

**Minutes of the September 12, 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 September 12, 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, Paul Hansen 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 was 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 June 20, 2019 meeting were then reviewed by the Board of Directors and the Board voted to approve the minutes as follows: Voting yes: Messrs. Katwan, Forsberg and Ursenbach. Abstained: Hansen. Absent Baker.

The minutes of the September 4, 2019 meeting were then reviewed by the Board of Directors and the Board voted to approve the minutes as follows: Voting yes: Messrs. Hansen, Forsberg and Ursenbach. Abstained: Katwan. Absent Baker.

Agenda item 3: Comments from Public and Correspondence:

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

Agenda item 4: Manager’s operations report.

a. Distress of rear yard for 5360 Vicenza Way:

Mr. Abelite reported to the Board that he had followed up on a HOA generated request to look at the rear lot line slope condition at 5360 Vicenza Way. As a result of the HOA request, Mr. Abelite tasked C2 Earth to visit the site and issue a report back to the GHAD. Having received the C2 Earth report, Mr. Abelite forwarded it to the HOA.

The HOA indicated they did not understand the C2 Earth observation and wanted to appeal the observation. Mr. Abelite reported that he informed the HOA there would be no appeal and that the HOA could hire their own Geotechnical Engineer. Later, the HOA asked the GHAD for Geotechnical engineer recommendations which the GHAD did not provide.

b. Distress of rear yard for 5681 Morningside Drive:

Mr. Abelite reported to the Board that he had followed up on a homeowner (Brad Zaro) generated request to look at the rear lot line slope condition at 5681 Morningside Drive. As a result of the



request, Mr. Abelite tasked C2 Earth to visit the site and issue a report back to the GHAD. Having received the C2 Earth report, Mr. Abelite forwarded it to Mr. Zaro.

c. Annual taking of High-resolution Color and Infrared photos of the District have been ordered:

Mr. Abelite reported he tasked Curtis Holmes of American Aerial Surveys, Inc to perform the annual high flight photographic work. American Aerial Surveys produced and delivered the 40"x40" Color and Infrared photos to the GHAD.

d. Initiated the Audit work for the GHAD:

Mr. Abelite reported he initiated the GHAD's annual audit with the firm of Boden, Klein & Sneesby. Mr. Abelite reported that he had already transmitted a first round of information to the Auditor.

e. County Tax Rolls for 2019-2020 completed:

Mr. Abelite reported that he had worked to get the GHAD's adopted tax roll resolution implemented with the County of Santa Clara Tax Assessor. He reported that the County Tax Assessor accepted the GHAD's tax roll request in the amount of \$388,652.38. Mr. Abelite reported that for a second year in a row the new contractor David Taussig and Associates successfully implemented the Tax Rolls with the County of Santa Clara. Mr. Abelite reported they did a good job.

f. North East facing slope behind Vicenza :

Mr. Abelite reported that after the September 4, 2019 Board meeting he worked on the following items:

- He communicated with the grading Contractor to plan on starting his scope of work in mid to late September.
- He started working with a Civil Engineer to create a SWIPP document that outlines the scope of size of the project which will be less than 1 acre and to outline Stormwater mitigation measures on a plan.
- He wrote a proposed contract for engaging the contractor of choice using the Plate Pile system and issued it to the contractor for review.

Mr. Abelite reported that some of the items yet to be accomplished were:

- Communicate with homeowners and the HOA as to the upcoming schedules once they firm up.
- Obtain minor items like water meter, temporary toilet for workers, etc.

g. Plan of Control update:

Mr. Abelite reported that since the last meeting, Engeo had assembled enough materials from MacKay and Somp’s and internally to be able to produce a Draft version of the updated Plan of Control. Mr. Abelite reported he received the Draft in August, issued comments to Engeo, had a follow up conference call with Engeo and a Draft version is being produced for presentation to the Board at the next meeting.

Then the Board discussed the potential steps to take to achieve final adoption of the new Plan of Control. The Board decided on the following steps to adopt the Plan of Control:

- i. Board would receive a copy of the proposed final plan as soon as it was received by Mr. Abelite from Engeo. Board members would individually submit comments and questions to Mr. Abelite for further clarification.
- ii. The Board would have the proposed final Plan of Control presented to them by Engeo at the next scheduled Board meeting set for November 7, 2019. The Board would then direct Mr. Abelite to send the plan to the HOA Board, the Golf Club and to HOA Community Manager for circulation to the community. There would be a comment period.
- iii. Mr. Abelite would then take in comments and address them as necessary. People or entities issuing comments would also be invited to attend the GHAD Board meeting that would be ultimately adopting the new Plan of Control.
- iv. At the first GHAD Board meeting of 2020, the Board could act to adopt the new Plan of Control.

h. Routine financial work:

Mr. Abelite 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 7:45 pm.

Respectfully Submitted,

DocuSigned by:


, Secretary of the Meeting 11/21/2019

and

DocuSigned by:
 James Forsberg
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, Clerk of the Board 11/30/2019