

CITY COUNCIL MEETING

February 4, 1981

cc-909
cc-1100
354

LAFCO CONCERNS

As previously requested by the Council, Community Development Director Schroeder presented a report concerning the denial of the Batch Reorganization (i.e. Annexation) by the Local Agency Formation Commission. A very lengthy discussion followed with City Manager Graves reporting on a meeting that had taken place this very afternoon in the office of Supervisor George Barber at which the LAFCO Executive Officer, as well as Council representatives, were present.

It was proposed that a dinner meeting be scheduled at which members of the City Council and LAFCO Commissioners be present to discuss matters of mutual concern.

MEMORANDUM, CITY OF LODI, Community Development Department

TO: CITY MANAGER
FROM: COMMUNITY DEVELOPMENT DIRECTOR
DATE: JANUARY 26, 1981
SUBJECT: BATCH REORGANIZATION DENIAL

INTRODUCTION. At the last City Council meeting Councilman James McCarty asked our office to prepare a report concerning the denial of the Batch Reorganization (i.e. Annexation) by the Local Agency Formation Commission (LAFCO). At the meeting we indicated that the minutes of the LAFCO hearing would also be available for Council perusal. However, LAFCO Executive Officer, Jerry Scott, indicates that the Minutes would not reveal all of the statements. He has provided the City Clerk with the tapes of the session, if a Councilman or other persons wishes to review them.

HEARING DATA. Although the motion for denial contains no findings, a number of statements were made by LAFCO members which the City Council may wish to hear. Even though the area west of Lower Sacramento Road has been shown for development on the General Plan since 1962 and four annexations (i.e. Hom Addition - October, 1966; Towne Addition - June, 1972; Temple Baptist Church Addition - August, 1976; and Kennedy-Taylor - September, 1978) have previously been approved by LAFCO in that area, certain commission members felt that that major thoroughfare was a natural western boundary for the City of Lodi.

One LAFCO member stated that no annexations to Lodi should be approved until after the electorate had an opportunity to vote on one or both of the growth initiatives presently being circulated in the City.

Although it was stated by both City Staff and the applicant's attorney that there was no development proposed for the Batch property at present, LAFCO members were concerned that the City was not doing enough to alleviate the over-crowding being faced by the Lodi Unified School District.

As the Council is aware, the Batch Reorganization contained both the Robert Batch property west of Lower Sacramento Road and the Martha Mills property east of the road. The Mills property was being forced into the City in accordance with LAFCO policy and past actions of that agency. LAFCO member Wilhort stated that he felt the forcing of property into a city was unconstitutional.

PERSON SPEAKING IN OPPOSITION.

1. Mr. Wilbert Ruhl, Rural Land Owners Association
3933 East Almond Drive, Lodi
2. Mrs. Ann Johnson, Lodi Unified School District
815 West Lockeford Street Lodi
3. Mr. Michael Machado, Peoples Organization for
Land Preservation
Linden, CA
4. Dr. Doris Marenco, 605 N. Madison
Stockton, CA
5. Mr. Mills, Attorney at Law for his Mother
Mrs. Martha Mills
2401 West Lodi Avenue, Lodi

LOCAL AGENCY FORMATION COMMISSION

LAFCO

OF SAN JOAQUIN COUNTY

COUNTY COURTHOUSE, ROOM 183
222 EAST WEBER AVENUE
STOCKTON, CALIFORNIA 95202
PHONE: 209/944-2186

EXECUTIVE OFFICER
GERALD F. SCOTT

LEGAL COUNSEL
MICHAEL MCGREW
DEPUTY COUNTY COUNSEL

COMMISSION MEMBERS

ROBERT A. CANCLINI, CHAIRMAN
TRACY CITY COUNCILMAN
DOUGLASS W. WILHOIT, VICE-CHAIRMAN
2ND DISTRICT SUPERVISOR
GEORGE L. BARGER
4TH DISTRICT SUPERVISOR
HAROLD R. NELSON
PUBLIC MEMBER
ARNOLD I. RUE
STOCKTON CITY COUNCILMAN
STANLEY MORTENSEN, ALTERNATE
PUBLIC MEMBER
JACK C. SNYDER, ALTERNATE
MANTSCA CITY COUNCILMAN
RICHARD S. YOSHIKAWA, ALTERNATE
187 DISTRICT SUPERVISOR

January 20, 1981

Lodi City Council
c/o City Clerk
221 W. Pine
Lodi, CA 95240

Re: Resolution No. 493 Disapproving the Batch Reorganization (LAFCO 27-80)
Including Annexation to the City of Lodi and Detachment From the
Woodbridge Rural County Fire Protection District and the Woodbridge
Water Users Conservation District.

Gentlemen:

We hereby transmit a certified copy of this Commission's Resolution No. 493
disapproving the above entitled proposal and directing the City of Lodi to
abandon all further proceedings.

Very truly yours,



GERALD F. SCOTT
Executive Officer

GFS:tp

cc: Board of Supervisors c/o Clerk of the Board
Woodbridge Rural County Fire Protection District
Woodbridge Water Users Conservation District
County Surveyor
County Assessor
Robert Batch
James Schroeder
Lodi Unified School District
Woodbridge Irrigation District

BEFORE THE LOCAL AGENCY FORMATION COMMISSION OF SAN JOAQUIN COUNTY
RESOLUTION DISAPPROVING THE BATCH REORGANIZATION (LAFG 27-80)
INCLUDING ANNEXATION TO THE CITY OF LODI AND DETACHMENT
FROM THE WOODBRIDGE RURAL COUNTY FIRE PROTECTION DISTRICT AND
THE WOODBRIDGE WATER USERS CONSERVATION DISTRICT.

WHEREAS, the above entitled proposal was initiated by resolution of the City of Lodi, and on December 17, 1980, the Executive Officer certified the application filed for processing in accordance with the District Reorganization Act; and,

WHEREAS, the Commission held a public hearing on the proposed reorganization on January 16, 1981, in the Board of Supervisors Chambers, County Courthouse, pursuant to notice of hearing which was published, posted and mailed in accordance with State law; and,

WHEREAS, at said hearing the Commission heard and received evidence, both oral and documentary, submitted in favor of and in opposition to the proposed annexation and all persons present were given an opportunity to hear and be heard in respect to any matter relating to said proposal;

NOW, THEREFORE, the Local Agency Formation Commission of San Joaquin County DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. The proposed Batch Reorganization is hereby disapproved and all further proceeding are to be abandoned.

Section 2. The Executive Officer is hereby authorized and directed to mail and file certified copies of this resolution as required by Section 56272 of the Government Code.

PASSED AND ADOPTED this 16th day of January, 1980, by the following vote of the Local Agency Formation Commission of San Joaquin County, to wit:

AYES: Commissioners Barber, Nelson, Rue, Wilhoit and Canclini

NOES: None

THE FOREGOING IS A CORRECT COPY OF:
THE ORIGINAL FILED IN THIS OFFICE

GE ALD F. SCOTT
EXLCUTIVE OFF.CER

By: Joni Pirasco
COMMISSION CLERK

Date: 1-20-81

Robert A. Canclini
ROBERT A. CANCLINI, Chairman
Local Agency Formation Commission
of San Joaquin County

MEMORANDUM, CITY OF LODI, Community Development Department

TO: CITY MANAGER
FROM: COMMUNITY DEVELOPMENT DIRECTOR
DATE: JANUARY 26, 1981
SUBJECT: BATCH REORGANIZATION DENIAL

INTRODUCTION. At the last City Council meeting Councilman James McCarty asked our office to prepare a report concerning the denial of the Batch Reorganization (i.e. Annexation) by the Local Agency Formation Commission (LAFCO). At the meeting we indicated that the minutes of the LAFCO hearing would also be available for Council perusal. However, LAFCO Executive Officer, Jerry Scott, indicates that the Minutes would not reveal all of the statements. He has provided the City Clerk with the tapes of the session, if a Councilman or other persons wishes to review them.

HEARING DATA. Although the motion for denial contains no findings, a number of statements were made by LAFCO members which the City Council may wish to hear. Even though the area west of Lower Sacramento Road has been shown for development on the General Plan since 1962 and four annexations (i.e. Hom Addition - October, 1966; Towne Addition - June, 1972; Temple Baptist Church Addition - August, 1976; and Kennedy-Taylor - September, 1978) have previously been approved by LAFCO in that area, certain commission members felt that that major thoroughfare was a natural western boundary for the City of Lodi.

One LAFCO member stated that no annexations to Lodi should be approved until after the electorate had an opportunity to vote on one or both of the growth initiatives presently being circulated in the City.

Although it was stated by both City Staff and the applicant's attorney that there was no development proposed for the Batch property at present, LAFCO members were concerned that the City was not doing enough to alleviate the over-crowding being faced by the Lodi Unified School District.

As the Council is aware, the Batch Reorganization contained both the Robert Batch property west of Lower Sacramento Road and the Martha Mills property east of the road. The Mills property was being forced into the City in accordance with LAFCO policy and past actions of that agency. LAFCO member Wilhort stated that he felt the forcing of property into a city was unconstitutional.

PERSON SPEAKING IN OPPOSITION.

1. Mr. Wilbert Ruhl, Rural Land Owners Association
3933 East Almond Drive, Lodi
2. Mrs. Ann Johnson, Lodi Unified School District
815 West Lockeford Street Lodi
3. Mr. Michael Machado, Peoples Organization for
Land Preservation
Linden, CA
4. Dr. Doris Marengo, 605 N. Madison
Stockton, CA
5. Mr. Mills, Attorney at Law for his Mother
Mrs. Martha Mills
2401 West Lodi Avenue, Lodi