

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9.9

9:30 a.m. being the time set for public hearing on the Adoption of Ordinance 824.13, an Ordinance of the County of Riverside amending Ordinance 824 Ending the Temporary Fee Reduction for the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program and Reinstating the full TUMF, 1st/1st, 2nd/2nd, 3rd/3rd, 5th/5th District, the chairman called the matter for hearing.

The chairman closed the public hearing.

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED the reading being waived, that an Ordinance bearing the following title, is adopted.

ORDINANCE 824.13

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

Roll Call:

Ayes: Buster, Tavaglione, Benoit and Ashley
Nays: None
Absent: Stone

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on July 17, 2012 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: July 17, 2012
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: [Signature] Deputy

AGENDA NO.
9.9

xc: Transp., MC, COB

1 “a. Temporary Fee Schedule – Applicable Until December 31, 2012:

- 2 1) \$4,437.00 per single-family residential unit
3 2) \$3,115.00 per multi-family residential unit
4 3) \$ 0.86 per square foot of an industrial project
5 4) \$ 5.24 per square foot of a retail commercial project
6 5) \$ 2.10 per square foot of a service commercial project
7 6) \$ 1.10 per square foot of a service Class A and B Office

8 Temporary Fee Schedule – January 1, 2013 to January 31, 2013:

- 9 1) \$5,633.00 per single-family residential unit
10 2) \$3,955.00 per multi-family residential unit
11 3) \$ 1.10 per square foot of an industrial project
12 4) \$ 6.66 per square foot of a retail commercial project
13 5) \$ 2.66 per square foot of a service commercial project
14 6) \$ 1.37 per square foot of a service Class A and B Office

15 Temporary Fee Schedule – February 1, 2013 to February 28, 2013:

- 16 1) \$6,766.00 per single-family residential unit
17 2) \$4,751.00 per multi-family residential unit
18 3) \$ 1.32 per square foot of an industrial project
19 4) \$ 8.00 per square foot of a retail commercial project
20 5) \$ 3.20 per square foot of a service commercial project
21 6) \$ 1.64 per square foot of a service Class A and B Office

22 Temporary Fee Schedule – March 1, 2013 to March 31, 2013:

- 23 1) \$7,900.00 per single-family residential unit
24 2) \$5,547.00 per multi-family residential unit
25 3) \$ 1.54 per square foot of an industrial project
26 4) \$ 9.34 per square foot of a retail commercial project
27 5) \$ 3.73 per square foot of a service commercial project
28 6) \$ 1.92 per square foot of a service Class A and B Office

1 The TUMF Schedule from April 1, 2013 and forward shall be that
2 Schedule set forth in Section 6 of Ordinance 824.”

3 Section 5. Subparagraph d. of Section 7. of Ordinance No. 824 is amended to read as
4 follows:

5 “d. Backfill Obligation. For any fees not collected as a result of the temporary
6 reduction authorized by this Section 7., the Board of Supervisors understands that
7 it will have an obligation to backfill uncollected TUMF revenue based on the
8 50% fee reduction through recommended specific, effective cost savings and
9 repayment methods as determined by WRCOG in coordination with the
10 individual Zone Committees. This action in no manner relieves the Board of
11 Supervisors of any past program funding backfill obligations previously required
12 before this action or any future obligations resulting from any fee reduction not
13 authorized under this Section 7., in which case the policies and procedures
14 included in the WRCOG Administrative Plan or otherwise adopted by WRCOG
15 regarding the remittance of TUMF shall apply. No new or amended credit or
16 reimbursement agreement(s) may be entered into between January 1, 2013 and
17 April 1, 2013 by the Board of Supervisors without prior written approval from
18 WRCOG. Any new or amended credit or reimbursement agreement(s) entered
19 into between January 1, 2013 and April 1, 2013 without prior written approval
20 from WRCOG will not be honored. The Board of Supervisors will make
21 monthly reports to WRCOG of the outstanding amount of uncollected TUMF
22 revenue resulting from the 50% temporary fee reduction from its effective date.”

23 Section 6. This ordinance shall take effect sixty (60) days after its adoption.
24

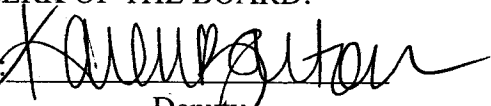
25 BOARD OF SUPERVISORS OF THE COUNTY
26 OF RIVERSIDE, STATE OF CALIFORNIA

27 By: 
28

Chairman

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ATTEST:
CLERK OF THE BOARD:

By 
Deputy

(SEAL)

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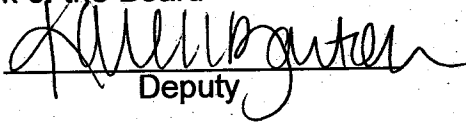
STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on July 17, 2012, the foregoing ordinance consisting of 6 Sections was adopted by the following vote:

AYES: Buster, Tavaglione, Benoit and Ashley
NAYS: None
ABSENT: Stone

DATE: July 17, 2012

KECIA HARPER-IHEM
Clerk of the Board

BY: 
Deputy

SEAL

301



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

FROM: TLMA - Transportation Department

SUBMITTAL DATE:
June 14, 2012

SUBJECT: Ordinance No. 824.13, Ending the Temporary Fee Reduction for the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program and Reinstating the full TUMF

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce Ordinance No. 824.13, schedule a public hearing for July 17 2012, have the Clerk of the Board give notice of the public hearing pursuant to Government Code Section 6062a, and at the conclusion of the public hearing adopt the ordinance amendment, ending the temporary fee reduction for the Western Riverside County TUMF Program and phase-in the full TUMF; and
2. Find the adoption of Ordinance No. 824.13 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty there is no

Juan C. Perez
Director of Transportation and Land Management

JCP:gh
(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
There are no General Funds used in this project.	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, July 17, 2012, at 9:30 a.m.

Ayes: Buster, Stone and Ashley
Nays: None
Absent: Tavaglione and Benoit
Date: June 26, 2012
xc: Transp., CQB

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

Prev. Agn. Ref.	12/14/10 3.70 1/11/ 3.81 2/8/11 3.42 11/15/11 3.15	District:	1/1,2/2,3/3,5/5
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Agenda Number: 3.54

FORM APPROVED COUNTY COUNSEL
 BY: Dale A. Gardner 6/14/12
 Departmental Concurrence

Dep't Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

The Honorable Board of Supervisors

RE: Ordinance No. 824.13, Ending the Temporary Fee Reduction for the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program and Reinstating the full TUMF
June 14, 2012

Page 2 of 2

possibility the ordinance may have a significant effect on the environment.

BACKGROUND: Ordinance No. 824.13 is an amendment that would end the temporary 50% reduction in Transportation Uniform Mitigation Fee (TUMF) on December 31, 2012, and to phase-in the full TUMF over a three-month period, beginning January 1, 2013, so that the TUMF will resume at 100% on April 1, 2013.

On April 2, 2012 the Western Riverside Council of Governments (WRCOG) Executive Committee took action to definitively end the temporary 50% reduction in Transportation Uniform Mitigation Fee (TUMF) and to phase-in the full TUMF over a three-month period, beginning January 1, 2013, so that the full TUMF will resume on April 1, 2013. This action also allowed the jurisdictions that choose to add the three-month phase in period to exceed the previously established \$20 million uncollected revenue cap.

The information gathered by WRCOG indicates that the amount of additional funds that would have been collected, had the 50% reduction not been adopted, is estimated to be roughly \$18.8 million through March 2012 for the entire Western County area and is expected to exceed \$20 million before December 31, 2012. It is unknown if this is truly lost revenue, or if some development projects would not have moved forward without the fee reduction, thereby creating even less revenue for the program. The County understands it will need to demonstrate that any loss of fees that would have been collected will be made up through recommended specific, effective costs savings, repayment methods or alternative funding sources. A reduction in project costs and cost saving measures is the County's preferred choice. The \$20 plus million is a small percentage of the overall TUMF Program, which is expected to generate over \$3.7 billion over the next 25 years. Over \$547 million has been collected since the inception of the program in February 2003.

Temporary fee reductions, while they serve as an important economic stimulus mechanism, must be balanced with limiting such reductions for a restricted time period so as to not jeopardize the applicability of the Nexus Study, the integrity of the TUMF Program, and the ability to deliver currently programmed and future planned projects.

County Counsel has approved as to form.

MEMORANDUM

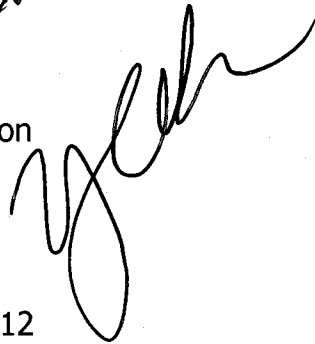
To: ~~Dale Gardner~~
County Counsel

From: Yvette Clark-Transportation
Secretary II

Date: ~~June 12, 2012~~
6/13/12

Subject: Form 11- Ordinance 824.12

*Tina Granole
Executive Office*



Please find attached the following Form-11 ~~for your review and approval to legal form.~~

1) Ordinance No. 824.13, Ending the Temporary Fee Reduction for the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program and Reinstating the full TUMF

This is due to the Executive Office by noon on June 14th for the June 26th Board date after approval of the June 19th agenda item. **Please call me at x56740 when the package is ready for pick-up or if there are any issues.**

Your assistance is always appreciated.

Attachments

→ initiation of Amendment to Ord. 824.13



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 28, 2012

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 824.13

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **TWO (2) TIMES** on **Wednesdays: July 4 and 11, 2012.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: mtinajero@pe.com on behalf of Master, PEC Legals <legalsmaster@pe.com>
Sent: Thursday, June 28, 2012 8:17 AM
To: Gil, Cecilia
Subject: Re: [Legals] FOR PUBLICATION: Ord. No. 824.13

Received for publication on July 4 and July 11. Proof with cost to follow.

On Wed, Jun 27, 2012 at 5:01 PM, Gil, Cecilia <CCGIL@rcbos.org> wrote:

For publication on 2 Wednesdays: July 4 and 11, 2012. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
[951-955-8464](tel:951-955-8464)

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KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 28, 2012

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 824.13

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **TWO (2) TIMES** on **Wednesdays: July 4 and 11, 2012.**

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Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Wednesday, June 27, 2012 5:29 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Ord. No. 824.13

Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator

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From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Wednesday, June 27, 2012 5:01 PM
To: tds-legals
Subject: FOR PUBLICATION: Ord. No. 824.13

For publication on 2 Wednesdays: July 4 and 11, 2012. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, July 17, 2012 at 9:30 a.m.** to consider adoption of the following ordinance:

ORDINANCE NO. 824.13
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 l. is added to Section 2. of Ordinance No. 824 to read as follows:

"l. On April 2, 2012 the WRCOG Executive Committee took action to end the 50% reduction in TUMF on December 31, 2012 and to increase the TUMF in phases over a three month period, beginning January 1, 2013, so that the TUMF will be imposed at one hundred (100%) on April 1, 2013."

Section 2. A new subsection m. is added to Section 2. of Ordinance No. 824 to read as follows:

"m. The Board of Supervisors of the County desires to amend Ordinance No. 824 in order to reflect the end of the 50% reduction in TUMF and the three-month period in which TUMF will be increased to one hundred percent (100%)."

Section 3. A new subsection n. is added to Section 2. of Ordinance No. 824 to read as follows:

"n. The levying of TUMF has been reviewed by the County and staff in accordance with the California Environmental Quality Act ("CEQA") and the CEQA Guidelines and it has been determined that the adoption of this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines."

Section 4. Subparagraph a. of Section 7. of Ordinance No. 824 is amended to read as follows:

"a. Temporary Fee Schedule – Applicable Until December 31, 2012:

- 1) \$4,437.00 per single-family residential unit
- 2) \$3,115.00 per multi-family residential unit
- 3) \$ 0.86 per square foot of an industrial project
- 4) \$ 5.24 per square foot of a retail commercial project
- 5) \$ 2.10 per square foot of a service commercial project
- 6) \$ 1.10 per square foot of a service Class A and B Office

Temporary Fee Schedule – January 1, 2013 to January 31, 2013:

- 1) \$5,633.00 per single-family residential unit
- 2) \$3,955.00 per multi-family residential unit
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- 4) \$ 6.66 per square foot of a retail commercial project
- 5) \$ 2.66 per square foot of a service commercial project
- 6) \$ 1.37 per square foot of a service Class A and B Office

Temporary Fee Schedule – February 1, 2013 to February 28, 2013:

- 1) \$6,766.00 per single-family residential unit
- 2) \$4,751.00 per multi-family residential unit
- 3) \$ 1.32 per square foot of an industrial project
- 4) \$ 8.00 per square foot of a retail commercial project

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Temporary Fee Schedule – March 1, 2013 to March 31, 2013:

- 1) \$7,900.00 per single-family residential unit
- 2) \$5,547.00 per multi-family residential unit
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- 5) \$ 3.73 per square foot of a service commercial project
- 6) \$ 1.92 per square foot of a service Class A and B Office

The TUMF Schedule from April 1, 2013 and forward shall be that Schedule set forth in Section 6 of Ordinance 824.”

Section 5. Subparagraph d. of Section 7. of Ordinance No. 824 is amended to read

as follows:

“d. Backfill Obligation. For any fees not collected as a result of the temporary reduction authorized by this Section 7, the Board of Supervisors understands that it will have an obligation to backfill uncollected TUMF revenue based on the 50% fee reduction through recommended specific, effective cost savings and repayment methods as determined by WRCOG in coordination with the individual Zone Committees. This action in no manner relieves the Board of Supervisors of any past program funding backfill obligations previously required before this action or any future obligations resulting from any fee reduction not authorized under this Section 7., in which case the policies and procedures included in the WRCOG Administrative Plan or otherwise adopted by WRCOG regarding the remittance of TUMF shall apply. No new or amended credit or reimbursement agreement(s) may be entered into between January 1, 2013 and April 1, 2013 by the Board of Supervisors without prior written approval from WRCOG. Any new or amended credit or reimbursement agreement(s) entered into between January 1, 2013 and April 1, 2013 without prior written approval from WRCOG will not be honored. The Board of Supervisors will make monthly reports to WRCOG of the outstanding amount of uncollected TUMF revenue resulting from the 50% temporary fee reduction from its effective date.”

Section 6. This ordinance shall take effect sixty (60) days after its adoption.

Dated: June 28, 2012

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

July 19, 2012

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 824.13

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, July 22, 2012**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

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

ORDINANCE NO. 824.13
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The TUMF Schedule from April 1, 2013 and forward shall be that Schedule set forth in Section 6 of Ordinance 824.

Section 5. Subparagraph d. of Section 7. of Ordinance No. 824 is amended to read as follows:

d. Backfill Obligation. For any fees not collected as a result of the temporary reduction authorized by this Section 7., the Board of Supervisors understands that it will have an obligation to backfill uncollected TUMF revenue based on the 50% fee reduction through recommended specific, effective cost savings and repayment methods as determined by WRCOG in coordination with the Individual Zone Committees. This action in no manner relieves the Board of Supervisors of any past program funding backfill obligations previously required before this action or any future obligations resulting from any fee reduction not authorized under this Section 7., in which case the policies and procedures included in the WRCOG Administrative Plan or otherwise adopted by WRCOG regarding the remittance of TUMF shall apply. No new or amended credit or reimbursement agreement(s) may be entered into between January 1, 2013 and April 1, 2013 by the Board of Supervisors without prior written approval from WRCOG. Any new or amended credit or reimbursement agreement(s) entered into between January 1, 2013 and April 1, 2013 without prior written approval from WRCOG will not be honored. The Board of Supervisors will make monthly reports to WRCOG of the outstanding amount of uncollected TUMF revenue resulting from the 50% temporary fee reduction from its effective date.

Section 6. This ordinance shall take effect sixty (60) days after its adoption.

John Tavaglione, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on July 17, 2012, the foregoing Ordinance consisting of six (6) sections was adopted by said Board by the following vote:

AYES: Buster, Tavaglione, Benoit and Ashley
NAYS: None
ABSENT: Stone

Cecilia Harper-Jhem, Clerk of the Board
By: Cecilia Gil, Board Assistant

T/22



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS

1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147

PHONE: (951) 955-1060

FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

July 19, 2012

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 824.13

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, July 22, 2012**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Thursday, July 19, 2012 8:50 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Adoption of Ordinance No. 824.13

Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator

The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
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From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Thursday, July 19, 2012 8:06 AM
To: tds-legals
Subject: FOR PUBLICATION: Adoption of Ordinance No. 824.13

From: Gil, Cecilia
Sent: Thursday, July 19, 2012 8:05 AM
To: legals@pe.com
Subject: FOR PUBLICATION: Adoption of Ordinance No. 824.13

One more...Adoption of Ordinance, for publication on Sunday, July 22, 2012. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

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

ORDINANCE NO. 824.13
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 l. is added to Section 2. of Ordinance No. 824 to read as follows:

"l. On April 2, 2012 the WRCOG Executive Committee took action to end the 50% reduction in TUMF on December 31, 2012 and to increase the TUMF in phases over a three month period, beginning January 1, 2013, so that the TUMF will be imposed at one hundred (100%) on April 1, 2013."

Section 2. A new subsection m. is added to Section 2. of Ordinance No. 824 to read as follows:

"m. The Board of Supervisors of the County desires to amend Ordinance No. 824 in order to reflect the end of the 50% reduction in TUMF and the three-month period in which TUMF will be increased to one hundred percent (100%)."

Section 3. A new subsection n. is added to Section 2. of Ordinance No. 824 to read as follows:

"n. The levying of TUMF has been reviewed by the County and staff in accordance with the California Environmental Quality Act ("CEQA") and the CEQA Guidelines and it has been determined that the adoption of this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines."

Section 4. Subparagraph a. of Section 7. of Ordinance No. 824 is amended to read as follows:

- "a. Temporary Fee Schedule – Applicable Until December 31, 2012:
- 1) \$4,437.00 per single-family residential unit
 - 2) \$3,115.00 per multi-family residential unit
 - 3) \$ 0.86 per square foot of an industrial project
 - 4) \$ 5.24 per square foot of a retail commercial project
 - 5) \$ 2.10 per square foot of a service commercial project
 - 6) \$ 1.10 per square foot of a service Class A and B Office
- Temporary Fee Schedule – January 1, 2013 to January 31, 2013:
- 1) \$5,633.00 per single-family residential unit
 - 2) \$3,955.00 per multi-family residential unit
 - 3) \$ 1.10 per square foot of an industrial project
 - 4) \$ 6.66 per square foot of a retail commercial project
 - 5) \$ 2.66 per square foot of a service commercial project
 - 6) \$ 1.37 per square foot of a service Class A and B Office
- Temporary Fee Schedule – February 1, 2013 to February 28, 2013:
- 1) \$6,766.00 per single-family residential unit
 - 2) \$4,751.00 per multi-family residential unit
 - 3) \$ 1.32 per square foot of an industrial project
 - 4) \$ 8.00 per square foot of a retail commercial project
 - 5) \$ 3.20 per square foot of a service commercial project
 - 6) \$ 1.64 per square foot of a service Class A and B Office

Temporary Fee Schedule – March 1, 2013 to March 31, 2013:

- 1) \$7,900.00 per single-family residential unit
- 2) \$5,547.00 per multi-family residential unit
- 3) \$ 1.54 per square foot of an industrial project
- 4) \$ 9.34 per square foot of a retail commercial project
- 5) \$ 3.73 per square foot of a service commercial project
- 6) \$ 1.92 per square foot of a service Class A and B Office

The TUMF Schedule from April 1, 2013 and forward shall be that Schedule set forth in Section 6 of Ordinance 824.”

Section 5. Subparagraph d. of Section 7. of Ordinance No. 824 is amended to read as follows:

- “d. **Backfill Obligation.** For any fees not collected as a result of the temporary reduction authorized by this Section 7., the Board of Supervisors understands that it will have an obligation to backfill uncollected TUMF revenue based on the 50% fee reduction through recommended specific; effective cost savings and repayment methods as determined by WRCOG in coordination with the individual Zone Committees. This action in no manner relieves the Board of Supervisors of any past program funding backfill obligations previously required before this action or any future obligations resulting from any fee reduction not authorized under this Section 7., in which case the policies and procedures included in the WRCOG Administrative Plan or otherwise adopted by WRCOG regarding the remittance of TUMF shall apply. No new or amended credit or reimbursement agreement(s) may be entered into between January 1, 2013 and April 1, 2013 by the Board of Supervisors without prior written approval from WRCOG. Any new or amended credit or reimbursement agreement(s) entered into between January 1, 2013 and April 1, 2013 without prior written approval from WRCOG will not be honored. The Board of Supervisors will make monthly reports to WRCOG of the outstanding amount of uncollected TUMF revenue resulting from the 50% temporary fee reduction from its effective date.”

Section 6. This ordinance shall take effect sixty (60) days after its adoption.

John Tavaglione, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **July 17, 2012**, the foregoing Ordinance consisting of six (6) sections was adopted by said Board by the following vote:

AYES: Buster, Tavaglione, Benoit and Ashley
NAYS: None
ABSENT: Stone

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant