



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Remon Habib, City Engineer

Date: November 14, 2023

Subject: Introduction of an Ordinance Amending Section 16.83.060 of the Lake Elsinore Municipal Code Regarding the Transportation Uniform Mitigation Fee (TUMF) Program

Recommendation

Introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA AMENDING LAKE ELSINORE MUNICIPAL CODE SECTION 16.83.060 TO AUTHORIZE WRCOG TO CALCULATE AND COLLECT FEES UNDER THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM

Background

The City of Lake Elsinore is a Member Jurisdiction 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. Acting in concert, in 2002-2003, WRCOG member jurisdictions developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional Systems 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.

Discussion

Currently, staff calculates TUMF fees for all development projects. Applicable fees are due prior to issuance of a Certificate of Occupancy, but the developer may elect to pay as early as issuance of a building permit. Fees are remitted to WRCOG monthly, and building permits are audited on a yearly basis. Under the current process and as defined in the TUMF Administrative Plan, "Any balance in TUMF obligation due to incorrect development project information will be the responsibility of the participating jurisdiction."

WRCOG created a process in 2017 which allows for WRCOG staff to calculate applicable TUMF fees for all development projects as well as accept payment should the participating agency elect to do so and modify their respective ordinances accordingly. Converting the manner which TUMF fees are calculated and paid directly to WRCOG significantly reduces the risk of the City being responsible for any incorrect fee calculations. Under the proposed process and consistent with the TUMF Administrative Plan, “In the event a participating jurisdiction makes the election to have WRCOG calculate and collect TUMF, WRCOG shall take full responsibility for calculating the TUMF obligation, and any shortfall in the calculation shall not be the responsibility of the participating jurisdiction.”

Fiscal Impact

There is no fiscal impact.

Attachments

Attachment 1 – Ordinance

Attachment 2 – Notice of Public Hearing