

FOR IMMEDIATE RELEASE February 8, 2012

Contact: Howard Sutter 714.834.6203 office Howard.Sutter@ocgov.com

County Seeks Resolution of Claims Over TCA Fees

(Santa Ana, CA) — The County of Orange has filed an action in Orange County Superior Court seeking to resolve claims related to fees assessed by the San Joaquin Hills Transportation Corridor Agency (TCA) as a condition for the issuance of building permits for improvements at John Wayne Airport's Terminal C.

The action filed February 2nd, called a Complaint in Interpleader, involves \$157,076 in fees paid to OC Public Works between October 11, 2011 and January 19, 2012. TCA is currently demanding payment of those fees while the five concessionaires involved are demanding the fees be returned to them. Because there are conflicting claims, the County is asking to Court to resolve the matter.

The fees levied by TCA are intended to defray the costs of constructing major thoroughfares as a condition for the issuance of a building permit. John Wayne Airport is located within an Area of Benefit Zone that requires the payment of these development impact fees. The concessionaires maintain the fees cannot be levied against tenants of tax-exempt publicly-owned property, particularly to the extent that those fees are calculated on the basis of common area square footage in Terminal C at John Wayne Airport.