

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Dr. Douglas Treadway

DATE: February 22, 2006

SUBJECT: Discussion of Replacement of Witherly Lane as a Private Street with Anza Pine Road

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Background

Last summer when the Board of Trustees was considering approving a modified easement agreement for the Alston Montessori School, the Board of Trustees gave direction to staff that it only authorized the modified easement and not a private street application if one would be required by the Fremont Planning Department. Staff has complied with the Board's direction and has not filed a private street application even though the Planning Department requested the College to do so at the time it considered the operational use permit for the Alston Montessori School. In December, Mr. Norm Hughes discussed with staff the rationale for moving forward with a private street application. Staff requested that Mr. Hughes summarize the issues related to the private street application. Attached is Mr. Hughes' letter regarding this matter. This letter was reviewed with legal counsel, and legal counsel supported the rationale set forth in the letter.

Staff is requesting that the Board discuss this matter since not filing a private street application could in the future impede the College's progress in developing its frontage property. If the Board of Trustees is willing to reconsider its previous direction, staff will place this matter on a future Board meeting agenda for action.