

**LEONA QUARRY GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND
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TO: Board Members of the Leona Quarry GHAD **FROM:** GHAD Manager and GHAD Attorney

SUBJECT: Consideration of Resolutions **DATE:** June 18, 2019
To Appoint GHAD Board Member Loren Taylor As GHAD Chair; Adopt 2019/2020 Budget And Approve GHAD Treasurer, Inc. as The Leona Quarry GHAD Treasurer

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.

Board Member Loren Taylor was elected to represent District 6 in November of 2018 and is now eligible to serve as the GHAD Chair.

The purpose of this meeting is to request the GHAD Board to:

1. Appoint GHAD Board Member Loren Taylor as the GHAD Chair;
2. Adopt the budget for the fiscal year 2019/2020; and
3. Approve GHAD Treasurer, Inc. as the new Leona Quarry GHAD Treasurer.

FISCAL IMPACT

None. The GHAD is a self-sustaining district. Costs for the maintenance and operations of the GHAD are recovered through assessments on the properties within the GHAD boundaries. The GHAD fund has a balance of \$4,277,698 as of May 2, 2019. The final assessment roll for the 2018/2019 fiscal year identifies 402 properties as subject to the levy of the GHAD assessment. The 2019/2020 assessment amount is \$1,488.98/unit. A total of 427 homes were approved as part of the Monte Vista Villas project which is within the GHAD boundaries. It is estimated that 420 residential units will be subject to the assessment in FY 2019/2020. Assessments are levied on a parcel the next fiscal year after a building permit is issued for that parcel.

BACKGROUND

Appoint GHAD Board Member as GHAD Chair

Upon the election of Loren Taylor as District Councilmember for District 6, the GHAD Board is being asked to appoint Mr. Taylor as GHAD Chair to replace former GHAD Chair Desley Brooks (Resolution No. 2019-01).

2019/2020 GHAD Budget

The Plan of Control states that approximately 83 acres of open space property will be transferred to the GHAD a minimum of three years after the recordation of the first final map(s) affecting the GHAD property. The applicable final maps were filed on July 19, 2005 (Tract 7351 & 7493) and December 9, 2005 (Tract 7492). The open space property was transferred to the GHAD on January 28, 2011.

The Plan of Control also dictates when the monitoring, maintenance and repair activities will be transferred to the GHAD. As set forth in the Plan of Control, the transfer automatically occurs on the “... day exactly two years after the first occupancy permit for the Leona Quarry project is issued by the City, or exactly two years after the completion and City approval of the grading described in Condition of Approval 13, Construction, Phase B of the Conditions of Approval for the Leona Quarry project, whichever is later, and provided the improvements required by the Condition of Approval for the Leona Quarry Project have been accepted.”

The City approved the grading on January 25, 2007. The City in a letter dated January 14, 2010 confirmed that the maintenance responsibilities were ready to be transferred to the GHAD. The Interim GHAD Manager inspected the improvements and on March 17, 2011 confirmed that they were in a condition to allow the GHAD to accept responsibility as required by the Plan of Control.

The following are the improvements that are owned and/or maintained by the GHAD:

- Detention basin, including structures, vegetation and sediment removal
- Concrete-lined drainage ditches
- Storm drain inlets, outfalls and pipelines within the open space property
- Subdrains
- Debris bench maintenance
- Piezometers and inclinometers
- Settlement monuments
- Rock catchment fences
- Trail maintenance including trash removal
- Potential Alameda County Whipsnake habitat – fencing and sign maintenance
- Emergency vehicle access and maintenance roads
- Erosion management

As of January 28, 2011, the GHAD became the owner of the open space property within the GHAD boundaries and as of March 17, 2011 the maintenance responsibilities for the improvements in the Plan of Control were transferred to the GHAD. The proposed budget for fiscal year 2019/2020 must

be approved in order to fund the GHAD responsibilities. The budget is attached to Resolution No. 2019-02 as Exhibit A.(Resolution No. 2019-02).

Change in Treasurer Designation

The GHAD Board is also being asked to approve a change in the designation of the Treasurer from Watermark Asset Management, Inc. to GHAD Treasurer, Inc. In early 2019, Watermark Asset Management, Inc. reorganized for the purpose of acting as treasurer for various GHADs and to separate treasurer functions from GHAD funds investment management functions. Personnel acting in the capacity of GHAD Treasurer will remain the same (Resolution No. 2019-03).

SUSTAINABLE OPPORTUNITIES

Economic: The GHAD will provide services in a responsible manner as required by the Plan of Control.

Environmental: All GHAD projects and activities are exempt from the California Environmental Quality Act (“CEQA”) pursuant to the GHAD Law. Pub. Res. Code §26559. The implementation of the GHAD will result in better protection of private property and the appropriation of adequate resources to manage potential geotechnical, drainage, and other potential geologic hazards. A comprehensive set of sustainability measures have been incorporated into the conditions of approval for the Leona Quarry project, including the provision of solar energy, through a layer of photovoltaic panels located on the main, south facing slope, for the complete power needs of fifteen percent of the units.

Social Equity: The GHAD will create a safer environment where the open space and recreational features on the site will be maintained safely and appropriately.

DISABILITY AND SENIOR CITIZEN ACCESS

GHAD operations will not affect the provision of adequate access for the disabled community or senior citizens.

RECOMMENDATION

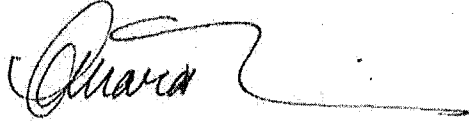
The GHAD Attorney recommends that the GHAD Board take the following actions:

1. Adopt Resolution No. 2019-01 appointing Board Member Loren Taylor as GHAD Chair;
2. Adopt Resolution No. 2019-02 adopting the 2019/2020 Budget; and
3. Adopt Resolution No 2019-03 authorizing GHAD Treasurer, Inc. as the Leona Quarry GHAD Treasurer

ACTION REQUESTED BY THE GHAD BOARD

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

Respectfully submitted,



for

PATRICIA E. CURTIN
GHAD Attorney

ATTACHED RESOLUTIONS:

1. Resolution No. 19-01 Appointing Board Member Loren Taylor as GHAD Chair
2. Resolution No. 19-02 Adopting 2019/2020 Budget.
3. Resolution No 19-03 Authorizing GHAD Treasurer, Inc. as the Leona Quarry GHAD Treasurer

**THE BOARD OF DIRECTORS OF LEONA QUARRY
GEOLOGIC HAZARD ABATEMENT DISTRICT**

RESOLUTION NO. 19-01

**RESOLUTION APPOINTING GHAD BOARD MEMBER LOREN TAYLOR AS GHAD
CHAIR**

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, a member of the GHAD is appointed to act as the Chair of the GHAD Board and which such position was previously held by former GHAD Board Member Desley Brooks;

WHEREAS, the GHAD is located within GHAD Board Member Loren Taylor's district boundaries; and

WHEREAS, on June 18, 2019, the GHAD Board of Directors desires to now appoint GHAD Board Member Loren Taylor as the GHAD Chair.

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

1. GHAD Board Member Loren Taylor is hereby appointed to be the GHAD Chair.
2. The recitals are incorporated herein by this reference.

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

OAKLAND, California, June 18, 2019

PASSED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Patricia Curtin, Esq.
GHAD Attorney

Date of Attestation: _____