

**OAKLAND AREA
GEOLOGIC HAZARD ABATEMENT DISTRICT**

TO: Oakland Area Geologic Hazard Abatement District
Board of Directors

FROM: GHAD Manager

BOARD MEETING DATE: July 18, 2023

SUBJECT: Adopting Budget and GHAD Manager Payment Limit -
Resolution No. 2023/02

RECOMMENDATION(S):

ADOPT Oakland Area GHAD Resolution No. 2023/02): 1) adopting the GHAD budget for fiscal year 2023/24 fiscal year; and 2) updating GHAD Manager payment limit under the Consulting Services Agreement.

BACKGROUND:

On July 18, 2006, the Oakland City Council adopted Resolution 80058 approving the formation of the Oakland Area Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors (GHAD Board).

The GHAD Board approved monitoring and maintenance by the GHAD on the 10 constructed residential lots within the Siena Hill development with the adoption of Resolution 16/01 on September 20, 2016. The GHAD has the maintenance responsibilities as outlined below.

- Inspection and maintenance of slopes.
- Inspection and maintenance of lined ditches.
- Monitoring and maintenance of measurement devices, such as piezometers, inclinometers, and tiltmeters.
- Inspection and maintenance of retaining walls.
- Inspection and maintenance of surface water quality treatment and detention facilities within the development.

For fiscal year 2023/24, the GHAD anticipates assessment income of \$14,598.00 from the 10 residential properties currently subject to a levy within the GHAD with total revenue of \$18,098 including investment income. Expenses for fiscal year 2023/24 are estimated at \$19,798. The current Program Budget projects that, at the beginning of the 2023/24 fiscal year (July 1, 2023),

the cumulative reserve will be approximately \$117,837 and approximately \$116,137 at the end of the 2023/24 fiscal year (June 30, 2024).

The Kenilworth development was annexed into the GHAD on February 21, 2017; however, GHAD responsibilities as described in the Plan of Control for the Kenilworth development have not been transferred to the GHAD yet; therefore, the development does not currently receive GHAD services. On July 5, 2022, the GHAD Board approved annexation of the Oak Knoll development into the GHAD. The criterion for GHAD acceptance as set forth in the Plan of Control have yet to be met so the GHAD cannot and is not providing services to this development.

The GHAD Board is being requested to adopt the fiscal year budget for 2023/24 as prepared by the GHAD Manager, ENGEIO Incorporated. The budget is attached to Resolution No. 2023/01 as Exhibit A. In addition, the GHAD Board is being requested to update the GHAD Manager payment limits under the existing Consulting Services Agreement as required by that Agreement. The budget identifies that limit as \$8,850.

FISCAL IMPACTS:

The GHAD is funded 100% through assessments levied on properties within the GHAD. However, the GHAD will not be able to continue to operate if the budget is not approved.

ATTACHMENTS:

- A. Resolution No. 2023/02

**OAKLAND AREA
GEOLOGIC HAZARD ABATEMENT DISTRICT**

**TO: Oakland Area Geologic Hazard Abatement District
Board of Directors**

FROM: GHAD Manager

BOARD MEETING DATE: July 18, 2023

SUBJECT: ~~✓ Oakland Area GHAD Resolution No. 2023/02 re: Annual Budget~~

*Adopting Budget and GHAD manager
Limit -*

RECOMMENDATION(S):

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ATTACHMENTS:

- A. Resolution No. 2023/02

**THE BOARD OF DIRECTORS OF OAKLAND AREA
GEOLOGIC HAZARD ABATEMENT DISTRICT
RESOLUTION NO. 2023/02**

RESOLUTION ADOPTING THE ANNUAL GHAD BUDGET FOR FISCAL YEAR 2023/24 AND UPDATING GHAD MANAGER PAYMENT LIMITS UNDER THE EXISTING CONSULTING SERVICES AGREEMENT

WHEREAS, on July 18, 2006, the Oakland City Council adopted Resolution 80058 approving the formation of the Oakland Area Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

WHEREAS, the GHAD Board of Directors desires to adopt the budget for the fiscal year 2023/24 prepared by the GHAD Manager, ENGEO Inc., attached hereto as Exhibit A.

WHEREAS, on September 21, 2006, pursuant to Resolution No. 1, the GHAD Board approved the consultant services agreement with ENGEO Inc., to act as Manager for the GHAD. This Agreement, in Section 1(e), requires the GHAD Board to determine by resolution each fiscal year the payment limits for GHAD Manager services. The budget attached in Exhibit A identifies this limit at \$8,850.

The Board of Directors of the GHAD HEREBY RESOLVES THAT:

1. The GHAD Board approves the GHAD budget for FY 2023/24 attached as Exhibit A and incorporated herein by this reference.
2. The GHAD Board adopts the payment limit for the GHAD Manager services at \$8,850 for fiscal year 2023/24 as set forth in Exhibit A, and incorporates this payment limit into the consulting services agreement.
3. The recitals are incorporated herein by this reference.
4. This Resolution shall become effective immediately upon its passage and adoption.

OAKLAND, CALIFORNIA, July 18, 2023

PASSED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest: _____

Attachment:

Exhibit A - Oakland Area Geologic Hazard Abatement District Budget for Fiscal Year 2023/24

**OAKLAND AREA GEOLOGIC HAZARD ABATEMENT DISTRICT
BUDGET FOR FISCAL YEAR 2023/24**



June 2, 2023

Oakland Area Geologic Hazard Abatement District Board of Directors
Chair Kevin Jenkins
Boardmember Rebecca Kaplan
Boardmember Dan Kalb
Boardmember Nikki Fortunato Bas
Boardmember Carroll Fife
Boardmember Janani Ramachandran
Boardmember Noel Gallo
Boardmember Treva Reid

Oakland Area Geologic Hazard Abatement District
Oakland City Hall
1 Frank Ogawa Place
Oakland, CA 94612

Subject: Oakland Area Geologic Hazard Abatement District
Oakland, California

BUDGET FOR FISCAL YEAR 2023/24

Dear Chair Jenkins and Boardmembers:

Attached is the program budget for the Oakland Area Geologic Hazard Abatement District (GHAD) for Fiscal Year (FY) 2023/24. The proposed program budget is \$19,798. The budget expenses break down into the following approximate percentages of the total expenses.

Major Repair	0 percent
Preventive Maintenance and Operations	41 percent
Special Projects	0 percent
Administration and Accounting.....	15 percent
Additional - Outside Professional Services.....	43 percent

The budget anticipates FY 2023/24 revenue of \$18,098. A summary of the expenses is shown in Table 6, followed by a brief description of each budget item on the following pages.

Sincerely,

Oakland Area Geologic Hazard Abatement District
ENGEO Incorporated, General Manager
1630 San Pablo Avenue, Suite 200
Oakland, CA 94612
ENGEO Project No. 6964.002.022


Haley Ralston


Uri Eliahu

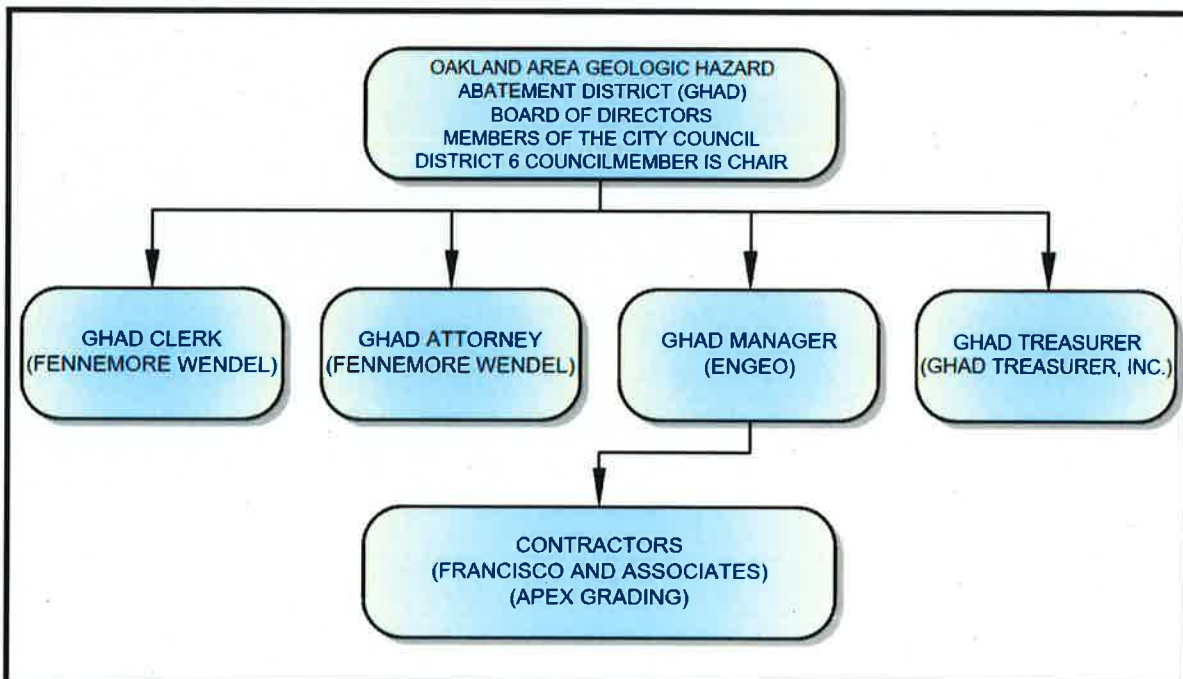
hjr/ue/ar

**Oakland Area Geologic Hazard Abatement District
Program Budget
Fiscal Year 2023/24**

The following budget summarizes the anticipated revenue and expenditures for FY 2023/24 for the Oakland Area Geologic Hazard Abatement District (GHAD), which currently includes the Siena Hill and Kenilworth developments. The Oakland Area GHAD was formed on July 18, 2006, when the Oakland City Council adopted Resolution No. 80058. The 7-unit Kenilworth development was annexed into the Oakland Area GHAD on February 21, 2017, by the GHAD Board of Directors with the adoption of Resolution No. 15; however, it does not currently receive GHAD services as Plan of Control responsibilities have not been transferred from the developer to the GHAD yet. It is anticipated that the earliest date the GHAD would assume Plan of Control responsibilities for the Kenilworth development would be in 2027.

Under Condition of Approval No. 51 for the Oak Knoll development (Subdivision 8320), the City of Oakland required annexation of the Oak Knoll development into the existing Oakland Area GHAD. To satisfy this requirement, the developer of Oak Knoll has petitioned the Board of Directors of the Oakland Area GHAD to annex Oak Knoll into the existing GHAD. It is anticipated that the earliest date the GHAD would assume Plan of Control responsibilities within the Oak Knoll development would be in 2025.

The structure of the Oakland Area GHAD is shown below.



Currently, the GHAD has monitoring and maintenance responsibilities for 10 of the 32 residential parcels within the Siena Hill development (Table 1). Until accepted by the GHAD, monitoring and maintenance responsibilities described in the Plans of Control for the remaining parcels within the Siena Hill development and the Kenilworth development are the responsibility of the property owner(s).

TABLE 1: Parcels Accepted by the Oakland Area GHAD for Plan of Control Monitoring and Maintenance Responsibilities

NUMBER	STREET
64	Siena Drive
67	Siena Drive
68	Siena Drive
71	Siena Drive
72	Siena Drive
75	Siena Drive
76	Siena Drive
79	Siena Drive
80	Siena Drive
84	Siena Drive

The GHAD is funded through real property assessments and return on investments of the GHAD's reserves. The FY 2022/23 assessment levy was set at \$1,390.29 per residential unit adjusted up 6.80% from the 2021/22 assessment level. The assessment limit annual adjustment is based on the 2006 Engineer's Report using the San Francisco-Oakland-Hayward Consumer Price Index (CPI). The final assessment roll prepared for the 2022/23 fiscal year and submitted to the Alameda County Assessor's Office identifies 10 properties subject to the levy of the GHAD assessment. The total levy amount for the 2022/23 FY was \$13,902.80.

TABLE 2: Actual CPI Adjustments and Assessment Limit for Residential Properties

FISCAL YEAR	INDEX DATE	SAN FRANCISCO-OAKLAND-HAYWARD CPI (JUNE/JUNE)	SIENA HILL ANNUAL ASSESSMENT LIMIT	SIENA HILL ASSESSMENT LEVY
2006/2007			\$2,632.00	\$2,632.00
2007/2008	6/30/2008	3.38%	\$2,720.95	\$2,720.94
2008/2009	6/30/2008	4.19%	\$2,834.99	\$2,834.98
2009/2010	6/30/2009	0.23%	\$2,841.43	\$2,841.42
2010/2011	6/30/2010	1.07%	\$2,871.87	\$2,871.86
2011/2012	6/30/2011	2.43%	\$2,941.57	\$2,941.56
2012/2013	6/30/2012	2.64%	\$3,019.13	\$3,019.12
2013/2014	6/30/2013	2.56%	\$3,096.29	\$3,096.28
2014/2015	6/30/2014	3.00%	\$3,189.22	\$3,189.22
2015/2016	6/30/2015	2.29%	\$3,262.24	\$3,262.24
2016/2017	6/30/2016	2.67%	\$2,500.00 ¹	\$1,119.00 ¹
2017/2018	6/30/2017	3.48%	\$2,587.04	\$1,157.96
2018/2019	6/30/2018	3.91%	\$2,688.14	\$1,203.20
2019/2020	6/30/2019	3.22%	\$2,774.57	\$1,241.96
2020/2021	6/30/2020	1.62%	\$2,819.41	\$1,261.96
2021/2022	6/30/2021	3.15%	\$2,908.36	\$1,301.78
2022/2023	6/30/2022	6.80%	\$3,106.09	\$1,309.29
2023/2024	6/30/2023	5% ²	\$3,261.40 ²	\$1,459.80 ²

¹Based on the approved Engineer's Report dated August 31, 2006, and revised April 26, 2016.

²Estimate based on Consumers Price Index through April 2023 and approval by the Board of Directors.

Based on the CPI figures reported through April 2023, for budgeting purposes, we estimate a FY 2023/24 inflation rate adjustment of 5 percent. The actual CPI adjustment for the FY 2023/24 assessment limit will be based on the inflation rate through June 30, 2023, for the past 12 months, as specified in the approved engineer's report for the Siena Hill development. We estimate that 10 residential units will be subject to assessment in FY 2023/24.

TABLE 3: Estimated Revenue

	FY 2023/24 ESTIMATE
Assessed Residential Units	10
Assessments	\$14,598
Investment Income	\$3,500
Total Revenues	\$18,098

The budget amounts listed are based on the engineer's report approved by the Oakland Area GHAD Board of Directors in 2016. The budget amounts have been inflation adjusted to provide the listed budget estimates. The current Program Budget is based on a projection that at the beginning of the 2023/24 fiscal year (July 1, 2023), the cumulative reserve will be about \$117,837 and about \$116,137 at the end of the 2023/24 fiscal year (June 30, 2024).

For fiscal year 2023/24 (July 1, 2023, through June 30, 2024), the GHAD management payment limit is set at \$8,850. The tasks included within the payment limit may include site monitoring events, report preparation, oversight of maintenance and repair projects, administration, accounting, and assessment roll updates.

TABLE 4: Payment Limit

TASK	AMOUNT
Scheduled Monitoring Events	\$5,200
Erosion and Sediment Removal - Concrete Structures	\$200 ¹
Slope Stabilization	\$400 ¹
Administration and Accounting	\$2,300
Budget Preparation	\$750

¹Dependent on maintenance and/or repair activities by the GHAD during FY 2023/24. ENGEO payment limit is 20% of the total budget item.

The budget is divided into four categories, including Major Repair, Preventive Maintenance and Operations, Special Projects, and Administration and Accounting.

MAJOR REPAIR

Included within the major repair category are those repair or improvement projects that are intermittent and, by their nature, do not fit within a scheduled maintenance program. Minor slope repair and erosion control items are generally funded within the Preventive Maintenance and Operations category. For the purposes of this budget, we define major repairs as those estimated at over \$25,000.

PREVENTIVE MAINTENANCE AND OPERATIONS

Preventive maintenance and operations include slope stabilization, erosion protection, and professional services within the District. Professional services include site-monitoring events as scheduled in the GHAD Plan of Control. Slope stabilization and erosion protection responsibilities include the open-space slopes. GHAD-maintained improvements generally include the slopes, concrete-lined drainage ditches, retaining walls, subsurface drainage facilities, and storm drain facilities.

SPECIAL PROJECTS

The Special Projects category allows the GHAD to budget for projects beneficial to the GHAD that are not included in one of the other three categories. Although not proposed in the FY 2023/24 budget, special projects can include items such as geographic information system (GIS) development for GHAD-maintained improvements, website development and maintenance, and reserve studies to reevaluate the financial condition of the GHAD.

ADMINISTRATION AND ACCOUNTING

Administrative expenses include the general manager’s duties related to the operation and administration of the GHAD. The administrative budget category includes tasks of the general manager, clerical, and accounting staff.

A comparison of the estimated expenditures for FY 2022/23, the approved budget for FY 2022/23, and the proposed budget through the end of FY 2023/24 is shown in Table 5.

TABLE 5: Summary of Use of Funds

USE OF FUNDS				
	FY 2022/23 ESTIMATE*	FY 2022/23 BUDGET	FY 2023/24 PROPOSED	PERCENT CHANGE FROM FY 2022/23
Major Repairs				
Subtotal	\$0	\$0	\$0	0.0%
Preventive Maintenance and Operations - Professional Services				
Scheduled Monitoring Events	\$4,000	\$4,000	\$4,200	
Heavy Rainfall Monitoring Event	\$0	\$0	\$1,000	
Subtotal	\$4,000	\$4,000	\$5,200	30.0%
Preventive Maintenance and Operations - Maintenance and Operations				
Erosion Control including Ditches	\$0	\$1,000	\$1,000	
Slope Stabilization	\$1,000	\$2,000	\$2,000	
Subtotal	\$1,000	\$3,000	\$3,000	00.0%
Special Projects				
Subtotal	\$0	\$0	\$0	0.0%
Administration and Accounting – GHAD Manager				
Administration and Accounting	\$2,200	\$2,200	\$2,300	
Budget Preparation	\$700	\$700	\$750	
Subtotal	\$2,900	\$2,900	\$3,050	5.2%

USE OF FUNDS				
	FY 2022/23 ESTIMATE*	FY 2022/23 BUDGET	FY 2023/24 PROPOSED	PERCENT CHANGE FROM FY 2022/23
Administration and Accounting – Outside Professional Services				
Assessment Roll and Levy Update	\$1,000	\$1,000	\$1,000	
Legal Counsel	\$5,000	\$5,000	\$5,000	
Treasurer	\$350	\$650	\$700	
Clerk	\$200	\$400	\$400	
Alameda County Assessor's Fees	\$222	\$215	\$245	
California Association of GHADs Membership	\$103	\$103	\$103	
Insurance – Directors and Officers	\$585	\$600	\$600	
Insurance – General Liability	\$500	\$500	\$500	
Subtotal	\$7,960	\$8,468	\$8,548	1.4%
Total	\$14,860	\$18,368	\$19,798	7.99%

*FY2022/23 Estimate Includes Actual Expenses through April 20, 2023

TABLE 6: Summary of Proposed Fiscal Year 2023/24 Budget

BUDGET ITEM	LABEL	BUDGET AMOUNT	PERCENT OF TOTAL BUDGET (FY 2023/24)
Major Projects	TOTAL	\$0	0%
Scheduled Monitoring Events			
Open Space Scheduled Monitoring Events		\$4,200	
Heavy Rainfall Monitoring Event		\$1,000	
	Subtotal	\$5,200	
Maintenance and Operations			
Erosion Control Including Concrete Structures		\$1,000	
Slope Stabilization		\$2,000	
	Subtotal	\$3,000	
	TOTAL	\$8,200	42%
Special Projects	TOTAL	\$0	0%
Administration and Accounting			
Administration and Accounting		\$2,300	
Budget Preparation/Annual Reporting		\$750	
	Subtotal	\$3,050	15%
Assessment Roll and Levy Update Preparation		\$1,000	
Legal Counsel		\$5,000	
Treasurer		\$700	
Clerk		\$400	
Alameda County Assessor's Fees		\$245	
California Association of GHADs Membership		\$103	
Insurance – Directors and Officers		\$600	
Insurance – General Liability		\$500	
	Subtotal	\$8,548	43%
	TOTAL	\$11,598	

BUDGET ITEM	LABEL	BUDGET AMOUNT	PERCENT OF TOTAL BUDGET (FY 2023/24)
ESTIMATED EXPENDITURES	TOTAL	\$19,798	
ESTIMATED RECEIVABLES			
Beginning Balance			
Balance (July 1, 2022)		\$116,857	
Estimated FY 2022/23 Revenue			
Assessment Revenue		\$13,903	
Investment Revenue		\$3,095	
Estimated 2022/23 Expenses			
Estimated Expenses		\$16,018	
ESTIMATED RESERVE ON JUNE 30, 2023		\$117,837	
Estimated 2023/24 Revenue			
Estimated FY 2023/24 Assessment		\$14,598	
Estimated FY 2023/24 Investment Income		\$3,500	
Estimated 2023/24 Expenses			
Expenses through June 30, 2024		\$19,798	
ESTIMATED RESERVE ON JUNE 30, 2024		\$116,137	

MAJOR REPAIRS (MAJOR)

There are currently no ongoing major repair projects, and none are anticipated for the 2023/24 fiscal year within the GHAD-maintained areas of the Oakland Area GHAD. Minor slope repair and erosion control items are generally funded within the Preventive Maintenance and Operations category. While no major repairs are ongoing at this time, by their nature, major repairs, such as landslides, are unpredictable and could occur during the 2023/24 fiscal year. The reserve portion of the budget allows for funding toward these unpredictable events.

PREVENTIVE MAINTENANCE AND OPERATIONS (PREVMO)

Professional Services

Scheduled Monitoring Events (SCMON)

As provided in the Plan of Control, there are two scheduled monitoring events within the GHAD during each calendar year. **Estimated Budget \$5,200**

Heavy Rainfall Monitoring Events (HRMON)

As described in the Plan of Control, a heavy rainfall event qualifies as precipitation amounts totaling more than 2 inches within a 24-hour period. We have budgeted for one heavy rainfall monitoring event in the 2023/24 fiscal year. **Estimated Budget \$1,000**

Maintenance and Operations

Erosion Control (ERCON)

Anticipated tasks under this budget item include the repair of slope erosion and maintenance of concrete-lined drainage ditches within the accepted lots. **Estimated Budget \$1,000**

Slope Stabilization (SLOPE)

This is for minor repairs, including slope instability, which may occur during the 2023/24 fiscal year. Purchase of emergency stabilization supplies will be included within this budget item.

Estimated Budget \$2,000

SPECIAL PROJECTS (SPEPROJ)

There are currently no ongoing special projects, and none are anticipated for the 2023/24 fiscal year within the GHAD-maintained areas of the Oakland Area GHAD.

ADMINISTRATION AND ACCOUNTING (ADMIN)

Administration (ADACC)

Administrative expenses include the general manager's duties related to the operation and administration of the GHAD. The budget estimate for the accounting and administrative services is derived from the original GHAD budget used to prepare the GHAD Engineer's Report.

Estimated Budget \$2,300

Annual Report and Budget Preparation (BDGET)

This budget provides for the preparation of the annual report and budget. The budget estimate for the accounting and administrative services is derived from the original GHAD budget used to prepare the GHAD Engineer's Report.

Estimated Budget \$750

Assessment Roll and Levy Update (ASSESS)

This budget item allows for preparation of the assessment roll for the District and the updated levy based on the Consumer Price Index adjustment.

Estimated Budget \$1,000

GHAD Attorney (LEGAL)

This budget item allows the GHAD to seek review and comment from GHAD counsel for the District.

Estimated Budget \$5,000

GHAD Treasurer (TREAS)

This budget item accounts for fees related to treasurer services, investment of the GHAD reserve funds, and processing of accounts payable.

Estimated Budget \$700

GHAD Clerk (CLERK)

This budget item accounts for fees to provide clerical staffing and support services for the GHAD Board of Directors and to keep and provide interested parties with accurate records and documents relative to Board actions.

Estimated Budget \$400

Alameda County Assessor's Fees (ALAAS)

This budget item accounts for commission charged by the Alameda County Assessor's Office (currently 1.7 percent of total annual assessment amount) for collection of assessments within the Oakland Area GHAD.

Estimated Budget \$245

Association Membership (CGHAD)

The GHAD maintains membership in the California Association of GHADs.

Estimated Budget \$103

Directors and Officers Insurance (INSUR)

The GHAD maintains directors and officers insurance for the Board of Directors.

Estimated Budget \$600

General Liability Insurance (INSURGL)

The GHAD maintains general liability insurance for open-space areas within the District.

Estimated Budget \$500