

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



3.24

On motion of Supervisor Tavaglione, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED the reading being waived, that an ordinance bearing the following title, is adopted:

ORDINANCE NO. 659.11

AN ORDINANCE OF THE COUNTY OF RIVERSIDE, AMENDING ORDINANCE NO. 659 ESTABLISHING A DEVELOPMENT IMPACT FEE PROGRAM

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on October 2, 2012 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: October 2, 2012
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.
3.24

xc: TLMA, MC, COB

ORDINANCE NO. 659.11

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 659

ESTABLISHING A DEVELOPMENT IMPACT FEE PROGRAM

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

Section 1. Section 15. of Ordinance No. 659 is amended to read as follows:

“Section 15. TEMPORARY REDUCTION OF FEES. Pursuant to the fee adjustment authority set forth in Section 14. of this ordinance and notwithstanding Section 7. or any other provision of this ordinance, the DIF amounts in effect on the effective date of Ordinance No. 659.11 shall be temporarily reduced by fifty percent (50%) for the period commencing on the effective date of Ordinance No. 659.11 and ending on the effective date of Ordinance No. 659.12 or June 30, 2013, whichever occurs sooner.

a. Application. The temporary fee reduction described in this section shall not apply to or affect fees owed under any development agreement or other contractual arrangement in effect on or before the effective date of Ordinance No. 659.11. If reduced fees are paid at the time application is made for a building permit and either the application or the building permit issued on the application expires, subsequent building permit applications on the same parcel shall be subject to the full DIF amount, unless the temporary fee reduction is still in effect at the time of the subsequent application.

b. Effect. No provision of this section shall entitle any person who has already paid Development Impact Fees to receive a refund, credit or reimbursement of such payment. This ordinance does not create any

1 new Development Impact Fees or increase the amount of any existing
2 Development Impact Fees. This ordinance only effects a temporary
3 change in the County's existing Development Impact Fees.

4 c. Expiration. As of the effective date of Ordinance 659.12 or June 30,
5 2013 whichever occurs sooner, this section is repealed without further
6 action by the Board of Supervisors, unless the Board of Supervisors
7 repeals or modifies this section prior to that date. The repeal of this
8 section shall not affect the validity of actions taken or Development
9 Impact Fees paid under the authority of this section.”
10

11 Section 2. This ordinance shall take effect thirty (30) days after its adoption.

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

14 By: 

15 Chairman
16 John Tavaglione

17 ATTEST:

18 Kecia Harper-Ihem
19 CLERK OF THE BOARD:

20 By: 

21 Deputy

22 (SEAL)

23 APPROVED AS TO FORM:
24 September 17, 2012

25 By: 

26 Deputy County Counsel

27 **SYNTHIA M. GUNZEL**

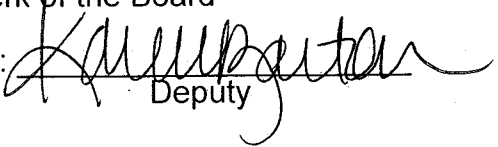
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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on October 2, 2012, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

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

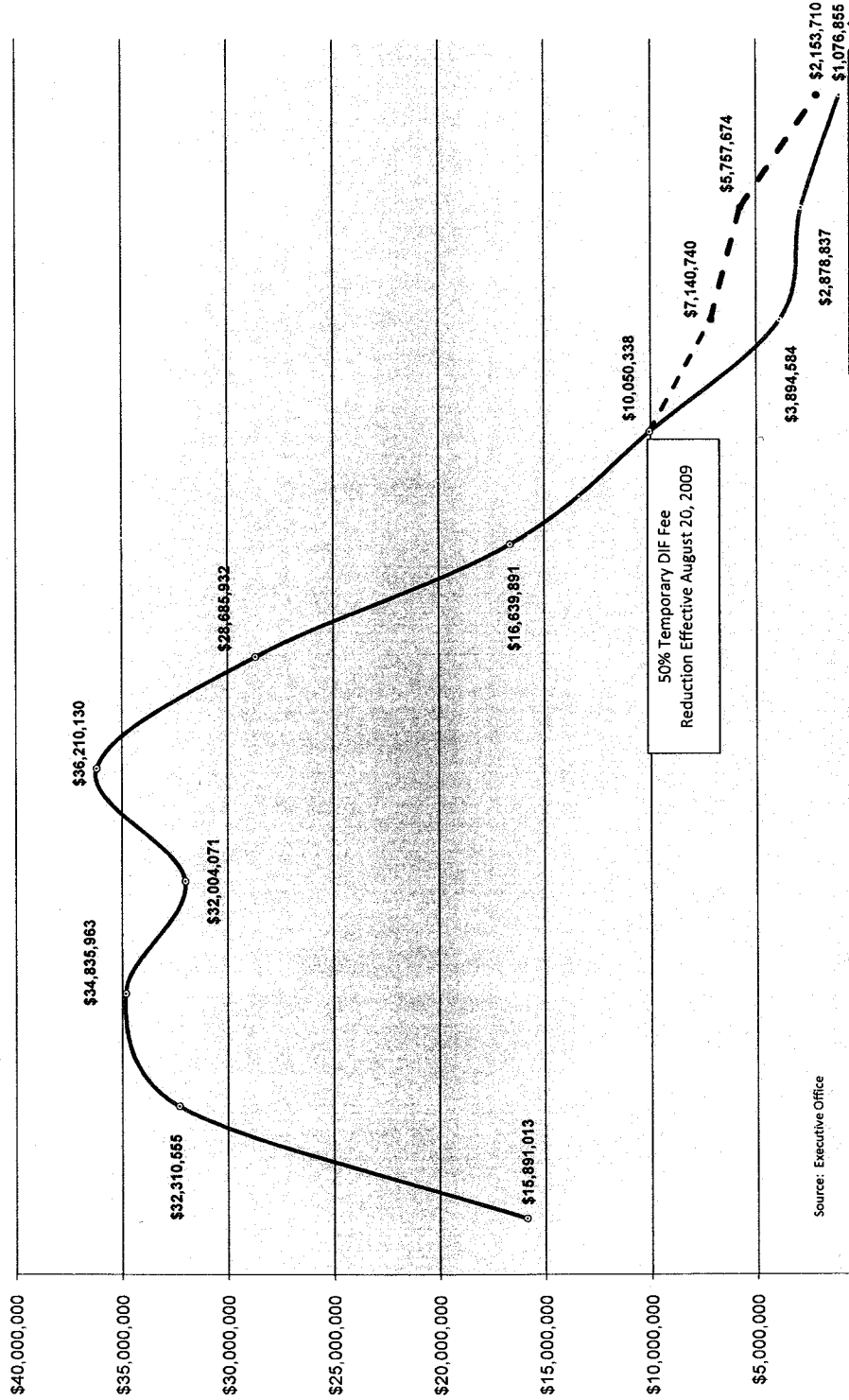
DATE: October 2, 2012

KECIA HARPER-IHEM
Clerk of the Board
BY: 
Deputy

SEAL

Attachment A

County of Riverside DIF Revenues from New Development \$221.7 M Over 11 Years

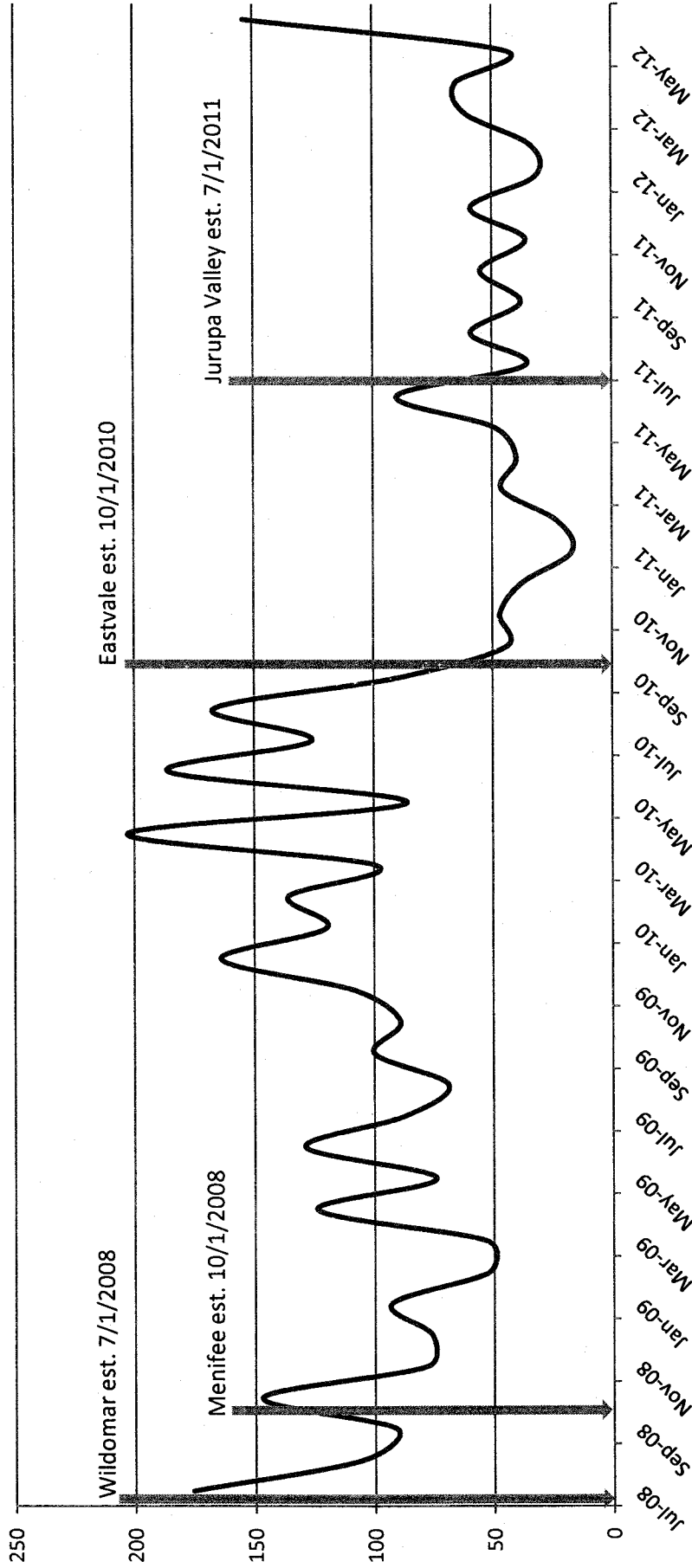


	FY 01-02	FY 02-03	FY 03-04	FY 04-05	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
DIF Revenues (100% DIF Fee)	\$15,891,013	\$32,310,555	\$34,835,963	\$32,004,071	\$36,210,130	\$28,685,932	\$16,639,891	\$10,050,338	\$7,140,740	\$5,757,674	\$2,153,710
Actual DIF Revenues	\$15,891,013	\$32,310,555	\$34,835,963	\$32,004,071	\$36,210,130	\$28,685,932	\$16,639,891	\$10,050,338	\$3,894,584	\$2,878,837	\$1,076,855

FY 11-12 Loss of DIF Program Revenue

Attachment B

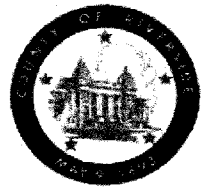
Single Family Dwelling Permit Trends During FY 08/09 to FY 11/12



FY 08/09	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09
	176	105	91	147	78	76	93	52	53	124	74	129
FY 09/10	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	Jan-10	Feb-10	Mar-10	Apr-10	May-10	Jun-10
	87	69	100	89	108	164	120	136	99	203	86	186
FY 10/11	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11
	126	167	89	44	47	38	17	23	46	40	49	90
FY 11/12	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12
	36	59	38	55	36	59	32	34	61	65	44	154

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

184



FROM: Transportation and Land Management Agency (TLMA)

SUBMITTAL DATE:
September 12, 2012

SUBJECT: Ordinance No. 659.11 Amending Ordinance No. 659, Establishing a Development Impact Fee Program to extend the Temporary Reduction of Development Impact Fees (DIF)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Waive the Board Policy No. A-67 requirement to obtain an order to initiate an ordinance amendment for Ordinance 659.11; and
2. Introduce and adopt, on successive weeks, Ordinance No. 659.11, an Ordinance of the County of Riverside Amending Ordinance No. 659; and
3. Find the adoption of Ordinance No. 659.11 is exempt from 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; and
4. Direct the Clerk of the Board to file a Notice of Exemption with the County Clerk for posting.

(Continued on attached page)

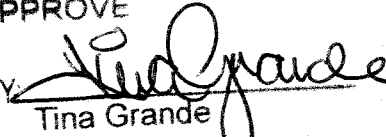

 Juan C. Perez
 Director, Transportation and Land Management Agency

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	12/13

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

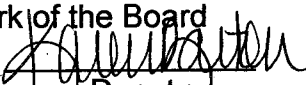
BY: 
 Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of reading.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: September 25, 2012
 xc: TLMA, COB

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

Prev. Agn. Ref.: 3.85-6/30/09;
3.80-7/14/09; 3.11 - 7/21/09; 3.85 - 7/27/10;
3.64 - 8/10/10; 3.84 - 7/26/11; 3.83 9/13/11

District: All

Agenda Number:

FORM APPROVED COUNTY COUNSEL
 BY:  9-17-12
 DATE: 9-17-12
 SYNTHIA M. GUNZEL
 Departmental Concurrence

Department Recommendation: Consent Policy
 Per Executive Office: Consent Policy

The Honorable Board of Supervisors

RE: Ordinance No. 659.11 Amending Ordinance No. 659, Establishing a Development Impact Fee Program to extend the Temporary Reduction of Development Impact Fees (DIF)

DATE: September 12, 2012

PAGE 2 of 2

BACKGROUND:

On August 2009, the Board approved a temporary 50% reduction to the County's Development Impact Fee (DIF) Program in an effort to stimulate the local economy. On August 16, 2011, the Board of Supervisors approved an extension of the fifty (50%) temporary reduction of DIF fees imposed by Ordinance 659.10 that commenced on September 13, 2011 and is scheduled to end on October 13, 2012.

The Executive Office is working on a comprehensive update of the DIF Ordinance ("DIF Update"), which will be introduced to the Board in the next few months. This process will include further discussions with the development community and other stakeholders.

TLMA is recommending an extension of the temporary fifty percent (50%) reduction through June 30, 2013, or upon the effective date of Ordinance 659.12 (the DIF update), whichever occurs sooner. The potential additional extension would allow for current rates to remain unchanged (other than a lapse of a couple of weeks until this amended ordinance takes effect) until introduction of the update to the DIF program in the coming months. Continuing the reduction until the implementation of the new DIF fees would continue to encourage growth, aid customers in completing already budgeted projects and smooth the implementation process for staff.

Since inception, the temporary DIF reduction has resulted in an estimated potential revenue loss of approximately \$7,850,000 (Attachment A), assuming that all projects that developed would have continued to do so at the full fee, which is unknown. Continuing the fifty percent (50%) reduction for several months would not be expected to affect this number significantly due to the continued slow-down in the development industry.

TLMA has continued to monitor building permit trends: the numbers show a 14% decrease in the number of single family housing permits issued in FY 11/12, as compared to the same time period in FY 10/11. (Attachment B)

The adoption of Ordinance No. 659.11 is exempt from 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. There is no specific development project connected with this ordinance amendment and it does not commit the County to any development. Accordingly, the County's approval of the amendment does not create a reasonably foreseeable physical change.

The ordinance has been approved as to form by County Counsel.

The Honorable Board of Supervisors

RE: Ordinance No. 659.11 Amending Ordinance No. 659, Establishing a Development Impact Fee Program to extend the Temporary Reduction of Development Impact Fees (DIF)

DATE: September 12, 2012

PAGE 2 of 2

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Since inception, the temporary DIF reduction has resulted in an estimated potential revenue loss of approximately \$7,850,000 (Attachment A), assuming that all projects that developed would have continued to do so at the full fee, which is unknown. Continuing the fifty percent (50%) reduction for several months would not be expected to affect this number significantly due to the continued slow-down in the development industry.

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The ordinance has been approved as to form by County Counsel.

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: GARRY GRANT

Address: 27068 JARVIS ST
(only if follow-up mail response requested)

City: PERRIS **zip:** 92570

Phone #: 951-657-9319

Date: OCT 2ND 2019 **Agenda #** 3124

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support **Oppose** **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.



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

October 3, 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. 659.11

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Saturday, October 6, 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: Wednesday, October 03, 2012 8:12 AM
To: Gil, Cecilia
Subject: Re: [Legals] FOR PUBLICATION: Adoption of Ord. No. 659.11

Received for publication on Oct. 6. Proof with cost to follow.

On Wed, Oct 3, 2012 at 8:05 AM, Gil, Cecilia <CCGIL@rcbos.org> wrote:

Hello. Attached is an Adoption of Ordinance, for publication on Saturday, Oct. 6, 2012. Please confirm. THANK YOU!

Cecilia Gil

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

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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

October 3, 2012

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

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

RE: ADOPTION OF ORDINANCE NO. 659.11

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Saturday, October 6, 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: Wednesday, October 03, 2012 8:46 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Adoption of Ordinance No. 659.11

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
t 760.778.4578 | f 760.778.4731
legals@thedesertsun.com / dpwlegals@thedesertsun.com

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This email and any files transmitted with it are confidential and intended for the individual to whom they are addressed. If you have received this email in error, please notify the sender and delete the message from your system

From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Wednesday, October 03, 2012 8:06 AM
To: tds-legals
Subject: FOR PUBLICATION: Adoption of Ordinance No. 659.11

Good morning! Attached is an Adoption of Ordinance, for publication on Saturday, Oct. 6, 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. 659.11

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE
NO. 659 ESTABLISHING A DEVELOPMENT IMPACT FEE PROGRAM**

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

Section 1. Section 15. of Ordinance No. 659 is amended to read as follows:

Section 15. TEMPORARY REDUCTION OF FEES. Pursuant to the fee adjustment authority set forth in Section 14. of this ordinance and notwithstanding Section 7. or any other provision of this ordinance, the DIF amounts in effect on the effective date of Ordinance No. 659.11 shall be temporarily reduced by fifty percent (50%) for the period commencing on the effective date of Ordinance No. 659.11 and ending on the effective date of Ordinance No. 659.12 or June 30, 2013, whichever occurs sooner.

- a. Application. The temporary fee reduction described in this section shall not apply to or affect fees owed under any development agreement or other contractual agreement in effect on or before the effective date of Ordinance No. 659.11. If reduced fees are paid at the time application is made for a building permit and either the application or the building permit issued on the application expires, subsequent building permit applications on the same parcel shall be subject to the full DIF amount, unless the temporary fee reduction is still in effect at the time of the subsequent application.
- b. Effect. No provision of this section shall entitle any person who has already paid Development Impact Fees to receive a refund, credit or reimbursement of such payment. This ordinance does not create any new Development Impact Fees or increase the amount of any existing Development Impact Fees. This ordinance only effects a temporary change in the County's existing Development Impact Fees.
- c. Expiration. As of the effective date of Ordinance 659.12 or June 30, 2013 whichever occurs sooner, this section is repealed without further action by the Board of Supervisors, unless the Board of Supervisors repeals or modifies this section prior to that date. The repeal of this section shall not affect the validity of actions taken or Development Impact Fees paid under the authority of this section."

Section 2. This ordinance shall take effect thirty (30) 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 **October 2, 2012**, the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

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

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

