

REPORT

To the Honorable Mayor and City Council
From the City Manager

February 12, 2007

Subject

Amendment No. 4 to the *Sanitary Sewerage Treatment Capacity Rights and Services* (Town of Woodside) Agreement.

Recommendation

By resolution, approve Amendment No. 4 to the *Sanitary Sewerage Treatment Capacity Rights and Services* (Town of Woodside) Agreement which would add 3373 Woodside Road to the service area.

Background

On May 7, 1997, the Town of Woodside entered into an agreement with the City of Redwood City to use Redwood City's sewer capacity for the development of their Town Center. The agreement clearly defines the obligations and responsibilities of the Town of Woodside ("Woodside"), the Fair Oaks Sewer Maintenance District, and the City of Redwood City ("the City"). Woodside agreed to:

1. Acquire 100,000 gallons per day of treatment capacity through the City [a member agency of the South Bayside System Authority ("SBSA")] from Stage 2 sewer capacity to service their Town Center, and
2. Compensate the Fair Oaks Sewer Maintenance District and the City for the use of sewer facilities to transport Woodside's sewerage to SBSA's treatment plant for treatment and disposal.

The agreement limits service to the downtown area of Woodside, and the area from Palm Circle Road to Godetia Drive, and from Canada Road to Glencrag Way. Canada College is not included within the service area. Any changes to the service area require approval from the City and Fair Oaks Sewer Maintenance District.

Woodside has requested Amendment No. 4 be made to the existing agreement which amends the Town Center Sewer Assessment District map to include 3373 Woodside Road. This action allows Woodside to extend sewer service to 3373 Woodside Road which is necessary to preserve the public health due to a failure of the septic system. The Fair Oaks Sewer Maintenance District must also approve the proposed amendment. Please refer to the attached map, "Town Center Sewer Assessment District" (Exhibit A) for service area boundaries last approved by the Town Of Woodside Council on May 9, 2006 (Resolution No. 2006-6567).


Recent flow meter readings and connection counts indicate that Woodside's current sewerage flow is less than 50% of the 100,000 gallons per day of treatment capacity previously purchased from the City. The addition of 3373 Woodside Road to the service area is estimated to generate another 270 gallons per day, which is still well below the limit agreed upon of 100,000 gallons per day treatment capacity.

Alternative

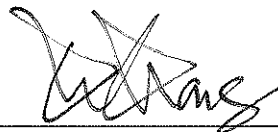
Do not approve Amendment No. 4. The property owner will have to seek other alternative for sewer connection or abandon the property.

Fiscal Impact

In accordance with the *Sanitary Sewerage Treatment Capacity Rights and Services* (Town of Woodside) Agreement, Woodside will pay the City the metered costs as established by the agreement. The costs include sewage transmission, treatment, and capacity rental. The incremental increase generated by the addition of 3373 Woodside Road to the service area will be billed according to the agreement.



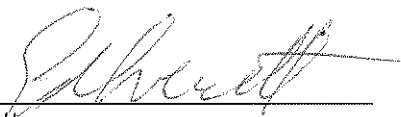
Grace Le, P.E.
Senior Civil Engineer



Chu Chang, P.E.
Manager, Engineering & Construction



Peter Ingram
Community Development Director



Ed Everett
City Manager

Attachments

- Exhibit A – Map of Woodside Town Center Sewer Assessment District
- Exhibit B – Proposed Fourth Amendment to the *Sanitary Sewerage Treatment Capacity Rights and Services* Agreement

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s/library/reports/Grace/Amend4 Woodside Sewer

RESOLUTION NO. _____

**RESOLUTON APPROVING AMENDMENT NO. 4 TO THE
SANITARY SEWERAGE TREATMENT CAPACITY RIGHTS AND
SERVICES (TOWN OF WOODSIDE) AGREEMENT**

WHEREAS, on or about May 7, 1997, by Resolution No. 13084, the Town of Woodside entered into an Agreement with the City of Redwood City to use Redwood City's sewer capacity for the development of their Town Center; and

WHEREAS, on or about June 18, 2002, by Resolution No. 14448, Amendment No. 1 was executed, which added two properties to said Agreement; and

WHEREAS, on or about May 10, 2004, by Resolution No. 14581, Amendment No. 2 was executed, which added another property to said Agreement; and

WHEREAS, on or about June 7, 2004, by Resolution No. 14589, Amendment No. 3 was executed, which added another property to said Agreement; and

WHEREAS, the Agreement limits the service area to the Downtown Area of the Town of Woodside and the area from Palm Circle Road to Godetia Drive, and from Canada Road to Glencrag Way; and

WHEREAS, the septic sewer system at the property located at 3373 Woodside Road in the Town of Woodside has failed; and

WHEREAS, the San Mateo County Environmental Health Office has declared the above-described septic systems unusable and have requested that the property owner connect to the closest sewer system; and

WHEREAS, the Town of Woodside and the property owners of the above-described properties have requested that the City of Redwood City agree to amend the above-described Agreement to allow said real property to utilize Redwood City's capacity rights and services; and

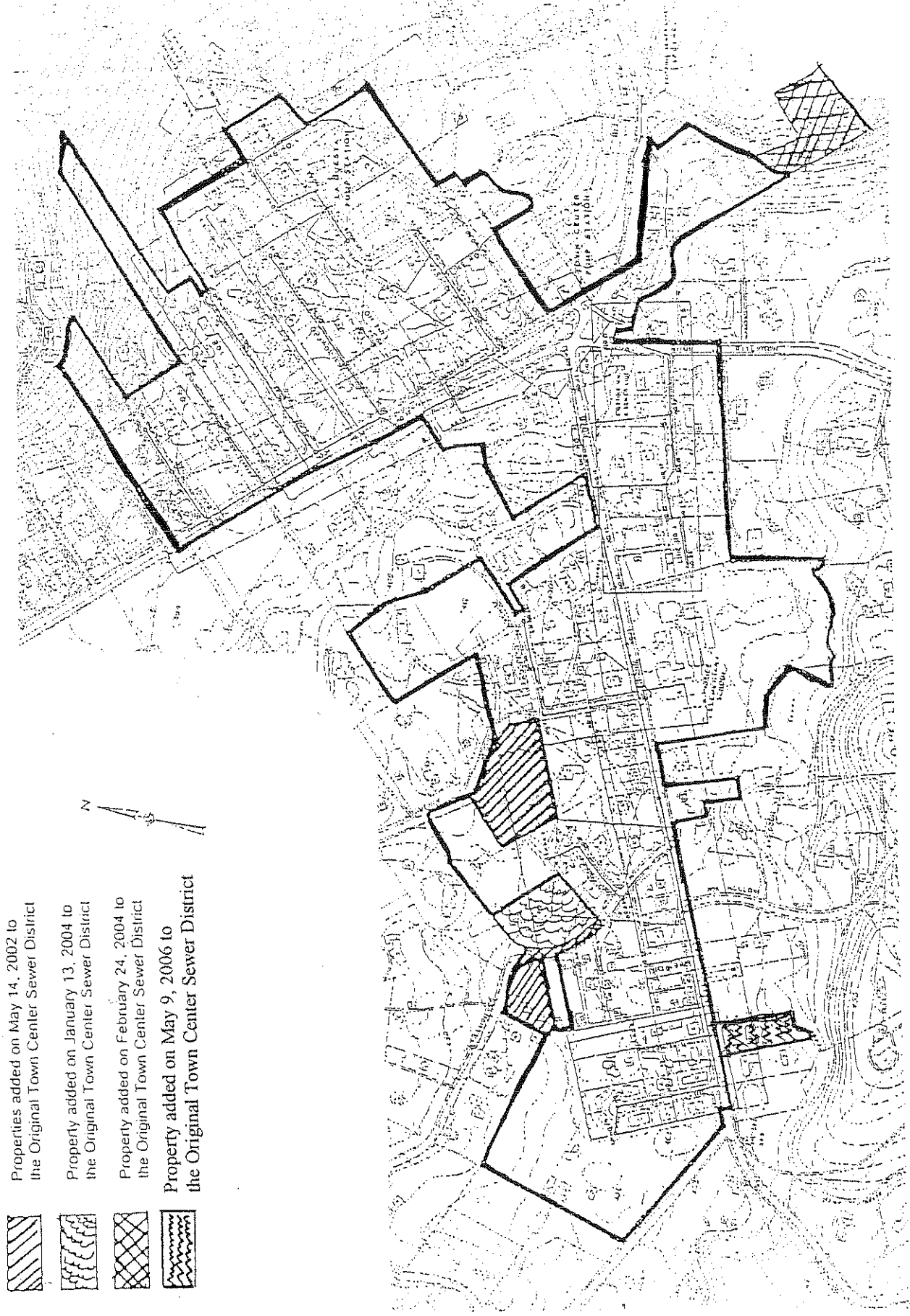
WHEREAS, the Town of Woodside will pay Redwood City the metered costs for sewage transmission, treatment and capacity rental, as established by previous agreements.


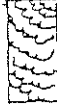

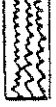
NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REDWOOD CITY, AS FOLLOWS:

1. The City Manager is hereby authorized and directed to execute and file, for and on behalf of the City, Amendment No. 4 to the Sanitary Sewerage Treatment and Capacity Rights and Services (Town of Woodside) Agreement.
2. The City Clerk is hereby authorized and directed to certify that the foregoing is a full, true and correct copy of this Resolution duly and regularly adopted at a regular meeting of the City Council.

* * *

TOWN OF WOODSIDE
EXHIBIT "A" - TOWN CENTER SEWER
ASSESSMENT DISTRICT



-  Properties added on May 14, 2002 to the Original Town Center Sewer District
-  Property added on January 13, 2004 to the Original Town Center Sewer District
-  Property added on February 24, 2004 to the Original Town Center Sewer District
-  Property added on May 9, 2006 to the Original Town Center Sewer District

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FOURTH AMENDMENT TO
SANITARY SEWAGE TREATMENT CAPACITY
RIGHTS AND SERVICES (THE AGREEMENT)

This is the Fourth Amendment to the Agreement dated August 7, 2001 by and among the CITY OF REDWOOD CITY (City), the TOWN OF WOODSIDE (Town) and FAIR OAKS SEWER MAINTENANCE DISTRICT (District) collectively the Parties.

RECITALS

A. The Agreement is intended to govern capacity rights and services for the transmission, treatment and disposal of sewage emanating from the Town's Town Center Sewer Assessment District (TCSAD).

B. The Agreement indicates in Exhibit A the service area covered by the Agreement (the Service Area).

C. The Town wishes to amend the Service Area to add one property in the Town with a single family residence thereon that has a failed septic system:

3373 Woodside Road (APN 072-190-040)

hereinafter the Property.

D. The Town Council of the Town has authorized allocation of sewer service to the Property by Resolution 2006-6567 (certified copy attached hereto as Exhibit A).

E. The Parties desire to amend the Agreement and add the Property to the Service Area.

THEREFORE, IT IS AGREED:

1. The Property is added to the Service Area and the map being Exhibit A to the Agreement is amended accordingly.

2. Sewer service in the TCSAD shall be provided to the Property.

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3. In all other respects the Agreement is reaffirmed.

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DATED: 7-18-06 TOWN OF WOODSIDE
By Susan E. Beu

DATED: _____ CITY OF REDWOOD CITY
By _____

DATED: 7-25-06 APPROVED AS TO FORM
Jean B. Savaree
Jean B. Savaree, Town Attorney

DATED: _____ FAIR OAKS SEWER MAINTENANCE DISTRICT
By _____