

*1902 - Serving Our Community for 120 Years - 2022*  
WEST BAY SANITARY DISTRICT  
AGENDA OF BUSINESS  
REGULAR MEETING OF THE DISTRICT BOARD  
WEDNESDAY, NOVEMBER 9, 2022 AT 7:00 P.M.  
RONALD W. SHEPHERD ADMINISTRATION BUILDING,  
500 LAUREL STREET, MENLO PARK, CALIFORNIA 94025

**Board Members**

Fran Dehn, President  
David Walker, Secretary  
Roy Thiele-Sardiña, Treasurer  
Edward P. Moritz, Member  
George Otte, Member



**General Manager**

Sergio Ramirez

**District General Counsel**

Anthony Condotti, Esq.

**AGENDA OF BUSINESS**

**NOTICE OF PUBLIC PARTICIPATION BY TELECONFERENCE or ZOOM ONLY**

Pursuant to California Assembly Bill 361, members of the West Bay Sanitary District Board of Directors and Staff may participate in this meeting via a teleconference. In the interest of reducing the spread of COVID- 19, members of the public are allowed to participate telephonically only, and may submit comments in advance by email addressed to [treese@westbaysanitary.org](mailto:treese@westbaysanitary.org) by 4:00 p.m. on Wednesday, November 9<sup>th</sup>.

To participate by telephone or Zoom meeting, public comments can be made by joining Zoom meeting at:

<https://us06web.zoom.us/j/89264647287?pwd=TGRxWTRXRHIIT2RWM2J4aG1TK3FGdz09>

Meeting ID: 892 6464 7287 Passcode: 553133

Or by phone, call: 1-669-900-6833 Meeting ID: 892 6464 7287 Passcode: 553133

Following receipt of public comment and open session items, the Board will adjourn to closed session. Reportable action, if any, will be available upon inquiry within twenty-four (24) hours.

***NOTE: The Board may take action on any agendized item unless specifically designated a "discussion" item or a "report."***

1. Call to Order and Roll Call
2. Communications from the Public
3. Public Hearing - Annexing Certain Territory within the West Bay Sanitary District's On-Site Wastewater Disposal Zone – Lands of Pistol & Khorsand (0 Alpine Road, Palo Alto) Pg. 3-1
4. Consider Adopting Resolution Ordering Annexation of Certain Parcels in the Territory of West Bay Sanitary District to the West Bay Sanitary District's On-Site Wastewater Disposal Zone Including Certain Determinations, Findings and Declarations of the District Board – Lands of Pistol & Khorsand (0 Alpine Road, Palo Alto) Pg. 4-1

5. Public Hearing - Annexing Certain Territory within the West Bay Sanitary District's On-Site Wastewater Disposal Zone – Lands of Davidson (20 Shoshone Place, Portola Valley) Pg. 5-1
6. Consider Adopting Resolution Ordering Annexation of Certain Parcels in the Territory of West Bay Sanitary District to the West Bay Sanitary District's On-Site Wastewater Disposal Zone Including Certain Determinations, Findings and Declarations of the District Board – Lands of Davidson (20 Shoshone Place, Portola Valley) Pg. 6-1
7. Consent Calendar

*Matters listed under this item are considered routine and will be enacted by one motion. The motion, seconds, and vote are applicable to any included resolutions and recorded accordingly. There will be no separate discussion of these items unless specifically requested by a member of the Board.*

  - A. Approval of Minutes for Regular Meeting October 26, 2022 Pg. 7A-1
  - B. Approval of the Financial Activity Report Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters thru October 31, 2022 Pg. 7B-1
  - C. WBSD Operations and Maintenance Report – October 2022 Pg. 7C-1
  - D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – October 2022 Pg. 7D-1
  - E. Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – October 2022 Pg. 7E-1
  - F. Consider Approval of Resolution Authorizing District to Implement Teleconferenced Public Meetings Pursuant to Assembly Bill 361 Pg. 7F-1
  - G. Consideration of Resolution Consenting to Annexation of Territory to the West Bay Sanitary District by the Santa Clara County Local Agency Formation Commission – 0 Alpine Road, Palo Alto, Lands of Pistol & Khorsand Pg. 7G-1
  - H. Consideration of Resolution Consenting to Annexation of Territory to the West Bay Sanitary District by the San Mateo County Local Agency Formation Commission – 20 Shoshone Place, Portola Valley, Lands of Davidson Pg. 7H-1
  - I. Consider Authorizing the General Manager to Issue the Class 3 Permit for the Sewer Realignment Required for 358 Walsh Road, Atherton and Ratify Authorizing the General Manager to Execute an Agreement with Pacific Peninsula Group Pg. 7I-1
  - J. Bank of the West Monthly Investment Portfolio Statements Pg. 7J-1
8. General Manager's Report Pg. 8-1
9. Presentation and Discussion on the Parcel Management System by Engineering Data Software for the San Mateo County Tax Roll Pg. 9-1
10. Presentation and Discussion on the Levee Improvements and Bayfront Recycled Water Facility Funding Pg. 10-1
11. Consider Authorizing the General Manager to Consent to the Abandonment of Public Utility Easement at 5 Robert S. Drive, Menlo Park Pg. 11-1
12. Discussion and Direction on Sharon Heights Recycled Water Plant Pg. 12-1



13. Discussion and Direction on Bayfront Recycled Water Project and Status Update Pg. 13-1
14. Report and Discussion on South Bayside Waste Management Authority (SBWMA) Pg. 14-1
15. Report and Discussion on Silicon Valley Clean Water (SVCW) Plant Pg. 15-1
16. Comments or Reports from Members of the District Board and Consider Items to be Placed on Future Agenda
17. Adjournment

The West Bay Sanitary District does not discriminate against persons with disabilities. Upon request, the agenda and agenda packet can be provided in a format to accommodate special needs. If you require a copy of the agenda or related materials in an alternative format to accommodate a disability, or if you wish to attend this public meeting and will require special assistance or other special equipment, please call the District at (650) 321-0384 at least five days in advance and we will make every reasonable attempt to provide such an accommodation.

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## WEST BAY SANITARY DISTRICT AGENDA ITEM 3

**To:** *Board of Directors*

**From:** *Todd Reese, Office & Communications Manager*

**Subject:** *Public Hearing - Annexing Certain Territory Within the West Bay Sanitary District's On-Site Wastewater Disposal Zone – Lands of Pistol & Khorsand (0 Alpine Road, Palo Alto)*

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### Background

On September 14, 2022, the Board adopted a Resolution of intention to annex the parcel referenced above to the District's On-Site Wastewater Disposal Zone. The Public Hearing date was established as November 9, 2022.

### Analysis

The District's ***Master Resolution Governing Annexations of Territory to the West Bay Sanitary District On-Site Disposal Zone*** states: "Pursuant to Section 6959 of the Health and Safety Code, the date of the Public Hearing shall be commenced no less than 45 days nor more than 60 days from the date of adoption of the Resolution of Intention, and the Public Hearing shall be completed no more than 90 days after the first day of the hearing."

In accordance with Section 6960, and 6960.1 of the same code, reviews and reports of findings are required of both the County Health Officers and Regional Water Quality Control Board. Additionally, Section 6960.3 of this code requires the review and approval by a local agency formation commission, which has adopted rules and regulations affecting the functions and services of special districts.

The Santa Clara County Health Officer has responded by a letter of approval dated November 2, 2022 a copy of which is attached; County Health Officer has responded by a letter of approval dated November 2, 2022 a copy of which is attached; the San Francisco Bay Regional Water Quality Control Board responded by a letter of approval dated October 31, 2022, a copy of which is attached; and the Santa Clara County Local Agency Formation Commission has approved per their Resolution No. 939 dated September 16, 2002, a copy of which is attached.

### Fiscal Impact

Property owners have paid all annexation fees and the fiscal impact would be additional sewer service charge revenue to the District once the parcel is connected.

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**Report to the District Board for the Regular Meeting of November 9, 2022**

Recommendation

The Board is asked to close the Public Hearing following public comment.

Attachments: Santa Clara County Health Officer Letter

San Mateo County Health Officer Letter

Santa Clara County Local Agency Formation Commission Resolution No. 939

San Francisco Bay Regional Water Quality Control Board Letter

**From:** Camp, Jeff <Jeff.Camp@deh.sccgov.org>  
**Sent:** Wednesday, November 2, 2022 12:23 PM  
**To:** Todd Reese <TReese@westbaysanitary.org>  
**Cc:** Haghighi, Darius <darius.haghighi@deh.sccgov.org>  
**Subject:** Intention to Annex Certain Territory (Lands of Pistol & Khorsand) to the West Bay Sanitary District On-Site Wastewater Disposal Zone APN: 182-36-046

Good Afternoon,

In regards to the October 28, 2022, letter of *Intention to Annex Certain Territory* to District's On-Site Wastewater Disposal Zone for parcel 182-36-046, the Santa Clara County Department of Environmental Health (DEH) has reviewed the letter of intent and has no objection to the annexation of this parcel into the District's on-site wastewater disposal zone. DEH records show there is no existing OWTS on this property. If you have any questions, please call Jeff Camp at 408-918-3473.

*Jeff Camp*

Registered Environmental Health Specialist  
Santa Clara County  
Department of Environmental Health  
408-918-3473 office  
408-318-1559 mobile

**Work Schedule: Tues – Fri 7:30am – 6:00pm**



November 2, 2022

APN 182-36-046

Todd Reese  
West Bay Sanitary District  
500 Laurel Street  
Menlo Park, CA 94025

Dear Mr. Reese:

**SUBJECT: ANNEXATION, 0 ALPINE ROAD, PORTOLA VALLEY, SANTA CLARA COUNTY,**

Thank you for the October 28, 2022, letter of *Intention to Annex Certain Territory* to District's On-Site Wastewater Disposal Zone for the subject parcel. County Environmental Health has reviewed the letter of intent and has no objection to the annexation of this parcel into the District's on-site wastewater disposal zone for transport to and ultimate disposal within San Mateo County. As the subject parcel is within Santa Clara County, the Health Officer or designee for Santa Clara County should also comment on the appropriateness of inclusion of this parcel in the ZOMAR.

Should you have any questions, please call me at (650) 372-6279.

Sincerely,

Supervisor Water Protection and Land Use Programs

cc: Laura Russell, Planning Director, Town of Portola Valley



**LOCAL AGENCY FORMATION COMMISSION  
SANTA CLARA COUNTY**  
www.santaclara.lafco.ca.gov  
County Government Center, 11<sup>th</sup> Floor, East Wing  
70 West Hedding Street, San Jose, CA 95110  
Tel. (408) 299-5127 Fax: (408) 295-1613  
Neelima Palacherla, Executive Officer

Doc#: 16321728  
6/19/2002 3:19 PM

**ENDORSED COPY**

**CERTIFICATE OF COMPLETION**

I, Neelima Palacherla, Executive Officer of the Santa Clara Local Agency Formation Commission, issue this Certificate of Completion pursuant to Government Code Section 57200 and 57201.

I hereby certify that I have examined the Resolution for Annexation attached hereto, entitled Resolution of the Local Agency Formation Commission of the County of San Mateo Making Determinations, Amending the Sphere of Influence of the West Bay Sanitary District and Approving the Annexation of the Lands of Conroe, Gerst *et al* to the West Bay Sanitary District, Waiving Conducting Authority Proceedings and Ordering Said Annexation, Resolution No. 939, adopted by the San Mateo County Local Agency Formation Commission on May 15, 2002.

The name of the District is **West Bay Sanitary District**.


The change of organization completed is an **ANNEXATION** to the West Bay Sanitary District of 25.04 acres consisting of fourteen (14) parcels located along Los Trancos Creek Road in Santa Clara County. The Resolution, along with the maps and legal descriptions of the boundaries of the annexation are attached hereto.

The title of the proceeding is **2002 Sphere of Influence Amendment and Annexation, Lands of Conroe, Gerst et al**.

San Mateo County is the principal county for West Bay Sanitary District. Resolution No. 939 is being filed in Santa Clara County, as well as in San Mateo County, because the affected area of the annexation lies solely in Santa Clara County.

I declare under penalty of perjury in the State of California that the foregoing is true and correct.

Date: 06/19/02

  
\_\_\_\_\_  
Neelima Palacherla, Executive Officer  
LAFCO of Santa Clara County

Attachment: San Mateo LAFCO Resolution No. 939

RESOLUTION NO. 939

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF SAN MATEO  
MAKING DETERMINATIONS, AMENDING THE SPHERE OF INFLUENCE  
OF THE WEST BAY SANITARY DISTRICT AND  
APPROVING THE  
ANNEXATION OF THE LANDS OF CONROE, GERST ET AL.  
TO THE WEST BAY SANITARY DISTRICT,  
WAIVING CONDUCTING AUTHORITY PROCEEDINGS  
AND ORDERING SAID ANNEXATION**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the West Bay Sanitary District in the County of San Mateo was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the proposal at the time noticed thereof, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and



WHEREAS, annexation of certain parcels is not consistent with existing district sphere of influence and it is appropriate that the Commission consider amendment of the sphere in connection with this proposal; and

WHEREAS, the landowners and District have requested that the Commission waive conducting authority proceedings pursuant to government code Section 56663; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. The West Bay Sanitary District sphere of influence is hereby amended to include the territory shown in Exhibit 1.

Section 2. The statement of determinations required by Government Code Section 56425 are as follows:

1) The present and planned land uses in the area, including agricultural and open space lands.

The present and planned land uses in the area are residential in nature with a County General Plan designation of Hillside and a city general plan designation of "Open Space District" which permits residential development.

(2) The present and probable need for public facilities and services in the area.

The area is an unincorporated, residential area and as reported by Santa Clara County Environmental Health, is characterized by high ground water and slopes making use of septic systems problematic. Future demand for services would increase as additional development occurs consistent with, and limited by City and County adopted general plans and zoning regulations.

- (3) The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

The City of Palo Alto is the next nearest sewer provider in the area but the area is physically separated from the City and the City cannot extend sewer service. West Bay Sanitary District is a regional sewer provider already serving adjacent areas and has indicated that it has sewage treatment capacity.

- (4) The existence of any social or economic communities of interest in the area if the Commission determines they are relevant to the agency.

This residential neighborhood south of Los Trancos Creek can be identified as a community of interest in that the area is accessed from the Town of Portola Valley and served by the same water provider. West Bay Sanitary District is already serving adjacent areas including other residential parcels in Santa Clara County along the Creek.

Section 3. This proposal is approved subject to the following conditions:

- a) submittal of revised maps and legal descriptions which meet the requirements of the State Board of Equalization and the County of Santa Clara Surveyor.

Section 4. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "2" attached hereto and by this reference incorporated herein.

Section 5. The territory consists of 25.04 acres, is found to be inhabited, and is assigned the following distinctive short form designation: Annexation of the Lands of Conroe, Gerst et al. to the West Bay Sanitary District.

Section 6. Subsequent annexation of the territory to West Bay Sanitary District On-Site Wastewater Disposal Zone if required is hereby approved.

Section 7. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56663 and this annexation is hereby ordered.

Regularly passed and adopted this 15th day of May, 2002.

Ayes and in favor of said resolution:

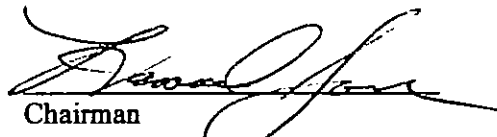
Commissioners: Duane Bay  
Robert Craig (Alt)  
Rich Gordon  
Rose Jacobs Gibson (Alt)  
Marguerite Kaufman  
Sepi Richardson  
Howard Jones

Noes and against said resolution:

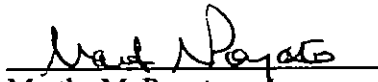
Commissioners: none \_\_\_\_\_  
 \_\_\_\_\_

~~Absent and/or Abstentions:~~

Commissioners: Iris Gallagher, Jerry Hill

  
 Chairman  
 Local Agency Formation Commission  
 County of San Mateo  
 State of California

ATTEST:

  
 Martha M. Poyatos  
 Executive Officer  
 Local Agency Formation Commission

Date: 5/16/02

I certify that this is a true and correct copy of the resolution above set forth.

Date: 5/16/02

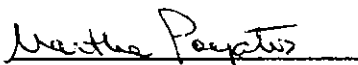
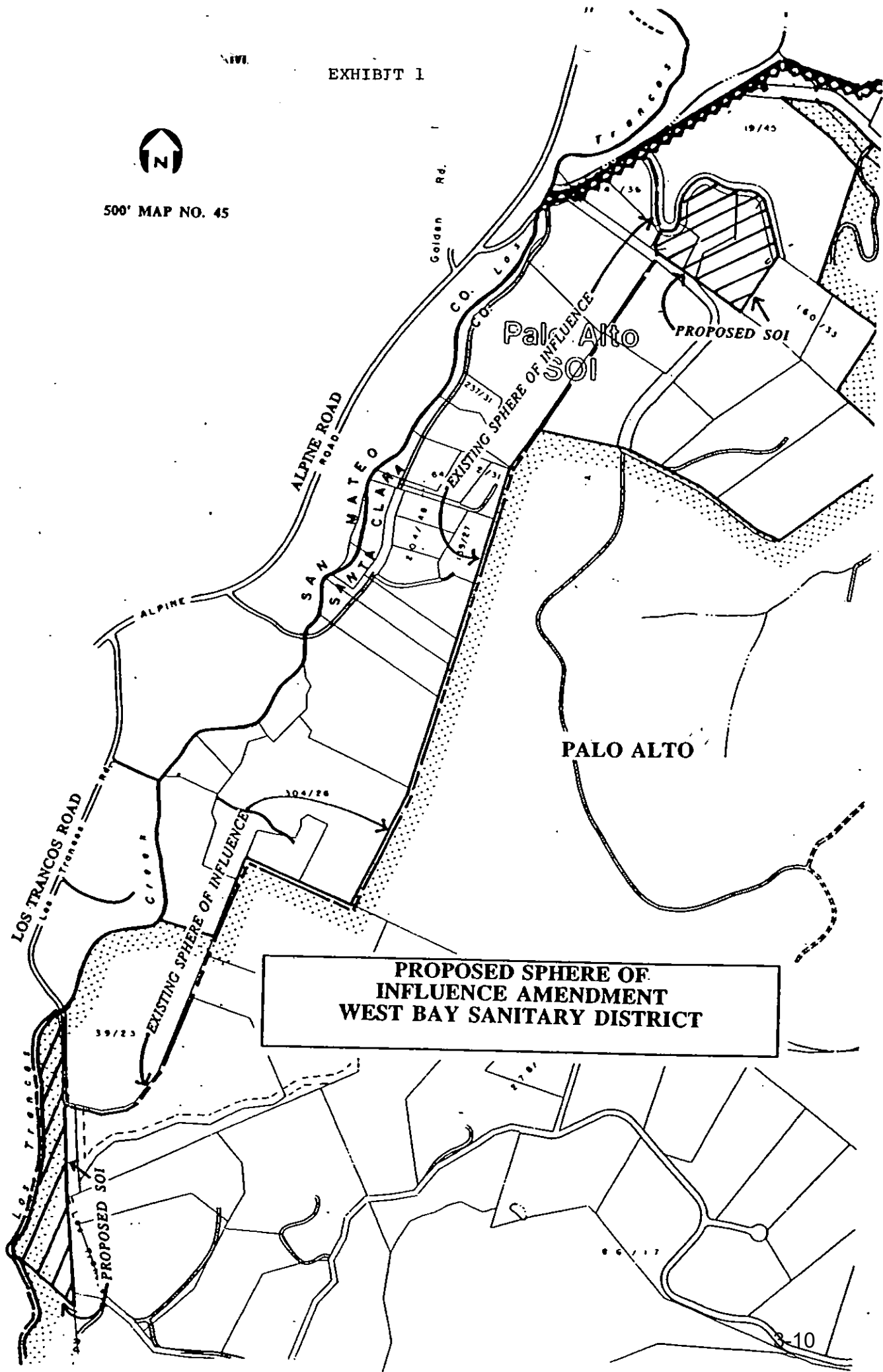
  
 Martha Poyatos  
 Clerk to the Commission

EXHIBIT 1



500' MAP NO. 45



**PROPOSED SPHERE OF  
INFLUENCE AMENDMENT  
WEST BAY SANITARY DISTRICT**

**Brian Kangas Foulk**

Engineers • Surveyors • Planners

January 31, 2001

BKF Job No. 19990196-10

**LEGAL DESCRIPTION OF  
AREA TO BE ANNEXED TO  
WEST BAY SANITARY DISTRICT**

All that real property situate in the City of Palo Alto, Santa Clara County, State of California, being all of the Lands of Conroe as said lands are described in that certain grant deed filed for record as Document No. 14311804 on July 31, 1998, Santa Clara County Records, being bounded on the south by the Lands of Conroe as said lands are described in that certain grant deed filed for record as Document No. 10786687 on January 23, 1991, Santa Clara County Records and the West Bay Sanitary District as described in Resolution No. 1166 and adopted in 1990, on the west by the centerline of Los Trancos Creek and the Lands of Woods as said creek and said lands are described in that certain grant deed filed for record as Document No. 85057917 on June 11, 1985, San Mateo County Records, on the east by the Lands of Lehmann as said lands are described in that certain grant deed filed for record as Document No. 14249354 on June 24, 1998, the Lands of Brady and McGowan as said lands are described in that certain grant deed filed for record as Document No. 15079834 on December 6, 1999, the Lands of McNealy as lands are described in that certain grant deed filed for record as Document No. 15206826 on April 7, 2000, Santa Clara County Records, and being more particularly described as follows:

BEGINNING at the intersection of the most northerly corner of the West Bay Sanitary District as shown on said Resolution No. 1166, the centerline of Los Trancos Creek, and the most southerly corner of the Land of Woods as said creek and lands are shown on that certain map entitled "Portola Valley Ranch 4," filed for record on December 1, 1981 in Volume 106 of Maps at pages 26 through 32, inclusive, San Mateo County Records; thence northeasterly along the centerline of said creek and the most easterly line of the Lands of Woods as said lands are described in said deed North 37°57'56" East, a distance of 117.55 feet; thence North 21°07'07" East, a distance of 168.03 feet; thence North 19°18'05" East, a distance of 64.62 feet; thence North 07°39'56" East, a distance of 172.30 feet; thence North 01°29'20" West, a distance of 448.86 feet; thence North 10°36'36" East, a distance of 243.74 feet to the most northwesterly corner of the Land of Lehmann as said lands are described in said deed; thence southerly along the westerly line of said lands South 07°30'00" East, a distance of 222.42 feet; thence South 02°30'00" East, a distance of 195.00 feet to the most southwesterly corner of said lands; thence continuing along said westerly line South 02°30'00" East, a distance of 500.00 feet to the most southwesterly corner of the Lands of Brady and McGowan as said lands


*12.11.01*  
*OK*

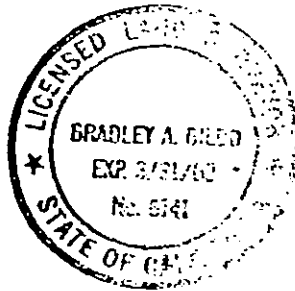
*7/11/01*

WBSD EXHIBIT A1 (PAGE 2)

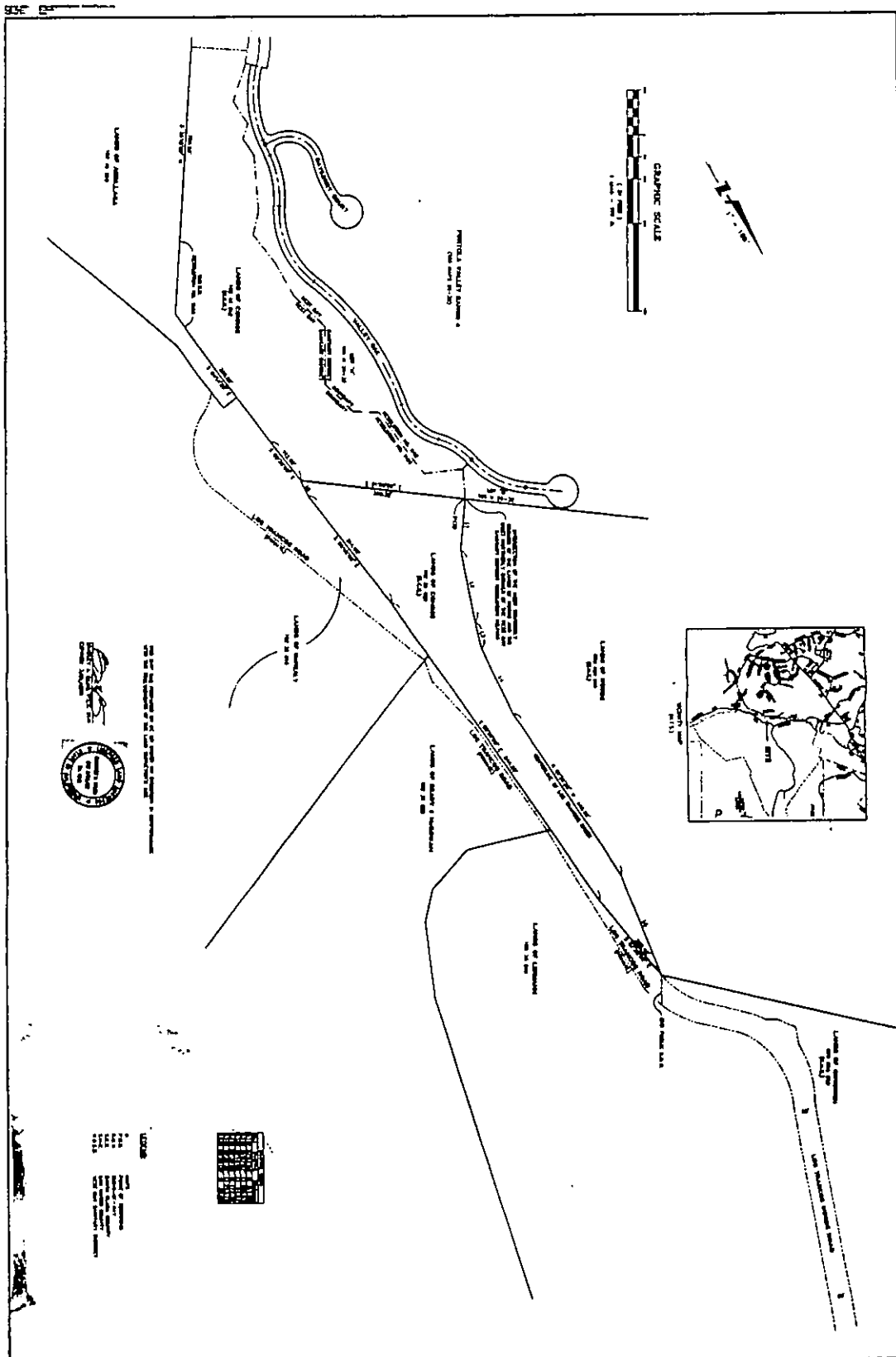
are described in said deed; thence continuing along said westerly line South 02°30'00" East, a distance of 149.20 feet; thence South 05°45'00" East, a distance of 314.00 feet; thence South 06°28'00" West, a distance of 39.00 feet to the most southerly corner of the Lands of Conroe as described in said deed and the most northeasterly corner of the West Bay Sanitary District as adopted and described in Resolution No. 1166; thence leaving said westerly line and northwesterly along the most southerly line of the Lands of Conroe as described in said deed and the most northerly line of said West Bay Sanitary District North 51°00'00" West, a distance of 390.32 feet to the POINT OF BEGINNING and containing an area of 3.54635 acres, more or less.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's act.

  
Bradley A. Bilbo, P.L.S. 6141  
Expires: 3/31/2002  
K:\Main\1999\990196\Legals\Conroe.doc



January 31, 2001  
Dated



00-881069	1	1	1
DATE	BY	CHKD	DESCRIPTION

**AREA TO BE ANNEXED TO  
WEST BAY SANITARY DISTRICT  
THE LANDS OF CONROE**

PALO ALTO      SANTA CLARA      CALIFORNIA

**Brian Kangas Fouk**  
Engineers • Surveyors • Planners

240 FINE AVENUE  
SANTA CLARA CITY, CA 95050  
408/251-1200  
408/251-1200 (FAX)

© Brian Kangas Fouk

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF GERST**

**THAT CERTAIN PARCEL OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**ALL OF PARCEL 1 AS SAID PARCEL IS SHOWN ON THAT CERTAIN  
RECORD OF SURVEY OF "LAND OF A.T. ATTERBURY" RECORDED  
SEPTEMBER 14, 1956 IN BOOK 74 OF MAPS AT PAGE 36, SANTA CLARA  
COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL 1 AS  
SHOWN ON SAID MAP, THENCE ALONG THE EASTERLY LINE OF  
ARASTRADERO ROAD (40-FOOT WIDE) NORTH 55° 00' EAST 246.05 FEET;  
THENCE LEAVING SAID EASTERLY LINE OF ARASTRADERO ROAD  
SOUTH 34° 14' EAST 44.50 FEET TO THE BEGINNING OF A TANGENT  
CURVE, CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF A  
220-FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 36° 44' AN  
ARC DISTANCE OF 128.22 FEET; THENCE TANGENT TO LAST SAID  
CURVE SOUTH 2° 30' EAST 134.50 FEET TO THE BEGINNING OF A  
TANGENT CURVE, CONCAVE TO THE NORTHEAST; THENCE ALONG THE  
ARC OF A 150-FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF  
25° 02' AN ARC DISTANCE OF 65.54 FEET; THENCE LEAVING SAID CURVE  
SOUTH 62° 28' WEST 20.00 FEET; THENCE NORTH 52° 07' WEST 354.23 FEET  
TO THE POINT OF BEGINNING.**

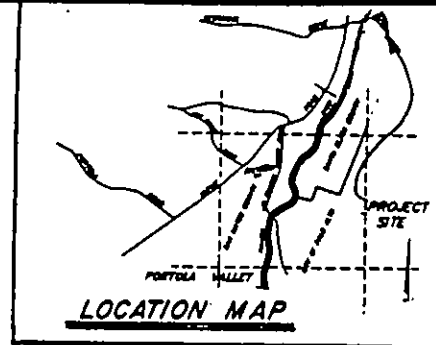
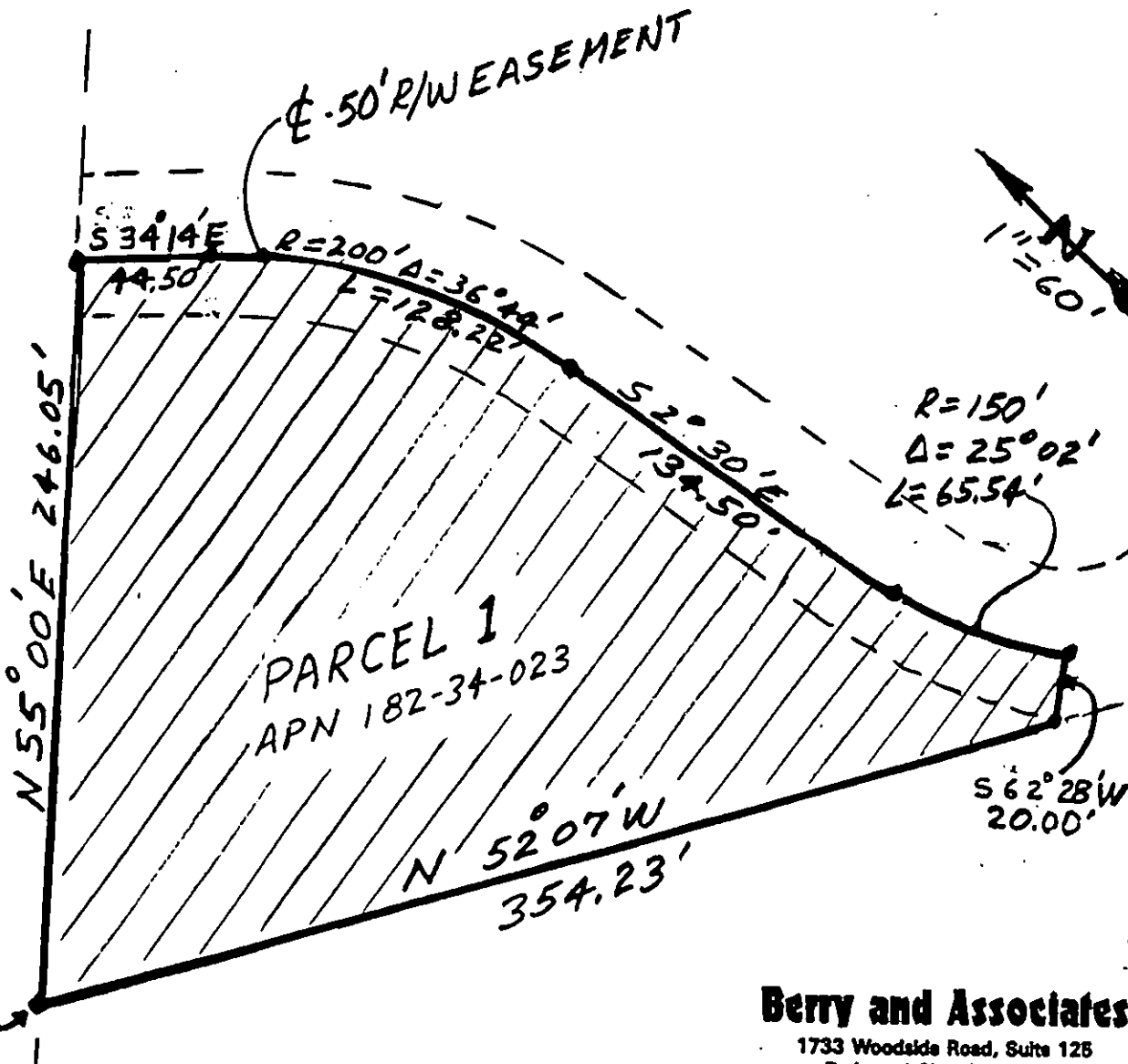
**CONTAINING 1.1778 ACRES, MORE OR LESS.**

**APN 182-34-023**





ARASTRADERO ROAD  
(40' WIDE)





 PROPOSED ANNEXATION  
 BOUNDARY LINE OF PROPOSED ANNEXATION

EXHIBIT B  
 PROPOSED ANNEXATION TO  
 THE WEST BAY SANITARY DISTRICT  
 LANDS OF GERST

DATE 3/8/02	SCALE
BY	

**Berry and Associates**  
 1733 Woodside Road, Suite 125  
 Redwood City, CA 94061  
 Phone: 650/368-0790 FAX: 650/308-1048

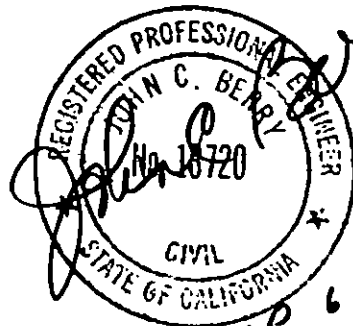
**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WINCHELL**

**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF THAT CERTAIN 5.0119 ACRE LOT AS SHOWN ON THE MAP ENTITLED "RECORD OF SURVEY OF A PORTION OF EL CORTE MADERA RANCHO, SANTA CLARA COUNTY", RECORDED IN BOOK 19 OF MAPS AT PAGE 45, SANTA CLARA COUNTY RECORDS SAID POINT BEING THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS NORTH 00° 58' 00" EAST, 49.37 FEET ON SAID MAP; THENCE NORTH 00° 58' 00" WEST 49.37 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET, THROUGH A CENTRAL ANGLE OF 51° 09' 00", AN ARC DISTANCE OF 156.23 FEET; THENCE NORTH 50° 11' 00" EAST 29.40 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 62° 07' 00", AN ARC DISTANCE OF 54.21 FEET; THENCE SOUTH 67° 42' 00" EAST 76.50 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 20° 32' 00", AN ARC DISTANCE OF 53.76 FEET; THENCE SOUTH 88° 14' 00" EAST 84.00 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 72° 05' 00", AN ARC DISTANCE OF 125.81 FEET; THENCE SOUTH 16° 09' 00" EAST 252.32 FEET; THENCE SOUTH 30° 53' 00" WEST 350.00 FEET; THENCE NORTH 58° 00' 00" WEST 553.86 FEET; THENCE NORTH 23° 06' 11" EAST 105.39 FEET; THENCE NORTH 41° 52' 50" EAST 20.00 FEET TO A POINT OF CURVATURE THROUGH WHICH A RADIAL LINE BEARS SOUTH 41° 52' 50" WEST; THENCE EASTERLY ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 50° 30' 50" AN ARC DISTANCE OF 44.08 FEET; THENCE NORTH 81° 22' 00" EAST 5.50 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 82° 20' 00", AN ARC DISTANCE OF 71.85 FEET TO THE POINT OF BEGINNING.**

**CONTAINING 5.93 ACRES, MORE OR LESS.**

APN'S 182-34-063  
182-34-064  
182-34-065





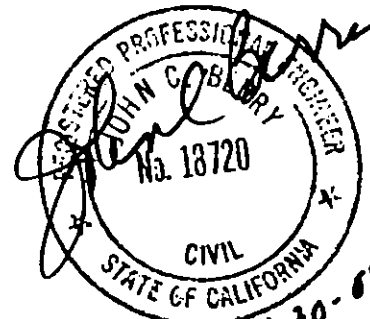
**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WATERMAN**

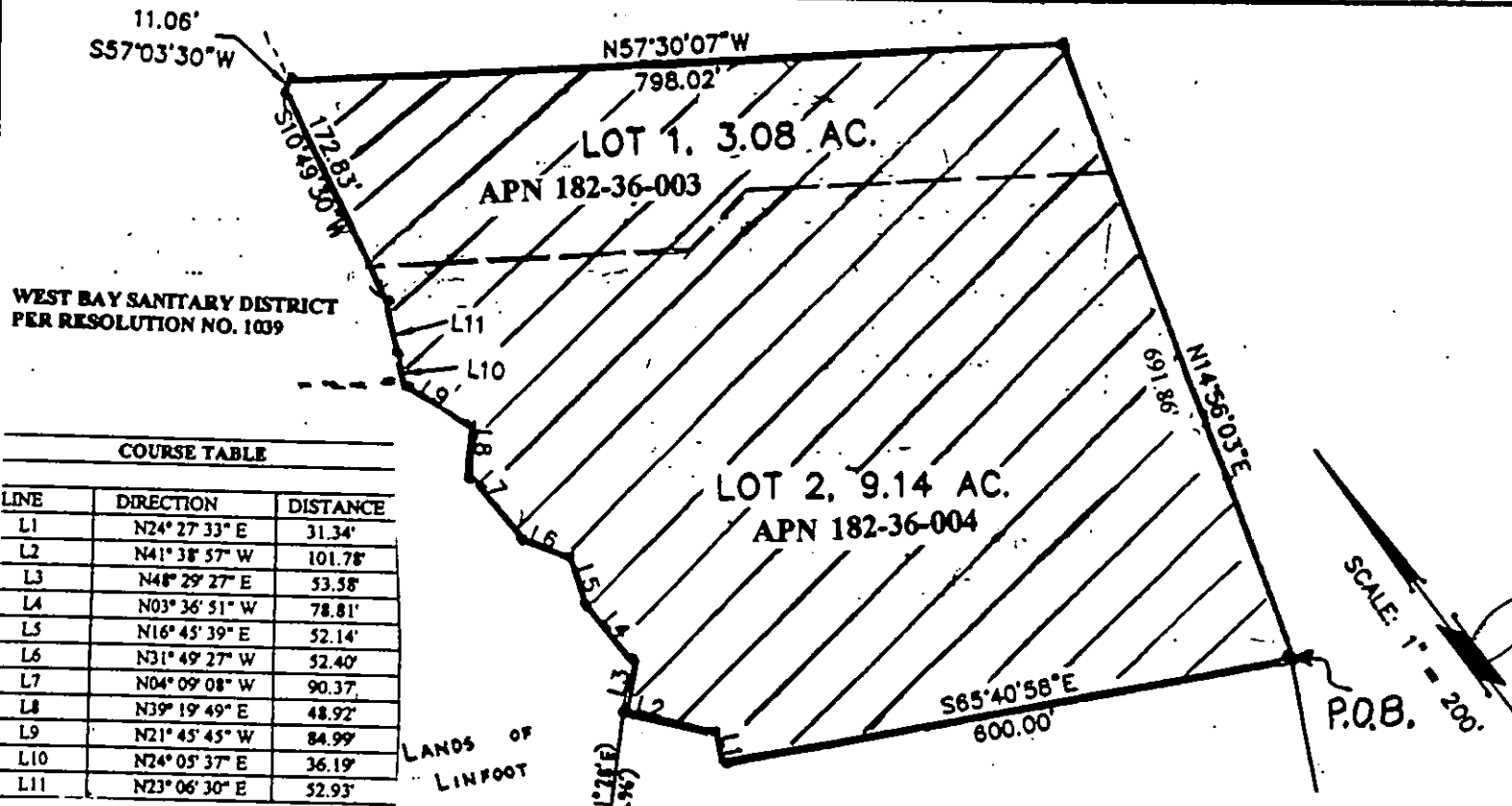
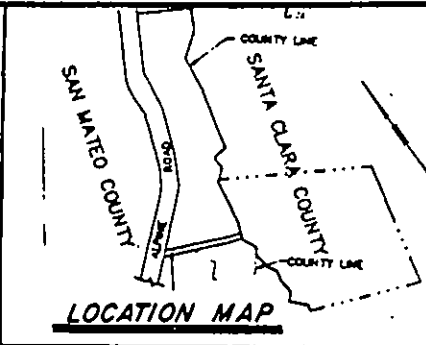
**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 2 AS SHOWN  
ON THE CERTIFICATE OF COMPLIANCE RECORDED MARCH 22, 1996 IN  
BOOK P255, PAGES 429-431, IN THE OFFICE OF THE COUNTY RECORDER  
OF SANTA CLARA COUNTY, (SAID CORNER ALSO BEING ON THE MOST  
NORTHERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER  
RESOLUTION NO. 898, RECORDED 1-20-99). THENCE FROM SAID POINT  
OF BEGINNING ALONG SAID NORTHERLY BOUNDARY OF WBSD,  
NORTH 65° 40' 58" WEST 600.00 FEET; THENCE NORTH 24° 27' 33" EAST  
31.34 FEET; THENCE NORTH 41° 38' 57" WEST 101.78 FEET; THENCE  
LEAVING SAID BOUNDARY LINE OF WBSD NORTH 48° 29' 27" EAST 53.58  
FEET; THENCE NORTH 03° 36' 51" WEST 78.81 FEET; THENCE NORTH 16°  
45' 39" EAST 52.14 FEET; THENCE NORTH 31° 49' 27" WEST 52.40 FEET;  
THENCE NORTH 04° 09' 08" WEST 90.37 FEET; THENCE NORTH 39° 19' 49"  
EAST 48.92 FEET; THENCE NORTH 21° 45' 45" WEST 84.99 FEET; THENCE  
NORTH 24° 05' 37" EAST 36.19 FEET TO A POINT IN THE EASTERLY  
BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO.  
1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY  
BOUNDARY OF WBSD NORTH 23° 06' 30" EAST 52.93 FEET; THENCE  
NORTH 10° 49' 30" EAST 172.83 FEET; THENCE NORTH 57° 03' 30" EAST  
11.06 FEET; THENCE LEAVING SAID WBSD BOUNDARY SOUTH 57° 30' 07"  
EAST 798.02 FEET; THENCE SOUTH 14° 56' 03" WEST 691.86 FEET TO THE  
POINT OF BEGINNING.**

**CONTAINING 12.22 ACRES, MORE OR LESS**

**APN'S 182-36-003  
182-36-004**

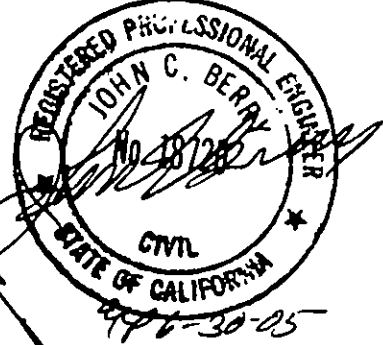




WEST BAY SANITARY DISTRICT  
PER RESOLUTION NO. 1039

**COURSE TABLE**

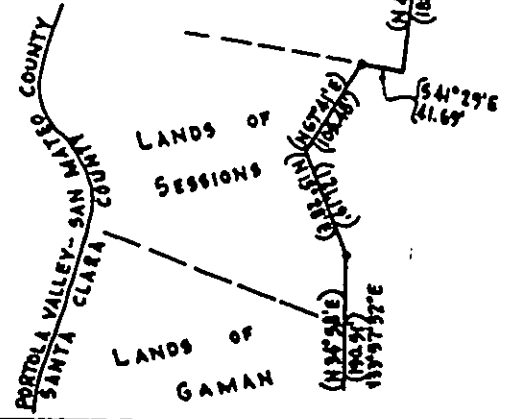
LINE	DIRECTION	DISTANCE
L1	N24° 27' 33" E	31.34'
L2	N41° 38' 57" W	101.78'
L3	N48° 29' 27" E	53.58'
L4	N03° 36' 51" W	78.81'
L5	N16° 45' 39" E	52.14'
L6	N31° 49' 27" W	52.40'
L7	N04° 09' 08" W	90.37'
L8	N39° 19' 49" E	48.92'
L9	N21° 45' 45" W	84.99'
L10	N24° 05' 37" E	36.19'
L11	N23° 06' 30" E	52.93'



SCALE: 1" = 200'  
P.O.B.

WEST BAY SANITARY DISTRICT  
PER RESOLUTION NO. 898

BOUNDARY LINE OF PROPOSED ANNEXAT  
 PROPOSED ANNEXATION



**Berry and Associates**  
 1733 Woodside Road, Suite 125  
 Redwood City, CA 94081  
 Phone: 650/208-0780 FAX: 650/208-1048

**EXHIBIT B**  
**PROPOSED ANNEXATION TO**  
**THE WEST BAY SANITARY DISTRICT**  
**LANDS OF WATERMAN**

DATE 5/8/02 SCALE \_\_\_\_\_  
 BY \_\_\_\_\_

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WESTALL**

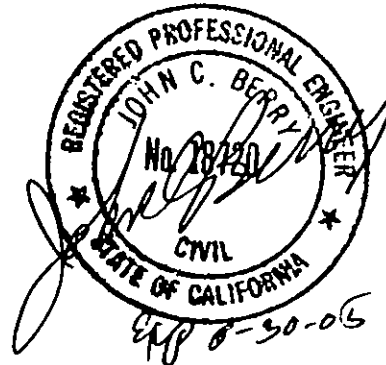
**THAT CERTAIN PARCEL OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

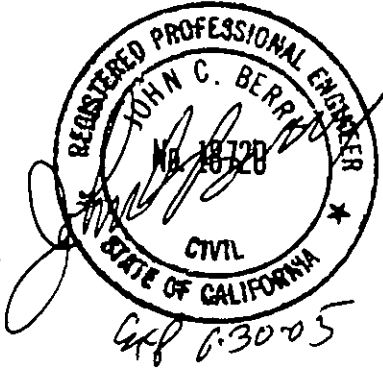
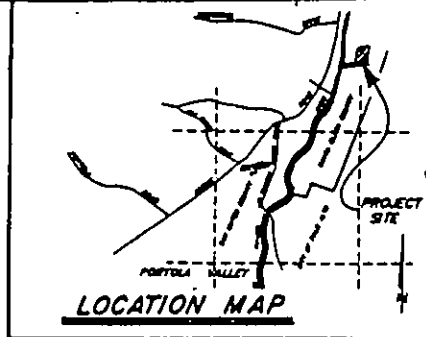
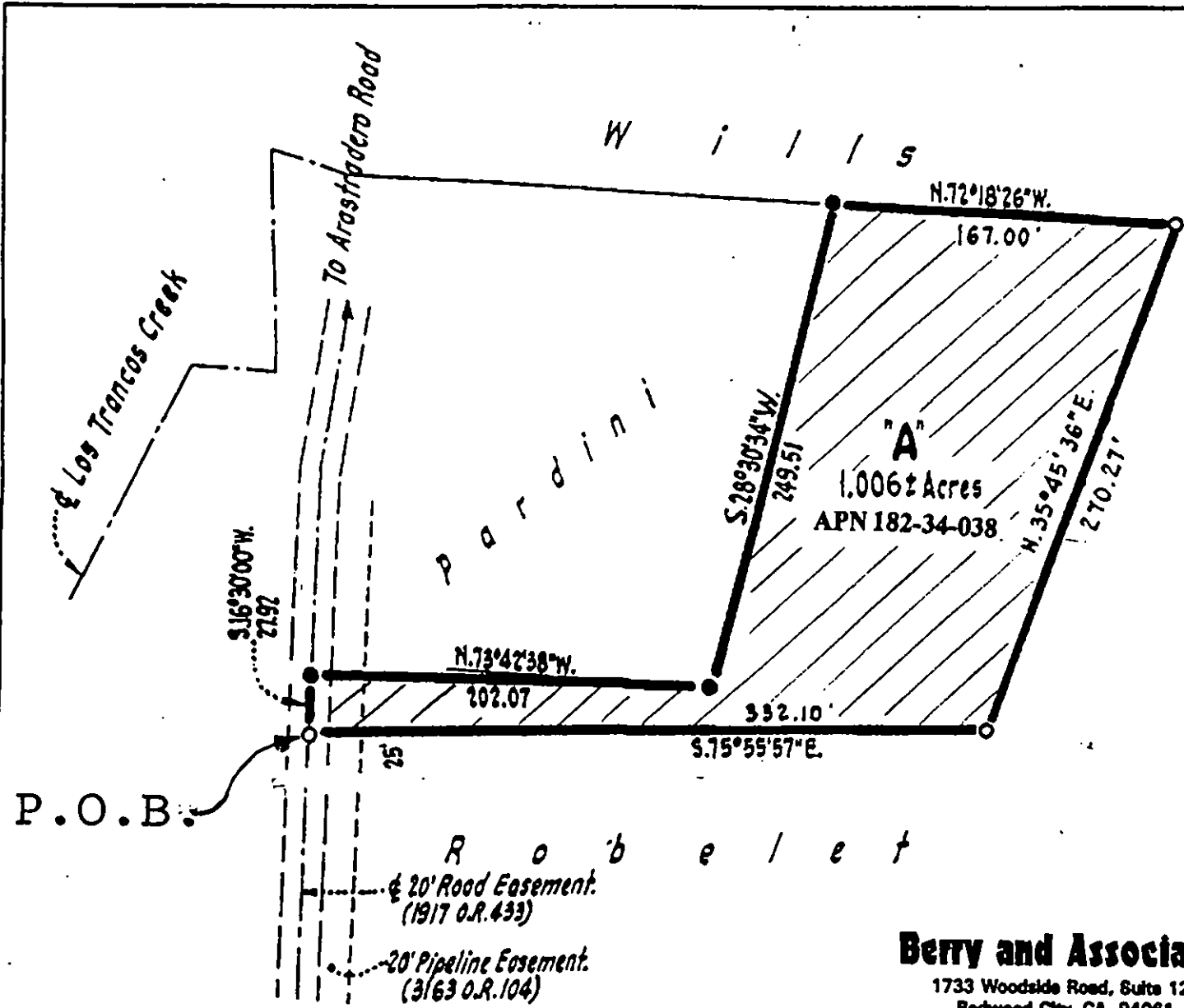
**ALL OF PARCEL "A" AS SAID PARCEL IS SHOWN ON THAT CERTAIN  
"RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE  
MADERA FOR DWIGHT F. BECHTOLD" RECORDED JANUARY 28, 1964 IN  
BOOK 172 OF MAPS AT PAGE 31, RECORDS OF SANTA CLARA COUNTY,  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL "A" AS  
SHOWN ON SAID RECORD OF SURVEY; THENCE SOUTH 75° 55' 57" EAST  
332.10 FEET; THENCE NORTH 35° 45' 36" EAST 270.27 FEET; THENCE  
NORTH 72° 18' 26" WEST 167.00 FEET; THENCE SOUTH 28° 30' 34" WEST  
249.51 FEET; THENCE NORTH 73° 42' 38" WEST 202.07 FEET; THENCE  
SOUTH 16° 30' 00" WEST 27.92 FEET TO THE POINT OF BEGINNING.**



**CONTAINING 1.006 ACRES, MORE OR LESS**

**APN 182-34-038**





1" = 80'

 PROPOSED ANNEXATION  
 BOUNDARY LINE OF PROPOSED ANNEXATION

<b>EXHIBIT B</b> <b>PROPOSED ANNEXATION TO</b> <b>THE WEST BAY SANITARY DISTRICT</b> <b>LANDS OF WESTFALL</b>	
DATE 5/15/02	SCALE
BY	

**Berry and Associates**  
 1733 Woodside Road, Suite 125  
 Redwood City, CA 94061  
 Phone: 650/398-0780 FAX: 650/308-1048

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF KLEIN, LANZA, REED  
URBANOWICZ, AND CARSTENS**

**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE MOST NORTHEAST CORNER OF THAT CERTAIN 1.622 ACRE PARCEL AS SAID PARCEL IS SHOWN ON "RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE MADERA FOR ORA V. WALKER" RECORDED OCTOBER 20, 1961 IN BOOK 139 OF MAPS AT PAGE 27, RECORDS OF SANTA CLARA COUNTY; THENCE SOUTH 14° 04' 03" WEST 349.21 FEET; THENCE NORTH 70° 56' 00" WEST 113.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, THROUGH WHICH A RADIAL LINE BEARS NORTH 40° 02' 00" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF A 202.98 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 27° 00' 00" AN ARC DISTANCE OF 95.65 FEET; THENCE TANGENT TO LAST SAID CURVE SOUTH 76° 58' 00" WEST 148.45 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF A 200 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 44° 32' 00", AN ARC DISTANCE OF 155.45 FEET; THENCE TANGENT TO LAST SAID CURVE, NORTH 58° 30' 00" WEST 58.77 FEET; THENCE SOUTH 35° 35' 00" WEST 20.00 FEET; THENCE NORTH 58° 30' 00" WEST 30.08 FEET; THENCE SOUTH 35° 35' WEST 100.00 FEET; THENCE NORTH 58° 30' WEST 150.80 FEET TO THE CENTERLINE OF LOS TRANCOS CREEK; SAID LINE ALSO BEING THE EASTERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO. 1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY BOUNDARY OF WBSD AND SAID CENTERLINE OF LOS TRANCOS CREEK NORTH 60° 16' 29" EAST 30.17 FEET; THENCE NORTH 10° 15' 50" EAST 72.13 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY OF WBSD NORTH 59° 33' 16" EAST 75.00 FEET; THENCE NORTH 05° 15' 00" EAST 62.07 FEET; THENCE NORTH 20° 00' EAST 105.00 FEET; THENCE NORTH 8° 00' EAST 127.00 FEET; THENCE NORTH 20° 00' EAST 84.24 FEET; THENCE LEAVING SAID CENTERLINE OF LOS TRANCOS CREEK SOUTH 75° 55' 57" EAST 673.26 FEET TO THE POINT OF BEGINNING.**

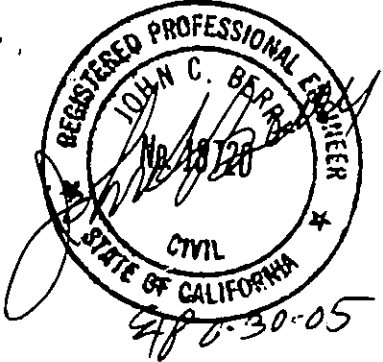
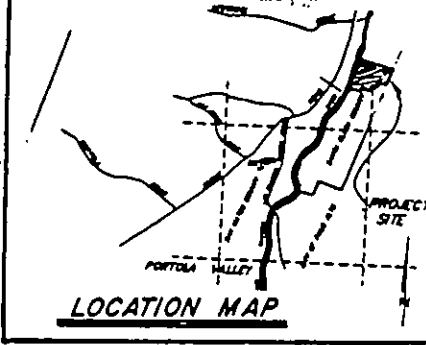
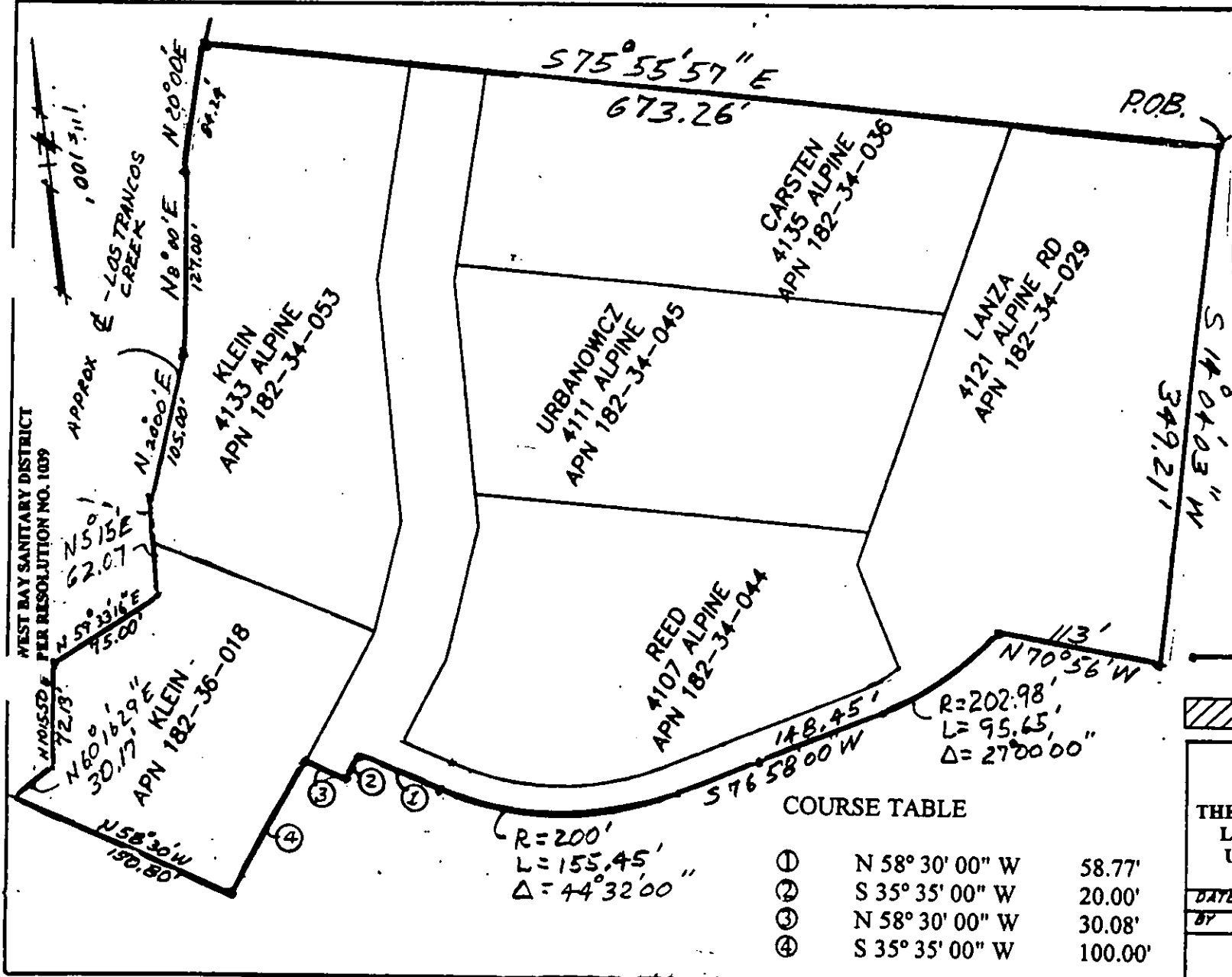
**SAID LANDS INCLUDE A 50-FOOT RIGHT OF WAY FOR OLD ALPINE ROAD AS SAID DEDICATION IS SHOWN ON AFORESAID RECORD OF SURVEY.**

**CONTAINING 7.10 ACRES, MORE OR LESS**

<b>APN'S 182-36-018</b>	<b>182-34-036</b>
<b>182-34-053</b>	<b>182-34-044</b>
<b>182-34-045</b>	<b>182-34-029</b>







BOUNDARY LINE OF PROPOSED ANNEXATION

PROPOSED ANNEXATION

COURSE TABLE

①	N 58° 30' 00" W	58.77'
②	S 35° 35' 00" W	20.00'
③	N 58° 30' 00" W	30.08'
④	S 35° 35' 00" W	100.00'

EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF KLEIN, LANZA, REED  
URBANOWICZ, AND CARSTENS

DATE	3/6/02	SCALE
BY		

**County of Santa Clara  
Office of the County Assessor**

County Government Center, East Wing 5th Floor  
70 West Hedding Street  
San Jose, CA 95110-1771  
FAX (408) 298-9446  
Lawrence E. Stone, Assessor

*amended*

**Report of the Assessor**

Proposed Designation: WEST BAY SANI. DIST.SPHERRE(LANDS OF CONROE,ETAL

Type: Annexation / Detachment / Reorganization / Special District

City or District: PORTOLA VALLEY

**Review of Proposal**

Acreage and Location: 28.66 ACRES +/- LOS TRANCOS CREEK

Assessor's Parcel Numbers: 182-34-023,029,038,044,045,046,053,063,064,065; 182-36-003,004  
182-36-018

**Conformity to Lines of Assessment:**

X  Boundaries of proposed change conform to lines of assessment or ownership.

Boundaries of proposed change fail to conform to lines of assessment or ownership as noted on the attached map.

Boundaries of the following district(s) are split as noted on the attached map.

Special Districts within proposed annexation, detachmant or territory proposed to be reorganized are:

**TRA: 093 - 025**

- [158] PALO ALTO UNIFIED SCHOOL
- [198] FOOTHILL COMM. COLLEGE
- [208] GAUDALUPE-CYOTE RESOURCE CONSV.
- [215] BAY AREA JT(1,7,21,28,41,43,38,48,49,57) AIR QUALITY MGMT.
- [221] LOS ALTOS COUNTY FIRE PROTECTION
- [252] MID-PENINSULA REGIONAL JT(41,43,44) OPEN SPACE
- [322] SANTA CLARA VALLEY COUNTY WATER
- [329] SANTA CLARA VALLEY-ZONE NW-1 COUNTY WATER
- [335] SANTA CLARA COUNTY IMPORTATION WATER-MISC.
- [377] AREA NO. 01, LIBRARY BENEFIT ASSESSMENT COUNTY SERVICE
- [378] AREA NO. 01 (LIBRARY SERVICES) COUNTY SERVICE

Total Districts this TRA: 11

By: **Pauline Coleman**  
**Mapper II**  
**408-299-5552**

Date: 7/24/2002

Fees for this report are attached.

Original APN'S Covered  
 2002 Spheres of Influence ~~and~~ (Lands of Corro, et al)

182-36-003	in Resol
004	in Resol
018	in Resol

182-34-023	in Resol.
029	in Resol

182-34-038	in Resol
044	in Resol
045	in Resol
046	in Resol. as 036

182-34-053	in Resol
------------	----------

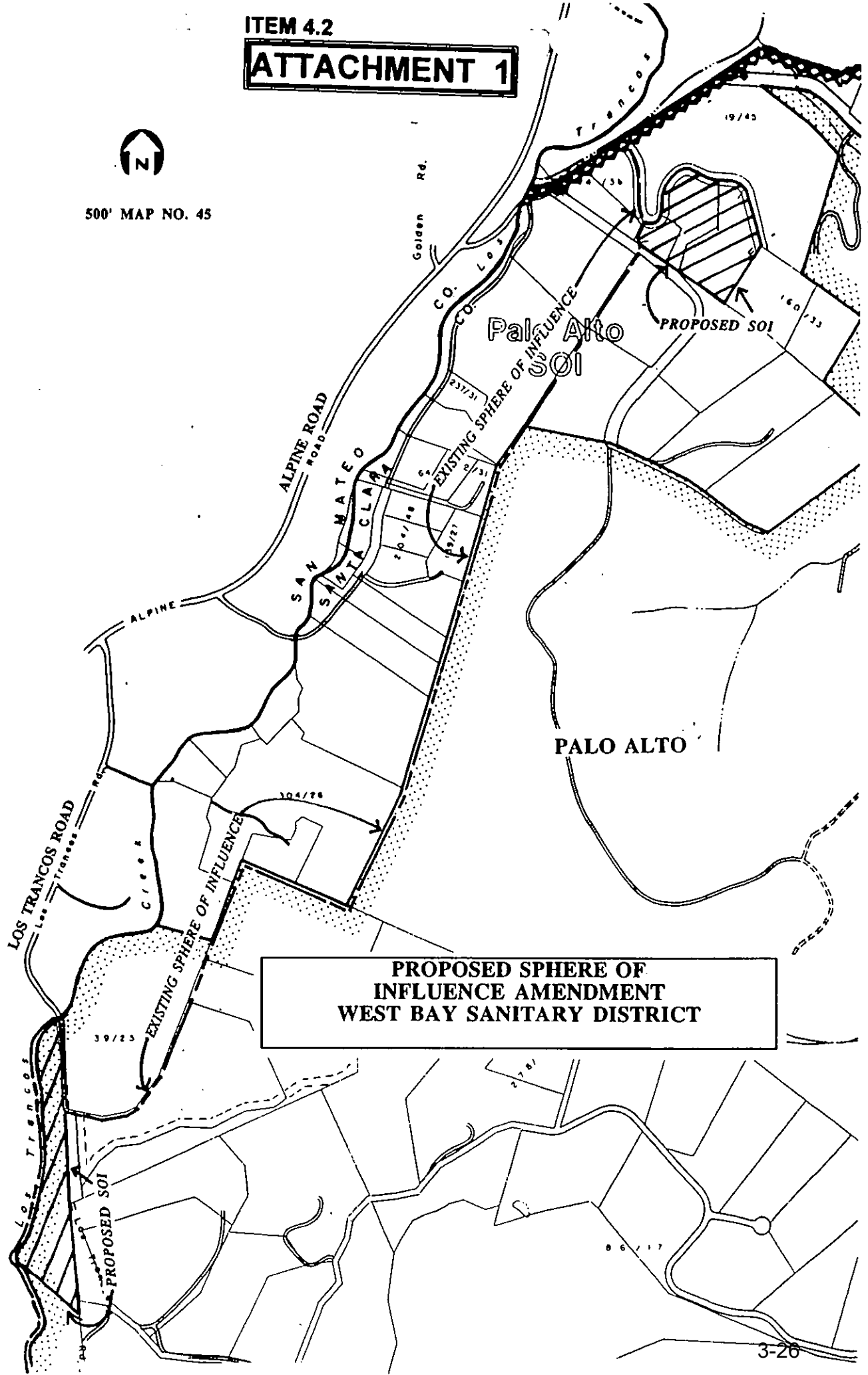
Add

182-34-063	in Resol
064	in Resol
065	in Resol
036 (as 046)	in Resol
<del>036</del>	

**ATTACHMENT 1**



500' MAP NO. 45





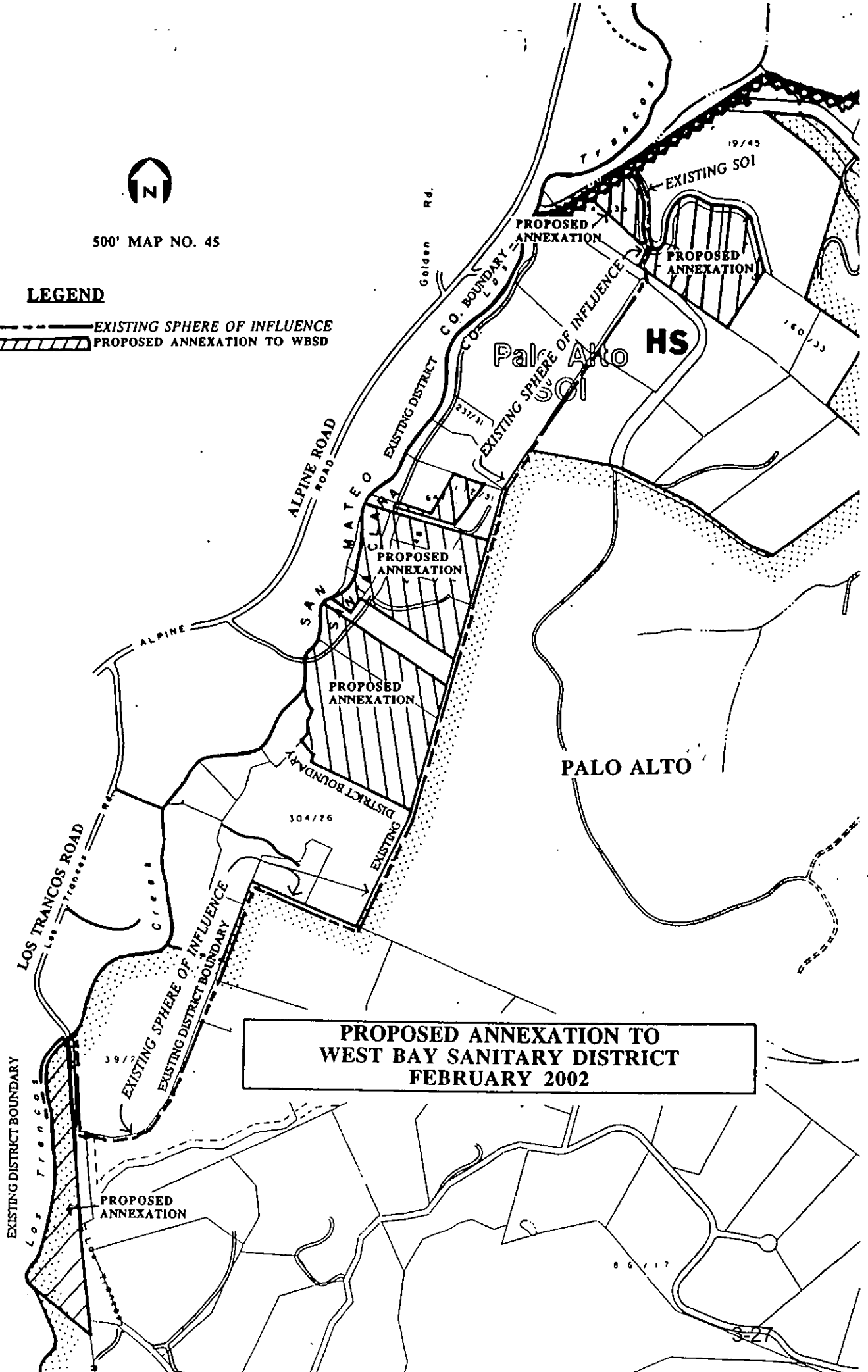
**PROPOSED SPHERE OF INFLUENCE AMENDMENT WEST BAY SANITARY DISTRICT**



500' MAP NO. 45

**LEGEND**

-  EXISTING SPHERE OF INFLUENCE
-  PROPOSED ANNEXATION TO WBSD



**PROPOSED ANNEXATION TO  
WEST BAY SANITARY DISTRICT  
FEBRUARY 2002**



**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF GERST**

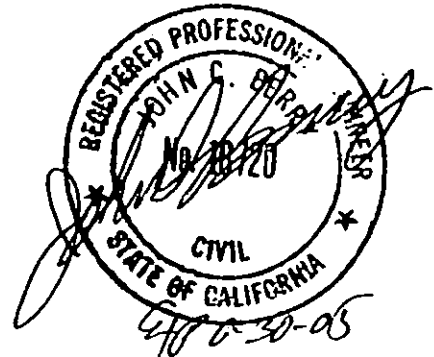
**THAT CERTAIN PARCEL OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**ALL OF PARCEL 1 AS SAID PARCEL IS SHOWN ON THAT CERTAIN  
RECORD OF SURVEY OF "LAND OF A.T. ATTERBURY" RECORDED  
SEPTEMBER 14, 1956 IN BOOK 74 OF MAPS AT PAGE 36, SANTA CLARA  
COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:**

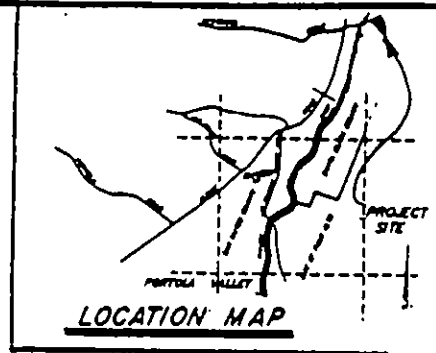
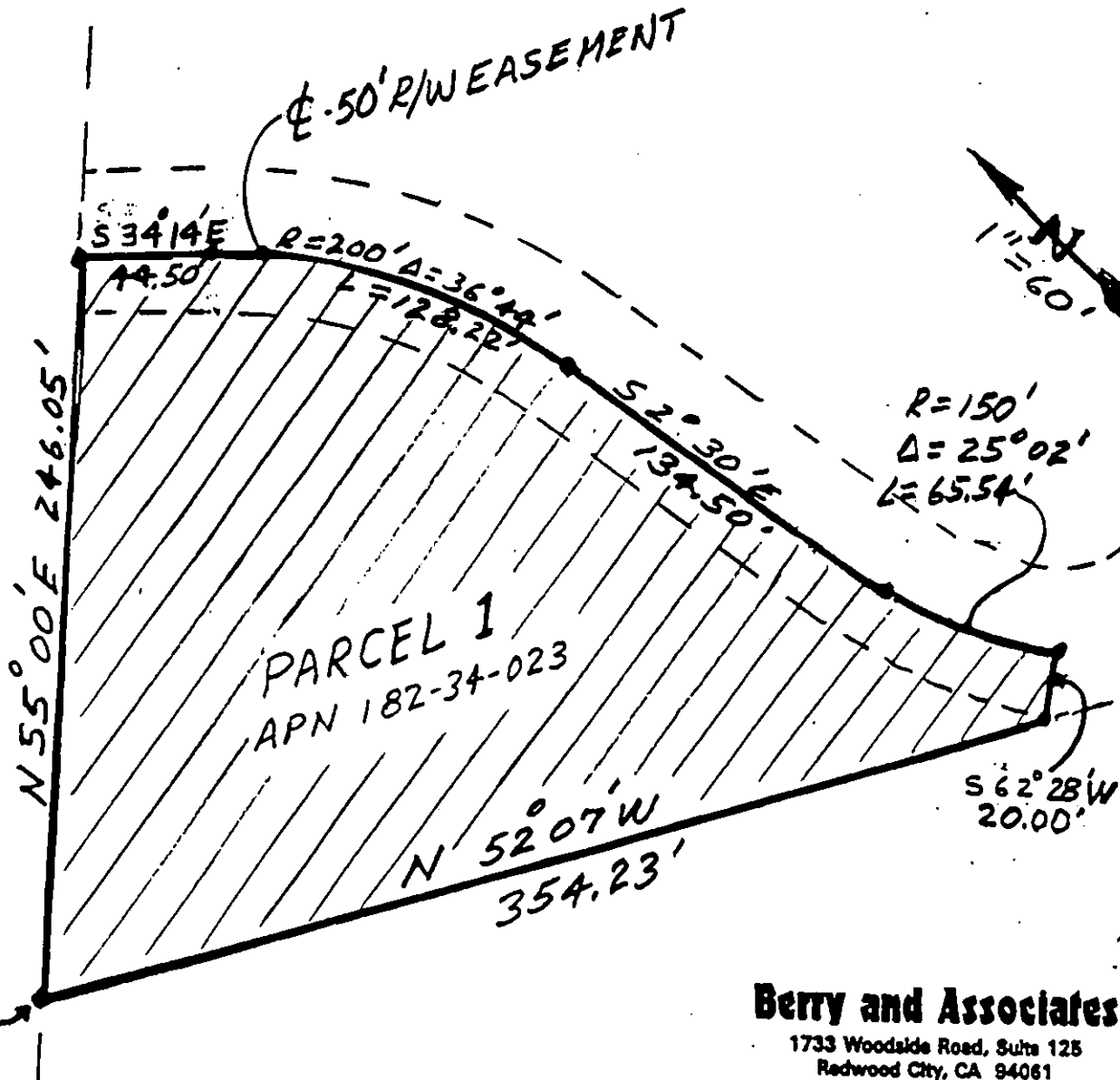
**BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL 1 AS  
SHOWN ON SAID MAP, THENCE ALONG THE EASTERLY LINE OF  
ARASTRADERO ROAD (40-FEET WIDE) NORTH 55° 00' EAST 246.05 FEET;  
THENCE LEAVING SAID EASTERLY LINE OF ARASTRADERO ROAD  
SOUTH 34° 14' EAST 44.50 FEET TO THE BEGINNING OF A TANGENT  
CURVE, CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF A  
220-FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 36° 44' AN  
ARC DISTANCE OF 128.22 FEET; THENCE TANGENT TO LAST SAID  
CURVE SOUTH 2° 30' EAST 134.50 FEET TO THE BEGINNING OF A  
TANGENT CURVE, CONCAVE TO THE NORTHEAST; THENCE ALONG THE  
ARC OF A 150-FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF  
25° 02' AN ARC DISTANCE OF 65.54 FEET; THENCE LEAVING SAID CURVE  
SOUTH 62° 28' WEST 20.00 FEET; THENCE NORTH 52° 07' WEST 354.23 FEET  
TO THE POINT OF BEGINNING.**

**CONTAINING 1.1778 ACRES, MORE OR LESS.**

**APN 182-34-023 ✓**



ARASTRADERO ROAD  
(40' WIDE)



 PROPOSED ANNEXATION

 BOUNDARY LINE OF PROPOSED ANNEXATION

**EXHIBIT B**  
**PROPOSED ANNEXATION TO**  
**THE WEST BAY SANITARY DISTRICT**  
**LANDS OF GERST**

DATE 3/8/02	SCALE
BY	

**Berry and Associates**  
 1733 Woodside Road, Suite 125  
 Redwood City, CA 94061  
 Phone: 650/308-0700 FAX: 650/308-1046



**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WINCHELL**

**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

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**CONTAINING 5.93 ACRES, MORE OR LESS.**

APN'S 182-34-063  
182-34-064  
182-34-065

REGISTERED PROFESSIONAL ENGINEER  
JOHN C. BERRY  
No. 10720  
CIVIL  
STATE OF CALIFORNIA  
EXP 6-30-05



**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WATERMAN**

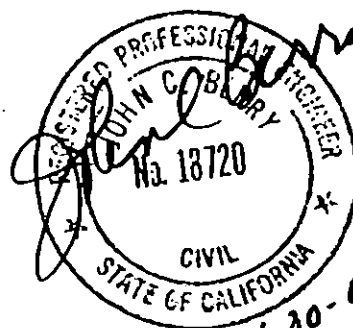
**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

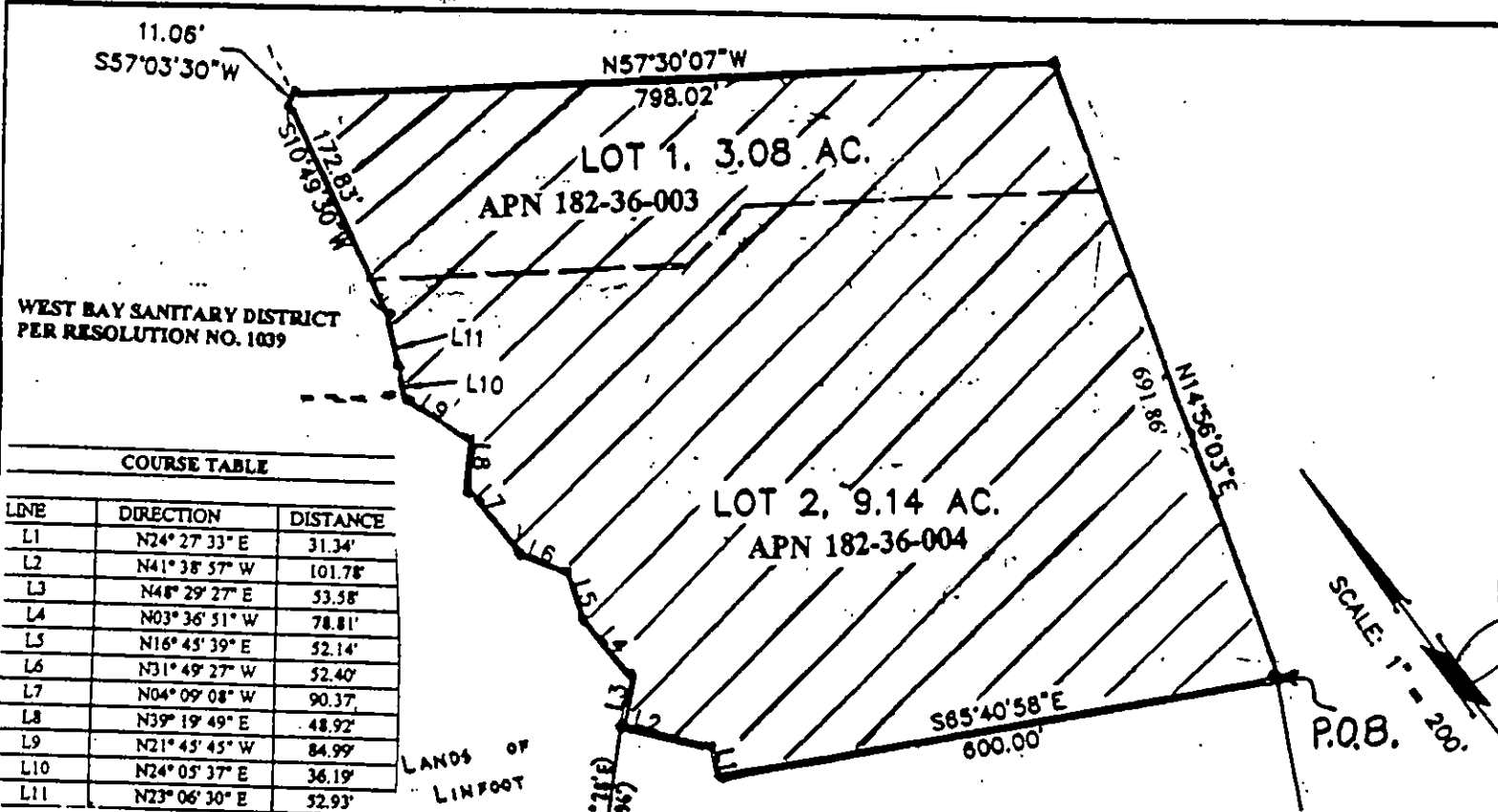
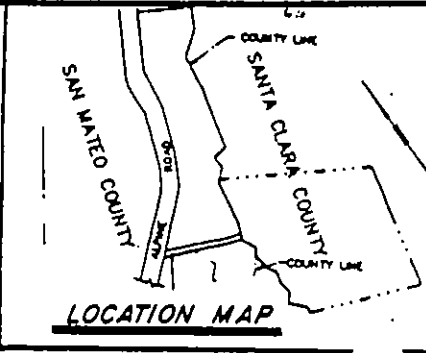
**BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 2 AS SHOWN  
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BOOK P255, PAGES 429-431, IN THE OFFICE OF THE COUNTY RECORDER  
OF SANTA CLARA COUNTY, (SAID CORNER ALSO BEING ON THE MOST  
NORTHERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER  
RESOLUTION NO. 898, RECORDED 1-20-99). THENCE FROM SAID POINT  
OF BEGINNING ALONG SAID NORTHERLY BOUNDARY OF WBSD,  
NORTH 65° 40' 58" WEST 600.00 FEET; THENCE NORTH 24° 27' 33" EAST  
31.34 FEET; THENCE NORTH 41° 38' 57" WEST 101.78 FEET; THENCE  
LEAVING SAID BOUNDARY LINE OF WBSD NORTH 48° 29' 27" EAST 53.58  
FEET; THENCE NORTH 03° 36' 51" WEST 78.81 FEET; THENCE NORTH 16°  
45' 39" EAST 52.14 FEET; THENCE NORTH 31° 49' 27" WEST 52.40 FEET;  
THENCE NORTH 04° 09' 08" WEST 90.37 FEET; THENCE NORTH 39° 19' 49"  
EAST 48.92 FEET; THENCE NORTH 21° 45' 45" WEST 84.99 FEET; THENCE  
NORTH 24° 05' 37" EAST 36.19 FEET TO A POINT IN THE EASTERLY  
BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO.  
1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY  
BOUNDARY OF WBSD NORTH 23° 06' 30" EAST 52.93 FEET; THENCE  
NORTH 10° 49' 30" EAST 172.83 FEET; THENCE NORTH 57° 03' 30" EAST  
11.06 FEET; THENCE LEAVING SAID WBSD BOUNDARY SOUTH 57° 30' 07"  
EAST 798.02 FEET; THENCE SOUTH 14° 56' 03" WEST 691.86 FEET TO THE  
POINT OF BEGINNING.**

**CONTAINING 12.22 ACRES, MORE OR LESS**

**APN'S 182-36-003**

**182-36-004**

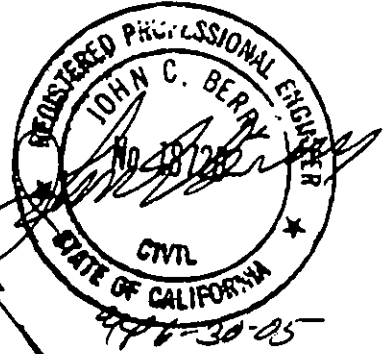




WEST BAY SANITARY DISTRICT  
PER RESOLUTION NO. 1039

**COURSE TABLE**

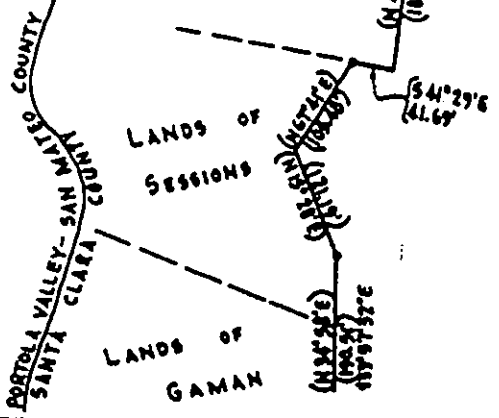
LINE	DIRECTION	DISTANCE
L1	N24° 27' 33" E	31.34'
L2	N41° 38' 57" W	101.78'
L3	N48° 29' 27" E	53.58'
L4	N03° 36' 51" W	78.81'
L5	N16° 45' 39" E	52.14'
L6	N31° 49' 27" W	52.40'
L7	N04° 09' 08" W	90.37'
L8	N39° 19' 49" E	48.92'
L9	N21° 45' 45" W	84.99'
L10	N24° 05' 37" E	36.19'
L11	N23° 06' 30" E	52.93'



SCALE: 1" = 200'  
P.O.B.

WEST BAY SANITARY DISTRICT  
PER RESOLUTION NO. 898

BOUNDARY LINE OF PROPOSED ANNEXATION  
PROPOSED ANNEXATION



**Berry and Associates**  
1733 Woodside Road, Suite 125  
Redwood City, CA 94061  
Phone: 650-368-0788 FAX: 650-368-1016

**EXHIBIT B**  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WATERMAN

DATE: 5/8/02 SCALE: BY

EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WESTALL

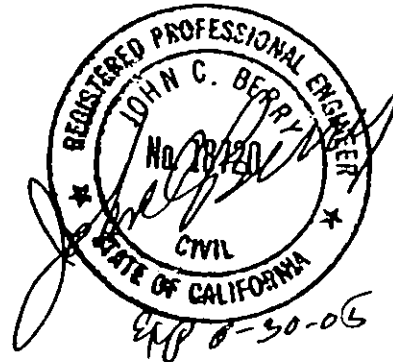
THAT CERTAIN PARCEL OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

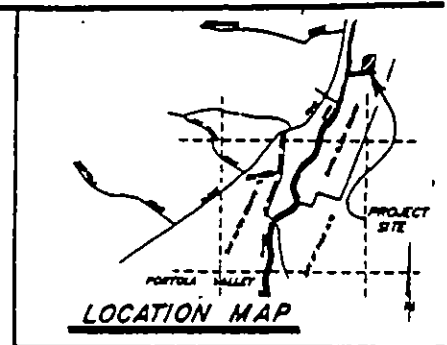
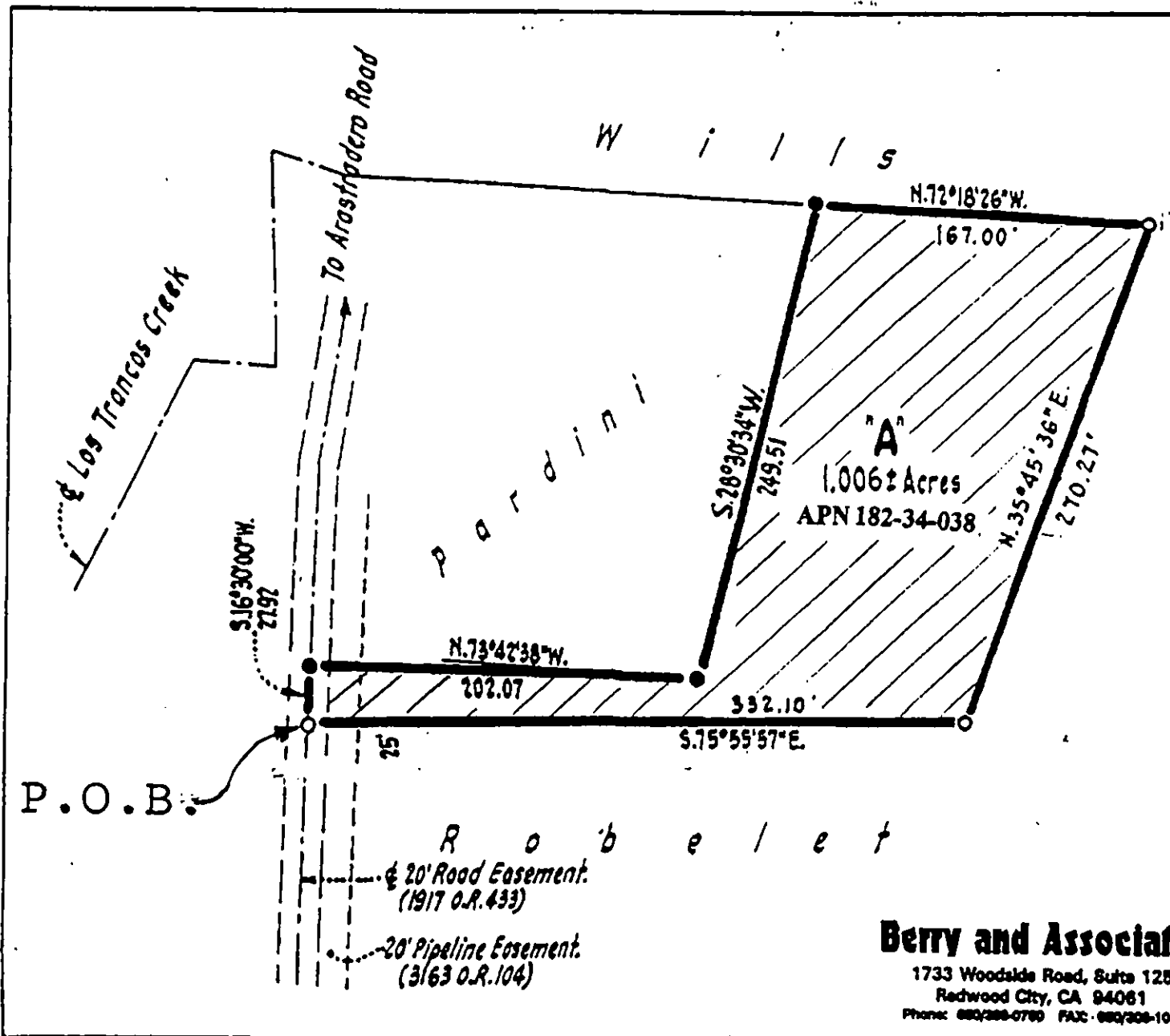
ALL OF PARCEL "A" AS SAID PARCEL IS SHOWN ON THAT CERTAIN  
"RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE  
MADERA FOR DWIGHT F. BECHTOLD" RECORDED JANUARY 28, 1964 IN  
BOOK 172 OF MAPS AT PAGE 31, RECORDS OF SANTA CLARA COUNTY,  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL "A" AS  
SHOWN ON SAID RECORD OF SURVEY; THENCE SOUTH 75° 55' 57" EAST  
332.10 FEET; THENCE NORTH 35° 45' 36" EAST 270.27 FEET; THENCE  
NORTH 72° 18' 26" WEST 167.00 FEET; THENCE SOUTH 28° 30' 34" WEST  
249.51 FEET; THENCE NORTH 73° 42' 38" WEST 202.07 FEET; THENCE  
SOUTH 16° 30' 00" WEST 27.92 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.006 ACRES, MORE OR LESS

APN 182-34-038





REGISTERED PROFESSIONAL ENGINEER  
 JOHN C. BERRY  
 No. 18728  
 CIVIL  
 STATE OF CALIFORNIA  
 6/30/05



 PROPOSED ANNEXATION  
 BOUNDARY LINE OF PROPOSED ANNEXATION

EXHIBIT B  
 PROPOSED ANNEXATION TO  
 THE WEST BAY SANITARY DISTRICT  
 LANDS OF WESTFALL

DATE 5/15/02	SCALE
BY	

**Berry and Associates**  
 1733 Woodside Road, Suite 125  
 Redwood City, CA 94061  
 Phone: 650/388-0780 FAX: 650/308-1048

P.O.B.

Robelet  
 20' Road Easement (1917 O.R.433)  
 20' Pipeline Easement (3163 O.R.104)

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF KLEIN, LANZA, REED  
URBANOWICZ, AND CARSTENS**

**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

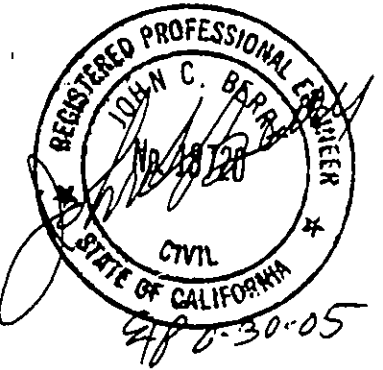
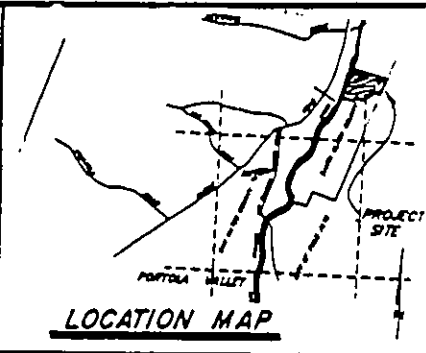
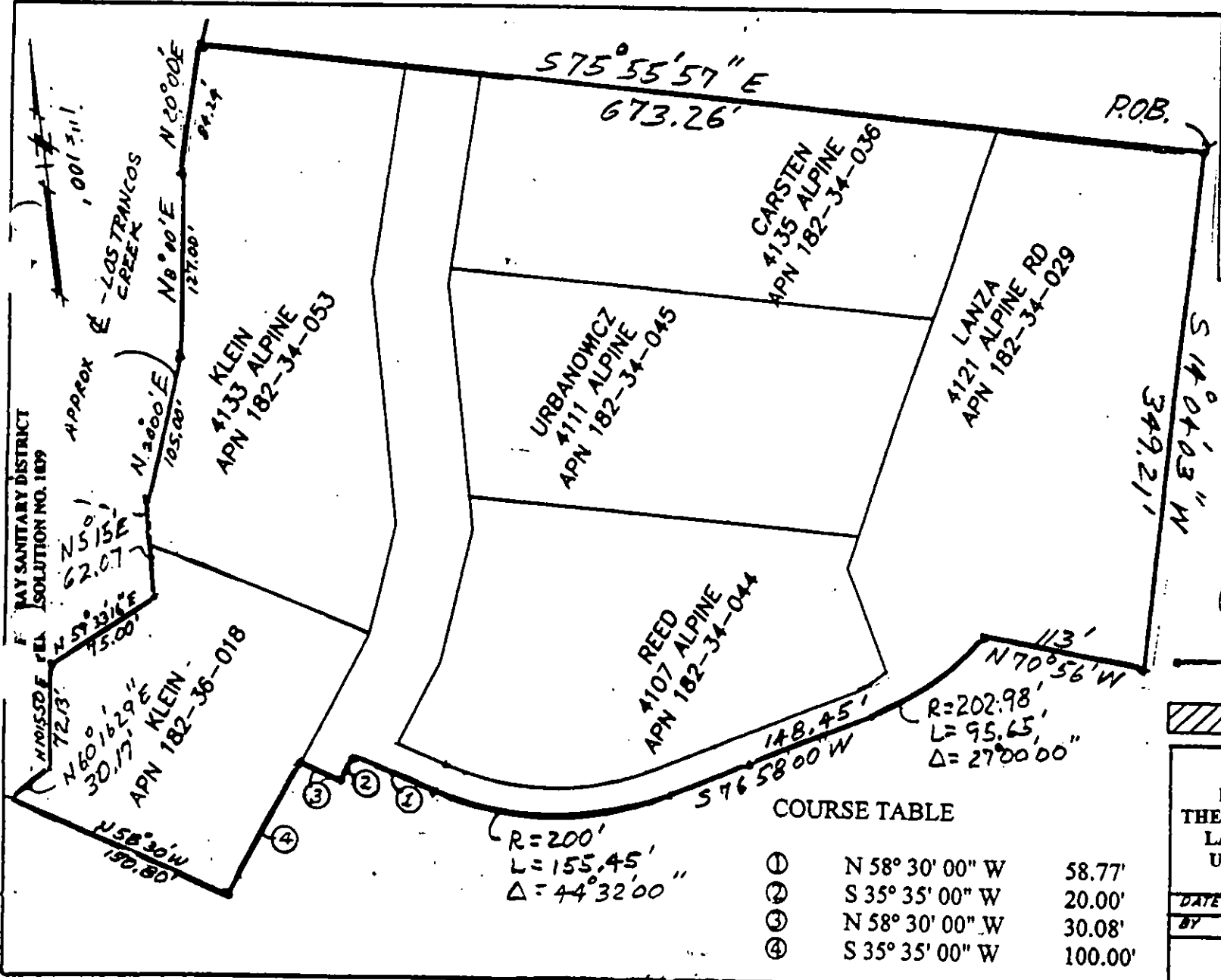
**BEGINNING AT THE MOST NORTHEAST CORNER OF THAT CERTAIN 1.622 ACRE PARCEL AS SAID PARCEL IS SHOWN ON "RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE MADERA FOR ORA V. WALKER" RECORDED OCTOBER 20, 1961 IN BOOK 139 OF MAPS AT PAGE 27, RECORDS OF SANTA CLARA COUNTY; THENCE SOUTH 14° 04' 03" WEST 349.21 FEET; THENCE NORTH 70° 56' 00" WEST 113.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, THROUGH WHICH A RADIAL LINE BEARS NORTH 40° 02' 00" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF A 202.98 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 27° 00' 00" AN ARC DISTANCE OF 95.65 FEET; THENCE TANGENT TO LAST SAID CURVE SOUTH 76° 58' 00" WEST 148.45 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF A 200 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 44° 32' 00", AN ARC DISTANCE OF 155.45 FEET; THENCE TANGENT TO LAST SAID CURVE, NORTH 58° 30' 00" WEST 58.77 FEET; THENCE SOUTH 35° 35' 00" WEST 20.00 FEET; THENCE NORTH 58° 30' 00" WEST 30.08 FEET; THENCE SOUTH 35° 35' WEST 100.00 FEET; THENCE NORTH 58° 30' WEST 150.80 FEET TO THE CENTERLINE OF LOS TRANCOS CREEK; SAID LINE ALSO BEING THE EASTERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO. 1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY BOUNDARY OF WBSD AND SAID CENTERLINE OF LOS TRANCOS CREEK NORTH 60° 16' 29" EAST 30.17 FEET; THENCE NORTH 10° 15' 50" EAST 72.13 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY OF WBSD NORTH 59° 33' 16" EAST 75.00 FEET; THENCE NORTH 05° 15' 00" EAST 62.07 FEET; THENCE NORTH 20° 00' EAST 105.00 FEET; THENCE NORTH 8° 00' EAST 127.00 FEET; THENCE NORTH 20° 00' EAST 84.24 FEET; THENCE LEAVING SAID CENTERLINE OF LOS TRANCOS CREEK SOUTH 75° 55' 57" EAST 673.26 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS INCLUDE A 50-FOOT RIGHT OF WAY FOR OLD ALPINE ROAD AS SAID DEDICATION IS SHOWN ON AFORESAID RECORD OF SURVEY.**

**CONTAINING 7.10 ACRES, MORE OR LESS**

APN'S 182-36-018 ✓ 182-34-036 - SB 046  
 182-34-053 ✓ 182-34-044 ✓  
 182-34-045 ✓ 182-34-029 ✓





BOUNDARY LINE OF PROPOSED ANNEXATION

PROPOSED ANNEXATION

COURSE TABLE

①	N 58° 30' 00" W	58.77'
②	S 35° 35' 00" W	20.00'
③	N 58° 30' 00" W	30.08'
④	S 35° 35' 00" W	100.00'

EXHIBIT A  
 PROPOSED ANNEXATION TO  
 THE WEST BAY SANITARY DISTRICT  
 LANDS OF KLEIN, LANZA, REED  
 URBANOWICZ, AND CARSTENS

DATE 3/8/05 SCALE

BY



**RESOLUTION NO. 02-01**

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
WITH RECOMMENDATIONS FOR THE SAN MATEO LOCAL AGENCY  
FORMATION COMMISSION REGARDING ANNEXATION TO WEST BAY  
SANITARY DISTRICT AND AN AMENDMENT TO THE SPHERE OF INFLUENCE**

**WHEREAS**, on December 19, 2001, San Mateo County LAFCO forwarded a request to Santa Clara County LAFCO, which requested inclusion of four parcels in Santa Clara County into the West Bay Sanitary District (District) Sphere of Influence (SOI) and the annexation of ten parcels into the District along Los Trancos Creek Road in Santa Clara County; and

**WHEREAS**, the application was filed with San Mateo County LAFCO because it is the principal LAFCO for the District as the District lies almost exclusively within San Mateo County; and

**WHEREAS**, the San Mateo County LAFCO forwarded this application to Santa Clara County LAFCO for an advisory recommendation because the territory involved is located in Santa Clara County; and

**WHEREAS**, the Executive Director set February 13, 2002 as the hearing date on this proposal and gave the required notice of hearing; and

**WHEREAS**, this Commission called this proposal for public hearing, heard from the interested parties, considered the request and the report of the Executive Officer, and considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to the factors specified in Government Code section 56425(e); and

**WHEREAS**, this Commission as a referring agency has complied with the California Environmental Quality Act (CEQA) incident to its consideration of this request, as described below;

**NOW THEREFORE**, the Local Agency Formation Commission of the County of Santa Clara, does hereby resolve, determine and order as follows:

**SECTION 1:**

As a Referring Agency under CEQA, the Commission hereby finds that the Negative Declaration was completed in compliance with CEQA and is an adequate discussion of the environmental impacts of the project, and that LAFCO reviewed and considered the environmental effects of the project as shown in the Negative Declaration prior to making the recommendation on the project.

**SECTION 2:**

Santa Clara LAFCO recommends to San Mateo LAFCO that the West Bay Sanitary District Sphere of Influence be amended to include APN 182-36-022 based on the following findings:

1. The present and planned land uses in the area, including agricultural and open space lands:

**Finding:** The parcel in Palo Alto is designated for Open Space (OS) and is currently vacant. The City of Palo Alto does not provide service in this area but in the past has allowed West Bay Sanitary District to provide sewer service in the area. The City's General Plan contains no policies related to extension of sanitary sewer and the city evaluates proposals on a case-by-case basis. Letter from the City of Palo Alto dated December 4, 2000 states that the City of Palo Alto does not object to the District providing sewer service to this property.

2. The present and probable need for public facilities and services in the area:

**Finding:** APN 182-36-022 is located along the creek and it is likely that the related public health concerns would result in limited feasibility for installing a septic system. A connection to the sewer system is necessary to address the need for services on this property.

3. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide:

**Finding:** The City of Palo Alto also does not provide services to the parcels in this area as they are located outside its urban service area and are separated by the open space reserve lands. West Bay Sanitary District is authorized to provide sewer services and the addition of this parcel to its SOI will not impact the capacity or adequacy of its services.

4. The existence of any social or economic communities of interest in the area:

**Finding:** The area is accessed through the Town of Portola Valley, which is partially served by the District and partially served by individual septic systems. The area is physically separated from other neighborhoods in Santa Clara County as it is surrounded by open space reserve lands. The District currently provides sewer service to many parcels within this area. Inclusion of this parcel within the SOI of the District will not affect the community.

**SECTION 3**

The Commission recommends denial of the proposed amendment of the SOI of West Bay

Sanitary District to include APN 182-34-064, 182-34-063, and 182-34-065 as there is currently insufficient information to demonstrate the need for including these parcels in the Sphere. The Commission will be requesting the Santa Clara County Environmental Health Department to conduct a field survey of the area and provide the results to San Mateo Local Agency Formation Commission. Santa Clara LAFCO authorizes San Mateo LAFCO to utilize the survey to determine if the required findings can be made, and if so, then to proceed with the SOI amendment for the three parcels referenced above.

**SECTION 4**

The Commission recommends approval of the annexation of ten parcels into West Bay Sanitary District along Los Trancos Creek Road adjacent to Los Trancos Creek in Santa Clara County, consisting of parcels APNs 182-34-023, 182-34-053, 182-36-003, 182-36-004, 182-34-029, 182-34-044, 182-34-046, 182-34-045, 182-34-038 and one parcel in Palo Alto APN 182-36-022 with the following conditions:

1. Resolutions of a zero percent property tax exchange reflecting the annexation of the parcels to the West Bay Sanitary District are approved by the West Bay Sanitary District, the City of Palo Alto and the Santa Clara County Board of Supervisors; and
2. Revised legal descriptions and maps of the annexation areas are received and approved by the LAFCO Surveyor.

**SECTION 6**

The Commission recommends denial of the annexation of the remaining three parcels APNs 182-34-064, 182-34-063, and 182-34-065 that are currently outside the SOI of the West Bay Sanitary District until further study demonstrates the need for the service in the area and the SOI issues are resolved.

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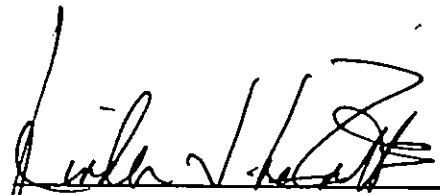
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**PASSED AND ADOPTED** by the Local Agency Formation Commission of Santa Clara County, State of California, on February 13, 2001 by the following vote:

AYES: Commissioners ALVARADO, GAGE, LeZOTTE, WILSON, ZOGLIN

NOES:

ABSENT:

  
\_\_\_\_\_  
LINDA LeZOTTE , Chairperson  
Local Agency Formation Commission

ATTEST: LAFCO Clerk

  
\_\_\_\_\_  
Emmanuel Abello

APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
Kathy Kretchmer, LAFCO Counsel

**RESOLUTION NO. 02-01**

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
WITH RECOMMENDATIONS FOR THE SAN MATEO LOCAL AGENCY  
FORMATION COMMISSION REGARDING ANNEXATION TO WEST BAY  
SANITARY DISTRICT AND AN AMENDMENT TO THE SPHERE OF INFLUENCE**

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**WHEREAS**, this Commission called this proposal for public hearing, heard from the interested parties, considered the request and the report of the Executive Officer, and considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to the factors specified in Government Code section 56425(e); and

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**Finding:** The parcel in Palo Alto is designated for Open Space (OS) and is currently vacant. The City of Palo Alto does not provide service in this area but in the past has allowed West Bay Sanitary District to provide sewer service in the area. The City's General Plan contains no policies related to extension of sanitary sewer and the city evaluates proposals on a case-by-case basis. Letter from the City of Palo Alto dated December 4, 2000 states that the City of Palo Alto does not object to the District providing sewer service to this property.

2. The present and probable need for public facilities and services in the area:

**Finding:** APN 182-36-022 is located along the creek and it is likely that the related public health concerns would result in limited feasibility for installing a septic system. A connection to the sewer system is necessary to address the need for services on this property.

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**Finding:** The City of Palo Alto also does not provide services to the parcels in this area as they are located outside its urban service area and are separated by the open space reserve lands. West Bay Sanitary District is authorized to provide sewer services and the addition of this parcel to its SOI will not impact the capacity or adequacy of its services.

4. The existence of any social or economic communities of interest in the area:

**Finding:** The area is accessed through the Town of Portola Valley, which is partially served by the District and partially served by individual septic systems. The area is physically separated from other neighborhoods in Santa Clara County as it is surrounded by open space reserve lands. The District currently provides sewer service to many parcels within this area. Inclusion of this parcel within the SOI of the District will not affect the community.

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1. Resolutions of a zero percent property tax exchange reflecting the annexation of the parcels to the West Bay Sanitary District are approved by the West Bay Sanitary District, the City of Palo Alto and the Santa Clara County Board of Supervisors; and
2. Revised legal descriptions and maps of the annexation areas are received and approved by the LAFCO Surveyor.

**SECTION 6**

The Commission recommends denial of the annexation of the remaining three parcels APNs 182-34-064, 182-34-063, and 182-34-065 that are currently outside the SOI of the West Bay Sanitary District until further study demonstrates the need for the service in the area and the SOI issues are resolved.

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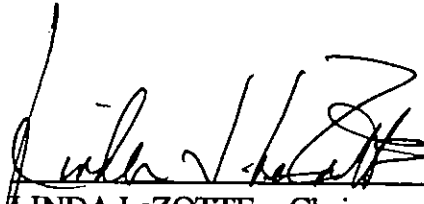
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**PASSED AND ADOPTED** by the Local Agency Formation Commission of Santa Clara County, State of California, on February 13, 2001 by the following vote:

AYES: Commissioners ALVARADO, GAGE, LeZOTTE, WILSON, ZOGLIN

NOES:

ABSENT:

  
LINDA LeZOTTE , Chairperson  
Local Agency Formation Commission

ATTEST: LAFCO Clerk

  
Emmanuel Abello

APPROVED AS TO FORM AND LEGALITY

  
Kathy Kretchmer, LAFCO Counsel



May 7, 2002

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive Officer

SUBJECT: LAFCo File No. 01-13--Proposed Amendment to the Sphere of Influence of the West Bay Sanitary District and Annexation of the Lands Conroe, Gerst et al. (Santa Clara County) to the West Bay Sanitary District  
(25.04 acres) (Continued from March 20, 2002)

### **Summary**

San Mateo LAFCo has received an application to amend the sphere of influence of the West Bay Sanitary District to include four parcels and annex a total of fourteen parcels located near Los Trancos Creek in Santa Clara County. Annexation to the district is requested in order to provide sewer service to remedy failing or inadequate septic systems in some cases and to comply with building permit requirements in others.

Spheres of influence and annexation applications for districts with territory in more than one county are performed by the LAFCo of the principal county, which is San Mateo LAFCo in the case of West Bay Sanitary District. Pursuant to San Mateo LAFCo's policies for annexations to multi-county districts and an agreement between Santa Clara and San Mateo LAFCos, this application was referred to Santa Clara LAFCo for review and recommendation for formal consideration by San Mateo LAFCo.

After forwarding the application to the Santa Clara County Local Agency Formation Commission for hearing and recommendation, Santa Clara LAFCo adopted a resolution recommending approval of some parcels and in other cases, recommended that Santa Clara County Environmental Health provide additional information prior to San Mateo LAFCo consideration. San Mateo LAFCo has received additional comments from Santa Clara County Environmental Health, which supports recommending Commission approval of the proposed sphere amendment and annexations.

### **Background**

This application requests amendment of the sphere of influence of West Bay Sanitary District to include four additional parcels and annexation of the same four parcels and ten others located on Arastradero Road in Santa Clara County. The District's sphere was last amended in this area in 1998 when 27 property owners along Los Trancos

Creek requested sphere of influence amendment. At the time, Santa Clara County Environmental Health focused only on parcels adjacent to Los Trancos Creek and identified parcels most likely to be characterized by high groundwater. In the course of that evaluation, Environmental Health determined that the three of the four parcels currently under consideration for sphere of influence and annexation were not characterized by high ground water and provided no information on the fourth parcel. Of the annexation parcels already added to the Districts sphere of influence in 1998 and included in this application, all but three were determined to have high ground water conditions.

The following table summarizes the parcels proposed for sphere of influence amendment and annexation.

Proposed Annexation and Sphere of Influence Amendment to West Bay Sanitary District							
APN	Property Address	Owner Name	Jurisdiction	Proposal	Est. Acres	1998 Env. Health Survey Report*	Developed N/Y
182-36-022	800 Los Trancos Road	Conroe	Palo Alto	Annexation/SOI	3.55	No Info	N
182-34-023	14 Arastradero Road	Gerst	Unincorp	Annexation	1.18	Unclear	Y
182-34-064	20 Arastradero Road	Hamill	Unincorp	Annexation/SOI	2.00	No HG/No Slope	N
182-34-063	18 Arastradero Road	Winchell	Unincorp	Annexation/SOI	0.77	No HG/No Slope	N
182-34-053	4133 Alpine Road	Klein	Unincorp	Annexation	1.21	HG	Y
182-36-018	4133 Alpine Road	Klein	Unincorp	Annexation	0.70	HG	N
182-36-003	4117 Alpine Road	Waterman	Unincorp	Annexation	3.00	HG	Y
182-34-004	4117 Alpine Road	Waterman	Unincorp	Annexation	7.40	Unclear	N
182-34-029	4121 Alpine Road	Lanza	Unincorp	Annexation	1.62	HG	Y
182-34-044	4107 Alpine Road	Reed	Unincorp	Annexation	1.04	HG	Y
182-34-046	4135 Alpine Road	Carstens	Unincorp	Annexation	1.00	HG	Y
182-34-045	4111 Alpine Road	Urbanowicz	Unincorp	Annexation	1.02	HG	Y
182-34-038	4131 Alpine Road	Westall	Unincorp	Annexation	1.01	Unclear	Y
182-34-065	10 Arastradero Road	Winchell	Unincorp	Annexation/SOI	3.16	No HG/No Slope	Y
* Unclear: Conditions unclear; wet weather testing required HG: High groundwater documented or strongly suspected/inadequate room for septic system expansion due to steep slope No HG/No Slope: No high groundwater or limiting slope conditions							

At Santa Clara LAFCo's February 2002 consideration of the current sphere amendment and annexation application, Santa Clara LAFCo approved inclusion of 1 of the 4 parcels proposed for inclusion in the District's sphere and boundaries (Lands of Conroe) and also approved annexation of all 10 parcels proposed for annexation. Santa Clara LAFCo recommended denial of the other three parcels not currently in the sphere of influence pending findings from Santa Clara

Environmental Health that would support a sphere amendment and annexation.

In response to the Santa Clara LAFCo recommendation, Santa Clara County Environmental Health conducted a site survey of the parcels. The attached March 14 letter from Santa Clara County Environmental Health recommended that sewer service be approved for the three lots for which sewer is requested. Comments specific to the parcels are as follows:

1. APN 142-34-063 failed a county supervised percolation test in July, 1999 and installation of a septic system is prohibited.
2. APN 142-34-064 passed a percolation test in 1999 however available drainfield area is very limited due to setback requirements, but thorough investigation was not possible
3. APN 142-34-065 has a system that was installed in 1994 and appears to be functioning properly but future expansion of the leachfield appears to be limited.

San Mateo LAFCo has also received comments from Ernie Selander, representing the owners of APN 142-34-063 and 064. Mr. Selander states that inclusion of the three parcels, including 142-34-065 which currently has a functioning septic but limited drainfield expansion potential will allow the property to be served in the event of a future septic failure.

#### City of Palo Alto

Parcel Number 182-36-022 (Lands of Conroe) is located in the boundaries of the City of Palo Alto. The City of Palo Alto has commented that the City's Comprehensive Plan would allow a single family residence to be constructed, that City sewer service is not available in the area and that the parcel's proximity to the Creek supports extension of sewer service if the parcel is to be developed. Development would be subject to city development criteria. The City has also adopted a resolution of zero property tax exchange because as an enterprise district, West Bay Sanitary District does not receive property tax.

#### County of Santa Clara Land Use

The County of Santa Clara's General Plan land use designation for the remaining 13 parcels is HS - Hillside with a minimum parcel size of 20 acres for subdivision. The proposed project would not alter existing land uses in the area. The project therefore will not result in any impacts upon any of the current land use designations of the County.

#### Sewer Construction

The area is proposed to be served by approximately 2400 feet of 8" sewer mains along Old Alpine Road and John Marthens Drive, connecting to a pump station which would convey affluent across Los Trancos Creek

to the sewer main in Alpine Road. Property owners will privately finance construction of the sewer and associated reimbursement fees for a total currently estimated to be \$725,000. The annexing territory would be subject to standard district connection fees (\$2,436), permit fee (\$100) and annual sewer service charges, currently \$242 for a residential connection. Individual property owners are also responsible for all costs associated with connecting parcels to the sewer main.

#### Property Tax Exchange

As an enterprise district, the West Bay Sanitary District did not request an exchange of property tax revenue with any of the affected agencies. Therefore resolutions of zero property tax exchange have been adopted by the City of Palo Alto, County of Santa Clara and the West Bay Sanitary District.

#### Discussion

Staff believes that a sphere amendment and annexation to include the fourteen subject parcels is supported by the recommendation of the Santa Clara County Dept. of Environmental Health and proximity to the Creek. While the parcels are not contiguous to each other, Health & Safety Code Section 6830 (d) permits annexation of non-contiguous territory if the properties will be benefited by inclusion in the district. West Bay Sanitary District is the only agency located in Santa Clara County that is capable of extending service and the District has indicated that it has adequate sewage treatment capacity to serve the territory.

The proposed annexation is consistent with state and local LAFCo policies which state that special districts are the appropriate agencies to provide essential services in areas in which only a limited range of services is required or, if a full range of urban services is required and where it is not feasible for those services to be provided by a single city. While annexation of the parcel in the City of Palo Alto conflicts with State policies Discouraging overlapping service boundaries, the City has clear stated that city services such as sewer are not available in the subject territory.

The Cortese Knox Hertzberg Act requires that annexations be consistent with adopted spheres of influence and that in determining spheres of influence, the Commission make determinations with respect to: present and planned land uses in the area, including agricultural and open space; present and probable need for public facilities; present capacity and adequacy of public facilities; and existence of any social or economic communities of interest.

Staff respectfully recommends approval of the sphere amendment as proposed and that the Commission make the following determinations:

1. Present and planned land uses in the area, including agricultural and open space lands:

Existing land uses in the West Bay Sanitary District are primarily residential with some commercial and industrial properties also served. The district serves both incorporated and unincorporated areas. The 25.04 acre territory proposed for sphere amendment is rural and residential in nature and does not contain open space or agricultural lands.

2. Present and probable need for public facilities and services in the area:

There are 14 residentially zoned parcels in the amendment area, most of which are developed single family homes. Although the existing homes are served by septic systems, the proximity of the Creek creates high groundwater conditions. The Santa Clara Department of Environmental Health has determined that these properties would be better served by sewer now or in the future.

3. Present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide:

West Bay Sanitary District is authorized to provide sewer services. The addition of the proposed sphere amendment territory will not impact the capacity or adequacy of District facilities or services and is consistent with the District's plans for extending service.

4. Existence of any social or economic community of interest:

The affected area is accessed via the Town of Portola Valley which is also served by the West Bay Sanitary District. The area is physically separated from other neighborhoods of Santa Clara County by open space reserve lands.

#### Environmental Review

The enclosed Negative Declaration/Initial Study was prepared and adopted by West Bay Sanitary District as lead agency. The Commission, in considering the application must certify that it has considered the negative declaration in its review of the application.

#### Waiver of Conducting Authority Proceedings

Paragraph [c] of §56663 specifies that the Commission may waive conducting authority proceedings for annexations of uninhabited territory with 100% landowner consent provided there is written

consent from all gaining agencies. The purpose of the conducting authority proceeding is to measure landowner or voter protest within the affected territory. At the request of the landowners and the consent of West Bay Sanitary District staff recommends that the Commission waive the conducting authority proceedings if the proposal is approved.

Recommended Commission Action, by motion:

- A. The Commission certifies that it has reviewed and considered the Initial Study and Negative Declaration for the Arastradero Road Sewer Annexation Project, prepared by the West Bay Sanitary District as lead agency.

Recommended Commission Action, by Resolution:

- a) Make the following findings in approving the sphere of influence amendment:
1. Present and planned land uses in the area, including agricultural and open space lands:  
  
Existing land uses in the West Bay Sanitary District are primarily residential with some commercial and industrial properties also served. The district serves both incorporated and unincorporated areas. The 25.04 acre territory proposed for sphere amendment is rural and residential in nature and does not contain open space or agricultural lands.
  2. Present and probable need for public facilities and services in the area:  
  
There are 14 residentially zoned parcels in the amendment area, most of which are developed single family homes. Although the existing homes are served by septic systems, the proximity of the Creek creates high groundwater conditions. The Santa Clara Department of Environmental Health has determined that these properties would be better served by sewer now or in the future.
  3. Present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide:  
  
West Bay Sanitary District is authorized to provide sewer services. The addition of the proposed sphere amendment territory will not impact the capacity or adequacy of District facilities or services and is consistent with the District's plans for extending service.

4. Existence of any social or economic community of interest:

The affected area is accessed via the Town of Portola Valley which is also served by the West Bay Sanitary District. The area is physically separated from other neighborhoods of Santa Clara County by open space reserve lands.

b) Approve LAFCo File No. 01-13—Proposed Amendment the Sphere of Influence of the West Bay Sanitary District and Annexation of the Lands Conroe, Gerst et al. (Santa Clara County) to the West Bay Sanitary District subject to the following conditions:

- a) Revision of maps and legal descriptions to comply with the requirements of the State Board of Equalization.

cc: Neelima Palacherla, Santa Clara LAFCo  
Tim Clayton, West Bay Sanitary District  
Lisa Grote, Chief Planning Official, City of Palo Alto  
Property Owners

Attachments:

Application & Maps  
Santa Clara LAFCo Resolution of Recommendation  
Negative Declaration and Initial Study  
Comments from Santa Clara County Environmental Health  
Comments from Ernie Selander

**LOCAL AGENCY FORMATION COMMISSION  
SANTA CLARA COUNTY  
www.santaclara.lafco.ca.gov**

County Government Center, 11<sup>th</sup> Floor, East Wing  
70 West Hedding Street, San Jose, CA 95110  
(408) 299-5127 FAX 295-1613  
Neelima Palacherla, Executive Officer

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February 4, 2002

**TO:** LAFCO

**FROM:** Neelima Palacherla, Executive Officer *NP*

**SUBJECT:** 2002 West Bay Sanitary District Sphere of Influence (SOI)  
Amendment and Annexation (Los Trancos Creek Area)  
Agenda Item # 4.2

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**STAFF RECOMMENDATION**

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Forward the following recommendation to San Mateo Local Agency Formation Commission, for its consideration and approval:

**1. CEQA Action**

Find that

- a. The Negative Declaration was completed in compliance with CEQA and is an adequate discussion of the environmental impacts of the project,
- b. prior to making a recommendation on this project, LAFCO reviewed and considered the environmental effects of the project as shown in the Negative Declaration.

**2. Sphere of Influence Amendment**

**Deny** the proposed amendment of sphere of influence of West Bay Sanitary District to include 4 parcels APNs 182-36-022, 182-34-064, 182-34-063, 182-34-065 shown in Exhibit 1 until further study and documentation / information can be provided to demonstrate the need for including the parcels within the District's SOI.

**3. Annexation**

**Conditionally approve** annexation of 10 parcels into West Bay Sanitary District along Los Trancos Creek Road in Santa Clara County, consisting of parcels, APNs 182-34-023, 182-34-053, 182-36-018, 182-36-003, 182-36-004, 182-34-029, 182-34-044, 182-34-046, 182-34-045, 182-34-038 provided:



1. Resolutions of a zero percent property tax exchange reflecting the annexation of the parcels to the West Bay Sanitary District are approved by the West Bay Sanitary District and the Santa Clara County Board of Supervisors
2. Revised legal descriptions and maps of the annexation areas, incorporating the revisions requested are received and approved by the LAFCO Surveyor.

**Deny** annexation of the 4 parcels that are currently outside the SOI of the West Bay Sanitary District until further study demonstrates need for the service in the area and the SOI issues are resolved.

## **PROJECT DESCRIPTION**

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West Bay Sanitary District is requesting a SOI amendment to include 4 parcels within its sphere. The proposed sphere amendment includes 3 unincorporated Santa Clara County parcels on Arastradero Road and one parcel along Los Trancos Creek within the city limits of Palo Alto. The purpose of amending the sphere is to annex the parcels and provide sanitary sewer to them. In addition, the District is also proposing to annex 10 other parcels that are within the district's current SOI and within unincorporated Santa Clara County. See table on following page and attached map. (Attachment #1)

### **1998 SOI Amendment**

In 1998, the SOI for the District was amended to include about 27 parcels along Los Trancos Woods Road adjacent to Los Trancos Creek to address an environmental health problem for existing residences along Los Trancos Creek. At that time, the SOI boundary was defined primarily to include all parcels that were directly along the creek. A field survey conducted at that time by County Environmental Health Department identified the areas that were likely to be underlain with high ground water or where conditions were unclear and further testing was required.

The current proposal seeks to include 3 parcels that are not directly along the Creek and one parcel along the Creek that was in 1998 not included in the District's sphere.

### **Inter-LAFCO Agreement**

Pursuant to Government Code Section 56123, San Mateo LAFCO, as principal LAFCO for West Bay Sanitary District, first received this annexation and SOI amendment application. Consistent with the 1985 agreement between the two LAFCOs for dealing with districts spanning county boundaries, San Mateo LAFCO forwarded this application to Santa Clara LAFCO because the territory involved is located in Santa Clara County. Santa Clara County LAFCO will hold a public hearing and forward a recommendation to San Mateo LAFCO which will take the final action at its own hearing. Santa Clara LAFCO's action is therefore only advisory in this matter.

**Proposed Annexation and Sphere of Influence Amendment to  
West Bay Sanitary District**

APN	Property Address	Owner Name	Jurisdiction	Proposal	Est. Acres	1998 Env. Health Survey Report*	Developed N/Y
182-36-022	800 Los Trancos Rd.	Conroe	Palo Alto	Annexation/SOI	3.55	No Info	N
182-34-023	14 Arastradero Rd.	Gerst	Unincorp	Annexation	1.18	Unclear	Y
182-34-064	20 Arastradero Rd.	Hamill	Unincorp	Annexation/SOI	2.00	No HG/No Slope	N
182-34-063	18 Arastradero Rd.	Winchell	Unincorp	Annexation/SOI	0.77	No HG/No Slope	N
182-34-053	4133 Alpine Rd.	Klein	Unincorp	Annexation	1.21	HG	Y
182-36-018	4133 Alpine Rd.	Klein	Unincorp	Annexation	0.70	HG	N
182-36-003	4117 Alpine Rd.	Waterman	Unincorp	Annexation	3.00	HG	Y
182-34-004	4117 Alpine Rd.	Waterman	Unincorp	Annexation	7.40	Unclear	N
182-34-029	4121 Alpine Rd.	Lanza	Unincorp	Annexation	1.62	HG	Y
182-34-044	4107 Alpine Rd.	Reed	Unincorp	Annexation	1.04	HG	Y
182-34-046	4135 Alpine Rd.	Carstens	Unincorp	Annexation	1.00	HG	Y
182-34-045	4111 Alpine Rd.	Urbanowicz	Unincorp	Annexation	1.02	HG	Y
182-34-038	4131 Alpine Rd.	Westall	Unincorp	Annexation	1.01	Unclear	Y
182-34-065	10 Arastradero Rd.	Winchell	Unincorp	Annexation/SOI	3.16	No HG/No Slope	Y

\*

Unclear: Conditions unclear; wet weather testing required

HG: High groundwater documented or strongly suspected/inadequate room for septic system expansion due to steep slope

No HG / No Slope: No high groundwater or limiting slope conditions

## **ENVIRONMENTAL ASSESSMENT**

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### **Negative Declaration**

An Initial Study and Negative Declaration have been prepared for the project. There were no significant impacts identified by the Initial Study. Please see attached Analyst's Report for discussion of specific concerns to LAFCO. (Attachment #2)

## **SPHERE OF INFLUENCE AMENDMENT**

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LAFCO has received a request by the West Bay Sanitary District to include 4 parcels within the SOI of the District to allow the District to annex and provide sewer service to these parcels.

Effective January 1, 2001, the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 requires that a service review be conducted prior to the establishment or update of a SOI. The requested SOI amendment is minor, no objections have been received from any other agencies in the area and there are no other agencies that are authorized to provide the services that the District provides in this area. Therefore, the SOI amendment is being processed without conducting or requiring a service review.

### **Sphere of Influence Findings**

In approving the sphere amendment, LAFCO must consider the following issues and adopt findings on each of the issues. Provided below is analysis of the issues. As seen below, findings 1 and 2 cannot be made due to lack of information at time of writing this report.

1. The present and planned land uses in the area, including agricultural and open space lands.

**Finding:** The present and planned land use on the three parcels in the unincorporated area is residential in nature. The General Plan designation and the zoning for the parcels is Hillside (HS) and the present lot sizes will not allow any further sub division. The proposed inclusion in the District's sphere would not alter existing land uses on the parcels.

The parcel in Palo Alto is designated for Open Space (OS) and is currently vacant. The City of Palo Alto does not provide service in this area but in the past has allowed West Bay Sanitary District to provide sewer service in the area. The City's General Plan contains no policies related to extension of sanitary sewer and the city evaluates proposals on a case-by-case basis. However, as of writing this staff report, the City of Palo Alto

Planning Department has not provided input on this issue. Clarification is required on the planned land use for this parcel located within the city limits.

2. The present and probable need for public facilities and services in the area.

**Finding:** A map (Attachment # 3) showing the results of a 1998 field survey conducted by the County Environmental Health Department indicates that 3 of the parcels (APNs 182-34-064, 065, 063) proposed for inclusion in the sphere do not have high ground water or limiting slope conditions. Two of the parcels, APNs 182-34-064 and 065 are currently developed with single-family homes served by septic systems and APN 182-34-063 is currently vacant. At this time no further documentation is provided to demonstrate present or probable need for sewer service on these parcels. The field survey does not provide any information on the fourth parcel (APN 182-36-022). This finding cannot be made until further documentation is provided.

3. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

**Finding:** The County does not provide municipal services to unincorporated areas within the county, and does not allow urbanized development in the unincorporated areas. The City of Palo Alto also does not provide services to the parcels in this area as they are located outside its urban service area and are separated by the open space reserve lands. West Bay Sanitary District is authorized to provide sewer services and the addition of these lands to its SOI will not impact the capacity or adequacy of its services.

4. The existence of any social or economic communities of interest in the area.

**Finding:** The area is accessed through the Town of Portola Valley, which is partially served by the District and partially served by individual septic systems. The area is physically separated from other neighborhoods in Santa Clara County as it is surrounded by open space reserve lands. The District currently provides sewer service to many parcels within this area. Inclusion of the parcels within the SOI of the District will not affect the community. However, the inclusion of these parcels in the SOI will leave only a few other unincorporated parcels in the area bound on the eastern side by the open space reserve that are not within the SOI of the District. No analysis has been conducted to determine if these parcels would benefit from inclusion in the District's SOI.

## **PROPOSED ANNEXATION**

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The District is proposing to annex 14 parcels out of which 10 are within the District SOI and the remaining 4 are proposed for inclusion in the SOI prior to annexation.

The following analysis however, includes only the 10 parcels that are currently within the District's SOI. The 4 parcels that are not currently within the District's SOI are not included in this analysis at this time because of unresolved issues relating to their

inclusion in the SOI of the District. Annexation can only be considered if territory is within an agency's SOI.

#### **Health and Safety Issues**

A reasonable justification for annexation to a special district would be to address health and safety related needs. Seven out of the 10 parcels have been identified in the Environmental Health Department's Map to have potential high ground water and steep slope conditions. These conditions combined with proximity of the area to the creek and related public health concerns would not allow replacement of failing septic systems. The map states that conditions on the other 3 parcels are unclear. However, all the 10 parcels are situated along the Creek and thus justify the need for connecting to the sewer.

#### **Logical and Efficient Boundaries**

All 10 parcels are within the District's SOI. However, the parcels proposed for annexation are not contiguous to each other. Health and Safety Code Section 6830 (d) allows "the district to annex territory not contiguous to the district that will, in the opinion of the district board, be benefited by inclusion in the district".

#### **Provision of Services**

District has indicated that it has adequate sewer capacity to provide services to the properties without detracting from the existing service levels within this area.

#### **Conversion of Agricultural or Open Space Lands**

None of the 10 parcels are currently in agricultural production or designated as open space.

#### **Alternatives to Annexation**

There are no feasible alternatives to annexation to the district as there are no other existing sewer systems in the area. The only alternative would be to continue to rely on septic systems, which over time will be ineffective due to site conditions such as a high ground water, steep slopes and proximity to the Creek.

#### **Duplication of Services**

Annexation will not result in a duplication of services. The parcels under consideration are all within the SOI of West Bay Sanitary District and are unincorporated; the County does not provide sewer service.

#### **Property Tax Negotiations**

The West Bay Sanitary District is not party to the Master Tax Agreement between Santa Clara County and special districts and cities in the county because the District lies almost entirely within San Mateo County. Therefore, resolutions negotiating a zero percent

property tax exchange are required to be adopted by the Santa Clara County Board of Supervisors and the District prior to the San Mateo LAFCO's final action.

## **CONCLUSION**

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Staff recommends annexation of the 10 parcels that are currently within the SOI of the District. All these parcels are along the creek and or have limiting site conditions for repair of failing septic systems. These parcels are not sub dividable but provision of sewer to these parcels could potentially allow development of 2 new homes on the 2 vacant lots and possibly secondary dwelling units on other parcels subject to approval by the County. The project has no significant growth inducing impacts or negative impacts on the agricultural or open space resources in the area.

Staff is recommending denial of the SOI amendment to include the 4 parcels at this time, until further study is conducted to determine the need for services to these parcels. This will ensure compliance with the basic policy that urban services should not be provided in the unincorporated rural areas except to resolve a demonstrated health and safety concern. Annexation of these 4 parcels may be considered after the SOI issues are resolved.

## **ATTACHMENTS**

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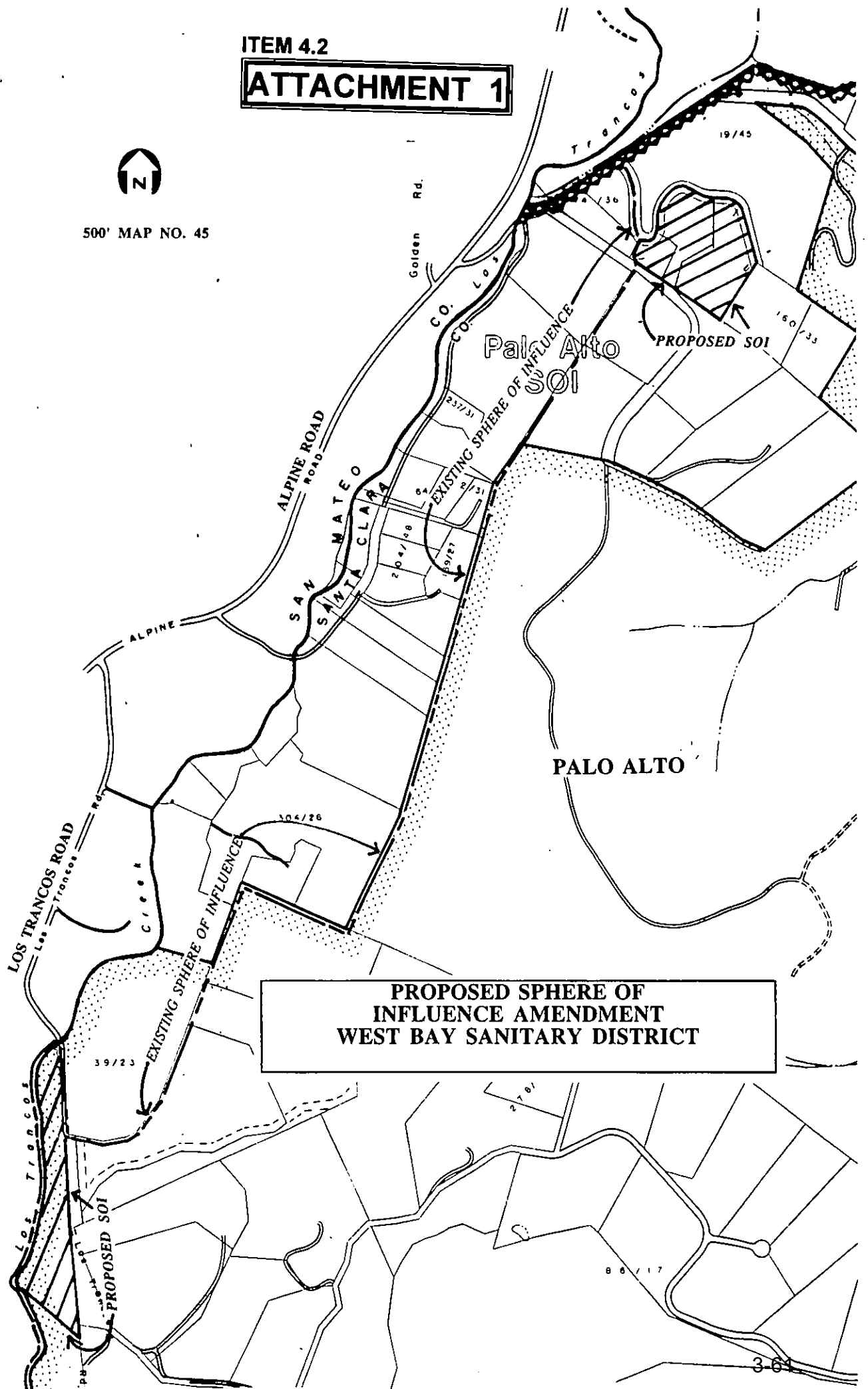
1. Map showing SOI, annexation and existing jurisdictional boundaries of District
2. LAFCO Analyst's Report
3. 1998 map showing results of field survey conducted by Santa Clara County Department of Environmental Health

ITEM 4.2

# ATTACHMENT 1



500' MAP NO. 45





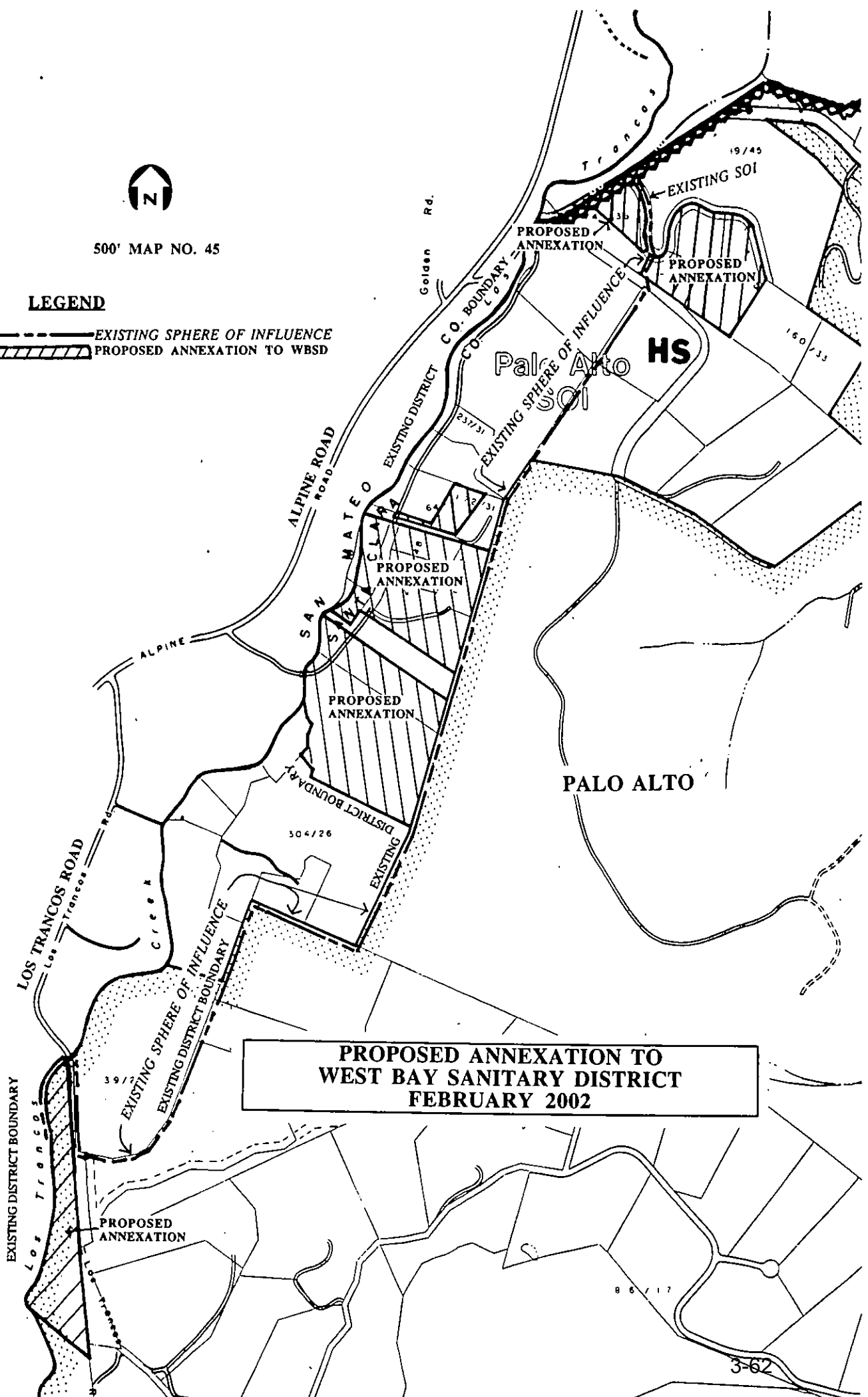
**PROPOSED SPHERE OF INFLUENCE AMENDMENT WEST BAY SANITARY DISTRICT**



500' MAP NO. 45

**LEGEND**

-  EXISTING SPHERE OF INFLUENCE
-  PROPOSED ANNEXATION TO WBSD



**PROPOSED ANNEXATION TO  
WEST BAY SANITARY DISTRICT  
FEBRUARY 2002**



Date prepared: January 16, 2002

Hearing date: February 13, 2002

To: The Santa Clara County Local Agency Formation Commission  
From: Dunia Noel, LAFCO Analyst  
Subject: **West Bay Sanitary District Sphere of Influence Amendment (SOI) and Annexation (Arastradero Road)**

**Recommended CEQA Action and Required Findings:**

As a Responsible Agency under CEQA, LAFCO may take the following action regarding the Negative Declaration for projects referred to the Commission by another agency:

1. Find that [a] the Negative Declaration was completed in compliance with CEQA and is an adequate discussion of the environmental impacts of the project, [b] prior to making a recommendation on this project, LAFCO reviewed and considered the environmental effects of the project as shown in the Negative Declaration.

**BACKGROUND**

**Project Description**

The proposed project consists of the annexation of a total of 14 parcels into the West Bay Sanitary District to provide sanitary sewer service to these parcels, and a sphere of influence amendment to extend West Bay's sphere of influence to 4 of 14 parcels. Of the 14 parcels proposed for annexation, which are not all contiguous, 9 parcels are currently developed with houses and 5 parcels are vacant. All developed parcels at the site are served by existing septic systems.

**Purpose and Need**

Existing septic systems in the project area are failing due to high groundwater in the vicinity. The Santa Clara County Environmental Health Department has determined that at least 7 of the parcels in the project area are compromised by high groundwater or have insufficient space to expand existing septic systems due to excessive slopes. An additional 3 parcels have unclear conditions and require wet weather testing. However, Environmental Health also concluded that 3 of the parcels in the project area have no high groundwater or limiting slope conditions. The proposed SOI amendment and annexation to the West Bay Sanitary District are intended to allow installation of a

sanitary sewer system that would allow abandonment of the existing septic systems and thereby eliminate the existing health and water quality risk.

Although these parcels are located in Santa Clara County, property owners have requested that West Bay Sanitary District (a San Mateo County based special district) provide sanitary services to the project area. Therefore San Mateo LAFCO has jurisdiction over this special district annexation and Sphere of Influence amendment and any action that the Santa Clara LAFCO takes on the negative declaration is advisory only.

### **Project Location**

A total of 13 of the 14 parcels proposed for annexation (28 acres, non-contiguous site) are located in unincorporated Santa Clara County, along Old Alpine Road between Creek park Drive and Arastradero Road, just south of Los Trancos Creek (which forms the border of San Mateo County). One additional parcel (3 acres) is located within the City of Palo Alto, approximately one-half mile southwest of the other 13 parcels, along Los Trancos Road south of the intersection with Alpine Road and east of Los Trancos Creek.

### **Land Use and Planning**

The Santa Clara County Zoning Ordinance and General Plan designate the 13 parcels within unincorporated Santa Clara County as HS (Hillside Zoning). The City of Palo Alto Zoning Ordinance and Comprehensive Plan designate the southernmost parcel as Open Space (OS). The proposed project would not alter existing land uses in the study area. The applicants are not proposing any change to the existing zoning or general plan designations for the properties. As such, the project will not result in any impacts upon any of the current land use designations or development policies of the County or city.

## **ENVIRONMENTAL ASSESSMENT**

### **Negative Declaration**

An Initial Study and Negative Declaration have been prepared for the project. There were no significant impacts identified by the Initial Study. Environmental factors of specific concern to LAFCO are discussed below.

## **ENVIRONMENTAL FACTORS OF CONCERN TO LAFCO**

### **Premature Conversion of Agricultural and Open Space Lands**

Of the 14 parcels proposed for annexation, 9 currently contain single-family residences on lots ranging in size from 1 acre to 3 acres. Of the 4 parcels proposed for inclusion into the sphere of influence, 1 currently contains a single-family residence. None of the parcels is currently in agricultural production or designated for open space. The project therefore will not result in the conversion of any agricultural or open space lands.

### **Growth Inducement**

The subject parcels are located within the unincorporated section of Santa Clara County except for one parcel in the Palo Alto City Limits. As such, any subdivision proposal for any of these parcels must comply with the density requirements of the County General Plan. The County's General Plan designation for the parcels within the study area is

Hillside (20 acre minimum lot sizes). The one parcel located in the City of Palo Alto has a General Plan designation of Open Space (10 acre minimum lot sizes). Therefore, none of these parcels involved in this project are eligible for further subdivision.

The area included in the proposal sphere is geographically well-defined. The parcels proposed to be included in the sphere amendment are all located between Los Trancos Creek, which is also the County boundary, and a quickly rising hillside to the south. The geography constrains the limits of growth-inducing impacts associated with this proposal.

Of the 10 parcels proposed for annexation only, and the 4 parcels proposed for both annexation and inclusion in the SOI, there is the possibility of 5 new primary dwelling units to be constructed. No additional units are proposed as part of the annexation request and no plans have been submitted at this time.

The provision of sewers to each of the parcels, however, may provide an impetus for additional secondary units in the area, which require a special permit, by removing the current requirement to have a separate system for each dwelling unit. As part of the review for each Special Permit application, the County would evaluate the existing roadway conditions for increased traffic and safety impacts. Improvements to existing roadway to mitigate any impacts could be made a condition of approval for any Special Permit, if deemed necessary by County staff. As a result, the project is not expected to result in any significant impacts.

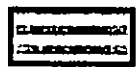
#### **Provision of Public Services**

According to the Negative Declaration/Initial Study, all urban services are available to the site. West Bay Sanitary District has indicated that it does have adequate sewer capacity to provide services to the properties without detracting from the existing service levels within this area. As such, the overall impact on services is minimal.

18  
9

### SANTA CLARA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

#### Site Review Results



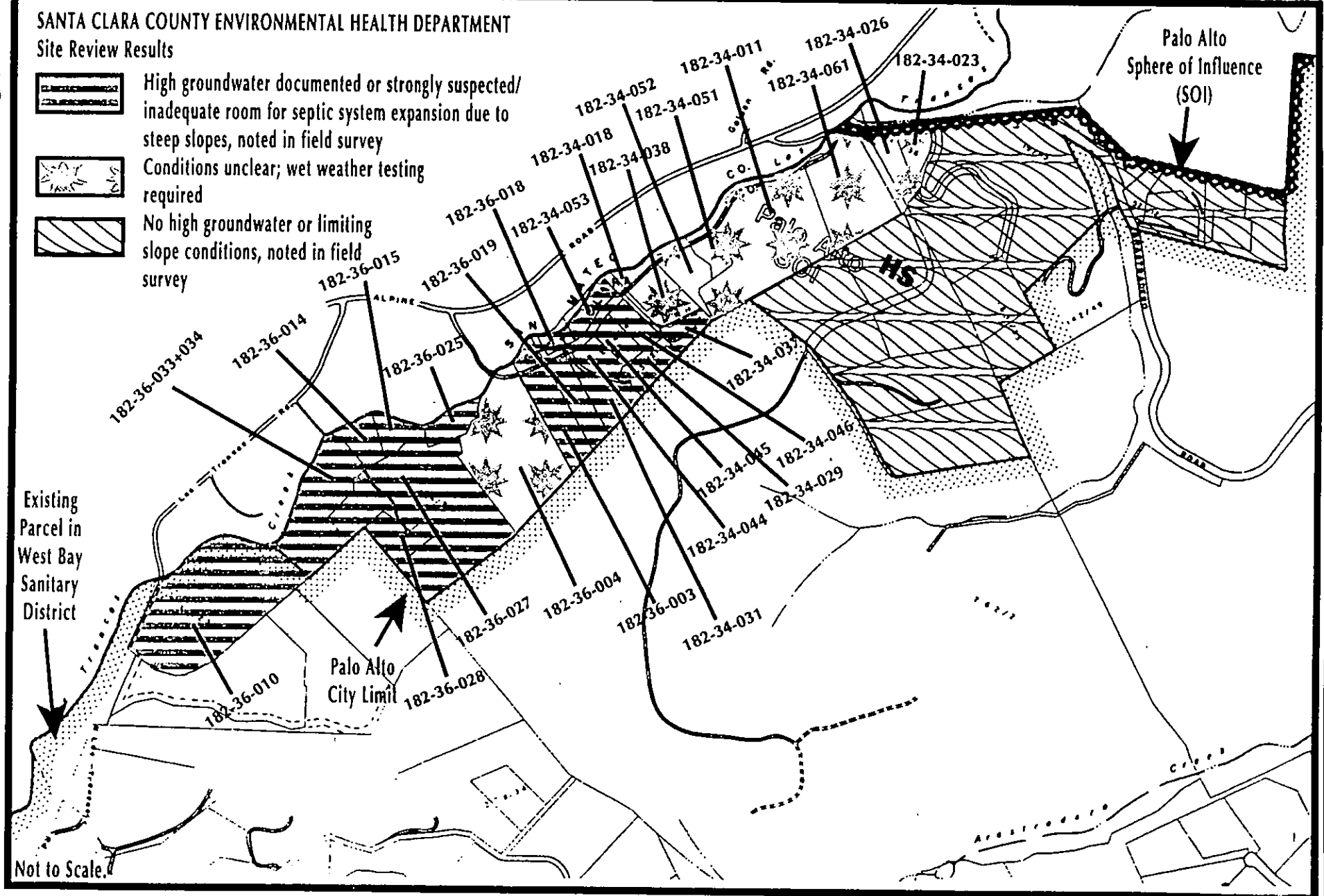
High groundwater documented or strongly suspected/  
inadequate room for septic system expansion due to  
steep slopes, noted in field survey



Conditions unclear; wet weather testing  
required



No high groundwater or limiting  
slope conditions, noted in field  
survey



Existing Parcel in West Bay Sanitary District

Palo Alto City Limit

Palo Alto Sphere of Influence (SOI)

Not to Scale.

Source: County of Santa Clara

**RB** Robert Bein, William Frost & Associates

WEST BAY SANITARY DISTRICT ANNEXATION AND  
SPHERE OF INFLUENCE AMENDMENT PROJECT

## Area Under Consideration for WBSD - SOI Amendment

ITEM 4.2  
**ATTACHMENT 3**

RESOLUTION NO. 939

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF SAN MATEO  
MAKING DETERMINATIONS, AMENDING THE SPHERE OF INFLUENCE  
OF THE WEST BAY SANITARY DISTRICT AND  
APPROVING THE  
ANNEXATION OF THE LANDS OF CONROE, GERST ET AL.  
TO THE WEST BAY SANITARY DISTRICT,  
WAIVING CONDUCTING AUTHORITY PROCEEDINGS  
AND ORDERING SAID ANNEXATION**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the West Bay Sanitary District in the County of San Mateo was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the proposal at the time noticed thereof, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, annexation of certain parcels is not consistent with existing district sphere of influence and it is appropriate that the Commission consider amendment of the sphere in connection with this proposal; and

WHEREAS, the landowners and District have requested that the Commission waive conducting authority proceedings pursuant to government code Section 56663; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. The West Bay Sanitary District sphere of influence is hereby amended to include the territory shown in Exhibit 1.

Section 2. The statement of determinations required by Government Code Section 56425 are as follows:

1) The present and planned land uses in the area, including agricultural and open space lands.

The present and planned land uses in the area are residential in nature with a County General Plan designation of Hillside and a city general plan designation of "Open Space District" which permits residential development.

(2) The present and probable need for public facilities and services in the area.

The area is an unincorporated, residential area and as reported by Santa Clara County Environmental Health, is characterized by high ground water and slopes making use of septic systems problematic. Future demand for services would increase as additional development occurs consistent with, and limited by City and County adopted general plans and zoning regulations.

- (3) The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

The City of Palo Alto is the next nearest sewer provider in the area but the area is physically separated from the City and the City cannot extend sewer service. West Bay Sanitary District is a regional sewer provider already serving adjacent areas and has indicated that it has sewage treatment capacity.

- (4) The existence of any social or economic communities of interest in the area if the Commission determines they are relevant to the agency.

This residential neighborhood south of Los Trancos Creek can be identified as a community of interest in that the area is accessed from the Town of Portola Valley and served by the same water provider. West Bay Sanitary District is already serving adjacent areas including other residential parcels in Santa Clara County along the Creek.

Section 3. This proposal is approved subject to the following conditions:

- a) submittal of revised maps and legal descriptions which meet the requirements of the State Board of Equalization and the County of Santa Clara Surveyor.

Section 4. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "2" attached hereto and by this reference incorporated herein.

Section 5. The territory consists of 25.04 acres, is found to be inhabited, and is assigned the following distinctive short form designation: Annexation of the Lands of Conroe, Gerst et al. to the West Bay Sanitary District.

Section 6. Subsequent annexation of the territory to West Bay Sanitary District On-Site Wastewater Disposal Zone if required is hereby approved.

Section 7. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56663 and this annexation is hereby ordered.

Regularly passed and adopted this 15th day of May, 2002.

Ayes and in favor of said resolution:

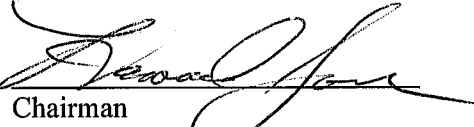
Commissioners: Duane Bay  
Robert Craig (Alt)  
Rich Gordon  
Rose Jacobs Gibson (Alt)  
Marguerite Kaufman  
Sepi Richardson  
Howard Jones

Noes and against said resolution:

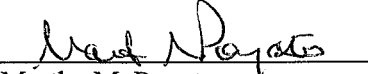
Commissioners: none  
 \_\_\_\_\_  
 \_\_\_\_\_

~~Absent and/or Abstentions:~~

Commissioners: Iris Gallagher, Jerry Hill

  
 Chairman  
 Local Agency Formation Commission  
 County of San Mateo  
 State of California

ATTEST:

  
 Martha M. Poyatos  
 Executive Officer  
 Local Agency Formation Commission

Date: 5/16/02

I certify that this is a true and correct copy of the resolution above set forth.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Martha Poyatos  
 Clerk to the Commission





---

## San Francisco Bay Regional Water Quality Control Board

October 31, 2022  
File: CW-255833

West Bay Sanitary District  
500 Laurel Street  
Menlo Park, California 94025-3486

**Approval to Annex Certain Territory (Lands of Pistol & Khorsand) to the West Bay Sanitary District On-Site Wastewater Disposal Zone: APN: 182-36-\*046**

Dear Bill Kitajima:

The Regional Water Board hereby approves the annexation of the subject parcel to the On-Site Wastewater Disposal Zone of the West Bay Sanitary District (District). The property owners applied to the District for annexation "for the purpose of obtaining sewer service for a single-family residence." To connect to existing District sewer facilities, the property owners require a Grinder Pump System that the District must maintain. Therefore, this parcel must be annexed into the District's disposal zone.

The Regional Water Board's approval is conditional upon the District (1) retaining responsibility for operation and maintenance of the grinder pump system, and (2) ensuring the proper operation and maintenance of the other sewerage facilities serving the parcel. Disposal of sewage onto soils within the disposal zone is not approved.

If you have any questions, please contact me at (510) 622-2407, or via e-mail at [gaurav.mittal@waterboards.ca.gov](mailto:gaurav.mittal@waterboards.ca.gov).

Sincerely,

Gaurav Mittal  
Water Resource Control Engineer

---

JAYNE BATTEY, CHAIR | EILEEN WHITE, EXECUTIVE OFFICER

1515 Clay St., Suite 1400, Oakland, CA 94612 | [www.waterboards.ca.gov/sanfranciscobay](http://www.waterboards.ca.gov/sanfranciscobay)

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## WEST BAY SANITARY DISTRICT AGENDA ITEM 4

**To:** *Board of Directors*

**From:** *Todd Reese, Office & Communications Manager*

**Subject:** *Consider Adopting Resolution Ordering Annexation of Certain Parcels in the Territory of West Bay Sanitary District to the West Bay Sanitary District's On-Site Wastewater Disposal Zone Including Certain Determinations, Findings and Declarations of the District Board – Lands of Pistol & Khorsand (0 Alpine Road, Palo Alto)*

---

### Background

This property will utilize a septic tank effluent pump (STEP) system; consequently this property must be annexed into the District's On-Site Wastewater Disposal Zone. The proponent shall be required to install a STEP system that will connect to the existing main on Old Alpine Road.

### Analysis

Following the Public Hearing to annex certain territory to the District's On-Site Wastewater Disposal Zone, the attached resolution would formally complete the annexation of the referenced Lands of Pistol & Khorsand.

### Fiscal Impact

Property owners have paid all annexation fees and the fiscal impact would be additional sewer service charge revenue to the District once the parcel is connected.

### Recommendation

Subject to the final review by legal counsel and the findings of the resolution holding true through the public hearing (i.e., protests by less than 35 percent of the voters and landholders), it is recommended by the Office & Communications Manager that the Board adopt the resolution as drafted.

Attachment: Resolution \_\_\_\_\_ (2022), Legal/Geographic Description, Site Map

---

WEST BAY SANITARY DISTRICT

RESOLUTION NO. \_\_\_\_\_ (2022)

**RESOLUTION ORDERING ANNEXATION OF CERTAIN TERRITORY OF WEST BAY SANITARY DISTRICT TO THE WEST BAY SANITARY DISTRICT ON-SITE WASTEWATER DISPOSAL ZONE INCLUDING CERTAIN DETERMINATIONS, FINDINGS AND DECLARATIONS OF THE DISTRICT BOARD (LANDS OF PISTOL & KHORSAND)**

The District Board of West Bay Sanitary District determines, finds and declares as follows:

(a) The proceedings, which are the subject of the Resolution, are undertaken pursuant to Chapter 3 of Part 2 of Division 5 (commencing with Section 6950) of the California Health & Safety ("H & S") Code having to do with the formation of, and annexations to, on-site wastewater disposal zones.

(b) On September 14, 2022 the District Board approved and adopted Resolution No. 2354 (2022), "RESOLUTION OF INTENTION TO ANNEX CERTAIN TERRITORY TO THE WEST BAY SANITARY DISTRICT ON-SITE WASTEWATER DISPOSAL ZONE." Among other things, Resolution No. 2354 (2022) described the area to be annexed to the zone, the name and address of the applicant and the number, type, volume and location of on-site wastewater disposal systems proposed.

(c) Pursuant to Resolution No. 2354 (2022), a public hearing was noticed in the manner required by H&S § 6958. The public hearing was commenced on November 9, 2022 and closed on November 9, 2022.

(d) Prior to the close of the hearing, the District Board received and considered reports from the following public officials and agencies as required by law:

- i. From the Public Health and Environmental Protection Division, Health Services Agencies, a letter dated November 2, 2022, constituting the report of the local health officer specifying the matters required by H & S § 6960.1.
- ii. From the California Regional Water Quality Control Board, San Francisco Bay Region, a letter dated October 31, 2022 constituting the report of the affected regional water quality control board with regard to the matters required by H & S § 6960.1 and approving the proposed plan for wastewater disposal by the affected regional water quality control board required by H & S § 6960.4.
- iii. From Santa Clara Local Agency Formation Commission, a letter by which the commission approved annexation to the District and the District's On-Site Wastewater Disposal Zone.

(e) At all times during the public hearing, the District was prepared to hear and receive any oral or written protests, objections and evidence which might be offered. No oral or written protests, objections or evidence in opposition to the proposal were made, presented or filed at any time. Therefore, pursuant to H & S § 6963, it is determined that written protests filed and not withdrawn prior to the conclusion of the public hearing represented:

- i. Less than 35 percent of the number of voters who reside in the territory to be annexed to the zone; and
- ii. Less than 35 percent of the number of owners of real property in the territory to be annexed to the zone who also own not less than 35 percent of the assessed value of real property in the territory to be annexed to the zone.

(f) The number and types of on-site wastewater disposal systems proposed to be acquired, operated, maintained and monitored in the territory to be annexed to the zone are in conformity with and do not exceed the limitations set forth in the reports referred to (d) i. and ii. above.

(g) The territory proposed for annexation to the zone contains two (2) voters as defined in the Elections Code.

(h) Operation of the zone in the territory to be annexed will not result in land uses that are not consistent with general plans, zoning ordinances or other land use regulations of the Town of Portola Valley, the County of Santa Clara or any other affected public agency.

In consideration of the foregoing determinations, findings and declarations,

**IT IS RESOLVED** by the District Board as follows:

1. The territory described in Exhibit "A" shall be annexed to the West Bay Sanitary District On-Site Wastewater Disposal Zone.
2. This annexation shall be accomplished without an election and confirmation of voters within the area to be annexed shall not be required on the question of such annexation.
3. The exterior boundaries of the annexation shall include the same territory described in Exhibit "A" to Resolution No. 2254 (2022), which Exhibit "A" is attached to this Resolution and incorporated herein by reference.
4. There shall be one on-site wastewater disposal system serving one residential user in the territory to be annexed to the zone, which system the District will either acquire, operate, maintain or monitor, as the case may be, all as set forth in Exhibit "B" to Resolution No. 2354 (2022), which Exhibit "B" is attached to this Resolution and incorporated herein by reference.
5. Operations of the portions of the zone annexed herein shall be financed by a system of fees and charges imposed upon persons who make use of the on-site wastewater disposal system in the territory annexed to the zone. The fees and charges will be structured to take into account the actual costs of operating and administering the zone and the maintenance, repair and replacement of wastewater facilities within the

territory annexed to the zone. The fees and charges will, to the extent applicable, include the cost of transporting zone-generated wastewaters to appropriate wastewater treatment facilities.

\*\*\*\*\*

Passed and adopted by the District Board of West Bay Sanitary District at a regular meeting thereof held on the 9<sup>th</sup> day of November, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

President of the District Board of the  
West Bay Sanitary District, San  
Mateo County, State of California

Attest:

---

Secretary of the District Board of the  
West Bay Sanitary District, San Mateo  
County, State of California

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF KLEIN, LANZA, REED  
URBANOWICZ, AND CARSTENS**

**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

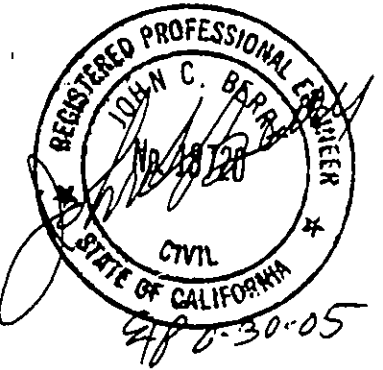
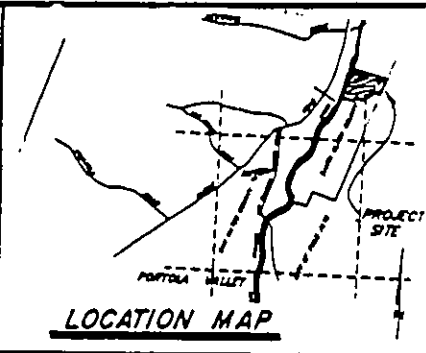
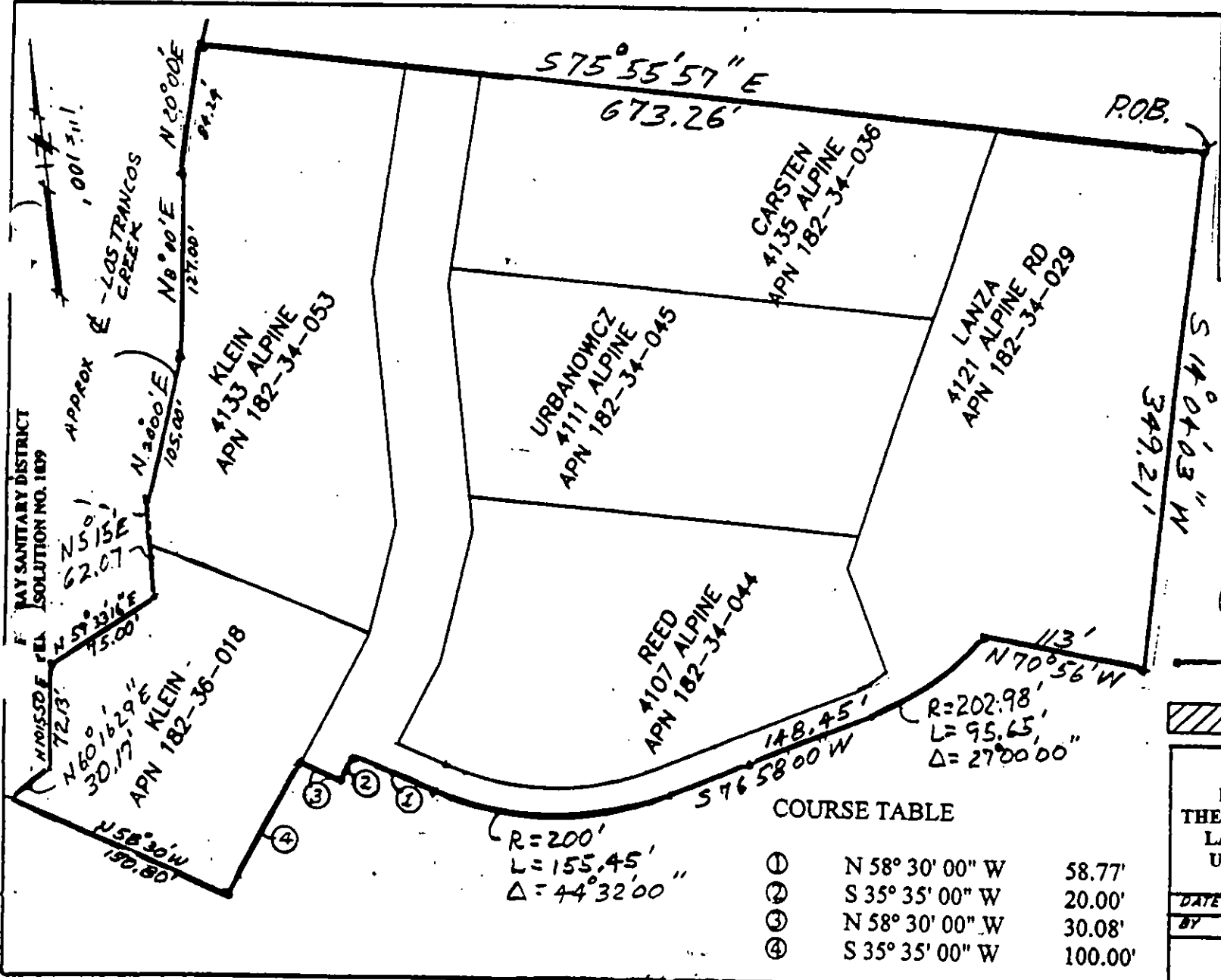
**BEGINNING AT THE MOST NORTHEAST CORNER OF THAT CERTAIN 1.622 ACRE PARCEL AS SAID PARCEL IS SHOWN ON "RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE MADERA FOR ORA V. WALKER" RECORDED OCTOBER 20, 1961 IN BOOK 139 OF MAPS AT PAGE 27, RECORDS OF SANTA CLARA COUNTY; THENCE SOUTH 14° 04' 03" WEST 349.21 FEET; THENCE NORTH 70° 56' 00" WEST 113.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, THROUGH WHICH A RADIAL LINE BEARS NORTH 40° 02' 00" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF A 202.98 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 27° 00' 00" AN ARC DISTANCE OF 95.65 FEET; THENCE TANGENT TO LAST SAID CURVE SOUTH 76° 58' 00" WEST 148.45 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF A 200 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 44° 32' 00", AN ARC DISTANCE OF 155.45 FEET; THENCE TANGENT TO LAST SAID CURVE, NORTH 58° 30' 00" WEST 58.77 FEET; THENCE SOUTH 35° 35' 00" WEST 20.00 FEET; THENCE NORTH 58° 30' 00" WEST 30.08 FEET; THENCE SOUTH 35° 35' WEST 100.00 FEET; THENCE NORTH 58° 30' WEST 150.80 FEET TO THE CENTERLINE OF LOS TRANCOS CREEK; SAID LINE ALSO BEING THE EASTERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO. 1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY BOUNDARY OF WBSD AND SAID CENTERLINE OF LOS TRANCOS CREEK NORTH 60° 16' 29" EAST 30.17 FEET; THENCE NORTH 10° 15' 50" EAST 72.13 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY OF WBSD NORTH 59° 33' 16" EAST 75.00 FEET; THENCE NORTH 05° 15' 00" EAST 62.07 FEET; THENCE NORTH 20° 00' EAST 105.00 FEET; THENCE NORTH 8° 00' EAST 127.00 FEET; THENCE NORTH 20° 00' EAST 84.24 FEET; THENCE LEAVING SAID CENTERLINE OF LOS TRANCOS CREEK SOUTH 75° 55' 57" EAST 673.26 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS INCLUDE A 50-FOOT RIGHT OF WAY FOR OLD ALPINE ROAD AS SAID DEDICATION IS SHOWN ON AFORESAID RECORD OF SURVEY.**

**CONTAINING 7.10 ACRES, MORE OR LESS**

APN'S 182-36-018 ✓ 182-34-036 - SB 046  
182-34-053 ✓ 182-34-044 ✓  
182-34-045 ✓ 182-34-029 ✓





BOUNDARY LINE OF PROPOSED ANNEXATION

PROPOSED ANNEXATION

COURSE TABLE

①	N 58° 30' 00" W	58.77'
②	S 35° 35' 00" W	20.00'
③	N 58° 30' 00" W	30.08'
④	S 35° 35' 00" W	100.00'

EXHIBIT A  
 PROPOSED ANNEXATION TO  
 THE WEST BAY SANITARY DISTRICT  
 LANDS OF KLEIN, LANZA, REED  
 URBANOWICZ, AND CARSTENS

DATE 3/8/05 SCALE

BY





## WEST BAY SANITARY DISTRICT AGENDA ITEM 5

**To:** *Board of Directors*

**From:** *Todd Reese, Office & Communications Manager*

**Subject:** *Public Hearing - Annexing Certain Territory Within the West Bay Sanitary District's On-Site Wastewater Disposal Zone – Lands of Davidson (20 Shoshone, Portola Valley)*

---

### Background

On September 14, 2022, the Board adopted a Resolution of intention to annex the parcel referenced above to the District's On-Site Wastewater Disposal Zone. The Public Hearing date was established as November 9, 2022.

### Analysis

The District's ***Master Resolution Governing Annexations of Territory to the West Bay Sanitary District On-Site Disposal Zone*** states: "Pursuant to Section 6959 of the Health and Safety Code, the date of the Public Hearing shall be commenced no less than 45 days nor more than 60 days from the date of adoption of the Resolution of Intention, and the Public Hearing shall be completed no more than 90 days after the first day of the hearing."

In accordance with Section 6960, and 6960.1 of the same code, reviews and reports of findings are required of both the County Health Officer and Regional Water Quality Control Board. Additionally, Section 6960.3 of this code requires the review and approval by a local agency formation commission, which has adopted rules and regulations affecting the functions and services of special districts.

The San Mateo County Health Officer has responded by a letter of approval dated November 2, 2022 a copy of which is attached; the San Francisco Bay Regional Water Quality Control Board responded by a letter of approval dated October 31, 2022, a copy of which is attached; and the San Mateo Local Agency Formation Commission has approved per their Resolution No. 1283 dated April 28, 2022, a copy of which is attached.

### Fiscal Impact

Property owners have paid all annexation fees and the fiscal impact would be additional sewer service charge revenue to the District once the parcel is connected.

---

**Report to the District Board for the Regular Meeting of November 9, 2022**

Recommendation

The Board is asked to close the Public Hearing following public comment.

Attachments: San Mateo County Health Officer Letter

San Francisco Bay Regional Water Quality Control Board Letter

San Mateo Local Agency Formation Commission Resolution No. 1283



COUNTY OF SAN MATEO

Heather Forshey, MS, REHS  
Director

Environmental Health Services  
San Mateo County Health  
2000 Alameda de las Pulgas  
Suite 100  
San Mateo, CA 94403  
[smchealth.org](http://smchealth.org)

November 2, 2022

APN 077-331-110

Todd Reese  
West Bay Sanitary District  
500 Laurel Street  
Menlo Park, CA 94025

Dear Mr. Reese:

**SUBJECT: ANNEXATION, 20 SHOSHONE PLACE, PORTOLA VALLEY,  
APN 077-331-110**

Thank you for the October 28, 2022, letter of *Intention to Annex Certain Territory* to District's On-Site Wastewater Disposal Zone for the subject parcel. County Environmental Health has reviewed the letter of intent and has no objection to the annexation of this parcel into the District's on-site wastewater disposal zone. The existing onsite wastewater treatment systems (OWTS) must be destroyed under permit with Environmental Health upon connection to the West Bay system.

Should you have any questions, please call me at (650) 372-6279.

Sincerely,

Supervisor Water Protection and Land Use Programs

cc: Laura Russell, Planning Director, Town of Portola Valley





## San Francisco Bay Regional Water Quality Control Board

October 31, 2022  
File: CW-255833

West Bay Sanitary District  
500 Laurel Street  
Menlo Park, California 94025-3486

### **Approval to Annex Certain Territory (Lands of Davidson) to the West Bay Sanitary District On-Site Wastewater Disposal Zone: APN: 077-331-110**

Dear Bill Kitajima:

The Regional Water Board hereby approves the annexation of the subject parcel to the On-Site Wastewater Disposal Zone of the West Bay Sanitary District (District). The property owners applied to the District for annexation "for the purpose of obtaining sewer service for a single-family residence." To connect to existing District sewer facilities, the property owners require a Grinder Pump System that the District must maintain. Therefore, this parcel must be annexed into the District's disposal zone.

The Regional Water Board's approval is conditional upon the District (1) retaining responsibility for operation and maintenance of the grinder pump system, and (2) ensuring the proper operation and maintenance of the other sewerage facilities serving the parcel. Disposal of sewage onto soils within the disposal zone is not approved.

If you have any questions, please contact me at (510) 622-2407, or via e-mail at [gaurav.mittal@waterboards.ca.gov](mailto:gaurav.mittal@waterboards.ca.gov).

Sincerely,

Gaurav Mittal  
Water Resource Control Engineer

JAYNE BATTEY, CHAIR | EILEEN WHITE, EXECUTIVE OFFICER

1515 Clay St., Suite 1400, Oakland, CA 94612 | [www.waterboards.ca.gov/sanfranciscobay](http://www.waterboards.ca.gov/sanfranciscobay)

**2022-047208 CONF**

8:56 am 06/10/22 CCL Fee: NO FEE

Count of pages 7

Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



(This space for Recorder's use only)

RECORDING REQUESTED BY:

SAN MATEO LAFCO  
LOCAL AGENCY FORMATION COMMISSION

WHEN RECORDED, PLEASE SEND TO:

San Mateo LAFCo

**LAF 124**

**SHORT-FORM DESIGNATION OF DOCUMENT:**

Annexation of 20 Shoshone Place, Portola Valley to the West Bay Sanitary District

**RECORDER'S CODE: CCL**

(Exempt from filing fees per Government Code 6103)



**LOCAL AGENCY FORMATION COMMISSION**

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

**CERTIFICATE OF COMPLETION**

Pursuant to Government Code Section 57200, this Certificate is issued by the Executive Officer of the Local Agency Formation Commission of San Mateo County, California.

1. The short-form designation, as determined by LAFCo, is Annexation of 20 Shoshone Place, Portola Valley to the West Bay Sanitary District.
2. The name of each district or city involved in this change of organization or reorganization and the kind or type of change of organization ordered for each city or district are as follows:

<u>City or District</u>	<u>Type of Change of Organization</u>
-------------------------	---------------------------------------

West Bay Sanitary District	Annexation
----------------------------	------------

3. The above-listed cities and/or districts are located within the following counties: San Mateo County and Santa Clara County.
4. A description of the boundaries of the above-cited change of organization or reorganization is shown on the attached map, marked Exhibit A and by reference incorporated herein.
5. The territory involved in this change of organization or reorganization is uninhabited.
6. This change of organization has been approved subject to the following terms and conditions, if any: None.
7. The resolution confirming this change of organization was adopted on April 20, 2022 by LAFCo, is marked Exhibit B, and by reference incorporated herein.

I hereby certify that I have examined the above-cited resolution, including any terms and conditions, and the map description and have found these documents to be in compliance with Resolution 1283, adopted on April 20, 2022.

Dated: June 10, 2022

*Rob Bartoli*

Rob Bartoli  
Executive Officer

**COMMISSIONERS:** MIKE O'NEILL, CHAIR, CITY ▪ ANN DRAPER, VICE CHAIR, PUBLIC ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY  
▪ WARREN SLOCUM, COUNTY ▪ KATI MARTIN, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT

**ALTERNATES:** VACANT, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

**EXHIBIT "A"**

Date: May 26, 2022

Annexed to: West Bay Sanitary District

Name of Annexation: West Bay Sanitary

**Geographic Description**  
Lands of Davidson

All that certain real property, situate in the Town of Portola Valley, County of San Mateo, State of California, being all of Lot 2, Block 4 and a portion of the right of way of Shoshone Place (50 feet wide), as shown on that certain map entitled "Tract No. 774 Arrowhead Meadows Unit No. 4", filed in the office of the County Recorder of San Mateo County on March 17, 1959 in Volume 50 of Maps at Pages 45, 46, 47 & 48, more particularly described as follows:

**Beginning** at the Northeast corner of West Bay Sanitary District Resolution No. 1211, said point also being on the South right of way line of said place and the Northwest corner of said lot;

Course 1.) North 03°30'00" West, 25.00 feet to the centerline of said Shoshone Place, thence, Course 2.) Along said centerline, North 86°30'00" East, 135.00 feet to the center of Shoshone Place cul-de-sac, thence,

Course 3.) Leaving last said centerline, South 27°00'00" East, 40.00 feet to said south right of way and the Northeast corner of said lot, thence,

Course 4.) Along the Northeast line of said lot, South 48°01'15" East, 210.17 feet to the East corner of said lot, thence,

Course 5.) Along the Southeast line of said lot, South 48°34'47" West, 175.00 feet to the Southeast corner of said lot, thence,

Course 6.) Along the South line of said lot, North 84°00'00" West, 80.00 feet to the Southwest corner of said lot, thence,

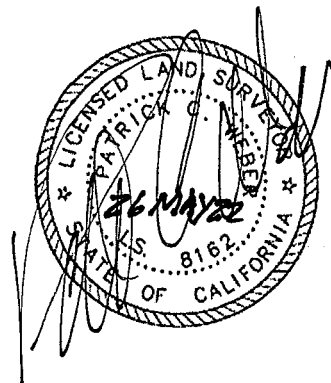
Course 7.) Along the Westerly line of said lot, North 27°44'43" West, 140.44 feet to the Westerly angle point of said lot, said point also being the Southeast corner of said resolution, thence,

Course 8.) Along last said westerly line and the Easterly line of said resolution, North 14°00'00" West, 130.00 feet to the **Point of Beginning** containing 1.23 acres, more or less.

*For assessment purposes only. The description is no a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

**APPROVED**  
**SAN MATEO LOCAL AGENCY**  
**FORMATION COMMISSION**  
455 COUNTY CENTER  
REDWOOD CITY, CA 94063

EXHIBIT A PAGE 1 OF 2

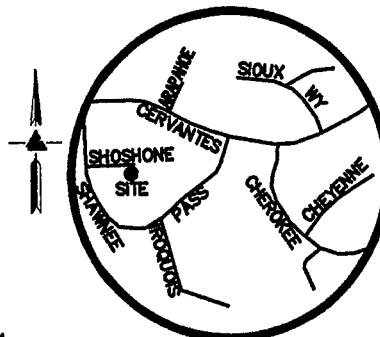


# WEST BAY SANITARY DISTRICT (20 SHOSHONE PLACE)

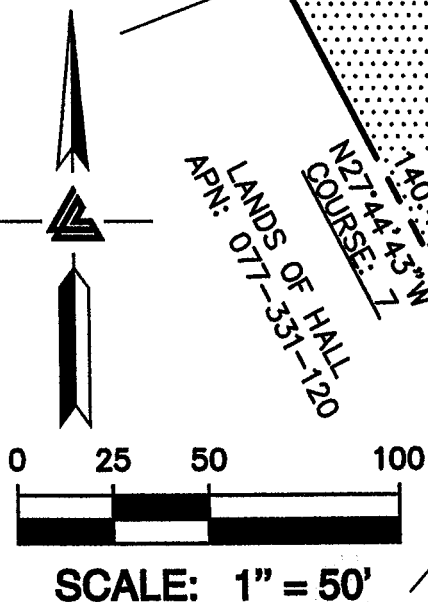
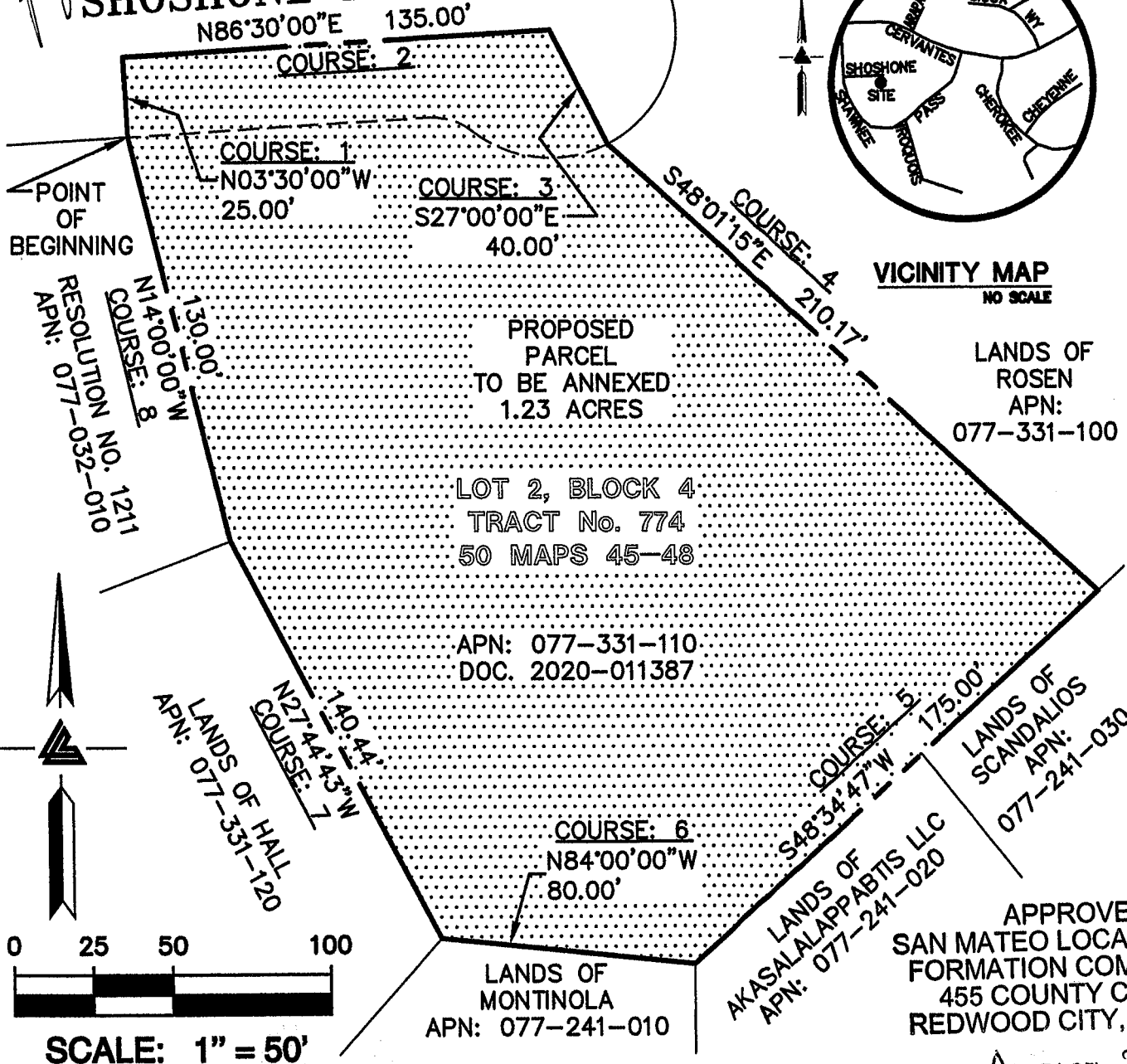


**DISCLAIMER:**  
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

## SHOSHONE PLACE (50')



**VICINITY MAP**  
NO SCALE



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

EXHIBIT A PAGE 2 OF 2

**LEA & BRAZE ENGINEERING, INC.**  
CIVIL ENGINEERS • LAND SURVEYORS

BAY AREA REGION 2495 INDUSTRIAL PKWY WEST HAYWARD, CALIFORNIA 94545 (P) (510) 887-4086 (F) (510) 887-3019 WWW.LEABRAZE.COM	SACRAMENTO REGION 3017 DOUGLAS BLVD, # 300 ROSEVILLE, CA 95661 (P) (916) 966-1338 (F) (916) 797-7363
---	--

**EXHIBIT "B"**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**PROPOSED SEWER ANNEXATION**  
**20 SHOSHONE PLACE**  
**PORTOLA VALLEY, CALIFORNIA**  
**SAN MATEO COUNTY**  
**RANCHO EL CORTE MADERA**



RESOLUTION NO. 1283

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF SAN MATEO  
MAKING DETERMINATIONS, APPROVING LAFCO FILE 22-03 -  
ANNEXATION OF 20 SHOSHONE PLACE, PORTOLA VALLEY, (APN 077-331-110)  
TO THE WEST BAY SANITARY DISTRICT AND THE ON-SITE WASTEWATER DISPOSAL ZONE, AND  
WAIVING CONDUCTING AUTHORITY PROCEEDINGS**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the West Bay Sanitary District in the County of San Mateo was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including the recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the proposal and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, the landowners and District have requested that the Commission waive conducting authority proceedings pursuant to government code Section 56837(c); and

WHEREAS, the proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15319(a) & (b) (Annexations of Existing Facilities and Lots for Exempt Facilities); and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. This proposal is approved, subject to the following conditions: None.

Section 2. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The territory consists of 1.14 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Annexation of 20 Shoshone Place, Portola Valley to the West Bay Sanitary District.

Section 4. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56663 and this annexation is hereby ordered.

Section 5. Subsequent annexation to the On-Site Wastewater Disposal Zone is hereby approved.

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

EXHIBIT B PAGE 2 OF 3

Regularly passed and adopted this 20<sup>th</sup> day of April, 2022.

EXHIBIT B PAGE 3 OF 3

Ayes and in favor of said resolution:

Commissioners: Joshua Cosgrove  
Don Horsley  
Ric Lohman  
Harvey Rarback  
Warren Slocum  
Ann Draper, Vice Chair  
Mike O'Neill, Chair

Noes and against said resolution:

None

Commissioners Absent and/or Abstentions:

Commissioners: None

*Michael O'Neil*

Chair  
Local Agency Formation Commission  
County of San Mateo  
State of California

ATTEST:

*Roberto J. Bartolif*

Executive Officer  
Local Agency Formation Commission

Date: April 28, 2022

I certify that this is a true and correct copy of the resolution above set forth.

Date: \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Commission  
Local Agency Formation Commission

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## WEST BAY SANITARY DISTRICT AGENDA ITEM 6

**To:** *Board of Directors*

**From:** *Todd Reese, Office & Communications Manager*

**Subject:** *Consider Adopting Resolution Ordering Annexation of Certain Parcels in the Territory of West Bay Sanitary District to the West Bay Sanitary District's On-Site Wastewater Disposal Zone Including Certain Determinations, Findings and Declarations of the District Board – Lands of Davidson (20 Shoshone Place, Portola Valley)*

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### Background

This property will utilize a Grinder Pump system; consequently this property must be annexed into the District's On-Site Wastewater Disposal Zone. The proponent shall be required to install a Grinder Pump system and connect to a WBSD force main (FM) located on Shawnee Pass in front of 135 Shawnee Pass.

### Analysis

Following the Public Hearing to annex certain territory to the District's On-Site Wastewater Disposal Zone, the attached resolution would formally complete the annexation of the referenced Lands of Davidson.

### Fiscal Impact

Property owners have paid all annexation fees and the fiscal impact would be additional sewer service charge revenue to the District once the parcel is connected.

### Recommendation

Subject to the final review by legal counsel and the findings of the resolution holding true through the public hearing (i.e., protests by less than 35 percent of the voters and landholders), it is recommended by the Office & Communications Manager that the Board adopt the resolution as drafted.

Attachment: Resolution \_\_\_\_\_ (2022), Legal/Geographic Description, Site Map

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WEST BAY SANITARY DISTRICT

RESOLUTION NO. \_\_\_\_\_ (2022)

**RESOLUTION ORDERING ANNEXATION OF CERTAIN TERRITORY OF WEST BAY SANITARY DISTRICT TO THE WEST BAY SANITARY DISTRICT ON-SITE WASTEWATER DISPOSAL ZONE INCLUDING CERTAIN DETERMINATIONS, FINDINGS AND DECLARATIONS OF THE DISTRICT BOARD (LANDS OF DAVIDSON)**

The District Board of West Bay Sanitary District determines, finds and declares as follows:

(a) The proceedings, which are the subject of the Resolution, are undertaken pursuant to Chapter 3 of Part 2 of Division 5 (commencing with Section 6950) of the California Health & Safety (“H & S”) Code having to do with the formation of, and annexations to, on-site wastewater disposal zones.

(b) On September 14, 2022 the District Board approved and adopted Resolution No. 2355 (2022), “RESOLUTION OF INTENTION TO ANNEX CERTAIN TERRITORY TO THE WEST BAY SANITARY DISTRICT ON-SITE WASTEWATER DISPOSAL ZONE.” Among other things, Resolution No. 2355 (2022) described the area to be annexed to the zone, the name and address of the applicant and the number, type, volume and location of on-site wastewater disposal systems proposed.

(c) Pursuant to Resolution No. 2355 (2022), a public hearing was noticed in the manner required by H&S § 6958. The public hearing was commenced on November 9, 2022 and closed on November 9, 2022.

(d) Prior to the close of the hearing, the District Board received and considered reports from the following public officials and agencies as required by law:

- i. From the Public Health and Environmental Protection Division, Health Services Agency of the County of San Mateo, a letter dated September 28, 2022, constituting the report of the local health officer specifying the matters required by H & S § 6960.1.
- ii. From the California Regional Water Quality Control Board, San Francisco Bay Region, a letter dated October 31, 2022 constituting the report of the affected regional water quality control board with regard to the matters required by H & S § 6960.1 and approving the proposed plan for wastewater disposal by the affected regional water quality control board required by H & S § 6960.4.
- iii. From San Mateo Local Agency Formation Commission, a letter by which the commission approved annexation to the District and the District’s On-Site Wastewater Disposal Zone.

(e) At all times during the public hearing, the District was prepared to hear and receive any oral or written protests, objections and evidence which might be offered. No oral or written protests, objections or evidence in opposition to the proposal were made, presented or filed at any time. Therefore, pursuant to H & S § 6963, it is determined that written protests filed and not withdrawn prior to the conclusion of the public hearing represented:

- i. Less than 35 percent of the number of voters who reside in the territory to be annexed to the zone; and
- ii. Less than 35 percent of the number of owners of real property in the territory to be annexed to the zone who also own not less than 35 percent of the assessed value of real property in the territory to be annexed to the zone.

(f) The number and types of on-site wastewater disposal systems proposed to be acquired, operated, maintained and monitored in the territory to be annexed to the zone are in conformity with and do not exceed the limitations set forth in the reports referred to (d) i. and ii. above.

(g) The territory proposed for annexation to the zone contains two (2) voters as defined in the Elections Code.

(h) Operation of the zone in the territory to be annexed will not result in land uses that are not consistent with general plans, zoning ordinances or other land use regulations of the Town of Portola Valley, the County of San Mateo or any other affected public agency.

In consideration of the foregoing determinations, findings and declarations,

**IT IS RESOLVED** by the District Board as follows:

1. The territory described in Exhibit "A" shall be annexed to the West Bay Sanitary District On-Site Wastewater Disposal Zone.
2. This annexation shall be accomplished without an election and confirmation of voters within the area to be annexed shall not be required on the question of such annexation.
3. The exterior boundaries of the annexation shall include the same territory described in Exhibit "A" to Resolution No. 2355 (2022), which Exhibit "A" is attached to this Resolution and incorporated herein by reference.
4. There shall be one on-site wastewater disposal system serving one residential user in the territory to be annexed to the zone, which system the District will either acquire, operate, maintain or monitor, as the case may be, all as set forth in Exhibit "B" to Resolution No. 2355 (2022), which Exhibit "B" is attached to this Resolution and incorporated herein by reference.
5. Operations of the portions of the zone annexed herein shall be financed by a system of fees and charges imposed upon persons who make use of the on-site wastewater disposal system in the territory annexed to the zone. The fees and charges will be structured to take into account the actual costs of operating and administering the zone and the maintenance, repair and replacement of wastewater facilities within the

territory annexed to the zone. The fees and charges will, to the extent applicable, include the cost of transporting zone-generated wastewaters to appropriate wastewater treatment facilities.

\*\*\*\*\*

Passed and adopted by the District Board of West Bay Sanitary District at a regular meeting thereof held on the 9<sup>th</sup> day of November 9, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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President of the District Board of the  
West Bay Sanitary District, San  
Mateo County, State of California

Attest:

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Secretary of the District Board of the  
West Bay Sanitary District, San Mateo  
County, State of California



**EXHIBIT "A"**

Date: May 26, 2022

Annexed to: West Bay Sanitary District

Name of Annexation: West Bay Sanitary

**Geographic Description**  
Lands of Davidson

All that certain real property, situate in the Town of Portola Valley, County of San Mateo, State of California, being all of Lot 2, Block 4 and a portion of the right of way of Shoshone Place (50 feet wide), as shown on that certain map entitled "Tract No. 774 Arrowhead Meadows Unit No. 4", filed in the office of the County Recorder of San Mateo County on March 17, 1959 in Volume 50 of Maps at Pages 45, 46, 47 & 48, more particularly described as follows:

**Beginning** at the Northeast corner of West Bay Sanitary District Resolution No. 1211, said point also being on the South right of way line of said place and the Northwest corner of said lot;

Course 1.) North 03°30'00" West, 25.00 feet to the centerline of said Shoshone Place, thence, Course 2.) Along said centerline, North 86°30'00" East, 135.00 feet to the center of Shoshone Place cul-de-sac, thence,

Course 3.) Leaving last said centerline, South 27°00'00" East, 40.00 feet to said south right of way and the Northeast corner of said lot, thence,

Course 4.) Along the Northeast line of said lot, South 48°01'15" East, 210.17 feet to the East corner of said lot, thence,

Course 5.) Along the Southeast line of said lot, South 48°34'47" West, 175.00 feet to the Southeast corner of said lot, thence,

Course 6.) Along the South line of said lot, North 84°00'00" West, 80.00 feet to the Southwest corner of said lot, thence,

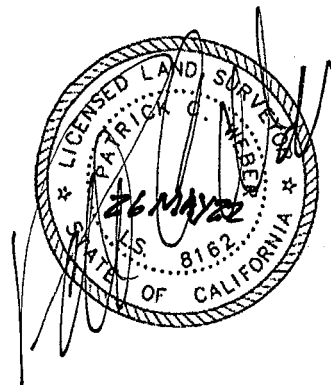
Course 7.) Along the Westerly line of said lot, North 27°44'43" West, 140.44 feet to the Westerly angle point of said lot, said point also being the Southeast corner of said resolution, thence,

Course 8.) Along last said westerly line and the Easterly line of said resolution, North 14°00'00" West, 130.00 feet to the **Point of Beginning** containing 1.23 acres, more or less.

*For assessment purposes only. The description is no a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

**APPROVED**  
**SAN MATEO LOCAL AGENCY**  
**FORMATION COMMISSION**  
455 COUNTY CENTER  
REDWOOD CITY, CA 94063

EXHIBIT A PAGE 1 OF 2

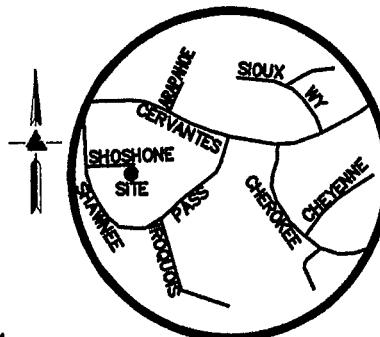


# WEST BAY SANITARY DISTRICT (20 SHOSHONE PLACE)

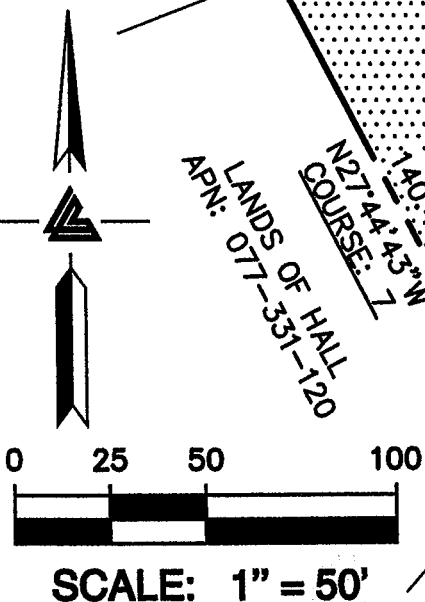
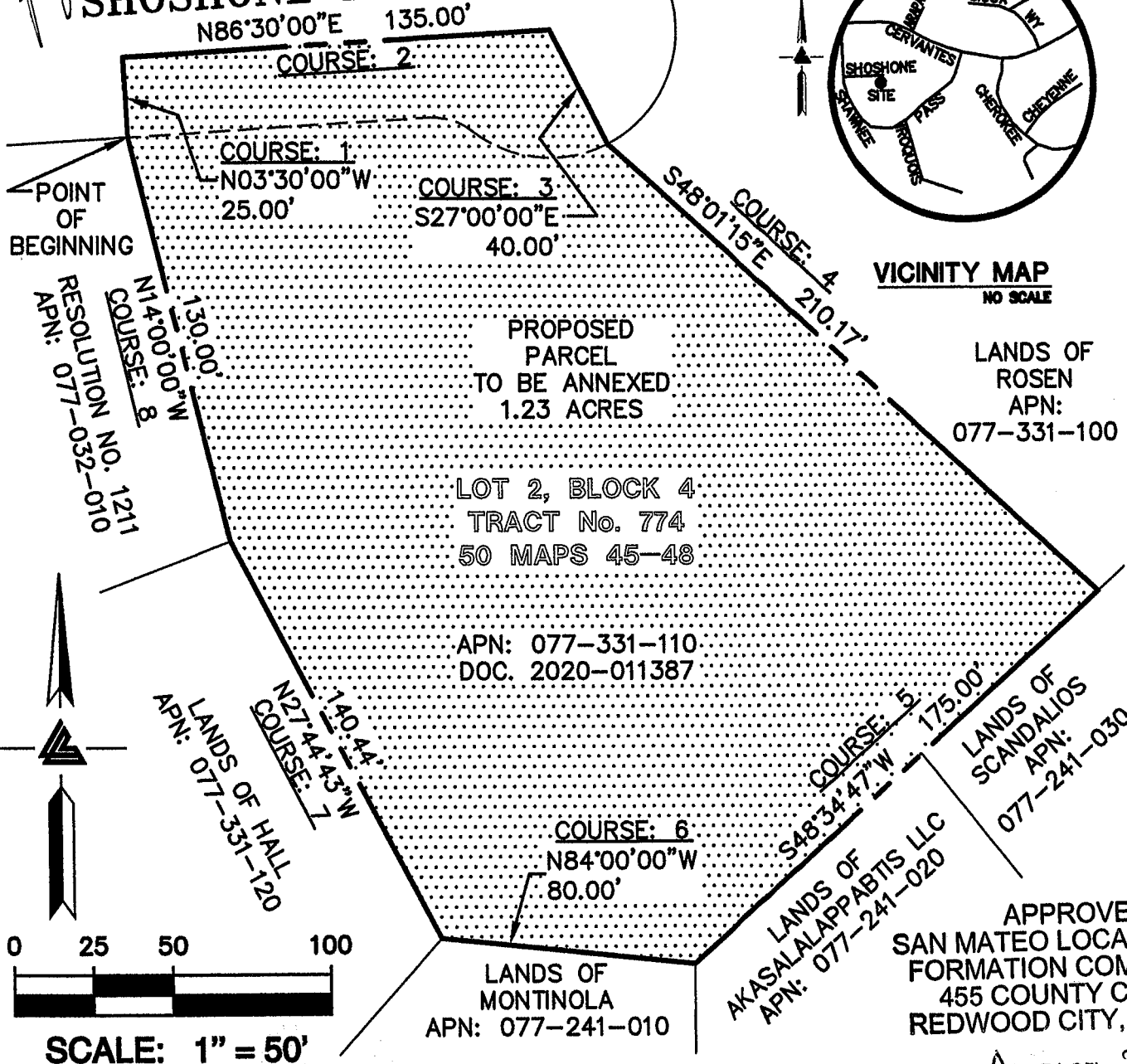


**DISCLAIMER:**  
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

## SHOSHONE PLACE (50')



**VICINITY MAP**  
NO SCALE



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

EXHIBIT A PAGE 2 OF 2

**LEA & BRAZE ENGINEERING, INC.**  
CIVIL ENGINEERS • LAND SURVEYORS

BAY AREA REGION 2495 INDUSTRIAL PKWY WEST HAYWARD, CALIFORNIA 94545 (P) (510) 887-4086 (F) (510) 887-3019 WWW.LEABRAZE.COM	SACRAMENTO REGION 3017 DOUGLAS BLVD, # 300 ROSEVILLE, CA 95661 (P) (916) 966-1338 (F) (916) 797-7363
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**EXHIBIT "B"**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**PROPOSED SEWER ANNEXATION**  
**20 SHOSHONE PLACE**  
**PORTOLA VALLEY, CALIFORNIA**  
**SAN MATEO COUNTY**  
**RANCHO EL CORTE MADERA**



*1902 - Serving Our Community for over 115 Years - 2022*

**WEST BAY SANITARY DISTRICT  
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD  
WEDNESDAY, OCTOBER 26, 2022 AT 7:00 P.M.**

**1. Call to Order**

President Dehn called the meeting to order at 7:00 PM

**Roll Call**

BOARD MEMBERS PRESENT: President Dehn, Secretary Walker, Treasurer Thiele-Sardiña, Director Moritz

BOARD MEMBERS ABSENT: Director Otte

STAFF MEMBERS PRESENT: Ramirez, Fisher, and Condotti by Zoom

Others Present:

**2. Communications from the Public: None.**

**3. Consent Calendar**

**CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR**

Discussion/Comments: None.

A. Approval of Minutes for Regular Meeting October 12, 2022

Motion to Approve by: Moritz 2<sup>nd</sup> by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

**4. General Manager's Report**

Discussion/Comments: General Manager Ramirez reported flow monitoring is to begin in November. He reported the District is considering Engineering Data Software Inc. as a new tax roll billing system to replace the much older Computer Optimization of Sewer Maintenance Operations (COSMO) program. He also reported there was a Master Plan pre-proposal meeting on October 17<sup>th</sup> and bids are due on November 18<sup>th</sup>. General Manager Ramirez reported the Ravenswood Project would begin on Friday. He also informed the Board the District will sponsor a booth at the Halloween Hoopla on October 29<sup>th</sup> as part of our outreach efforts. He continued to report that the next Board meetings will be held on November 9<sup>th</sup> and that the Board should consider canceling the November 23<sup>rd</sup> Regular Board Meeting. It was also announced that the Thanksgiving Lunch will be held on November 8<sup>th</sup> and the Holiday luncheon on December 8<sup>th</sup>. Lastly, General Manager Ramirez reported the annual Almanac Newsletter is scheduled for December 9<sup>th</sup> and will coincide with the District's 120<sup>th</sup> anniversary on December 10<sup>th</sup>. The complete General Manager's written report is in the October 26, 2022 agenda packet.

**5. Consideration to Award Bayfront Park Sanitary Sewer Improvement Project to Ranger Pipelines**

Motion to Approve by: Walker 2<sup>nd</sup> by: Moritz Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: General Manager Ramirez reported a total of five bids were received ranging from \$3.1M to \$5.5M. The apparent low bidder was Ranger Pipelines at \$3.1M

**6. Consider Approving Proposal and Authorize the General Manager to Enter Into an Agreement for On-Call Construction Consultation Services with Freyer & Laureta, Inc. (F&L) for the Bayfront Park Sanitary Sewer Improvement Project**

Motion to Approve by: Walker 2<sup>nd</sup> by: Thiele-Sardina Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: None.

**7. Consider Approving District Treasury Report First Quarter Fiscal Year 2022-23**

Motion to Approve by: Moritz 2<sup>nd</sup> by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: Finance Manager Fisher gave a report to the Board describing the 1<sup>st</sup> quarter fiscal year 2022-23 Treasury Report. General Manager Ramirez reported the Finance Committee will meet in November to review the draft audit.

**8. Consider Approving Purchase of a 2022 Ford Mach E to replace Vehicle Unit No. 201 assigned to the General Manager**

Motion to Approve by: Moritz 2<sup>nd</sup> by: Thiele-Sardina Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: General Manager Ramirez reported the Board previously approved a lease for the General Manager's vehicle replacement at \$735 per month. Ford financing offered a lease at \$1,364 per month, with a 7.9% interest rate. The total amount paid would be \$65,472 after 4 years. However, if the vehicle was purchased outright the total amount would be \$56,706.16. The Board approved the outright purchase saving the District \$8,765.84 in interest.

**9. Report and Discussion on Sharon Heights Recycled Water Plant**

Discussion/Comments: General Manager Ramirez reported that an appraisal of the easement property for the Avy/Altschul Pump Station is underway.

**10. Discussion and Direction on Bayfront Recycled Water Project and Status Update**

Discussion/Comments: General Manager Ramirez reported the Army Corps is finalizing the permit. He further reported the City of Menlo Park is scheduled to consider the recycled water MOU in November.

**11. Report & Discussion on South Bayside Waste Management Authority (SBWMA)**

Discussion/Comments: President Dehn reported there will be a SBWMA Board meeting on October 27<sup>th</sup> to discuss the budget and the meeting to consider approval of the 2023 budget will be in November.

**12. Report, Discussion & Direction on Silicon Valley Clean Water (SVCW) and Discussion on SVCW CIP Program and Financing**

Discussion/Comments: None.

**13. Comments or Reports from Members of the District Board and Consider Items to be Placed on Future Agenda**

Discussion/Comments: President Dehn requested a study session on the District's IT software programs. Treasurer Thiele-Sardina requested a breakdown of costs for the Levee Improvement Project and Bayfront Recycled Water Facility.

**14. Adjournment Time:** The meeting was adjourned at 8:06 PM

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**Secretary**

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**WEST BAY SANITARY DISTRICT**  
**Financial Activity Report**  
**October 2022**

**Date:** *November 9, 2022*

**To:** *Board of Directors*

**From:** *Annette Bergeron, Personnel & Accounting Specialist*  
*Debra Fisher, Finance Manager*

**Subject:** *Approve Monthly Financial Activity Report*

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**Financial Activity for the month of October 2022.**

**Receipt Summary:**

Commercial Deposits	81,727.74
Deposits in Transit/(Prior Period)	(4,680.40)
Credit Cards	6,720.91
Franchise Fees	8,886.33
San Mateo County [Tax Roll]	0.00
Other Receipts	314,943.09
Transfers	2,500,000.00
<b>Total Receipts</b>	<b><u>2,907,597.67</u></b>

**Withdrawal Summary**

Total Checks	646,889.22
Total Corp Cards	8,588.94
Total Bank Wires/ACHs	1,537,826.92
<b>External Withdrawals</b>	<b>2,193,305.08</b>
Total Internal Bank Transfers	-
<b>Total Withdrawals</b>	<b><u>2,193,305.08</u></b>

**Fund Expenditure Summary by Budget Category**

100	Operations	915,842.11
200	Capital	90,740.66
300	Solid Waste	3,795.00
500	Recycled Water	84,605.10
800	Silicon Valley Clean Water	1,098,322.21
<b>Expenditures by Fund</b>		<b><u>2,193,305.08</u></b>

Presented to West Bay Sanitary District Board of Directors for review and approval.

President \_\_\_\_\_

Secretary \_\_\_\_\_

**West Bay Sanitary District  
Receipts  
October 2022**

RECEIPT NUMBER	RECEIPT DATE	DESCRIPTION	AMOUNT
462687	10/3/2022	Rebecca Montgomery: 824 La Mesa Dr, PV, Permit	290.00
462688	10/3/2022	Jeffrey Montgomery: 824 La Mesa Dr, PV, ADU Conn (short 0.40)	4,734.00
462689	10/3/2022	Supple Homes: 1 Elm Pl, ATH, Permit	170.00
462690	10/3/2022	Maureen Ekedahl: 244 Park Ln, ATH, Permit	314.97
462691	10/4/2022	Juan Perez, Precision Engineering: Bid Fee Project#1761.8	60.00
462692	10/3/2022	Thomas James Homes: 316 Grayson & 69 Cornell Rd, MP, Permit	340.00
462693	10/4/2022	Pacific Peninsula Group: 244 Park Lane, Ath, Permit	170.00
462694	10/3/2022	WBSD: Transfer LAIF to BofW Checking	2,500,000.00
462695	10/5/2022	BK Custom Builders: 230 Castanya Way, PV, Permit	290.00
462696	10/5/2022	Town of Los Altos Hills: MSA 8/2022	32,744.77
462697	10/6/2022	Lee Yui-Tak: 341 Terminal Way, MP, ADU Conn & Permit	6,315.60
462698	10/6/2022	Greystar: 110 Constitution & 115 Independence, Permits	340.00
462699	10/6/2022	John Urbanowicz: 4111 Alpine Rd, PV, SSC FY 2022-23	1,025.00
462700	10/10/2022	Thomas James Homes: 440 University Dr, MP, Permit	170.00
462701	10/10/2022	ASB Properties: 115 Sausal Drive, PV, Annex & Deposit	3,370.00
462702	10/11/2022	Keven Carew, Bay Pacific Pipelines: Bid Fee Project#1761.8	60.00
462703	10/11/2022	L & V Lehmann Trust: 850 Los Trancos Rd, PV, SSC FY 2022-23	1,280.00
462704	10/13/2022	Ranger Pipelines: Bid Fee Project#1761.8	60.00
462705	10/7/2022	Primepay: Refund PR Fees 8/2022 (Svc Cancelled 7/2022)	165.40
462706	10/14/2022	Viam Al Lago Partners: 399 Camino Al Lago, MP, Permit	170.00
462707	10/17/2022	Peter Dempsey: 2569 Annapolis St, EPA, Permit	290.00
462708	10/17/2022	Recology: Franchise Fee 9/2022 & Surplus 2021	213,787.33
462709	10/18/2022	CWEA: Reim.Planning Committee Lunch 9/13/22	163.57
462710	10/18/2022	D.Meewella & M.Lewis: 5 Grove Ct, PV, SSC FY 2022-23	2,050.00
462711	10/20/2022	Brian Zhu: 2841 Temple Ct, EPA, Permit	290.00
462712	10/20/2022	Bayshore Plumbers: 323 Chester Street, MP, Permit	290.00
462713	10/20/2022	Maiyra Zamora: 380 Cotton St, MP, Permit	170.00
462714	10/21/2022	Anna Wettermark: 40 De Bell Dr, ATH, ADU Conn & Permit	3,733.20
462715	10/21/2022	Build Home Construction:35 Hesketh Dr, MP, ADU Conn & Permit	3,733.20
462716	10/21/2022	Burton Design & Construction: 1830 White Oak Dr, MP, Permit	170.00
462717	10/21/2022	Marrone & Marrone: 278 Park Ln, ATH, Permit	170.00
462718	10/24/2022	Verle Aebi: 273 Roble Ave, MP, Permit	95.00
462719	10/24/2022	Ricardo Fiadael: 1002 Albern St, EPA, Conn & C1 Permit	8,898.00
462720	10/24/2022	Mission Peak: 824 & 826 Partridge Ave, MP, Permit	580.00
462721	10/26/2022	Thomas R. Willson: 300 Constitution Dr., MP, NRD Permit	1,613.80
462722	10/26/2022	Debra Mcgowan: 950 Arbor Rd, MP, Permit	290.00
462723	10/27/2022	Adam Pool Solutions, Deborah Eula: 71 Macbain Ave, Ath, Permit	318.56
462724	10/27/2022	Void - Gladiator Repipe: 437 & 439 Pope St, MP, Permit \$580	0.00
462725	10/27/2022	24/7 Rooter & Plumbing: Permit: 1158 Sevier, Permit	290.00
462726	10/27/2022	Gladiator Repipe Inc.: 439 Pope St, MP, Permit	290.00
462727	10/27/2022	Diane & David Toole: 250 Alamos Rd, PV, SSC FY 2022-23	640.00
462728	10/27/2022	Dudley Kenworthy: 1234 Los Trancos Rd, PV, SSC FY 2022-23	640.00
462729	10/28/2022	Adams Pool Solutions - Deborah Eula: 61 Edwards Ln, ATH, SPD	453.58
462730	10/28/2022	Discount Plumbing: 824 Woodland Ave, MP, Permit	290.00
462731	10/28/2022	Lawyers Title Company: 40 Tagus Ct, PV SSC FY 2022-23	2,050.00
462732	10/28/2022	Leah Fine: 20 Toro Ct, PV, SSC FY 2022-23	1,025.00
462733	10/28/2022	Christie Schmitz: 110 Bear Gulch Dr, PV, SSC FY 2022-23	1,280.00
462734	10/28/2022	Katharine Carroll: 130 Golden Oak Dr, PV, SSC FY 2022-23	1,025.00
462735	10/28/2022	Mark Hilderbrand: 140 Meadowood Dr, PV, SSC FY 2022-23	1,025.00
462736	10/31/2022	SHGCC: O&M 11/2022, SRF Loan Installment #8 & Solar Project	109,876.69
<b>Total Receipts</b>			<b>\$2,907,597.67</b>



**West Bay Sanitary District  
Financial Activity Report  
Withdrawals  
October 2022**

CHECK	DATE	PAYEE	PURPOSE	AMOUNT
69581		Void		
69582	10/5/2022	George Choi & Michele Ono	Reim Agmt: Andrighetto Conn #19.85 & 20.85   Boyce Conn #10& 11	3,494.44
69583	10/5/2022	Gurtner Living Trust	Reim Agmt: Andrighetto Conn #19.85 & 20.85	471.87
69584	10/5/2022	Alison Krausz	Reim Agmt: Andrighetto Conn #19.85 & 20.85	471.87
69585	10/5/2022	Katrina Montinola	Reim Agmt: Andrighetto Conn #19.85 & 20.85	471.87
69586	10/5/2022	Michael Scandalios	Reim Agmt: Andrighetto Conn #19.85 & 20.85	471.87
69587	10/5/2022	Domenic Andrighetto	Reim Agmt: Andrighetto Conn #19.85 & 20.85	471.87
69588	10/5/2022	Void		
69589	10/5/2022	Bob Sick	Reim Agmt: Andrighetto Conn #20.85  Boyce Conn #11	1,587.36
69590	10/5/2022	Alan & Lauren Denenberg	Reim Agmt: Andrighetto Conn #19.85 & 20.85   Boyce Conn #10 & 11	3,494.44
69591	10/5/2022	Mark & Rebecca Hilderbrand	Reim Agmt: Andrighetto Conn #19.85 & 20.85   Boyce Conn #10 & 11	3,494.44
69592	10/5/2022	Daniel Siegel	Reim Agmt: Andrighetto Conn #19.85 & 20.85	471.87
69593		Void		
69594	10/5/2022	Keri Nicholas	Reim Agmt: Andrighetto Conn #19.85 & 20.85	471.87
69595	10/5/2022	Ronald Dalman & Jocelyn Dunn	Reim Agmt: Andrighetto Conn #19.85	471.87
69596		Void		
69597	10/5/2022	Dorothy Garcia Bachler	Reim Agmt: Andrighetto Conn #19.85 & 20.85   Boyce Conn #10 & 11	3,494.44
69598	10/5/2022	Ramon & Kelly W. Villareal	Reim Agmt: Andrighetto Conn #19.85 & 20.85   Boyce Conn #10 & 11	3,494.44
69599	10/6/2022	Andrew & Kathy L. Waddell	Reim Agmt: Andrighetto Conn #19.85 & 20.85   Boyce Conn #10 & 11	3,494.44
69600	10/6/2022	Michael Chang	Reim Agmt: Andrighetto Conn #19.85 & 20.85	872.96
69601	10/6/2022	TJB Investments LLC	Reim Agmt: Andrighetto Conn #19.85 & 20.85   Boyce Conn #8, 10 & 11	25,394.71
69602	10/6/2022	William & Susan Thomas	Reim Agmt: Andrighetto Conn #19.85 & 20.85   Boyce Conn #10 & 11	3,494.44
69603	10/6/2022	Richard W. & Sandra W. Boyce	Reim Agmt: Andrighetto Conn #19.85 & 20.85   Boyce Conn #10 & 11	3,494.44
69604	10/6/2022	AAA Rentals	Compact Excavator & Equipment Rental 9/2022	4,642.00
69605	10/6/2022	AAA Fire Protection Services	Admin Fire Sprinkler Repair 9/2022	1,323.05
69606	10/6/2022	Alpha Analytical Laboratories	Daily Coliform Samples - SHGCC RW Facility 9/2022	340.00
69607	10/6/2022	Bay Area Air Quality Mgmt Dist	Annual Permit Renewals - Georgia Pump Station FY22/23	484.00
69608	10/6/2022	Bay Area Paving Co. Inc.	Aphalt Restoration & Slurry Seal -MP 9/2022	2,855.00
69609	10/6/2022	Jed M. Beyer	Travel Expense - Water Reuse Awards Ceremony 9/2022	96.50
69610	10/6/2022	Consolidated Parts, Inc	Electrical Panel Parts & Soft Start Contactors 9/2022	5,084.39
69611	10/6/2022	California Water Service	Water Service - Aug-Sept 2022	66.02
69612	10/6/2022	Cintas	Uniform Service 9/28 & 10/5	2,013.92
69613	10/6/2022	Cleaserv Universal Services	Janitorial Service 10/2022	1,075.00
69614	10/6/2022	The Concept Genie	Public Outreach, 120 Year Anniversary 9/2022	3,012.65
69615	10/6/2022	Federal Express	Shipping Charges 9/2022	68.49
69616	10/6/2022	Navia Benefit Solutions	Commuter & FSA Fees 9/2022 & FSA Contributions PR 10/7	756.93
69617	10/6/2022	Home Depot Credit Services	Tools 9/22/22	45.52
69618	10/6/2022	Ieda	Labor Relations Consulting 10/2022	814.00
69619	10/6/2022	Medco Supply Company	Masune First Aid & Safety 9/2022	31.72
69620	10/6/2022	City Of Menlo Park - Water	Water Service - Aug-Sept 2022	96.80
69621	10/6/2022	City Of Menlo Park-Fuel	Fuel: District Vehicles 9/2022	12,969.61
69622	10/6/2022	Mid State Container Sales, Inc	20' Storage Container for Files 9/2022	5,185.00
69624	10/6/2022	Pacific Gas & Electric	Electric Service - Aug-Sept 2022	27,053.45
69625	10/6/2022	Pier 2 Marketing	Quarterly Website Maintenance - Q4 2022	500.00
69626	10/6/2022	Principal Life Insurance	Dental, Vision, Life, AD&D, Disability Ins 10/2022	6,051.24
69627	10/6/2022	Seekzen Systems	IT Consulting Service 9/2022	475.00
69628	10/6/2022	Teamsters Local No. 350	Union Dues 10/2022	1,154.00
69629	10/6/2022	Vision Communications Co.	Radio Air Time 10/2022	724.13
69630	10/13/2022	ADP, Inc.	Payroll Fee 8/2022	35.00
69631	10/13/2022	Matheson Tri-Gas, Inc.	Tank Rentals 9/2022	78.86
69632	10/13/2022	Alpha Analytical Laboratories	Daily Coliform Samples - SHGCC RW Facility 9/2022	255.00
69633	10/13/2022	Veolia Water North America	Water Service - 1805 Purdue 9/2/22-10/1/22	38.66
69634	10/13/2022	Readyrefresh By Nestle	Water Delivery 9/2022	82.82
69635	10/13/2022	Bay Area Paving Co. Inc.	Asphalt & Concrete Restoration Lenox/Felton Dr 10/2022	923.00
69636	10/13/2022	CWEA	CWEA Membership Renewal - Albert P. 9/2022	202.00
69637	10/13/2022	CA Regional Water Quality	WBSD RWQCB Permit Fee - Bayfront CIWQS ID880734	25,637.00
69638	10/13/2022	California Water Service	Water Service - Sept-Oct 2022	3,668.81
69639	10/13/2022	CalPERS LongTerm Care Program	LTC Withholding 10/1/22-10/15/22	53.76
69640	10/13/2022	CPS HR CONSULTING	HR Consulting Services 7/31/22-8/27/22	788.75
69641	10/13/2022	DU-ALL SAFETY, LLC	DuAll Safety Maintenance Contract 9/2022	1,800.00
69642	10/13/2022	Federal Express	FedEx - Water Works Engineers 9/28/2022	28.84
69643	10/13/2022	HF&H CONSULTANTS, LLC	Solid Waste Rate Study 2023 8/2022	3,795.00
69644	10/13/2022	HACH Company	Flo Dar Maintenance & Reporting 10/2022	12,993.75

**West Bay Sanitary District**

**Financial Activity Report**

**Withdrawals**

**October 2022**

69645	10/13/2022	Kone Pasadena	Elevator Maintenance 10/2022	298.69
69646	10/13/2022	Municipal Maintenance Equip.	Unit 221: Hydraulic Pump Replacement 9/2022	5,683.02
69647	10/13/2022	Napa Auto Parts	Vehicle Parts 9/2022	810.75
69648	10/13/2022	Omega Industrial Supply, Inc.	Sewer Aide Chemicals 9/2022	2,402.15
69649	10/13/2022	Pacific Gas & Electric	Electric Service - Georgia Ln 8/30/22-9/28/22	438.01
69650	10/13/2022	PBM	Gloves 9/2022	183.27
69651	10/13/2022	Recology Peninsula Services	Recology Waste 2 Yard Bin - SHGCC 9/2022	249.39
69652	10/13/2022	Red Wing Shoe Store	Safety Boots - Quinten G. 9/2022	203.99
69653	10/13/2022	Seekzen Systems	Avast Business Antivirus Pro 2-yr License 10/2022	2,704.00
69654	10/13/2022	TPX COMMUNICATIONS	District VoIP & Fiber Service 9/2022	3,189.47
69655	10/13/2022	Towne Ford	Unit 207: Vehicle Repair 9/2022	1,093.98
69656	10/13/2022	Verizon Wireless	Internet - SHGCC 9/2/22-10/1/22	65.69
69657	10/13/2022	Video Voice Data Communication	EV Charging Station Construction Work & Permit 9/2022	6,008.95
69658	10/13/2022	Weco Industries	Sewer Cleaning Equipment 9/2022	1,010.63
69659	10/20/2022	AAA Rentals	Mini Excavator Rental 9/2022	4,642.00
69660	10/20/2022	Airgas Usa, LLC	Tank Rentals 9/2022	48.00
69661	10/20/2022	Alpha Analytical Laboratories	Daily Coliform Samples - SHGCC RW Facility 9/2022	595.00
69662	10/20/2022	ReadyRefresh By Nestle	Water Delivery 9/11/22-10/10/22	624.19
69663	10/20/2022	Calif. Labor Law Poster Service	2023 Labor Law Posters 10/2022	192.00
69664	10/20/2022	California Water Service	Water Service - Sept-Oct 2022	138.60
69665	10/20/2022	Cintas	Uniform Service 8/17/22	887.19
69666	10/20/2022	City Of Foster City	CalOpps - Utility Worker Posting 10/2022	540.00
69667	10/20/2022	The Concept Genie	WBSD 120th Anniversary Flag 10/2022	340.50
69668	10/20/2022	Dewey Pest Control	Chemical Services 9/2022	150.00
69669	10/20/2022	Navia Benefit Solutions	Commuter & FSA Fees 7/2020, 4/2021, 5/2022   PR Contributions 10/2	806.93
69670	10/20/2022	Freyer & Laureta	Avy Pump Station Design 9/2022	497.50
69671	10/20/2022	Goldstreet Design Agency, Inc.	Public Outreach YouTube Ads 10/2022	4,000.00
69672	10/20/2022	Grainger	Misc Parts & Supplies 10/2022	838.20
69673	10/20/2022	Harben California	Unit 220 Harben Pump Repair 9/2022	5,313.13
69674	10/20/2022	Mallory Co.	PPE Supplies 9/2022	1,569.54
69675	10/20/2022	Morse Hydraulics	Hose & Hydraulic Fittings Replacement 9/2022	48.16
69676	10/20/2022	Quadient Leasing Usa, Inc.	Postage Meter 11/10/22-2/9/23	268.37
69677	10/20/2022	Pacific Gas & Electric	Electric Service - Los Trancos Rd 9/15/22-10/13/22	129.19
69678	10/20/2022	Preferred Alliance	DOT Testing Admin Fees 8/2022 & DER Compliance Training 10/2022	754.69
69679	10/20/2022	Sharp Business Systems	Monthly Lease for Copiers 10/2022	1,206.28
69680	10/20/2022	Silicon Valley Clean Water	SHRWF Weekend Coliform Samples 10/2022	450.00
69681	10/20/2022	Staples Credit Plan	Office Supplies & Ink Sept-Oct 2022	1,352.61
69682	10/20/2022	The Weed Solution	FERRF Weed Spraying 10/2022	3,500.00
69683	10/20/2022	Leaf Capital Funding LLC	Fujitsu Scanner Monthly Lease 11/2022	462.99
69684	10/20/2022	Verizon Wireless	District Cellphones 9/16/22-10/15/22	1,284.11
69685	10/26/2022	Airgas Usa, LLC	Tank Rentals 10/2022	356.15
69686	10/26/2022	Alpha Analytical Laboratories	Daily Coliform Samples - SHGCC RW Facility 10/2022	255.00
69687	10/26/2022	Atchison, Barisone & Condotti	Legal Services 9/2022	8,897.57
69688	10/26/2022	Bay Alarm	Alarm Monitoring & Certificate Fees 10/2022	1,164.20
69689	10/26/2022	Bayside Equipment Company	Generator Service & Repair 8/2022	172.67
69690	10/26/2022	ChemsearchFE	Absorbent Restock 9/2022	625.57
69691	10/26/2022	Cintas	Uniform Service 10/19/22	880.76
69692	10/26/2022	Comcast	Internet - 2900 Sand Hill Rd 10/18/22-11/17/22	261.45
69693	10/26/2022	Dolphin Graphics	Flex Fit Cap Restock 9/2022	999.79
69694	10/26/2022	Duke's Root Control, Inc	WBSD & LAH: Root Foam July -Sept 2022	267,966.64
69695	10/26/2022	Freyer & Laureta	Engineering, Staff Augmentation, Levee Design 9/2022	36,804.42
69696	10/26/2022	Freyer & Laureta	CIP Point Repair Design 9/2022	19,625.00
69697	10/26/2022	City Of Menlo Park - Water	Water Service - Laurel St 9/2/22-10/7/22	1,575.25
69698	10/26/2022	Carrie Nevoli - Petty Cash	Petty Cash R Hulsmann 10/2022	342.20
69699	10/26/2022	Ovivo Usa, LLC	Supplies for SHGCC-RWF 10/2022	238.38
69700	10/26/2022	Ogasawara Landscape Maint.	Landscaping Maintenance 10/2022	1,830.00
69701	10/26/2022	Pacific Gas & Electric	Electric Service - Sept-Oct 2022	1,727.16
69702	10/26/2022	Mid Peninsula Abstracts	Memberships 10/2022-9/2023	830.00
69703	10/26/2022	San Mateo County Tax Collector	Menlo Park, Willow, University, Vintage Oaks #1 PS & WBSD: Parcel Tax	990.00
69704	10/26/2022	Teletrac Navman US	GPS For District Vehicles 10/2022	271.96
69705	10/26/2022	Thomas & Associates	Bypass Trailer Pump Parts 10/2022	491.92
69706	10/26/2022	Weco Industries	CCTV Repair 9/2022	2,073.91
69707	10/27/2022	Israel White	Payroll 10/15/22 - 10/27/22 Final Check	1,436.71
69708	10/27/2022	Towne Ford	2022 Ford Mach E - GM Vehicle Unit 230, Less \$500 Deposit	55,206.16

**646,889.22**

**West Bay Sanitary District  
Financial Activity Report  
Withdrawals  
October 2022**

**Corporate Cards:**

GL	DATE	Account Number & Name	Description	Amount
54028	10/25/2022	Commuter Benefits	Fastrak: Commuter Benefit	2,300.00
54080	10/25/2022	Memberships	CWEA & Peloton Membership Fees	149.00
54091	10/25/2022	Stationary and Office Supplies	Office Supplies	397.24
54101	10/25/2022	Ops Supplies & Materials	Tablet Cases & Stands, FERRF Supplies	893.35
54106	10/25/2022	Small Tools	Impact Gun Replacement	141.74
54129	10/25/2022	Recruitment	Job Postings	480.29
54133	10/25/2022	Public Outreach	Menlo Park Rotary Fdn: Public Outreach	350.00
54151	10/25/2022	Fleet/Vehicle R&M	Water Tank Deck Plates, Padlock Handles	159.18
54157	10/25/2022	Building Repairs & Maint.	Gate Opener, Spray Paint	1,140.94
54173	10/25/2022	Dept Training & EE Development	Business Meetings	215.95
54174	10/25/2022	Mgmt Conf. & District Meetings	Business Meetings	315.89
54176	10/25/2022	Business Meetings	Business Meetings	91.53
54191	10/25/2022	Internet	Comcast: Phil Scott Pump Station - SHRWF	164.83
54203	10/25/2022	Licenses & Permits	SMC Recorder: Easement Documents	1,759.00
54205	10/25/2022	Bank Expenses	Bank Fee	30.00
<b>Statement</b>	<b>8/28/2022</b>	<b>Bank of the West - Credit Cards</b>		<b>8,588.94</b>

**Bank Transfers:**

DATE	PAYEE	PURPOSE	AMOUNT
10/3/2022	PayTrace	Credit Card Processing Fees	668.90
10/4/2022	SVCW	SVCW Monthly Operating Contribution	591,557.00
10/4/2022	CalPERS	Retirement Contributions PR 9/23/2022	24,437.42
10/7/2022	ADP	ADP-Wage Garnishment	570.52
10/7/2022	ADP	Payroll Taxes	38,679.89
10/7/2022	ADP	Employee Payroll & Board of Director Fees - Check Date: 10/07/2022	120,970.50
10/11/2022	MissionSquare	Deferred Compensation, Formerly: ICMA	7,731.10
10/11/2022	ADP	ADP Fees	35.00
10/11/2022	CalPERS	Health Premiums	58,551.93
10/12/2022	CalPERS	Fees	600.00
10/14/2022	ADP	ADP Fees	310.00
10/20/2022	Bank of the West	Bank Fees	240.97
10/21/2022	ADP	Employee Payroll - Check Date: 10/21/2022	118,069.66
10/21/2022	ADP	Payroll Taxes	37,074.66
10/21/2022	MissionSquare	Deferred Compensation, Formerly: ICMA	7,578.43
10/21/2022	ADP	Payroll Taxes	515.11
10/26/2022	CalPERS	Retirement Contributions PR 10/7/2022	23,195.62
10/28/2022	SVCW	SFR Loan	506,765.21
10/28/2022	ADP	ADP Fees	275.00
<b>Bank Wires/ACHs from BofW Checking</b>			<b>1,537,826.92</b>

**Internal Bank Transfers:**

DATE	PAYEE	PURPOSE	AMOUNT
<b>Bank Transfers from BofW Checking</b>			<b>0.00</b>

**Summaries:**

**Withdrawal Summary**

Total Checks	646,889.22
Total Corp Card	8,588.94
Total Bank Wires / ACHs	1,537,826.92
Total Internal Bank Transfers	0.00
<b>Total Withdrawals</b>	<b>2,193,305.08</b>

**West Bay Sanitary District  
Expenditures By Vendor  
7/01/2022 to 10/31/2022**

<b>Withdrawals</b>	<b>Total by Vendor YTD FY 2022-23</b>	<b>Withdrawals October 2022</b>
AAA Fire Protection Services	1,323.05	1,323.05
AAA Rentals	11,433.50	9,284.00
Action Towing	1,157.75	-
Abila	4,952.07	-
ADP Fees	2,560.00	655.00
ADP-Wage Garnishment	5,721.53	570.52
Aerzen USA Corp.	2,400.00	-
Airgas Usa, LLC	550.35	404.15
Allied Crane	955.18	-
The Almanac	1,452.00	-
Alpha Analytical Laboratories	7,115.00	1,445.00
Aqua Natural Solutions	1,211.04	-
Domenic Andrighetto	471.87	471.87
AT&T	3,581.45	-
Atchison, Barisone & Condotti	39,885.72	8,897.57
Seth Avila	250.00	-
Aztec Consultants	15,722.05	-
Bank of the West - Credit Cards	43,428.52	8,588.94
Bank of the West	1,101.22	240.97
Battery Junction Wholesale	1,632.87	-
Bay Alarm	13,513.65	1,164.20
Bay Area Air Quality Mgmt Dist	484.00	484.00
Bay Area Barricade Service Inc	1,936.33	-
Bay Area Paving Co. Inc.	17,973.00	3,778.00
Bay Reprographic, Inc.	530.48	-
Bayside Equipment Company	1,107.77	172.67
Annette Bergeron	3,720.00	-
Jed M. Beyer	96.50	96.50
Richard W. & Sandra W. Boyce	3,494.44	3,494.44
CA Dept Of Tax & Fee Admin	-	-
CASA	-	-
CA State Disbursement Unit	-	-
CPS HR Consulting	788.75	788.75
Calgon Carbon Corporation	3,084.16	-
Calif. Labor Law Poster Service	192.00	192.00
CA Regional Water Quality	25,637.00	25,637.00
California Water Service	11,583.52	3,873.43
CalPERS - Actuary Fee	-	-
CalPERS - Admin Fees	600.00	600.00
CalPERS - Unfunded Accrued Liability	10,690.00	-
CalPERS - GASB Fee	1,050.00	-
CalPERS - Retirement	218,707.86	47,633.04
CalPERS - Health Premiums	223,840.10	58,551.93
CalPERS - 1959 Survivor Billing	1,677.90	-
CalPERS Longterm Care Program	376.32	53.76
Michael Chang	1,263.16	872.96
ChemsearchFE	625.57	625.57
George Choi & Michele Ono	3,494.44	3,494.44
Cintas	13,754.81	3,781.87
City of Foster City	1,060.00	540.00
City of Menlo Park	615.02	-
City of Menlo Park-Fuel	57,231.86	12,969.61
City of Menlo Park - Water	6,931.67	1,672.05
Cleanserv Universal Services	4,800.00	1,075.00
Comcast	1,974.17	261.45
The Concept Genie	6,428.15	3,353.15
Consolidated Parts, Inc	5,084.39	5,084.39
Core & Main	12,708.69	-
Costco	60.00	-
CSRMA c/o Alliant Insurance	220,638.37	-
Cues, Inc.	3,950.00	-
CWEA	495.00	202.00
Alan & Lauren Denenberg	3,494.44	3,494.44
Dewey Pest Control	9,000.00	150.00
Dolphin Graphics	1,801.66	999.79
Du-All Safety, LLC	7,200.00	1,800.00
Ronald Dalman & Jocelyn Dunn	471.87	471.87
Duke's Root Control, Inc	267,966.64	267,966.64
Federal Express	514.64	97.33
Fischer Compliance LLC	8,225.00	-
Freyer & Laureta	303,728.42	56,926.92
Dorothy Garcia Bachler	3,494.44	3,494.44
Goldstreet Design Agency, Inc.	4,000.00	4,000.00
Victor Garcia	250.00	-
Govconnection, Inc.	1,697.76	-
Governmentjobs.Com, Inc	4,479.01	-
Grainger	18,576.04	838.20
Gurtner Living Trust	471.87	471.87
HF&H Consultants, LLC	3,795.00	3,795.00
Hach Company	60,014.37	12,993.75
Hadronex, Inc.	41,545.86	-
Harben California	5,769.81	5,313.13
Harrington Industrial Plastics	166.12	-
Yvonne Harrosh	25,848.00	-
Home Depot Credit Services	2,514.03	45.52
Bob Hulsmann	634.88	-
Mark & Rebecca Hilderbrand	3,494.44	3,494.44
ICMA	63,489.56	-
IEDA	3,256.00	814.00
Institute For Local Government	225.00	-
Interstate Traffic Control	153.13	-
Kimball Midwest	3,245.24	-
Bill Kitajima	30,768.33	-
Kone Pasadena	1,194.76	298.69
Alison Krausz	471.87	471.87
Leaf Capital Funding LLC	1,898.26	462.99
Mallory Co.	6,602.35	1,569.54
Matheson Tri-Gas, Inc.	284.26	78.86
Medco Supply Company	728.16	31.72
Mid Peninsula Abstracts	830.00	830.00
Mid State Container Sales, Inc	5,185.00	5,185.00
Piterman Milanendra	-	-
Mission Clay Products, LLC	4,706.98	-
MissionSquare	-	15,309.53
Mission Valley Ford	5,957.00	-
Katrina Montinola	471.87	471.87
Morse Hydraulics	94.23	48.16
Municipal Maintenance Equip.	15,455.38	5,683.02

**West Bay Sanitary District  
Expenditures By Vendor  
7/01/2022 to 10/31/2022**

<u>Withdrawals</u>	<u>Total by Vendor YTD FY 2022-23</u>	<u>Withdrawals October 2022</u>
Napa Auto Parts	1,247.37	810.75
Navia Benefit Solutions	5,730.44	1,563.86
Paul Andrew Nelson	385.00	-
NeoPost	900.00	-
Carrie Nevoli - Petty Cash	342.20	342.20
Keri Nicholas	471.87	471.87
Occupational Health Centers	1,375.00	-
Ogasawara Landscape Maint.	4,630.00	1,830.00
Omega Industrial Supply, Inc.	5,383.29	2,402.15
Ovivo Usa, LLC	238.38	238.38
PBM	427.63	183.27
Pacific Gas & Electric	113,062.54	29,347.81
Paytrace	2,378.78	668.90
Pier 2 Marketing	1,000.00	500.00
Charles A. Planje	1,584.00	-
Precise Printing And Mailing	2,211.35	-
Preferred Alliance	1,676.47	754.69
PrimePay Fees	923.25	-
Principal Life Insurance	24,970.60	6,051.24
Quadient Leasing USA, Inc.	536.88	268.37
Quincy Compressor	2,161.19	-
R.A. Nosek Investigations	1,192.00	-
R.D. Kincaide, Inc.	13,122.14	-
Readyrefresh By Nestle	1,322.91	707.01
Recology Peninsula Services	997.56	249.39
Red Wing Shoe Store	3,169.33	203.99
Redwood General Tire Co., Inc.	1,640.23	-
City Of Redwood City	9,678.32	-
Rich Voss Trucking	580.00	-
SVCW - Monthly Operating Contribution	2,366,228.00	591,557.00
SVCW 2018 Bonds	1,229,792.20	-
SVCW 2021 A-B Bonds	2,308,956.76	-
SVCW - SRF Debt	506,765.21	506,765.21
Silicon Valley Clean Water	2,775.00	450.00
Michael Scandalios	471.87	471.87
Rupert Sandoval	50.00	-
County of San Mateo	173.00	-
San Mateo County Assessor	-	-
San Mateo County Tax Collector	990.00	990.00
San Mateo County Health	1,947.00	-
County of San Mateo - LAFCO	22,323.00	-
County of Santa Clara	-	-
Robert J. Scheidt	821.03	-
Seekzen Systems	35,414.00	3,179.00
Sensera Systems	2,148.00	-
Sharp Business Systems	4,844.97	1,206.28
Bob Sick	1,587.36	1,587.36
Daniel Siegel	471.87	471.87
Spartan Tool	1,740.15	-
Staples Credit Plan	3,315.48	1,352.61
Steven Creek Quarry, Inc.	1,127.68	-
Sutter EAP	413.25	-
TJB Investments LLC	25,394.71	25,394.71
TPX Communications	12,491.33	3,189.47
Teamsters Local No. 350	3,959.00	1,154.00
Teletrac Navman US	1,359.80	271.96
Telstar Instruments, Inc.	2,934.00	-
Thomas & Associates	491.92	491.92
William & Susan Thomas	3,494.44	3,494.44
Towne Ford	76,402.48	56,300.14
Uline	955.33	-
Underground Service Alert	13,714.45	-
Univar Solutions USA	4,576.61	-
U.S. Jetting, LLC.	2,018.52	-
US Standard Products Corp	942.32	-
Veolia Water North America	162.75	38.66
Verizon Wireless	5,992.82	1,349.80
Video Voice Data Communication	10,708.95	6,008.95
Ramon & Kelly W. Villareal	3,494.44	3,494.44
Vision Communications Co.	3,414.55	724.13
Andrew & Kathy L. Waddell	3,494.44	3,494.44
Weco Industries	44,558.38	3,084.54
The Weed Solution	3,500.00	3,500.00
West Yost & Associates	3,578.00	-
Western States Tool & Supply	523.42	-
Israel White	1,436.71	1,436.71
Woodard & Curran	121,687.78	-
Young's Auto Supply Center	666.47	-
<b>Total Vendor Withdrawals</b>	<b>8,987,009.81</b>	<b>1,877,995.26</b>
<b><u>Wages &amp; Payroll Taxes</u></b>		
Salaries/Wages - Net Pay	1,053,356.94	236,517.20
Directors Fees - Net Pay	10,796.76	2,522.96
Payroll Taxes	331,294.82	76,269.66
Performance Merit Program - Net Pay	-	-
<b>Total Payroll</b>	<b>1,395,448.52</b>	<b>315,309.82</b>
<b>Total External Withdrawals</b>	<b>10,382,458.33</b>	<b>2,193,305.08</b>
<b><u>WBSD Transfers:</u></b>		
WBSD LAIF Account	-	-
WBSD Investment Accounts	2,202,111.08	-
Public Agency Retirement Services	-	-
Other Transfers	-	-
<b>Total Transfers</b>	<b>2,202,111.08</b>	<b>-</b>
<b>Total Withdrawals</b>	<b>12,584,569.41</b>	<b>2,193,305.08</b>

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**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 7C**

**To: Board of Directors**

**From: Bob Hulsmann, Operations Superintendent**

**Subject: WBSD Operations and Maintenance Report – October 2022**

Month	Basin PM Pipe Cleaning	High Freq. PM Pipe Cleaning	Un-Sche. Pipe Cleaning	WBSD CCTV Insp.	Pipe Patch Repairs	Open Trench Repairs	Pump Sta. PM	Pump Sta. Unsch. Repairs	SSO	SSO	Service Calls- Unit 208			
	Miles	Miles	Miles	Miles	Qty.	Qty.	Qty.	Qty.	Cat. 1	Cat. 2&3s	Call Outs	Sch PM	Unsch. PM	USA's
January	9.4	4.8	0.1	0.7	3	3	64	0	0	0	83	10	1	164
February	10.2	7.3	1.2	2.8	3	10	46	0	0	0	76	5	0	165
March	14.5	0.2	0.3	2.8	3	12	63	0	0	0	84	14	0	225
April	17.3	3.8	0.5	2.7	6	8	63	0	0	1	48	9	0	224
May	7.3	8.6	0.5	3.4	6	11	60	0	0	0	47	6	1	193
June	17.2	0.3	0.5	2.1	16	9	73	0	0	0	46	14	0	234
July	7.4	5.3	0.8	2.5	7	7	68	0	0	0	78	6	0	266
August	7.7	2.1	1.3	5.2	11	9	77	0	0	1	90	15	0	319
Sept.	12.0	0.7	1.0	1.9	8	13	65	0	0	0	65	10	0	211
Oct.	8.1	5.5	0.4	0.3	6	10	69	0	0	0	82	8	0	187
Nov.														
Dec														
<b>Yr to date</b>	<b>111.1</b>	<b>38.6</b>	<b>6.6</b>	<b>24.4</b>	<b>69</b>	<b>92</b>	<b>648</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>699</b>	<b>97</b>	<b>2</b>	<b>2188</b>
<b>2022 Goals</b>	<b>120.0</b>	<b>50.0</b>	<b>n/a</b>	<b>45-50</b>	<b>50-65</b>	<b>90</b>	<b>n/a</b>	<b>&lt;10</b>	<b>&lt;</b>	<b>4</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>
2021 Results	*123	*50	8.6	**46	**55	91	834	2	0	4	944	n/a	n/a	2294
2020 Results	134.2	51.0	8.4	29.6	72	85	754	6	0	0	1012	89	5	2362
2019 Results	112.0	48.2	6.9	42.7	60	86	967	6	0	4	1063	75	33	2850
2018 Results	134.2	48.5	7.4	42.1	66	63	1256	6	0	4	1139	134	89	2525
2017 Results	126.4	52	6	25	66	97	1265	8	2	3	700	178	61	3218

**Report to the District Board for the Regular Meeting of November 9, 2022**

\*=Including TOW; \*\*=Including LAH & TOW

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**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 7D**

**To: Board of Directors**

**From: Bob Hulsmann, Operations Superintendent**

**Subject: Town of Los Altos Hills - Operations and Maintenance Report for Work Performed by WBSD – October 2022**

	Basin PM Pipe Clean- ing	High Freq. PM Pipe Clean- ing	Un- Sche. Pipe Clean- ing	WBSD CCTV Insp.	Pump Sta. PM	Pump Sta. Unsch. Repairs	SSO	SSO	Service Calls
Month							Cat. 1	Cat. 2&3s	Call Outs
Temp Help	Miles	Miles	Miles	Miles	Qty.	Qty.			
January	0.1	0.7	0.0	1.7	5	0	0	0	0
February	1.2	0.2	0.2	1.1	5	0	0	1	0
March	1.5	0.3	0.1	1.3	5	0	0	0	0
April	0.0	1.6	0.3	0.0	4	0	0	0	0
May	1.5	1.6	0.0	0.8	4	0	0	0	0
June	3.0	0.5	0.1	0.5	4	0	0	0	0
July	1.2	0.5	0.0	0.9	4	0	0	0	0
*August 22	0.1	1.1	0.0	0.9	4	0	0	0	0
Sept.	1.6	1.3	0.1	0.9	4	0	0	0	0
Oct.	0.9	1.4	0.4	1.1	4	0	0	0	0
Nov.	0.4	1.3	0.0	1.1	4	0	0	1	1
Dec	0.5	0.7	0.5	0.1	4	0	0	0	0
<b>** Yr to date</b>	<b>12.0</b>	<b>11.2</b>	<b>1.7</b>	<b>10.4</b>	<b>51</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>
FY22/23Goals	10.6	14.4	n/a	8.1	52	n/a	n/a	n/a	n/a

**Report to the District Board for the Regular Meeting of November 9, 2022**

\* = August- Start of Contract, \*\*= Past 12 Months

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**Report to the District Board for the Regular Meeting of November 9, 2022**

\* = August- Start of Contract, \*\*= Past 12 Months



**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 7E**

**To: Board of Directors**

**From: Bob Hulsmann, Operations Superintendent**

**Subject: Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – October 2022**



**Yearly Summary Report**  
11/2/2022  
7:23 AM

Dates Between 11/1/2021 and 10/31/2022

Month	Basin PM Pipe Cleaning (miles)	High Freq PM Pipe Cleaning (miles)	Unscheduled Pipe Cleaning (miles)	CCTV Inspection (miles)	Pump Stations Preventive Maintenance Qty	Pump Stations Unscheduled Repairs Qty	SBO Cat 1	SBO Cat 2 & 3	Service Calls Call Outs
January	0.0	0.0	0.0	0.0	8	0.0	0.0	0.0	0.0
February		0.0	0.0	0.0	8	0.0	0.0	0.0	0.0
March	0.00	0.2	0.0	0.0	8	0.0	0.0	0.0	1.0
April	0.00	0.0	0.0	1.1	10	0.0	0.0	0.0	0.0
May	0.00	0.0	0.0	0.0	8	0.0	0.0	0.0	0.0
June	0.00	0.3	0.0	0.0	8	0.0	0.0	0.0	0.0
July	0.00	0.0	0.0	0.0	8	0.0	0.0	0.0	0.0
August	0.00	0.0	0.0	0.0	8	0.0	0.0	0.0	0.0
September	0.00	0.3	0.0	0.0	8	0.0	0.0	0.0	0.0
October	0.00	0.0	0.0	0.0	8	0.0	0.0	0.0	0.0
November	0.00	0.0	0.0	0.0	8	0.0	0.0	0.0	0.0
December	4.43	0.0	0.0	0.0	10	0.0	0.0	0.0	0.0
Totals	4.43	0.8	0.0	1.1	100	0.0	0.0	0.0	1.0

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## M E M O R A N D U M

October 22, 2021

**TO:** Board of Directors, West Bay Sanitary District  
**FROM:** Tony Condotti, District Legal Counsel  
**RE:** Resolution Authorizing District to Implement Teleconferenced Public Meetings Pursuant to Assembly Bill 361

---

**RECOMMENDATION:** Adopt resolution authorizing District to continue the use of teleconferenced meetings pursuant to Assembly Bill 361.

**BACKGROUND:** On March 4, 2020, Governor Newsom issued a proclamation of State of Emergency in response to the developing COVID-19 pandemic. Due to the continued spread of the virus, the Governor issued Executive Order N-29-20 on March 17, 2020, which included a provision authorizing suspensions to the Ralph M. Brown Act's ("Brown Act") teleconferencing rules in order to facilitate virtual meetings while public health orders were in place.

On June 11, 2021, the Governor issued Executive Order N-08-21, which provided that the Brown Act teleconferencing suspensions would expire after September 30, 2021. On September 16, 2021, the Governor signed Assembly Bill 361 ("AB 361"), an urgency measure taking effect immediately, which amended the Brown Act to allow local legislative bodies to continue using teleconferencing and virtual meeting technology provided certain conditions are met.

**DISCUSSION:** AB 361 allows for teleconferenced meetings during a declared State of Emergency, as defined under the California Emergency Services Act, if one of the following circumstances apply: (1) State of local officials have imposed or recommended measures to promote social distancing; (2) The legislative body is meeting to determine whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (3) The legislative body has determined that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees.<sup>1</sup>

The Governor's March 4, 2020 proclamation of State of Emergency is still in effect. Measures continue to exist that impose and recommend measures to promote social distancing. The California Department of Public Health recommends that individuals wear masks in indoor

<sup>1</sup> Cal. Gov't Code § 54953(e)(1)(A)-(C)

public settings.<sup>2</sup> Additionally, San Mateo County requires that face coverings continue to be worn in indoor settings for all individuals in the County.<sup>3</sup>

Moreover, in recent months, the highly transmissible delta variant has caused increases in positive cases and hospitalizations locally and throughout the State. According to the CDC, community transmission of COVID-19 in San Mateo County is moderate, however the nature of the pandemic is unpredictable and transmission rates have the potential to rise quickly. As such, holding meetings in person would present imminent risks to the health or safety of attendees due to the continued spread of COVID-19.

To continue teleconferenced meetings under AB 361, the Board of Directors will need to declare every thirty (30) days that it has reconsidered the circumstances of the State of Emergency and either (1) the State of Emergency continues to directly impact the ability of the members to meet safely in person; or (2) State or local health officials continue to impose or recommend measures to promote social distancing.<sup>4</sup>

**FISCAL IMPACT:** No significant fiscal impact.

<sup>2</sup> See CDPH, *Guidance for the Use of Face Coverings* (July 28, 2021), <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>.

<sup>3</sup> See <https://cmo.smcgov.org/press-release/oct-7-2021-bay-area-health-officers-issue-criteria-lifting-covid-19-indoor-masking>.

<sup>4</sup> Cal. Gov't Code § 54953(e)(3).

**RESOLUTION NO. \_\_\_\_\_ (2022)**

**IN THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT  
COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\*\*\*\*\*

**A Resolution of the District Board of the West Bay Sanitary District  
Authorizing Remote Teleconference Meeting of the Legislative Bodies of the  
West Bay Sanitary District Pursuant to Brown Act Provisions**

The Board of Directors of the West Bay Sanitary District (“Agency”) does resolve as follows:

**WHEREAS**, the West Bay Sanitary District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

**WHEREAS**, all meetings of West Bay Sanitary District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

**WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and,

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government code Section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361 which provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act, provided that a State of Emergency is declared by the Governor pursuant to Government Code section 8625, and either state or local officials have imposed or recommended measures to promote social distancing, or the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and,

**WHEREAS**, the State of Emergency proclaimed by the Governor on March 4, 2020 remains in effect; and,

**WHEREAS**, California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and,

**WHEREAS**, other variants of COVID-19 exist, and it is unknown at this time whether other variants may result in a new surge in COVID-19 cases; and,

**WHEREAS**, the CDC has established a “Community Transmission” metric with 4 tiers designed to reflect a community’s COVID-19 case rate and percent positivity; and,

**WHEREAS**, San Mateo County currently has a Community Transmission metric of “moderate” which indicates an elevated risk of transmission;

**WHEREAS**, due to the seriousness of the current pandemic situation, the CDPH has required that all unvaccinated persons wear facial coverings indoors, and the CDC and CDPH recommend that all persons, regardless of vaccination status, wear facial coverings indoors; and,

**WHEREAS**, the Board of Directors is empowered to take actions necessary to protect public, health, welfare and safety within the region; and,

**WHEREAS**, the District has an important governmental interest in protecting the health, safety and welfare of those who participate in meetings of the Board of Directors and other District committees; and,

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Board of Directors deems it necessary to find that meeting in person for meetings of the Board of Directors and District committees and subcommittees would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing as provided in subdivision (e) of Government Code section 54953; and

**WHEREAS**, all teleconferenced meetings of the District Board of Directors and related committees or subcommittees shall comply with the requirements to provide the public with access to meetings as prescribed in paragraph (2) of subdivision (e) of Government Code section 54953;

**WHEREAS**, State of California and County of San Mateo health officials recommend various social distancing measures, including wearing mask indoors and limiting occupancies at meeting locations; and

**WHEREAS**, the Board of Directors does hereby find and determine that the above conditions create a heightened risk to the health and safety of attendees; and



**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the West Bay Sanitary District does hereby resolve as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. The Board of Directors finds that as a result of the ongoing proclaimed State of Emergency in California due to the COVID-19 pandemic, and COVID-19's continued spread, holding in person meetings of District legislative bodies would present imminent risks to the health or safety of attendees

Section 3. The General Manager and legislative bodies of West Bay Sanitary District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) thirty days from its adoption, or (ii) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of West Bay Sanitary District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the District Board of the West Bay Sanitary District at a regular meeting thereof held on 9<sup>th</sup> day of November, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

President of the District Board of the  
West Bay Sanitary District of San  
Mateo County, State of California

Attest:

---

Secretary of the District Board of the  
West Bay Sanitary District of San Mateo  
County, State of California

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**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 7G**

**To: Board of Directors**

**From: Todd Reese, Office & Communications Manager**

**Subject: Consideration of Resolution Consenting to Annexation of Territory to the West Bay Sanitary District by the San Mateo County Local Agency Formation Commission – 0 Alpine Road, Palo Alto (182-36-046), Lands of Pistol & Khorsand**

---

Background

The owners of the property located at 0 Alpine Road, Palo Alto, Lands of Pistol & Khorsand have requested the Local Agency Formation Commission (LAFCo) annex their property to the West Bay Sanitary District for the purposes of obtaining sanitary sewer service. The proponent shall be required to install a STEP system that will connect to the existing main on Old Alpine Road.

Analysis

Attached for the Board's review is the Geographic/Legal Description (Exhibit A) of the property to be annexed, and the LAFCo Resolution No. 939 (Exhibit B) approving the annexation.

Fiscal Impact

Property owners have paid all annexation fees, and the fiscal impact would be additional sewer service charge revenue to the District once the parcel is connected.

Recommendation

The Office & Communications Manager recommends that the District Board approve the Resolution as presented.

Attachments: Resolution \_\_\_\_\_ (2022)  
Exhibit A – Geographic/Legal Description  
Exhibit B – LAFCo Resolution No. 939

**RESOLUTION NO. \_\_\_\_ (2022)**

**IN THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT**

**COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\*\*\*\*\*

**A Resolution Consenting to the Annexation of Lands of Pistol & Khorsand  
(APN 182-36-046) to the West Bay Sanitary District**

**WHEREAS:**

1. A petition for annexation of the property described herein to this District was initiated by the property owners.
2. The Local Agency Formation Commission (LAFCo) of Santa Clara County assigned the following distinctive short form designation: Annexation of 0 Alpine Road, Palo Alto to the West Bay Sanitary District
3. The property to be annexed is described as follows:  
See Exhibit "A" attached hereto and by this reference made a part hereof.
4. The said property is uninhabited.
5. The conditions of annexation are:
  - a. In the event that, pursuant to rules, regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money either as a lump sum or installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by rules, regulations or ordinances of the District, as now or hereafter amended.
  - b. Upon and after the effective date of said annexation, the territory, and all persons entitled to vote by reason of residing or owning land within the territory, shall be subject to the jurisdiction of the District; shall have the same rights and duties as if the territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest and any other amounts which shall become due on account of any outstanding or then-authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.
6. The proposed annexation is for the interest of the landowners and present and future inhabitants within the District and within the said property to be annexed.

7. The LAFCo of Santa Clara County has adopted Resolution 939 (Exhibit “B”) ordering annexation of the referenced territory to the West Bay Sanitary District.

**NOW, THEREFORE, BE IT RESOLVED** that:

- a. The above described property, pursuant to the order of the Santa Clara County LAFCo, is hereby annexed to the West Bay Sanitary District, and the District Manager is directed to make such distribution of this Resolution as is required by law or is desirable.
- b. Pursuant to Government Code Section 56837, the District consents to waiver conducting authority proceedings.
- c. The manual billing will be used to collect sewer service charges.
- d. The territory will not be taxed for bonded indebtedness.

\*\*\*\*\*

Passed and adopted by the District Board of the West Bay Sanitary District at a regular meeting thereof held on the 9<sup>th</sup> day of November, 2022 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

---

President of the District Board of the West Bay Sanitary District of San Mateo County, State of California

Attest:

---

Secretary of the District Board of the West Bay Sanitary District of San Mateo County, State of California

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF KLEIN, LANZA, REED  
URBANOWICZ, AND CARSTENS**

**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

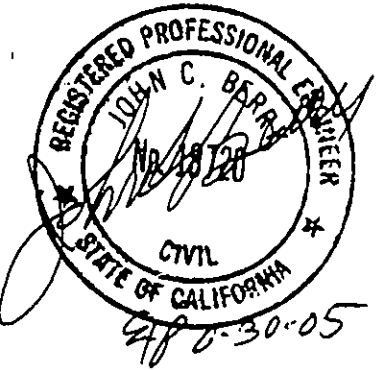
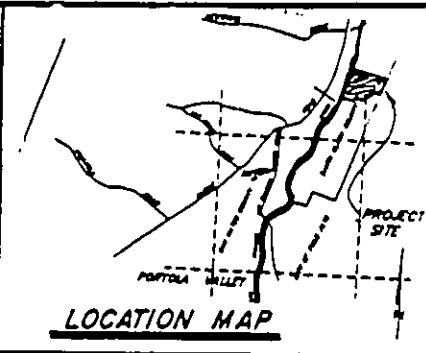
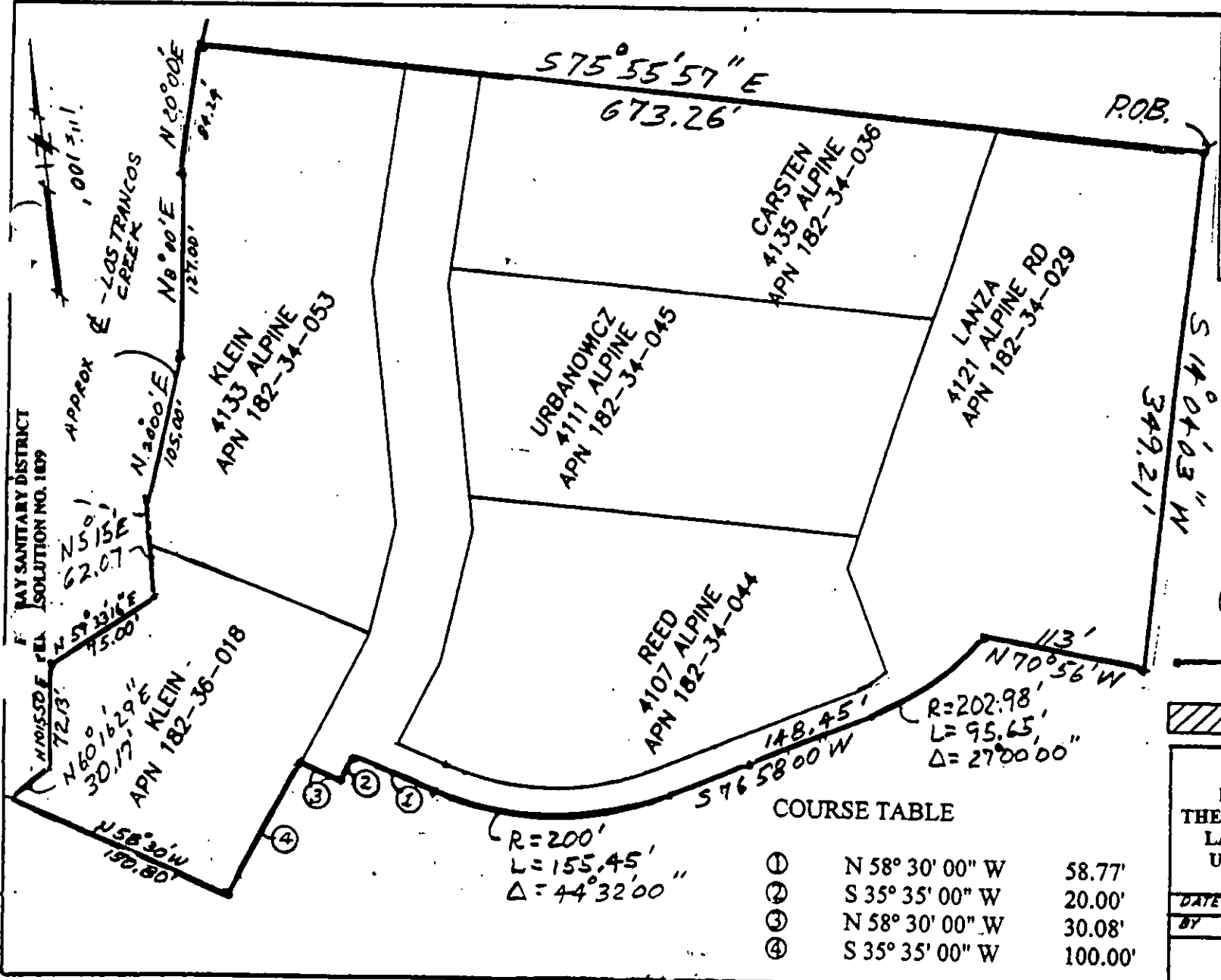
**BEGINNING AT THE MOST NORTHEAST CORNER OF THAT CERTAIN 1.622 ACRE PARCEL AS SAID PARCEL IS SHOWN ON "RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE MADERA FOR ORA V. WALKER" RECORDED OCTOBER 20, 1961 IN BOOK 139 OF MAPS AT PAGE 27, RECORDS OF SANTA CLARA COUNTY; THENCE SOUTH 14° 04' 03" WEST 349.21 FEET; THENCE NORTH 70° 56' 00" WEST 113.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, THROUGH WHICH A RADIAL LINE BEARS NORTH 40° 02' 00" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF A 202.98 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 27° 00' 00" AN ARC DISTANCE OF 95.65 FEET; THENCE TANGENT TO LAST SAID CURVE SOUTH 76° 58' 00" WEST 148.45 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF A 200 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 44° 32' 00", AN ARC DISTANCE OF 155.45 FEET; THENCE TANGENT TO LAST SAID CURVE, NORTH 58° 30' 00" WEST 58.77 FEET; THENCE SOUTH 35° 35' 00" WEST 20.00 FEET; THENCE NORTH 58° 30' 00" WEST 30.08 FEET; THENCE SOUTH 35° 35' WEST 100.00 FEET; THENCE NORTH 58° 30' WEST 150.80 FEET TO THE CENTERLINE OF LOS TRANCOS CREEK; SAID LINE ALSO BEING THE EASTERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO. 1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY BOUNDARY OF WBSD AND SAID CENTERLINE OF LOS TRANCOS CREEK NORTH 60° 16' 29" EAST 30.17 FEET; THENCE NORTH 10° 15' 50" EAST 72.13 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY OF WBSD NORTH 59° 33' 16" EAST 75.00 FEET; THENCE NORTH 05° 15' 00" EAST 62.07 FEET; THENCE NORTH 20° 00' EAST 105.00 FEET; THENCE NORTH 8° 00' EAST 127.00 FEET; THENCE NORTH 20° 00' EAST 84.24 FEET; THENCE LEAVING SAID CENTERLINE OF LOS TRANCOS CREEK SOUTH 75° 55' 57" EAST 673.26 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS INCLUDE A 50-FOOT RIGHT OF WAY FOR OLD ALPINE ROAD AS SAID DEDICATION IS SHOWN ON AFORESAID RECORD OF SURVEY.**

**CONTAINING 7.10 ACRES, MORE OR LESS**

APN'S 182-36-018 ✓ 182-34-036 - SB 046  
182-34-053 ✓ 182-34-044 ✓  
182-34-045 ✓ 182-34-029 ✓





BOUNDARY LINE OF PROPOSED ANNEXATION

PROPOSED ANNEXATION

COURSE TABLE

①	N 58° 30' 00" W	58.77'
②	S 35° 35' 00" W	20.00'
③	N 58° 30' 00" W	30.08'
④	S 35° 35' 00" W	100.00'

EXHIBIT A  
 PROPOSED ANNEXATION TO  
 THE WEST BAY SANITARY DISTRICT  
 LANDS OF KLEIN, LANZA, REED  
 URBANOWICZ, AND CARSTENS

DATE 3/8/05 SCALE

BY

Please record with fee (Gov. Code Sec. 0103)  
and send back to LAFCO Clerk, 10<sup>th</sup> Floor

**CONFORMED COPY:** This document has  
not been compared with the original.  
SANTA CLARA COUNTY CLERK-RECORDER

**LOCAL AGENCY FORMATION COMMISSION  
SANTA CLARA COUNTY**  
www.santaclara.lafco.ca.gov  
County Government Center, 11<sup>th</sup> Floor, East Wing  
70 West Hedding Street, San Jose, CA 95110  
Tel. (408) 299-5127 Fax: (408) 295-1613  
Neelima Palacherla, Executive Officer

Doc#: 16321728  
6/19/2002 3:19 PM

**ENDORSED COPY**

**CERTIFICATE OF COMPLETION**

I, Neelima Palacherla, Executive Officer of the Santa Clara Local Agency Formation Commission, issue this Certificate of Completion pursuant to Government Code Section 57200 and 57201.

I hereby certify that I have examined the Resolution for Annexation attached hereto, entitled Resolution of the Local Agency Formation Commission of the County of San Mateo Making Determinations, Amending the Sphere of Influence of the West Bay Sanitary District and Approving the Annexation of the Lands of Conroe, Gerst *et al* to the West Bay Sanitary District, Waiving Conducting Authority Proceedings and Ordering Said Annexation, Resolution No. 939, adopted by the San Mateo County Local Agency Formation Commission on May 15, 2002.

The name of the District is **West Bay Sanitary District**.


The change of organization completed is an **ANNEXATION** to the West Bay Sanitary District of 25.04 acres consisting of fourteen (14) parcels located along Los Trancos Creek Road in Santa Clara County. The Resolution, along with the maps and legal descriptions of the boundaries of the annexation are attached hereto.

The title of the proceeding is **2002 Sphere of Influence Amendment and Annexation, Lands of Conroe, Gerst et al**.

San Mateo County is the principal county for West Bay Sanitary District. Resolution No. 939 is being filed in Santa Clara County, as well as in San Mateo County, because the affected area of the annexation lies solely in Santa Clara County.

I declare under penalty of perjury in the State of California that the foregoing is true and correct.

Date: 06/19/02

  
\_\_\_\_\_  
Neelima Palacherla, Executive Officer  
LAFCO of Santa Clara County

Attachment: San Mateo LAFCO Resolution No. 939

**Commissioners:** Blanca Alvarado, Donald F. Gage, Suzanne Jackson, Linda LeZotte, Susan Vicklund Wilson  
**Commission Secretary:** (408) 299-5088

7G-6



RESOLUTION NO. 939

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF SAN MATEO  
MAKING DETERMINATIONS, AMENDING THE SPHERE OF INFLUENCE  
OF THE WEST BAY SANITARY DISTRICT AND  
APPROVING THE  
ANNEXATION OF THE LANDS OF CONROE, GERST ET AL.  
TO THE WEST BAY SANITARY DISTRICT,  
WAIVING CONDUCTING AUTHORITY PROCEEDINGS  
AND ORDERING SAID ANNEXATION**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the West Bay Sanitary District in the County of San Mateo was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the proposal at the time noticed thereof, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, annexation of certain parcels is not consistent with existing district sphere of influence and it is appropriate that the Commission consider amendment of the sphere in connection with this proposal; and

WHEREAS, the landowners and District have requested that the Commission waive conducting authority proceedings pursuant to government code Section 56663; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. The West Bay Sanitary District sphere of influence is hereby amended to include the territory shown in Exhibit 1.

Section 2. The statement of determinations required by Government Code Section 56425 are as follows:

1) The present and planned land uses in the area, including agricultural and open space lands.

The present and planned land uses in the area are residential in nature with a County General Plan designation of Hillside and a city general plan designation of "Open Space District" which permits residential development.

(2) The present and probable need for public facilities and services in the area.

The area is an unincorporated, residential area and as reported by Santa Clara County Environmental Health, is characterized by high ground water and slopes making use of septic systems problematic. Future demand for services would increase as additional development occurs consistent with, and limited by City and County adopted general plans and zoning regulations.

- (3) The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

The City of Palo Alto is the next nearest sewer provider in the area but the area is physically separated from the City and the City cannot extend sewer service. West Bay Sanitary District is a regional sewer provider already serving adjacent areas and has indicated that it has sewage treatment capacity.

- (4) The existence of any social or economic communities of interest in the area if the Commission determines they are relevant to the agency.

This residential neighborhood south of Los Trancos Creek can be identified as a community of interest in that the area is accessed from the Town of Portola Valley and served by the same water provider. West Bay Sanitary District is already serving adjacent areas including other residential parcels in Santa Clara County along the Creek.

Section 3. This proposal is approved subject to the following conditions:

- a) submittal of revised maps and legal descriptions which meet the requirements of the State Board of Equalization and the County of Santa Clara Surveyor.

Section 4. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "2" attached hereto and by this reference incorporated herein.

Section 5. The territory consists of 25.04 acres, is found to be inhabited, and is assigned the following distinctive short form designation: Annexation of the Lands of Conroe, Gerst et al. to the West Bay Sanitary District.

Section 6. Subsequent annexation of the territory to West Bay Sanitary District On-Site Wastewater Disposal Zone if required is hereby approved.

Section 7. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56663 and this annexation is hereby ordered.

Regularly passed and adopted this 15th day of May, 2002.

Ayes and in favor of said resolution:


Commissioners: Duane Bay  
Robert Craig (Alt)  
Rich Gordon  
Rose Jacobs Gibson (Alt)  
Marguerite Kaufman  
Sepi Richardson  
Howard Jones

Noes and against said resolution:

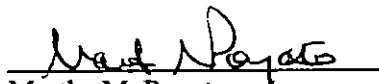
Commissioners: none \_\_\_\_\_  
 \_\_\_\_\_

Absent and/or Absentees:

Commissioners: Iris Gallagher, Jerry Hill

  
 Chairman  
 Local Agency Formation Commission  
 County of San Mateo  
 State of California

ATTEST:

  
 Martha M. Poyatos  
 Executive Officer  
 Local Agency Formation Commission

Date: 5/16/02

I certify that this is a true and correct copy of the resolution above set forth.

Date: 5/16/02

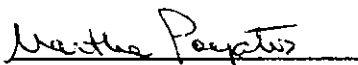
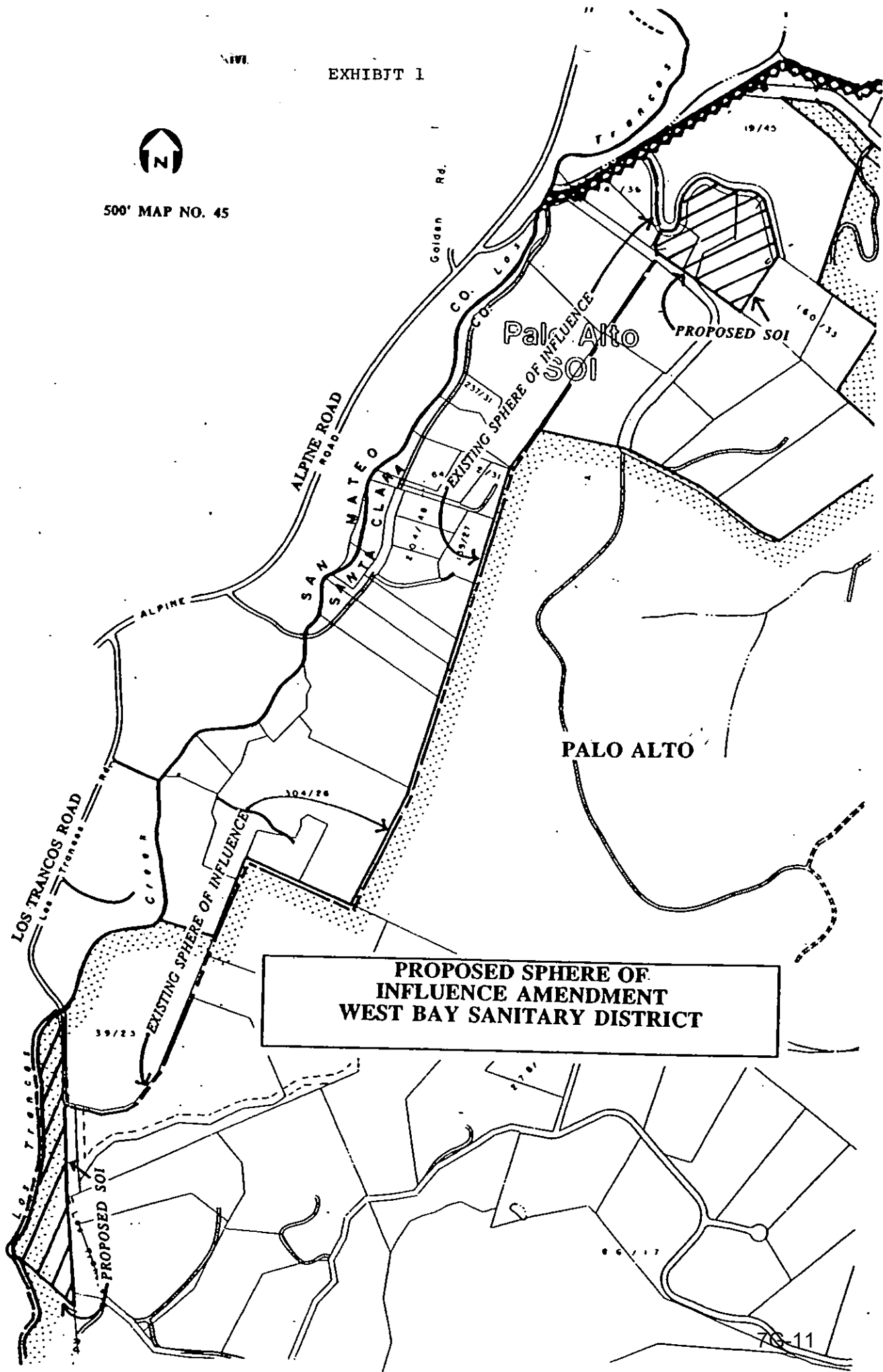
  
 Martha Poyatos  
 Clerk to the Commission

EXHIBIT 1



500' MAP NO. 45



**PROPOSED SPHERE OF INFLUENCE AMENDMENT WEST BAY SANITARY DISTRICT**

**Brian Kangas Foulk**

Engineers • Surveyors • Planners

January 31, 2001

BKF Job No. 19990196-10

**LEGAL DESCRIPTION OF  
AREA TO BE ANNEXED TO  
WEST BAY SANITARY DISTRICT**

All that real property situate in the City of Palo Alto, Santa Clara County, State of California, being all of the Lands of Conroe as said lands are described in that certain grant deed filed for record as Document No. 14311804 on July 31, 1998, Santa Clara County Records, being bounded on the south by the Lands of Conroe as said lands are described in that certain grant deed filed for record as Document No. 10786687 on January 23, 1991, Santa Clara County Records and the West Bay Sanitary District as described in Resolution No. 1166 and adopted in 1990, on the west by the centerline of Los Trancos Creek and the Lands of Woods as said creek and said lands are described in that certain grant deed filed for record as Document No. 85057917 on June 11, 1985, San Mateo County Records, on the east by the Lands of Lehmann as said lands are described in that certain grant deed filed for record as Document No. 14249354 on June 24, 1998, the Lands of Brady and McGowan as said lands are described in that certain grant deed filed for record as Document No. 15079834 on December 6, 1999, the Lands of McNealy as lands are described in that certain grant deed filed for record as Document No. 15206826 on April 7, 2000, Santa Clara County Records, and being more particularly described as follows:

BEGINNING at the intersection of the most northerly corner of the West Bay Sanitary District as shown on said Resolution No. 1166, the centerline of Los Trancos Creek, and the most southerly corner of the Land of Woods as said creek and lands are shown on that certain map entitled "Portola Valley Ranch 4," filed for record on December 1, 1981 in Volume 106 of Maps at pages 26 through 32, inclusive, San Mateo County Records; thence northeasterly along the centerline of said creek and the most easterly line of the Lands of Woods as said lands are described in said deed North 37°57'56" East, a distance of 117.55 feet; thence North 21°07'07" East, a distance of 168.03 feet; thence North 19°18'05" East, a distance of 64.62 feet; thence North 07°39'56" East, a distance of 172.30 feet; thence North 01°29'20" West, a distance of 448.86 feet; thence North 10°36'36" East, a distance of 243.74 feet to the most northwesterly corner of the Land of Lehmann as said lands are described in said deed; thence southerly along the westerly line of said lands South 07°30'00" East, a distance of 222.42 feet; thence South 02°30'00" East, a distance of 195.00 feet to the most southwestly corner of said lands; thence continuing along said westerly line South 02°30'00" East, a distance of 500.00 feet to the most southwestly corner of the Lands of Brady and McGowan as said lands


12.11.01  
BKF

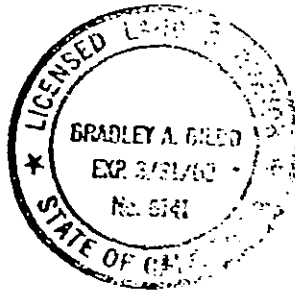
7/11/01

WBSD EXHIBIT A1 (PAGE 2)

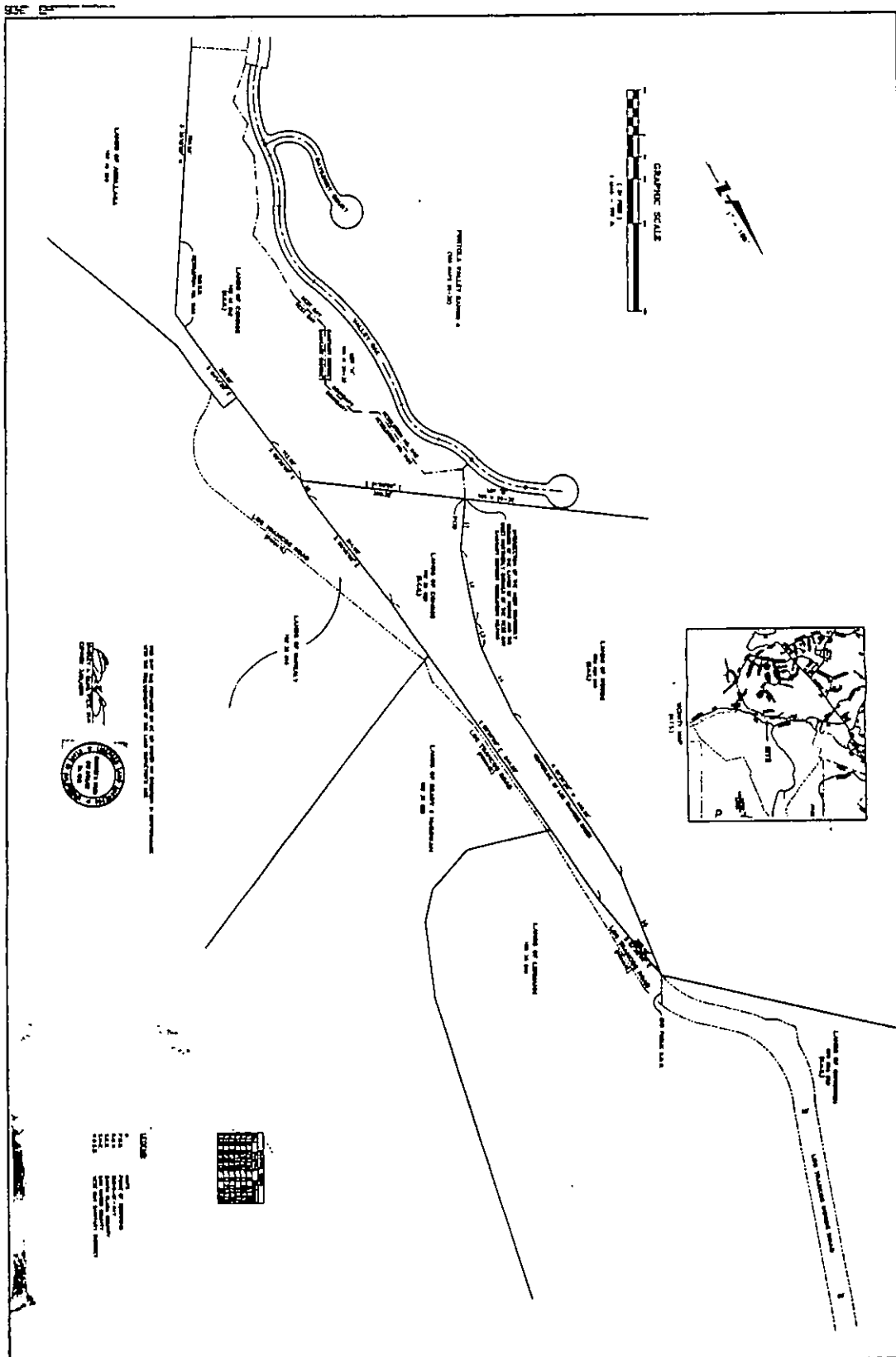
are described in said deed; thence continuing along said westerly line South 02°30'00" East, a distance of 149.20 feet; thence South 05°45'00" East, a distance of 314.00 feet; thence South 06°28'00" West, a distance of 39.00 feet to the most southerly corner of the Lands of Conroe as described in said deed and the most northeasterly corner of the West Bay Sanitary District as adopted and described in Resolution No. 1166; thence leaving said westerly line and northwesterly along the most southerly line of the Lands of Conroe as described in said deed and the most northerly line of said West Bay Sanitary District North 51°00'00" West, a distance of 390.32 feet to the POINT OF BEGINNING and containing an area of 3.54635 acres, more or less.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's act.

  
Bradley A. Bilbo, P.L.S. 6141  
Expires: 3/31/2002  
K:\Main\1999\990196\Legals\Conroe.doc



January 31, 2001  
Dated



**AREA TO BE ANNEXED TO  
WEST BAY SANITARY DISTRICT  
THE LANDS OF CONROE**

PALO ALTO      SANTA CLARA      CALIFORNIA

**Brian Kangas Fouk**  
Engineers • Surveyors • Planners

240 FINE AVENUE  
SANTA CLARA CITY, CA 95050  
408/251-1200  
408/251-1200 (FAX)

© Brian Kangas Fouk



**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF GERST**

**THAT CERTAIN PARCEL OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**ALL OF PARCEL 1 AS SAID PARCEL IS SHOWN ON THAT CERTAIN  
RECORD OF SURVEY OF "LAND OF A.T. ATTERBURY" RECORDED  
SEPTEMBER 14, 1956 IN BOOK 74 OF MAPS AT PAGE 36, SANTA CLARA  
COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:**

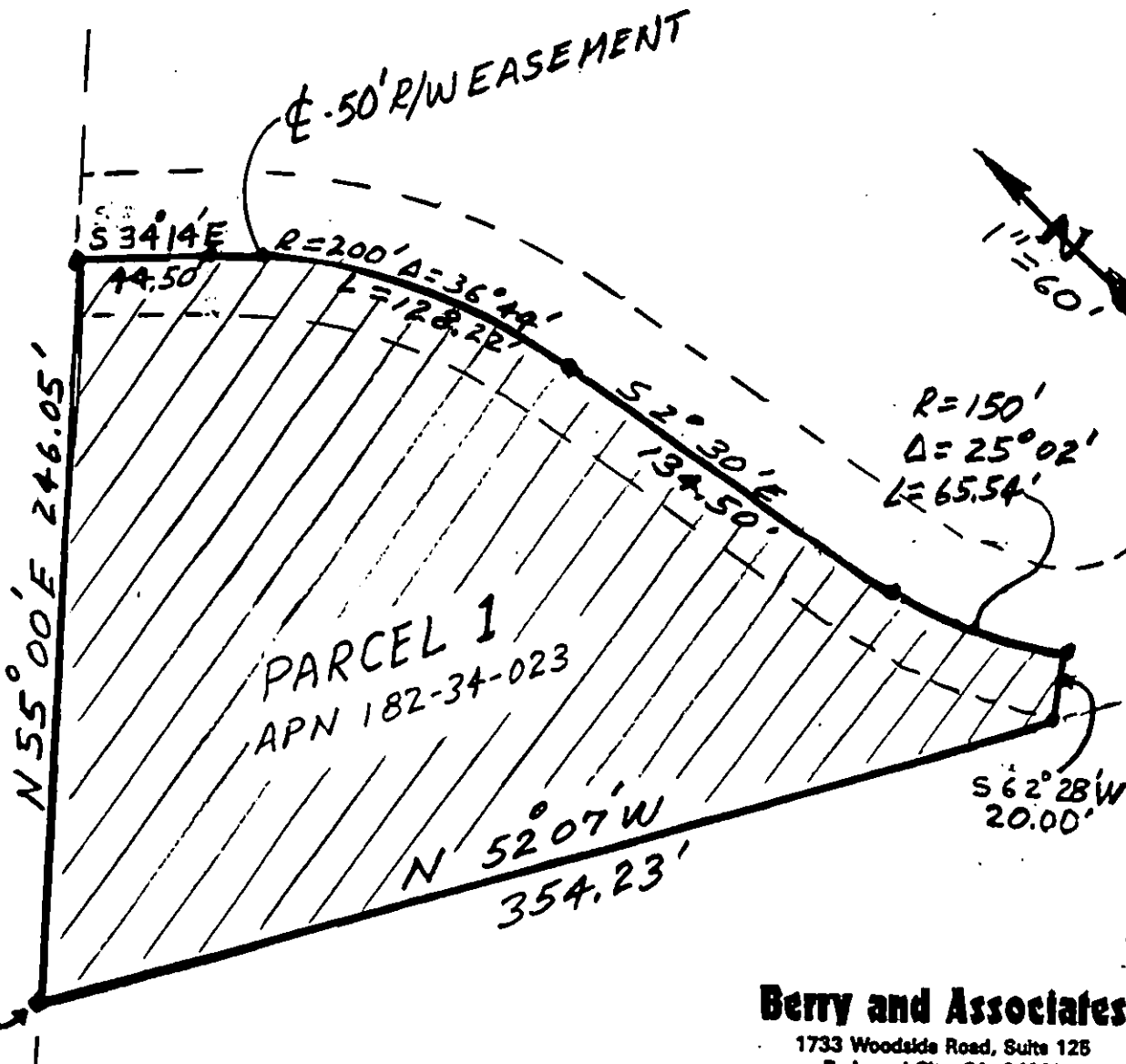
**BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL 1 AS  
SHOWN ON SAID MAP, THENCE ALONG THE EASTERLY LINE OF  
ARASTRADERO ROAD (40-FOOT WIDE) NORTH 55° 00' EAST 246.05 FEET;  
THENCE LEAVING SAID EASTERLY LINE OF ARASTRADERO ROAD  
SOUTH 34° 14' EAST 44.50 FEET TO THE BEGINNING OF A TANGENT  
CURVE, CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF A  
220-FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 36° 44' AN  
ARC DISTANCE OF 128.22 FEET; THENCE TANGENT TO LAST SAID  
CURVE SOUTH 2° 30' EAST 134.50 FEET TO THE BEGINNING OF A  
TANGENT CURVE, CONCAVE TO THE NORTHEAST; THENCE ALONG THE  
ARC OF A 150-FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF  
25° 02' AN ARC DISTANCE OF 65.54 FEET; THENCE LEAVING SAID CURVE  
SOUTH 62° 28' WEST 20.00 FEET; THENCE NORTH 52° 07' WEST 354.23 FEET  
TO THE POINT OF BEGINNING.**

**CONTAINING 1.1778 ACRES, MORE OR LESS.**

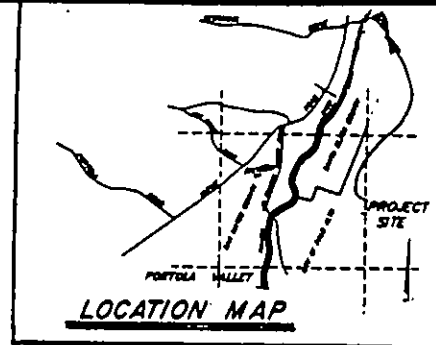
**APN 182-34-023**



ARASTRADERO ROAD  
(40' WIDE)



PARCEL 1  
APN 182-34-023



- PROPOSED ANNEXATION
- BOUNDARY LINE OF PROPOSED ANNEXATION

**EXHIBIT B**  
**PROPOSED ANNEXATION TO**  
**THE WEST BAY SANITARY DISTRICT**  
**LANDS OF GERST**

DATE <u>3/8/02</u>	SCALE
BY	

**Berry and Associates**  
1733 Woodside Road, Suite 125  
Redwood City, CA 94061  
Phone: 650/368-0790 FAX: 650/368-1048

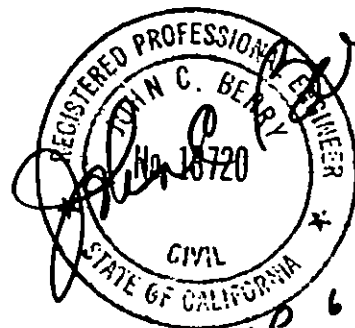
**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WINCHELL**

**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF THAT CERTAIN 5.0119 ACRE LOT AS SHOWN ON THE MAP ENTITLED "RECORD OF SURVEY OF A PORTION OF EL CORTE MADERA RANCHO, SANTA CLARA COUNTY", RECORDED IN BOOK 19 OF MAPS AT PAGE 45, SANTA CLARA COUNTY RECORDS SAID POINT BEING THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS NORTH 00° 58' 00" EAST, 49.37 FEET ON SAID MAP; THENCE NORTH 00° 58' 00" WEST 49.37 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET, THROUGH A CENTRAL ANGLE OF 51° 09' 00", AN ARC DISTANCE OF 156.23 FEET; THENCE NORTH 50° 11' 00" EAST 29.40 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 62° 07' 00", AN ARC DISTANCE OF 54.21 FEET; THENCE SOUTH 67° 42' 00" EAST 76.50 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 20° 32' 00", AN ARC DISTANCE OF 53.76 FEET; THENCE SOUTH 88° 14' 00" EAST 84.00 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 72° 05' 00", AN ARC DISTANCE OF 125.81 FEET; THENCE SOUTH 16° 09' 00" EAST 252.32 FEET; THENCE SOUTH 30° 53' 00" WEST 350.00 FEET; THENCE NORTH 58° 00' 00" WEST 553.86 FEET; THENCE NORTH 23° 06' 11" EAST 105.39 FEET; THENCE NORTH 41° 52' 50" EAST 20.00 FEET TO A POINT OF CURVATURE THROUGH WHICH A RADIAL LINE BEARS SOUTH 41° 52' 50" WEST; THENCE EASTERLY ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 50° 30' 50" AN ARC DISTANCE OF 44.08 FEET; THENCE NORTH 81° 22' 00" EAST 5.50 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 82° 20' 00", AN ARC DISTANCE OF 71.85 FEET TO THE POINT OF BEGINNING.**

**CONTAINING 5.93 ACRES, MORE OR LESS.**

APN'S 182-34-063  
182-34-064  
182-34-065





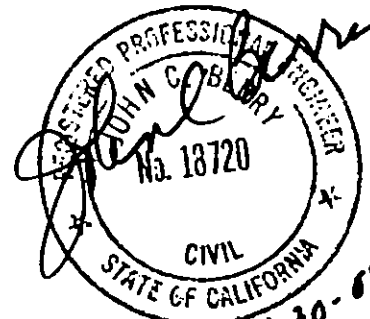
**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WATERMAN**

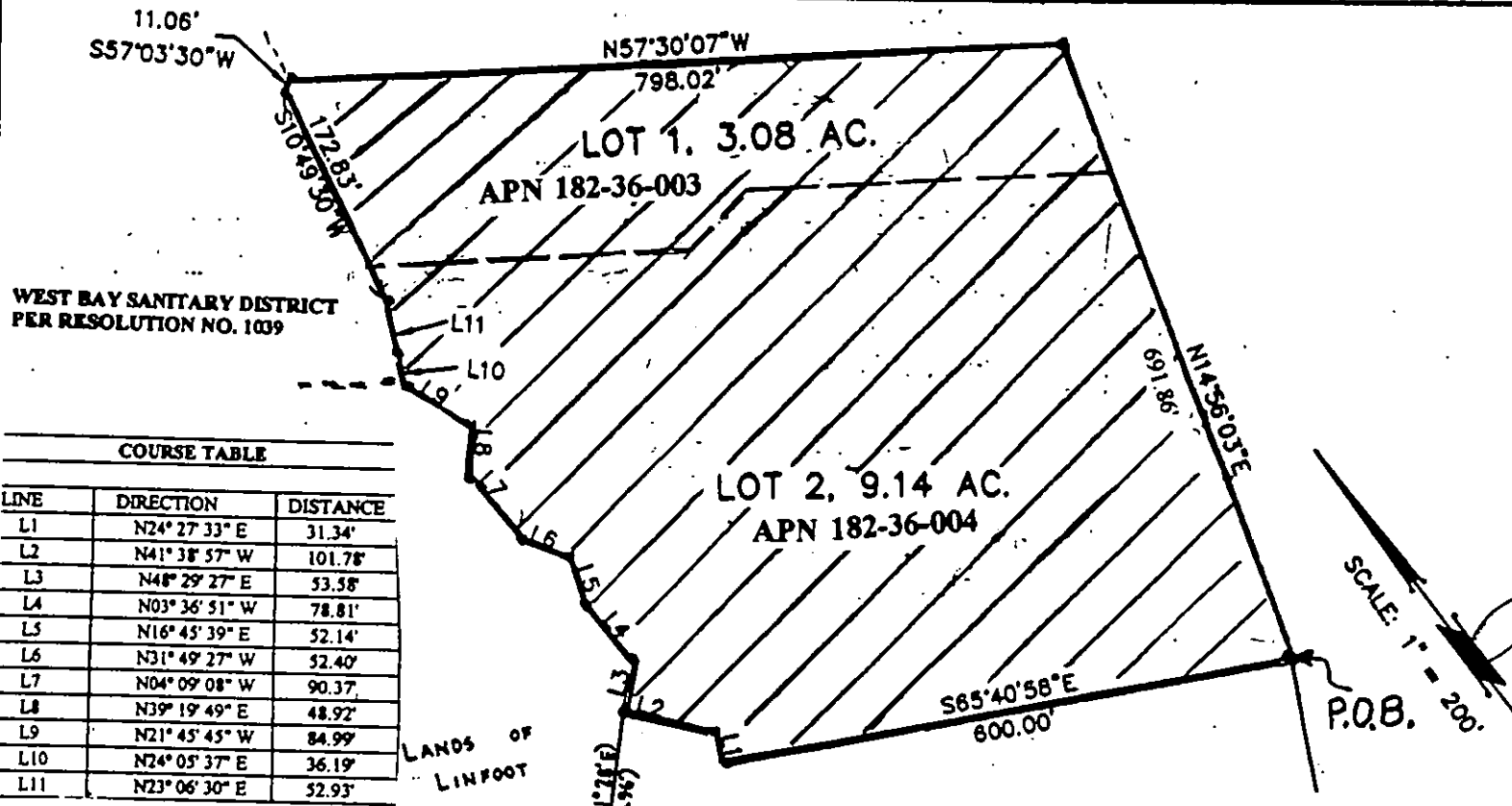
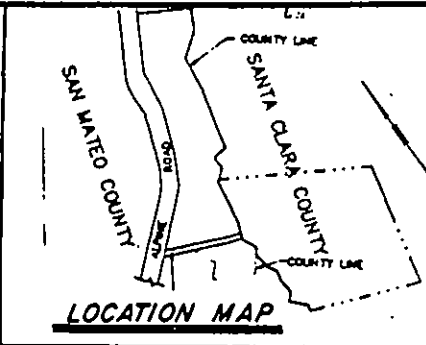
**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 2 AS SHOWN  
ON THE CERTIFICATE OF COMPLIANCE RECORDED MARCH 22, 1996 IN  
BOOK P255, PAGES 429-431, IN THE OFFICE OF THE COUNTY RECORDER  
OF SANTA CLARA COUNTY, (SAID CORNER ALSO BEING ON THE MOST  
NORTHERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER  
RESOLUTION NO. 898, RECORDED 1-20-99). THENCE FROM SAID POINT  
OF BEGINNING ALONG SAID NORTHERLY BOUNDARY OF WBSD,  
NORTH 65° 40' 58" WEST 600.00 FEET; THENCE NORTH 24° 27' 33" EAST  
31.34 FEET; THENCE NORTH 41° 38' 57" WEST 101.78 FEET; THENCE  
LEAVING SAID BOUNDARY LINE OF WBSD NORTH 48° 29' 27" EAST 53.58  
FEET; THENCE NORTH 03° 36' 51" WEST 78.81 FEET; THENCE NORTH 16°  
45' 39" EAST 52.14 FEET; THENCE NORTH 31° 49' 27" WEST 52.40 FEET;  
THENCE NORTH 04° 09' 08" WEST 90.37 FEET; THENCE NORTH 39° 19' 49"  
EAST 48.92 FEET; THENCE NORTH 21° 45' 45" WEST 84.99 FEET; THENCE  
NORTH 24° 05' 37" EAST 36.19 FEET TO A POINT IN THE EASTERLY  
BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO.  
1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY  
BOUNDARY OF WBSD NORTH 23° 06' 30" EAST 52.93 FEET; THENCE  
NORTH 10° 49' 30" EAST 172.83 FEET; THENCE NORTH 57° 03' 30" EAST  
11.06 FEET; THENCE LEAVING SAID WBSD BOUNDARY SOUTH 57° 30' 07"  
EAST 798.02 FEET; THENCE SOUTH 14° 56' 03" WEST 691.86 FEET TO THE  
POINT OF BEGINNING.**

**CONTAINING 12.22 ACRES, MORE OR LESS**

**APN'S 182-36-003  
182-36-004**

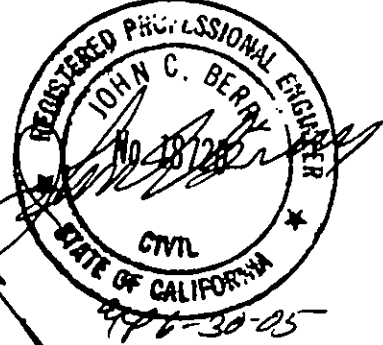




WEST BAY SANITARY DISTRICT  
PER RESOLUTION NO. 1039

**COURSE TABLE**

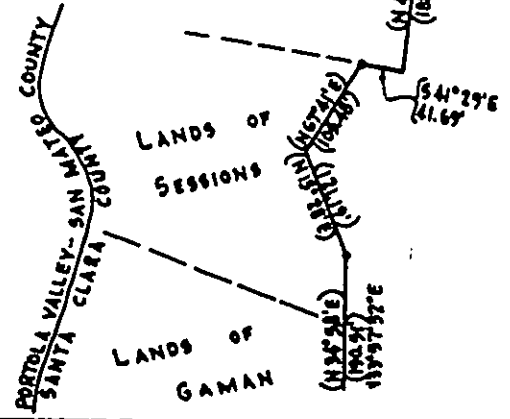
LINE	DIRECTION	DISTANCE
L1	N24° 27' 33" E	31.34'
L2	N41° 38' 57" W	101.78'
L3	N48° 29' 27" E	53.58'
L4	N03° 36' 51" W	78.81'
L5	N16° 45' 39" E	52.14'
L6	N31° 49' 27" W	52.40'
L7	N04° 09' 08" W	90.37'
L8	N39° 19' 49" E	48.92'
L9	N21° 45' 45" W	84.99'
L10	N24° 05' 37" E	36.19'
L11	N23° 06' 30" E	52.93'



SCALE: 1" = 200'  
P.O.B.

WEST BAY SANITARY DISTRICT  
PER RESOLUTION NO. 898

BOUNDARY LINE OF PROPOSED ANNEXAT  
 PROPOSED ANNEXATION



**EXHIBIT B**  
**PROPOSED ANNEXATION TO**  
**THE WEST BAY SANITARY DISTRICT**  
**LANDS OF WATERMAN**

**Berry and Associates**  
 1733 Woodside Road, Suite 125  
 Redwood City, CA 94081  
 Phone: 650/208-0780 FAX: 650/208-1048

DATE 5/8/02 SCALE  
 BY

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WESTALL**

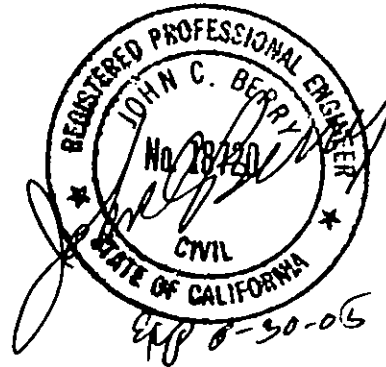
**THAT CERTAIN PARCEL OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

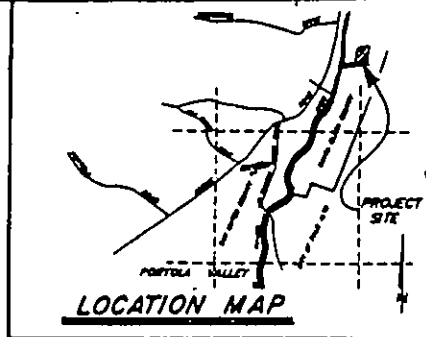
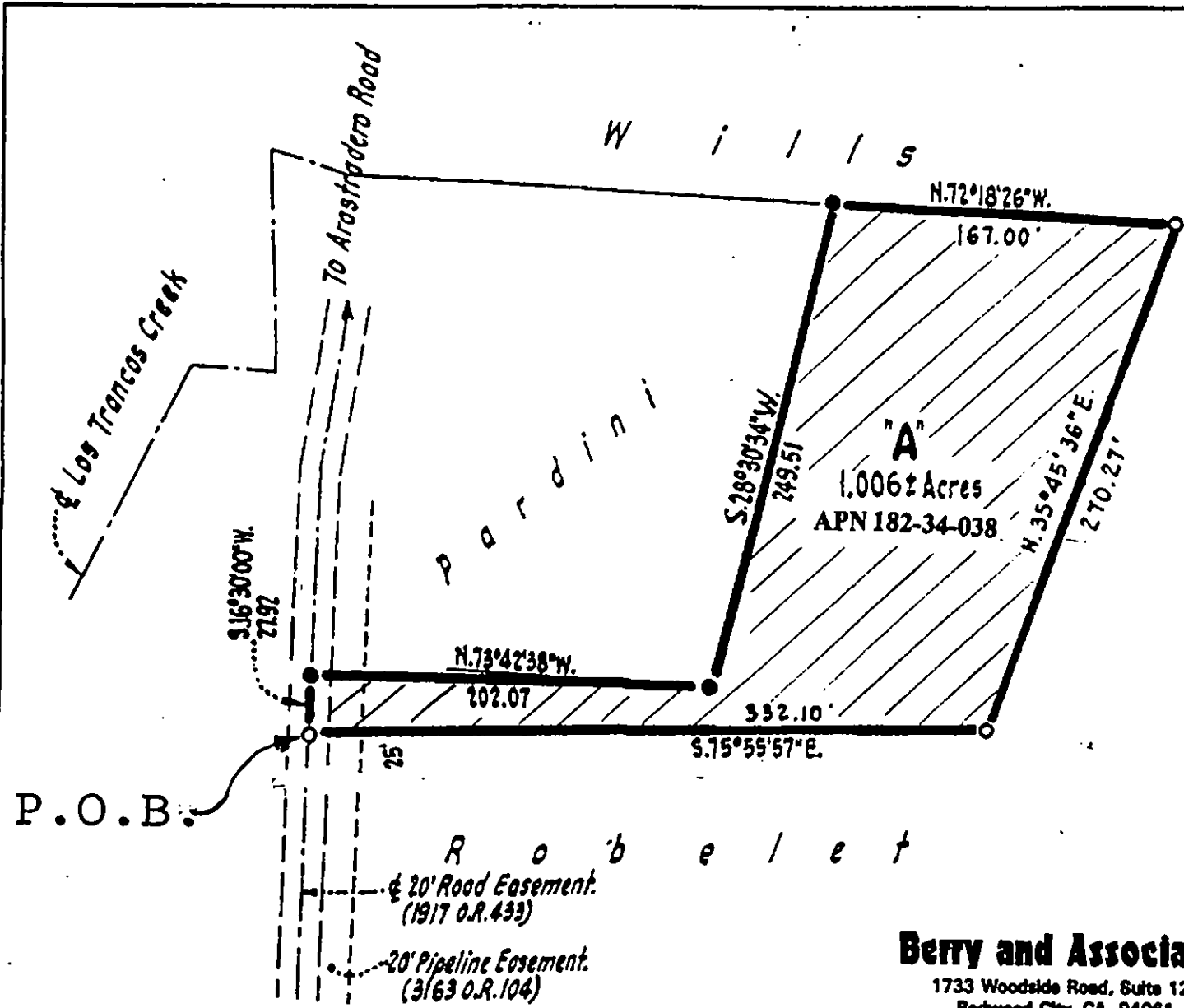
**ALL OF PARCEL "A" AS SAID PARCEL IS SHOWN ON THAT CERTAIN  
"RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE  
MADERA FOR DWIGHT F. BECHTOLD" RECORDED JANUARY 28, 1964 IN  
BOOK 172 OF MAPS AT PAGE 31, RECORDS OF SANTA CLARA COUNTY,  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL "A" AS  
SHOWN ON SAID RECORD OF SURVEY; THENCE SOUTH 75° 55' 57" EAST  
332.10 FEET; THENCE NORTH 35° 45' 36" EAST 270.27 FEET; THENCE  
NORTH 72° 18' 26" WEST 167.00 FEET; THENCE SOUTH 28° 30' 34" WEST  
249.51 FEET; THENCE NORTH 73° 42' 38" WEST 202.07 FEET; THENCE  
SOUTH 16° 30' 00" WEST 27.92 FEET TO THE POINT OF BEGINNING.**



**CONTAINING 1.006 ACRES, MORE OR LESS**

**APN 182-34-038**





1" = 80'

 PROPOSED ANNEXATION  
 BOUNDARY LINE OF PROPOSED ANNEXATION

<b>EXHIBIT B</b> <b>PROPOSED ANNEXATION TO</b> <b>THE WEST BAY SANITARY DISTRICT</b> <b>LANDS OF WESTFALL</b>	
DATE 5/15/02	SCALE
BY	

**Berry and Associates**  
 1733 Woodside Road, Suite 125  
 Redwood City, CA 94061  
 Phone: 650/398-0780 FAX: 650/308-1048



**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF KLEIN, LANZA, REED  
URBANOWICZ, AND CARSTENS**

**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

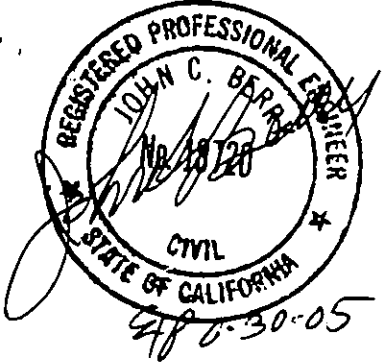
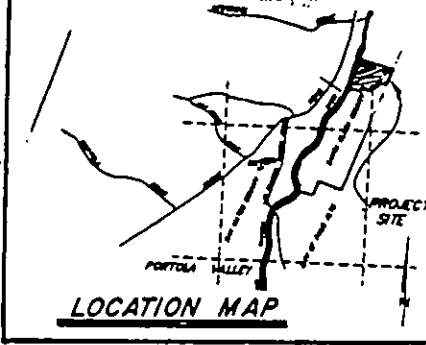
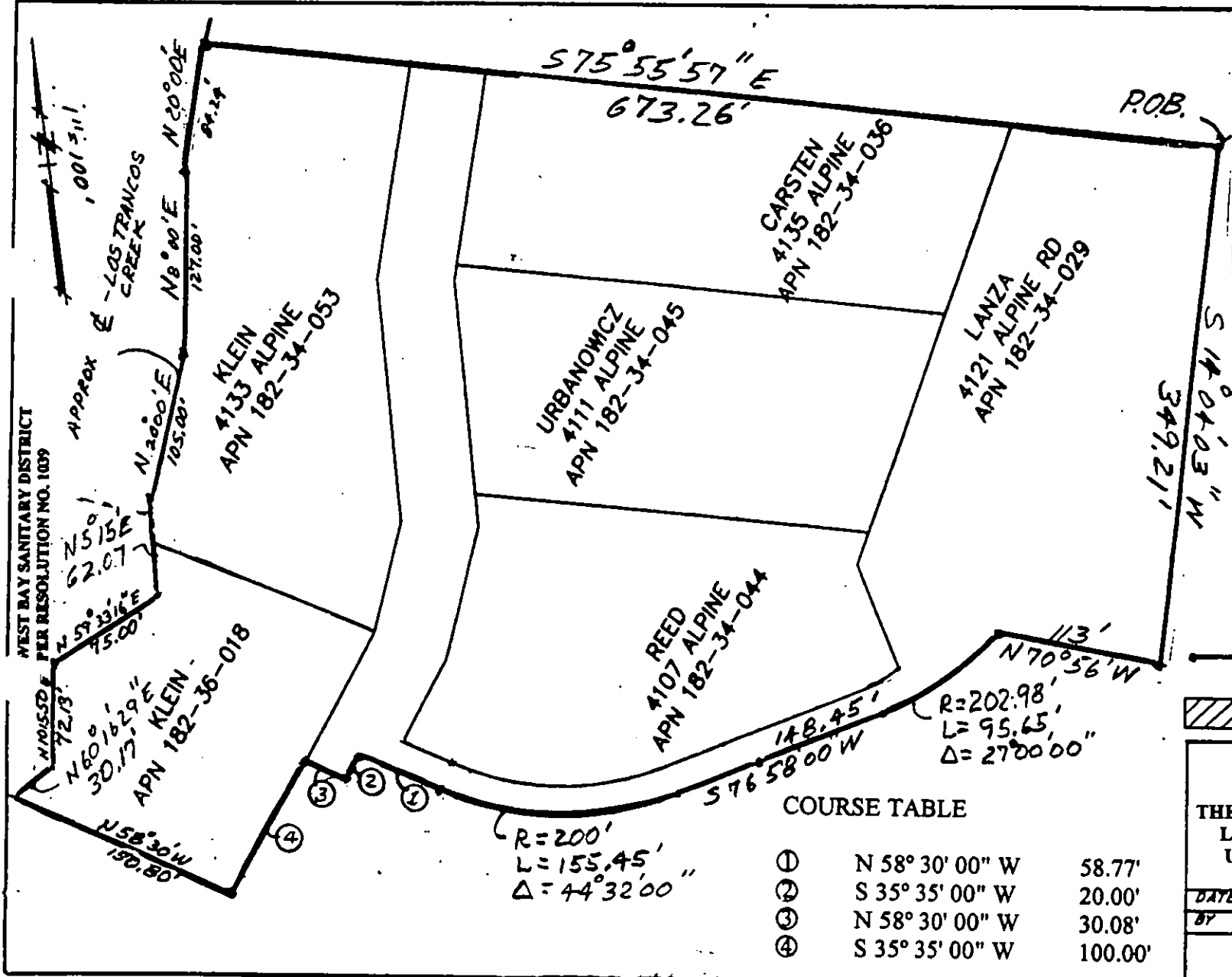
**BEGINNING AT THE MOST NORTHEAST CORNER OF THAT CERTAIN 1.622 ACRE PARCEL AS SAID PARCEL IS SHOWN ON "RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE MADERA FOR ORA V. WALKER" RECORDED OCTOBER 20, 1961 IN BOOK 139 OF MAPS AT PAGE 27, RECORDS OF SANTA CLARA COUNTY; THENCE SOUTH 14° 04' 03" WEST 349.21 FEET; THENCE NORTH 70° 56' 00" WEST 113.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, THROUGH WHICH A RADIAL LINE BEARS NORTH 40° 02' 00" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF A 202.98 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 27° 00' 00" AN ARC DISTANCE OF 95.65 FEET; THENCE TANGENT TO LAST SAID CURVE SOUTH 76° 58' 00" WEST 148.45 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF A 200 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 44° 32' 00", AN ARC DISTANCE OF 155.45 FEET; THENCE TANGENT TO LAST SAID CURVE, NORTH 58° 30' 00" WEST 58.77 FEET; THENCE SOUTH 35° 35' 00" WEST 20.00 FEET; THENCE NORTH 58° 30' 00" WEST 30.08 FEET; THENCE SOUTH 35° 35' WEST 100.00 FEET; THENCE NORTH 58° 30' WEST 150.80 FEET TO THE CENTERLINE OF LOS TRANCOS CREEK; SAID LINE ALSO BEING THE EASTERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO. 1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY BOUNDARY OF WBSD AND SAID CENTERLINE OF LOS TRANCOS CREEK NORTH 60° 16' 29" EAST 30.17 FEET; THENCE NORTH 10° 15' 50" EAST 72.13 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY OF WBSD NORTH 59° 33' 16" EAST 75.00 FEET; THENCE NORTH 05° 15' 00" EAST 62.07 FEET; THENCE NORTH 20° 00' EAST 105.00 FEET; THENCE NORTH 8° 00' EAST 127.00 FEET; THENCE NORTH 20° 00' EAST 84.24 FEET; THENCE LEAVING SAID CENTERLINE OF LOS TRANCOS CREEK SOUTH 75° 55' 57" EAST 673.26 FEET TO THE POINT OF BEGINNING.**

**SAID LANDS INCLUDE A 50-FOOT RIGHT OF WAY FOR OLD ALPINE ROAD AS SAID DEDICATION IS SHOWN ON AFORESAID RECORD OF SURVEY.**

**CONTAINING 7.10 ACRES, MORE OR LESS**

<b>APN'S 182-36-018</b>	<b>182-34-036</b>
<b>182-34-053</b>	<b>182-34-044</b>
<b>182-34-045</b>	<b>182-34-029</b>





BOUNDARY LINE OF PROPOSED ANNEXATION

PROPOSED ANNEXATION

EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF KLEIN, LANZA, REED  
URBANOWICZ, AND CARSTENS

DATE 3/6/02 SCALE

BY

**County of Santa Clara  
Office of the County Assessor**

County Government Center, East Wing 5th Floor  
70 West Hedding Street  
San Jose, CA 95110-1771  
FAX (408) 298-9446  
Lawrence E. Stone, Assessor

*amended*

**Report of the Assessor**

Proposed Designation: WEST BAY SANI. DIST.SPHERRE(LANDS OF CONROE,ETAL

Type: Annexation / Detachment / Reorganization / Special District

City or District: PORTOLA VALLEY

**Review of Proposal**

Acreage and Location: 28.66 ACRES +/- LOS TRANCOS CREEK

Assessor's Parcel Numbers: 182-34-023,029,038,044,045,046,053,063,064,065; 182-36-003,004  
182-36-018

**Conformity to Lines of Assessment:**

X  Boundaries of proposed change conform to lines of assessment or ownership.

Boundaries of proposed change fail to conform to lines of assessment or ownership as noted on the attached map.

Boundaries of the following district(s) are split as noted on the attached map.

Special Districts within proposed annexation, detachmant or territory proposed to be reorganized are:

- |  |
|--|
| TRA: 093 - 025   |
| [158] PALO ALTO UNIFIED SCHOOL                                   |
| [196] FOOTHILL COMM. COLLEGE                                     |
| [208] GAUDALUPE-CYOTE RESOURCE CONSV.                            |
| [215] BAY AREA JT(1,7,21,28,41,43,38,48,49,57) AIR QUALITY MGMT. |
| [221] LOS ALTOS COUNTY FIRE PROTECTION                           |
| [252] MID-PENINSULA REGIONAL JT(41,43,44) OPEN SPACE             |
| [322] SANTA CLARA VALLEY COUNTY WATER                            |
| [329] SANTA CLARA VALLEY-ZONE NW-1 COUNTY WATER                  |
| [335] SANTA CLARA COUNTY IMPORTATION WATER-MISC.                 |
| [377] AREA NO. 01, LIBRARY BENEFIT ASSESSMENT COUNTY SERVICE     |
| [378] AREA NO. 01 (LIBRARY SERVICES) COUNTY SERVICE              |

By: **Pauline Coleman**  
**Mapper II**  
**408-299-5552**

Date: 7/24/2002

Fees for this report are attached.

Total Districts this TRA: 11

Original APN'S Covered  
 2002 Spheres of Influence ~~and~~ (Lands of Corro, et al)

182-36-003 in Resol  
 004 in Resol  
 018 in Resol

182-34-023 in Resol.  
 029 in Resol

182-34-038 in Resol  
 044 in Resol  
 045 in Resol  
 046 in Resol. as 036

182-34-053 in Resol

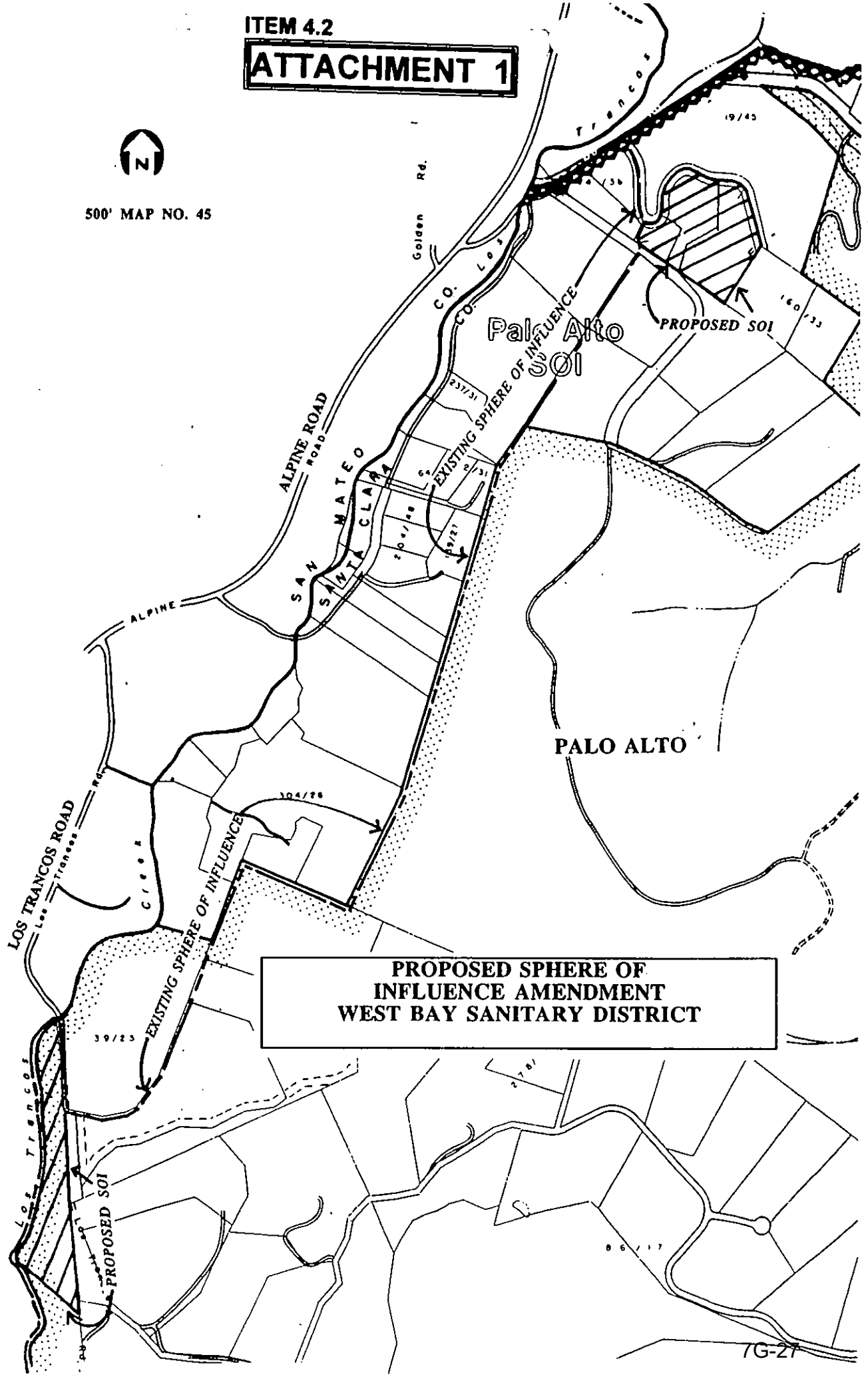
add

182-34-063 in Resol  
 064 in Resol  
 065 in Resol  
 036 (as 046) in Resol  
~~036~~

**ATTACHMENT 1**



500' MAP NO. 45





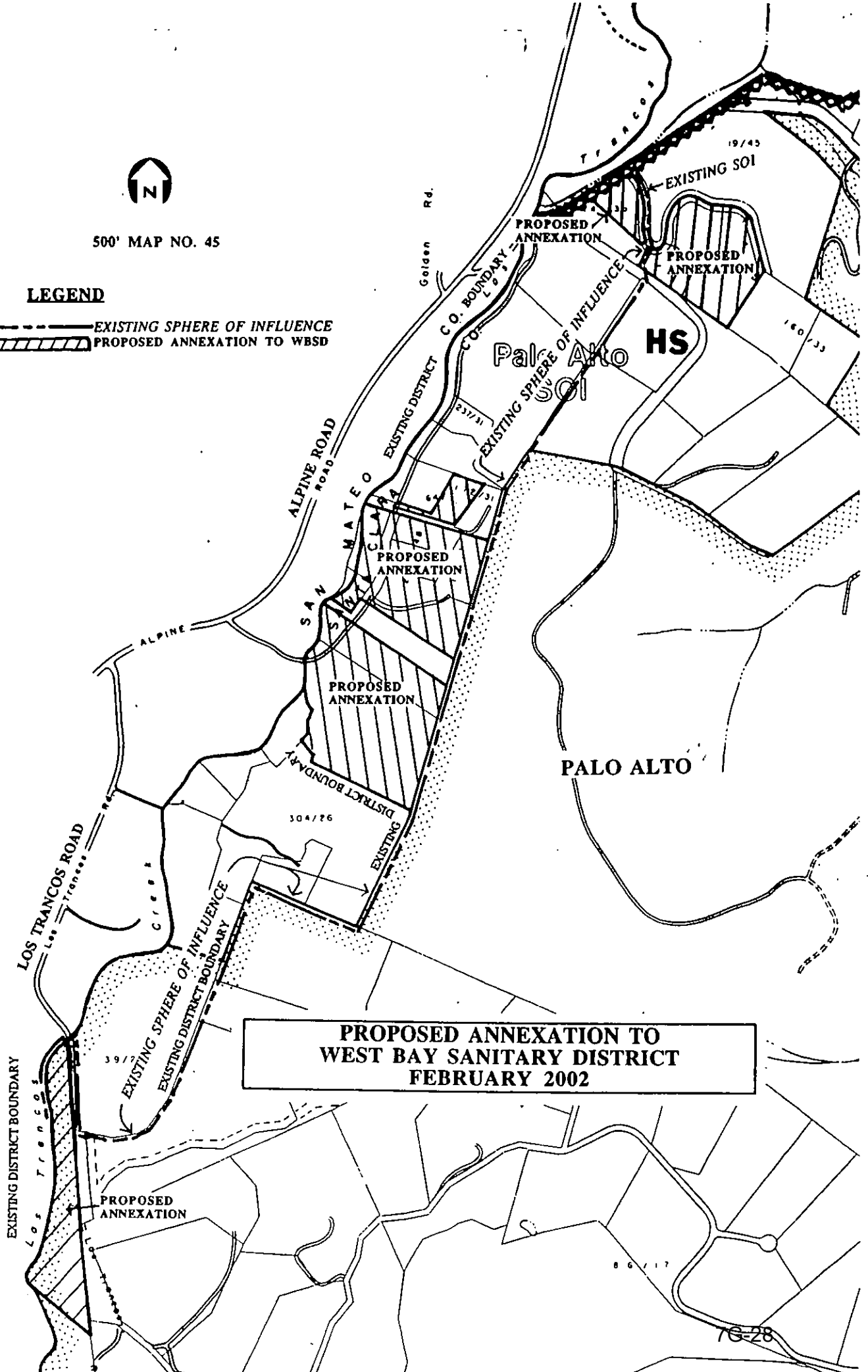
**PROPOSED SPHERE OF INFLUENCE AMENDMENT WEST BAY SANITARY DISTRICT**



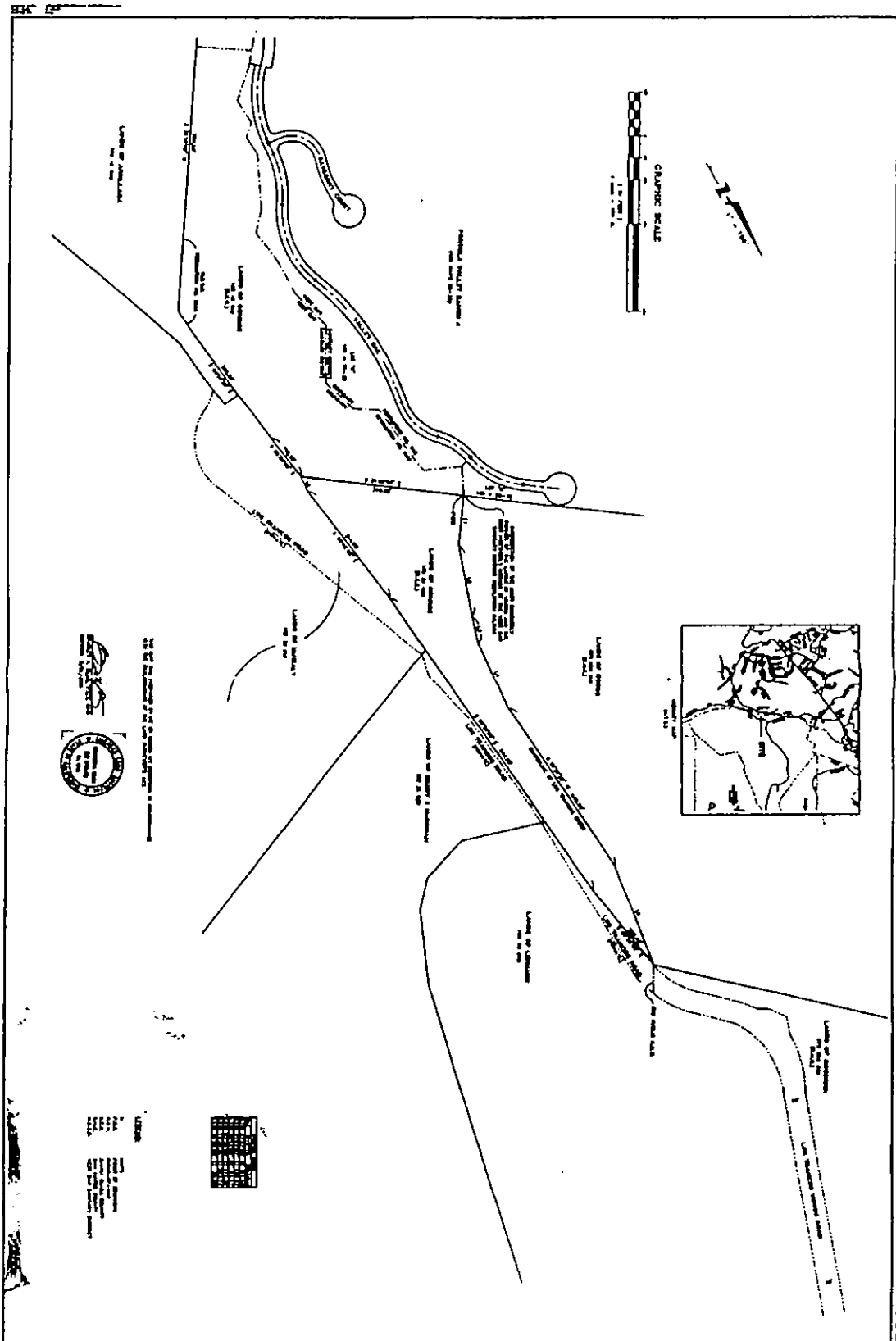
500' MAP NO. 45

**LEGEND**

-  EXISTING SPHERE OF INFLUENCE
-  PROPOSED ANNEXATION TO WBSD



**PROPOSED ANNEXATION TO  
WEST BAY SANITARY DISTRICT  
FEBRUARY 2002**



05-981048

No.	Description	Date	By
1	Original		
2	Revised		
3	Revised		
4	Revised		
5	Revised		

**AREA TO BE ANNEXED TO  
WEST BAY SANITARY DISTRICT  
THE LANDS OF CONROE**

PALO ALTO      SANTA CLARA      CALIFORNIA

**Brian Kangas Fouk**  
Engineers • Surveyors • Planners

SAN JOSE OFFICE  
2000 W. 14TH ST., SUITE 200  
SAN JOSE, CALIF. 95128  
(408) 434-1300  
(408) 434-1305 (FAX)

© Brian Kangas Fouk

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF GERST**

**THAT CERTAIN PARCEL OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**ALL OF PARCEL 1 AS SAID PARCEL IS SHOWN ON THAT CERTAIN  
RECORD OF SURVEY OF "LAND OF A.T. ATTERBURY" RECORDED  
SEPTEMBER 14, 1956 IN BOOK 74 OF MAPS AT PAGE 36, SANTA CLARA  
COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL 1 AS  
SHOWN ON SAID MAP, THENCE ALONG THE EASTERLY LINE OF  
ARASTRADERO ROAD (40-FEET WIDE) NORTH 55° 00' EAST 246.05 FEET;  
THENCE LEAVING SAID EASTERLY LINE OF ARASTRADERO ROAD  
SOUTH 34° 14' EAST 44.50 FEET TO THE BEGINNING OF A TANGENT  
CURVE, CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF A  
220-FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 36° 44' AN  
ARC DISTANCE OF 128.22 FEET; THENCE TANGENT TO LAST SAID  
CURVE SOUTH 2° 30' EAST 134.50 FEET TO THE BEGINNING OF A  
TANGENT CURVE, CONCAVE TO THE NORTHEAST; THENCE ALONG THE  
ARC OF A 150-FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF  
25° 02' AN ARC DISTANCE OF 65.54 FEET; THENCE LEAVING SAID CURVE  
SOUTH 62° 28' WEST 20.00 FEET; THENCE NORTH 52° 07' WEST 354.23 FEET  
TO THE POINT OF BEGINNING.**

**CONTAINING 1.1778 ACRES, MORE OR LESS.**

**APN 182-34-023 ✓**





ARASTRADERO ROAD  
(40' WIDE)

N 55° 00' E 246.05'

S 34° 14' E

14.50'

ϕ - 50' R/W EASEMENT

R=200' Δ=36° 44'  
L=128.22'

S 2° 30' E  
134.50'

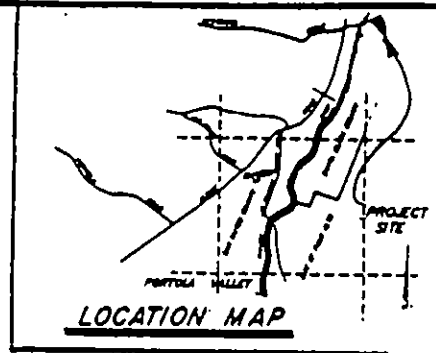
R=150'  
Δ=25° 02'  
L=65.54'

PARCEL 1  
APN 182-34-023

N 52° 07' W  
354.23'

S 62° 28' W  
20.00'

P.O.B.



PROPOSED ANNEXATION

BOUNDARY LINE OF PROPOSED ANNEXATION

EXHIBIT B  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF GERST

**Berry and Associates**  
1733 Woodside Road, Suite 125  
Redwood City, CA 94061  
Phone: 650/308-0700 FAX: 650/308-1046

DATE 3/8/02 SCALE  
BY

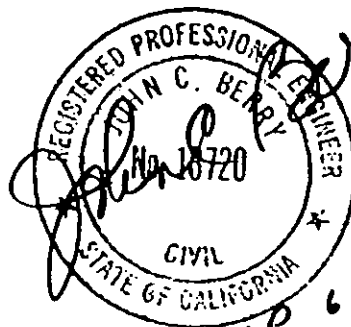
**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WINCHELL**

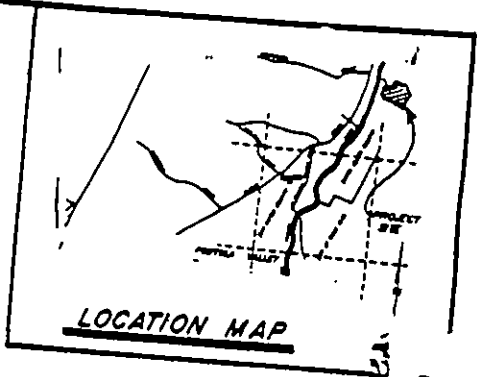
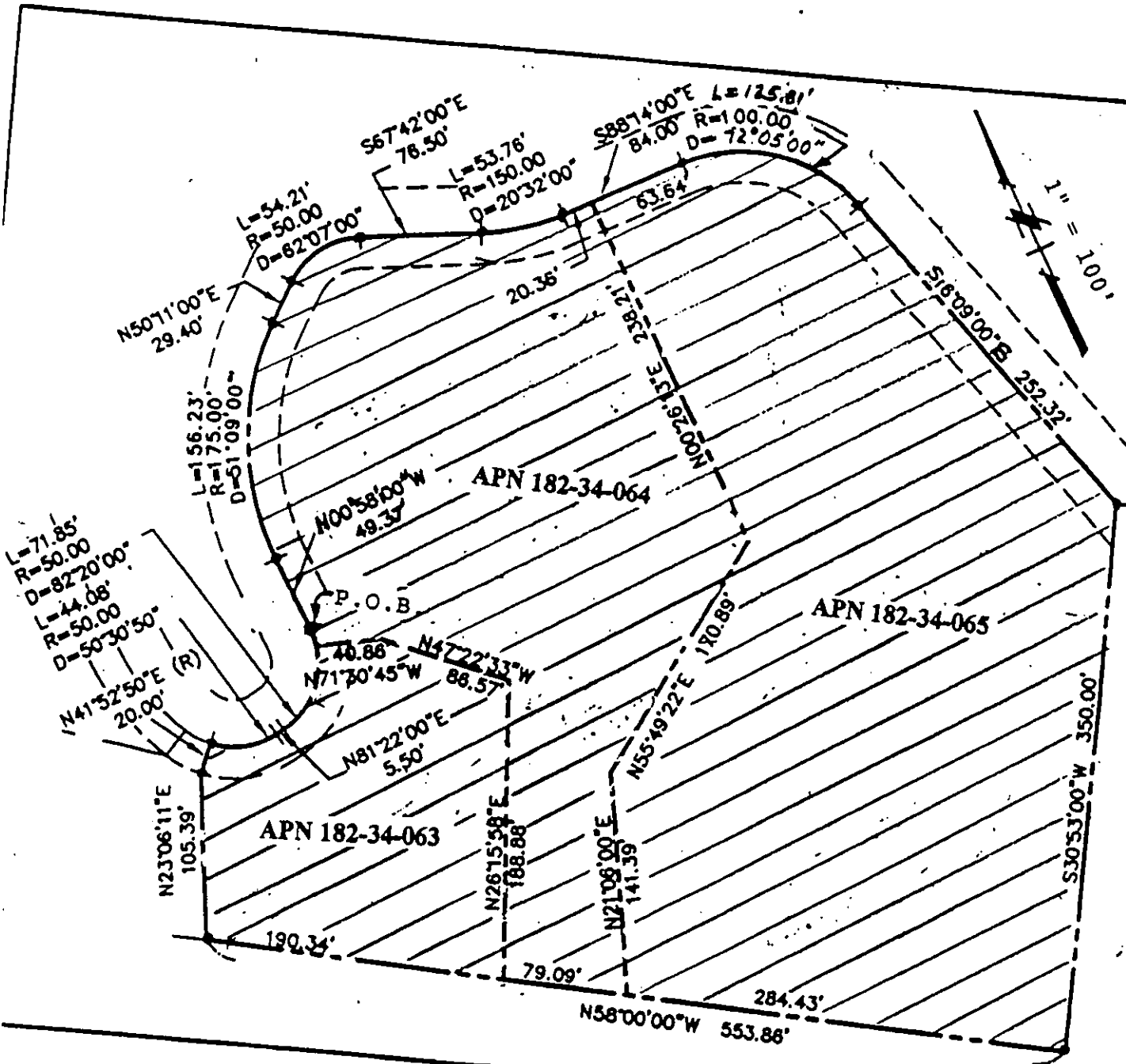
**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF THAT CERTAIN 5.0119 ACRE LOT AS SHOWN ON THE MAP ENTITLED "RECORD OF SURVEY OF A PORTION OF EL CORTE MADERA RANCHO, SANTA CLARA COUNTY", RECORDED IN BOOK 19 OF MAPS AT PAGE 45, SANTA CLARA COUNTY RECORDS SAID POINT BEING THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS NORTH 00° 58' 00" EAST, 49.37 FEET ON SAID MAP; THENCE NORTH 00° 58' 00" WEST 49.37 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET, THROUGH A CENTRAL ANGLE OF 51° 09' 00", AN ARC DISTANCE OF 156.23 FEET; THENCE NORTH 50° 11' 00" EAST 29.40 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 62° 07' 00", AN ARC DISTANCE OF 54.21 FEET; THENCE SOUTH 67° 42' 00" EAST 76.50 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 20° 32' 00", AN ARC DISTANCE OF 53.76 FEET; THENCE SOUTH 88° 14' 00" EAST 84.00 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 72° 05' 00", AN ARC DISTANCE OF 125.81 FEET; THENCE SOUTH 16° 09' 00" EAST 252.32 FEET; THENCE SOUTH 30° 53' 00" WEST 350.00 FEET; THENCE NORTH 58° 00' 00" WEST 553.86 FEET; THENCE NORTH 23° 06' 11" EAST 105.39 FEET; THENCE NORTH 41° 52' 50" EAST 20.00 FEET TO A POINT OF CURVATURE THROUGH WHICH A RADIAL LINE BEARS SOUTH 41° 52' 50" WEST; THENCE EASTERLY ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 50° 30' 50" AN ARC DISTANCE OF 44.08 FEET; THENCE NORTH 81° 22' 00" EAST 5.50 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 82° 20' 00", AN ARC DISTANCE OF 71.85 FEET TO THE POINT OF BEGINNING.**

**CONTAINING 5.93 ACRES, MORE OR LESS.**

APN'S 182-34-063  
182-34-064  
182-34-065





BOUNDARY LINE OF PROPOSED ANNEXATION  
 PROPOSED ANNEXATION

**EXHIBIT B**  
**PROPOSED ANNEXATION TO**  
**THE WEST BAY SANITARY DISTRICT**  
**LANDS OF WINCHELL**

DATE 3/8/02	SCALE
BY	

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WATERMAN**

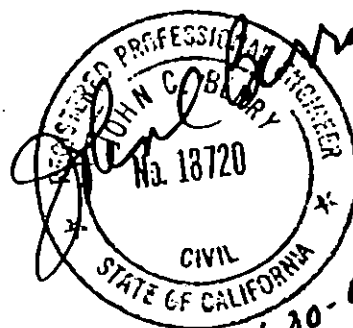
**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

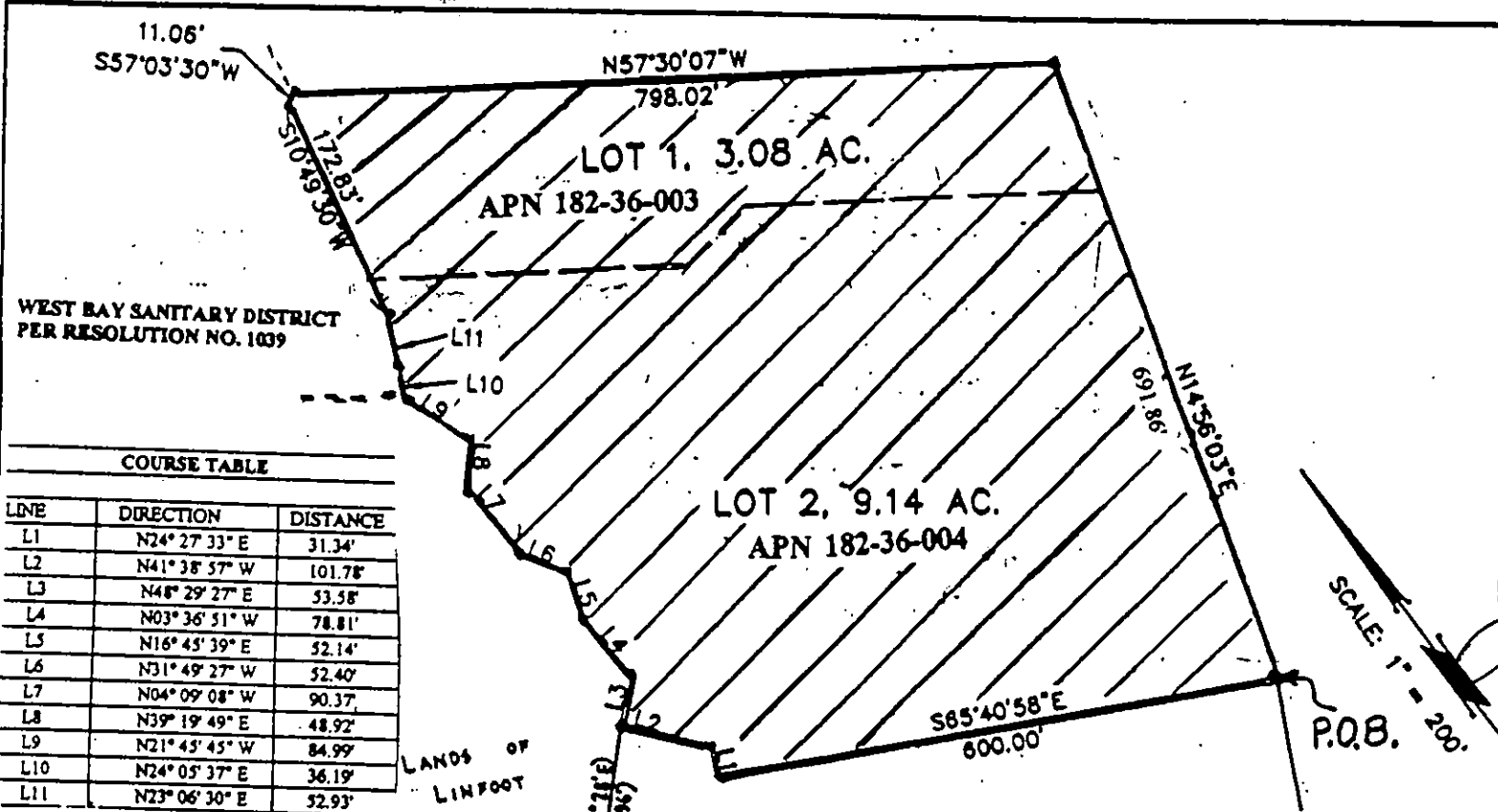
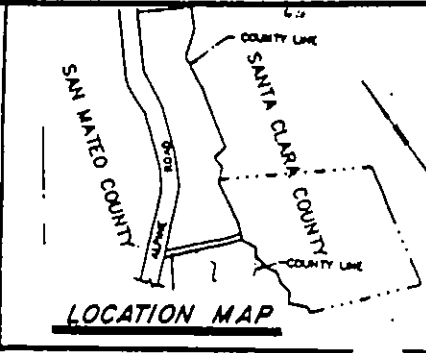
**BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 2 AS SHOWN  
ON THE CERTIFICATE OF COMPLIANCE RECORDED MARCH 22, 1996 IN  
BOOK P255, PAGES 429-431, IN THE OFFICE OF THE COUNTY RECORDER  
OF SANTA CLARA COUNTY, (SAID CORNER ALSO BEING ON THE MOST  
NORTHERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER  
RESOLUTION NO. 898, RECORDED 1-20-99). THENCE FROM SAID POINT  
OF BEGINNING ALONG SAID NORTHERLY BOUNDARY OF WBSD,  
NORTH 65° 40' 58" WEST 600.00 FEET; THENCE NORTH 24° 27' 33" EAST  
31.34 FEET; THENCE NORTH 41° 38' 57" WEST 101.78 FEET; THENCE  
LEAVING SAID BOUNDARY LINE OF WBSD NORTH 48° 29' 27" EAST 53.58  
FEET; THENCE NORTH 03° 36' 51" WEST 78.81 FEET; THENCE NORTH 16°  
45' 39" EAST 52.14 FEET; THENCE NORTH 31° 49' 27" WEST 52.40 FEET;  
THENCE NORTH 04° 09' 08" WEST 90.37 FEET; THENCE NORTH 39° 19' 49"  
EAST 48.92 FEET; THENCE NORTH 21° 45' 45" WEST 84.99 FEET; THENCE  
NORTH 24° 05' 37" EAST 36.19 FEET TO A POINT IN THE EASTERLY  
BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO.  
1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY  
BOUNDARY OF WBSD NORTH 23° 06' 30" EAST 52.93 FEET; THENCE  
NORTH 10° 49' 30" EAST 172.83 FEET; THENCE NORTH 57° 03' 30" EAST  
11.06 FEET; THENCE LEAVING SAID WBSD BOUNDARY SOUTH 57° 30' 07"  
EAST 798.02 FEET; THENCE SOUTH 14° 56' 03" WEST 691.86 FEET TO THE  
POINT OF BEGINNING.**

**CONTAINING 12.22 ACRES, MORE OR LESS**

**APN'S 182-36-003**

**182-36-004**

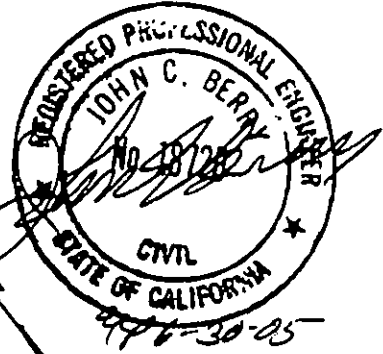




WEST BAY SANITARY DISTRICT  
PER RESOLUTION NO. 1039

**COURSE TABLE**

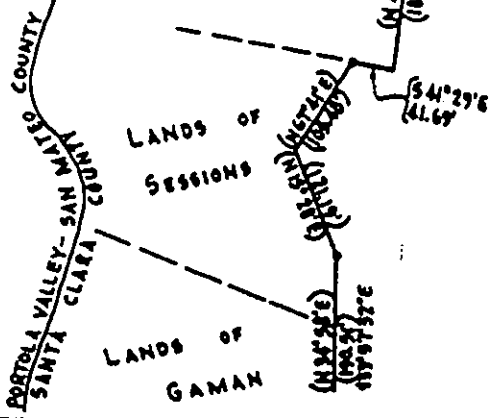
LINE	DIRECTION	DISTANCE
L1	N24° 27' 33" E	31.34'
L2	N41° 38' 57" W	101.78'
L3	N48° 29' 27" E	53.58'
L4	N03° 36' 51" W	78.81'
L5	N16° 45' 39" E	52.14'
L6	N31° 49' 27" W	52.40'
L7	N04° 09' 08" W	90.37'
L8	N39° 19' 49" E	48.92'
L9	N21° 45' 45" W	84.99'
L10	N24° 05' 37" E	36.19'
L11	N23° 06' 30" E	52.93'



SCALE: 1" = 200'  
P.O.B.

WEST BAY SANITARY DISTRICT  
PER RESOLUTION NO. 898

BOUNDARY LINE OF PROPOSED ANNEXATION  
PROPOSED ANNEXATION



**Berry and Associates**  
1733 Woodside Road, Suite 125  
Redwood City, CA 94061  
Phone: 650-368-0788 FAX: 650-368-1016

**EXHIBIT B**  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WATERMAN

DATE 5/8/02 SCALE  
BY

EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF WESTALL

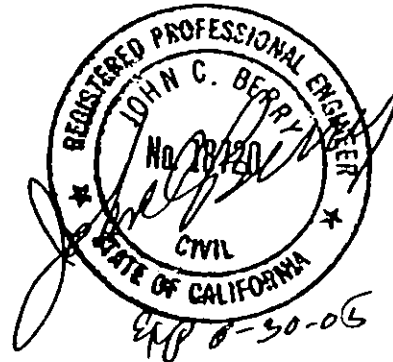
THAT CERTAIN PARCEL OF LAND IN THE COUNTY OF SANTA CLARA,  
STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

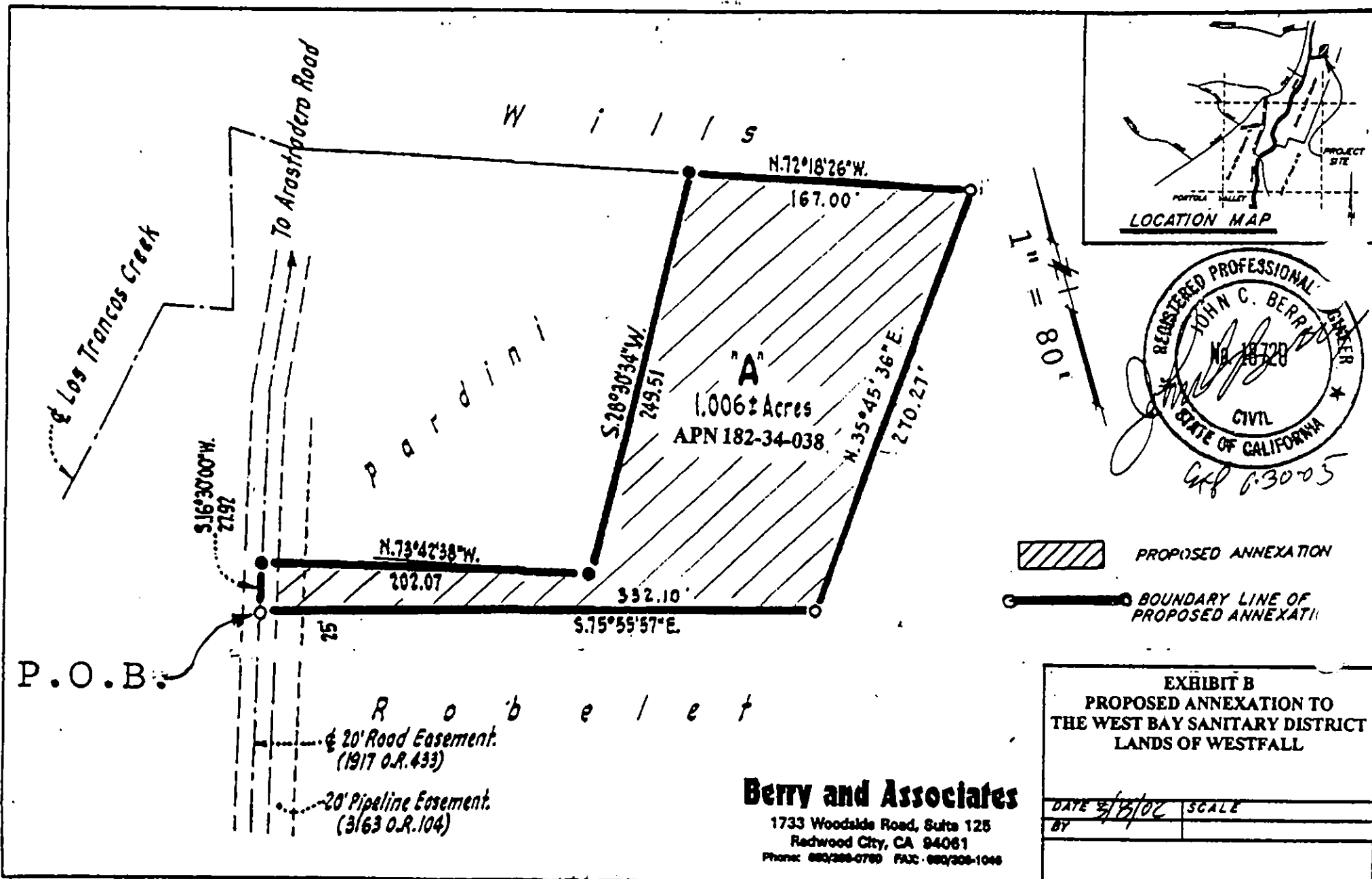
ALL OF PARCEL "A" AS SAID PARCEL IS SHOWN ON THAT CERTAIN  
"RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE  
MADERA FOR DWIGHT F. BECHTOLD" RECORDED JANUARY 28, 1964 IN  
BOOK 172 OF MAPS AT PAGE 31, RECORDS OF SANTA CLARA COUNTY,  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL "A" AS  
SHOWN ON SAID RECORD OF SURVEY; THENCE SOUTH 75° 55' 57" EAST  
332.10 FEET; THENCE NORTH 35° 45' 36" EAST 270.27 FEET; THENCE  
NORTH 72° 18' 26" WEST 167.00 FEET; THENCE SOUTH 28° 30' 34" WEST  
249.51 FEET; THENCE NORTH 73° 42' 38" WEST 202.07 FEET; THENCE  
SOUTH 16° 30' 00" WEST 27.92 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.006 ACRES, MORE OR LESS

APN 182-34-038





REGISTERED PROFESSIONAL ENGINEER  
 JOHN C. BERRY  
 No. 18728  
 CIVIL  
 STATE OF CALIFORNIA  
 6/8 6:30-05

EXHIBIT B  
 PROPOSED ANNEXATION TO  
 THE WEST BAY SANITARY DISTRICT  
 LANDS OF WESTFALL

**Berry and Associates**  
 1733 Woodside Road, Suite 125  
 Redwood City, CA 94061  
 Phone: 650/368-0780 FAX: 650/368-1048

DATE 5/15/02	SCALE
BY	

**EXHIBIT A  
PROPOSED ANNEXATION TO  
THE WEST BAY SANITARY DISTRICT  
LANDS OF KLEIN, LANZA, REED  
URBANOWICZ, AND CARSTENS**

**THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE MOST NORTHEAST CORNER OF THAT CERTAIN 1.622 ACRE PARCEL AS SAID PARCEL IS SHOWN ON "RECORD OF SURVEY OF A PORTION OF RANCHO EL CORTE DE MADERA FOR ORA V. WALKER" RECORDED OCTOBER 20, 1961 IN BOOK 139 OF MAPS AT PAGE 27, RECORDS OF SANTA CLARA COUNTY; THENCE SOUTH 14° 04' 03" WEST 349.21 FEET; THENCE NORTH 70° 56' 00" WEST 113.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, THROUGH WHICH A RADIAL LINE BEARS NORTH 40° 02' 00" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF A 202.98 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 27° 00' 00" AN ARC DISTANCE OF 95.65 FEET; THENCE TANGENT TO LAST SAID CURVE SOUTH 76° 58' 00" WEST 148.45 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF A 200 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 44° 32' 00", AN ARC DISTANCE OF 155.45 FEET; THENCE TANGENT TO LAST SAID CURVE, NORTH 58° 30' 00" WEST 58.77 FEET; THENCE SOUTH 35° 35' 00" WEST 20.00 FEET; THENCE NORTH 58° 30' 00" WEST 30.08 FEET; THENCE SOUTH 35° 35' WEST 100.00 FEET; THENCE NORTH 58° 30' WEST 150.80 FEET TO THE CENTERLINE OF LOS TRANCOS CREEK; SAID LINE ALSO BEING THE EASTERLY BOUNDARY OF WEST BAY SANITARY DISTRICT PER RESOLUTION NO. 1039, RECORDED DECEMBER 8, 1986; THENCE ALONG SAID EASTERLY BOUNDARY OF WBSD AND SAID CENTERLINE OF LOS TRANCOS CREEK NORTH 60° 16' 29" EAST 30.17 FEET; THENCE NORTH 10° 15' 50" EAST 72.13 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY OF WBSD NORTH 59° 33' 16" EAST 75.00 FEET; THENCE NORTH 05° 15' 00" EAST 62.07 FEET; THENCE NORTH 20° 00' EAST 105.00 FEET; THENCE NORTH 8° 00' EAST 127.00 FEET; THENCE NORTH 20° 00' EAST 84.24 FEET; THENCE LEAVING SAID CENTERLINE OF LOS TRANCOS CREEK SOUTH 75° 55' 57" EAST 673.26 FEET TO THE POINT OF BEGINNING.**

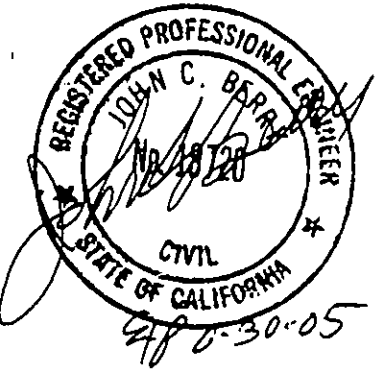
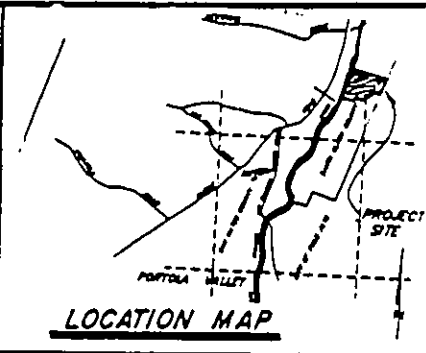
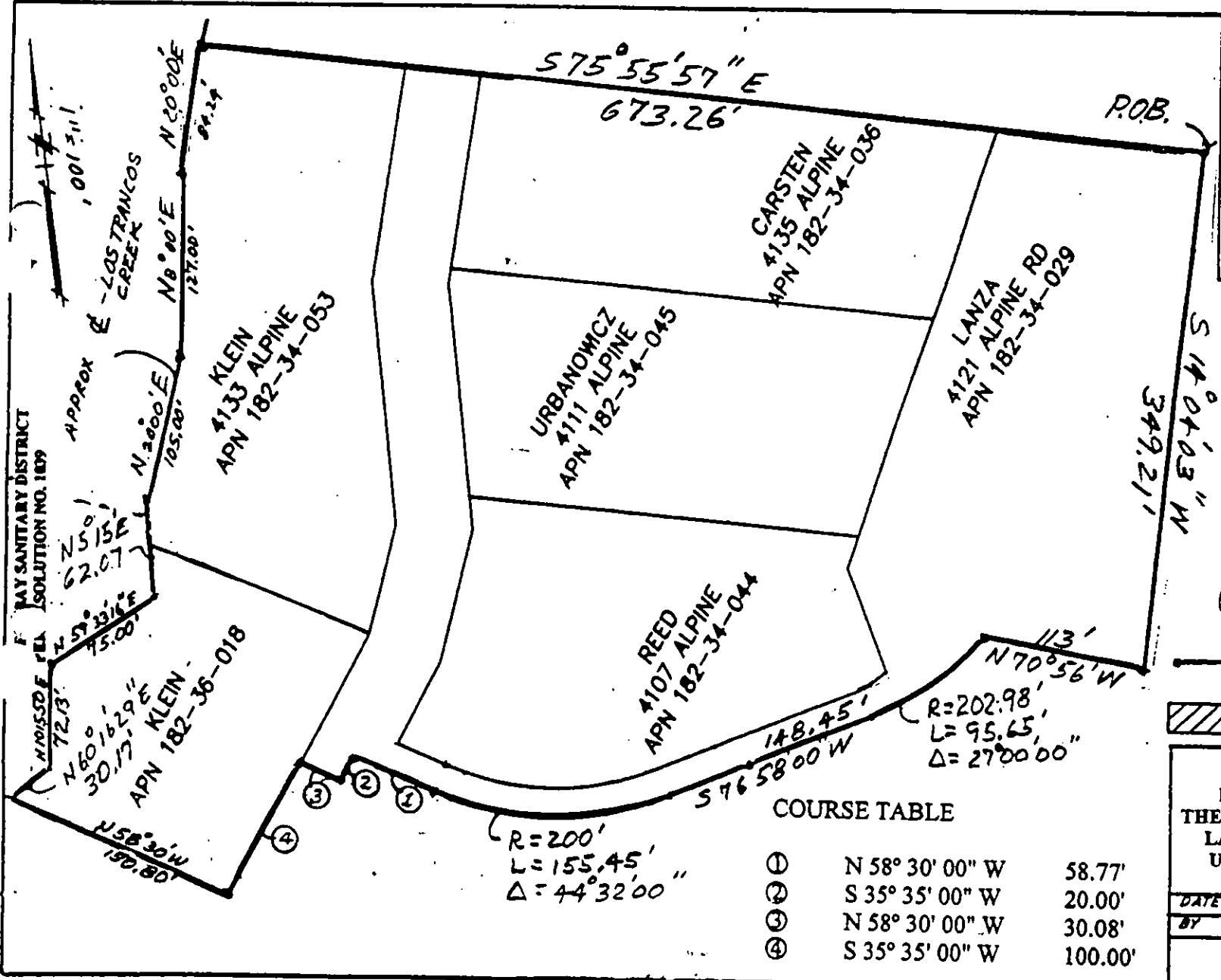
**SAID LANDS INCLUDE A 50-FOOT RIGHT OF WAY FOR OLD ALPINE ROAD AS SAID DEDICATION IS SHOWN ON AFORESAID RECORD OF SURVEY.**

**CONTAINING 7.10 ACRES, MORE OR LESS**

APN'S 182-36-018 ✓ 182-34-036 - SB 046  
182-34-053 ✓ 182-34-044 ✓  
182-34-045 ✓ 182-34-029 ✓







BOUNDARY LINE OF PROPOSED ANNEXATION

PROPOSED ANNEXATION

COURSE TABLE

①	N 58° 30' 00" W	58.77'
②	S 35° 35' 00" W	20.00'
③	N 58° 30' 00" W	30.08'
④	S 35° 35' 00" W	100.00'

EXHIBIT A  
 PROPOSED ANNEXATION TO  
 THE WEST BAY SANITARY DISTRICT  
 LANDS OF KLEIN, LANZA, REED  
 URBANOWICZ, AND CARSTENS

DATE 3/8/05 SCALE

BY

**RESOLUTION NO. 02-01**

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
WITH RECOMMENDATIONS FOR THE SAN MATEO LOCAL AGENCY  
FORMATION COMMISSION REGARDING ANNEXATION TO WEST BAY  
SANITARY DISTRICT AND AN AMENDMENT TO THE SPHERE OF INFLUENCE**

**WHEREAS**, on December 19, 2001, San Mateo County LAFCO forwarded a request to Santa Clara County LAFCO, which requested inclusion of four parcels in Santa Clara County into the West Bay Sanitary District (District) Sphere of Influence (SOI) and the annexation of ten parcels into the District along Los Trancos Creek Road in Santa Clara County; and

**WHEREAS**, the application was filed with San Mateo County LAFCO because it is the principal LAFCO for the District as the District lies almost exclusively within San Mateo County; and

**WHEREAS**, the San Mateo County LAFCO forwarded this application to Santa Clara County LAFCO for an advisory recommendation because the territory involved is located in Santa Clara County; and

**WHEREAS**, the Executive Director set February 13, 2002 as the hearing date on this proposal and gave the required notice of hearing; and

**WHEREAS**, this Commission called this proposal for public hearing, heard from the interested parties, considered the request and the report of the Executive Officer, and considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to the factors specified in Government Code section 56425(e); and

**WHEREAS**, this Commission as a referring agency has complied with the California Environmental Quality Act (CEQA) incident to its consideration of this request, as described below;

**NOW THEREFORE**, the Local Agency Formation Commission of the County of Santa Clara, does hereby resolve, determine and order as follows:

**SECTION 1:**

As a Referring Agency under CEQA, the Commission hereby finds that the Negative Declaration was completed in compliance with CEQA and is an adequate discussion of the environmental impacts of the project, and that LAFCO reviewed and considered the environmental effects of the project as shown in the Negative Declaration prior to making the recommendation on the project.

**SECTION 2:**

Santa Clara LAFCO recommends to San Mateo LAFCO that the West Bay Sanitary District Sphere of Influence be amended to include APN 182-36-022 based on the following findings:

1. The present and planned land uses in the area, including agricultural and open space lands:

**Finding:** The parcel in Palo Alto is designated for Open Space (OS) and is currently vacant. The City of Palo Alto does not provide service in this area but in the past has allowed West Bay Sanitary District to provide sewer service in the area. The City's General Plan contains no policies related to extension of sanitary sewer and the city evaluates proposals on a case-by-case basis. Letter from the City of Palo Alto dated December 4, 2000 states that the City of Palo Alto does not object to the District providing sewer service to this property.

2. The present and probable need for public facilities and services in the area:

**Finding:** APN 182-36-022 is located along the creek and it is likely that the related public health concerns would result in limited feasibility for installing a septic system. A connection to the sewer system is necessary to address the need for services on this property.

3. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide:

**Finding:** The City of Palo Alto also does not provide services to the parcels in this area as they are located outside its urban service area and are separated by the open space reserve lands. West Bay Sanitary District is authorized to provide sewer services and the addition of this parcel to its SOI will not impact the capacity or adequacy of its services.

4. The existence of any social or economic communities of interest in the area:

**Finding:** The area is accessed through the Town of Portola Valley, which is partially served by the District and partially served by individual septic systems. The area is physically separated from other neighborhoods in Santa Clara County as it is surrounded by open space reserve lands. The District currently provides sewer service to many parcels within this area. Inclusion of this parcel within the SOI of the District will not affect the community.

**SECTION 3**

The Commission recommends denial of the proposed amendment of the SOI of West Bay

Sanitary District to include APN 182-34-064, 182-34-063, and 182-34-065 as there is currently insufficient information to demonstrate the need for including these parcels in the Sphere. The Commission will be requesting the Santa Clara County Environmental Health Department to conduct a field survey of the area and provide the results to San Mateo Local Agency Formation Commission. Santa Clara LAFCO authorizes San Mateo LAFCO to utilize the survey to determine if the required findings can be made, and if so, then to proceed with the SOI amendment for the three parcels referenced above.

**SECTION 4**

The Commission recommends approval of the annexation of ten parcels into West Bay Sanitary District along Los Trancos Creek Road adjacent to Los Trancos Creek in Santa Clara County, consisting of parcels APNs 182-34-023, 182-34-053, 182-36-003, 182-36-004, 182-34-029, 182-34-044, 182-34-046, 182-34-045, 182-34-038 and one parcel in Palo Alto APN 182-36-022 with the following conditions:

1. Resolutions of a zero percent property tax exchange reflecting the annexation of the parcels to the West Bay Sanitary District are approved by the West Bay Sanitary District, the City of Palo Alto and the Santa Clara County Board of Supervisors; and
2. Revised legal descriptions and maps of the annexation areas are received and approved by the LAFCO Surveyor.

**SECTION 6**

The Commission recommends denial of the annexation of the remaining three parcels APNs 182-34-064, 182-34-063, and 182-34-065 that are currently outside the SOI of the West Bay Sanitary District until further study demonstrates the need for the service in the area and the SOI issues are resolved.

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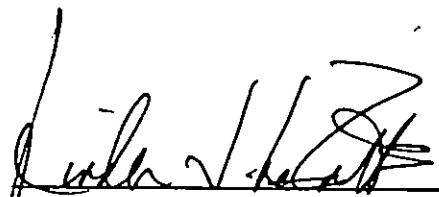
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**PASSED AND ADOPTED** by the Local Agency Formation Commission of Santa Clara County, State of California, on February 13, 2001 by the following vote:

AYES: Commissioners ALVARADO, GAGE, LeZOTTE, WILSON, ZOGLIN

NOES:

ABSENT:

  
\_\_\_\_\_  
LINDA LeZOTTE , Chairperson  
Local Agency Formation Commission

ATTEST: LAFCO Clerk

  
\_\_\_\_\_  
Emmanuel Abello

APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
Kathy Kretchmer, LAFCO Counsel

**RESOLUTION NO. 02-01**

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
WITH RECOMMENDATIONS FOR THE SAN MATEO LOCAL AGENCY  
FORMATION COMMISSION REGARDING ANNEXATION TO WEST BAY  
SANITARY DISTRICT AND AN AMENDMENT TO THE SPHERE OF INFLUENCE**

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**WHEREAS**, the application was filed with San Mateo County LAFCO because it is the principal LAFCO for the District as the District lies almost exclusively within San Mateo County; and

**WHEREAS**, the San Mateo County LAFCO forwarded this application to Santa Clara County LAFCO for an advisory recommendation because the territory involved is located in Santa Clara County; and

**WHEREAS**, the Executive Director set February 13, 2002 as the hearing date on this proposal and gave the required notice of hearing; and

**WHEREAS**, this Commission called this proposal for public hearing, heard from the interested parties, considered the request and the report of the Executive Officer, and considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to the factors specified in Government Code section 56425(e); and

**WHEREAS**, this Commission as a referring agency has complied with the California Environmental Quality Act (CEQA) incident to its consideration of this request, as described below;

**NOW THEREFORE**, the Local Agency Formation Commission of the County of Santa Clara, does hereby resolve, determine and order as follows:

**SECTION 1:**

As a Referring Agency under CEQA, the Commission hereby finds that the Negative Declaration was completed in compliance with CEQA and is an adequate discussion of the environmental impacts of the project, and that LAFCO reviewed and considered the environmental effects of the project as shown in the Negative Declaration prior to making the recommendation on the project.

**SECTION 2:**

Santa Clara LAFCO recommends to San Mateo LAFCO that the West Bay Sanitary District Sphere of Influence be amended to include APN 182-36-022 based on the following findings:

1. The present and planned land uses in the area, including agricultural and open space lands:

**Finding:** The parcel in Palo Alto is designated for Open Space (OS) and is currently vacant. The City of Palo Alto does not provide service in this area but in the past has allowed West Bay Sanitary District to provide sewer service in the area. The City's General Plan contains no policies related to extension of sanitary sewer and the city evaluates proposals on a case-by-case basis. Letter from the City of Palo Alto dated December 4, 2000 states that the City of Palo Alto does not object to the District providing sewer service to this property.

2. The present and probable need for public facilities and services in the area:

**Finding:** APN 182-36-022 is located along the creek and it is likely that the related public health concerns would result in limited feasibility for installing a septic system. A connection to the sewer system is necessary to address the need for services on this property.

3. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide:

**Finding:** The City of Palo Alto also does not provide services to the parcels in this area as they are located outside its urban service area and are separated by the open space reserve lands. West Bay Sanitary District is authorized to provide sewer services and the addition of this parcel to its SOI will not impact the capacity or adequacy of its services.

4. The existence of any social or economic communities of interest in the area:

**Finding:** The area is accessed through the Town of Portola Valley, which is partially served by the District and partially served by individual septic systems. The area is physically separated from other neighborhoods in Santa Clara County as it is surrounded by open space reserve lands. The District currently provides sewer service to many parcels within this area. Inclusion of this parcel within the SOI of the District will not affect the community.

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**SECTION 4**

The Commission recommends approval of the annexation of ten parcels into West Bay Sanitary District along Los Trancos Creek Road adjacent to Los Trancos Creek in Santa Clara County, consisting of parcels APNs 182-34-023, 182-34-053, 182-36-003, 182-36-004, 182-34-029, 182-34-044, 182-34-046, 182-34-045, 182-34-038 and one parcel in Palo Alto APN 182-36-022 with the following conditions:

1. Resolutions of a zero percent property tax exchange reflecting the annexation of the parcels to the West Bay Sanitary District are approved by the West Bay Sanitary District, the City of Palo Alto and the Santa Clara County Board of Supervisors; and
2. Revised legal descriptions and maps of the annexation areas are received and approved by the LAFCO Surveyor.

**SECTION 6**

The Commission recommends denial of the annexation of the remaining three parcels APNs 182-34-064, 182-34-063, and 182-34-065 that are currently outside the SOI of the West Bay Sanitary District until further study demonstrates the need for the service in the area and the SOI issues are resolved.

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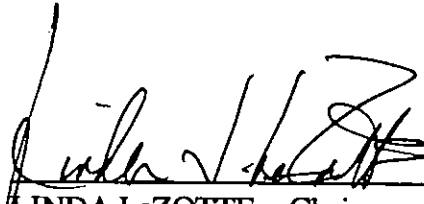


**PASSED AND ADOPTED** by the Local Agency Formation Commission of Santa Clara County, State of California, on February 13, 2001 by the following vote:

AYES: Commissioners ALVARADO, GAGE, LeZOTTE, WILSON, ZOGLIN

NOES:

ABSENT:



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LINDA LeZOTTE , Chairperson  
Local Agency Formation Commission

ATTEST: LAFCO Clerk



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Emmanuel Abello

APPROVED AS TO FORM AND LEGALITY



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Kathy Kretchmer, LAFCO Counsel

May 7, 2002

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive Officer

SUBJECT: LAFCo File No. 01-13--Proposed Amendment to the Sphere of Influence of the West Bay Sanitary District and Annexation of the Lands Conroe, Gerst et al. (Santa Clara County) to the West Bay Sanitary District  
(25.04 acres) (Continued from March 20, 2002)

### **Summary**

San Mateo LAFCo has received an application to amend the sphere of influence of the West Bay Sanitary District to include four parcels and annex a total of fourteen parcels located near Los Trancos Creek in Santa Clara County. Annexation to the district is requested in order to provide sewer service to remedy failing or inadequate septic systems in some cases and to comply with building permit requirements in others.

Spheres of influence and annexation applications for districts with territory in more than one county are performed by the LAFCo of the principal county, which is San Mateo LAFCo in the case of West Bay Sanitary District. Pursuant to San Mateo LAFCo's policies for annexations to multi-county districts and an agreement between Santa Clara and San Mateo LAFCos, this application was referred to Santa Clara LAFCo for review and recommendation for formal consideration by San Mateo LAFCo.

After forwarding the application to the Santa Clara County Local Agency Formation Commission for hearing and recommendation, Santa Clara LAFCo adopted a resolution recommending approval of some parcels and in other cases, recommended that Santa Clara County Environmental Health provide additional information prior to San Mateo LAFCo consideration. San Mateo LAFCo has received additional comments from Santa Clara County Environmental Health, which supports recommending Commission approval of the proposed sphere amendment and annexations.

### **Background**

This application requests amendment of the sphere of influence of West Bay Sanitary District to include four additional parcels and annexation of the same four parcels and ten others located on Arastradero Road in Santa Clara County. The District's sphere was last amended in this area in 1998 when 27 property owners along Los Trancos

Creek requested sphere of influence amendment. At the time, Santa Clara County Environmental Health focused only on parcels adjacent to Los Trancos Creek and identified parcels most likely to be characterized by high groundwater. In the course of that evaluation, Environmental Health determined that three of the four parcels currently under consideration for sphere of influence and annexation were not characterized by high ground water and provided no information on the fourth parcel. Of the annexation parcels already added to the Districts sphere of influence in 1998 and included in this application, all but three were determined to have high ground water conditions.

The following table summarizes the parcels proposed for sphere of influence amendment and annexation.

Proposed Annexation and Sphere of Influence Amendment to West Bay Sanitary District							
APN	Property Address	Owner Name	Jurisdiction	Proposal	Est. Acres	1998 Env. Health Survey Report*	Developed N/Y
182-36-022	800 Los Trancos Road	Conroe	Palo Alto	Annexation/SOI	3.55	No Info	N
182-34-023	14 Arastradero Road	Gerst	Unincorp	Annexation	1.18	Unclear	Y
182-34-064	20 Arastradero Road	Hamill	Unincorp	Annexation/SOI	2.00	No HG/No Slope	N
182-34-063	18 Arastradero Road	Winchell	Unincorp	Annexation/SOI	0.77	No HG/No Slope	N
182-34-053	4133 Alpine Road	Klein	Unincorp	Annexation	1.21	HG	Y
182-36-018	4133 Alpine Road	Klein	Unincorp	Annexation	0.70	HG	N
182-36-003	4117 Alpine Road	Waterman	Unincorp	Annexation	3.00	HG	Y
182-34-004	4117 Alpine Road	Waterman	Unincorp	Annexation	7.40	Unclear	N
182-34-029	4121 Alpine Road	Lanza	Unincorp	Annexation	1.62	HG	Y
182-34-044	4107 Alpine Road	Reed	Unincorp	Annexation	1.04	HG	Y
182-34-046	4135 Alpine Road	Carstens	Unincorp	Annexation	1.00	HG	Y
182-34-045	4111 Alpine Road	Urbanowicz	Unincorp	Annexation	1.02	HG	Y
182-34-038	4131 Alpine Road	Westall	Unincorp	Annexation	1.01	Unclear	Y
182-34-065	10 Arastradero Road	Winchell	Unincorp	Annexation/SOI	3.16	No HG/No Slope	Y
* Unclear: Conditions unclear; wet weather testing required HG: High groundwater documented or strongly suspected/inadequate room for septic system expansion due to steep slope No HG/No Slope: No high groundwater or limiting slope conditions							

At Santa Clara LAFCo's February 2002 consideration of the current sphere amendment and annexation application, Santa Clara LAFCo approved inclusion of 1 of the 4 parcels proposed for inclusion in the District's sphere and boundaries (Lands of Conroe) and also approved annexation of all 10 parcels proposed for annexation. Santa Clara LAFCo recommended denial of the other three parcels not currently in the sphere of influence pending findings from Santa Clara

Environmental Health that would support a sphere amendment and annexation.

In response to the Santa Clara LAFCo recommendation, Santa Clara County Environmental Health conducted a site survey of the parcels. The attached March 14 letter from Santa Clara County Environmental Health recommended that sewer service be approved for the three lots for which sewer is requested. Comments specific to the parcels are as follows:

1. APN 142-34-063 failed a county supervised percolation test in July, 1999 and installation of a septic system is prohibited.
2. APN 142-34-064 passed a percolation test in 1999 however available drainfield area is very limited due to setback requirements, but thorough investigation was not possible
3. APN 142-34-065 has a system that was installed in 1994 and appears to be functioning properly but future expansion of the leachfield appears to be limited.

San Mateo LAFCo has also received comments from Ernie Selander, representing the owners of APN 142-34-063 and 064. Mr. Selander states that inclusion of the three parcels, including 142-34-065 which currently has a functioning septic but limited drainfield expansion potential will allow the property to be served in the event of a future septic failure.

#### City of Palo Alto

Parcel Number 182-36-022 (Lands of Conroe) is located in the boundaries of the City of Palo Alto. The City of Palo Alto has commented that the City's Comprehensive Plan would allow a single family residence to be constructed, that City sewer service is not available in the area and that the parcel's proximity to the Creek supports extension of sewer service if the parcel is to be developed. Development would be subject to city development criteria. The City has also adopted a resolution of zero property tax exchange because as an enterprise district, West Bay Sanitary District does not receive property tax.

#### County of Santa Clara Land Use

The County of Santa Clara's General Plan land use designation for the remaining 13 parcels is HS - Hillside with a minimum parcel size of 20 acres for subdivision. The proposed project would not alter existing land uses in the area. The project therefore will not result in any impacts upon any of the current land use designations of the County.

#### Sewer Construction

The area is proposed to be served by approximately 2400 feet of 8" sewer mains along Old Alpine Road and John Marthens Drive, connecting to a pump station which would convey affluent across Los Trancos Creek

to the sewer main in Alpine Road. Property owners will privately finance construction of the sewer and associated reimbursement fees for a total currently estimated to be \$725,000. The annexing territory would be subject to standard district connection fees (\$2,436), permit fee (\$100) and annual sewer service charges, currently \$242 for a residential connection. Individual property owners are also responsible for all costs associated with connecting parcels to the sewer main.

#### Property Tax Exchange

As an enterprise district, the West Bay Sanitary District did not request an exchange of property tax revenue with any of the affected agencies. Therefore resolutions of zero property tax exchange have been adopted by the City of Palo Alto, County of Santa Clara and the West Bay Sanitary District.

#### Discussion

Staff believes that a sphere amendment and annexation to include the fourteen subject parcels is supported by the recommendation of the Santa Clara County Dept. of Environmental Health and proximity to the Creek. While the parcels are not contiguous to each other, Health & Safety Code Section 6830 (d) permits annexation of non-contiguous territory if the properties will be benefited by inclusion in the district. West Bay Sanitary District is the only agency located in Santa Clara County that is capable of extending service and the District has indicated that it has adequate sewage treatment capacity to serve the territory.

The proposed annexation is consistent with state and local LAFCo policies which state that special districts are the appropriate agencies to provide essential services in areas in which only a limited range of services is required or, if a full range of urban services is required and where it is not feasible for those services to be provided by a single city. While annexation of the parcel in the City of Palo Alto conflicts with State policies Discouraging overlapping service boundaries, the City has clear stated that city services such as sewer are not available in the subject territory.

The Cortese Knox Hertzberg Act requires that annexations be consistent with adopted spheres of influence and that in determining spheres of influence, the Commission make determinations with respect to: present and planned land uses in the area, including agricultural and open space; present and probable need for public facilities; present capacity and adequacy of public facilities; and existence of any social or economic communities of interest.

Staff respectfully recommends approval of the sphere amendment as proposed and that the Commission make the following determinations:

1. Present and planned land uses in the area, including agricultural and open space lands:

Existing land uses in the West Bay Sanitary District are primarily residential with some commercial and industrial properties also served. The district serves both incorporated and unincorporated areas. The 25.04 acre territory proposed for sphere amendment is rural and residential in nature and does not contain open space or agricultural lands.

2. Present and probable need for public facilities and services in the area:

There are 14 residentially zoned parcels in the amendment area, most of which are developed single family homes. Although the existing homes are served by septic systems, the proximity of the Creek creates high groundwater conditions. The Santa Clara Department of Environmental Health has determined that these properties would be better served by sewer now or in the future.

3. Present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide:

West Bay Sanitary District is authorized to provide sewer services. The addition of the proposed sphere amendment territory will not impact the capacity or adequacy of District facilities or services and is consistent with the District's plans for extending service.

4. Existence of any social or economic community of interest:

The affected area is accessed via the Town of Portola Valley which is also served by the West Bay Sanitary District. The area is physically separated from other neighborhoods of Santa Clara County by open space reserve lands.

#### Environmental Review

The enclosed Negative Declaration/Initial Study was prepared and adopted by West Bay Sanitary District as lead agency. The Commission, in considering the application must certify that it has considered the negative declaration in its review of the application.

#### Waiver of Conducting Authority Proceedings

Paragraph [c] of §56663 specifies that the Commission may waive conducting authority proceedings for annexations of uninhabited territory with 100% landowner consent provided there is written

consent from all gaining agencies. The purpose of the conducting authority proceeding is to measure landowner or voter protest within the affected territory. At the request of the landowners and the consent of West Bay Sanitary District staff recommends that the Commission waive the conducting authority proceedings if the proposal is approved.

Recommended Commission Action, by motion:

- A. The Commission certifies that it has reviewed and considered the Initial Study and Negative Declaration for the Arastradero Road Sewer Annexation Project, prepared by the West Bay Sanitary District as lead agency.

Recommended Commission Action, by Resolution:

- a) Make the following findings in approving the sphere of influence amendment:
1. Present and planned land uses in the area, including agricultural and open space lands:  
  
Existing land uses in the West Bay Sanitary District are primarily residential with some commercial and industrial properties also served. The district serves both incorporated and unincorporated areas. The 25.04 acre territory proposed for sphere amendment is rural and residential in nature and does not contain open space or agricultural lands.
  2. Present and probable need for public facilities and services in the area:  
  
There are 14 residentially zoned parcels in the amendment area, most of which are developed single family homes. Although the existing homes are served by septic systems, the proximity of the Creek creates high groundwater conditions. The Santa Clara Department of Environmental Health has determined that these properties would be better served by sewer now or in the future.
  3. Present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide:  
  
West Bay Sanitary District is authorized to provide sewer services. The addition of the proposed sphere amendment territory will not impact the capacity or adequacy of District facilities or services and is consistent with the District's plans for extending service.

4. Existence of any social or economic community of interest:

The affected area is accessed via the Town of Portola Valley which is also served by the West Bay Sanitary District. The area is physically separated from other neighborhoods of Santa Clara County by open space reserve lands.

b) Approve LAFCo File No. 01-13—Proposed Amendment the Sphere of Influence of the West Bay Sanitary District and Annexation of the Lands Conroe, Gerst et al. (Santa Clara County) to the West Bay Sanitary District subject to the following conditions:

- a) Revision of maps and legal descriptions to comply with the requirements of the State Board of Equalization.

cc: Neelima Palacherla, Santa Clara LAFCo  
Tim Clayton, West Bay Sanitary District  
Lisa Grote, Chief Planning Official, City of Palo Alto  
Property Owners

Attachments:

Application & Maps  
Santa Clara LAFCo Resolution of Recommendation  
Negative Declaration and Initial Study  
Comments from Santa Clara County Environmental Health  
Comments from Ernie Selander



**LOCAL AGENCY FORMATION COMMISSION  
SANTA CLARA COUNTY  
www.santaclara.lafco.ca.gov**

County Government Center, 11<sup>th</sup> Floor, East Wing  
70 West Hedding Street, San Jose, CA 95110  
(408) 299-5127 FAX 295-1613  
Neelima Palacherla, Executive Officer

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February 4, 2002

**TO:** LAFCO

**FROM:** Neelima Palacherla, Executive Officer *NP*

**SUBJECT: 2002 West Bay Sanitary District Sphere of Influence (SOI)  
Amendment and Annexation (Los Trancos Creek Area)  
Agenda Item # 4.2**

**STAFF RECOMMENDATION**

---

Forward the following recommendation to San Mateo Local Agency Formation Commission, for its consideration and approval:

**1. CEQA Action**

Find that

- a. The Negative Declaration was completed in compliance with CEQA and is an adequate discussion of the environmental impacts of the project,
- b. prior to making a recommendation on this project, LAFCO reviewed and considered the environmental effects of the project as shown in the Negative Declaration.

**2. Sphere of Influence Amendment**

**Deny** the proposed amendment of sphere of influence of West Bay Sanitary District to include 4 parcels APNs 182-36-022, 182-34-064, 182-34-063, 182-34-065 shown in Exhibit 1 until further study and documentation / information can be provided to demonstrate the need for including the parcels within the District's SOI.

**3. Annexation**

**Conditionally approve** annexation of 10 parcels into West Bay Sanitary District along Los Trancos Creek Road in Santa Clara County, consisting of parcels, APNs 182-34-023, 182-34-053, 182-36-018, 182-36-003, 182-36-004, 182-34-029, 182-34-044, 182-34-046, 182-34-045, 182-34-038 provided:

1. Resolutions of a zero percent property tax exchange reflecting the annexation of the parcels to the West Bay Sanitary District are approved by the West Bay Sanitary District and the Santa Clara County Board of Supervisors
2. Revised legal descriptions and maps of the annexation areas, incorporating the revisions requested are received and approved by the LAFCO Surveyor.

**Deny** annexation of the 4 parcels that are currently outside the SOI of the West Bay Sanitary District until further study demonstrates need for the service in the area and the SOI issues are resolved.

## **PROJECT DESCRIPTION**

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West Bay Sanitary District is requesting a SOI amendment to include 4 parcels within its sphere. The proposed sphere amendment includes 3 unincorporated Santa Clara County parcels on Arastradero Road and one parcel along Los Trancos Creek within the city limits of Palo Alto. The purpose of amending the sphere is to annex the parcels and provide sanitary sewer to them. In addition, the District is also proposing to annex 10 other parcels that are within the district's current SOI and within unincorporated Santa Clara County. See table on following page and attached map. (Attachment #1)

### **1998 SOI Amendment**

In 1998, the SOI for the District was amended to include about 27 parcels along Los Trancos Woods Road adjacent to Los Trancos Creek to address an environmental health problem for existing residences along Los Trancos Creek. At that time, the SOI boundary was defined primarily to include all parcels that were directly along the creek. A field survey conducted at that time by County Environmental Health Department identified the areas that were likely to be underlain with high ground water or where conditions were unclear and further testing was required.

The current proposal seeks to include 3 parcels that are not directly along the Creek and one parcel along the Creek that was in 1998 not included in the District's sphere.

### **Inter-LAFCO Agreement**

Pursuant to Government Code Section 56123, San Mateo LAFCO, as principal LAFCO for West Bay Sanitary District, first received this annexation and SOI amendment application. Consistent with the 1985 agreement between the two LAFCOs for dealing with districts spanning county boundaries, San Mateo LAFCO forwarded this application to Santa Clara LAFCO because the territory involved is located in Santa Clara County. Santa Clara County LAFCO will hold a public hearing and forward a recommendation to San Mateo LAFCO which will take the final action at its own hearing. Santa Clara LAFCO's action is therefore only advisory in this matter.

**Proposed Annexation and Sphere of Influence Amendment to  
West Bay Sanitary District**

APN	Property Address	Owner Name	Jurisdiction	Proposal	Est. Acres	1998 Env. Health Survey Report*	Developed N/Y
182-36-022	800 Los Trancos Rd.	Conroe	Palo Alto	Annexation/SOI	3.55	No Info	N
182-34-023	14 Arastradero Rd.	Gerst	Unincorp	Annexation	1.18	Unclear	Y
182-34-064	20 Arastradero Rd.	Hamill	Unincorp	Annexation/SOI	2.00	No HG/No Slope	N
182-34-063	18 Arastradero Rd.	Winchell	Unincorp	Annexation/SOI	0.77	No HG/No Slope	N
182-34-053	4133 Alpine Rd.	Klein	Unincorp	Annexation	1.21	HG	Y
182-36-018	4133 Alpine Rd.	Klein	Unincorp	Annexation	0.70	HG	N
182-36-003	4117 Alpine Rd.	Waterman	Unincorp	Annexation	3.00	HG	Y
182-34-004	4117 Alpine Rd.	Waterman	Unincorp	Annexation	7.40	Unclear	N
182-34-029	4121 Alpine Rd.	Lanza	Unincorp	Annexation	1.62	HG	Y
182-34-044	4107 Alpine Rd.	Reed	Unincorp	Annexation	1.04	HG	Y
182-34-046	4135 Alpine Rd.	Carstens	Unincorp	Annexation	1.00	HG	Y
182-34-045	4111 Alpine Rd.	Urbanowicz	Unincorp	Annexation	1.02	HG	Y
182-34-038	4131 Alpine Rd.	Westall	Unincorp	Annexation	1.01	Unclear	Y
182-34-065	10 Arastradero Rd.	Winchell	Unincorp	Annexation/SOI	3.16	No HG/No Slope	Y

\*  
 Unclear: Conditions unclear; wet weather testing required  
 HG: High groundwater documented or strongly suspected/inadequate room for septic system expansion due to steep slope  
 No HG / No Slope: No high groundwater or limiting slope conditions

## **ENVIRONMENTAL ASSESSMENT**

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### **Negative Declaration**

An Initial Study and Negative Declaration have been prepared for the project. There were no significant impacts identified by the Initial Study. Please see attached Analyst's Report for discussion of specific concerns to LAFCO. (Attachment #2)

## **SPHERE OF INFLUENCE AMENDMENT**

---

LAFCO has received a request by the West Bay Sanitary District to include 4 parcels within the SOI of the District to allow the District to annex and provide sewer service to these parcels.

Effective January 1, 2001, the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 requires that a service review be conducted prior to the establishment or update of a SOI. The requested SOI amendment is minor, no objections have been received from any other agencies in the area and there are no other agencies that are authorized to provide the services that the District provides in this area. Therefore, the SOI amendment is being processed without conducting or requiring a service review.

### **Sphere of Influence Findings**

In approving the sphere amendment, LAFCO must consider the following issues and adopt findings on each of the issues. Provided below is analysis of the issues. As seen below, findings 1 and 2 cannot be made due to lack of information at time of writing this report.

1. The present and planned land uses in the area, including agricultural and open space lands.

**Finding:** The present and planned land use on the three parcels in the unincorporated area is residential in nature. The General Plan designation and the zoning for the parcels is Hillside (HS) and the present lot sizes will not allow any further sub division. The proposed inclusion in the District's sphere would not alter existing land uses on the parcels.

The parcel in Palo Alto is designated for Open Space (OS) and is currently vacant. The City of Palo Alto does not provide service in this area but in the past has allowed West Bay Sanitary District to provide sewer service in the area. The City's General Plan contains no policies related to extension of sanitary sewer and the city evaluates proposals on a case-by-case basis. However, as of writing this staff report, the City of Palo Alto

Planning Department has not provided input on this issue. Clarification is required on the planned land use for this parcel located within the city limits.

2. The present and probable need for public facilities and services in the area.

**Finding:** A map (Attachment # 3) showing the results of a 1998 field survey conducted by the County Environmental Health Department indicates that 3 of the parcels (APNs 182-34-064, 065, 063) proposed for inclusion in the sphere do not have high ground water or limiting slope conditions. Two of the parcels, APNs 182-34-064 and 065 are currently developed with single-family homes served by septic systems and APN 182-34-063 is currently vacant. At this time no further documentation is provided to demonstrate present or probable need for sewer service on these parcels. The field survey does not provide any information on the fourth parcel (APN 182-36-022). This finding cannot be made until further documentation is provided.

3. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

**Finding:** The County does not provide municipal services to unincorporated areas within the county, and does not allow urbanized development in the unincorporated areas. The City of Palo Alto also does not provide services to the parcels in this area as they are located outside its urban service area and are separated by the open space reserve lands. West Bay Sanitary District is authorized to provide sewer services and the addition of these lands to its SOI will not impact the capacity or adequacy of its services.

4. The existence of any social or economic communities of interest in the area.

**Finding:** The area is accessed through the Town of Portola Valley, which is partially served by the District and partially served by individual septic systems. The area is physically separated from other neighborhoods in Santa Clara County as it is surrounded by open space reserve lands. The District currently provides sewer service to many parcels within this area. Inclusion of the parcels within the SOI of the District will not affect the community. However, the inclusion of these parcels in the SOI will leave only a few other unincorporated parcels in the area bound on the eastern side by the open space reserve that are not within the SOI of the District. No analysis has been conducted to determine if these parcels would benefit from inclusion in the District's SOI.

## **PROPOSED ANNEXATION**

---

The District is proposing to annex 14 parcels out of which 10 are within the District SOI and the remaining 4 are proposed for inclusion in the SOI prior to annexation.

The following analysis however, includes only the 10 parcels that are currently within the District's SOI. The 4 parcels that are not currently within the District's SOI are not included in this analysis at this time because of unresolved issues relating to their

inclusion in the SOI of the District. Annexation can only be considered if territory is within an agency's SOI.

#### **Health and Safety Issues**

A reasonable justification for annexation to a special district would be to address health and safety related needs. Seven out of the 10 parcels have been identified in the Environmental Health Department's Map to have potential high ground water and steep slope conditions. These conditions combined with proximity of the area to the creek and related public health concerns would not allow replacement of failing septic systems. The map states that conditions on the other 3 parcels are unclear. However, all the 10 parcels are situated along the Creek and thus justify the need for connecting to the sewer.

#### **Logical and Efficient Boundaries**

All 10 parcels are within the District's SOI. However, the parcels proposed for annexation are not contiguous to each other. Health and Safety Code Section 6830 (d) allows "the district to annex territory not contiguous to the district that will, in the opinion of the district board, be benefited by inclusion in the district".

#### **Provision of Services**

District has indicated that it has adequate sewer capacity to provide services to the properties without detracting from the existing service levels within this area.

#### **Conversion of Agricultural or Open Space Lands**

None of the 10 parcels are currently in agricultural production or designated as open space.

#### **Alternatives to Annexation**

There are no feasible alternatives to annexation to the district as there are no other existing sewer systems in the area. The only alternative would be to continue to rely on septic systems, which over time will be ineffective due to site conditions such as a high ground water, steep slopes and proximity to the Creek.

#### **Duplication of Services**

Annexation will not result in a duplication of services. The parcels under consideration are all within the SOI of West Bay Sanitary District and are unincorporated; the County does not provide sewer service.

#### **Property Tax Negotiations**

The West Bay Sanitary District is not party to the Master Tax Agreement between Santa Clara County and special districts and cities in the county because the District lies almost entirely within San Mateo County. Therefore, resolutions negotiating a zero percent

property tax exchange are required to be adopted by the Santa Clara County Board of Supervisors and the District prior to the San Mateo LAFCO's final action.

## **CONCLUSION**

---

Staff recommends annexation of the 10 parcels that are currently within the SOI of the District. All these parcels are along the creek and or have limiting site conditions for repair of failing septic systems. These parcels are not sub dividable but provision of sewer to these parcels could potentially allow development of 2 new homes on the 2 vacant lots and possibly secondary dwelling units on other parcels subject to approval by the County. The project has no significant growth inducing impacts or negative impacts on the agricultural or open space resources in the area.

Staff is recommending denial of the SOI amendment to include the 4 parcels at this time, until further study is conducted to determine the need for services to these parcels. This will ensure compliance with the basic policy that urban services should not be provided in the unincorporated rural areas except to resolve a demonstrated health and safety concern. Annexation of these 4 parcels may be considered after the SOI issues are resolved.

## **ATTACHMENTS**

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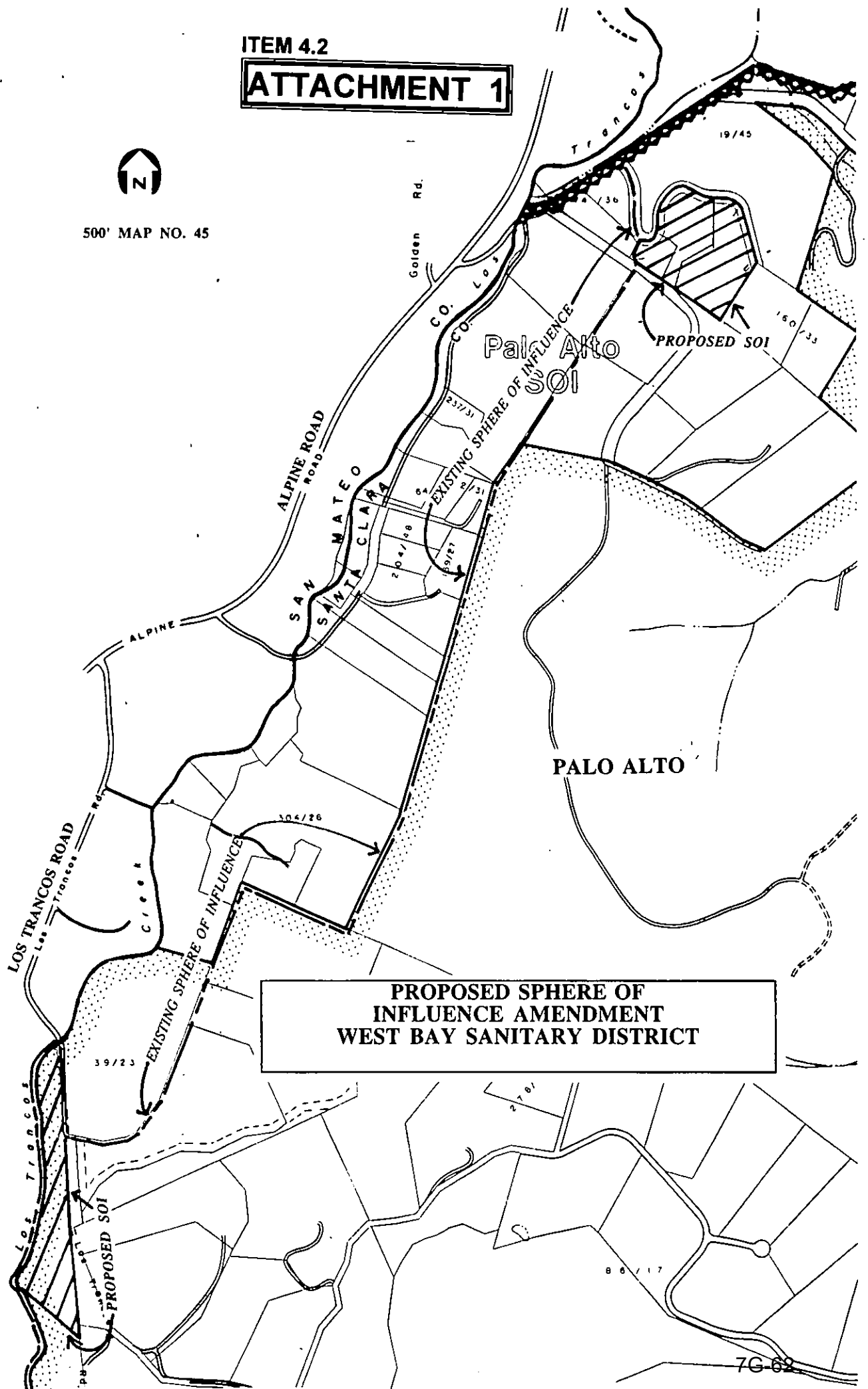
1. Map showing SOI, annexation and existing jurisdictional boundaries of District
2. LAFCO Analyst's Report
3. 1998 map showing results of field survey conducted by Santa Clara County Department of Environmental Health

ITEM 4.2

**ATTACHMENT 1**



500' MAP NO. 45





**PROPOSED SPHERE OF INFLUENCE AMENDMENT  
WEST BAY SANITARY DISTRICT**

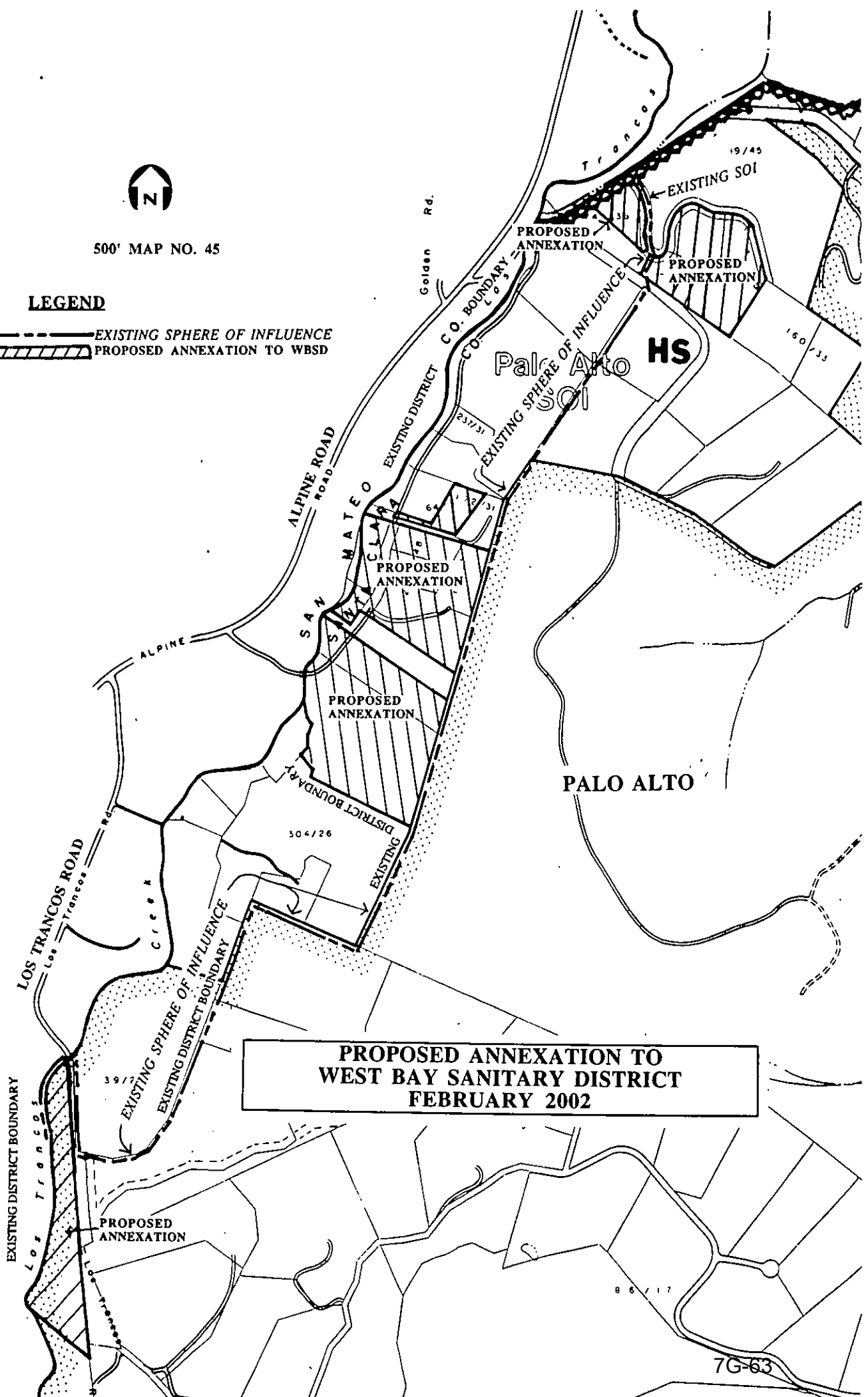




500' MAP NO. 45

**LEGEND**

-  EXISTING SPHERE OF INFLUENCE
-  PROPOSED ANNEXATION TO WBSD



**PROPOSED ANNEXATION TO  
WEST BAY SANITARY DISTRICT  
FEBRUARY 2002**

Date prepared: January 16, 2002

Hearing date: February 13, 2002

To: The Santa Clara County Local Agency Formation Commission  
From: Dunia Noel, LAFCO Analyst  
Subject: **West Bay Sanitary District Sphere of Influence Amendment (SOI) and Annexation (Arastradero Road)**

**Recommended CEQA Action and Required Findings:**

As a Responsible Agency under CEQA, LAFCO may take the following action regarding the Negative Declaration for projects referred to the Commission by another agency:

1. Find that [a] the Negative Declaration was completed in compliance with CEQA and is an adequate discussion of the environmental impacts of the project, [b] prior to making a recommendation on this project, LAFCO reviewed and considered the environmental effects of the project as shown in the Negative Declaration.

**BACKGROUND**

**Project Description**

The proposed project consists of the annexation of a total of 14 parcels into the West Bay Sanitary District to provide sanitary sewer service to these parcels, and a sphere of influence amendment to extend West Bay's sphere of influence to 4 of 14 parcels. Of the 14 parcels proposed for annexation, which are not all contiguous, 9 parcels are currently developed with houses and 5 parcels are vacant. All developed parcels at the site are served by existing septic systems.

**Purpose and Need**

Existing septic systems in the project area are failing due to high groundwater in the vicinity. The Santa Clara County Environmental Health Department has determined that at least 7 of the parcels in the project area are compromised by high groundwater or have insufficient space to expand existing septic systems due to excessive slopes. An additional 3 parcels have unclear conditions and require wet weather testing. However, Environmental Health also concluded that 3 of the parcels in the project area have no high groundwater or limiting slope conditions. The proposed SOI amendment and annexation to the West Bay Sanitary District are intended to allow installation of a

sanitary sewer system that would allow abandonment of the existing septic systems and thereby eliminate the existing health and water quality risk.

Although these parcels are located in Santa Clara County, property owners have requested that West Bay Sanitary District (a San Mateo County based special district) provide sanitary services to the project area. Therefore San Mateo LAFCO has jurisdiction over this special district annexation and Sphere of Influence amendment and any action that the Santa Clara LAFCO takes on the negative declaration is advisory only.

### **Project Location**

A total of 13 of the 14 parcels proposed for annexation (28 acres, non-contiguous site) are located in unincorporated Santa Clara County, along Old Alpine Road between Creek park Drive and Arastradero Road, just south of Los Trancos Creek (which forms the border of San Mateo County). One additional parcel (3 acres) is located within the City of Palo Alto, approximately one-half mile southwest of the other 13 parcels, along Los Trancos Road south of the intersection with Alpine Road and east of Los Trancos Creek.

### **Land Use and Planning**

The Santa Clara County Zoning Ordinance and General Plan designate the 13 parcels within unincorporated Santa Clara County as HS (Hillside Zoning). The City of Palo Alto Zoning Ordinance and Comprehensive Plan designate the southernmost parcel as Open Space (OS). The proposed project would not alter existing land uses in the study area. The applicants are not proposing any change to the existing zoning or general plan designations for the properties. As such, the project will not result in any impacts upon any of the current land use designations or development policies of the County or city.

## **ENVIRONMENTAL ASSESSMENT**

### **Negative Declaration**

An Initial Study and Negative Declaration have been prepared for the project. There were no significant impacts identified by the Initial Study. Environmental factors of specific concern to LAFCO are discussed below.

## **ENVIRONMENTAL FACTORS OF CONCERN TO LAFCO**

### **Premature Conversion of Agricultural and Open Space Lands**

Of the 14 parcels proposed for annexation, 9 currently contain single-family residences on lots ranging in size from 1 acre to 3 acres. Of the 4 parcels proposed for inclusion into the sphere of influence, 1 currently contains a single-family residence. None of the parcels is currently in agricultural production or designated for open space. The project therefore will not result in the conversion of any agricultural or open space lands.

### **Growth Inducement**

The subject parcels are located within the unincorporated section of Santa Clara County except for one parcel in the Palo Alto City Limits. As such, any subdivision proposal for any of these parcels must comply with the density requirements of the County General Plan. The County's General Plan designation for the parcels within the study area is

Hillside (20 acre minimum lot sizes). The one parcel located in the City of Palo Alto has a General Plan designation of Open Space (10 acre minimum lot sizes). Therefore, none of these parcels involved in this project are eligible for further subdivision.

The area included in the proposal sphere is geographically well-defined. The parcels proposed to be included in the sphere amendment are all located between Los Trancos Creek, which is also the County boundary, and a quickly rising hillside to the south. The geography constrains the limits of growth-inducing impacts associated with this proposal.

Of the 10 parcels proposed for annexation only, and the 4 parcels proposed for both annexation and inclusion in the SOI, there is the possibility of 5 new primary dwelling units to be constructed. No additional units are proposed as part of the annexation request and no plans have been submitted at this time.

The provision of sewers to each of the parcels, however, may provide an impetus for additional secondary units in the area, which require a special permit, by removing the current requirement to have a separate system for each dwelling unit. As part of the review for each Special Permit application, the County would evaluate the existing roadway conditions for increased traffic and safety impacts. Improvements to existing roadway to mitigate any impacts could be made a condition of approval for any Special Permit, if deemed necessary by County staff. As a result, the project is not expected to result in any significant impacts.

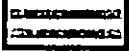


#### **Provision of Public Services**

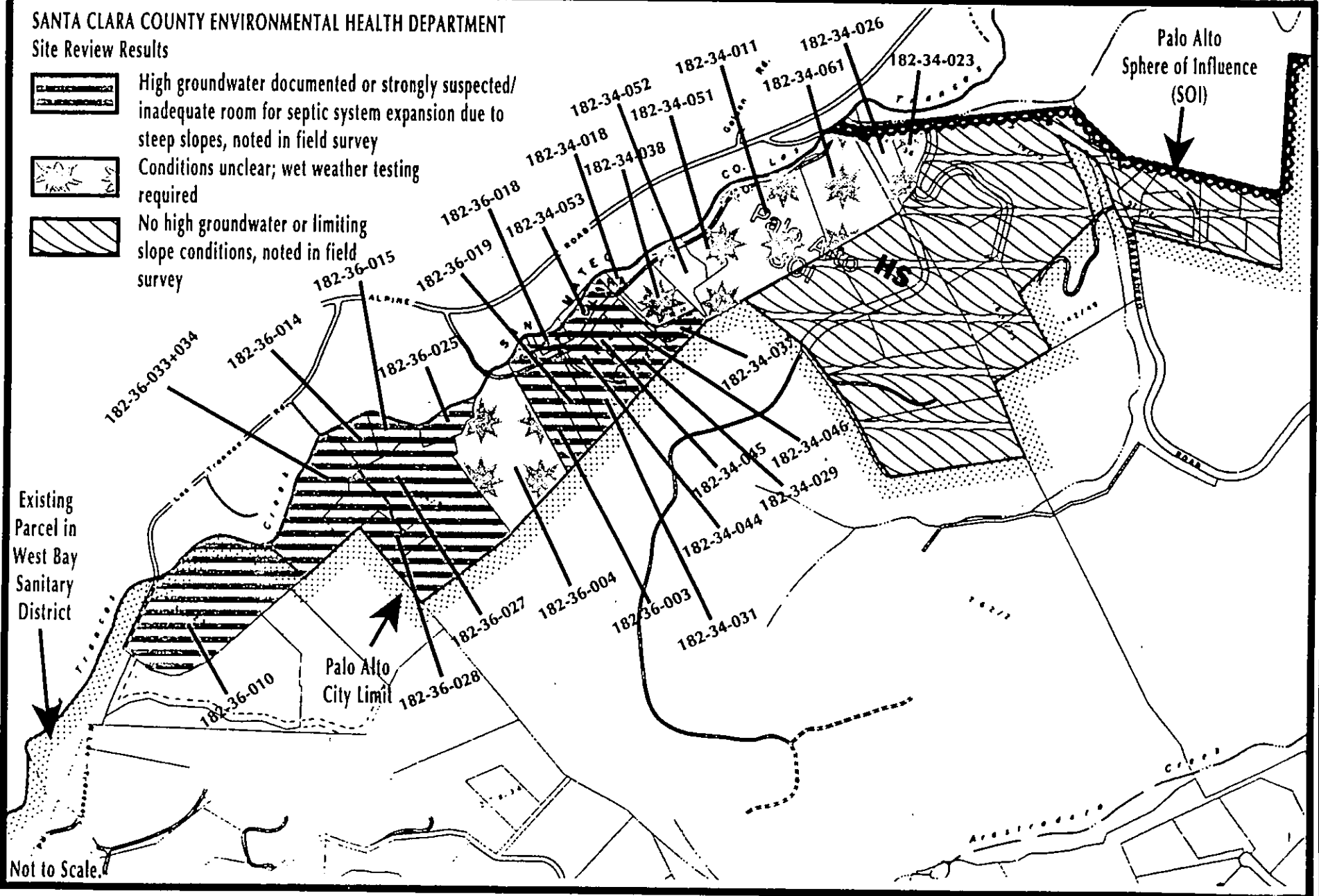
According to the Negative Declaration/Initial Study, all urban services are available to the site. West Bay Sanitary District has indicated that it does have adequate sewer capacity to provide services to the properties without detracting from the existing service levels within this area. As such, the overall impact on services is minimal.

18  
9

### SANTA CLARA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

#### Site Review Results

-  High groundwater documented or strongly suspected/ inadequate room for septic system expansion due to steep slopes, noted in field survey
-  Conditions unclear; wet weather testing required
-  No high groundwater or limiting slope conditions, noted in field survey



Source: County of Santa Clara

RESOLUTION NO. 939

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF SAN MATEO  
MAKING DETERMINATIONS, AMENDING THE SPHERE OF INFLUENCE  
OF THE WEST BAY SANITARY DISTRICT AND  
APPROVING THE  
ANNEXATION OF THE LANDS OF CONROE, GERST ET AL.  
TO THE WEST BAY SANITARY DISTRICT,  
WAIVING CONDUCTING AUTHORITY PROCEEDINGS  
AND ORDERING SAID ANNEXATION**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the West Bay Sanitary District in the County of San Mateo was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the proposal at the time noticed thereof, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, annexation of certain parcels is not consistent with existing district sphere of influence and it is appropriate that the Commission consider amendment of the sphere in connection with this proposal; and

WHEREAS, the landowners and District have requested that the Commission waive conducting authority proceedings pursuant to government code Section 56663; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. The West Bay Sanitary District sphere of influence is hereby amended to include the territory shown in Exhibit 1.

Section 2. The statement of determinations required by Government Code Section 56425 are as follows:

1) The present and planned land uses in the area, including agricultural and open space lands.

The present and planned land uses in the area are residential in nature with a County General Plan designation of Hillside and a city general plan designation of "Open Space District" which permits residential development.

(2) The present and probable need for public facilities and services in the area.

The area is an unincorporated, residential area and as reported by Santa Clara County Environmental Health, is characterized by high ground water and slopes making use of septic systems problematic. Future demand for services would increase as additional development occurs consistent with, and limited by City and County adopted general plans and zoning regulations.

- (3) The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

The City of Palo Alto is the next nearest sewer provider in the area but the area is physically separated from the City and the City cannot extend sewer service. West Bay Sanitary District is a regional sewer provider already serving adjacent areas and has indicated that it has sewage treatment capacity.

- (4) The existence of any social or economic communities of interest in the area if the Commission determines they are relevant to the agency.

This residential neighborhood south of Los Trancos Creek can be identified as a community of interest in that the area is accessed from the Town of Portola Valley and served by the same water provider. West Bay Sanitary District is already serving adjacent areas including other residential parcels in Santa Clara County along the Creek.

Section 3. This proposal is approved subject to the following conditions:

- a) submittal of revised maps and legal descriptions which meet the requirements of the State Board of Equalization and the County of Santa Clara Surveyor.

Section 4. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "2" attached hereto and by this reference incorporated herein.

Section 5. The territory consists of 25.04 acres, is found to be inhabited, and is assigned the following distinctive short form designation: Annexation of the Lands of Conroe, Gerst et al. to the West Bay Sanitary District.

Section 6. Subsequent annexation of the territory to West Bay Sanitary District On-Site Wastewater Disposal Zone if required is hereby approved.

Section 7. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56663 and this annexation is hereby ordered.



Regularly passed and adopted this 15th day of May, 2002.

Ayes and in favor of said resolution:

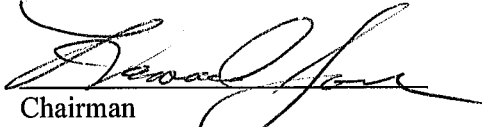
Commissioners: Duane Bay  
Robert Craig (Alt)  
Rich Gordon  
Rose Jacobs Gibson (Alt)  
Marguerite Kaufman  
Sepi Richardson  
Howard Jones

Noes and against said resolution:

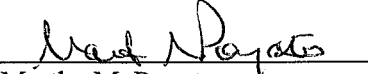
Commissioners: none  
 \_\_\_\_\_  
 \_\_\_\_\_

~~Absent and/or Abstentions:~~

Commissioners: Iris Gallagher, Jerry Hill

  
 Chairman  
 Local Agency Formation Commission  
 County of San Mateo  
 State of California

ATTEST:

  
 Martha M. Poyatos  
 Executive Officer  
 Local Agency Formation Commission

Date: 5/16/02

I certify that this is a true and correct copy of the resolution above set forth.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Martha Poyatos  
 Clerk to the Commission

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**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 7H**

**To: Board of Directors**

**From: Todd Reese, Office & Communications Manager**

**Subject: Consideration of Resolution Consenting to Annexation of Territory to the West Bay Sanitary District by the San Mateo County Local Agency Formation Commission – 20 Shoshone Place, Portola Valley (077-331-110), Lands of Davidson**

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Background

The owners of the property located at 20 Shoshone Place, Portola Valley, Lands of Davidson have requested the Local Agency Formation Commission (LAFCo) annex their property to the West Bay Sanitary District for the purposes of obtaining sanitary sewer service. The parcel will be an existing single-family residence using a Grinder Pump system that will need to connect to a WBSD force main (FM) located on Shawnee Pass in front of 135 Shawnee Pass.

Analysis

Attached for the Board's review is the Geographic/Legal Description (Exhibit A) of the property to be annexed, and the LAFCo Resolution No. 1283 (Exhibit B) approving the annexation.

Fiscal Impact

Property owners have paid all annexation fees, and the fiscal impact would be additional sewer service charge revenue to the District once the parcel is connected.

Recommendation

The Office & Communications Manager recommends that the District Board approve the Resolution as presented.

Attachments: Resolution \_\_\_\_\_ (2022)  
Exhibit A – Geographic/Legal Description  
Exhibit B – LAFCo Resolution No. 1283

**RESOLUTION NO. \_\_\_\_ (2022)**

**IN THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT**

**COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\*\*\*\*\*

**A Resolution Consenting to the Annexation of Lands of Davidson  
(APN 077-331-110) to the West Bay Sanitary District**

**WHEREAS:**

1. A petition for annexation of the property described herein to this District was initiated by the property owners.
2. The Local Agency Formation Commission (LAFCo) of San Mateo County assigned the following distinctive short form designation: Annexation of 20 Shoshone Place, Portola Valley to the West Bay Sanitary District
3. The property to be annexed is described as follows:  
See Exhibit "A" attached hereto and by this reference made a part hereof.
4. The said property is uninhabited.
5. The conditions of annexation are:
  - a. In the event that, pursuant to rules, regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money either as a lump sum or installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by rules, regulations or ordinances of the District, as now or hereafter amended.
  - b. Upon and after the effective date of said annexation, the territory, and all persons entitled to vote by reason of residing or owning land within the territory, shall be subject to the jurisdiction of the District; shall have the same rights and duties as if the territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest and any other amounts which shall become due on account of any outstanding or then-authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.
6. The proposed annexation is for the interest of the landowners and present and future inhabitants within the District and within the said property to be annexed.

7. The LAFCo of San Mateo County has adopted Resolution 1283 (Exhibit “B”) ordering annexation of the referenced territory to the West Bay Sanitary District.

**NOW, THEREFORE, BE IT RESOLVED** that:

- a. The above described property, pursuant to the order of the San Mateo County LAFCo, is hereby annexed to the West Bay Sanitary District, and the District Manager is directed to make such distribution of this Resolution as is required by law or is desirable.
- b. Pursuant to Government Code Section 56837, the District consents to waiver conducting authority proceedings.
- c. The regular San Mateo County Assessment Roll will be used to collect sewer service charges.
- d. The territory will not be taxed for bonded indebtedness.

\*\*\*\*\*

Passed and adopted by the District Board of the West Bay Sanitary District at a regular meeting thereof held on the 9<sup>th</sup> day of November, 2022 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

---

President of the District Board of the West Bay Sanitary District of San Mateo County, State of California

Attest:

---

Secretary of the District Board of the West Bay Sanitary District of San Mateo County, State of California

## EXHIBIT "A"

Date: May 26, 2022

Annexed to: West Bay Sanitary District

Name of Annexation: West Bay Sanitary

### Geographic Description Lands of Davidson

All that certain real property, situate in the Town of Portola Valley, County of San Mateo, State of California, being all of Lot 2, Block 4 and a portion of the right of way of Shoshone Place (50 feet wide), as shown on that certain map entitled "Tract No. 774 Arrowhead Meadows Unit No. 4", filed in the office of the County Recorder of San Mateo County on March 17, 1959 in Volume 50 of Maps at Pages 45, 46, 47 & 48, more particularly described as follows:

**Beginning** at the Northeast corner of West Bay Sanitary District Resolution No. 1211, said point also being on the South right of way line of said place and the Northwest corner of said lot;

Course 1.) North 03°30'00" West, 25.00 feet to the centerline of said Shoshone Place, thence,  
Course 2.) Along said centerline, North 86°30'00" East, 135.00 feet to the center of Shoshone Place cul-de-sac, thence,

Course 3.) Leaving last said centerline, South 27°00'00" East, 40.00 feet to said south right of way and the Northeast corner of said lot, thence,

Course 4.) Along the Northeast line of said lot, South 48°01'15" East, 210.17 feet to the East corner of said lot, thence,

Course 5.) Along the Southeast line of said lot, South 48°34'47" West, 175.00 feet to the Southeast corner of said lot, thence,

Course 6.) Along the South line of said lot, North 84°00'00" West, 80.00 feet to the Southwest corner of said lot, thence,

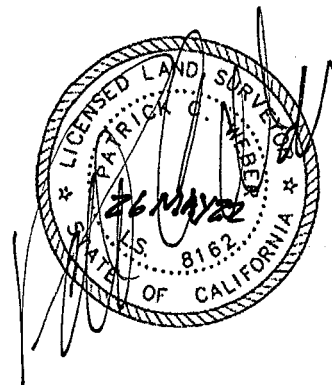
Course 7.) Along the Westerly line of said lot, North 27°44'43" West, 140.44 feet to the Westerly angle point of said lot, said point also being the Southeast corner of said resolution, thence,

Course 8.) Along last said westerly line and the Easterly line of said resolution, North 14°00'00" West, 130.00 feet to the **Point of Beginning** containing 1.23 acres, more or less.

*For assessment purposes only. The description is no a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

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

EXHIBIT A PAGE 1 OF 2

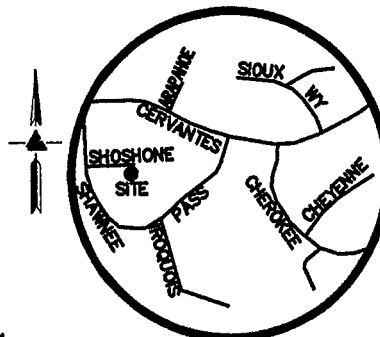


# WEST BAY SANITARY DISTRICT (20 SHOSHONE PLACE)

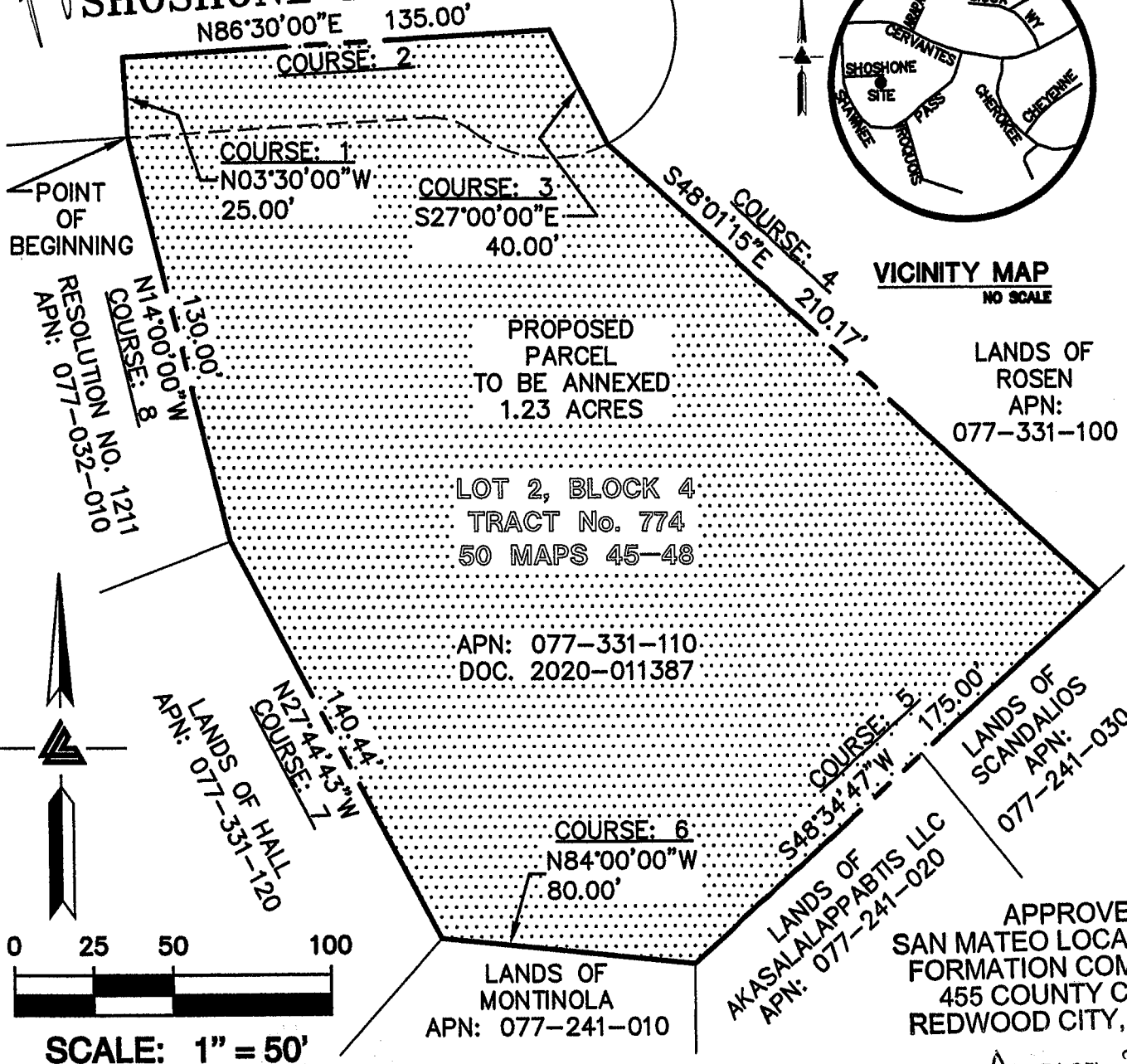


**DISCLAIMER:**  
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

## SHOSHONE PLACE (50')



**VICINITY MAP**  
NO SCALE



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

EXHIBIT A PAGE 2 OF 2

**LEA & BRAZE ENGINEERING, INC.**  
CIVIL ENGINEERS • LAND SURVEYORS

BAY AREA REGION 2495 INDUSTRIAL PKWY WEST HAYWARD, CALIFORNIA 94545 (P) (510) 887-4086 (F) (510) 887-3019 WWW.LEABRAZE.COM	SACRAMENTO REGION 3017 DOUGLAS BLVD, # 300 ROSEVILLE, CA 95661 (P) (916) 966-1338 (F) (916) 797-7363
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**EXHIBIT "B"**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**PROPOSED SEWER ANNEXATION**  
**20 SHOSHONE PLACE**  
**PORTOLA VALLEY, CALIFORNIA**  
**SAN MATEO COUNTY**  
**RANCHO EL CORTE MADERA**

**2022-047208 CONF**

8:56 am 06/10/22 CCL Fee: NO FEE

Count of pages 7

Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



(This space for Recorder's use only)

RECORDING REQUESTED BY:

SAN MATEO LAFCO  
LOCAL AGENCY FORMATION COMMISSION

WHEN RECORDED, PLEASE SEND TO:

San Mateo LAFCo

**LAF 124**

**SHORT-FORM DESIGNATION OF DOCUMENT:**

Annexation of 20 Shoshone Place, Portola Valley to the West Bay Sanitary District

**RECORDER'S CODE: CCL**

(Exempt from filing fees per Government Code 6103)





# LOCAL AGENCY FORMATION COMMISSION

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

## CERTIFICATE OF COMPLETION

Pursuant to Government Code Section 57200, this Certificate is issued by the Executive Officer of the Local Agency Formation Commission of San Mateo County, California.

1. The short-form designation, as determined by LAFCo, is Annexation of 20 Shoshone Place, Portola Valley to the West Bay Sanitary District.
2. The name of each district or city involved in this change of organization or reorganization and the kind or type of change of organization ordered for each city or district are as follows:

City or District

Type of Change of Organization

West Bay Sanitary District

Annexation

3. The above-listed cities and/or districts are located within the following counties: San Mateo County and Santa Clara County.
4. A description of the boundaries of the above-cited change of organization or reorganization is shown on the attached map, marked Exhibit A and by reference incorporated herein.
5. The territory involved in this change of organization or reorganization is uninhabited.
6. This change of organization has been approved subject to the following terms and conditions, if any: None.
7. The resolution confirming this change of organization was adopted on April 20, 2022 by LAFCo, is marked Exhibit B, and by reference incorporated herein.

I hereby certify that I have examined the above-cited resolution, including any terms and conditions, and the map description and have found these documents to be in compliance with Resolution 1283, adopted on April 20, 2022.

Dated: June 10, 2022

Rob Bartoli  
Executive Officer

**COMMISSIONERS:** MIKE O'NEILL, CHAIR, CITY ▪ ANN DRAPER, VICE CHAIR, PUBLIC ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY  
▪ WARREN SLOCUM, COUNTY ▪ KATI MARTIN, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT

**ALTERNATES:** VACANT, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

**EXHIBIT "A"**

Date: May 26, 2022

Annexed to: West Bay Sanitary District

Name of Annexation: West Bay Sanitary

**Geographic Description**  
Lands of Davidson

All that certain real property, situate in the Town of Portola Valley, County of San Mateo, State of California, being all of Lot 2, Block 4 and a portion of the right of way of Shoshone Place (50 feet wide), as shown on that certain map entitled "Tract No. 774 Arrowhead Meadows Unit No. 4", filed in the office of the County Recorder of San Mateo County on March 17, 1959 in Volume 50 of Maps at Pages 45, 46, 47 & 48, more particularly described as follows:

**Beginning** at the Northeast corner of West Bay Sanitary District Resolution No. 1211, said point also being on the South right of way line of said place and the Northwest corner of said lot;

Course 1.) North 03°30'00" West, 25.00 feet to the centerline of said Shoshone Place, thence, Course 2.) Along said centerline, North 86°30'00" East, 135.00 feet to the center of Shoshone Place cul-de-sac, thence,

Course 3.) Leaving last said centerline, South 27°00'00" East, 40.00 feet to said south right of way and the Northeast corner of said lot, thence,

Course 4.) Along the Northeast line of said lot, South 48°01'15" East, 210.17 feet to the East corner of said lot, thence,

Course 5.) Along the Southeast line of said lot, South 48°34'47" West, 175.00 feet to the Southeast corner of said lot, thence,

Course 6.) Along the South line of said lot, North 84°00'00" West, 80.00 feet to the Southwest corner of said lot, thence,

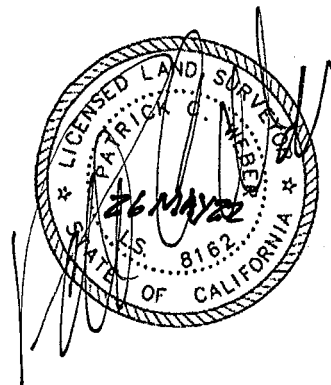
Course 7.) Along the Westerly line of said lot, North 27°44'43" West, 140.44 feet to the Westerly angle point of said lot, said point also being the Southeast corner of said resolution, thence,

Course 8.) Along last said westerly line and the Easterly line of said resolution, North 14°00'00" West, 130.00 feet to the **Point of Beginning** containing 1.23 acres, more or less.

*For assessment purposes only. The description is no a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

**APPROVED**  
**SAN MATEO LOCAL AGENCY**  
**FORMATION COMMISSION**  
455 COUNTY CENTER  
REDWOOD CITY, CA 94063

EXHIBIT A PAGE 1 OF 2

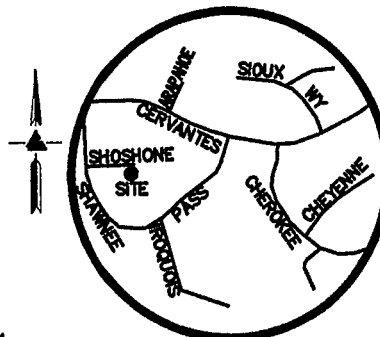


# WEST BAY SANITARY DISTRICT (20 SHOSHONE PLACE)

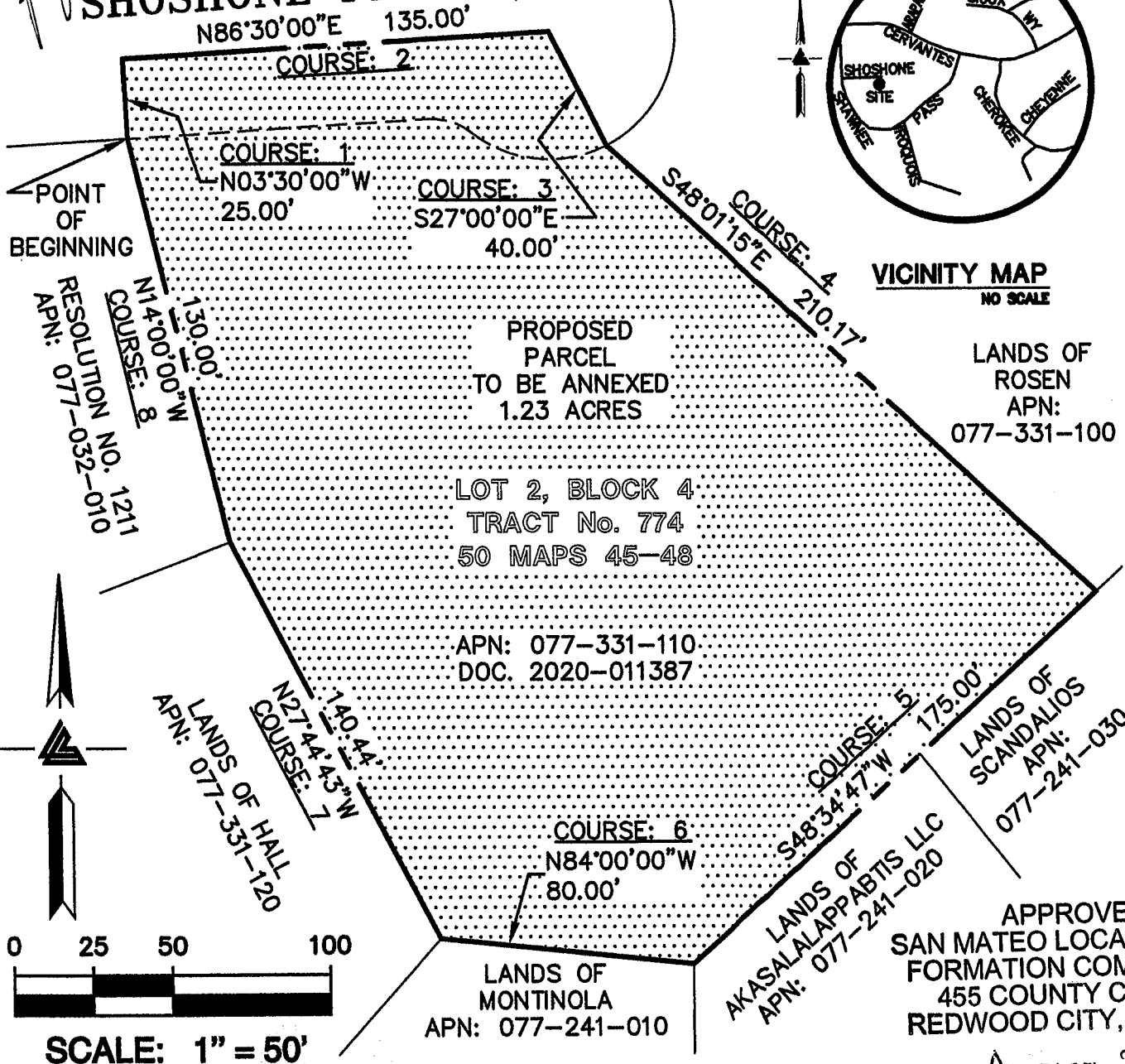


**DISCLAIMER:**  
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

## SHOSHONE PLACE (50')



**VICINITY MAP**  
NO SCALE



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

EXHIBIT A PAGE 2 OF 2

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**EXHIBIT "B"**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
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**PORTOLA VALLEY, CALIFORNIA**  
**SAN MATEO COUNTY**  
**RANCHO EL CORTE MADERA**

RESOLUTION NO. 1283

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF SAN MATEO  
MAKING DETERMINATIONS, APPROVING LAFCO FILE 22-03 -  
ANNEXATION OF 20 SHOSHONE PLACE, PORTOLA VALLEY, (APN 077-331-110)  
TO THE WEST BAY SANITARY DISTRICT AND THE ON-SITE WASTEWATER DISPOSAL ZONE, AND  
WAIVING CONDUCTING AUTHORITY PROCEEDINGS**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the West Bay Sanitary District in the County of San Mateo was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including the recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the proposal and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, the landowners and District have requested that the Commission waive conducting authority proceedings pursuant to government code Section 56837(c); and

WHEREAS, the proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15319(a) & (b) (Annexations of Existing Facilities and Lots for Exempt Facilities); and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. This proposal is approved, subject to the following conditions: None.

Section 2. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The territory consists of 1.14 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Annexation of 20 Shoshone Place, Portola Valley to the West Bay Sanitary District.

Section 4. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56663 and this annexation is hereby ordered.

Section 5. Subsequent annexation to the On-Site Wastewater Disposal Zone is hereby approved.

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

EXHIBIT B PAGE 2 OF 3

Regularly passed and adopted this 20<sup>th</sup> day of April, 2022.

EXHIBIT B PAGE 3 OF 3

Ayes and in favor of said resolution:

Commissioners: Joshua Cosgrove  
Don Horsley  
Ric Lohman  
Harvey Rarback  
Warren Slocum  
Ann Draper, Vice Chair  
Mike O'Neill, Chair

Noes and against said resolution:

None

Commissioners Absent and/or Abstentions:

Commissioners: None

*Michael O'Neil*

Chair  
Local Agency Formation Commission  
County of San Mateo  
State of California

ATTEST:

*Roberto J. Bartolif*

Executive Officer  
Local Agency Formation Commission

Date: April 28, 2022

I certify that this is a true and correct copy of the resolution above set forth.

Date: \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Commission  
Local Agency Formation Commission



## WEST BAY SANITARY DISTRICT AGENDA ITEM 7I

**To:** *Board of Directors*

**From:** *Sergio Ramirez, General Manager*

**Subject:** *Consider Authorizing the General Manager to Issue the Class 3 Permit for the Sewer Realignment Required for 358 Walsh Road, Atherton and Ratify Authorizing the General Manager to Execute an Agreement with Pacific Peninsula Group*

---

### Background

The District has a 6-inch mainline within a sanitary sewer easement along the southerly side of the property line at 358 Walsh Road in Town of Atherton (Town). The owner has begun construction of a new home and pool house or Accessory Dwelling Unit (ADU) through their contractor Pacific Peninsula Group (Contractor). Upon discovery of an easement encroachment with the ADU's foundation and damage to the public sewer pipeline, the District in conjunction with the Town, issued a stop work order. To avoid the burden and expense of relocating or demolishing the ADU's foundation, the District proposed to realign the existing public sewer pipeline and establish a new easement at the owner's expense.

### Analysis

The Contractor and District have reached and executed an agreement (see attachment No. 1.) The property Contractor will realign the existing public sewer pipeline and establish a new easement. District staff has approved the design, and all permits and construction will be performed per the agreement.

### Fiscal Impact

There is no fiscal impact to the District with the reconstruction and realignment of the public sewer pipeline and easement.

### Recommendation

The General Manager recommends the District Board approve the issuance of the Class 3 Sewer Permit No. 1624 and ratify authorizing the General Manager to execute the agreement.

Attachments: No. 1 Agreement, No. 2 Class 3 Permit (1624), No. 3 Resolution \_\_\_\_\_(2022)  
No. 4 Notice of Exception, No. 5 Pipeline Relocation Plan

## CONSTRUCTION CONTRACT

This Construction Contract (“Contract”) is entered into and effective this 28<sup>th</sup> day of October, 2022, by and between the WEST BAY SANITARY DISTRICT (“District”), a special district organized and existing under the California Sanitary District Act of 1923 (CA Health & Safety Code section 6400 et seq.), and PACIFIC PENINSULA GROUP (“Contractor”) referred to herein individually as a “Party” and collectively as “the Parties.”

WHEREAS, the District owns and maintains sanitary sewer mains within an easement on 358 Walsh Road; and

WHEREAS, these sanitary sewer mains are in conflict with planned improvement and requires offsetting to avoid conflicts;

WHEREAS, District and Contractor agrees to work together to offset the sewer main(s); and

WHEREAS, the Contractor agrees to perform and pay for its scope of work specified herein; and

WHEREAS, the District agrees to provide materials and the scope of work at no charge to Contractor as specified herein; and

WHEREAS, Contractor represents that it has the required license, expertise, means, and ability to perform said work as outlined in the scope of work, and plans and specifications, which are attached as Exhibit “A” and “B”, respectively, to this Contract;

NOW, THEREFORE, in consideration of each other’s mutual promises, and incorporating the above Recitals, the Parties hereto agree as follows:

1. Term of Contract. Contractor shall commence work within **Thirty** (30) days of a written Notice To Proceed from the District and complete the work within 80 Working Days, based on an agreed upon work schedule. All time limits stated herein are of the essence. This Contract shall terminate upon the completion of Contractor’s work, unless terminated sooner pursuant to the terms of this Contract.
2. Scope of Work.
  - (a) District agrees to provide the supplies specified in Exhibit A.
  - (b) Contractor will perform the work consistent with the scope of work as described in Exhibit A, and in accordance with the plans and specifications attached hereto in Exhibit “B”, incorporated herein. Contractor represents and warrants that Contractor:
    - (i) is fully experienced and properly qualified to perform the class of work and service provided for herein, (ii) has the financial capability required for the performance of the work and services, and (iii) is properly equipped and organized to perform the work and services in a competent, timely, and proper manner, in accordance with the requirements of this Contract. Contractor shall supply all necessary labor, tools, materials, supplies, and equipment to perform the required work.



2.1 Change in Scope of Work or Work Schedule.

- (a) Any change in the scope of work to be done, method of performance, nature of materials or price thereof, work schedule changing the number of working days, or to any other matter materially affecting the performance or nature of the services will not be paid for or accepted unless such change, addition or deletion is approved in advance by the District, in a written Contract Change Order.
- (b) The changes will be set forth in written Contract Change Orders which specify the work to be done in connection with the changes, the basis of compensation for the work, and any adjustments to the work schedule or work completion date. Such Change Orders shall be approved by the District. Upon receipt of an approved Contract Change Order, or of a written authorization from the District setting forth a description of the change and agreed upon changes in contract price, the Contractor shall proceed with the work so ordered.
- (c) In the absence of an approved Contract Change Order or written authorization, the Contractor shall not be entitled to payment for any changed or extra work or any adjustment to the work schedule or work completion date.
- (d) Contractor shall not be entitled to an adjustment in the compensation or work schedule for delay, disruption, or interference caused by or within the control of Contractor. Delay, disruption, and interference attributable to and within the control of a subcontractor or supplier shall be deemed to be within the control of contractor.
- (e) If the provisions of any bond require notice to be given to a surety of any change affecting the general scope of work or the provisions of the Contract (including, but not limited to, compensation or work schedule), the giving of any such notice will be Contractor's responsibility. The amount of each applicable bond will be adjusted to reflect the effect of any such change.

3. Authorized Representatives. The authorized representatives shall be individuals with the necessary authority to direct work within the scope of this Contract and shall serve as the principal point of contact for the Project for each respective party.

3.1 District. District designates the following individual(s) as District's authorized representative(s): Sergio Ramirez, General Manager. Only District's authorized representative(s) is authorized to approve changes to this Contract on behalf of the District.

3.2 Contractor. Contractor designates the following individual(s) as Contractor's authorized representative(s): Rex Finato, Principal. Only Contractor's authorized representative(s) is authorized to approve changes to this Contract on behalf of Contractor.

4. Hours of Work. All work will be performed during regular working hours between 8:00

a.m. and 5:00 p.m., Monday through Friday. No work will be done between the hours of 5:00 p.m. and 8:00 a.m., nor on Sundays or legal holidays except with the permission of the District, or except in case of an emergency.

5. Failure to Complete Work on Time (Liquidated Damages) - Intentionally Omitted.

6. Licenses; Standard of Care; Quality Materials.

6.1 Contractor represents and agrees that all personnel engaged by Contractor in performing work and services are and shall be fully qualified and are authorized or permitted under state and local law to perform such work and services. Contractor represents and warrants to the District that it has all required licenses and qualifications to perform the work and services required under this Contract, and will furnish satisfactory proof to District upon request.

6.2 The materials and equipment furnished and used shall be new and unused and of the highest commercial quality currently available. The materials and equipment shall be manufactured, handled, and used in a workmanlike manner to ensure completed work in accordance with the work specifications.

6.3 Contractor shall perform the work and services under this Contract in a skillful and competent manner. Contractor shall be responsible to the District for any errors or omissions in the performance of work pursuant to this Contract. Should any errors caused by Contractor be found in such work and services, Contractor shall correct the errors at no additional charge to the District by redoing the work and agree to fulfill any and all warranty obligations for the work.

7. Permits. Permits and/or regulatory approvals required by governmental authorities will be obtained by Contractor. District agrees to waive Contractor's permit fees relating to replacing the sewer main. District reserves its rights to seek new sewer service connection fees for the new residence and guest house at 358 Walsh Road.

8. Compensation/Contract Price.

8.1 No Cost to District. The work by Contractor is at no cost to the District. All costs for all personnel, materials, supplies, and equipment used in the scope of work is Contractor's sole responsibility.

9. Acceptability of Work. District's authorized representative shall decide all questions which may arise as to the quality or acceptability of materials furnished and work performed and as to the manner of performance and rate or progress of the work. When the authorized representative has made the final inspection and determines that the Contract has been completed in all respects in accordance with the specifications and requirements, s\he will recommend that the work be formally accepted. Acceptance of the work shall not waive District's rights and remedies related to the work.

10. Site Conditions and Safety.

- (a) During the course of performing the scope of work under this Contract, the security and safety of the work area/site and construction materials and equipment will be Contractor's sole responsibility. Contractor shall at its sole cost and expense, ensure that the work site is properly maintained as to avoid injury or damage to any person or property in accordance with applicable legal and safety requirements, that all necessary barriers or signage to deter unauthorized entry and to protect the public are in place, such as notifying, warning, and protecting the public of any dangerous conditions on the property related to the work, installing a secure construction fence, security surveillance and patrol, and other reasonable measures, and as further requested by District to protect public health and safety during the course of the work.
- (b) No material or equipment shall be stored where it will interfere with the safe passage of public traffic or the traffic of District or any other adjacent jurisdiction; and at the end of each day's work and at other times when construction operations are suspended for any reason, Contractor shall remove all equipment and other obstructions from that portion of the roadway open for use by public traffic, the District, and other adjacent jurisdiction. Spillage resulting from hauling operations along or across any public traveled way shall be removed promptly.
- (c) When Contractor's operations require one-way traffic or creates a condition hazardous to public traffic, Contractor shall provide and station competent flaggers whose sole duties shall consist of directing the movement of public traffic through or around the work, and as further required to comply with applicable traffic rules of the California Department of Transportation (CalTrans).
- (d) Contractor shall exercise due care to avoid damage to existing improvements, utility facilities, and adjacent property. The fact that any pipe or underground facility is not shown on the drawings shall not relieve the Contractor of responsibility or ascertaining the existence of any underground improvements or facilities which may be subject to damage by reason of the work.
- (e) In carrying out its work, Contractor shall at all times, exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed, and be in compliance with all federal, state and local statutory and regulatory requirements including State of California, Division of Industrial Safety (Cal/OSHA) regulations, and the U.S. Department of Transportation Omnibus Transportation Employee Testing Act (as applicable). Safety precautions as applicable shall include instructions in accident prevention for all employees and the public, such as safe walkways, scaffolds, fall protection, ladders, bridges, gang planks, confined space procedures, trenching & shoring, equipment and wearing apparel as are necessary or lawfully required to prevent accidents or injuries or damage to public or private property.
- (f) Contractor agrees to keep the construction site and other areas related to the work in a neat and sanitary condition as reasonably possible at all times. All waste, rubbish, other



debris, and any excess excavated material shall be removed from the work site in a manner that conforms to all applicable state, federal, and local laws and regulations. If dust problems should occur, dust control will be provided by the Contractor in a manner approved by the District at no additional expense to the District. At the start of the project, if applicable, Contractor will place filter fabric in all storm drain inlets in the project area so as to prevent soil particles from entering. If applicable, trench dewatering must be conducted so as to minimize sediment from entering storm drains in compliance with state laws.

- (g) Upon completion of the work, Contractor shall leave the District property and public right-of-way in a clean and orderly condition and except for the work under this Contract, shall restore or replace in-kind any improvements or landscaping damaged by Contractor, including any public property impacted by the work in this Contract. The cost of such repairs shall be borne by the Contractor and may be deducted from any monies due or to become due the Contractor under the Contract. In the event Contractor fails to carry out its obligations pursuant to this Section, the District shall have the right to make any corrections or repair any damages caused by Contractor and Contractor shall be responsible to pay the District all costs, including District administrative staff time, arising therefrom within thirty (30) days of the date of an invoice therefor.
- (h) Any loss or damage to Contractor's materials and equipment in the work area is Contractor's sole responsibility, and the District shall not have any liability for any such loss or damage. Contractor is also solely responsible for any personal injury or property damage related to Contractor's activities on or outside of District property, on private property, and in the public right-of-way under this Contract, except to the extent caused by District's gross negligence or willful misconduct.

11. Hazardous Materials.

- (a) Contractor shall not engage in any activity on, under, or about the District property, public right-of-way, or work site that violates any Federal, State or local laws, rules or regulations pertaining to hazardous, toxic or infectious substances or materials ("Hazardous Substances" or "Hazardous Materials"), and shall promptly, at Contractor's expense, take all investigatory and/or remedial action required or ordered for clean-up of any contamination of the District property, public right-of-way, work site, or affected area of the elements surrounding the same created, released, or exacerbated by Contractor. For the purposes of this Contract, the term "Hazardous Substances" or "Hazardous Materials" shall mean any substance or material which is capable of posing a risk of injury to health, safety or property, including all those materials and substances designated as hazardous or toxic by any federal, state or local law, ordinance, rule, regulation or policy, including but not limited to, all of those materials and substances defined as "Toxic Materials" in Sections 66680 through 66685 of Title 22 of the California Code of Regulations, Division 4, Chapter 30, as the same shall be amended from time to time, or any other materials requiring remediation under federal, state or local laws, ordinances, rules, regulations or policies.

- (b) If Contractor encounters, uncovers, or reveals the presence of Hazardous Materials at the work site or in any way related to the work, which removal or remediation is not expressly identified in the Contract as being within the scope of the work, or if Contractor or anyone for whom Contractor is responsible for the release, the presence or exacerbating the presence of Hazardous Materials, then Contractor shall immediately: (1) secure or otherwise isolate such condition; (2) stop all work in connection with such condition and in any area affected thereby; and (3) notify District within 24 hours of Contractor's knowledge of the presence of the Hazardous Materials.
- (c) If Contractor or anyone for whom Contractor is responsible for the release, the presence or exacerbating the presence of Hazardous Materials, Contractor is responsible for its remediation in compliance with all applicable laws and regulations. If Contractor fails to do so within a reasonable period of time, then District may remove and remediate the Hazardous Materials Condition, and impose a set-off against payments to account for the associated costs, including administrative fees..
- (d) To the fullest extent permitted by law, Contractor shall defend, indemnify, and hold harmless the District, its officials, officers, employees, and agents from any and all costs, claims, expenses, penalties and attorney's fees and costs arising out of a breach by Contractor of the subsection (a) above, including, but not limited to, the investigation, remediation and abatement of any contamination therein involved where the contamination was caused, released, or exacerbated by the acts or omissions of Contractor, its employees, subcontractors, suppliers, or agents or by anyone who was acting under Contractor's authority or control.
  - i. The obligations of the Contractor under this Section 11 of the Contract shall survive expiration or termination of this Contract to the fullest extent permitted by law.
  - ii. Contractor is only exempt from this indemnity obligation to the extent that the Hazardous Materials were not created or released, or the presence of the Hazardous Materials was not exacerbated by the acts of omissions of Contractor, its employees, subcontractors, suppliers, agents, or by anyone who was acting under Contractor's authority or control.

12. Access for Inspection.

Contractor shall at all times maintain proper, safe, and secure facilities and provide safe access for inspection by District, its employees, or agents, to all parts of the work, as is reasonably possible. Nothing in this Contract is intended or shall be construed to limit in any way access by District to the work area at all reasonable times during the duration of this Contract, or the right of entry or inspection that District, its employees, agents, or any other governmental agency may have by operation of law. All work done and all materials furnished shall be subject to District's inspection and approval. The right of general supervision shall not make the Contractor an agent of District and the liability of the Contractor for all damages to persons or to public or private property arising from the

execution of the work shall not be reduced or waived because of such general supervision. The day-to-day inspection performed by the various inspectors employed by the District shall not constitute approval or ratification of work improperly done by the Contractor.

13. Indemnification.

13.1 To the fullest extent permitted by law, Contractor agrees to indemnify, defend, and hold harmless the District, its directors, and employees from and against any and all claims, demands, actions, damages, or expenses, (including attorney's fees and costs) arising in any way related to the obligations or performance of this Contract by the Contractor, Contractor's employees, subcontractors, or agents, except where caused by the sole or active negligence, or willful misconduct of the District. Contractor's obligation under this Section 13 of the Contract to defend shall arise regardless of any claim or assertion that District and its related parties caused or contributed to any claims. The obligations of the Contractor under this Section 13 of the Contract shall survive expiration or termination of this Contract to the fullest extent permitted by law.

13.2 Contractor shall require its subcontractors to agree to the indemnification obligations stated in this Section 12 to the same extent and under the same terms and conditions as Contractor is required to defend, indemnify, and hold harmless District, its directors and employees, as stated herein.

14. Insurance. Contractor agrees to procure and maintain the insurance coverages and limits, as required by District prior to the commencement of work, as specified in Exhibit "C".

15. Subcontractors.

- (a) Except as provided in the scope of work or unless with the prior written approval of the District, Contractor shall not enter into any subcontract with any other party for purposes of providing any work or services covered by this Contract. Any subcontractors used on this public work project must be registered with the DIR in compliance with Labor Code sections 1771.1 and 1725.5, and Contractor shall provide proof of registration thereof.
- (b) In the event that Contractor employs any subcontractor, sub-tier contractor, or any person or entity involved for, with, or on behalf of Contractor in the performance of this Contract under Contractor's control or authority ("subcontractor"), it shall be the Contractor's responsibility to require and confirm that each subcontractor meets the minimum insurance requirements specified in Exhibit C. Contractor shall require all subcontractors to provide a valid certificate of insurance and the required endorsements to name the District as an additional insured under the liability insurance policies prior to commencing any work, and will provide proof of compliance to the District.
- (c) Subcontractors are to be bound to Contractor and to District in the same manner and to the same extent as the Contractor is bound to District under this Contract. Contractor shall be responsible to the District for the performance of any and all subcontractors who perform work under this Contract and any acts of negligence on their part. Contractor is



solely responsible for all payments due to any subcontractor.

16. Bonds/Security for Work. Intentionally Omitted.
17. Warranty of Work and Correction Guaranty. Contractor guarantees and warrants the work under this Contract, and agrees to correct any deficiencies and defects in materials, equipment, supplies and workmanship; and Contractor agrees to remedy any damages arising from faulty or defective materials, equipment, or work at no cost to the District for a period of one (1) year after District's acceptance of the work or the work's completion, whichever is later. A longer warranty period may apply where the supplier or manufacturer of the equipment or material provides a longer guaranty period. During the one year warranty or other applicable time period, Contractor at its sole cost and expense agrees to promptly make all needed repairs or replacements arising out of defective materials, equipment, or workmanship. District is hereby authorized to make such repairs if, within 10 business days after delivery of a notice in writing to the Contractor or its agent, the Contractor neglects to commence or undertake with due diligence the aforesaid repairs, replacements, or reconstruction; provided, however, that in case of an emergency where, in District's reasonable discretion, delay would cause serious loss or damage, repairs may be made without notice being sent to the Contractor. In the event that the District is required to perform the repair work during the warranty period, Contractor shall pay all costs, losses, and damages arising out of or relating to such repair, removal, replacement, or reconstruction plus the District's overhead fee of an additional 15% of all costs incurred by the District. This warranty provision does not affect or limit the District's remedies in law or equity, including but not limited to, applicable statutes of limitations relating to defective work and breach of this Contract.
18. Title to Improvements.
  - (a) Title to, and ownership of, all improvements constructed hereunder by Contractor shall vest absolutely in the District, upon completion and acceptance of such improvements by the District.
  - (b) Contractor shall grant and record a new six (6) foot sewer easement consistent with the scope of work in Exhibit A, and Contractor at its sole cost and expense prepare the plat and legal description for the easement to be recorded.
19. State Labor Code.
  - 19.1 Prevailing Wages. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations (DIR). Contractor will be responsible for verifying compliance with all prevailing wage laws and regulations for all subcontractors. Pursuant to Section 1774 of the Labor Code, the Contractor and any subcontractors shall pay not less than the specified prevailing rates of wages to workers performing work and services under this Contract. If the Contract is federally-funded, the Contractor and any subcontractors shall not pay less than the higher of these rates or the rates determined by the United States Department of Labor. Pursuant to Section 1775 of the Labor Code, the Contractor and any subcontractors, shall, as a penalty to the District, forfeit the prescribed amounts per calendar day, or portion thereof, for each worker paid less than the prevailing wage rates. The Contractor is responsible for posting

job site notices as prescribed by regulation pursuant to Labor Code section 1771.4(a)(2). The Contractor and each subcontractor, if any, must be registered with the DIR pursuant to Labor Code section 1725.5 and section 1771.1. The Contractor and each subcontractor, if any, must submit electronic certified payroll records at regular intervals (weekly, biweekly, or monthly), to the Labor Commissioner pursuant to Labor Code 1771.4. Payroll records will contain all the information required pursuant to Labor Code Section 1776 and be signed under penalty of perjury.

19.2 Apprentices. Apprentices shall be employed on the work under this Contract in accordance with Labor Code Section 1777.5. The Contractor is responsible for compliance with Labor Code Section 1777.5 for all apprenticeable occupations whether employed directly or through subcontractors.

19.3 Contractors' Duties Concerning Labor Code Compliance. As required by Labor Code 1775(b)(1), Labor Code Sections 1771, 1775, 1776, 1777.5, 1813 and 1815 are required to be included in the contract between the Contractor and subcontractors. The Contractor agrees to comply with these sections and all remaining provisions of the Labor Code.

19.4 Hours of Labor. Pursuant to Section 1810 of the Labor Code, 8 hours of labor shall constitute a legal day's work. Pursuant to Section 1813 of the Labor Code, the Contractor and any subcontractors, shall, as a penalty to the District, forfeit the prescribed amount per calendar day for each worker required or permitted to work more than 8 hours in any 1 calendar day and 40 hours in any 1 calendar week without being compensated in accordance with Section 1815. Contractor shall include terms in its subcontracts as required to make this paragraph effective as to each Subcontractor. Upon written request, Contractor shall withhold penalties forfeited by a Subcontractor pursuant to Labor Code section 1813 and this paragraph from payments due to such Subcontractor and remit such penalties withheld to the District.

19.5 Failure to Comply with Prevailing Wage. Any failure of Contractor and/or its subconsultant to comply with the above requirements relating to a public work project shall constitute a breach of this Contract that excuses the District's performance of this Contract at the District's sole and absolute option and shall be at the sole risk of Contractor. Contractor on behalf of itself and any subcontractor, agree to indemnify, defend and hold harmless the District and its directors, employees, and agents from and against any and all claims, liabilities, losses, costs, expenses, attorney's fees, damages, expenses, fines, financial consequences, interest, and penalties, of any kind or nature, arising from or relating to any failure (or alleged failure) of the Contractor and any subcontractor to pay prevailing wages or to otherwise comply with the requirements of prevailing wage law relating to a public work.

20. Compliance with Laws. All activities of Contractor will be carried out in compliance with all applicable federal, state, and local laws and regulations, including applicable ordinances and resolutions. District, and its officials, officers, and employees, shall not be



liable at law or in equity by reason of the failure of the Contractor to comply with this paragraph.

21. Equal Employment Opportunity. Contractor agrees to refrain from discriminatory employment practices on the basis of race, religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions), ancestry, religion, disability (mental and physical), medical condition, sex, gender (including gender identity and gender expression), physical characteristics, marital status, age, sexual orientation, genetic information (including family health history and genetic test results), organizational affiliation, and military or veteran status, or any other consideration made unlawful by local, state or federal law, regarding any employee of, or applicant for employment with, such Contractor.
22. Event of Default and Notice. If Contractor (i) refuses or fails to proceed with the work with such diligence as will insure its completion within the time specified, including any extensions, (ii) fails to obtain completion of said work or improvement within such time, (iii) if the Contractor should be adjudicated as bankrupt, (iv) if Contractor should make a general assignment for the benefit of Contractor's creditors, (v) if a receiver should be appointed in the event of Contractor's insolvency, or (vi) if Contractor, or any of its subcontractors, agents, or employees should violate any of the provisions of this Contract, such occurrence or action shall constitute a "Default" under the Contract, and constitute cause for termination. District may serve written notice upon Contractor of the event of Default under this Contract. District shall have the right, subject to this Section, to cause to be done acts required of Contractor that Contractor has failed to perform or to otherwise mitigate District's damages in the event of Default by Contractor. District's damages reimbursable by Contractor for Contractor's Default shall be all of the actual costs of completing the required work, or severable improvement thereof, regardless of whether the District's costs of completion exceeds the amount of the surety amounts. District also is entitled to recover all associated costs of enforcing the terms of this Contract including District administrative costs for staff time, consultant fees, court fees, and attorneys' fees and costs.
23. Termination.
  - (a) District may terminate this Contract at any time, with or without cause, in its sole discretion, by giving written notice to Contractor at least ten calendar days (10) prior to such termination. District may, at its option, allow Contractor to cure its failure to perform within 10 business days (or longer period authorized in writing by District) from the date of the District's termination notice. The termination shall be become effective if Contractor has not cured within the specified time period to the District's satisfaction.
  - (b) Contractor may terminate this Contract for cause by providing written notice of intent to terminate not less than thirty (30) calendar days prior to an effective termination date. Contractor may terminate for cause if the District fails to cure a material default in performance within a period of thirty (30) calendar days (or such longer period agreed to by Contractor), from the date of the Contractor's written termination notice specifying the default in performance.

- (c) Upon notice of termination by either the District or Contractor, Contractor will immediately act to not incur any additional obligations, costs or expenses, except as may be reasonably necessary to terminate its activities. District's only obligation to Contractor will be payment for work authorized by and received to the satisfaction of the District up to and including the effective date of termination less any amounts withheld by the District for any expenses or damages sustained by District related to Contractor's acts or omissions under the Contract.
  - (d) In the event of Contractor's failure to perform pursuant to the Contract, the District reserves the right to obtain services elsewhere and Contractor will be liable for the difference between the Contract costs set forth in the terminated Contract and the actual full cost to the District to complete the Project. When exercising any rights or remedies under this paragraph, the District shall not be required to obtain the lowest price for the work performed.
  - (e) Termination of the Contract pursuant to this Section shall not relieve Contractor of any liability to the District for additional costs, expenses, or damages sustained by the District due to failure of Contractor to perform pursuant to the Contract. District reserves all remedies available to it at law or in equity for breach of Contractor's obligations under this Contract, or failure to pay the District any damages due or penalties assessed within the time prescribed. After the effective date of termination, Contractor will have no further claims against the District under the Contract. District shall not be liable for costs incurred by Contractor or its subcontractor(s) after receipt of a notice of termination. No other compensation will be payable to Contractor for any loss of anticipated profits on unperformed services or other economic loss arising out of or resulting from such termination.
24. Dispute Resolution. The Parties agree to attempt in good faith to resolve through negotiation any dispute, claim or controversy arising out of or relating to this Contract. Either party may initiate negotiations by providing written notice in letter form to the other party, setting forth the subject of the dispute and the relief requested. Promptly upon such notification, the Parties shall meet at a mutually agreeable time and place in order to exchange relevant information and perspective, and to attempt to resolve the dispute. In the event that no resolution is achieved, and if, but only if, the parties mutually agree, then prior to pursuing formal legal action, the parties shall make a good faith effort to resolve the dispute by non-binding mediation or negotiations between representatives with decision-making power, who, to the extent possible, shall not have had substantive involvement in the matters of the dispute. If the dispute is not resolved by these negotiations, the matter will be handled as the parties may agree or, otherwise as allowed by applicable law. Notwithstanding the foregoing provisions, nothing contained in this Contract shall impair the parties' right to immediately pursue any and all legal remedies which may be available should there be a default in the terms of this Contract, and a failure to cure said default after notice as required under this Contract. If required by statute (e.g. applicable statute of limitation) to perfect or preserve a claim, either party



may file the required notice of claim and/or commence litigation. To the extent that the Project involves or qualifies as a public works project, the Parties agree to comply with Public Contract Code sections 9204(e) and 20104-20104.6, but without waiving the requirements of the California Tort Claims Act, Gov't Code section 800 et seq. unless otherwise agreed to by the Parties.

25. Intentionally Omitted.
26. Independent Contractor. Contractor represents that it has or will secure at its own expense all personnel, materials, and related services required to perform the services under this Contract. Contractor (and its employees, agents, representatives, and subcontractor(s)), in the performance of this Contract, shall act in an independent capacity and not as officers or employees or agents of the District. Contractor, not the District, shall have exclusive and complete control over its employees and subcontractors, and shall determine the method of performing the services hereunder. District, however, retains the right to require that work performed by Contractor meet specific standards consistent with the requirements of this Contract without regard to the manner and means of accomplishment thereof.
27. Contractor Not an Agent. Contractor shall have no authority, express or implied, to act on behalf of the District in any capacity pursuant to this Contract to bind the District to any obligation whatsoever.
28. Conflict of Interest. Contractor agrees to comply with conflict of interest laws in performing the work and services under this Contract. Contractor covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Contract. Contractor acknowledges that it is aware of and agrees to comply with the provisions of the Political Reform Act, Section 1090 of the Government Code, and the District's conflict of interest code. Contractor will immediately advise the District if Contractor learns of a conflicting financial interest of Contractor's during the term of this Contract.
29. Legal Remedies. Either Party shall be entitled to all remedies afforded by law or in equity to enforce their respective rights under this Contract. No right or remedy in this Contract are intended to be exclusive of any other right or remedy, but every such right or remedy shall be cumulative and shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law, in equity or in the Contract.
30. Assignment and Successors. Contractor shall not assign any portion of the work required by this Contract nor otherwise assign or transfer any interests in it without prior written approval of District, which may be withheld or delayed in District's sole and absolute discretion. This Contract will be binding on the heirs, legal representatives, successors and assigns of the Parties named herein.
31. Amendment. Except as otherwise provided in this Contract, neither this Contract nor any provision hereof may be waived, modified, amended, or discharged, or terminated except by

an instrument in writing signed by the Parties, and then only to the extent set forth in such writing.

32. Force Majeure. Neither party hereto shall be considered in default in the performance of its obligation hereunder to the extent that the performance of any such obligation, except the payment of money, is prevented or delayed by an act of God, natural disaster, pandemic, acts of terrorism, war, by a strike, lockout or other labor difficulty, or other peril, which is beyond the reasonable control of the affected party and without the negligence of the respective Parties. Each party hereto shall give notice promptly to the other of the nature and extent of any Force Majeure claimed to delay, hinder or prevent performance of the services under this Contract. Each Party will, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and will, upon the cessation of the cause, diligently pursue performance of its obligations in this Contract. In the event either Party is prevented or delayed in the performance of its respective obligation by reason of such Force Majeure, there may be an equitable adjustment of the schedule only.
33. Governing Law and Venue. This Contract shall be governed and construed in accordance with the laws of the State of California. The Parties hereby agree that any action or proceeding to enforce any provision of this Contract shall be brought only in the appropriate state or federal court located in Santa Cruz County, California.
34. Notices. Any notice, approval, consent, waiver or other communication required or permitted to be given or to be served upon either Party in connection with this Contract shall be in writing. In addition to providing a courtesy notice via email, such notice shall be personally served, or sent by reputable overnight delivery service, such as Federal Express, or sent by priority U.S. mail, and notice shall be deemed given: (a) if personally served, when delivered to the Party to whom such notice is addressed; (b) if sent by reputable overnight delivery service, such as Federal Express, when delivered, (c) if sent by priority U.S. mail, notice shall be deemed delivered on the second business day after deposited with the U.S. Postal Service. Such notices shall be addressed to the Party to whom such notice is to be given at the Party's address set forth below or as such party shall otherwise direct in writing to the other Party delivered or sent in accordance with this Section.

If to District: West Bay Sanitary District  
Attention: Sergio Ramirez, General Manager  
500 Laurel Street, Menlo Park CA 94025  
Telephone: (650) 321-0384  
Email: info@westbaysanitary.org

If to Contractor: Pacific Peninsula Group  
Attention: Rex Finato, Principal  
718 Oak Grove Ave  
Menlo Park, CA 94025  
Telephone: (650) 323-7900; 650-269-2767 (Cell)  
Email: Rfinato@pacificpeninsula.com

A Party must provide written notice to the other of any changes to the above information.

35. Cumulative Rights; Waiver. The rights created under this Contract or by law or equity, shall be cumulative and may be exercised at any time and from time to time. No failure by either Party to exercise, and no delay in exercising any rights, shall be construed or deemed to be a waiver thereof, nor shall any single or partial exercise by either Party preclude any other or future exercise thereof or the exercise of any other right. Any waiver of any provision or of any breach of any provision of this Contract must be in writing, and any waiver by either Party of any breach of any provision of this Contract shall not operate as or be construed to be a waiver of any other breach of that provision or of any breach of any other provision of this Contract. The failure of either Party to insist upon strict adherence to any term of this Contract on one or more occasions shall not be considered or construed or deemed a waiver of any provision or any breach of any provision of this Contract or deprive that Party of the right thereafter to insist upon strict adherence to that term or provision or any other term or provision of this Contract. No delay or omission on the part of either Party in exercising any right under this Contract shall operate as a waiver of any such right or any other right under this Contract.
36. Interpretation. Each party acknowledges that it has reviewed this Contract and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Contract.
37. Severability. If any provision of this Contract is invalid, illegal or unenforceable, such provision shall be deemed to be served or deleted from this Contract and the balance of this Contract shall remain in full force and effect notwithstanding such invalidity, illegality or unenforceability.
38. Time. Time is of the essence for each provision of this Contract.
39. Entire Contract. This Contract, together with Exhibits and/or attachments and any agreements provided for herein, constitute the entire understanding between the Parties with respect to the matters set forth herein, and they supersede all prior or contemporaneous understandings or agreements between the Parties with respect to the subject matter hereof, whether oral or written. In the case of any conflict, the terms of this Contract shall control.
40. Counterparts. This Contract may be executed in counterparts, which, together, shall constitute one and the same instrument. Electronic, facsimile and scanned pdf signatures and copies of this Contract shall be accepted as originals.
41. Warranty of Authority. The signatories to this Contract warrant and represent that each is authorized to execute this Contract and that their respective signatures serve to legally obligate their respective representatives, agents, successors and assigns to comply with the provisions of this Contract.

[SIGNATURES ON FOLLOWING PAGE]



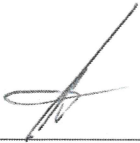


IN WITNESS WHEREOF, the parties have executed this Contract as of the date first above referenced.

WEST BAY SANITARY DISTRICT  
"A Special District"

PACIFIC PENINSULA GROUP


By   
Signature

By   
Signature

Sergio Ramirez, General Manager

Rex Finato, Principal

APPROVED AS TO FORM

  
Anthony P. Condotti, DISTRICT COUNSEL

NOTES

1. Check if corporate entity is in good standing on CA Secretary of State website:  
[https://www.secstates.com/CA\\_California\\_Secretary\\_of\\_State\\_Corporation\\_Search#:~:text=Corporation%20%26%20Business%20Entity%20Search.where%20that%20corporation%20is%20registered.](https://www.secstates.com/CA_California_Secretary_of_State_Corporation_Search#:~:text=Corporation%20%26%20Business%20Entity%20Search.where%20that%20corporation%20is%20registered.)
2. Signature Requirements for Business Entity:
  - a) Corporation – 2 officer signatures required (one from each group, unless the person signing holds officer positions in both Group 1 and 2):  
Group 1: Chief Executive Officer, Chairman of the Board, President, or Vice President  
Group 2: Secretary, Assistant Secretary, Chief Financial Officer, Treasurer, Assistant Treasurer
  - b) Partnership - Signature of General Partner, or signature of partner who is authorized to execute documents per the Certificate of Partnership. If authorized partner is a corporation, follow Corporation signature requirement.
  - c) LLC- For a member-managed LLC, signature of any member. For a manager-managed LLC, signature of the manager. If the LLC has corporate officer designations, follow Corporation signature requirement.
3. Although it may be necessary on occasion to modify or change some of the provisions of this Contract Agreement, those occasions should be rare. The CONTRACTOR is strongly encouraged to accept the terms if they wish to do business with the DISTRICT. Any proposed changes should be cleared by the DISTRICT Counsel.
4. All contracts must be reviewed and approved as to form by the DISTRICT Counsel prior to execution by the CONTRACTOR or DISTRICT.

## EXHIBIT "A"

### Scope of Work

1. CONTRACTOR agrees perform the work for, and pay at its sole cost and expense, for the following:
  - a. Remove at a minimum the upper 3' of Manhole H-16-070.
  - b. Directional bore a new 8" HDPE sewer line from Manhole H-16-079 to a new manhole at our property line, per the plan "Sewer Main and Lateral Relocation Plan - 358 Walsh - 9/13/22" and as shown in exhibit A.
  - c. Grant and record a new 6' easement to the DISTRICT centered on the new 8" HDPE alignment. CONTRACTOR to prepare plat and legal description for the easement.
  - d. Pick up pipe materials and manhole materials at DISTRICT's satellite yard at Marsh/Bayfront Road, Menlo Park.
2. DISTRICT agrees to the following:
  - a. Supply the 8" HDPE pipe necessary for the new sewer main run.
  - b. Supply the 8"x8"x4" HDPE wye for the neighbor's lateral connection 38' upstream from manhole H16-079.
  - c. Supply the 8"x8"x4" HDPE wye for the new lateral for the new connection for 358 Walsh.
  - d. Supply new and replacement manholes.
  - e. Grout filling the old sewer main and remainder of Manhole H-16-070.
  - f. Provide stand-by pumps in the event sewer bypass work is required to install the new main and manhole(s).
  - g. Provide Grant Deed of Easement Form for CONTRACTOR to fully execute.
3. CONTRACTOR will submit permit application(s) for work performed by CONTRACTOR, at no fee to the CONTRACTOR.
4. DISTRICT will provide inspections for the work performed by CONTRACTOR related to the offsetting of the sewer main and reconnection of laterals. It is understood no other inspections are required for this work.



EXHIBIT "B"

**Plans and Specifications**

## EXHIBIT "C"

### Insurance Requirements

Contractor/Subcontractor shall procure and maintain insurance against claims for injuries to persons or damages to property and otherwise which may arise from or in connection with the performance of the work under this Contract and the results of that work by Contractor, its employees, subcontractors, and agents.

#### A. CERTIFICATE REQUIREMENTS

The District will be issued a Certificate of Insurance (a Memorandum of Understanding will not be accepted) with the following minimum requirements:

- Certificate(s) will show current policy number(s) and effective dates,
- Coverage and policy limits will meet, or exceed, requirements below,
- The Certificate Holder will be West Bay Sanitary District, 500 Laurel Street, Menlo Park, CA 95060,
- Certificate will be signed by an authorized representative,
- An endorsement, if required below, will be provided to show the District, its directors and employees as additional insureds, and
- Coverages must be maintained during the term of the Agreement with the District, unless a longer duration is required as specified below.

#### B. MINIMUM SCOPE AND LIMITS OF INSURANCE

Contractor acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. If Contractor maintains broader insurance coverage and/or higher limits than the minimums shown below, the District requires and shall be entitled to the broader insurance coverage and/or higher limits maintained by Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the District.

Contractor shall procure and maintain insurance coverage and surety bonds during the term of the Contract as follows:

1. Commercial General Liability Insurance. (CGL): \$2,000,000 PER OCCURRENCE; \$5,000,000 AGGREGATE. Proof of coverage for \$2 Million per occurrence and \$5 Million in the aggregate, including products and completed operations, property damage, bodily injury, personal and advertising injury will be provided on Insurance Services Office (ISO) Form CG 00 01 covering CGL.
2. Automobile Liability Insurance. Proof of coverage for not less than \$1,000,000 per accident for bodily injury and property damage provided on ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, hired, (Code 8) and non-owned autos (Code 9).

3. Workers' Compensation and Employer's Liability Insurance. Worker's Compensation as required by the Labor Code of the State of California with statutory limits, and Employer's Liability Insurance for all employees in workplaces involved in this Contract in the amount of, at least, \$1,000,000 per accident for bodily injury or disease. The Certificate of Insurance shall include waiver of subrogation endorsement in favor of the District for all work performed by the Contractor and its employees.  
**(Not required if Contractor provides written verification it has no employees) -** If Contractor has no employees, Contractor shall complete and sign a Worker's Compensation Exemption Declaration and Release of Liability form.
  
4. Surety Bond. Intentionally Omitted.
  
5. Other Requirements.
  - a. Additional Insured Endorsement. The District, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL, CPL, and automobile insurance (if transporting hazardous materials) policies with respect to liability arising out of work or operations performed by or on behalf of Contractor including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage will be provided in the form of an endorsement to Contractor's insurance at least as broad as ISO Form CG 20 10 11 85, or if not available, through the addition of both CG 20 10 CG 20 26, CG 20 33, or CG 20 38; and CG 20 37 (if a later edition is used).
  - b. Primary Insurance. For any claims related to this Contract, Contractor's insurance shall be primary insurance as respects District, its officials, officers, and employees, individually and collectively. Any insurance, self-insurance, or other coverage maintained by the District, its officials, officers, or employees shall be in excess of Contractor's insurance and shall not contribute to it.
  - c. Waiver of Subrogation. Contractor hereby grants to the District a waiver of any right to subrogation, except as otherwise not applicable, which any insurer of said Contractor may acquire against the District by virtue of the payment of any loss, including attorney's fees under such insurance. Contractor agrees to obtain any endorsement that may be necessary to effectuate this waiver of subrogation, but this provision applies regardless of whether or not the District has received a waiver of subrogation endorsement from the insurer.
  - d. Notice of Cancellation. The policies specified above are to state that coverage shall not be canceled by either party, except after prior written notice to the District.
  - e. Self-Insured Retentions. Any self-insured retention must be declared to and approved by the District. District may require Contractor to provide proof of ability to pay losses and related expenses.

- f. Acceptability of Insurers. Insurance is to be placed with insurers having a current A.M. Best rating of no less than A-VII or equivalent or as otherwise approved by the District.
- g. Subcontractors. Contractor shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that District is an additional insured on insurance required from subcontractors.
- h. Excess Liability/Umbrella Insurance Policies. The excess/liability policies will provide similar coverage as the primary CGL policy with no new exclusions - Excess liability insurance must **follow form** the terms, conditions, definitions, and exclusions of the underlying CGL insurance. The excess/umbrella policy must also be written on a primary and noncontributory basis for an additional insured, and that it will apply before any other insurance that is available to such additional insured which covers that person or organization as a named insured, and we will not share with that other insurance. The policy regarding Limits of Insurance regarding Aggregates must provide that the aggregate limits if applicable shall apply in the same manner as the aggregate limits shown in the Schedule of the Underlying Insurance.
- i. Claims Made Policies. If any of the required policies provide coverage on a claims-made basis:
  - 1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
  - 2. Insurance must be maintained, and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
  - 3. If coverage is canceled or non-renewed, and not *replaced with another claims-made policy form with a Retroactive Date* prior to the contract effective date, the Contractor must purchase “extended reporting” coverage for a minimum of *five (5)* years after completion of contract work.
- j. Verification of Coverage. Contractor will furnish the District with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL Policy listing all policy endorsements to be approved by the District before work commences. However, failure to obtain the required documents prior to the work beginning will not waive the Contractor’s obligation to provide them. The District reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.
- k. Special Risks or Circumstances. District reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.



# WEST BAY SANITARY DISTRICT

500 Laurel Street  
Menlo Park, California 94025  
(650) 321-0384

Permit Number  
1624

Type \_\_\_\_\_

## APPLICATION FOR CLASS 3 SEWER PERMIT

To the WEST BAY SANITARY DISTRICT:

The undersigned, being the  Owner  Owner's Agent of the property located at

358 Walsh Rd Atherton

does hereby request permission to construct sanitary sewers and related facilities to serve a

Residential  Non-residential Development at said location.

ENGINEER'S

MacLeod and Associates  
Name

965 Center St. San Carlos,  
Address 94070

CONTRACTOR'S

Pacific Peninsula Group  
Name

718 Oak Grove Ave. Menlo  
Address Park

OWNER'S

Pacific Peninsula Group  
Name

718 Oak Grove Ave. Menlo Park  
Address

Erica Zabala  
Applicant's Signature

Erica Zabala  
Signed by - Please Print Name

718 Oak Grove Ave. Menlo Park  
Address

Receipt of \$ 0 Application Fee is hereby acknowledged DS flator 9/29/2022  
Date

Receipt of \$ 0  Cash Deposit or  Performance Bond

Comments Replacing approx 260 ft of sewer  
main and removing one man hole and  
adding another.

Approved by the District Board on \_\_\_\_\_

Application approved and permit issued:

**WEST BAY SANITARY DISTRICT**  
**Sergio Ramirez, General Manager**

Date \_\_\_\_\_

By \_\_\_\_\_

Final Acceptance by the District Board on \_\_\_\_\_

(SEE PERMIT CONDITIONS ON REVERSE)

RESOLUTION NO. \_\_\_\_\_ (2022)

IN THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT  
COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\*\*\*\*\*

BE IT RESOLVED, by the District Board of West Bay Sanitary District, County of San Mateo, State of California, as follows:

ENVIRONMENTAL IMPACT REVIEW

Name of Project: 358 Walsh Road Public Sewer Pipeline Realignment

Location: Within an easement in the southerly portion of 358 Walsh Road, Atherton, California.

Entity or Person Undertaking Project: Pacific Peninsula Group

Determination of the District Board:

The District Board hereby certifies that it has reviewed the Preliminary Review and Notice of Exemption prepared for this project and has considered the contents thereof. The Board finds that this document is adequate for use by the District in its review of the project.

The District Board finds that the following feasible alternatives and/or mitigation measures within its powers, would substantially lessen any significant effects which the project would have on the environment:

N/A

The Board certifies that the Preliminary Review and Notice of Exemption has been prepared and completed in compliance with the California Environmental Quality Act and the State Guidelines.

The Board finds that the project Preliminary Review and Notice of Exemption identifies the following significant effects:

N/A

The Board further finds that for each of these significant effects.

N/A Changes or alterations have been required in, or incorporated, into the project which mitigate or avoid the significant environmental effects thereof as identified in the Final EIR.

N/A Such changes or alterations are within the responsibility and jurisdiction of a public agency other than the District. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

N/A Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Based upon the foregoing, and upon compliance with District regulations and requirements, as applicable, the project is hereby:

\_\_\_\_\_ Approved

\_\_\_\_\_ Disapproved

The General Manager of West Bay Sanitary District is directed to prepare a Notice of Exemption pursuant to the provisions of the State Guidelines Implementing the California Environmental Quality Act adopted by Resolution No. 1105 of this District Board. The General Manager is not directed to prepare and file a Statement of Overriding Consideration pertaining to the approval of this project pursuant to the provisions of the same Guidelines.

\*\*\*\*\*

Passed and adopted by the District Board of West Bay Sanitary District at a regular meeting thereof held on the 9<sup>th</sup> day of November 2022, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
President of the District Board of the  
West Bay Sanitary District of San Mateo  
County, State of California

Attest:

\_\_\_\_\_  
Secretary of the District Board of the  
West Bay Sanitary District of San Mateo  
County, State of California

## Notice of Exemption

---

**To:** County Clerk  
County of San Mateo  
555 County Center  
Redwood City, CA 94063

**From:** West Bay Sanitary District  
500 Laurel Street  
Menlo Park CA 94025

**Project Title:** 358 Walsh Road Public Sewer Pipeline Realignment

**Project Location – Specific:** Within an easement in the southerly portion of 1173 Walsh Road, Atherton, California.

**Project Location – City:** Town of Atherton **Project Location – County:** San Mateo

**Description of Project:** Realignment of gravity public sewer pipeline

**Name of Public Agency Approving Project:** West Bay Sanitary District

**Name of Person or Entity Carrying Out Project:** Pacific Peninsula Group

**Exempt Status:**

CEQA Guidelines Section 15601(b)(3), General Rule; Categorical Exemption. Class 1 – Section 15301 (b) of the State CEQA Guidelines. (b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.

**Reasons why project is exempt:**

This project is exempt from CEQA because it can be “seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment.” This certainty is based on the District’s past experience with numerous sewer construction projects of this nature, and the mitigated measures included in all such projects to alleviate any impacts. Most project elements also are exempt as minor alteration of existing public utilities with negligible or no expansion of use.

**Lead Agency: West Bay Sanitary District**

**Lead Agency Contact Person:** Sergio Ramirez (650) 321-0384

\_\_\_\_\_  
Signature Date: \_\_\_\_\_ Title: General Manager



## “PRELIMINARY REVIEW”

358 Walsh Road Public Sewer Pipeline Realignment  
November 9, 2022

INTRODUCTION. At the November 9, 2022 District Board Meeting, the Board will consider the approval of the Class 3 Sewer Permit for the realignment of a gravity public sewer pipeline within an new easement at 358 Walsh Road, Atherton; and the authorization for the filing of a California Environmental Quality Act (CEQA) “Notice of Exemption” for the project. This project is proposed by the District at 358 Walsh Road, Atherton and by Pacific Peninsula Group.

EXEMPTION REVIEW. In compliance with CEQA Guidelines, this “preliminary review” of the gravity public sewer pipeline realignment within an easement at 358 Walsh Road, Atherton was conducted to determine whether the project is exempt from CEQA. Based on this review, staff has concluded that the project is exempt from CEQA under several sections of the guidelines. In summary, the project would not have any significant impacts on the environment because it includes little or no expansion of capacity, and will employ mitigation measures to alleviate any impacts.

This preliminary review presents and elaborates upon the rationale for the conclusions reached by staff.

Staff has concluded that all project elements are exempt under CEQA Guidelines section 15061(b)(3) (known as the “General Rule”), since it can be “seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.”

This certainty is based on the District’s past experience with numerous sewer construction projects of this nature, and the mitigation measures included in all such projects to alleviate any impacts.

Past Experience. The District has completed many miles of sewer construction projects and pump station rehabilitation projects in commercial and residential areas throughout Menlo Park, Atherton, and the County of San Mateo, including the Portola Valley area. While construction-related impacts on land use, traffic, noise, air quality, erosion, drainage, public safety, and cultural resources can occur, no significant environmental impacts have resulted from this work.

The reasons these have been “less-than-significant” include the short-term nature of construction activities, application of the District’s standard construction mitigation measures, good community relations outreach programs to inform project area residents of construction activities, and active coordination with local jurisdictions.

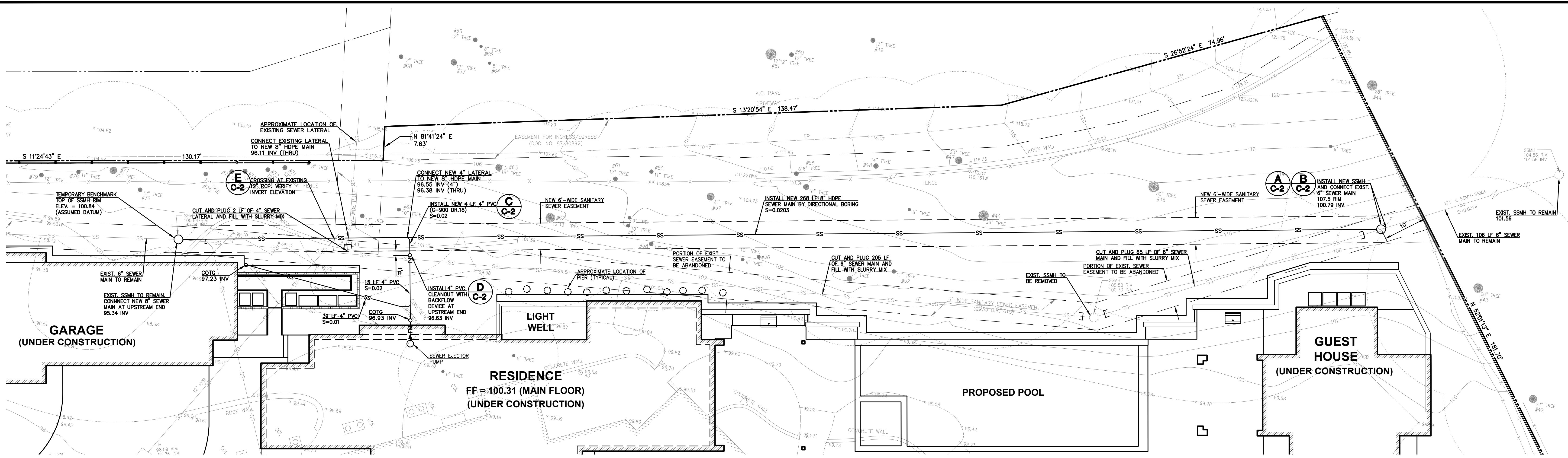
Construction Mitigation Measures. Specific impact mitigation measures will be included in the proposed project to avoid, minimize, reduce, or rectify for construction-related impacts. These measures are used on all sewer construction projects. The measures address dust control; erosion control; noise control; protection of soils; provision for adequate drainage; protection and restoration of structures; precautions for working

near sensitive and unique vegetation, protection and restoration of vegetation, landscaping, and improvements; public health and safety precautions; community notifications; traffic control; and preservation of cultural resources.

Most project elements also are exempt as minor alteration of existing public utilities with negligible or no expansion of use.

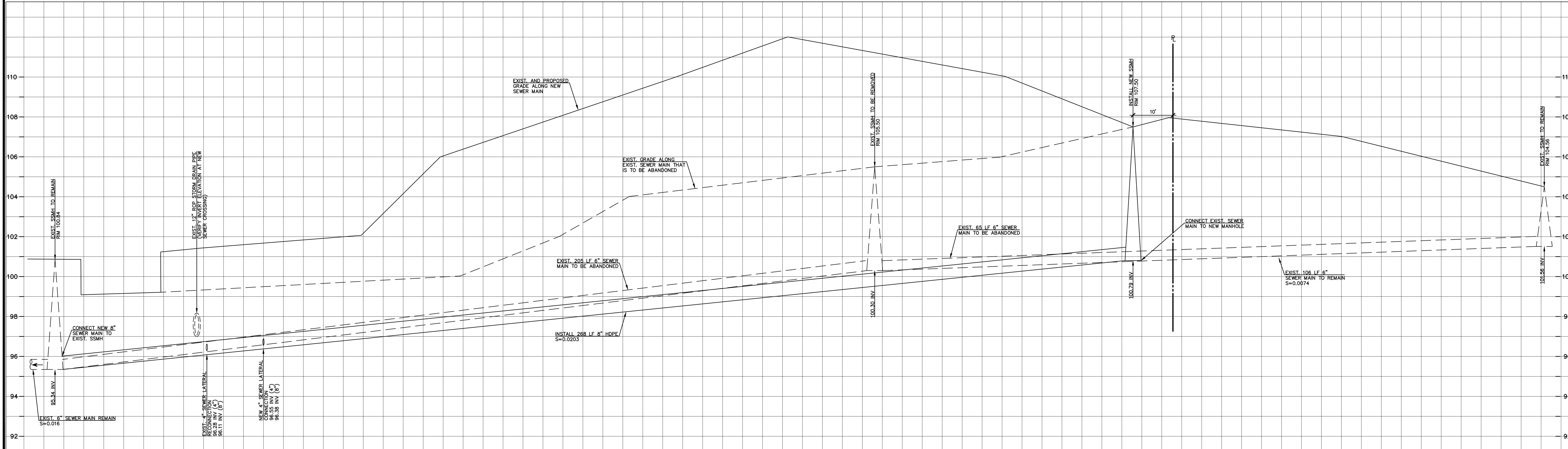
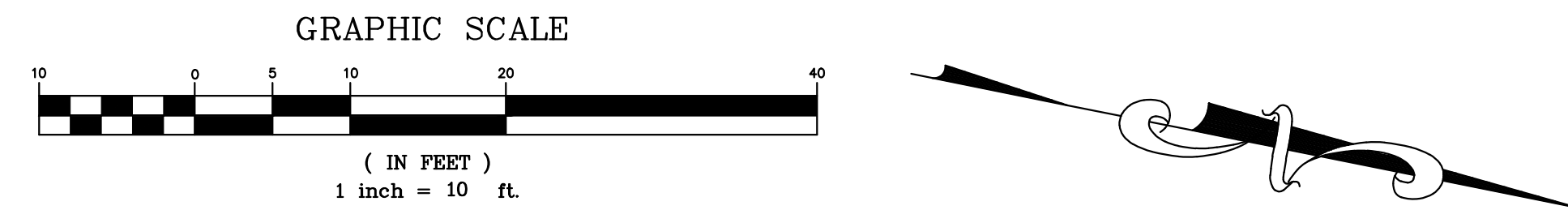
Staff has concluded that most project elements are “categorically exempt” under CEQA Guidelines Section 15301 (b) of the State CEQA Guidelines. (b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.

CONCLUSION. Based on the information presented herein, staff has concluded that all of the realignment of the gravity sewer main line is exempt from CEQA under the CEQA Guidelines Section 15061(b)(3) (the General Rule), and that most project elements are also exempt under CEQA Guideline Section 15301 (b).



- LEGEND:**
- |   |                           |
|---|---------------------------|
| — | PROPERTY LINE             |
| — | AC PAVE                   |
| — | ASPHALT CONCRETE PAVEMENT |
| — | COTG                      |
| — | CLEANOUT TO GRADE         |
| — | EP                        |
| — | EDGE OF PAVEMENT          |
| — | INV                       |
| — | INVERT                    |
| — | P.U.E.                    |
| — | PUBLIC UTILITY EASEMENT   |
| — | SSMH                      |
| — | SANITARY SEWER MANHOLE    |
| — | TW                        |
| — | TOP OF WALL               |
| ● | TREE W/ SIZE              |
| — | SS                        |
| — | SANITARY SEWER LINE       |
| — | SD                        |
| — | STORM DRAIN LINE          |

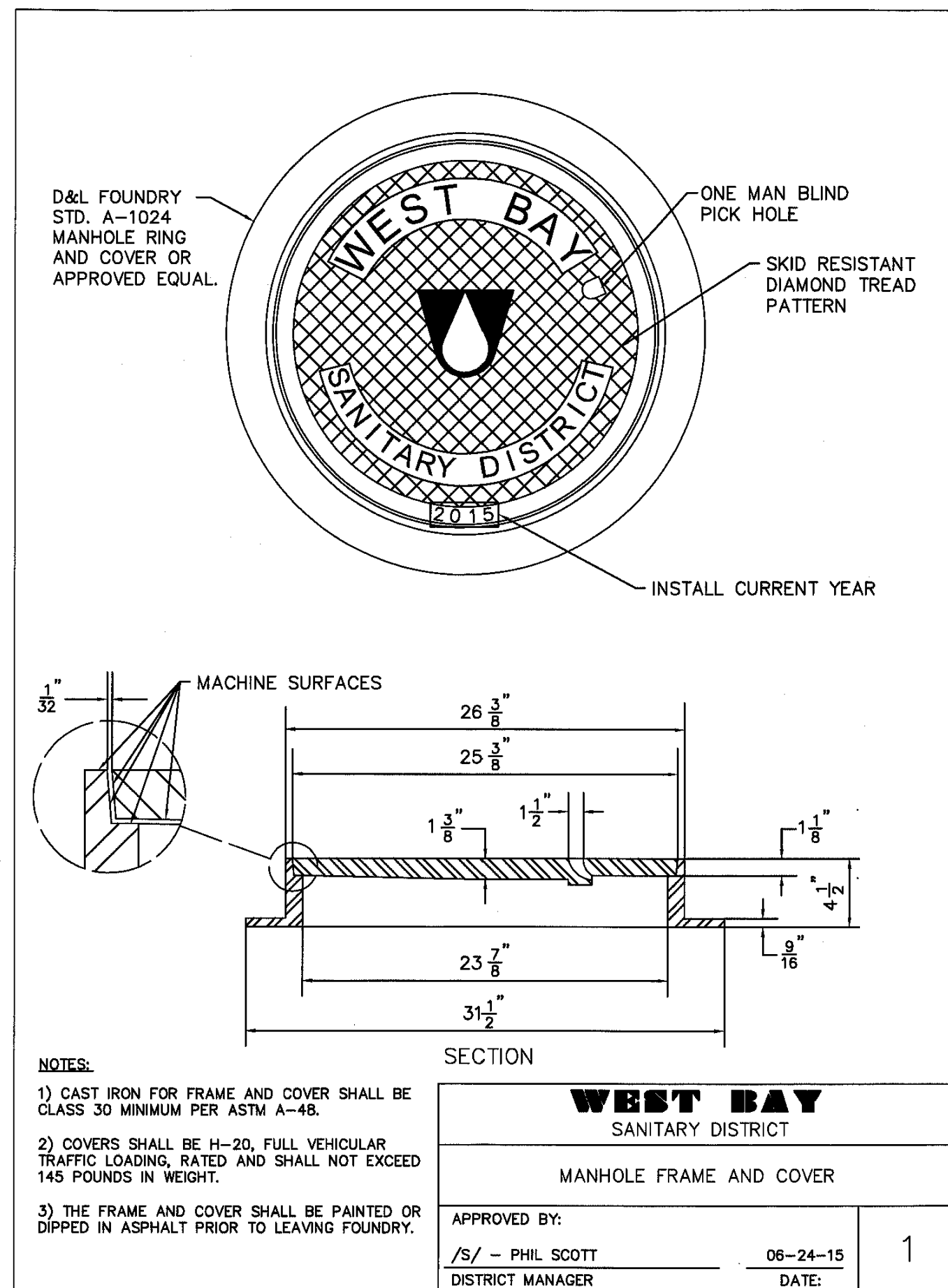
**UTILITY NOTE:**  
 THE UTILITIES EXISTING ON THE SURFACE AND SHOWN ON THIS DRAWING HAVE BEEN LOCATED BY FIELD SURVEY. ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND THE SURVEYOR/ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR THEIR COMPLETENESS, INDICATED LOCATION, OR SIZE. RECORD UTILITY LOCATION SHOULD BE CONFIRMED BY EXPOSING THE UTILITY.



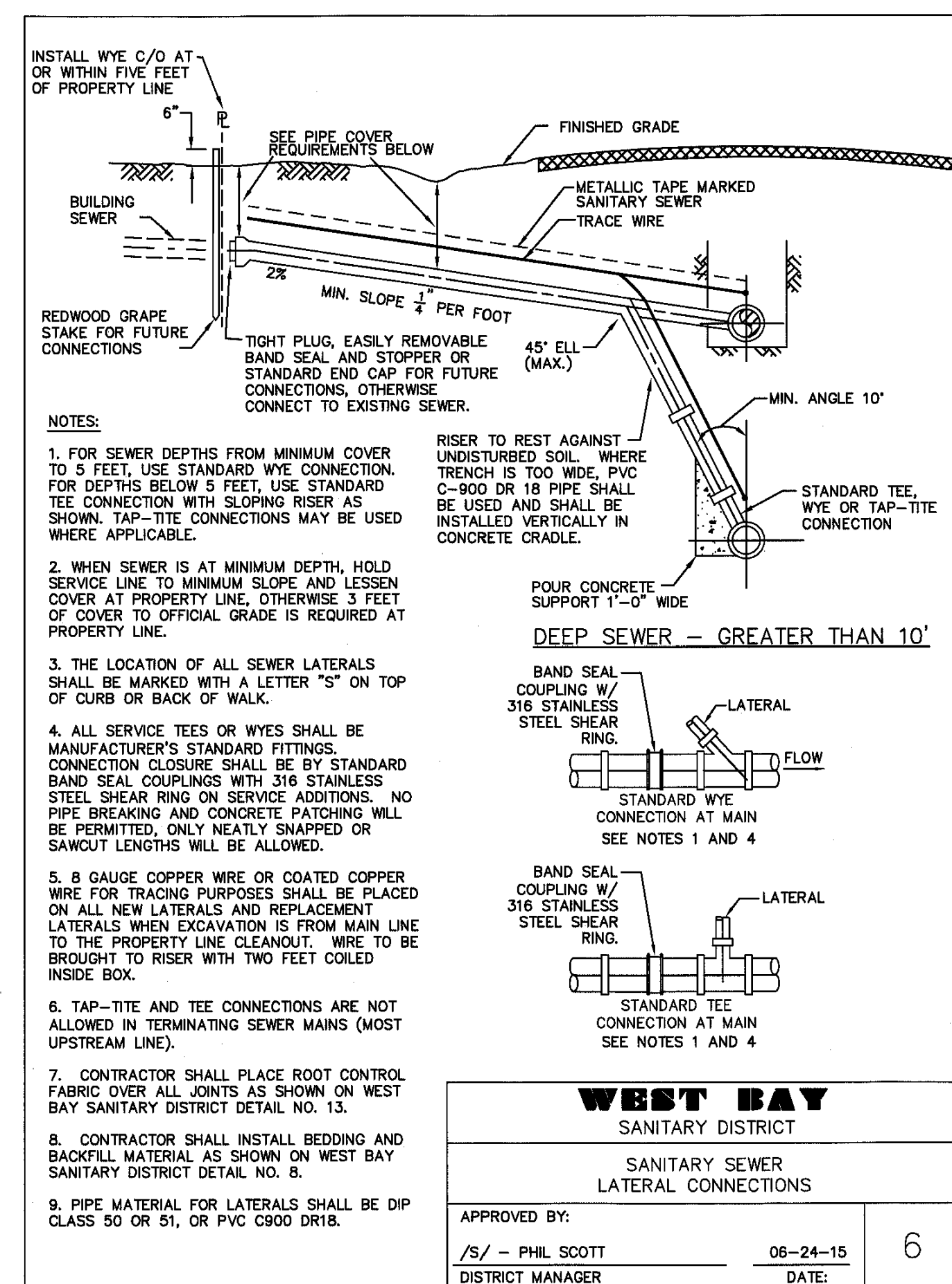
**NEW SEWER MAIN PROFILE**  
 SCALE: 1"=10' HORIZONTAL, 1"=2' VERTICAL

	DATE: _____ BK: _____ RES: _____ DESCRIPTION: _____
<b>MACLEOD AND ASSOCIATES</b> CIVIL ENGINEERING • LAND SURVEYING 965 CENTER STREET • SAN CARLOS, CA 94070 • (650) 593-8580	
PREPARED FOR: PACIFIC PENINSULA GROUP	
<b>SEWER MAIN AND LATERAL RELOCATION PLAN</b> 358 WALSH ROAD SAN MATEO COUNTY CALIFORNIA	
TOWN OF ATHERTON	
DRAWN BY: DJK DESIGNED BY: VPG CHECKED BY: DGM SCALE: 1"=10' DATE: 09/13/22 DRAWING NO. <b>4981-SEWER</b>	SHEET <b>C-1</b> 1 OF 2

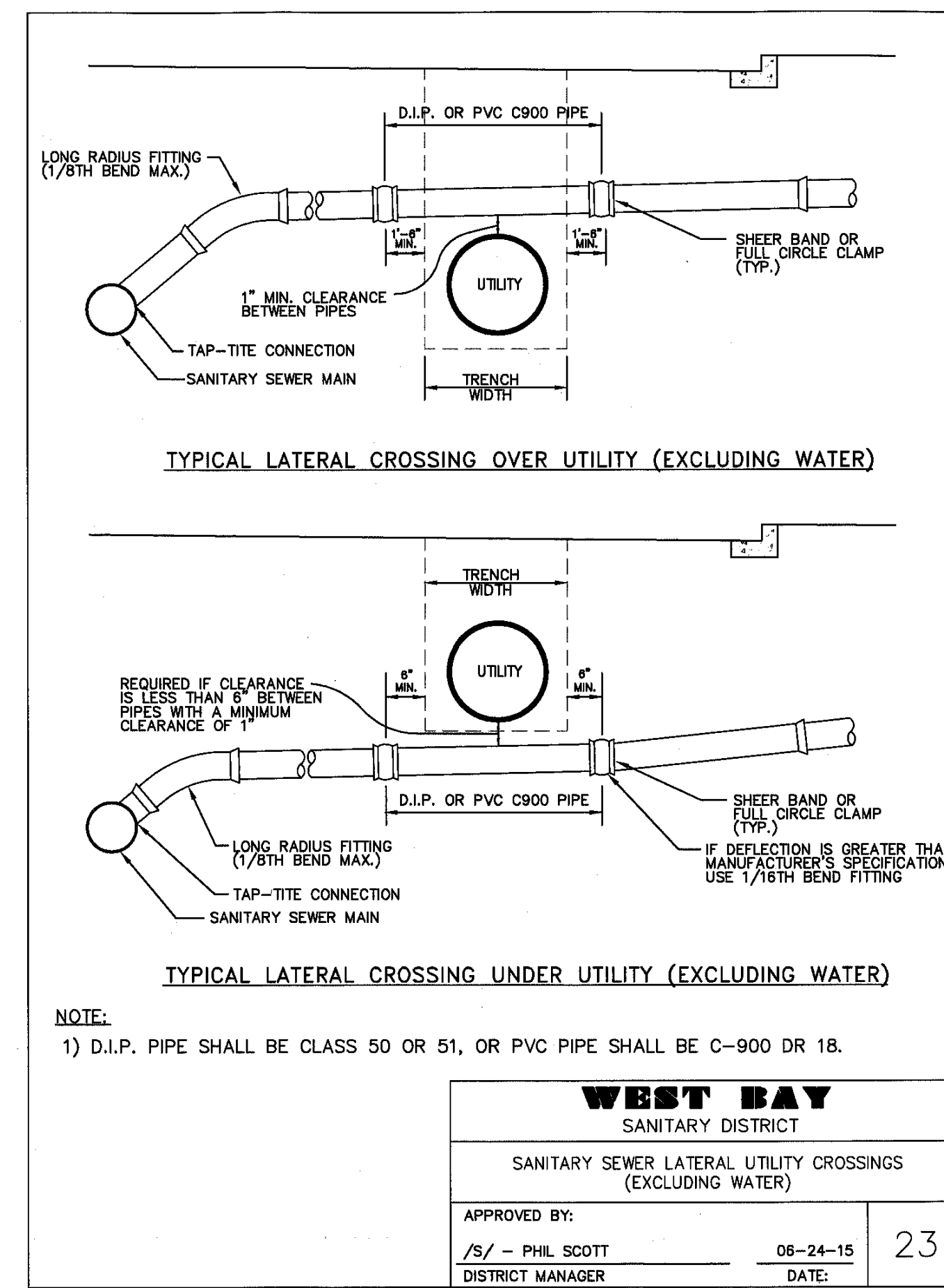




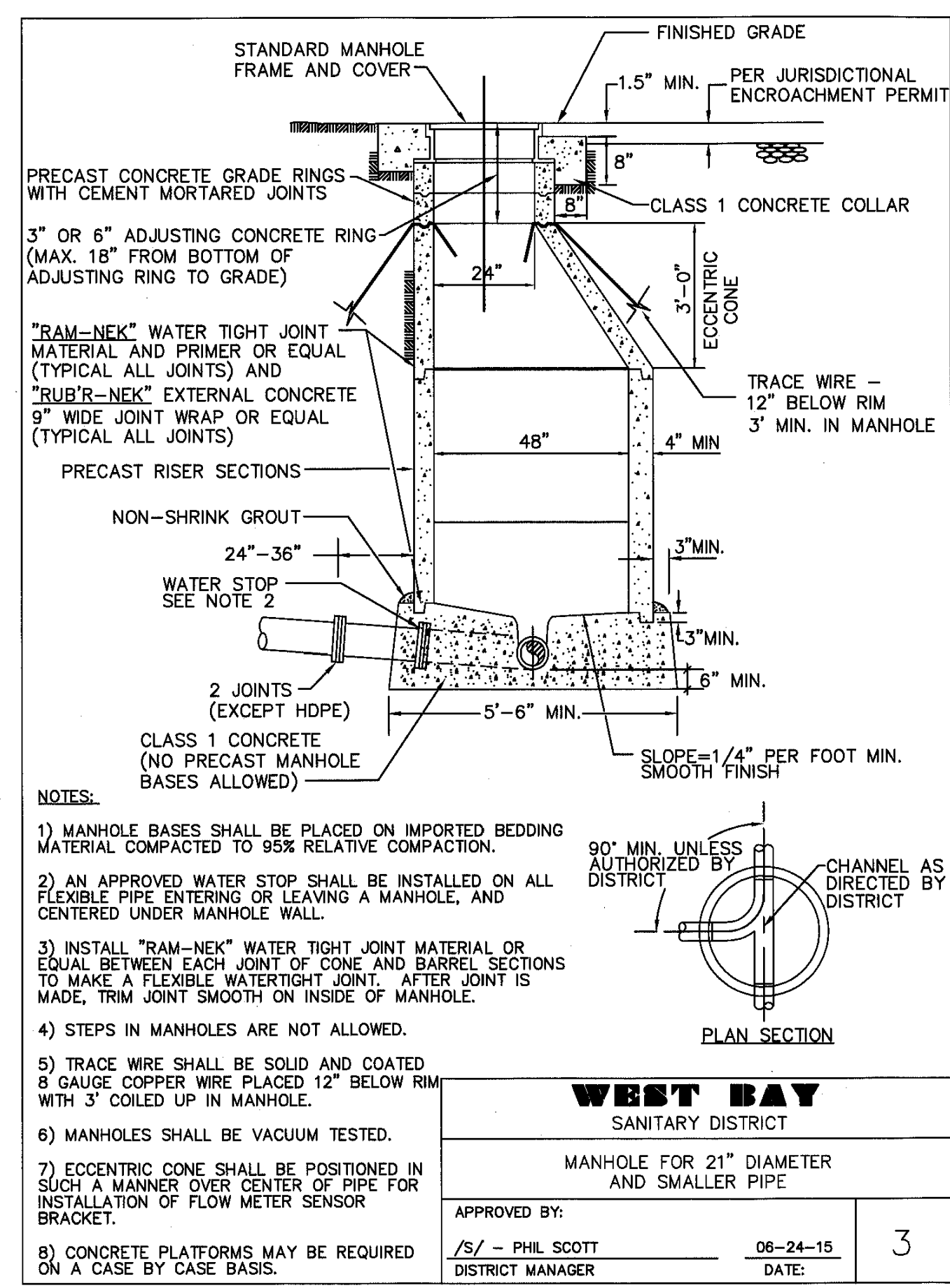
**A STANDARD DETAIL**  
SCALE: NOT TO SCALE



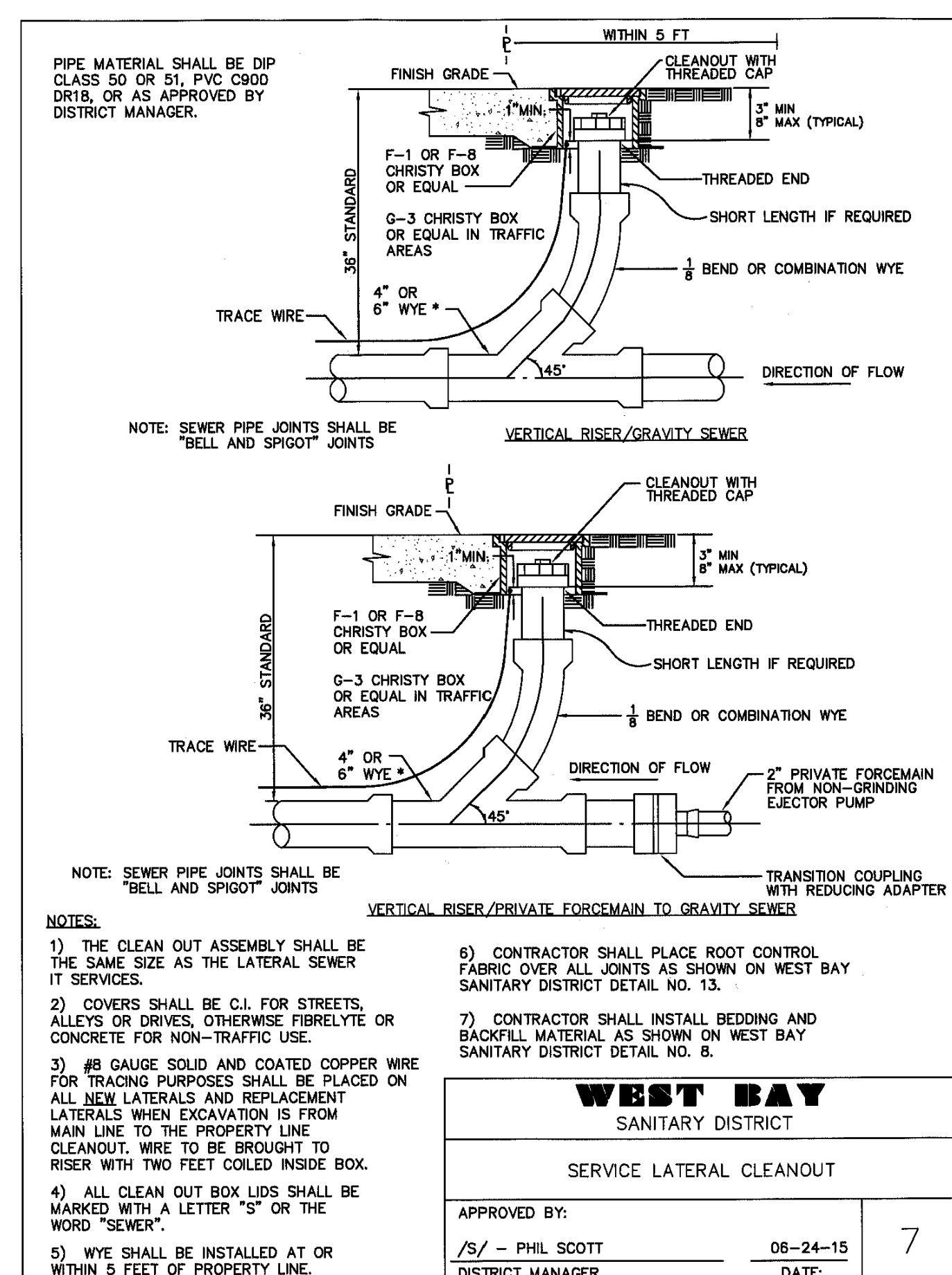
**C STANDARD DETAIL**  
SCALE: NOT TO SCALE



**E STANDARD DETAIL**  
SCALE: NOT TO SCALE



**B STANDARD DETAIL**  
SCALE: NOT TO SCALE



**D STANDARD DETAIL**  
SCALE: NOT TO SCALE

- GENERAL NOTES:**
- ELEVATIONS AND LOCATIONS OF EXISTING SEWER MAIN SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO THE START OF ANY CONSTRUCTION. CONTACT USA AT (800) 227-2600 AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION.
  - ALL APPLICABLE WORK SHALL BE DONE IN ACCORDANCE WITH THE WESTBAY SANITARY DISTRICT STANDARD TECHNICAL SPECIFICATIONS AND DETAILS.
  - THE CONTRACTOR SHALL RESTORE ALL DAMAGED, REMOVED OR OTHERWISE DISTURBED WALLS, FENCES, SERVICES, UTILITIES, IMPROVEMENTS OR FEATURES OF WHATEVER NATURE, DUE TO CONTRACTORS WORK.
  - THE CONTRACTOR SHALL GIVE THE SEWER DISTRICT INSPECTORS AT LEAST TWO WORKING DAYS ADVANCE NOTICE FOR INSPECTION.
  - NO TRENCHES OR HOLES SHALL BE LEFT OPEN OVERNIGHT. USE STEEL PLATING AS REQUIRED TO PROTECT OPEN TRENCHES OVERNIGHT.
  - THE CONTRACTOR SHALL CONTROL DUST AT ALL TIMES DURING CONSTRUCTION.
  - PIPE MATERIAL FOR THE NEW 8" SEWER MAIN INSTALLATION SHALL BE HOPE SDR 11 WITH BUTT FUSION JOINTS.
  - CONTRACTOR SHALL OBTAIN REQUIRED PERMIT FROM THE WESTBAY SANITARY DISTRICT PRIOR TO COMMENCING ANY WORK. CONTRACTOR SHALL ABIDE BY ALL SPECIAL PROVISIONS OF THE PERMIT INCLUDING THE PROVISION THAT DRAINAGE BE MAINTAINED THROUGHOUT THE DURATION OF THE WORK AND RETURNED TO ITS PRE-CONSTRUCTION CONDITION AT THE END OF THE WORK.
  - NO WORK SHALL BE DONE AT ANY SEWER MAIN WHEN IT CROSSES A WATERLINE WITHOUT THE INSPECTOR FOR THE WEST BAY SEWER DISTRICT PRESENT TO OBSERVE THE WORK.
  - NO SANITARY SEWER MAIN OR SERVICE LATERAL MAY BE CUT TO FACILITATE THE LAYING OF WATER MAIN OR WATER SERVICE LINES.
  - IF SANITARY SEWER MAINS OR SERVICE LATERALS ARE ACCIDENTALLY DAMAGED, ALL REPAIRS SHALL BE MADE IN ACCORDANCE WITH THE REPAIR STANDARDS OF THE WEST BAY SEWER DISTRICT. NO REPAIR MAY BE COMMENCED UNTIL THE DISTRICT HAS APPROVED THE REPAIR PROCEDURE.
  - THE CONTRACTOR'S SURVEYOR SHALL STAKE THE LOCATION OF THE SEWER MAIN, INCLUDING LATERALS AND CLEANOUTS, FOR THE WEST BAY SANITARY DISTRICT REPRESENTATIVES REVIEW AT LEAST 48 HOURS IN ADVANCE OF CONSTRUCTION.

REGISTERED PROFESSIONAL ENGINEER  
No. 35048  
CIVIL  
STATE OF CALIFORNIA

**MACLEOD AND ASSOCIATES**  
CIVIL ENGINEERING • LAND SURVEYING  
965 CENTER STREET • SAN CARLOS, CA 94070 • (650) 593-8580

PREPARED FOR:  
PACIFIC PENINSULA GROUP

CALIFORNIA  
TOWN OF ATHERTON  
358 WALSH ROAD  
SAN MATEO COUNTY

DRAWN BY: DJK  
DESIGNED BY: VPG  
CHECKED BY: DGM  
SCALE: NONE  
DATE: 09/13/22  
DRAWING NO. 4981-SEWER  
SHEET C-2 OF 2





## WEST BAY SANITARY DISTRICT AGENDA ITEM 7J

**To: Board of Directors**

**From: Debra Fisher, Finance Manager**

**Subject: Bank of the West Monthly Investment Portfolio Statements**

---

### **Background**

In October 2010 the District named Bank of the West as the District's Investment advisor and approved an investment of \$5 million in available funds to establish the Emergency Capital Reserve. Subsequently, the Board has established several additional reserves to provide financial stability for the District. On June 9, 2021, the Board approved the Operating Reserve increased to six months of operations, based on the current budget, held in the Local Agency Investment Fund (LAIF), in order to have the funds more accessible. This is necessary, as Operating Reserves are intended to fund the District between July 1<sup>st</sup> and December each year, when the County of San Mateo delivers the first installment of sewer service charges collected through tax rolls, which accounts for the majority of funding.

Excess funds over the current monthly expenditures are held in Local Agency Investment Fund (LAIF), which are equivalent to cash and may earn higher yields without a long term commitment. Operating Reserves, customer deposits, current capital projects, and Solid Waste Funds are held in LAIF.

Restricted funds for Sharon Heights Golf & Country Club (SHGCC), as required for the Clean Water State Revolving Fund (SRF) loan are held in a separate account.

There are currently five separate investment reserves maintained to support the goals of the District, along with reserves held in LAIF, the Vehicle & Equipment Reserve held in a money market account, and the restricted Pension Trust and Recycled Water State Revolving Fund (SRF) Reserves. Annual contributions are made in accordance with the Board approved budget in order to reach the target balances for each reserve.

<b><u>Reserve Account</u></b>	<b><u>Originated</u></b>	<b><u>Target Balance</u></b>	<b><u>Target</u></b>
Operating Reserve	11/26/2014	\$11.1 million	Achieved
Rate Stabilization Reserve	10/30/2015	\$10 million	Unfulfilled
Treatment Plant Reserve	8/01/2021	\$12 million	Unfulfilled
Capital Project Reserve	11/26/2014	\$6 million	Unfulfilled
Emergency Capital Reserve	10/19/2010	\$5 million	Unfulfilled
Recycled Water Cash Flow	11/18/2016	\$8 million	Unfulfilled
Recycled Water SRF Reserve	3/01/2018	\$1.46 million	Achieved
Vehicle & Equipment Reserve	8/18/2011	\$1 million	Achieved

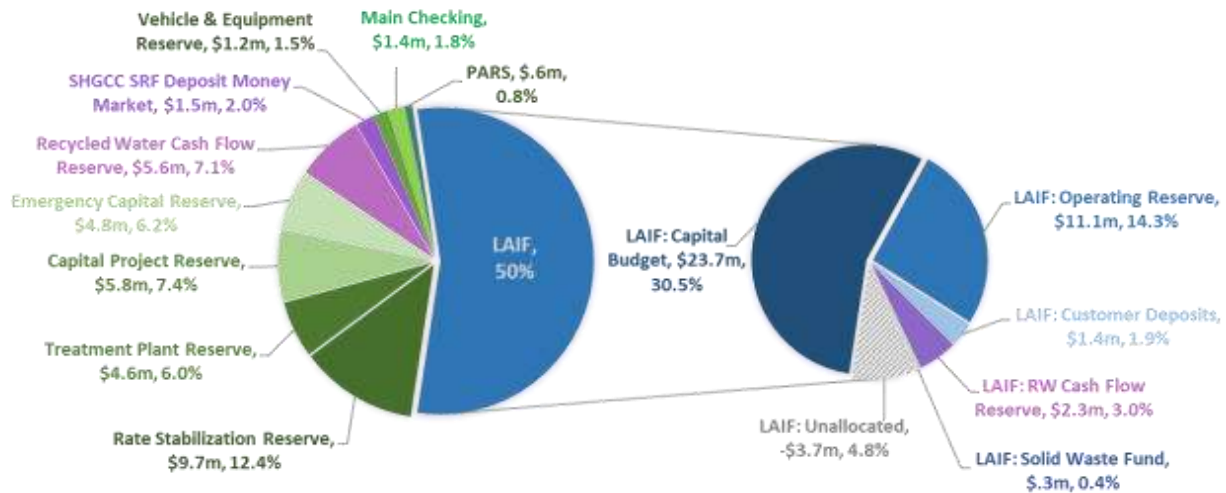
**Fiscal Impact**

The District has approximately \$70.2 million in all reserve and bank accounts as of October 31, 2022, including restricted funds. There are \$3.95 million in transfers in the approved FY 2022-23 Budget. Fund transfers will be completed after receipt of sewer service fees through the San Mateo County Tax Roll.

- \$37,734,792 is in cash equivalent accounts, which are used for operations, current capital expenditures, and customer deposits.
- \$30,434,295 is in unrestricted investment accounts.
- \$590,294 is in restricted Public Agency Retirement Services (PARS Trust), as of September 30, 2022 (current statement not yet available).
- \$1,516,536 is the restricted deposit held for SHGCC SRF Loan Reserves.

Effective July 1, 2022, the Operating Reserve target increased to \$11.1 million for six months of operations, based on the approved budget for Fiscal Year 2022-23. At October 31, 2022 there are five funds that are under their target balance. Four are \$855 thousand under, due to fluctuations in market values, which will be recovered as the District holds investments until they mature. The Treatment Plant Reserve, created August 1, 2021 and expected to be funded over five years, is \$7.36 million under the target.

**Cash & Investments  
October 31, 2022**



The monthly statement synopsis indicating the amount of each reserve fund the District holds in the Bank of the West Investment Portfolios are attached. Quarterly reports on the Investment Portfolios will include details of investments of each reserve account.

**Recommendation**

The Finance Manager recommends the District Board accept the Investment Portfolio Statements by affirming and approving the items listed in the Consent Calendar.

Attached: 2022-10 Investments



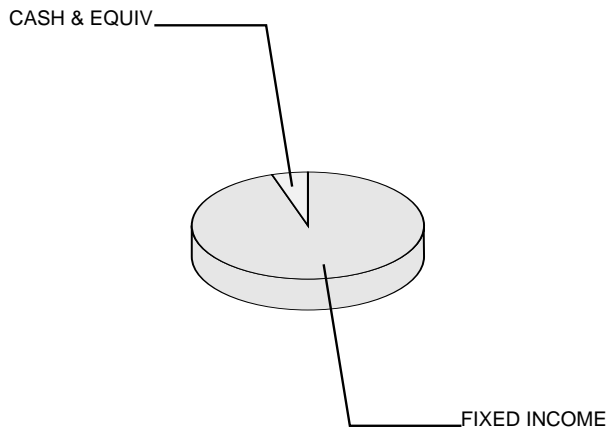
**WBSD - RATE STABILIZATION RESERVE**

Account Number: 10/01/22 -  
 Statement Period: 10/31/22

WEST BAY SANITARY DISTRICT  
 500 LAUREL STREET  
 MENLO PARK CA 94025

**Fiduciary**  
 Chuen Ying Lee  
 (408) 645-3234  
**Portfolio**  
 Michael D. Smith  
 (408) 490-2079

**Asset Allocation**



**Asset Valuation**

Description	Market Value	% of Account
Cash & Equiv	446,862.67	4.7%
Fixed Income	9,152,538.69	95.3%
<b>Total Portfolio</b>	<b>\$ 9,599,401.36</b>	<b>100.0%</b>
Accrued Income	51,562.49	
<b>Total Valuation</b>	<b>\$ 9,650,963.85</b>	

**Market Reconciliation**

	Current Period	Year To Date
<b>Beginning Market Value</b>	<b>\$ 9,656,271.15</b>	<b>\$ 9,737,901.10</b>
Income		
Interest.....	15,591.85	70,558.83
Purchased Income.....	0.00	-522.28
Disbursements.....	-1,383.12	-5,589.01
Realized Gains/(Losses).....	0.00	-60.87
Change In Accrued Income.....	2,074.10	-312.02
Change In Market Appreciation/(Depreciation).....	-17,232.79	-117,525.33
Non-Cash Asset Changes.....	-4,357.34	-33,486.57
<b>Ending Market Value</b>	<b>\$ 9,650,963.85</b>	<b>\$ 9,650,963.85</b>



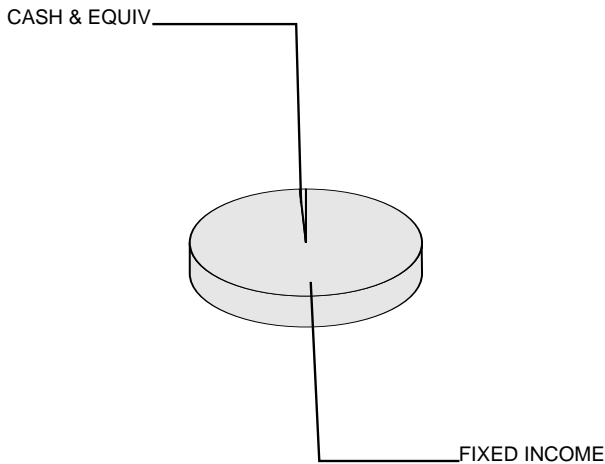
**WBSD - TREATMENT PLANT RESERVE**

Account Number: 10/01/22 -  
 Statement Period: 10/31/22

WEST BAY SANITARY DISTRICT  
 500 LAUREL STREET  
 MENLO PARK CA 94025

**Fiduciary**  
 Chuen Ying Lee  
 (408) 645-3234  
**Portfolio**  
 Michael D. Smith  
 (408) 490-2079

**Asset Allocation**



**Asset Valuation**

Description	Market Value	% of Account
Cash & Equiv	15,462.78	0.3%
Fixed Income	4,600,719.70	99.7%
<b>Total Portfolio</b>	<b>\$ 4,616,182.48</b>	<b>100.0%</b>
Accrued Income	21,517.48	
<b>Total Valuation</b>	<b>\$ 4,637,699.96</b>	

**Market Reconciliation**

	Current Period	Year To Date
<b>Beginning Market Value</b>	<b>\$ 4,642,229.55</b>	<b>\$ 2,493,136.18</b>
Income		
Interest.....	976.17	14,982.36
Purchased Income.....	0.00	-2,722.97
Additions.....	0.00	2,202,111.08
Disbursements.....	-665.98	-2,374.45
Realized Gains/(Losses).....	0.00	0.00
Change In Accrued Income.....	5,021.22	11,327.76
Change In Market Appreciation/(Depreciation).....	-13,359.12	-85,859.17
Non-Cash Asset Changes.....	3,498.12	7,099.17
<b>Ending Market Value</b>	<b>\$ 4,637,699.96</b>	<b>\$ 4,637,699.96</b>





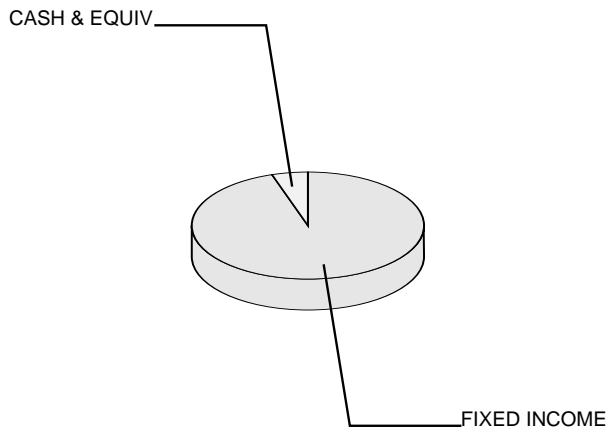
**WBSD - CAPITAL PROJECT RESERVE**

**Account Number:** 10/01/22 -  
**Statement Period:** 10/31/22

WEST BAY SANITARY DISTRICT  
 500 LAUREL STREET  
 MENLO PARK CA 94025

**Fiduciary**  
 Chuen Ying Lee  
 (408) 645-3234  
**Portfolio**  
 Michael D. Smith  
 (408) 490-2079

**Asset Allocation**



**Asset Valuation**

Description	Market Value	% of Account
Cash & Equiv	283,691.78	4.9%
Fixed Income	5,463,650.50	95.1%
<b>Total Portfolio</b>	<b>\$ 5,747,342.28</b>	<b>100.0%</b>
Accrued Income	21,789.22	
<b>Total Valuation</b>	<b>\$ 5,769,131.50</b>	

**Market Reconciliation**

	Current Period	Year To Date
<b>Beginning Market Value</b>	<b>\$ 5,774,796.45</b>	<b>\$ 5,830,876.97</b>
Income		
Interest.....	11,889.65	50,371.10
Purchased Income.....	0.00	-475.75
Disbursements.....	-827.84	-3,346.41
Realized Gains/(Losses).....	0.00	0.00
Change In Accrued Income.....	-3,055.89	-12,793.86
Change In Market Appreciation/(Depreciation).....	-9,443.79	-73,558.69
Non-Cash Asset Changes.....	-4,227.08	-21,941.86
<b>Ending Market Value</b>	<b>\$ 5,769,131.50</b>	<b>\$ 5,769,131.50</b>



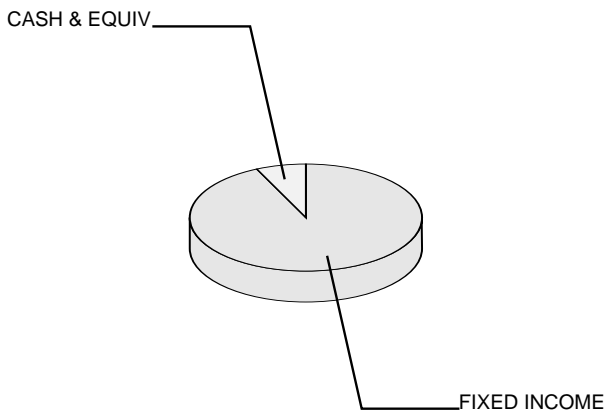
**WBSD - EMERGENCY CAPITAL RESERVE**

**Account Number:** 10/01/22 -  
**Statement Period:** 10/31/22

WEST BAY SANITARY DISTRICT  
 500 LAUREL STREET  
 MENLO PARK CA 94025

**Fiduciary**  
 Chuen Ying Lee  
 (408) 645-3234  
**Portfolio**  
 Michael D. Smith  
 (408) 490-2079

**Asset Allocation**



**Asset Valuation**

Description	Market Value	% of Account
Cash & Equiv	327,343.90	6.8%
Fixed Income	4,475,911.54	93.2%
<b>Total Portfolio</b>	<b>\$ 4,803,255.44</b>	<b>100.0%</b>
Accrued Income	21,677.24	
<b>Total Valuation</b>	<b>\$ 4,824,932.68</b>	

**Market Reconciliation**

	Current Period	Year To Date
<b>Beginning Market Value</b>	<b>\$ 4,828,445.46</b>	<b>\$ 4,877,961.83</b>
Income		
Interest.....	11,505.25	40,429.42
Purchased Income.....	0.00	-681.04
Disbursements.....	-691.57	-2,797.65
Realized Gains/(Losses).....	0.00	-522.32
Change In Accrued Income.....	-3,342.23	-6,429.07
Change In Market Appreciation/(Depreciation).....	-5,898.85	-64,534.85
Non-Cash Asset Changes.....	-5,085.38	-18,493.64
<b>Ending Market Value</b>	<b>\$ 4,824,932.68</b>	<b>\$ 4,824,932.68</b>



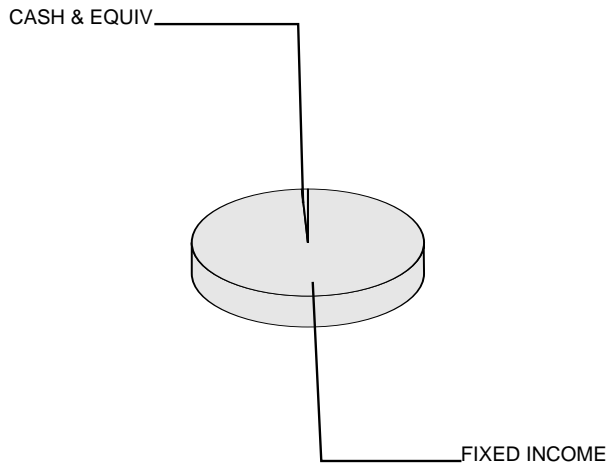
**WBSD - RECYCLED WATER CASH FLOW**

Account Number: 10/01/22 -  
 Statement Period: 10/31/22

WEST BAY SANITARY DISTRICT  
 500 LAUREL STREET  
 MENLO PARK CA 94025

**Fiduciary**  
 Chuen Ying Lee  
 (408) 645-3234  
**Portfolio**  
 Michael D. Smith  
 (408) 490-2079

**Asset Allocation**



**Asset Valuation**

Description	Market Value	% of Account
Cash & Equiv	72,651.68	1.3%
Fixed Income	5,449,107.75	98.7%
<b>Total Portfolio</b>	<b>\$ 5,521,759.43</b>	<b>100.0%</b>
Accrued Income	29,807.56	
<b>Total Valuation</b>	<b>\$ 5,551,566.99</b>	

**Market Reconciliation**

	Current Period	Year To Date
<b>Beginning Market Value</b>	<b>\$ 5,556,776.40</b>	<b>\$ 5,623,527.18</b>
Income		
Interest.....	1,324.20	33,438.64
Purchased Income.....	0.00	-15.85
Disbursements.....	-796.93	-3,224.24
Realized Gains/(Losses).....	0.00	0.00
Change In Accrued Income.....	8,247.92	4,538.23
Change In Market Appreciation/(Depreciation).....	-13,498.06	-110,583.45
Non-Cash Asset Changes.....	-486.54	3,886.48
<b>Ending Market Value</b>	<b>\$ 5,551,566.99</b>	<b>\$ 5,551,566.99</b>

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**To: Board of Directors**  
**From: Sergio Ramirez, General Manager**  
**Subject: General Manager's Report**

---

**1) Administrative:**

- a. The District participated in the Menlo Park Halloween Hoopla parade and carnival on Saturday, October 29<sup>th</sup>.
- b. Freyer and Laureta Inc. has been providing information to consultants in preparation for the 2023 Master Plan proposals.

**2) Finance:**

- a. In the past Recology had been keeping the programs surplus funds to offset future cost. Staff requested the surplus funds this year, so the District can manage such funds. The surplus for 2021 was in excess of \$200 thousand and has been credited to the Solid Waste Fund.
- b. Finance Manager, Debra Fisher, continues to work with the District's Auditors.

**3) CIP Projects:**

**a. Construction Capital Improvement Program (CIP):**

- i. The bid for the Bayfront Park Sewer Improvements Project was awarded to Ranger Pipelines Inc. Construction should begin in the next 60 days.
- ii. Construction began for the public sewer main project at the intersection of Ravenswood and Laurel St. The City agreed to reasonable paving requirements because they will be paving the area following the pipeline replacement.
- iii. Two pipeline segments in an easement at Albern Street and Menalto Avenue will be replaced. The project was approved by the Board at the September 14th Regular Board Meeting.

**b. Levee Improvement Project:**

- i. The District should receive permits from the United States Army Corps of Engineers' (USACE) by December 2022 so the project can go to bid by January 2023.

**4) Information Technology (IT):**

- a. Staff is migrating the Abila Software to MIP Cloud based Abila. This should make the MicroIX purchase order process more seamless and easier to report from.
- b. Staff will meet with Microsoft representatives to discuss Microsoft Office 365 plans including their government rate plan.

---

**Report to the District Board for the Regular Meeting of November 9, 2022**

Additional information or topics may be introduced by the GM verbally during the Board meeting.

5) **Operations and Maintenance:**

a. **Collection System:**

- i. Crews are working to catch up on the 12 month cleaning schedule. The schedule consists of all 6, 8, and 10 inch pipes throughout the District for over 100 linear miles of pipe. These pipes are cleaned every year to avoid Sanitary Sewer Overflows (SSOs).

b. **Pump Facilities:**

- i. The pump crews and the Operations Superintendent are preparing an ISAC System presentation for the Board. The ISAC System uses telephone lines and dial-up modems to communicate alarms. The vendor will no longer support the system.

c. **Training:**

- i. Staff will receive training on the updated Sewer System Management Plan (SSMP) before the end of the year. The SSMP was approved by the Board of Directors on September 28, 2022.

6) **Water Quality:**

a. **Sharon Heights Golf and Country Club (SHGCC):**

- i. SHGCC has obtained an estimate from a contractor for the Avy Altschul Pump Station Project. The cost of the project is now estimated to be \$950 thousand. SHGCC has asked if the District would request the State for more State Revolving Fund financing.

b. **Bayfront Recycled Water Facility (BRWF):**

- i. The State's SRF program has added the Bayfront Reclaimed Water Facility project to its Intended Use Plan. The initial approval is for \$52 million.
- ii. The Board should consider approving the Project Management Agreement with Woodard and Curran to obtain a 30% design and assist in securing a Guaranteed Maximum Price (GMP) by a qualified design build team.
- iii. The City of Menlo Park Staff will bring the Recycled Water Purveyor MOU to the City Council in November. This will establish the District as the reclaimed water provider for the Bayfront Recycled Water Facility within the City's service area.

c. **Woodside Recycled Water Facility (BRWF):**

- i. The kickoff meeting for the Woodside Recycled Water Facility feasibility was held on September 22, 2022. Several options will be considered including reclaimed water supply from Silicon Valley Clean Water and Redwood City.

7) **Fleet and Facilities:**

a. **Vehicle Maintenance:**

- i. The District's first electric vehicle was purchased at Towne Ford in Redwood City.

8) **Personnel:**

- i. The recruitment for the Project Manager position is underway. To date we have received several applications.

---

**Report to the District Board for the Regular Meeting of November 9, 2022**

Additional information or topics may be introduced by the GM verbally during the Board meeting.

9) **Upcoming Events:**

- a. **PMPP Luncheon:** Tuesday, November 8<sup>th</sup>
- b. **Next Regular Board Meetings:** Wednesdays, November 9<sup>th</sup>. The Board should consider canceling the November 23<sup>rd</sup> Regular Board Meeting because of the Thanksgiving Holiday.
- c. **End of Year Holiday Luncheon:** Thursday, December 8<sup>th</sup>.
- d. **December's Regular Board Meeting:** is scheduled on December 14<sup>th</sup>

10) **Misc. Items:**

- a. **West Bay:** The District has experienced 2 sanitary sewer overflow (SSO) in 2022.
- b. **Town of Los Altos Hills:** Crews continue to clean and video inspect the Town's system.
- c. **Town of Woodside:** Crews will be cleaning the entire system for the Town at the end of the year.

---

**Report to the District Board for the Regular Meeting of November 9, 2022**

Additional information or topics may be introduced by the GM verbally during the Board meeting.

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**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 9**

**To: Board of Directors**

**From: Sergio Ramirez, General Manager**

**Subject: Presentation and Discussion on the Parcel Management System  
by Engineering Data Software for the San Mateo County Tax Roll**

---

Staff will present on the Parcel Management System by Engineering Data Software, Inc.(EDS) for the San Mateo County Tax Roll. The new system would replace the District's outdated COSMO database and the Utility Management Solution software with a more user friendly system. EDS will provide their software and service to coordinate with the County of San Mateo's Assessor's Office on an annual basis.

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**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 10**

**To: Board of Directors**

**From: Sergio Ramirez, General Manager**

**Subject: Presentation and Discussion on the Levee  
Improvements and Bayfront Recycled Water Facility Funding**

---

At the Regular Board meeting on October 26, 2022 the Board of Directors requested an update on the Levee Improvements and Bayfront Recycled Water Facility Project Funding. General Manager Ramirez will report to the Board on the latest funding as it relates to project.

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**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 11**

**To: Board of Directors**

**From: Sergio Ramirez, General Manager**

**Subject: Consider Authorizing the General Manager to Consent to the Abandonment of Public Utility Easement at 5 Robert S Drive, Menlo Park**

---

Background

Property owners, Scott and Daria Smithers, have requested the abandonment of a portion an existing 20' Public Utility Easement (PUE) at the rear 5 Robert S Drive. The City of Menlo Park is requiring consent by all utility companies that may have an interest in the easement. The District does not have a sewer main or other facilities within the property or easement.

Analysis

The District does not have any utilities within the public utility easement.

Fiscal Impact

None

Recommendation

The General Manager recommends the District Board authorize the General Manager to provide a "no objection" letter to the requester.

Attachment: Exhibit A – Proposed Plot Plan  
Exhibit B – Topographic Survey Plan  
Exhibit C - FLNP-0062101543 Color Map



Exhibit A: Proposed Plot Plan



Kevin Wun  
Land Agent  
San Jose, CA 95113

May 19, 2022

Steven Diaz  
Job Captain  
Studio William Hefner Architecture, Interiors, Landscape  
113 Middle Road  
Montecito, CA 93108

Re: Easement Information for property at 5 Robert South, Menlo Park  
113 Middle Road, Montecito, CA 93108

Dear Steven Diaz:

Thank you for providing PG&E the opportunity to review your proposed plans for new landscaping, pool, and pool deck per the attached and below map dated May 5, 2022. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights. Please keep in mind at any point in time PGE has the right to remove any conflicts within the easement that may be deemed hazardous to our facilities.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

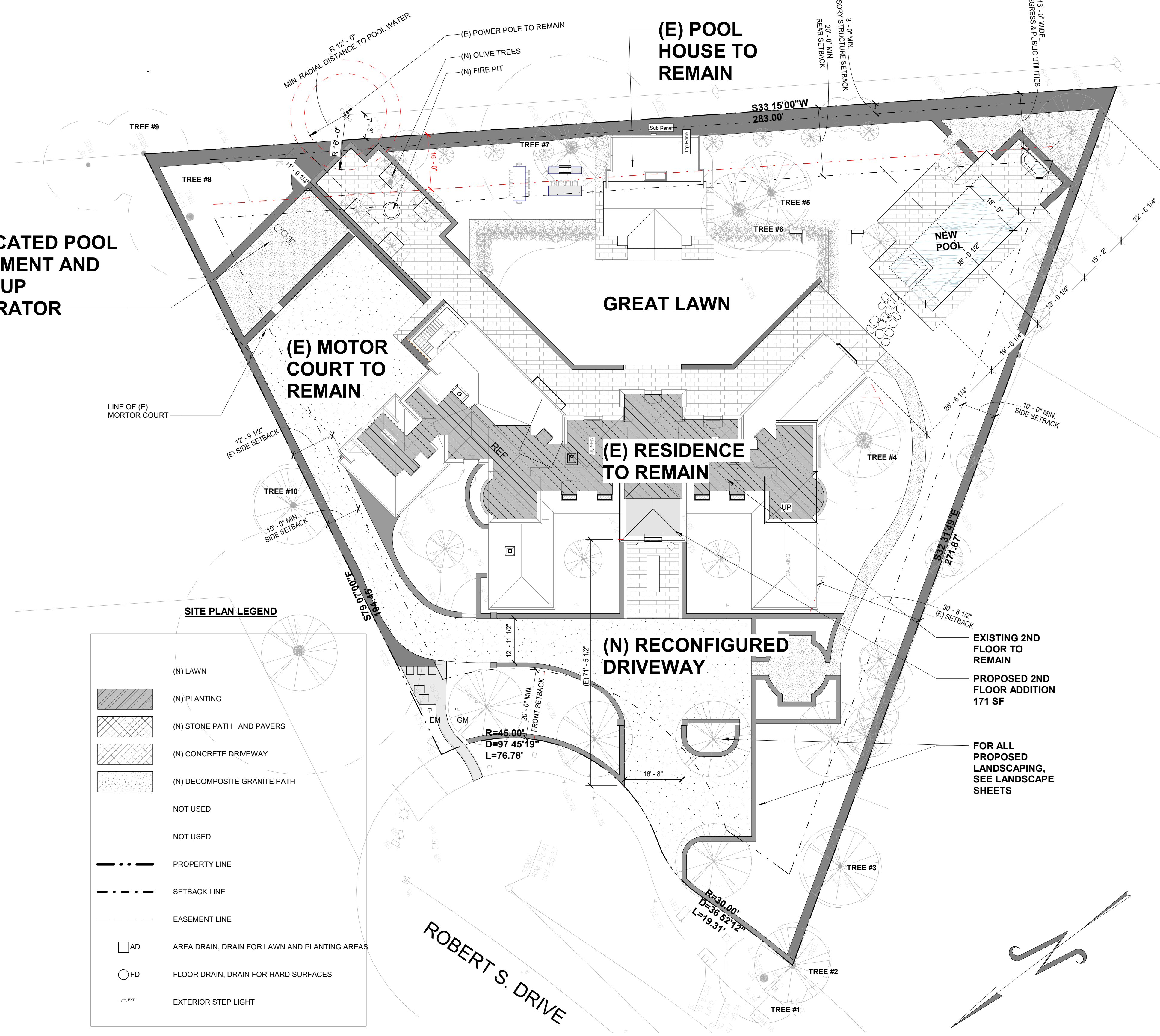
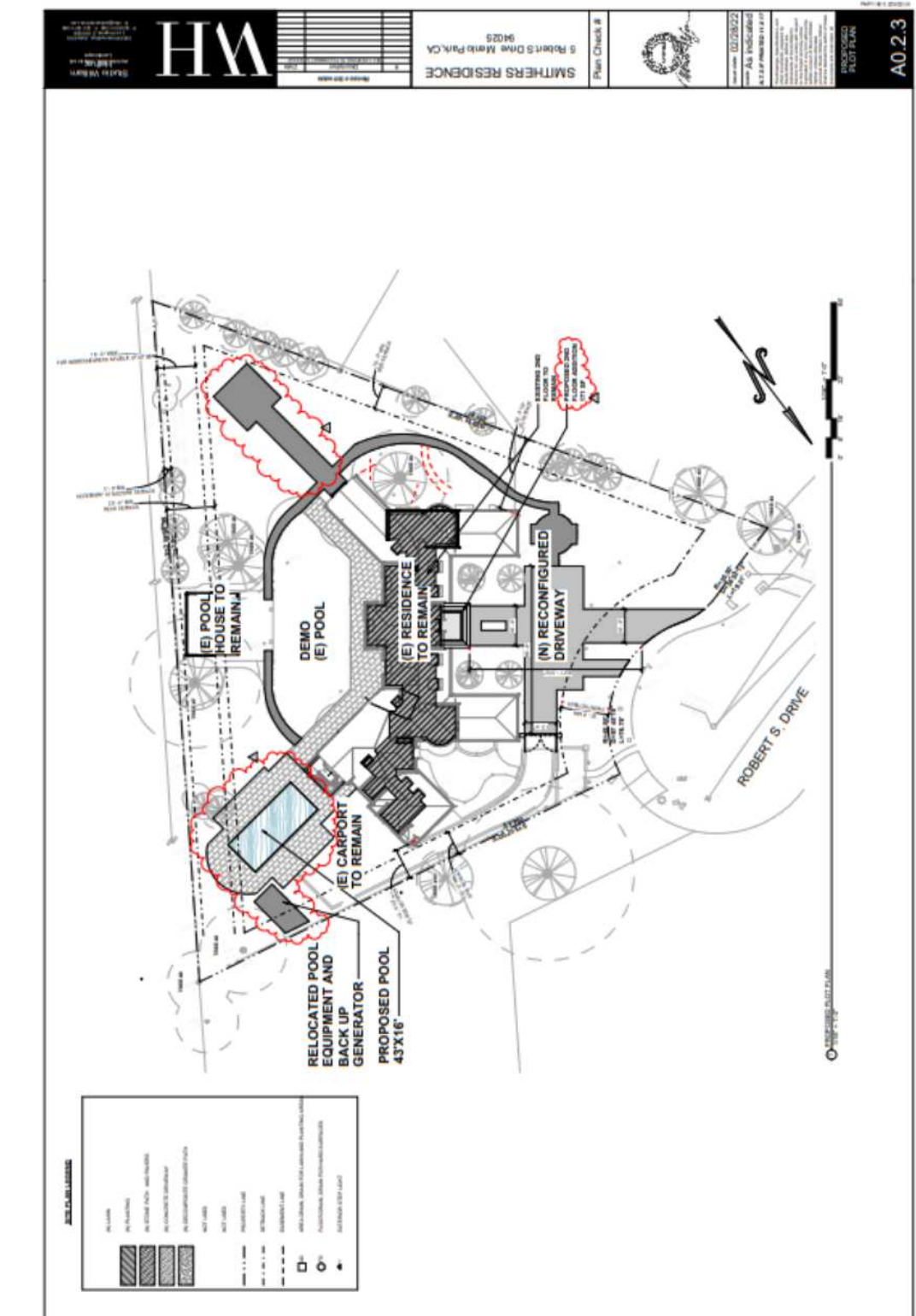
If you require PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cc/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or [pgeplanreview@pge.com](mailto:pgeplanreview@pge.com).

Sincerely,

*Kevin Wun*  
Kevin Wun  
Land Agent



RELOCATED POOL EQUIPMENT AND BACK UP GENERATOR

(E) MOTOR COURT TO REMAIN

(E) POOL HOUSE TO REMAIN

GREAT LAWN

(E) RESIDENCE TO REMAIN

(N) RECONFIGURED DRIVEWAY

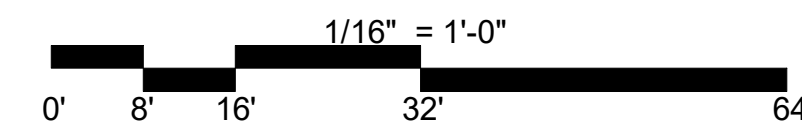
EXISTING 2ND FLOOR TO REMAIN  
PROPOSED 2ND FLOOR ADDITION 171 SF

FOR ALL PROPOSED LANDSCAPING, SEE LANDSCAPE SHEETS

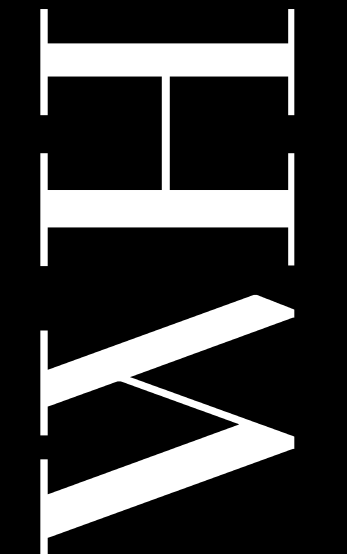
SITE PLAN LEGEND

	(N) LAWN
	(N) PLANTING
	(N) STONE PATH AND PAVERS
	(N) CONCRETE DRIVEWAY
	(N) DECOMPOSITE GRANITE PATH
	NOT USED
	NOT USED
	PROPERTY LINE
	SETBACK LINE
	EASEMENT LINE
	AREA DRAIN, DRAIN FOR LAWN AND PLANTING AREAS
	FLOOR DRAIN, DRAIN FOR HARD SURFACES
	EXTERIOR STEP LIGHT

1 PROPOSED PLOT PLAN  
1/16" = 1'-0"



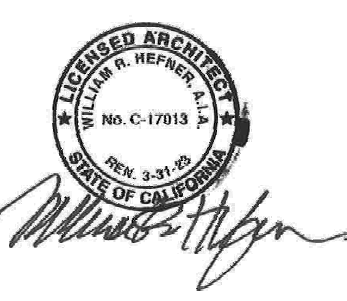
Studio William Hefner  
Architecture, Interiors & Landscape  
4820 Wilshire Blvd, Suite 500  
Los Angeles, CA 90048  
P: 310.455.2426 F: 310.455.1588  
E: [info@studiohefner.com](mailto:info@studiohefner.com)



Revision Schedule	Date
#	DESCRIPTION
1	REV. RESPONSE TO PG&E COMMENTS 10/04/22

SMITHERS RESIDENCE  
5 Robert S Drive Menlo Park, CA 94025

Plan Check #



issue date: 10/04/22

scale: As indicated

N.T.S IF PRINTED 11 X 17

The Drawings, Specifications, and other documents, prepared by Studio William Hefner are Instruments of the Architect's Service for use solely with respect to this Project and may not be duplicated in any form without the written consent of Studio William Hefner. Unless otherwise provided, Studio William Hefner shall be deemed the author of these documents and shall retain all

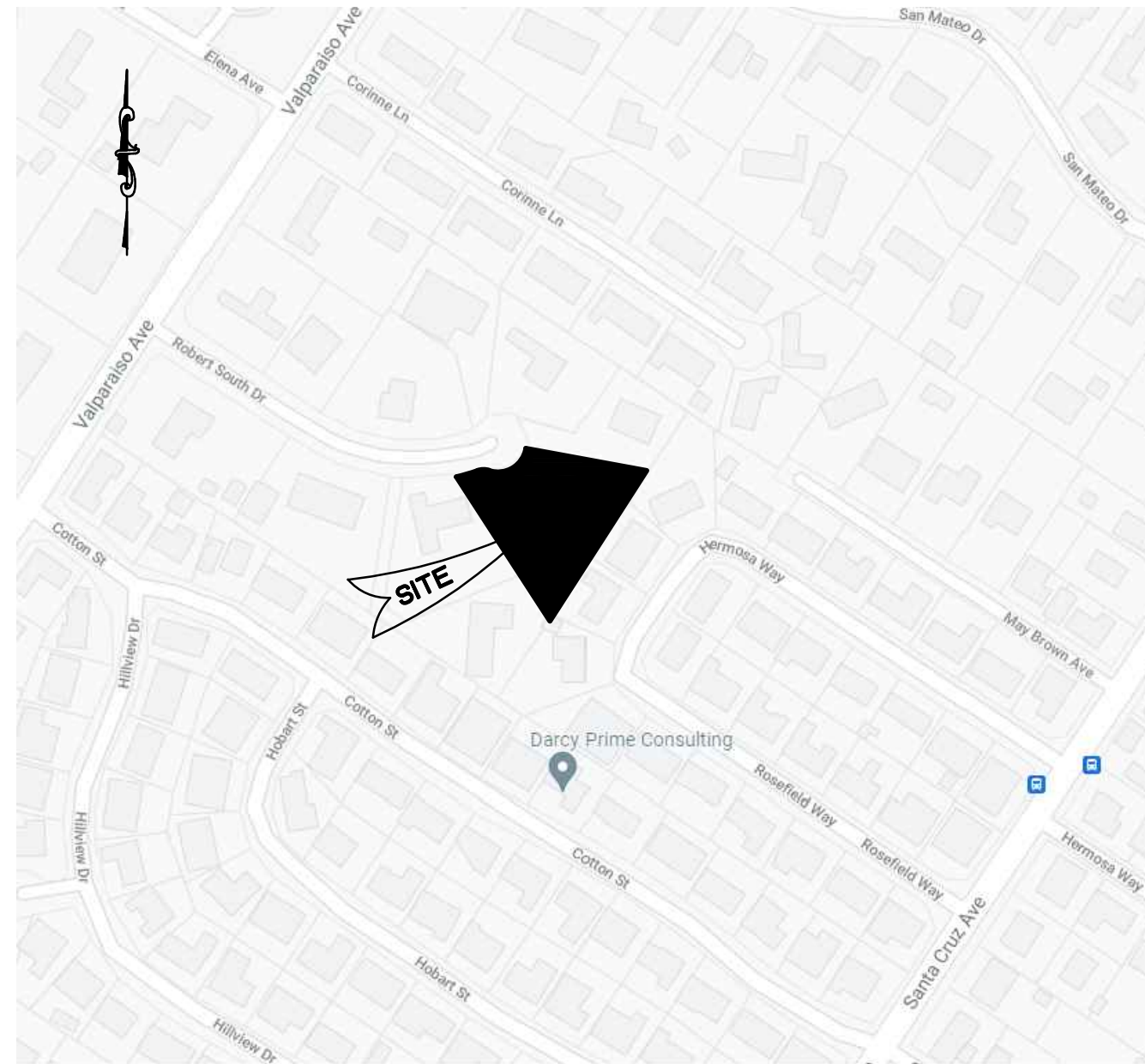
PROPOSED PLOT PLAN

A0.2.3

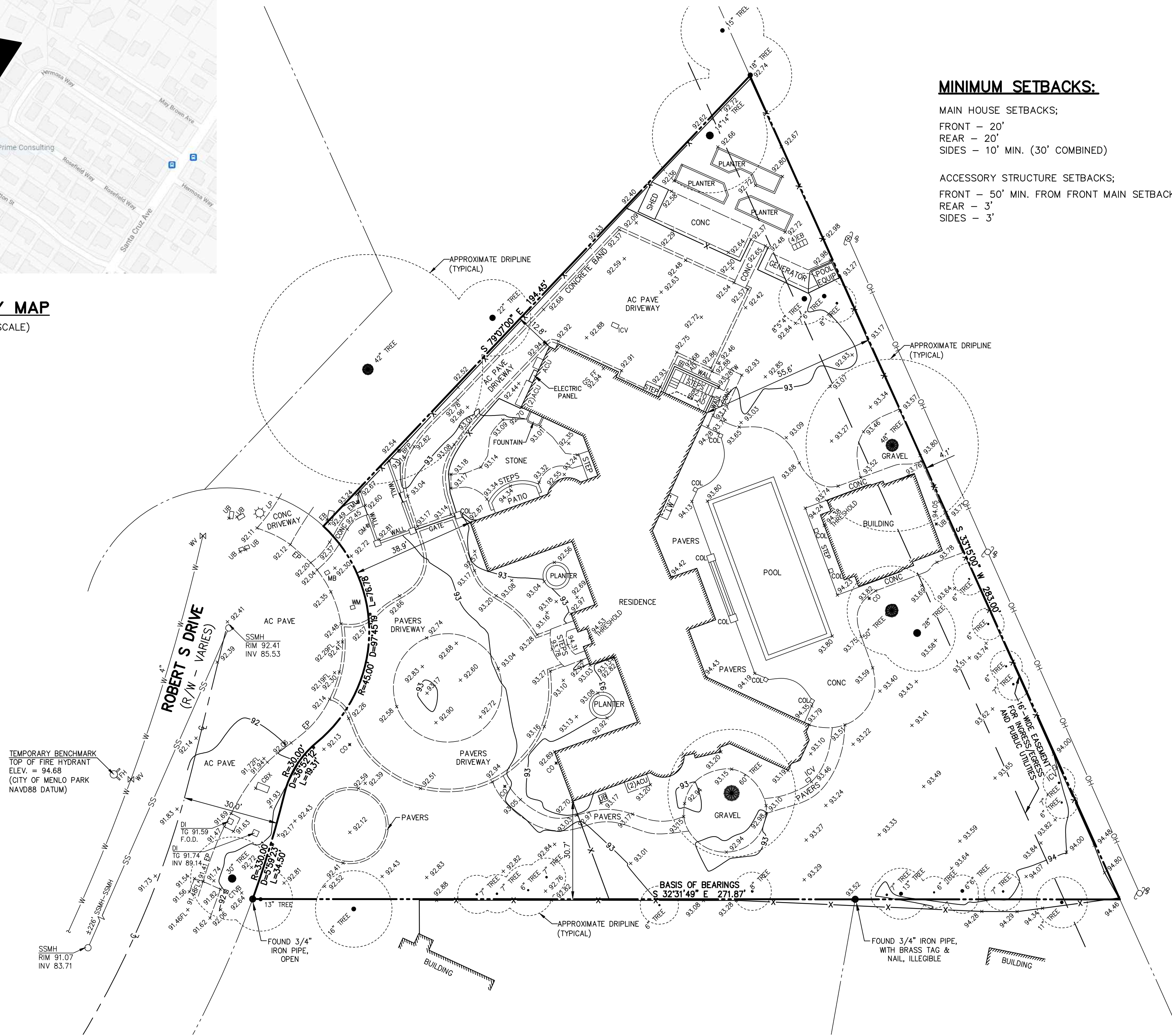
10/11/2022 2:47:34 PM



# Exhibit B : Topographic Survey Plan



**VICINITY MAP**  
(NOT TO SCALE)



**LEGEND**

---	PROPERTY LINE
AC PAVE	ASPHALT CONCRETE PAVEMENT
ACU	AIR CONDITIONING UNIT
AD	AREA DRAIN
BFP	BACK FLOW PREVENTER
CBX	COMMUNICATION BOX
CL	CENTER LINE
CO	CLEANOUT
COL	COLUMN
CONC	CONCRETE
CTVB	CABLE TELEVISION BOX
DI	DRAINAGE INLET
EB	ELECTRIC BOX
EM	ELECTRIC METER
EP	EDGE OF PAVEMENT
FH	FIRE HYDRANT
FL	FLOWLINE
F.O.D.	FULL OF DEBRIS
GM	GAS METER
GS FF	GARAGE SLAB FINISH FLOOR
ICV	IRRIGATION CONTROL VALVE
INV	INVERT
JP	JOINT UTILITY POLE
LP	LIGHT POLE
MB	MAILBOX
SSMH	SANITARY SEWER MANHOLE
TG	TOP OF GRATE
TW	TOP OF WALL
UB	UTILITY BOX
WM	WATER METER
WV	WATER VALVE
● 12" TREE	TREE W/ SIZE
-X-X-	FENCE
-OH-	OVERHEAD UTILITY LINE
-SS-	SANITARY SEWER LINE
-W-	WATER LINE

**LOT AREA:**

= 40,071 SQ. FT. ±  
 = 0.920 ACRES ±

**UTILITY NOTE:**

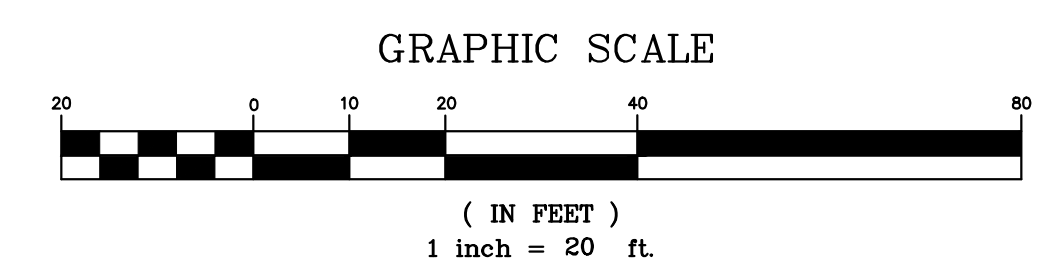
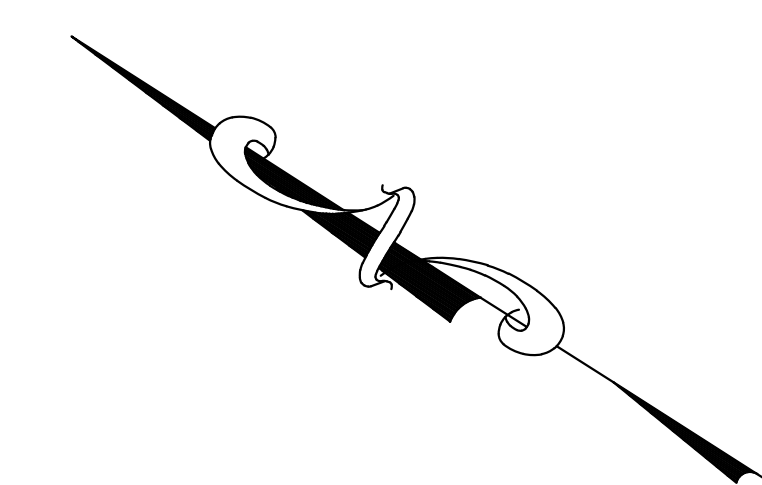
THE UTILITIES EXISTING ON THE SURFACE AND SHOWN ON THIS DRAWING HAVE BEEN LOCATED BY FIELD SURVEY. ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND THE SURVEYOR/ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR THEIR COMPLETENESS, INDICATED LOCATION, OR SIZE. RECORD UTILITY LOCATION SHOULD BE CONFIRMED BY EXPOSING THE UTILITY.

**BOUNDARY NOTE:**

THE PARCEL BOUNDARY SHOWN HEREON WAS ESTABLISHED BY ME, OR UNDER MY SUPERVISION, AND IS BASED UPON A FIELD SURVEY OF MONUMENTS FOUND IN THE PROJECT VICINITY.



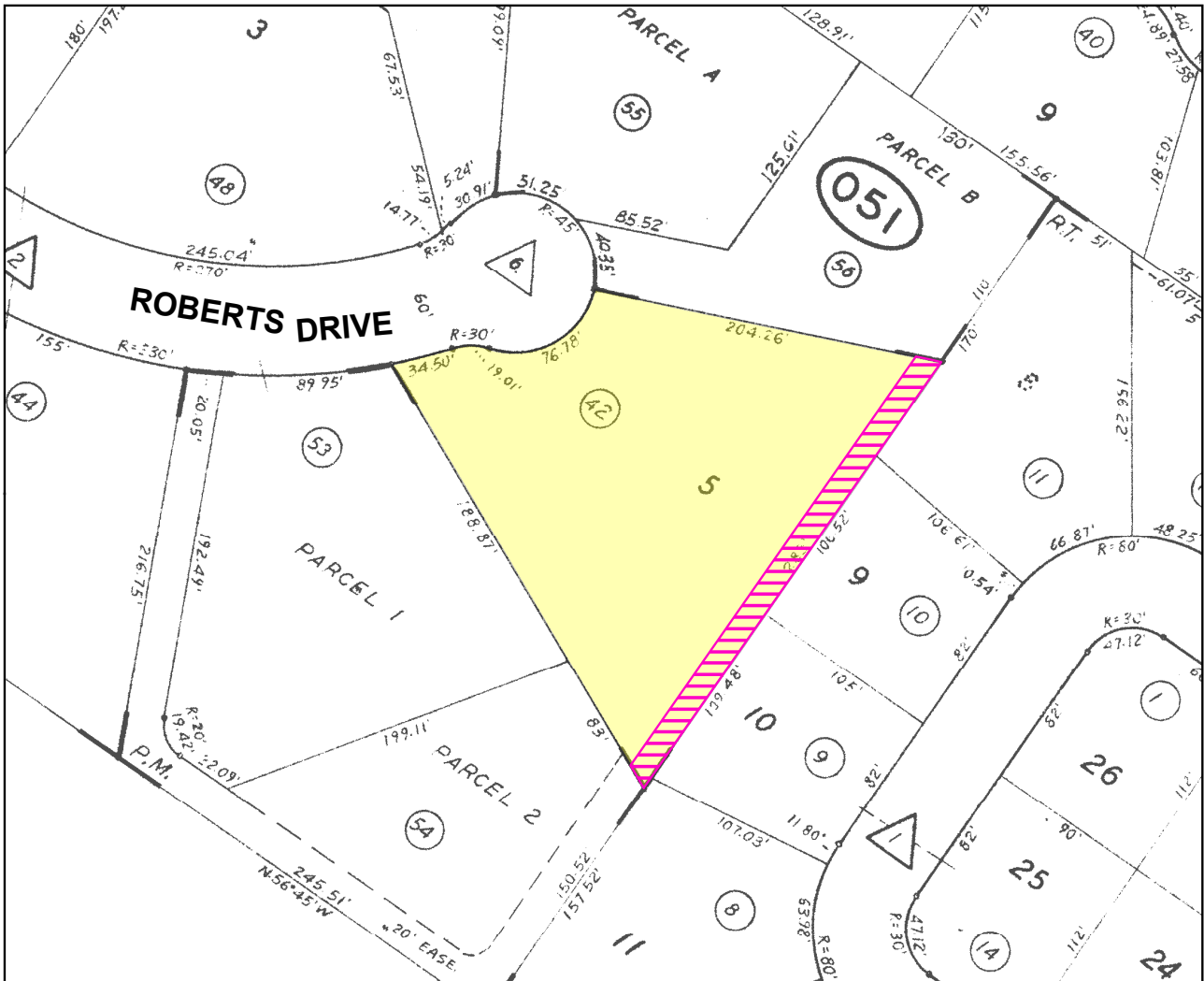
12/07/2021  
 DATE



REV.	DESCRIPTION	BY:	DATE:
<b>MACLEOD AND ASSOCIATES</b>			
CIVIL ENGINEERING • LAND SURVEYING			
965 CENTER STREET • SAN CARLOS, CA 94070 • (650) 593-8550			
PREPARED FOR:	SCOTT SMITHERS		
<b>BOUNDARY AND TOPOGRAPHIC SURVEY PLAN</b>	5 ROBERT S DRIVE A.P.N. 071-051-420 LOT 5, 21 MAPS 89 SAN MATEO COUNTY CALIFORNIA		
DRAWN BY:	MDL/EM		
DESIGNED BY:	---		
CHECKED BY:	DGM		
SCALE:	1"=20'		
DATE:	12-07-21		
DRAWING NO.	5080-TOPO		
SHEET	1 OF 1		



1 inch = 90.52 feet



### Legend

- Property In Question - Fee
- Item No. 4 - Easement for Public Utility  
In Bk21 Pg89 of Tract Map  
Affects said portion as shown on the map

©2021 <b>Lawyers Title Company</b> 675 N. First Street, 4th Floor San Jose, CA 95112	Title Order No. : FLNP-0062101543, Preliminary Report Dated August 31, 2021	Drawing Date : 09/08/2021 - FNFI
	Reference :	Assessor's Parcel No. : 071-051-420
	Property : 5 Roberts Drive, Menlo Park, CA	Data :
This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.	Plat Showing : LOT 5, AS DESIGNATED ON THE MAP ENTITLED "AMENDED MAP OF MOORE ACRES, CITY OF MENLO PARK, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON FEBRUARY 7, 1939 IN BOOK 21 OF MAPS AT PAGE(S) 89.	Sheet 1 of 1  Archive #





**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 12**

**To: Board of Directors**

**From: Sergio Ramirez, General Manager**

**Subject: Discussion and Direction on the West Bay and Sharon Heights Recycled Water Facility**

---

A discussion will be held on the Sharon Heights Recycled Water Facility and other events related to the recycled water plant. The Board will have opportunity to provide direction to staff and legal counsel.

**Recycled Water Facility Production Data:**

<b>2020</b>	<b>Treated</b>	<b>Delivered</b>
August	8.8MG	8.2MG
September	8.2MG	5.1MG
October	7.4MG	4.5MG
November	5MG	1.4MG
December	4.7MG	.55MG
<b>2021</b>	<b>Treated</b>	<b>Delivered</b>
January	4.8MG	.23MG
February	4.4MG	.13MG
March	5.9MG	1.8MG
April	8.5MG	7.6MG
May	9.3.MG	8.2MG
June	9.8MG	8.7MG
July	9.5MG	9.1MG
August	9.4MG	9.0MG
September	9.1MG	6.9MG*
October	7.6MG	2.6MG**
November	5.2MG	0
December	4.7MG	0

<b>2022</b>	<b>Treated</b>	<b>Delivered</b>
January	4.4MG	97,000 gallons
February	4.4MG	1.5MG
March	6.6MG	3.5MG
April	7.6MG	3.8MG
May	9.2MG	7.4MG
June	9.8MG	8.7MG
July	9.6MG	8.1MG
August	9.2MG	8.1MG
September	8.6MG	6.7MG
October	7.9MG	4.6MG

\* Sharon Heights substantially tapered off their water usage for September which is the reason for the large discrepancy between treated and delivered.

\*\* Treatment was reduced in the second half of the month. Rain in late October and an irrigation equipment malfunctions caused water delivery to decrease.

*The following is a disclosure statement required for any document, written report or brochure prepared in whole or in part pursuant to the Finance Agreement with the State Water Resources Control Board for the West Bay Sanitary District Recycled Water Project - Sharon Heights: Funding for this project has been provided in full or in part through an agreement with the State Water Resources Control Board. California's Clean Water State Revolving Fund is capitalized through a variety of funding sources, including grants from the United States Environmental Protection Agency and state bond proceeds. The contents of this document do not necessarily reflect the views and policies of the foregoing, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.*



**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 13**

**To: Board of Directors**

**From: Sergio Ramirez, General Manager**

**Subject: Discussion and Direction on the Bayfront Recycled Water Project  
and Status Update**

---

A discussion will be held on the District's Bayfront Recycled Water Projects and other events related to the recycled water projects including financing, environmental review, design/build issues and grant applications.

The Board will have opportunity to provide direction to staff and general counsel.

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**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 14**

**To: Board of Directors**

**From: Sergio Ramirez, General Manager**

**Subject: Report and Discussion on South Bayside Waste Management Authority (SBWMA)**

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The District's representative to South Bayside Waste Management Authority (SBWMA), President Fran Dehn, will report on any pertinent items regarding SBWMA business.

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**WEST BAY SANITARY DISTRICT  
AGENDA ITEM 15**

**To: Board of Directors**

**From: Sergio Ramirez, General Manager**

**Subject: Report and Discussion on Silicon Valley Clean Water (SVCW)  
Plant**

---

The District's representative to Silicon Valley Clean Water (SVCW), Commissioner George Otte, will report on pertinent items regarding SVCW Operations, CIP and Finance.

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**Report to the District Board for the Regular Meeting of November 9, 2022**

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