

RESOLUTION NO. 3806-22

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
APPROVING AN AMENDMENT TO THE MASTER FEE SCHEDULE**

WHEREAS, the Town of Windsor provides miscellaneous public services of a discretionary nature, in addition to community-supported public services which are paid for by Town tax revenues for general social, safety or welfare reasons; and

WHEREAS, the Town of Windsor engaged NBS Local Government Solutions to conduct a cost of service study for its miscellaneous discretionary services to determine the estimated and reasonable costs borne by the Town to provide these services; and

WHEREAS, the Master Fee Schedule was originally approved by Town Council on August 20, 2008 by Resolution No. 2347-08, and most recently amended in July 2022; and

WHEREAS, the Town desires to comply with Article XIIB of the California Constitution; and

WHEREAS, in adopting the fees for Town services as set forth in this Resolution, the Town Council of the Town of Windsor is exercising its powers under Article XI Section 7 of the California Constitution, Section 66000 *et seq.* of the California Government Code, and other applicable law; and

WHEREAS, the current Master Fee Schedule includes late fees for utility bills based on a 60-day billing cycle; and

WHEREAS, the Town recently switched to a monthly billing cycle, and therefore desires to adjust the late fees for utility bills; and

WHEREAS, the Town desires to allow customers to pay certain fees or charges via credit card, subject to the customer paying any applicable processing charges imposed by the credit card company; and

WHEREAS, adoption of the fees set forth in Exhibit "A" is not a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations ("CEQA Guidelines") section 15378(b)(4) (the creation of government funding mechanisms or other government fiscal activities which do not involve any specific commitment to any specific project which may result in a potentially significant impact on the environment); and/or CEQA Guidelines section 15273 (exemption for rates, tolls, fares and charges within an existing service area); and/or CEQA Guidelines section 15061 (b)(3) ("common sense" general exception where there is no possibility the activity in question may have a significant effect on the environment).

NOW, THEREFORE BE IT RESOLVED THAT:

Section 1. Adoption of Amendment to Master Fee Schedule and Repeal of Prior Inconsistent Fees. The user fees set forth in Exhibit “A” are hereby established and directed to be imposed and to be collected by the Town Administrative Services Department for the herein listed miscellaneous discretionary services when provided by the Town or its designated contractors.

Section 2. Separate Fee for Each Service. The fees set forth in this Resolution shall be separately imposed for each service to which the fee pertains; additional fees shall be required for each additional service that is requested or required. Where fees are indicated on a per unit of measurement basis, the fee is for each identified unit or portion thereof within the indicated ranges of such units.

Section 3. Annual Adjustment. A. The adopted user fees and regulatory fees for miscellaneous discretionary services set forth in Master Fee Schedule and Exhibit “A” shall be adjusted for inflation by the Town Council on July 1, of every year by applying then current Consumer Price Index – All Urban Consumers for the San Francisco-Oakland-San Jose area, as calculated by the U.S. Department of Labor, for the month of April. The Town may round the adjusted fee down to the nearest whole dollar amount.

Section 4. Repeal. The fees adopted under this Resolution shall supersede the corresponding fees previously established and adopted by the Town Council. All previously adopted and conflicting user fees are hereby repealed, and the Town Manager is authorized to take all actions necessary to carry out the intent of this Resolution.

Section 5. Severability. The user fees and regulatory fees set forth in Exhibit “A” to this Resolution and all portions of this Resolution are severable. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution or the user fees and regulatory fees in Exhibit “A”. The Town Council hereby declares that it would have passed this Resolution and the user fees and regulatory fees set for in Exhibit “A” to this Resolution, and each section, subsection, phrase or clause thereof irrespective of the fact that the fee or any one or more sections, subsections, phrases or clauses be declared unconstitutional on their face or as applied.

Section 6. Effective Date. This Resolution and the user fee adopted thereby shall become effective immediately upon adoption of this Resolution.


PASSED, APPROVED AND ADOPTED this 7th day of December 2022, by the following vote:

AYES: COUNCILMEMBERS FUDGE, POTTER, WALL,
VICE MAYOR SALMON AND MAYOR REYNOZA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE



ROSA REYNOZA, MAYOR

ATTEST:



IRENE CAMACHO-WERBY, TOWN CLERK

Attachment:

- **Exhibit A** - Proposed Amendment to the Master Fee Schedule Changes FY 2022- 23

TOWN OF WINDSOR

Summary of Proposed Changes to the Master Fee Schedule for FY 22/23

Department	Action	Description	Proposed Fee
I. Administration	ADD	Late Fees	\$ 11.00
		miscellaneous accounts receivable processes, except utility bills	
	ADD	Credit Card, Debit Card and Electronic Fund Transfer Payment Service fees	<i>Actual amount charged by Payment Processor</i>
VI. Public Works	MODIFY	Late Fees (30 Days Pass Bill Date or in Accordance with SB998)	\$ 11.00