SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

FROM: TLMA - Transportation Department

SUBMITTAL DATE: June 23, 2014

SUBJECT: Adoption of Ordinance No. 824.14 to Include a New Exemption for New Construction of Specially Adapted Single-Family Homes for Severely Disabled Veterans Under the Western Riverside 1st/1st. 2nd/2nd, 3rd/3rd. Transportation Uniform Mitigation Fee Program. 5th/5th Districts; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

- 1. Adopt Ordinance No. 824.14 to include a new exemption for new construction of specially adapted single-family homes for severely disabled veterans under the Western Riverside County Transportation Uniform Mitigation Fee Program; and
- 2. Find the adoption of Ordinance No. 824.14 is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty there is no possibility the ordinance may have a significant effect on the environment.

Juan C. Perez. Director of Transportation and Land

Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:		POLICY/CONSENT (Per Exec. Office)	
COST	\$ 0	\$ 0	\$ 0	\$	0	Consent □ Policy □	_
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$	0	Consent □ Policy □	
SOURCE OF FUNDS: N/A Budget Adjustment: N/A							
For Fiscal Year: N/A							
C E O DECOMMENDATION:							

E.O. RECOMMENDATION:

FORM APPROVED COUNTY COUNSE!

		County Executive Office Signature	Steven C. Horr
		MINUTES OF THE BOARD	OF SUPERVISORS
Positions Added	Change Order		
A-30	4/5 Vote		
		Prev. Agn. Ref.: 3.68 of 6/17/14 District: 1/1, 2/2, 3/3, and	1 5/5 Agenda Numl

ber: 3 - 6

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

FORM 11: Adoption of Ordinance No. 824.14 to Include a New Exemption for New Construction of Specially Adapted Single-Family Homes for Severely Disabled Veterans Under the Western Riverside County Transportation Uniform Mitigation Fee Program. 1st/1st, 2nd/2nd, 3rd/3rd, 5th/5th Districts [\$0]

DATE: June 23, 2014

PAGE: 2 of 2

BACKGROUND:

Summary

The County of Riverside (County) is a Member Agency of the Western Riverside Council of Governments (WRCOG), a joint powers agency comprised of the County, March Joint Powers Authority, and seventeen (17) cities located in western Riverside County. Acting in concert, the WRCOG Member Agencies developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials due to new development in western Riverside County could be made up, in part, by a Transportation Uniform Mitigation Fee (TUMF) on future residential, commercial, and industrial development. As a Member Agency of WRCOG, and as a TUMF participating jurisdiction, the County participated in the preparation of a certain "Western Riverside County Transportation Uniform Fee Nexus Study," (2009 Nexus Study) later adopted by the WRCOG Executive Committee. Based on the 2009 Nexus Study, the County adopted and implemented an ordinance authorizing the County's participation in the TUMF Program. On November 24, 2009, the County adopted the 2009 Nexus Study and Ordinance 824.7 to implement the TUMF Program in the County.

Pursuant to the Mitigation Fee Act (Gov. Code §§ 66000 *et seq.*), WRCOG, upon the recommendation of the WRCOG Executive Committee, now desires to amend the TUMF ordinance to include the following exemption:

• Exempt non-profit 501 (c) (3) organizations that build new single-family homes specifically constructed and adapted for qualifying severely disabled veterans injured in theatre of combat operations.

On April 7, 2014, the WRCOG Executive Committee reviewed the proposed exemption and recommended TUMF participating jurisdictions amend their TUMF ordinances to reflect the changes.

Impact on Residents and Businesses

N/A

SUPPLEMENTAL:

Additional Fiscal Information

The proposed TUMF ordinance recommendation to exempt non-profit 501 (c) (3) organizations from paying TUMF is specific in that it limits the exemption to new specially adapted single-family homes for severely disabled veterans who are the recipients of a Veterans Administration Specially Adapted Housing (SAH) Grant or its equivalent. This short-fall in fee collection is anticipated to be approximately one million dollars and will be accounted for in the 2014 TUMF Network Update, and represents roughly 0.02% of the total current TUMF Network.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

A. Ordinance No. 824.14

ORDINANCE NO. 824.14

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 824 AUTHORIZING PARTICIPATION IN THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. A new subsection g. is added to Section 5. of Ordinance No. 824 to read as

follows:

"g. <u>Disabled Veteran</u>. Any veteran who is retired or is in the process of medical retirement from military service, who is or was severely injured in a theatre of combat operations, and has or received a letter of eligibility for the Veterans Administration Specially Adapted Housing (SAH) Grant Program."

Section 2. Existing subsections g., h., i., j., and k. of Section 5. of Ordinance 824 are relettered subsections h., i., j., k., and l. respectively.

Section 3. A new subsection m. is added to Section 5. of Ordinance No. 824 to read as follows:

"m. Non-Profit Organization. An organization operated exclusively for exempt purposes set forth in section 501(c)(3) of the Internal Revenue Code, and none of its earnings may inure to any private shareholder or individual. In addition, it may not be an action organization, (i.e., it may not attempt to influence legislation as a substantial part of its activities and it may not participate in any campaign activity for or against political candidates). For the purposes of the TUMF Program, the non-profit must be a 501(c)(3) charitable organization as defined by the Internal Revenue Service."

1	Section 4.	Existing subsections l., m., n., o., p., q., r., s., and t. of Section 5. of			
2	Ordinance No. 824 are relett	ered subsections n., o., p., q., r., s., t., u., and v. respectively.			
3	Section 5.	A new subsection k. is added to Section 8. of Ordinance No. 824 to read as			
4	follows:				
5	"k.	New single family homes, constructed by Non-Profit Organizations,			
6		specially adapted and designed for maximum freedom of movement and			
7		independent living for qualified Disabled Veterans."			
8	Section 6.	This ordinance shall take effect thirty (30) days after its adoption.			
9	:	BOARD OF SUPERVISORS OF THE COUNTY			
10		OF RIVERSIDE, STATE OF CALIFORNIA			
11		By:			
12		Chairman Chairman			
13	ATTECT. Vasia Hamon Ibo				
14	ATTEST: Kecia Harper-Iher				
15	CLERK OF THE BOARD:				
16					
17	By:				
18	(GEAL)				
19	(SEAL)				
20		d			
21	APPROVED AS TO FORM	[
22	June, 2014				
23					
24	By:				
25	Dale Gardner Deputy County Counse	el .			
26					
27	DAG:mdk 06/05/14				
28	G:\PROPERTY\MDUSEK\DAG\OR	DINANCE 824 14 DV EXEMPT (6).DOC			

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: TLMA - Transportation Department

SUBMITTAL DATE: June 3, 2014

SUBJECT: Introduce and Adopt Ordinance No. 824.14 to Include a New Exemption for New Construction of Specially Adapted Single-Family Homes for Severely Disabled Veterans Under the Western Riverside County Transportation Uniform Mitigation Fee Program. 1st/1st, 2nd/2nd, 3rd/3rd, and 5th/5th Districts; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

- 1. Introduce Ordinance No. 824.14 to include a new exemption for new construction of specially adapted single-family homes for severely disabled veterans under the Western Riverside County Transportation Uniform Mitigation Fee Program; and
- 2. Adopt Ordinance No. 824.14 at the next subsequent Board of Supervisors meeting; and
- 3. Find the adoption of Ordinance No. 824.14 is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty there is no possibility the ordinance may have a significant effect on the environment.

Juan C. Perez, Director of Transportation and Land Management

Assistant Director of Transportation

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total 0	Cost:	0	ngoing Cost:	POLICY/CONSENT (Per Exec. Office)	
COST	\$ 0	\$	0 \$	0	\$	0	Consent □	Policy M
NET COUNTY COST	\$ 0	\$	0 \$	0	\$	0	Consent	1 Olloy 🕰
SOURCE OF FUN	DS: N/A					Budget Adjustr	nent: N/A	
						For Fiscal Year	: N/A	
OF O DECOMME	ND ATION.		a pro 270 11	_				

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Transp., COB

MINUTES OF THE BOARD OF SUPERVISORS

On munanimous with waiver of	otion of Supervisor Jeffries, seconded by Supervisor Berote, IT WAS ORDERED that the above ordinance is apply freading.	noit and duly carried by proved as introduced
Ayes: Nays: Absent:	Jeffries, Tavaglione, Stone, Benoit and Ashley None None	Kecia Harper-Ihem Clerk of the Board

A-30 4/5 Vote

Change Order

XC:

Prev. Agn. Ref.: 3.68 of 06/17/14 District: 1/1, 2/2, 3/3, and 5/5 Agenda Number:

3-62

WAY A A GARDNER DATE

ORDINANCE NO. 824.14

2		0.10.11.1.0.1.1.1.1.1.1.1.1.1.1.1.1.1.1					
3	AN ORDINANCE OF THE COUNTY OF RIVERSIDE						
4	AMENDING ORDINANCE NO. 824 AUTHORIZING PARTICIPATION						
5	IN THE WESTERN RIVERSIDE COUNTY						
6	TRANS	PORTATION UNIFORM MITIGATION FEE PROGRAM					
7							
8	The Board of	f Supervisors of the County of Riverside ordains as follows:					
9	Section 1.	A new subsection g. is added to Section 5. of Ordinance No. 824 to read as					
10	follows:						
11	"g.	Disabled Veteran. Any veteran who is retired or is in the process of					
12		medical retirement from military service, who is or was severely injured in					
13		a theatre of combat operations, and has or received a letter of eligibility for					
14		the Veterans Administration Specially Adapted Housing (SAH) Grant					
15		Program."					
16	Section 2.	Existing subsections g., h., i., j., and k. of Section 5. of Ordinance 824 are					
17	relettered subsections h., i.,	j., k., and l. respectively.					
18	Section 3.	A new subsection m. is added to Section 5. of Ordinance No. 824 to read as					
19	follows:						
20	"m.	Non-Profit Organization. An organization operated exclusively for exempt					
21		purposes set forth in section 501(c)(3) of the Internal Revenue Code, and					
22		none of its earnings may inure to any private shareholder or individual. In					
23		addition, it may not be an action organization, (i.e., it may not attempt to					
24		influence legislation as a substantial part of its activities and it may not					
25		participate in any campaign activity for or against political candidates). For					
26		the purposes of the TUMF Program, the non-profit must be a 501(c)(3)					
27		charitable organization as defined by the Internal Revenue Service."					
28							

1	Section 4.	Existing subsections l., m., n., o., p., q., r., s., and t. of Section 5.
2	Ordinance No. 824 are relet	tered subsections n., o., p., q., r., s., t., u., and v. respectively.
3	Section 5.	A new subsection k. is added to Section 8. of Ordinance No. 824 to read
4	follows:	
5	"k.	New single family homes, constructed by Non-Profit Organizations,
6		specially adapted and designed for maximum freedom of movement and
7		independent living for qualified Disabled Veterans."
8	Section 6.	This ordinance shall take effect thirty (30) days after its adoption.
9 10		BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
11		Den
12		By:Chairman
13	ATTEST: Kecia Harper-Ihe	em ·
14 15	CLERK OF THE BOARD:	
16	Dya	
17	By:	
18 19	(SEAL)	
20		
21	APPROVED AS TO FORM	Л
22	June_5_, 2014	
23	0 0	·
24	By: Well A Hand	
25	Dale Gardner Deputy County Couns	el
26		
27	DAG:mdk 06/05/14 G:\PROPERTY\MDUSEK\DAG\OF	RDINANCE 824 14 DV EXEMPT (6).DOC

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