

**OAKLAND AREA
GEOLOGIC HAZARD ABATEMENT DISTRICT**

TO: Oakland Area GHAD Board of Directors

FROM: GHAD Manager, Eric Harrell

BOARD MEETING DATE: June 7, 2022

SUBJECT: Accept Petition for Annexation of the
Oak Knoll Project into the Oakland Area GHAD

RECOMMENDATION(S):

1. ACCEPT the Petition for Annexation of the Oak Knoll Project into the existing Oakland Area Geologic Hazard Abatement District (“GHAD”) with the attached draft Plan of Control.;
2. ADOPT the attached Resolution 2022-04 to do the following:
 - (a) CONDUCT a Public Hearing no less than 20 days after notice is sent to property owners within the territory requesting the annexation to consider the proposed annexation of territory into the existing Oakland Area GHAD and the draft Plan of Control, and hear any written objections thereto; and
 - (b) DIRECT the Oakland Area GHAD Clerk, or their designee, to mail, by first class mail, a written notice of the hearing to consider the proposed annexation and the draft Plan of Control to each owner of real property as required by GHAD law.

FISCAL IMPACT:

The GHAD is a separate and independent agency from the City and thus, the GHAD operations has no impact on the City's General Fund. The Petitioner of the Petition for Annexation is responsible for funding all activities undertaken by the GHAD up and until the GHAD Improvements, as defined in the Plan of Control, are accepted by the GHAD. Thereafter, the GHAD is funded 100% through assessments levied on properties within the Oak Knoll portion of the GHAD.

BACKGROUND:

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 appointed itself to serve as the GHAD Board of Directors.

Currently, the Siena Hill and the Kenilworth Property developments are the only properties within the GHAD. As allowed by GHAD Law, the owner of property within the Oak Knoll development submitted a Petition for Annexation of the Oak Knoll property into the Oakland Area GHAD (attached to Resolution No. 2022-04). In approving the Oak Knoll project, the City of Oakland imposed Condition of Approval No. 51 requiring the property owner to seek

annexation of the property into the GHAD. The territory to be annexed into the GHAD and the boundaries of the Oak Knoll development are the same.

In connection with the proposed annexation, a draft Plan of Control has been prepared. The Plan of Control is separate from the Siena Hill and Kenilworth Property Plans of Control and describes the work contemplated for the Oak Knoll development, including maintenance and monitoring activities, including slopes, retaining walls, subdrains, storm drain facilities, and concrete lined drainage ditches.

GHAD Law requires that the Petition for Annexation be placed on the GHAD Board agenda and thereafter, a public hearing be conducted to consider the Petition. Notice of the hearing must be sent to those within the boundaries of the requested annexation area at least 20 days before the hearing takes place.

If annexation is approved, the funding for the GHAD activity on the proposed annexed area to prevent, mitigate, abate and control geologic hazards will be based on an assessment, and such funds will be collected and used in connection with the Oak Knoll Plan of Control. The proposed assessment will be supported by a detailed Engineer's Report prepared by a registered professional engineer certified by the State of California, and will be considered at a subsequent date in accordance with Proposition 218. The proposed assessment does not impact or change the existing assessments for the Siena Hill and Kenilworth Property landowners in the GHAD.

The GHAD Manager recommends that the GHAD Petition be accepted and a hearing be scheduled to consider the annexation request.

ATTACHMENTS:

A. Resolution No. 2022-04, attaching Petition for Annexation