

**OAKLAND AREA  
GEOLOGIC HAZARD ABATEMENT DISTRICT**

**TO: Oakland Area GHAD Board of Directors**

**FROM: GHAD Manager – ENGEO Incorporated, Haley Ralston  
GHAD Attorney/Clerk – Fennemore Wendel, Patricia E. Curtin**

**BOARD MEETING DATE: June 4, 2024**

**SUBJECT: Conduct a Public Hearing and Upon Conclusion Adopt Resolution 2024/02 Confirming the Tabulation of Votes, and If Assessment Is Approved, Adopt Resolution 2024/03 Authorizing the Levy and Collection of the Assessment for the Oak Knoll Development within the Oakland Area Geologic Hazard Abatement District Development as Set Forth in the Engineer’s Report Dated April 3, 2024**

**RECOMMENDATIONS:**

Staff recommends that the GHAD Board take the following actions:

1. Open and conduct a public hearing on the proposed assessment;
2. Close the hearing and consider any protests against the assessment;
3. Direct the GHAD Clerk to canvass and tabulate the assessment ballots;
4. Adopt Resolution 2024-02 Accepting the Tabulation of Votes; and
5. If the vote supports the approval of the assessment, adopt Resolution 2024-03 Confirming the Assessment, and Authorizing the Levy and Collection of the assessment for the Oak Knoll Development within the Oakland Area Geologic Hazard Abatement District.

**SUMMARY:**

In approving the Oak Knoll development, Subdivision 8320, the City Council of Oakland adopted Condition of Approval No. 51 requiring the development be annexed into the Oakland Area Geologic Hazard Abatement District (“GHAD”). As allowed by GHAD Law, the owner of property within the Oak Knoll development submitted a Petition for Annexation for the Oak Knoll development into the Oakland Area GHAD. On July 5, 2022, the Oakland Area GHAD Board of Directors held a public hearing on the proposed annexation and with the approval of Resolution No. 2022-06, annexed the Oak Knoll development into the Oakland Area GHAD and approved the Oak Knoll Plan of Control (“Plan of Control”). With the approval of Resolution No. 2024-01, the Oakland Area GHAD Board approved the Engineer’s Report for the Oak Knoll development to secure funding for the GHAD-maintained improvements identified in the Plan of Control. In order to impose the assessment set forth in the Engineer’s Report, the Oakland Area GHAD Board is to adopt Resolution No. 2024-02 and 2024-03 to accept the tabulation of the ballots, consider any protests against the proposed assessment, and certify the canvass of votes.

## **BACKGROUND AND DISCUSSION:**

On July 18, 2006, the Oakland City Council adopted Resolution 80058 approving the formation of the Oakland Area GHAD and appointed itself to serve as the GHAD Board of Directors. The Oakland Area GHAD includes the Siena Hill development, Kenilworth development, and most recently the Oak Knoll development.

A funding source has been secured for Siena Hill and Kenilworth developments and it is now appropriate to secure a funding source for the Oak Knoll development. Like the Siena Hill and Kenilworth developments, the funding source for the Oak Knoll development is through a real property assessment. The assessment for residential units within the Oak Knoll development is proposed to be imposed the first fiscal year after building permits are issued for each of the residential units. The assessment will be used to maintain the improvements in the Oak Knoll development Plan of Control approved by the GHAD Board previously on July 5, 2022 (Resolution No. 2022-06).

On April 16, 2024, the GHAD Board adopted Resolution No. 2024-01 approving the Engineer's Report for the Oak Knoll development to set the assessment limit of level of \$920.00 per single-family residential unit, adjusted based on residential type as described in Table VII-1 in the Engineer's Report and \$0.10 per square foot of habitable, non-residential space (Fiscal Year 2023/24 dollars). The Oak Knoll development assessment will not impact or change the existing assessments for Siena Hill or Kenilworth developments.

The property owner of the Oak Knoll development was provided with a copy of the Engineer's Report, a Notice of Intent to Order an Assessment, and a ballot as required by Resolution 2024-01.

## **FISCAL IMPACT:**

The developer is responsible for funding all activities undertaken by the Oakland Area GHAD with respect to the Oak Knoll development up and until the GHAD Improvements, as defined in the Plan of Control, are accepted by the GHAD. Thereafter, the Oakland Area GHAD will be funded 100% through assessments levied on properties within the GHAD. The GHAD is a separate and independent agency from the City and its operations have no impact on the City's General Fund.

## **NEXT STEPS:**

1. If the assessment is approved, the Oakland Area GHAD Manager will cause the Notice of Assessment to be recorded in the office of the Clerk-Recorder of the County of Alameda. If the assessment is not approved, no funding source will exist to operate the GHAD within the Oak Knoll development and the developer will remain obligated to perform the necessary maintenance.

*Prepared by:* The GHAD Manager and GHAD Attorney

*Recommended by:* GHAD Manager

## **ATTACHMENTS:**

- A. Resolution No. 2024-02
- B. Resolution No. 2024-03