

CLERK OF THE BOARD OF SUPERVISORS

COUNTY OF SANTA CRUZ

701 OCEAN STREET - Room 500 SANTA CRUZ, CALIFORNIA 95060 (831) 454-2323

October 15, 1998

GOVERNMENTAL CENTER

Board of Supervisors County of Santa Cruz 701 Ocean Street, Room 500 Santa Cruz, CA 95060

Dear Members of the Board:

On September 22, 1998, your Board adopted a resolution initiating the proceedings for the formation of the Pajaro Dunes Geologic Hazard Abatement District and directed our office to mail appropriate notices to each owner of real property within the proposed district.

In accordance with Division 17 of the Public Resources Code for the State of California any property owner within the proposed district may make a written objection to the formation (at any time not later than the time set for hearing objections on the proposed formation). If it appears at the hearing that owners of more than 50 percent of the assessed valuation of the proposed district object to the formation, the legislative body shall close the hearing and direct that proceedings for the formation of the district be abandoned.

The attached resolution orders the formation of the Pajaro Dunes Geologic Assessment District and appoints five owners of real property within the District to serve as the initial Board of Directors for terms not to exceed four years. The proposed directors are being recommended by the Pajaro Dunes Association. A copy of their curriculum vitae is attached for your review. In the future, the Board of Directors shall be elected as provided by Public Resources Code Section 26583.

IT IS THEREFORE RECOMMENDED that your Board hold the public hearing on any objections; and, if less than 50 percent of the assessed valuation of the proposed district owner s object to the formation, adopt the resolution ordering the formation of the Pajaro Dunes Geologic Assessment District; and appoint five owners of real property within the District to serve as the initial Board of Directors for a term not to exceed four years.

Sincerely,

Susan Rozario

Chief Deputy Clerk of the Board

RECOMMENDED:

Susan A. Mauriello

County Administrative Officer

cc: Kay Bowden

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO.	
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On the motion of Supervisor duly seconded by Supervisor The following resolution is adopted

RESOLUTION ORDERING THE FORMATION OF THE PAJARO DUNES GEOLOGIC HAZARD ABATEMENT DISTRICT

WHEREAS, Division 17 of the Public Resources Code for the State of California (Sections 26500 through Section 26654, inclusive) provides for the establishment of geologic hazard abatement districts and this resolution is made pursuant to said statutory scheme; and

WHEREAS, a petition signed by owners of not less than 10 percent to the real property to be included within the proposed Pajaro Dunes Geologic Hazard Abatement District was presented to and verified by the Clerk of the Board of Supervisors; and

WHEREAS, on September 22, 1998 the Board of Supervisors adopted Resolution No. 386-98 (Item No. 20) initiating proceedings for the formation of the Pajaro Dunes Hazard Abatement District pursuant to Public Resources Code Section 26558; and said Resolution set October 27, 1998 at the hour of 9:00 a.m. or thereafter, in the Supervisors' Chambers, County Government Center, 701 Ocean Street, Room 525, Santa Cruz, California as the date, time and place of a public hearing before the Board of Supervisors upon the proposed formation of the Pajaro Dunes Geologic Hazard Abatement District; and

WHEREAS, notice as required by law of the hearing on the Petition of Formation of the Pajaro Dunes Geologic Hazard Abatement District has been given; and

WHEREAS, the Clerk of the Board of Supervisors has provided the opportunity to receive written objection to the formation of the proposed Pajaro Dunes Geologic Hazard Abatement District but such objection has not been made by owners of more than 50 percent of the assessed valuation of the proposed district; and

WHEREAS, the Board of Supervisors has been presented with and reviewed the Plan of Control submitted as Exhibit C to the Petition for the formation of the Pajaro Dunes Geologic Hazard Abatement District and determined that the health, safety and welfare require formation of such a district; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Pajaro Dunes Geologic Hazard Abatement District is hereby formed pursuant to Division 17 of the California Public Resources Code, with all powers and duties provided by statute.

BE IT FURTHER RESOLVED AND ORDERED that the exterior boundaries of the Pajaro Dunes Geologic Hazard Abatement District shall be described as the composite and consolidated area of all parcels of property more particularly described by a legal description and a map of the boundaries of the territory included within the District, copies of which are attached hereto as Exhibits A and B, respectively, and are hereby incorporated herein by reference.

BE IT FURTHER RESOLVED AND ORDERED that the Board of Supervisors hereby appoints the following five owners of real property within the District to serve as the initial Board of Directors for the District for the following terms not to exceed four years. Thereafter, the Board of Directors shall be elected as provided by Public Resources Code Section 26583.

<u>Name</u>	Term Expires
Richard Burress	<u>December 1.2000</u>
Dr. Dewey Hobson	
Ralnh Pica	
George Kelly	
John Lundell	
	TED by the Board of Supervisors of the County of Santa Cruz, State of, 1998, by the following vote:
AYES: SUPERVIS	OPS
NOES: SUPERVIS	
ABSENT: SUPERVIS	
ABSTAIN: SUPERVIS	
	Chairperson, Board of Supervisors
Attest: Clerk of the Board	
Citin of the Board	
Approved as to form:	
Dens	
County Counsel	
cc: County Counsel	Kay Bowden
Elections	Planning Department

Public Works

DESCRIPTION OF ZONE 1

Situate in the County of Santa Cruz, State of California

Being all of Tract 734 Pajaro Dunes Townhouses recorded in Volume 64 of Maps at Page 5 1, Santa Cruz County Records and also being all of Tract 734 Gatehouse Condominiums recorded in Volume 64 of Maps at Page 15, Santa Cnz County Records and also being all of Tract 476 Pajaro Dunes Unit Two recorded in Volume 45 of Maps at Page 7, Santa Cruz County Records and also being all of Tract 468 Pajaro Dunes Unit One recorded in Volume 44 of Maps at Page 39, Santa Cruz County Records and also being all of Tract 488 Pajaro Dunes Unit Three recorded in Volume 45 of Maps at Page 67, Santa Cruz County Records and also being all of Tract 505 Pajaro Dunes Unit 4 recorded in Volume 49 of Maps at Page 26, Santa Cruz County Records and also being all of Tract 503 Pajaro Dunes A Condominium Subdivision recorded in Volume 50 of Maps at Page 1, Santa Cruz County Records and also being all o the lands conveyed to Triad, a Limited Partnership by deed recorded in Volume 163 1 of Official Records at Page 2 I S, and being more particularly described as follows, to wit:

Beginning at the intersection of the western boundary of said lands of Pajaro Dunes Townhouses with the southern line of Beach Road, as shown on said Map;

Thence from said point of beginning, along the western boundary of said Tract 734, South 24°05'50" East 641.15 feet to the northwestern comer of Parcel "C" as shown on said map of Tract 734Gatehouse Condominiums; thence along said western boundary of Parcels "A", "B", and "C" as shown on said map South 24" 05'50" East 259.98 feet to the northwestern corner of Lot 60 as shown on said map of Tract 476; thence along the western boundary of said Tract 476 South 24" 05'50" East 452.55 feet to the northwestern of Lot 15 as shown on said map of Tract 468; thence along the western boundary of said Tract 468 South 24" 05'50" East 1168.74 feet to the northwestern of Lot 107 as shown on said map of Tract 488; thence along the western boundary of said Tract 488 South 24" 05'50" East 629.22 feet to an angle point at the northwestern comer of Lot 98 as shown on said map of Tract 488; thence continuing along the western boundary of said Tract 488 South 23" 40'00" East 626.64 to the northwestern corner of Lot 48 as shown on said Tract 469; thence along the western boundary of said Tract 468 South 23" 40'00" East 140.20 to an angle point therein; thence continuing along the western boundary of said Tract 468, South 25" 58'45" East 409.50 feet to the northwestern comer of Lot SO as shown on said Tract 476; thence along the western boundary of said Tract 476, South 25°58'45" East 735.25 feet to an angle therein; thence continuing along the western boundary of said Tract 468, South 25°58'00" East 74.78 to the northwestern comer of Lot 140 as shown on said Tract 506; thence along the western boundary of said Tract 506 South 25°58'00" East 123.76 to the northwestern corner of Block 1 as shown on that certain map of Tract 503, Pajaro Dunes A Condominium Subdivision recorded in Volume 50 of Maps at Page 1, Santa Cruz County records;

185

thence along the western boundary of Tract 503, South 25°58'00" East 427.02 feet to the southern boundary of said Tract 503; thence along said southern boundary, North 64°01'50" East 735.09 feet to the eastern boundary of said Tract 503; thence along the said castern boundary, North 41°47'52" West 373.88 feet to an angle therein; thence North 16°18'13" West 154.66 feet to the northeastern comer thereof; thence along the eastern boundary of the lands conveyed to Triad, A Limited Partnership by deed recorded in Volume 163 1 of Official Records at Page 218, Santa Cruz County Records, North 16°18'13" West 78.94 feet to an angle therein; thence

North 2°35'03" East 421.43 feet to an angle therein; thence North 3" 17'30" West 539.59 feet to an angle therein; thence North 17°57'4 1" West 19 1.32 feet to an angle therein; thence North 20°5 1' 16" West 561.5 1 feet to an angle therein; thence North 42° 19' 15" West 468.45 feet to an angle therein; thence North 78°41'24" West 331.44 feet to an angle therein; thence North 66°32'46" West 206.02 feet to an angle therein; thence. North 28°38'45" West 255.66 feet to an angle therein; thence North 12°24'03" West 339.93 feet to an angle therein; thence North 27°26'03" West 735.75 feet to an angle therein; thence North 38°54'41" West 213.34 feet to an angle therein; thence ' North 62°55'54" West 305.46 feet to an angle therein; thence North 28°09'22" West 161.06 feet to an angle therein; thence North 01°02'30" West 165.03 feet to an angle therein; thence North 34°41'43" East 316.23 feet to an angle therein; thence North 10°45'29" East 203.58 feet to an angle :herein; thence North 08°24'53" West 170.54 feet to an angle therein; thence North 22°38'06" West 293.62 feet to an angle therein; thence

North 07°53'59" West 155.07 feet, more or less, to the southern boundary of said Beach Road as shown on said map of Tract 734; thence along the southern boundary of Beach Road, South 47°58'30" West 994.60 feet, more or less, to the point of beginning.

Compiled in March 1998 by Dunbar and Craig Land Surveys, Inc. Job 97335.

Curt G. Dunbar, LS 5615

License renewal date 9-30-98

DESCRIPTION OF ZONE 2

Situate in the County of Santa Cruz, State of California

Being all of Tract 503 Fajaro Dunes A Condominium Subdivision recorded in Volume 50 of Maps at Page 1, Santa Cruz County Recert's

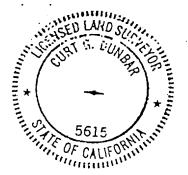
Beginning at the northwestern corner of said Tract 503;

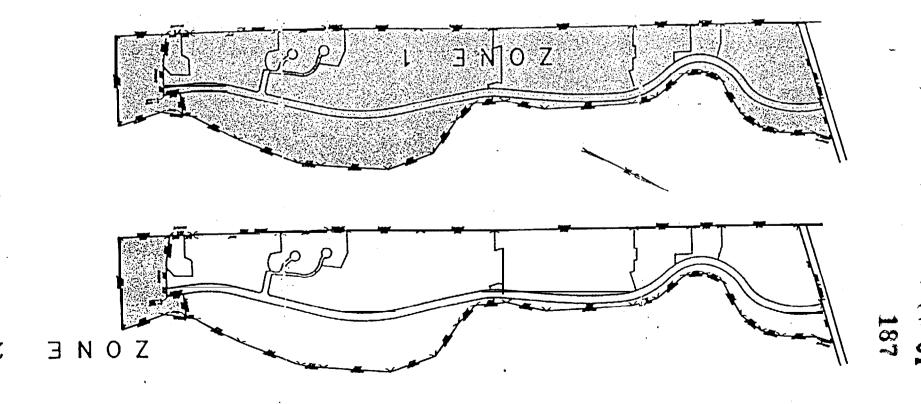
Thence from said point of beginning along the western boundary of Blocks 1 and 6 as shown on said map of Tract 503, North 72°48'20" East 220.88 feet to an angle therein, North 65°48'20" East 213.23 feet to the terminus of Rio Boca Road, as said Road is shown on said last mentioned map; thence continuing along the western boundary of said Tract 503, along the eastern of said Rio Boca Road, North 65°48'20" East 60.01 fcet; thence along the northern boundary of said Rio Boca Road, northwesterly, curving to the left from a tangent bearing of North 23°33'07" West with a radius of 150.00 feet through a central angle of 7°39'06" a distance of 24.04 feet to a point of tangency; thence continuing along the northern line of Rio Boca Road North 31" 12' 13" West I 16.50 feet to the most northwestern corner of Block. 7 of said Tract 503; thence along the northern boundary of said Block 7 North 58°47'47" East 184.69 feet to the northeastern comer thereof; thence along the eastern boundary of Tract 503, South 16°1S' 13" East 134.66 feet to an angle therein; thence. South 41°47'52" East 373.88 feet to the southeastern corner of said Tract 503; thence along the southern boundary of said Tract South 64°01'50" West 735.09 feet to the southwestern corner of said Tract 503; thence along the western boundary of said Tract 503, North 25°58'60" West 427.02 feet to the point of

Compiled in March 1998 by Dunbar and Craig Land Surveys, Inc. Job 97335.

Curt G. Dunbar, LS 56 15

License renewal date 9-30-98





COMPLED BOUNDARY PAJARO DUNES SOUTH SURVEY MAP

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WATSONVILLE

County of Sonta Cruz, State of Colifornia

JOB NO. 97335

INDEX

LICE NO.

FICENZED LAND SURVEYORS DUNBAR and CRAIG

1011 CEDAR STREET, SANTA CRUZ, CA 95060 P - 0 , BOX 1018, SANTA CRUZ, 95061

RENEWAL DATE 9/30/98

DRAWN: E DUNBAR

CHECKED

ACAD N 0, 97335.DWG

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DATE: DEC 1997

LIEFDMOBK: NONE

G EXHIBITY C C



GHAD For Pajaro Dunes South Project No. SC3748 Plan of Control 8 May 1998 Page 1

PAJARO DUNES GEOLOGIC HAZARD ABATEMENT DISTRICT PLAN OF CONTROL

1. <u>Introduction</u>

This Plan of Control includes a description of the geologic hazard, its' location, the area affected, and a plan for the control of the geologic hazards of river erosion, coastal erosion and coastal flooding at Pajaro Dunes.

2. <u>Description of Hazard</u>

Pajaro Dunes is an ocean front residential development in southern Santa Cruz County. The development is located in an area of geologically young sand dunes bounded by the Pacific Ocean, the Pajaro river and the Watsonville Slough. River erosion, coastal erosion and coastal flooding from ocean wave runup are significant geologic hazards at Pajaro Dunes. Since the area was developed in 1968, severe storms have caused wave runup and erosion that resulted in substantial damage twice, in both 1978 and 1983. Significant erosion episodes have also been documented in the early 1900's.

Following the 1983 storms that caused severe erosion and threatened to undermine many homes at Pajaro dunes, a rip rap coastal protection structure, about 6,000 feet long, was constructed to reduce coastal erosion hazards. The coastal protection structure also was constructed to reduce ocean wave runup and consequential coastal flooding. This coastal protection structure reduces the probability of future coastal erosion and reduces the severity of future coastal flooding from ocean wave runup.

A 640 foot long wooden piling river wall that was constructed in 1968 to control river erosion and flooding exists adjacent to the Pelican Point condominiums along the Pajaro River. This river wall was repaired after the 1989 Loma Prieta earthquake caused severe liquefaction that damaged some of the condominiums and caused the river wall to fail. Severe corrosion of the whaler beam on the river wall was a major cause of the river wall failure. In 1990, the river wall whaler beam was replaced to extend the life of the river wall. The river wall is now reaching the end of its useful life and cannot be counted on for protecting the condominiums from river erosion, river flooding and coastal flooding hazards. Ocean waves run up the river during high tides and occasionally go over the top of the river wall. On several occasions scour, erosion and flooding have caused soils to be lost from the landward side of the river wall, creating hazardous sinkholes along the nearby

Pajaro Dunes GHAD Petition



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GHAD For Pajaro Dunes South Project No. SC3748 Plan of Control 8 May 1998 Page 2

boardwalks and close to the building pile foundations.

Because of the low first floor elevations of many of the Pelican Point Condominiums (about +13 feet NGVD), relative to the 100-year FEMA flood level, it is our opinion that it is impractical to build a structure that will protect them from the 100-year coastal flood, unless the condominiums are elevated.

Liquefaction hazards associated with seismic shaking will not be addressed by this plan of control, nor will river or slough flooding be addressed by this plan of control.

The hazards addressed by this plan of control are river erosion: coastal erosion and coastal flooding. Implementing the plan of control will reduce, but will not eliminate, these hazards.

3. Location of Hazard and Area Affected

The location of the geologic hazard abatement is the Pajaro Dunes South residential development south of Beach Road in southern Santa Cruz County in the area bounded by the Pacific Ocean, the Pajaro River and the Watsonville Slough. Because the development is built on young sand dunes, coastal erosion has the potential to progress rapidly through the dune sands. Because the sand dunes are just above sea level, ocean wave runup can flow inland a significant distance. All of the development has some exposure to the hazards, with the very greatest exposure along the ocean front, particularly at the southern end of the development.

The Pelican Point Condominiums are located at the southern end of the development adjacent to the Pajaro river, as well as the Pacific Ocean. The condominium area is exposed to river erosion hazards. The remainder of the development is not, since it is not adjacent to the river.

4. Plan For Prevention, Mitiaation. Abatement Or Control Of Hazard

A 5,995 foot long rip rap coastal protection structure was designed in 1984 through 1987 by Rogers Johnson and Associates and Haro, Kasunich and Associates for the Cypress Townhomes, the Pajaro Dunes South Homes and the Pelican Point Condominiums. The rip rap coastal protection structure was constructed for the Cypress Townhouse, the Pajaro Dunes South House and the Pelican Point Condominiums by various contractors. The design plans for this rip rap coastal protection structure are part of the plan of control.

GHAD For Pajaro Dunes South Project No. SC3748 Plan of Control 8 May 1998 Page 3

> In order to control the hazards of coastal erosion and coastal flooding, the existing rip rap coastal protection structure must be inspected, maintained and repaired as necessary. A regular inspection program should be combined with an emergency response plan that should be implemented in the event of storm damage to the coastal protection structure. Routine maintenance and repairs to the rip rap will be required on an on-going basis to keep the rip rap effective as an erosion control structure. A contractor should be selected with the experience and equipment to perform both routing maintenance and emergency repairs. Source(s) of repair/maintenance materials (rip rap) should be located and secured to assure availability in the event of storm damage. Dune morphology can be evaluated relative to the coastal flood protection offered by the rip rap and future improvement of the rip rap coastal protection structure may be considered. If rip rap is displaced by storm waves, it should be replaced. When waves overtop the rip rap, any resulting damage should be documented and repairs or modifications to the rip rap should be considered. Implementing this plan should reduce the probability of future coastal erosion and reduce the severity of future coastal flooding from ocean wave runup.

> Since the river wall is: 1) near the end of its' useful life; and 2) was designed in accordance with 30 year old building codes that are very inferior to the 1997 building code, it should be replaced in the near future. We recommend a tied back steel sheet pile wall for the replacement wall. Thorough geologic and geotechnical characterization of the site conditions and subsequent analysis will be required to design this wall. The liquefiable nature of some of the wall's foundation zone soils should be considered when it is designed. The Pelican Point floor levels and topography should be considered when selecting the wall height, to avoid the new wall causing ponding of wave overtopping that floods the buildings. Control of the hazards at Pelican Point is very difficult and total control can not be economically achieved, however, replacement of the river wall will substantially reduce the river erosion, coastal erosion and coastal flooding hazards there.

5. Benefits

The owners of all properties will benefit from inspection, maintenance and repair of the rip rap coastal protection structure. This includes the properties with homes, the Pelican Point condominium properties, the Cypress Townhomes properties, the Pajaro Dunes Association common stairways and buildings (Recreation Hall/SandPiper, Gate House, Tennis Complex and the Holzman and Daw property) and the Pajaro Dunes Rental Agency Property. Implementing the plan of control aspects that involve the rip rap structure will reduce future coastal erosion and

191

coastal flooding damage to these properties. These properties are included in Zone 1 of this Geologic Hazard Abatement District.

In our opinion, the costs for implementing the aspects of the plan of control related to the rip rap structure should be shared among a!! properties. The Cypress Townhomes and the Pelican Point condominiums shares should be proportional to the length of rip rap fronting those developments. The houses should share in the remaining costs based on their distance from the ocean, and the degree of hazard from coastal erosion and coastal flooding. While this degree of hazard can not be precisely calculated, it is our opinion that the front row lots should have an 85 percent share, the second row lots should have a 10 percent share and the remaining lots should have a 5 percent share. In addition, the individual front row lot shares should be pro-rated proportionately based on lot width. Front row lot widths should be adjusted to deduct beach access stairway easement areas; those easement shares should be shared by all association members.

The owners of all Pelican Point properties will benefit from replacement and future maintenance of the river wall; This will reduce future river erosion damage to the Pelican Point area. These properties are included in Zone 2 of this Geologic Hazard Abatement District.

In our opinion, the costs of implementing the aspects of the plan of control related to the river wall should be shared equally among the Pelican Point condominium owners, with the exception of one five-foot length of the river wall under the beach access stairway between Pelican Point Buildings C and D, which will be the responsibility of the Association.



October 15, 1998

Board of Supervisors County of Santa Cruz 701 Ocean Street Santa Cruz, CA 95060

RE: Nominations for Appointment to the Pajaro Dunes Geologic Hazard Abatement District Initial Board of Directors

Members of the Board:

We would like to place in nomination five names for appointment to the initial Board of Directors of the proposed Pajaro Dunes Geologic Hazard Abatement District. The Public Resources Code requires that members of the GHAD Board of Directors own property within the district. Board members are not required to maintain permanent residence within the District. Each of the individuals listed below meets the property ownership requirement. The normal term of office for members of a GHAD Board of Directors is four years. To avoid the problem of all Board terms expiring at once, we have designated two individuals to be appointed for two year terms and three individuals to be appointed for four year terms.

We offer the following five names for consideration by the Board of Supervisors for appointment to the initial five positions on the Pajaro Dunes Geologic Hazard Abatement District:

For Two Year Terms:

Mr, Richard Burress
46 Pearce Mitchell
Stanford, CA 94305
Owner of House 132 at Pajaro Dunes (APN 052-321-43)

Dr. Dewey Hobson 2661 Beach Road Pajaro Dunes, CA 95076 Owner of House 138 at Pajaro Dunes (APN 052-321-45) Board of Supervisors October 15, 1998 Page Two

For Four Year Terms:

Mr. Ralph Pica 2661 Beach Road Pajaro Dunes, CA 95076 Owner of Pelican Unit # 23 at Pajaro Dunes (APN 052-43 1-03)

Mr. George Kelly 444 Washington Avenue Palo Alto CA 94301 Owner of House 4 at Pajaro Dunes (APN 052-28 1-08)

Mr. John Lundell 1895 1 Ansley Place Saratoga, CA 95070 Owner of House 16 at Pajaro Dunes (APN 052-281-20)

We believe that these individuals are well qualified to govern the GHAD. We have attached resumes for each of the nominated individuals.

We, therefore, recommend that the Board of Supervisors appoint these individuals to the initial Board of Directors of the Pajaro Dunes Geologic Hazard Abatement District to serve the terms specified.

Sincerely,

John Lundell
John Lundell
Sy K.B.

Secretary

RESUMES OF NOMINATED GHAD BOARD MEMBERS

RICHARD BURRESS

Mr. Burress is a Senior Fellow, Emeritus at the Hoover Institution, Stanford University. He received a JD degree from the Law School of the University of Iowa and an LL.M. from the Graduate School of Law of New York University. Prior to joining the Hoover Institution in 1973, Mr. Burress was Chairman of the Renegotiation Board, Deputy Counsel to the President, and Deputy Assistant to the President for Domestic Affairs. He has been an attorney with Lockheed Aircraft Corporation. He has owned a home at Pajaro Dunes since 1977. He served on the Pajaro Dunes Association Board of Directors from 1980 until 1982 and again from May 1988 until the present.

DEWEY G. HOBSON D.V.M.

Dr. Hobson holds a Doctor of Veterinary Medicine degree from Oklahoma State University. He has practiced veterinary medicine in the Pajaro Valley for twenty years. He was one of the owners of the Pajaro Valley Veterinary Hospital and has been an officer in both the Santa Cruz and Monterey Veterinary Medical Associations. He has been a member of the Pajaro Dunes Board of Directors since 1989, serving as Vice President. He resides at Pajaro Dunes and has owned a house there for twenty-two years.

GEORGE KELLY

Mr. Kelly is a CPA with a Masters in Business Administration from the University of California at Berkeley. He was a partner in Deloitte, **Haskins** & Sells, an accounting and consulting **firm**. He has served several terms on the Pajaro Dunes Association Board of Directors. Mr. Kelly has owned a home at Pajaro Dunes since 1978.

JOHN LUNDELL

Mr. Lundell has a BS in Mechanical Engineering from Northwestern University and a graduate engineering degree from Stanford University. He was a Research Scientist and an engineering manager at NASA Ames Research Center for 35 years. He retired in 1990 as the Associate Director of Aerophysics. He has served on the Board of Directors of the Sea Ranch Association and the Board of Directors of the Pajaro Dunes Association. He is currently the Secretary of the Pajaro Dunes Association. He chaired the committee to form a Geologic Hazard Abatement District at Pajaro Dunes. He has resided in the City of Saratoga for the past 39 years and is currently serving on the Board of Directors of the Good Government Group there.

RALPH A. PICA

Mr. Pica is the president of Provident Funding. He was formerly a manager for Saga Corporation. He has owned a condominium at Pelican Point in Pajaro Dunes since 1978. He has served on the Board of Directors of the Pajaro Dunes Association since 1992.