



County of San Mateo

Inter-Departmental Correspondence

Department: GOVERNING BOARD

File #: 20-109

Board Meeting Date: 3/10/2020

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors, Acting as the Governing Board of the Fair Oaks Sewer Maintenance District

From: James C. Porter, Director of Public Works

Subject: Amendments to the Fair Oaks Sewer Maintenance District Agreements with the Town of Woodside and the Town of Woodside and the City of Redwood City and Annexation of Property to the Fair Oaks Sewer Maintenance District - Lands of 155 Bardet LLC

RECOMMENDATION:

Acting as the Governing Board of the Fair Oaks Sewer Maintenance District:

A) Adopt a resolution authorizing:

1. The ninth amendment to the agreement dated May 8, 2001 for transmission of sanitary sewage by and between the Fair Oaks Sewer Maintenance District and the Town of Woodside; and
2. The ninth amendment to the agreement dated August 7, 2001 for sanitary sewage treatment capacity rights and services by and between the Fair Oaks Sewer Maintenance District, the Town of Woodside, and the City of Redwood City; and

B) Adopt a resolution setting Tuesday, April 7, 2020 at 9:00 a.m. at your regularly scheduled Board meeting, as the time and place for a hearing on the proposed annexation of the Lands of 155 Bardet LLC (155 Bardet Road, Woodside, APN 073-050-270) to the Fair Oaks Sewer Maintenance District.

The Fair Oaks Sewer Maintenance District (District) entered into an agreement with the Town of Woodside (Town) on April 2, 1968 (1968 Agreement) for the provision of sewage transmission and disposal of wastewater collected through the District facilities for properties within the corporate limits of the Town and within the Town's Redwood Creek Main Trunk Sewer and Glens Collection System Assessment District (Assessment District).

Your Board authorized an agreement between the District and the Town for the transmission of sewage emanating from parcels within the Town and the Town Center Sewer Assessment District (TCSAD) and a second agreement between the District, Town and City of Redwood City for sewage from the TCSAD properties (agreements referenced above). The two agreements are applicable only to parcels within the Town and the TCSAD. Both agreements must be amended if parcels are removed or added to the TCSAD for the transmission of sanitary sewage from the parcels in the TCSAD and treatment thereof.

Your Board has authorized eight amendments to allow modifications initiated by the Town to the TCSAD boundaries. Additionally, your Board has approved annexations of properties in the Assessment District to the District to allow for sewer connections of properties in the Town to the District facilities. These actions are generally requested and initiated due to properties with failing septic systems.

The 1968 Agreement requires properties within the Town that are proposed to be served by the District be annexed to the District and requires that the Town approve said annexations into the District.

The property at 155 Bardet Road (APN 073-050-270) was initially included in the Assessment District and paid the required sewer system assessment fee. However, the same parcel was subsequently included by the Town in the TCSAD and the Town allowed the property to connect to the District without annexation to the District.

To mitigate the error of including the parcel in two sewer assessment districts, the Town executed Resolution No. 2018-7252 on September 11, 2018 (Exhibit A to Resolution), consenting to the removal of 155 Bardet Road from the TCSAD and annexing the property to the District. The ninth amendment is required and must be executed to remove 155 Bardet Road from the TCSAD. Section 5820 et seq. of the Streets and Highways Code authorizes your Board to adopt a resolution setting the time and place for the hearing upon the question of annexation, and to conduct a hearing to determine whether the territory shall be annexed.

DISCUSSION:

The 155 Bardet LLC is the current owner of the property within the Town at 155 Bardet Road which is also identified as Assessor's Parcel Number 073-050-270. The owner requested that the property be annexed to the District in late 2018 in order to receive sewer services through the District. However, the District could not proceed with the annexation until now due to the delay in receiving payment of fees and fully executed amendments (ninth amendments).

The District is able to provide sewer service to the property as it is one of the properties within the Assessment District that was allocated a portion of the District's sewage treatment capacity.

Department staff has determined that the existing sewer lateral approved by the Town previously and modified in 2019 is acceptable to the District, and the property can be served through the facilities of the District. The District is recommending that a hearing be set for your Board's regular meeting of April 7, 2020, at 9:00 a.m., to consider the proposed annexation.

County Counsel has reviewed and approved the resolutions as to form.

FISCAL IMPACT:

The property owner has paid or will pay all required fees for the parcel as follows:

Annexation Processing Fee	\$1,800
Annexation Processing Fee	\$4,655
Plan Review Fee	\$300
Sewer Inspection Permit Fee	\$300
Miscellaneous Services Fee	\$200
State Board of Equalization's Recording and Mapping Fee	\$350

If the annexation is approved, the property owner will be subject to the annual sewer service charge levied by the District, which has been set for \$925 for Fiscal Year 2019-2020.

There is no impact to the General Fund.