

REGULAR MEETING of the ROSS TOWN COUNCIL  
THURSDAY, MARCH 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.

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

None.

**4. Mayor's Report.**

The official beginning of Spring will occur next week on March 20. Last Sunday, we moved our clocks forward. It seems that Winter will not go quietly this year, with rain and even some thunderstorms this week, but we hopefully can expect more springlike conditions soon. The playing field on the Ross Common will reopen in a few days. Baseball season is beginning, and the collegiate March madness men's and women's tournaments will begin shortly as well.

Despite the current rainy period and the series of atmospheric rivers and other heavy rains we experienced beginning in November of last year, we have so far managed to navigate another rainy season without any significant flooding. Thanks to all who have pitched in to keep the front of their properties and storm drains near them clear of debris.

There is, of course, much more that can be done to mitigate flood risk. Currently there are two major projects which directly affect us, one known as the San Anselmo Flood Risk Reduction, or SAFRR project, currently focused on removal of Building Bridge 2 in San Anselmo, and the other of which involves removal of the fish ladder in Ross and related improvements in the Corte Madera Creek channel.

The SAFRR project is designed to reduce the risk of flooding in San Anselmo. But it will also benefit Ross residents because flooding in San Anselmo can spread to homes in Ross. While the project is beneficial, we do want to be sure that owners downstream in Ross are protected via mitigation measures implemented by the County.

The fish ladder removal project is designed to reduce the risk of flooding in Ross by removing the obsolete and ineffective fish ladder located behind the Post Office, which obstructs the flow of the Corte Madera Creek.

At a meeting of the Flood Zone 9 Advisory Board on February 27, staff provided an update on both of these projects. The SAFRR project in San Anselmo continues to move ahead, with construction currently targeted to begin in 2026. As for the fish ladder project, which is part of a larger project to reduce flood risk in Ross and Kentfield, County staff reported they are working on securing additional funding. Next steps include preparing what is referred to as a Conditional Letter of Map Revision for review by FEMA. The process may be at the final construction permit stage by late 2025 or early 2026, with construction to take place in 2027.

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

Council Member Dowling reported on plans underway for two new breakfast events by the Age Friendly Task Force one on April 1<sup>st</sup> (Marin Art and Garden Center) and the other on June 4<sup>th</sup> (Crown and Crumpet). She reported on TAM's release of the final Countywide Transportation Plan for 2050, TAM staff's assessment of potential risks of federal grants, development of a VMT reduction enhancement toolkit, and said she was appointed to TAM's Executive Committee. Lastly, she attended a 3-day training for Planning Commissioners in Santa Rosa put on by the CA Cities Training Academy.

Council Member Robbins reported that the RVPA met last week and there is on-going work on the lease for the ambulance location in Ross. The Fire Board met this week and no notable actions were taken.

**6. Staff & Community Reports.**

**a. Town Manager**

Town Manager Johnson had no report.

**b. Ross Property Owners Association**

Marcia Skall, RPOA, reported on membership, membership drive, and an event held in the fall to thank members, Age Friendly, plans for an emergency preparedness first aid training seminar for residents, hanging flowers, their plans to support to improve Ross Field drainage and desire to upgrade of lights in the Post Office, RPOA April budget meeting, Live on the Common on April 25<sup>th</sup> and May 30<sup>th</sup>, a new Age-Friendly/RPOA event to sponsor a global cultural event on May 2<sup>nd</sup> to explore diversity, and work on improvements to the entrance to the Common from the Post Office crosswalk.

**7. Consent Agenda**

The following items will be considered in a single motion, unless removed from the Consent Agenda. Council Member Salter requested removal of Item c. There were no additional requests to remove an item or public comments.

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

**a. Minutes:**

**Special Meeting, Closed Session, February 13, 2025**



**Regular Meeting, February 13, 2025**

- b. Demands for February 2025.**
- d. Town Council to review the information provided in the 6<sup>th</sup> Cycle Housing Element Update, Annual Progress Report (APR) and General Plan APR for 2024 and authorize its submittal to the Governor's Office of Land Use and Climate Innovation and to the State Department of Housing and Community Development with respect to the Housing Element.**
- e. Town Council to approve and authorize Town Manager to award a Contract for Professional Consulting Services to Coastland|DCCM in the amount of \$127,855 for engineering and design services and provide a ministerial reserve of an additional \$19,000 (approximately 15%) if needed for unforeseen changes in scope for the Sir Francis Drake Boulevard/Morrison Road paving projects and various town-wide drainage projects.**
- f. Town Council to approve and authorize the Town Manager to award a Contract in the amount of \$259,086 for Professional Consulting Services to Harris & Associates and provide a ministerial reserve of an additional \$40,000 (approximately 15%) if needed for unforeseen changes in scope for Engineering and Design services for the Town Administration Center Rule 20A Undergrounding Project.**

**Item Removed from Consent Agenda:**

- c. Town Council approval of the Town of Ross Annual Financial Report for the Year Ended June 30, 2024, with no findings.**

Town Manager Johnson stated the Town's auditor is available on Zoom for questions, as needed.

Council Member Salter questioned the pension liability of \$5 million which fluctuates based on assumptions. He recommended staff bring an item to the Finance Committee for more clarity and whether the Town should consider mitigations for it. Town Manager Johnson agreed to agendize this item for the Finance Committee.

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

**Council Member Robbins moved and Council Member Dowling seconded, to approve Consent Calendar Item c. Motion carried unanimously (5-0).**

**End of Consent Agenda.**

**8. Public Hearings on Planning Projects – Part 1.**

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

**a. 11 Morrison Road, Design Review, Demolition Permit, Nonconformity Permit, Hillside Lot Permit, and Town Council adoption of Resolution No. 2508 approving the project, subject to conditions.**

11 Morrison LLC, 11 Morrison Road, A.P. No. 072-101-08, 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, Demolition Permit, Nonconformity Permit, and Hillside Lot Permit. The project proposes a renovation of an existing ±3,200-square-foot (SF) single-family residence and detached art studio, reducing the floor area to ±1,800 SF and adding roof decks. The exterior of both structures will be updated with WUI-compliant wood cladding.

Assistant Planner Alex Lopez-Vega gave the staff report and overview regarding the request for adoption of Resolution No. 2508 for approval of Design Review, Demolition Permit, Nonconformity Permit, Hillside Lot Permit at 11 Morrison Road, subject to conditions.

The ADR Group reviewed the project on February 25, 2025 and expressed their support for the project and noted that it will be a huge improvement to the neighborhood. Staff recommends the Council adopt Resolution No. 2508 approving Design Review, Demolition Permit, Nonconformity Permit, Hillside Lot Permit at 11 Morrison Road, subject to conditions.

Mayor Kircher called upon the applicant for a presentation, and the applicant waived a presentation and indicated they were available for questions.

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

**Mayor Pro Tem McMillan moved and Council Member Robbins seconded, to adopt Resolution 2508 approving Design Review, Demolition Permit, Nonconformity Permit, Hillside Lot Permit at 11 Morrison Road, subject to conditions. Motion carried unanimously (5-0).**

**b. 103 Bolinas Avenue, Variance/Exception and Town Council adoption of Resolution No. 2507 approving the project, subject to conditions.**

John Boesel and Arriana Van Meurs, 103 Bolinas Avenue, A.P. No. 073-041-12, Zoning: R-1, General Plan: M (Medium Density), Flood Zone: X (Moderate to Low Risk)



**Project Summary:** The applicant requests approval from the Town Council for a Variance/Exception. The project proposes a 40 square foot rear addition to the existing single-family residence, extending it by 3 feet and incorporating new French doors. The addition will incorporate exterior siding that matches the existing home, and the rear deck will also be expanded to align with the addition. A Variance/Exception is required to construct the new three-foot addition further into the rear yard and side setbacks, exceed the allowable floor area and building coverage, and place the heat pump in the side yard setback.

Assistant Planner Alex Lopez-Vega gave the staff report and overview regarding the request for adoption of Resolution No. 2507 for approval of a request for a Variance/Exception at 103 Bolinas Avenue, subject to conditions.

The ADR Group reviewed the project on February 25, 2025 and all members supported the project and noted that most lots on Bolinas Avenue are non-conforming when it comes to floor area and setbacks. Staff recommends the Town Council adopt Resolution No. 2507 approving the Variance/Exception.

Council Member Robbins stated normally the Council does not approve increases in FAR and asked what percent in FAR does this represent. Mr. Lopez-Vega replied it is a 1% increase.

Council Member Salter cited the interesting situation on Bolinas Avenue relating to setbacks and FAR. He asked why this is not zoned separately since every home is non-conforming in the area.

Planning Director Roberta Feliciano said staff would need to spend significant time researching historical records and determine what homes were approved originally and then come up with a FAR that would closely match that. She guessed that when zoning regulations took place, many of the homes were already non-conforming so most properties are in the similar condition.

Council Member Salter suggested staff consider rezoning when it works on the General Plan for situations like this, given the cost of \$4,500 and the process for homeowners.

Mayor Pro Tem McMillan questioned and confirmed with Town Manager Johnson that staff has a list of items which need attention during a General Plan Update process and staff can add this to the list.

John Boesel, applicant, said he and his wife appreciate the discussion, confirmed the request will have no impact to neighbors, and said they are here to answer any questions. He confirmed the costs for their request totals approximately \$8,500; however, this is a deposit amount and they will likely receive a refund at the end of the process based upon staff time.

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

Council Member Robbins said it is important to remember the FAR is established to keep homes proportional to the lot. For this particular project, they are barely over their existing nonconforming FAR by 1% and she supported the request. Mayor Pro Tem McMillan agreed.

**Mayor Pro Tem McMillan moved and Council Member Dowling seconded, to adopt Resolution No. 2507 approving a request for a Variance/Exception at 103 Bolinas Avenue, subject to conditions. Motion carried unanimously (5-0).**

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

**Administrative Agenda.**

9. **Town Council to receive a presentation from staff, engage in a general discussion regarding the provision of fire and emergency medical services in Ross and provide direction by a majority of the Council to the Town Manager to expend resources to conduct additional research.**

Mayor Kircher introduced the item and provided an historical background on the matter.

Town Manager Johnson introduced and provided backgrounds on Chief Jason Weber, Chief Dan Mahoney, and MWPA Executive Officer Mark Brown and thanked them for their efforts and their presence tonight. She included background information in the staff report and said she will focus on the purpose of tonight's meeting. The item was placed on the agenda at the request of Council Members Robbins and Salter.

During the February 13<sup>th</sup> Town Council meeting, the scope of the item was discussed and it was determined that the first purpose is to receive a presentation on the provision of emergency fire and medical response to the Town of Ross from their fire officials. The second purpose is to consider providing direction to the Town Manager on whether to expend resources to conduct research on the following potential alternatives. Three Town Council Members must affirmatively provide direction in order for her to expend resources on researching any of the alternatives:

1. To consider directing the Town Manager to explore the feasibility and identify costs related to joining or contracting with Kentfield Fire District for fire services;
2. To explore the feasibility and identify costs related to joining or contracting with Central Marin Fire for fire services;
3. To direct the Town Manager to obtain the cost estimate for building a new fire station in Ross and to identify the impacts of revising the adopted 2023 Facility Master Plan in the event a fire station were to be built here;
4. To direct the Town Manager to develop the cost estimate for operating a Town of Ross Fire Department in the Ross Civic Center which would cover start-up costs and on-going annual costs; and



5. Direct the Town Manager to explore the feasibility and identify costs related to Ross Valley Fire Department continuing to operate a fire station in the Ross Civic Center, with a requirement of an amendment to the Ross Valley Fire Department JPA.

In summary, it is recommended that the Town Council receive a presentation from staff, engage in a general discussion regarding the provision of fire and emergency medical services in Ross and provide direction by a majority of the Council to the Town Manager to expend resources to conduct additional research.

Chief Dan Mahoney gave a presentation and spoke about the fire and police facilities' condition, and the history of the Station 18 closure decision.

Chief Jason Weber then presented an overview of the 13+ public meetings/presentations regarding the subject, the study of impacts of the RVFD in 2019 by Citygate, COVID challenges, McGrath and Associates' presentation of options in August 2020, consideration of modulars for the ambulance which would remain in Ross, a community workshop in October 2020 with 44 attendees regarding the vision of the new Civic Center building, how people felt about having a fire station and paramedic services in Ross, and its cost. Everybody wanted services here but concerns were raised about costs.

In December 2020, the Council received feedback from a community survey relating to public safety response, wildfire safety, increased hazards due to climate change and wildfires, preferences for lower cost options, and 55% of those 336 surveyed indicated they were not willing to pay the \$520 per million of property assessed value for a new fire station. He noted it takes 66% to pass a special tax or bond, so 55% opposed would not succeed in a 2/3 majority vote.

Chief Weber said at another Town Council meeting in January 2021, he and staff returned to the Council with information collected and the Council did not want to move forward with the proposal that did not include the fire station. They asked staff to return two months later in March of that year to see if they could fill the funding gap. Staff advised the Council that any attempt at private fundraising fell far short at around \$350,000 and nowhere near the \$14 million needed to construct all facilities.

The Town Council then directed staff and the RVFD JPA to look at alternatives to providing services to the town without a fire station. Representatives from Ross, San Anselmo, Sleepy Hollow and Fairfax developed a broad range of eight alternatives, which he described. These were ultimately presented to the RV Fire Board which occurred in May 2021.

The alternatives for providing services were brought to the RV Fire Board and deliberated. Ultimately, staff left with 4 or 5 alternatives to further explore which was done over the summer of 2021 and returning to the RV Fire Board in the fall 2021 with a narrowed option that would work for all parties which was to shift staffing west and ultimately close the engine company in Ross and leave the ambulance. This entailed an amendment to the RV Fire JPA.

The savings to materialize for Ross were around \$300,000. Fairfax had to do some station remodels to accommodate the additional staffing. It was recommended that staff from Station 18 move to the San Anselmo and Fairfax stations to spread out. The lease agreement payment currently with Ross and RVPA is made to Ross Valley Fire which would shift to the Town of Ross and increase to around \$50,000 annually in recognition that the Town was expending funds to build new ambulance quarters. The implementation date would be July 1, 2025. There would be a cost-share for facility repairs to San Anselmo based on the sharing of the facility for the Town of Ross, and a few minor things including labor agreements that had to be adjusted based on these changes.

In December 2021, staff returned to the RV Fire Board with the amended JPA language which was ultimately approved by the Board and then made its way to each of the four-member agencies where it was approved unanimously across boards and councils.

They have heard a lot in public comments and letters received about wildfire safety, and the number of fires that had occurred previously or during the decisions they were making. Mr. Brown will talk a bit about wildfire in general. Chief Mahoney will talk about responses, but it is important context for the group to consider.

Regarding data, Chief Weber said there has been a lot of discussion around the viability of the ambulance and the 85% and 40%. Unit hour utilization is the percentage of time an apparatus is actually committed during a given hour over the course of a year. Ambulances and fire engines are all busier during daytime hours and in this case, it peaks at the 1:00 p.m. hour where the ambulance station out of Ross is committed to incidents 30.44% of the time. The other ambulance in the valley peaks right around 2:00 p.m. So, this tells them the ambulances are busy, they have capacity within the system, but they are getting close to a point where they must look at adding capacity. Overall, Medic 18 in Ross is committed to incidents on average of 21% of the time over a 24-hour period, or 79% of the time they are able to respond to a new or emerging incident.

Citygate recommends as you start to crest 30% or higher over multiple consecutive hours, it becomes difficult to do other responsibilities including training for personnel. Therefore, they are now looking at how to add capacity.



He then described the unit hour utilization from the 2019 Citygate fire study done for RVFD, the 85% rate over a two-year period in Ross where the ambulance was available to respond. The 2024 Citygate study used a single year for the data, the same ambulance had 79% availability and committed 21%. The response where the Ross station ambulance was available to respond to Ross was 71% of the time, which is a decrease from 85% in the 2017-18 data set. When you have smaller data sets, you can have more volatile data, and now they have the study from 2019 and 2023 for a larger data set.

He then provided specific data on the Ross ambulance incidents and responses occurring in Ross. Of the 96 ambulance responses in the town, there were 70 transports and only one required lights and sirens back to the hospital for a cardiac arrest. So, on average there was one transport every 5.2 days. He highlighted that this is a small data set and reflective of the occurrences of emergencies in Ross and the town is fortunate.

Regarding all numbers without something to compare them to, the City of Belvedere does not have their own fire station and contracts with Tiburon Fire District. The distance between these locations is 3134 feet. The difference between the Ross Town Hall and Kentfield station is 3650 feet or a difference of 516 feet. The closest ambulance to Belvedere is 2.9 miles which is Station 10 in Tiburon. He then described other parts of the county and their ambulance services, simultaneous incidents, number of staffed engine companies and ambulances in the county, response times, and overall comparisons of departments and ambulance systems which he noted are not an apples-to-apples comparison.

He then spoke about additional capacity such as sharing an ambulance into the system with another partner, cross staff in engines and ambulances which adds surge capacity at no additional cost, and a third ambulance, described industry changes in EMS, dispatching and tracking systems, work with police departments, and background and stability of RVPA.

Fire Chief Dan Mahoney provided an overview of RVFD with four stations 18, 19, 20 and 21 in Fairfax, two in San Anselmo, and one in Ross, presented the travel distance locations, and said without Station 18 the distance between Station 17 and 19 is 1.7 miles or a difference of about .2 miles between their longest Fire Stations 19 to 20. He described the history of RVFD as a JPA created in 1982, Section 13.4 in the JPA that states any member that wants to terminate its participation ultimately needs to give a 2-year notice to JPA members, FY 2024/25 budget of \$14.9 million, new station projects of Fire Station 20, remodel of Station 21, Station 18 closure plan, projects and transitions put in place planning for the closure, operational deployment and positions, automatic and mutual aid, medical emergency response, what has been done to increase rate of response through the addition of a fire engine with four firefighters along with an additional Battalion Chief, equipment used during fire response, countywide initiatives designed to provide better service for all members of the RVFD, and staffing to fill all vacancies.

Mark Brown, Executive Officer, WMPA, said he has a strong connection to the community of Ross given his background, spoke about the focus on fire noting that MWPA was created because of the North Bay fires in 2017, said they have taken action on 75% of the 60 action items, and some are not needed any longer because of other systems in place.

He described MWPA's structure and how they govern the work, pace and scale, their strategic plan, improved evacuation systems and hardening routes, their budget of approximately \$22 million a year, their defensible space evaluation program as their single largest success, inspections of properties, the importance of Zone Zero, the Chipper Day program, public education, vegetative management program which includes shaded fuel breaks.

Mr. Brown then described core projects and how fire is going to impact the Town of Ross especially under the high fire threat days of Diablo Valley winds, how it impacts structure fires on windy days, as well as the threat of a dry on-shore sea breeze, and average weather days where 95% of fires occur. They put a lot of focus on evacuation planning, and he spoke about insurance concerns where wildfires are causing insurance companies to non-renew. They have been engaged in creating solutions for insurance and they are connected firmly with the California Department of Insurance, and have been in communications with the California FAIR plan.

Insurance Commissioner Lara has commissioned Cal Poly Humboldt to publicly create a catastrophic risk model that would allow insurers to set rates based on real fire hazard risks, but it does not take into consideration risk reduction that communities have been doing. Mr. Brown then provided an overview of MWPA's work with United Policyholders, a consumer advocacy group; an actuarial that works on WUI data commons, a re-insurer, and he noted MWPA has been creating its own modeling because no one has done it and they want to be able to show plan and projects that make the most benefit, want their pre-fire engineers to shape that work to be most effective, be able to show to taxpayers their money has been well-invested, and are offering work to Cal Poly Humboldt to help set a standard.

He then provided an overview of parcels in Marin, issues identified, mitigation, a resolution rate of 48%, violations, how they share aggregated data, and comments about losing an engine at Station 18 in Ross that may result in the insurance industry disengaging from the Town of Ross. He said when it comes to wildfire insurance decision-making, they do not look at response at all, but MWPA is encouraging them to take this into account, given their resources of bodies responding. Marin is very well positioned for the weight of response for wildfire, and they are encouraging the insurance industry to take that into account. He then spoke of Cal OES's purchase of many new fire engines and the response with more California firefighters.

He concluded the presentation with remarks about the California Fair Plan and said 3% of Ross is on the plan, and the entire county is seeing an increase. They are in communications that if people have inspections performed and they meet regulations, they can get a discount.



Mayor Kircher asked for Council questions.

Council Member Dowling asked Chief Weber when they will add the third ambulance, and Chief Weber said it would be a cross staffed unit or an addition of capacity to the system, but not an ambulance. They are conversing with San Rafael who is looking at adding capacity too. They just received data in November and the JPA will look at options surrounding that. As they plan for their next measure before the voters, they will have a plan.

Vice Mayor McMillan asked if Chief Weber could reiterate the 40% number that has been floating around. She thinks it would help everybody to understand why that number is being misunderstood.

Chief Weber said he did not come up with that number, but what he believes occurred was the calculation used was the average commitment time of the ambulance for an incident which is in the 80-minute range multiplied by the total number of incidents for the ambulance. This would come up with total minutes of commitment time over a 12-month period, then divide that by how many minutes are available and he did not think it was 40% but if you are not accounting for non-transports which, again, across the county, 15% to 20% of ambulance responses do not result in a transport so they could be immediately canceled, canceled in route, canceled once they get on scene, but this could be a couple of minutes versus 87 minutes.

He suspects that is where that number came from. He would redirect people to the 2024 study looking at the unit hour utilization and then looking at the availability of the ambulance, and looking at how many times the Ross-assigned ambulance was available for response in Ross as a better indicator. Using one year's worth of data, there were 96 incidents in 2023 in Ross. 26 of those were non-transports, 68 of the 96 ambulance responses were handled by the medic unit assigned out of Ross.

Council Member Robbins said when she looked at the data from the 2024 EMS Report looking at how many calls M18 got by year and dividing that by 365 days and looking at how many hours the ambulance was away, it looked like the ambulance was around 50% of the time. So, she tried to confirm that and spoke at a meeting with others. The principal who did that study said he thought the ambulance present was closer to 40% of the time. So, that 40% came from her looking at data, trying to confirm it with the person who wrote the EMS study, who thought it was closer to 40%. She mentioned that Ross residents have nothing but the highest praise for the services they receive from the Fire Department and from the Paramedic Authority. This is probably the reason for some of the concern because they do not want to lose this.

In 2021, people said they would not support the money to rebuild the fire station. This was largely in part because they had been assured that the ambulance could replace the fire engine and that response times at 7 minutes, 55 seconds would be unchanged for 85% of the calls. It appears now that even if the ambulance is present, it will not have the 7 minute, 55 second response and it often comes later than the fire engine. So, some questions are whether they could get the station back. If Ross residents were able to provide the funds to staff an engine to remain here and funds to rebuild the station, she asked if there would be objections from fire officials to do that.

Chief Weber said he will own the 85% because he made those statements in 2021 and where that data came from is they have not done a previous report so they had nothing else to look at. They had 2 years of data and felt responses and unit hour utilization was going to stay pretty consistent. It is clear with a smaller set of data, there is a shift. So, the reality is, this probably lives somewhere between 70% and 80% and with that, assuming the ambulance stays here in Ross, when they are here for medical emergencies the amount of time they are available here the response time would not change. It would be increased if the ambulance is not here, so it is an important piece to consider. He would describe incident activity like lightening—it is very hard to predict where it will strike and the time. This is why when they do deployment models, they are looking at larger geographical areas, looking at trends of data, peak hours, and how they can add capacity into the system.

Chief Mahoney said he thinks back when the decision was made and the Board gave direction to then Fire Chief Weber and now himself to follow-through with the direction given this was a policy decision made. They revisited the opportunity at the Fire Board level back in January and that would be something that there would be some direction from him on whether if he truly feels they need to go in a different direction that was given. He works at the pleasure of the Board and the Board provides him direction and he follows through with the direction given.

Mayor Kircher said since they are on this subject, when they are talking about 2 minutes of additional response time it seems that this was based on the travel time from Station 19 in San Anselmo to Station 18, 1.1 miles, 2 minutes, about 33 mph. He was trying to figure out for his house and how that would play out for a medical emergency. It turns out he is 1.1 miles away from San Anselmo and he is 1.1 miles away from Kentfield at Station 17 so right in the middle. They can say that is 2 minutes of driving time, but they are talking about additional driving time because if he had a medical emergency before the Ross station closed the engine would still have to come from Station 18 to his house which is  $\frac{1}{2}$  mile. So, now they are talking about an additional .6 miles to get to his house. So, this is 1.1 miles minus .5 miles. It is an additional .6 miles which is about an additional minute and not 2 minutes.

Chief Mahoney said this is correct. It would depend on your location and as previously mentioned, the 2 minutes was an approximate time and the best they could do to articulate the travel time between Station 19 and 18.



Mayor Kircher asked if it was also correct that at the time the 2019 study was done with this 2 minutes, there was no automatic aid from Kentfield for medical emergencies, only fire.

Chief Mahoney said Kentfield regularly comes over to assist them but the study was more focused on RVFD response and a response from Station 19. When they looked at echo level calls, that is truly where the difference is going to be and make a difference in the 2-minute response time—the fire engine from Station 17 of .6 miles away could get to Lagunitas Road a lot faster than a fire engine at Station 19.

Mayor Kircher said although if they were going to a place near Kentfield Hospital, he asked if both engines would get there about the same time.

Chief Mahoney said yes, if traveling at the same speed and same turnout time and direction. He is only saying this because the streets are fairly flat here and it would be different if a station was at the top of the hill and had to go down to a narrower road.

Council Member Robbins said the report stated it was a minimum of an additional 2 minutes and it does depend on traffic. Her other question is what keeping an engine in Ross looks like financially to rebuild, up staff with one more position of \$650,000 from 2 to 3 people, she asked if Ross would need \$650,000 per year times 3 for 3 people.

Chief Mahoney said this is just relating to the actual cost of the position. He thinks there are many layers to look at the actual cost of truly funding a fire engine which he does not have numbers on. But, this was in their firefighter/paramedic staff report that was the cost at that time to add one position. There is overhead, insurance cost, and a lot to it. This was to add another position to a department that was already running.

Council Member Salter said Chief Weber is the Chief of all of Marin County. Given the presentation of the overwhelming amount of fire resources they have, he asked if they were looking to close other fire stations in the county and if so, he asked for those.

Chief Weber said he is the County Fire Chief but each jurisdiction is their own independent agency. He represents mainly West Marin and they have a contract with Cal Fire and this is for wildland response. They are not looking to close any of their 6 stations currently, but they are 20-30 minutes between a station in West Marin so it is different.

Council Member Salter referred to San Anselmo/Sleepy Hollow District has a similar population to Ross and they are choosing to rebuild. He asked why the decision was made for that station to be rebuilt and why not just not shut that station down given the overwhelming amount of fire response here.

Chief Mahoney said Sleepy Hollow did not tell the RVFD that they were considering closing their fire station. The Town of Ross did.

Council Member Salter asked if it would be the recommendation of the Fire Chief that this station also be closed down given there are so many resources. He asked why Sleepy Hollow chose not to do that and why they are spending \$3-4 million to rebuild.

Chief Mahoney said he never once said they were over-capacity. What he was stating was what the Town of Ross will get for a wildfire response.

Chief Weber noted that they shifted capacity. They are not eliminating capacity but delivering it in a different way. An incident like a structure fire requires between 15-20 personnel for mitigation. This is what they call the effective response force. When they look at things like that and their ability to deliver, they are looking at that service delivery over a geographical area and not a single town.

Secondly, they look at simultaneous incidents and how often incidents are occurring one after another. This gives them an idea of how many engine companies are needed. If they were to eliminate a second engine company, there would be a much higher simultaneous incident where engines were not available to respond. They would also lose capacity within their effective response force and they would be less successful in mitigating an incident, whether it is wildland or structure. He then described a cardiac arrest situation, which are complex to manage, and the situation where there are two less stations who would respond. Also, as fire officials, they do not like to close fire stations. There were many factors that went into that along with 14 public meetings, a lot of deliberation that took into effect many of these issues.

Council Member Salter referred to simultaneous demand and the ambulance; M18 in Ross. He said he took issue with the way miles were being shown in the report. The Citygate studies were very clear it is not about mileage but about the structure of the roads, hillside lots, the one large connector road that may get blocked, and possibly the Chiefs do not agree with that. They built this station because these small communities are not well connected. To move across them and send emergency responders is very difficult. It could take hours to get through congestion here and this is why the Citygate report was very clear that the stations need to be where they are in these local units. It does not make sense when looking at a map but not the hills. It is hard to get between these small communities. The ambulance's response time is 13 minutes, 25 seconds right now. Citygate recommends 7 minutes, 30 seconds, so it is double. He asked if this is an appropriate safe time for Ross residents to expect 13 minutes, 25 seconds for an ambulance to arrive.



Chief Weber said yes. When they looked at countywide data and systems, they have a fantastic EMS system in the county and in the valley. What they are looking at is the transport unit which will potentially take the person to the hospital. What is not accounted for is that the engine company with the paramedic is arriving, and this is the number they are focused on—how fast can they deliver a first responder bedside and, in most cases there will be a paramedic on every engine company. If the transport unit arrives a few minutes later and the 13 minutes is valley-wide, that is not necessarily the Town of Ross.

Council Member Salter said the reason he is so focused on this is because if they get rid of the fire station, they are depending on the ambulance. It is 10 minutes right now to Station 18 and it is not here. The utilization is way over capacity. This ambulance is moving all around to support this large territory and what was not talked about is that 20% of Fairfax's calls are now being answered by Woodacre, relying on mutual aid partners because the Ross engine cannot make it to Fairfax.

The point is, the Ross engine is very busy and it is 10 minutes to get to Station 18 territory. If they do not have the fire station and they do not have fire engine personnel here who are paramedics, they are relying only on that ambulance to come. So, why should they ask Ross residents to wait 10 minutes when they are only waiting 7 minutes, 55 seconds with the current fire personnel.

Chief Weber said he thinks the time being referenced is in the report and if he recalls, it is a very finite number that is associated with it at 51 incidents. So again, they talked about a small amount of data and he asked to be careful because also in there are Watershed calls which could skew the numbers a bit. So, if the ambulance is here in town, his expectation would be that it would have the same response time as the engine company and there would be no reason for it not to.

Another piece is that he thinks they have to be careful about using the words "dangerous," "at capacity" as they are not in a dangerous level with their EMS system in the valley or the county. They are nearing a point where they add capacity.

Council Member Salter noted according to Citygate, the ambulance call to arrival time is at 13 minutes, 25 seconds. This is the outer limits of best practices related to patient care for critical patients. As the travel time and simultaneous data indicated, the two ambulances are busy at peak hours of the day and not always available for a call in their primary response areas.

Mayor Kircher asked to make sure their presenters can finish answering questions.

Chief Weber said the Woodacre ambulance is adding capacity to the system and they have the viability to continue to do that, but again, they are looking at an additional capacity builder and will work on that. He asked to look at the engine companies and the arrival of ALS. As mentioned, they have 35 engine companies and 13 ambulances. The slide shows what the experience of Novato, San Rafael, and Southern Marin has with their ambulances of very similar response times. The ambulances are going to be further away to incidents than the engine companies. It is just the nature of deployment. He does not think the system is beyond capacity, that it is dangerous, and thinks they must be careful with using those words because we have a very effective response system here.

Council Member Salter said however, one is being taken off line. The firefighters show up first and for transport they wait a little time, but what is being advocated is there are 4 engines in the RVFD and they are going to go down to 3 and this will increase simultaneous demand just by definition which is 16% now. The ambulances are at 30%. Once you approach that 30% limit, all of a sudden there are issues of it not being in its primary territory and somewhere else, and the response time goes up. It is not a problem now because the fire engine is here that can respond and then they wait for the ambulance to show up. But, the Council decided in 2021 was they had this ambulance here so they do not need this fire engine because the ambulance will take care of 85% of those calls. The question is that without the fire engine, he asked how reliably can they tell their residents that the response time will not suffer to the point they are in a dangerous position.

Chief Weber said he would have been jumping out of this chair in 2021 if he thought the Council was putting people at undue risk. There is a trade-off and they discussed it at length in 14 meetings of what that trade-off looked like.

Council Member Dowling said Station 18 will close the end of June. She knows Chief Mahoney will continue to do time studies. She asked what will be done if it shows there is a high percentage of calls to Ross residents beyond the anticipated response time to arrive to an incident.

Chief Mahoney said they would figure out why first, would look at the call processing time to see if that could use some improvements, whether it is their turnout time that needs to improve, is the travel time longer than expected and if so, why; are they experiencing parking issues in certain areas in Ross that are not allowing fire engine access to the incident address. These are the things they would look at and how they can improve the response time. They would look at it and identify what was a common factor or some factors they are experiencing in Ross that they are not experiencing for some of their outer areas and other zones.

Town Manager Johnson added that in addition to Chief Mahoney and the RV Fire Department organization, there are two Councilmembers who serve on the Fire Board that get reports on a regular basis. The Council also has a member who serves on the RVP Board that receives regular reports. She attends all of these meetings herself so they will have a lot of monitoring that goes on.



Mayor Pro Tem McMillan said they keep hearing about the Palisades fire and that that fire should give us pause and make us change the course they are going on. She asked if this could be specifically addressed.

Chief Mahoney said during the timelines of the decision being made, wildfire was prevalent and burning a lot of areas in California. It was about 1 ½ years after the final decision was made which was 2 years after the worst wildland fire in California; the Camp Fire, that burned almost 20,000 homes and killed 85 people. This is not something new or climate change that occurred in the last 3-4 years. This is real. Fire officials have been aware of this for many years and this is what they have been trying to do in putting some of the ownership and asking resident to please help us help you by providing vegetation clearance and defensible space.

Vice Mayor McMillan said the Council has heard the Chief say before that the location of the Ross Station is a remnant of the volunteer fire department that began in early 1910 and then became professional. If he was to site a fire station here in Ross Valley, knowing Kentfield and Station 19 are present, she asked if he would recommend having a fire station in Ross today.

Chief Weber said you can take and apply this question to the entire County, and they look at best practices and where stations should be, noting it is much easier for newer communities where fire stations can be placed. He cited Ross's built environment and geography, and if they were to start all over, they would do a standards of coverage that laid across the entire county. For facility replacements they would be very strategic. Central Marin Fire has just completed a study and looking at collapsing two stations into a more central station for that exact reason. So, he thinks they also have an emotional attachment to having them there in Ross, but in looking at costs, they are north of \$17 million now. They must be strategic and they would not put these stations in the valley where they are at today.

Mayor Kircher said residents have voiced in meetings and in correspondence the concern about whether other stations receive priority in a wildfire situation if Ross closed its stations, and he asked for comment.

Chief Mahoney said they work collaboratively as a whole fire agency in Marin. There are no regulations that certain communities receive priority. They use an approach that if a community needs a resource, the closest and most available resource will go to that community.

Chief Weber added and referred to Red Flag Days and they added about 30% capacity to their system or an additional 10 engines staffed for those distributed across the county. With the emergency command center, they are prioritizing incidents not based on whose town or district it is but how to do the most with the resources they have, which he described.

Mayor Kircher asked and confirmed that when a 9-1-1 calls come in they go to the central dispatch center.

Council Member Salter said he appreciates all efforts of the wildfire prevention agencies and appreciated the presentation. It does not get enough attention how much work these agencies are doing to clear vegetation and keep ridges and evacuation routes clear. One thing Chief Weber said which was shocking was that when the station closes, insurance companies will not take into account the station closing, which he described. They are adding staff but losing one engine.

Chief Weber said when it comes to evaluating binary decision to insure a particular area for wildfire threat, they do not look at response at all or weighted response, or suppression capability at all. Mr. Brown added that insurance companies are looking at the first 5 feet around a house as more impactful than an engine company. Unlike structure fire insurance which is historically looked at the Insurance Services Organization (ISO), they do look at engine companies. One of the 2019 tasks was to reach out to the ISO and ask what kind of impacts there would be with the change in the model going from 3 to 4, but keeping the same weight. Because they have existing mutual aid systems in the engine companies, they did not expect any change in Ross Valley Fire's ISO rating.

Vice Mayor McMillan asked if one of the factors also was that no Ross home would be further than 5 miles from a fire station. Mr. Brown said this is one of the factors. It is 5 miles from a fire station, 1,000 feet from a hydrant, but they looked into that.

#### **BREAK**

Mayor Kircher called for a break at 8:38 p.m. and, thereafter, reconvened the regular meeting at 8:50 p.m.

Mayor Kircher opened the public comment period.

Ken Patrilla voiced confusion about the purpose of the meeting given the Mayor said the Council would not revisit the decision to close the Fire Station, and voiced support of the fire experts' decisions, advice, and information provided here.

Mike Rosenbaum said he thinks Ross does not need a fully staffed fire station, objected to Council Member Salter's comments prior to this meeting, and said response is not the result of the lack of fire stations but Ross's non-grid street network, simultaneous incidents during peak hours and congestion, and did not believe residents would change their minds on the survey to support a bond measure.

Ed Dong said he believes the Council made a wrong decision four years ago based on a consultant's report that over-inflated the price to upgrade the station which he described as \$1,600/square foot when the cost of San Anselmo's Station 20's remodel is \$800/square foot, and suggested smart design and to keep the fire station.



Jonathan Pickett said he knows Rescue 40 very well, noted he is with Boulder now, and knows Marin is leaps and bounds ahead of anywhere else in this country with its EMS system. They would wait 30-40 minutes on an emergency call in Boulder for an ambulance. He thinks moving the ambulance and engine slightly down the road will have no effect on response time, and cited data and intel.

Robert Rothman said he does not think the decision of the Council in 2021 reflects the will of the people, said the issue is primarily one of money, thinks the decision should be put to the people, and believes residents would support keeping the Fire Station and department here, thinks data the Council relied on is erroneous, and thinks the payment allocation has not been accurate since 2012.

Bruce Salford said he was a Fire Captain for 37 years, cited floods as another important factor, lack of facility maintenance over many years, and thinks resources are available but sometimes taken out of the county.

Adrienne Ligget described her deep concerns about fire risk, loss of insurance, ADUs being built close to structures, and thinks the Housing Element and RHNA process will make things worse.

Jenny Biggs echoed comments in her letter, thanked fire representative and everybody participating in the topic, thinks events fire growth rates are doubling, and fire's speed causes the vast majority of destruction and loss. It is about wildfire resilience and there is no mystery in how to do that and she would be happy to speak with people and does this for her day job. She is also happy to connect with grantees who are experts, as well who will affirm and re-affirm what was heard from the Fire Chiefs and Mr. Brown.

Singh Varuk said he does not believe he and others knew all the facts presented four to five years ago when the Council made the decision. He is not comfortable in picturing a fire truck leaving San Anselmo, getting stuck at the Hub, and then slowly responding in Ross. If people are presented with the facts he thinks this would have been over 60% support. With more information to residents, the Town can get a 2/3 vote and believes it should be open.

Diane Rudden said what she came away with was the fact that only 4% of residents are taking care of their own properties. She questioned how Ross can expect to respond to fires if people are not willing to put in the time to remove vegetation. She will commit to doing Zone Zero around her house and she thanked presenters.

Chris Kelley said she sent a letter and said she would love to see three Councilmembers work with the Town Manager on the five options to save Ross's fire station.

Stephanie Lamer said she works with the Fire Department all the time because she is in real estate and they do resale inspections. She wondered if there has been any thought to adjusting the regulations over tree trimming, cutting, and removal in the Town to preserve the beauty of the town while also be safe from fire.

Mayor Kircher called for speakers via Zoom.

Laura Conrow asked the Council to undo the mistakes made then of closing the fire station and deciding not to rebuild. The Council can undo that decision and Ross residents want their own station built and staffed with their own firefighters. The Town Council relied on grossly over-priced estimates and this was the information conveyed to residents in the survey and used to make the decision. Nothing changed except there is more data today to show residents were right. San Anselmo is building a station at the proper price per square foot, and those in the commercial construction business know costs.

Michael MacWilliams said he and his wife sent a letter, described two instances where their 4-year-old had a medical emergency that required transport to a hospital and both times the medical responders from Station 18 have been the first responders and provided exceptional service. He then described Ross contributing \$2.8 million to Ross Valley Fire Department which is 19% of the entire budget. But, Ross accounted for only 2% of the ambulance response in Ross Valley. This is subsidizing \$6 million of station renovations in San Anselmo and in Fairfax, is not serving Ross residents who are disproportionately paying for the service they receive.

He believes the Council was wrong in their decision which was based on incorrect data and asked that the Council vote tonight to authorize funds for the Town Manager to explore the other five options discussed tonight which may provide a higher level of service for residents for the disproportionately high amount of funding they are providing fire service.

Bob Herbst said as Laura Conrow mentioned, she and he and Bill Dong were part of the Ross Citizens for Responsible Redevelopment of the fire station in 2021, a decision the Council went against. Ross has an incredible response time at their local fire station of 7 minute, 55 seconds by having the fire engine here and it will go to 9 minutes, 10 seconds. San Anselmo and Fairfax are both renovating their stations and are doing that at \$800/square foot. If Ross does that, they will be able to renovate their station and stay within the \$10 million the Town has already saved for the purpose of the Civic Center renovation project. They have an apparatus bay built in 1995 which is useable. They just need to rebuild living quarters, administration, offices, and the police department which can be done within the \$10 million. He said \$2.9 million is 23% of the overall RVFD budget with only having 9% of the population and incidents.



Kathleen Hoertkorn said she spent six years on the Town Council and was Chair of the Finance Committee as well as being one of the representatives to the RVFD. She can see the tremendous updates since that time, but when you have two people on an engine you have to send two engines to an incident. If you have three people on the engine you only need to send the one engine. She thinks whatever the Town decides this cannot be funded through property taxes as Ross is limited by propositions in the State as to what they can bring in, but through the sale of homes, tax revenues increase. Therefore, the Town would have to do a bond to build a station. She spoke about \$10 million versus \$17 million, but building is different than remodeling a station, and if this is a capital cost, this could be raised through a municipal bond.

Charles Goodman said he read the staff report, listened to comments, and asked if the Council would authorize a private funding to relook at this issue and bring it back in 60 days. He offered to get a couple of community members who would personally fund whatever the cost of the study was and get it back to the Council by June so they would have something to review.

Mayor Kircher closed public comment and returned the matter to the Council for discussion.

Mayor Pro Tem McMillan thanked the Chiefs and Mr. Brown for being here. They have important jobs and to spend their time here means a lot to the Council, staff and residents. She also thanked the public for their comments in caring so much about the Town. The Council's role tonight is to follow the Council's stated goals and most of them are relevant to what they are doing as numbers 1, 2, 4, and 6. It is important to note that assessing the Town's facilities was included as a near-term action item in the Town's General Plan which was adopted 18 years ago in 2007. Near-term meant in 3 years, and 2007 was 2 years after the Ross firefighters began sleeping in a trailer in 2005.

Since 2012, the staff and Council, along with Ross Valley Fire and Ross Valley Paramedic staff and Boards have worked together and considered issues regarding the fire station, paramedics and emergency services to Ross at least 22 times as listed on the staff report. They have been thorough, careful, and prudent all while involving the public at every step and following the guidance of the experts and were told in 2019 by the Citygate consultant that they need to balance the level of services they can afford with the desired outcome and find that "sweet spot."

She also mentioned that since 2017 when she joined the Council taking Katie Hoertkorn's place, the wildfires in the North Bay were literally still smoldering. Her primary focus has been on fire and wildfire. Initially, she became a member of the County's Disaster Preparedness Committee and in 2019 and 2020 she campaigned vigorously to form Marin Valley Wildfire Prevention Authority. After it passed in March 2020 the week before COVID, she has been the Town's liaison on Marin Wildfire's Board and on its Executive Committee and last year was President of its 17-member board.

Also, during this time, she worked with her Ross and San Anselmo neighbors to form a Fire Wise neighborhood to address wildfire prevention and preparation, and she is still on the board. She is also a UC Marin Master Gardener on the Fire Smart landscaping team. So, for the last 8 years she has been focused on fire, wildfire prevention, and preparedness and she has come to realize that these issues are far more complex and nuanced than at first glance and that their small, nearly 100-year-old fire station with two firefighters is now obsolete, a remnant of their volunteer fire department, especially given that the paramedic facility will remain in Ross along with the close-by Kentfield and San Anselmo fire stations.

Her experience has also allowed her to work with many public safety officials who put their lives on the line every day for residents. They are the experts. They are honorable, trustworthy, and dedicated public servants, and we need to trust them. In the last few weeks, she has had a couple of residents whom she greatly respect tell her, "This fire station issue has been handled very badly. What is going on?" This issue has become unnecessarily charged and emotional, heightened by the recent fires in LA and then even more so by various broadly circulated statements and materials to the community by two of her fellow Council Members.

For example, they have never had a Council Member distribute a newsletter full of falsehoods before an item is heard on the agenda. They have never had form letters distributed with language for residents to send the Council threatening, "I will work to remove any Council Members who vote to close the fire station or cut back on emergency services." She got an even worse letter last night. They have never had a Council Member hijack an RPOA agenda to preview their views based on their Marin Voice piece with numerous inaccuracies. She has been extremely disappointed by this and other inappropriate and dangerous behavior that has served only to confuse residents, undermine their public officials, and incite fear. This behavior violates their Council Procedures Manual that all Town Council Members shall maintain the highest standards of personal integrity, truthfulness, honesty, and fairness in discharging their public duties. These unprecedented campaigns have not served the Town, public officials, or the Council well and they must stop.

She thinks there was a great review of the history of their process to evaluate whether to keep Station 18 open or not. She wanted to mention that they paused their decision for months in order to explore public fundraising and no Council Members at that time or probably today wanted to close the station and they tried very hard to raise public funds. They had \$350,000 raised in pledges and, at that time, the fire station was estimated to cost around \$14 million. Chief Weber said today it likely will cost \$17 million, and by the time they finish this delay, process, and discussion, this is probably not even going to break ground until 2027 at best case, so they need to inflate it, and who knows what the costs will be given the tariff wars occurring.



She also wanted to respond to the comment about the cost estimates the Council considered; that the cost estimates were inflated. In 2020 and 2021, the Council considered professional, reasonable, and prudent cost estimates. Building a new fire station is not comparable to building a commercial building or remodeling parts of a fire station, as some claimed then and are continuing to re-assert now.

The deplorable condition of the Ross Fire Station means that a remodel is not possible, as it would cost more than new construction. Today, they must comply with a 1986 Essential Services Act, and addresses lots of seismic design, mechanical systems, plumbing, and other things like pests and rodents, wood eating beetles and other organisms which have affected various areas of the site and structure. Just as importantly as the structure itself, there are many significant physical site constraints and building footprint issues that make remodeling imprudent. They would not want to be forced to keep an inefficient layout for decades to come by remodeling the station.

There is also a known flood risk. The existing apparatus bays in the back of the site were flooded during a 2005 flood, compromising the use of the entire station as a public safety building which must operate under emergency conditions for 72 hours following an emergency event. Bays are relatively new compared to the rest of the structure. They need to be raised at least one foot above the flood plain, and were a new system designed today, they would not put the bays in the back but as close to Sir Francis Drake as possible.

The competing cost estimates submitted by Mr. Dong in 2020 did not consider the much more stringent ESA requirements and many other items. Mary McGraff gave a discussion in March 2021 at their Council meeting, and costs are much more expensive in rebuilding. Also, she wanted to point out that Station 20 in San Anselmo is not a new station. It is a minor remodel and replacement of living quarters, an attached shed with a 155 square foot decontamination area, construction of an accessible parking space and path from Butterfield Road to the front door, and deferred maintenance improvements. The project does not reconfigure the layout, circulation, the core of the station, the engine bays, raise the bays above the flood plain or underground utilities. It does not require temporary housing or a CEQA review, and does not come close to an apples-to-apples comparison of what would be needed for a Ross Fire Station.

Someone pointed out to her that residents all made this decision in 2021 and it is very bad practice to revisit and unwind prior decisions. Doing so would establish terrible precedent. Four years have gone by. RVFD and its members have been relying on their decisions and Ross has been continuously participating on that board with two Council Members and involved in the preparations to close the station and put three firefighters on an engine. They are continuing productive negotiations with the Ross Valley Paramedic Authority Board to ensure its long-term presence in Ross.

By continuing to revisit this issue and delay, they are further jeopardizing Ross's reputation as a reliable member of the RVF Board and the RVPA Board. During 2022/23, the Town spent more than a year and \$150,000 to develop a facilities master plan that does not include a fire station, and their recently certified Housing Element in June 2024 was based on the 2021 decision to close the fire station and use the newly available property to support the mandated 9 low-income housing units. If they cannot use that property, they will need to find another location for these units, probably at the Ross Post Office.

Their most important priority should be to remedy how they have been treating firefighters, paramedics, police officers and other Town employees. They have been housed in sub-par deplorable facilities. This is not showing them the respect they deserve. It damages the Town's recruiting and retention and does not reflect our values. A former Council Member told her that in 1980, his Council had discussions on how to address the firefighters' sleeping quarters 45 years ago. They can no longer delay rectifying these deplorable facilities.

The comment that the Council is being over-charged by the RVFD is not true. The costs they pay were determined in 2012 and cost allocations are historically more complicated than what has been over-simplified to residents. After a year of negotiations, the Town Council agreed to pay 23.7% of the cost to join RVFD. This was based on Ross having 25% of the facilities and 25% of the firefighters and included a slight reduction for an administrative fee. This move in 2012 was budget-neutral for Ross. They were going to pay the same amount to RVFD that they have been paying to fund their own separate fire station and department. The move also generated savings for Ross because they did not have to hire a new Fire Chief and it was projected to save them money through reduced overhead costs over time and elimination of social security contributions. It would reduce duplication of effort and provide advancement opportunities for Ross Valley fire personnel and improve response.

She said people do not realize that the RVFD JPA requires unanimous consent of all four of its members to modify the cost allocation arrangement. This provision was agreed to by prior Ross Council Members when Ross joined in 2012. Under the JPA, each jurisdiction is responsible for the cost to maintain their fire station.

Since 2012, Ross has spent very little to maintain its station. Other members of the JPA have spent and are currently spending money to upgrade their facilities to accommodate their firefighters. San Anselmo is spending \$4.5 million and Fairfax is spending \$1.5 million. Ross and other JPA members have agreed that going forward, Ross will only need to contribute 27% of the maintenance cost for Station 19, will not have to rebuild its fire station, saving more than \$20 million, and Ross will avoid all future maintenance costs for a separate facility. It will only need to rebuild a paramedic facility at an estimated cost of about \$2 million. So, this is a great deal for the community.



One other thing she heard is Ross will lose its identity or property values without a fire station. This is not true. Belvedere, a town with similar demographics has not had a fire station or ambulance since 1982. This did not decrease Belvedere's property values or make it lose its identity. She thanked the Chiefs and Mr. Brown for mentioning all of the improved conditions they all have been working on since 2021 when they made this decision to enhance safety for their residents and the entire County.

Council Member Robbins said she is delighted they are close to finishing the lease to keep the ambulance here and thinks that was always at the basis of the decision to close the fire station. There are some members of the community who would like to consider any possibility of keeping an engine here and if this is a widespread community sentiment, it is reasonable to look into it and see, and voiced support of an outcome to have Charlie Goodman gather a group of people to see if there is a way forward to keep an engine here.

Council Member Salter said there are many people here tonight and on Zoom with many letters received. If the decision was as clear cut as Vice Mayor McMillan made it, they would not have this lively discussion. Coming here with fresh eyes and being new to the Council, he was shocked when he received the 2024 November report from RVPA ambulance to see the response times were 13 minutes. He assumed they would be able to pick up the slack if the fire station closed. The reality is that the ambulance is not there. He thinks common sense is what the Council needs to look at. The people in this community want to have a fire station, chose to live here because of good schools, the Town's own police force, and good fire protection. He thinks it is foolish that getting rid of the fire station is somehow a good thing. It is not that hard of a decision.

In listening to fire officials said it was a somber day when they decided to close the station. They closed stations in Oakland because they do not have funds. No where else are they closing stations in Marin County and he asked why is Sleepy Hollow choosing to remodel their station and keep it open. He thinks they owe residents more of an explanation of why they should accept this when they all know they can afford it. People he spoke to said they would be willing to donate towards an endowment, pay more taxes, and they want to keep the station open for fire protection. The Council's job is to deliver what residents want and it has clearly not been the case.

One important part is the agreement made in 2012 is not fair. Ross has been subsidizing the department to the tune of \$1.6 million versus Sleepy Hollow who pays \$1.5 million. Ross is paying \$2.7 million, and he did not think it was fair. He calculated Ross has spent \$16 million subsidizing this agency that could have been used to rebuild the station if they had a proper agreement with their partners. This is not a proper arrangement and the Town has not had a fair shake for 13 years, and the Councils over time have allowed this to happen. He thinks the estimates Ross got were over-inflated, said they were told they must start over, and described the San Anselmo project and what they are doing, but this Council is about delivering for residents what they want, which is fire protection services and their fire station.

Lastly, he thinks response times matter, which he described, but they are moving from 10 minutes to 13 minutes, which is what other communities have, but he questioned why the Town would not want to provide life-saving care. He asked the Council to get to a place of “yes” and find a way to do it. He thinks if San Anselmo can do it, Ross can do it.

Mayor Kircher said he would like to weigh in on some things that have been said because it is not his understanding of what has happened. In going back to 1982, Belvedere closed its fire station and entered into a contract with Tiburon to provide fire services which is the same distance Kentfield is from downtown Ross. In 1982, Fairfax and San Anselmo formed Ross Valley Fire Services that later became Ross Valley Fire Department or Authority. Ross managed to keep its own station, did not close it, and did so until about 2012 when it merged with the Ross Valley Fire Department.

What triggered that was everybody was merging. This was the trend. Larkspur was looking for someone to merge with, as well, along with Southern Marin forming their group. Ross saw the hand-writing on the wall that it was a small department having trouble affording fire services. Also, it could not provide that many fire services and for a while it did not have a Chief or Battalion Chief and had to contract for services with the RVFD and its Chief was going to retire in 2012.

The Council at that point started looking for alternatives of whether they could go to Larkspur, to Kentfield, or to the County. It turned out there were two options; the RVFD and the other was Kentfield which is a fire protection district. It was not merging with anybody and is not sure it ever will because it is a district. Ross is a town and gets property taxes and provides services. Kentfield gets property taxes and they have one thing to do—run a firehouse. So, they have about \$7.5 million today in revenue. The entire RVFD has about \$14 million. The RVFD serves 25,000 people and Kentfield serves 7,500 people.

Ross went to Kentfield and they asked if Ross closed its firehouse and Kentfield took over providing fire services and what would it cost Ross. The proposal was that Ross would be annexed into the Kentfield Fire Protection District and that means that it would lose control over its department completely and Kentfield would thereupon be its fire department; an independent district with its own Board of Directors elected separately. And, Ross would have to commit a portion of what it was already getting as property taxes or about 50% would go to Kentfield and no longer be available to Ross. And, this would end up costing about \$96,000 a year more than Ross was already paying. So, Ross went to the RVFD. There is a lot of talk about 9% of the population and they are paying 23% of the costs. A JPA is a contract and no one must enter into a contract. For there to be a contract, there must be something in it for everybody. Maybe one party has more leverage than the other, but in this case, Ross did not.



So, Ross had a fire station and they wanted that fire station to be merged into the RVFD and now there would be four fire stations. The main cost of running a fire department are the firefighters, labor, stations, and there are management positions but the major cost are the firefighters and their benefits because they are in a dangerous profession. So, Ross was coming into this new entity with an increase and 25% in their expenses. The cost of the firefighters would have increased by 25%, so yes, there would be savings at the Chief level and so they ended up paying 23.37% or a little less than 25% because they got some credit for having a smaller population and fewer structures. But, that is a shared service through sharing a Chief. Otherwise, that extra 25% was just added onto the budget and the other entities could have subsidized Ross, but he questioned why they would.

Just as an example, if each fire station costs a million dollars for firefighters. The cost of the RVFD is \$3 million with three stations and when added one more, the cost is \$4 million. The cost goes up from \$3 to \$4 million. If Ross said they only have 10% of the population so the other members should pay the rest of it, and instead of paying \$1 million, they only pay \$400,000 with the other fire agencies picking up the other \$600,000. He questioned why anyone would want to do that. They are not there to subsidize Ross, and Ross would feel the same way if they were in that position. Maybe if they got there earlier, they might have gotten a better deal, but this is the position Ross was in. Ross could have stayed independent, but they took the best deal they got.

He knows it seems unfair but he asked to look at Atherton. They have 9% of the population of the Menlo Park Fire Protection District and they pay 31% and they are not happy about it. But, this is the deal they made. He thinks they would be better off merging all fire stations so they could equalize everything, but they came into that situation, so they pay a lot. The problem is, it was a negotiated deal and he does not criticize the Council for doing that. They were projected to save \$110,000 a year and so they went for that savings and they solved their problem by not having a Chief and of not having Battalion Chiefs and other higher management staff.

The fact is, the RVFD is their own play unless they want to fund their own fire station. If they want to do that, fine. But, it comes down to the need for major donors to come in that can both build the firehouse and can operate it. He was here in 2021. They went over all cost estimates and he reviewed them. He was a trial lawyer, but most of his career for the last 17 years is his business is as a general partner that buys properties and renovates them. He saw the Mary McGraff estimate and he chose something in the middle of \$16 to \$22 million and whether they could get that 2/3 support and they could not. He also did not think they could rebuild it for \$16 million, but at a conceptual level before having plans and site plan, they are just getting ballpark figures and the decision then was to give some margin for increasing costs. If you took Ed Dong's estimate of \$16 million and added in the appropriate contingencies, it would be close to what she came up with. She just did not feel the contingencies were enough and, it is all about the contingencies. He does not fault Ms. McGraff for the figures as it was based on historical averages.

In summary, he does not think there is any "free ride" here, does not think they will find some magic remodel and have been told four times they need to rebuild it. When they did the site plan, they asked if they could just do the façade but they could not because of the increased cost. So, they are looking at a rebuild and it will cost a lot of money. They also cannot lose the paramedics as they have worked so hard to keep them here. They want to support building them up, getting them more capacity, and improving the response times, but he was not in favor of going with Kentfield or Central Marin which would not work.

Council Member Robbins said the purpose of the meeting is to provide direction by a majority of the Council to the Town Manager and she suggested something that Charlie Goodman had offered and this is the direction she would provide which may or may not be supported by the majority.

Councilmember Dowling thanked everybody who came here and spent time with the Council, those who wrote emails and letters, and especially thanked Chief Weber, Chief Mahoney and Mark Brown for coming, and it was a great education for everybody. She really tried very hard as a newcomer to be open to everybody's perspective on this and not form an opinion ahead of time. She was taking notes and reading everything, and while this is a complex issue the Town has spent a lot of time on over many years, the basic question is whether Ross really needs or wants a fire station in Ross in addition to the fact they have paramedics. If yes, what will it take and who will pay? How much now for a new station and how much moving forward to maintain the staffing needed. What are the trade-offs? What can they live with? What other projects would have to go by the wayside for the staff and Council to deal with this issue? What about the time, as they are already very slow in moving ahead with their civic center rebuild. What about their relationships with other cities, towns, and people in Ross and Ross Valley Fire Department.

She is not really convinced that the majority of the Town wants to finance a new fire station and the on-going staffing. A 2/3 bond measure would have to pass and the securing of large donations. Will they get millions of dollars to support a new fire station? She thinks an option is to take a look at July 1<sup>st</sup> and the fact they will not have a fire station here. She asked how well are RVFD and paramedics doing? She suggested giving them a chance and see. She wants the Council and the Town to move forward and rebuild the Civic Center which has been discussed for a long time with or without the fire station.

She asked if they could really start now with the civic center and the 9 housing units they must produce, and see somewhere along the line, if someone wants to donate millions of dollars to build it and put together a bond measure then she suggested waiting and seeing.

Mayor Kircher asked to move onto specific proposals and Council Member Robbins with Charlie Goodman's proposal.



Council Member Robbins said since the purpose of the meeting is to see whether there is direction to the Town Manager or Council to move in any particular direction, she would support that Charlie Goodman and some citizens look over the next 60 days and see if there is a way to keep the station open.

Council Member Salter voiced his support for this, as they do not have enough information. He would like a community group to come back to the Council with some data and determine if they can find donations.

Mayor Kircher asked and confirmed the goal would be to see if there is an interest in the community to provide funds to rebuild the fire station and keep the fire station open. Mr. Goodman proposed a 60-day period to review this and he thinks it is reasonable to have a group spend this time to look at this. He would not in any way have this derail their on-going plans for the architect to start on the paramedics station or the lease. All of this is the first priority. If there is an interest and funding, they can add on the fire engine because the Town is better served if it has both an engine and ambulance.

Mayor Pro Tem McMillan said this is a very generous offer but she cannot support more delay. They already paused the decision in 2021 to try to raise money. They got \$350,000 in pledges and it is 1/100<sup>th</sup> of the amount the Town would need. She would assume if someone would give the Town a fat check, they would have already come forward given all the turmoil, emails, and controversy that has been happening.

Also, when her kids were at Ross School many years ago, she raised money for the Ross School Gym and she raised \$4.7 million and it took her 2 ½ years. Maybe the community was different back then, but she thinks the difference was that people want to give to a school and their kids. If they have the fire chief saying the fire station is a remnant of the volunteer fire department and it is not necessary, the people who have the means to give the money are smart for a reason, and they are not going to give the money to an emotional, feel-good project. The Town has waited so long to address sleeping quarters of the firefighters since 1980. She thinks the Town must move on. Someone may come in and say they can donate \$3 million, but this is not enough and they need to get going. They should have started doing things in December and they need to close this and move on and do something constructive. The Town Manager needs to be directed to hire an architect and a project manager and they need to move on, and she was not in favor of any other option.

Council Member Salter emphasized that the Town needs a bond measure either way, and Mayor Pro Tem McMillan agreed. He said this assumes the bond measure will pass without the fire station, and he asked to think about all of the people who are upset about no fire station voting down the bond measure. As a resident, he does not support a bond measure without the fire station being rebuilt and he did not think he is alone.

Town Manager Johnson commented that in regards to working with the community group, it would require extensive staff time and staff will not be able to do this and move the project forward. So, if the Council chooses to go in that direction, she just wants to manage expectations.

Mayor Pro Tem McMillan said they need to manage information very carefully and they have had deep, knowledgeable presentations from three experts and they need to communicate that to residents. She thinks once they hear this information, they will understand the direction they are going and any fear will go away. She said all the letters are based upon Council Member Salter's communications and the form letter is whipping people up, so it is not a real sample.

They did a real sample in 2020 where they set out the costs, set out the facts, and 336 people responded and they did not have nearly enough people that would support a bond for a fire station. They did not have enough people to support a bond for the admin, police, and paramedics either. They were close, so they need to stop all this churning, work on messaging, and focus on moving forward and rebuilding their facilities instead of serving to divide the community based on false information which must stop.

Council Member Salter said what changed was that a report was issued by the RVPA on the ambulance times which is new information that people did not have in 2021, including Chief Weber who was surprised with some of the findings. The report that came out in November clearly said the response times were 13 minutes and part of the decision was made believing response times would be 85% the same. That is not an assumption proven to be true. Some people said 40%, Chief Weber said 75%, and there is some debate, so the response time was not what they thought it was.

When removing the firefighters and then wait 13 minutes, this is a big change. And, he thinks that was worth having this hearing and for people to know response times are moving from 7 minutes, 55 seconds to 13 minutes and are they okay with that, which is a trade-off.

Mayor Kircher stated it is 10:20 p.m. and there are other matters, and he believes everybody has stated their positions. His own position is that he does not want to incur any additional staff time or expense given what has already been invested in this. They will not learn any more from additional studies and research, but if a majority of the Council wants that, then staff will do it.

As far as the citizens group is concerned, he appreciates Mr. Goodman's offer and interest, but he suggested private fundraising should be private and not directed by the Council. The information is there, and if a group wants to meet and strategize about how to raise this money, that would be great, but he cannot justify spending any more money on top of all the money already spent on reports and analyses. He emphasized that any monies donated will need to rebuild and operate the station, and the group can determine how much of an endowment is needed or how much of a parcel tax is needed. He said he wanted the fire station in 2021 and would have voted for the higher amount, but he did not think support was there and still does not, but they must move ahead with the architect and project manager.



Councilmember Dowling also did not support staff time.

Regarding Kentfield and Central Marin, Mayor Kircher said they have been to Kentfield multiple times and they are not interested. The RVFD went to Central Marin and then they backed off. So, he does not see them responding in the near term.

Town Manager Johnson said she heard Council Member Robbins make a motion about working with the citizens group and she is hearing there is not support for that. She asked if the Council wished to go through the five items, and Council Members agreed.

1. To consider directing the Town Manager to explore the feasibility and identify costs related to joining or contracting with Kentfield Fire District for fire services: Ayes: 1; Noes: 4.
2. To explore the feasibility and identify costs related to joining or contracting with Central Marin Fire for fire services; Ayes: 1; Noes: 4.
3. To direct the Town Manager to obtain the cost estimate for building a new fire station in Ross and to identify the impacts of revising the adopted 2023 Facility Master Plan in the event a fire station were to be built here; Ayes: 1; Noes: 4.
4. To direct the Town Manager to develop the cost estimate for operating a Town of Ross Fire Department in the Ross Civic Center which would cover start-up costs and on-going annual costs; Ayes: 1; Noes: 4.
5. Direct the Town Manager to explore the feasibility and identify costs related to Ross Valley Fire Department continuing to operate a fire station in the Ross Civic Center, with a requirement of an amendment to the Ross Valley Fire Department JPA. Ayes: 2; Noes: 3.

Town Manager Johnson received guidance from Council to move forward with hiring a project manager and planning the Civic Center build without the fire station.

#### **BREAK**

Mayor Kircher called for a break at 10:30 p.m. and, thereafter, reconvened the regular meeting at 10:35 p.m.

10. **Town Council to hold a cost confirmation hearing pursuant to Ross Municipal Code (RMC) § 12.20.150, to confirm all appropriate costs required to complete the nuisance abatement that occurred at 61 Shady Lane, Ross, CA from October 14, 2024 until October 16, 2024 and direct staff to record a special assessment pursuant to RMC § 12.20160, RMC § 9.04.160 and Cal. Gov. Code § 38773.5. At the hearing, Town Council shall hear the report, together with any objection which may be raised by any of the property owners liable to be assessed for the cost of the repairs. After conducting the hearing, the Town Council may make such modifications in the report as they deem necessary. After which, the Town Council shall confirm the report by adopting Resolution No. 2509.**

RECUSAL: Council Member Robbins recused herself from participating in the matter due to the location of her residence.

Attorney for Terry Pickett requested postponing the matter to April 3, 2025 due to the lateness of the evening, noting their expert and additional attorney had to leave on Zoom.

Mayor Kircher asked if staff would re-notice and re-post the hearing, and asked if there would be any prejudice to the Town in terms of extra expense. Town Attorney Ben Stock said the prejudice would be the month of delay. At a recent case management conference, the court has required the Town to conduct mediation by June and the court expressed frustration of how slow this case is moving. Therefore, one month would not cause a significant issue.

Council Members cited the lateness of the evening, said they wanted to hear from experts, and continued the matter to April 3, 2025.

NOTED AS PRESENT: Council Member Robbins returned to the dais and was noted as present.

- 11. Town Council adoption of Resolution No. 2500, approving and authorizing the Mayor to execute the amended and restated employment agreement between the Town and Town Manager Christa L. Johnson to be effective November 8, 2024 and amending the Town's salary schedule to reflect the amended and restated agreement.**

Town Attorney Ben Stock gave the staff report regarding the Council to consider adoption of Resolution No. 2500 approving and authorizing the Mayor to execute the amended and restated employment agreement between the Town and Town Manager Christa L. Johnson to be effective November 8, 2024 and amending the Town's salary schedule to reflect the amended and restated agreement.

He said the current Town Manager was appointed on November 8, 2021. Her employment agreement provides for an annual performance review which was completed by the Council and provided direction to the Town Attorney to extend her employment agreement for three years. The terms are attached to the agreement and he was available for questions.

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

**Council Member Robbins moved and Council Member Dowling seconded, to adopt Resolution No. 2500, approving and authorizing the Mayor to execute the amended and restated employment agreement between the Town and Town Manager Christa L. Johnson to be effective November 8, 2024 and amending the Town's salary schedule to reflect the amended and restated agreement. Motion carried unanimously (5-0).**



**12. Town Council adoption of Resolution No. 2501, making minor revisions to the Council Procedures Manual for the Town of Ross.**

Town Manager Johnson said the matter is brought forward by the General Government Subcommittee of Council Members Robbins and Dowling. It is recommended the Town Council adopt Resolution 2501 making minor revisions to the Council Procedures Manual. She provided background on the matter of the manual approved in June 2012 and in 2017, the manual was revised. She then described how the manual sets forth Town Council functions and policies.

The subcommittee reviewed the manual during its December 2, 2024 and February 11, 2025 meetings and has recommended changes to the document which is attached to the staff report with redlined edits, as well as a clean draft dated March 13, 2025.

Council Member Robbins cited the document as very helpful, and described the chain of recommended communications through the Town Manager, the Mayor who speaks to the press on behalf of the Council, and Council discussed ensued regarding freedom of speech by Council Member Salter.

Mayor Pro Tem McMillan said if a Council Member is expressing an opinion in writing that is different from what the Council has decided, they must disclose they are only speaking for themselves and not for the Council, both orally and in writing for everything. She said it was not done in recent communications by two Council Members.

Discussion ensued, and Councilmember Salter asked and confirmed that he agreed to having a footnote clarifying that any views and communications written by a Council Member are only their own and not on behalf of the entire Council. Council Member Dowling agreed the subcommittee could make that clarification.

Town Attorney was asked to weigh in on First Amendment rights, which he said still exist. Council Member Dowling said she would like for the Town Attorney to provide a training for Council Members on various protocols, ethics, the Brown Act, etc. and Town Attorney Stock suggested this be requested at the end of the agenda per the Council's rules.

Council Member Robbins and Dowling agreed to insert the language proposed at the end which is under "Speaking for the Town" to read, "Any Council Member who speaks as an individual should note that they are speaking in their individual capacity."

Town Manager Johnson said operationally, what has happened a handful of times over the past few months if there is a reporter in the region who sends an inquiry after the Council meeting and she believes it is being sent to several Council Members and to her, directly to department managers. No one knows who it is being sent to because everyone is being "bcc'd." In response to that, some Council Members do not respond because they are following the procedures manual and forwarding it to the Mayor and expecting that the Mayor is responding.

She has asked this reporter to let her know so they are responsive to the media but also that they are not providing different answers. It causes confusion and there may be a Council Member who responds directly because he/she does not see the Mayor has responded, so it is a technical issue. When it is that kind of inquiry such as what occurred at the Council meeting the night before because the video is not yet posted, if the reporter is not present then they are asking for details. Therefore, she asked if the Council would like to wait for the Mayor to respond on behalf of the entire Council.

Council Member Robbins suggested the Mayor respond and copy all Council Members. If there is no response from the Mayor, then the Mayor Pro Tem should respond, given reporters are on a deadline. Town Manager Johnson said, however, often times after a late meeting, she or the Mayor cannot get to their email for a few hours.

Council Member Robbins suggested the Council should work its way from the Mayor, Mayor Pro Tem and then the Town Manager. Mayor Kircher then described about timing of responses which varies and reporters' deadlines.

Town Manager Johnson summarized that if a Council Member does respond, they should respond stating they are responding on their individual behalf and not the entire Town Council. Council Member Salter said they could write to the reporter and ask if they heard from the Mayor or Mayor Pro Tem first. If not, they should be able to indicate what action the Council took.

Town Manager Johnson noted the proposed edits state, "The Mayor is the spokesperson for the Council. Requests for information from the media and others should be forwarded to the Mayor or Mayor Pro Tempore if the Mayor is not available." She confirmed all Council Members were supportive of that wording.

The second addition is that "Emails sent to Council Members can be acknowledged by the recipient" which is an addition which gets to the issue of several emails sent to the entire Council, and Council Members want to be able to write back and say they received it. Council Members agreed.

Town Manager Johnson said the other changes are just grammatical.

Council Member Salter stated the change is that Council Members should indicate they are speaking on behalf of themselves, and not the entire Council, and Council Members agreed.



Town Attorney Stock said if it is not the Mayor, Council Members are speaking in their individual capacity. He thinks at the end of the sentence where it states, ..."Council Members can be acknowledged by the recipient" and after that the sentence could be added. Town Manager Johnson noted it already states this, which she described as the position as the Council as a whole or a Council Member can clarify their vote on a matter by stating, "While I voted against "x," the Town Council voted in support of it. When representing the Town at meetings, it is important that those in attendance gain an understanding of the Town Council's position rather than an individual." She agreed to include the appropriate language.

Council Member Salter recommended seeing the final version and then vote on it so they are all in agreement.

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

**Council Member Robbins moved and Council Member Dowling seconded, to continue the matter to April 3, 2025 on the Consent Calendar. Motion carried unanimously (5-0).**

#### **EXTEND MEETING**

**Council Member Robbins moved and Council Member Dowling seconded, to continue the meeting past 11:00 p.m. Motion carried unanimously (5-0).**

- 13. Town Council adoption of Resolution No. 2510 ratifying an Employment Agreement retaining David J. Kelley to serve as CalPERS Retired Annuitant Extra Help Senior Project Manager, a part time limited duration position established to implement the Ross Facilities Master Plan; authorizing a 180-day wait period exception as provided in Government Code Sections 7522.56 and 21224; and amending the Town's salary schedule to reflect the addition of the CalPERS Retired Annuitant Extra Help Senior Project Manager position.**

Town Manager Johnson gave the staff report and overview of the need for a part-time, limited duration Senior Project Manager to implement the Town's Facilities Master Plan, and has negotiated an employment agreement with Mr. David Kelley.

She described Mr. Kelley's background, work schedule not exceeding 960 hours per fiscal year which is a CalPERS requirement, described his duties, said the job description was attached to the staff report, and the requirement of CalPERS to wait 180 days after retirement before starting employment with another CalPERS agency; however, CalPERS allows for an exception if the Town Council certifies that the appointment of Mr. Kelley is necessary to fill the critically needed position by April 7, 2025. This determination must be made as staffing constraints do not enable the development of the project to build critical public safety facilities to begin without a senior project manager hired to do the work.

Estimated costs is \$6,273 per month and no additional costs will be incurred. She described funds available in the budget and said no additional appropriation is required and the annual cost will be built into future budgets.

Staff recommends that the Council adopt Resolution No. 2510 ratifying an Employment Agreement retaining David J. Kelley to serve as CalPERS Retired Annuitant Extra Help Senior Project Manager, a part-time, limited duration position established to implement the Ross Facilities Master Plan; authorizing a 180-day wait period exception as provided in Government Code Sections 7522.56 and 21224; and amending the Town's salary schedule to reflect the addition of the CalPERS Retired Annuitant Extra Help Senior Project Manager position. Mr. Kelley is also available on Zoom.

Council Member Salter asked and confirmed Town Manager Johnson and Mr. Kelley worked together in the Town of Windsor and closely on the new fire station project that came in on time and under budget.

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

**Council Member Dowling moved and Vice Mayor McMillan seconded, to adopt Resolution No. 2510 ratifying an Employment Agreement retaining David J. Kelley to serve as CalPERS Retired Annuitant Extra Help Senior Project Manager, a part time limited duration position established to implement the Ross Facilities Master Plan; authorizing a 180-day wait period exception as provided in Government Code Sections 7522.56 and 21224; and amending the Town's salary schedule to reflect the addition of the CalPERS Retired Annuitant Extra Help Senior Project Manager position. Motion carried unanimously (5-0).**

**End of Administrative Agenda.**

**There are no Public Hearings on Planning Projects – Part II.**

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

- a. **Council Correspondence** –Mayor Pro Tem McMillan asked how the Council would communicate about what happened tonight in terms of Item 9, which needs to be carefully communicated to residents. Town Manager Johnson said usually the communication would be contained in the minutes. Council Member Salter suggested it be included in the Morning After, and Mayor Kircher recommended acknowledging and thanking everyone for their participation in his Mayor's Report column. Town Manager stated the video of the meeting will be available before 4:00 p.m. tomorrow for the media.
- b. **Future Council Items** – Council Member Dowling made a motion to request training on Ethics and Brown Act by the Town Attorney at the end of a short Council meeting, and Mayor Pro Tem McMillan seconded the motion.



Council Member Salter suggested part of the training include how to address an item when one or more Council Members are in disagreement on a particular item.

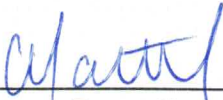
**15. Adjournment.**

The meeting adjourned at 11:06 p.m.



C. William Kircher, Jr., Mayor

**ATTEST:**



Cyndie Martel, Town Clerk

