

HAYWARD CITY COUNCIL

RESOLUTION NO. 16-016

Introduced by Council Member Peixoto

RESOLUTION SETTING A PUBLIC HEARING FOR
MARCH 1, 2016 TO CONSIDER FORMATION OF THE
LA VISTA GEOLOGIC HAZARD ABATEMENT
DISTRICT (GHAD)

WHEREAS, on November 17, 2015 , the Hayward City Council adopted Resolution 15-224 declaring that the City is subject to the provisions of the GHAD Law and directed the City Clerk to forward a copy of this resolution to the State Controller; and

WHEREAS, the City has conditioned the La Vista development to be included within a GHAD; and

WHEREAS, the La Vista development property owner has filed a Petition requesting that a GHAD be formed, the territory proposed to be included in the GHAD for the La Vista development is identified in the boundary map attached as Exhibit A to the associated Petition, and in the legal description attached to the Petition as Exhibit B; and

WHEREAS, the City Council has reviewed the draft Hayward GHAD Plan of Control for the La Vista development, which is attached to the Petition as Exhibit C. The draft Plan of Control describes potential geologic hazards within the territory to be included in the Hayward GHAD for the La Vista development and addresses the prevention, mitigation, abatement and control of such hazards.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby determines that:

1. This resolution is adopted pursuant to the provisions of Division 17 (Section 26500 et seq.) of the California Public Resources Code with particular reference to Chapter 1 (commencing with Section 26500), Article 3 (commencing with Section 26550) and Article 4 (commencing with Section 26561).
2. The City Council has been presented with and reviewed the attached draft Hayward GHAD Plan of Control for the La Vista development, and has determined that the health, safety and welfare of the public requires inclusion of the La Vista territory into a GHAD.

3. A public hearing on a GHAD Resolution for Formation will be held on March 1, 2016, at 7:00 p.m. at Hayward City Hall, located at 777 B Street, Hayward, California.
4. The City Clerk shall mail, by first class mail, a written notice of the March 1 public hearing on the formation of the Hayward Geologic Hazard Abatement District for the La Vista development, along with a copy of the draft GHAD Plan of Control, to all owners of real property within the proposed district pursuant to Public Resources Code Sections 26561, 26562 and 26563. This notice must be mailed at least twenty (20) days preceding the March 1, 2016 public hearing date.
5. These proceedings are exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 2100 et seq.) in accordance with Public Resources Code Section 21080(b)(4) which provides an exemption from the California Environmental Quality Act for specific actions necessary to prevent an emergency.

IN COUNCIL, HAYWARD, CALIFORNIA February 2, 2016


ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Zermefio, Mendall, Jones, Peixoto, Lamnin, Márquez
MAYOR: Halliday


NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST: 
City Clerk of the City of Hayward

APPROVED AS TO FORM:


City Attorney of the City of Hayward