

**CANYON LAKES
GEOLOGIC HAZARD ABATEMENT DISTRICT**

TO: Canyon Lakes GHAD
Board of Directors

FROM: GHAD Attorney Patricia Curtin

BOARD MEETING DATE: June 20, 2017

SUBJECT: Canyon Lakes GHAD Resolution No. 2017/01

RECOMMENDATION(S):

ADOPT Canyon Lakes GHAD Resolution No. 2017/01 adopting the GHAD budget for 2017/2018 fiscal year and updating GHAD Manager payment limit under Consulting Services Agreement, as recommended by the GHAD Attorney and General Manager.

RECEIVE the GHAD Statement of Investment Policy prepared by the GHAD Treasurer.

FISCAL IMPACT:

The GHAD is funded 100% through assessments levied on properties within the GHAD. Therefore, there is no impact on the County General Fund.

BACKGROUND:

On June 4, 1985, the Contra Costa County Board of Supervisors adopted Resolution No. 85/289 approving the formation of the Canyon Lakes Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors. The GHAD Board is requested to adopt budgets for the GHAD operations each fiscal year. The GHAD Board is being requested to adopt the fiscal year budget for 2016/2017 as prepared by the GHAD General Manager, Sands Construction Company, Inc., which is attached to Resolution No. 2017/01 as Exhibit A. The budget identifies the annual payment limit as \$100,155, under Administration.

CONSEQUENCE OF NEGATIVE ACTION:

The GHAD will not be able to continue operation starting July 1, 2017 if the budget is not approved.

GHAD STATEMENT OF INVESTMENT POLICY

The GHAD Manager, GHAD Attorney, and GHAD Treasurer recommend that the GHAD Board review and acknowledge receipt of an annual Statement of Investment Policy with sets forth a prudent and systematic investment relative to the monies generated by the GHAD property

assessments. These activities help ensure the appropriate management of the GHAD investment portfolio in order to achieve a meaningful return on investment.

The responsibility for conducting the GHAD investment program is delegated to the Treasurer, who has established written procedures for the operation of the investment program, consistent with the Statement of Investment Policy. The Treasurer coordinates closely with the GHAD Manager on budget, cash flow and disbursements and is responsible for managing the investment of GHAD revenues and reserve funds. The Treasurer has further authority, with consent of the GHAD Board of Directors, to engage the services of one or more third party custodians (“Custodian”) to provide safekeeping and custody of assets.

The GHAD law does not include any direction or prohibitions on investment practices for GHAD funds. Government Code Sections 53601, 53607, and 53646 of the State of California regulate investment practices. The Statement of Investment Policy uses the State's provisions for local government investments as a starting point for developing and implementing the GHAD’s investment policies and practices.

Finally, the GHAD’s Statement of Investment Policy shall be reviewed regularly by the GHAD Manager and Treasurer. The Board of Directors shall approve all substantive modifications of the Policy.

The Statement of Investment Policy is attached to Resolution No. 2017/01 as Exhibit B.

**THE BOARD OF DIRECTORS OF CANYON LAKES
GEOLOGIC HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on June 20, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RESOLUTION NO. 2017/01 (CANYON LAKES GHAD)

SUBJECT: Adopting 2017/2018 annual budget and updating GHAD Manager rates under the existing consulting services agreement.

WHEREAS, on June 4, 1985, the Contra Costa County Board of Supervisors adopted Resolution 85/289 approving the formation of the Canyon Lakes Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

WHEREAS, on March 15, 2011, pursuant to Resolution No. 2011/01, the GHAD Board approved the consultant services agreement (Agreement) with Sands Construction Company, Inc., to act as Interim GHAD Manager. This Agreement, in section 3, requires the GHAD Board to determine by resolution each fiscal year the annual payment limit for GHAD Manager services.

WHEREAS, on January 08, 2013, pursuant to Resolution No. 2013/01, the GHAD Board removed the term "Interim" from the GHAD Manager title, the Agreement was incorporated therein by reference.

WHEREAS, the GHAD Board of Directors desires to adopt the budget for the fiscal year 2017/2018 prepared by the GHAD Manager, Sands Construction Company, Inc., attached hereto as Exhibit A. The budget attached in Exhibit A identifies the annual payment limit at \$100,155, at page 2 under Administration.

The Board of Directors of the GHAD HEREBY RESOLVES THAT:

1. The GHAD Board approves the GHAD budget for the 2017/2018 fiscal year attached as Exhibit A and incorporated herein by this reference.
2. The GHAD Board adopts the annual payment limit for GHAD Manager services at \$100,155 as set forth in Exhibit A and incorporates this payment limit into the consulting services agreement.

3. The GHAD Board hereby acknowledges receipt of the Statement of Investment Policy dated June 2017 attached hereto as Exhibit B.

4. The recitals are incorporated herein by this reference.

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