

**MINUTES**  
**REGULAR MEETING**  
**OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)**

**November 4, 2014**

1. **CALL TO ORDER AND ROLL CALL** – the meeting was called to order at 8:25 p.m. by Chairman Diaz. Boardmembers present: Chairman Diaz, Vice Chair Geller, Boardmembers Pierce, Shuey and Stratford. Boardmembers absent: None. Staff present: District Manager Rick Angrisani, City Manager Gary Napper, Assistant General Legal Counsel Christopher Diaz, and Secretary Janet Brown.
  
2. **PUBLIC COMMENTS** – None.
  
3. **CONSENT CALENDAR** – It was moved by Boardmember Pierce, seconded by Boardmember Stratford, to approve the Consent Calendar as submitted. (Passed; 5-0 vote).
  - (a) Approved the Board of Directors' minutes for its regular meeting of August 19, 2014.
  
4. **PUBLIC HEARINGS** - None
  
5. **ACTION ITEMS**
  - (a) Report on updated findings from the recent geotechnical field investigation of the existing two (2) inclinometers on and below Pebble Beach Drive in the Peacock Creek subdivision of the Oakhurst Development.  
(District Manager)

District Manager Rick Angrisani presented the staff report. Based on the field results from Berlogar Stevens & Associates, it is recommended further readings be conducted after the upcoming rainy season. It is anticipated the cost for the additional inspection will be approximately \$3,000.00 with source of monies from either GHAD reserves or the Presley Lawsuit Settlement Funds. Staff will return to the Board to request authorization of the work and funds in early spring 2015.

Chairman Diaz opened the agenda item to receive public comments.

Joe Legault, resident on Pebble Beach Drive, expressed concerns over the hillside movement and was seeking a reading on his street.

District Manager Rick Angrisani advised readings continue to show movement of about one inch in the last 4 years and it may be moving as a block. Additional readings and inspections are recommended after the 2015 rainy season

Mr. Legault asked about the drainage. District Manager Rick Angrisani advised there are some cracks in the V-ditches that would indicate some movement is occurring.

Terry Jester, resident on Pebble Beach Drive, tried to sell his home and was unable to do so due to the potential of sliding. The Civil Engineer that inspected his property noticed cracks in the street and improper drainage. The potential buyers of his property backed out based on those findings. Mr. Jester would like to know who is responsible and who will be paying for the improvements?

Juanita Jester added the sole inspector of their property did not recommend the potential buyers to purchase her home. She also mentioned the prior owners of her home did not disclose the hillside movement to her when they purchased this home.

Chairman Diaz asked what avenues can the City take to assist the homeowners? District Manager Angrisani advised that GHAD Newsletters have been mailed to area property owners since 2005. The GHAD installed horizontal drainage systems several years ago but that work was unfortunately unsuccessful. The original subdivision work was done by Presley and the GHAD was formed to take care of any such problems. However, GHAD funds come from the property owners agreeing to assess themselves and the property owners have not done so in sufficient amount to make the repairs. It will take millions of dollars to make all the necessary repairs.

Mr. Jester asked again who is responsible? District Manager Angrisani suggested the property owners contact Presley, the original builders of the homes.

Vice Chair Geller added that every property owner has been asked to contribute funds to the GHAD for future repairs as needed. Realtors are required to provide potential home buyers with a GHAD packet to review the history of the movement.

Mr. Jester indicated at the time he bought property 11 years ago, there were not any real problems occurring. Vice Chair Geller added that every GHAD packet is required to be given and signed for during a real estate transaction.

Mr. Jester indicated there were two slides prior to homes being built there and believes the homeowners should not be responsible; rather, the City has a responsibility as the repairs were not done right.

Chairman Diaz asked for General Counsel advice on the matter.

Assistant General Counsel Christopher Diaz advised GHAD to have a sit down with the property owners to get a better sense of what has occurred and compare the amount of GHAD funds to address some of the issues and future funds.

Chairman Diaz asked if there is anything further we can do to be more responsive to the property owners. Assistant General Counsel Christopher Diaz indicated this is an informational report item and discussion should continue in that form.

Mr. Jester reiterated that something needs to be done to repair the problems.

Chairman Diaz requested staff to make further analysis as this issue cannot be resolved this evening. This is an ongoing matter and the GHAD District Manager will need to provide additional information at a later date.

Mr. Legault asked where the previous staff reports and newsletters are located and available for public review. Boardmember Pierce advised the documents are available on the website.

Nicholas Lahanas asked if there not a reading specifically on the movement on Pebble Beach Drive? District Manager Rick Angrisani advised not at this time.

Chairman Diaz asked for any additional further public comments; no further comments were offered.

It was the Board's general consensus for GHAD staff to sit down with the residents to discuss the matter further and bring back to the Board a report on what can be done.

6. **BOARD ITEMS** – limited to requests and directives for future meetings.  
None.
  
7. **ADJOURNMENT** - on call by Chairman Diaz the meeting adjourned at 8:45 p.m.

Respectfully submitted,



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Janet Brown, Secretary

Approved by the Board of Directors  
Oakhurst Geological Hazard Abatement District

  
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Jim Diaz, Chairman