



88 SUNNYSIDE LANE DEVELOPMENT ANNEXATION
ORINDA, CONTRA COSTA COUNTY, CALIFORNIA

ENGINEER'S REPORT
FOR 88 SUNNYSIDE LANE DEVELOPMENT, MNS 2015-001

SUBMITTED TO
Orinda Geologic Hazard Abatement District
22 Orinda Way
Orinda, CA 94563

PREPARED BY
ENGEO Incorporated

March 7, 2022

PROJECT NO.
18929.000.001

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ENGINEER'S REPORT

ORINDA GEOLOGIC HAZARD ABATEMENT DISTRICT 88 SUNNYSIDE LANE DEVELOPMENT ANNEXATION (Pursuant to the Public Resources Code of the State of California, Section 26500 et seq.)

CERTIFICATION OF FILING

The Geologic Hazard Abatement District ("GHAD") provides monitoring and maintenance of improvements related to geologic hazard management and other responsibilities as a landowner, within the 88 Sunnyside Lane Development portion of the Orinda GHAD. The GHAD also levies and collects assessments in order to perform its activities.

The GHAD responsibilities, which are the subject of this report, are defined as any activity that is 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 (Section 26505).

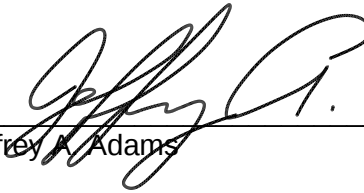
This report consists of seven parts, as follows.

- I. INTRODUCTION
- II. BACKGROUND
- III. GEOLOGIC HAZARD ABATEMENT DISTRICT DIAGRAM
- IV. SERVICE LEVELS
- V. DESCRIPTION OF GHAD MAINTAINED IMPROVEMENTS
- VI. ASSESSMENT METHOD
- VII. ASSESSMENT LIMIT - BUDGET PROJECTION

The undersigned respectfully submits the enclosed Engineer's Report.

Date: March 7, 2022

By: ENGEO Incorporated



Jeffrey A. Adams



I HEREBY CERTIFY that the enclosed Engineer's Report was filed on the ____th day of _____, 2022.

Sheri Smith
Clerk of the Board
Orinda Geologic Hazard Abatement District
Orinda, Contra Costa County, California

I HEREBY CERTIFY that the enclosed Engineer's Report was approved and confirmed by the GHAD Board on the ____th day of _____, 2022.

Eric Harrell
GHAD Manager
Orinda Geologic Hazard Abatement District
Orinda, Contra Costa County, California

ENGINEER'S REPORT

for

**ORINDA GEOLOGIC HAZARD ABATEMENT DISTRICT
88 SUNNYSIDE LANE DEVELOPMENT ANNEXATION
ORINDA, CONTRA COSTA COUNTY, CALIFORNIA
for the
ESTABLISHMENT OF AN ASSESSMENT LIMIT**

I. INTRODUCTION

The Orinda City Council formed the Orinda Geologic Hazard Abatement District ("GHAD" or "District") on March 4, 2008 (Resolution No. 16-08), under the authority of the California Public Resources Code, Division 17, Section 26500 et seq. The GHAD Board of Directors accepted a petition for annexation of the 88 Sunnyside Lane Development ("GHAD Annexation Area") into the GHAD on February 15, 2022, with the approval of Resolution No. 22-01. The members of the Orinda City Council act as the Board of Directors of the GHAD.

II. BACKGROUND

The Orinda GHAD Board of Directors accepted the Plan of Control for the 88 Sunnyside Lane Development Annexation ("Plan of Control") with the approval of Resolution No. 22-01 on February 15, 2022. 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 Exhibit A.

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 issued to finance any of the foregoing.

The GHAD provides for the administration and review of facilities within the budgeted limits, 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 levy of assessments on the property tax rolls.

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:
 - Monitoring, maintenance, and storm drains/subdrains, drain outlets, and risers within the GHAD Annexation area.
 - Monitoring and maintenance of measurement devices, such as piezometers, inclinometers, and tiltmeters, if any, within the GHAD Annexation area.
 - Monitoring, maintenance, and repair of slopes for erosion, landslide, and related slope instability within the GHAD Annexation area.
 - Maintenance of stormwater flow-through planter and bioretention planter BMPs in accordance with the approved Stormwater Facilities Operation and Maintenance Plan.
 - Debris benches, stitch piers, and/or catchment structures, including Geobrug Spider S3-130 system.
 - Storm drain inlets, outfalls, and pipelines within the GHAD Annexation area.
 - Maintenance of retaining walls and earth-stabilizing structures/features.
 - Preparation of annual GHAD budgets for approval by the GHAD Board of Directors.

V. DESCRIPTION OF THE IMPROVEMENTS MAINTAINED BY THE GHAD

The GHAD-maintained improvements are described in the Plan of Control. In general, these improvements include drainage systems, including concrete-lined ditches in developed areas and open space; open-space storm drain inlets and outlets; subdrains and outlets; selected retaining walls, and debris benches/catchment structures.

VI. ASSESSMENT METHOD

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

1. Protection from slope instability.
2. Protection from erosion due to uncontrolled surface water.
3. Protection of water quality.

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

The GHAD Annexation Area consists of a four-lot, low-density residential subdivision. The total number of residential lots 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. 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:

1. Site geology
2. Remedial grading
3. Proximity of geologic hazards to proposed residences
4. Improvements and structures
5. Site access considerations
6. Elements requiring routine maintenance, including:
 - Surface drainage facilities
 - Graded slopes
 - Retaining walls

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.

A budget was prepared for the purpose of estimating initial assessment levels based on the estimated expenses for ongoing operations, allowing for larger (approximately \$300,000) geologic events at 20-year intervals, and accumulation of a reserve of \$164,260 by 2062 (Fiscal Year 2022/2023 dollars) (Exhibit B).

The engineer recommends an annual assessment limit for the GHAD Annexation Area of \$14,800 per residential unit (Fiscal Year 2022/2023 dollars). The proposed initial assessment level will be automatically adjusted annually on June 30 to reflect the percentage change in the San Francisco-Oakland-Hayward Consumers Price Index for All Urban Consumers. The assessments are to be levied in conjunction with the issuance of a building permit for the assessed parcel.

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 assessment of the individual parcels will be based on the issuance of building permits, 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 of the Plan of Control for the 88 Sunnyside Lane Development, the GHAD reserve at the time of transfer must have a minimum of \$91,000. In addition, all residential units shall be subject to the levy of the GHAD assessment. The minimum reserve amount represents the estimated total assessments that will be collected from within the 88 Sunnyside Lane Development during the period the Owner 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 Owner of the 88 Sunnyside Lane Development is responsible for performing the GHAD activities. Additional funds may be required of the developer in order to satisfy the above-stated minimum reserve requirement and shall be provided to the Orinda GHAD prior to its acceptance of the monitoring and maintenance responsibilities within the 88 Sunnyside Lane Development.

VIII. OWNER RESPONSIBILITIES

Nafis Jamal, Trustee of the Nafis Jamal Revocable Trust dated April 17, 2014 ("Owner") 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. In addition, the Owner 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 Owner 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 Owner 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.

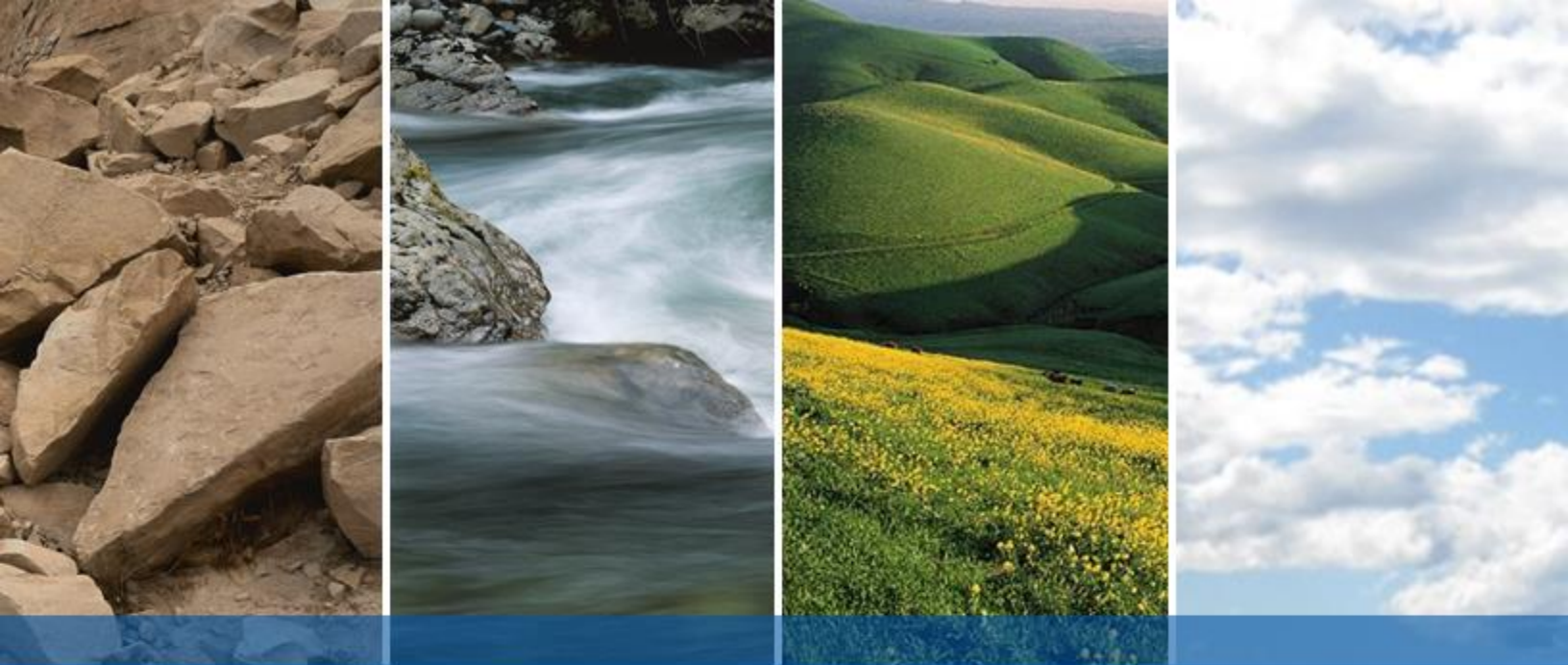


EXHIBIT A

LEGAL DESCRIPTION AND PLAT

JOB NO. 20175

AUGUST 25, 2021

EXHIBIT "A"
LEGAL DESCRIPTION
GHAD ANNEXATION PARCEL

ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF ORINDA, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF PARCELS A AND B, AS SHOWN ON PARCEL MAP SUBDIVISION MS 63-84, FILED JUNE 26, 1985, BOOK 116 OF PARCEL MAPS AT PAGE 35, CONTRA COSTA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERN CORNER OF SAID PARCEL B;

THENCE LEAVING SAID POINT OF COMMENCEMENT ALONG THE EASTERN LINE OF SAID PARCEL B SOUTH 01° 09' 30" WEST 13.90 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE FROM SAID TRUE POINT OF BEGINNING ALONG THE EXTERIOR BOUNDARIES OF SAID PARCEL B THE FOLLOWING THIRTEEN (13) COURSES:

(1) CONTINUING ALONG SAID EASTERN LINE SOUTH 01° 09' 30" WEST 1212.17 FEET;

(2) NORTH 72° 17' 57" WEST 379.37 FEET;

(3) SOUTH 08° 50' 00" WEST 290.00 FEET;

(4) NORTH 70° 05' 13" WEST 640.00 FEET;

(5) NORTH 40° 01' 25" EAST 410.64 FEET;

(6) NORTH 07° 14' 20" EAST 237.38 FEET;

(7) NORTH 88° 47' 05" WEST 369.15 FEET;

(8) SOUTH 40° 37' 12" WEST 348.94 FEET;

(9) NORTH 80° 26' 09" WEST 87.20 FEET;

(10) NORTH 15° 21' 55" EAST 499.42 FEET;

(11) SOUTH 80° 56' 15" EAST 33.02 FEET;

(12) NORTH 68° 03' 45" EAST 203.00 FEET; AND

(13) SOUTH 82° 13' 33" EAST 182.88 FEET;

THENCE LEAVING SAID EXTERIOR BOUNDARIES OF SAID PARCEL B SOUTH 82° 13' 33" EAST 48.54 FEET;

THENCE NORTH 86° 15' 08" EAST 162.98 FEET;

THENCE NORTH 71° 25' 49" EAST 220.55 FEET;

THENCE NORTH 64° 16' 19" EAST 162.24 FEET;

THENCE NORTH 75° 06' 59" EAST 35.44 FEET;

THENCE NORTH 08° 45' 35" WEST 96.37 FEET TO AN ANGLE POINT IN THE NORTHWESTERN LINE OF SAID PARCEL B SAID ANGLE POINT BEING THE SOUTHWESTERLY TERMINUS OF THAT CERTAIN COURSE OF SAID NORTHWESTERN LINE SHOWN AS NORTH 41° 10' 50" EAST 143.44 FEET ON SAID PARCEL MAP (116 PM 35);

THENCE ALONG SAID NORTHWESTERN LINE NORTH 41° 10' 50" EAST 102.38 FEET;

THENCE LEAVING SAID NORTHWESTERN LINE NORTH 88° 59' 03" EAST 233.08 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 24.03 ACRES OF LAND, MORE OR LESS.





SUNNYSIDE LANE

P.O.C.

S01°09'30"W 13.90'
N88°59'03"E 233.08'

T.P.O.B.

N41°10'50"E 102.38'
N08°45'35"W 96.37'

N75°06'59"E 35.44'

PARCEL 'A'
MS 63-84
116-PM-36

N64°16'19"E 162.24'

N71°25'49"E 220.55'

PARCEL 'B'
MS 63-84
116-PM-36

N86°15'08"E 162.98'

S82°13'33"E 182.88'

N68°03'45"E 203.00'

N80°56'15"W 33.02'

ANNEXATION PARCEL
APN 260-270-029
(24.03± ACRES)

N15°21'55"E 499.42'

S40°37'12"W 348.94'

N80°26'09"W 87.20'

N88°47'05"W 369.15'

N07°14'20"E 237.38'

N40°01'25"E 410.64'

S08°50'00"W 290.00'

N70°05'13"W 640.00'

N72°17'57"W 379.37'

S01°09'30"W 1212.17'

EXHIBIT "B"
PLAT TO ACCOMPANY
LEGAL DESCRIPTION

GHAD ANNEXATION PARCEL



DEBOLT CIVIL ENGINEERING
45+
YEARS
811 SAN RAMON VALLEY BLVD #201
DANVILLE, CALIFORNIA 94526
(925) 837-3780 | DEBOLTCIVIL.COM

Date: 08/25/21
Scale: 1"=200'
By: EM
Job No.: 20175

DRAWING NAME: P:\20175\EXHIBITS\21_0825 20175 PLAT_GHAD.dwg
PLOT DATE: 08-25-21
PLOT BY: easton

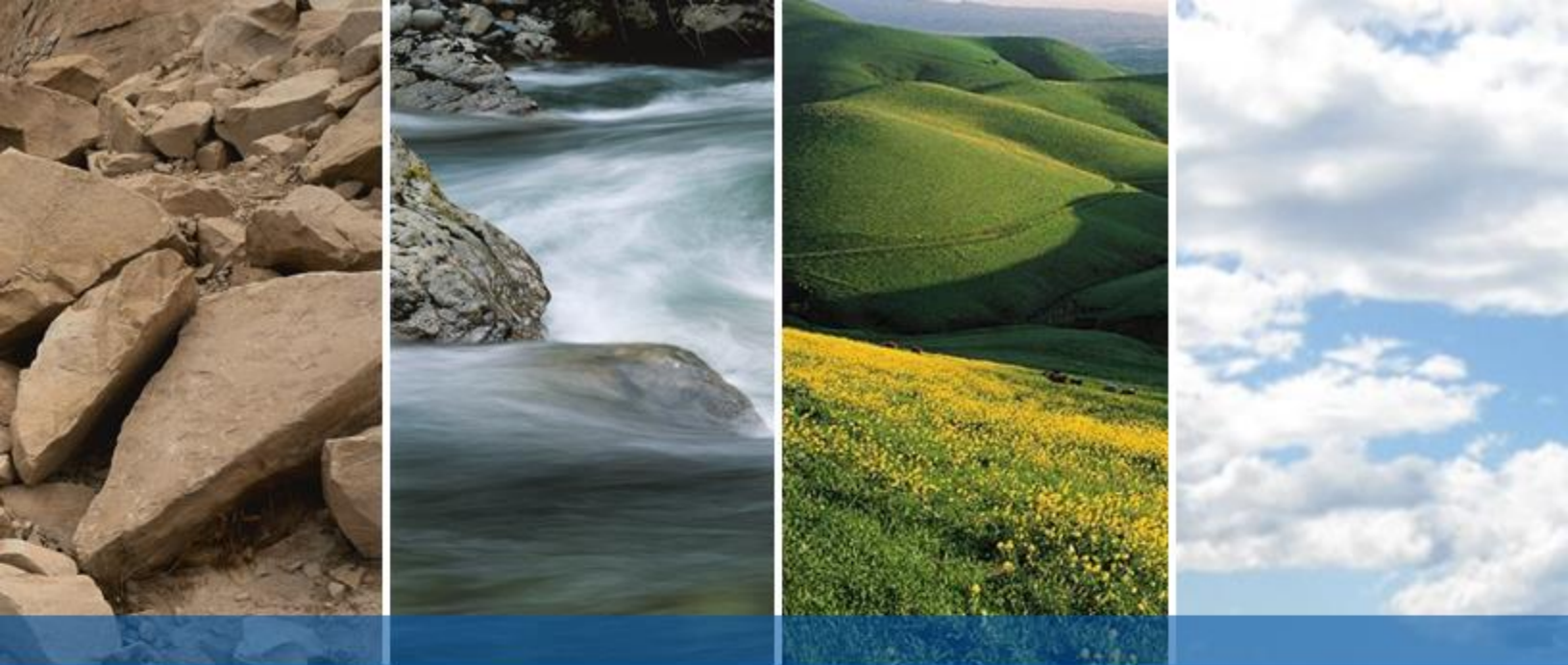


EXHIBIT B

BUDGET – March 1, 2022

**Orinda Geologic Hazard Abatement District – 88 Sunnyside Lane Development
Annexation**

Budget – March 7, 2022

ASSUMPTIONS

Total No. of Residential Units	4
Annual Assessment per Unit (FY 2022/2023)	\$14,800
Annual Adjustment in Assessment (estimated)	2.25%
Inflation (estimated)	2.25%
Investment Earnings (estimated)	1.5%
Frequency of Large-Scale Repair (years)	20
Cost of Large-Scale Repair (current \$)	\$300,000

ESTIMATED ANNUAL EXPENSES IN 2022/2023 DOLLARS

Administration (Manager, Treasurer, Clerk, and Legal Counsel)	\$15,500
Outside Administration Services, Membership, and Insurance	\$2,200
Monitoring Activities	\$3,950
Maintenance and Operation	\$5,692
Capital Improvements	\$6,122
Major Repair (Annualized)	\$15,000
Miscellaneous & Contingency (10%)	\$3,346
Reserve	<u>\$7,390</u>

TOTAL **\$59,200**

