



Contra
Costa
County

To: Wiedemann Ranch GHAD Board of Directors
From: Patricia E. Curtin, GHAD Attorney and General Manager
Date: June 22, 2021

Subject: Adoption of Wiedemann Ranch GHAD Budget 2021-2022

RECOMMENDATION(S):

ADOPT Wiedemann Ranch GHAD Resolution No. 2021/01 adopting the GHAD budget for 2021/2022 fiscal year and updating GHAD Manager payment limit under Consulting Services Agreement.

ADOPT Wiedemann Ranch GHAD Resolution No. 2021/02 approving the change of GHAD Treasurer from Watermark Asset Management, Inc. to GHAD Treasurer, Inc. and approve a contract of services between GHAD Treasurer, Inc. and Wiedemann Ranch GHAD.

FISCAL IMPACT:

The GHAD is funded 100% through assessments levied on properties within the GHAD.

BACKGROUND:

The GHAD Board is requested to adopt a budget for the GHAD operations each fiscal year. The GHAD Board is being requested to adopt the fiscal year budget for 2021/2022 as prepared by the GHAD Manager which is attached to Resolution No. 2021/01. In addition, the GHAD Board is being requested to update the GHAD Manager payment limits under

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/22/2021** ☒ 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: June 22, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Haley Ralston
909.373.5457

cc:

the existing Consulting Services

BACKGROUND: (CONT'D)

Agreement as required by that Agreement. The budget attached to Resolution No. 2021/01 identifies that limit as \$142,650.

On September 1, 1998, the Contra Costa County Board of Supervisors adopted Resolution No. 98/438 approving the formation of the Wiedemann Ranch Geologic Hazard Abatement District (GHAD) for the Wiedemann Ranch development (Subdivisions 7575, 7578, 7996, and 7998) and appointed itself to serve as the GHAD Board of Directors.

On April 11, 2000, the Wiedemann Ranch GHAD Board of Directors adopted Resolution Nos. 2000/166 and 2000/167 approving annexation of the Henry Ranch development (Subdivision 8118) in San Ramon into the Wiedemann Ranch GHAD.

On July 29, 2014, the Wiedemann Ranch GHAD Board of Directors adopted Resolution 2014/03 approving annexation of the Elworthy Ranch development (Subdivision 9009) in the Town of Danville into the Wiedemann Ranch GHAD.

On January 19, 2016, the Wiedemann Ranch GHAD Board of Directors adopted Resolution 2016/01 approving annexation of the Red Hawk (formerly Podva Property) development (Subdivision 9309) in the Town of Danville into the Wiedemann Ranch GHAD.

The Magee Preserve development (Subdivision 9291) is located at the terminus of San Andreas Drive, south of Diablo Road and Blackhawk Road in the Town of Danville. Sixty-nine single family homes along with appurtenant improvements are planned for the development. Due to the potential for geologic hazards and related required ongoing maintenance, the Conditions of Approval for the Magee Preserve development require that it be included within a GHAD. To satisfy this requirement, the developer of the Magee Preserve development has elected to petition the GHAD Board to annex the Magee Preserve development into the existing Wiedemann Ranch GHAD. The territory to be annexed pursuant to the Petition for Annexation is currently owned by the developer. The boundaries of the territory to be annexed and the boundaries of the Magee Preserve development are the same.

In connection with the proposed annexation, a draft Plan of Control has been prepared. The Plan of Control is separate from the other Plans of Control prepared for existing developments within the Wiedemann Ranch GHAD and describes the work contemplated for the Magee Preserve development, including maintenance and monitoring activities, including slopes, retaining walls, subdrains, storm drain facilities, and concrete-lined drainage ditches. When adopted, the Magee Preserve Plan of Control will address geologic hazards within Subdivision 9291. The final Magee Preserve Plan of Control will be considered by the GHAD Board of Directors at a subsequent date.

Funding for the GHAD activity on the proposed annexed area to prevent, mitigate, abate and control geologic hazards will be based on an assessment, and such funds will be collected and used in connection with the Magee Preserve Plan of Control. The proposed assessment will be supported by a detailed Engineer's Report prepared by a registered professional engineer certified by the State of California, and will be considered at a subsequent date in accordance with Proposition 218. The proposed assessment does not impact or change the existing assessments for the current landowners in the GHAD.

As allowed by Public Resources Code Sections 26557, 26558(c), and 26561, the owners of real property within the proposed annexation area as shown on the assessment roll last equalized by the County of Contra Costa have waived notice of the hearing and a public hearing on the proposed annexation, the original waiver which is on file with the GHAD Clerk and copy attached to this Staff Report, so no such notice and public hearing is required.

CONSEQUENCE OF NEGATIVE ACTION:

The GHAD will not be able to continue operation starting July 1, 2021 if the budget is not approved. The owners of the Magee Preserve development will have to form a new Geologic Hazard Abatement District or seek annexation into another Geologic Hazard Abatement District to satisfy Town of Danville Condition of Approval Nos. B.7, E.4, E.12, and I.5 in Town of Danville Resolution 46-2019 for Subdivision 9291.

CLERK'S ADDENDUM

CORRECTED TO READ: Acting as the governing board of the Wiedemann Ranch Geological Hazard Abatement District (GHAD), ADOPT Wiedemann Ranch GHAD Resolution No. 2021/01 adopting the GHAD budget for fiscal year 2021/22; ADOPT Wiedemann Ranch GHAD Resolution No. 2021/02 accepting petition and setting a hearing for July 13, 2021, at 9:00 a.m. to annex the Magee Preserve development into the existing Wiedemann Ranch Geologic Hazard Abatement District.

ATTACHMENTS

Wiedemann Ranch GHAD Budget 2021-22

Resolution No. 2021/01

Resolution No. 2021/02

Wiedemann Ranch Petition for Annexation