

January 14, 2009

Mayor Jonathon Leone  
City Council  
City of Sausalito  
420 Litho Street  
Sausalito, California 94965

Dear Mayor Leone and Members of the Sausalito City Council,

I am writing to submit my resignation as a member of the Underground Committee for the City of Sausalito.

Over my past two years as Chairman of the Committee, I have become more and more troubled by the lack of a coherent plan for undergrounding the City's utilities and the impact that this lack of planning has on a small subset of the citizens of our fine city. This has unfortunately reached a point where I no longer feel that I can participate as either the Chairman or as a member of the committee.

In 1974, the city adopted an ordinance that mandated that residents would underground the utility service feeds from their homes to the utility poles with the expectation that those utilities would eventually be placed underground. In the 35 years that have passed, there have been some piecemeal efforts to actually put the utilities underground, most notably on Bridgeway along the waterfront. However, the sad fact is that less than 5% of the businesses and homes in Sausalito are supplied by utility infrastructure that has been placed underground. More troubling, there has not been a successful effort to underground ANY residential utilities in almost a decade. There is absolutely no plan to place any more residential utility infrastructure underground in the foreseeable future.

It is this context that the Underground Committee seeks to review applications for hardship variances from the requirement that electric utility lines be put underground from the service panel to the utility pole on the street. This requirement is most often triggered by electrical panel upgrades that are now mandated by the building code. (The building codes have been repeatedly modified since 1974 but the undergrounding requirements have only been updated once and that was in 1981.) Often the trenching that is (or would be) required to underground utilities is twenty thousand dollars, or more. In most cases, these lines are going to be placed underground to a termination point that would be inconsistent with any future engineering plans to place the main utility lines under the streets. We are putting our citizens in the awkward position of being forced to build lateral lines to nowhere...because there are no plans to actually connect the lateral lines we are forcing them to construct.

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To make matters worse, "hardship" variances have been granted to citizens who have gone directly to the City Counsel, as one local resident did for his new restaurant late last year. I do not begrudge that owner his variance, but I will point out that the variance was granted for a case that clearly violates all the guidelines for granting variance requests. The result is that there is little consistency in the enforcement of the undergrounding requirements. I can't support an arbitrary process that penalizes some citizens who operate in good faith while rewarding others that have figured out how to game the system.

In my opinion, the Counsel needs to grant an automatic variance for any undergrounding requirements until there are rational plans to begin undergrounding utilities for the entire city. Since there is no funding mechanism for undergrounding, and budgets will be impossibly tight, this won't happen in the near future.

I see three possible ways to fund an undergrounding planning and implementation process. Impose a parcel tax on all property. Impose a transfer tax that would tax real estate transactions. Modify the variance process to allow building owners to pay a one-time fee to "buy" a five year undergrounding deferral.

I estimate that it would take between \$15 and \$30 million to underground all the utilities in Sausalito. If I have my estimates right, that works out to between \$6k and \$12k per address. \$1000 per year per address would make this a 15 to 20 year project. In my opinion, until we are ready, as a community, to commit to such a long term plan, we should suspend the current process of arbitrary enforcement.

I have enjoyed working with my fellow committee members over the last 4+ years. I have learned much from my time as a community volunteer. Thank you.

Regards,

Keith Ogden  
46 Edwards Avenue  
Sausalito, California 94965

January 14, 2009

Dear fellow members of the Sausalito Underground Committee

I am writing to let you know that I have decided to resign from the committee.

I don't mind playing the role of the enforcer when there is some community benefit to the enforcement. Unfortunately, I don't see any benefit from requiring that our fellow citizens and taxpayers build underground service lines to nowhere.

With the time and travel demands of my new business venture, I don't believe I am the right person to lead the efforts to put long term undergrounding plans in place.

I have enjoyed working with all of you and greatly appreciate your service to our community.

Best regards,

Keith Ogden  
46 Edwards Ave.  
Sausalito, California 94965

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