

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

RESOLUTION NO. 21-03

**RESOLUTION APPROVING THE ANNEXATION OF THE HAYWARD SOMI DEVELOPMENT
INTO THE HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT AND ADOPT THE
DRAFT HAYWARD SOMI DEVELOPMENT PLAN OF CONTROL**

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 October 26, 2021, the GHAD Board adopted Resolution 21-02 scheduling a public hearing for November 16, 2021, to consider the proposed annexation and draft Plan of Control. This hearing was noticed in accordance with Public Resources Code Sections 26557, 26561, 26562, and 26563; and

WHEREAS, the GHAD Board is now presented with and has reviewed the Petition for Annexation of Hayward SoMi Development 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, the GHAD Board is presented with and reviewed the draft Hayward SoMi Development Plan of Control (dated November 4, 2021), which is attached hereto as Attachment 2. The draft Hayward SoMi Development Plan of Control describes potential geologic hazards within the territory to be annexed and addresses the prevention, mitigation, abatement, and control of such hazards; and

WHEREAS, the draft Plan of Control is exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code §§ 21000 *et. seq.*) in accordance with Public Resources Code sections 21080(b)(4) and 26559.

The Board of Directors of the GHAD HEREBY RESOLVES THAT:

1. This Resolution No. 21-03 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 GHAD Board hereby approves the annexation of the Hayward SoMi Development into the Hayward GHAD as described in the GHAD Petition, subject to the adoption of a resolution approving the annexation by the Hayward City Council as required under Public Resources Code section 26581 and conditioned upon subsequent approval of the proposed assessment following an assessment ballot proceeding pursuant to Proposition 218.

3. The Hayward GHAD Board hereby approves and adopts the draft Hayward SoMi Development Plan of Control.
4. The recitals are incorporated herein by this reference.

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

HAYWARD, CALIFORNIA, November 16, 2021

PASSED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

Attachment 1 – Petition of Annexation

Attachment 2 – Hayward SoMi Draft Plan of Control