

BEAUMONT: The long, complex TUMF tale continues

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In addition to being blind, justice is also sorta slow. And sometimes very, very boring. But even the most mundane-sounding disputes can have big implications. Take the tussle between Beaumont and the Western Riverside Council of Governments over impact fee collections. I'll try to be brief, but here's the issue, in a nutshell:

1. The Transportation Uniform Mitigation Fee is collected on all new developments, in order to spread the cost of widening and maintaining roads across all the growth that's requiring the wider roads.
2. Regional officials, namely the Western Riverside Council of Governments and Riverside County Transportation Commission, prioritize which projects get built with TUMF money. A small slice also goes to Riverside Transit Agency.
3. Cities collect the fee when they issue occupancy permits, and then normally remit it. Sometimes they let developers make certain repairs in lieu of the fee, or even waive the fee and pay it themselves to encourage development.
4. Beaumont collected a lot of TUMF money and did a lot of repairs around Beaumont. They spent the money on TUMF-eligible projects, rather than remit it to WRCOG.
5. WRCOG would like their money and Beaumont claims it was perfectly within its right to spend the money. That matter is being decided in Orange County Superior Court, after WRCOG sued in Riverside County and the case got moved.
6. As a result, **Beaumont stopped participating** in TUMF and WRCOG kicked them out of the program. Who did what first or who broke up with who doesn't really matter. Stacy told me that Cheryl told her that Frank said it was Col. Mustard in the parlor with monkey wrench... yeah, they disagree. Let's move on.

Rodrigo Pena/Special to The Press-Enterprise

Oak Valley Parkway in Beaumont was widened using TUMF revenues.

ANYWAY, not playing in the TUMF sandbox comes at a price, especially as it comes to local street and road money. In order to get some local money out of RCTC, the city has to be member of TUMF. So Beaumont, along with La Quinta, which has never belonged to TUMF, get nothing.

So that brings us to the present, where Beaumont has filed a lawsuit in Riverside County Superior Court challenging that WRCOG, RCTC and RTA have not followed the TUMF law. The agreement for the county's half-cent transportation sales tax, Measure A, stipulates that RCTC gets the first \$400 million of TUMF for regional road projects. That comes from the 2002 re-approval of Measure A, when voters extended the tax from 2009 to 2039.

A separate agreement between RTA and RCTC and WRCOG divides that TUMF money between the three. Are you bored yet? I know I am. But this is a big deal, especially for the people of Beaumont. Local street repairs might not sound like much, but when it's your street that is clogged or the pavement is pitiful, it gets noticed. Beaumont, if it loses in Orange County, is going to lose out on a lot of money for widening roads. Losing its seat at the table for TUMF, even it keeps what it has built, could cost it future priority projects. Without all those nice big roads, Beaumont is going to be hard-pressed to lure more development. It might also become an island around which the rest of the cities, namely Banning and Calimesa, have to build and grow. On the flip side, if Beaumont did things the right way, it might lead other cities to do the same. Then WRCOG is sort of at a loss for controlling regional transportation planning. What's the point of administering the program, if everyone comes together yearly, agrees on what gets on the list, and then does it themselves? So as mundane as the courtroom dramas are set to be, they have huge implications on the future of San Geronio Pass construction. Stay tuned, even if it's tough to stay awake.