HAYWARD CITY COUNCIL

RESOLUTION NO. <u>16-</u>

Introduced by Council Member _____

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 _____, 2016

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

Development Services Department

    C. Planning

45. Mills Act Program Application	$2,000	Time & Material Initial Deposit
46. Mills Act Annual Compliance Inspection	$387	