


Agenda Report Reviewed by:

City Manager: 

**CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM**

Meeting Date: January 5, 2021
To: Honorable Mayor and Honorable City Councilmembers
From: Henry Mikus, Engineering Manager
Subject: Approval of City Outside Water and Sewer Service Applications for 726 and 732 Robinson Road
Recommendation: Adopt a Resolution authorizing Connection to the City Water and Sewer Systems for the parcels at 726 Robinson Road, APN 060-222-011-000, and 732 Robinson Road, APN 060-222-014-000
Funding: Currently Budgeted: Yes No N/A
Net General Fund Cost: \$ none

Account Code/Costs authorized in City Approved Budget AK (verified by Administrative Services Department)

INTRODUCTION/PURPOSE:

This item is to request the City Council approve and adopt Resolutions allowing the properties at 726 and 732 Robinson Road to connect with City Water and Sewer Systems. Although separate properties with distinct owners and separate applications, these two properties are being considered together because the owners are in agreement to pursue this opportunity in partnership then install connections together along a common easement in order to achieve significant efficiencies and cost savings.

BACKGROUND:

Clive and Helen Kimberly Sharrocks, trustees for the Clive and Helen Kimberly Sharrocks Trust which is the property owner at 726 Robinson Road have submitted an application for outside water and sewer services from the City of Sebastopol for the property. Loring Vogel, owner at 732 Robinson Road, has also submitted an application for outside water and sewer services from the City of Sebastopol for his property. Their applications are attached. They have paid the requisite application fees.

DISCUSSION:

Although both 726 and 732 Robinson Road are outside City limits, both properties are within the "Urban Growth Boundary" thus qualifying per City policy to be allowed to hook up to the City water and sewer systems.

Complete lists of Conditions of Approval for both properties are attached for reference.

The applicants approached the City Public Works and Engineering Departments for input in how access to City water and sewer services could be achieved. Superintendent Dante Del Prete and City Engineer Joe Gaffney are to be commended for their engagement and efforts to find solutions that are practical and cost effective. Access is proposed to be via a Public Utilities Easement along a driveway adjacent to both properties. Water would connect to the main along Robinson Road, and sewer would connect to a sewer line that already extends partway along the driveway/easement.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, staff anticipates receiving public comment from interested parties following the publication and distribution of this staff report. Such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment period for this item.

PUBLIC NOTICE:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

FISCAL IMPACT:

Initially, none other than staff time. If the connections are approved and installed, some small revenue will accrue to the City

RECOMMENDATION:

That the City Council Adopt Resolutions allowing the properties at 726 and 732 Robinson Road to connect with the City Water and Sewer Systems.

ATTACHMENTS:

- Resolutions
- Conditions of Approval
- Outside Service applications
- Deposits and receipts
- Location diagrams

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL
AUTHORIZING CONNECTION TO THE CITY WATER AND SEWER
SYSTEMS AND AUTHORIZING THE CITY MANAGER TO EXECUTE A
DEFERRED ANNEXATION AGREEMENT FOR THE LANDS OF THE CLIVE
AND HELEN KIMBERLY SHARROCKS TRUST, 726 ROBINSON ROAD,
SEBASTOPOL, CALIFORNIA 95472 (APN 060-222-011-000)

WHEREAS, the Clive and Helen Kimberly Sharrocks Trust owns Assessor's Parcel Number 060-222-011-000 ("Parcel"), located at 726 Robinson Road, Sebastopol, California, 95472; and

WHEREAS, the Clive and Helen Kimberly Sharrocks Trust has submitted an Outside Service Agreement Application for Water and Sewer Services to the City; and

WHEREAS, the Parcel is located outside the Sebastopol City Limits; and

WHEREAS, the Parcel is within the Urban Growth Boundary of the City of Sebastopol ("City"), as shown on the City's General Plan Land Use Map; and

WHEREAS, the Owner desire to connect an existing single-family residence to the public water and sewer system;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Sebastopol hereby finds, declares, determines, and orders as follows:

1. The foregoing recitals are true and correct.
2. The owner desires a connection to the City water and sewer systems, in order to abandon and decommission an aged water source and an aged septic field on the property.
3. That a City water main is located along Robinson Road, a City street, located along and adjacent to the subject parcel.
4. That a City sewer main is located along Robinson Road, a City street, located along and adjacent to the subject parcel with an extension towards the property partially along a Public Utilities Easement.
5. That the preferred alternative is to extend water and sewer services from the City through an Outside Service Area Agreement ("OSAA") because the Parcel is not at this time subject to annexation to the City.
6. That the Parcel is not subject to subdivision or further development now or during the duration of the proposed OSAA; therefore, that the extension of water and sewer service to the Parcel does not increase the potential for development within the subject territory.
7. That the City has the capacity to provide the requested water services.
8. That the proposed agreement for water and sewer service to the Parcel is consistent with the provisions of the City of Sebastopol General Plan, and with other City policies and resolutions.
9. That the Parcel is not located within the service area of any other City or District having the ability to provide the requested water and sewer services.

- 10. That the Owner agrees to annex or support annexation proceedings that would lead to the annexation of the Parcel to the City, and to waive all rights to protest such annexation proceedings, whenever such annexation proceedings are commenced.
- 11. That the proposed OSAA is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301(b) of the CEQA Guidelines (Title 14 of the California Code of Regulations).
- 12. That the City's approval of the proposed OSAA with the Owner of the Parcel is conditioned in part on the review and approval of the agreement by the Sonoma Local Agency Formation Commission ("LAFCO"). The proposed agreement is based on and appears to be consistent with the criteria adopted by LAFCO for OSAA's in a case such as this.
- 13. That it is in the City's interest to provide water and sewer services to the Parcel in that it reasonably increases the City's revenue base with a minimal commitment of system capacity, and that such service will not disadvantage properties within the City boundaries.
- 14. That the City Council of the City of Sebastopol authorizes water and sewer services to be provided to the Parcel pursuant to the recommended Conditions of Approval and approval of the proposed OSAA.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute an agreement with the Owner to serve the Parcel with water and sewer services limited to the existing single-family residence only.

BE IT FURTHER RESOLVED that staff (Planning Department) is directed to file a Notice of Exemption following approval by LAFCO.

IN COUNCIL DULY PASSED THIS 5th day of January 2021

Vote:
 Ayes:
 Noes:
 Abstain:
 Absent:

APPROVED: _____
 Mayor Una Glass

ATTEST: _____
 Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____
 Larry McLaughlin, City Attorney

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL
AUTHORIZING CONNECTION TO THE CITY WATER AND SEWER
SYSTEMS AND AUTHORIZING THE CITY MANAGER TO EXECUTE A
DEFERRED ANNEXATION AGREEMENT FOR THE LANDS OF LORING
VOGEL, 732 ROBINSON ROAD, SEBASTOPOL, CALIFORNIA 95472 (APN
060-222-014-000)

WHEREAS, Loring Vogel owns Assessor's Parcel Number 060-222-014-000 ("Parcel"), located at 732 Robinson Road, Sebastopol, California, 95472; and

WHEREAS, Loring Vogel has submitted an Outside Service Agreement Application for Water and Sewer Services to the City; and

WHEREAS, the Parcel is located outside the Sebastopol City Limits; and

WHEREAS, the Parcel is within the Urban Growth Boundary of the City of Sebastopol ("City"), as shown on the City's General Plan Land Use Map; and

WHEREAS, the Owner desires to connect an existing single-family residence to the public water and sewer system;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Sebastopol hereby finds, declares, determines, and orders as follows:

1. The foregoing recitals are true and correct.
2. The owner desires a connection to the City water and sewer systems, in order to abandon and decommission an aged water source and an aged septic field on the property.
3. That a City water main is located along Robinson Road, a City street, located along and adjacent to the subject parcel.
4. That a City sewer main is located along Robinson Road, a City street, located along and adjacent to the subject parcel with an extension towards the property partially along a Public Utilities Easement.
5. That the preferred alternative is to extend water and sewer services from the City through an Outside Service Area Agreement ("OSAA") because the Parcel is not at this time subject to annexation to the City.
6. That the Parcel is not subject to subdivision or further development now or during the duration of the proposed OSAA; therefore, that the extension of water and sewer service to the Parcel does not increase the potential for development within the subject territory.
7. That the City has the capacity to provide the requested water services.
8. That the proposed agreement for water and sewer service to the Parcel is consistent with the provisions of the City of Sebastopol General Plan, and with other City policies and resolutions.
9. That the Parcel is not located within the service area of any other City or District having the ability to provide the requested water and sewer services.

- 10. That the Owner agrees to annex or support annexation proceedings that would lead to the annexation of the Parcel to the City, and to waive all rights to protest such annexation proceedings, whenever such annexation proceedings are commenced.
- 11. That the proposed OSAA is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301(b) of the CEQA Guidelines (Title 14 of the California Code of Regulations).
- 12. That the City's approval of the proposed OSAA with the Owner of the Parcel is conditioned in part on the review and approval of the agreement by the Sonoma Local Agency Formation Commission ("LAFCO"). The proposed agreement is based on and appears to be consistent with the criteria adopted by LAFCO for OSAA's in a case such as this.
- 13. That it is in the City's interest to provide water and sewer services to the Parcel in that it reasonably increases the City's revenue base with a minimal commitment of system capacity, and that such service will not disadvantage properties within the City boundaries.
- 14. That the City Council of the City of Sebastopol authorizes water and sewer services to be provided to the Parcel pursuant to the recommended Conditions of Approval and approval of the proposed OSAA.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute an agreement with the Owner to serve the Parcel with water and sewer services limited to the existing single-family residence only.

BE IT FURTHER RESOLVED that staff (Planning Department) is directed to file a Notice of Exemption following approval by LAFCO.

IN COUNCIL DULY PASSED THIS 5th day of January 2021

Vote:
Ayes:
Noes:
Abstain:
Absent:

APPROVED: _____
Mayor Una Glass

ATTEST: _____
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____
Larry McLaughlin, City Attorney

Conditions of Approval

Outside Service Area Agreement for Water and Sewer Service 726 and 732 Robinson Road

1. Applicants shall be responsible for construction of City water and sewer main extensions (*if required*) to serve this property.
2. Improvement Plans for construction shall be prepared by a Registered Civil Engineer and submitted to the Sebastopol Engineering Department for Engineering Plan Check. All work shall be in accord with City standards.
3. Applicants shall be responsible for construction of water and sewer lateral connections to City mains in accord with City standards.
4. Contractor shall secure all necessary permits prior to beginning construction. **Encroachment Permits from the Sebastopol Public Works Department, Sonoma County Public Works Department and Caltrans are/ may be required for construction within the public right of way.**
5. Contractor shall secure a Building Permit from the Sebastopol Building Department for construction of the water and sewer lateral on private property and connection to the existing structures.
6. Applicants shall obtain, and present to the City of Sebastopol, any and all easements or other such agreements required for applicants to be able to install water and sewer lines between the subject properties and connections with the City water and sewer systems, prior to issuance of the Building Permit.
7. All applicable City fees shall be paid by applicants Prior to issuance of the Building Permit.
8. Applicants shall file an Out of Agency Service Agreement with Sonoma County Local Agency Formation Commission prior to issuance of the Encroachment Permit.
9. Applicants shall execute a Deferred Annexation Agreement prior to issuance of the Encroachment Permit.



CITY OF SEBASTOPOL
Engineering Division
714 Johnson Street
Sebastopol, CA 95472
(707) 823-2151 Phone
(707) 823-4721 Fax

APPLICATION FORM FOR
OUTSIDE SERVICE AREA AGREEMENT
(Outside of City Sewer and Water Services)

Property Address: 726 Robinson Road Assessor's Parcel No: 060 222 011-000

Type of Service Requested: Sewer Only Water Only Sewer and Water

Owner of Record

Name: Trust: Clive + Helen Kimberly Sharrocks
Mail Address: 726 Robinson Road
City, State, Zip: Sebastopol, CA 95472
Phone: [REDACTED]
Fax: -
e-mail: csharrocks@yahoo.com

Applicant (if other than Owner)

Name: Trust: Clive + Helen Kimberly Sharrocks
Mail Address: 726 Robinson Road
City, State, Zip: Sebastopol, CA 95472
Phone: [REDACTED]
Fax: -
e-mail: csharrocks@yahoo.com

Signature

Signature

Date: November 9, 2020

Date: November 9, 2020

Parcel Information

1. Parcel Size (Acres): 1 acre Existing Land Use: Single Family Dwelling

2. Describe existing development on the parcel. (Outside of City services are for existing development only.)
Single Family Dwelling

Status of Existing Development (Check One): Legal Legal Non-Conforming

Documentation of Legal Status of Existing Development is attached (required).

NOTE: You must provide documentation from the Sonoma County Permit and Resource Management Department (PRMD) regarding the status of existing development. (See Attachment entitled "City of Sebastopol, Outside of Service Area Agreements")

3. Reason for Requesting City Services:

Well and Septic Age

Documentation of existing or potential threat to public health and safety is attached (required).

NOTE: You must provide documentation from PRMD Well and Septic Division of an existing or potential threat to public health or safety as a part of your complete application. (See Attachment entitled "City of Sebastopol, Outside of Service Area Agreements")

4. Additional Information: *(Please attach additional sheets as necessary.)*

For Office Use Only

Deposit Received: \$ 1500⁰⁰

Receipt No: 100081

Date: 11/9/20

Application Complete

Engineering File No: 20-45



No. 10865

RECEIPT

CITY OF SEBASTOPOL
PUBLIC WORKS DEPARTMENT

Date 11/19/20

Name Clive & Kimberly Sharrocks

Address 7216 Robinson Rd.
Sebastopol CA 95472

For: Outside Service Area
Agreement for
7216 Robinson Rd.

Acct. # _____ Amt. _____

Acct. # _____ Amt. _____

Acct. # _____ Amt. 1500.00

Cash

Check # 10865

Credit Card

TOTAL \$ 1500.00

Received By J. Hansen

CLIVE SHARROCKS
KIMBERLY SHARROCKS
726 ROBINSON RD
SEBASTOPOL, CA 95472

10865
90-78/1211

Nov 9, 2020
Date

Pay to the Order of City of Sebastopol \$ 1,500
One thousand five hundred exactly - Dollars



For Kimberly Sharrocks MP



CITY OF SEBASTOPOL
Engineering Division
714 Johnson Street
Sebastopol, CA 95472
(707) 823-2151 Phone
(707) 823-4721 Fax

APPLICATION FORM FOR
OUTSIDE SERVICE AREA AGREEMENT
(Outside of City Sewer and Water Services)

Property Address: 732 Robinson Road Assessor's Parcel No: 060-222-014-000

Type of Service Requested: Sewer Only Water Only Sewer and Water

Owner of Record

Name: loring vogel
Mail Address: 732 robinson road
City, State, Zip: sebastopol, ca 95472
Phone: [REDACTED]
Fax: _____
e-mail: lvogel@birdtree.com

[Signature]
Signature

Date: 11/9/20

Applicant (if other than Owner)

Name: _____
Mail Address: 732 robinson road
City, State, Zip: sebastopol, ca 95472
Phone: [REDACTED]
Fax: _____
e-mail: lvogel@birdtree.com

Signature

Date: 11/9/20

Parcel Information

1. Parcel Size (Acres): 2.67 Existing Land Use: _____

2. Describe existing development on the parcel. (Outside of City services are for existing development only.)

Single Family Home

Status of Existing Development (Check One): Legal Legal Non-Conforming

Documentation of Legal Status of Existing Development is attached (required).

NOTE: You must provide documentation from the Sonoma County Permit and Resource Management Department (PRMD) regarding the status of existing development. (See Attachment entitled "City of Sebastopol, Outside of Service Area Agreements")

3. Reason for Requesting City Services:
Age of well and septic

Documentation of existing or potential threat to public health and safety is attached (required).

NOTE: You must provide documentation from PRMD Well and Septic Division of an existing or potential threat to public health or safety as a part of your complete application. (See Attachment entitled "City of Sebastopol, Outside of Service Area Agreements")

4. Additional Information: *(Please attach additional sheets as necessary.)*

Age of well and septic

For Office Use Only

Deposit Received: \$ 1500⁰⁰

Receipt No: 100082

Date: 11/9/20

Application Complete

Engineering File No: 20-46

loring vogel

From: Joe Gaffney <j_gaffney@comcast.net>
Sent: Monday, November 02, 2020 5:24 PM
To: loring vogel
Cc: csharrocks; Dante Del Prete; Michael Carnacchi; Lawrence McLaughlin; Henry Mikus
Subject: Re: water line to 732 robinson
Attachments: PM 104, Robinson Rd (1985).pdf

Loring:

I don't know if you've seen this before. This is the parcel map that is just north and east from your lot. The driveway that wraps around your north and west side is a Public Utility Easement which you have access rights to. You can extend the public water line from the existing hydrant between 720 and 722 Robinson and take your service off of that.

Stay Healthy

Joe Gaffney

On 10/27/2020 3:06 PM Henry Mikus <hmikus@cityofsebastopol.org> wrote:

Loring,

Due to power shut offs our internet is off, and LTE is also having challenges. I cannot set a zoom meeting, nor would I be able to host one until this situation is settled.

How about we postpone this just a day or two until my service is reliable please.

My apologies.

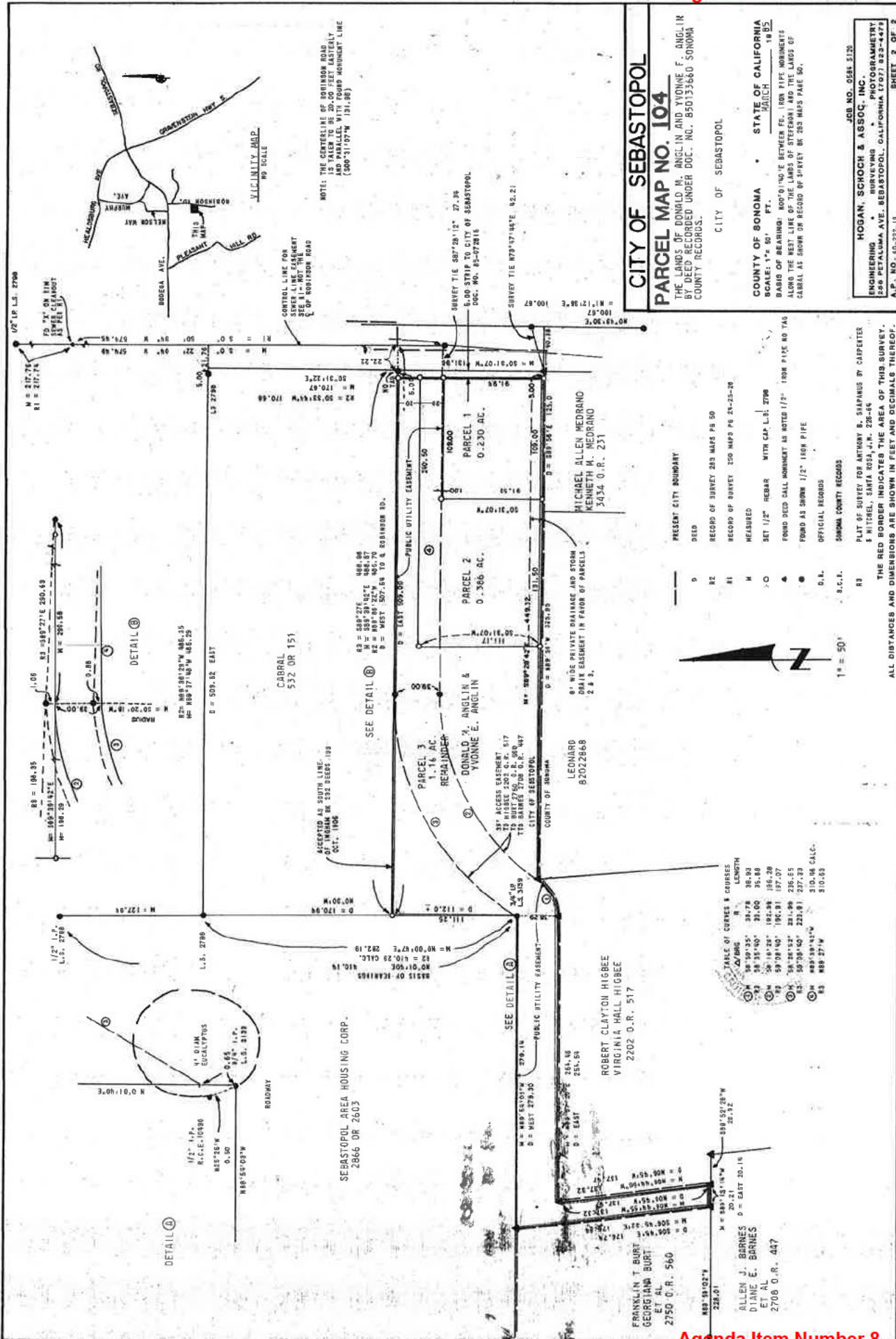
Henry Mikus

Sent from my iPhone

On Oct 26, 2020, at 1:38 PM, loring vogel <lvogel@birdtree.com> wrote:

Ok. Yes or I can. Thanks.

From: Henry Mikus <hmikus@cityofsebastopol.org>
Sent: Monday, October 26, 2020 10:42 AM
To: loring vogel <lvogel@birdtree.com>
Cc: 'csharrocks' <csharrocks@yahoo.com>; Dante Del Prete <ddelprete@cityofsebastopol.org>; 'Joe Gaffney' <j_gaffney@comcast.net>; Michael Carnacchi <mcarnacchi@cityofsebastopol.org>; Lawrence McLaughlin



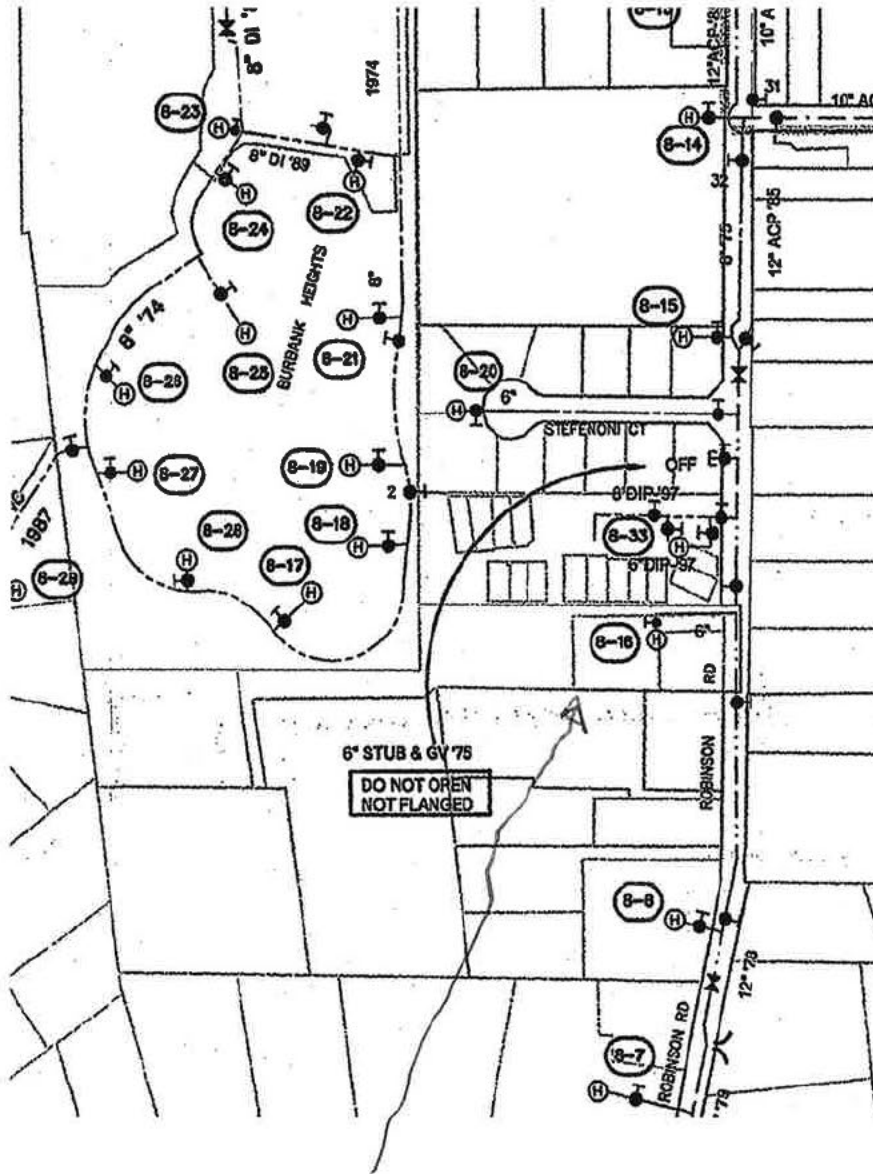
CITY OF SEBASTOPOL
PARCEL MAP NO. 104
 THE LANDS OF DONALD A. ANGLIN AND YVONNE E. ANGLIN BY DEED RECORDED UNDER DOC. NO. 850133660 SONOMA COUNTY RECORDS.

CITY OF SEBASTOPOL

COUNTY OF SONOMA STATE OF CALIFORNIA
 SCALE: 1" = 50' FT. DATE: MARCH 18 1985
 BASIS OF BEARING: 1983 U.S. G.S. BENCH MARK
 ALONG THE WEST LINE 850' TO THE CENTERLINE OF THE LOTS OF CABRAL AS SHOWN ON RECORD OF SURVEY BK 283 MAPS PAGE 50.

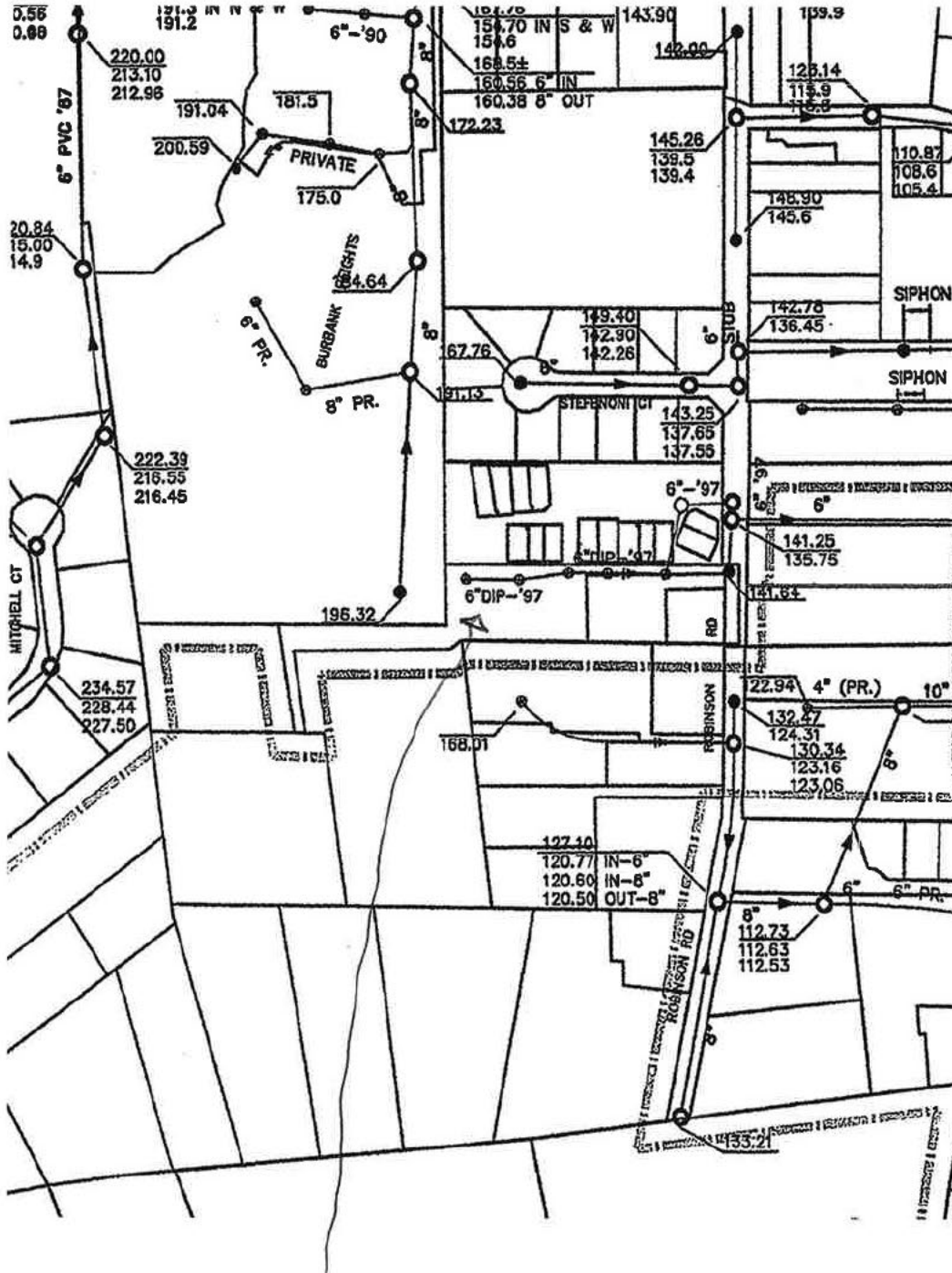
ENGINEERING SURVEYING & PHOTOGRAMMETRY
 2500 PATALONA AVE. SEBASTOPOL, CALIFORNIA 17077 923-4473
 A.P. NO. 43-22-13 SHEET 2 OF 2

water



We propose meters for
 water at hydrant
 8-16 on existing
 public utilities easement and
 then we run ^{private} laterals

Sewer



We propose tying in to existing sewer at top of line in our public easement, and running laterally private up to our properties.

No. 100852

RECEIPT



CITY OF SEBASTOPOL
PUBLIC WORKS DEPARTMENT

Name Loring Vogel Date 1/19/20

Address 732 Robinson Rd

Sebastopol CA 95472

For: Outside Service Area
Agreement for
732 Robinson Rd

Acct. # _____ Amt. _____

Acct. # _____ Amt. _____

Acct. # _____ Amt. 1500.00

Agenda Item Number 8

TOTAL \$ 1500.00

Cash

Check # 814

Credit Card

Received By [Signature]

LORING I. VOGEL
732 ROBINSON RD.
SEBASTOPOL, CA 954724114

90-7118 /5
2211

814

Pay to the order of

City of Sebastopol
Fifteen hundred exact

\$ 1500.00
100

Dollars

Citigold®



For Winter Sewer
060-222-064-000 Deposit

[Signature]

MP