

**BLACKHAWK
GEOLOGIC HAZARD ABATEMENT DISTRICT**

TO: Blackhawk GHAD
Board of Directors

FROM: GHAD Manager and GHAD Attorney

BOARD MEETING DATE: September 20, 2016

SUBJECT: Claims submitted by Various Claimants Within the
Silver Oak Townhomes Homeowners Association Against the GHAD

RECOMMENDATION(S):

DENY claims submitted by the following Claimants, each individually seeking in excess of \$10,000 for alleged damages to real property owned and/or managed by the Claimants:

- A. Michael Volberding and Pamela Volberding (531 Silver Oak Lane, Danville, CA)
- B. Michael Brown and Kathleen Brown (539 Silver Oak Lane, Danville, CA)
- C. Richard Ruslender and Muriel Ruslender (545 Silver Oak Lane, Danville, CA)
- D. Mary Sembrat (553 Silver Oak Lane, Danville, CA)
- E. Michael DesRosiers and Kristine DesRosiers (555 Silver Oak Lane, Danville, CA)
- F. Omar Murillo and Nelab Murillo (557 Silver Oak Lane, Danville, CA)
- G. Geoffrey Fisher (559 Silver Oak Lane, Danville, CA)
- H. Curtis Kundred and Julia Kundred (561 Silver Oak Lane, Danville, CA)
- I. Jose Mendoza and Theresa Mendoza (561 Silver Oak Lane, Danville, CA)
- J. Helen Vrionis (563 Silver Oak Lane, Danville, CA)
- K. Mehri Shahabi (565 Silver Oak Lane, Danville, CA)
- L. Shashipavan Bairaboina (567 Silver Oak Lane, Danville, CA)
- M. Silver Oak Townhomes Homeowner Association

BACKGROUND:

Commencing late July of 2015, the Blackhawk Geologic Hazard Abatement District (GHAD) commenced work on a slope stabilization project (project) on the common area hillside immediately below Silver Oak Lane and owned by the Blackhawk Corporation (BHC). The BHC property is located within the boundaries of the GHAD. The project was constructed below Building 7 at 563-569 Silver Oak Lane, Danville, California, on Parcel G which is owned by BHC. Building 7 is comprised of a fourplex of townhomes containing four parcels: APN 203-570-068 (569 Silver Oak Lane); APN 203-570-067 (567 Silver Oak Lane); APN 203-570-066 (565 Silver Oak Lane); and APN 203-570-065 (563 Silver Oak Lane).

The project primarily consisted of the installation of a subgrade, structural slope stability installation on Parcel G on the hillside slope below Building 7. The project was accepted by the District as complete on January 4, 2016.

On August 8, 2016, the GHAD received individual claims from the above-mentioned owners and manager of the Silver Oak Townhomes Homeowners Association, each presenting damages claims against the GHAD in excess of \$10,000.

REASONS FOR RECOMMENDATION:

The GHAD General Manager and GHAD Attorney recommend the claim be denied because the Claimants have not produced sufficient evidence to support a claim against the GHAD.

ACTION TAKEN:

On September 20, 2016, the GHAD Board of Directors unanimously accepted staff's recommendation and thereby denied each claim submitted by the following individual Claimants against the GHAD for damages to real property within the Silver Oak Townhomes Homeowners Association, each individual claim in excess \$10,000:

- A. Michael Volberding and Pamela Volberding (531 Silver Oak Lane, Danville, CA)**
- B. Michael Brown and Kathleen Brown (539 Silver Oak Lane, Danville, CA)**
- C. Richard Ruslender and Muriel Ruslender (545 Silver Oak Lane, Danville, CA)**
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