



Construction halt sought over traffic impact fees

County's petition says College District owes about \$368,000

By Raul Hernandez
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Lawyers for Ventura County asked a court this week to halt construction at Ventura, Moorpark and Oxnard colleges on grounds that the Ventura County Community College District failed to offset the additional traffic from the expanded campus facilities.

The county said the College District owes it more than \$368,000 in fees to compensate for the off-site traffic impacts on the region's highways, roads and intersections.

The construction activity at the three colleges resulted from voters' approval of Measure S in March 2002. The bond measure provides \$356 million for new classroom buildings, parking and other instructional facilities.

The county's petition, which was filed Monday, asks a judge to order the college board to prepare an environmental impact report that adequately "analyzes and mitigates" the projects' significant traffic impacts.

The interim chancellor of the College District downplayed the litigation, saying it was "unfortunate" that the county took the action. He said both sides are very close to reaching a settlement.

"I think it will be resolved next week. I am very hopeful," said Bill Studt, interim chancellor, adding that he believes the meetings between county and district officials have been amicable.

Studt said there are "small things" that need to be resolved, adding that construction on all three sites is ongoing.

The county's petition asks for a writ of mandate, a type of court order, to force the College District to take action. No date has been set for a court hearing on the matter, said Assistant County Counsel Robert Kwong.

The county claims that the largest portion of the money owed, \$304,056, is because of construction at Oxnard College.

The Oxnard campus improvements are intended to deal with enrollment growth predicted to reach 20,562 students in 2018, up from 8,009 students in 2001, according to district figures cited by the county.

The Moorpark College improvements are designed to address projected growth from a student enrollment of 13,787 in 2004 to 19,000 students in 2015.

A county estimate put the traffic impact fee at \$23,893.

The Ventura College project deals with projected growth from a 2002 level of 11,125 students to 11,873 in 2015, an increase of 748 students.

The county calculated the traffic impact fee at \$40,561.

District probably will pay

Studt said the College District will probably end up paying the county the fees, using money from the district's general fund and operating funds.

According to the document filed by the county, the College District board certified that it had fulfilled the requirements of state environmental laws by completing an environmental impact report on the Moorpark College Master Plan.

The county wants the court to make the district set aside a decision by the district board that certified the Moorpark EIR. The county also wants the district to erase approval of the Ventura College Campus Master Plan and the Oxnard College Facilities Campus Master Plan.

Action had been delayed

The county said its action to collect the traffic fees had been delayed while officials waited for the outcome of a California case — the City of Marina v. Board of Trustees of California State University — which has since been resolved by the California Supreme Court.

An issue in the Marina case was whether colleges and universities were obligated to comply with the state's environmental laws and pay fees when projects cause off-site impacts. The county's petition notes that the Supreme Court ruled in favor of Marina.

For its part, the College District has said the traffic concerns raised by the county were not significant, according to the county's petition.



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