



Western Riverside Council of Governments Public Works Committee

AGENDA

**Thursday, December 13, 2018
2:00 p.m.**

**Western Riverside Council of Governments
Citrus Tower
3390 University Avenue, Suite 450
Riverside, CA 92501**

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in the Public Works Committee meeting, please contact WRCOG at (951) 405-6703. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting. In compliance with the Government Code Section 54957.5, agenda materials distributed within 72 hours prior to the meeting, which are public records relating to an open session agenda items, will be available for inspection by members of the public prior to the meeting at 3390 University Avenue, Suite 450, Riverside, CA, 92501.

The Public Works Committee may take any action on any item listed on the agenda, regardless of the Requested Action.

- 1. CALL TO ORDER (Patty Romo, Chair)**
- 2. SELF INTRODUCTIONS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PUBLIC COMMENTS**

At this time members of the public can address the Public Works Committee regarding any items with the subject matter jurisdiction of the Committee that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Whenever possible, lengthy testimony should be presented to the Committee in writing and only pertinent points presented orally.

5. MINUTES

- A. Summary Minutes from the November 8, 2018, Public Works Committee Meeting are Available for Consideration.**

Requested Action: 1. *Approve the Summary Minutes from the November 8, 2018, Public Works Committee meeting.*

6. **CONSENT CALENDAR**

All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Committee, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Committee request specific items be removed from the Consent Calendar.

A. **WRCOG Committees and Agency Activities Update** **P. 5**

Requested Action: 1. *Receive and file.*

B. **TUMF Revenue and Expenditures Update** **P. 21**

Requested Action: 1. *Receive and file.*

7. **REPORTS / DISCUSSION**

A. **High-Cube Warehouse Trip Generation Study** **Daniel Ramirez-Cornejo, WRCOG** **P. 29**

Requested Action: 1. *Direct staff to adjust the High-Cube Warehouse component of the TUMF Calculation Handbook with the data from the Trip Generation Study.*

B. **TUMF Project Cost Analysis** **Daniel Ramirez-Cornejo, WRCOG** **P. 49**

Requested Action: 1. *Appoint 3 - 5 members of the Public Works Committee to evaluate project costs in the Nexus Study against recent projects.*

C. **TUMF Administrative Plan Revisions** **Christopher Gray, WRCOG** **P. 51**

Requested Action: 1. *Recommend that the Executive Committee approve the proposed revisions to the TUMF Administrative Plan.*

8. **REPORT FROM THE DIRECTOR OF TRANSPORTATION & PLANNING** **Christopher Gray**

9. **ITEMS FOR FUTURE AGENDAS** **Members**

Members are invited to suggest additional items to be brought forward for discussion at future Public Works Committee meetings.

10. **GENERAL ANNOUNCEMENTS** **Members**

Members are invited to announce items / activities which may be of general interest to the Public Works Committee.

11. **NEXT MEETING:** **The Public Works Committee meeting scheduled for January 7, 2019, is adjourned. The next Public Works Committee meeting will be held on Thursday, February 14, 2019, at 2:00 p.m., at WRCOG's office located at 3390 University Avenue, Suite 450, Riverside.**

12. ADJOURNMENT

Page Intentionally Left Blank

1. CALL TO ORDER

The meeting of the Public Works Committee was called to order at 2:05 p.m. by Chair Patty Romo at WRCOG's office, Citrus Conference Room.

2. ROLL CALL

Members present:

Art Vela, City of Banning
Lori Askew, City of Calimesa
Nelson Nelson, City of Corona
Craig Bradshaw, City of Eastvale and Wildomar
Mike Myers, City of Jurupa Valley
Remon Habib, City of Lake Elsinore
Carlos Geronimo, City of Menifee
Michael Wolfe, City of Moreno Valley
Bob Moehling, City of Murrieta
Brad Brophy, Cities of Perris and San Jacinto
Jeff Hart, City of Riverside
Amer Attar, City of Temecula
Patricia Romo, County of Riverside (Chair)
Jeffrey Smith, March Joint Powers Authority
Rohan Kuruppu, Riverside Transit Agency

Staff present:

Rick Bishop, Executive Director
Christopher Gray, Director of Transportation and Planning
Andrew Ruiz, Interim Chief Financial Officer
Christopher Tzeng, Program Manager
Daniel Ramirez-Cornejo, Program Manager
Andrea Howard, Program Manager
Jessica May, Staff Analyst
Suzy Nelson, Administrative Assistant
Darren Henderson, WRCOG Consultant

Guests present:

Glenn Higa, County of Riverside
Paul Rodriguez, Rodriguez Consulting Group
Alvin Medina, County of Riverside
Darin Johnson, Mark Thomas
Bob Morin, Civil Pros
Matt Moore, WSP

3. PLEDGE OF ALLEGIANCE

Chair Patty Romo led the members and guests in the pledge of allegiance.

4. PUBLIC COMMENTS

There were no public comments.

5. MINUTES (*Eastvale / Murrieta*) 17 yes; 0 no; 0 abstention. Item 5.A was approved. The Cities of Beaumont, Canyon Lake, Hemet, and Norco, and the Riverside County Transportation Commission were not present.

A. Summary Minutes from the October 11, 2018, Public Works Committee Meeting are Available for Consideration.

Action: 1. *Approved Summary Minutes from the October 11, 2018, Public Works Committee meeting.*

6. CONSENT CALENDAR

A. WRCOG Committees and Agency Activities Update

Action: 1. *Received and filed.*

B. TUMF Revenue and Expenditures Update

Action: 1. *Received and filed.*

(Banning / Murrieta) 17 yes; 0 no; 0 abstention. Item 6.A and 6.B were approved. The Cities of Beaumont, Canyon Lake, Hemet, and Norco, and the Riverside County Transportation Commission were not present.

7. REPORTS / DISCUSSION

A. Regional Climate Adaptation Toolkit Update – Infrastructure Guidebook

Christopher Gray provided an update on the Caltrans-funded Regional Climate Adaptation Toolkit for Transportation Infrastructure being developed in partnership with the San Bernardino County Transportation Commission (SBCTA). Mr. Gray introduced Matt Moore, project consultant from WSP, to provide an introduction on one component of the Toolkit, a Guidebook for resilient transportation infrastructure, labeled a “Green Streets Guidebook.”

Mr. Moore introduced several potential barriers to implementation of the Guidebook, including procedural barriers, diverse terrain, limited funding, and site design constraints. Mr. Moore solicited input from the Committee on what content would be useful, what format would be useful, and what specific challenges and solutions the Committee would like more information about.

Chair Patty Romo asked about the connection between storm water and climate change.

Aaron Pfannenstiel, a consultant to the project from PlaceWorks, emphasized that it is important to consider project lifetimes and the anticipated climate changes when designing projects and shared that the Riverside climate is anticipated to be similar to that of Barstow in the coming decades.

Several Committee members expressed concern that “green streets” does not appear to have a direct connection to the anticipated climate changes in the subregion; specifically, the climate of the subregion is anticipated to get warmer and drier.

Committee member Michael Wolfe requested that the Toolkit consider maintenance costs of proposed solutions and examine conflicting regulations.

Chair Romo added that it may be beneficial to provide recommendations for pavement and signage types that are resistant to heat.

Mr. Gray summarized the Committee discussion and suggested that the Toolkit provide information on maintenance costs, pavement types, street standards, and conflicting regulations based on the preceding ideas shared by the Committee.

Committee member Nelson Nelson suggested that it may also be important to consider how to design roads to accommodate utilities and other emerging technologies.

Committee member Mike Myers asked about the project timeline and requested periodic updates for the group to provide additional input.

Andrea Howard shared that the total project will be concluded by 2020 and ensured that the group will receive regular updates as deliverables are provided by the consultant team.

Chair Romo suggested that it may be beneficial to specifically consider TUMF facilities when determining which roadways may be particularly vulnerable to effects of changing climate, as this may turn into a way to further prioritize projects for funding.

Mr. Gray noted that this was a good suggestion and staff will look into such a study.

Action: 1. *Received and filed.*

B. Alternative Fuel Corridors Tool Roll-out Discussion

Christopher Gray reported that the Western Riverside County Clean Cities Coalition has developed an Alternative Fuel Corridors GIS Tool, which will be available to Coalition members, and encouraged member agencies that are not currently part of the Coalition to consider joining.

Christopher Tzeng shared a final version of the Alternative Fuel Corridors GIS Tool developed by WRCOG to assist member agencies with future planning efforts related to the siting of fueling stations for alternative fuel vehicles and other related tasks.

Chair Patty Romo asked about the utility of the GIS Tool, particularly because there are a number of other tools already available online that seem to provide similar information.

Mr. Gray emphasized that this tool incorporates information from each member agency on fleet vehicles and shared that WRCOG anticipates that confidential information on electric vehicle ownership by zip code from the Department of Motor Vehicles will likely be added. This tool will be maintained by WRCOG with input from our member agencies to provide the most up-to-date information available, which is valuable for member agencies applying for related state and federal grants.

Action: 1. *Received and filed.*

C. Interactive TUMF Network Update

Daniel Ramirez-Cornejo provided an update on the interactive TUMF Network website that will be available for member agency and developer use to more easily determine whether facilities are included in the TUMF Program and eligible for funding, if funding has been allocated, and if projects are underway or planned. The tool is anticipated to be available in January 2019.

Action: 1. *Received and filed.*

D. TUMF Zone Revenues Update

Daniel Ramirez-Cornejo provided an overview of long-term TUMF revenue trends and TUMF revenue projection methodology that serves as the basis for funding decisions on the TIP. It is important to understand the TUMF dollar split when member agencies are considering TUMF revenue and funding requests.

Committee member Nelson Nelson asked about the TUMF dollar split and where funding is allocated if only approximately 45% of each dollar is returned directly to the Zone in which it was collected.

Christopher Gray explained that approximately 45% is distributed to the Riverside County Transportation Commission (RCTC), and smaller amounts of funding are shared with the Western Riverside County Regional Conservation Authority, the Riverside Transit Agency, and WRCOG for Program administration.

Action: 1. *Received and filed.*

E. Project Prioritization: Pass Zone Case Study

Christopher Gray presented a summary of a transportation project prioritization effort currently underway in the Pass Zone, wherein Zone members developed a set of criteria for project ranking, submitted projects for ranking, and met as a group to develop a list of priority projects for funding. Mr. Gray encouraged the Committee to consider whether a similar prioritization effort may be beneficial for other Zones.

Action: 1. *Received and filed.*

8. REPORT FROM THE DIRECTOR OF TRANSPORTATION

Christopher Gray announced that WRCOG is considering convening a work group to study roadway construction costs, which would be important information to consider during the next TUMF Nexus Study update.

Mr. Gray also shared a video from the recent Scott Road Interchange Groundbreaking Ceremony and congratulated the City of Menifee on its efforts.

9. ITEMS FOR FUTURE AGENDAS

There were no items for future agendas.

10. GENERAL ANNOUNCEMENTS

Christopher Gray shared that there will be a December Public Works Committee meeting, but that the January meeting may be cancelled.

11. NEXT MEETING

The next Public Works Committee meeting is scheduled for Thursday, December 13, 2018, at 2:00 p.m., at WRCOG's office located at 3390 University Avenue, Suite 450, Riverside.

12. ADJOURNMENT

The meeting of the Public Works Committee adjourned at 2:50 p.m.



Western Riverside Council of Governments Public Works Directors Committee

Staff Report

Subject: WRCOG Committees and Agency Activities Update

Contact: Christopher Gray, Director of Transportation & Planning, cgray@wrcog.us, (951) 405-6710

Date: December 13, 2018

The purpose of this item is to provide updates on noteworthy actions and discussions held in recent standing Committee meetings, and to provide general project updates.

Requested Action:

1. Receive and file.

Attached are summary of actions and activities from recent WRCOG standing Committee meetings that have taken place for meetings which have occurred during the month of November.

Prior Action:

December 3, 2018: The Executive Committee received and filed.

Fiscal Impact:

This item is for informational purposes only; therefore, there is no fiscal impact.

Attachments:

1. WRCOG November Committees Activities Matrix (Action items only).
2. Summary recaps from November Committee meetings.

Page Intentionally Left Blank

Item 6.A

WRCOG Committees and Agency
Activities Update

Attachment 1

WRCOG November Committees
Activities Matrix (Action items only)

Page Intentionally Left Blank

<u>WRCOG Committees</u> <u>Activities Matrix</u> <u>(Action Items Only)</u>		<u>Executive Committee</u>	<u>Administration & Finance Committee</u>	<u>Technical Advisory Committee</u>	<u>Planning Directors Committee</u>	<u>Public Works Committee</u>	<u>Finance Directors Committee</u>	<u>Solid Waste Committee</u>
Date of Meeting:		11/5/18	11/14/18	Did not meet	11/8/18	11/8/18	Did not meet	Did not meet
Current Programs / Initiatives:								
	Regional Streetlights Program	Received and filed.	n/a		n/a	n/a		
	Property Assessed Clean Energy (PACE) Programs	Deferred the judicial foreclosure proceedings on the delinquent residential parcels of the 2017/2018 tax year and to assign WRCOG's collection rights to a third party; 2) authorized the Executive Director to enter in a Purchase and Sales Agreement with the third party for the purchase of the delinquent assessment receivables; 3) adopted WRCOG Resolution Number 41-18;	n/a		n/a	n/a		
	Community Choice Aggregation (CCA) / Western Community Energy	Received and filed.	n/a		n/a	n/a		
	TUMF	Approved the draft 2019 Northwest Zone TIP; authorized Executive Director to execute multiple TUMF reimbursement Agreements; Recommended Executive Director approve minor revisions to the TUMF Zone boundaries to better align with the County;	n/a		n/a	n/a		
	Fellowship	n/a	n/a		n/a	n/a		
New Programs / Initiatives:								
	EXPERIENCE	n/a	Recommended that the Executive Committee authorize staff to proceed with next phase in the implementation of the Experience Center; 2) recommended that the Executive Committee direct staff to negotiate a Memorandum of Understanding (MOU) with the selected host jurisdiction to implement the Experience Center; 3) recommended that the Executive Committee direct staff to include a cost sharing mechanism in the MOU to limit future WRCOG expenditures to share staffing costs to support Experience; 4) recommended that the Executive Committee direct staff to include specific milestones for the development and implementation of the MOU, including deadlines related to funding commitment and site selection; 5) recommended that the Executive Committee appoint two of its members to represent WRCOG in negotiating an MOU with the selected Experience host jurisdiction;		n/a	n/a		

Page Intentionally Left Blank

Item 6.A

WRCOG Committees and Agency
Activities Update

Attachment 2

Summary recaps from November
Committee meetings

Page Intentionally Left Blank



Western Riverside Council of Governments Executive Committee Meeting Recap November 5, 2018

Following is a summary of key items discussed at the last Executive Committee meeting. To review the full agenda and staff reports for all items, click [here](#). To review the meeting PowerPoint presentations, click [here](#).

TUMF Program Activities Update

- Executive Committee members approved the draft 2019 Northwest Zone Transportation Improvement Program.
- The Executive Committee authorized reimbursement agreements for 11 projects including: Ethanac Road Widening in Perris; Second Street Widening, Sixth Street Widening, and Hamner Avenue Widening in Norco; Temescal Canyon Road Widening to County of Riverside; and Market Street Bridge over the Santa Ana River in Jurupa Valley.
- The Executive Committee directed staff to invite all Riverside County Supervisors who represent a specific TUMF Zone to Zone Committee meetings and approved a minor revision to the TUMF Zone boundaries to better align with Riverside County Supervisorial Districts.

Amendment to WRCOG Joint Powers Agreement (JPA) and Bylaws

- The Executive Committee adopted a resolution to make a series of technical changes to the WRCOG Bylaws. The changes are minor and are largely focused on clarifications.
- Similar technical changes were made to the JPA; the Executive Committee directed staff to forward the JPA Amendment to WRCOG member agencies for approval. The JPA Amendment will require a 2/3 vote from member agencies to take effect.

BEYOND Framework Fund – Deadline Extended

- The Executive Committee approved a one-time extension for member agencies to expend all BEYOND grant funds to March 30, 2019.
- If any BEYOND funds remain after the final deadline, they will be reallocated through the Fiscal Year 2019/2020 Agency Budgeting process.
- Member agencies are encouraged to contact staff as soon as possible with any questions regarding BEYOND.

Riverside County Superintendent of Schools Takes Lead in Promoting “Million Deliberate Acts of Kindness”

- Riverside County Superintendent of Schools, Dr. Judy White, encouraged all communities in the County to support the “Million Deliberate Acts of Kindness” Program. More information is available at www.rcoe.us/kindness.
- This Program is aimed at fostering kindness across the community, with the goal that it will spread into the classroom and reduce instances of bullying.

PACE Programs Activities Updates

- In October 2018, WRCOG PACE Programs surpassed \$2 billion in funded projects.
- WRCOG PACE assessments experienced a low level of delinquency - 0.7% this year, compared to a rate of 2.43% for the County of Riverside.
- The Executive Committee acted to defer judicial foreclosure proceedings on delinquent residential parcels and assign WRCOG’s collection rights to a third party, First National Assets.

Regional Toolkit for Transportation Infrastructure

- WRCOG is leading a collaborative effort with San Bernardino County Transportation Authority to enhance the region's resiliency to climate-related hazards, namely fire, flood, drought, and extreme heat.
- A Toolkit will be developed will include the creation of city-level hazard and evacuation maps, a resilient transportation infrastructure guidebook, a model adaptation and resiliency general plan element, and a pilot effort to assess the true community cost of a roadway outage to better inform decision makers of how to prioritize future investments.

Next Meeting

- The next Executive Committee meeting is scheduled for Monday, December 3, 2018, at 2:00 p.m., at the County of Riverside Administrative Center, 1st Floor Board Chambers.



**Western Riverside Council of Governments
Administration & Finance Committee
Meeting Recap
November 14, 2018**

Following is a summary of major items discussed at the November 14, 2018, Administration & Finance Committee meeting. To review the full agenda and staff reports, please click [here](#). To review the meeting PowerPoint Presentation, please click [here](#).

MOU with the Riverside County Superintendent of Schools

- The Riverside County Superintendent of Schools has been an ex-officio voting member of WRCOG's Executive and Technical Advisory Committees since November 2011. The Committee recommended that the Executive Committee approve an extension to the MOU with the Riverside County Superintendent of Schools for a 3-year term.

Fiscal Year 2018/2019 1st Quarter Budget Amendment Approved

- Total Agency expenditures are being increased by \$9,262; these expenditures will be offset by unused funds and/or decreased expenditures in other categories.
- It is expected that the \$9262 will be recouped.

Appointments to Various Committees

- WRCOG is responsible for a number of appointments to outside agencies. The Committee provided recommendations for appointments to SCAG, CALCOG, SANDAG, the Santa Ana Watershed Project Authority, and the Riverside County Waste Management Local Task Force, to be considered by the Executive Committee during its December meeting.

Allocation of Funds from the Beaumont Settlement

- The Committee recommended that existing and future funds received from the Beaumont 3rd party settlements be allocated via the existing (current at the time) Nexus Study formula; that staff coordinate with the Riverside County Transportation Commission to add projects to the list of Regional TUMF Projects in the Pass Zone.
- WRCOG will recoup its legal costs from the settlement fees collected.

Experience Regional Innovation Center Feasibility Analysis

- An informative video was shared with the Committee on the months-long process of determining whether or not the Experience concept is feasible.
- The Committee recommended that the Executive Committee authorize staff to proceed with next phase in the implementation of the Experience Center; negotiate an MOU with the selected host jurisdiction to implement the Experience Center; include a cost sharing mechanism in the MOU to limit future WRCOG expenditures to share staffing costs to support Experience; include specific milestones for the development and implementation of the MOU, including deadlines related to funding commitment and site selection; and recommended that the Executive Committee appoint two of its members to represent WRCOG in negotiating an MOU with the selected Experience host jurisdiction.

Regional Energy Network (REN) Proposal

- The structure of local government partnerships are being changed dramatically by the CPUC.
- Regional Energy Networks are the next evolution to local government partnerships and can operate programs local government partnerships are in danger of losing (such as the existing Western Riverside Energy Partnership – WREP).
- The Committee recommended that the Executive Committee authorize the Executive Director to develop a joint cooperation agreement between CVAG, SBCOG, and WRCOG; and directed the Executive Director to release a Request for Proposals for feasibility & implementation of a Regional Energy Network.

Next Meeting

- The Administration & Finance Committee meeting scheduled for Wednesday, December 12, 2018, is hereby adjourned. The next Administration & Finance Committee meeting is scheduled for Wednesday, January 9, 2019, at 12:00 p.m. in WRCOG's office, located at 3390 University Avenue, Suite 450, Riverside.



**Western Riverside Council of Governments
Planning Directors Committee
Meeting Recap
November 8, 2018**

Following is a summary of major items discussed at the November 8, 2018, Planning Directors Committee meeting. To review the full agenda and staff reports, please click [here](#). To review the meeting PowerPoint presentation, please click [here](#).

Sidewalk Vendors and Micro Enterprise Home Kitchens

- Senate Bill (SB) 946 legalizes sidewalk vending for both food and merchandise sales. Effective January 1, 2019, cities and unincorporated Riverside County areas will be required to allow sidewalk vending, but can require vendors to obtain permits.
- Member agencies are encouraged to work with Riverside County Department of Environmental Health (DEH) to ensure that member agency staff are aware of approved and unapproved food operations.
- Assembly Bill (AB) 626 allows the permitting of “microenterprise home kitchen operations,” a previously impermissible activity. Per current statute, the Riverside County Department of Environmental Health (DEH) is the entity responsible for issuing permits for Riverside County.
 - Based on the current understanding of the law, DEH would issue one ruling that would be applicable to all cities and unincorporated areas within the County.
- On December 4, 2018, the Riverside County Board of Supervisors (BOS) will receive a report on the potential impacts of AB 626.
- DEH encourages WRCOG member agencies to **submit comment letters by December 3, 2018** in order for their position to be considered in the materials presented at the December 4 hearing. Letters can be submitted directly to the BOS or to Keith Jones at DEH, by emailing kjones@rivco.org.
- For more information on either topic, please see the PowerPoint slides linked above or contact Keith Jones.

Subregional Permitting, Licensing, Inspections, And Enforcement Service Platform

- ViewPoint Cloud is an online permitting platform that can assist local government organizations streamline building and code enforcement efforts through a customizable online portal for any type of licensing or permitting.
- For more information on this platform, please contact Andy Navarro, Government Relations Manager, at anavarro@viewpointcloud.com or (617) 577- 9000, ext. 112.

SB 743 Pathway to Implementation Study Update

- Senate Bill (SB) 743 was signed into law in September 2013 with the goal of changing transportation impact analyses as part of CEQA compliance. SB 743 eliminates auto delay, level of service, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts.

- WRCOG has received grant funding from the Southern California Association of Governments (SCAG) to develop a Transportation Impact Analysis (TIA) for the entire subregion that would assist member agencies in implementing SB 743.
- WRCOG has conducted multiple outreach workshops with member agency staff, consultants, lawyers, and developers to gather feedback on the study. The consultant team and WRCOG staff will continue developing a series of recommended approaches to bring forward to the PDC and PWC in early 2019.
- Staff recommends member agencies consider adopting a single VMT calculation method and integrating that into all future planning documents, including General Plan Updates.

Next Meeting

The next meeting of the WRCOG Planning Directors Committee is scheduled for Thursday, December 13, 2018 at 9:00 a.m., in WRCOG's office, located at 3390 University Avenue, Suite 450, Riverside.



**Western Riverside Council of Governments
Public Works Committee
Meeting Recap
November 8, 2018**

Following is a summary of major items discussed at the November 8, 2018, Public Works Committee meeting. To review the full agenda and staff reports, please click [here](#). To review the meeting PowerPoint presentation, please click [here](#).

Regional Climate Adaptation Toolkit Update – Infrastructure Guidebook

- WRCOG, in partnership with the San Bernardino County Transportation Commission (SBCTA) is organizing a Regional Climate Toolkit and is seeking input on the development of a Climate Resilient Transportation Infrastructure Guidebook (Guidebook).
- The Committee discussed various topics of interest including, but not limited to, the impacts of changing climate on infrastructure maintenance, pavement, street standards, and conflicting regulations.
- The draft Guidebook will be presented to the Committee in the first quarter of 2019.

Alternative Fuel Corridors Tool Roll-Out Discussion

- A final version of a GIS Alternative Fuel Corridors Tool was presented to the Committee. The Tool was developed based on data from WRCOG member agencies.
- The tool is intended to assist WRCOG Clean Cities Coalition participants with future planning efforts related to fueling station siting for alternative fuel vehicles and other related tasks.

Interactive TUMF Network Update

- The interactive web page for the TUMF Network was presented to the Committee. The webpage will allow users to determine whether facilities they are constructing are eligible for TUMF funding and the amount of funding that may be available based on the maximum TUMF share.
- WRCOG anticipates this tool will be available by December 2018.

TUMF Zone Revenues Update

- An update on recent TUMF collections was presented to the Committee. Staff reviewed the TUMF revenue projection methodology that is used to determine future revenue for development of the Zone Transportation Improvement Programs.

Project Prioritization: Pass Zone Case Study

- Staff provided information regarding a Pass Zone project prioritization effort currently underway and encouraged the Committee to consider whether a similar effort would be beneficial to other TUMF Zones.

Next Meeting

The next meeting of the WRCOG Public Works Committee is scheduled for Thursday, December 13, 2018, at 2:00 p.m., in WRCOG's office, located at 3390 University Avenue, Suite 450, Riverside.



Western Riverside Council of Governments

Public Works Committee

Staff Report

Subject: TUMF Revenue and Expenditures Update

Contact: Andrew Ruiz, Interim Chief Financial Officer, aruiz@wrcog.us, (951) 405-6741

Date: December 13, 2018

The purpose of this item is to provide an update on the TUMF revenues, expenditures, and reimbursements since Program inception.

Requested Action:

1. Receive and file.

For the month of October 2018, the TUMF Program received \$7,124,151 in revenue.

To date, revenues received into the TUMF Program total \$797,932,031. Interest amounts to \$33,156,708, for a total collection of \$831,088,739.

WRCOG has dispersed a total of \$384,672,322 primarily through project reimbursements and refunds, and \$24,517,666 in administrative expenses.

The Riverside County Transportation Commission share payments have totaled \$360,064,583 through October 31, 2018.

Prior Action:

November 8, 2018: Public Works Committee received and filed.

Fiscal Impact:

This item is informational purposes only; therefore, there is no fiscal impact.

Attachment:

1. Summary TUMF Program revenues.

Page Intentionally Left Blank

Item 6.B

TUMF Revenue and Expenditures
Update

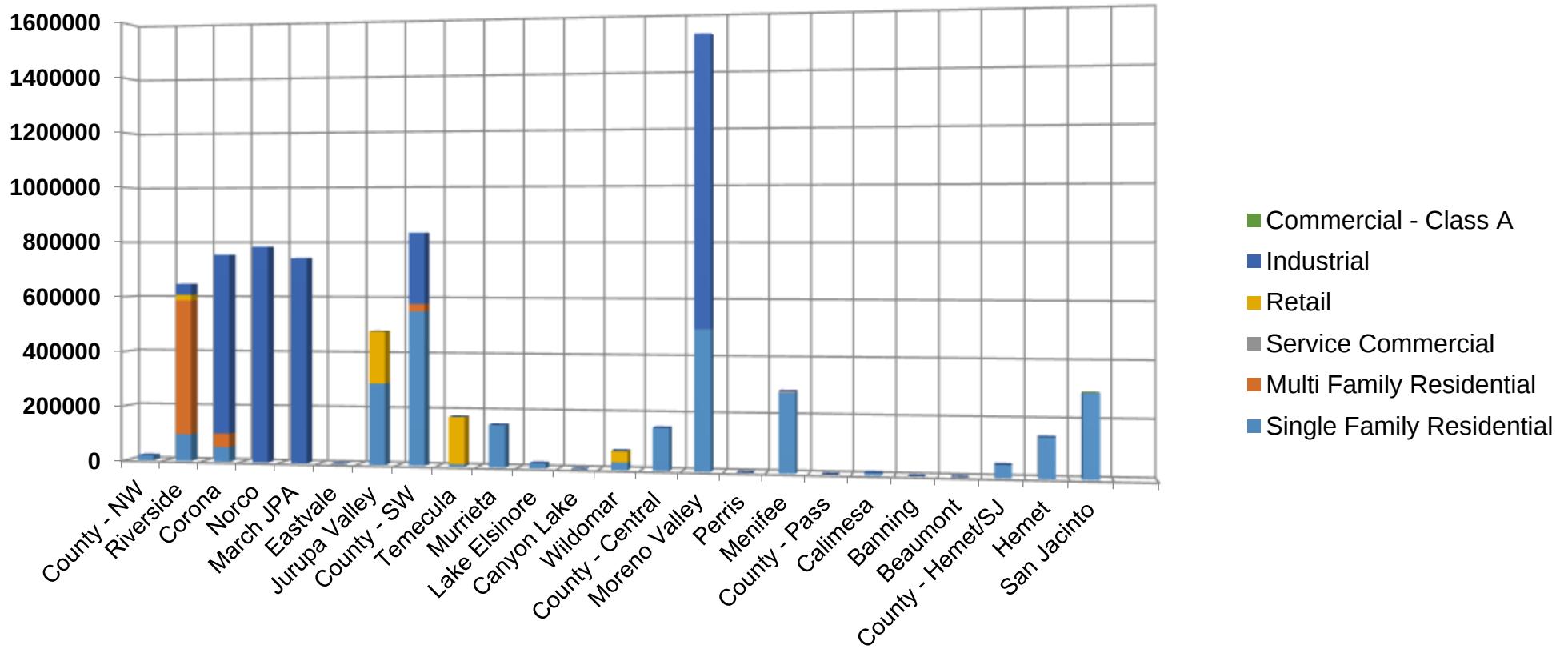
Attachment 1

Summary TUMF Program revenues

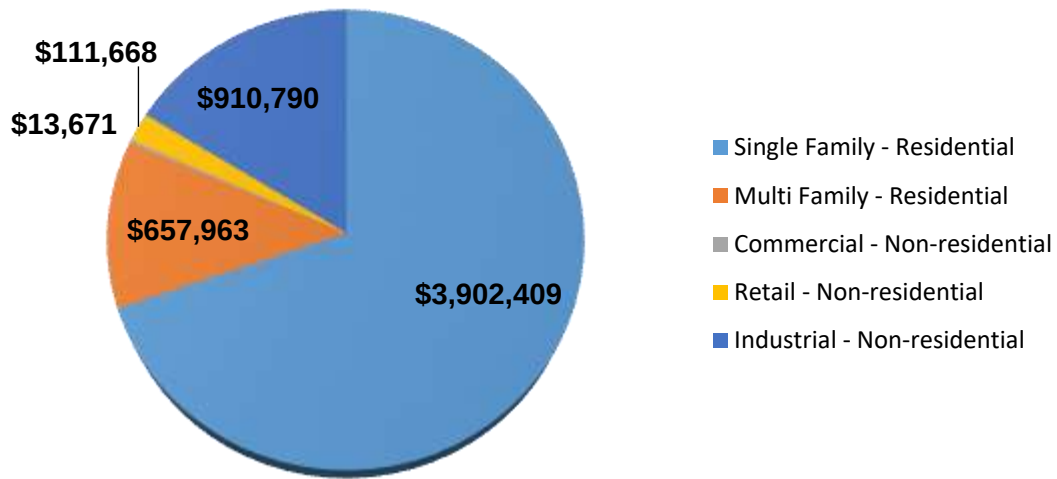
Page Intentionally Left Blank

October 2018 TUMF Revenues by Jurisdiction

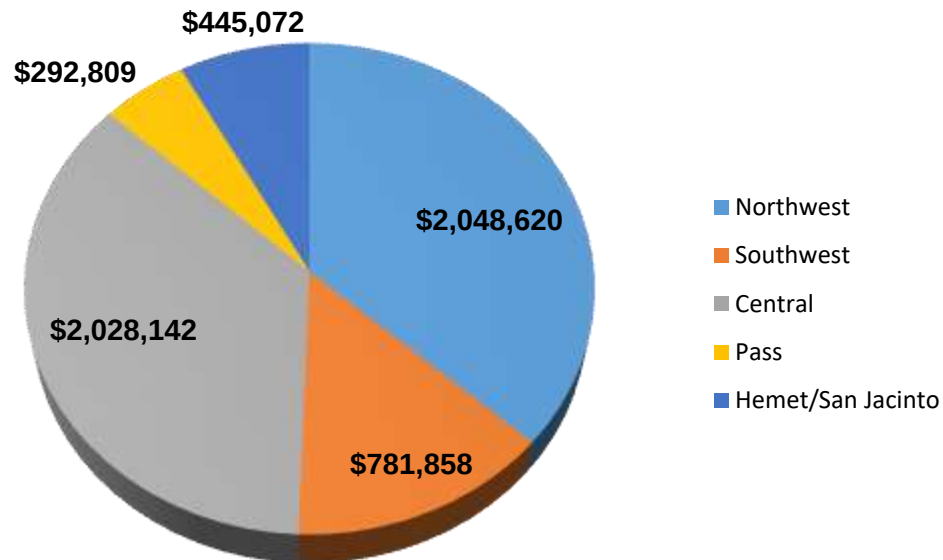
Total Revenue - \$7,124,751



October 2018 TUMF revenues by land-use type



October 2018 TUMF Revenues by Zone



Jurisdiction	Fiscal Year 17-18	2018 July	August	September	October	Fiscal Year 18-19
Banning	\$34,831	\$0	\$0	\$0	\$0	\$0
Beaumont	\$1,122,229	\$266,190	\$177,460	\$640,153	\$0	\$1,083,803
Calimesa	\$17,782	\$8,873	\$0	\$8,873	\$8,873	\$26,619
Canyon Lake	\$84,301	\$17,746	\$0	\$8,873	\$0	\$26,619
Corona	\$1,789,431	\$133,095	\$62,111	\$86,141	\$754,985	\$1,036,332
Eastvale	\$4,234,019	\$0	\$62,111	\$88,010	\$0	\$150,121
Hemet	\$655,213	\$18,292	\$4,359	\$24,770	\$141,968	\$189,390
Jurupa Valley	\$5,613,221	\$283,936	\$603,364	\$882,363	\$480,879	\$2,250,542
Lake Elsinore	\$4,042,675	\$53,238	\$115,349	\$452,523	\$17,746	\$638,856
March JPA	\$2,009,269	\$0	\$0	\$154,348	\$742,413	\$896,761
Menifee	\$3,221,139	\$0	\$460,096	\$342,134	\$285,916	\$1,088,146
Moreno Valley	\$6,971,308	\$523,507	\$1,125,812	\$194,029	\$1,523,890	\$3,367,238
Murrieta	\$3,142,420	\$354,034	\$259,801	\$257,317	\$150,841	\$1,021,993
Norco	\$253,632	\$5,424	\$205,656	\$0	\$784,545	\$995,625
Perris	\$769,084	\$301,682	\$17,746	\$593,560	\$0	\$912,988
Riverside	\$3,567,176	\$1,564,054	\$280,738	\$146,047	\$647,399	\$2,638,238
San Jacinto	\$2,445,168	\$409,034	\$70,984	\$177,460	\$292,809	\$950,287
Temecula	\$1,822,548	\$91,212	\$259,701	\$1,267	\$177,329	\$529,509
Wildomar	\$1,309,894	\$35,492	\$8,873	\$8,873	\$67,119	\$120,357
County Central	\$3,779,337	\$1,202,953	\$239,571	\$44,365	\$150,841	\$1,637,730
County Hemet/S.J.	\$515,274	\$17,746	\$12,092	\$380,390	\$44,953	\$455,181
County Northwest	\$2,169,944	\$62,111	\$106,476	\$177,460	\$17,746	\$363,793
County Pass	\$144,898	\$17,746	\$8,873	\$0	\$0	\$26,619
County Southwest	\$3,700,525	\$230,136	\$366,272	\$737,857	\$834,498	\$2,168,762
Total	\$ 53,415,318	\$ 5,596,500	\$4,447,445	\$ 5,406,812	\$ 7,124,751	\$ 22,575,507

Page Intentionally Left Blank



Western Riverside Council of Governments Public Works Committee

Staff Report

Subject: High-Cube Warehouse Trip Generation Study

Contact: Daniel Ramirez-Cornejo, Program Manager, dramirez-cornejo@wrcog.us, (951) 405-6712

Date: December 13, 2018

The purpose of this item is to present the findings of a Trip Generation Study for high-cube warehouses in western Riverside County.

Requested Action:

1. Direct staff to adjust the High-Cube Warehouse component of the TUMF Calculation Handbook with the data from the Trip Generation Study.

WRCOG's Transportation Uniform Mitigation Fee (TUMF) Program is a regional fee program designed to provide transportation and transit infrastructure that mitigates the impact of new growth in western Riverside County. Each of WRCOG's member jurisdictions and the March JPA participates in the Program through an adopted ordinance, collects fees from new development, and remits the fees to WRCOG. WRCOG, as administrator of the TUMF Program, allocates TUMF to the Riverside County Transportation Commission (RCTC), groupings of jurisdictions – referred to as TUMF Zones – based on the amounts of fees collected in these groups, the Western Riverside County Regional Conservation Authority (RCA) and the Riverside Transit Agency (RTA).

Background

During the 2016 TUMF Nexus Study update process, staff received questions from several stakeholders regarding the TUMF calculation for fulfillment centers. In spring 2018, the Public Works Committee requested that staff review the available data and undertake a study to provide additional information and potential support of an additional rate or calculation methodology in the TUMF Calculation Handbook for fulfillment centers. A Subcommittee was formed consisting of representatives from the Cities of Eastvale, Jurupa Valley, Moreno Valley, Perris, and Riverside. The purpose of the Subcommittee was to conduct a trip generation study of sites within and around Western Riverside County and to determine if a separate component of the TUMF Calculation Handbook would be necessary for fulfillment centers.

WRCOG retained WSP to conduct a trip generation study at sites recommended by the members of the Subcommittee. Traffic counts were collected at 16 sites over a 72-hour period for three midweek days beginning on June 26, 2018.

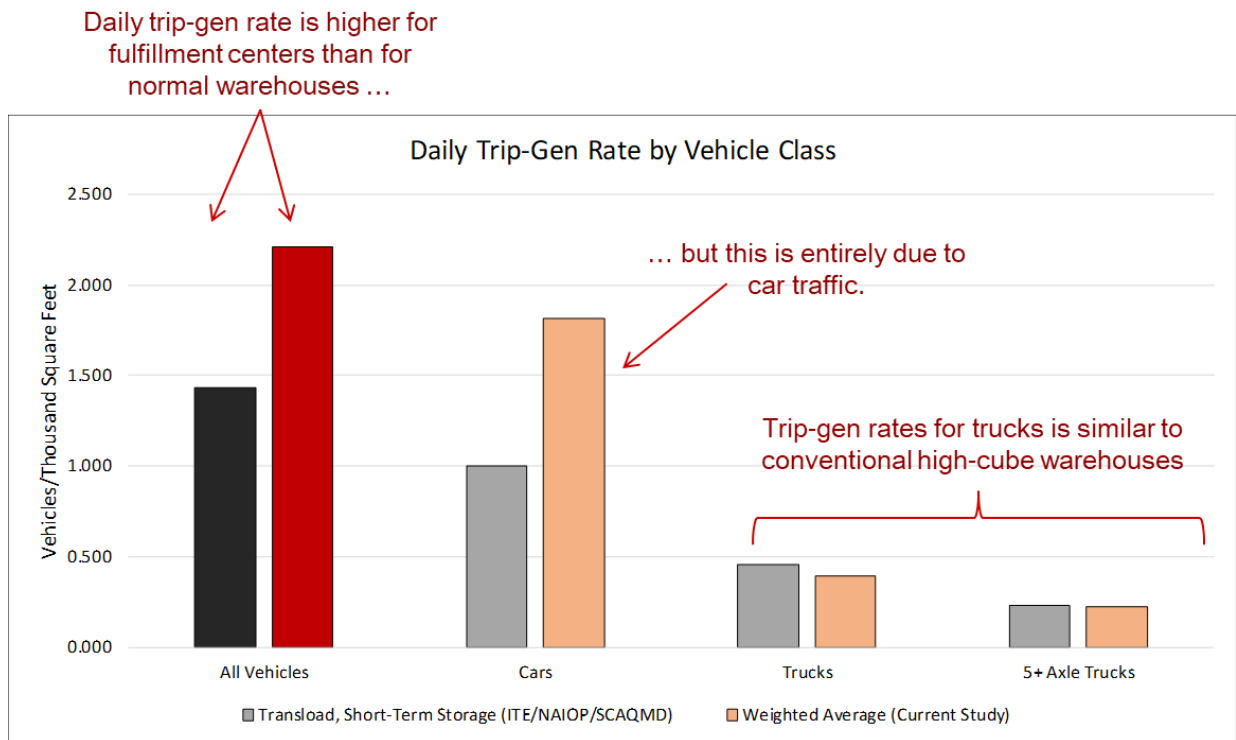
Trip Generation Study Findings

WSP has concluded its review of the data collected and prepared a technical memo, which is attached to this Staff Report. Findings of the data collection include:

- Daily trip generation rates for fulfillment centers are roughly 50% higher than the comparable rate for conventional trans load and short-term storage warehouses previously defined in the 10th edition of the

- Higher trip generation rates are the result of higher passenger car traffic at these sites.

Conventional Warehouse vs Fulfillment Center



- The data developed as part of this study indicates that the trip generation rates for fulfillment centers in Riverside County are generally in the same order of magnitude as the average of all high-cube warehouse uses as described in the ITE Trip Generation Manual, 9th edition.
- Daily trip generation rates (for all vehicles) at fulfillment centers developed as part of this study are significantly less than the rates developed in the 2016 High-Cube Warehouse Study conducted by ITE / NAIOP / SCAQMD.

Trip Generation Rates (Daily)

Category	Daily Trips per Thousand Square Feet			
	All Vehicles	Cars	Trucks	5+ Axle Trucks
2016 High-Cube Warehouse Study by ITE/NAIOP/SCAQMD				
Transload, Short-Term Storage (91)	1.432	1.000	0.454	0.233
Cold Storage (9)	2.115	1.282	0.836	0.749
Fulfillment Center (1)	8.178	7.461	0.717	0.242
Parcel Hub (1)	10.638	6.631	4.007	0.982
Current Study				
Fulfillment Center (11)	2.209	1.816	0.393	0.225

Next Steps

The Trip Generation Study was conducted in a manner that meets the ITE standards for performing studies of this nature. As such, WRCOG intends to submit the results of the Study to ITE for reference in future editions of the Trip Generation Manual.

Based on the results of this Study, staff is not recommending the inclusion of a separate component of the TUMF Calculation Handbook for fulfillment centers. However, staff is exploring a potential adjustment to the current high-cube warehouse TUMF calculation component in the TUMF Calculation Handbook to better accommodate the data gathered in this study regarding the higher number of trips generated by large fulfillment centers. The rationale for this approach is that a fulfillment center is a more specific land use that falls into the general category of High-Cube Warehouses.

Prior Action:

None.

Fiscal Impact:

Transportation Department activities are included in the Agency's adopted Fiscal Year 2018/2019 Budget under the Transportation Department.

Attachment:

1. Trip Generation Study.

Page Intentionally Left Blank

Item 7.A

High-Cube Warehouse Trip
Generation Study

Attachment 1

Trip Generation Study

Page Intentionally Left Blank



To: Daniel Ramirez-Cornejo, Program Manager, WRCOG

From: Billy Park, Supervising Transportation Planner, WSP

Subject: Draft TUMF High-Cube Warehouse Trip Generation Study

Date: November 6, 2018

Background

High-cube warehousing is emerging as an important development type in the Inland Empire. Studies such as *Logistics & Distribution: An Answer to Regional Upward Social Mobility*¹ and *Multi-County Goods Movement Action Plan*² suggests that this trend is likely to increase over time due to the Inland Empire's relative abundance of suitable sites compared to coastal counties.

A recurring analytical problem for the analyses of traffic impacts associated with proposed high-cube warehouses is the lack of reliable data regarding the number and vehicle mix of trips generated by this land development type. Specifically:

- The *2003 Fontana Truck Trip Generation Study*, which has been used for years by agencies in the Inland Empire, is based on the older type of high-cube warehouse. Newer warehouses generally are larger (often over 1 million square feet), much more automated, and generate far fewer trips per square foot.
- The use of overly-conservative estimates has produced results that were unreasonable when compared to actual field conditions. For example, the Environmental Impact Report (EIR) for the Skechers high-cube warehouse building in Moreno Valley included traffic forecasts that were substantially higher than the actual post-construction trip generation for both cars and trucks. Overstated forecasts are misleading to decision makers and could result in oversized infrastructure that could itself have environmental consequences, creates an undue burden on development, and could even have adverse legal consequences for the agencies involved.
- In 2011 the Commercial Real Estate Development Association, also known by its former acronym NAIOP, commissioned a trip generation study of high-cube warehouses focused on large highly-automated warehouses in the Inland Empire. NAIOP had hoped that their study, which found trip-gen rates considerably lower than previous studies, would be used in CEQA analyses going forward. However, concerns about potential bias by the sponsoring party have placed into question the validity of the study results. Similarly, a study commissioned by SCAQMD was viewed as possibly having an anti-development bias.
- Finally, in 2015 NAIOP and SCAQMD jointly sponsored a trip-gen study for high-cube warehouses through a respected neutral party, the Institute of Transportation Engineers (ITE). The report for this study, *High-Cube Warehouse Vehicle Trip Generation Analysis*, was completed in 2016.

The joint NAIOP/SCAQMD/ITE study resulted in a consensus on the trip generation rates to be used for the most common type of high-cube warehouse, a category they call "transload and short-term storage". The findings of the joint study generally indicated the trip generation rates for this use as being consistent with the trip generation rates for the broader category of high-cube warehouses as described by ITE in the 9th Edition of the *Trip*

¹ *Logistics & Distribution: An Answer to Regional Upward Social Mobility*, Dr. John Husing for SCAG, June 2004

² *Multi-County Goods Movement Action Plan*, Wilbur Smith Associates, August 2008

Generation Manual. However, the report did not settle the issue of trip generation rates for two other specific types of high-cube warehouses:

“The single data points for fulfillment centers and parcel hubs indicate that they have significantly different vehicle trip generation characteristics compared to other HCWs. However, there are insufficient data from which to derive useable trip generation rates.”

The purpose of this technical memorandum is to gather sufficient data to develop reliable trip generation rates for fulfillment centers and parcel hubs for use in traffic impact studies in the Inland Empire.

Methodology

Number of Sites: The study team reviewed ITE’s *Trip Generation Handbook 2nd Edition*, Chapter 4 of which describes how to perform a trip generation study that meets ITE’s standards (which improves the defensibility of the results if they are used for CEQA analyses). ITE recommends that at least three sites, and preferably five, be surveyed for a given land use category. Based on the review of candidate sites identified by Western Riverside Council of Governments (WRCOG) staff, it was recommended that data be collected at a total of 16 sites for the purposes of this study.

Independent Variables: ITE’s *Trip Generation Manual* measures the size of proposed developments using more than a dozen different independent variables, such as students (for schools), acres (for parks), etc. All High-Cube related categories in both 9th and 10th Editions of the *Trip Generation Manual* are reported in Square Foot Gross Floor Area (GFA) measured in thousands of square feet (TSF), which is also the independent variable used for the TUMF program. Some other ITE employment categories use employment as the independent variable, as does SCAG in its Sustainable Communities Strategy. WRCOG provided GFA for all sites and employment data for eight fulfillment centers and one parcel hub site.

The ITE *Trip Generation Manual* typically reports trip generation rates two ways; namely as the average rate and using the “best fit” mathematical relationship between the number of trips generated and the independent variable. R-squared, also known as the coefficient of determination, is used to measure how well the best fit equations match the surveyed traffic counts. The *Trip Generation Manual* recommends that the best fit equation only be used when the R^2 is greater than or equal to 0.50 and certain other conditions being met; otherwise the average rate should be used.

Data Collection

WRCOG provided a list of recommended trip generation study sites after reviewing potential sites within the Inland Empire with its member agencies. The list included 11 fulfillment centers and 5 parcel hub sites as follows:

Fulfillment Centers

1. Walmart: 6750 Kimball Ave, Chino, CA 91708
2. Amazon: 24208 San Michele Rd, Moreno Valley, CA 92551
3. Lineage Logistics: 1001 Columbia Ave Riverside, CA 92507
4. P&G: 24015 Iris Ave, Moreno Valley, CA 92551
5. Big 5: 6125 Sycamore Canyon Blvd, Riverside, CA 92507
6. Nestle USA: 3450 Dulles Drive, Jurupa Valley, CA
7. Home Depot: 11650 Venture Drive, Jurupa Valley, CA
8. ACT Fulfillment Center: 3155 Universe Drive, Jurupa Valley, CA
9. Petco: 4345 Parkhurst Street, Jurupa Valley, CA
10. Komer: 11850 Riverside Drive, Jurupa Valley, CA
11. Ross: 3404 Indian Ave Perris, CA 92571

Parcel Hubs

12. UPS: 15801 Meridian Pkwy, Riverside, CA 92518
13. FedEx: 330 Resource Dr, Bloomington, CA 92316
14. FedEx Freight: 12100 Riverside Drive, Jurupa Valley, CA
15. UPS Chain Logistics: 11811/11991 Landon Drive, Jurupa Valley, CA
16. DHL: 12249 Holly St N, Riverside, CA 92509

Traffic counts were collected at all of these sites. These were 72-hour driveway counts collected using video cameras for three-midweek days starting June 26, 2018. Video collection was determined to be preferable to collection data by means of machine counts, which can be problematic for driveways where vehicles are maneuvering at slow speeds. Video counts provide the ability for human viewers to review the captured footage to classify vehicles into 5 types (car, large 2-axle, 3-axle, 4-axle, and 5+ axle truck). The three-day average was calculated and used for the purposes of this study.

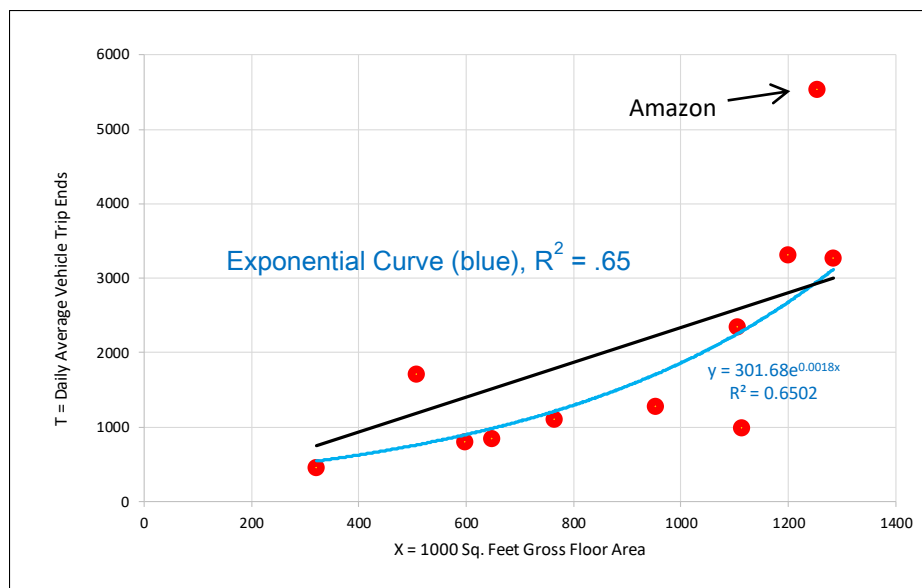
Fulfillment Centers

By Building Size

Exhibit 1 displays a data plot of daily vehicle trips for the 11 fulfillment centers against building size as the independent variable. The average trip generation rate for fulfillment centers (see black line in Exhibit 1) was found to be 2.2 trips/TSF, compared to the 1.4 trips/TSF found for conventional high-cube warehouses in the ITE/SCAQMD/NAIOP study (i.e. about 50% higher).

Exhibit 1 denotes one outlier data point representing the Amazon site in the upper right of the chart. As shown, the average daily trips generated at this facility is over 50% higher than the trips generated at the two sites of similar size (Walmart and Ross), which appears indicative of a greater frequency of same day e-commerce deliveries from Amazon to individual consumers.

Exhibit 1: Data Plot for Daily Total Vehicle Trip Ends against Building Size (Fulfillment Center)



The best fit equation was an exponential relationship with R^2 of 0.65 (i.e. high enough to meet the criteria of acceptability). This is shown as a blue line in Exhibit 1. An exponential relationship, meaning that the larger the building the higher the trip generation rate, is quite unusual.

Exhibit 2 takes a deeper look at this by showing the daily vehicle trip generation rates for each of the 11 surveyed fulfillment centers sorted by the smallest to the largest building size from left to right. As shown, small sites tend to generate fewer trips per thousand square feet, but higher percentage of trucks. On the other hand, largest sites tend to generate a higher number of car trips, but fewer truck trips. So not only is the overall trip generation rate affected by building size, the vehicle mix is affected as well.

Exhibit 2: Daily Vehicle Trip Generation Rates by Building Size for Each Fulfillment Center

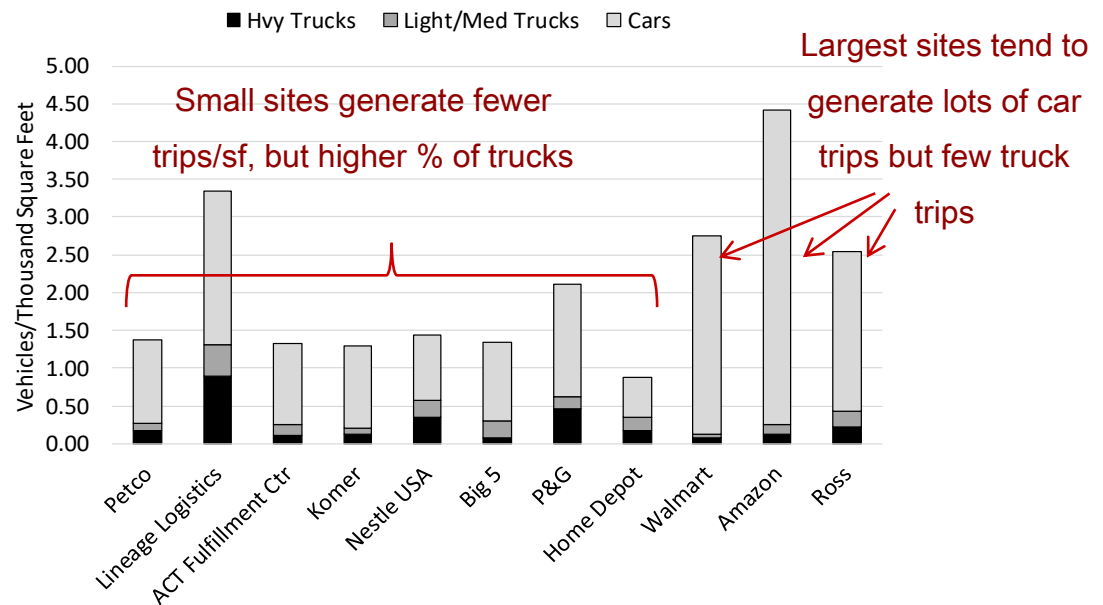


Exhibit 3 and

Exhibit 4 show data plots for AM and PM peak hour vehicle trip ends against building size (respectively). The fitted curves had a low R^2 , and so we recommend using the average rate.

Exhibit 3: Data Plot for AM Peak Hour Vehicle Trip Ends against Building Size (Fulfillment Center)

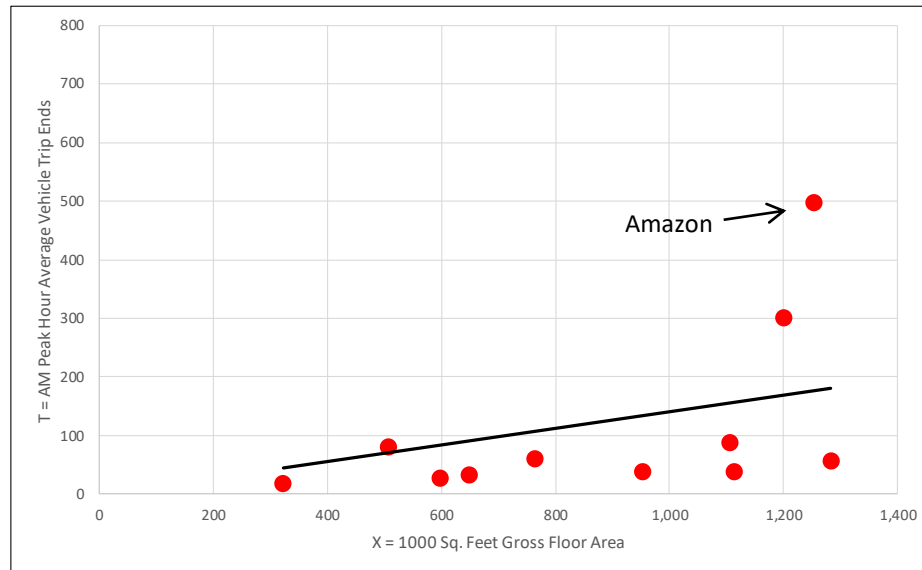


Exhibit 4: Data Plot for PM Peak Hour Vehicle Trip Ends against Building Size (Fulfillment Center)

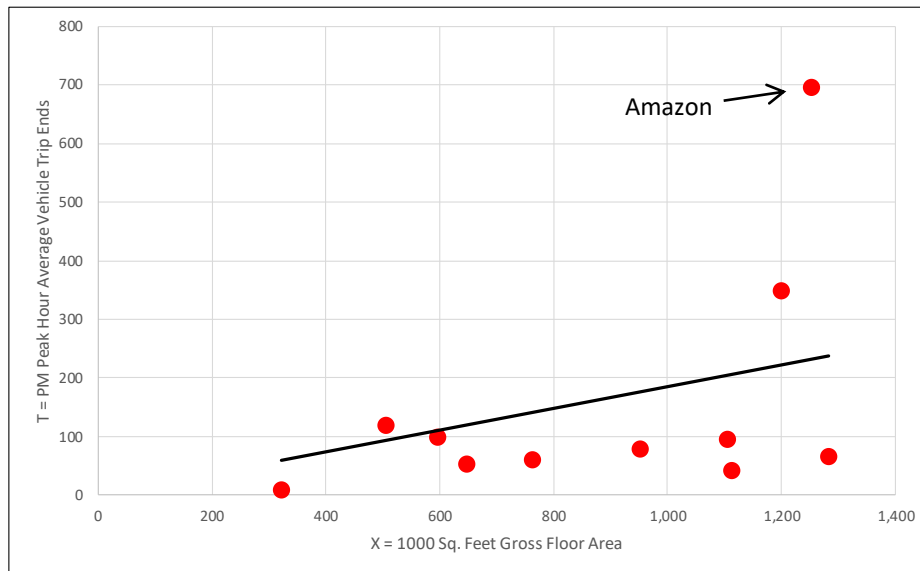
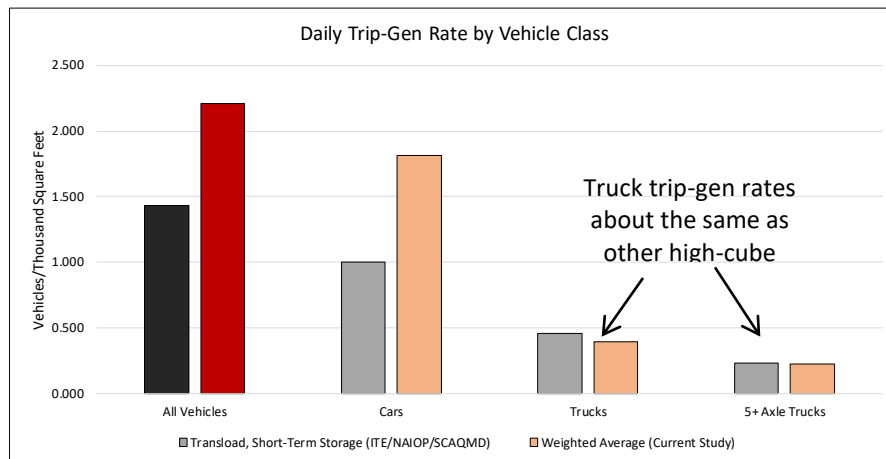


Exhibit 5 compares the average trip generation rates of 11 fulfillment centers with the rates found for conventional transload and short-term storage warehouses in the 2016 high-cube warehouse trip generation study³ by SCAQMD/NAIOP/ITE. As shown, the fulfillment centers generate more daily vehicle trips than conventional warehouse facilities although trucks are roughly the same. This means that the additional trips by fulfillment centers are entirely due to additional car traffic, which is almost double the rate of car trips generated by conventional warehouses.

Exhibit 5: Conventional Warehouse vs Fulfillment Centers



Visual observation of the fulfillment center sites indicates the higher trip generation rates for cars appears to be mostly due to the use vans and passenger cars as delivery vehicles, particularly for the larger facilities operated by retailers such as Amazon and Walmart.

³ *High-Cube Warehouse Vehicle Trip Generation Analysis*, Institute of Transportation Engineers, 2016

Exhibit 6 summarizes the AM and PM peak hour trip rates and the daily rates for fulfillment centers based on the findings of this study, and compares the results to rates for conventional transload and short-term storage warehouses.

Exhibit 6: Summary of Trip Generation Rates per Thousand Square Feet of Gross Floor Area for Fulfillment Centers

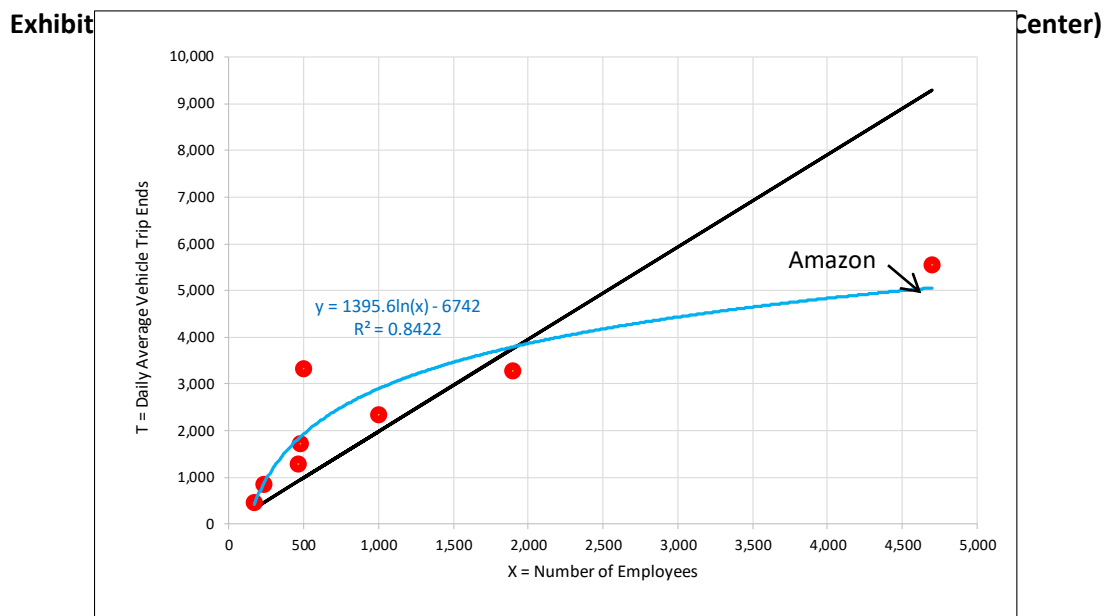
Vehicle Class	AM Peak Hour		PM Peak Hour		Daily	
	Conventional Warehouse*	Fulfillment Center	Conventional Warehouse	Fulfillment Center	Conventional Warehouse	Fulfillment Center
Cars	0.057	0.107	0.086	0.149	1.000	1.816
2-4 Axle Trucks	0.009	0.008	0.013	0.011	0.221	0.168
5-Axle Trucks	0.015	0.012	0.010	0.011	0.233	0.225
Total	0.082	0.127	0.108	0.171	1.432	2.209
% Higher than Conventional	55%		58%		54%	

* Transload, Short-Term Storage category in 2016 TIE/ NAIOP/ SCAQMD study

By Employee

The WRCOG contacted the surveyed fulfillment centers and obtained employment data for eight of the eleven sites. Exhibit 7 shows a data plot for those eight sites for daily total vehicle trip ends against the number of employees. The best fit equation was logarithmic function which had an R^2 of 0.84, indicating a very good fit. Notably, the Amazon site, which was an outlier for trip generation based on floor area (see Exhibit 1), correlates more closely to other sites when employment is used instead. The average trip generation rate for fulfillment centers (represented by the black line in Exhibit 7) was found to be 2.0 trips/TSF

No comparison was made to any previous rates per employees because none of the previous high-cube warehouse related trip generation studies included correlation of trips with employment data.



The data plots for the AM and PM peak hour total vehicle trip ends against the number of fulfillment center employees are shown in Exhibit 8 and Exhibit 9. The best fit equations are linear regressions (shown with black lines) which show a good R^2 for both the AM and PM peak periods.

Exhibit 8: Data Plot for AM Peak Hour Total Vehicle Trip Ends against Employee (Fulfillment Center)

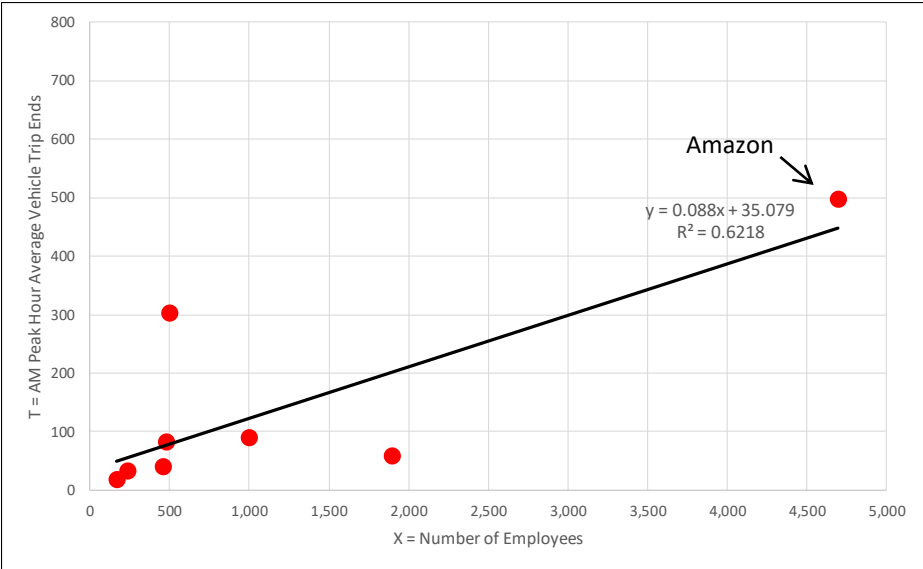


Exhibit 9: Data Plot for PM Peak Hour Total Vehicle Trip Ends against Employee (Fulfillment Center)

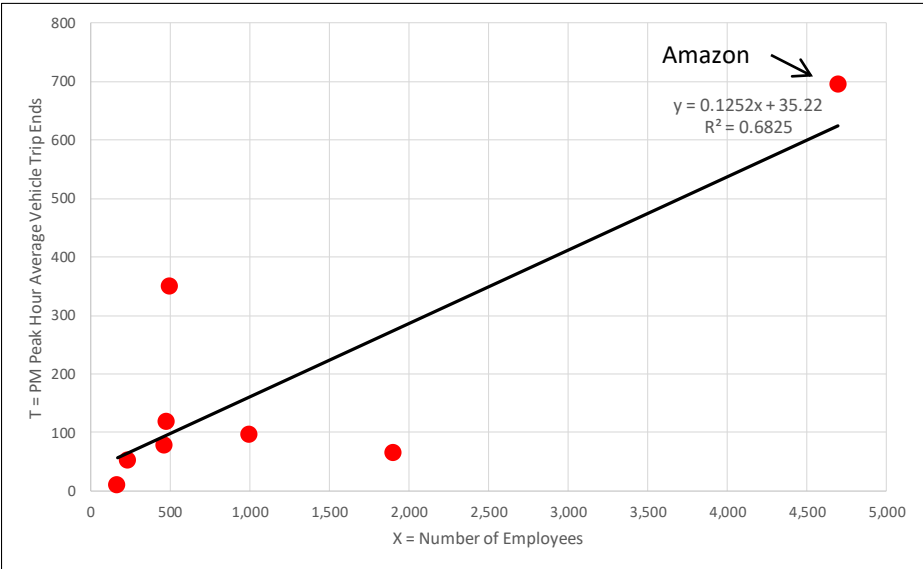


Exhibit 10 summarizes the AM and PM peak hour trip rates and the daily rates for trip generation per employee at fulfillment centers based on the findings of this study.

Exhibit 10: Summary of Trip Generation Rates per Employee for Fulfillment Centers

Vehicle Class	AM Peak Hour	PM Peak Hour	Daily
Cars	0.102	0.139	1.673
2-4 Axle Trucks	0.006	0.008	0.125
5-Axle Trucks	0.009	0.008	0.178
Total	0.118	0.155	1.977

Parcel Hubs

By Building Size

Exhibit 11 displays daily vehicle trip generation rates by building size for each of five parcel hub sites. They are sorted by the smallest to the largest building size from left to right. In this case the small sites generate significantly more trips of every kind than the larger sites, which is the opposite to the pattern observed for fulfillment centers.

Exhibit 11: Daily Trip Generation Rates at Parcel Hubs

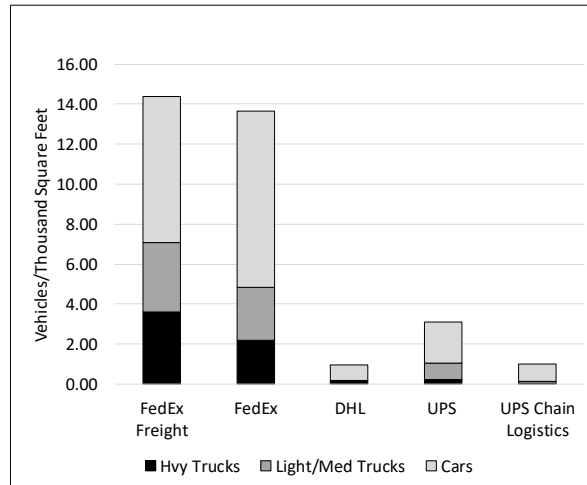


Exhibit 12 shows a data plot of daily vehicle trips of five parcel hubs against building size. As shown, a linear best fit was negative. During the collection of traffic data, construction activity was observed at the FedEx site potentially tainting the validity of these data to represent typical trip generation characteristics. To determine if the trip generation at this site was contributing to the poor data correlation, Exhibit 13 displays the same daily data plot without the FedEx site. The linear best fit shows a positive slope, but remains almost flat effectively indicating no correlation between the daily trips and building size based on the analysis of these sites.

The basic premise of the ITE trip generation approach is that the number of trips generated by a project is proportional to its size. That premise does not hold true for the parcel hubs in this sample and so no meaningful trip generation rates could be determined based on the data collected in support of this study. It should be recognized that a sample size of four or five sites represents the minimum recommended by ITE for valid trip generation studies, and for this reason, it is recommended that additional sites would need to be investigated and included in the data set to develop a more definitive finding on trip generation rates. Furthermore, it may be appropriate to determine the specific function at each site, due to the disparity between the rates observed at the FedEx sites versus the other three sites. It is likely that the function served by the respective sites is significantly different, as reflected in the trip generation rates, thereby necessitating reclassification of these uses for comparative purposes.

Exhibit 12: Data Plot for Daily Total Vehicle Trip Ends against Building Size (Parcel Hubs)

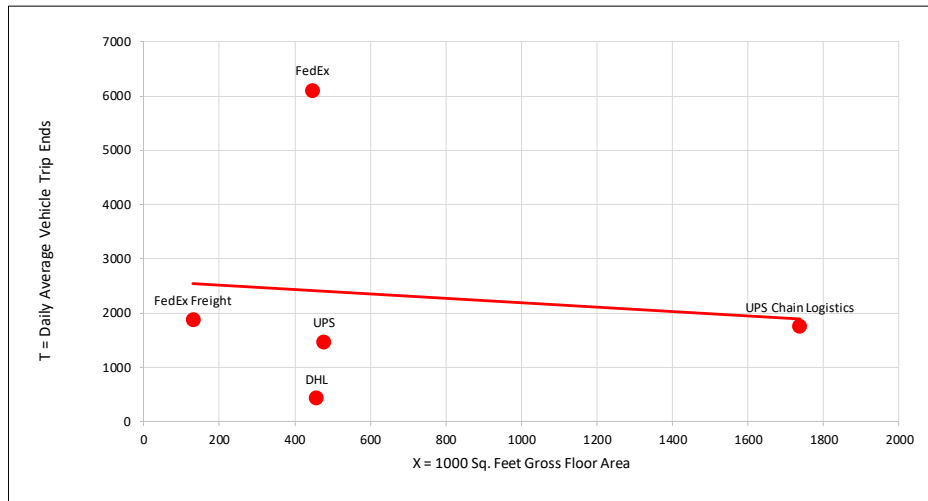
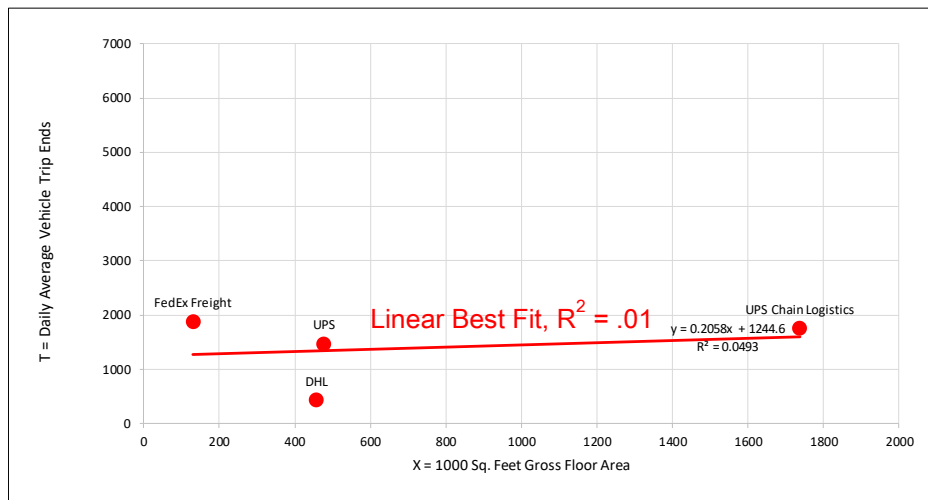


Exhibit 13: Data Plot for Daily Vehicle Trip Ends against Building Size without Construction Site



Conclusions

Our survey of 11 fulfillment centers produced trip generation rates based on the gross floor area of the sites that satisfies ITE's standards for use. The findings of the study indicate that the daily trip generation rates for fulfillment centers is approximately 2.2 trips per thousand square feet of gross floor area, which is roughly 50% higher than the comparable rate for conventional transload and short term storage warehouses previously defined in the ITE *Trip Generation Manual* Version 10. The results of the study further indicate that the higher rates were entirely due to more cars traffic at these sites; the trip generation rates for trucks was found to comparable to those at conventional warehouses.

Employment data were available for eight out of 11 fulfillment center sites. This provided the ability to determine trip generation rates per employee. The study results indicate that that trip generation for fulfillment centers is approximately 2.0 trips per employee. The study also found that the trip generation rate per employee correlated more closely that the trip generation rate per thousand square feet of gross floor area.

The data from the five parcel hubs did not show any statistically meaningful relationship between trips and building size. Therefore, no trip generation rate could be calculated. However, the data collected at these sites may provide a useful basis for further comparison with additional sites to provide more data points for analysis.

Page Intentionally Left Blank



Western Riverside Council of Governments Public Works Committee

Staff Report

Subject: TUMF Project Cost Analysis

Contact: Daniel Ramirez-Cornejo, Program Manager, dramirez-cornejo@wrcog.us, (951) 405-6712

Date: December 13, 2018

The purpose of this item is to present a summary of actual project costs and TUMF Network maximum TUMF shares for recently completed TUMF projects.

Requested Action:

1. Appoint 3 - 5 members of the Public Works Committee to evaluate project costs in the Nexus Study against recent projects.

WRCOG's Transportation Uniform Mitigation Fee (TUMF) Program is a regional fee program designed to provide transportation and transit infrastructure that mitigates the impact of new growth in western Riverside County. Each of WRCOG's member jurisdictions and the March JPA participates in the Program through an adopted ordinance, collects fees from new development, and remits the fees to WRCOG. WRCOG, as administrator of the TUMF Program, allocates TUMF to the Riverside County Transportation Commission (RCTC), groupings of jurisdictions – referred to as TUMF Zones – based on the amounts of fees collected in these groups, the Western Riverside County Regional Conservation Authority (RCA) and the Riverside Transit Agency (RTA).

TUMF Nexus Study

The TUMF Nexus Study includes estimated costs of proposed improvements on the TUMF Network based on the most recent available information on prices of construction materials, labor and land values for the various eligible project types for Western Riverside County. A recalculation of the TUMF unit cost components was completed as part of the most recent 2016 Nexus Update to reflect the effects of the recovery from the economic recession that has seen the costs of materials, labor, and land acquisition in California rebound from relative historic lows.

In the time since the 2016 Nexus Study was approved, project costs have continued to rise. As shown in the table, below, the maximum TUMF shares for the last nine TUMF projects completed has been significantly lower than the actual project costs. Actual project costs for interchanges and grade separations have experienced the greatest actual cost increase compared to the amounts in the Nexus Study for these project types.

Project Name	Max. TUMF Share	Actual Project Cost	Percent Higher than Nexus Study
Clinton Keith Road Extension	\$30,656,000	\$65,000,000	47%
Foothill Parkway Extension	\$21,219,000	\$55,000,000	39%
Newport Road Interchange	\$32,306,000	\$48,400,000	67%
Auto Center Drive Grade Separation	\$12,296,000	\$30,419,302	47%

Project Name	Max. TUMF Share	Actual Project Cost	Percent Higher than Nexus Study
Magnolia Avenue Grade Separation	\$12,296,000	\$53,000,000	23%
Sunset Avenue Grade Separation	\$26,390,000	\$30,419,000	87%
Limonite Avenue Widening (Etiwanda to Bain)	\$1,893,000	\$4,700,000	40%
Heacock Street (Gentian to Iris)	\$1,100,000	\$1,898,804	58%
Perris Boulevard (I-215 to Case Road)	\$2,843,000	\$5,959,000	48%

Next Steps

WRCOG staff has met with several member agencies and developers that have commented on rising project costs in relation to the maximum TUMF shares included in the TUMF Nexus Study. Staff suggests undertaking a comprehensive study to gather additional information on the reasons behind rapidly increasing project costs because such a study could guide discussion regarding the facilities that will be included in the next Nexus Study update, which is planned to commence within the next couple of years.

Staff would also note that per the TUMF Administrative Plan, WRCOG is required to bring an annual Construction Cost Index (CCI) adjustment information through the WRCOG Committee structure for discussion and recommendation to the Executive Committee for consideration. The CCI is an administrative element of the TUMF Ordinance and Administrative Plan and is intended to keep the dollar value of the TUMF Program whole. Although the CCI information is presented to the Executive Committee, it is typically not translated into fee increases during interim, non-Nexus Study update years. The Executive Committee has not approved any staff recommendations for a CCI increase.

Staff would like to convene a working group of member agencies to review this data in more detail and determine whether adjustments in the TUMF Reimbursement Manual, the TUMF Administrative Plan, or the cost estimating process in the TUMF Nexus Study should be adjusted.

Prior Action:

None.

Fiscal Impact:

Transportation Department activities are included in the Agency's adopted Fiscal Year 2018/2019 Budget under the Transportation Department.

Attachment:

None.



Western Riverside Council of Governments

Public Works Committee

Staff Report

Subject: TUMF Administrative Plan Revisions

Contact: Christopher Gray, Director of Transportation & Planning, cgray@wrcog.us, (951) 405-6710

Date: December 13, 2018

The purpose of this item is to present several proposed minor revisions to the TUMF Administrative Plan and request input on additional revisions from the Committee.

Requested Action:

1. Recommend that the Executive Committee approve the proposed revisions to the TUMF Administrative Plan.

WRCOG's Transportation Uniform Mitigation Fee (TUMF) Program is a regional fee program designed to provide transportation and transit infrastructure that mitigates the impact of new growth in western Riverside County. Each of WRCOG's member jurisdictions and the March JPA participates in the Program through an adopted ordinance, collects fees from new development, and remits the fees to WRCOG. WRCOG, as administrator of the TUMF Program, allocates TUMF to the Riverside County Transportation Commission (RCTC), groupings of jurisdictions – referred to as TUMF Zones – based on the amounts of fees collected in these groups, the Western Riverside County Regional Conservation Authority (RCA) and the Riverside Transit Agency (RTA). The Administrative Plan serves as the governance document for the TUMF Program and outlines various roles and responsibilities for WRCOG, the Riverside County Transportation Commission, member agencies, and other parties involved in the TUMF Program.

TUMF Administrative Plan Updates

As part of an annual review of TUMF Program documents, staff has identified several items to be added or modified in the TUMF Administrative Plan. Staff, in consultation with legal counsel, has prepared specific language revisions in exemption reporting, annual reviews, and TUMF balances due to errors. The proposed updates to the TUMF Administrative Plan are listed below, and additional information on each follow:

- Annual reviews for TUMF member agencies;
- Requirements for TUMF Program member agencies;
- Balance due on incorrectly calculated TUMF assessments;
- TUMF exemptions reporting;
- Remittance report review.

Annual reviews for TUMF member agencies: Staff has incorporated language to clarify that WRCOG staff will conduct annual reviews of TUMF participating agencies, with varying degrees of intensity for member agencies that maintain responsibility for fee calculation and collection and member agencies that transfer this responsibility to WRCOG. For member agencies that maintain the responsibility of TUMF collection, the annual reviews will consist of, but not be limited to, reviewing TUMF accounting records, TUMF receipts, exemptions / credits awarded, and building permits. For agencies that delegate the TUMF collection

responsibility to WRCOG, staff would simply verify that TUMF Calculation Worksheets were submitted for all building permits issued within a given time.

Requirements for TUMF Program member agencies: Staff has incorporated language for the requirements needed for an agency to be a TUMF Program participant. More specifically, an agency must be a member of WRCOG and in good standing to be a TUMF Program participant.

Balance due on incorrectly calculated TUMF assessments: Since the inception of the TUMF Program, a significant number of TUMF obligations for new development projects have been incorrectly calculated. Currently, member agencies are responsible for errors and collection of any TUMF balance due. For the participating agencies that do not wish to delegate the calculation and collection of TUMF to WRCOG, staff has incorporated clarifying language as to how the TUMF balance can be made up. This includes an option for member agencies to allow WRCOG to deduct the balance due from a TUMF project reimbursement.

TUMF exemptions reporting: Staff has incorporated language to clarify that all exemptions should be reported to WRCOG, for both member agencies that delegate fee calculation and collection to WRCOG and member agencies that elect to retain this responsibility.

Remittance report review: Staff has incorporated language to clarify that WRCOG staff will be requesting that non-residential project building permits or site plans are included in the remittance reports from member agencies that choose to maintain responsibility for TUMF calculation and collection. This includes building permits for development projects that member agencies exempt from TUMF.

Next Steps

Staff requests input from member agencies on potential additional changes to the TUMF Administrative Plan before the item is forwarded to the Executive Committee in January 2019.

Prior Action:

None.

Fiscal Impact:

Transportation Department activities are included in the Agency's adopted Fiscal Year 2018/2019 Budget under the Transportation Department.

Attachment:

1. Draft TUMF Administrative Plan.

Item 7.C

High-Cube Warehouse Trip
Generation Study

Attachment 1

Draft TUMF Administrative Plan

Page Intentionally Left Blank

Transportation Uniform Mitigation Fee

ADMINISTRATIVE PLAN

~~October 3~~ January 10, 2019~~8~~



PREPARED BY THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS
3390 UNIVERSITY AVENUE, SUITE 450
RIVERSIDE, CALIFORNIA, 92501
PHONE (951) 405-6700

Western Riverside Council of Governments (WRCOG)

***Administrative Plan for the Western Riverside County
Transportation Uniform Mitigation Fee (TUMF) Program***

TABLE OF CONTENTS

	Page
Preamble	1
I. Purpose	2
II. Authority.....	2
III. Imposition of and Participation in the TUMF Program	2
IV. Allocation of Funds	5
V. Administration of the Program.....	5
VI. Administration of Credits.....	5
VII. Administration of Reimbursements	5
VIII. Administrative Responsibilities	5
IX. Administrative Costs.....	11
X. Appeals	12
XI. Arbitration	13
XII. TUMF Program Amendments	13
XIII. CEQA	14

	Page
Exhibits:	
A. TUMF Decision Making Process	16
B. Guidelines for the Administration of the Programmed Projects in the Zone's 5-Year Transportation Improvement Program	17
C. Criteria, Evaluation Thresholds and Points Chart.....	22
D. TUMF Program Definitions	23
E. TUMF Program Exemptions.....	26
F. TUMF Credit/Reimbursement Manual	27

***Administrative Plan for the
Western Riverside County Transportation Uniform Mitigation Fee
(TUMF) Program***

Preamble

Future development within Western Riverside County will result in traffic volumes exceeding the capacity of the Regional System of Highways and Arterials (RSA or Regional System) as it presently exists. The Regional System needs to be expanded to accommodate anticipated future growth; current funds are inadequate to construct the Regional System needed to avoid the unacceptable levels of traffic congestion and related adverse impacts.

The TUMF Program provides significant additional funds from new development to make improvements to the Regional System, complementing funds generated by Measure A, local transportation fee programs, and other potential funding sources. By establishing a fee on new development in the sub-region, local agencies have established a mechanism by which developers effectively contribute their "fair share" toward sustaining the regional transportation system. This is a twenty-five year program and is influenced by a variety of market factors that could cause a shortfall or surplus in the revenue projections. WRCOG shall review the TUMF Program no less than every four (4) years after the effective date of the 2016 TUMF Program Ordinance. Additionally, WRCOG will bring forward, on an annual basis, a Construction Cost Index Adjustment to the TUMF in effect at the time for review and action by the WRCOG Executive Committee. The Program is not designed to be the only source of revenue to construct the identified facilities, and it will be necessary for matching funds from a variety of available sources to be provided.

It is the intent that TUMF requirements may be met by paying cash, building eligible facilities or through public financing, such as Community Facility Districts and Assessment Districts, or private financing vehicles consistent with local jurisdiction policies.

General TUMF Program parameters, definitions and procedures are described in the TUMF Program Ordinance adopted by participating Western Riverside County jurisdictions. The Western Riverside Council of Governments (WRCOG) is designated as the TUMF Program Administrator, and as such will work closely with member jurisdictions, the Riverside County Transportation Commission (RCTC), the Riverside Transit Agency (RTA), and Riverside County Regional Conservation Authority (RCA) to coordinate the TUMF expenditures to maximize the effectiveness of future transportation investments. As the Program Administrator, WRCOG, agrees to indemnify, defend and hold harmless any TUMF Program participant, and its respective agents, officers, members, officials, employees, and attorneys, whose TUMF Ordinance is challenged in court, from and against all claims, liabilities, damages, or costs of any kind whatsoever, including attorneys' fees and court costs; provided, however, that such indemnity and defense shall not extend or apply to challenges alleging procedural defects in the adoption and implementation of the TUMF Ordinance.

"TUMF Administrative Plan" means the Administrative Plan for the Western Riverside County TUMF Program prepared by WRCOG dated March 24, 2003, in substantially the form approved by the WRCOG Executive Committee on April 7, 2003, as may be amended from time to time, provided that, any material amendments to the TUMF Administrative Plan shall be approved by WRCOG Executive Committee."

This Administrative Plan serves as the guideline to implement the TUMF Program and will be amended as needed to address changing conditions over the life of the Program.

- I. **Purpose** - The Purpose of this Administrative Plan is to provide those jurisdictions and agencies that are participants in TUMF Program with guidelines and policies for implementation of the TUMF Program. This Administrative Plan specifies implementation and responsibilities for the TUMF Program.

TUMF Program funds may only be used for capital expenditures associated with the Regional System of Highways and Arterials and for capital expenditures for transit system improvements consistent with the TUMF Nexus Study. These purposes include expenditures for the planning, environmental review, engineering and design costs, right of way acquisition, and administrative costs.

- II. **Authority** - The TUMF Program applies to those jurisdictions in Western Riverside County (County of Riverside and the Cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, Wildomar and the March Joint Powers Authority (JPA)) that have adopted and are implementing the TUMF Program Ordinance. The TUMF Program has been developed pursuant to and consistent with authority provided in the requirements of California Government Code Chapter 5 Section 66000-66008 Fees for Development Projects also known as California Assembly Bill 1600 (AB 1600 or the Mitigation Fee Act), which governs the assessment of development impact fees in California. The Mitigation Fee Act requires that all local agencies in California, including cities, counties, and special districts follow three basic rules when instituting impact fees as follows:

- A. Establish a nexus or reasonable relationship between the development impact fee's use and the type of project for which the fee is required;
- B. The fee must not exceed the project's proportional "fair share" of the proposed improvement; and
- C. The fee cannot be used to correct current problems or to make improvements for existing development.

- III. **Imposition of and Participation in the TUMF Program** - Participating jurisdictions in Western Riverside County are responsible for adopting and enforcing all provisions of the TUMF Ordinance and calculating and collecting fees on new development within their jurisdictions. However, participating jurisdictions may adopt the amendment to the TUMF Ordinance (Amendment) which shall designate and authorize WRCOG to calculate and collect the TUMF on such participating jurisdiction's behalf.

To be considered a participant in the TUMF Program, WRCOG Member Agencies which existed in 2003 must have an effective date for the TUMF Ordinance of no later than June 1, 2003. Any Member Agency formed after 2003 must enact the TUMF Model Ordinance and any amendments thereto upon incorporation. All Member Agency must adopt any amendment of the TUMF Ordinance within ninety (90) days of approval by the WRCOG Executive Committee unless otherwise directed by the WRCOG Executive Committee. Participating jurisdictions shall not repeal or modify the Model TUMF Ordinance, except that modifications are permitted to meet local municipal codes and references. Further, in order to be considered a participating jurisdiction, local jurisdictions shall collect the full TUMF and transmit the fee to WRCOG as provided

herein, or shall authorize WRCOG to collect TUMF on its behalf pursuant to the Amendment. To be a participating jurisdiction of the TUMF Program, a jurisdiction must be a party to the Joint Powers Agreement establishing WRCOG and a member of, and in good standing with, WRCOG.

Those jurisdictions that have ordinances with an effective date after June 1, 2003, or opt out of the TUMF Program and decide to participate at a later date must remit to WRCOG the amount of TUMF Program revenue for new development that was not collected by the jurisdiction. In order to verify the amount of revenue that would have been collected during the period in which a jurisdiction did not participate, said jurisdiction shall provide WRCOG with an annual report of building permit activity by the land uses identified in the Nexus Study. The remittance of the fee shall be accomplished in a lump sum payment unless other arrangements are agreed to in writing by WRCOG Executive Committee. Those jurisdictions that are not considered participants in the TUMF Program shall not be eligible to participate in the TUMF Program or the decision-making processes as more fully described in this document.

Non-participating jurisdictions will be ineligible to vote on any TUMF Program item and to receive their share of an estimated \$1.02 billion in local streets and roads funds that will be allocated from the Reauthorized Measure A.

- A. Calculation of the TUMF** - Each participating jurisdiction shall calculate and collect the TUMF from new development projects as outlined in the Fee Calculation portion of the Transportation Handbook as well as the most recent TUMF Ordinances and Fee Resolutions. For residential development projects, the fee is based on the number of units and for non-residential, the fee is based on the square footage. For non-residential development projects not included in the TUMF Fee Calculation Handbook, a traffic analysis acceptable to WRCOG is required to determine the fee based on the traffic impact of the proposed ~~project.~~project. This method of calculation may be different from how the local development impact fee is determined.

The TUMF shall be calculated using the most current fee schedule in effect at the time the fee is due. Participating jurisdictions are prohibited from freezing TUMF by such means as "locking" a fee rate by paying a deposit or a portion of the fee prior to the date the fee is due or by entering into a Development Agreement or other agreement with a developer that freezes the fee at a certain level. Partial Payments or Deposits: WRCOG discourages the use of deposits and partial payments as it will create additional reporting requirements for the jurisdictions and may give the developer the impression that the fees are not subject to change. However, if a jurisdiction allows for deposits or partial payments, it will transmit the partial payment/deposit to WRCOG in accordance with the TUMF ordinance along with a remittance report. In the variance column of the Remittance report, the jurisdiction shall indicate that the fee collected is a portion of the total due. When the balance is paid, the jurisdiction shall calculate the total fee for the project based on the TUMF fee schedule in place at the time the balance is paid and deduct the partial payment against the total. The balance will be transmitted in accordance with the TUMF ordinance and this Administrative Plan. The variance column of the Remittance report shall indicate that the balance is paid. If there is a fee adjustment between the deposit/partial

payment and the payment of the balance, the fee that is required to be paid will be based on the most current TUMF fee schedule.

For the purpose of calculating the TUMF obligation for non-residential development the applicable land use category for a non-residential development is determined based on the predominate authorized use of the building or structure permitted by the underlying zoning associated with the new development. Projects could be subject to higher fee if the land use intensifies during the development process from what was originally proposed to the jurisdiction.

As an alternative to the above-described procedures, and at the option of each participating jurisdiction (subject to the written consent of WRCOG and evidenced by adoption of the Amendment), a participating jurisdiction may elect for WRCOG to calculate and collect the TUMF on behalf of the participating jurisdiction. Should a participating jurisdiction make such an election, the participating jurisdiction shall submit all information related to the development project that, in WRCOG's determination, is necessary for making such calculation, which shall generally include (without limitation) TUMF land use, type of development, number of units for residential development, square footage for non-residential development, and any additional pertinent information as requested by WRCOG. WRCOG will typically require 2 business days to review the information and make a determination once all required information has been provided to WRCOG. In cases where an outside consultant review of the information is necessary, the review period may be extended.

In submitting a development project to WRCOG for TUMF calculation, the participating jurisdiction certifies and warrants that all information related to the development project (i.e., square footage, TUMF land use, type of development, etc.) is true, accurate, and complete. WRCOG shall be entitled to rely on such information, and shall not be responsible for any harm resulting from any error, inaccuracy, or otherwise. Any balance in TUMF obligation due to incorrect development project information will be the responsibility of the participating jurisdiction.

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.

In order to elect for WRCOG to calculate and collect TUMF on its behalf, a participating jurisdiction shall adopt the Amendment to the TUMF Ordinance in the form prepared by WRCOG. WRCOG will consult with each participating jurisdiction on a yearly basis to confirm if WRCOG or the participating jurisdiction is the responsible party for TUMF calculation and collection for the ensuing year. However, in the event WRCOG does not consult with a participating jurisdiction for any reason in a given year, TUMF for such participating jurisdiction shall continue to be calculated and collected in the ensuing year in the same manner as it was collected in the current year.

Exemptions to the Payment of TUMF - The TUMF Ordinance sets forth exemptions to the payment of TUMF. Those exemptions are summarized in Exhibit "G," attached hereto.

- B. Refunds** – Under certain circumstances, such as double payment, expiration of a building permit, or fee miscalculation, an applicant may be entitled to a TUMF refund. Refunds will be reimbursed by the end of the fiscal year on a first come, first served basis, depending upon the net revenue stream. Refunds will only be considered reimbursable if requested within 3 years of the original TUMF payment. In all cases, the applicant must promptly submit a refund request with proof of TUMF payment to WRCOG if WRCOG collected the TUMF, or if collected by a local jurisdiction, the refund request shall be submitted to that local jurisdiction, which will subsequently forward the request to WRCOG for verification, review and possible action.

1. **Expiration Of Building Permits** - If a building permit should expire, is revoked, or is voluntarily surrendered and is, therefore voided and no construction or improvement of land has commenced, then the applicant may be entitled to a refund of the TUMF collected which was paid as a condition of approval, less administration.

The applicant shall pay the current TUMF in effect at the time in full if he reapplies for the permit.

If a development project is partially under construction at the time of the effective date of the TUMF Ordinance, the TUMF shall be paid only on that portion of the development for which a building permit is next issued.

2. **Double Payments** – on occasion due to a clerical error, a developer has paid all or a portion of the required TUMF for project twice. In such cases, a refund of the double payment may be required. If, however, it is determined that the developer paid the fees to the jurisdiction to expedite the project with the intent of entering into a credit agreement at a later time the refund process is different and is more fully described in section VI of this document.
3. **Balance Due** – when TUMF is incorrectly calculated due to [City/County](#) clerical error, it is the City's/[County's](#) responsibility to remit the balance due to WRCOG. The error must be discovered within 3 years for the City to be held accountable. The amount due can be remitted through alternate methods agreed to by the WRCOG Committees, [including but not limited to deduction from reimbursement requests submitted to WRCOG for eligible expenses on TUMF projects](#). If first vetted through WRCOG staff in writing, the calculation is not subject to additional review.

- C. March Joint Powers Authority** - The March JPA shall not have a separate vote at the WRCOG Executive Committee as it has representation by elected officials from the County of Riverside and Cities of Moreno Valley, Perris, and Riverside. The Executive Director of the March JPA shall be a voting member of the WRCOG Technical Advisory Committee (WRCOG TAC) for TUMF Program items only. The March JPA is a unique partner in the TUMF Program in that it

has land use authority and therefore will need to adopt and implement the TUMF Program in the same manner as the cities and county.

- IV. Allocation of Funds** – After the administrative costs and MSHCP are allocated (as specified in Section IX herein), TUMF funds shall be distributed in accordance with WRCOG Executive Committee actions, the Nexus Study, this Administrative Plan and any future amendments thereto.
- A. Allocation to Regional Transit Improvements** - Of the TUMF funds received by WRCOG, 3.13% shall be allocated to the RTA for making regional transit improvements.
- B. Allocation to Regionally Significant Transportation Improvements** - Of the TUMF funds received by WRCOG, 45.7% shall be allocated to the RCTC for programming improvements to the arterials of regional significance on the Regional System of Highways and Arterials.
- C. Allocation to Zones** - Of the TUMF funds received by WRCOG, 45.7% shall be allocated to the five Zones for programming improvements to the Regional System of Highways and Arterials as determined by the respective Zone Committees. The amount of TUMF funds allocated to each Zone shall be proportionate to the amount of TUMF revenue generated from the zone.
- D. Allocation to Mitigate TUMF Construction Projects** – Of the TUMF funds received by WRCOG, 1.47% shall be allocated to the RCA to purchase habitat for the MSHCP, to mitigate the impacts of TUMF construction projects.
- V. Administration of the Program** - WRCOG shall administer the TUMF Program as described in the enabling Ordinance adopted by participating jurisdictions and further defined in this Administrative Plan.
- VI. Administration of Credits** – The TUMF Ordinance has a provision that if a developer constructs a TUMF facility, the developer will receive credit against the TUMF obligation for the project improvements. Please refer to the WRCOG TUMF Credit/Reimbursement Manual attached hereto as Exhibit F and incorporated in full as if set forth herein for the procedures in which credits are administered and issued for developers constructing TUMF improvements.
- VII. Administration of Reimbursements** –Local jurisdictions/agencies and developers are eligible for reimbursement for construction of TUMF facilities in certain instances. The process for local agencies is different than for landowners/developers; the processes are described in the WRCOG TUMF Credit/Reimbursement Manual, attached hereto as Exhibit F and incorporated in full as if set forth herein.
- VIII. Administrative Responsibilities**
- A. Program Administration** - As set forth in Section II, WRCOG is designated as the TUMF Program Administrator. As Administrator, WRCOG shall receive all fees generated from the TUMF as collected by WRCOG or local jurisdictions and review permits for correct land-use type assessment and proper remittance of TUMF. [This may include review of site plans and building permits to confirm](#)

[correct land-use type assessment.](#) WRCOG shall invest, account for and expend such fees in accordance with the TUMF Ordinance and applicable state laws.

For jurisdictions that are not participating in the TUMF Program, the representative for that jurisdiction shall not be eligible to vote on any matter related to the TUMF Program that goes before the WRCOG TAC and WRCOG Executive Committee.

1. **The WRCOG Executive Director** - Reporting to the WRCOG Executive Committee, the Executive Director shall be responsible for the following TUMF Program activities:
 - a. Administration of the TUMF Program, including development of model credit and reimbursement agreements, fee collection process and processing Program appeals;
 - b. Conduct an audit to report on the evidence that the collection and expenditure of funds collected is in accordance with the Mitigation Fee Act. The audit shall be presented to the WRCOG Executive Committee and made available to the public;
 - c. Establishment and management of the "TUMF Program Trust Fund" for the purposes of depositing TUMF revenues and income interest earned on Trust Fund deposits;
 - d. Preparation of an Annual Report for consideration by the WRCOG Executive Committee detailing the status of the TUMF Program including but not limited to fees collected and disseminated, capital projects planned for, prioritized, and built;
 - e. Preparation of periodic comprehensive TUMF Program review and required by the California Mitigation Fee Act. The review of the TUMF Program will include a review of the various Nexus Study inputs and assumptions, and preparation of recommendations on potential TUMF Program revisions for consideration by the WRCOG Executive Committee. Such reviews and updates may include, but are not limited to recommended fee adjustments based on changes in the facilities required to be constructed, and revenues received pursuant to the Ordinance;
 - f. Preparation of technical studies/analysis required to select and prioritize Regionally Significant Arterial projects;
 - g. Development of a five-year TIP that identifies projects that are scheduled and funded for construction over a specified period of time and is reviewed on an annual basis;
 - h. Development of a 5-year Expenditure Report that documents the expenditure of funds that identifies the purpose to which the fee is to be put, demonstrates a relationship and purpose for which the fee is being collected and identifies all sources and amount of funding anticipated to complete the financing of incomplete infrastructure facilities in accordance with California Government Code Sections 66000 et seq. for consideration by the WRCOG Executive Committee;
 - i. Staff support to and coordination with each of the TUMF Zone Committees as necessary;

- j. Other related activities as directed by the WRCOG Executive Committee;
- k. Approve Zone and RTA TIP Administrative Amendments; and
- l. Execute amendments to TUMF reimbursement agreements.

2. The WRCOG Executive Committee - The WRCOG Executive Committee shall be responsible for reviewing and acting on the following:

- a. Recommendations for project selection and prioritization of the Regionally Significant Arterials, and the TIP;
- b. Review and possible approval of recommendations on projects from the Public Works Committee (PWC) and WRCOG TAC;
- c. The approval of the TUMF Program Administrative Plan, Technical Transportation Manual and any subsequent amendments thereto; and
- d. Recommendation of changes to the TUMF model Ordinance for consideration by participating jurisdictions.

In developing recommendations on Regionally Significant Arterials for consideration by the WRCOG Executive Committee, WRCOG staff and the Committee structure shall work with RCTC to coordinate compatibility with Measure A project priorities and schedules of area transportation improvements. WRCOG staff and the WRCOG Executive Committee shall also work with WRCOG jurisdictions and each Zone Committee for the same purposes.

For jurisdictions that are not participating in the TUMF Program, the WRCOG Executive Committee representative for that jurisdiction shall not be eligible to vote on any matter related to the TUMF that goes before the WRCOG Executive Committee.

3. The WRCOG Technical Advisory Committee - The WRCOG TAC shall review and make recommendations to the WRCOG Executive Committee on the following:

- a. Program updates and reviews and all supporting technical documentation;
- b. Revisions to the Administration Plan, Technical Transportation Manual, Fee Calculation Handbook and any other Program document;
- c. Ordinance revisions; and
- d. Annual fee adjustments.

The WRCOG TAC shall also provide additional assistance to the TUMF Program as requested by the WRCOG Executive Committee. For jurisdictions that are not participating in the TUMF Program, the WRCOG TAC representative for that jurisdiction shall not be eligible to vote on any matter related to the TUMF Program that goes before the WRCOG Executive Committee or WRCOG TAC.

4. **The Public Works Committee/TUMF PWC** - The PWC shall be comprised of the Public Works Director or designee from each participating jurisdiction of WRCOG, RCTC, RTA and WRCOG and shall be responsible for the following:

- a. Providing technical assistance and guidance for program updates;
- b. Developing objective criteria for project selection and prioritization including but not limited to the following factors: traffic safety issues potentially created by growth, regional significance, availability of matching funds, mitigation of congestion created by new development, system continuity, geographic balance, project readiness, and completed projects with reimbursement agreements;
- c. Providing additional assistance to the TUMF Program as requested by the WRCOG Executive Committee, RCTC and/or the WRCOG TAC and/or the Zone TAC;
- d. Overseeing the reparation of the Technical Transportation Manual;
- e. Preparing the 5-Year TIP, which will be reviewed and amended annually and fully adjusted every two years as members of the Zone TAC;
- f. Providing recommendations on the RCTC Regional Arterial TUMF Program of Projects every four years along with the Nexus Study update to the WRCOG TAC, WRCOG Executive Committee and RCTC;
- g. Selecting a lead agency for each of the projects on the TIP;
- h. Reviewing the Annual Report prepared by WRCOG;
- i. Revising the RSHA as may be necessary (at a minimum every- 4 years); and
- j. Review and revise Unit Cost Assumptions to the RSHA as may be necessary (at a minimum every- 4 years).

- B. **Regional Arterial Administration** - RCTC through an MOU with WRCOG (effective October 1, 2008) is the responsible agency for programming and delivering the Regionally Significant Arterials designed under Measure A and defined in the Nexus Study. WRCOG and RCTC have established a committee structure that incorporates the Public Works Directors, City Managers the WRCOG Executive Committee, and the RCTC Board for the development, review and approval of the Regional Arterial TUMF Program of projects.

1. **The RCTC Executive Director** - The Executive Director shall be responsible for the following TUMF Program activities:

- a. Establishment and management of the "TUMF Program Trust Fund" for the purposes of depositing TUMF revenues and income interest earned on Trust Fund deposits;
- b. Development of the RCTC Regional Arterial TUMF Program that identifies Regional projects for reimbursement that are scheduled and funded for construction by jurisdictions and developers over a specified period of time and is reviewed on an annual basis;

- c. Staff support to and coordination with the TUMF Committees as necessary; and
- d. Other related activities as directed by the RCTC Board.

- 2. **The Riverside County Transportation Commission** - RCTC shall be responsible for reviewing and acting on recommendations for project selection and prioritization of the RCTC Regional Arterial TUMF Program. RCTC shall review and consider recommendations on the RCTC Regional Arterial TUMF Program project on TUMF Regional Arterial projects from the TUMF Public Works Committee, WRCOG TAC, and WRCOG Executive Committee.

- C. **Zone Administration** - Each Zone shall establish a committee structure, similar to Exhibit "A", for the purpose of preparing a Zone Transportation Improvement Program (TIP) with the TUMF revenue that has been returned to the Zone and develop policies that impact the Zone, such as how to close a funding shortfall in the Zone. The Executive Committee has determined that the 5-Year TIP shall be balanced to the most reasonable extent possible and that program shortfalls will need to be closed or projects could be reduced or eliminated from the TIP. The Zone TAC shall be responsible for prioritization of projects, selection of the lead agency for each project, and to review all the projects for consistency within the Zone.

All Zones shall approve their TIP by consensus and forward their recommendations to Executive Committee for review and approval to ensure compatibility with the other Zones and the Technical Transportation Manual.

Zone dollars are to be allocated by the Zone TAC only and cannot be utilized or borrowed for projects located outside the zone unless such projects are: 1) proposed and approved by the Zone Committee and have a direct benefit to the Zone and 2) are consistent with the Nexus Study. In furtherance of this Section VIII.B, each Zone shall abide by the Guidelines set forth in Exhibit "C".

The Riverside County Transportation Improvement Plan approved by Riverside County voters on November 5, 2002 states "Funding which is not allocated to a city or county because it is not a participant in the TUMF Program in the Coachella Valley area and the TUMF and MSHCP in the Western County area shall be allocated to the Regional Arterial Program in the geographic area in which the city or portion of the county is located".

Each City and a portion of the unincorporated area of Riverside County are assigned to each of the zones. The five Zones are as follows:

- 1. Northwest Zone – The Cities of Corona, Eastvale, Jurupa Valley, Norco, Riverside and the County of Riverside, and the March JPA;
- 2. Southwest Zone – The Cities of Canyon Lake, Lake Elsinore, Murrieta, Temecula, Wildomar, and the County of Riverside;
- 3. Central Zone – The Cities of Menifee, Moreno Valley and Perris, and the County of Riverside, and the March JPA;

4. Pass Zone – The Cities of Banning, Beaumont and Calimesa, and the County of Riverside;
5. Hemet/San Jacinto Zone – The Cities of Hemet and San Jacinto and the County of Riverside.

D. Local Administration – Participating jurisdictions that have not opted to elect that WRCOG calculate and collect the TUMF on their behalf, are responsible for collecting the TUMF, as provided in the TUMF Ordinance. Fees collected and a corresponding Remittance Report are required to be transmitted to the Executive Director of WRCOG. In accordance with the TUMF Ordinance, the Amendment, and the Mitigation Fee Act, WRCOG shall deposit, invest, and expend the transmitted fees. Participating jurisdictions that have not opted for WRCOG to calculate and collect the TUMF on their behalf, are required to transmit reports as set forth below to WRCOG which will include, but not be limited to the following information regarding the TUMF Program status.

- ~~1.~~ **1. Monthly Remittance Reports** – Participating jurisdictions are required to submit the standard Remittance Reports to WRCOG by the tenth (10th) day of the month end for the previous month's activity, for example; June's Remittance report is due July 10. The report shall contain information necessary for WRCOG to determine the total amount of fees collected within each fee category as it relates to the number of building permits, certificates of occupancy, or final inspections issued during the same period of time. Remittance reports are required even when no fees have been collected, and will show building permits or certificates of occupancy have been issued. This shall also include building permits for which TUMF payment was exempt per the list of exemptions included in Exhibit "E" of the TUMF Administrative Plan. In addition the participating jurisdiction shall provide WRCOG the following information: the name of the developer or payee, project address, APN, total square feet, credits issued, exemptions, variance in the fee assessed, and such other information as requested by WRCOG, which may include building permits or site plans. As an example, the variance column needs to be filled out for any issue that will lead to a fee other than the standard calculation. This information will assist WRCOG in tracking new development, total revenue received and revenue projections for purposes of Program audits and program updates.

~~Participating jurisdictions that have delegated fee calculation and collection to WRCOG will not be required to submit monthly remittance reports to WRCOG.~~

- 2. Remittance Delays** - If a participating jurisdiction does not transmit the fees along with a corresponding Remittance Report by the tenth (10th) day of the close of the month for the previous month in which fees were collected, the following fiscal policy shall be applied:

On the eleventh (11th) day after the close of the month WRCOG staff shall notify, in writing, the delinquent jurisdiction of the delinquency and request

Formatted: Tab stops: 1", Left + 2.25", Left

Formatted: Font: (Default) Arial, 11 pt

Formatted: Font: (Default) Arial, 11 pt

Formatted: Font: (Default) Arial, 11 pt

that said jurisdiction remit by the fifteenth (15th), the fees and the required Remittance Report;

If fees and Remittance Report have not been received, by the fifteenth (15th) day, WRCOG staff will invoice the jurisdiction for the approximate amount owed plus interest and penalties which is calculated at the current interest rate earned by the Riverside County Investment Pool plus thirty-five basis parts beginning from the first day of the month following the closing of the month being reported;

WRCOG staff will continue this notification until sixty (60) days after the close of the month. At which time, WRCOG will determine if an audit is necessary of the jurisdiction's TUMF account, general ledger and any other financial data. If an audit is conducted, WRCOG will investigate the amount owed and the cause of delay. Upon completion of the audit, WRCOG staff shall make any recommendations to resolve any outstanding issues; and

If an audit is required due to reporting and remittance irregularities, the jurisdiction shall incur the cost of the audit.

3. **Accruals** - the TUMF Program utilizes the five Zone 5-Year TIPs to allocate projects, which are based on the amount of available revenue to each Zone as determined by carryover and projected funds. At fiscal year-end, any unspent funds remaining on the TIPs that are not identified and accrued do not automatically roll over and may not be available for programming the following fiscal year. It is necessary for jurisdictions to identify those unused programmed funds so that they can be carried over to the next fiscal year. If the funds are not accrued, WRCOG cannot release the funds to the jurisdiction until the following year when the TIPs are officially adopted.

4. **Annual Reviews** – On an annual basis, after the close of the Fiscal Year, WRCOG will conduct reviews of TUMF collections by participating jurisdictions. For participating jurisdictions that have not delegated fee calculation and collection to WRCOG, this review will include, but not be limited to, accounting of TUMF collections, building permit review, exemptions and credits awarded in addition to supplemental banking-related information to document that TUMF fees are correctly being collected and remitted to WRCOG. For exemptions or credits awarded by participating jurisdictions, supplemental support documentation will be required to demonstrate that the development project was correctly awarded an exemption or credit.

E. Information From Participating Jurisdictions Electing For WRCOG To Calculate And Collect TUMF – Participating jurisdictions that have elected for WRCOG to calculate and collect the TUMF are responsible for providing WRCOG will all necessary materials/information to calculate the TUMF prior to TUMF collection. These participating jurisdictions will also be required to periodically submit verification to WRCOG that calculation worksheets have been completed for all building permits issued within a given time period. **WRCOG Administration – For**

Formatted: Indent: Left: 1.44", No bullets or numbering, Tab stops: 2", Left + Not at 2.29"

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

Formatted: Font: (Default) Arial, 11 pt

~~participating jurisdictions that elect for WRCOG to calculate and collect the collect the TUMF on behalf of the participating jurisdiction. WRCOG will conduct an the annual review, which will primarily consist of verification to WRCOG that calculation worksheets have been were completed for all building permits issued within a given time period. This will require member agency staff to simply submit a list of building permits issued during the time period requested. Participating jurisdictions that have delegated fee calculation and collection to WRCOG will not be required to submit monthly remittance reports to WRCOG.~~

Formatted: Font: (Default) Arial, 11 pt

Formatted: Font: (Default) Arial, 11 pt

Formatted: Font: (Default) Arial, 11 pt

FE. Riverside Transit Agency – In accordance with the Nexus Study 3.131.64% of funds received will be made available to the RTA to make capital facilities improvements for transit purposes as identified in the Nexus Study. The RTA shall provide a report to the WRCOG Executive ~~Committee~~ Director each year, ~~which has been reviewed by the technical committees,~~ detailing its expenditures of TUMF Program funds received, as well as future commitments for transit facilities using TUMF Program revenues as determined by the RTA Board of Directors.

GF. Information From Participating Jurisdictions Electing For WRCOG To Calculate And Collect TUMF ~~TUMF~~— Participating jurisdictions that have elected for WRCOG to calculate and collect the TUMF are responsible for providing WRCOG will all necessary materials/information to calculate the TUMF. These participating jurisdictions will also be required to periodically submit verification to WRCOG that calculation worksheets have been completed for all building permits issued within a given time period.

IX. Administrative Costs. The TUMF Ordinance, as amended from time to time, authorizes WRCOG to expend funds generated from TUMF that are necessary and reasonable to carry out its responsibilities to implement the Program. The WRCOG Executive Committee adopted a series of policies that clarify the expenditure and retention of program funds for the Administration of the Program and they are as follows:

1. WRCOG will retain no more than one percent (1%) of the total TUMF Program revenue for administration salaries and benefits;
2. Administration costs will be budgeted at whatever is reasonable and necessary, but not to exceed four percent (4%) of the TUMF revenues collected (inclusive of the one percent administrative salaries and benefit cap) unless otherwise directed by the Executive Committee.
3. Beginning July 1, 2006, WRCOG will take the administrative component from the revenue collected based on the total fee obligation inclusive of executed credit agreements.
4. Beginning July 1, 2006, all CFD's, SCIP and other financing mechanisms will pay the maximum (4%) administrative component in cash to WRCOG. When the administrative component is less than 4% then the surplus revenue will be allocated in accordance to their adopted percentages to the Multi-species Habitat Conservation Plan, RCTC, RTA and the Zones.
5. For refunds, whether it is because the project is no longer going forward or expiration of building permits (where no construction has commenced), the applicant is entitled to a refund less the administrative component. Refunds will be processed based on available cash and will not take precedence over the

projects identified as funded on the approved TIP. Refunds will however take precedence over the addition of new projects to the TIP.

X. Appeals. Appeals shall only be made in accordance with the provisions of this Section X.

A. Persons or Entities Who Haveing Standing to Appeal. No person or entity shall have standing to avail themselves of this Section X, except those persons or individuals who are responsible for paying the TUMF and have an unresolved appealable issue or matter.

B. Appealable Issues and Matters. No issue or matter shall be heard or reviewed under this Section X unless the issue or matter is appealable. An issue or matter is appealable, if a qualified person or entity ("Appellant") has a good-faith dispute directly related to Appellant's Property ("TUMF Dispute") regarding (i) the amount of Appellant's TUMF obligation; (ii) the administration of TUMF Credits; (iii) exemption of Appellant's property from the TUMF Program; or (iv) administration of TUMF reimbursements.

C. Appeal Process.

1. If a qualified person or entity has a TUMF Dispute, he or she shall first attempt to resolve the dispute informally with WRCOG staff. The staff of the local jurisdiction may also participate in such discussions. If the TUMF Dispute remains unresolved after a reasonable attempt to address it at the local level, the qualified person or entity may submit a written appeal to the WRCOG Executive Director. The Appellant and the WRCOG Executive Director, or designee, shall attempt to resolve the issue within thirty (30) days of the WRCOG Executive Director's receipt of the appeal. At the conclusion of the thirty (30) day period, the WRCOG Executive Director shall render a written decision on the appeal. If the Appellant desires further review from WRCOG, the Appellant may submit a written request for review to the WRCOG Executive Committee chair.
2. After the written appeal is received by the WRCOG Executive Committee chair, the item shall be presented to the WRCOG Administration & Finance Committee for review. At the request of either WRCOG staff or the Appellant, the decision of the WRCOG Administration & Finance Committee shall be forwarded to the WRCOG Executive Committee for review and action. The decision of the WRCOG Executive Commission shall be final.

XI. Arbitration. When there is a dispute among the Zone members that cannot be resolved and prevents the adoption of a project prioritization schedule, the matter shall be forwarded to the WRCOG TAC and WRCOG Executive Committee for a determination. Once the WRCOG Executive Committee takes action on the issue the decision is final.

If there is a dispute at the WRCOG Executive Committee level regarding project prioritization of a specific project(s) and a consensus cannot be reached, that project shall be tabled until such time as new information is presented and the matter can be resolved.

XII. TUMF Program Amendments. WRCOG shall undertake a review of all components of the TUMF Program in accordance with Government Code Section 66000 et seq. and other applicable laws, and, if necessary, recommend Program amendments and/or adjustments. Amendments to the Administrative Plan will be subject to the approval of the WRCOG Executive Committee. Amendments required to the TUMF Program Ordinance shall be approved by each participating jurisdiction, acting on recommendations provided by the WRCOG Executive Committee. The review shall consider whether future administration costs to participating jurisdictions are needed.

- 1. TUMF Network Revisions:** The TUMF Network is reviewed and revised at regular Nexus Study updates, with minor adjustments such as name changes, distances, and other errors that may be found from time to time occurring on a more frequent basis. However, there could be instances when certain assumptions were made during a Nexus Update that did not come to fruition that should be addressed. The primary cause is when a new city is incorporated and inherits the TUMF Network, which may not reflect the new jurisdiction's General Plan or priorities; another example is if a jurisdiction needs to "trade" a facility on the Network due to a rapid change in development patterns that should not wait for the normal revision cycle.

For new cities there would be an opportunity to review the TUMF Network with WRCOG staff to ensure that the Network identifies their priorities and allows them to make recommendations and to have the ability to swap out facilities. Any revision request must meet the criteria to be on the Network before the PWC will consider the request.

Jurisdictions that are not part of the above mentioned group that need to swap out facilities, must justify the swap by demonstrating that it provides continued regional circulation, meets the criteria to be on the TUMF Network, and does not provide an advantage to a specific land-use, community, developer/project for the purposes of TUMF credits or reimbursements. These jurisdictions must also demonstrate that the impacts mitigated in the swapped facilities are substantially similar to those impacts that would have been mitigated in the abandoned facilities.

This process is intended to be applied on an annual basis during interim years between revisions to the TUMF Nexus Study that would inherently include a revision to the TUMF Network. The deadline to submit any revision is June 30th. The focus of this process is the ability to shift projects on the TUMF Network with the intent to incur minimal fiscal impacts to the Program fee and Nexus determination, rather than adding new projects that would have a far more significant effect on the Program fee and therefore would be more appropriately addressed during the regular Nexus Study reviews. The exception to this policy is the ability for newly incorporated cities to request new additions during the initial cycle of this adjustment process to ensure appropriate facilities are designated to address their individual city's needs.

The process requires the jurisdiction to submit a written justification of the requested TUMF Network facility shift. Elements to be addressed in the written justification should include an explanation of the rationale for the proposed facility

shift specifically explaining why the facility should be addressed as part of the TUMF Program and cannot be addressed as part of an equivalent local program, and verification that the proposed shift in facility does not unduly favor or disadvantage a specific developer or development interest. Proximity to areas of significant recent development activity (i.e. shifts in development patterns resulting in changes in transportation system impacts to be mitigated) and the net cost differential to the program following the facility adjustment are key elements to be addressed in the written justification. The written justification must also demonstrate that the impacts mitigated in the proposed facility shift are substantially similar to those impacts that would have been mitigated in the abandoned facilities.

The existing criteria contained in the TUMF Nexus Study for identifying facilities to be included in the TUMF Network was refined for the purposes of evaluating requests for TUMF Network Amendments. All requested Network adjustments will be evaluated and scored using a point system based on key performance indicators consistent with the existing criteria contained in the TUMF Nexus Study. The scoring criteria is “Exhibit [CB](#)” of this Plan. Only facilities defined in a participating jurisdiction’s General Plan Circulation Element (or equivalent document) as an arterial highway facility with a minimum four (4) lanes at build-out will be evaluated for inclusion in the TUMF Network.

- XIII. CEQA.** The TUMF Program currently is a financing mechanism dependent on future actions of the WRCOG Executive Committee for improvements to the RSHA. WRCOG and its associated committees will be prioritizing and scheduling improvements on the RSHA, as such, the appropriate environmental documentation, shall be completed before a project can commence construction.

The TUMF Program was developed to mitigate the cumulative impacts of future growth on the RSHA. It was not developed to mitigate project-specific traffic impacts. Accordingly the program does not relieve any development project of the responsibility to mitigate project-specific impacts identified in the environmental analysis prepared for the project. When a development project is required to construct RSHA facilities as project-specific mitigation, it shall be eligible for credit and or reimbursement.

EXHIBIT "A"

TUMF Decision Making Process

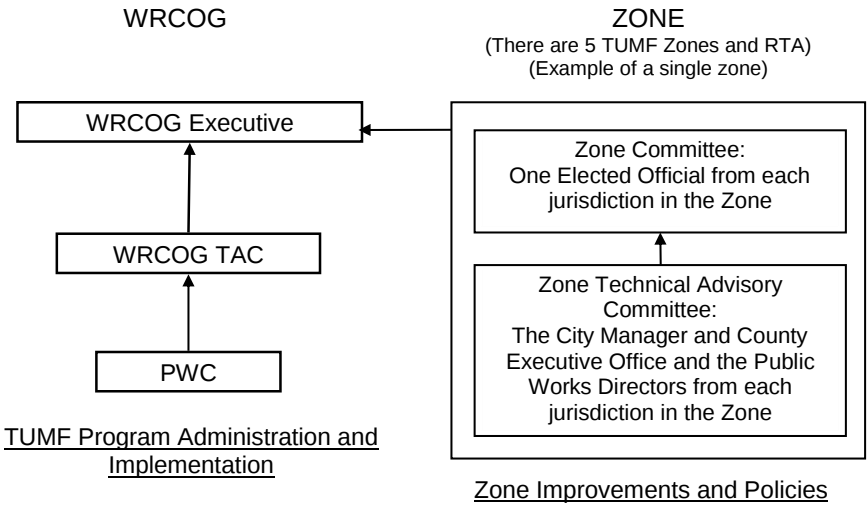


EXHIBIT “B”

Guidelines for the Administration of the Programmed Projects in the Zone’s Adopted 5-Year TIP

Once each Zone’s 5-Year Transportation Improvement Program (TIP) is adopted by the WRCOG Executive Committee, said TIPs shall be incorporated into and governed by these guidelines, the Administrative Plan, and Technical Transportation Manual in accordance with AB 1600. Annually, WRCOG staff meets with the Zone Technical Advisory Committees to review the status of all programmed projects on the 5-Year TIPs and bring the subsequent project adjustment requests to the Zone Committees for approval. The goals of the annual review process are as follows: (i) to update project cost estimates; (ii) to review project status; (iii) to determine the continued viability of projects; (iv) review the backlog of reimbursement projects; (v) to address local jurisdiction issues; and (vi) address compliance with AB 1600.

Adjustments:

In accordance with the Technical Transportation Manual and the original reimbursement agreement entered into with the lead jurisdiction, all approved projects’ funding and schedules are directly tied to critical milestones. As such, requests to change a project’s funding or schedule shall necessitate an amendment to the original agreement and the adopted TIP. Annual 5-Year TIP adjustments could include, but are not limited to:

- Scope of work reductions or additions;
- Project or phase delays;
- Project or phase cancellations;
- New shelf-ready network projects being added as replacement projects;
- Project or phase advances; and
- Request to transfer funding beyond a programmed project’s limits within a Zone.

Levels of Approval:

A. Zone Committee/WRCOG Executive Committee

The following shall be approved by the Zone Committee and adopted by the WRCOG Executive Committee as required in the Administrative Plan:

1. Annual updates to the Zone TIP.
2. Requests to increase total TUMF funding allocations to projects on the Zone TIP. These requests may be made by the local jurisdiction administratively outside of the annual TIP update cycles if deemed necessary by one of the Zone participating jurisdictions and WRCOG management due to unforeseen circumstances that necessitate immediate action. Such unforeseen circumstances shall include, but not be limited to, higher than expected bid prices, TUMF as a Federal or State match, etc. WRCOG staff will obtain action from the Zone Committee in these cases either by calling for a Special Zone Committee meeting or through individual consultation.

3. Administrative requests to advance funds or adjust project schedules on TIP approved projects, upon the recommendation of the Public Works Committee. Such advancements are subject to:

- Jurisdiction's proof of readiness to move forward with project, and
- Zone's current cash flow can support the advancement or change.

B. WRCOG Executive Director

The WRCOG Executive Director shall be responsible for the review and approval of the following changes to an approved Zone TIP, including the review and approval of any agreements, for:

1. Change in Lead Jurisdiction, with the written consent of the transferring and accepting Lead Jurisdiction.
2. Cancellation of project upon request of the local jurisdiction. In the event of cancellation, all funds shall revert to the Zone TIP Trust account.
3. Approval of final completion of the project. Upon notification from the Jurisdiction that the Project has been completed, all unused funds programmed for that Project shall revert to the Zone TIP Trust account.
4. All other administrative requests, upon consultation with the Public Works Committee.

C. Public Works Committee

The Public Works Committee shall be responsible for the review and approval of the following:

1. Requests to move funds within project categories (environmental, design, etc.) administratively, contingent upon participating jurisdiction's certification of viability of all phases.
2. Provide recommendations to the WRCOG Executive Director on any other requests that are deemed administrative in nature by the Director.

All administrative adjustments will be submitted to the WRCOG Executive Committee as part of the next Annual Review Report for final adoption.

D. Obliging Programmed Funds

The TUMF Program has established the policy that construction projects take priority, and therefore, WRCOG limits the obligation of TUMF dollars. WRCOG has two options by which to obligate TUMF. In both options, steps 1, 2, and 3 (Option A) or 6 (Option B) must be completed by the local jurisdiction to ensure TUMF funding can be made available for use on an eligible project. Since TUMF project funds are generally obligated on a first come first served basis, failure to follow the prescribed steps for either option may preclude a project sponsor from receiving TUMF payments for completed work until sufficient funds are available to be obligated.

Option A:

Funding for a project programmed on Zone 5-Year TIPs is not considered obligated by WRCOG until certain steps outlined below have been accomplished by the local jurisdiction.

1. Ensure that funding for the project phase is **programmed in the current year** of an adopted 5-Year TIP.
2. Ensure that there is a **signed (executed) reimbursement agreement** that matches the funding amount with the funding amount of the project phase in the adopted TIP.
3. Submit **an invoice for TUMF eligible work** prior to the end of the fiscal year to obligate the project phase funding. At the time of submitting the first invoice, the project sponsor will be required to submit all necessary supporting documentation (not previously submitted) in accordance with the provisions of the reimbursement agreement.
4. WRCOG will obligate the entire phase of the project if there is available revenue at the time the invoice is submitted.

Option B:

Funding for a project programmed on Zone 5-Year TIPs is not considered obligated by WRCOG until the steps outlined below have been accomplished by the local jurisdiction.

1. Ensure that funding for the project phase is **programmed in the current year** of an adopted 5-Year TIP.
2. Ensure that there is a **signed (executed) reimbursement agreement** that matches the funding amount with the funding amount of the project phase in the adopted TIP.
3. Send WRCOG a letter of **notice of intent** to issue RFP, solicit bids, make offer to purchase ROW or other similar action to verify that sufficient funding is available and that funds are obligated and reserved exclusively for the particular project phase.
4. Receive a **notice of obligation** from WRCOG within fourteen working days of receipt of the notice of intent confirming the amount of funding that is obligated and reserved exclusively for the particular project phase. Alternatively, the project sponsor will receive a notice of deferred obligation if WRCOG determines that insufficient funds are currently available for the project phase to be obligated.
5. Award the project and execute a contract within four months of receipt of the notice of obligation from WRCOG and send a letter of **confirmation of award** to WRCOG including evidence of a Board/Council action relating to the project award and contract execution.
6. Commence project work and submit the **first invoice** for payment within nine months of receipt of letter of obligation by WRCOG to preserve fund obligation. At the time of submitting the first invoice, the project sponsor will be required to submit all necessary supporting documentation (not previously submitted) in accordance with the provisions of the reimbursement agreement.

If a contract has not been executed within four months of receipt of the notice of obligation from WRCOG (step 5), there will be a review of the project status. Based on the review of project status, WRCOG will either:

- i. extend the fund obligation for up to a total of nine months from the notice of obligation if the project sponsor can demonstrate a realistic expectation that the project will be awarded and a confirmation of award can be provided to WRCOG within that time frame; or
- ii. de-obligate the funds.

Similarly, if the first invoice has not been submitted to WRCOG within nine months of receipt of the letter of obligation (step 6), there will be a review of the project status. Based on the review of project status, WRCOG will either:

- i. extend the fund obligation for up to an additional nine months if the project sponsor can demonstrate a realistic expectation that the project work will commence and a first invoice is submitted within that time frame; or
- ii. de-obligate the funds.

E. Programming the Cost Assumption's 10 Percent Contingency

The TUMF Program has established the policy allowing local jurisdictions the ability to choose how to apply the available 10 percent Contingency costs historically assigned to the construction phase of a project when it is programmed on a TUMF 5-Year Transportation Improvement Program (TIP). The Contingency fund is 10 percent of the sum of the new lane, right-of-way, bridge, interchange, and railroad costs.

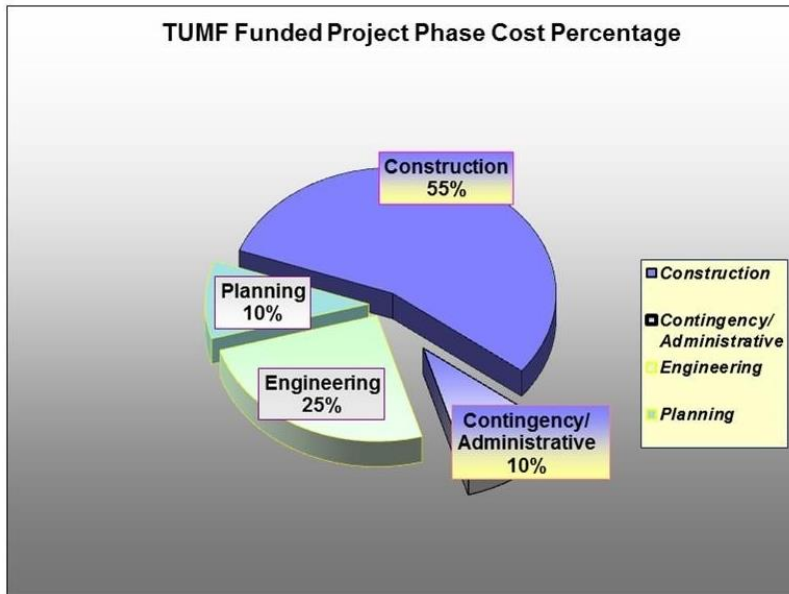
Under this new policy, some jurisdictions may opt to continue applying the 10 percent Contingency to the construction costs, while others may choose to apply a portion of the 10 percent Contingency to help defray their administrative costs incurred during the planning and engineering phase delivery.

Since currently programmed construction funds already reflect the eligible 10 percent Contingency, the policy only applies to those projects that have not obligated or received payments on their construction phases.

For those jurisdictions who wish to recapture administrative costs of ongoing projects programmed on the TIP that do not involve an obligated construction phase, up to 10 percent of each of the programmed planning and engineering phases would be eligible for administrative costs and would be deducted from the available 10 percent contingency (leaving the remaining balance to be applied to construction costs or construction administration costs.)

Scenario –

Construction costs	= \$1,000,000
Contingency	= \$ 100,000 (or 10%)
Planning costs	= \$ 100,000
Engineering costs	= \$ 250,000
Admin costs (PA&ED)	= \$ 10,000 (or 10% of \$100k)
Admin costs (ENG)	= \$ <u>25,000</u> (or 10% of \$250k)
Balance Contingency	= \$ 65,000 (for construction admin or contingency costs)



Jurisdictions may apply a portion or all of the available 10 percent Contingency to reimburse accrued administration costs for all three phases by requesting the amount to be programmed as a separate line item on the TIP during a biennial TIP review or amendment as any other project adjustment.

All existing and future reimbursement agreements, cost estimates, and scopes of work will need to be amended to include specific language covering the jurisdiction's individual contingency use option.

EXHIBIT “C”

The following table summarizes the criteria, evaluation thresholds and point values for evaluating TUMF Network adjustment requests for approval. For each evaluation measure, the maximum point value has been highlighted in **bold** font for easy reference.

Criteria	Evaluation Thresholds	Points
Minimum number of lanes at build-out	Less than 4 lanes	not eligible
	4 or 5 lanes	5
	6 or more lanes	15
Jurisdictions served	1 jurisdiction	0
	2 jurisdictions	5
	3 or more jurisdictions	10
Future forecast traffic volumes	Less than 20,000 vehicles per day	0
	20,000 to 24,999 vehicles per day	5
	25,000 to 29,999 vehicles per day	10
	30,000 to 34,999 vehicles per day	15
	35,000 to 39,999 vehicles per day	20
	40,000 or more vehicles per day	25
Future forecast volume to capacity ratio	< 0.80 (LOS A/B/C)	0
	0.81 – 0.90 (LOS D)	5
	0.91 – 1.00 (LOS E)	10
	> 1.00 (LOS F)	15
Regional fixed route transit services accommodated	No service	0
	1 or more services	10
Net fiscal impact of TUMF Network adjustment	More than \$1,000,000 cost addition	-15
	\$200,000 to \$1,000,000 cost addition	-5
	\$199,999 cost addition to \$199,999 cost savings	5
	\$200,000 to \$1,000,000 cost savings	15
	More than \$1,000,000 cost savings	25
Maximum Possible Score		100

EXHIBIT “D”

TUMF Program Definitions

For the purpose of the TUMF Administrative Plan, the following words, terms and phrases shall have the following meanings:

A. **“Class ‘A’ Office”** means an office building that is typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, on site support services/maintenance, and often includes full service ancillary uses such as, but not limited to a bank, restaurant/office coffee shop, health club, printing shop, and reserved parking. The minimum requirements of an office building classified as Class ‘A’ Office shall be as follows: (i) minimum of three stories (exception will be made for March JPA, where height requirements exist); (ii) minimum of 10,000 square feet per floor; (iii) steel frame construction; (iv) central, interior lobby; and (v) access to suites shall be from inside the building unless the building is located in a central business district with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/ exits for commercial uses within the building.

B. **“Class ‘B’ Office”** means an office building that is typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, on site support services/maintenance, and often includes full service ancillary uses such as, but not limited to a bank, restaurant/office coffee shop, health club, printing shop, and reserved parking. The minimum requirements of an office building classified as Class ‘B’ Office shall be as follows: (i) minimum of two stories; (ii) minimum of 15,000 square feet per floor; (iii) steel frame, concrete or masonry shell construction; (iv) central, interior lobby; and (v) access to suites shall be from inside the building unless the building is located in a central business district with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/exits for commercial uses within the building.

C. **“Development Project”** or **“Project”** means any project undertaken for the purposes of development, including the issuance of a permit for construction.

D. **“Gross Acreage”** means the total property area as shown on a land division of a map of record, or described through a recorded legal description of the property. This area shall be bounded by road rights of way and property lines.

E. **“Habitable Structure”** means any structure or part thereof where persons reside, congregate or work and which is legally occupied in whole or part in accordance with applicable building codes, and state and local laws.

F. **“Industrial Project”** means any development project that proposes any industrial or manufacturing use allowed in the following Ordinance No. _____ zoning classifications: I-P, M-S-C, M-M, M-H, M-R, M-R-A, A-1, A-P, A-2, A-D, W-E, or SP with one of the aforementioned zones used as the base zone.

G. **“Low Income Residential Housing”** means “Residential Affordable Units”: (A) for rental housing, the units shall be made available, rented and restricted to “lower income households” (as defined in Health and Safety Code Section 50079.5) at an “affordable rent” (as defined in Health and Safety Code Section 50053), . Affordable units that are rental housing shall be made available, rented, and restricted to lower income households at an affordable rent

for a period of at least fifty-five (55) years after the issuance of a certificate of occupancy for new residential development. (B) for for-sale housing, the units shall be sold to "persons or families of low or moderate income" (as defined in Health and Safety Code Section 50093) at a purchase price that will not cause the purchaser's monthly housing cost to exceed "affordable housing cost (as defined in Health and Safety Code Section 50052.5) Affordable units that are for-sale housing units shall be restricted to ownership by persons and families of low or moderate income for at least forty-five (45) years after the issuance of a certificate of occupancy for the new residential development.

H. **"Multi-Family Residential Unit"** means a development project that has a density of greater than eight (8) residential dwelling units per gross acre.

I. **"Non-Residential Unit"** means retail commercial, service commercial and industrial development which is designed primarily for non-dwelling use, but shall include hotels and motels.

J. **"Recognized Financing District"** means a Financing District as defined in the TUMF Administrative Plan as may be amended from time to time.

K. **"Residential Dwelling Unit"** means a building or portion thereof used by one (1) family and containing but one (1) kitchen, which is designed primarily for residential occupancy including single-family and multi-family dwellings. "Residential Dwelling Unit" shall not include hotels or motels.

L. **"Retail Commercial Project"** means any development project with the predominant use that proposes any retail commercial activity use not defined as a service commercial project allowed in the following Ordinance No. _____ classifications: R-1, R-R, R-R-O, R-1-A, R-A, R-2, R-2-A, R-3, R-3-A, R-T, R-T-R, R-4, R-5, R-6, C-1/C-P, C-T, C-P-S, C-R, C-O, R-V-C, C-V, W-2, R-D, N-A, W-2-M, W-1, or SP with one of the aforementioned zones used as the base zone, which can include any eating/dinning facility residing on the retail commercial development premises.

M. **"Service Commercial Project"** means any development project that is predominately dedicated to business activities associated with professional or administrative services, and typically consists of corporate offices, financial institutions, legal, and medical offices, which can include a stand-alone eating/dining facility residing on the service commercial development premises.

N. **"Single Family Residential Unit"** means each residential dwelling unit in a development that has a density of eight (8) units to the gross acre or less.

O. **"TUMF Participating Jurisdiction"** means a jurisdiction in Western Riverside County which has adopted and implemented an ordinance authorizing participation in the TUMF Program and complies with all regulations established in the TUMF Administrative Plan, as adopted and amended from time to time by the WRCOG.

P. **"Disabled Veteran"** means any veteran who is retired or is in process of medical retirement from military service who is or was severely injured in a theatre of combat operations and has or received a letter of eligibility for the Veterans Administration Specially Adapted Housing (SAH) Grant Program.

Q. Government/public buildings, public schools, and public facilities that are owned and operated by a government entity in accordance with Section G. subsection Iv of the model TUMF Ordinance. A new development that is subject to a long-term lease with a government agency for government/public buildings, public schools, and public facilities shall apply only if all of the following conditions are met:

- (a) The new development being constructed is subject to a long-term lease with a government agency.
- (b) The project shall have a deed restriction placed on the property that limits the use to government/public facility for the term of the lease, including all extension options, for a period of not less than 20 years. Any change in the use of the facility from government shall trigger the payment of the TUMF in effect at the time of the change is made.
- (c) No less than ninety percent of the total square footage of the building is leased to the government agency.
- (d) The new development is constructed at prevailing wage rates.
- (e) A copy of the lease is provided to the applicable jurisdiction and to WRCOG.
- (f) Based on the facts and circumstances, the intent of the lease is to provide for a long-term government use, and not to evade payment of TUMF.

R. **“Non-profit Organization”** means an organization operated exclusively for exempt purposes set forth in section 501(c)(3) of the Internal Revenue Code, and none of its earnings may inure to any private shareholder or individual. In addition, it may not be an action organization, i.e., it may not attempt to influence legislation as a substantial part of its activities and it may not participate in any campaign activity for or against political candidates. For the purposes of the TUMF Program, the non-profit may be a 501(c) (3) charitable organization as defined by the Internal Revenue Service.

S. **“Long-Term Lease”** as used in the TUMF Program, a “long-term lease” shall mean a lease with a term of no less than twenty years.

T. **“Mixed-Use Development”** as used in the TUMF Program, means Developments with the following criteria: (1) three or more significant revenue-producing uses, and (2) significant physical and functional integration of project components.

U. **“Guest Dwellings”** and **“Detached Second Units”** according to the State of California legal definition as following: 1) The second unit is not intended for sale and may be rented; 2) The lot is zoned for single-family dwellings; 3) The lot contains an existing single-family dwelling; 4) The second unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling; and 5) Are ministerially amended by each jurisdiction’s local codes.

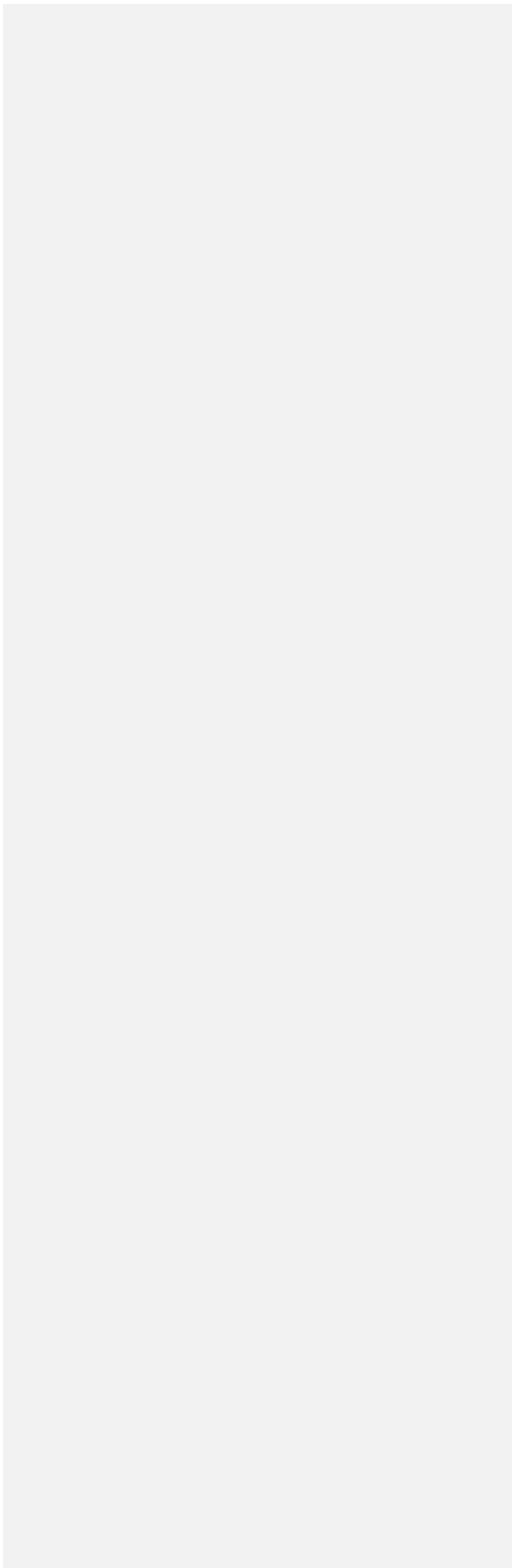
EXHIBIT "E"

TUMF Program Exemptions

The following types of new development shall be exempt from the provisions of the TUMF Administration Plan:

1. Low income residential housing as defined in Exhibit E, Section G of the Administrative Plan.
2. Government/public buildings, public schools, and public facilities that are owned and operated by a government entity in accordance with Section Q of Exhibit E of the Administrative Plan and Section G, subsection iv of the model TUMF Ordinance. Airports that are public use airports and are appropriately permitted by Caltrans or other state agency.
3. Development Projects which are the subject of a Public Facilities Development Agreement entered into pursuant to Government Code section 65864 *et seq*, prior to June 30, 2003, wherein the imposition of new fees are expressly prohibited, provided that if the term of such a Development Agreement is extended by amendment or by any other manner after June 30, 2003, the TUMF shall be imposed.
4. The rehabilitation and/or reconstruction of any habitable structure in use on or after January 1, 2000, provided that the same or fewer traffic trips are generated as a result thereof.
5. "Guest Dwellings" and "Detached Second Units" As defined in Exhibit E of the Administrative Plan and the TUMF Ordinance.
6. Additional single-family residential units located on the same parcel pursuant to the provisions of any agricultural zoning classifications set forth in the Municipal Code.
7. Kennels and Catteries established in connection with an existing single family residential unit.
8. Any sanctuary, or other activity under the same roof of a church or other house of worship that is not revenue generating and is eligible for a property tax exemption (excluding concert venue, coffee/snack shop, book store, for-profit pre-school day-care, etc.)
9. Any nonprofit corporation or nonprofit organization offering and conducting full-time day school at the elementary, middle school or high school level for students between the ages of five and eighteen years.
10. "New single-family homes, constructed by non-profit organizations, specially adapted and designed for maximum freedom of movement and independent living for qualified Disabled Veterans."

EXHIBIT “F”



Page Intentionally Left Blank