

**LOCAL AGENCY FORMATION COMMISSION**455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849
February 12, 2009

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To: Members, Formation Commission

From: Martha Poyatos, Executive Officer

Subject: LAFCo File No. 09-04--Request by the City of San Carlos to Extend Sewer Service to 21 Estrada Court (Unincorporated Palomar Park)

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 San Carlos has applied for extension of sewer service to an existing residence on Estrada Court. The project area is within the sphere of influence of the City of San Carlos, contiguous to City boundaries and adjacent to property currently receiving City sewer service. Commission approval is recommended based on recommendation of San Mateo County Environmental Health that the property be connected to public sewer because the septic system cannot be repaired.

Staff Report and Recommendation:

This proposal was submitted by resolution of the City of San Carlos at the request of the property owner in order to abandon a failing septic system. The property would connect to the existing City sewer main serving 18 and 22 Estrada located in City of San Carlos boundaries. The parcel is within the sphere of influence of the City of San Carlos, adjacent to city boundaries and eligible for annexation but the City does not support annexation at this time. The City's staff report indicates that annexation would have a negative net impact on the City's General Fund and because the property is at the end of a county-maintained road, city service could not be provided efficiently. City policies for sewer extension require that the sewer service agreement include an agreement for annexation when annexation is feasible and the City staff report indicates annexation would most likely take place when a large number of adjacent properties experience similar problems and that immediate sewer extension is justified by the existing public health and safety hazard.

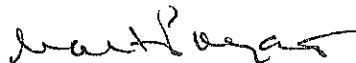
Government Code Section 56133 governing extension of service outside boundaries was implemented to strengthen legislation favoring annexation over extension of service outside city or district boundaries in cases where annexation is feasible. In this case, the parcel is contiguous to city boundaries and located on a cul de sac adjacent to two existing residences already within the City of San Carlos (18 and 22 Estrada). These homes are accessed via Estrada Court, a County maintained road. Annexation in this case would therefore not create a new situation of city properties at the end of a County-maintained road.

While staff supports the request to extend sewer service immediately due to failed septic, State and local LAFCo policies and public health policies discourage waiting for other septic systems to fail before initiating annexation. The City of San Carlos General Plan policies include provisions that provide for orderly annexation and retaining the character of individual neighborhoods. In regard to homes with septic systems, City of San Carlos General Plan Annexation Policy 37 includes provisions to accept homes with functioning septic systems with a proviso that once annexed, properties must be connected to sewer that are sold or if septic systems would require repair or replacement. Staff therefore recommends that an approval of this sewer extension include the following recommendations:

1. That the City of San Carlos and other cities that provide sewer service outside jurisdictional boundaries consider the benefits of a proactive approach to extension of City service and annexation including early consultation on annexation with property owners requesting service and identification of streets or areas similar to this case that could be designated for annexation in the near term. This might include identification of these areas in general plan updates and community education of the benefits and process for annexation.
2. That the San Mateo County Environmental Health Department's consultation to property owners with problematic septic systems include early referral to LAFCo and the City sewer providers in order to encourage annexation versus emergency sewer connections without annexation.

The proposal is consistent with the City's sphere of influence and with sewer service already extended to the area by the City of San Carlos. It is therefore respectfully recommended that the Commission, by motion, approve the proposed request for extension of service and authorize the Executive Officer to send a letter of approval to the City and the property owner along with the above noted recommendations.

Respectfully submitted,



Martha Poyatos
Executive Officer

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 sewer service to 261 ESTERADA (PROPOSED ADDRESS), APN 051-022-430
N/A, 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
 An affected public agency, by resolution

(If this application is submitted by petition of landowners or registered voters in the affected territory, complete the petition form.)

3. What are the reasons for the proposal? To provide sewer service to an existing residence with failing septic system
4. Does this application have 100% consent of landowners in the affected area?
 Yes No
5. Estimated acreage: xxxx

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

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>Sewer</i>	<i>None</i>	<i>"City of San Carlos"</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.

This parcel is located on the County side of the City/County limit.

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

Single family residential

3. How are adjacent lands used?

North: Single family residential

South: Single family residential

East: Single family residential

West: Single family residential

4. Will the proposed change of organization result in additional development? If so, how is the subject territory to be developed?

No

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

County Controlled

6. What is the existing zoning designation of the subject territory?

Single family residential

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

No Change

8. What additional approvals will be required to proceed?

None

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?

N/A

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: City of San Carlos
ADDRESS: 600 Elm Street PHONE: (650) 802-4203
San Carlos, CA 94070

ATTN: _____
Signature of Proponent

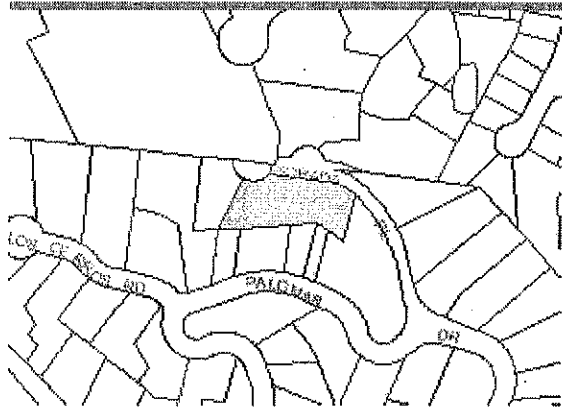
Note: Pursuant to Government Code Sections 56700.1 and 81000 et seq. Any person or combination of persons who directly or indirectly contribute \$1000 or more or expend \$1000 or more in support of or opposition to a change of organization or reorganization that has been submitted to the Commission and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

D. AFFECTED PUBLIC AGENCIES

Please complete this section if this application is submitted by resolution of one or more affected public agencies. Certified copies of resolutions listed below must accompany this application.

1. The names and resolutions of agencies applying for the change of organization or reorganization described above are as follows:

CURRENT INFORMATION



Property Use Details

SINGLE FAMILY RES (01)

Land Area (sq. ft.): 26745
Year Built: 1948
Base Area (sq. ft.): 1980
Total Rooms: 5
No. of Bedrooms: 2
No. of Bathrooms: 2

Summary of Property Details

APN: 051022430
Owner 1: Ehteshami Babak
Owner 2: Yaghoubi-Ehteshami Shahla
Care Of:
Owner Address: 21 Estrada Pl
 Redwood City CA
 94062--3247
Situs Address: 21 Estrada Pl
 Redwood City
Legal Description: 0.614 AC MOL LOTS 7 9 11 & ELY PTN LOT 8 PALOMAR PARK AMEND RSM 16/49-51
District: 2
Neighborhood: 056G

Secured Assessment Roll: 2007-1

Assessee Details

Owner 1: EHTESHAMI BABAK
Owner 2: YAGHOUBI-EHTESHAMI SHAHLA
Care Of:
Owner Address: 21 ESTRADA PL
 REDWOOD CITY, CA
 94062-3247
Document Number: 2006181904

Assessment Values

Land: \$258,309
Temp Land:
Root:
Min/Mineral:
Improvements (Structure): \$278,380
Temp Improvements (Structure):
Fixtures:
Total Gross: \$536,689
Total Temp:
Exemption - Home Owner:
Exemption - Other:
Net Assessed: \$536,689

Assessment Details

Assessment Type: Ann
Temp Code:
Notice Date: 06/
Change #:
TRA: 073
PUC: 01
PUC Description: Sing
 Farr
 Res

Current Jurisdictions

Supervisorial: 3 GENERAL TAX RATE
Congressional: 12 FREE LIBRARY
Assembly: 21 REDWOOD CITY EL BDS 1997
Senatorial: 11 SER A
Election Precinct: 3710 SEQUOIA HIGH BOND SER 97 A
 SEQUOIA HIGH BD SER 02 A
City Name: PALOMAR PARK (UNINC) SEQUOIA UNION HI. BND SER 2005
 SEQUOIA HI BOND 2005 SER B
Zip Code: 94062 SM JR COLLEGE BD 2002
 SM JR COLL BOND 2006 SER A

Current Tax Rate Area #073033

GENERAL COUNTY TAX COUNTY DEBT SERVICES
 COUNTY FIRE PROTECTION REDWOOD CITY ELEM GE
 STRUCTU
 R C ELEM BOND SER 2002 SEQUOIA HIGH GENRL PI
 SEQUOIA HIGH BOND SER 1998 SEQUOIA HIGH BOND SE
 SEQUOIA HI BOND SER 02 B SEQUOIA HI REFUND SEI
 SEQUOIA HIGH 2005 RFND BND SEQUOIA HI 2005 RFND
 ISS
 SEQUOIA HI RFND SER 2007 SM JR COLLEGE GEN PUR
 SM JR COLL BOND SER 2005 B SM JR COLL BOND 2001 :
 SAN MATEO COMM COLL 2005 MIDPENINSULA REG. OPI

