HAYWARD GHAD (LA VISTA DEVELOPMENT) Outline of GHAD Formation Process

Hayward City Council Meeting

Hayward City Council adopts a resolution declaring it will be subject to statutory provision for initiating formation proceedings and forwards resolution to State Controller. This kind of resolution is adopted once and is not required to be adopted as part of each Geologic Hazard Abatement District (GHAD) formed thereafter. (Resolution Adopted on November 17, 2015.)

Initiate Formation by Either:

Landowner Petition

Landowners submit petition to the Hayward City Clerk signed by not less than 10% of property owners to be included within proposed GHAD. Signatures must be secured within 120 days of date of first signature and submitted to clerk within 30 days after last signature. A plan of control must be attached. Upon receipt of petition, clerk places it on next regular meeting of legislative body of local agency.

At next meeting, Hayward City Council adopts resolution setting public hearing on petition and directs notice be sent to all property owners within proposed GHAD.

Resolution

Hayward City Council agency initiates formation by resolution.

Hayward City Council Meeting

Public Hearing conducted before Hayward City Council re: formation of GHAD.

If owners of more than 50% of assessed valuation of proposed GHAD object to formation, proceedings must be abandoned.

If owners of more than 50% of assessed valuation of proposed GHAD do not object, at close of hearing or within 60 days, Hayward City Council may adopt resolution approving formation and appoints Hayward GHAD Board of Directors. The Board may be five owners of real property within the GHAD or members of the Hayward City Council body.

Hayward GHAD Board Meeting

Adopt resolutions to 1) appoint officers, 2) approve GHAD budget, 3) intent to order assessment, and 4) any other appropriate actions. Set public hearing on proposed assessment and protests. This resolution directs GHAD clerk to mail notice of public hearing and assessment ballots.

Hayward GHAD Board Meeting

After providing 45 days notice, GHAD Board would take the following actions:

- 1. Adopt resolution accepting plan of control;
- 2. Open and hold public hearing on proposed assessment;
- 3. Close hearing and consider protests against the assessment;
- 4. Direct GHAD clerk to open and tabulate assessment ballots;
- 5. Adopt resolution accepting canvass of votes;
- 6. Adopt resolution confirming assessment, and ordering the levy and collection of assessment.

GHAD clerk shall cause to be recorded a notice of assessment, whereupon the assessment shall attach as a lien upon the property.