

HAYWARD CITY COUNCIL

RESOLUTION No. 19-

Introduced by Council Member \_\_\_\_\_

RESOLUTION APPROVING THE ANNEXATION OF THE ERSTED PROPERTY INTO THE HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT

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

WHEREAS, on February 5, 2019, the GHAD Board was presented with and has reviewed the Petition for Annexation of Ersted Property to the Hayward GHAD (“GHAD Petition”), which is attached here to as Attachment 1. The property proposed to be annexed into the GHAD is described in the legal description and identified in the boundary map set forth in Exhibits A and B to Attachment 1; and

WHEREAS, on February 5, 2019, the GHAD Board adopted Resolution No. 2019-01 accepting the GHAD Petition for the proposed Ersted development and set a hearing for February 26, 2019 to consider the proposed annexation. This hearing was noticed in accordance with Public Resources Code section 26557, 26561, 26562, and 26563; and

WHEREAS, on February 26, 2019, the GHAD Board held a public hearing on the proposed annexation. At the time set for the hearing, the GHAD Board was presented with any and all objections to the annexation made pursuant to Public Resources Code Section 26564. At the hearing, owner(s) of more than 50 percent of the assessed valuation of the property to be annexed to the Hayward GHAD did not object to the annexation; and

WHEREAS, on February 26, 2019, the GHAD Board closed the hearing and, by Resolution 19-02, approved the annexation of the proposed Ersted development into the Hayward GHAD; and

WHEREAS, Public Resources Code section 26581 states that a proposed annexation is subject to approval of the legislative body that approved the formation of the GHAD;

The Board of Directors of the GHAD HEREBY RESOLVES THAT:

1. The Hayward City Council hereby approves the annexation of the proposed Ersted development into the Hayward GHAD as described in the GHAD Petition and as ordered by the GHAD Board on February 26, 2019 by Resolution No. 2019/02 as required by Public Resources Code section 26581.

2. The recitals are incorporated herein by this reference.
3. This Resolution shall become effective immediately upon its passage and adoption.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2019.

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
                  City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward