

# UCSC growth dispute getting more expensive

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**SANTA CRUZ** — The city's legal bill for battling growth at UC Santa Cruz is expected to triple during the next few months.

City officials plan to spend \$200,000 in a series of lawsuits, many already pending in county and federal courts, that are designed to force the university to address impacts on the community as it plans to add several thousand students and faculty to the campus by 2020.

The expected appropriation comes after closed-door negotiations during the past few months failed to produce a middle ground between the city and university, and the points of contention become more likely to be decided by a judge.

"I think we need to spend what we can to protect the city's governmental interests and the community's interests," Mayor Emily Reilly said. "We are serious, and we will defend ourselves, absolutely."

City officials say the bill is worth the hefty price because addressing infrastructure needs related to UCSC's expansion could run into the millions of

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dollars.

As of early December, the city had spent more than \$100,000 on attorney fees and other related legal costs, according to City Attorney John Barisone.

The additional \$200,000 will come from the city's public trust fund, a pool of money from sales of city-owned property used in rare situations. The city, which cannot afford to tap its general fund for legal costs, is allowed to use the public trust fund for one-time emergency expenses.

"The UC system does have an amazing amount of resources," Councilman Ryan Coonerty said. "The city as a whole has to be prepared to advocate our case and defend our side in the foreseeable future."

The city is involved in 10 pending or potential lawsuits that involve the city and community suing UCSC or the university suing the city in connection to future expansion.

The core of the legal fight is the university's Long Range Development Plan, which calls for 4,500 more students during the next 15 years. City leaders say this would cause major strains on the city's water supply, traffic and rental housing stock unless UCSC helps pay for mitigations. University officials say the UC system also has paid "significant expenses related to actions taken by the city," UCSC spokesman Jim Burns said in a written statement Tuesday.

While UC officials have failed to make a financial commitment to the city, they contend UCSC has always paid for its share of new projects in the city and county during the past 40 years.

UCSC is required to expand its campus to accommodate the growing number of eligible college-age students.

In November, Santa Cruz voters overwhelmingly approved two ballot measures that call for limiting city services to accommodate growth at UCSC unless the university covers mitigation costs. UC has sued the city to stop measures I and J from going into effect.

Most recently, UC launched a suit last month against the Local Agency Formation Commission challenging the boundary lines of the city's water services, which don't include the undeveloped area of the UCSC campus. The city is legally obligated to defend that suit, Barisone said.

Out-of-court negotiations between the two sides fell apart in December when UCSC refused to postpone construction of a \$65 million, 92,000-square-foot biomedical building on campus, which is slated to start in August, Barisone said.

"When we challenged their [environ-

## Town-gown legal battles

The city is involved in a number of pending and potential lawsuits related to UCSC growth:

■ **City of Santa Cruz v. University of California:** Case based on the federal Clean Water Act that alleges university activity has caused water runoff and pollutants in local waterways and Monterey Bay. Case is pending in federal court.

■ **University of California v. City of Santa Cruz:** The university is challenging the validity of measures I and J. UCSC claims the city is obligated to provide all water and sewer services the university might require. The city disputes this claim. Case is pending in Santa Cruz County Superior Court.

■ **City of Santa Cruz v. University of California:** The city contends UCSC's Long Range Development Plan violates the California Environmental Quality Act. Case is pending in Santa Cruz County Superior Court.

■ **CLUE v. University of California:** Citizen group contends the UCSC environmental impact report for the Long Range Development Plan fails to meet California Environmental Quality Act standards.

■ **University of California v. LAFCO:** UCSC challenges a boundary map that shows the undeveloped portion of the UCSC campus is outside the city's water service area and would need to be annexed to be eligible for city water service.

mental impact report] as not adequate, they would have had to put that project on hold," he said.

"Their position is we have to serve them, and the city says 'No,'" he added.

If both sides fail to reach a settlement, UCSC has vowed "to vigorously challenge lawsuits and other actions that impair the university's constitutional rights, its long-standing contractual agreements with the city and its responsibilities as a public university," Burns said in his statement.

The \$200,000 from the public trust fund is expected to cover the city's legal expenses through the end of June, Barisone said.

The bulk of the money, Barisone said, will pay the city's environmental attorney James Moose, an expert on the California Environmental Quality Act based in Sacramento.

The council is expected to vote on the \$200,000 appropriation at its meeting Tuesday, which starts at 3 p.m. at City Hall.

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