

**ORDINANCE NUMBER 1287**

**AN ORDINANCE OF THE CITY OF PERRIS AMENDING ORDINANCE NO. 1282 TO UPDATE ITS PARTICIPATION IN THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM**

**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 eighteen cities located in Western Riverside County; and

**WHEREAS**, on April 2, 2012, the WRCOG Executive Committee took action to end the 50% reduction in Transportation Uniform Mitigation Fee (“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 percent (100%) on April 1, 2013; and

**WHEREAS**, the City Council desires to amend Ordinance No. 1282 in order to reflect the end of the 50% reduction in TUMF and the three-month period in which TUMF will be increase to one hundred percent (100%); and

**WHEREAS**, the levying of TUMF has been reviewed by the City 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 hereby ordain as follows:***

SECTION 1. Findings. The recitals set forth above are hereby adopted as findings in support of this Ordinance.

SECTION 2. Amendment of Ordinance. Section 3 of Ordinance No. 1282 [“Temporary Fee Reduction Period”] is hereby replaced in its entirety and shall be amended to read as follows:

“Section 3. Temporary Fee Reduction Period

Notwithstanding Section 4A of Ordinance No. 1114 and the adopted TUMF schedule, the City Council may, by this ordinance, adopt a reduced TUMF schedule applicable only through December 31, 2012. The TUMF may be so reduced by fifty percent (50%) of fees established in the schedule adopted pursuant to Ordinance 1114. All other sections of Ordinance 1114 shall still be in effect during the temporary fee reduction period. After December 31, 2012, the City Council, through a separate resolution, shall adopt a TUMF schedule which will increase the TUMF in three equal monthly steps, beginning January 1, 2013 to one hundred percent (100%) on April 1, 2013. For any fees not collected as a result of the temporary reduction authorized by this Section 3, the City Council 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 City Council 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 3, 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 City 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 City Council 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 3. Effective Date. This Ordinance shall take effect immediately.

***MOVED AND PASSED upon this 12th day of June 2012.***

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Judy L. Haughney

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1287 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of June 2012, by the following called vote:

AYES: ROGERS, YARBROUGH, LANDERS, EVANS, BUSCH  
NOES:  
ABSENT:  
ABSTAIN:

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City Clerk, Judy L. Haughney