



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Department of Public Works



DATE: October 11, 2011
BOARD MEETING DATE: November 1, 2011
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: James C. Porter, Director of Public Works

SUBJECT: Annexation of Property to the Fair Oaks Sewer Maintenance District –
Lands of Hollister (245 Laning Drive, Woodside, APN 073-011-110)

RECOMMENDATION:

Acting as the Governing Board of the Fair Oaks Sewer Maintenance District, adopt a Resolution setting Tuesday, December 13, 2011 at 9:30 a.m. at your regularly scheduled Board meeting, as the time and place for a public hearing to consider the proposed annexation of the Lands of Hollister (245 Laning Drive, Woodside, APN 073-011-110) to the Fair Oaks Sewer Maintenance District.

BACKGROUND:

The Fair Oaks Sewer Maintenance District (District) entered into an agreement (Agreement) with the Town of Woodside (Town) dated April 2, 1968 for the provision of sewage transmission and disposal through the District facilities of wastewater collected by the District 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), once the properties are annexed to the District.

The Agreement requires properties within the Town that are proposed to be served by the District to be annexed to the District, and also requires the Town to approve said annexations into the District. The Town executed Resolution No. 2011-6842 on June 28, 2011 (attached), consenting to the proposed annexation of this property. Sections 5820 *et seq.* of the Streets and Highways Code authorize 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:

Robert C. and Nancy L. Hollister are the current owners of the property within the Town at 245 Laning Drive, which is also identified as Assessor's Parcel Number 073-011-110. Eugene Fischer, the owner of this property in 1992, requested that the property be annexed to the District in order to receive sewer service due to a failing septic system. Mr. Fischer received permission from the District to make an emergency connection;

however, the District never received the required Town Resolution to initiate the annexation process from Mr. Fischer. The Town did not adopt the Resolution consenting to the annexation in 1992 because Mr. Fischer disagreed with the Town's fee structure and refused to pay the required fees. The emergency connection was, however, made in 1992 and the property owners have been paying annual sewer service charges based on the District's adopted rate structure.

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. Public Works staff has also determined that the property can be served through the facilities of the District, and is recommending that a public hearing be set for your Board's regular meeting of December 13, 2011 at 9:30 a.m., to consider the proposed annexation and complete the process that was initiated in 1992.

County Counsel has reviewed and approved the Resolution as to form. The required notices will be posted and published subject to your Board adopting the proposed Resolution.

Approval of this action contributes to the Shared Vision 2025 outcome of a Healthy Community by continuing to provide effective sanitary sewer service to a parcel in a suburban area that would otherwise use an "on-site" method to handle wastewater.

FISCAL IMPACT:

All required fees for the parcel have been paid as follows:

- Annexation Processing Fee: \$1,800
- District Connection Fee (Paid in 1992): \$2,390
- Sewer Inspection Permit Fee (Paid in 1992): \$50
- State Board of Equalization's Recording and Mapping Fee: \$350

The property owner has constructed and paid for the sewer lateral that was necessary to bring sewer service to this property, and has been paying for the annual sewer service charge levied by the District since the sewer connection to the District was completed.

There is no impact to the General Fund.

Attachment: Town of Woodside Resolution No. 2011-6842 – executed June 28, 2011

RESOLUTION NO. 2011 - 6842

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE
CONSENTING TO THE ANNEXATION OF LAND TO THE FAIR OAKS SEWER
MAINTENANCE DISTRICT FOR 245 LANING DRIVE

WHEREAS, the Fair Oaks Sewer Maintenance District has requested that the Town of Woodside consent to the annexation of the hereinafter described territory to the Fair Oaks Sewer Maintenance District; and

WHEREAS, said property is within the boundaries of the Redwood Creek Trunk Sewer Assessment District; and

WHEREAS, this Council finds that such annexation would be in the best interest of the Town and of the Fair Oaks Sewer Maintenance District, according to the agreement between the two agencies, dated April 2, 1968; and

WHEREAS, the property owners, Bechtel Trust, have paid the fee for construction and installation of a public sewer to the property.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WOODSIDE that the Town of Woodside hereby consents to the annexation of all of that certain real property situated in the Town of Woodside, County of San Mateo, State of California, identified as Assessor's Parcel Number 073-011-110 to the Fair Oaks Sewer Maintenance District.

* * * * *

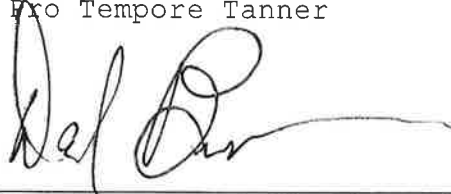
PASSED AND ADOPTED by the Town Council of the Town of Woodside, June 28, 2011, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: Boynton, Burow, Kasten, Mason

NOES, Councilmembers: None

ABSENT, Councilmembers: Gordon, Mayor Romines

RECUSED, Councilmembers: Mayor Pro Tempore Tanner



Mayor Pro Tempore of the Town of Woodside

ATTEST:


Clerk of the Town of Woodside
245 Laning Sewer Annexation

I hereby certify that the above is a true copy

of Resolution 2011-6842
Date July 5, 2011

Town Clerk

By 

RESOLUTION NO. _____

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA
ACTING AS THE GOVERNING BOARD OF THE FAIR OAKS SEWER
MAINTENANCE DISTRICT**

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**RESOLUTION SETTING TUESDAY, DECEMBER 13, 2011 AT 9:30 A.M. AT THE
REGULARLY SCHEDULED BOARD MEETING, AS THE TIME AND PLACE FOR A
PUBLIC HEARING TO CONSIDER THE PROPOSED ANNEXATION OF THE LANDS
OF HOLLISTER (245 LANING DRIVE, WOODSIDE, APN 073-011-110) TO THE FAIR
OAKS SEWER MAINTENANCE DISTRICT**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, acting as the governing board of the Fair Oaks Sewer Maintenance District, that

WHEREAS, this Board has received a request to annex the property at 245 Laning Drive (APN 073-011-110) in the Town of Woodside to the **FAIR OAKS SEWER MAINTENANCE DISTRICT** (District), which property is described in Exhibit "A" hereto attached and made a part hereof by reference; and

WHEREAS, a public hearing to consider said annexation is required by law.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

1. **Tuesday, December 13, 2011, at 9:30 a.m.**, in the Chambers of the Board of Supervisors of the County of San Mateo, in the Hall of Justice and Records, located at 400 County Center, Redwood City, California, is hereby fixed as the date, time, and place of the public hearing when and where all persons having any objection to the annexation of said property to said District may be heard.

2. The Director of Public Works, pursuant to Section 5838 of the Streets and Highways Code, shall cause a copy of Exhibit "B" attached to this Resolution and headed by the words "**NOTICE OF HEARING**", to be published once a week for two successive weeks prior to the date set for hearing in a newspaper of general circulation in the above named District, and in the territory of the property proposed to be annexed, deemed by this Board to be most likely to give notice of public hearing to all the inhabitants of each.

3. Copies of Exhibit "B" with the heading of "**NOTICE OF HEARING**" in letters not less than one inch in height shall also be posted in three conspicuous places within the territory proposed to be annexed, not less than ten days prior to the day set for the public hearing.

4. The Director of Public Works, pursuant to Section 5838 of the Streets and Highways Code, shall also cause a notice identifying the time, place and purpose of the hearing as well as the name and contact information for Department of Public Works personnel who will answer inquiries regarding the hearing proceedings to be sent to the owner of the property to be annexed.

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Exhibit "A"

PROPOSED ANNEXATION OF THE LANDS OF HOLLISTER TO THE FAIR OAKS SEWER MAINTENANCE DISTRICT

**245 LANING DRIVE, WOODSIDE
(APN 073-011-110)**

All that certain property situated in the Town of Woodside, San Mateo County, State of California, described as follows:

Being a portion of the Pulgas Rancho, more particularly described as follows:

All of Lot 6 as delineated upon that certain map entitled "Tract no. 659 Woodside Knolls – Unit no. One in the unincorporated territory in the County of San Mateo, California" filed in the Office of San Mateo County Recorder on November 6th, 1952 in Volume 36 at Page 3, more particularly described as follows:

Beginning at the Southeasterly terminus of a line shown as North 42°47'00" W 296.81 feet on Resolution Number 44863, passed and adopted on August, 23, 1983 to the Fair Oaks Sewer Maintenance District, said point also being the most northerly corner of said Lot 6, thence along said Lot 6 the following 4 courses:

- (1) Leaving said point South 42°47'00" East, 259.84 Feet to northwesterly line of Laning Drive 50 feet wide at the time of this description
- (2) Along the Northwesterly line of Laning Drive South 47°13'00" West, 142 feet to the Southwest corner of said Lot 6
- (3) Leaving said Northwesterly line North 73°50'08" West, 303.30 feet to a point on the Southeasterly boundary of Fair Oaks Sewer Maintenance District as established by Resolution Number 44863, passed and adopted on August, 23, 1983.
- (4) Along said boundary North 47°13'00" East, 298.45 feet, to the POINT OF BEGINNING.

Excepting therefrom the Northeasterly 42 feet, front and rear measurements, of said lot 6, as described in the Deed from Paul Laning and Jane C. Laning also known as Jane Laning, his wife, to Bernard F. Camp and Loyce L. Camp, his wife, in joint tenancy, dated February 11, 1955 and recorded March 3, 1955 in Book 2752 of Official Records at page 477 (Filed No. 30634-M), Records of San Mateo County, California.

Containing 1.063 acres more or less

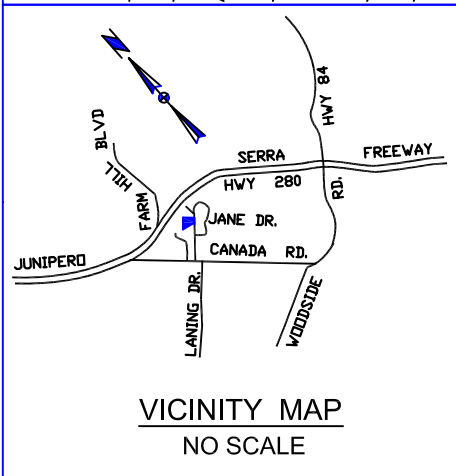
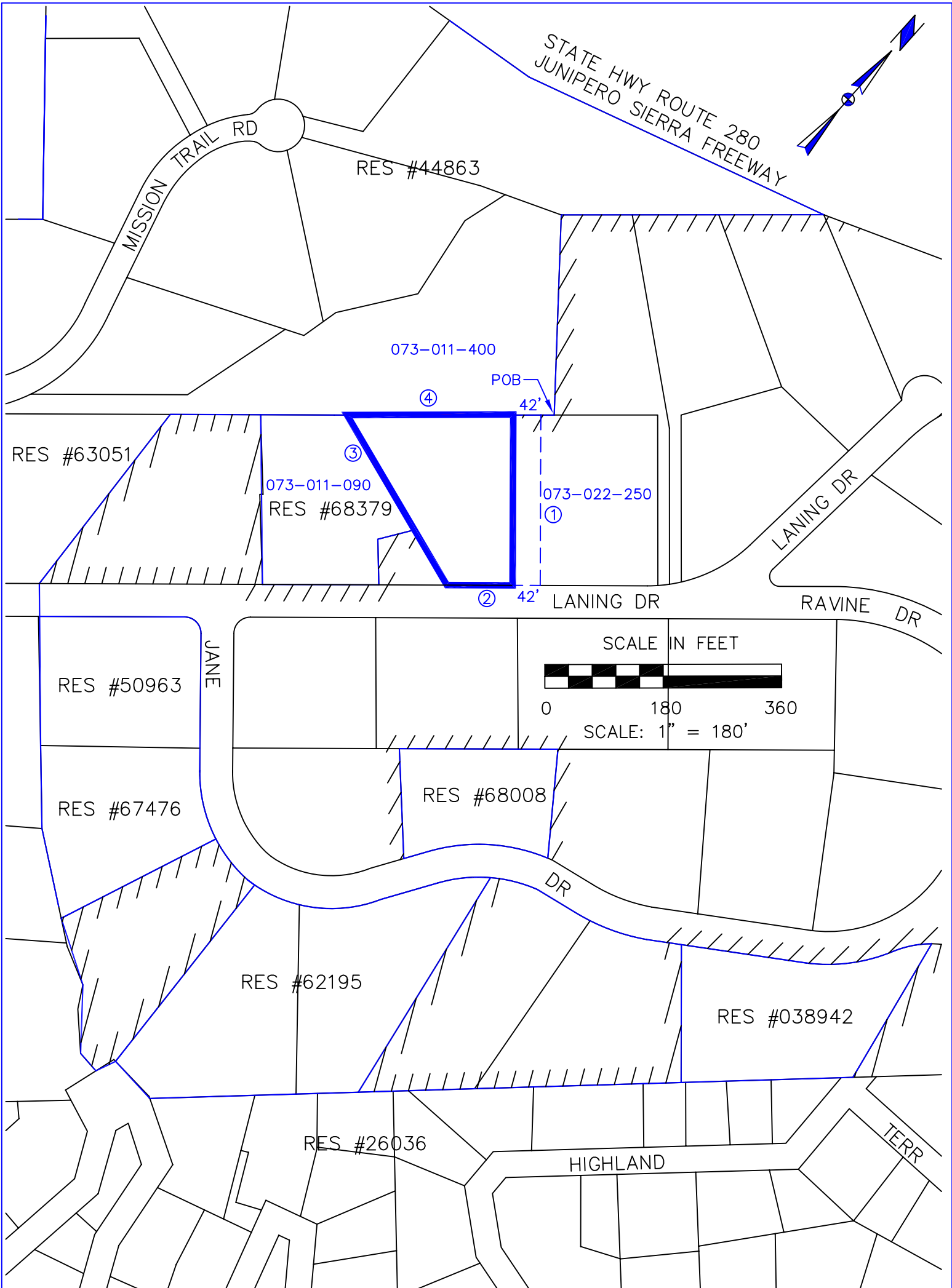


EXHIBIT "A"
 PROPOSED
 ANNEXATION OF THE LANDS
 OF HOLLISTER
 TO THE FAIR OAKS SEWER
 MAINTENANCE DISTRICT
 245 LANING DRIVE
 APN: 073-011-110

LEGEND

 EXISTING DISTRICT BOUNDARIES

 PROPOSED ANNEXATION

BEING A PORTION OF THE PULGAS RANCHO

EXHIBIT "B"

NOTICE OF HEARING

COUNTY OF SAN MATEO, BOARD OF SUPERVISORS

**ANNEXATION OF PROPERTY
TO THE FAIR OAKS SEWER MAINTENANCE DISTRICT**

NOTICE IS HEREBY GIVEN that the San Mateo County Board of Supervisors will hold a public hearing to consider the proposed annexation of the **Lands of Hollister** said property being located at 245 Laning Drive, Woodside (APN 073-011-110), to the Fair Oaks Sewer Maintenance District. A copy of the legal description of the territory proposed for annexation is on file with the Clerk of the Board of Supervisors of the County of San Mateo and may be inspected in said office during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

The hearing will be held as follows:

DATE: Tuesday, December 13, 2011
TIME: 9:30 a.m.
PLACE: Board of Supervisors' Chambers
Hall of Justice and Records
400 County Center
Redwood City, California 94063

The meeting will be open to the public and anyone interested may appear and be heard on this matter or submit a written statement.

DATED: November 1, 2011

David S. Boesch
County Manager/Clerk of the Board