

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-\_\_\_\_\_

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

RESOLUTION ADOPTING THE MASTER FEE SCHEDULE FISCAL YEAR 2026-2027 AND THE FISCAL YEAR 2026-27 FINE AND BAIL SCHEUDLE REFLECTING UPDATED FEES AND CHARGES FOR DEPARTMENTS IN THE CITY OF HAYWARD AND FINDING THAT THE ACTION IS EXEMPT FROM CEQA REVIEW

WHEREAS, as part of a general cost recovery strategy, the City of Hayward has adopted user fees to fund programs and services that provide direct benefit to a specified user.

WHEREAS, in November 1996, California voters passed Proposition 218, the “Right to Vote on Taxes Act.” This constitutional amendment protects taxpayers by limiting the methods by which local governments can create or increase taxes, fees, and charges without taxpayer consent. Proposition 218 requires voter approval prior to imposition or increase of general taxes, assessments, and certain user fees.

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 must be approved by the voters, are not disguised as fees, which can be approved by legislative bodies, such as a city council. The proposed Master Fee Schedule (MFS) is compliant.

WHEREAS, the proposed Master Fee Schedule Fiscal Year 2026-27 and the Fiscal Year 2026-27 Fine and Bail Schedule have been reviewed for compliance with Propositions 26 and 218 and, in the City Attorney’s opinion, are compliant.

WHEREAS, a public hearing was held on April 21, 2026, to present the Master Fee Schedule Fiscal Year 2026-27 and the Fiscal Year 2026-27 Fine and Bail Schedule.

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 service areas; or
5. Obtaining funds necessary to maintain intra-city transfers as are authorized by City Charter; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby adopts Master Fee Schedule Fiscal Year 2026-27 and the Fiscal Year 2026-27 Fine and Bail Schedule relating to fees and charges for all departments of the City of Hayward incorporated herein by reference and as outlined in the April 21, 2026, City Council report; either on its face or as applied, the invalidity of one provision shall not affect the other provisions of Master Fee Schedule Fiscal Year 2026-27 or the Fiscal Year 2026-27 Fine and Bail Schedule, and the applications thereof; and to that end the provisions of this Master Fee Schedule Fiscal Year 2026-27 and the Fiscal Year 2026-27 Fine and Bail Schedule shall be deemed severable.

BE IT FURTHER RESOLVED that the fees and charges adopted by this resolution shall become effective as of July 1, 2026.

BE IT FURTHER RESOLVED that this action is determined to be exempt from CEQA review pursuant to Section 15273 of the California Environmental Quality Act (CEQA) Guidelines based on the findings stated herein.

IN COUNCIL, HAYWARD, CALIFORNIA April 21, 2026.

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