



# CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 3/24/98

AGENDA ITEM # 6

WORK SESSION ITEM \_\_\_\_\_

**To:** Mayor and City Council

**From:** City Clerk

**Subject:** AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 14 OF THE HAYWARD MUNICIPAL CODE, THE EMERGENCY SERVICES FACILITIES TAX ORDINANCE, BY ADDING SECTION 8-14.65 ESTABLISHING A TERMINATION DATE

### Recommendation:

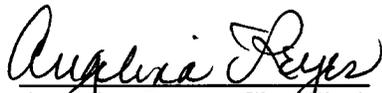
Adopt an ordinance introduced by Council Member Hilson at a meeting of the Hayward City Council on March 17, 1998, by the following vote:

<b>AYES:</b>	<b>Council Members:</b>	Jimenez, Hilson, Rodriquez, Hulteen, Henson, Ward
	<b>Mayor:</b>	Cooper
<b>NOES:</b>	<b>Council Members:</b>	None

### Background:

This ordinance was published in the Hayward Daily Review on March 21, 1998. Adoption at this time is therefore appropriate.

### **Recommended by:**

  
Angelina Reyes, City Clerk

### **Approved by:**

  
Jesús Armas, City Manager

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY  
COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 14 OF THE HAYWARD  
MUNICIPAL CODE, THE EMERGENCY SERVICES FACILITIES TAX ORDINANCE, BY  
ADDING SECTION 8-14.65 ESTABLISHING A TERMINATION DATE

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS  
FOLLOWS:

Section 1. Chapter 8, Article 14 of the Hayward Municipal Code is hereby amended by  
the addition thereto of Section 8-14.65, to read in full as follows:

“SEC. 8-14.65 EXPIRATION. This article shall expire, and collection of the tax  
imposed by this article shall terminate, on December 31, 2027.”

Section 2. The Emergency Services Facilities Tax is not now subject to the provisions of  
Proposition 218 and the constitutional provisions that would require it to be subjected to approval  
of the voters. Therefore, if it is determined by a court of competent jurisdiction that the act of  
inserting a sunset date subjects any future modifications of this tax to the voter approval  
requirements of the constitution, this ordinance shall become null and void from its inception and  
the remaining sections of Chapter 8, Article 14 shall remain in full force and effect as if this  
ordinance had never been adopted.

Section 3. In accordance with the provisions of Section 620 of the City Charter, this  
ordinance shall become effective upon the date of its adoption.

Introduced at a regular meeting of the Hayward City Council held March 17, 1998, the above  
entitled ordinance was introduced by Council Member Hilson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council,  
to be held on March 24, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward,  
California. Copies of the full text of this ordinance are available for examination by the public in  
the Office of the City Clerk, 777 B Street, Hayward Public Main Library, 835 "C" Street, or the  
Weekes Branch Library, 27300 Patrick Avenue.

DATED: March 21, 1998

ANGELINA REYES  
CITY CLERK OF THE  
CITY OF HAYWARD