

REGULAR MEETING of the ROSS TOWN COUNCIL  
THURSDAY, FEBRUARY 13, 2025  
*Held In-Person and Teleconference via Zoom*

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

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

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

Town Manager Johnson confirmed the agenda was posted according to government requirements. She requested removal of Item 12 from the agenda and Council Member Salter requested pulling Item 7e. for discussion.

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

Bruce Selfridge, Ross resident and 37-year volunteer firefighter, spoke about his opposition to closing the Ross Fire Station and described historical responses involving floods and medical aid.

Mark Goldstein, 125 Winding Way, cited speeding and drivers running stop signs, recommended adding a stop sign on the corner of Winding Way and Laurel Grove, adding a stop sign on Canyon Drive at the corner of Winding Way and Bellagio, and adding striping at the crosswalk around by the sign at the corner of Canyon Drive and Laurel Grove.

Don Ahrens, via Zoom, 20-year volunteer firefighter, referred to his letter supporting Mr. Selfridge's comments, thinks it is a mistake taking Engine 18 out of town, and thinks Ross will be unprotected at different times for different calls.

**4. Mayor's Report.**

One of the many advantages of living in a town like Ross is our sense of community and shared values and vision. Our Town General Plan, adopted in 2007, states: "Whether we represent a third generation Ross family or one that moved to Town yesterday, we share many reasons for choosing Ross as our home: its historic character, small-town charm, tree-lined streets, excellent school, wooded hillsides and meandering creeks"

In spite of the undeniable advantages of living in a small town, there are also challenges. Of the eleven cities in Marin County, we, along with Belvedere, are by far the smallest in terms of population. We must provide the same basic services as our much larger neighbors. Our revenues are sharply limited by Prop 13 and other state laws. Meanwhile, our expenses, particularly in the public safety area, are increasing faster than our revenues due to inflation and other factors.

Belvedere is similar to Ross not only in population, but also topography, with some residences located in relatively flat areas but also with many hillside homes that are difficult to access and located on steep, windy, and narrow roads. For many years, Belvedere had its own legacy fire station. Then, in the early 1980's, in connection with reconstruction of its public facilities, it decided to close the station and instead contract for fire and emergency medical services with the Tiburon Fire District, which maintains a fire station only .6 miles away in downtown Tiburon.

In Ross we have long recognized the increasingly pressing need to rebuild our nearly 100- year-old Town public safety and other facilities because they have become obsolete and dilapidated. In 2021, after extensive public outreach and a series of meetings, the Council reached essentially the same decision as Belvedere years earlier, based on the fact that rebuilding of our old legacy fire house was not financially feasible, and that nearby larger and better equipped fire stations, one of them only .6 miles away in Kentfield, and another 1.1 miles away in San Anselmo, would be sufficient to insure that emergency fire and other services would still be readily available in Ross. Ross has one additional advantage that Belvedere does not have, which is that it is the site of the paramedic station and ambulance that are slated to remain in Ross after the fire station closes.

Currently the Ross Valley Fire Department, which Ross joined in 2012, is the only department still using two-person engines in Marin County. The reassignment of our fire fighters after our station closes will facilitate the transition to three-person engines, which can respond faster and more effectively to fire and other emergencies in Ross and other communities served by the department. In addition, the new state of the art Marin County dispatch center for fire and emergency medical services opened last year. By the time our fire house closes, the dispatch center is expected to be fully operational and have a much-improved ability to prioritize and dispatch the right resources to each emergency, including medical emergencies. Truly life-threatening emergencies represent only a small portion of emergencies in Ross, but the ability to quickly identify them and get appropriate first responders to the scene, including police, fire, and/or paramedics, is an important step forward.

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

Council Member Salter reported on his attendance to the Ross Safe Routes to School Task Force meeting on January 13th, the Cal Cities Council Academy in late January with Council Member Dowling and Town Manager Johnson, the International Holocaust Remembrance Day on January 27th, and the RPOA meeting on Monday, January 10<sup>th</sup> regarding closure of the Fire Station.

Mayor Pro Tem McMillan commented on the fires burning in Southern California.

## **6. Staff & Community Reports.**

### **a. Town Manager**

Town Manager Johnson provided the following updates:

- I'm happy to report that the Town fared well in our latest rainstorm that began yesterday evening and continues. There were no impacts in terms of downed trees nor significant flooding. The creek got up to about 10 ½ feet in the wee hours of this morning which is high but not high enough to trigger our action plan which begins with moving police and fire vehicles to higher ground. I'd like to thank Public Works Dept staff that includes Rich Simonitch, Anthony Alcozer, and Zach Baker, for their substantial work to prepare for the storm event. Preparation included bringing in a Vactor truck to clean out storm drains in areas prone to localized flooding, manually clearing out storm drains, resupplying the supply of sandbags near the entrance of NCG Park that residents can use to create sandbags, and drafting messaging for an eblast to residents encouraging them to prepare their properties for the storm and to sign up for Alert Marin. Anthony and Zach were both on call and were ready to drive into town to handle problems.
- Ross Recreation and the Age friendly Ross Taskforce hosted its annual Valentines' Luncheon Celebration earlier today at MAGC. Despite the rain it was a lovely and well-attended event. I'd like to thank the Task Force members and Ross Rec staff for planning such a fabulous event honoring our seniors. I'd also like to thank the current and former council members that participated today and the businesses and local organizations that provided support for the event.
- And finally, as I reported last month, Public Works staff painted curbs red within 20 feet of marked and unmarked crosswalks throughout Town to be in compliance with Assembly Bill 413. Known as the "Daylighting" Law, AB 413 makes it illegal to park within 20 feet of intersections with sidewalks on both sides, even if the curb isn't painted red. Because most of these intersections are already restricted in the downtown area, only two parking stalls were lost in the commercial area. These parking spaces were located right in front of the post office and boy did we hear an earful from residents lamenting the loss of those two spaces! Staff has identified a few regular parking stalls in the parking lot that will be converted into 15-minute spaces however the conversion cannot occur until Spring when the temperature warms up to apply the thermoplastic markings. In the meantime, we hope that residents will focus on the benefits of the daylighting law which is designed to make it easier for drivers to see pedestrians using crosswalks.

**b. Ross Property Owners Association**

Alexandra Hudson, RPOA, provided the update regarding their Monday meeting, the auxiliary's work on the Spring Fling scheduled for April 19<sup>th</sup>, the Age-Friendly Valentine's luncheon on Thursday, the next Leadership Council on March 24<sup>th</sup>, addition of more outlets in the Commons, the next Live on the Common event on April 25<sup>th</sup> with an Eagles cover band, and the Ross School's Global Fair on May 2<sup>nd</sup>.

**7. Consent Agenda**

The following items will be considered in a single motion, unless removed from the Consent Agenda. Mayor Kircher stated Item 7e. had been removed previously. There were no additional requests to remove an item or public comments.

**Mayor Pro Tem McMillan moved and Council Member Robbins seconded, to approve Consent Calendar Items a, b, c, and d. Motion carried unanimously (5-0).**

- a. **Minutes: Regular Meeting, January 9, 2025**
- b. **Demands for January 2025.**
- c. **Town Council to Approve and Authorize the Town Manager to execute a Professional Services Agreement with Gardeners' Guild, Inc. for the not-to-exceed monthly fee of \$3,190 to provide maintenance, repair, and landscape services for Ross Common Park and Frederick Allen Park and cancel current contract with Cagwin and Dorward.**
- d. **Town Council to accept the Investment Report for the six-month period ended December 31, 2024.**

Item Removed from the Consent Agenda:

- e. **Town Council to review and accept the fiscal year 2024-25 second quarter, six-month, Financial Summary Report.**

Town Manager Johnson stated Council Member Salter asked that this item be removed, and she provided a brief overview of the item.

Council Member Salter commended the Town Manager and staff for managing the Town's budget and stewardship of resources so well, noting most cities and towns are struggling with shortfalls.

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

**Mayor Pro Tem McMillan moved and Council Member Dowling seconded, to approve Consent Calendar Item 7e. Motion carried unanimously (5-0).**

**End of Consent Agenda.**

- a. **200 Lagunitas Road, Design Review, a Variance and Town Council adoption of Resolution No. 2505 approving the project, subject to conditions.**  
Scott and Sarah Niehaus, 200 Lagunitas Road, A.P. No. 073-131-23, Zoning: R-1: B-A, General Plan: VL (Very Low Density), Flood Zone: X (Moderate to Low Risk).

**Project Summary:** The applicant requests approval from the Town Council for Design Review and a Variance. The project proposes revitalizing the existing side yard landscaping with the addition of a new swimming pool and spa, pool equipment, artificial turf, a fire pit, patio, outdoor kitchen, retaining walls, plantings, and exterior light fixtures. A 6-foot-tall automatic gate with two 6-foot-6-inch stone columns and a pedestrian gate is also proposed. A variance is required

to construct the pool and patio within the side yard setback. Additionally, the project will widen the existing driveway to 16 feet to comply with Ross Valley Fire Department (RVFD) regulations.

Assistant Planner Alex Lopez-Vega gave the staff report and overview regarding the request for adoption of Resolution No. 2505 approving a request for Design Review and a Variance at 200 Lagunitas Road, subject to conditions.

The ADR Group reviewed the project on January 21, 2025 and voted 3-0 to support approval of the design review and the variance for the setback of the pool. There were no public comments and staff requests the Town Council adopt Resolution No. 2505 and approve the project with conditions.

Mayor Kircher called upon the applicant and thereafter opened the public comment period.

Dustin Moore, Strata Landscape Architecture, landscape architect, said they spent quite a bit of time with the ADR on the project to locate the pool and terrace in the setback, which he described. They are also doing a lot line adjustment and he noted support for the project.

Mayor Kircher confirmed there were no public comments, and he suggested a motion.

**Council Member Robbins moved and Council Member Dowling seconded, to adopt Resolution No. 2505 approving 200 Lagunitas Road Design Review and Variance, with conditions. Motion carried unanimously (5-0).**

#### **End of Public Hearings on Planning Projects - Part 1.**

#### **Administrative Agenda.**

- 9. It is recommended that the Town Council discuss and provide direction to staff regarding the concept of changing the Town of Ross general municipal election from being held on the date of the statewide direct primary election to the November general election date on an ongoing basis.**

Town Manager Johnson stated this item was placed on the agenda at the request of the Mayor and Mayor Pro Tem. She gave the staff report and overview regarding the concept of changing the Town's general municipal election from being held on the date of the statewide direct primary election to the November general election date.

She explained challenges created with staggered seat expirations, annual reorganization, selection of Mayor and Mayor Pro Tem, Ross as an outlier which results in inability to attend training, loss of regional recognition, and loss of appointments made to regional bodies.

She asked the Town Council to discuss available options and provide direction to staff on whether or not to initiate a change to the scheduling of the Ross municipal election. Options include: 1) Maintain the status quo; and/or 2) Consider a move to the statewide general election in November of even numbered years. Staff would return with a draft ordinance for discussion and possible introduction.

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

Council Member discussion ensued regarding support by Council Member Robbins and Council Member Salter for the status quo and support by Mayor Pro Tem McMillan and Council Member Dowling to move forward with a draft ordinance to change the election date given the several challenges and Ross being the outlier. Discussion then focused on modifying terms of the Mayor and Mayor Pro Tem to match the procedures manual, keeping the existing Mayor rotation and other rotations, a recommendation to look at what other jurisdictions have done given extended terms, and the need for the Town Attorney to address in the staff report the Government Code provisions.

There was Council consensus to direct staff to draft and bring forward the ordinance for Council consideration, and to also address what is covered in the rules and procedures of electing the Mayor/Mayor Pro Tem.

Town Manager Johnson confirmed this direction.

- 10. Town Council to receive an update regarding the implementation of the adopted Five-Year Capital Improvement Plan (CIP) and discuss any desired changes or additions to the CIP for the upcoming fiscal year. Based on discussion, a final draft version of the CIP will be included for consideration in the fiscal year 2025-2026 (FYE26) budget discussions.**

Town Manager Johnson introduced the item, stating this item was requested by Council Members Salter and Robbins last fall.

Public Works Director Rich Simonitch gave the staff report and PowerPoint presentation regarding the process of developing the Five-Year CIP, reviewed projects completed, projects staff are approaching over the next four or five years, reviewed the funding process for the projects, and asked for Council discussion of any desired changes or additions to the CIP for the upcoming fiscal year.

Council Member questions ensued regarding potential mitigation factors when the Winship Bridge is removed, the construction schedule, and impact to the school schedule, and Director Simonitch explained the work to make sidewalk improvements that are safe and accessible, and said construction will last one season from April to September with some impact to school.

Mayor Kircher opened the public comment period, and there were no speakers. He returned to Council discussion.

Council Member Salter asked and confirmed with Director Simonitch that the Ross Common field could be repaired as a small drainage project possibly this summer.

Mayor Pro Tem McMillan questioned Council Member Salter's idea with the Town spearheading undergrounding, which he explained that it could become a Town project where they could float a bond and lead the project.

Town Manager Johnson spoke about her experience with undergrounding, which is extremely expensive and staff time-consuming, noting the Town does not have the funding nor staff to take on additional undergrounding projects and described her experience with another City, noting the effort alone to work on a strategy plan would need to be incorporated into the staff work plan. However, she and Director Simonitch will continue to think about how this could be undertaken.

Mayor Pro Tem McMillan suggested the Town impose an additional assessment on these newer districts to pay for the staff time to expedite these projects, noting the Council would have to amend its underground policy. Town Manager Johnson commented that the significant work occurs after they receive the needed votes and float the bond, and that none of the initial work is fully recovered.

Director Simonitch then described the significant difficulties in working with utilities.

Town Manager Johnson again emphasized the lack of resources, and noted a CIP project would need to be removed for any work to be done. She agreed to return on April 24<sup>th</sup> with the Council budget work session where Council Members can think further on this.

Mayor Pro Tem McMillan agreed to look at the undergrounding policy with Council Member Salter and they can discuss this as the Finance Subcommittee and bring forward what they think at the April work session.

**End of Administrative Agenda.**

**Public Hearings on Planning Projects – Part II.**

- 11. 21 Glenwood Avenue, Design Review, a Demolition Permit and Town Council adoption of Resolution No. 2504 approving the project, subject to conditions.**

Glenwood Ross LLC, 21 Glenwood Avenue, A.P. No. 073-121-09, Zoning: R-1: B-A, General Plan: VL (Very Low Density), Flood Zone: X (Moderate to Low Risk)

**Project Summary:** The applicant requests approval from the Town Council for Design Review and a Demolition Permit. The project includes both interior and exterior renovations, along with several additions: a family dining area on the main floor, a second-story addition, a basement addition, and a new pool house, totaling 2,347 square feet (SF) of new floor area. The remodel will also update the south and west facades by adding A-frames to match the existing single-family home. Additionally, all existing siding will be removed, and the house will be clad in clear-stained yellow cedar shingles. The guest house and tea house will receive new windows and a limited interior remodel. A demolition permit is required for alterations affecting more than twenty-five percent of the residence's exterior walls or wall coverings.

Assistant Planner Alex Lopez-Vega gave the staff report and overview of the request for Design Review and a Demolition Permit at 21 Glenwood Avenue and Town Council consideration to adopt Resolution No. 2504 approving the project.

The ADR Group reviewed the request on January 21, 2025 and expressed support for the project. Public comments made requested screening of the retaining walls and the construction management plan. In response, the applicant updated the landscape plan to include additional screening to soften the wall and add a new fence between 21 and 23 Glenwood between 6 and 7 feet along with the construction management plan.

Staff recommends that the Council adopt Resolution No. 2504 approving the Design Review and a Demolition Permit.

Mayor Pro Tem McMillan asked and confirmed the double retaining walls on the top right of the property's purpose are for a fire truck turn-around and that the walls are in the setback, but do not require a variance. Also, the applicant submitted a drainage plan that is reviewed during the building permit process.

Mayor Kircher called upon the applicant and opened the public comment period.

Stephen Sutro, Architect, gave a presentation and displayed and described the existing site plan, setback areas, main house and four out buildings, garage, carriage house, guest house, tea house, pool, terraces, proposed site plan, addition, new pool changing room and bathroom renovation of out buildings, new half-sized sport court, landscape adjustments, enlarged turn-around space for fire truck requirements, roof forms, color and materials board, mature trees, removal of small trees underneath large trees, drainage and bio-retention area, and interaction with neighbors to address water mitigation, screening, and a construction management plan.

Diane Doodha thanked staff, owners and architects for helping her understand what needs to happen on the property. She said they are in favor of the project, recognized the needed fire turn-around, would like to include her letter outlining their concerns for the record, and wants to be sure drainage works.



Bob Dickinson, 41 Glenwood Drive, spoke about working with the owners on the construction management plan which they refined, asked that it be a condition of approval, asked that the contractor oversee its subcontractors, and for the Town to ensure compliance.

Mayor Kircher asked, and Mr. Sutro confirmed that he and the owners agree to adding the construction management plan as a condition of approval, as well as adding Ms. Doodha's notes.

Council Member Salter asked, and Ms. Feliciano explained, how the Town monitors the construction process to ensure all conditions are followed. Town Manager Johnson added that parking complaints are also enforced by the Police Department.

**Council Member Dowling moved and Mayor Pro Tem McMillan seconded, to adopt Resolution No. 2506 approving 21 Glenwood Design Review and a Demolition Permit, with conditions. Motion carried unanimously (5-0).**

**12. 12 Canyon Road, Design Review, a Hillside Lot Permit, a Variance and Town Council adoption of Resolution No. 2506 approving the project, subject to conditions.**

Renaud Laplanche, 12 Canyon Road, A.P. No. 072-031-52, Zoning: R-1: B-5A; General Plan: VL (Very Low Density), Flood Zone: X (Moderate to Low Risk)

**Project Summary:** The applicant requests approval from the Town Council for Design Review, Hillside Lot permit, and Variance. The project proposes the construction of a 40-ft x 60-ft (2,400 square-feet) sports court on a raised wooden platform adjacent to the existing pool deck. The court will feature a 7-foot concrete rebound wall on the south side of the court and a 4-foot glass railing on the west side of the court. A Variance is required to construct a concrete wall over 6 feet.

This item was pulled from the agenda.

**End of Public Hearings on Planning Projects – Part II.**

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

**a. Council Correspondence – None.**

**b. Future Council Items –** Council Member Salter asked for a discussion on how the Council will address the fire station issue and made a motion for a future item to:

1. Direct staff to explore joining Kentfield Fire District or Central Marin and open discussions on acceptance and costs. Council Member Robbins seconded the motion.
2. Create an ad-hoc committee to explore potentially annexing Kentfield and combining Ross with Kentfield and joining the Kentfield Fire District. There was no second for this request.

3. Council Member Robbins made a motion for staff to provide a ballpark figure to rebuild and staff the fire station if Ross had its own independent fire station with hiring nine employees if they staff with three or six employees if they staff with two people, as they do now. Council Member Salter seconded the motion.

Mayor Pro Tem McMillan asked and confirmed with the Town Attorney that the JPA would need to be negotiated given the Town agreed to close the station.

4. Council Member Robbins recommended bringing an item back to find options for the ability to stay with Ross Valley and self-fund their way to an engine that stays in Ross. Council Member Salter seconded the motion and suggested identifying each alternative and pros and cons of each alternative in the staff report.

Mayor Pro Tem McMillan asked to focus in the staff report to be about why the Council made this decision in 2021 and how actually things have improved since that time, including receiving information from Jason Weber about the overall emergency dispatch system; information from Mark Brown about over \$100 million spent by Marin Wildfire Prevention Authority to make Marin safer; misinformation about how a Paradise fire is not going to happen if they keep their fire station open; misinformation about residents who will have their insurance canceled because the Town is closing its fire station; misinformation about the ambulance leaving because the RVPA may pull out, despite what the deployment study says and despite the Town's work to negotiate a long-term lease; misinformation about how the Town is much better off having two people in Ross than having three people on an engine and three stations; and receive more information about the situation in Belvedere.

#### **BREAK**

Mayor Kircher called for a brief recess at 8:46 p.m. to discuss a technical item regarding the Resolution approving 21 Glenwood Avenue, and reconvened the meeting at 8:49 p.m.

**Council Member Robbins moved and Mayor Pro Tem McMillan seconded, to reconsider Resolution No. 2506. Motion carried unanimously (5-0).**

#### **RECONSIDER ITEM 11.**

##### **Public Hearings on Planning Projects – Part II.**

11. **21 Glenwood Avenue, Design Review, a Demolition Permit and Town Council adoption of Resolution No. 2504 approving the project, subject to conditions.**

Glenwood Ross LLC, 21 Glenwood Avenue, A.P. No. 073-121-09, Zoning: R-1: B-A, General Plan: VL (Very Low Density), Flood Zone: X (Moderate to Low Risk)

Mr. Sutro returned to the meeting to explain that the motion made was to adopt Resolution No. 2506 when, in fact, it should be Resolution No. 2504.

**Council Member Dowling moved and Mayor Pro Tem McMillan seconded, to rescind approval of Resolution No. 2506 and to adopt Resolution No. 2504 approving 21 Glenwood Design Review and a Demolition Permit, with conditions. Motion carried unanimously (5-0).**

**b. Future Council Items** – The Council returned to discussion on this item.

Town Manager Johnson noted there are three more weeks before they finalize the agenda packet for the March 13<sup>th</sup> meeting, and staff works with the Mayor and Mayor Pro Tem to set the agenda. She recommended reserving the right, if needed, to move this off the agenda and hold a special meeting.

Town Attorney Stock stated the agenda item would be a presentation by staff on how the Town got to where they are, and the staff report would include all related documents. At the end of the staff report staff can indicate that some Council Members at tonight's meeting suggest future action for potential alternatives and identify those which received two votes tonight. Thereafter, staff can take further direction on next steps. The alternatives will be the closing of the Ross Station and other alternatives, but the Council would not necessarily be committed to doing any of the options at the March meeting.

Town Manager Johnson confirmed with Council Members that the three alternatives are: 1) consider joining Central Marin Fire or Kentfield Fire Protection District; 2) A ballpark figure on constructing and operating an independent fire department; and 3) A ballpark figure for paying Ross Valley Fire Department to add their station, a new station, and operations back in.

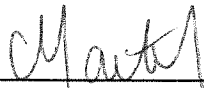
**12. Adjournment.**

The meeting adjourned at 9:05 p.m.



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C. William Kircher, Jr., Mayor

**ATTEST:**



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Cyndie Martel, Town Clerk