Ross. #2) Increased Traffic Monitoring - The current Branson crossing guards are a welcomed addition to the morning commute. I don't see any need for an increase just keep the current " Slow Guards" in place. Lastly, #3) No Playoff Games at Branson School could be an excellent compromise with the surrounding neighbors who enjoy and want to preserve their peace and quiet during weekends and afternoons.

Thank you again for your work.

Best,  
Leslie Davalos Bergholt

----- Forwarded Message -----

**From:** Christina Mazzola, Head of School <noreply@bransonorg.myenotice.com>  
**To:** "lesliebergholt@yahoo.com" <lesliebergholt@yahoo.com>  
**Sent:** Friday, February 4, 2022, 01:54:30 PM PST  
**Subject:** Preparation for Ross Town Council Meeting, February 8

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February 4, 2022

Dear Friends and Supporters of Branson,

On Tuesday, February 8, Branson will appear before the Ross Town Council to continue the discussion regarding our application for a student enrollment increase. Hopefully, this will be the final step in what has been a multi-year process with many challenges along the way.

I know that many of you watched the last Town Council hearing on January 13. Today, I'm writing to share some information to keep you informed as we head into next Tuesday's hearing. Last week, as a follow-up to the last Town Council meeting, I submitted the school's response to various issues and concerns that came up at the hearing, which you can [read through here](#). In the last 48 hours, the Town released its staff report in advance of the hearing that includes a proposed new set of conditions that haven't been discussed after almost a year into the application process, which you can review here: [Town Report](#) | [Additional Correspondence](#).

Among the proposed set of conditions that the Town is seeking in exchange for the student increase, there are three that would have major impacts on school operations:

1. **Immediate enrollment rollbacks.** Town staff is recommending to the Town Council that enrollment reductions be applied for any violations above our set limit of daily car trips to campus. While we agree that penalties should be implemented, this condition would create a constant operational threat and not allow the school to fix any unforeseen issues before a student rollback is imposed. To ensure compliance with our trip limits, we have agreed to the Town's recommended level of sizable fines between \$50,000 and \$100,000. Running a school requires careful long-term planning. Sporadic, immediate rollbacks would be devastating for financial planning and could even trigger the need for staff layoffs if we didn't have the number of students we anticipated. We hope the Town Council views rollbacks as a last resort.
2. **Increased traffic monitoring.** Town staff has proposed a dramatic increase of traffic monitoring from two weeks each fall to four months of daily monitoring from mid-August through Mid-December. The common approach for school traffic monitoring is through random testing for a period of one to two weeks, which was recommended by outside transportation experts.
3. **No playoffs games on campus.** Town staff is recommending that all Branson post-season games be moved off-campus, which would eliminate any playoff or championship athletic games at Branson. This condition would be extremely unfair to our student athletes who have worked so hard during the regular season and want to play at home. We are open to moving some of these games off-site, but

complete ban seems extreme. We hope the Town Council does not choose this path.

Again, it is important that we provide transparency to you throughout this process. The only purpose of this application is to have the ability to grow our student body to a more diverse, healthy, and sustainable level. We hope that the next hearing will lead to a positive discussion with the Town Council as we work toward a resolution on our application.

During this critical time, we encourage you to participate in the process as the Town continues to receive public comments by email at [towncouncil@townofross.org](mailto:towncouncil@townofross.org). And please attend the virtual Zoom hearing on **Tuesday, February 8 at 5 pm** by following the [instructions on the agenda](#).

Thank you so much for your help as we continue to navigate this lengthy and difficult process.

Best,  
*Christina Mazzola*  
Head of School

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## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 12:07 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Support for Branson's request to expand, from Fernhill residents

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Genny Biggs <genny.biggs@gmail.com>  
**Sent:** Saturday, February 5, 2022 3:50 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Cc:** andrew.biggs@gmail.com  
**Subject:** Support for Branson's request to expand, from Fernhill residents

Dear Council Members,

Thank you for your service to the town and continued willingness to discuss Branson's plan to expand enrollment.

We write to encourage you to vote to approve Branson's request.

The school has done what was asked, and more. If the concern is about traffic and safety, please note that the majority of Fernhill residents who have spoken and written have expressed that we *favor* approving Branson's expansion. We have seen and explained that the school has already demonstrated the efficacy of their measures to improve traffic and safety conditions over the last two years, and we are confident about their future plans. We on Fernhill know well that what Branson proposes will work.

Based on lived observation, it also seems that introducing new requirements and conditions is unnecessary for better traffic outcomes—and would be harmful to the school.

Many thanks for your consideration,  
Genny & Andrew Biggs  
12 Fernhill

—  
[genny.biggs@gmail.com](mailto:genny.biggs@gmail.com)  
[genny.biggs@aya.yale.edu](mailto:genny.biggs@aya.yale.edu)

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 12:06 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Timely Prespective from Caring Ross Residents  
**Attachments:** 2.5.22 Shane Family Letter - Ross Town Council.pdf

Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org

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**From:** Blair Shane <blairrshane@gmail.com>  
**Sent:** Saturday, February 5, 2022 5:15 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Cc:** Richard Shane <richard.b.shane@gmail.com>; GMAIL <blairrshane@gmail.com>  
**Subject:** Timely Prespective from Caring Ross Residents

*Ross Town Council - Please see our letter below and attached. We are happy to speak with any of you to better understand your perspective, Thank you for considering and responding to our concerns. All the best, Blair and Rick Shane*

Mayor Robbins, Mr. Kuhl, Ms. Brekhus, Mr. Kircher, Ms. McMillan, and Mr. Reid,

As Ross residents and Branson parents, we never expected to write this letter. Until recently, we had faith in the municipal process and fully supported the steps you and the town had implemented for Branson to secure a fair enrollment increase. We became dismayed by the 5 hour hearing on January 13, concerns only enhanced by the latest proposed set of conditions. You are smart, well educated and well intentioned people who are taking this too far for reasons we neither understand nor support.

There appears to be willful denial of public opinion that is ultimately bad for Ross. We hope that this will be corrected on February 8th at 5pm. It is also the reason for our call to action - for the Council to approve the Branson proposal with fair conditions and to stop petty, protectionist politics that serve a few and contravene the majority views of the constituents you represent.

The citizens of Ross have voted, and they approved the school expansion and entrusted the ratification of the proposal with reasonable checks and balances to you, our Town Council. At the last hearing, Council Member Brekhus stated that Measure F merely granted the Council authority to decide the issue (thus casually dismissing a referendum reflecting the voice of 60% of Ross voters who supported the measure). This is an argument of convenience, contradicting her prior effort to delay advancement of the ballot measure under the opposite pretext that voters needed time to make an informed decision on the underlying issue (September 2019 Council Meeting).

Branson and town staff have worked tirelessly to ensure that traffic and safety protocols will be effective with the increase in enrollment. This "bipartisan team" recommended solid remedies based on deliberate thought



and expertise. Your latest proposed set of conditions shared only a day or two ago appear to reject their months of work in wholesale fashion. This is just bad practice and unfortunately appears to lack good faith. We cannot let this behavior go unchecked.

We moved our family to Ross in June 2020 because of Branson. We are law abiding, tax paying residents who are dismayed that the Town Council has put up every foreseeable obstacle to block Branson's request. We have participated in every hearing and have heard the council out. We believed in your ability to do the right thing under reasonable conditions. What is preventing you from seeing the big picture and voting for community over the myopic fears of a few?

We would like to remind council members that Branson is an asset to Ross. It is an educational institution of which to be proud. As one of the best high schools in the Bay Area, state and country, it attracts the most talented students and faculty. It is a jewel that makes our community and our world better. We are struggling to understand why you would want to halt progress. Please explain how a few extra cars and sporting events diminishes the value of property and quality of life? Blocking advancement makes us appear elitist, protectionist and self-serving when we should be beacons of progress - welcoming, community-focused problem solvers and contributors.

Have you ever stopped to think how Branson kids riding their bikes home after school or waiting for a bus make our community stronger? One of them may become Mayor or serve as a police officer, or an EMT in our community. They are like your children who went to The Ross School, Redwood High School and Branson. They simply want a place to learn and to grow. 25 extra students added over the next four years and then a stabilized 420 enrollment should not be viewed as a harm to the community but as an opportunity that brings pride to our town.

What has been utterly lost as this devolved into a debate over enrollment and traffic is the needs of our children. Over the next 15 years, we will raise a generation adversely impacted by Covid during their most formative years. The "Covid Generation" deserves your unwavering support, not institutional roadblocks. Raising on-campus events like home play-off games as a negotiating point with a non-profit, educational institution is generously administrative overreach. At worst, it is a cynical attempt to use teenage rites of passage as a shield protecting the interests of a few constituents.

We ask that you put yourselves in the shoes of the students. Remember your experiences as student athletes, sharing success and failure with your friends and family cheering you on. Those are priceless moments to foster. We hope that you don't aspire to block future students from that same joy through bureaucratic machinations.

It is time to do the right thing for our community and embrace education. To help a valued institution survive and continue to serve our town with service and talent and community.

We respectfully urge you, the Ross Town Council, to please approve Branson's proposal without levying additional restrictions. Be public servants for good, not obstructionists who have forgotten that great schools make great communities. Thank you,  
Blair and Rick Shane

--  
Blair R. Shane  
415.699.1791  
she/her/hers

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 12:05 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Special Meeting Comments

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Caskie Collet <caskiec@yahoo.com>  
**Sent:** Saturday, February 5, 2022 7:39 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Cc:** Colby Collet <ColbyCollet@Yahoo.com>  
**Subject:** Branson Special Meeting Comments

Ross Town Council:

We again wanted to write to express our strong support for the application that Branson School has submitted to expand their student body. Branson is an incredibly valuable asset to the town of Ross, as you heard from the vast majority of the speakers at your last town council meeting. The ballot measure in support of this expansion passed with a strong majority and we believe it is your duty, as our elected officials, to follow through with the will of the voters and vote in favor of their expansion, without imposing unreasonable burdens or restrictions that will harm the school and also the Ross community as a whole.

We listened to the entire town council meeting on January 13th and much of the discussion, uninformed questioning and accusatory, confrontational tones were honestly an embarrassment to our town. It seemed like some council members harbor a hatred of Branson (how can you hate a school?). It is time to put the personal vendettas behind and think about the cause and purpose of this institution — to educate students. We have the opportunity to make this amazing education available to more young people. That's something Ross should do and should be proud to do. As one resident said at the last meeting, "Take a bigger picture and think about the good that comes from educating more youths." We totally agree.

Ross is a wonderful community and we are all lucky to live here, and to suggest that we do not want students to attend Branson from outside our immediate neighborhood is hurtful and does not support the racial equality and inclusionary attitude that we should all strive to achieve.

Branson has always been a considerate, honorable and trustworthy neighbor, as evidenced by the numerous neighbors and community groups who submitted letters and also spoke at the meeting on the 13th. Branson's voluntary actions over the years to limit traffic, actively address neighbor concerns, open their campus to the town, and collaborate with Ross School, to name a few, were not given any consideration in your discussions on January 13th. Branson has proven to be a trustworthy partner in building our community, and the town should show them some respect and acknowledge their track record.

Branson has put forth a thoughtful and comprehensive traffic management plan that addresses the concerns noted by some members of our community (even though we don't share these concerns, living across the street from campus). Keep in mind, this plan maintains or reduces the already low historic traffic counts, which are the product of Branson's voluntary traffic mitigation programs implemented years ago - these were not required or mandated by the town! Branson's proposed traffic management plan was developed by one of the foremost experts in this area of study, and has been reviewed in detail by your own expert, another top tier consultant. Nonetheless, certain members of the council, without any experience in this area of study, chose to question these expert recommendations, as if you knew more than your own experts, or were just looking for reasons to require additional study and delay the vote. The plan has clear penalties that require Branson to remain in compliance with the traffic limits, but also acknowledges, as your experts agree, that traffic counts are an imperfect science. Therefore, cure periods and financial penalties are appropriate, rather than requiring an abrupt reduction of headcount as your most recent staff report suddenly recommends.

Regarding athletic events on campus, the idea that the town would prohibit Branson from holding outdoor sporting events, particularly championship games on campus is simply wrong. Branson has a tradition of excellence in athletics that should be celebrated. Rather than requiring that Branson hold these games at an alternate site, the town council should encourage town residents to attend the games on campus and enjoy the energy and excitement of the highest level of high school athletics. The sound of fans cheering or an announcer (with amplification) calling a high school football or soccer game is special, not something to try to avoid. These are not frequent events and any impact to the neighbors is minimal. As a side note, we do not believe there is any reason that the new use permit needs to limit the number of activities to that of the 1970's. The world has changed, there are many more teams at all schools, most notably due to the expansion of women's athletics.

Similarly, outside organizations, whether it be the Ross School or other youth athletic organizations such as CYO or others should not be limited in their use of the wonderful Branson facilities, which are generously offered by the school at no cost. Clearly more youth organizations would be using these facilities already, were it not for the arbitrary limitations set by the town's legacy use permit. There is a significant shortage of field and gym space in Marin County and limitations on Branson's facilities will exacerbate the problem.

These additional events by outside organizations will clearly create more traffic - what is the problem? If a great new store or restaurant opened in town, that would also create more traffic, and it would be great!

We firmly believe that town staff did an excellent job negotiating a fair and comprehensive proposal for the revised use permit presented at the council meeting. Clearly there was a lot of give and take from both sides. The continuation of the vote on January 13th in order for certain members of the town council to try to extract another "pound of flesh" is totally inappropriate.

We strongly urge you to approve the requested expansion of Branson without any further delays or restrictions, including limitations on the number of sporting events or activities hosted by the school, or reductions in headcount for a single violation of the traffic counts. Please trust their intentions and allow Branson to expand and become an even more valuable asset to the town of Ross.

Caskie and Colby Collet  
40 Fernhill Avenue, Ross

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 12:05 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Phased Enrollment Growth

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Robert Balmaseda <koswerks@gmail.com>  
**Sent:** Sunday, February 6, 2022 10:08 AM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Cc:** Jennifer Balmaseda <jen@koswerks.com>  
**Subject:** Re: Branson Phased Enrollment Growth

Hello,

Hello, I hope this email finds you all well. We are writing once again to voice our support and that of the majority of town residents in support Branson Phased Enrollment plan. We have reviewed many of the Town's counter proposals to the Branson school and find them not only penurious but not in keeping with a spirit of partnership with the school to have a positive growth model. The Branson School has been a positive contributing member of this community for over 100 years and can continue to be so with the collaboration of the Town Council. The town overwhelmingly voted in support of this plan, and the proposals do not honor that vote.

I would specifically like to call out:

- 1. Increased Traffic Monitoring** - the Town's proposal are not in keeping with standard best-practices. As a town resident who lives on SFD, I would LOVE to see the Town apply the same level of rigor to the speed of Traffic on Drake. We have lived here for ~10 years, and it took us the better part of that time to get the dots installed on SFD (which has helped with Traffic flow). Additionally, we walk the neighborhood with our Dog ~4x/week and I must admit several of our neighbors (not teens) drive very fast and don't respect town residents who are walking on Glenwood!
- 2. Immediate Rollbacks** - This proposal feels the most penurious. In any matter of this nature, there is always a time to cure before penalties are involved.
- 3. No Playoff Games** - Not many games at a all are played on campus and limiting student and community involvement on campus severely impacts the School and the Community.

I would urge the Town Council respect the will of the voters and not bow down to the few members of our community who are against Branson's Phased Enrollment plan.

Best,

rb

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.: Robert Balmaseda  
.: Koswerks  
.: [koswerks@gmail.com](mailto:koswerks@gmail.com)  
.: 415.609.1639

On Jan 11, 2022, at 15:44, Roberto Luis Balmaseda <[bob@koswerks.com](mailto:bob@koswerks.com)> wrote:

Hello,

I hope this message finds all members of the Town of Ross Council well and that you all enjoyed your Holidays. We are writing you today in support of the Branson Phased Enrollment plan as both long-time Ross Residents and as Branson Parents. We have been blessed to be a part of the Branson Community and we have seen first-hand the impact the school has had on our daughter who is a Senior and is going off to the college in the fall.

We are active members of the Branson Community and have experienced first-hand the commitment which the Branson Administration to the overall Ross Community through its partnerships with Ross School, Ross Recreation, Cedars of Marin, and Town activities and events and strongly believe that Branson is an asset to our town. On our daily walks, we engage with several Ross families who have or have had children at the School. Allowing the school to have 100 new students will create new opportunities for Ross families to send their children to Branson.

In our last town elections in 2020, more than 60% of Ross residents voiced their support for Branson's growth to 420 students. Today, Marin schools are having a hard time attracting and retaining teachers given our high cost of living and the enrollment increase will go along way to enabling Branson to invest in teacher salaries and benefits. While Branson has not grown since the 1978 enrollment cap, other schools have. The school's plan to grow by 25 students per year over the next four years is both a reasonable request and a measured/sustainable approach to its growth needs. A members of the Ross Community, we believe that it's essential to create a more diverse community and the school's student increase will provide more resources toward financial aid packages for students from different socioeconomic backgrounds.

We have worked with the school and provided input on town residents concerns and know that the Administration is committed to a thoughtful approach to its growth plan and they have incorporated strong measures to enhance its transportation plan. The school has listened to its neighbors and is committed to net neutrality on its existing traffic levels as evidenced through increased off-site drop-offs and pick-ups that will ease car trips to and from campus an increased bus ridership, and as well as other measures.

We will also call in on Thursday, but wanted to formalize our support for Branson's growth.

Best,

robert and jennifer

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.: Robert Balmaseda

.: Koswerks  
.: bob@koswerks.com  
.: 415.609.1639

## Linda Lopez

---

**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 12:03 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Enrollment Increase

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** traci gale <tracigale@aol.com>  
**Sent:** Monday, February 7, 2022 12:02 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Branson Enrollment Increase

To: Ross Town Council Members  
From: Traci and David Gale  
Date: 2/7/2022  
Re: Approval of The Branson School's enrollment increase

We are new residents to the town of Ross, moving here in July of 2019. When we moved here all we really knew about Ross was that it was the home of a wonderful private high school, The Branson School. Our fourth child had been accepted for the class of 2023 and he was thrilled to attend a school of such high academic standards and to be able to play football and basketball for programs that have been highly competitive in spite of the relatively small school enrollment versus the teams in their leagues.

When COVID hit in the spring of his freshman year it changed everything. The level of commitment the current administration and board demonstrated to get our children back in school and back on the playing field was amazing. Also, the commitment that the students made to follow a rigid lengthy list of rules so they were able to return to the school they love was incredible. We feel very strongly that the desire to remain good neighbors with the increase in enrollment would be approached in the same manner and level of commitment by both leadership and students.

Branson is an amazing institution helping to raise bright, committed, well-rounded young adults. The academics as well as the extra-curricular activities are crucial components. To take away the ability for us to use our beautiful campus would be such a shame. The fact that the field does not have lights makes it a day time use area and the number of playoff games would not increase with increased enrollment. To penalize our athletes who work hard all season to make it to the playoffs and then not allow them the home advantage for one or two Saturday afternoons a season seems unreasonable. We already have much of our athletic's program off campus with the renting of facilities at the College of Marin.

Since moving here we have discovered many wonderful things about the town of Ross. The quaint downtown, the beautiful hikes and walks and the friendly people you meet along the way to name a few. But to us, Branson is the main treasure of this town and we would hate to see the school forced to leave its incredible campus or stay and feel unwelcome in their home of over 100 years.

Thank you, Traci and David Gale

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 12:03 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson School Enrollment Decision

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Jan Hoeveler <jhoeveler@rossbears.org>  
**Sent:** Saturday, February 5, 2022 8:42 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Branson School Enrollment Decision

Dear Members of the Town Council,

Since I recently had an informal meeting with one of your members and also another community resident, I have read the Branson response to the issues raised in the January meeting.

First, we want to thank each of you for your devoted consideration. We recognize that your efforts have included numerous hours outside of your council meeting times -- which have also been lengthy!

It is our desire and hope that you and we - as members of this community - will believe in the power of positive thinking. We solemnly trust that if the council will acknowledge and support the Branson requests - with no or minimum restrictions -- that Branson will honor its responsibility to accede to all the expectations of your council.

Tog



## **Linda Lopez**

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 12:01 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Phased Enrollment Growth

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Robert Balmaseda <koswerks@gmail.com>  
**Sent:** Sunday, February 6, 2022 3:02 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Cc:** Jennifer Balmaseda <jen@koswerks.com>  
**Subject:** Re: Branson Phased Enrollment Growth

Elizabeth Robbins,

Many thanks for your call today. I appreciate the conversation and apologies for my frustrations with the two cars which almost hit me on Glenwood and Fern Hill during our conversation. My point, is to make sure that if the concern is overall traffic management in our town, that we don't overly focus on (nor encumber/delay the Branson Growth) on Fernhill/Norwood/Shady, but rather on the overall Quality of Life of the entire Town. There are many other areas of concern (noted below) and I am sure if you canvassed the town you would discover others. My points for consideration in no particular order are:

- SFD
  - The posted speed is 30 mph, but very few people follow that. Should we consider a years-long traffic study to see how to reduce traffic?
    - As noted, it took ~7/8 years to get the town to post the speed sensor
  - Walking on many stretches of SFD can be harrowing due to the speed and how close people drive to the walkways (the dots have helped)
    - As noted it took ~9 years of effort to get the town to address the request for Dots
  - Parking or pulling out of any of the driveways on SFD can be hazardous (just ask Elizabeth Brekhus)
  - Pulling out from Winship (or onto Winship) can be challenging
- Speed/Glenwood
  - As we discussed the overall traffic to/from the Lagunitas club by many residents can be quite fast along Glenwood.
  - This coupled with no sidewalk is a cause of concern. In fact while talking to you, standing at the edge of the road i was almost hit by a car and i was not out in the street!
- Speed/Phoenix Lake Drive
  - As we discussed the overall traffic to/from Phoenix lake can be quite fast on Glenwood and Lagunitas

- As discussed, the posted speed limit in the park is 5mph. No one drives 5 mph on this street and many people walk the street.
- It is a hazard
- Sidewalks
  - There are few sidewalks in town other than one side (and not very safe in many places) of SFD, one side of Shady, one side of Lagunitas, Poplar, Bolinas
  - There are no sidewalks on Fernhill to speak of at all
  - Is VERY unsafe for people to walk any of the other streets due to non-Branson, local resident related traffic
  - So many residents of all ages (older folks, people with dogs, moms with strollers, kids on bikes) walk our streets and the overall speed of many of our residents and non-Branson visitors are causes of concern.
- Laurel Grove
  - I am sure the residents of this street have opinions on speed/sidewalks/etc.
- Teens
  - Not all teen drivers in town are going to/from Branson, but can be MA, MC, Redwood, Archie Williams or other kids

**My primary point is that we should look to partner with Branson in a meaningful way which promotes their growth in a conscious manner and not in an adversarial manner. And if our true concern in our town is the overall quality of life related to traffic, there are many more and much bigger fish to fry.**

Finally, I would leave you with this POV. As Ross residents for ~10 years, our daughter has enjoyed being part of the Branson Community for the past 4 years. The current management of traffic is quite strict, so much so that she cannot drive to school, cannot be part of a carpool (as she lives too close to school) but can only take the shuttle or walk/bike. But as you know, Fernhill does not have any sidewalks. Would you let your child walk/bike on Fernhill?

My offer of a “walk-and-talk” to visit non-Branson related traffic issues stands.

Best,

rb

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.: Robert Balmaseda  
 .: Koswerks  
 .: [koswerks@gmail.com](mailto:koswerks@gmail.com)  
 .: 415.609.1639

On Feb 6, 2022, at 10:07, Robert Balmaseda <[koswerks@gmail.com](mailto:koswerks@gmail.com)> wrote:

Hello,

Hello, I hope this email finds you all well. We are writing once again to voice our support and that of the majority of town residents in support Branson Phased Enrollment plan. We have reviewed many of the Town's counter proposals to the Branson school and find them not only penurious but not in keeping with a spirit of partnership with the school to have a positive growth model. The Branson School has been a positive contributing member of this community for over 100 years and can continue to be so with the collaboration of the Town Council. The town overwhelmingly voted in support of this plan, and the proposals do not honor that vote.

I would specifically like to call out:

1. **Increased Traffic Monitoring** - the Town's proposal are not in keeping with standard best-practices. As a town resident who lives on SFD, I would LOVE to see the Town apply the same level of rigor to the speed of Traffic on Drake. We have lived here for ~10 years, and it took us the better part of that time to get the dots installed on SFD (which has helped with Traffic flow). Additionally, we walk the neighborhood with our Dog ~4x/week and I must admit several of our neighbors (not teens) drive very fast and don't respect town residents who are walking on Glenwood!

2. **Immediate Rollbacks** - This proposal feels the most penurious. In any matter of this nature, there is always a time to cure before penalties are involved.

3. **No Playoff Games** - Not many games at a all are played on campus and limiting student and community involvement on campus severely impacts the School and the Community.

I would urge the Town Council respect the will of the voters and not bow down to the few members of our community who are against Branson's Phased Enrollment plan.

Best,

rb

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.: Robert Balmaseda  
.: Koswerks  
.: [koswerks@gmail.com](mailto:koswerks@gmail.com)  
.: 415.609.1639

On Jan 11, 2022, at 15:44, Roberto Luis Balmaseda <[bob@koswerks.com](mailto:bob@koswerks.com)> wrote:

Hello,

I hope this message finds all members of the Town of Ross Council well and that you all enjoyed your Holidays. We are writing you today in support of the Branson Phased Enrollment plan as both long-time Ross Residents and as Branson Parents. We have been blessed to be a part of the Branson Community and we have seen first-hand the impact the school has had on our daughter who is a Senior and is going off to the college in the fall.

We are active members of the Branson Community and have experienced first-hand the commitment which the Branson Administration to the overall Ross Community through its partnerships with Ross School, Ross Recreation, Cedars of Marin, and Town activities and events and strongly believe that Branson is an asset to our town. On our daily walks, we engage with several Ross families who have or have had children at the School. Allowing the school to have 100 new students will create new opportunities for Ross families to send their children to Branson.

In our last town elections in 2020, more than 60% of Ross residents voiced their support for Branson's growth to 420 students. Today, Marin schools are having a hard time attracting and retaining teachers given our high cost of living and the enrollment increase will go along way to enabling Branson to invest in teacher salaries and benefits. While Branson has not grown since the 1978 enrollment cap, other schools have. The school's plan to grow by 25 students per year over the next four years is both a

reasonable request and a measured/sustainable approach to its growth needs. As members of the Ross Community, we believe that it's essential to create a more diverse community and the school's student increase will provide more resources toward financial aid packages for students from different socioeconomic backgrounds.

We have worked with the school and provided input on town residents concerns and know that the Administration is committed to a thoughtful approach to its growth plan and they have incorporated strong measures to enhance its transportation plan. The school has listened to its neighbors and is committed to net neutrality on its existing traffic levels as evidenced through increased off-site drop-offs and pick-ups that will ease car trips to and from campus an increased bus ridership, and as well as other measures.

We will also call in on Thursday, but wanted to formalize our support for Branson's growth.

Best,

robert and jennifer

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.: Robert Balmaseda  
.: Koswerks  
.: [bob@koswerks.com](mailto:bob@koswerks.com)  
.: 415.609.1639

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 11:57 AM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: comments regarding upcoming meeting on 2/8/22

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Evan Singer <evansinger2005@gmail.com>  
**Sent:** Sunday, February 6, 2022 9:19 PM  
**To:** CouncilAll <towncouncil@townofross.org>; Michelle Singer <michellesinger8@gmail.com>  
**Subject:** comments regarding upcoming meeting on 2/8/22

Dear Ross Town Council,

First - thank you for everything you do to keep our town special and improve our quality of life. Your tireless efforts and time you give in this service is much appreciated.

We are writing about the upcoming discussion about Branson expanding its student body. Michelle and I attended the meeting last month on the topic, and felt that the school did a great job addressing concerns. We urge the town council to now please allow Branson to increase the number of students per its request, and to do so without adding additional restrictions such as: immediate enrollment rollbacks for any violations above the set limit of daily car trips; increasing traffic monitoring from proposed 2 weeks / year to 4 months / year; and no playoff games on campus.

Branson is truly a treasure in town, shaping wonderful children to be stewards of the community and leaders who make the world a better place. We hope you vote yes on Tuesday (without adding additional restrictions) and by allowing the school to increase its student count - enable it to not only become sustainable but really thrive as well.

All of our best and thank you again for your service,

Evan and Michelle Singer  
47 Winship Ave  
Ross residents since 2001

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 11:54 AM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Expansion

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Ryan Murr <ryan.murr@outlook.com>  
**Sent:** Sunday, February 6, 2022 11:15 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Cc:** Heather <hsmurr@yahoo.com>  
**Subject:** Branson Expansion

Town of Ross Council:

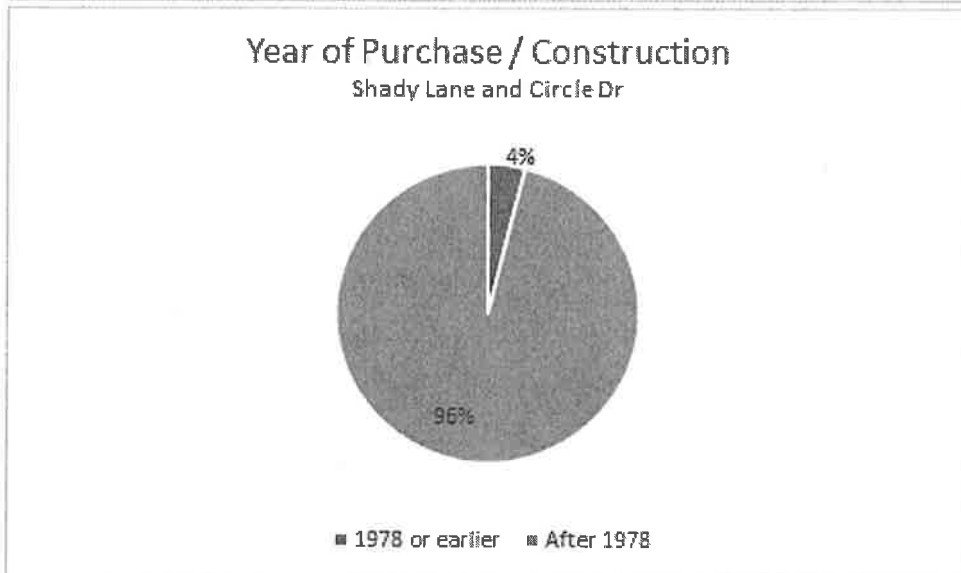
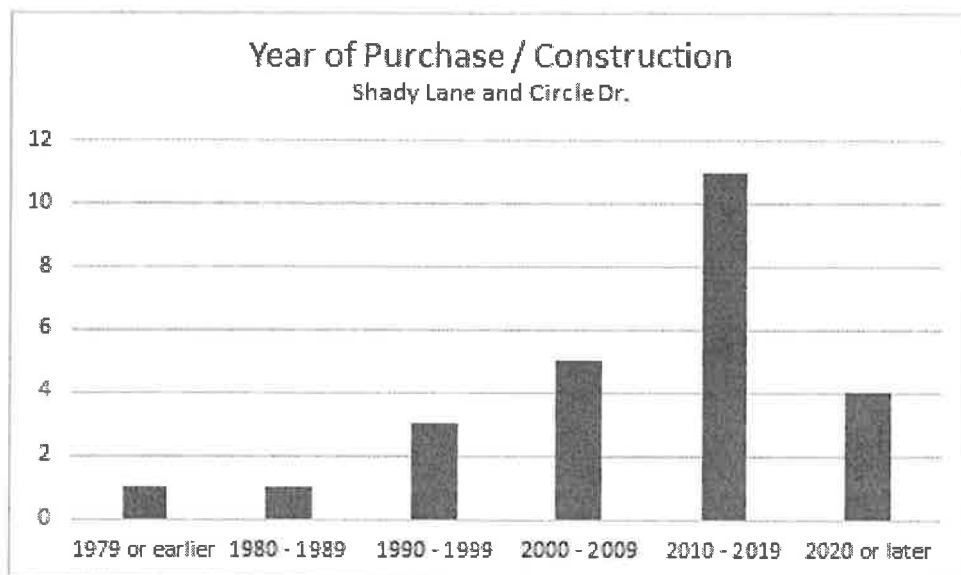
We are writing as Ross residents (and Branson parents) with feedback on Branson's petition to expand enrollment over a four-year period. We appreciate the Council's desire to balance the interests of the residents of the Town of Ross with the needs of the school. We firmly believe that Branson also shares the Council's concerns and has sought to mitigate any risks around traffic, noise and other potential nuisances that might otherwise accompany a larger student body. To that end, Branson's traffic management plan and terms of their expansion proposal (including penalties for violating the net-neutral terms) strike us as well thought out and completely reasonable. Having read Branson's supplemental response dated January 25, 2022 (the "*Branson Supplement*"), we are further comforted that Branson takes these concerns seriously and has proposed a substantive, rigorous and thoughtful approach to their phased expansion that directly addresses all of the Council's concerns that were discussed during the January 13 public hearing.

We have also reviewed the Staff Report dated February 2022 (the "*Staff Report*") and its recommended changes to the Branson proposal and feel that several of these recommendations go further than necessary. For example, with respect to the imposition of enrollment "rollbacks" starting immediately, this puts the school in an untenable position, where it wouldn't know in advance what the total school enrollment will be from year-to-year. Given the need to hire faculty and staff at a level that matches the total enrollment, the school could be in a position to cut its budget and reduce faculty / staff on a year-by-year basis. This is untenable for the school and also for the potentially affected faculty and staff. Reductions in enrollment should be a long-term consequence that follows intractable violations. There are other incentives and penalties that Ross can implement (and that have been proposed in the traffic management plan) to address shorter-term violations. If there is a sustained (and longer-term) problem, only then would it make sense to impose a sustained (and longer-term) remedy of cutting back enrollment. Additionally, to the extent that financial penalties are assessed for Branson's violations of the net-zero commitment, we would respectfully submit that these funds should be applied to traffic remediation and positively addressing the impact of Branson's presence (rather than more generally being applied to the Town's operating budget); any penalties should be designed to be a deterrent to Branson and not a windfall to the Town.

With respect to the traffic monitoring plan, we are perplexed by the Council's traffic monitoring concerns around Branson's proposal (which seemingly prompted the Staff's proposal to increase the traffic monitoring to be daily from August through December). Our understanding is that the traffic consultants who have been retained to advise on monitoring plan have recommended a "customary" approach of random testing for a period of 1-2 weeks during the time period in question. Absent some manifest error in the report of the traffic consultant, I would expect the Council to defer to specialists who advise on these matters, rather than impose a less-informed ad hoc opinion on this subject. For example, in making this change, does the Council have a view on the statistical power of the proposed Staff model versus the model proposed by the consultants (or the confidence intervals of the results)? This approach does not seem to be driven by data, but more of a kneejerk response to the effect of "more monitoring is better." In the parallel world of corporate governance (with which we are intimately familiar), fiduciaries such as directors and officers routinely (and appropriately) rely on experts for technical matters that are outside of their expertise (something that is expressly acknowledged by courts as appropriate conduct when corporate boards rely on advisors in making decisions where a board lacks particular technical expertise). I would expect the Council to take the same approach here and rely on the advice of the experts, particularly with Branson's agreement in the Branson Supplement that the traffic consulting firm will be selected by the Council, with Branson's input. If the traffic management consultants recommend 1-2 weeks of random monitoring (or some other volume and interval that's based in statistics) and we have not been presented with any data-driven reason to vary from that approach, it seems arbitrary to suggest something more that imposes an undue burden and expense on the school.

With respect to the proposal to prohibit playoff and championship games from being played at Branson, this also strikes us as arbitrary. Having attended two meaningful games this academic year at Branson, the numbers of attendees is quite modest. In the recent league championship game for boys' varsity football, I would estimate that there were at most 40-50 spectators present for this game on a sunny Saturday afternoon. The recent varsity girls' soccer match against San Marin ("Senior Night", which is the celebration of the senior girls on the soccer team and is the highlight of the season) had approximately 30 spectators in attendance in perfect weather on a Friday afternoon, despite the team being in first place in their league. Neither event had a volume of spectators that materially affected the community surrounding the Branson campus. Given this experience, it is unclear why the Staff has proposed to flatly prohibit playoff or post-season games at Branson. Again, the recommendation seems to be lacking data (e.g., actual attendance or noise levels) that would support why this is necessary or appropriate. It appears that the recommendation stems from Branson's request to have amplified announcements at playoff and post-season games. It would be far more rational to impose a noise limit (e.g., amplification not to exceed [xx] decibels at the edge of campus) than to ban these games (even if unamplified) from campus.

More generally, we continue to be perplexed by the Council's decision to anchor its decision on Branson's application with reference to the school's presence from 1978. While we appreciate the Council approved the current CUP in 1978, it would appear that very few of Branson's current immediate neighbors were here in 1978 and that most are much newer arrivals to the Branson neighborhood. From a quick review of public records, ~75% of the homes on Fernhill and Circle Drive were purchased or constructed in the past 20 years and over 95% of the neighbors in this area were not here in 1978. Of these 21 homes purchased in the last two decades, the average tenure is 9 years and the average date of purchase is some time in 2013. The graph below illustrates the relative tenure of the current residents closest to Branson (i.e., on Fernhill or Circle Drive).



Based on these data, it would seem that the current homeowners' expectations along Fernhill are overwhelmingly anchored in the *current* use of the school – not how it was used 44 years ago. In tort law, this would be referred to as “coming to the nuisance” (to the extent that anyone considers, for sake of argument, Branson’s current use to be a nuisance). We would respectfully submit that the relevant consideration is how Branson’s presence in 2021/2022 would differ from what is expected in 2025/2026, after accounting for the full impact of 100 additional students. When viewed through that lens (particularly with the net-neutral commitments in the Branson plan), there does not appear to be reason to object.

To the extent that the Council continues to believe that the school’s impact should be measured against 1978, we would note one email submitted to the Council on January 12, 2022 in support of the Branson expansion plan. This email was submitted by homeowners on Norwood Ave who have lived there since 1973. At that time, they reported that traffic *was* a nuisance 40+ years ago at 8:00 a.m. and that they previously found it difficult to leave their driveway on school days. In supporting Branson’s requested expansion today, these Ross residents report that traffic is better today than it was near the time of the 1978 CUP approval (notwithstanding increases in the use of the facilities, as reported by the Town Staff). A similar comment was submitted to the Council on January 11 from a different Branson neighbor on Fernhill who has lived in the neighborhood for 30 years. Based on these reports, it would appear that the Council’s focus on certain measures of usage (such as number of sporting events derived from yearbooks) does not actually answer the question of whether Branson has a bigger impact now versus 44 years ago. We appreciate that yearbook records may be



the best data that the Council has, but it should be acknowledged as flawed and incomplete, as well as inconsistent with anecdotal feedback from residents in the area.

Finally, we would like to reiterate a comment that was made briefly at the January 13 meeting relating to the concerns raised over Branson's use of its athletic facilities since 1978. As noted in the Staff Report, the Staff concluded that a "substantial portion" of any increase in utilization of athletic facilities since 1978 should be attributed to the growth of women's sports. The Branson Supplement further noted that this increase was undoubtedly a direct result of the passage of Title IX and the subsequent clarification that Title IX applied to high school athletics (which happened with the passage of the Civil Rights Restoration Act in 1988 following the Supreme Court's 1984 ruling that Title IX (as initially passed) only applied to athletic programs receiving federal funds). It seems unimaginable that Branson's increase in women's athletics since 1978 following a much lauded change in Federal law could be cited as a factor *against* the current expansion plan. Given the progressive and inclusive values that pervade the Bay Area and our community, it would be ironic (and sad) if NIMBYism won out due in part to changes that were brought about by landmark legislation like Title IX and the Civil Rights Restoration Act. This also drives home the point that looking back to the state of affairs from 44 years ago is misguided. We should look at the current usage (under current Federal law) and assess whether Branson's plans place an undue burden on the community. We respectfully submit that it would not.

Thank you for your consideration.

Ryan & Heather Murr

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 11:45 AM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Phased in Enrollment Growth Town Meeting 2/8/22

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Jen Balmaseda <jen@koswerks.com>  
**Sent:** Monday, February 7, 2022 11:00 AM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Branson Phased in Enrollment Growth Town Meeting 2/8/22

Dear Town Council,

I am writing to you about your upcoming meeting regarding the Branson School phased in enrollment increase. I am aware that my husband has already written to you and talked with Elizabeth Robbins and my goal is not for our family to bombard you, but I too have a vote in this town (separate from my husbands) and feel like I need to voice my opinion. Please note that I/we only have one child and she is graduating from Branson this year, so I am viewing this as a resident of the town and not simply as a parent of a Branson student.

1. First I agree with my husband on traffic as we walk a lot in the neighborhood. We both work from home (even before the pandemic) and have the privilege of being able to walk the town.
2. I am to understand that Branson was asked to get a certain number of signatures on a petition to be able to get their proposal on a ballot in the town of Ross. I am also to understand they had plenty of signatures to fulfill this request/law. Branson proposed a phased in growth of 25 student per year over four years with a net neutral traffic plan. This proposal on the ballot went to the town and we all voted. The town voted to let Branson phase in 25 students over 4 years and keep net neutral traffic. The town council seems to be taking things a bit too far and coming up with ridiculous parameters and every time Branson satisfies a parameter, more are given. Where did democracy go in this town? We all voted and there was an outcome, Branson won the vote.
3. As a town, we want Branson to succeed. We need Branson here. Some may not like that Branson is in Ross, but it has been here 100+ years and I would say longer than most of its residents. Residents knew when they moved into the neighborhood that there was a prestigious private school in the town. It is beneficial to our property values! What is the alternative if Branson cannot get the increased phased in enrollment and keep the excellent teachers and faculty and provide the excellent education it has. Please note that a Branson Alum was just hired to be the new principal at Archie Williams. Branson again paying back to its community.
4. There are ramifications if Branson does not succeed. What if they move out? What happens to the space? How does the town comply with SB9? What happens to the property values then? What happens to the traffic then?
5. The town of Ross currently has a very good partner and neighbor in Branson. I can tell you as a parent of a Branson student, Branson continually works on and reminds people of the traffic rules.
  - a. Traffic policy that all parents & students must read and sign as part of enrollment

- b. No sophomores are allowed to drive into school
- c. They have secured off campus parking (St. Anslems) where students are shuttled
- d. If driving in a 25mph, asked to drive 15mph
- e. Carpool is required if driving on campus-the students who get the spaces on campus must have 4+ in a carpool
- f. Students who live within 2 miles (includes Ross) are asked not to drive but to walk and bike (treacherous at best with no side walks and weather) and cannot even be counted in a carpool as a body
- g. Nobody is allowed down Norwood-I live here and I am scared to drive down Norwood and I don't believe I ever have
- h. They have staff posted in areas to make sure rules are being followed and if not they fine and/or take away driving privileges.
- i. Branson continually takes every opportunity to remind us of the rules and I mean continually.
- j. I call that a good partner to the town, community leader of the town and a good neighbor.

I really appreciate you taking the time to read my thoughts.

Best,

Jennifer Balmaseda



February 7, 2022

Dear Mayor Robbins and Council Members,

In advance of the February 8th Town Council meeting, we are writing to express our serious concerns with the new conditions proposed for an Amended Use Permit to increase our enrollment. We had hoped to discuss any outstanding issues and potential revised conditions with Staff and the Town's planning consultant after the January 13th hearing, but we find ourselves in the position of having to react to new, much harsher, conditions revealed for the first time in the Staff's report just days before the hearing.

The application has been a lengthy and arduous process over the last 11 months. In the original submission, we deliberately focused on only one change to the original CUP, specifically the increased enrollment. Subsequently, in numerous meetings with Staff, as well as with the Town's consultants and attorneys, we made changes and concessions in our Transportation Demand Management Plan (TDMP) because negotiations had been professional and reasonable on both sides and were informed by expert analysis. Ultimately, we compromised on conditions that Staff asked us to address that went beyond the single condition we sought to amend in our application. We accepted these new conditions, despite having no nexus to the increase in student enrollment, in the spirit of reasonable compromise. Make no mistake, these conversations were robust and exacted meaningful concessions from Branson.

Yet, now we are at the 11th hour, and we have been presented with **newly proposed conditions that are unreasonable, unworkable, and completely unsupported by expert analysis and opinion. They will not work for our school.**

Before getting into the specifics of the problematic new conditions, we should make it clear that our goal, from the outset, has been to work with the Town to create a plan that ensures Branson's ability to thrive as an academic institution, holds Branson accountable to its commitment to being a good neighbor, and enables Branson to further advance its desire to be an asset to the entire Ross community. We hope that we can work with the Town, not against it. We hope we can do so in a transparent and data driven manner. And finally, we hope you will reconsider the newly proposed conditions and work with us to arrive at a solution that works for Branson and the entire Ross community.



### Newly Proposed Conditions

There are three brand new proposed conditions in particular that stand out as highly problematic:

1. Immediate enrollment rollbacks before any cure and correct period or fines.
2. A new and complete ban on postseason athletic games on campus.
3. Continuous daily monitoring of all traffic throughout the fall semester.

We know of no other school in the Bay Area that has as stiff monitoring or penalties as proposed here, nor any school that has a complete prohibition on postseason athletic games on its own campus.

The bottom line is that these stringent new conditions are **not necessary** because Branson's TDMP is sufficient to prevent any negative traffic impacts from the phased enrollment expansion of 100 students over four years. Branson's traffic expert and the Town's independent traffic expert *are in agreement* that the TDMP is robust and has the strategies necessary to achieve the goal of keeping traffic net neutral or better, *including its monitoring and penalty framework and the parking and events management plan*. Both experts agreed that the TDMP is sufficient to prevent any negative traffic impacts to the surrounding neighborhood and the Town.

Why not give Branson the opportunity to prove that its TDMP can work before imposing such harsh conditions? Why is the expertise of two well-known and well-regarded transportation consulting firms who say that this is a fair plan that can work not sufficient? Where is the evidence to suggest that these newly proposed conditions are at all proportional to the traffic impact they address? The School has been more than willing to implement conditions that address actual impacts, but the latest staff-proposed iteration goes far beyond realistic necessity.

### **Immediate Enrollment Rollbacks Before Any Cure and Correct Period or Fines**

Town staff is proposing that any violation of the daily car trip limit during the proposed unconventional lengthy monitoring period will result in automatic enrollment rollbacks. This is a highly unusual and punitive penalty that is not warranted. There is no evidence in the record that Branson's current level of traffic is exceeding roadway capacity or impeding the flow of traffic on feeder streets. The TDMP will keep the traffic at its existing level even with the 100 additional students. Despite the fact that its own expert believes the TDMP can achieve this with the monitoring and penalty framework that Branson proposed, the Town now seeks to impose immediate enrollment rollbacks before the school has an opportunity to cure and correct the

# BRANSON

violation and before any substantial financial penalties have failed to cure continued violations. **We know of no school use permit that has such a punitive immediate enrollment rollback condition.** For good reason:

- **This penalty is out of proportion to its impact.** A small violation would trigger unreasonable costs to Branson, completely out of proportion to the potential negative impact on the community. Take the example of Branson's traffic being over by 10 car trips. This type of overage would be barely perceptible to neighbors. But the cost to Branson would be extreme.
- **It is devastating to school operations.** Sporadic and unanticipated immediate rollbacks can be destructive to a school for several reasons. First, schools operate on a cyclical budget and plan for budgets on a three-year cycle and an impact midstream can be challenging to a school's financial planning. Second, a school's operating costs are largely fixed and employee heavy, and a rollback after hiring teachers for a growing enrollment number could trigger the need for layoffs and negatively impact the learning environment. Third, having enrollment rollbacks would have a material impact on Branson's market position versus its peers.
- **It is highly unusual.** We know of no school use permit in the Bay Area that does not permit the school an opportunity to cure and correct a trip count overage before financial penalties are imposed. We know of no school use permit that does not permit the school an opportunity to cure and correct *and* pay financial penalties before an enrollment rollback is imposed. In fact, there is only one school in the entire Bay Area that has a rollback provision following uncured violations and fines.

Rollbacks in enrollment should be a penalty of last resort, but the Town is proposing an extreme automatic enrollment rollback condition on Branson despite the lack of evidence of resulting traffic issues and regardless of the severe operational impact this would have on the school.

Despite the fact that rollbacks are an unusually punitive condition, Branson had already built a voluntary rollback provision into its TDMP to bolster its commitment to the neighborhood to keep the traffic net neutral. Nothing could demonstrate Branson's good faith more than the fact that we included rollbacks in the TDMP in two ways: 1) during the first four years, if we have an uncured violation after a fall monitoring violation, we will not add the next tranche of 25 students until we have had one year of uncured violations; and 2) after that – when we have implemented all of our mitigation strategies and already demonstrated that we can keep traffic

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net neutral with the additional students – an enrollment rollback kicks in after continued uncured violations and the imposition of the Town’s recommended level of sizable fines: \$50,000, \$50,000, \$100,000 and \$100,000. **This is more than enough to ensure Branson’s compliance.** The harsher immediate rollback provision with no opportunity to cure or pay fines is not proportional to the traffic impact a trip count overage would have on Branson’s neighbors and is fundamentally unfair to a school that has received very few complaints about its traffic in recent years and even during this use permit process.

## **Ban on Postseason Athletic Games on Campus**

Town staff is proposing a complete ban on Branson holding any postseason playoff or championship games on campus. We know of no other school use permit in the Bay Area that bans a school from hosting postseason games, and we think it is completely unreasonable for the Town to propose this ban, for the following reasons:

- **It has no nexus to our application to increase the student enrollment.** There will be no additional varsity sports added to accommodate the additional 100 students. Adding 100 students to Branson has nothing to do with the number or frequency of playoff games on our campus - it completely varies from year to year and season to season based on the success of the teams in their regular season games. Conditions need to address impacts of the 100 students being added, not just any supposed impact.
- **It is not feasible from an operational standpoint.** Branson has already agreed in its January 25, 2022 letter that it will make “best efforts” to play postseason games at the College of Marin (COM). Indeed, many of our postseason games are already played there. That is the most we can do. An outright ban is not workable because of the minimal availability of field or gym space on short notice in Marin County. We are fortunate that we have a contract and good working relationship with the College of Marin but we are not their priority user - that, of course, is COM’s own athletic teams. COM does its best to accommodate our requests to hold playoff games there but their athletic facilities are not always available on short notice.
- **It undermines Branson’s athletic program and hurts student athletes.** Every member of a school athletic league - whether it is the Marin County Athletic League (MCAL) or the Bay Area Conference League - is expected to be able to host its share of home games, including postseason games. When COM is not available, Branson must have the right to play playoff games on its own campus. If not, there could be real consequences for

# BRANSON

Branson from MCAL and the other member schools. In addition, banning all postseason games on campus would be **extremely unfair to our student athletes** if this ban required them to play postseason games at unfamiliar athletic facilities or at their opponents' facilities (if available). One of the greatest joys for our varsity student athletes is to compete in postseason games on their home turf after a successful hard fought season. The home field advantage is real.

- **It is not necessary because the TDMP addresses parking at sporting events.** The TDMP includes a Special Events Parking and Transportation Plan that addresses how parking will be handled at sporting events so that they will not negatively impact the surrounding neighborhood. This thorough event management plan will be implemented as part of the TDMP. In fact, it was already implemented on two separate days last week when our varsity soccer teams played Redwood at home. There were large turnouts for both games, and each time, no cars from spectators were parked on Fernhill. Our personnel directed the parking and there were no issues.
- **It attacks a perceived problem that hardly exists, if at all.** There have been very few complaints about game traffic over the years, and only 4 of the 110 public comment letters to date raise a concern with weekend or big game traffic.

With the parking events management plan and meetings with a Neighborhood Partnership Group twice a year to respond to neighbor concerns, **an outright ban on postseason games is a complete overreach - disproportionate to any impact on neighbors and completely unsupported by the public record.** We have agreed to play postseason games at COM as much as we can. That should be enough.

## **Increased Traffic Monitoring Throughout the Fall Semester**

Town staff is proposing a dramatic increase of traffic monitoring from two weeks each fall and spring to **four months** of daily trip counting from mid-August to mid-December. We think this is not in keeping with best practices, is not cost-effective and will not be as reliable.

The standard approach for school traffic monitoring is for a period of one to two weeks as acknowledged by W-Trans (the Town's own transportation expert) in its memo dated February 1, 2022: "conducting traffic counting over a discrete time frame is far more common than counting on a continual basis." Daily monitoring over a four-month period was not proposed by W-Trans in its initial peer review memo or this more recent memo submitted after the first hearing. It is



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not typically required in school use permits and we know of no school in the Bay Area that has monitoring evaluated over such a long period of time to ascertain compliance with a trip count limit. Even the two schools that we know of that have permanent counting stations have access to their own data, and to ascertain whether they are in compliance with trip limits, they are evaluated for only three days or one week per semester by a third party outside consultant.

Continuous monitoring by permanent counting stations may seem more efficient, but in fact it requires a continuously operating mechanical system that is prone to malfunction as David Parisi, a traffic engineer and school TDMP expert, testified at the January 13th hearing. In Branson's case, monitoring with permanent counters in two locations and the associated maintenance to make sure they are functioning properly over a ten-year period would be incredibly costly.

Extended mechanical counting is also not as reliable as two-week monitoring with on-site personnel from a third party consultant observing the counts as David Parisi stated in his memo dated January 25, 2022. For instance, Branson's maintenance vehicles often exit the back parking lot from the maintenance yard, and re-enter through the front gate to access the upper and lower campus buildings. That type of essentially internal traffic by Branson's employees should not be counted.

Finally, it appears that the Town is proposing that the trip counts be averaged over the full four months, as opposed to two weeks. This is problematic because the baseline numbers for the trip count caps in the TDMP were established by three years of data from one week of monitoring each year, not four months. The baseline and monitoring need to be an apples-to-apples comparison to be of any utility.

Thus, the newly proposed condition for full semester monitoring appears to have been proposed without being suggested or vetted by a traffic expert, and without any regard for the cost to the school. Branson cannot agree to extended semester long monitoring that is not a standard method for measuring a school's compliance with its trip count cap. **Extended semester long monitoring is completely unwarranted here where two experts have deemed the school's voluntary comprehensive multi-modal TDMP sufficient to achieve traffic neutrality with the 100 student increase.**

\* \* \*

Branson will address these newly proposed conditions further at tomorrow night's hearing. We urge Council Members to read our more detailed January 25, 2022 letter in which we responded

# BRANSON

to the outstanding issues raised at the last hearing. The clarifications and modifications that we have proposed are reasonable and will be more than sufficient to address the traffic impacts from any enrollment increase, and to even address issues like amplified sound that have no relation to the student expansion - modifications we agreed to because our commitment to being a good neighbor is real, not because they were legally required.

Given the fact that some of the conversation has drifted well beyond the intent of the school's application, we requested an analysis from our legal counsel that outlines the parameters of use permit conditions and findings. We have attached the memo for your consideration as you continue to evaluate our request for the student enrollment increase.

We ask that you give us the opportunity to put into place the measures that all of the professionals and experts involved have vetted and approved to show you that we can manage traffic and the operations of our school in a way that does not diminish nor impede the quality of our neighbors' lives in Ross. Branson is a *school* that serves to educate our youth. We are not a commercial enterprise, and there is a point where overly severe conditions on our operations could very negatively impact our school community. We would ask that the Council adopt the CUP with the further modifications we proposed in our January 25th letter, and that these misplaced new conditions not serve to derail a lengthy and cooperative process.

Sincerely,



Chris Mazzola, Head of School



Ragghianti|Freitas LLP

MEMORANDUM

TO: The Branson School  
FROM: Riley F. Hurd III  
DATE: February 4, 2022  
RE: Legal framework for CUP enrollment increase amendment

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The Branson School has requested that our office provide the legal framework applicable to the School's pending request for a CUP amendment to increase enrollment by 100 students.

EXECUTIVE SUMMARY

1. Branson currently has a vested right to operate a school pursuant to its 1978 CUP.
2. Branson has only applied to change a single condition of its CUP, the enrollment cap from 320 to 420.
3. Any new or changed CUP conditions imposed by the Town must be directly related to impacts resulting from the 100-student increase.
4. The decision to approve or deny the CUP amendment, including the imposition of any new or changed conditions, must be supported by findings, and those findings must be supported by evidence in the record.

**Legal Analysis**

Branson's existing 1978 CUP is a vested right and runs with the land. (*Goat Hill Tavern v. City of Costa Mesa*, (1992) 6 Cal.App.4<sup>th</sup> 1519, 1530-31.) This means the School has the ability to operate under the terms and conditions of its current permit. Since the School has applied to amend one of those conditions, the Town must find that the granting of the amendment is not determinantal to those living and working in the neighborhood, or the Town as a whole. (Ross Code Section 18.44.030.)

While there is discretion in the Council's ability to grant or deny a CUP amendment, this discretion is not unlimited. There are legal constraints that govern this type of municipal determination. California courts have been unequivocal that decisions like this one are required to be based on findings, and those findings are required to be based on evidence in the record. (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506.) It is an abuse of discretion if a decision is "not supported by the findings, or the findings are not supported by the evidence." (*Code of Civil Procedure* § 1094.5, subd. (b)). An agency must "set forth findings to **bridge the analytic gap between the raw evidence and ultimate decision.**" (*Topanga.* at p. 515.) These rules apply not just to the overall decision, but to the imposition of conditions as well.

New or changed conditions for an existing CUP must be supported by substantial evidence in the record demonstrating the reasonable relationship between the adverse impacts being addressed and the conditions imposed. (*San Remo Hotel v. City and County of San Francisco*, (2002) 27 Cal. 4th 643, 670.) A substantial showing of actual impacts that are the direct and proximate result of the amendment being sought is required. (*O'Hagen v. Board of Zoning Adjustment*, (1971) 19 Cal.App.3d 151.) Put differently, **any new conditions must have a nexus and reasonable relationship to the impact being addressed.**

Based on the citations above, the relatively narrow lens through which any potential new or changed conditions here must be viewed is the following:

1. **"Is this condition necessary to address an impact that would arise as a result of adding 100 new students as Branson?"**

If the answer is no, the condition is inappropriate. If the answer is yes, then the inquiry continues:

2. **"Is there evidence in the record to substantiate that this is actually an impact?"**

If the answer is no, the condition is inappropriate. If the answer is yes, the final question is:

3. **"Is the condition being imposed roughly proportional to the impact sought to be addressed? "**

If the answer is no, the condition is inappropriate, and a less intense condition should be imposed. If the answer is yes, then the condition is appropriate.

## **Conclusion**

While there is discretion in the Council's ability to grant or deny a CUP amendment, this discretion is not unlimited. This is not an opportunity to reassess the School as a whole, which has a vested right to operate. New conditions must be a result of the 100 new students, must be supported by evidence, and must be no more than is enough to address the supposed impact.

**Linda Lopez**

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**From:** Leif Haase <leifhaase@yahoo.com>  
**Sent:** Monday, February 7, 2022 1:00 PM  
**To:** Linda Lopez  
**Subject:** Supporting The Branson School's Expansion Plans

I am currently the parent of a sophomore at The Branson School, and I am writing in support of the school's expansion proposal.

In addition to being a parent, I graduated from a private boarding school and am familiar with the operations of other private schools. Branson's leadership and professionalism are second to none, as both its daily practices and its skills in dealing with the pandemic crisis have shown.

Since I live in the East Bay and my daughter commutes to school, I am also familiar with the school's impressive transportation policies. These policies are efficient and carefully designed to cause minimum disruption to the residents of Ross. We were made aware of all the details of this policy by the school administration; they have been exemplary in this respect.

I used to reside in Greenwich, Connecticut and have paid close attention to the expansion plans of a local private school in that town. While no two situations are the same, similar issues were raised during the school's proposal phase. So far this plan has been carried out with few hitches. As a result of its modest expansion, the school was able to bolster its administrative capacity. This helped improve communication between the school and its neighbors and strengthened the relationship between them.

The Branson School is a great asset to the Town of Ross. It enhances the town's reputation across

the Bay Area and beyond. It needs to expand in order to address personnel and capital improvement needs and to make its experience more readily available to a wider range of students. I urge you to support the school's measured and well-crafted expansion plan.

Sincerely,

Leif Wellington Haase

## Linda Lopez

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**From:** David Peterson <dpeterson307@aol.com>  
**Sent:** Monday, February 7, 2022 3:58 PM  
**To:** Elizabeth Robbins; Elizabeth Brekhus; Julie McMillan; Beach Kuhl; Bill Kircher; CouncilAll; Linda Lopez  
**Cc:** peter.wais@ucsf.edu; charlie@charlesgoodman.com; kreid@bortonpetrini.com; peter.gpwhite@gmail.com; charlie@usa.net  
**Subject:** Controlling Branso

Based on Branson's letter of today, they are not willing to agree to Conditions or the reasonable enforcement proposed by the Current Staff. This seems largely do to the fact that they have spent the last many months "negotiating" with the Staff that is no longer around and without any authority to "negotiate" on behalf of the Council. The Council is not bound by what the previous Staff may have "negotiated" or any Staff for that matter.

IF THEY DON'T LIKE THE CONDITIONS, THEY SHOULD NOT BE GIVEN THE RIGHT TO INCREASE ENROLLMENT AT THIS TIME.

The Legal analysis provided assume that Branson has a Vested right to operate under the previous CUP. Then tell them to live up to the 1978 Conditions and come back when they have done so. I'm not sure it is truly "Vested" when so blatantly violated. I'm sure you could insist that they comply or the Permit will be Revoked.

PLEASE DON'T LET THE BRANSON PR AND LEGAL ON SLOT BOWL YOU OVER. PLEASE DO THE RIGHT THIN FOR THE TOWN.

The School is not part of our Community no matter what they claim. The student body is over 90% from outside our Town. They are already a huge burden on the Town's finances and are currently attempting to run over the Staff and the Council. Branson is a burden on the Town and bring little, if any benefit.

IF YOU GRANT THE INCREASED ENROLLMENT NOW, THERE WILL BE NO OPPORTUNITY TO REVERSE COARSE.

Branson has never abided by the conditions of the current CUP. How can you expect them to live up to new Conditions put in place to allow for the requested enrollment. The Town can't afford to hire Staff and legal advice to keep Branson under control.

They have represented that they will not need to expand their current facilities to handle over a 30% increase in enrollment. They are already at the maximum allowable floor area for the property. Do you really believe they will not soon be back in your Chambers asking for a Variance and a Building Permit? Do you really believe that they have purchased multi million dollar estates for use as Single Family residences for their teachers? With the added enrollment and staff, they will soon be asking to convert residences to office and/or multi unit housing.

THANK YOU ALL FOR EVERYTHING YOU DO FOR OUR TOWN, IT CAN SEEM LIKE A THANKLESS JOB AND NOT ALWAYS APRCIATED.

David Peterson  
[dpeterson307@aol.com](mailto:dpeterson307@aol.com)  
(415) 596-7124 Cell  
PO Box 1445  
Ross, CA 94957



## **Linda Lopez**

---

**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 4:00 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson application for sports amplification

Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org

-----Original Message-----

**From:** Marta Osterloh <martaosterloh@comcast.net>  
**Sent:** Monday, February 7, 2022 3:24 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Branson application for sports amplification

Dear Council,

Thank you for the work you are doing on the Branson application.

As neighbors adjacent to the Branson sports field we have experienced the amplification of sports events, even though it was not permitted by their use permit.

We have also experienced the amplification of the graduation day ceremonies.

The quality of sports announcing is noticeably more intrusive. Sports announcements have been louder, insistent, and agitated with the announcers apparently attempting to drum up excitement.

This first hand experience leads us to oppose Brandon's request to amplify sports events. We support Staff's recommendation that amplification of sports events continue to be prohibited.

Marta Osterloh  
7 Hillgirt Drive

## Linda Lopez

---

**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 4:25 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Backyard School Growth

Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org

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**From:** Elizabeth Aldridge <elizabethaldrigewrites@gmail.com>  
**Sent:** Monday, February 7, 2022 12:59 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Backyard School Growth

Dear Ross Town Council,

I am writing to you after observing the January Town Council meeting. I am listed in a recent Marin IJ article as an "education data observer" mostly because I am long since retired from actual work, but stay quite connected to Marin education.

Many years ago (2011), the town of Mill Valley presented a plan to update and expand one of their five elementary schools, Edna Maguire, which happens to be in my backyard and at 480 students, served our local neighborhoods. They proposed rebuilding the school and expanding it to 600 students, accepting overflow students from all around town. There were meetings and protests and lawsuits and letters and rage: *The noise! The traffic! The construction!*

At the final meeting, while various lawyers and neighbors stood to make a case for why this was a terrible idea, I stood and said something quite different. I said, if we all have a "not in my backyard" mentality, then we are no longer a community, we are a collection of individuals. And this school benefits the broader Mill Valley community. We can endure this change.

Edna is now one of the highest ranked primary schools in all of Marin County. The construction wasn't too disruptive, mostly over a summer when many were out of town. Edna Maguire's close neighbors, like Branson's, were particularly concerned with the chaos of pick-up traffic. But when the school grew, no one noticed if the traffic actually changed or not because we went on living our lives. Pick up lasts about 10 minutes, five times a week. Those 50 minutes equate to 1/2 a percent of the total minutes we get in a week. And of the 167 actual school days in a year? It's 0.03 percent (a 30th of a percent) of the total time we each have in a year. If you add in drop-off time, which is more streamlined, we still arrive at only a half a percent of our time in a year. Seems a minor (if not trivial) inconvenience when considered in the big picture view.

Many years later, during the spring 2020 pandemic shutdown, I ran into one of those litigious "not in my backyard" neighbors who said to me with despair, *I just miss the sounds of the kids, the silence is unnatural*. I did not laugh at her ironic comment, just noted to myself how these battles we wage are never as important as they seem at the moment.

Those who carried anger and rage poured it into their next battle. I think she forgot how much she resisted change all those years ago.

There are apparently a few vocal and fierce neighbors on Fernhill and Norwood who bought houses across from an existing high school and now resent it. I've heard about lawyers and meetings like those we had around Edna. Those neighbors, like the ones here in Mill Valley, are not suffering because Branson may grow. They suffer because other parts of their lives feel so out of control, so difficult (as it does for many of us these days), that they must put that energy somewhere, an outlet to project the visceral need for autonomy under the guise of public good. We humans are complicated emotional beings. When we act against a member of our community, by blocking its progress, or micromanaging its operations, or asking *what's in it for me?!* we are only acting from personal interest, from special interest. Not in community interest.

As Town Council leaders, you have been granted the responsibility to act on behalf of the town's members, as a whole, for the community. Branson has been a member of the town for 101 years. But in fact, what I noted during the council's late night deliberations, was that the school's history seems to be exactly what is in the way of its future.

Several times Elizabeth Brekhus used the term "end run" to evaluate potential actions Branson may take. Julie McMillan used the term "sneak" with regard to construction plans. (This was particularly interesting given the enormous construction projects around Ross over the past decade). Repeatedly, the minor discrepancy in enrollment reports was brought up as if it had been an outright act of malice. And at one point a question was raised about something that happened a while back and the exhausted head of school said she didn't know; she'd been there only 6 years.

You each have history with the town and school, and some of you appear to be angry at the school for that history, and thus, are engaging from a place of distrust. There is an adage about relationships: You cannot keep someone in "jail" without being down in the dungeon with them. This adage is about forgiveness. I invite those of you who are holding onto past resentments to find a way to forgive and let go. We don't forgive for the benefit of others, we forgive for ourselves, to free ourselves of negative energy.

Beach Kuhl pointed out this distrust in his wise statement at the opening of your debate, but his comments seemed to be quickly dismissed. How odd, to dismiss the wisdom of a man who has lived a full life, who can see the big picture of what matters in this world. So much toxic energy is being poured into resisting this change, when the actual consequences to those neighbors will be minor, if any, and the benefit to Ross, all of Marin and beyond is immeasurable. For years to come.

The details and delays are merely a distraction from the bigger picture and potentially a way to justify placing personal interest over community interest. To presume an independent school can expand effectively through a waitlist is presumptuous, and shows a lack of understanding of the independent school world. Such a waitlist would ripple across every private school in the Bay Area. They are all connected and interdependent. And you know, you must know, that it is beyond a town council's scope to manage an enterprise's strategic operations. Presuming a waitlist would work is one of a long list of what I, and many others in education, perceive to be an overstepping of boundaries by the council.

I hope you find the wisdom and grace to lead from your highest selves tomorrow night, to not cave to special interests or your own personal grievances or alliances from long ago and solve for the holistic community and for future generations beyond your time.

Leadership asks this of us all. It is not easy, but it is doable.

Respectfully,  
Elizabeth Aldridge

## Linda Lopez

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**From:** Julie Mcmillan <juliemcmillan@comcast.net>  
**Sent:** Monday, February 7, 2022 4:27 PM  
**To:** Christa Johnson - Town Manager; Linda Lopez  
**Subject:** Fwd: Special Meeting Ross Town Council 2.8.22

Begin forwarded message:

**From:** Melinda Ching <melindaching@yahoo.com>  
**Subject:** Special Meeting Ross Town Council 2.8.22  
**Date:** February 7, 2022 at 3:30:51 PM PST  
**To:** "eliz.robbsins@gmail.com" <eliz.robbsins@gmail.com>, "beachkuhl35@gmail.com" <beachkuhl35@gmail.com>, "elizabethb@brekhus.com" <elizabethb@brekhus.com>, "cwkmisc@gmail.com" <cwkmisc@gmail.com>, Julie McMillan <juliemcmillan@comcast.net>

Dear Mayor Robbins and Town Council Members,

Thank you for the considerable time you have spent discussing the conditions for the use permit if Branson is allowed to increase its student enrollment. While we support Branson's desire to increase enrollment at the school we feel it is most important for the Town Council to balance the needs of the school and its students with the needs of the neighbors and the Town of Ross.

The Branson School is uniquely situated in a quiet residential neighborhood in a small town. We have lived near the school since 1993 and can confirm that the noise level has increased dramatically in the past few years. Since the athletic field was rebuilt there has been a dramatic increase in the number of athletic events and the noise coming from those events. Contrary to what some people have said, this noise does affect the neighbors in an adverse way.

We have also noticed an increase in the number of times that amplification of sound at Branson events has been used. When we called the Town to ask if there was a permit for the amplified sound, especially on the athletic field, no one seemed to know. This seems to be a change from former times when it was clear when events with amplified sound were permitted.

We agree with the current Town proposal that the number of events should be limited to the number from the current use permit from 1978. We encourage you to make sure that the conditions for approval of the increase in enrollment comes with robust conditions that limit the traffic and the noise from the school and that these conditions can and will be enforced.

Best regards,

Melinda and Ward Ching

## Linda Lopez

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**From:** David Peterson <dpeterson307@aol.com>  
**Sent:** Monday, February 7, 2022 4:54 PM  
**To:** elizabethaldridgewrites@gmail.com  
**Cc:** Elizabeth Robbins; Elizabeth Brekhus; Julie McMillan; Beach Kuhl; Bill Kircher; CouncilAll; Linda Lopez; peter.wais@ucsf.edu; charlie@charlesgoodman.com; kreid@bortonpetrini.com; peter.gpwhite@gmail.com; charlie@usa.net

Elisabeth, please consider my reply as coming from a very different place. I believe your comparison of the Branson expansion and the Edna Maguire expansion is not well founded. You are comparing a neighborhood public school attracting students from the town in which it is located and supported by State and Local Taxes. It is there to educate the local student population. The neighbor should rightly be willing to put up with some disruption and increase activity. Further more it is located a few blocks from a major freeway exit and supported by a significant roadway.

Branson, on the other hand has a commuter based student body, with over 90% from outside the Town of Ross. It is tuition based and not required to take in ALL STUDENTS IN THE DISTRICT. They are not part of the local community of Ross, other than local alums. Branson is located deep in a totally residential neighborhood and accessed only by traveling through our Town on narrow winding roads.

Yes, in the last Council Meeting when discussing increased enrollment for Branson, one Council Member said something to the effect of "It's a matter of trust." Branson has consistently made end runs around their obligations under their Permit and have been less than honest and forthcoming about their construction plans going forward. They have represented that the 30% increase in enrollment will not require any expansion of the current facilities..., which are already at the maximum for the property. They have not declared their intentions with respect to the two multi million dollar estates they have recently purchased. I'd call that pretty sneaking. Branson has proven in the past that they cannot be trusted to:

1. Not to exceed enrollment limits of their current Permit or accurately report their true enrollment.
2. To limit the number of extra-curricular and sporting events as required by their Permit.
3. Be honest about their financial position.
4. To protect their students from sexual abuse by the staff. Please Google "Branson Sexual Abuse" and read all the recent articles before you allow the expansion of enrollment in our Town.

It's all pretty disgusting and X-Rated reading. Hopefully our public school system does a better job of vetting their staff and dealing with any reports of abuse..., especially sexual abuse.

<https://stopschoolsexualabuse.com/branson-school-sexual-abuse>

<https://www.marinij.com/2021/06/07/branson-school-faces-another-sexual-abuse-lawsuit/>

<https://www.marinij.com/2021/06/14/branson-coach-denies-knowledge-of-sexual-abuse-claims/>

<https://www.sfchronicle.com/education/article/EXCLUSIVE-One-woman-s-lawsuit-is-unearthing-16089488.php>

[https://www.branston.org/cf\\_enotify/view.cfm?n=25](https://www.branston.org/cf_enotify/view.cfm?n=25)

[https://www.branston.org/cf\\_enotify/view.cfm?n=182](https://www.branston.org/cf_enotify/view.cfm?n=182)

**From:** Elizabeth Aldridge <elizabethaldridgewrites@gmail.com>

**Subject:** Backyard School Growth

**Date:** February 7, 2022 at 12:58:52 PM PST

**To:** [towncouncil@townofross.org](mailto:towncouncil@townofross.org)

Dear Ross Town Council,

I am writing to you after observing the January Town Council meeting. I am listed in a recent Marin IJ article as an "education data observer" mostly because I am long since retired from actual work, but stay quite connected to Marin education.

Many years ago (2011), the town of Mill Valley presented a plan to update and expand one of their five elementary schools, Edna Maguire, which happens to be in my backyard and at 480 students, served our local neighborhoods. They proposed rebuilding the school and expanding it to 600 students, accepting overflow students from all around town. There were meetings and protests and lawsuits and letters and rage: *The noise! The traffic! The construction!*

At the final meeting, while various lawyers and neighbors stood to make a case for why this was a terrible idea, I stood and said something quite different. I said, if we all have a "not in my backyard" mentality, then we are no longer a community, we are a collection of individuals. And this school benefits the broader Mill Valley community. We can endure this change.

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Leadership asks this of us all. It is not easy, but it is doable.

Respectfully,  
Elizabeth Aldridge

David Peterson  
[dpeterson307@aol.com](mailto:dpeterson307@aol.com)  
(415) 596-7124 Cell  
PO Box 1445  
Ross, CA 94957

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Monday, February 7, 2022 6:41 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Preparation for Ross Town Council Meeting, February 8

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

---

**From:** Leslie Bergholt <lesliebergholt@yahoo.com>  
**Sent:** Sunday, February 6, 2022 10:49 AM  
**To:** Leslie Bergholt <lesliebergholt@yahoo.com>; CouncilAll <towncouncil@townofross.org>  
**Subject:** Re: Preparation for Ross Town Council Meeting, February 8

Dear Town Council,

Upon further reflection, I would like to amend my previous email to note re #3 ) We do not see any reason to limit playoff or championship sporting events at the Branson campus.

Thank you again.

Leslie Bergholt

iPhone. iTypos. iApologize.

On Feb 5, 2022, at 4:20 PM, Leslie Bergholt <[lesliebergholt@yahoo.com](mailto:lesliebergholt@yahoo.com)> wrote:

Dear Ross Town Council Members,

Thank you for your tireless work on the behalf of the members of the town of Ross.

I am writing in response to Chris Mazzolla's email (See Below) regarding the town's most recent request of the Branson School. As we have emailed in the past, my husband, Jeff Bergholt and I are in favor of the growth of the student body at The Branson's school.



Regarding the most recent requests as outlined in Chirs Mazzola's below email we feel  
#1) An Immediate Enrollment Rollback seems impossible for any school to manage and impossible to abide by. In addition, this rule could lead to unnecessary animosity between the Branson Community and the Town of Ross. #2) Increased Traffic Monitoring - The current Branson crossing guards are a welcomed addition to the morning commute. I don't see any need for an increase just keep the current " Slow Guards" in place. Lastly, #3) No Playoff Games at Branson School could be an excellent compromise with the surrounding neighbors who enjoy and want to preserve their peace and quiet during weekends and afternoons.

Thank you again for your work.

Best,  
Leslie Davalos Bergholt

----- Forwarded Message -----

**From:** Christina Mazzola, Head of School <[noreply@bransonorg.myenotice.com](mailto:noreply@bransonorg.myenotice.com)>

**To:** "[lesliebergholt@yahoo.com](mailto:lesliebergholt@yahoo.com)" <[lesliebergholt@yahoo.com](mailto:lesliebergholt@yahoo.com)>

**Sent:** Friday, February 4, 2022, 01:54:30 PM PST

**Subject:** Preparation for Ross Town Council Meeting, February 8

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## **Linda Lopez**

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 12:12 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Hearing

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Laura Conrow <wconrow@aol.com>  
**Sent:** Tuesday, February 8, 2022 8:39 AM  
**To:** CouncilAll <towncouncil@townofross.org>; Laura Conrow <wconrow@aol.com>; bill@speakersseries.org  
**Subject:** Branson Hearing

Dear Ross Town Council--The Town residents have spoken: we overwhelmingly passed a ballot measure that said we support Branson's increased enrollment. While the ballot language was not quite perfect, that was the essence. Anyone who did not support an increase in Branson enrollment would have voted against that measure--"to stop it at the pass" so the issue could never even come before TC.

For TC to now say that residents didn't vote on the issue is absurd. With much less "official" voter results, this very same Town Council canned the Ross fire station----based on an unofficial "quick" Survey Moneky survey that didn't even warn residents it was using the results as its basis for closing the fire station. Unbelievable!

TC needs to listen to the voters and approve the increase in Branson's enrollment, unfettered. How cruel to even suggest that the school cannot hold sports games on campus. If you impose that restriction, the same type of restriction should be imposed on every institution in the Town--St John's & St Anselm's no more weddings and funerals, no more Margie Burke speech tournament at Ross School, no more baseball games on the Commons. I feel like I'm living in the Christmas movie where the burger-meister outlaws children playing with toys. Or, am I living in Putin-ville?

Sincerely,  
Laura and Bill Conrow  
PO Box 1363

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 12:11 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Expansion - Feb 8th Meeting

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

---

**From:** Howard Schomer <hschomer@gmail.com>  
**Sent:** Tuesday, February 8, 2022 10:00 AM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Branson Expansion - Feb 8th Meeting

I am writing in continued support of the proposed Branson expansion. We attended the entire meeting last month when this issue was discussed, debated and continued. We appreciate the complexities of the issue and concerns of the Town Council.

We support the concept of **Trust but Verify** that was discussed at the January meeting. The Town Staff and the experts from the Town as well as from Branson provided a wealth of information and an excellent joint proposal as to how to proceed. It is certainly the Council's responsibility to review and delve into these issues. However, we hope that the Council will in large part accept the experts' initial (joint) recommendations, as they worked diligently to find solid common ground in advance of the meeting.

Branson has been a strong and reliable neighbor and presented the Town with a variety of well devised plans to mitigate any impact from the proposed expansion. Branson, as with any business or school, needs to continue to evolve and grow.

No agreement like this will ever be 100% foolproof. After all due diligence is complete, all parties will still need to remain solid, trustworthy partners to deal with any surprises that arise, as they typically do. We have a sense that there is too little trust coming from the Council as the verification recommendations and concerns ratchet up to a point where they are cost prohibitive and difficult to implement for Branson, or, at a minimum, punitive.

We refer specifically to the recommendation of a greatly enhanced traffic monitoring program. Even if logistically feasible, this seems excessive. The greatly increased expenditure is money not spent on education and financial aid. Additionally, asking Branson to rollback enrollment immediately as a penalty for traffic issues is both punitive and difficult if not impossible to implement. There is already a proposed financial incentive. Schools, as with any business, need to plan and budget well in advance. How do envision Branson being able to run its operation successfully under this scenario?

Overall, yes, Trust but Verify. But, please, Trust More! (and keep verification to a fair and reasonable level, knowing that you have a partner who will work in good faith even after the ink is dry).

Thank you.

Howard Schomer

## **Linda Lopez**

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 12:01 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

---

**From:** Russell, P. Rupert <RRussell@sflaw.com>  
**Sent:** Monday, February 7, 2022 7:21 PM  
**To:** Julie McMillan <juliemcmillan@comcast.net>; Beach Kuhl <beachkuhl35@gmail.com>; Bill Kircher <cwkmisc@gmail.com>; Elizabeth Brekhus <elizabethb@brekhus.com>; Elizabeth Robbins <eliz.robbsins@gmail.com>  
**Cc:** Patrick Streeter <pstreeter@townofross.org>  
**Subject:** RE: Branson

To follow up from my prior email, the fundamental issue at this point is to insure that there is regular ongoing monitoring of the conditions of the permit with strict enforcement and real penalties, if as has happened in the past Branson does not meet its commitments. You are all working hard on a difficult and tricky issue but do please keep this in mind.

Many thanks for all your hard work and commitment, Rupert

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**From:** Russell, P. Rupert  
**Sent:** Wednesday, January 12, 2022 9:01 PM  
**To:** Julie McMillan; [beachkuhl35@gmail.com](mailto:beachkuhl35@gmail.com); William Kircher; 'Brekhus Elizabeth ([elizabethb@brekhus.com](mailto:elizabethb@brekhus.com))'; Elizabeth Robbins  
**Cc:** Patrick Streeter  
**Subject:** RE: Branson

Dear Council members:

We live at 8 Fernhill Avenue and thus are directly impacted by Branson's proposal.

When you consider Branson's proposal, please make sure that:

- there is an absolute commitment to maintain traffic neutrality with monitoring by the Town (not just the School) and that the permit is reviewed on a regular and perpetual basis in a similar way to say The Lagunitas Club;
- the School insures that non-Branson persons visiting the School are aware of and comply with the restrictions of the permit and the School is subject to the same requirements with respect to those persons as it is for its own students and teachers;

- access to the School equally affects all roads around the School; currently Norwood is off limits; that is unfair and unjustifiable (Norwood has for instance an old bridge but so does Shady Lane to which traffic is pushed by denying access to Norwood); and
- the School makes a fair contribution to the Town, given its outsize impact on the Town's facilities; a fair exchange for the substantial benefit being provided to the School would, for instance, be to pay for a policeman to help monitor compliance by those at or visiting the School.

Thanks for your time and attention to this difficult issue.

Sincerely, Rupert Russell

## **Linda Lopez**

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 12:00 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson School Use Permit Amendment

Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org

-----Original Message-----

From: Krista Martin <krista.martin@me.com>  
Sent: Monday, February 7, 2022 9:10 PM  
To: CouncilAll <towncouncil@townofross.org>  
Subject: Branson School Use Permit Amendment

Dear Town Council Members,

As town residents we are writing to express our continued support for the Branson enrollment expansion proposal that will be further discussed on February 8th. We appreciate the time and effort the town staff and council members have put into this proposal. We hope that the clarification that Branson has provided since the last meeting on many of the questions raised means that you have the information you need to comfortably move forward with this proposal.

Branson's plan to avoid negative impacts to the community is strong without the additional suggested extended timeline for traffic studies and total ban on playoff games on campus. The changes they've made with shuttles and remote parking have already been an improvement to the local traffic situation and the school is serious about making the next phase of traffic planning work. The disincentives are already strong if they cannot meet their goals and we believe they will not allow that to happen.

We urge you not to impose restrictions that become such a burden that the expansion no longer makes sense for the school as an institution to undertake. We believe that the school is a strong asset to the town and other local communities and should be allowed to evolve so that they are able to thrive in Ross for many years to come.

Sincerely,

Krista and John Martin

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 12:00 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Use Permit

Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org

-----Original Message-----

From: Stephen Hohenrieder <shohenrieder@gmail.com>  
Sent: Monday, February 7, 2022 9:45 PM  
To: CouncilAll <towncouncil@townofross.org>  
Cc: Kathryn Hohenrieder <khohenrieder@gmail.com>  
Subject: Branson Use Permit

Dear Council,

I am writing in support of Branson's Use Permit, without requirement of the additional proposed conditions.

As a twenty-year resident of Ross, with children who attended Ross School K-8 and Branson, I can't imagine why the council isn't embracing the Branson application. The residents of Ross have demonstrated their support by voting for increased enrollment.

There are so many other changes that are quietly, and not so quietly, changing our community for the worse, and here we are debating a proposal that has gone through a full review process and is embraced by most of the town as a means of further building community.

I encourage the council to reconsider their proposed conditions, which I find dubious at best. I wonder how one could view hosting a playoff match, should our community high school be so fortunate as to make the playoffs, as a nuisance worthy of prohibition.

Having observed small town politics in prior town council meetings, I'm hopeful that a few loud voices don't drown out the majority of residents that are in favor of Branson's proposal, as evidenced by the voter ballot that passed.

I encourage you to maintain perspective on the big picture, and the attributes that make our town so wonderful, and approve the Branson application as submitted.

Thank you,

Stephen Hohenrieder



## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 12:00 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson student increase

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Kimberly Hodges <hodges.khh@gmail.com>  
**Sent:** Monday, February 7, 2022 10:51 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Branson student increase

Dear Ross Town Council members,

Our family has lived in Ross since 2012. Branson is a highlight of Ross - we are proud to live in a community with such great schools and a community that welcomes them serving our townspeople as well as others who live outside the town limits. Both of our daughters attended the Ross School and our youngest is a sophomore at Branson. She walks to school every day. Our experience with Branson has gone beyond our high expectations. The school is amazing. We wish that our older daughter had attended Branson for high school.

In our decade of living here we have come across only positive things - from kids singing at the tree lighting to community events on campus. When people visit us, they are always wowed by the Branson campus and ask "where are all the kids?"

Voters approved 60/40 and I understand that there have been over 100 letters of support and only a handful in opposition

Branson has done everything possible to prove it cares from daily traffic monitoring and reminders to the whole school community and I hope they will move forward on Tuesday constructively and instill a renewed sense of trust, support and affection for the school that has always made us proud to live in Ross.

Sincerely,

Kim and Hardy Hodges  
48 Loma Linda Ave.

February 8, 2022

*Via Electronic Mail*

Ross Town Council

Ross Town Hall

31 Sir Francis Drake Blvd.

Ross, CA 94957

Dear Town Council,

We write in support of the Branson's enrollment expansion and encourage the Ross Town Council to approve the expansion with no additional, costly and punitive conditions.

My husband and I have been residents of Ross for over a decade, and both our children attended Ross school. Our daughter graduated from Branson in 2019 and our son is a junior at Branson. Given our last child is graduating next year, we have no personal interest in expanding enrollment at Branson, other than our deep desire to preserve The Branson School as a treasure and valuable asset to the Town of Ross. We are very dismayed by the additional, unreasonable and costly conditions that the Town is attempting to impose on Branson, and strongly oppose any of these actions by Town Council.

It is hard to believe that the Town would consider any of these additional conditions reasonable. Attempting to impose a condition that Branson kids can never have playoff games at the school is not only unnecessary, but incredibly mean-spirited. Branson athletes like our son already suffer from the fact that games are constantly being cancelled because they do not have enough players to play, due to Branson's small enrollment. Even when they can play, they often are forced to play without any chance to rest because there are no alternate players available. Now add to all this the denial of any advantage or joy of playing on their home field. How would members of Town Council feel if their children were told they could never play a home game? How is this fair and why is this necessary, especially given that Branson has committed to mitigate any traffic impacts from school events, with serious consequences for any failure to do so? Where is the compassion for the kids, many of whom are Ross residents? Why is the town singling out Branson for this type of onerous restriction? Based on the Town's own logic, are we going to tell St. Anslem or St. Johns that they cannot have weddings and funerals because of traffic? Will the town prohibit graduation ceremonies at Ross School? No more little league games in Ross Common? What's next?

It certainly appears that by imposing these additional, unnecessary and unreasonable conditions out of the blue, the Town Council to trying to appear as though it supports the wishes of Ross residents who voted in favor of Branson's expansion, while effectively destroying the expansion through the imposition of outlandish requirements. Surely the Town knows that imposing onerous conditions will make the expansion difficult or impossible, both financially and practically. The Town may try to say that they are in support of Branson, but after listening to the last hearing, it certainly appears that some members of Town Council are trying to ensure that Branson cannot in fact expand in a viable manner. It is truly baffling why

the Town opposes the Branson expansion. We are so grateful to have an incredible, prestigious school such as Branson elevate our town, and yet the Town appears to want Branson to leave Ross. This would be such a travesty.

Branson and the Town staff hired preeminent traffic experts to evaluate the impacts that the Branson expansion would have on traffic, and they both determined that the impacts would be mitigated through Branson's traffic management program. It is incredible that members of our Town Council feel that they are more qualified than the very experts retained by both Branson and the Town staff to determine traffic impacts. Town Councilmembers are willfully ignoring two unbiased traffic experts simply because they don't like the conclusion. The lack of trust and goodwill expressed by some of the Councilmembers towards Branson and the traffic experts at the last hearing was disconcerting to many of us watching the hearing. As Councilmember Kuhl eloquently articulated, why is the Town approaching Branson's expansion from a viewpoint of distrust? It was incredibly upsetting to see how the hearing had devolved into such a biased discussion devoid of reason. Some of the comments we heard from our very own Councilmembers were disturbing and shameful and certainly do not reflect the image we and many other Ross residents want our town to portray.

It was argued at the last hearing that the Town Council is not ignoring the will of the majority of Ross residents who voted for Branson's expansion, because Ross residents were simply voting for the Town to consider the expansion and not the actual expansion. This argument is based on semantics and rather disingenuous. The fact is that Ross residents voted overwhelmingly to support the Branson measure because they want Branson to remain in Ross and the only thing that they could vote for was to put the matter to Town Council. Conversely, if residents were against the project, they would not have even voted to go before the Town Council in the first place. If there had been a way to actually vote for the expansion and completely bypass the Town Council, we are confident that that vote would have succeeded as well. However, that choice was not put to the residents of Ross. As residents, we expect the Town Council to follow and respect the vote of the people they represent, which in this case means allowing Branson to expand its enrollment and allow kids to enjoy participating in school activities, like sports, without unreasonable restrictions. Based on the comments made at the last hearing, it appears that some members of our Town Council are determined to prevent Branson's expansion for their own personal reasons. However, members of Town Council are supposed to act on behalf of the people of the Town of Ross, not their personal agenda. The residents of Ross did not vote for Branson's expansion, only to then have it undermined by the very people they voted into office.

Branson is a treasure, a valued member of the Ross community and a tremendous asset to our town. We and the majority of Ross residents want Branson to be in Ross for decades to come. We sincerely hope that the Town Council respects the will of their constituents and approves Branson's expansion without the imposition of the additional, onerous and unnecessary restrictions recently proposed.

Sincerely,  
Sally Shekou and Robert Herbst  
7 Laurel Grove Avenue, Ross

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 11:58 AM  
**To:** Linda Lopez; Meredith Rupp  
**Subject:** FW: Branson Meeting 2/8/22

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Billie Buck <billiebuck@gmail.com>  
**Sent:** Monday, February 7, 2022 10:59 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Branson Meeting 2/8/22

Town Council,

My name is Billie Buck and I am a neighbor here on Bolinas avenue. I routinely walk and run on Fernhill and never perceive traffic from Branson as a problem. In fact, compared to neighboring towns, it never feels like there is a long back up of cars disturbing the neighborhood even during peak to/from school hours.

I am a parent, youth coach and board member in local youth sports leagues. As I drive my kids and their friends in traffic around Marin County every afternoon to available fields, I am continuously surprised that we are not allowing Branson's facilities to host our community programs such as CYO, Ross Valley Soccer, Ross Valley Grizzlies lacrosse, etc. I can tell you first hand, our children need Branson's facilities and partnership. We are here tonight in a position where Branson is literally asking to be an asset to the community opening up to us for more use, however our town is currently not permitting it. It appears that the Staff is proposing in the new Condition 11 to limit the use of Branson's athletic facilities by outside organizations to the same level of use and amount of events that outside organizations used in 1978. Does that make any sense? Is there a record of how much it was being used by Ross Rec or Ross Little League in 1978? Is 1978 really an appropriate baseline for use in 2022?

Let me speak to the world of local sports for children since 2009, not even in 1978. Title IX has moved us towards greater gender equality in sports which has invited more girls to participate and more engagement from an earlier age. Since my oldest daughter began her sports journey in this community 8 years ago, the progression has been excitingly drastic. In 2016, I was recruiting any little girl that was willing to try to come out so we could piece together one whole lacrosse team. This Spring 2022, we have 5 full girls teams in that same group and 12 girls teams overall with an overwhelming number of Ross children included. Exciting times for sure, but hear this. We are in the unfortunate position to have to turn away many little girls simply because we do not have field space to hold more teams or kids. Boys or girls. We need more field space to continue to provide these

sought after opportunities in our community. We should want our kids to walk up the street to Branson for practice after school or on weekends. We should want our young children to be on the sidelines of Branson's High School events. And when Branson is not in session, we should want our children to continue to take advantage of this gorgeous space.

My last comment is to please consider keeping Branson's playoff and championship games on campus allowing us to walk over to be a part of the admirable Branson High School experience and cheer on our hometown high school team at a competitive level.

Many thanks for your time and consideration. We need to get this right!

Respectfully,  
Billie Buck

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 1:48 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: The Branson School

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

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**From:** Pat Higgins <phiggins@spyglassfunds.com>  
**Sent:** Tuesday, February 8, 2022 12:26 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** The Branson School

February 7, 2022

Dear Town Council,

We are writing again in support of The Branson School proposal to increase the student enrollment by one hundred students over the next four years. We have resided in the Town of Ross for the past six years, and we are in favor of the enrollment expansion. We have joined the 60% of voters who also supported the proposal. We believe having a highly-rated, competitive private high school in Ross is, and always has been, an asset to the town.

We attentively listened to the town meeting that took place in early January, and we were quite hopeful that a positive outcome for both parties would be found. Unfortunately, recent staff updates show that more draconian measures are being considered which could severely hamper the school's long-term success in educating students from Ross School and other schools around the Bay Area. We believe The Branson School has done a very thorough job of studying the issues and is committed to executing on this plan. We believe that measures to hold The Branson School accountable are in place and the Town of Ross should partner with the school to ensure that they are implemented in a timely manner. It is essential that all parties work together to achieve the best outcome for the children in the community.

Sincerely,

Kristen and Patrick Higgins  
45 Redwood Drive

**Patrick T. Higgins**  
Chief Operating Officer & Head of Trading  
Direct: 415-318-2362 | Mobile: 646-341-7480  
Email: [phiggins@spyglassfunds.com](mailto:phiggins@spyglassfunds.com)  
Spyglass Capital Management, LLC  
One Letterman Drive | Bldg A, Ste 4800 | San Francisco, CA 94129



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## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 1:47 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson Phased in Enrollment Growth Town Meeting 2/8/22

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

---

**From:** Jen Balmaseda <jen@koswerks.com>  
**Sent:** Tuesday, February 8, 2022 1:13 PM  
**To:** Elizabeth Robbins <eliz.robbsins@gmail.com>; CouncilAll <towncouncil@townofross.org>  
**Cc:** 'Roberto Luis Balmaseda' <bob@koswerks.com>  
**Subject:** RE: Branson Phased in Enrollment Growth Town Meeting 2/8/22

Elizabeth,

Thank you for your reply. Maybe I am naïve, but I am not sure why there needs to be conditions if traffic is kept net neutral. We did not vote on conditions, we voted on an increase and net neutral traffic.

Thank you again for your time.

Best,

Jennifer

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**From:** Elizabeth Robbins <eliz.robbsins@gmail.com>  
**Sent:** Tuesday, February 8, 2022 12:44 PM  
**To:** Jen Balmaseda <jen@koswerks.com>  
**Subject:** Re: Branson Phased in Enrollment Growth Town Meeting 2/8/22

Thank you for your email about Branson's application. It was helpful to talk with your husband the other day. At the January meeting Council members appear to have agreed that an enrollment increase of 100 can be approved, and that the project is exempt from CEQA. That leaves only conditions of approval to discuss, and while proposals have been quite varied, I'm confident that decisions will be made that will work well for both Branson and the Town. Both share two key goals in this process: to keep Branson in Ross, and to keep traffic net neutral.

Sincerely,  
Elizabeth Robbins, MD  
Mayor, Town of Ross  
415-734-6449 (feel free to call anytime)

On Mon, Feb 7, 2022 at 11:00 AM Jen Balmaseda <jen@koswerks.com> wrote:



Dear Town Council,

I am writing to you about your upcoming meeting regarding the Branson School phased in enrollment increase. I am aware that my husband has already written to you and talked with Elizabeth Robbins and my goal is not for our family to bombard you, but I too have a vote in this town (separate from my husbands) and feel like I need to voice my opinion. Please note that I/we only have one child and she is graduating from Branson this year, so I am viewing this as a resident of the town and not simply as a parent of a Branson student.

1. First I agree with my husband on traffic as we walk a lot in the neighborhood. We both work from home (even before the pandemic) and have the privilege of being able to walk the town.
2. I am to understand that Branson was asked to get a certain number of signatures on a petition to be able to get their proposal on a ballot in the town of Ross. I am also to understand they had plenty of signatures to fulfill this request/law. Branson proposed a phased in growth of 25 student per year over four years with a net neutral traffic plan. This proposal on the ballot went to the town and we all voted. The town voted to let Branson phase in 25 students over 4 years and keep net neutral traffic. The town council seems to be taking things a bit too far and coming up with ridiculous parameters and every time Branson satisfies a parameter, more are given. Where did democracy go in this town? We all voted and there was an outcome, Branson won the vote.
3. As a town, we want Branson to succeed. We need Branson here. Some may not like that Branson is in Ross, but it has been here 100+ years and I would say longer than most of its residents. Residents knew when they moved into the neighborhood that there was a prestigious private school in the town. It is beneficial to our property values! What is the alternative if Branson cannot get the increased phased in enrollment and keep the excellent teachers and faculty and provide the excellent education it has. Please note that a Branson Alum was just hired to be the new principal at Archie Williams. Branson again paying back to its community.
4. There are ramifications if Branson does not succeed. What if they move out? What happens to the space? How does the town comply with SB9? What happens to the property values then? What happens to the traffic then?
5. The town of Ross currently has a very good partner and neighbor in Branson. I can tell you as a parent of a Branson student, Branson continually works on and reminds people of the traffic rules.
  - a. Traffic policy that all parents & students must read and sign as part of enrollment
  - b. No sophomores are allowed to drive into school
  - c. They have secured off campus parking (St. Anslems) where students are shuttled
  - d. If driving in a 25mph, asked to drive 15mph
  - e. Carpool is required if driving on campus-the students who get the spaces on campus must have 4+ in a carpool
  - f. Students who live within 2 miles (includes Ross) are asked not to drive but to walk and bike (treacherous at best with no side walks and weather) and cannot even be counted in a carpool as a body
  - g. Nobody is allowed down Norwood-I live here and I am scared to drive down Norwood and I don't believe I ever have
  - h. They have staff posted in areas to make sure rules are being followed and if not they fine and/or take away driving privileges.
  - i. Branson continually takes every opportunity to remind us of the rules and I mean continually.
  - j. I call that a good partner to the town, community leader of the town and a good neighbor.

I really appreciate you taking the time to read my thoughts.

Best,

Jennifer Balmaseda

## Linda Lopez

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**From:** Christa Johnson - Town Manager  
**Sent:** Tuesday, February 8, 2022 1:47 PM  
**To:** Linda Lopez  
**Cc:** Meredith Rupp  
**Subject:** FW: Branson School's Application to Increase Student Enrollment

*Christa Johnson  
Town Manager, Town of Ross  
PO Box 320  
Ross, CA 94957-0320  
415-453-1453 x107  
cjohnson@townofross.org*

---

**From:** Ken Petrilla <kenpetrilla@gmail.com>  
**Sent:** Tuesday, February 8, 2022 1:38 PM  
**To:** CouncilAll <towncouncil@townofross.org>  
**Subject:** Branson School's Application to Increase Student Enrollment

Dear Ross Town Council Members,

I am writing to express my disappointment in the previous Zoom meeting and to express my hope that in today's meeting, you will be better prepared, avoid getting bogged down in non-important issues, put aside your biases and do what is best for the Town of Ross.

I understand that the referendum did not approve Branson's petition but only gave the Town Council the right to decide. However, I think you can extrapolate from the 60% that a majority of respondents are in favor of allowing Branson to increase enrollment. As far as limiting the increase in enrollment to Ross residents, that needs no further discussion. Even if you could make a case for such a restriction, the optics would be very bad. (Don't let the IJ think this is being considered.)

It is my understanding that you are now putting forward additional requirements that have not been previously presented, even though you have been discussing this matter with indecisive fervor for well over a year.

Putting aside that this is unfair, how can you conduct the business of running a school with enrollment rollbacks and fines? How do you sensibly budget for this? How do you dismiss an already enrolled student? How will the Town Council use the money if fines are enacted?

Regarding increased traffic monitoring, your newest recommendation does not surprise me because at the last meeting, Council clearly thought that they knew more than the outside traffic experts. Why did you and staff select and work with traffic consultants for as long as you did only to disregard their findings and recommendations?

Lastly, to ban playoffs and not allow students and student-athletes to enjoy an integral part of the school experience seems to be extreme, if not downright mean.

If you decide to continue in the direction you are advocating, be prepared to deal with the consequences of Branson relocating outside of Ross. Of course, if that happens you may be able to extract even more concessions from hungry real estate developers, unless the State enacts more affordable housing requirements.

I urge you to keep an open mind as well as make up your mind and act now.

Sincerely,

Ken Petrilla

Ken Petrilla

[kenpetrilla@gmail.com](mailto:kenpetrilla@gmail.com)

415-308-8233

Sent from Mail for Windows

February 8, 2022

Ross Town Council  
Ross Town Hall  
31 Sir Francis Drake Blvd.  
Ross, CA 94957

Dear Ross Town Council,

I have lived in Ross for 67 years, and The Branson School and I have the distinction of both being over one hundred years old. As a long-time resident of Ross and a Branson alumna, I am writing in support of the Branson application for a phased student increase. I believe the school has approached the development of their plan responsibly, and with great attention to the quality of life for the residents of the town. My opinion is that the school is an asset to the town, not only because of its excellent reputation as a school, but also because it enlivens our community to have such a vibrant institution in Ross. Thank you for considering my thoughts on this important matter.

Sincerely,

A handwritten signature in cursive script that reads "Mary Amonette". The ink is dark and the signature is fluid, with the first name "Mary" and the last name "Amonette" clearly distinguishable.

Mary Amonette  
11 Norwood Avenue  
Ross