



**MEETING AGENDA  
PAJARO DUNES GEOLOGIC HAZARD ABATEMENT DISTRICT  
HYBRID MEETING in person at**

**Meadow Room  
130 Sandpiper Ln.  
Watsonville, CA 95076**

**Saturday, July 27<sup>th</sup>, 2024 9:00 a.m.**

**And via ZOOM**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/82232811149?pwd=WWlvcUkwQlBpb1hULzIEUEV4UXV5UT09>**

**Meeting ID: 822 3281 1149  
Passcode: 608360  
Phone in: +1 669 900 9128 US**

**If you have any questions, please contact the District Clerk at [pdghad@gmail.com](mailto:pdghad@gmail.com)**

**A. OPEN SESSION CALL TO ORDER – PLEDGE OF ALLEGIANCE**

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**Roll Call**

**John Cullen, President  
David Ferrari, Vice-President  
Raphael Kraw, Treasurer**

**Michael Butner, Director  
Patrick Dobbins, Director  
Sarah Mansergh, Clerk**

**B. MEMBER COMMENTS**

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Matters under the jurisdiction of the Board and not on the posted agenda, may be addressed by members of the public before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of PDGHAD. Any person wishing to address the Board during the Member Comment period shall be permitted to be heard for up to 3 minutes, A) individuals may speak only once and B) the Board is unable to address any owner comments in depth but may choose to direct the Clerk to follow-up on the matter for a future meeting.

### **C. PRESIDENT’S REMARKS**

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The President will use this opportunity to inform the public of issues affecting the District and other items of a general nature not otherwise provided for on this agenda.

#### **2024 Proposed Dates**

August 3<sup>rd</sup>, 2024

October 5<sup>th</sup>, 2024

December 14<sup>th</sup>, 2024

### **D. CONSENT CALENDAR**

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All matters listed on the Consent Calendar are considered to be routine by the Board of Directors and will be enacted by one motion at the appropriate time. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

1. Approval of meeting minutes from June 1, 2024

### **F. MEETING reports**

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2. Meetings attended by Directors at District expense since the last meeting of the Board (per AB1234 requirements). Such reports may be made orally or in writing.
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### **G. NEW BUSINESS**

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3. ITEM – Public hearing on 2024 assessment election. Vote tabulation begins.

- a. Board report
- b. Public hearing and comment
- c. Board discussion
- d. Board action

4. ITEM – Consider a resolution ordering an election for 2 Director seats, requesting County Elections conduct the election and requesting consolidation of the election with the November 5, 2024 General Election.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action

5. ITEM – Final vote tabulation and certification of assessment election count. If vote is affirmative consider a resolution declaring certified 2024 assessment election results and intent to levy assessments for fiscal year 2024-2025.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action

## **H. DIRECTORS COMMENTS AND CONCERNS**

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Members of the Board of Directors may address items of concern at this time and may request that items be placed on future agendas in accordance with the By-laws of the Board.

## **I. ADJOURNMENT**

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The next Meeting of the Board of Directors is scheduled for August 3rd, 2024, at 9:00 a.m. online via Zoom and at the offices of the Pajaro Dunes Geologic Hazard Abatement District, Board Room, Pajaro Dunes, 2661 Beach Road, Watsonville, CA 95076. Individuals who require special accommodations are requested to contact the District Clerk by calling (831) 818-9253, no less than 72 hours prior to the meeting or in the case of a Special Meeting, as soon as possible after the Agenda is posted. Copies of the agenda will be available 72 hours prior to the meeting and may be obtained by contacting the District at (831) 761-7744. All meetings are noticed and conducted in accordance with the Ralph M. Brown Act.

# PDGHAD

**MEETING AGENDA  
PAJARO DUNES GEOLOGIC HAZARD ABATEMENT DISTRICT  
HYBRID MEETING in person at**

**Board Room  
2661 Beach Rd.  
Watsonville, CA 95076**

**Saturday, June 1<sup>st</sup>, 2024 9:00 a.m.**

**And via ZOOM**

**Join Zoom Meeting**

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## C. PRESIDENT'S REMARKS

---

The President will use this opportunity to inform the public of issues affecting the District and other items of a general nature not otherwise provided for on this agenda.

### **2024 Proposed Dates**

July 27<sup>th</sup>, 2024-Ballot Count and Hearing

August 3<sup>rd</sup>, 2024

October 5<sup>th</sup>, 2024

December 14<sup>th</sup>, 2024

## D. CONSENT CALENDAR

---

All matters listed on the Consent Calendar are considered to be routine by the Board of Directors and will be enacted by one motion at the appropriate time. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

1. Approval of meeting minutes from March 9<sup>th</sup>, 2024, April 6<sup>th</sup>, 2024 and May 18<sup>th</sup>, 2024

**Raphael Kraw moves to approve the meeting minutes from March, April and May. David Ferrari seconds. Roll call: Michael Butner-aye, Raphael Kraw-aye, John Cullen-aye, David Ferrari-aye, Patrick Dobbins-aye. Approved 5-0**

## E. MEETING reports

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2. Meetings attended by Directors at District expense since the last meeting of the Board (per AB1234 requirements). Such reports may be made orally or in writing.

## F. NEW BUSINESS

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3. ITEM- Presentation-Pajaro Dunes Rock Revetment Project and 2024 218 election

- a. Board and Staff Report
- b. Public comment
- c. Board discussion
- d. Board action /direction

**Kate Krug from Hayley Aldrich provided an overview presentation on the Project.**

4. ITEM –Staff Report and assessment timeline for consideration of a 218 assessment election to cover the projected costs for the Pajaro Dunes Seawall Maintenance and Repair (Revetment) Project.

- a. Board report
- b. Public comment

- c. Board discussion
- d. Board action

**Michael Rodriguez gave an overview of the election process and timeline.**

5. ITEM – Consider a resolution appointing Engineer of Record, accepting the Engineer’s Report and declaring intention to authorize and levy an assessment in Zone 1 for the Pajaro Dunes Seawall Maintenance and Repair (Revetment) Project starting in the Fiscal Year 2024-2025.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action

**Raphael Kraw moves to approve the resolution 2024-01, appointing the engineer of record, accepting the Engineer’s Report and authorizing staff to seek approval to levy the assessment in Zone 1 as described. David Ferrari seconds. Roll call: Michael Butner-aye, Raphael Kraw-aye, John Cullen-aye, David Ferrari-aye, Patrick Dobbins-aye. Approved 5-0**

6. ITEM – Consider a resolution to accept the President’s Report for the Pajaro Dunes Seawall Maintenance and Repair (Revetment) Project 218 assessment election.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action

**David Ferrari moves to approve the resolution 2024-02, accepting the President’s Report. Raphael Kraw seconds. Roll call: Michael Butner-aye, Raphael Kraw-aye, John Cullen-aye, David Ferrari-aye, Patrick Dobbins-aye. Approved 5-0**

7. ITEM- Consider a resolution approving the Notice of Assessment for the Pajaro Dunes Seawall Maintenance and Repair (Revetment) Project 218 assessment election.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action

**David Ferrari moves to approve the resolution 2024-03, approving the Notice. Michael Butner seconds. Roll call: Michael Butner-aye, Raphael Kraw-aye, John Cullen-aye, David Ferrari-aye, Patrick Dobbins-aye. Approved 5-0**

8. ITEM – Consider a resolution approving the balloting procedures for the Pajaro Dunes Seawall Maintenance and Repair (Revetment) Project 218 assessment election.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action

**Raphael Kraw moves to approve the resolution 2024-04, approving the balloting procedures with the addition of a paragraph directing the Clerk to retain the services of an independent vote tabulator nte \$1500. David Ferrari seconds. Roll call: Michael Butner-aye, Raphael Kraw-aye, John Cullen-aye, David Ferrari-aye, Patrick Dobbins-aye. Approved 5-0**

9. ITEM – Consider a resolution approving the ballots for the Pajaro Dunes Seawall Maintenance and Repair (Revetment) Project 218 assessment election.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action

**David Ferrari moves to approve the resolution 2024-03, approving the Ballots with the change to larger check boxes. Michael Butner seconds. Roll call: Michael Butner-aye, Raphael Kraw-aye, John Cullen-aye, David Ferrari-aye, Patrick Dobbins-aye. Approved 5-0**

10. ITEM – Provide direction for any additional preparation of materials and approval of final mailing packet.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action

**No further actions were requested**

12. ITEM – Consider FY 2024/2025 Operating Budget for Zones 1 and 2.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action

**Raphael Kraw moves to approve the FY 2024/2025 Budgets for Zone 1 and 2. Michael Butner seconds. Roll call: Michael Butner-aye, Raphael Kraw-aye, John Cullen-aye, David Ferrari-aye, Patrick Dobbins-aye. Approved 5-0**

## **G. DIRECTORS COMMENTS AND CONCERNS**

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Members of the Board of Directors may address items of concern at this time and may request that items be placed on future agendas in accordance with the By-laws of the Board.

## **H. ADJOURNMENT Meeting was adjourned at 10:15am**

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The next Meeting of the Board of Directors is scheduled for July 27<sup>th</sup>, 2024, at 9:00 a.m. online via Zoom and at the offices of the Pajaro Dunes Geologic Hazard Abatement District, Meadow Room, Pajaro Dunes, 2661 Beach Road, Watsonville, CA 95076. Individuals who require special accommodations are requested to contact the District Clerk by calling (831) 818-9253, no less than 72 hours prior to the meeting or in the case of a Special Meeting, as soon as possible after the Agenda is posted. Copies of the agenda will be available 72 hours prior to the meeting and may be obtained by contacting the District at (831) 761-7744. All meetings are noticed and conducted in accordance with the Ralph M. Brown Act.



## Staff Report-

### Assessment Election for Pajaro Dunes Seawall Maintenance and Repair Plan Project

At today's meeting the District Board will conduct a public hearing, receive comment, receive any oral protests and accept any ballots, and then after the close of the hearing, and based upon the results of a noticed mail ballot election, consider taking action to commence the process to levy annual assessments over a ten-year term to cover the costs for the Pajaro Dunes Seawall Maintenance and Repair Project ("Project") on all properties in Zone 1 of the Pajaro Dunes Geologic Hazard Abatement District ("District"). The Project entails the long-needed repair and restoration of portions of the seawall for which all properties in Zone 1 of the District are responsible. The seawall has been repeatedly damaged by coastal erosion occurring during severe winter storms since its construction in 1986-88. After years of effort, the District has been able to obtain Santa Cruz County's approval of a Seawall Maintenance and Repair Plan prepared by Cal Engineering and Geology, Inc. (now Haley & Aldrich, Inc.), that allows the District to pull a grading permit for repair and restoration activities. The Project proposes to repair and restack portions of the seawall to essentially restore and preserve the original seawall configuration. Rock previously placed for emergency seawall repair on California State Parks property in 2003, as well as rock that has been displaced over time within and adjacent to the seawall itself, will be used for the Project. The Project is planned to impact a 1,900-foot-long segment of the seawall. If the proposed assessments are approved, the Project, which has an estimated construction period of three months, is planned to move forward in the second half of 2025. (Many factors, including tidal patterns, weather and County imposed environmental mitigations, dictate the dates during which construction may be performed.) Unless the involved repair and restoration work is performed, there is an ongoing risk that weakened portions of the wall will be breached during upcoming storms, causing flooding and possible structural damage to homes throughout the District.

The Board's plan is to assess and collect the balance of the proposed Project costs by annual assessment over a term not to exceed ten (10) years. The Board plans to use the assessments as security for a loan for Project costs. Based on an Engineer's Report prepared by Haley & Aldrich, Inc., the total estimated Project cost, including interest on a loan, is \$3,524,920. In reliance on this estimate, the Engineer has prepared a table that provides both the total maximum pro rata amount of estimated costs that can be assessed on each parcel of property, as well as the maximum annual assessment over the ten-year term of the assessment. The maximum assessment for each parcel and the annual assessment schedule (including the first Fiscal Year 2024/2025 assessment), are set forth in the afore-referenced Engineer's Report. Once the final cost of the Project has been fully funded, in an amount not to exceed the estimated Project cost of \$3,524,920, no further assessments related to the Project may be levied. If Project costs are less than the Engineer's estimate the Board will have the ability to reduce annual assessments and/or reduce the term in which assessments are levied.

The District has complied with the assessment process set forth in Division 17 of the California Public Resources Code and Section 4 of Article XIID of the California Constitution. The process requires all proposed new assessments to be put to a vote of impacted property owners. At a noticed meeting held on June 1, 2024, the Board considered and adopted the Haley & Aldrich Engineer's Report, which establishes the estimated Total Budget for the Project, the basis for the proposed new assessments, the means of calculating the new assessments, and the Maximum Annual per parcel assessments. Thereafter, the Board adopted a resolution declaring

its intent to seek approval to levy the first proposed assessment based on the Report in the coming 2024-2025 Fiscal Year. Other related resolutions adopted by the Board on June 1 included the Board's approval and acceptance of the President's Report (which contains a condensed version of relevant information in the Engineer's Report), the balloting procedures used for voting on the proposed assessment, the actual form of the ballots sent to property owners, and the notice of assessment balloting and related public hearing that was provided to all property owners.

As noted above, at this morning's meeting the Board will conduct a public hearing, receive comment, receive any oral protests, accept any outstanding ballots, and then temporarily adjourn this matter while the ballots are being counted. The Board may conduct other business on the agenda and/or take a recess while the ballot count takes place. Once the ballots have been counted, the matter will be reopened for Board consideration and action as listed on the agenda. If the assessment is approved by vote of the property owners, the Board will accept the certified results of the election and consider adoption of a resolution "Declaring Certified Results for the Pajaro Dunes Seawall Maintenance and Repair Project Assessment Election and Levying Project Assessments In Zone 1 for Fiscal Year 2024-2025." Thereafter, the assessment information will be transmitted to the County Assessor's Office for collection on an annual basis for a term not to exceed ten-years, with the first assessment installment being imposed in Fiscal Year 2024-2025.

If there is a majority protest to the assessment, based on a weighted vote, the Board may not take action to levy the new proposed assessment. Other existing annual assessments in the District will continue to be collected from District property owners in accordance with previously approved procedures.

Resolution No\_2024-06

**Resolution Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the Election**

Pajaro Dunes Geologic Hazard Abatement District

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**Name of City or Special District exactly as it will appear on the ballot**

**WHEREAS**, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election; and

**WHEREAS**, the resolution of the governing body of the city or district shall specify the services requested; and

**WHEREAS**, pursuant to Elections Code Section 10002, the city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

**WHEREAS**, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

**WHEREAS**, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

**WHEREAS**, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot, acknowledging that the consolidation election will be held and conducted in the manner prescribed in Section 10418. Upon such request, the Board of Supervisors may order the consolidation; and

**WHEREAS**, pursuant to Elections Code Section 10418, if consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable.

**WHEREAS**, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

**WHEREAS**, various district, county, state and other political subdivision elections may be or have been called to be held on November 5, 2024;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the governing body of the

    Pajaro Dunes Geologic Hazard Abatement District      
(Name of City/District)

hereby orders an election be called and consolidated with any and all elections also called to be held on November 5, 2024 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the     County of Santa Cruz      
(Political Jurisdiction)

and requests the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Sections 10401, 10403 and 10418.

**BE IT FURTHER RESOLVED AND ORDERED** that said governing body hereby requests the Board of Supervisors to permit the Santa Cruz County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services, and

**Check the following the apply:**

**BE IT FURTHER RESOLVED AND ORDERED** that the Santa Cruz County Elections Department conduct the election for the following offices on the November 5, 2024 ballot:

Seats open	Office	Term	District/Division (if app)
2	Director	4 yrs.	

**BE IT FURTHER RESOLVED AND ORDERED** that the Santa Cruz County Elections Department shall conduct the election for the attached MEASURE(S) to be voted on at the November 5, 2024 election. (attach 75-word ballot question)

**BE IT FURTHER RESOLVED AND ORDERED THAT** Santa Cruz County Elections Department is requested to: [Check one of the following]

- Print the attached measure text exactly as filed or indicated on the filed document in the County Voter Information Guide for the November 5, 2024 election. Cost of printing and distribution of the measure text will be paid for by the city/district.
- Do NOT print the measure text in the County Voter Information Guide. Instead, send a copy to voters upon request at the cost of said city/district.

**BE IT FURTHER RESOLVED AND ORDERED THAT** in accordance with section 9313 and 9280 of the California Elections Code, the County Counsel, District Attorney, or City Attorney is hereby directed to prepare an impartial analysis of this measure.

**PASSED AND ADOPTED** this 27th day of July, 2024 by the following vote:

**AYES:**

**NOES:**

**ABSTENTIONS:**

**ABSENT:**

\_\_\_\_\_  
Chairperson of said Governing Board/City Council

Attested: \_\_\_\_\_  
District Clerk

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**BOARD OF DIRECTORS  
PAJARO DUNES GEOLOGIC HAZARD ABATEMENT DISTRICT**

**A Resolution Declaring Certified Results for the Pajaro Dunes Seawall Maintenance and Repair Project Assessment Election and Levying Project Assessments in Zone 1 for Fiscal Year 2024-25**

**RESOLUTION No. 2024-07**

**WHEREAS**, in 1999, the Board of the Pajaro Dunes Geologic Hazard Abatement District (“District”) approved a benefit assessment district to establish and maintain a stable source of funding to pay for the costs and incidental expenses associated with the maintenance of improvements located within the District’s boundaries; and

**WHEREAS**, the District Board has been working on the establishment of the Pajaro Dunes Seawall Maintenance and Repair Project (“Project”), which entails the long needed repair and restoration of portions of the seawall for which all properties in Zone 1 of the District are responsible, for a number of years; and

**WHEREAS**, the Board discussed and received input from the public on the need for this Project, and related plans and cost estimates, at noticed meetings of the Board on October 7 and December 9 of 2023, and March 9, April 6, May 18, and June 1 of 2024; and

**WHEREAS**, on June 1, 2024, after consideration of budgetary estimates for the Project and public input, the Board adopted Resolution No. 2024-01 declaring its intent under the authority of the Geologic Hazard Abatement District Law, Public Resources Code Sections 26650 et seq. and Article XIID, Section 4 of the California Constitution, to seek approval of the District’s Zone 1 members (essentially the entire District) to levy a new annual assessment upon property within the District over a term not to exceed ten years to cover the Project’s estimated costs, and to call for an election on the same in accordance with legal procedures; and

**WHEREAS**, additionally, on June 1, 2024, the Board considered and approved documents and resolutions necessary to initiate the election process for the consideration of assessments to fund the Project, including resolutions accepting an Engineer’s Report for the Project as prepared by the District’s Engineer of Record, Hayley Aldrich, Inc., accepting the President’s Report for a 2024 assessment election, approving the form of notices to property owners for the 2024 election assessment, approving the form of balloting procedures for the 2024 assessment election and approving the form of ballots for the 2024 assessment election, and thereafter provided Staff with direction to conduct an election and distribute ballots to the Zone 1 membership; and

**WHEREAS**, the District has conducted the election process to approve or deny the levy of a new assessment in accordance with all legal requirements, and an excess of 45 days has been provided to members to cast their ballots; and

**WHEREAS**, the Board has set and noticed July 27, 2024, at 9:00 a.m., as the date and time for a Public Hearing to receive comment and hear protests on the District’s proposed new assessment for the Project, and to accept any ballots submitted before the close of said hearing.

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of Directors of the Pajaro Dunes GHAD as follows:

1. A public hearing was held on July 27, 2024 to hear and consider public comment and protests to the levy and collection of proposed new District assessments and to receive any outstanding ballots, and the Board considered all oral and written statements, communications and protests made or filed by interested parties regarding this matter.

2. Ali Osgood, the Board’s retained independent consultant, has tabulated the results of the weighted ballots and has provided the Board with a “Certificate of Election Results,” a copy of which is attached hereto, which the Board hereby accepts, indicating that the new annual assessments over a ten-year term, and Fiscal Year 2024-2025 Project Assessments, have been approved by a majority vote.

3. The Board hereby confirms the diagrams and assessments as set forth in the Hayley Aldrich Engineer’s Report, and hereby levies the assessments for Fiscal Year 2024-2035 as set forth therein within Zone 1 of the District.

4. The Board hereby authorizes and directs the District Clerk to file a certified copy of the approved assessments with the County Auditor for Santa Cruz by no later than August 1, 2024, who shall thereafter enter upon the county assessment roll opposite each lot or parcel of land the amount assessed thereon, as shown in the assessments.

**PASSED AND ADOPTED** at a meeting of the Board of the Directors of the Pajaro Dunes Geologic Hazard Abatement District of the County of Santa Cruz, State of California, this 27<sup>th</sup> day of July, 2024, by the following vote:

AYES:

NOES:

ABENT:

ABSTAIN:

\_\_\_\_\_  
President, Board of Directors

Attest: \_\_\_\_\_  
Clerk of the Board