

**JOINT GEOLOGIC HAZARD
ABATEMENT DISTRICTS (GHAD)
MEETING**

**FALLON CROSSING GHAD
SCHAEFER RANCH GHAD**
Tuesday, August 15, 2017 7:00 PM
Shannon Community Center, 11600 Shannon Avenue

A G E N D A

- *Agendas and Staff Reports are posted on the City's Internet Website (www.dublin.ca.gov)*
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CLOSED SESSION 5:30 P.M.

Conference with Real Property Negotiators

Property: 14,000+/- square feet located at the western terminus of Ridgeline Place, APN 941-2832-026 and APN 941-2832-037

Agency Negotiator: Chris Foss, District Manager

Negotiating Parties: Schaefer Ranch Holdings LLC

Under Negotiation: Price and Terms of Payment

REGULAR MEETING 7:00 PM

1. CALL TO ORDER

2. REPORT ON CLOSED SESSION

3. ORAL COMMUNICATIONS

3.1. Public Comment

At this time, the public is permitted to address the Board on non-agendized items. Please step to the podium and clearly state your name for the record. COMMENTS SHOULD NOT EXCEED THREE (3) MINUTES. In accordance with State Law, no action or discussion may take place on any item not appearing on the posted agenda. The Board may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter. Any member of the public may contact the District Clerk's Office related to the proper procedure to place an item on a future GHAD Board agenda. The exceptions under which the Board MAY discuss and/or take action on items not appearing on the agenda are contained in Government Code Section 54954.2(b)(1)(2)(3).

4. CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the GHAD Board with one single action. Members of the audience, Staff or the GHAD Board who would like an item removed from the Consent Calendar for purposes of public input may request the Board President to remove the item.

4.1. Approval of the May 16, 2017 Joint Geologic Hazard Abatement Districts (GHAD) Meeting Minutes for the Schaefer Ranch GHAD

The Board will consider approval of the minutes of the May 16, 2017, Joint Geologic Hazard Abatement Districts (GHAD) meeting, for the Schaefer Ranch GHAD.

STAFF RECOMMENDATION:

Approve the minutes of the May 16, 2017, Joint Geologic Hazard Abatement Districts (GHAD) meeting, for the Schaefer Ranch GHAD.

4.2. Approval of the June 20, 2017 Fallon Crossing Geologic Hazard Abatement District Meeting Minutes

The Board will consider approval of the minutes of the June 20, 2017 Fallon Crossing Geologic Hazard Abatement District meeting minutes.

STAFF RECOMMENDATION:

Approve the minutes of the June 20, 2017 Fallon Crossing Geologic Hazard Abatement District meeting.

5. WRITTEN COMMUNICATION – NONE.

6. PUBLIC HEARING

6.1. Resolution Confirming Assessment and Ordering Levy and Collection thereof to Pay for the Cost and Expenses of the Maintenance and Operations of the Improvements within the Tassajara Hills Annexation to the Fallon Crossing Geologic Hazard Abatement District

The Board of Directors will consider adopting a Resolution confirming the assessment and ordering the levy and collection for the Tassajara Hills development annexation to the Fallon Crossing Geologic Hazard Abatement District. If approved, a new assessment will be levied and collected annually for Geologic Hazard Abatement District activities that directly benefit the properties within the Tassajara Hills development.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate, and adopt the **Resolution** Confirming the Assessment and Ordering the Levy and Collection thereof to Pay for the Cost and Expenses of the Maintenance and Operations of the Improvements within the Tassajara Hills Annexation to the Fallon Crossing Geologic Hazard Abatement District.

7. UNFINISHED BUSINESS – NONE.

8. NEW BUSINESS – NONE.

9. OTHER BUSINESS

10. ADJOURNMENT

This AGENDA is posted in accordance with Government Code Section 54954.2(a)

If requested, pursuant to Government Code Section 54953.2, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation, please contact the City Clerk's Office (925) 833-6650 at least 72 hours in advance of the meeting.



STAFF REPORT

GEOLOGIC HAZARD ABATEMENT DISTRICT

DATE: August 15, 2017

TO: Honorable President and Board of Directors

FROM: Christopher L. Foss, GHAD District Manager

SUBJECT: Approval of the May 16, 2017 Joint Geologic Hazard Abatement Districts (GHAD) Meeting Minutes for the Schaefer Ranch GHAD
Prepared by: Caroline P. Soto, District Clerk

EXECUTIVE SUMMARY:

The Board will consider approval of the minutes of the May 16, 2017, Joint Geologic Hazard Abatement Districts (GHAD) meeting, for the Schaefer Ranch GHAD.

STAFF RECOMMENDATION:

Approve the minutes of the May 16, 2017, Joint Geologic Hazard Abatement Districts (GHAD) meeting, for the Schaefer Ranch GHAD.

FINANCIAL IMPACT:

N/A

DESCRIPTION:

The Board will consider approval of the minutes of the May 16, 2017, Joint Geologic Hazard Abatement Districts (GHAD) meeting, for the Schaefer Ranch GHAD.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

N/A

ATTACHMENTS:

1. Draft Minutes of the May 16, 2017 Joint GHAD Meeting

GEOLOGIC HAZARD ABATEMENT DISTRICTS (GHAD) JOINT MEETING

May 16, 2017

1. Call to Order

The meeting was called to order at 7:36 p.m.

PRESENT: District Boardmembers Biddle, Gupta, Goel, Hernandez, and Board President Haubert

ABSENT: None

2. Pledge of Allegiance – The pledge of allegiance was recited

3. Public Comments

7:36 p.m.

No comments were made by any member of the public at this time.

4. Consent Calendar

7:36 p.m.

On motion of Boardmember Gupta, seconded by Boardmember Goel and by unanimous vote, the District Board took the following actions:

4.1. Approved the minutes of the February 7, 2017 Joint GHAD meeting for Fallon Crossing GHAD, Fallon Village GHAD, and Schaefer Ranch GHAD.

4.2. Adopted

FALLON CROSSING GHAD RESOLUTION NO. 01 – 17

**SETTING A PUBLIC HEARING ON THE ANNEXATION
OF THE TASSAJARA HILLS PROPERTY TO THE
FALLON CROSSING GEOLOGIC HAZARD ABATEMENT DISTRICT**

5. Written Communication – None.

6. Public Hearing

6.1 Fiscal Year 2017-2018 Budget for the GHAD's

7:36 p.m.

Board President Haubert opened the public hearing.



Board President Haubert closed the public hearing.

On motion of Boardmember Gupta, seconded by Boardmember Goel and by unanimous vote, the District Board adopted:

FALLON VILLAGE GHAD RESOLUTION NO. 02 – 17

ADOPTING A BUDGET FOR THE FALLON VILLAGE GEOLOGIC HAZARD ABATEMENT DISTRICT FOR FISCAL YEAR 2017-18

SCHAEFER RANCH GHAD RESOLUTION NO. 01 – 17

ADOPTING A BUDGET FOR THE SCHAEFER RANCH GEOLOGIC HAZARD ABATEMENT DISTRICT FOR FISCAL YEAR 2017-18

FALLON CROSSING GHAD RESOLUTION NO. 02 – 17

ADOPTING A BUDGET FOR THE FALLON CROSSING GEOLOGIC HAZARD ABATEMENT DISTRICT FOR FISCAL YEAR 2017-18



7. **Unfinished Business** – None.



8. **New Business** – None.



9. **Other Business** – None.



10. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 7:42 p.m.

Minutes prepared by Caroline P. Soto, District Clerk.

Board President

ATTEST: _____
District Clerk





STAFF REPORT

GEOLOGIC HAZARD ABATEMENT DISTRICT

DATE: August 15, 2017

TO: Honorable President and Board of Directors

FROM: Christopher L. Foss, GHAD District Manager

SUBJECT: Approval of the June 20, 2017 Fallon Crossing Geologic Hazard Abatement District Meeting Minutes
Prepared by: Caroline P. Soto, District Clerk

EXECUTIVE SUMMARY:

The Board will consider approval of the minutes of the June 20, 2017 Fallon Crossing Geologic Hazard Abatement District meeting minutes.

STAFF RECOMMENDATION:

Approve the minutes of the June 20, 2017 Fallon Crossing Geologic Hazard Abatement District meeting.

FINANCIAL IMPACT:

N/A

DESCRIPTION:

The Board will consider approval of the minutes of the June 20, 2017 Fallon Crossing Geologic Hazard Abatement District meeting minutes.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

N/A

ATTACHMENTS:

1. Draft Minutes of the June 20, 2017 Fallon Crossing GHAD Meeting.

**GEOLOGIC HAZARD ABATEMENT DISTRICTS (GHAD) MEETING
FALLON CROSSING GHAD**

REGULAR MEETING – JUNE 20, 2017

1. Call to Order

The meeting was called to order at 7:06 p.m.

PRESENT: District Boardmembers Biddle, Gupta, Hernandez, and Board President Haubert

ABSENT: District Boardmember Goel

2. Pledge of Allegiance – The pledge of allegiance was recited.

3. Public Comments

7:07 p.m.

No comments were made by any member of the public at this time.

4. Consent Calendar

7:07 p.m.

On motion of Boardmember Gupta, seconded by Boardmember Biddle and by unanimous vote (District Boardmember Goel being absent), the District Board took the following actions:

Moved Item 4.2 from its previous listing of 6.1 in order to be considered on the Consent Calendar.

4.1. Approved the minutes of the June 6, 2017, Fallon Crossing GHAD meeting.

4.2. Adopted

FALLON CROSSING GHAD RESOLUTION NO. 04 – 17

**INITIATING AN ASSESSMENT BALLOT PROCEEDING AND EXPRESSING INTENT
TO ORDER AN ASSESSMENT TO PAY FOR THE COST AND EXPENSES OF THE
MAINTENANCE AND OPERATIONS OF IMPROVEMENTS WITHIN THE
TASSAJARA HILLS ANNEXATION OF THE FALLON CROSSING GEOLOGIC
HAZARD ABATEMENT DISTRICT**

5. Written Communication – None.



6. **Public Hearing** – None.



7. **Unfinished Business** – None.



8. **New Business** – None.



9. **Other Business** – None.



10. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 7:08 p.m.

Minutes prepared by Caroline P. Soto, District Clerk.

Board President

ATTEST: _____
District Clerk

Attachment: 1. Draft Minutes of the June 20, 2017 Fallon Crossing GHAD Meeting. (Draft Minutes of the June 20, 2017 Fallon Crossing GHAD





STAFF REPORT

GEOLOGIC HAZARD ABATEMENT DISTRICT

DATE: August 15, 2017

TO: Honorable President and Board of Directors

FROM: Christopher L. Foss, GHAD District Manager

SUBJECT: Resolution Confirming Assessment and Ordering Levy and Collection thereof to Pay for the Cost and Expenses of the Maintenance and Operations of the Improvements within the Tassajara Hills Annexation to the Fallon Crossing Geologic Hazard Abatement District
Prepared by: Laurie Sucgang, Senior Civil Engineer, City of Dublin

EXECUTIVE SUMMARY:

The Board of Directors will consider adopting a Resolution confirming the assessment and ordering the levy and collection for the Tassajara Hills development annexation to the Fallon Crossing Geologic Hazard Abatement District. If approved, a new assessment will be levied and collected annually for Geologic Hazard Abatement District activities that directly benefit the properties within the Tassajara Hills development.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate, and adopt the **Resolution** Confirming the Assessment and Ordering the Levy and Collection thereof to Pay for the Cost and Expenses of the Maintenance and Operations of the Improvements within the Tassajara Hills Annexation to the Fallon Crossing Geologic Hazard Abatement District.

FINANCIAL IMPACT:

Currently, revenue to fund the Fallon Crossing Geologic Hazard Abatement District (GHAD) is generated through assessments on 106 residential lots within the Chateau at Fallon Crossing development by CalAtlantic. The GHAD does not currently have a source of revenue to finance activities related to the area within the Tassajara Hills development (formerly Moller Ranch) by Toll Brothers. Therefore, an assessment applicable to the Tassajara Hills area needs to be developed and implemented. The funds levied on the properties within Tassajara Hills will pay for the ongoing maintenance and operation of improvements within this portion of the GHAD, as well as contributing to the overall GHAD reserves. The engineer's report defines the assessment of \$1,200 per single-family residential unit annually.

DESCRIPTION:

Division 17 of the California Public Resources Code establishes legal standards for geologic hazard abatement district (GHAD) formation, GHAD financing and the scope of GHAD authority (Section 26500 *et seq.*).

On June 20, 2017, the Fallon Crossing GHAD Board of Directors adopted Resolution No. 04-17 expressing an intent to order an annual assessment to pay for the cost and expenses of the maintenance and operations of improvements within the Tassajara Hills development, initiating the assessment ballot proceeding, and setting a public hearing for August 15, 2017 (Assessment Hearing). In compliance with Proposition 218 and GHAD Law, District Staff thereafter mailed notices, balloting materials and instructions to the record owner of the parcel within the Tassajara Hills Annexation, announcing the date and time of the Assessment Hearing and procedures for ballot tabulation.

Adoption of the attached Resolution would confirm the assessment and authorize the levy and collection annually for GHAD improvements and activities that directly benefit the properties within the Tassajara Hills development. If confirmed by the Board of Directors, the annual assessment of \$1,200 per single-family residential unit within the Tassajara Hills development will be adjusted for inflation annually by the percentage change utilizing the San Francisco-Oakland-San Jose Consumer Price Index - All Urban Consumers plus one-half percent (0.5%), as of the preceding December. Properties would be assessed starting the first fiscal year after a building permit is issued for construction of a residential structure.

Analysis

California Public Resources Code, Section 26581, provides that once a GHAD has been formed, it may annex territory utilizing the procedures for formation of a GHAD. California Public Resources Code Section 26550.5 provides that proceedings for the formation of a new GHAD may be initiated by a petition signed by the owners of at least ten percent (10%) of the real property to be included within the proposed district.

On May 16, 2017, the Board of Directors was presented with a petition for the annexation of Tassajara Hills into the Fallon Crossing GHAD. The Board of Directors adopted Resolution No. 01-17 accepting the petition and setting a public hearing on the annexation. Notice of the public hearing was given pursuant to the provisions of Public Resources Code Sections 26564 through 26566.

On June 6, 2017, a public hearing was held on the annexation. At the public hearing, the owners of more than 50 percent of the assessed valuation of property within the territory did not object to the annexation and the Board of Directors thereafter adopted Resolution No. 03-17 approving the annexation.

To provide for the costs and expenses of maintaining and operating the Tassajara Hills improvements within the Fallon Crossing GHAD, as designated in the Tassajara Hills Development Plan of Control (Plan of Control) on file with the District Clerk, it is necessary to provide a reliable funding mechanism for those improvements. Public Resources Code Sections 26650 *et seq.* authorize, after a noticed public hearing, the levy and collection of assessments upon benefited property to pay for the maintenance

and operation of GHAD improvements.

Proposition 218 imposes additional requirements for the levy and collection of assessments, including the mailing of notice, balloting materials and instructions as specified in Government Code Section 53753 to each record owner of a parcel subject to the proposed assessment at least 45 days prior to a public hearing on the levy of the assessment. In addition, Proposition 218 requires the creation of an engineer's report that separates the special benefits provided to the properties to be assessed from the general benefits to the public at large.

The engineer's report for the annexation of the Tassajara Hills development into the Fallon Crossing Geologic Hazard Abatement District (Engineer's Report) has been prepared by Uri Eliahu, of ENGEO, Inc. The Engineer's Report separates the special benefits provided by the GHAD to property within Tassajara Hills from the general benefits conferred on the public at large, identifies the specially benefited parcels, sets forth the estimated budget, calculates the total assessment to be levied against each parcel of property, and provides a description of the method used in formulating the assessments.

Notice and balloting materials were mailed at least 45 days before the date and location set for a public hearing on the proposed assessment (Assessment Hearing). The notice included the amount of the assessment proposed to be imposed on each parcel, the basis upon which the amount of the proposed assessment was calculated, the reason for the assessment, and the date, time and location of the Assessment Hearing.

On June 20, 2017, the Board of Directors adopted Resolution No. 04-17, expressing the intent to order an annual assessment, initiating the assessment ballot proceeding, and setting the Assessment Hearing for August 15, 2017. At the Assessment Hearing, the Board of Directors will consider all statements and all written protests made or filed by any interested person at or before the conclusion of the Assessment Hearing.

Upon the conclusion of the Assessment Hearing, the Board of Directors will determine whether a majority protest exists in accordance with Government Code Section 53753. Once tabulated, the assessment ballots will be weighted according to the proportional financial obligation of each affected property.

If the Board of Directors determines that a majority protest does not exist at the conclusion of the Assessment Hearing, the Board of Directors may then adopt the attached resolution to levy the assessment for Tassajara Hills.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

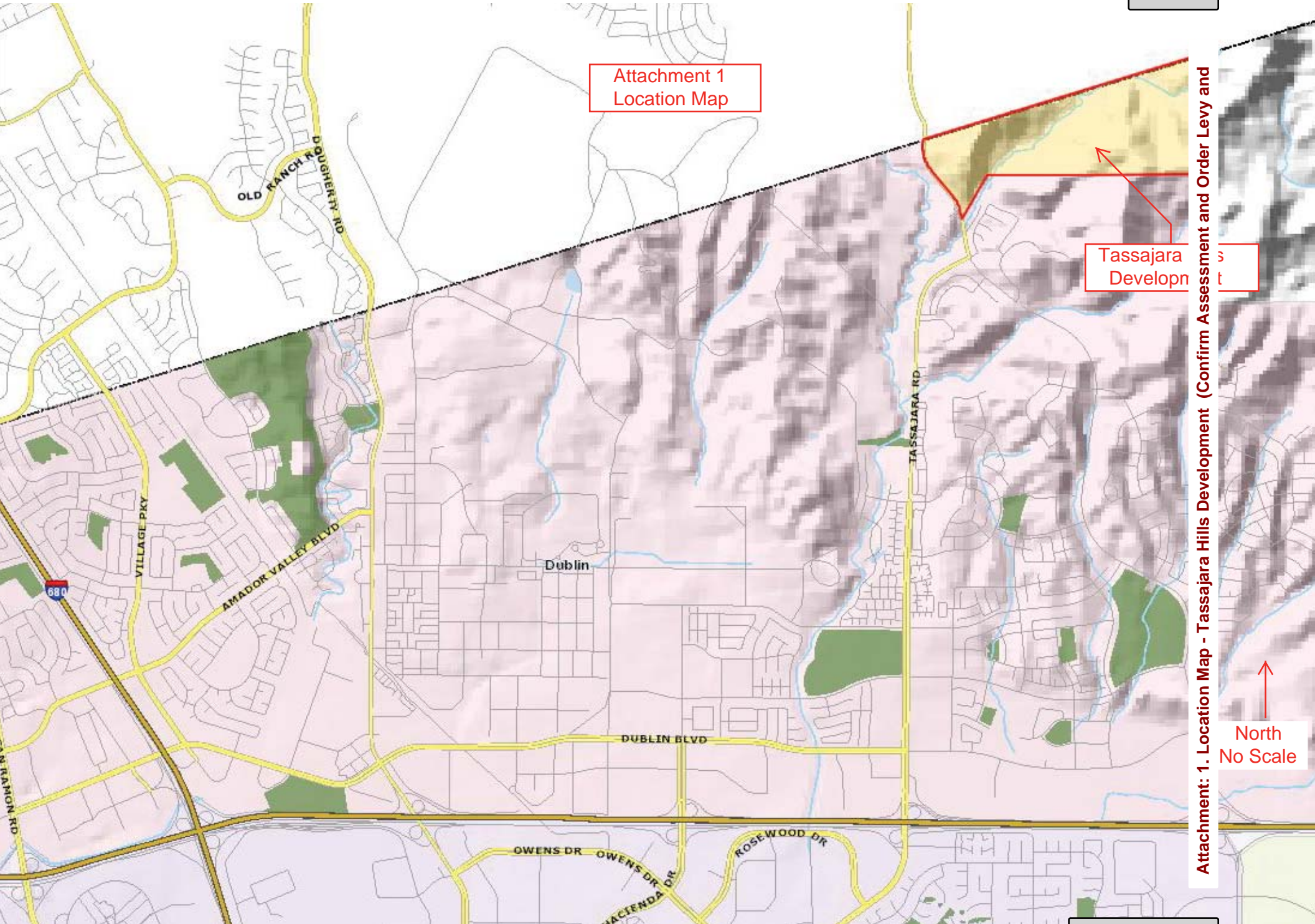
A notice, balloting materials and instructions were mailed to the record owner of the property within the Tassajara Hills annexation area on June 21, 2017, announcing that ballots would be canvassed and a public hearing conducted on August 15, 2017.

ATTACHMENTS:

1. Location Map - Tassajara Hills Development

2. Resolution Confirming Assessment and Ordering Levy and Collection thereof to Pay for the Costs and Expenses of the Maintenance and Operations of Improvements within the Tassajara Hills Annexation


Chris Foss, City Manager 8/3/2017



Attachment 1
Location Map

Tassajara Developm

Attachment: 1. Location Map - Tassajara Hills Development (Confirm Assessment and Order Levy and

North
No Scale

FALLON CROSSING GHAD RESOLUTION NO. XX - 17

RESOLUTION OF THE BOARD OF DIRECTORS OF THE FALLON CROSSING GEOLOGIC HAZARD ABATEMENT DISTRICT

CONFIRMING THE ASSESSMENT AND ORDERING THE LEVY AND COLLECTION THEREOF TO PAY FOR THE COST AND EXPENSES OF THE MAINTENANCE AND OPERATIONS OF IMPROVEMENTS WITHIN THE TASSAJARA HILLS ANNEXATION TO THE FALLON CROSSING GEOLOGIC HAZARD ABATEMENT DISTRICT

WHEREAS, this Resolution is adopted pursuant to the provisions of Division 17 (Section 26500 et seq.) of the Public Resources Code, entitled "Geologic Hazard Abatement Districts"; and

WHEREAS, on June 6, 2017, the Board of Directors of the Fallon Crossing Geologic Hazard Abatement District ("District") adopted Resolution No. 03-17 which annexed the Tassajara Hills development ("Tassajara Hills") into the Fallon Crossing Geologic Hazard Abatement District; and

WHEREAS, on June 20, 2017, the Board of Directors of the District adopted Resolution No. 04-17 expressing an intent to order an annual assessment for the cost and expenses of the maintenance and operation of the improvements within Tassajara Hills into the Fallon Crossing Geologic Hazard Abatement District; and

WHEREAS, District Staff mailed a notice, balloting materials and instructions to the record owner of the parcel within the Tassajara Hills annexation area on June 21, 2017, announcing that ballots would be canvassed and a Hearing conducted on August 15, 2017 on the levy and collection of the Assessment; and

WHEREAS, the Hearing was conducted on August 15, 2017, in accordance with the requirements of California Constitution Article XIID, Public Resources Code Sections 26650 et seq., Government Code Section 53753 and other applicable law; and

WHEREAS, upon the conclusion of the Hearing, the Board of Directors of the District determined that a majority protest did not exist pursuant to Public Resources Code Section 26653 and Government Code Section 53753; and

WHEREAS, applicable law provides that if a majority protest has not been filed, after the Hearing the Board of Directors may adopt a resolution confirming the Assessment and ordering the levy and collection thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Fallon Crossing Geologic Hazard Abatement District that:

Section 1. Findings and Determinations The Board of Directors hereby finds and determines that the above recitals are true and correct and have served as the basis, in part, for the findings and actions of the District set forth below.

Section 2. Direction

Attachment: 2. Resolution Confirming Assessment and Ordering Levy and Collection thereof to Pay for the Costs and Expenses of the

1. The Board of Directors hereby confirms the Assessment and orders the annual levy and collection thereof. The District shall assess against the properties within the Tassajara Hills Annexation, for the 2017-2018 fiscal year and for subsequent years, the assessment amounts apportioned in accordance with the engineer's report, on file with the District Clerk, adjusted for inflation annually by the percentage change utilizing the San Francisco-Oakland-San Jose Consumer Price Index – All Urban Consumers plus one-half percent (0.5%), as of the preceding December.

2. The engineer's report and the Plan of Control for the Tassajara Hills Annexation to the Fallon Crossing Geologic Hazard Abatement District shall be available for public inspection at the District Clerk's office.

3. The District Clerk is hereby directed to record a notice of assessment, as provided for in Section 3114 of the California Streets and Highways Code, whereupon the Assessment shall attach as a lien upon the properties, as provided for in Section 3115 of the California Streets and Highways Code.

4. The Assessment shall be payable at the same time and in the same manner as general taxes on real property within the District are payable.

5. All funds generated by the Assessment, and all interest earned on the Assessment, shall be segregated and deposited in a separate account for the exclusive benefit of the relevant parcels within the District.

Section 3. Certification The District Clerk shall certify the adoption of this Resolution.

Section 4. Effective Date This Resolution shall take effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 15th day of August, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President

ATTEST:

District Clerk

Attachment: 2. Resolution Confirming Assessment and Ordering Levy and Collection thereof to Pay for the Costs and Expenses of the