TOWN OF SAN ANSELMO
RESOLUTION NO. 3801

A RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 9
LOCATED ALONG PARK WAY FROM SEQUOIA DRIVE TO ANCHO VISTA
AVENUE AND ALONG ANCHO VISTA AVENUE FROM PARK WAY TO 250 FEET
NORTH OF PARK WAY

Be It Resolved by the Council of the Town of San Anselmo as follows:

Whereas, Mr. George W. Lucas, a property owner within the proposed Underground District,
has requested that he be allowed to underground the overhead utility facilities around his
development; and

Whereas, a public hearing was called for the Council meeting on Tuesday, April 10, 2007 at the
hour of 7:00 PM in the Ross Valley School District Board Room, 110 Shaw Drive, San
Anselmo, California, to ascertain whether the public necessity, health, safety or welfare requires
the removal of poles, overhead wires and associated overhead structures, and the underground
installation of wires and facilities for supplying electric, communication, or similar or associated
service, within that certain area of the Town described as follows: Park Way from Sequoia Drive
to Ancho Vista Avenue, and Ancho Vista Avenue from Park Way to 250 feet north of Park Way.
All those properties contained within the boundary of the proposed underground utility district as
shown on the map attached hereto marked “Exhibit A”, entitled “Underground Utility District
No. 9 Town of San Anselmo” and dated February 5, 2007; and

Whereas, notice of said hearing has been given to all affected property owners, as shown on the
last equalized assessment roll, and utilities concerned in the manner and for the time required by
law; and

Whereas, said hearing has been duly and regularly held, and all persons interested have been
given an opportunity to be heard; and

Whereas, Mr. George W. Lucas has deposited with the Town a Surety Bond to guarantee
completion of all district and resident costs involved, in the amount of $974,562.00; and

Whereas, the Council determined after a hearing on the subject that the Underground Utility
District herein created is in the general public interest for the following reasons:

1. The undergrounding to be accomplished will avoid or eliminate a heavy concentration of
overhead distribution facilities.
2. The undergrounding to be accomplished will result in increased safety for pedestrian and
vehicular traffic, and enhanced views for residents.
3. All undergrounding costs, including “turning over” all affected utility services, will be
borne by Mr. George W. Lucas.

Now, Therefore, Be It Resolved by the Council of the Town of San Anselmo, that, pursuant to
Ordinance No. 899 of the Town of San Anselmo, the above described area is hereby declared an
Underground Utility District, and is designated as Underground Utility District No. 9 of the Town of San Anselmo. Attached hereto, marked Exhibit “A”, and hereby incorporated as a part of this resolution, is a map delineating the boundaries of said District.

**Resolved, Further**, that the Council does hereby fix June 15, 2007 as the date on which affected property owners must be ready to receive underground service; and does hereby order the removal of all poles, overhead wires and associate overhead structures and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service with said Underground Utility District on or before November 30, 2007.

**Resolved, Further**, that all design coordination, construction management, negotiations with property owners and tenants, and miscellaneous related activities shall be the responsibility of Mr. George W. Lucas and his staff and/or consultants. Town staff will not be made available except for oversight administration.

**Resolved, Further**, that the Town Clerk is hereby instructed to notify all affected utilities and all persons owning real property within Underground Utility District No. 9 of the adoption of this resolution within ten (10) days after the date of such adoption. Said Town Clerk shall further notify said property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication or other similar or associated service they or such occupant shall, by the date fixed in this resolution, provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities on file with the Public Utilities Commission of the State of California. Such notification shall be made by mailing a copy of said Ordinance No. 899, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

The forgoing Resolution was adopted and passed at a regular meeting of the Town Council of San Anselmo held on April 10, 2007 by the following vote.

**AYES:** Breen, Cooper, Freeman, House, Thornton

**NOES:** (None)

**ABSENT:** (None)

[Signature]
Wayne Cooper, Mayor

**ATTEST:**
Debra Stulman, Deputy Town Clerk
Barbara Chambers, Town Clerk