

**RESOLUTION No. 2022-32**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS  
IMPLEMENTING THE AUTHORIZED ADJUSTMENTS FOR CAPITAL  
IMPROVEMENT FACILITIES FEES FOR GENERAL GOVERNMENT, FIRE,  
PARKS AND RECREATION, PUBLIC SAFETY, WASTEWATER, WATER,  
DRAINAGE, AND TRANSPORTATION IMPROVEMENTS**

**WHEREAS**, in May 1992, the City of Winters (hereinafter also referred to as "City") adopted the City of Winters General Plan which includes a general description of the location, capacity, and types of capital improvements planned for the City at a build out population of approximately 12,500; and

**WHEREAS**, the City of Winters Ordinance 92-06 established a facility fee program (development impact fee) for all new development projects; and

**WHEREAS**, Ordinance 92-06 authorizes the City Council to revise the fees by resolution; and

**WHEREAS**, the City Council wishes to ensure that new development within the City mitigates its impacts on the following public facilities:

- General Government
- Fire
- Parks and Recreation
- Public Safety
- Wastewater
- Water
- Drainage
- Transportation Improvements

**WHEREAS**, the City of Winters desires to update the capital improvement facilities fees to pay for the cost of public facilities to serve new development, consistent with the goals and policies of the General Plan; and

**WHEREAS**, it is the City's policy that future new development should pay its fair share of public facilities and services in accordance with good fiscal management as determined by the City Council, including the current costs for providing the facilities in direct proportion to the demand for these facilities generated by new development; and

**WHEREAS**, on November 6, 2018, the City Council held a duly noticed public hearing on proposed development impact fees with an opportunity for the public to be heard, pursuant to the provisions of Government Code sections 66016—66018, and adopted Resolution 2018-59 approving a facilities fee schedule for new development; and

**WHEREAS**, Resolution 2021-20 authorized that each development impact fee

in that resolution be adjusted automatically on July 1 of each year beginning July 1, 2022 by a percentage equal to the rise in the Engineer News-Record construction cost index for the preceding twelve months, as measured in December; and

**WHEREAS**, in order to protect the health, safety and welfare of the community and to ensure that adequate public facilities are provided for the residents of the City of Winters, implementation of the adjustment to the impact fees approved by Resolution 2021-20 is necessary; and

**WHEREAS**, at its March 15, 2022 meeting, Council approved Resolution 2022-22, adopting drainage impact fees in the northeast area, to be annually adjusted each July 1 to reflect the March to March change in the Engineering News Record San Francisco Construction Cost Index, and Council desires to amend that to reflect a December to December change consistent with the other development impact fees; and

**WHEREAS**, the City has made available to the public at least ten days prior to its public hearing, data supporting the fee adjustments, and notice of this hearing has been mailed to all interested persons that have requested such notice at least 14 days prior to the date of this hearing; and

**WHEREAS**, the City Council called an informational public hearing for April 19, 2022, for the purpose of receiving public comments to the proposed fee adjustments. Notice of the public hearing was given by publication in a newspaper of general circulation within the City once a week for two weeks commencing at least 10 days prior to the public hearing, with at least 5 days intervening between the first and last publication. On April 19, 2022, at the time and place set for the public hearing, the City Council heard and considered all oral and written presentations and comments made regarding the proposed fee adjustments; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WINTERS HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:**

**Section 1** The foregoing recitals, and each of them, are true and correct.

**Section 2** The City Council hereby adjusts the development impact fee increases authorized in Resolution 2021-20 as set forth in the 2022 Impact Fee Schedule attached hereto as Exhibit "A," beginning July 1, 2022. The impact fees implemented by this Resolution shall supersede any prior fees or charges imposed by resolution or otherwise by the City Council, to the extent such prior fees or charges conflict herewith.

**Section 3.** The City Council hereby amends the last sentence of Section 6 of Resolution 2022-22, adopting drainage impact fees in the northeast area, to read: "The Development Impact Fees shall be annually adjusted each July 1 to reflect the December to December change in the Engineering News Record San Francisco Construction Cost Index."

**PASSED, APPROVED, and ADOPTED** by the City Council of the City of Winters at a meeting duly held on the 19th day of April 2022.

- AYES:** Council Members Anderson, Loren, Neu, Mayor Pro Tem Biasi, Mayor Cowan
- NOES:** None
- ABSENT:** None
- ABSTAIN:** None

  
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Wade Cowan, Mayor

ATTEST:

  
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Kathleen Salguero Trepa, City Clerk