

ORDINANCE MIPAA 26-01

AN ORDINANCE OF THE MARCH JOINT POWERS COMMISSION OF THE MARCH INLAND PORT AIRPORT AUTHORITY AMENDING ORDINANCE JPA 25-01 TO ESTABLISH CONSTRUCTION COST INDEX ADJUSTMENTS TO THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM

WHEREAS, the March Inland Port Airport Authority is a member agency of the Western Riverside Council of Governments (“WRCOG”), a joint powers agency comprised of the County of Riverside and 18 cities located in Western Riverside County. Acting in concert, the WRCOG Member Agencies developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials in Western Riverside County (the “Regional System”) could be made up in part by a Transportation Uniform Mitigation Fee (“TUMF”) on future residential, commercial and industrial development; and

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

WHEREAS, based on the 2002 Nexus Study, the March Joint Powers Commission adopted Ordinance #JPA 03-03 on July 16, 2003 (the “TUMF Ordinance”) pursuant to California Government Code sections 66000 et seq. authorizing the City to impose the Transportation Uniform Mitigation Fee (“TUMF”) upon new development; and

WHEREAS, in 2016, the TUMF Nexus Study (“2016 Nexus Study”) was updated for the purpose of updating the fees. On July 10, 2017, the WRCOG Executive Committee reviewed the 2016 Nexus Study and TUMF Program and recommended TUMF Participating Jurisdictions amend their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction in order to update the TUMF Program; and

WHEREAS, on December 13, 2017 the March Joint Powers Commission adopted Ordinance #JPA 17-05 which adopted the 2016 Nexus Study and updated the TUMF; and

WHEREAS, in 2018, the TUMF Program was altered to adopt a process in which WRCOG calculates and collects TUMF on behalf of member agencies under the Western Riverside County Transportation Uniform Mitigation Fee Program Ordinance of 2018; and

WHEREAS, the March Joint Powers Commission adopted Ordinance #JPA 19-01 on March 27, 2019 allowing WRCOG to calculate and collect TUMF on behalf of the March JPA; and

WHEREAS, WRCOG, with the assistance of TUMF Participating Jurisdictions, prepared an updated nexus study entitled “Transportation Uniform Mitigation Fee Nexus Study: 2024 Update” (“2024 Nexus Study”) pursuant to California Government Code sections 66000 et seq. (the Mitigation Fee Act), for the purpose of updating the fees; and

WHEREAS, in September 2024, the WRCOG Executive Committee reviewed the 2024 Nexus Study and TUMF Program and recommended TUMF Participating Jurisdictions amend their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction in order to update the TUMF Program; and

WHEREAS, on April 09, 2025 the March Joint Powers Commission approved Ordinance #JPA 25-01, which adopted the 2024 Nexus Study and its findings; and

WHEREAS, the TUMF Administrative Plan calls for a Construction Cost Index (“CCI”) adjustment to be brought forth to the WRCOG Executive Committee on an annual basis; and

WHEREAS, on December 1, 2025, the WRCOG Executive Committee approved the implementation of an automatic CCI adjustment for all TUMF land uses tied to the September indices of the National Association of Realtors and Engineering News Record with a cap at 5% of any annual adjustments; and

WHEREAS, an automatic CCI adjustment ensures that fee levels keep pace with increases in cost of constructing transportation projects and avoids large increases at comprehensive TUMF Nexus Study updates; and

WHEREAS, this approach also allows for consistency and predictability for the TUMF Program, while ensuring that the fair share principles under AB 1600 are satisfied; and

WHEREAS, the March Joint Powers Commission desires to provide for automatic inflationary adjustments to the TUMF to reflect changes in construction costs over time, without modifying the underlying fee nexus, land use assumptions, or fee methodology; and

WHEREAS, this Ordinance also includes minor updates to the definitions portion of the previous Ordinance to clarify the definitions of residential units.

THE MARCH JOINT POWERS COMMISSION OF THE MARCH INLAND PORT AIRPORT AUTHORITY DO ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The definition of “Multi-Family Residential Unit” outlined in Section 3(H) of Ordinance #JPA 25-01 is hereby amended to read as follows:

“H. “Multi-Family Residential Unit” means a residential dwelling unit that is physically attached to one or more other dwelling units by a shared wall, floor, ceiling, roof, or structural foundation, regardless of the lot or parcel configuration, ownership structure, or type of subdivision (including condominium subdivisions). Multi-family residential units include, but are not limited to, duplexes, townhomes, apartments, and condominiums with attached units. As outlined in the Ordinance, accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), as defined by state law, are exempt from TUMF and shall not be counted in determining residential land use classification.”

SECTION 3. The definition of “Single Family Residential Unit” outlined in Section 3(N) of Ordinance # JPA 25-01 is hereby amended to read as follows:

“N. Single Family Residential Unit” means a residential dwelling unit that is physically detached from any other dwelling unit, sharing no common wall, floor, ceiling, roof, or structural foundation with another dwelling unit, regardless of the lot or parcel configuration, ownership structure, or type of subdivision (including condominium subdivisions). As outlined in the Ordinance, accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), as defined by state law, are exempt from TUMF and shall not be counted in determining residential land use classification.”

SECTION 4. Section 4(C)(1) is hereby added to Ordinance #JPA 25-01 to read as follows:

“Beginning July 1, 2026, and annually thereafter, the Transportation Uniform Mitigation Fee (TUMF) shall be automatically adjusted to reflect changes in construction costs.

The annual adjustment shall be calculated by WRCOG based on a blended Construction Cost Index derived from: (1) the National Association of Realtors – Median Sales Price of Existing Single-Family Homes, and (2) the Engineering News-Record (ENR) Construction Cost Index, using the September values of each index from the prior calendar year.

The percentage adjustment applied to the TUMF shall equal the annual percentage change in the blended index; provided, however, that in no event shall the annual adjustment exceed five percent (5%), whether positive or negative.

The calculated adjustment shall be implemented on July 1 of the year following index calculation.

If either referenced index is discontinued or materially altered, WRCOG shall apply a comparable, industry-recognized index that most closely reflects regional transportation construction costs.”

SECTION 5. Effect. No provisions of this Ordinance shall entitle any person who has already paid the TUMF to receive a refund, credit or reimbursement of such payment. This Ordinance does not create any new TUMF.

SECTION 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The March Joint Powers Commission hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional. If for any reason any portion of this ordinance is found to be invalid by a court of competent jurisdiction, the balance of this ordinance shall not be affected.

SECTION 7. No Procedural Defenses. Prohibition of Jurisdictions from raising procedural defenses, including without limitation a statute of limitations, laches, the California Government Tort Claims Act, and necessary parties in a dispute with WRCOG regarding the matters set forth herein.

SECTION 8. Judicial Review. In accordance with State law, any judicial action or proceeding to attack, review, set aside, void or annul this Ordinance shall commence within ninety (90) days of the date of adoption of this Ordinance.

SECTION 9. Ordinance #MIPAA 26-01: This Ordinance amends certain provisions of Ordinance #JPA 25-01 provided this Ordinance is not declared invalid or unenforceable by a court of competent jurisdiction. If, for whatever reason, this Ordinance is declared invalid or unenforceable by a court of competent jurisdiction, Ordinance #JPA 25-01 all other related ordinances and polices shall remain in full force and effect.

SECTION 10. Effective Date. This Ordinance shall take effect sixty (60) days after its adoption.

INTRODUCED on the 4th day of March, 2025

PASSED, APPROVED and ADOPTED at a regular meeting of the March Joint Powers Commission of the March Inland Port Airport Authority on 1st day of April, 2026.

A handwritten signature in black ink that reads "Chuck Conder". The signature is written in a cursive style and is positioned above a horizontal line.

Chuck Conder, Vice Chair
March Joint Powers Commission

ATTEST:

I, Cindy Camargo, Clerk of the March Joint Powers Commission, do hereby certify that the foregoing Ordinance MIPAA 26-01 was duly and regularly adopted by the March Joint Powers Commission at its regularly scheduled meeting on April 01, 2026 by the following vote:

Ayes: Medina (2 votes), Perry, Delgado (2 votes), Vargas (2 votes), Conder
Noes: None.
Abstain: None.
Absent: Gutierrez, Cabrera, Corona

Dated: April 01, 2026



Cindy Camargo
Clerk, March Joint Powers Commission

MARCH JOINT POWERS COMMISSION
OF THE
MARCH INLAND PORT AIRPORT AUTHORITY

MIPAA Ordinance Adoption
Agenda Item No. 8 (1)

Meeting Date: April 1, 2026

Action: **TAKE THE FOLLOWING ACTIONS AS THEY RELATE TO THE WRCOG TUMF PROGRAM: 1) FILE A NOTICE OF EXEMPTION WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE FINDING THE ADOPTION OF ORDINANCE MIPAA 26-01 EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061 (b)(3); AND 2) WAIVE THE SECOND READING AND ADOPT ORDINANCE MIPAA 26-01, AN ORDINANCE TO ESTABLISH CONSTRUCTION COST INDEX ADJUSTMENTS AND INCLUDE MINOR UPDATES TO THE DEFINITIONS PORTION OF ORDINANCE JPA 25-01 FOR THE WRCOG TUMF PROGRAM.**

Motions:

- 1) File a Notice of Exemption with the Riverside County Recorder's Office Finding the Adoption of Ordinance MIPAA 26-01 Exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15061(b)(3); and
- 2) Waive the Second Reading and Adopt Ordinance MIPAA 26-01, an Ordinance to Establish Construction Cost Index Adjustments and Include Minor Updates to the Definitions Portion of Ordinance JPA 25-01 for the WRCOG TUMF Program.

Background:

The March Inland Port Airport Authority ("Authority") is a Member Jurisdiction of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency comprised of the County of Riverside and eighteen (18) cities located in Western Riverside County. Acting in concert, in 2002-2003 the WRCOG Member Jurisdictions developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials due to new development in Western Riverside County could be made up in part by a Transportation Uniform

Mitigation Fee (“TUMF”) on future residential, commercial and industrial development. As a Member Jurisdiction of WRCOG and as a TUMF Participating Jurisdiction, the Authority participated in the preparation of a certain “Western Riverside County Transportation Uniform Fee Nexus Study,” (“2002 Nexus Study”) later adopted by the WRCOG Executive Committee. Based on the 2002 Nexus Study, the Authority adopted and implemented an ordinance authorizing the Authority’s participation in a TUMF Program.

Pursuant to the Mitigation Fee Act (Gov. Code §§ 66000 *et seq.*), WRCOG prepared a new nexus study (“2024 Nexus Study”) to update the fees. On September 9, 2024, the WRCOG Executive Committee reviewed the 2024 Nexus Study and recommended TUMF Participating Jurisdictions update their fees by amending their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction.

Ordinance Adoption:

On December 1, 2025, the WRCOG Executive Committee approved the implementation of an automatic Construction Cost Index (CCI) adjustment for all TUMF land uses tied to the September indices of the National Association of Realtors and Engineering News Record with a cap at 5% of any annual adjustments. Ordinance MIPAA 26-01 would allow for an automatic CCI adjustment to ensure that fee levels keep pace with increases in cost of constructing transportation projects and avoid large increases at comprehensive TUMF Nexus Study updates. This approach also allows for consistency and predictability for the TUMF Program, while ensuring that the fair share principles under AB 1600 are satisfied. Ordinance MIPAA 26-01 would also include minor updates to the definitions portion of Ordinance JPA 25-01 to clarify the definitions of residential units.

Public Hearing:

On February 04, 2026, the Joint Powers Commission conducted a public hearing of Ordinance MIPAA 26-01 discussing the implementation of the automatic CCI adjustment and the minor updates to the definitions portion of Ordinance JPA 25-01. The Commission waived the First Reading of Ordinance MIPAA 26-01 and directed staff to place the ordinance on a future agenda for a Second Reading and formal adoption.

CEQA:

The proposed Ordinance MIPAA 26-01 is exempt from the CEQA pursuant to Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity of implementing an automatic CCI adjustment and minor updates to the definitions portion of Ordinance JPA 25-01 will have a significant effect on the environment and therefore is not subject to CEQA.

Staff Recommendations:

Staff recommends that the March Joint Powers Commission take the following actions:

- 1) File a Notice of Exemption with the Riverside County Recorder’s Office finding the Adoption of Ordinance MIPAA 26-01 exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3); and

- 2) Waive the Second Reading and Adopt Ordinance MIPAA 26-01, an Ordinance to Establish Construction Cost Index Adjustments and Include Minor Updates to the Definitions Portion of Ordinance JPA 25-01 for the WRCOG TUMF Program.

Attachment(s): 1) Ordinance MIPAA 26-01
 2) Notice of Exemption



FILED / POSTED

County of Riverside
 Peter Aldana
 Assessor-County Clerk-Recorder
 E-202600276
 04/02/2026 03:58 PM Fee: \$ 50.00
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Removed: _____ By: _____ Deputy


NOTICE OF EXEMPTION

<p>TO: <input checked="" type="checkbox"/> Office of Planning and Research P. O. Box 3044, Room 113 Sacramento, CA 95812-3044</p> <p>And</p> <p>County of Riverside County Clerk 2720 Gateway Drive Riverside, CA 92502-0751</p>	<p>FROM: (Public Agency) March Inland Port Airport Authority 17405 Heacock Street Moreno Valley, CA 92551</p> <p>Contact: Lauren Sotelo</p> <p>Phone: (951) 656-7000</p>
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1. Project Title:	WRCOG Transportation Uniform Mitigation Fee (TUMF) Ordinance Adoption
2. Project Applicant:	March Inland Port Airport Authority 17405 Heacock Street Moreno Valley, CA 92551
3. Project Location –	Agency Wide
4. (a) Project Location – City: Riverside	(b) Project Location – County: Riverside
5. Description of nature, purpose, and beneficiaries of Project:	On December 1, 2025, the WRCOG Executive Committee approved the implementation of an automatic Construction Cost Index (CCI) adjustment for all TUMF land uses tied to the September indices of the National Association of Realtors and Engineering News Record with a cap at 5% of any annual adjustments. Ordinance #MIPAA 26-01 would allow for an automatic CCI adjustment to ensure that fee levels keep pace with increases in cost of constructing transportation projects and avoid large increases at comprehensive TUMF Nexus Study updates. This approach also allows for consistency and predictability for the TUMF Program, while ensuring that the fair share principles under AB 1600 are satisfied. Ordinance #MIPAA 26-01 would also include minor updates to the definitions portion of Ordinance #JPA 25-01 to clarify the definitions of residential units.
6. Name of Public Agency approving project:	March Inland Port Airport Authority 17405 Heacock Street Moreno Valley, CA 92551
7. Name of Person or Agency undertaking the project, including any person undertaking an activity that receives financial assistance from the Public	March Inland Port Airport Authority 17405 Heacock Street Moreno Valley, CA 92551

Agency as part of the activity or the person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the activity:	
8. Exempt status: (check one)	
(a) <input type="checkbox"/> Ministerial project.	
(b) <input type="checkbox"/> Not a project.	
(c) <input type="checkbox"/> Emergency Project.	
(d) <input type="checkbox"/> Categorical Exemption. State type and section number:	
(e) <input type="checkbox"/> Declared Emergency.	
(f) <input type="checkbox"/> Statutory Exemption. State Code section number:	
(g) <input checked="" type="checkbox"/> Other. Explanation:	Section 15061(b)(3)
9. Reason why project was exempt:	Ordinance #MIPAA 26-01 is exempt from the CEQA pursuant to Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity of implementing an automatic CCI adjustment and minor updates to the definitions portion of Ordinance #JPA 25-01 will have a significant effect on the environment and therefore is not subject to CEQA.
10. Lead Agency Contact Person:	Lauren Sotelo (Contract Airport Planner)
11. Telephone:	(951) 656-7000
12. If filed by applicant: Attach Preliminary Exemption Assessment (Form "B") before filing.	
13. Has a Notice of Exemption been filed by the public agency approving the project? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
14. Was a public meeting held by the Lead Agency to consider the exemption? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, the date of the public meeting was: <u>March 04, 2026</u>	

Signature: *Lauren Sotelo* Date: April 02, 2026 Title: Airport Project Manager

Name: Lauren Sotelo

Signed by Lead Agency Signed by Applicant

Date Received for Filing: _____

(Clerk Stamp Here)

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.