

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_

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

RESOLUTION AUTHORIZING THE AMENDMENT TO RESOLUTION 24-197,  
THE RESOLUTION FOR THE CITY OF HAYWARD FISCAL YEAR 2025 MASTER  
FEE SCHEDULE ASSOCIATED WITH THE ADMINISTRATION OF CHAPTER 12,  
ARTICLE 2 OF THE HAYWARD MUNICIPAL CODE REGARDING THE TENANT  
RELOCATION ASSISTANCE ORDINANCE

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 paid to the City by landlords for evading relocation assistance payments owned to tenants due to a governmental agency's order to vacate related to the implementation of the Tenant Relocation Assistance Ordinance, as reflected in Exhibit A.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024

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**

**2. TENANT RELOCATION ASSISTANCE ORDINANCE HEARINGS**

- b. Non-payment penalty fee \$1000