



County of Santa Cruz

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Planning Department

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

January 8, 1999

APPROVED AND FILED
BOARD OF SUPERVISORS

AGENDA: January 12, 1999

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

DATE: 1/12/99
COUNTY OF SANTA CRUZ
SUSAN A. MAURIELLO
EX-OFFICIO CLERK OF THE BOARD
BY [Signature] DEPUTY

SUBJECT: Continuation of Public Hearing for the Heartwood Hill Geologic Hazard Abatement District

Members of the Board:

Item #67 on today's agenda is a public hearing to consider formation of the Heartwood Hill Geologic Hazard Abatement District. As discussed in our letter for that item, we have received a protest from a property owner who owns more than 50 percent of the assessed value in the proposed district. If this protest stands, your Board would have to abandon the formation of the District.

After discussing this matter with the property owner, he has agreed to a continuation of the hearing to allow the Governor's Office of Emergency Services and the Federal Emergency Management Agency time to provide more complete information available on the requirements of the Landslide Hazard Mitigation Grant Program. By statute, the public hearing can be continued for a maximum of sixty days.

It is, therefore, recommended that your Board continue the public hearing on formation of the Heartwood Hill Geologic Hazard Abatement District to March 9, 1999

Sincerely,

[Signature]

Alvin D. James, AICP
Planning Director

RECOMMENDED:

[Signature]
for Susan A. Mauriello
County Administrative Officer

CC: Andrew Roberts



COUNTY OF SANTA CRUZ

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PLANNING DEPARTMENT

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ALVIN D. JAMES, DIRECTOR

January 6, 1999

AGENDA: January 12, 1999

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

SUBJECT: Public Hearing to Establish the Heartwood Hill Geologic Hazard Abatement District

Members of the Board:

On December 15, 1998, your Board adopted Resolution # 467-98, initiating proceedings for formation of the Heartwood Hill Geologic Hazard Abatement District and directed the Clerk of the Board 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). At this time, we are in receipt of one protest from an owner of more than 50 percent of the assessed value of the proposed district. If we can successfully address his concerns, he will likely rescind his protest prior to the public hearing. We will report the status of the protest to your Board at the hearing. If the protest is not rescinded, your Board must close the hearing and direct that proceedings for the formation of the district be abandoned.

In the event the protest is resolved and the hearing can continue, the attached resolution orders the formation of the Heartwood Hill Geologic Hazard Abatement District and appoints the Board of Supervisors to serve as the Board of Directors of the District.

It is, therefore, **RECOMMENDED**, that your Board hold the public hearing on any objections, and determine whether owners of property constituting more than 50 percent of the assessed valuation of the proposed district object to the formation. If more than 50 percent, the Board must order the proceedings for formation of the district abandoned. If less than 50 percent, it is recommended that your Board adopt the resolution ordering the formation of the Heartwood Hill Geologic Hazard Abatement District, and; appoint the Santa Cruz County Board of Supervisors as the Board of Directors of the District.

Sincerely,

Alvin D. James, AICP
Planning Director

RECOMMENDED:

Susan A. Mauriello
County Administrative Officer

Attachments: 1) Resolution

CC: Property Owners
County Counsel

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COUNTY OF SANTA CRUZ

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PLANNING DEPARTMENT

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(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

March 1, 1999

AGENDA: March 9, 1999

SUBJECT: Continued Public Hearing to Form the Heartwood Hill Geologic Hazard Abatement District

Sincerely,

Members of the Board:

On January 12, 1999, your Board continued the Public Hearing to form the Heartwood Hill Geologic Hazard Abatement District to allow one property owner who had protested the formation of the District to obtain additional information about the Landslide Hazard Mitigation Program from the Go&nor's Office of Emergency Services (OES), Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA). Subsequent to a briefing for property owners conducted jointly by representatives of those agencies and the County, Mr. Roberts had rescinded his protest.

Since there are no further impediments to forming the District, it is recommended that your Board proceed with the public hearing to form the District and adopt the Resolution ordering formation of the Heartwood Hill Geologic Hazard Abatement District and, appoint the Santa Cruz County Board of Supervisors as the Board of Directors of the District.

Sincerely,

Alvin D. James/
Planning Director

RECOMMENDED:

Susan A. Mauriello
County Administrative Officer

CC: Property Owners

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

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RESOLUTION NO. _____

On the motion of Supervisor
Duly seconded by Supervisor
The following resolution is adopted

RESOLUTION ORDERING THE FORMATION
OF THE HEARTWOOD HILL GEOLOGIC HAZARD ABATEMENT DISTRICT

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

WHEREAS, a geologic hazard abatement district may be formed for the purposes of prevention, mitigation, abatement or control of a geologic hazard, and/or mitigation or abatement of structural hazards that are partly or wholly caused by geologic hazards; and

WHEREAS, on December 15, 1998 the Board of Supervisors adopted Resolution 465-98 initiating proceedings for the formation of the Heartwood Hill Geologic Hazard Abatement District pursuant to Public Resources Code Section 26558; and said Resolution set January 12, 1999 at the hour of 9:00 a.m. or thereafter, in the Supervisor's 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 Heartwood Hill Geologic Hazard Abatement District; and

WHEREAS, notice as required by law of the hearing on the Formation of the Heartwood Hill 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 Heartwood Hill 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 has reviewed the Plan of Control submitted for the formation of the Heartwood Hill Geologic Hazard Abatement District and determined that the health, safety and welfare require formation of such a district.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Heartwood Hill Geologic Hazard Abatement District is hereby formed pursuant to the provisions of 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 Mid-County 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.

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BE IT FURTHER RESOLVED AND ORDERED that the Board of Supervisors shall serve as the Board of Directors for the District.

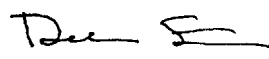
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 19____, by the following vote:

AYES: SUPERVISOR
NOES : SUPERVISOR
ABSENT: SUPERVISOR
ABSTAIN: SUPERVISOR

Chairperson, Board of Supervisors

ATTEST: _____
Clerk of the Board

Approved as to form:



County Counsel

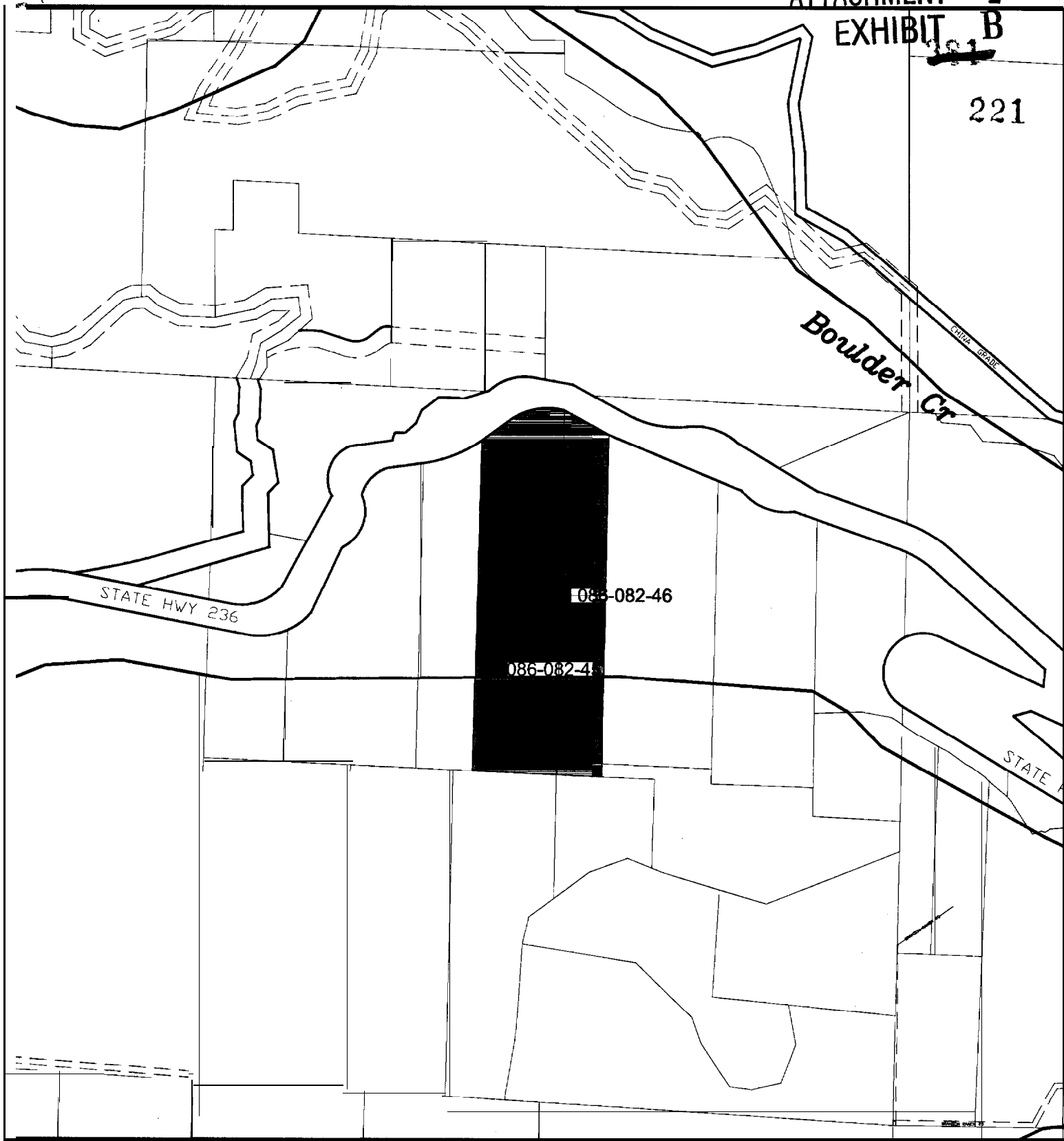
Distribution: County Counsel
Property owners within the district
Planning Department

Legal Description of Property
Included in the
Heartwood Hill Geologic Hazard Abatement District

HEARTWOOD HILL ROAD, APN: 086-082-45 AND -46

SITUATE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND
BEING A PORTION OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 3 WEST,
MOUNT DIABLO BASE AND MERIDIAN AND DESCRIBED AS FOLLOWS:

BEING THE LANDS OF VALDEZ AS DESCRIBED IN GRANT DEED VOLUME 4905
OFFICIAL RECORDS PAGE 906, RECORDED OCT 03, 1991, AND THE LANDS OF
ROBERTS AS DESCRIBED IN GRANT DEED VOLUME 5254 OFFICIAL RECORDS
PAGE 768, RECORDED MAY 05, 1993, BOTH IN THE OFFICE OF THE SANTA CRUZ
COUNTY RECORDER.



Heartwood Hill Rd Project Area APN's 086-082-45,-46



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December 21, 1998

To: Alvin D. James, Director
Planning Department
701 Ocean Street, Room 500
Santa Cruz, CA 95060

Transmitted Via Facsimile

From: Andrew Roberts
1101 Tall Pines Dr.
Friendswood TX 77546

Subject: Heartwood Hill Geologic Hazard Abatement District

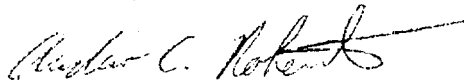
Dear Mr. James:

I am objecting to the Formation of the Heartwood Hill Hazard Abatement District

At this time I have no firm contract from the County to purchase the land. The pre-disaster appraisal was \$343,000. As I understand it, there is to be a 75% payment by FEMA and a 25% payment from the County. Until we get a firm contract for the total, I will object to the formation of this District. Feel free to contact me at anytime to discuss this situation. I also object to the statement that "the slide has moved downslope approximately 100 feet".

Please place it in the record that I am objecting to the formation of the Heartwood Hill Hazard Abatement District.

Respectfully,



Andrew Roberts
Landowner APN 086-082-46
281-648-3380
281-648-3384 Fax

CC
Board of Supervisors, County of Santa Cruz

COUNTY OF SANTA CRUZ


Planning Department

INTER-OFFICE CORRESPONDENCE

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DATE: January 7, 1999

TO: Each Member of the Board of Supervisors

FROM: Michael J. Dever, Assistant Planning Director 

SUBJECT: Update on the Landslide Hazard Mitigation Grant Program

This memo is to provide your Board with the status of implementation of the Landslide Hazard Mitigation Grant Program (HMGP) and our ongoing discussions with the Governor's Office of Emergency Services (OES). As you know, public hearings are scheduled for January 12, 1999 (items 65, 66 & 67) to form the Geologic Hazard Abatement Districts which would serve as the public agencies which would actually obtain title to the properties, provide some measure of liability protection for the County and which would receive and disburse grant funds. While the County independently moves ahead with this local organizational task, we thought it would be useful to provide your Board with information about the current status of our parallel efforts to clarify the administrative aspects of the grant program itself.

WORK SINCE THE LAST REPORT TO THE BOARD

During the month of December, we have had numerous contacts with OES representatives in an attempt to acquire complete administrative guidelines, escrow requirements and procedures specific to the HMGP. Especially important in these discussions has been the status of the Public Assistance (PA) funds. OES and FEMA had previously indicated PA funds would be made available to jurisdictions to finance the required demolition or relocation of structures and which could also be used toward the required 25% local match. When the County received notice from OES and FEMA that HMGP funds had been awarded for property acquisition, there was no mention of the escrow requirements peculiar to this program, or PA funding to actually complete the demolition work required under the grant program. Nor were there any documents transmitted for the County to actually *accept* the grants.

After many attempts, OES has assigned a County contact person was for the PA portion of the program who has confirmed that OES will, in fact, be providing PA funds to complete demolition and relocation work - although OES is still developing the specific demolition guidelines and funding criteria.

NO PROGRAM GUIDELINES YET

Although we know that funding for property acquisition has been made available, we know practically nothing about the specific program requirements which OES will expect the County to follow to complete escrow and then demolish or relocate structures; how funds will be requested and transferred for both escrow and program administrative costs or; how much funding will be made available for demolition work.

In a two different telephone conversations last week, separate OES representatives assured us that they were close to having a set of escrow and demolition guidelines ready this week. However, they were not planning to mail or fax those out to participating jurisdictions - they want to distribute the information at meetings with County representatives and property owners. The date, time and location of such a meeting for Santa Cruz County have yet to be determined or made known to us.

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Although OES representatives have suggested we proceed with acquiring the subject properties, we have made it clear to them that we will not recommend your Board do so until we complete formation of the GHADs and can see all the program guidelines, restrictions and funding allocations in their entirety and in writing. This position is shared by the majority of participating property owners as well. In fact, this absence of information lead directly to one property owner's protest of the formation of the Geologic Hazard Abatement District for his property.

SEQUENCING

The process we are reinforcing with OES is summarized in the following table. It stresses that the County will not begin to acquire properties before we understand the entire process - including all program requirements and obligations.

Sequence	Action	Status
1	Property acquisition funding made available	Pending additional information from OES
2	County forms Geologic Hazard Abatement Districts to act as the jurisdiction acquiring the properties	Underway
3	Funding guidelines, escrow requirements, property restrictions made available from OES	Pending information from OES
4	Demolition requirements made available from OES, County acquires demolition bids from contractors; submits to OES and funding amounts determined.	Pending information from OES
5	With #s 1-3 confirmed in writing, analyze the entire program and make appropriate recommendations to your Board acting as the Board of Directors of the GHADs	n g information from OES
6	If the GHADs acquire property, PA funds requested to complete demolition/relocation; PA funds cannot be allocated by OES until the public agency owns the property	

It is our goal to obtain complete information from OES and to make a full report to your Board as soon as the information can be obtained and analyzed. In the interim, we continue to keep property owners informed and to work with them in resolving these issues.

Fax

Please deliver immediately to: Board of Supervisors
of: Santa Cruz County
Fax number: 10109981-831-454-3262
Voice number:

fax received from: Andrew C Roberts
of:
Fax number: (281) 648-3384
Voice number: (281) 648-3380

Date: 12/21/98
Time: 1:44:01 PM
Number of Pages: 1
Subject: Heartwood Hill Geologic Hazard Abatement District

Message:

To whom it may concern:
Please record my position as objecting to the formation of this Hazard Abatement District. for the January 12, 1999 Supervisors meeting.
Respectfully,
Andrew Roberts
PS have a Merry Christmas and a Happy New Year



County of Santa Cruz

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PLANNING DEPARTMENT

70 1 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
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ALVIN D. JAMES, DIRECTOR

December 8, 1998

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

APPROVED AND FILED

BOARD OF SUPERVISORS

DATE *December 15, 1998*

COUNTY OF SANTA CRUZ

SITTING ROOM

EX-OFFICIO CLERK OF THE BOARD

BY *Alvin D. James* DEPUTY

AGENDA: December 15, 1998

SUBJECT: LANDSLIDE HAZARD MITIGATION PROGRAM AND GEOLOGIC HAZARD ABATEMENT DISTRICTS

Members of the Board:

On November 24, 1998 your Board directed the Planning Department to report back on today's agenda with program recommendations related to the Landslide Hazard Mitigation Grant Program.

We have only today received the final grant approval letter from the Governor's Office of Emergency Services (OES) and have had not yet been able to review detailed program requirements. However, we have already discovered several issues which will require further clarification from OES before we can recommend further actions relative to the grant programs.

Nevertheless, without obligating itself to the program requirements from the State, the County can proceed independently with the process to create Geologic Hazard Abatement Districts for completing the acquisition of properties and demolition of structures.

As required by the Public Resources Code, we have attached proposed Resolutions initiating proceedings for the formation of three separate Geologic Hazard Abatement Districts; Corralitos, Mid-County, and Heartwood Hill (Attachments 1, 2 & 3). Associated with each Resolution are three exhibits; a) a Plan of Control - a report describing in detail the geologic hazard, its location and a plan for its mitigation or abatement; b) a map of the proposed District, and: c) a legal description of the boundary of the proposed District.

If, after reviewing these documents, your Board determines that the health, safety and welfare require formation of each District, you may adopt the Resolutions setting a public hearing on the matter for January 12, 1999 and directing the required notice thereof. Objections to the formation of the District may be filed by any owner of real property within the proposed District at any time up to an including the time of the public hearing. If owners of more than 50 percent of the assessed valuation of the proposed District object to its formation, your Board must direct that the proceedings be abandoned. If this does not occur, your Board may adopt a resolution ordering the formation of the district and appointing the initial Board of Directors.

It is, therefore, RECOMMENDED that your Board;

~~310~~

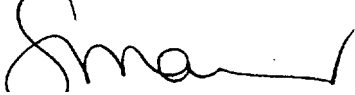
- 1) Adopt the attached Resolutions initiating proceedings for the formation of the Districts and setting public hearings on January 12, 1999 at 9:00 a.m. or thereafter to consider the formation of the Corralitos Geologic Hazard Abatement District, the Mid-County Geologic Hazard Abatement District, and the Heartwood Hill Geologic Hazard Abatement District, and; 227
- 2) Direct the Clerk of the Board to mail appropriate notices to each owner of real property within the proposed District.

Sincerely,



Alvin D. James, AICP
Planning Director

RECOMMENDED:



Susan A. Mauriello
County Administrative Officer.

Attachments: Resolutions with exhibits

CC: County Counsel
Public Works