

To:

Mayor Brekhus and Council Members
Rich Simonitch, Public Works Director
JO Chinn, Town Manager

RE: Consideration of Resolution No. 2162 & 2163

June 17, 2020

Dear Mayor, Council Members, Public Works Director and Town Manager:

My wife and I reside at 170 Lagunitas Rd. and strongly **oppose** approving the Boundary Map and the consultant contracts. Our reasons are listed below.

1. The potential Boundary Map assessment as proposed will be both punitive and unequitable as larger lots will be assessed more, regardless of their PGE service usage. The limited number of proposed residences in the Boundary area does not justify the expense, due to lack of economy of scale, in fact this personal assessment will be even greater amount than what we pay for the Ross school, (which is a very worthy assessment shared by the larger community.) In addition, repair of underground lines is expensive and becomes our responsibility, for which we would also pay a disproportionate amount not based on our usage. Reasons for repair could include any number of events outside our control, such as earthquake or contractor error. Everyone in the Boundary area should be assessed equally, not proportionately by frontage.

2. The Boundary area footprint as it stands now, is too small to make an impact on fire suppression and aesthetics as whole. **AT the very least**, The Boundary should include homes on North, West and Hill and Walnut and Olive. (Those areas are accessed only via Lagunitas Road, their only ingress and egress, and they will benefit without incurring any personal expense.) While it is a complicated process to evaluate the risks of utility caused fire of this community, failure to include nearby neighborhoods in undergrounding, effectively nullifies the reasons justifying the process if fire protection is the goal. Failure to include the greater Ross community as a whole, destroys any benefit to homeowners who were assessed on Lagunitas who desired a reduction in utility generated fire risk in their immediate area. Why should these residences within the footprint take on the burden and expense of fire protection that is unlikely to be effective?

3. It is our understanding that the initial impetus for the project was for fire safety brought on by poorly maintained P, G&E lines. Ross residents should not substantially improve the fire risk for P, G &E without a significant contribution on P, G&E's part. Clearly there will be significant savings accruing to them. We ask that this option be explored further.

In summary- The Boundary area must include more areas if it is seriously intended to reduce a utility caused fire. Burying **ALL** the utilities in the risk area is the only way to seriously reduce the likelihood of a utility caused fire. For example- The power lines going to the Phoenix Lake parking lot and any other ranger stations or outbuildings should be addressed, as these are fires likely to be detected less quickly. This is also true for Upper Rd. Limiting the scope of the undergrounding will not seriously address the utility fire risk. As such, this project's only

purpose becomes beatification, for which the entire town of Ross would benefit, yet we would pay a disproportionate share.

If it has not done so already, we would ask that the Town have a fire consultant specifically evaluate the benefit of this small undergrounding footprint to the town of Ross.

And for the benefit of the entire Ross community, we strongly encourage you to expand the Boundary area to include all properties at risk from a utility generated fire, modify the consultant contract to include a larger Boundary area and assess everyone an equal percentage.

Sincerely,
Gordon and Pam Andrews

From: [Joe Chinn - Town Manager](#)
To: [Richard Simonitch](#); [Linda Lopez](#)
Subject: FW: Underground Utility District - tonight's meeting
Date: Thursday, June 18, 2020 10:13:40 AM

From: Julie McMillan <juliemcmillan@comcast.net>
Sent: Thursday, June 18, 2020 10:04 AM
To: Joe Chinn - Town Manager <jchinn@townofross.org>
Subject: Fwd: Underground Utility District - tonight's meeting

Please excuse typos --
Sent from my iPhone

Begin forwarded message:

From: marilynriede@comcast.net
Date: June 18, 2020 at 7:43:26 AM PDT
To: juliemcmillan@comcast.net, Elizabeth Brekhus <elizabethb@brekhus.com>, eliz.robbs@gmail.com, cwkmisc@gmail.com, beachkuhl35@gmail.com
Subject: **Underground Utility District - tonight's meeting**

Dear Ross Town Council:

Re: proceeding with the preparation of an Engineer's report on the formation of Assessment District 2020-01

As you know, Ross School and St. John's Church utilities are undergrounded. The corner of Lagunitas Road and Shady Lane look as if we are in a "third world country" somewhere. There are always a few "nay sayers", but the majority of the property owners are in favor of supporting this project. Please support proceeding with this project with the preparation of an Engineer's Report. Thank you very much.
Rick and Marilyn Riede
105 Lagunitas Road

From: [Linda Lopez](#)
To: [Richard Simonitch](#)
Subject: FW: Undergrounding
Date: Thursday, June 18, 2020 8:20:52 AM

Linda Lopez
Town Clerk/Administrative Manager
Town of Ross
P.O. Box 320
Ross, CA 94957
(415) 453-1453 ext. 105
llopez@townofross.org

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

From: Glennis Jones <glennis2299@gmail.com>
Sent: Wednesday, June 17, 2020 8:32 PM
To: Linda Lopez <llopez@townofross.org>
Subject: Undergrounding

Dear Members of Town Council,

We are in the final stages off completing our new house at 103 Lagunitas Road, two houses up from Ross School. We strongly support undergrounding and have contributed money to help pay for the engineer on the project.

We see the intersection at Lagunitas Road and Shady Lane as the "Gateway" into much of residential Ross. The row of homes in that first block up Lagunitas from Ross School might have more to gain from undergrounding than other areas. They get more car, bike and pedestrian traffic. Undergrounding would give these highly visible homes more curb appeal. And, as smaller properties, they will have less financial burden for the cost than the many larger properties.

It's hard to believe that one would be opposed to mitigating fire safety concerns or the enhancement of the beauty of our lovely town. Costs that might create financial hardships are a legitimate concern. We are sympathetic to that. Therefore we have carefully tried to understand the alternative payment options. It seems there are reasonable options, not the least of which is "payment due on sale" option. Statistics support the belief that property values go up after undergrounding, offsetting its cost.

We respectfully ask that you proceed with the support of this project and let the majority of property owners decide. We hope that their view is for the long term benefits to the community.

Regards,
Glennis and John Jones

Sent from my iPad

From: [Joe Chinn - Town Manager](#)
To: [Richard Simonitch](#)
Subject: FW: town council meeting on June 19 to consider under grounding utility lines
Date: Wednesday, June 17, 2020 4:20:29 PM
Attachments: [NRL LETTERHEAD.pages](#)

Begin forwarded message:

From: nelson lampert <nlampert@hotmail.com>
Date: June 17, 2020 at 3:37:33 PM PDT
To: "juliemcmillan@comcast.net" <juliemcmillan@comcast.net>
Subject: town council meeting on June 19 to consider under grounding utility lines

Dear Madam Mayor,

My name is Nelson Lampert. I live on the corner of Lagunitas Rd. and Willow Ave.. My telephone number is 415 457 7743.

I am writing to express my strong opposition to the group as presently constituted. I oppose being included in the group. I have never asked to be a member of it. I would be assessed as a group member and would receive absolutely no benefit. None of my utilities connect to lines on Lagunitas Road. They all connect to lines on Willow Ave.. I have attached a copy of the letter I recently sent to Mr. Rich Simonitch, requesting that he forward the letter to the Town Council.

Would you please help me in my effort to be removed from membership in the group?

Thank you in advance for the trouble you take in this matter.

Sincerely,

Nelson R. Lampert

Sent from [Outlook](#)

From: [Kevin Buckholtz](#)
To: [Richard Simonitch](#); [CouncilAll](#)
Subject: Re: Undergrounding Map
Date: Tuesday, June 16, 2020 3:27:18 PM

Hi Richard,

This map is not the only option.

Given that 6 of the 8 households are against inclusion. will you please consider removing us from the map.

You could terminate the boundary at 86/87 Glenwood.

As it stands, you have 6 of 8 property owners being coerced into the District.

Please consider alternatives to what the advocates have defined as the natural boundary map. As I've stated before, I will grant an easement to my property should the advocates choose to pay for my lateral and new breaker box. If the aesthetics are that critical to them; they can pay to include the lower area of Glenwood.

KJB

On Mon, Jun 15, 2020 at 3:53 PM Richard Simonitch <rsimonitch@townofross.org> wrote:

Kevin,

Corrected errors on boundary map attached. Removed 21 Glenwood petition, added 92 Glenwood petition. This map is different from what is shown in the staff report and will be presented to Council.

Richard Simonitch

Public Works Director/Town Engineer

Town of Ross

P.O. Box 320

Ross, CA 94957

(415) 453-1453 ext. 115

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From: Kevin Buckholtz <kevin.buckholtz@gmail.com>
Sent: Monday, June 15, 2020 12:06 PM
To: Richard Simonitch <rsimonitch@townofross.org>
Subject: Re: Undergrounding Map

Thanks for the follow up.

On Mon, Jun 15, 2020 at 11:58 Richard Simonitch <rsimonitch@townofross.org> wrote:

Kevin,

I will be including your November 2019 petition to “opt out” to Town Council today, along with other correspondence we have received.

Richard Simonitch

Public Works Director/Town Engineer

Town of Ross

P.O. Box 320

Ross, CA 94957

(415) 453-1453 ext. 115

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From: Kevin Buckholtz <kevin.buckholtz@gmail.com>
Sent: Monday, June 15, 2020 11:09 AM
To: Richard Simonitch <rsimonitch@townofross.org>
Subject: Undergrounding Map

Hi Richard,

I've seen confusing emails and had calls from neighbors recently.

The advocates of the undergrounding district have implied the map will not include properties on Glenwood near Bolinas.

Can you provide a PDF of the current map referenced in the agenda for Thursday's meeting?

"WHEREAS, the proposed boundaries of the Assessment District are shown on a map which indicates by a boundary line the extent of the territory proposed to be included in the Assessment District, which map is designated "Boundary of Proposed Assessment District No.2020-01" ("Map"), which Map is on file in the office of the Town Clerk;"

--

Kevin J. Buckholtz
PO Box 52
Ross, CA 94957-0052

415-420-1176

Photos at: <https://buckholtz.smugmug.com>

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Linda Lopez

From: Joe Chinn - Town Manager
Sent: Thursday, June 18, 2020 12:15 PM
To: Linda Lopez
Subject: FW: West Ross undergrounding district

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

From: Stephanie DiMarco <stephaniegdimarco@gmail.com>
Sent: Thursday, June 18, 2020 11:57 AM
To: CouncilAll <towncouncil@townofross.org>
Cc: Joe Chinn - Town Manager <jchinn@townofross.org>; Richard Simonitch <rsimonitch@townofross.org>; Kris Kelley <kristine.a.kelley@comcast.net>; Marilyn Riede <marilynriede@comcast.net>; Glennis Jones <glennis2299@gmail.com>; Christopher Bosch <christopher.bosch@gmail.com>; Paul Glover <pglover@g2insurance.com>
Subject: West Ross undergrounding district

Dear Council Members,

We are aware there are a 4 neighbors near the Glenwood border and 2 near the Lagunitas border that would like to opt out of the West Ross undergrounding district. While we regret that they do not support the project, the Town's policy is clear that in order to "opt out", a parcel must be an end parcel. The dissenting parcels are not end parcels. The matter is complicated by the fact that there are parcels on the edge of the district that strongly support undergrounding.

The Town's policy also states that the neighborhood committee is responsible for resolving boundary issues ahead of the Council meeting. We have met with the parties involved and unfortunately they remain unsupportive. Despite their lack of support, the petition still exceeded the Town's required threshold of 65% support. Nearly 70% of residents support the effort.

While we would all like everyone to agree, the reality is that this is a community project. This is good for the town and a super majority of residents in the district support it - even though they will have to pay for it. Thinking long term, this is an opportunity to make a meaningful upgrade to our town. If small areas are "orphaned" it is unlikely they will ever be undergrounded. Individual properties will change hands over time but this project will be a permanent long term upgrade to Ross.

We know there are varying levels of capacity to support this additional expenses. Up to 15% of the laterals can be financed over 30 years, The assessment can be financed over 30 years. And, a private loan will be made to anyone who requires it. If a home sells, the obligation goes with the new homeowner. All of the dissenting lots have small frontages and will therefore have the lowest assessments. The largest lots will pay the largest share of the cost:

We hope the Council will adhere to the Town policy and allow the district to proceed with the proposed boundaries.

Stephanie DiMarco
Kris Kelley
Rick & Marilyn Riede
John & Glennis Jones
Paul Glover
Christopher Bosch

Linda Lopez

From: Kris Dawley <dawley4@comcast.net>
Sent: Thursday, June 18, 2020 12:12 PM
To: Julie McMillan
Cc: Linda Lopez
Subject: Underground Utilities

Dear Ross Town Council Members:

We, as homeowners at 109 Lagunitas Road, support the ongoing effort to pursue underground utilities in our neighborhood and do not wish to be removed from "the district" at this time.

After countless volunteer hours and financial contributions of our neighbors while adhering to the town's requirements to get this far, pulling out before the engineering study even begins strikes us as shortsighted.

Yes, we have concerns over the cost, construction implementation and overall fire mitigation protection but we are confident satisfactory answers will be available before any final decisions are reached.

Thank you for your thoughtful consideration of our opinion.

Kris & Gregg Dawley

Sent from my iPad