



**OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT
REGULAR MEETING AGENDA**

TUESDAY, JUNE 3, 2025

6:45 PM

**Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517**

Jeff Wan, Chair

Richard G Enea, Vice Chair

Kim Trupiano, Member

Jim Diaz, Member

Holly Tillman, Member

1. CALL TO ORDER AND ROLL CALL

2. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the committee on non-agendized items within the committee's jurisdiction. To ensure an orderly meeting and an equal opportunity for everyone, each speaker is limited to three (3) minutes, or the time established by the Chair. In accordance with State Law, no action may take place on any item not appearing on the posted agenda.

Public comment and input on other agenda items will be allowed when each item is considered by the Committee.

3. PUBLIC HEARING(S)

- (a) Open Public Hearing to Consider Proposed Property Assessment Rate Increases within the Oakhurst Geologic Hazard Abatement District Beginning Fiscal Year 2025/2026, Receive All Oral and Written Public Comments and Testimony, Tabulate Ballots in Favor and All Ballots in Opposition and/or Protests Submitted to the Proposed Increased Assessments, and Determine Whether a Majority Protest Exists.

[\(View\)](#)

4. ADJOURNMENT

Please visit www.claytonca.gov for information on the next scheduled meeting of the Oakhurst Geological Hazard Abatement District (GHAD).

Meeting Information and Access

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail and on the City's website at www.claytonca.gov
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.claytonca.gov
- Any writings or documents provided to a majority of the City Council after distribution of the agenda packet and regarding any public item on this agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours and is available for review on the City's website at www.claytonca.gov
- If you have a physical impairment requiring special accommodation to participate, please call the City Clerk's office at least 72 hours (about 3 days) before the meeting at (925) 673-7300.
- E-mail Public Comments: Public comment may also be sent to the City Clerk at cityclerk@claytonca.gov by 5:00 p.m. on the day of the meeting. All e-mailed public comments will be forwarded to the entire committee and made part of the official meeting file.

Each person attending the meeting in-person, via videoconference, or call-in and who wishes to speak on an agendized or non-agendized matter (within the council's jurisdiction), shall have a set amount of time to speak as determined by the Chair.



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Larry Theis, General Manager

DATE: June 3, 2025

SUBJECT: Open Public Hearing to Consider Proposed Property Assessment Rate Increases within the Oakhurst Geologic Hazard Abatement District Beginning Fiscal Year 2025/2026, Receive All Oral and Written Public Comments and Testimony, Tabulate Ballots in Favor and All Ballots in Opposition and/or Protests Submitted to the Proposed Increased Assessments, and Determine Whether a Majority Protest Exists.

RECOMMENDATION

Staff recommends the Chair of the Board of Directors of the Oakhurst Geologic Hazard Abatement District (GHAD) open the public hearing, take all public comments submitted in writing or presented orally at the meeting. After all public comment has been received, close the public comment period, and keep the GHAD meeting open and then the Chair will direct staff to open and tabulate ballots received which will allow staff to proceed with tabulating ballots in public view in the Board chambers. The Board can proceed with other orders of business including the regularly scheduled Clayton City Council meeting. Once all ballots have been tabulated, the Chair will ask for the results be announced to the Board and the Public.

BACKGROUND

For the past year, Staff has been in the process of presenting a ballot vote to the property owners within the Oakhurst GHAD that would increase their existing property assessment rate to cover an annual budget that can fund the necessary functions and responsibilities of the GHAD. The current annual collection is approximately 12% of the needed budget to perform the required tasks and develop an emergency reserve.

Beginning back on May 21, 2024, the Board of Directors approved an amendment to update the Plan of Control which identifies the responsibilities and monitoring requirements for the GHAD. A projected budget to perform the required annual maintenance and administration of the District was estimated to be \$197,500.

GHAD staff also estimated one-time costs such as inclinometer replacements, known V-ditch repairs, locating subdrain cleanouts, and developing a \$2 million reserve for major landslide repairs. The total of these tasks is expected to be \$2,160,000, which would be funded by collecting an additional assessment of \$216,000 per year for a 10-year period; at which time this portion of the assessment would cease.

Therefore the total annual estimated cost for the GHAD would be \$413,500, which is comprised of the annual maintenance cost of \$197,500 per year (in perpetuity) and \$216,000 for the next 10 years to develop a reserve and address some known one-time replacement costs. This budget was used to determine the apportionment of property assessments over the three distinct areas of the Oakhurst GHAD.

At its February 18, 2025 meeting, the Board received a presentation and discussed the proposed assessment rate increases which ranged between \$84 to \$280 depending on the area and parcel type. At its March 18, 2025, the Board formally adopted Resolution 01-2025 to declare its intention to increase the assessments and directed staff to mail notices and ballots of this public hearing to all affected property owners.

Ballots and notices were individually mailed to 1,484 property owners by April 19, 2025 with a return deadline by the public hearing tonight on June 3, 2025.

Staff hosted a virtual meeting on April 30th which started with a 30 minute presentation of the general information and current levels of service followed by an open Q&A session that lasted 60 minutes until everyone's questions were answered. In addition, Staff received approximately a dozen phone calls inquiring about more information about their ballot.

DISCUSSION

At the direction of the Chair of the Board, staff will publicly open the submitted ballots and tabulate each ballot by corresponding it to the property address then register if the vote is in favor or opposition to proposed assessment rate increase. All of the ballots will be totaled and weighted by each property's assessment rate to determine if there is a weighted majority protest/opposition to the proposed increased assessments.

If the ballots indicate a weighted majority are in favor of the proposed assessment rate increases, then Staff will return to the Board at its next meeting with a resolution authorizing increased assessments and directing staff to notify the County Assessor's Office to implement the new rates for Fiscal Year 2025-2026.

If the ballots indicate a weighted majority are opposed/protest the proposed assessment rate increases, then Staff will return to the Board at its next meeting with an Engineer's Report with the existing assessment rates adjusted for the annual consumer price index (CPI) increase. Upon approval of the Engineer's Report by the Board, a public hearing will be set to accept public comment and approve the Fiscal Year 2025-2026 rates adjusted by CPI which will be provided to the County Assessor's Office for the next year's property tax roll.

FISCAL IMPACTS

No specific fiscal impact with conducting the public hearing. If the ballots indicate a weighted majority in opposition/protest then the GHAD will annually notify the assessed property owners that the District does not have the funds to perform the required maintenance and monitoring which will lead to an increased risk of landslide hazards.

CEQA

None

ATTACHMENTS

[Oakhurst-GHAD-Notice-with-Ballot.pdf](#)



**OAKHURST GHAD
BOARD OF DIRECTORS
PUBLIC HEARING**

**TUESDAY
JUNE 3, 2025
At 6:45 PM**

**Hoyer Hall, Clayton
Community Library
6125 Clayton Road
Clayton, CA 94517**

**BOARD OF
DIRECTORS**

**Jeff Wan
Chair**

**Richard Enea
Vice Chair**

**Jim Diaz
Kim Trupiano
Holly Tillman**

GHAD OFFICIALS

**Larry Theis, P.E.
General Manager**

**Malathy Subramanian
Attorney**

**Stephanie Cabrera-Brown
Secretary**

**OAKHURST
GEOLOGIC HAZARD ABATEMENT DISTRICT
Notice of Public Hearing Regarding
Your Proposed Assessment Increase**

For more information regarding this notice, we encourage you to attend the upcoming Virtual Community Meeting on Wednesday, April 30th at 6:00 pm. More details on how to attend the Virtual Community Meeting are posted on the following webpage dedicated to this matter:

<https://claytonca.gov/engineering-and-public-works/geological-hazard-abatement-district>

Why am I receiving this notice?

You're receiving this notice because your property is located within the City of Clayton's Oakhurst Geologic Hazard Abatement District (Oakhurst GHAD), which includes the Indian Wells, Keller Ridge, and Peacock Creek neighborhoods in the City. The Oakhurst GHAD was formed in 1989 to protect homes and infrastructure from natural threats like landslides, soil erosion, and ground movement. In 2000, property owners within the Oakhurst GHAD approved a special assessment that is placed on annual property tax bills and currently generates approximately \$51,000 per year.

In May 2024, the Oakhurst GHAD Board of Directors (Board) approved the budget and plan of control prepared by a State-Certified Engineering Geologist that outlines the maintenance services and reserves that will protect and preserve properties within the Oakhurst GHAD from geologic hazards. The approved budget and plan of control show that the current Oakhurst GHAD annual assessment revenue is not nearly sufficient to cover the costs to perform the maintenance and repairs needed to prevent and address geologic hazards that could affect properties within the Oakhurst GHAD.

To address this funding shortfall, the Board is proposing an increase to the current Oakhurst GHAD assessment commencing Fiscal Year 2025-26. The proposed assessment is comprised of two components: the first is referred to as the "Ongoing Maintenance Component" and will be collected annually to fund maintenance and routine repairs until ended by the Oakhurst GHAD; the second is referred to as the "Reserve Collection Component", which will be collected annually for 10 years and will sunset after the Fiscal Year 2034-35 property tax bill. The "Reserve Collection Component" will build reserves for the Oakhurst GHAD to address major repairs and future landslides.

This notice and the enclosed ballot have been mailed to the record owner of all assessable properties within the Oakhurst GHAD. **The current and proposed Oakhurst GHAD assessment for your property is described on Page 3 of this notice and stated on the enclosed ballot.** If a majority of property owners returning a ballot do not oppose the proposed assessment, weighted by the proposed assessment amount, the Oakhurst GHAD may increase the current assessment to generate adequate funding to provide maintenance services and reserves that will enhance safety and stability for properties within the Oakhurst GHAD.

What is a Geologic Hazard Abatement District (GHAD)?

Geologic Hazard Abatement Districts (GHADs) are special-purpose districts established to protect communities throughout the State of California from natural geologic hazards like landslides, earthquakes, soil erosion, and ground movement. They play an important role in preserving property values and increasing public safety in areas where these risks are present. GHADs are typically formed by local governments when a specific neighborhood or region is known to face these types of natural threats. GHADs are managed by a board, often made up of city officials or appointed members, responsible for overseeing efforts to monitor and reduce geologic risks. To fund these efforts, it is common for GHADs to collect annual assessments from its property owners.

What are the accountability measures?

All funds generated by your Oakhurst GHAD assessments are deposited into a separate fund that, by law, can only be spent on the services provided by the Oakhurst GHAD. This fund is audited every year.



What services will be provided if the proposed assessment is approved?

- Routine inspections and geotechnical investigations.
- Maintenance of v-ditches, creeks and basins, and drainage infrastructure.
- Vegetation management for fire code and erosion control compliance.
- Faster response to emergencies and impacted public infrastructure.

What if the proposed assessment is not approved by property owners Oakhurst GHAD?

Services will be reduced or potentially eliminated in the future, which will shift the responsibility to each property owner to address the impacts from geologic hazards, which could increase cost and risk to property and residents within the Oakhurst GHAD.

How is the maximum annual assessment for each parcel determined?

Assessments are proposed for parcels within the Oakhurst GHAD receiving direct and special benefit from the services provided by the Oakhurst GHAD. The assessment amount for each property depends on the level of benefit it receives based on the following parcel characteristics:

- Land use type (e.g., single-family homes and condominiums)
- Landslide risk due to location of property
- Lot area
- Average home size
- Public versus private residential streets



There are varying levels of special benefit to properties within the Oakhurst GHAD and therefore three (3) benefit areas have been established to allocate the benefits to property from services provided. Area 1 consists of the Indian Wells neighborhood, which has the flattest topography and the lowest landslide risk within the Oakhurst GHAD. Also, Area 1 is comprised of smaller residential lots on average as compared to Area 2 (Keller Ridge neighborhood) and Area 3 (Peacock Creek neighborhood). Therefore, Area 1 has been designated as the baseline to allocate special benefits amongst the Oakhurst GHAD Areas. Properties within Area 2 receive a greater special benefit from the Oakhurst GHAD services provided as compared to properties in Area 1 due to being at greater risk of landslides and erosive runoff mitigation, and the preservation of larger underlying land and value on average. Properties within Area 3 receive the most special benefit and higher than properties in Area 2 due to having larger underlying land on average.

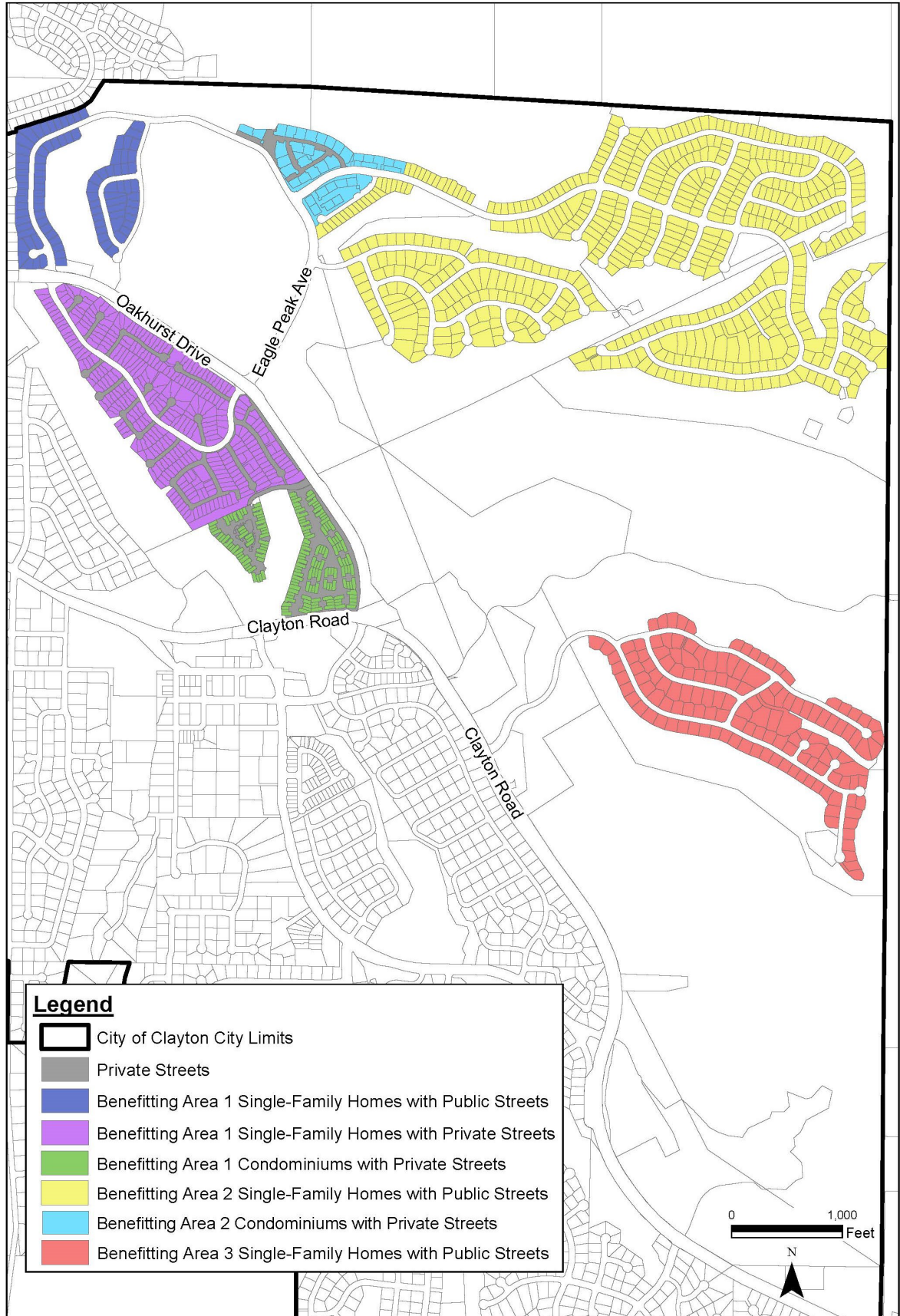
How much will my parcel be assessed?

The Fiscal Year 2025-26 maximum annual assessment rates for each land use category within the Oakhurst GHAD is shown in the table below. Commencing Fiscal Year 2026-27, the On-Going Maintenance Component is proposed to increase annually by the change in the Consumer Price Index for Urban Consumers for the San Francisco Bay Area for the month of April, not to exceed 5%, and the Reserve Collection Component is fixed. The location of each assessable land use category within the Oakhurst GHAD is shown on page 3 of this notice.

GHAD Area	Land Use Category	On-Going Maintenance Component	Reserve Collection Component (10-year Sunset)	Total Proposed Maximum FY 2025-26 Assessment	Current Maximum FY 2024-25 Assessment	Proposed Assessment Increase
Area 1	Single-Family Residential (Public Streets)	\$53.70	\$58.73	\$112.43	\$28.04	\$84.39
Area 1	Single-Family Residential (Private Streets)	\$67.13	\$73.41	\$140.54	\$21.03	\$119.51
Area 1	Condominiums (Private Streets)	\$53.70	\$58.73	\$112.43	\$14.02	\$98.41
Area 2	Single-Family Residential (Public Streets)	\$142.88	\$156.26	\$299.14	\$37.46	\$261.68
Area 2	Condominiums (Private Streets)	\$142.88	\$156.26	\$299.14	\$18.73	\$280.41
Area 3	Single-Family Residential (Public Streets)	\$160.23	\$175.24	\$335.47	\$90.36	\$245.11

If the assessment increases are approved by property owners, total assessment revenue of \$347,340 will be generated for Fiscal Year 2025-26. The assessment increases shown above would be levied beginning July 1, 2025, with the first installment due in December 2025 to be paid at the same time and in the same manner as other items on your property tax bill.

PROPOSED ASSESSMENT FOR OAKHURST GHAD ASSESSMENT DIAGRAM



**PLEASE REFER TO THE BACK OF THIS NOTICE
FOR THE SUMMARY OF BALLOT PROCEDURES.**

SUMMARY OF BALLOT PROCEDURES

How do I vote?

Enclosed with this Notice of Public Hearing is your ballot, along with a self-addressed, postage-paid return envelope.

- ☑ The ballot must be completed by the property owner(s), or an authorized representative, indicating the property owner's support for, or opposition to, the proposed annual assessment increase.
- ☑ For your ballot to be counted, you must clearly mark the appropriate box, sign the ballot, seal it in the enclosed envelope and return it to the Secretary of the Oakhurst GHAD Board by mail or hand delivered to City of Clayton City Hall, 6000 Heritage Trail, Clayton, CA 94517.
- ☑ Completed ballots must be received at the address shown on the enclosed return envelope by 5:00 p.m. on June 3, 2025, or hand delivered to the Secretary of the Board before the end of the public input portion of the Public Hearing that same evening.
- ☑ The Public Hearing begins at or after 6:45 p.m. on June 3, 2025, at Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA 94517.
- ☑ If you return the ballot by mail, be sure to allow sufficient time for mail delivery.



When will the ballots be counted?

A Public Hearing will be held on June 3, 2025, at Hoyer Hall, Clayton Community Library. The Board will receive public testimony and formally accept the ballots. The ballots will be counted after the end of the public input portion of the Public Hearing.

What determines a majority protest?

If a majority of ballots returned oppose the proposed assessment increase, the proposed assessment increase cannot be approved, and the current Oakhurst GHAD assessment will continue to be imposed. Ballots will be weighted according to the proportional financial obligation of the affected properties. This means one vote for each one dollar of assessment.

When will we know the results?

The results of the ballot tabulation are anticipated to be reported to the Board as soon as June 3, 2025; provided, the results may be announced at a later date should the Oakhurst GHAD need additional time to tabulate the ballots.

Who do I call with questions?

- ☑ For questions regarding services provided by the Oakhurst GHAD, please call the Oakhurst GHAD General Manager, Larry Theis, at (925) 890-9732.
- ☑ For questions about the assessments, voting procedures or process, please call the Oakhurst GHAD Assessment Engineering Consultant, Ed Espinoza, at (925) 867-3400.
- ☑ For more information regarding the proposed Oakhurst GHAD assessments, please visit the webpage dedicated to this effort using the link or QR Code below:

<https://claytonca.gov/engineering-and-public-works/geological-hazard-abatement-district>

