

**AMENDMENT NO. 1 TO TRANSPORTATION UNIFORM MITIGATION FEE
PROGRAM AGREEMENT
MURRIETA HOT SPRINGS ROAD IMPROVEMENTS**

This Amendment No. 1 to Transportation Uniform Mitigation Fee Program Agreement (“Amendment No. 1”) is entered into this ____ day of ____, 2025, by and between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (“WRCOG”) and the City of Murrieta (“AGENCY”). WRCOG and the AGENCY are sometimes referred to individually as “Party” and collectively as “Parties.”

RECITALS

A. WRCOG and AGENCY have entered into an agreement titled “Transportation Uniform Mitigation Fee Program Agreement” that is dated June 20, 2023 (“Agreement”). The Agreement provides the terms and conditions, scope of work, schedule and funding amount for the construction of the **Murrieta Hot Springs Road Improvements** (hereinafter the “Project”)

B. The Parties desire to amend the Agreement by increasing the funding amount pursuant to Sections 6 and 33 of the Agreement.

C. The purpose of this Amendment No. 1 is to increase the funding for the Project. This amendment ensures that necessary funding, resources, and approvals are aligned to support the project's progression. It enables the coordination of stakeholders to advance infrastructure development efficiently and in compliance with regional transportation goals. Funds are being increased for this Project because new funding has become available.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and subject to the conditions contained herein, the Parties hereby agree as follows:

1. The Funding Amount contained in Section 2 of the Agreement as amended by Amendment No. 1 is hereby increased by **Three Hundred Fifty Thousand Dollars (\$350,000)** from **Two Million, Seven Hundred Thousand Dollars (\$2,700,000.00)** to an amount not to exceed **Three Million, Fifty Thousand Dollars (\$3,050,000)**.

2. The foregoing increase in the Funding Amount is within the Maximum TUMF Share.

3. Exhibits “A”, “A-1”, and “A-2” of the Agreement are hereby replaced in their entirety by Exhibits “A”, “A-1”, and “A-2” of this Amendment No. 1, which are attached hereto and incorporated by reference.

4. The above-stated Recitals are hereby fully incorporated into this Amendment No. 1.

5. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement as amended shall remain in full force and effect between the Parties hereto.

6. Section 40 is hereby added to the Agreement to read as follows:

“40. Electronic Signatures. Each Party to this Agreement agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform

Electronic Transactions Act ((“CUETA”) Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Agreement as well as any amendments to this Agreement. The Parties further agree that the electronic signatures of the Parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the parties. For purposes of this Section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.”

IN WITNESS WHEREOF, the Parties have caused this Amendment No. 1 to be executed by their duly authorized representatives to be effective on the day and year first written above.

WESTERN RIVERSIDE COUNCIL
OF GOVERNMENTS

CITY OF MURRIETA

By: _____
Dr. Kurt Wilson
Executive Director

By: _____
Cindy Warren
Mayor

Approved to Form:

Approved to Form:

By: _____
Steven C. DeBaun
General Counsel

By: _____
Tiffany Israel
City Attorney

Attest:

By: _____
Cristal McDonald
City Clerk

Exhibit A

SCOPE OF SERVICES

SCOPE OF WORK: The Murrieta Hot Springs Road Improvement project, CIP 8079, consists of numerous improvements to Murrieta Hot Springs Road between Margarita Road and Winchester Road. The roadway will be widened from a four-lane roadway to a six-lane roadway between Via Princesa (East) and Winchester Road. Improvements include installation of asphalt concrete pavement, concrete curb and gutter, concrete sidewalk, raised landscaped medians, street lighting, signage and striping, storm drain, water quality devices, retaining walls, and a traffic signal at Calle Del Lago. The widening will also require the realignment of private driveways and a portion of Via Frontera Road within the Ridgeway Community as well as relocation of various existing utilities including electric, gas, water, sewer, and communications.

EXHIBIT “A-1”**ESTIMATE OF COST**

Phase	TUMF	LOCAL	TOTAL
PA&ED	\$0	\$850,000	\$850,000
RIGHT OF WAY	\$347,000	\$203,000	\$550,000
CONSTRUCTION	\$2,703,000	\$12,797,000	\$15,500,000
TOTAL	\$3,050,000	\$13,850,000	\$16,900,000

EXHIBIT “A-2”**PROJECT SCHEDULE****TIMETABLE:**

Phase	Estimated Completion Date	Estimated Cost	Comments
PA&ED	12/2024	\$850,000	
RIGHT OF WAY	3/2024	\$550,000	
CONSTRUCTION	10/2026	\$15,500,000	
TOTAL		\$16,900,000	