



# NEWS RELEASE

## **For Immediate Release**

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## **CITY OF TUSTIN FILES CROSS COMPLAINT AGAINST TUSTIN UNIFIED SCHOOL DISTRICT**

### **TUSD's environmental practices and the safety of neighboring properties at issue.**

**TUSTIN, CA** – In an effort to ensure that storm water runoff is handled in an environmentally safe and consistent manner throughout the City and our local watershed, the City of Tustin has filed a cross complaint against the Tustin Unified School District (TUSD). The Complaint is in response to the District's February 18 lawsuit claiming it is not required to comply with City storm water and grading permit requirements.

In its cross complaint, the City is asking the judge to rule on Government Code 53097 which states that "...the governing board of a school District shall comply with a City or county ordinance regulating drainage improvements and conditions, regulating road improvements and conditions or requiring the review and approval of grading plans as these ordinance provisions relate to the design and construction of onsite improvements which affect drainage, and road conditions." According to Tustin Mayor Jerry Amante, "The City believes comply means comply. TUSD apparently believes that to comply is optional. Unfortunately, the District has decided to argue this matter in front of a judge who will have to tell them to comply with the law. While the City has been dealing with the facts of the dispute, TUSD has made a series of outrageous and inflammatory claims against the City, which are designed to draw attention away from the District's refusal to be good stewards to the public. The cost of processing the permits is a mere fraction of the amount of money

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the District is spending on lawyers and public relations consultants. The issue is public safety and compliance with federal, state, and local environmental laws. Rather than complete a simple grading and storm water management plan, which every other business and agency in the City, including the City itself, has managed to do, TUSD has elected to stall, file suit and otherwise waste precious time and the taxpayers' educational funds on wasteful litigation with the City.”

All businesses and agencies, as part of the planning process for all new construction or renovations, must prepare storm water runoff plans as part of the grading permit process. These plans ensure that the project will adequately manage water runoff, not just during winter storms, but water from landscaping as well. In recent years, the state has taken many steps to require cities to better manage runoff in order to prevent pollutants from running through storm systems into our local rivers, waterways and oceans. Failure to comply with these regulations can result in fines of \$10,000 per day or more to both the District and the City.

The City of Tustin has always supported the interests of our community schools and schoolchildren. In fact, as the land use authority for the former MCAS/Tustin, the City arranged for and secured the land for the Heritage School site worth millions of dollars from the Department of the Navy at no cost to the District. The District, by failing to comply with the law, is forcing the City to file suit in order to protect the safety of its residents and schoolchildren. Recently Rancho Santiago and South Orange County Community College Districts complied with these same laws for their academies at Tustin Legacy, all private builders and developers in Tustin comply, and the City itself complied for the new library and Pasadena Well projects. Compliance is not optional; it is the law and includes fines of up to \$10,000 dollars a day.

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