

MAGEE PRESERVE ANNEXATION CONTRA COSTA COUNTY, CALIFORNIA

ENGINEER'S REPORT

SUBMITTED TO
Wiedemann Ranch Geologic Hazard Abatement District

PREPARED BY
ENGEO Incorporated

July 19, 2023

PROJECT NO.
8889.200.000

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ENGINEER'S REPORT

WIEDEMANN RANCH GEOLOGIC HAZARD ABATEMENT DISTRICT MAGEE PRESERVE ANNEXATION

(Pursuant to the Public Resources Code of the State of California, Section 26500 et seq.)

CERTIFICATION OF FILING

The Wiedemann Ranch Geologic Hazard Abatement District ("GHAD") provides monitoring and maintenance of improvements related to geologic hazard management and other responsibilities as a landowner, within the Magee Preserve Development portion of the Wiedemann Ranch GHAD, and levies and collects assessments to perform its activities.

The improvements, which are generally identified in this report, are defined as any activity necessary or incidental to the prevention, mitigation, abatement, or control of a geologic hazard, construction, maintenance, repair, or operation of improvement; or the issuance and servicing of bonds issued to finance any of the foregoing (Pub. Resources Code § 26505).

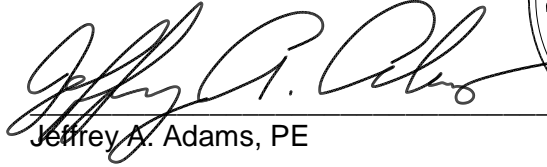
This report consists of eight parts, as follows.

- I. INTRODUCTION
- II. BACKGROUND
- III. GEOLOGIC HAZARD ABATEMENT DISTRICT BOUNDARIES
- IV. SERVICE LEVELS
- V. DESCRIPTION OF GHAD-MAINTAINED IMPROVEMENTS
- VI. ASSESSMENT METHOD
- VII. ASSESSMENT - BUDGET
- VIII. HOMEOWNERS ASSOCIATION (HOA) RESPONSIBILITIES

The undersigned respectfully submits the enclosed Engineer's Report.

Date: July 19, 2023

By: ENGEO Incorporated



Jeffrey A. Adams, PE



ENGINEER'S REPORT

WIEDEMANN RANCH
GEOLOGIC HAZARD ABATEMENT DISTRICT
MAGEE PRESERVE ANNEXATION
CONTRA COSTA COUNTY, CALIFORNIA
for the
ESTABLISHMENT OF AN ASSESSMENT LIMIT

I. INTRODUCTION

The Contra Costa County Board of Supervisors formed the Wiedemann Ranch Geologic Hazard Abatement District ("GHAD" or "District") on September 1, 1998 (Resolution No. 98/438), under the authority of the California Public Resources Code, Division 17, Section 26500 et seq. ("GHAD Law"). The GHAD Board of Directors approved the annexation of the Magee Preserve development into the GHAD on July 13, 2021, with the approval of Resolution No. 2021/03 (GHAD Annexation Area). The GHAD Annexation Area consists of 410 acres. The members of the Contra Costa County Board of Supervisors act as the Board of Directors of the GHAD ("Board of Directors").

II. BACKGROUND

The Wiedemann Ranch Board of Directors approved the Revised Plan of Control dated July 16, 2023, for the Magee Preserve Development Annexation ("Plan of Control") with the approval of Resolution No. 2023/04 on August 1, 2023. The Plan of Control describes the GHAD's responsibilities to permanently monitor and maintain GHAD improvements within the GHAD Annexation Area. This Engineer's Report describes the establishment of an assessment level to fund GHAD activities necessary or incidental to geologic hazard mitigation, abatement, and control.

III. GEOLOGIC HAZARD ABATEMENT DISTRICT BOUNDARIES

The boundaries for the GHAD Annexation Area are shown in the legal description and plat attached hereto as Exhibits A and B.

IV. SERVICE LEVELS

The GHAD's activities are those that are necessary or incidental to the prevention, mitigation, abatement, or control of geologic hazards including construction, maintenance, repair, or operation of any improvement; and the issuance and servicing of bonds, or other debt, issued to finance any of the improvements.

The GHAD provides for the administration and review of improvements within budgeted limits established by the Board of Directors, including the following services.

1. Oversight of GHAD operations, including reporting to the GHAD Board of Directors.
2. In conjunction with the Contra Costa County Assessor's Office, setting the annual levying of assessments on the property tax roll.

3. Engagement of technical professionals to perform the monitoring duties as described in the Plan of Control.
4. Performance of GHAD maintenance activities in accordance with the Plan of Control. These maintenance activities include, but are not limited to, the following.
 - General maintenance of the surface drainage improvements within the GHAD Annexation Area. The GHAD is responsible for general monitoring, maintenance, and repair of the concrete-lined drainage ditches, storm drain inlets and outlets in open space, subdrain outlets, and risers.
 - Monitoring and maintenance of detention basin/water quality basins within the GHAD Annexation Area
 - Monitoring and maintenance of measurement devices, such as piezometers, inclinometers, and tiltmeters, if any
 - Maintenance of gates, fencing, and signage within the GHAD-owned parcels
 - Observation of slopes and creek banks for erosion, landslide, and related slope instability
 - Vegetation control for fire suppression on GHAD-owned parcels and blading of fire roads
5. The GHAD will also have maintenance, monitoring, and repair responsibilities for slopes, which include natural, reconstructed or partially reconstructed landslides
6. Preparation of annual GHAD budgets and other GHAD related documents for consideration by the Board of Directors

V. DESCRIPTION OF GHAD-MAINTAINED IMPROVEMENTS

The GHAD-maintained improvements are described in the Revised Plan of Control for the Magee Preserve development, dated July 17, 2023. In general, these improvements include water-quality facilities; drainage systems, including lined ditches in developed areas and open space; open-space storm drain inlets and outlets; subdrains and outlets; retaining walls; and access roadways.

VI. ASSESSMENT METHOD

The improvements and GHAD responsibilities described in Sections IV and V are distributed within the GHAD Annexation Area. The improvements described in this document are intended to confer the following special benefits to the assessed parcels.

1. Mitigation and abatement of slope instability
2. Mitigation and abatement of erosion due to uncontrolled surface water
3. Protection of water quality
4. Protection from wild land fires due to unmanaged vegetation

The GHAD assessment is distributed among all residential property owners within the GHAD Annexation Area. The improvements and responsibilities listed in Sections IV and V provide specific benefits to the properties within the GHAD Annexation Area and the improvements are constructed for the benefit of those assessed and do not provide a special benefit to the general public.

The GHAD Annexation Area consists of 69 single-family residences. Single-family residential lots are assessed as one unit and are assessed equally. The total number of residential units within the GHAD Annexation Area was considered in light of the annual GHAD Annexation Area budget in developing the annual assessment amount.

The Engineer hereby finds that the residential properties within the GHAD Annexation Area receive approximately equal special benefit from the work and improvements within the GHAD. As a result, the GHAD assessment for the GHAD Annexation Area is distributed among all owners of parcels.

A financial analysis was performed to provide a framework for an operating budget for the ongoing abatement, mitigation, prevention, and control of geologic hazards within the GHAD Annexation Area. In preparation of the budget, several factors were considered, including the following.

1. Site geology
2. Remedial grading
3. Proximity of geologic hazards to the proposed residential structures
4. Improvements and residential structures
5. Site access considerations
6. Elements requiring routine maintenance, including the following.
 - Surface drainage facilities
 - Graded slopes
 - Retaining walls
 - Bioretention and detention basin facilities
 - Fire breaks and fire roads
7. Ownership of land within GHAD Annexation Area

VII. ASSESSMENT - BUDGET

The purpose of this Engineer's Report is to establish the assessment level and the apportionment of the assessment within the GHAD Annexation Area as required under Proposition 218. The annual budget in each subsequent fiscal year will apprise the GHAD Board of Directors of the estimated budget for the upcoming year.

Based on the estimated expenses for ongoing operations and allowing for larger (approximately \$500,000) geologic events at 10-year intervals, a budget was prepared for the purpose of estimating initial assessment levels (Exhibit C).

The Engineer recommends an annual assessment limit for the GHAD Annexation Area of \$2,690.00 per single-residential unit (Fiscal Year 2023/24 dollars). The proposed initial assessment level will be automatically adjusted annually on April 30 of each year to reflect the percentage change in the San Francisco-Oakland-Hayward Consumers Price Index for All Urban Consumers.

While the assumptions and estimated expenses listed in Exhibit B were used to determine the assessment levels for the GHAD Annexation Area, they do not represent the actual budget for any one year of the GHAD's operation, since initiation of the levy on the individual parcels will be based on the issuance of certificates of occupancy, which will occur over a number of years. In addition, the Engineer anticipates that the projected expense amounts will be reached over time and that these amounts will be inflation-adjusted in the year that the expenses occur.

Pursuant to the schedule set forth in Section 6 and Exhibit B of the Plan of Control for the Magee Preserve Development, the GHAD reserve at the time of transfer will be a minimum of \$93,000. The minimum reserve amount represents the estimated total assessments that will be collected from within the Magee Preserve Development during the period the developer is responsible for all GHAD activities. The reserve amount requirement may be satisfied by including remaining cash and receivables from the Contra Costa County Tax Collector during the period that the developer of the Magee Preserve Development is responsible for performing the GHAD activities. Additional funds contributed directly by the developer to satisfy the minimum reserve requirement, if any, shall be provided to the Wiedemann Ranch GHAD prior to its acceptance of the monitoring and maintenance responsibilities within the Magee Preserve Development.

VIII. DEVELOPER RESPONSIBILITIES

The developer of the Site is responsible for managing and maintaining the GHAD Annexation Area until the GHAD accepts responsibility for the GHAD Improvements as set forth in the Plan of Control and in this Engineers Report. In addition, the developer is responsible for funding any necessary GHAD functions or business undertaken for the GHAD Annexation Area that the GHAD Officers or Board of Directors determine are necessary before the GHAD accepts the GHAD Improvements. If the developer fails to fund all or a portion of these costs, the costs shall be covered by the funds generated by and for the GHAD Annexation Area (i.e., through the assessment) and the developer shall be required to reimburse the GHAD for such costs before the GHAD can accept monitoring and maintenance responsibilities for the GHAD Improvements.

The GHAD may utilize funds generated by or for the GHAD Annexation Area to conduct any necessary GHAD functions or business for the GHAD Annexation Area required before the GHAD accepts the GHAD improvements. Such functions and business can include periodic reporting to the GHAD Board of Directors and work performed by GHAD Officers to verify the GHAD is implemented in accordance with the Plan of Control and GHAD Law.



EXHIBIT A
LEGAL DESCRIPTION

Exhibit A – Legal Description

Magee Preserve

Real property situate in the Town of Danville, County of Costa, State of California, and being all of New Lots 1, 2, and 3 as described in the Grant Deed to Teardrop Partners, LP, a California Limited Partnership, filed for record on January 30, 2014, under document number 2014-015148, Contra Costa County Records; and Parcel A as shown upon the Parcel Map of Subdivision MS 152-77, filed on September 26th, 1980 in Book 89 of Parcel Maps at Page 45, Contra Costa County Records; and Lot 2 as described in the Lot Line Adjustment 98-19 filed for record on October 22, 1998, under document number 98-0262058, Contra Costa County Records; and Lot 3 as described in the Grant Deed to Magee Investment Company, A California Corporation, filed for record on October 22, 1998, under document number 98-0262061, Contra Costa County Records; and Parcel 5 as described in the Grant Deed to Teardrop Partners, LP, filed for record on September 24, 1998, under document number 98-0231704, Contra Costa County Records.

Containing 410.37 acres, more or less.

See Exhibit B – Plat to Accompany Legal Description which is attached hereto and made a part hereof

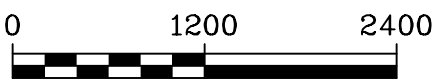
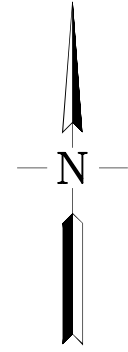
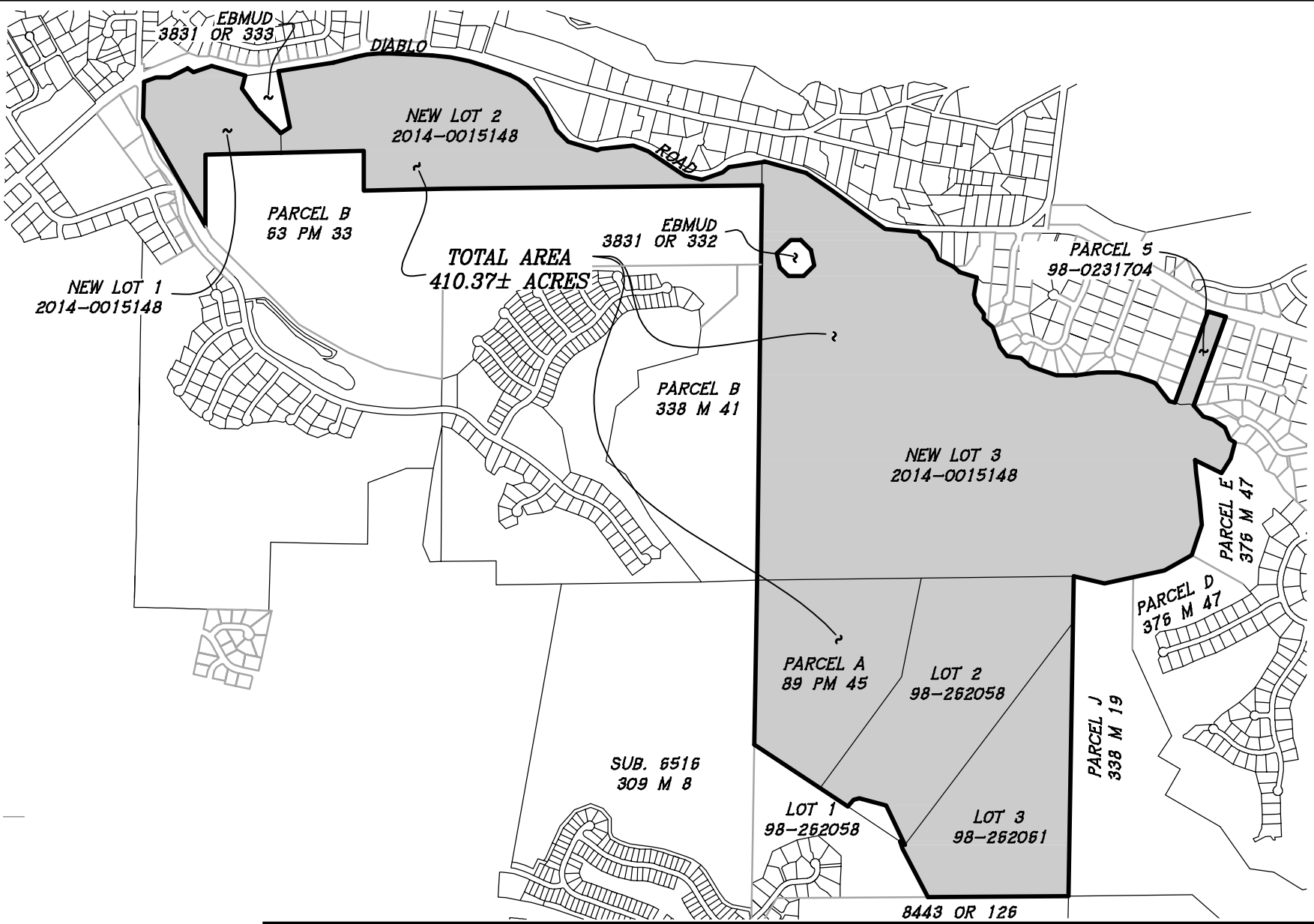
End of description.



EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION


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(IN FEET)
1 inch = 1200 ft.

EXHIBIT B
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
MAGEE PRESERVE

TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA



RUGGERI-JENSEN-AZAR
 ENGINEERS ■ PLANNERS ■ SURVEYORS
 4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
 PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE: 1" = 1200'	DATE: 3/29/2021	JOB NO.: 091015IP
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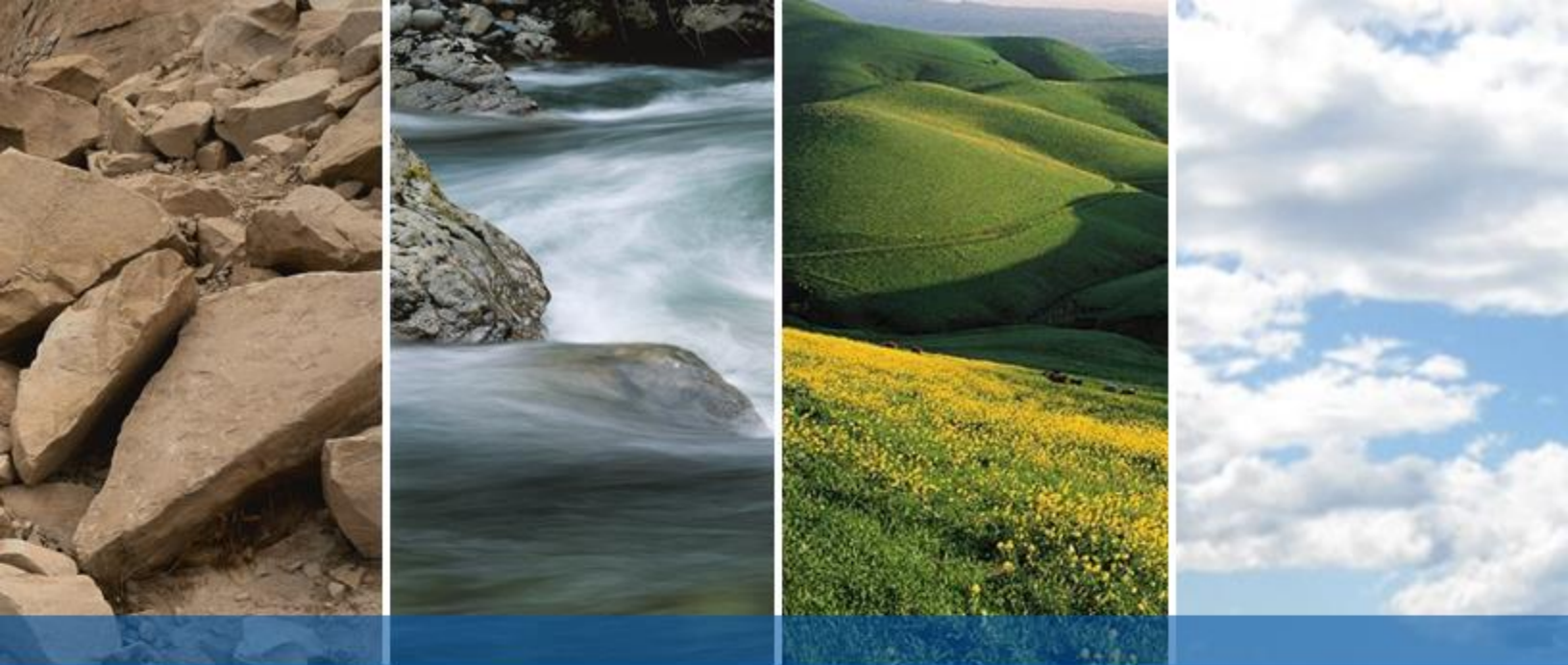


EXHIBIT C

BUDGET – July 19, 2023

**Wiedemann Ranch Geologic Hazard Abatement District
Magee Preserve Annexation**

Budget – July 19, 2023

ASSUMPTIONS

Total No. of Single-Family Residential Units	69
Annual Assessment per Unit (FY 2023/2024)	\$2,690
Annual Adjustment in Assessment (estimated)	2.6%
Inflation (estimated)	2.6%
Investment Earnings (estimated)	4.0%
Frequency of Large-Scale Repair (years)	20
Cost of Large-Scale Repair (2023/2024 \$)	\$500,000

ESTIMATED ANNUAL EXPENSES IN 2023/2024 DOLLARS

Administration (e.g., Manager, Treasurer, Legal Counsel)	\$24,000
Outside Administration Services, Membership, and Insurance	\$6,450
Monitoring Activities	\$13,500
Maintenance and Operation	\$56,269
Capital Improvements (e.g., Storm Drain, Ditch, and Fence)	\$39,913
Major Repair (Annualized)	\$25,000
Miscellaneous & Contingency (5%)	<u>\$8,257</u>
TOTAL	\$173,389



ATTACHMENT 2

Exhibit A – Legal Description

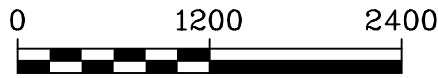
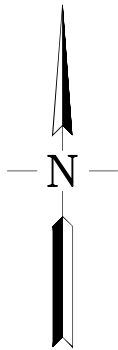
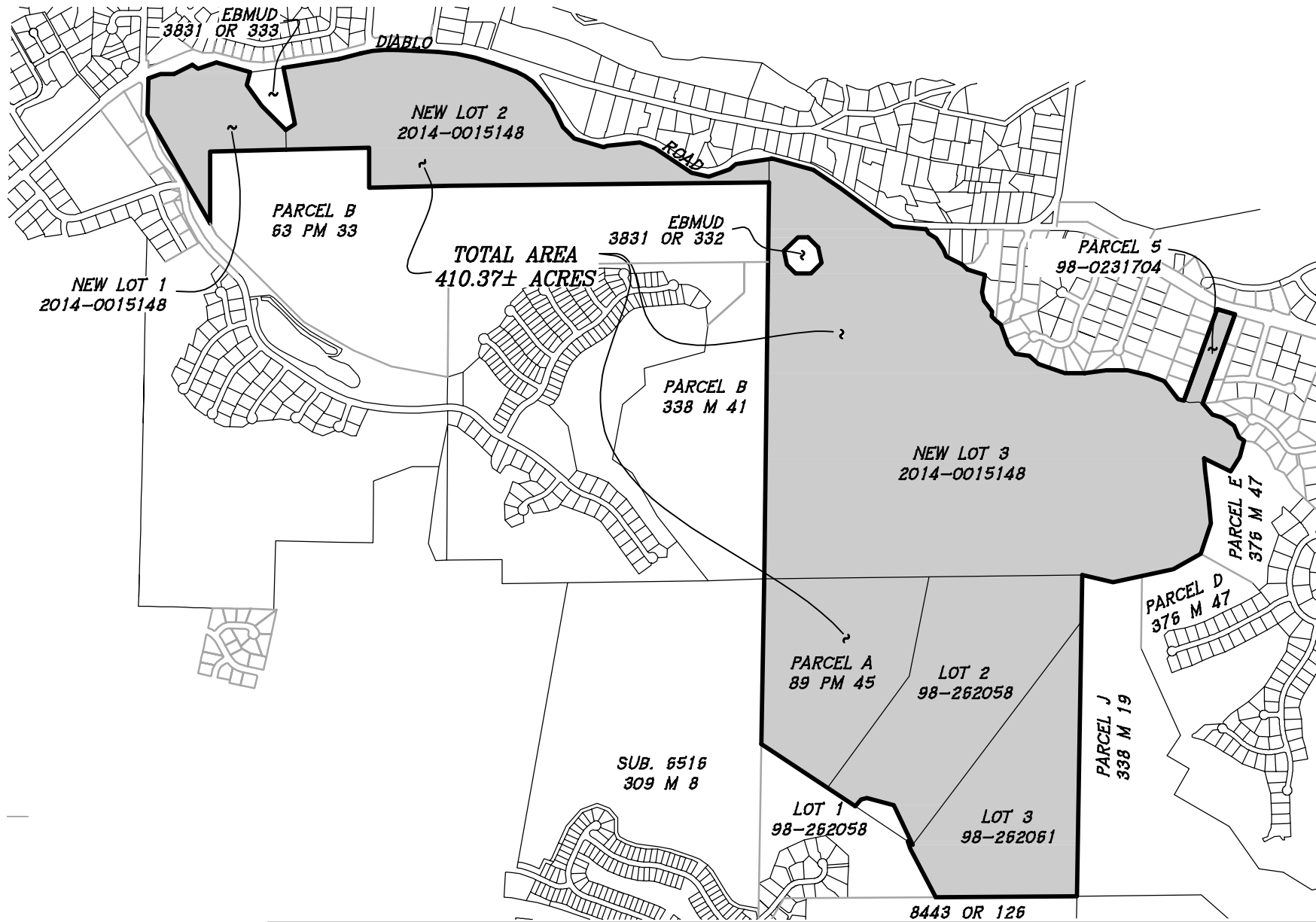
Magee Preserve

Real property situate in the Town of Danville, County of Costa, State of California, and being all of New Lots 1, 2, and 3 as described in the Grant Deed to Teardrop Partners, LP, a California Limited Partnership, filed for record on January 30, 2014, under document number 2014-015148, Contra Costa County Records; and Parcel A as shown upon the Parcel Map of Subdivision MS 152-77, filed on September 26th, 1980 in Book 89 of Parcel Maps at Page 45, Contra Costa County Records; and Lot 2 as described in the Lot Line Adjustment 98-19 filed for record on October 22, 1998, under document number 98-0262058, Contra Costa County Records; and Lot 3 as described in the Grant Deed to Magee Investment Company, A California Corporation, filed for record on October 22, 1998, under document number 98-0262061, Contra Costa County Records; and Parcel 5 as described in the Grant Deed to Teardrop Partners, LP, filed for record on September 24, 1998, under document number 98-0231704, Contra Costa County Records.

Containing 410.37 acres, more or less.

See Exhibit B – Plat to Accompany Legal Description which is attached hereto and made a part hereof


End of description.



(IN FEET)
1 inch = 1200 ft.

EXHIBIT B
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
MAGEE PRESERVE

TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA



RUGGERI-JENSEN-AZAR
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 PHONE: (925) 227-9100 FAX: (925) 227-9300

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NOTICE OF (1) ADOPTION OF RESOLUTION NO. 2023/05 BY THE BOARD OF DIRECTORS OF THE WIEDEMANN RANCH GEOLOGIC HAZARD ABATEMENT DISTRICT, (2) PROPOSED ASSESSMENT FOR MAGEE PRESERVE DEVELOPMENT, AND (3) PUBLIC HEARING FOR OCTOBER 3, 2023

On September 1, 1998, the Contra Costa County Board of Supervisors adopted Resolution 98/438 approving the formation of the Wiedemann Ranch Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

NOTICE IS HEREBY GIVEN that:

On August 8, 2023, the GHAD Board adopted Resolution No. 2023/05 declaring its intention to impose an assessment on the Magee Preserve Development property included in the GHAD and directing that a public hearing be scheduled to consider adoption of this assessment to finance the Magee Preserve Development within the GHAD. The total yearly estimated budget for the Magee Preserve development within the Wiedemann Ranch GHAD as set forth in the Magee Preserve Development Engineer's Report is \$173,389. If the assessment is adopted, each residential unit will be assessed a maximum of \$2,690.00 per year (Fiscal Year 2023/2024 dollars), plus an annual adjustment to reflect the percentage change in the San Francisco-Oakland-Hayward Consumers Price Index (CPI) for All Urban Consumers. The assessment will be levied beginning in first fiscal year after issuance of a certificate of occupancy and the assessment will continue to be levied in perpetuity.

The attached Magee Preserve Development Engineer's Report (dated July 19, 2023) for the was prepared by a registered engineer, certified in the State of California, and describes the reason for the assessment and the basis upon which the amount of the proposed assessment was calculated. The Engineer's Report specifically sets forth the yearly estimated budget, the total assessment, the proposed estimated assessments to be levied each year against each parcel of property, and a description of the method used in formulating the estimated assessment. A copy of GHAD Board Resolution No. 2023/05 is available for inspection at Wiedemann Ranch GHAD, c/o ENGEO Incorporated, 2010 Crow Canyon Place, Suite 250, San Ramon, CA 94583.

The GHAD Board will conduct a public hearing on October 3, 2023, at the chambers of the Contra Costa County Board of Supervisors, Room 107, Administration Building, 1025 Escobar Street, Martinez, California at 9 a.m. or thereafter.

The following paragraph provides the procedure for returning and tabulating the ballots. Copies of this Notice, a sealable ballot, and the Magee Preserve Development Engineer's Report are being sent to each of the property owners within the Magee Preserve Development GHAD.

The ballot may be completed and mailed, or hand delivered, to Wiedemann Ranch Geologic Hazard Abatement District, % ENGEO Incorporated, GHAD Manager, 2010 Crow Canyon Place, Suite 250, San Ramon, CA 94583 or may be submitted at the public hearing. Each ballot may be submitted, withdrawn, or changed at any time prior to the conclusion of the testimony on the proposed assessment at the public hearing. At the hearing, the GHAD Clerk or some other impartial person not having a vested interest in the outcome of the proposed assessment, shall tabulate the ballots and the GHAD Board shall consider any objections or protests to the assessment and certify the tabulation of the ballots.

The GHAD Board shall not impose the assessment if there is a majority protest. A majority protest exists if, upon conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

Inquiries regarding the proposed assessment may be made by mail to: Wiedemann Ranch GHAD % ENGeo Incorporated, GHAD Manager Attn: Haley Ralston, 2010 Crow Canyon Place, Suite 250, San Ramon, CA 94583, by phone at (925) 866-9000, or by e-mail at hralston@engeo.com.

Enclosures: Magee Preserve Development Engineer's Report (dated July 19, 2023)
Sealable Ballot

BALLOT

Wiedemann Ranch Geologic Hazard Abatement District
For Magee Preserve Development Assessment

Identification of Parcel: Assessor's Parcel Numbers(s) _____

Record Owner: _____

_____ **Yes**, I approve the proposed annual benefit assessment described in the attached Notice on the property described by the parcel numbers identified in this Ballot.

_____ **No**, I do not approve the proposed annual benefit assessment described in the attached Notice on the property described by the parcel numbers identified in this Ballot.

Signature of Record Owner or Authorized Representative of the
above identified parcel(s)

Dated: _____

Mail or deliver sealed Ballot to:

Wiedemann Ranch Geologic Hazard Abatement District
c/o ENGEO Incorporated, GHAD Manager
Attention: Haley Ralston
2010 Crow Canyon Place, Suite 250
San Ramon, CA 94583