

**THE BOARD OF DIRECTORS OF HAYWARD
GEOLOGIC HAZARD ABATEMENT DISTRICT**

RESOLUTION NO. 19-01

**RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF THE ERSTED
PROPERTY AND DIRECTING A PUBLIC HEARING BE HELD ON THE REQUEST
FOR ANNEXATION**

WHEREAS, on March 1, 2016, the Hayward City Council adopted Resolution No. 16-030 approving the formation of the Hayward Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

WHEREAS, the GHAD boundaries currently include The Reserve development (Tract 7620).

WHEREAS, as allowed by GHAD law (Public Resources Code §26568.1), the GHAD Board is now presented with the Petition for Annexation of Territory to the Hayward GHAD (“Petition”), which is attached hereto as Attachment 1. The territory proposed to be annexed into the GHAD is referred to as the Ersted property (Tract 8439) and is described in the legal description and identified in the boundary map set forth in the Petition.

WHEREAS, the GHAD Board is presented with the draft Ersted Property Plan of Control dated December 24, 2018 (“Plan of Control”), which is attached to the Petition. The Plan of Control describes potential geologic hazards within the territory to be annexed and addresses the prevention, mitigation, abatement and control of such hazards.

The Board of Directors of the GHAD HEREBY RESOLVES THAT:

1. This Resolution No. 19-01 is made pursuant to the provisions of Division 17 of the Public Resources Code with particular references to Chapter 1 (commencing with Section 26500), Article 3 (commencing with Section 26550) and Article 4 (commencing with Section 26561).

2. The Petition is substantially in the form described in Sections 26552 of the Public Resources Code; and the Plan of Control is substantially in the form described in Section 26509 of the Public Resources Code.

3. These proceedings are exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code §§21000 et seq.) in accordance with Public Resources Code Section 21080(b)(4).

4. The GHAD Board has been presented with the Petition and draft Plan of Control;

5. As required by GHAD law, a public hearing on the Petition and proposed annexation will be held after notice is provided to the landowners within the annexation area no less than 20 days before the public hearing is scheduled.

6. The GHAD Clerk, or designee, shall mail, by first class mail, a written notice of the hearing on the annexation, along with a copy of the GHAD Petition, to all owners of real property within the proposed district pursuant to Public Resources Code Sections 26561, 26562 and 26563 to consider the proposed annexation and the proposed Plan of Control.

7. The recitals are incorporated herein by this reference.

This Resolution shall become effective immediately upon its passage and adoption.

HAYWARD, CALIFORNIA, February 5, 2019

PASSED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attachment 1 – Petition for Annexation dated December 27, 2018