

RESOLUTION NO. 03/2018

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA APPROVING THE TRANSFER OF OWNERSHIP OF STREETLIGHTS FROM THE TOWN OF CORTE MADERA TO THE MARIN GENERAL SERVICES AUTHORITY (MGSA), AND DELEGATING AUTHORITY TO THE PUBLIC WORKS DIRECTOR TO TRANSFER STREETLIGHTS TO MGSA ON AN ONGOING BASIS

WHEREAS, certain local agencies within the County of Marin formed the Marin Street Light Acquisition Authority (“MSLAJPA”) in 1985 to acquire certain streetlights from PG&E; and

WHEREAS, the MSLAJPA did acquire those streetlights by eminent domain in 1986 and it was decided that the MSLAJPA would retain title to the lights and provide a system of countywide maintenance and insurance for the streetlights; and

WHEREAS, the MSLAJPA on behalf of its members has always had as a policy that any new or replaced streetlights would be owned by the MSLAJPA; and

WHEREAS, the MSLAJPA subsequently became the Marin General Services Authority (“MGSA”) and the streetlights were transferred to that joint powers authority, of which the Town of Corte Madera is a Member, and MGSA continues to contract for the maintenance of the streetlights and maintain insurance for the streetlights; and

WHEREAS, it is beneficial to have one agency manage the maintenance contract and maintain insurance for the streetlights in Marin County as has been proven in the past and such transfer of property is permitted by law under Government Code § 6508; and

WHEREAS, it is important the ownership of streetlights within Marin County be certain and not subject to any concepts of implied ownership or control;

NOW, THEREFORE, be it resolved that the Town of Corte Madera offers to transfer all streetlight and associated facilities defined as a luminaire, mast arm, streetlight only pole and associated wiring within the jurisdictional limits that previously have not been offered and accepted by the Marin General Services Authority or its predecessor the Marin Street Light Acquisition Joint Powers Authority. This offer will become effective upon acceptance by the MGSA.

BE IT FURTHER RESOLVED that the Public Works Director is authorized to execute any documentation required to carry out the transfers authorized herein, and is delegated the authority hereafter to transfer streetlight ownership on an ongoing basis to the MGSA.

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I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Town Council of Corte Madera at a regular meeting held on the 6th day of February, 2018, by the following vote, to wit:

AYES: Councilmembers: Andrews, Bailey, Condon, Furst, Ravasio
NOES: Councilmembers: - NONE -
ABSENT: Councilmembers: - NONE -



Carla Condon, Mayor

ATTEST:



Rebecca Vaughn, Town Clerk