

THE MORNING AFTER

*Highlights from the
Ross Town Council Meeting
of October 14, 2010*

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October 15, 2010

Police Chief Reis to Retire in December

Police Chief Jim Reis has announced his decision to retire in late December. The Town Council agreed with Town Manager Gary Broad's expedited recruitment plan to hire his successor.

With the cost of hiring a professional recruiter more than \$20,000, the Town has decided to handle the recruitment internally to save time and money. Chief Reis, Town Manager Broad, and Public Safety Committee Chair Scot Hunter have already prepared and distributed a recruitment notice to the Peace Officers Research Association of California, an on-line California cities employment listing site, and other Marin public safety departments.

The Town hopes to interview 6-8 candidates the week of November 1 by a panel including Chief Reis, Council member Hunter, a member from the Ross Police Officers Association and one from another local police department, and a Ross Property Owners Association (RPOA) representative. Mayor Chris Martin, Chief Reis, Town Manager Broad, and a second RPOA member will conduct a follow-up interview of the top 2-3 ranked candidates and make the final hiring decision. The Town hopes to have a new police chief in place by December or January.

"Chief Reis has worked hard and well for the Town for over 30 years and has been a pillar of the Police Department," said Town Manager Broad. "He will be missed by residents, Council, his staff, and all Town employees."



Police Chief Jim Reis

Council Members Select New Council Goals

The Council discussed and selected new goals at the October 6 Council retreat. Council member Rupert Russell will lead a review of the Town's treatment of basements and attics in floor area calculations and will conduct a public workshop to consider changes to those regulations. Currently, floor area includes attics that are partitioned off into rooms and/or used for living space, and "finished" basement areas, including recreation rooms, wine cellars, laundry rooms, and any space that is at least 7' 6" in height or has sheet rock or paneled walls. Finished basement and attic floor space can substantially increase the livability of a house while not adding to the bulk and mass of the building. New regulations could distinguish between existing and new construction and might treat hillside lots differently.



Mayor Pro Tempore Carla Small's goal is to review and revise regulations for the Town's right of ways. Mayor Pro Tempore Small noted that some residents have encroached in the right of ways and have, over the years, filled drainage ditches and claimed parking spaces. She would like to "tighten up" the ordinance and enforce the regulations throughout Town. The Council also discussed developing guidelines for plantings, irrigation, permeable surfaces, lighting, signage, and maintenance responsibilities.

Mayor Martin will lead a community-wide effort to develop an approach to future public safety facilities and organization. Recognizing that the existing facilities need substantial rehabilitation, he plans to involve all stakeholders in an open process to look at all options, including merging or consolidating public safety services with neighboring cities. Mayor Martin intends to

assess what the community wants and might be willing to pay for. Last year, a consultant estimated a new 13,000 square foot building for fire, police and Town Hall staff would cost approximately \$10.2 million. The Town would need to consider issuing a general obligation bond, which requires 2/3 voter approval, to finance such a project.

Council member Rick Strauss will build on his previous work on the Downtown Plan and focus on project implementation, parking, and signs in the commercial district. Council member Scot Hunter's goal is to develop the Town's relationship with the Marin Art & Garden Center, which is facing major financial challenges. At the Council retreat, Ross resident Gary Scales asked the Town to consider making an equity investment in MAGC and becoming a program partner with control of the facility.



Mayor Chris Martin's Report

Last week, our annual Council Retreat was held at the Marin Art & Garden Center. These retreats are an opportunity for Council members, Town staff and interested residents to informally meet and discuss current Town programs, pending issues, future needs, and priorities with the intention of improving the functioning of government and services. We had a very productive exchange at our retreat.

I would like to announce that there are openings on the Advisory Design Review Group available to Ross residents, particularly if you have a background in architecture or landscaping. This is a great opportunity to be involved with the preservation and improvement of the Town. It will require a commitment of at least several hours each month. Please contact Elise Semonian, 453.1453, ext. 121, if you are interested in this position.

During the past several months, Ross residents and businesses have experienced an unprecedented amount of disruption and noise. Gratefully, most of you have been patient and understanding. The good news is that it is really coming to an end. Sir Francis Drake Boulevard will be finished in the next two weeks and the Lagunitas Bridge may be completed in mid-November, though I have been cautioned not to use such a definitive date. Regardless, it merits consideration of a celebration in recognition of everyone's patience, as well as in appreciation of the considerable improvements.

Second Baseball Field Approved for Ross Common

The Council unanimously approved a request by Ross Recreation to allow a second baseball field on the Ross Common for Little League T-Ball use for five and six year-olds. The field will require a small back stop and some sod removal for the bases, and equipment will be removable.

In separate news, Ross School board member Robert Dickinson reported the board had reversed an earlier administrative decision to levy school taxes on undeveloped parcels. Ross School will be contacting affected property owners.

Circle Drive – A Public Roadway?

The Council considered a request by Circle Drive residents to declare Park Drive and Circle Drive publicly maintained roadways. The residents said that the Town has maintained both streets for over 60 years, performing street sweeping, police patrol, coordination of utility projects, and installation of signs and a speed bump. They also said Town staff had repeatedly assured residents that the streets are public roadways. In April 2010, some residents contacted the Town about paying for "all or a part" of the paving costs for Circle Drive and were informed that the Town does not consider the two streets to be publicly maintained roadways.

I, J. B. McCauley, Town Clerk of the Town of Ross, and Ex-officio Clerk of the Board of Town Trustees of said Town of Ross, hereby certify that the foregoing map was presented to said Board, as provided by law, at a meeting of said Board of Trustees held on the 10 day of May, 1915, and that said Board of Trustees did thereupon by Resolution No. _____ resolve that said Board of Trustees approves the map of which this certificate is a part and does ~~not~~ accept on behalf of the public, Circle Drive, Hillgirt Drive, Park Drive, Ivy Drive, Southwood Ave., all lanes paths or steps shown on the map and also Lots D, E, F and G, as shown on Sheet No. 1 for public use.

In Witness Whereof, I have hereunto signed my name and affixed the seal of said Board of Trustees this 10 day of May, 1915.

J. B. McCauley
Town Clerk and Ex-officio Clerk
of the Board of Trustees of
the Town of Ross.

Town Attorney Hadden Roth said the law provides that "acceptance into a street system must be made by formal resolution" and a street cannot be considered a publicly maintained roadway by implication or

common law methods. Staff said they are not aware of any resolution to accept either Circle Drive or Park Drive into the street system. The certificate page of the Assessor's map shows the Town Clerk did not accept Circle and Park Drives on behalf of the public when the streets were created in 1915.

The Council continued the item to a future meeting to allow staff time to further review Town records dating back nearly 100 years to conclusively establish whether or not the Council acted on any resolutions to accept the roadway subsequent to 1915.

Draft Housing Element Recommended for Adoption

The Town Council, sitting as a planning commission, recommended the Town's draft housing element for Council adoption at the November Council meeting. The approved draft element is substantially the same as the draft approved by the Council in June 2009 for submittal to the State Department of Housing and Community Development (HCD).



During the review process, HCD officials required some changes to add certainty and clarity to the development approval process, and to bring the element into compliance with State housing element law. HCD requested the Town remove the conditional use permit requirement for multi-family housing in the Community Cultural and Civic Districts and for mixed-use housing in the Commercial District. This change would affect potential development projects at the Marin Art & Garden Center and the Town-owned property at 37 Sir Francis Drake Boulevard. The state agency also requested the Town amend the municipal code to include specific development standards for building height, lot coverage, floor area ratios, and parking requirements in the Commercial and Civic Districts.

Through the regional housing needs allocation process, the Town is required to plan for the development of 27 new housing units in Ross between 2007-2014. While the Town is not responsible for building the units, the Town is required to identify housing sites and ensure the underlying zoning and existing development standards will facilitate development affordable to various income levels. The Town has already issued building permits for six second units and guesthouses and planning approvals for the construction of two additional units. Eight of the remaining units are expected to be single family homes.

Highlights from the Town Council Retreat

In addition to the selection of Council goals, the Council discussed a number of operational matters at the October 6 Council retreat and provided direction to staff and standing committees to resolve issues and improve governance.

The Council requested staff write up procedures and policies for gathering neighbor acknowledgements for planning applications, installing story poles, and placing items on the Council consent agenda. Staff will clarify procedures and publicize the information on the Town's website.



The Council discussed the Community Protection, Finance, General Government and Public Works Committees and agreed that agendas, staff reports and minutes for all four standing committees will be prepared and posted on the website. The Public Works Committee, which meets on the first Tuesday morning of every month, will prepare and update a master schedule for all public works projects. The timeline will be posted on the website so residents may know in advance if there is drainage or roadway work scheduled for their street. The Finance Committee, which expects to meet quarterly beginning in November, will review building permit fees and provide budget oversight. The Community Protection Committee will be involved in the new police chief recruitment and will hold periodic public meetings.

The General Government Committee will meet publically on an as needed basis and will look at staffing and the Town's use of consultants. Council members would like to resolve problems with ensuring construction projects comply with approved plans. The General Government Committee will also study the Town's information technology needs and make a recommendation on the purchase of microphones, monitors, a podium, and equipment for live streaming of Council meetings.

New Public Safety Staff Join Ross

Mayor Martin swore in Joshua Schulman as a new Ross police officer. Officer Schulman was the top candidate from a field of 43 applicants. He is filling a vacancy in the police ranks created when Sergeant Bob Tucker retired earlier this year.

Fire Chief Tom Vallee introduced Steven Morlock as the Town's newest apprentice firefighter. Steven grew up in Ross and attended Ross School, Marin Catholic High School, and the University of California at Santa Barbara, where he played baseball. Chief Vallee noted that the department was especially pleased to have a new recruit for their softball team.



Officer Schulman and Apprentice Firefighter Morlock.

Construction Completion Time Limit Penalty Reduced

The Council voted 3-2 to reduce property owner Richard Hannum's penalty for failure to complete construction of his 23 Baywood Avenue home within the time limits allowed under Town ordinance to \$10,100. The penalty would have been \$197,000 based on a substantial project completion date of August 15, 2008.

Mr. Hannum argued that circumstances beyond his control, including the discovery of a severely compromised foundation during demolition of the original house, had delayed the project. Council member Russell and Mayor Martin opposed the motion to reduce the penalty. The Council agreed later in the meeting to review the construction completion time limit ordinance to ensure the ordinance was being applied consistently and fee reductions were based on clear and objective measures.



Planning Application Scoreboard

The Town Council took the following action on planning applications considered at last night's Council meeting. For more information on each planning application, you can view staff reports [here](#). The minutes of this meeting will be available on the website at www.townofross.org after approval at the November Council meeting.

Senior Planner Elise Semonian

Address	Applicant	Approved	Denied	Continued	Withdrawn
10 Ames Avenue	Bradley and Kristin Matsik	X			
30 Ross Common	Arana, Montero, and Swenty	X			
23 Ross Common	Peter Maguire and Sara Whittles	X			
79 Bolinas Avenue	Jessica Bendy and Chris Pedrick	X			

Upcoming Meetings

The next regular Public Works Committee meeting is scheduled for Tuesday, November 2, at 8:00 a.m. The November Town Council meeting will be held on the special date of Thursday, November 4, at 6:30 p.m. Agendas and staff reports are posted in advance of the meetings on the Town's website.

The Morning After is published following each regular Council meeting by the Town of Ross and is written by Project Planner Christine O'Rourke, edited by Town Manager Gary Broad with support from Administrative Manager Linda Lopez, and reviewed by the Ross mayor prior to publication. The newsletter is not an official record of the meeting's proceedings and does not cover all agenda items. No portion of this newsletter may be copied, reproduced or reprinted without advance written permission from the Town of Ross.