

HAYWARD CITY COUNCIL

RESOLUTION NO. 23-

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

RESOLUTION AUTHORIZING THE AMENDMENT TO RESOLUTION 23-066, THE RESOLUTION FOR THE CITY OF HAYWARD FISCAL YEAR 2024 MASTER FEE SCHEDULE ASSOCIATED WITH THE ADMINISTRATION OF CHAPTER 12, ARTICLE 1, OF THE HAYWARD MUNICIPAL CODE REGARDING THE NEW RESIDENTIAL RENT STABILIZATION AND TENANT PROTECTION ORDINANCE AND THE MOBILEHOME SPACE RENT STABILIZATION ORDINANCE AND FINDING THAT THE ACTION IS EXEMPT FROM CEQA REVIEW.

WHEREAS, Section 15273 of the California Environmental Quality Act (CEQA) Guidelines states that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies which the public agency finds are for the purposes of:

1. Meeting operating expenses, including employee wage rates and fringe benefits;
2. Purchasing or leasing supplies, equipment, or materials;
3. Meeting financial reserve needs and requirements;
4. Obtaining funds necessary for capital projects necessary to maintain service within existing services areas; or
5. Obtaining funds necessary to maintain intra-city transfers as are authorized by city Charter; and

WHEREAS, The City Council finds and determines that this action is exempt from CEQA based on the foregoing provisions; and

WHEREAS, In November 2010, California voters approved Proposition 26, which amended Article XIII C of the State constitution regarding the adoption of fees and taxes. Proposition 26 seeks to assure that taxes, which much be approved by the voters, are not disguised as fees, which can be approved by legislative bodies, such as a city council. The proposed amendment to the Master Fee Schedule (MFS) is compliant.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby adopts certain changes in the Master Fee Schedule relating to fees for administration of the Residential Rent Stabilization and Tenant Protection Ordinance, as reflected in Exhibit A.

BE IT FURTHER RESOLVED, that the City Council finds that this action is exempt from CEQA review for the reasons stated herein.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2023

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

**Exhibit A**

**RENT STABILIZATION ADMINISTRATION**

1	Annual Fee per Rental Unit	\$	32.00
2	Annual Fee per Covered Rental Unit	\$	66.00
2	Annual Fee per Mobilehome Space	\$	5.00

The fees set forth herein shall be payable immediately and shall be delinquent if not received by the Housing Division on or before 5 p.m., August 31, 2023.