

*'I don't think there's been any clear demonstration that they understand the significance of what they're proposing to the city.'*

COUNTY SUPERVISOR MARDI WORMHOUDT, ON UCSC'S DEVELOPMENT PLAN

# Legal battle looms



Shmuel Thaler/Sentinel

A UC Santa Cruz student is reflected in the Baskin Engineering Auditorium as she leaves the university's Engineering 2 building on Science Hill. Both buildings are new and part of the university's continued growth.

*UCSC - Growth* *8-13-06*  
**Santa Cruz prepared for lawsuit if nothing is worked out**

By **SHANNA McCORD**  
 SENTINEL STAFF WRITER

**SANTA CRUZ** — The battle to stop UC Santa Cruz from expanding student enrollment by nearly 50 percent to 21,000 in the next 15 years, along with 2,000 new faculty and staff members, came to a head this week.

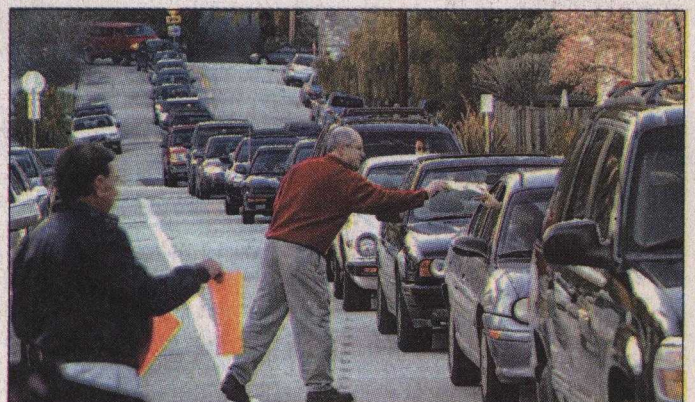
The University of California threatened to sue the city unless two measures were pulled off the November ballot that seek to stop growth identified in the long-range development plan without UCSC paying its share of impacts on city services such as water, housing and transpor-

tation.

Almost in the same breath, UC last week offered the city a proposal if the ballot measures were halted. Details of the proposal were not released publicly.

The City Council, during a special closed-session meeting Wednesday, unanimously rejected the University of California's proposal and agreed to move forward with the ballot measures even if that means a lawsuit looms.

"We expressed gratitude that the university was interested in communicating and really



Dan Coyro/Sentinel file

Westside Santa Cruz residents call for an end to UC Santa Cruz expansion in 2005 as they hand out fliers to a bumper-to-bumper parade of cars leaving campus.



# UCSC

Continued from Page A1

wished we'd had these discussions sooner," Mayor Cynthia Mathews said after the closed-session meeting. "We just really want to engage in substantive solutions to the common issues we face."

The idea of several thousand new students and faculty moving to town by 2020 has city officials worried that Santa Cruz — mostly built out and not generally welcoming of new growth — can't sustain a major jump in population, especially if UCSC doesn't help pay for new infrastructure required to accommodate the growth.

As a state-run organization, UC is exempt from most local land-use laws.

It won't be known exactly how much the city is seeking from UCSC for mitigation costs until a final environmental impact report for the long-range development plan is certified.

Still, UCSC has helped foot the bill in the past and is proud of what it sees as a positive working relationship with city officials, campus spokeswoman Liz Irwin said.

UCSC has paid a total of \$1.7 million for off-campus mitigations and part of a transportation study since its 1988 long-range development plan was written, but city and school officials have not discussed how much UCSC should contribute toward future expansion.

City officials are afraid local taxpayers will be stuck paying the millions of dollars it's likely to cost to accommodate UCSC's expansion. Now they're fighting to have UCSC help shoulder some of the financial burden.

"I believe there needs to be a contractual obligation," county Supervisor Mardi Wormhoudt said. "I don't think there's been any clear demonstration that they understand the significance of what they're proposing to the city or that they're prepared to deal with it in a significant way."

The Santa Cruz ballot measures were crafted by Wormhoudt, who represents most of the city.

If passed, they would allow the city to refuse services to UCSC unless the full cost of constructing and operating such services were paid.

During the past couple of years, Wormhoudt participated in a community group that had attempted to work with university officials to address city concerns connected to UCSC's latest long-range development plan, especially the number of new students and faculty expected at the campus.

However, getting a response — much less a commitment — from UC officials for how they plan to take care of added pressure and use of city infrastructure proved frustrating, and Wormhoudt felt the ballot measures were the only way to grab the university's attention.

"The result of their growth will probably result in the need for millions of dollars in mitigations," Wormhoudt said. "If the university isn't willing to pay for it, who is?"

"If the university is willing to pay, they shouldn't have any objection to this ballot measure."

University of California attorney Kelly Drumm, who wrote a letter last week to city officials threatening a lawsuit, could not be reached for comment last week.

A University of California spokeswoman said Tuesday — the day after Drumm's letter was sent to the city — that administrators hadn't decided how the Santa Cruz ballot measure would be handled.

"We're carefully reviewing the ballot measure and in the process of deciding what steps, if any, to take," spokeswoman Jennifer Ward said. "This is not an us versus them thing."

Since UCSC's long-range development plan of 1988 was written, the university has paid the city roughly \$1.2 million to help cover off-campus impacts on infrastructure, including water pump upgrades, a new traffic signal, new turn lane and widening Mission Street.

UCSC also paid half of the \$500,000 master transportation study, a 20-year transportation plan for all of Santa Cruz shared by the city and university. And, \$245,000 was paid to reimburse the county for a new traffic signal at Coolidge and Hagar streets.

The \$736,000 UCSC paid to the city Water Department for water pump upgrades is exactly what the department expected to receive, Director Bill Kocher said.

Increased water use at the campus is one example of how UCSC's growth would force the city to significantly expand its services.

Looking at UCSC's projected water use in the future shows increased demand of 500,000 gallons a day, bringing total daily use at the campus to 2.5 million gallons, which Kocher says the city doesn't have the capacity to provide.

To meet the increased water demand, Kocher said UCSC would be forced to rely on the proposed \$40 million desalination plant the city hopes to build by 2009 to use during droughts, though the plant is far from being a sure thing.

The additional 500,000 gallons a day for UCSC represents about one-fifth of the desalination plant's estimated capacity, which Kocher said would mean the university should contribute one-fifth of the cost — \$8 million — toward its construction and operation.

"When the (long-range-development plan) matures, we don't have the water, not with our current system," he said. "Something will have to be built and the only thing we're looking to build is a desal plant, and that's not particularly cheap water."

The topic has not been discussed between UCSC and city officials.

City and county leaders won confidence that the Santa Cruz ballot measures would be less at risk of drawing a lawsuit after the state Supreme Court recently ruled that California State University can't skirt its obligation to pay for off-campus impacts associated with growth.