

OAKLAND AREA GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD
AGENDA REPORT

TO: Boardmembers of the Oakland Area GHAD
FROM: Interim GHAD Attorney
DATE: June 16, 2015

**RE: CONSIDERATION OF RESOLUTION TO APPOINT A TREASURER TO
THE GHAD BOARD (NO. 09)**

SUMMARY

On July 18, 2006 pursuant to Resolution No. 80058 C.M.S., the City Council ordered formation of the Oakland Area Geologic Hazard Abatement District (GHAD) and appointed itself to act as the Board of Directors of the GHAD (GHAD Board). The Oakland Area GHAD Board met on October 3, 2006 and November 21, 2006 and adopted numerous resolutions to make the GHAD operational. GHAD Resolution No. 8, adopted on July 21, 2011, appointed Desley Brooks as the GHAD Chair.

The purpose of this meeting is to request the GHAD Board to appoint a new Treasurer to the GHAD Board as assign the Clerk responsibilities to the GHAD Attorney.

FISCAL IMPACT

None. The GHAD is a self-sustaining district.

BACKGROUND

On October 3, 2006, the GHAD Board appointed Richard Clark of Danville Associates as Treasurer/Clerk pursuant to Resolution No. 1. On May 29, 2015 Mr. Clark provided notice that he will resign from all responsibilities as GHAD Treasurer/Clerk effective June 16, 2015 and that a replacement is needed.

The GHAD Treasurer responsibilities are to collect, hold, invest, appropriate and expend GHAD funds as necessary for carrying out the GHAD operations in accordance with the budget approved by the GHAD Board. The GHAD Treasurer works directly with the GHAD Manager in appropriating funds from the GHAD account to cover all GHAD costs and expenditures. The aforementioned duties cover the entire scope of the GHAD Treasurer responsibilities.

Watermark Asset Management Inc. ("Watermark") currently serves as Treasurer to seven GHADs in Contra Costa County and has the willingness and capacity to assume the role as Treasurer for the Oakland Area GHAD as demonstrated in Exhibit A attached to Resolution 09.

RECOMMENDATION

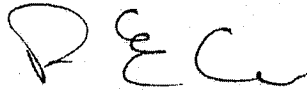
Interim GHAD Attorney recommends that the GHAD Board take the following actions:

1. Adopt Resolution No. 09 appointing Watermark as Treasurer to the GHAD Board and assigning the Clerk responsibilities to the GHAD Attorney.

ACTION REQUESTED BY THE GHAD BOARD

Interim GHAD Attorney recommends that the GHAD Board accept the Agenda Report and take the appropriate actions as specified herein.

Respectfully submitted,



PATRICIA E. CURTIN
Interim GHAD Attorney

ATTACHMENTS:

- A. Watermark experience and credentials

ATTACHED RESOLUTIONS:

1. Resolution No. 09 appointing a Treasurer to the GHAD Board.

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2015 JUN -4 PM 12:52

**THE BOARD OF DIRECTORS OF OAKLAND AREA
GEOLOGIC HAZARD ABATEMENT DISTRICT
RESOLUTION NO. 09**

**RESOLUTION APPOINTING NEW TREASURER TO THE GHAD AND ASSIGNING
CLERK RESPONSIBILITY TO THE GHAD ATTORNEY**

WHEREAS, on July 18, 2006, the Oakland City Council adopted Resolution No. 80058 approving the formation of the Oakland Area Geologic Hazard Abatement District (GHAD) and appointing itself to serve as the GHAD Board of Directors;

WHEREAS, on October 3, 2006, the GHAD Board appointed Richard Clark of Danville Associates as Treasurer/Clerk pursuant to Resolution No. 1;

WHEREAS, on May 29, 2015 Mr. Clark provided notice that he will resign from all responsibilities as GHAD Treasurer/Clerk effective June 16, 2015 and that replacements are needed;

WHEREAS, Watermark Asset Management Inc. ("Watermark") is recommended as replacement for Treasurer. Watermark serves as Treasurer to seven GHADs in Contra Costa County and has the willingness and capacity to assume the role as Treasurer for the Leona Quarry GHAD. Watermark's experience and credentials are attached hereto as Exhibit A;

WHEREAS, Watermark desires to act as Treasurer and the Board of Directors desires to approve Watermark to provide these services;

WHEREAS, the GHAD Attorney is recommended as replacement for Clerk as it serves as Clerk for other GHADs and has the willingness and capacity to assume the role as Clerk for the Oakland Area GHAD.

NOW THEREFORE, the GHAD Board of Directors resolves and orders that:

1. The GHAD Board approves the appointment of Watermark to replace Richard Clark of Danville Associates as Treasurer.
2. The GHAD Board further authorizes the GHAD Treasurer to collect, hold, invest, appropriate and expend GHAD funds as necessary for carrying out the GHAD operations in accordance with the budget approved by the GHAD Board. The GHAD Treasurer shall work directly with the GHAD Manager in appropriating funds from the GHAD account to cover all GHAD costs and expenditures. The aforementioned duties cover the entire scope of the GHAD Treasurer responsibilities.

3. The GHAD Board approves the appointment of the GHAD Attorney to replace Richard Clark of Danville Associates as Clerk.

4. The recitals are incorporated herein by this reference.

This Resolution shall become effective immediately upon its passage and adoption.

OAKLAND, CALIFORNIA, June 16, 2015

PASSED BY THE FOLLOWING VOTE:

AYES: Chair Desley Brooks, Boardmember Noel Gallo, Boardmember Lynette Gibson McElhaney, Boardmember Dan Kalb, Boardmember Rebecca Kaplan, Boardmember Larry Reid, Boardmember Abel Guillen, Boardmember Annie Campbell Washington.

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Clerk of the GHAD Board

Attachments: Exhibit A (Watermarks Experience and Credentials)

FILED
OFFICE OF THE CITY CLERK
OAKLAND

LEONA QUARRY GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD
AGENDA REPORT

2015 JUN -4 PM 12:52

TO: Boardmembers of the Leona Quarry GHAD
FROM: Interim GHAD Attorney
DATE: June 16, 2015

RE: **CONSIDERATION OF RESOLUTION TO APPOINT A TREASURER TO THE GHAD BOARD (NO. 16)**

SUMMARY

On December 3, 2002 pursuant to Resolution No. 77545 C.M.S., the City Council ordered formation of the Leona Quarry Geologic Hazard Abatement District (GHAD) and appointed itself to act as the Board of Directors of the GHAD (GHAD Board). The Leona Quarry GHAD Board met on March 15, 2005 and May 3, 2005 and adopted numerous resolutions to make the GHAD operational. GHAD Resolution No. 10, adopted on July 21, 2011, appointed Desley Brooks as the GHAD Chair.

The purpose of this meeting is to request the GHAD Board to appoint a new Treasurer to the GHAD Board and assign the Clerk responsibilities to the GHAD Attorney.

FISCAL IMPACT

None. The GHAD is a self-sustaining district.

BACKGROUND

On October 3, 2006, the GHAD Board appointed Richard Clark of Danville Associates as Treasurer/Clerk pursuant to Resolution No. 1. On May 29, 2015 Mr. Clark provided notice that he will resign from all responsibilities as GHAD Treasurer/Clerk effective June 16, 2015 and that a replacement is needed.

The GHAD Treasurer responsibilities are to collect, hold, invest, appropriate and expend GHAD funds as necessary for carrying out the GHAD operations in accordance with the budget approved by the GHAD Board. The GHAD Treasurer works directly with the GHAD Manager in appropriating funds from the GHAD account to cover all GHAD costs and expenditures. The aforementioned duties cover the entire scope of the GHAD Treasurer responsibilities.

Watermark Asset Management Inc. ("Watermark") currently serves as Treasurer to seven GHADs in Contra Costa County and has the willingness and capacity to assume the role as Treasurer for the Leona Quarry GHAD as demonstrated in Exhibit A attached to Resolution 15;

RECOMMENDATION

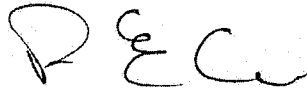
Interim GHAD Attorney recommends that the GHAD Board take the following actions:

1. Adopt Resolution No. 16 appointing Watermark as Treasurer to the GHAD Board and assigning the Clerk responsibilities to the GHAD Attorney.

ACTION REQUESTED BY THE GHAD BOARD

Interim GHAD Attorney recommends that the GHAD Board accept the Agenda Report and take the appropriate actions as specified herein.

Respectfully submitted,



PATRICIA E. CURTIN
Interim GHAD Attorney

ATTACHMENTS:

- A. Watermark experience and credentials

ATTACHED RESOLUTION:

1. Resolution No. 16 appointing a new Treasurer to the GHAD Board and assigning Clerk responsibilities to the GHAD Attorney.

THE BOARD OF DIRECTORS OF LEONA QUARRY
GEOLOGIC HAZARD ABATEMENT DISTRICT
RESOLUTION NO. 16

2015 JUN -4 PM 12: 52

**RESOLUTION APPOINTING NEW TREASURER TO THE GHAD AND ASSIGNING
CLERK RESPONSIBILITY TO THE GHAD ATTORNEY**

WHEREAS, on December 3, 2002, the Oakland City Council adopted Resolution No. 77545 approving the formation of the Leona Quarry Geologic Hazard Abatement District (GHAD) and appointing itself to serve as the GHAD Board of Directors;

WHEREAS, on June 21, 2011, the GHAD Board of Directors adopted Resolution No. 11, confirming the transfer of the GHAD Property and GHAD Improvements as defined in the Plan of Control dated March 9, 2005, to the GHAD;

WHEREAS, on October 3, 2006, the GHAD Board appointed Richard Clark of Danville Associates as Treasurer/Clerk pursuant to Resolution No. 1;

WHEREAS, on May 29, 2015 Mr. Clark provided notice that he will resign from all responsibilities as GHAD Treasurer/Clerk effective June 16, 2015 and that replacements are needed;

WHEREAS, Watermark Asset Management Inc. ("Watermark") is recommended as replacement for Treasurer. Watermark serves as Treasurer to seven GHADs in Contra Costa County and has the willingness and capacity to assume the role as Treasurer for the Leona Quarry GHAD. Watermark's experience and credentials are attached hereto as Exhibit A;

WHEREAS, Watermark desires to act as Treasurer and the Board of Directors desires to approve Watermark to provide these services;

WHEREAS, the GHAD Attorney is recommended to assume the responsibilities of the GHAD Clerk as it serves as a clerk for other GHADs and has the willingness and capacity to assume the role as GHAD Clerk.

NOW THEREFORE, the GHAD Board of Directors resolves and orders that:

1. The GHAD Board approves the appointment of Watermark to replace Richard Clark of Danville Associates as GHAD Treasurer.
2. The GHAD Board further authorizes the GHAD Treasurer to collect, hold, invest, appropriate and expend GHAD funds as necessary for carrying out the GHAD operations in accordance with the budget approved by the GHAD Board. The GHAD Treasurer shall work directly with the GHAD Manager in appropriating funds from the GHAD account to cover all

GHAD costs and expenditures. The aforementioned duties cover the entire scope of the GHAD Treasurer responsibilities.

3. The GHAD Board approves the appointment of the GHAD Attorney to replace Richard Clark of Danville Associates as GHAD Clerk.

4. The recitals are incorporated herein by this reference.

This Resolution shall become effective immediately upon its passage and adoption.

OAKLAND, CALIFORNIA, June 16, 2015

PASSED BY THE FOLLOWING VOTE:

AYES: Chair Desley Brooks, Boardmember Noel Gallo, Boardmember Lynette Gibson McElhaney, Boardmember Dan Kalb, Boardmember Rebecca Kaplan, Boardmember Larry Reid, Boardmember Abel Guillen, Boardmember Annie Campbell Washington.

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Clerk of the GHAD Board

Attachments: Exhibit A (Watermarks Experience and Credentials)