October 16 2023

RE: E-mail Public Comments for the Clayton City Council Meeting October 17th, 2023

Agenda Item 3 - Public Comment

Subject: GHAD Maintenance

From Glenn D Miller – Peacock Creek resident, Clayton Ca.

As many on the Council and staff know October 15th marks the Storm Water Protection Programs’ (SWPP) general consensus date and in some instances actual ordnance and Municipal and State Code cutoff date when all Best Management Practices (BMP), infrastructure and regular required ongoing regular maintenance needs are to be completed in order to meet the requirements of what is both a Federal and State Statutes.

For Clayton’s Oakhurst Geological Hazardous Assessment District (GHAD), 2023 marks the 5th straight year that these requirements have not been met. Or in other words no infrastructure was addressed or maintenance done. As a matter of fact for the current year (2022/2023) no regular maintenance at all was done and only a very limited amount of storm repair was completed.

After review of the public fiscal accounts of the use of the assessment funds, including the discussions at the GHAD public meeting (via minutes and or being present), review of the GHAD engineers report it strongly appears that intentionally all of GHAD assessment funds went either to administrative activities, were re-assigned to cover staff personnel costs or journaled to other accounts as surplus.

Finally this year, at the most recent GHAD Public meeting (June 2023) it was observed that rather than using the remaining settlement to catch up on the required maintenance especially where recent consultant reports had reported problem areas; the Clayton City Council voted to designate these funds for the purposes in reworking or remaking the GHAD district parameters; either to modify the current GHAD or create a new District. A matter that will eventually have to be settled by Voters. As a result instead of using these funds for the intended purposes The Council has hired a consultant to use the funds for their purposes.

This concludes my statement for the permanent record.