

**BEFORE THE BOARD OF DIRECTORS OF SAN BENITO
GEOLOGIC HAZARD ABATEMENT DISTRICT**

Resolution No. 2022-1

A RESOLUTION OF THE SAN BENITO GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD) APPROVING THE ANNEXATION OF THE PROMONTORY AT RIDGEMARK DEVELOPMENT INTO THE SAN BENITO GHAD AND APPROVING THE PROMONTORY AT RIDGEMARK PLAN OF CONTROL DATED JANUARY 3, 2022.

WHEREAS, on April 12, 2016, the San Benito Board of Supervisors adopted Resolution 2016-23 declaring that the County is subject to the provisions of the GHAD Law, Division 17 of the Public Resources Code (commencing with Section 26500);

WHEREAS, on May 10, 2016, the San Benito County Board of Supervisors approved Resolution 2016-31 forming the San Benito GHAD and appointed itself to serve as the GHAD Board of Directors;

WHEREAS, on December 14, 2021, the GHAD Board was presented with and has reviewed the Petition for Annexation of Territory to the San Benito GHAD ("GHAD Petition"), which is attached hereto 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 Exhibit A to Attachment 1.

WHEREAS, on December 14, 2021, the GHAD Board was presented with the proposed The Promontory at Ridgemark Plan of Control (dated January 3, 2022) which describes potential geologic hazards within the territory to be annexed and addressed the prevention, mitigation, abatement, and control of such hazards.

WHEREAS, on December 14, 2021 the GHAD Board adopted Resolution 2021-01 fixing a date of January 25, 2022 to consider the proposed annexation and Plan of Control.

WHEREAS, on January 25, 2022, the GHAD Board considered the proposed annexation and plan of control. Owner(s) of more than 50 percent of the assessed valuation of the property to be included in the San Benito GHAD did not object to the annexation; the sole owner, supported the annexation as the signatory on the Petition.

The Board of Directors of the GHAD HEREBY RESOLVES THAT:

1. This Resolution No. 2022-1 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 has been presented with and reviewed The Promontory at Ridgemark development Plan of Control and has determined that the health, safety and welfare of the public requires annexation of The Promontory at Ridgemark development into the San Benito GHAD.

3. At the hearing, owner(s) of more than 50 percent of the assessed valuation of the property to be included in the San Benito GHAD did not object to the annexation or to the proposed The Promontory at Ridgemark development Plan of Control.

4. The GHAD Board hereby approves the annexation of The Promontory at Ridgemark development into the San Benito GHAD as described in the GHAD Petition, subject to the adoption of a resolution approving the annexation by the Board of Supervisors of San Benito County as required under Public Resources code section 26581.

5. The GHAD Board hereby approves and adopts The Promontory at Ridgemark development Plan of Control.

6. 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).

7. The recitals are incorporated herein by this reference.

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

Attachment 1 -Petition for Annexation

PASSED AND ADOPTED BY THE SAN BENITO GHAD BOARD OF DIRECTORS THIS 25TH DAY OF JANUARY, 2022 BY THE FOLLOWING VOTE:

AYES:

NOES:


ABSENT:

ABSTAIN:

BY: _____
Bea Gonzales,
Chair of the San Benito GHAD

APPROVED AS TO LEGAL FORM:
Barbara J. Thompson, County Counsel

ATTEST:



By: Joel Ellinwood, Assistant County Counsel

Jennifer Frechette, Clerk, San Benito County

Date: January 25, 2022

Date: