

RESOLUTION NO. 4196

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AMENDING THE APPLICABLE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) APPLICABLE TO ALL DEVELOPMENTS IN THE CITY OF PERRIS

WHEREAS, the City of Perris (“City”) is a member agency of the Western Riverside Council of Governments (“WRCOG”), a joint powers agency comprised of the County of Riverside and fourteen cities located in Western Riverside County; and

WHEREAS, the member agencies of WRCOG recognized that there was insufficient funding to address the impacts of new development on the regional system of highways and arterials in Western Riverside County (the “Regional System”); and

WHEREAS, in order to address this shortfall, the member agencies formulated a plan whereby a transportation mitigation fee would be assessed on new development and would be used to fund the necessary improvements for the Regional System; and

WHEREAS, in furtherance of this plan, the WRCOG Executive Committee adopted the “Western Riverside County Transportation Uniform Fee Nexus Study”, dated October 18, 2002 (the “2002 Nexus Study”); and

WHEREAS, based on the 2002 Nexus Study, the City adopted Ordinance No. 1114 on April 8, 2003 pursuant to California Government Code sections 66000 *et seq.* authorizing the City to impose the Transportation Uniform Mitigation Fee (“TUMF”) upon new development; and

WHEREAS, on February 6, 2006, the WRCOG Executive Committee adopted the “Western Riverside Transportation Fee Nexus Study 2005 Update” (the “Nexus Study”) which served as a basis for the City Council to adopt an amended TUMF Ordinance on April 25, 2006; and

WHEREAS, Section 4.C. of the TUMF Ordinance authorizes periodic review and adjustment to the applicable TUMF in accordance with any adjustments made by the WRCOG Executive Committee; and

WHEREAS, on February 2, 2009, the WRCOG Executive Committee recommended that member agencies adjust their applicable TUMF to reflect decreases in the construction cost index as a result of the current economic climate; and

WHEREAS, the fees collected pursuant to this Resolution shall be used to finance the public facilities described or identified in the Nexus Study; and

WHEREAS, the levying of TUMF has been reviewed by the City Council 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.

NOW, THEREFORE, the City Council of the City of Perris does resolve as follows:

SECTION 1. Findings. The recitals set forth above are hereby adopted as findings in support of this Resolution. In addition, the City Council re-adopts the findings contained in Section 2 of Ordinance 1186 in support of the adjusted TUMF contained herein.

SECTION 2. TUMF Fee Schedule. In accordance with Section 4.C. of the TUMF Ordinance, there is hereby adopted the following fee schedule for the TUMF which replaces the fee schedule set forth in Section 2 of Resolution No. 4132 in its entirety:

- (1) \$9,812.00 per single family residential unit
- (2) \$6,890.00 per multi-family residential unit
- (3) \$1.84 per square foot of an industrial project
- (4) \$9.99 per square foot of a retail commercial project
- (5) \$5.71 per square foot of a service commercial project
- (6) \$2.19 per square foot of a service Class A and B Office

SECTION 3. CEQA Findings. The City Council hereby finds that in accordance with the California Environmental Quality Act ("CEQA") and the CEQA Guidelines the adoption of this Resolution is exempt from CEQA pursuant to Section 15061(b)(3).

SECTION 4. Effective Date. This Resolution shall become effective immediately.

ADOPTED this 10th day of March, 2009.

By: _____
Mayor, Daryl R. Busch

ATTEST:

By: _____
City Clerk, Judy L. Haughney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Judy L. Haughney, duly elected CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 4196 was duly adopted by the Perris City Council at a regular meeting of said City Council on the 10th day of March 2009, and that it was so adopted by the following vote:

AYES:	COUNCILMEMBERS:	Yarbrough, Landers, Evans, Rogers, Busch
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

City Clerk, Judy L. Haughney