



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** GOVERNING BOARD

**File #:** 20-217

Board Meeting Date: 4/21/2020

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**Special Notice / Hearing:** Complied with 10 Day Notice  
and Publication;  
Special Hearing Required  
**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:** 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, conduct a hearing:

- A) Open public hearing
- B) Close public hearing
- C) Adopt a resolution:
  - 1. Ordering the annexation of the Lands of 155 Bardet LLC (155 Bardet Road, Woodside, APN 073- 050-270) to the Fair Oaks Sewer Maintenance District; and
  - 2. Directing the Director of Public Works to transmit a copy of the resolution ordering annexation and file maps of said annexation with the appropriate agencies.

**BACKGROUND:**

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

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 has requested that the property be annexed to the District in order to receive sewer service. A hearing to consider an annexation to the District is required pursuant to Section 5820 et. seq. of the Streets and Highways Code.

Your Board adopted Resolution No. 077282 on March 10, 2020, which set 9:00 A.M. on Tuesday, April 7, 2020 in your Chambers as the time and place for a hearing to consider the annexation of the Lands of 155 Bardet LLC to the District. On April 7, 2020, this item and public hearing was continued to your Board's regularly scheduled meeting on April 21, 2020.

### **DISCUSSION:**

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 Town Center Sewer Assessment District (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, consenting to the removal of 155 Bardet Road from the TCSAD and annexing the property to the District. Your Board executed Resolution No. 077281(a-b) on March 10, 2020, which included the necessary action to remove the parcel from the TCSAD.

The District is able to provide sewer service to the property as it is one of the original properties within the Assessment District that was allocated a portion of the District's sewage treatment capacity. The District prepared a geographic description and plat map for the property being considered for annexation, which are attached to the Resolution as Exhibits "A" and "B", respectively. The hearing to consider the proposed annexation has been properly noticed. Therefore, we are recommending that the annexation be approved.

Department staff has determined that the existing sewer lateral from the property to the District sewer manhole constructed by the prior property owner and modified in 2019 is acceptable to the District, and the property can be served through the facilities of the District. However, the entire length of the sewer lateral from the property to the District manhole through Bardet Road, the public utilities easement, and the sanitary sewer easement, shall be private. The property owner will be responsible for maintaining the entire length of the sewer lateral including the connection to the District sewer manhole until such time that the sewer pipe is reconstructed in accordance with District standards and serves more than one property.

County Counsel has reviewed and approved the resolution 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
- District Connection 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.