



Interoffice Memorandum

DATE: June 3, 2024

TO: Nicole Gonzales, Director of Finance

FROM: Sara Buizer, Director of Development Services

SUBJECT: **FY 25 Master Fee Schedule Update**

The following items are requested updates to the Master Fee Schedule as they relate to the Planning Division.

DEVELOPMENT SERVICES DEPARTMENT

B. PLANNING

Mills Act Program

In November 2010, California voters approved Proposition 26, which amended Article XIII C of the State constitution regarding adopting fees and taxes. Proposition 26 seeks to assure that taxes, which must be approved by the voters, are not disguised as fees, which can be approved by legislative bodies, such as a city council; and the Mills Act (Government Code section 50280 et seq.) which authorizes local governments to enter into contracts with owners of qualifying historic property to offer reduction in property taxes in exchange for the owner's rehabilitation, restoration, preservation and maintenance of qualified historical property; and on May 17, 2016 the City Council adopted an ordinance adding Article 27, to Chapter 10 of the Hayward Municipal Code, to implement the Mills Act in the City of Hayward; and on May 3, 2016 the City Council adopted Resolution 16-071 which established the Mills Act Program fees related to administrative review of Mills Act Program applications and annual compliance inspections, found the fees to be in compliance with Prop. 26 and amended the Fiscal Year 2016 Master Fee Schedule; accordingly, and the Mills Act Program fees have been inadvertently not included in subsequent adoptions of the Master Fee Schedule.

Mills Act Program Application	\$ 2,000	Time & Material; Initial Deposit
Mills Act Annual Compliance Inspection	\$ 387	

Attached:

Mills Act Historical Property Contract
Municipal Code Chapter 10, Article 27
Resolution 16-071

cc: Sara Buizer, Director of Development Services
Christina Morales, Deputy Director of Development Services
Jeremy Lochirco, Planning Manager
Tera Maroney, Management Analyst



HAYWARD CITY COUNCIL

RESOLUTION NO. 16-071

Introduced by Council Member Márquez

RESOLUTION FINDING THAT THE PROPOSED
HAYWARD MILLS ACT PROGRAM IS
CATEGORICALLY EXEMPT UNDER CEQA;
APPROVING MILLS ACT PROGRAM FEES; AND
FINDING THAT SUCH FEES ARE COMPLIANT
WITH CALIFORNIA PROPOSITION 26

WHEREAS, the Mills Act Program described in the accompanying administrative report and enacted by the associated ordinance is a program to preserve historically significant property and is therefore categorically exempt from CEQA pursuant to Section 15723 of the California Environmental Act (CEQA) guidelines;

WHEREAS, the enactment of such program by the associated ordinance requires an administrative fee to review and approve applications for the benefits thereunder, the fees set forth in Exhibit A are hereby approved and the City's Master Fee Schedule is amended accordingly; 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 and charges for the Planning Division in the Development Services Department, as reflected in Exhibit A.

IN COUNCIL, HAYWARD, CALIFORNIA May 3, 2016

ADOPTED BY THE FOLLOWING VOTE:

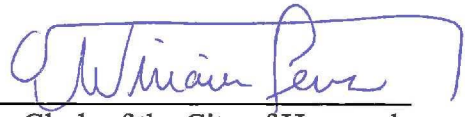
AYES: COUNCIL MEMBERS: Zermefio, Mendall, Jones, Peixoto, Lamnin, Márquez
MAYOR: Halliday

NOES: COUNCIL MEMBERS: None


ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST:


City Clerk of the City of Hayward

APPROVED AS TO FORM:


City Attorney of the City of Hayward