



**Contra  
Costa  
County**

To: Wiedemann Ranch GHAD Board of Directors  
 From: Patricia E. Curtin, GHAD Attorney and General Manager  
 Date: January 17, 2017

Subject: Public Hearing on the Proposed Assessment for Podva Development- Wiedemann Ranch GHAD

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**RECOMMENDATION(S):**

Staff recommends that the Wiedemann Ranch Geologic hazard Abatement District (“GHAD”) Board take the following actions:

1. Open and conduct a public hearing on the proposed assessment;
2. Close the hearing and consider any protests against the assessment;
3. Direct the GHAD Clerk to tabulate the assessment ballots; and
4. If the vote supports the approval, adopt Resolution No. 2017-01 Accepting tabulation of ballots, considering any objections, confirming the assessment, and authorizing the levy and collection of the assessment for the annexed territory of the Podva (aka Red Hawk) subdivision to the Wiedemann Ranch Geologic Hazard Abatement District (“GHAD”).

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

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Action of Board On: **01/17/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, District III Supervisor  
 Karen Mitchoff, District IV Supervisor  
 Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 17, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Patricia E. Curtin,  
 510-622-7660

cc:

### **FISCAL IMPACT:**

The developer of the Podva development is responsible for funding all activities within the Podva development undertaken by the GHAD up and until the GHAD Improvements, as defined in the Podva Plan of Control, are accepted by the GHAD. Thereafter, the GHAD is funded 100% through assessments levied on properties within the GHAD.

### **BACKGROUND:**

The Podva development includes 20 single-family residential lots and additional improvements. Due to the potential for geologic hazards and related ongoing maintenance, the conditions of approval for the Podva development required that it be included within a GHAD. To satisfy this requirement, the developer of the Podva development petitioned the GHAD Board to annex into the Wiedemann Ranch GHAD. On January 19, 2016, the GHAD Board accepted the petition.

On March 29, 2016, the GHAD Board, pursuant to Resolution No. 2016-02, adopted the Plan of Control for the Podva development and pursuant to Resolution No. 2016-04, declared its intent to order an assessment and set a hearing for January 17, 2017 to consider the proposed assessment.

At the January 17 hearing, the GHAD Board will hear and consider any protests against the proposed assessment. If a majority of the property owners within the Podva development protest the assessment, the GHAD Board is precluded by law from ordering the assessment. As required by law, on November 16, 2016, the ballot on the proposed assessment was mailed to the property owners. The property owners may vote either to approve or reject the assessment. The ballots will be presented to the GHAD Board at its hearing on January 17.

The Engineer's Report (attached as Attachment A to proposed Resolution No. 2017-01) recommends an assessment limit of \$2,395 per single family residential unit (fiscal year 2016/2017 dollars). The annual assessment limit would be adjusted annually based on the San Francisco-Oakland-San Jose Consumer Price Index (CPI). The assessment will allow the GHAD to fund estimated administrative, monitoring, maintenance, and repair expenses within the Podva development.

### **ENVIRONMENTAL REVIEW:**

Under State law, GHAD formation is exempt from review under the California Environmental Quality Act (CEQA) (Pub. Res. Code § 26559). Also, improvements caused to be undertaken under the GHAD Law and all activities in furtherance or in connection therewith are exempt from review under CEQA (Pub. Res. Code § 26601).

### **CONTACT PERSON:**

Inquiries regarding the hearing and requests for materials and documents to be considered at the hearing may be made to the GHAD Manager, ENGEO Incorporated, Attn: Eric Harrell, 2010 Crow Canyon Place, Suite 250, San Ramon, CA 94583 by phone at (925)

866-9000, or by e-mail at eharrell@engeo.com.

CONSEQUENCE OF NEGATIVE ACTION:

The Podva portion of the GHAD would have no secured funding source so GHAD services could not be provided to this area of the GHAD.

CLERK'S ADDENDUM

***CLOSED the hearing; TABULATED the assessment ballots; and ADOPTED Resolution No. 2017-01 Accepting tabulation of ballots, considering any objections, confirming the assessment, and authorizing the levy and collection of the assessment for the annexed territory of the Podva (aka Red Hawk) subdivision to the Wiedemann Ranch Geologic Hazard Abatement District ("GHAD").***

ATTACHMENTS

Resolution No. 2017\_1 Weidemann Ranch GHAD

Canvass of Votes Weidemann Ranch GHAD

Weidemann Ranch GHAD Agenda and Staff Report 1-2017

Weidemann Ranch GHAD Agenda

Weidemann Ranch GHAD Notice of Assessment