

**Minutes of the June 20, 2019 meeting of the Board of Directors of the Silver Creek Valley Country Club Geologic Hazard Abatement District.**

A meeting of the Board of Directors of the Silver Creek Valley Country Club Geologic Hazard Abatement District (“District”, “GHAD”) was held at 5460 Country Club Parkway, San Jose, California on June 20, 2019 and was called to order at 6:33 PM.

**Agenda item 1:** The following Directors were present at the beginning of the meeting and constituted a quorum for the transaction of business: Reyad Katwan, Stephen Ursenbach and James Forsberg. The General Manager of the GHAD, Ed Abelite was present at the meeting and was asked by Mr. Katwan to be the Secretary of the meeting and to keep the minutes of the meeting. James Baker and Paul Hansen were absent.

It was noted by the Directors that the agenda had been properly posted by Mr. Abelite at the guard gate at least 72 hours prior to the meeting.

**Agenda item 2:** The minutes of the April 11, 2019 meeting were then reviewed by the Board of Directors and the Board voted to approve the minutes as follows: Voting yes: Messrs. Katwan and Ursenbach. Abstained: Forsberg. Absent Baker and Hansen.

**Agenda item 3:** Comments from Public and Correspondence:

Mr. Abelite noted there were no other public comments received.

**Agenda item 4.** Proposed GHAD Budget for 2019-2020: Mr. Abelite presented the staff report regarding the proposed GHAD Budget for the upcoming year. Mr. Ursenbach indicated this budget was really intended to be for routine operational expenses typically found in the GHADs ordinary course of business and therefore the costs associated with the Vicenza Way NE slope facing slide should not be in the budget. After some discussion, the Board acted to approve the 2019-2020 GHAD Budget as presented by Mr. Abelite, with the only change being the removal of the three Vicenza Way line items totaling \$164,125. The Board voted to approve the motion as follows: Voting yes: Messrs. Katwan, Forsberg and Ursenbach. Absent Baker and Hansen.

**Agenda item 5:** Manager’s operations report.

**a. North East facing slope behind Vicenza:**

Mr. Abelite reported that he had successfully engaged with a GHAD colleague, Mr. Sands of Blackhawk for the purposes of asking for and receiving help with bidding and contracting processes associated with potential GHAD mitigation work for the District, with a focus on the Vicenza Way NE facing slope slide. Mr. Abelite reported that he met with Mr. Sands and subsequently Mr. Sands provided the SCVCC GHAD with MS Word documents used for bidding, contracting and related documents. Mr. Sands also provided his best practices that are part of GHAD law.

As a result, Mr. Abelite reported that he took those files and scrubbed them for all references that applied to Blackhawk and replaced them with references appropriate to the SCVCC GHAD. Thus, contracting templates were created for the SCVCC GHAD.

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Once the templates were created, Mr. Abelite created the bidding documents for the NE facing slope slide behind Vicenza Way. Said documents were sent to the GHAD slide subcommittee for review and comment.

Mr. Abelite reported that next steps included bidding, contracting and actual construction.

**b. Report on the Annual State GHAD Board meeting in San Ramon:**

Mr. Abelite reported that he attended the annual California Association of GHAD's meeting at the offices of Engeo in San Ramon California.

Gleaned from the meeting was a court ruling that favored California GHADs. A court ruling was upheld by the California Supreme Court that the GHAD's have a right to CEQA exemptions. The case involved the City of Malibu suing the GHAD District which was made up of a small number of homes along the Malibu Beach. The City sued regarding trucks rolling through the City Streets. In the end, GHAD's have the right to be CEQA exempt.

**c. Annual Tax Roll consultant was contracted for:**

Mr. Abelite reported he signed the annual contract with David Tausig Associates (DTA) for the purposes of DTA processing the GHAD Tax Rolls into the County Tax Collectors system.

**d. Other Property concerns:**

- Mr. Abelite reported that he received an inquiry regarding rear yard property line subsidence from a property owner near the corner of Country Club Parkway and Morningside Drive.

The homeowner indicated he had hired a geotechnical engineer to look at his rear slope. The homeowners hired geotechnical engineer informed him that the back-yard line was experiencing "Creep" and the way to mitigate it was by installing a row of piles along the rear property line in the HOA property rear slope.

Mr. Abelite responded to the homeowner by informing him that the mitigating hillside "Creep" is not in the purview of the GHAD. Nevertheless, and out of abundance of caution, Mr. Abelite had dispatched C2 Earth to visit the site to confirm the issue is indeed Creep. After the meeting agenda was written, but before the Board meeting, Mr. Abelite was informed by C2 Earth that the item was indeed Creep. Mr. Abelite reported he will be sending the C2 Earth findings back to the homeowner when they are produced by C2 Earth.

- Mr. Abelite received an email from the HOA from one of the HOA Board members alerting the GHAD that there may be another property along Vicenza Way that has a slide. Mr. Abelite had dispatched C2 Earth to visit this site as well to make sure the item was not another slide. After the meeting agenda was written, but before the Board meeting, Mr. Abelite was informed by C2 Earth that the item was indeed Creep. Mr. Abelite reported he will be sending the C2 Earth findings back to the homeowner when they are produced by C2 Earth.

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e. **Routine financial work:**


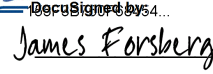
Mr. Abelite reported he worked on general administration of GHAD business and the following GHAD financial items since the last meeting:

- Processed invoices for payment.
- Created routine financial reports for the Board.
- Reconciled the monthly Morgan Stanley Smith Barney statement.

The meeting was adjourned at approximately 7:55 pm.

Respectfully Submitted,

and

		9/23/2019	, Secretary of the Meeting
		9/23/2019	, Clerk of the Board

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