



# CITY OF HAYWARD

Hayward City Hall  
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## Cover Memo

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**File #:** WS 16-004, **Version:** 1

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**DATE:** January 26, 2016

**TO:** Mayor and City Council

**FROM:** Development Services Director

### **SUBJECT**

Overview of Geologic Hazard Abatement Districts

### **RECOMMENDATION**

That the City Council receives a presentation by Development Services Department staff, assisted by Certified Engineering Geologist Eric Harrell, describing how a Geologic Hazard Abatement District (GHAD) works, what the process for creating a GHAD is, what a GHAD can and cannot fund, and how the assessment process for a GHAD works.

### **BACKGROUND**

At its meeting on November 17, 2015, the City Council unanimously approved Resolution 15-224, which declared that the City of Hayward is subject to the Geologic Hazard Abatement District Law (Public Resources Code Section 26550 et seq.). Such action is necessary in order for a GHAD to be formed.

The City Council further directed the City Clerk to file a Notice of Exemption from the California Environmental Quality Act (CEQA) and to send the Resolution and Notice of Exemption to the State Clearinghouse as required by the GHAD law, which was done.

### **DISCUSSION**

As required by conditions of approval associated with the 2005 approval of the La Vista development and related Development Agreement, a GHAD is required to be formed associated with the development.

Since this would be the first GHAD formed in Hayward, staff believes it will be helpful for the City Council and the public to hear a brief presentation on how GHADs are formed and how they are governed. To assist with this Work Session, attached is an outline of the GHAD formation process (Attachment I).

In addition, there is an attached publication produced by the California Association of Geologic Hazard Abatement Districts, which discusses the benefits of a GHAD, the process of how GHADs are formed, what the powers of a GHAD are, how GHADs are financed, and how GHADs are governed once they are formed (Attachment II).

Staff has invited Eric Harrell from Engeo, who is preparing the required GHAD *Plan of Control* for the La

Vista development, to assist with the presentation and to answer any questions that the Council may have. Mr. Harrell has extensive experience with the creation and operation of GHADs in California and is very knowledgeable on the topic.

### **ECONOMIC AND FISCAL IMPACT**

There is no economic or fiscal impact associated with the Work Session discussion of how GHADs are formed and operated. Having a GHAD in place ensures funding will exist for, among other purposes, maintenance of geotechnical improvements and a reserve fund in the event of a geologic-related failure of open-space slopes.

### **PUBLIC CONTACT**

The public will have the opportunity to attend the January 26, 2016 Work Session and comment on the presentation on GHADs and at future City Council meetings as the GHAD formation process continues (see Next Steps below).

### **NEXT STEPS**

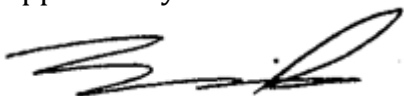
Staff has received a petition from the developer of the La Vista project requesting creation of the GHAD. An agenda item has been tentatively scheduled for the next meeting on February 9 to ask that the City Council adopt a resolution that would set March 1, 2016 as a public hearing date for creation of the GHAD. The public will have the opportunity to comment on the potential formation of a GHAD at that time. In addition, a GHAD *Plan of Control* will be considered, a GHAD Board of Directors will be determined, a GHAD budget will be created, and an intent to order assessments will be initiated. The public will also have the opportunity to comment on these items at the public hearing.

*Prepared by:* Peter Rei, PE, Contract Development Review Engineer

*Reviewed by:* Sara Buizer, AICP, Planning Manager

*Recommended by:* David Rizk, AICP, Development Services Director

Approved by:



Fran David, City Manager

#### Attachments:

Attachment I  
Attachment II

Outline of GHAD Formation Process  
Geologic Hazard Abatement Districts Handout