

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

September 11, 2019

To: LAFCo Commissioners

From: Martha Poyatos, Executive Officer *M. Poyatos*

Subject: LAFCo File No. 19-05–Proposed Outside Service Agreement for Water by the City of Redwood City to a proposed single-family home at 808 11th Ave., (APN 055-102-120) (North Fair Oaks) Pursuant to Government Code Section 56133 (0.15 acres)

Summary

Pursuant to Government Code Section 56133, Commission approval is required for extension of service by local agencies to territory outside the agency's boundaries. This section requires that the public agency apply to LAFCo by resolution on behalf of the landowner. In this case, the City of Redwood City has applied by resolution for extension of water service to a proposed home on a vacant lot at 808 11th Ave., Parcel 2, (APN 055-102-120) in Unincorporated North Fair Oaks. A water connection is a County of San Mateo condition of approval for the building permit. The project area is within the sphere of influence of the City of Redwood City and the City's water service area but is not contiguous to the City boundary. The property owner has recorded a document consenting to any future annexation of the property to the City. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed land valuation shown in the records of the County Assessor is \$1,290,096. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

County Clerk: The territory has no registered voter. The Outside Service Agreement would not conflict with any political subdivision boundaries.

County Public Works: The property is located within the Fair Oaks Sewer Maintenance District. The developer or homeowner will be responsible for obtaining a connection and paying the appropriate fees. An encroachment permit will be required for any work in the public right-of-way.

COMMISSIONERS: ANN DRAPER, CHAIR, PUBLIC ▪ JOSHUA COSGROVE, VICE CHAIR, SPECIAL DISTRICT ▪ RICH GARBARINO, City ▪ DON HORSLEY, COUNTY ▪ MIKE O'NEILL, CITY ▪ WARREN SLOCUM, COUNTY ▪ RIC LOHMAN, SPECIAL DISTRICT

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ REBECCA ARCHER, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST

City of Redwood City: The City's General Plan designation is single-family residential. The Outside Service Agreement and application to LAFCo for the water connection was approved by the Redwood City City Council on August 26, 2019. The property owner has recorded a document consenting to any future annexation of the property by the City.

County Planning Department: The property is zoned R-1/S-73 and has a General Plan Designation of Medium Density Residential/Urban. The property is developed with an existing single-family dwelling. The property is within the sphere of influence of the City of Redwood City. The two parcel subdivision, PLN2018-00262, has been approved by the Planning Department, however the parcel map has not yet been recorded. Permits from County Planning and Building will be required for any development on the newly created parcel. County Planning recommends approval of the proposal.

County Environmental Health Services: The City of Redwood City and the County of San Mateo Fair Oaks Sewer Maintenance District provide the available water and sewer service in the area. Environmental Health Services recommends approval of the proposal.

California Environmental Quality Act

The proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under Section 15303, Class 3, as it consists of a service extension for an exempt facility (up to three single-family residences and utilities, including water, to serve them).

Executive Officer's Report

This proposal has been submitted by resolution by the City of Redwood City in order to connect a proposed single-family dwelling at a newly created parcel. The water extension is consistent with Section 56133 and the existing policies of San Mateo LAFCo. The subject property is within the Sphere of Influence of the City of Redwood. The parcel is not, however, contiguous to the City boundary. As such, annexation of this parcel is not feasible at this time. As required by San Mateo LAFCo policy, the property owner has recorded an agreement consenting to future annexation to the City and waive protest of the annexation if an annexation is proposed.

Recommended Commission Action

By motion, approve LAFCo File No. 19-05–Proposed Outside Service Extension for Sewer by the City of Redwood City to 808 11th Ave., (APN 055-102-120) (Unincorporated North Fair Oaks) Pursuant to Government Code Section 56133 (0.15 acres) and direct the Executive Officer to send a letter of approval to the City and the property owner.

Attachments

- A. Outside Service Application for at 808 11th Ave., (APN 055-102-120)
- B. Vicinity Map
- C. Copy of City of Redwood City Resolution and Recorded Agreement

Distribution: Javier Sierra, City of Redwood City
 Jim Thomson, Applicant
 Kanoa Kelley, San Mateo County Planning Department
 John Brennan, San Mateo County Building Department

APPLICATION FOR A CHANGE OF ORGANIZATION OR REORGANIZATION TO
THE SAN MATEO
LOCAL AGENCY FORMATION COMMISSION

A. GENERAL INFORMATION

1. Briefly describe the nature of the proposed change of organization or reorganization.

Extension of water service to Parcel 2, 808 11th Ave (APN 055-102-120) (unincorporated San Mateo County) pursuant to Government Code Section 56133

2. An application for a change of organization or reorganization may be submitted by individuals in the form of a petition or by an affected public agency in the form of a certified resolution. This application is submitted by (check one):

 Landowners or registered voters, by petition
 x An affected public agency, by resolution

3. What are the reasons for the proposal?

To provide water service to newly constructed single-family residence to be located on Parcel 2

4. Does this application have 100% consent of landowners in the affected area?

 x Yes No

5. Estimated acreage: 5000 sf

B. SERVICES

1. List the name or names of all existing cities and special districts whose service area or service responsibility would be altered by the proposed change of organization or reorganization.

N/A, proposal requests extension of service and does not propose boundary change

RECEIVED

JUL - 2 2019

LAFCO

2. List all changes to the pattern of delivery of local services to the affected area. For each service affected by the proposed change(s) of organization, list the present source of service (state "none" if service is not now provided), the proposed source of service and the source of funding for construction of necessary facilities (if any) and operation. Examples are given on the first two lines of the space provided for your response.

SERVICE	PRESENT	PROPOSED	FUNDING SOURCE	
	SOURCE	SOURCE	CONSTRUCTION	OPERATING
<i>Water</i>	<i>None</i>	<i>"City of Redwood City"</i>	<i>proponent</i>	<i>fees</i>

C. PROJECT PROPOSAL INFORMATION

1. Please describe the general location of the territory which is the subject of this proposal. Refer to major highways, roads and topographical features.

The project is Located at 808 11th Ave, at the corner of 11th Ave and Spring St in unincorporated San Mateo County.

2. Describe the present land use(s) in the subject territory:
Residential

3. How are adjacent lands used?

North: Residential

South: Residential

East: Residential

West: Spring St. (Roadway) further West Residential

4. Will the proposed change of organization result in additional development? If so, how is the subject territory to be developed?
Yes, 2 Lot Parcel Map. @nd Lot will be Single Family Residential

5. What is the general plan designation of the subject territory?
Single Family Residential

6. What is the existing zoning designation of the subject territory?
R-1, S-73 Combining District (North Fair Oaks Area)

7. What rezoning, environmental review or development approvals have already been obtained for development in the subject territory?

Tentative Map Approval, 1-17-19. Letter of Decision Issued (See Attached)

8. What additional approvals will be required to proceed? (Please Check with County of San Mateo Public Works regarding right of way encroachment, etc.)

Parcel Map, Building and Encroachment Permits-Parcel 2

9. Does any portion of the subject territory contain any of the following --agricultural preserves, sewer or other service moratorium or wetlands subject to the State Lands Commission jurisdiction? NO

10. If no specific development projects are associated with this proposal, will the proposal increase the potential for development of the property? If so, how?

Yes, Project will create one additional Single Family Residential Lot

LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notice and other communications regarding this application (including fee payment) will be directed to the proponent at:

NAME: JET ENGINEERING

ADDRESS: 1048 EL CAMINO REAL, STE C
REDWOOD CITY, CA 94063

PHONE: (650) 260-2755

ATTN: JAMES E THOMPSON

By: 

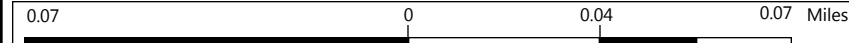
Signature of Proponent

Note: Pursuant to Government Code Sections 56700.1 and 81000 et seq. Any person or combination of persons who directly or indirectly contribute \$1000 or more or expend \$1000 or more in support of or opposition to a change of organization or reorganization that has been submitted to the Commission and will require an election must comply with the reporting and disclosure requirements of the Political Reform Act of 1974.

Submit Application And LAFCo fees to LAFCo. City must adopt resolution of application before application can be scheduled for LAFCo hearing.

Submit to:

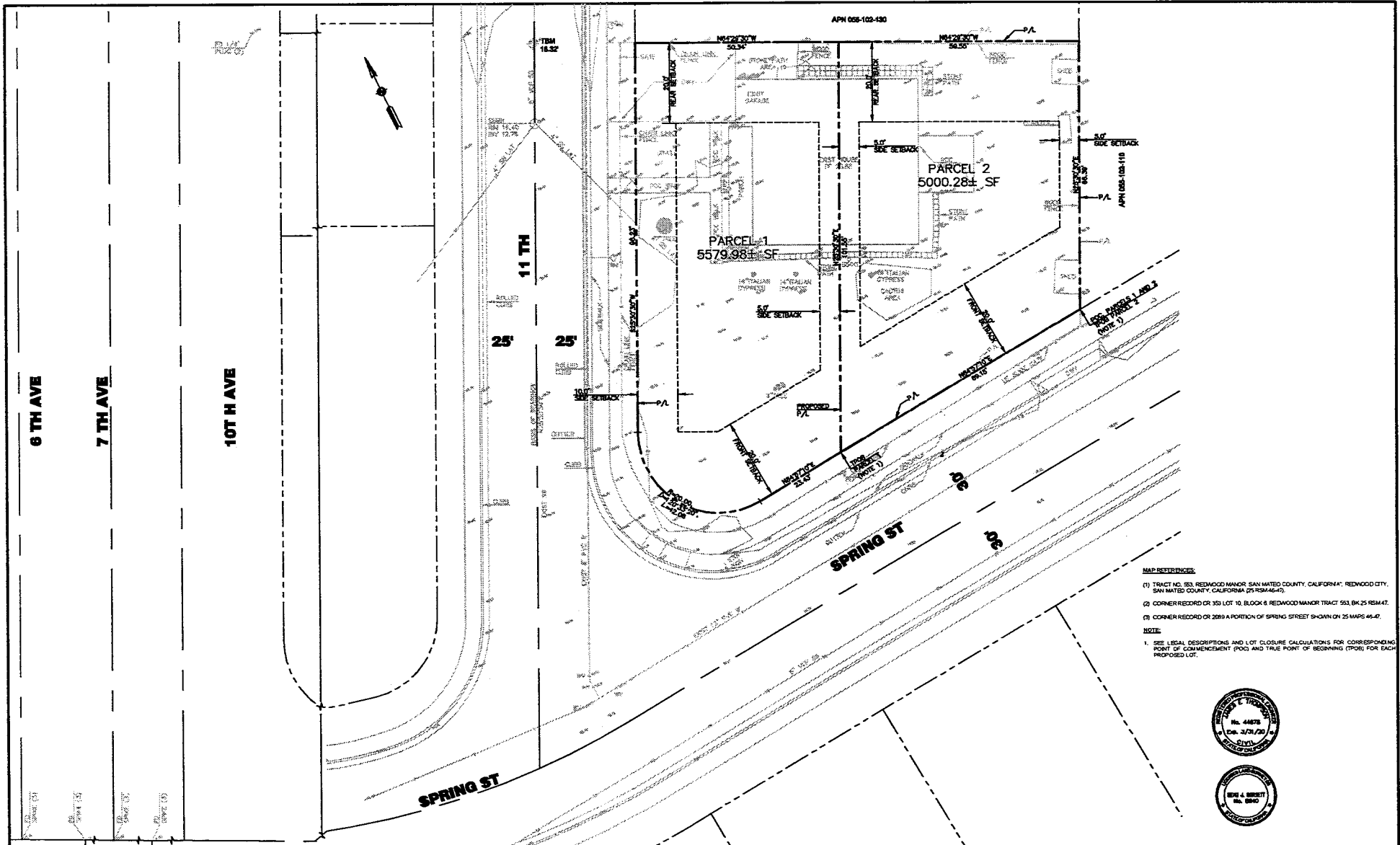
Martha Poyatos, Executive Officer
San Mateo LAFCo
455 County Center
Redwood City, CA 94063



WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

1: 2,257

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



MAP REFERENCES:

- (1) TRACT NO. 383, REDWOOD MANOR, SAN MATEO COUNTY, CALIFORNIA; REDWOOD CITY, SAN MATEO COUNTY, CALIFORNIA (25 RSM 46-47).
- (2) CORNER RECORDED OR 353 LOT 10, BLOCK 8 REDWOOD MANOR TRACT 593, BK 25 RSM 47.
- (3) CORNER RECORDED OR 2019 A PORTION OF SPRING STREET SHOWN ON 25 MAPS 46-47.

NOTE:

1. SEE LEGAL DESCRIPTIONS AND LOT CLOSURE CALCULATIONS FOR CORRESPONDING POINT OF COMMENCEMENT (POC) AND TRUE POINT OF BEGINNING (TPB) FOR EACH PROPOSED LOT.



JET ENGINEERING
 CONSULTING CIVIL ENGINEERS
 1649 EL CAMINO REAL, SUITE C
 REDWOOD CITY, CA 94063

LANDS OF KRAUS
 808 11TH AVENUE
 REDWOOD CITY, CA 94063

TENTATIVE SUBDIVISION MAP
PARCELS 1 AND 2

REVISIONS				JOB NO. R808-11TH-18	SHEET NO.
NO.	DATE	DESCRIPTION	BY	DATE: 08/28/18	T3.0
				DRAWN: DC	
				CHECKED: JET	
				SCALE: 1" = 10'	

3 OF 8 SHEETS

08/26/2019

RESOLUTION NO. 15792

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AUTHORIZING APPLICATION BY THE CITY OF REDWOOD CITY TO THE LOCAL AGENCY FORMATION COMMISSION REQUESTING APPROVAL FOR EXTENSION OF WATER SERVICE TO 808 ELEVENTH AVENUE (APN 055-102-120), OUTSIDE JURISDICTIONAL BOUNDARIES PURSUANT TO GOVERNMENT CODE SECTION 56133

WHEREAS, the property located at 808 Eleventh Avenue, APN 055-102-120 (the “Property”), in unincorporated San Mateo County, California, is outside the jurisdictional boundaries of the City of Redwood City (“City”), but inside the City’s sphere of influence and water service area; and

WHEREAS, the City currently provides water service to the existing single-family residence at 808 Eleventh Avenue; and

WHEREAS, the County of San Mateo is processing an application to subdivide the Property into two parcels: Parcel 1 and Parcel 2; and

WHEREAS, the County of San Mateo is also processing an application for a building permit to construct a new single-family home on Parcel 2; and

WHEREAS, the existing water service will continue to serve Parcel 1; and

WHEREAS, the County of San Mateo’s approval of the proposed subdivision and development of Parcel 2 is conditioned upon the property owner obtaining a new water connection and service for Parcel 2 from the City; and

WHEREAS, the property owner has requested that the City provide water service to Parcel 2; and

WHEREAS, this project is categorically exempt under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15303(d) (New Construction or Conversion of Small Structures).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REDWOOD CITY, AS FOLLOWS:

1. The City Manager or her designee is hereby authorized and directed to submit an application to the Local Agency Formation Commission (“LAFCO”) requesting approval of an extension for water service outside the City’s jurisdictional boundaries and within the City’s sphere of influence and water service area to the Property, pursuant to California Government Code Section 56133 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

2. The water service connection for the proposed single-family residence at the Property is subject to the following conditions and fees:

- a) LAFCO approval of the application for the proposed water service connection;
- b) Property owner’s payment of LAFCO fees;
- c) After approval of the construction drawings by the San Mateo County Building Department and upon application for new water service, property owner’s payment of all applicable City fees, including connection fees associated with providing proposed water service;
- d) Property owner’s payment of the City’s water service annexation fees;
- e) Property owner’s installation, or payment for the City to install, a new water service line;
- f) Property owner is responsible for the design, construction, and connection of any water main modifications or extensions necessary to provide adequate flow for domestic use and fire suppression, in accordance to City Code Section 38.26 and as determined by the City;

- g) Property owner shall pay the fees for any construction permit in connection with all above improvements, and shall pay associated costs for plan review and inspections;
- h) Property owner shall adhere to all the review comments and conditions of service stated by the City; and
- i) Property owner shall submit a signed Declaration of Restriction to the City and record it with the County of San Mateo.

3. The Local Agency Formation Commission of San Mateo County is hereby requested to take proceedings in the manner provided by California Government Code Section 56133.

* * *

Passed and adopted by the Council of the City of Redwood City at a
Joint City Council/Successor Agency Board/Public Financing Authority Meeting
thereof held on the 26th day of August 2019 by the following votes:

AYES:	Aguirre, Borgens, Hale, Howard, Masur, Reddy and Mayor Bain
NOES:	None
ABSENT:	None
ABSTAINED:	None
RECUSED:	None



Ian Bain
Mayor of the City of Redwood City

Attest:



Pamela Aguilar, CMC
City Clerk of Redwood City

I hereby approve the foregoing
resolution this 27th day of August 2019.



Ian Bain
Mayor of the City of Redwood City

RESO. # 15792
MUFF # 802

RECORDING REQUESTED BY AND
AFTER RECORDING MAIL TO:

LOCAL AGENCY FORMATION COMMISSION
455 COUNTY CENTER
REDWOOD CITY, CA 94063

WITH A COPY TO:
CITY CLERK
CITY OF REDWOOD CITY
P.O. BOX 391
1017 MIDDLEFIELD ROAD
REDWOOD CITY, CA 94064

2019-071047 CONF

10:19 am 09/03/19 DR Fee: 104.00

Count of pages 5

Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



SPACE ABOVE RESERVED FOR RECORDER'S USE
Exempt from recording fee per Gov. Code § 27383.

DECLARATION OF RESTRICTION

THIS DECLARATION OF RESTRICTION ("Declaration") is made and entered into this 28TH day of AUGUST, 2019, by the Property Owner SHIRLEY KRAUS, a TRUSTEE OF SHIRLEY KRAUS FAMILY TRUST, ("Owner").

WITNESSETH:

WHEREAS, Owner owns all that certain real property situated in the County of San Mateo, State of California, commonly known as 808 Eleventh Avenue, APN 055-102-120 (the "Property"), as more particularly described in Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, the Property is located outside the jurisdictional boundaries of the City of Redwood City, a charter city and municipal corporation of the State of California, ("City"), and not contiguous to the City's boundary, but within the City's Sphere of Influence as determined by the San Mateo County Local Agency Formation Commission (the "Commission"); and

WHEREAS, on August 26, 2019, the City Council of the City adopted a Resolution authorizing the application by the City to the Commission requesting

approval for extension of water service to the Property pursuant to Government Code Section 56133; and

WHEREAS, as a condition to said water service connection, the Commission has required the Owner to evidence consent to annexation to the City and waiver of protest to such annexation in the event the Property were to be proposed for annexation to the City; and

WHEREAS, Owner desires to evidence such consent and waiver as aforesaid; and

WHEREAS, Owner understands that any future annexation to the City is subject to any and all City rights and determinations, whether legislative, quasi-judicial, administrative, or however characterized, with respect to any proposed annexation of the Property to the City.

A G R E E M E N T :

NOW, THEREFORE, Owner agrees as follows:

1. **CONSENT.** In the event the Property shall be proposed for annexation to the City, Owner hereby consents to said annexation, and hereby waives Owner's rights to protest such annexation pursuant to the provisions of law governing such annexations.

2. **TAXES, OTHER CHARGES.** In the event annexation of the Property to the City shall be duly approved by all agencies having jurisdiction thereof, Owner agrees that the Property shall be subject to any and all general, special, extraordinary, or additional taxes or assessments, or any and all general, special extraordinary, or additional service charges, fees, or rates, levied against, imposed upon, or otherwise pertaining to the Property by any and all agencies, including the City, having jurisdiction

thereof in the same fashion as other like property located within the territorial limits of the City.

3. **SUCCESSORS.** This Declaration and all of the terms, conditions, covenants, and declarations herein contained shall be binding upon, and shall inure to the benefit of Owner and Owner's administrators, heirs, assigns, and transferees.

4. **RUNS WITH THE LAND; RECORDATION.** This Declaration pertains to and shall run with the Property. Upon execution, this Declaration shall be recorded in the Official Records of San Mateo County.

5. **CAPTIONS.** Paragraph headings as used herein are for convenience only, and shall not be deemed to affect the meaning or intent of the paragraph headed thereby.

IN WITNESS WHEREOF, Owner has executed this Declaration the date and year first hereinabove written.

OWNER

SHIRLEY KRAUS, a TRUSTEE OF SHIRLEY KRAUS
FAMILY TRUST



[Signature must be notarized]

EXHIBIT "A"

The land referred to is situated in the County of San Mateo, City of Redwood City, State of California, and is described as follows:

Lot 10, Block 7, as designated on the Map entitled, "Tract No. 553, Redwood Manor, San Mateo County, California, a Subdivision of a Portion of Lot 14 of "The Sweeney Ranch," which Map was filed in the Office of the Recorder of the County of San Mateo, State of California, on May 7, 1946, in Book 25 of Maps, at Pages 46 and 47.

APN: 055-102-120

JPN: 055-010-102-12 A

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Mateo

On August 28, 2019 before me, Cheryl Gonsalves Alfano a Notary Public, personally appeared Shirley Kraus who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Cheryl Gonsalves Alfano
Name: Cheryl Gonsalves Alfano
(typed or printed)

(Seal)

