

COUNCIL COMMUNICATIC

TO: THE CITY COUNCIL

DATE:

NO.

M: THE CITY MANAGER'S OFFICE

September 29, 1986

SUBJECT:

AB 2926 ALLOWING SCHOOL DISTRICTS TO DIRECTLY IMPOSE SCHOOL IMPACT FEES

AB 2925 (Stirling), was recently signed by Governor Deukmejian. Under said legislation, school districts will be authorized to levy school impact fees, dedications or other requirements (developer fees) on residential, commercial and industrial developments for construction within the boundaries of the district of permanent facilities. This act is discretionary in that a school district is not required to impose the fees except where the school district takes money from the State in order to build facilities. It was the belief of the Governor in proposing this legislation, that there should be local participation in the building of school facilities.

In order to levy the charge against commercial or industrial developments, there must be a finding that those two types of development will cause an impact on the school district. Although the language of the legislation does not appear to say that the same findings must be made on a residential development, the courts have held that there must be a reasonable relationship between the public need arising as a result of the subdivision and the extraction or fee required.

Even where a school impact fee has been upheld as a mitigation measure imposed pursuant to the California Environmental Quality Act, the mitigation measure must be related to the impact caused by the particular subdivision. It would appear therefore that a residential development for senior citizens, for example, would not necessarily impact the schools, and therefore the school district would not be able to impose the fee. I am presently working with Assemblyman Stirling's office (the author) to get an interpretation of whether I am correct as it relates to the above issue.

The fees that the school district may charge are \$1.50 per square foot for residential and \$.25 per square foot for commercial and residential development.

As to the "bedroom" fee which the City of Lodi is presently collecting on behalf of the Lodi Unified School District, said fee is not affected by this legislation since it is for interim facilities. However, most officials in other cities have said that once AB 2926 is implemented, they would repeal the "bedroom" fee.

At the present time, the Legislative Counsel is working with school district representatives to come up with implementation regulations on this legislation. Further, there apparently is some clean-up language needed to be put into effect through legislation.


RONALD M. STEIN
CITY ATTORNEY

RMS:vc



California Cities
Work Together

League of California Cities

1400 K STREET • SACRAMENTO, CA 95814 • (916) 444-5790

Sacramento, CA
September 26, 1986

TO: ALL CITY MANAGERS, CITY CLERKS IN NON-MANAGER CITIES, CITY ATTORNEYS,
PLANNING DIRECTORS, AND COMMUNITY DEVELOPMENT DIRECTORS

FROM: Craig Labadie, Attorney

RE: Special Bulletin on School Impact Fees Legislation -- AB 2926
(Stirling); Chapter 887, Statutes of 1986 -- Request for Input
Regarding Clean-Up Legislation

BACKGROUND

AB 2926 makes major changes in the law governing imposition of developer fees to finance construction of school facilities. This legislation was drafted by a two-house conference committee during the last week of the legislative session. All cities which have adopted or plan to adopt an ordinance levying a school impact fee should carefully review AB 2926 to determine its impact on your local situation. To obtain a copy of this legislation, call the Legislative Bill Room at (916) 445-2323.

SUMMARY OF MAIN PROVISIONS OF AB 2926

1. New Fee Authority for School Districts.

School districts will be authorized to directly require developers to pay a fee, dedicate land, or take other measures to finance the construction or reconstruction of temporary or permanent school facilities. These school district fees can be levied on new construction projects and on reconstruction projects which increase the living space of residential buildings. Under current law, school districts must request the city or county to adopt a school impact fee ordinance. Cities will be prohibited from issuing a building permit for any development absent certification from the school district that the developer has complied with all requirements imposed by the school district. School district fees may be levied on residential development up to a cap of \$1.50 per square foot and on commercial or industrial development up to a cap of \$.25 per square foot. These caps include the amount of fees to be paid, the value of any land to be dedicated, and the value of any other developer contributions. To levy a fee on commercial or industrial development, the school district will have to find that the amount of its fee or dedication requirement is limited to the need for school facilities caused by the development. The fee caps will be adjusted annually according to a construction cost index. School districts which apply for state funding will have a strong incentive to impose the entire allowable fee because the local match requirement for receipt of state funds is generally defined as the maximum possible fee which could be levied under the new law.

2. Role of Cities in Helping to Finance School Construction.

AB 2926 will significantly restrict the options of cities which desire to assist their school districts in financing construction of school facilities. Under current law, cities have at least four alternative mechanisms for requiring residential developers to participate in financing school construction: (a) impose a so-called "SB 201" fee for temporary school facilities to address overcrowded conditions in schools, (b) enact an ordinance imposing a fee for temporary and permanent school facilities under the authority of the general police power as interpreted in the case of Candid Enterprises, Inc. v. Grossmont Union High School District (1985) 39 Cal. 3d 878, (c) require payment of a school impact fee as a CEQA mitigation measure, and (d) require formation of a Mello-Roos Community Facilities District as a condition to development approval.

Under this new legislation, cities will retain the authority to adopt SB 201 ordinances, but any school impact fees levied by a city will be subject to the cap of \$1.50 per square foot of residential development. This cap applies to the total fees or other charges imposed on a residential development by both the city and the school district. AB 2926 prohibits any city from levying a developer fee for permanent school facilities, thus negating the effect of the Grossmont decision. It also prohibits the use of CEQA as the basis for requiring payment of fees to mitigate the impact of a development project on school facilities. Although the language of AB 2926 is not clear on this point, it appears that cities will retain the authority to require formation of a Community Facilities District as a development condition.

3. Grandfather Provisions.

This legislation provides that the limitations on cities' authority to levy school impact fees do not apply during the term of any development agreement which requires the developer to pay such a fee. In certain limited circumstances, fees may be required even when there is no formal development agreement. This exception would only apply when the development occurs pursuant to a School Facilities Master Plan administered by a city-school joint powers authority for a community plan area adopted prior to September 1, 1986 which master plan requires payment of the fee.

Unfortunately, AB 2926 is ambiguous as to whether a city can continue to impose a school impact fee in excess of the bill's limitations under an existing ordinance between now and the end of the year. As a non-urgency bill, AB 2926 will not take effect until January 1, 1987. As of that date, school districts will gain new authority to impose fees and the authority of cities will be limited as provided in the bill. As previously stated, AB 2926 does not apply to any development agreement entered into before January 1, 1987 which requires payment of school impact fees. However, the bill goes on to state that development projects for which a final map was approved and construction was commenced by

September 1, 1986 are subject only to the fees and other requirements which applied to that project under the ordinance then in effect. Although AB 2629 does not specifically address the validity of city-imposed school impact fees during the period from September 1, 1986 to January 1, 1987, the conference committee may have intended for the new limits on city authority to apply retroactive to September 1.

4. Other Changes in School Financing.

AB 2926 is part of a four-bill package signed by the Governor on the subject of school construction financing. In addition to changing the law governing developer fees, AB 2926 extends the annual allocation of \$150 million in tidelands oil revenues to the state school building fund through the year 1990. The other three bills are SB 327 (L. Greene), SB 2068 (Seymour), and AB 3470 (M. Waters). SB 327 makes a number of changes in the eligibility requirements of school districts for state funding and provides an annual sum of \$1.50 per student to school districts which operate year-round schedules. SB 2068 and AB 3470 are trailer bills which correct errors and omissions in AB 2926 and SB 327. It is anticipated that state general obligation bond issues will be used to generate major sums of money for the state to distribute to eligible school districts to finance construction projects. The Legislature has already placed an \$800 million bond issue on the November 1986 ballot and is likely to place a second bond issue for the same amount on the ballot in 1988. If either of these bond issues or any future statewide school construction bond issue fails to receive voter approval, then the caps on developer fees and the other limitations on local fee authority will be automatically repealed.

5. Redevelopment Agency Hearing for School Districts.

In addition to changing eligibility requirements, SB 327 guarantees school districts the opportunity to trigger a public hearing of the redevelopment agency on the question of whether or not the implementation of a redevelopment plan is causing school overcrowding. Over the lifetime of a pre-January 1984 redevelopment plan, a school district would have a single opportunity to request a public hearing of the redevelopment agency at which time the district must provide written findings, together with supporting information, materials, and documents, that the implementation of the redevelopment plan itself has actually caused overcrowding. The redevelopment agency is not required to take any action in response to the school district's request.

6. Surplus School Sites/Naylor Act.

AB 2926 contains compromise language on the subject of the Naylor Act. This portion of the bill does two things:

(a) Existing law permits school districts to apply to the State Board of Education for a two-year waiver of the Naylor Act's provisions. To obtain such a waiver, the school district must demonstrate: (1) that it has notified affected local agencies and held a public hearing before deciding

to seek a waiver, (2) that it has made a good faith effort to negotiate an agreement under the Naylor Act, and (3) that the school district's need for funds for school facilities outweighs the local need for recreational and open space lands. AB 2926 would lengthen the term of Naylor Act waivers from two to three years and clarify that if the school district enters into a lease during the term of the waiver, it is exempt from the Naylor Act during the lease term. This clarification makes it possible for school districts to use the income from leases of surplus school sites as security for the issuance of revenue bonds.

(b) After a school district has entered into a lease of a surplus school site in accordance with the Naylor Act and other applicable laws, AB 2926 authorizes the school district to expend its lease revenues to repay general obligation bonds and to finance construction or reconstruction of school facilities.

CLEAN-UP LEGISLATION

Almost certainly, there will be clean-up legislation introduced next year on the subject of financing school construction. AB 2926 and SB 327 were drafted during a 24-hour period, and copies of the actual bill language were not made available to interested parties until after the conference committee had approved them. Because of this hasty procedure, there was no opportunity to refine the details of this legislation, and as a result there are likely to be a number of issues requiring legislative attention next year. Based upon a preliminary review, League staff has identified a number of potential problem areas which are described below. The Senate and Assembly Local Government Committees have scheduled two joint interim hearings to review proposals for clean-up legislation regarding school impact fees. Those hearings are scheduled to be held on Tuesday, October 14 in Riverside and Wednesday, December 3 in Sacramento. The League's Housing, Community and Economic Development Policy Committee will also be working on resolving the issues presented by this new legislation. Interested city officials are encouraged to notify the League office and/or the consultants for the Senate Local Government Committee (Leslie McFadden -- (916) 445-9748) and Assembly Local Government Committee (Casey Sparks -- (916) 445-6034) of any additional issues which should be addressed in the anticipated clean-up legislation.

1. What procedures should school districts follow prior to levying developer fees? Do they have to hold a public hearing? Should they adopt an ordinance or a resolution? Are they required to make any findings before imposing a fee on residential developers? Is the fee to be collected by the school district or the city? How will the school district obtain information about development proposals submitted to the city?
2. After the school district receives payment of its fees, how soon must the school district submit certification of payment to the city? Why is school district certification required prior to issuance of any building permit when fees can be levied only on certain categories of development?
3. With certain exceptions, recent legislation (AB 3314 (Leonard), Chapter 685, Statutes of 1986) prohibits any local agency from collecting developer fees prior to the final building inspection or issuance of a certificate of occupancy, whichever is later. AB 2926, on the other hand, prohibits a city from issuing a building permit until after any school-imposed fees have been paid. How will these contradictory requirements be reconciled?
4. If the city levies a fee for temporary school facilities and the school district also levies a fee under its new authority and the total exceeds the fee caps in AB 2926, which fee is valid? In areas which have separate elementary and high school districts with overlapping boundaries, which district gets to levy the fee? If both, how is the fee authority to be apportioned?

Assembly Bill No. 2926

Passed the Assembly August 29, 1986

Chief Clerk of the Assembly

Passed the Senate August 29, 1986

Secretary of the Senate

This bill was received by the Governor this _____
day of _____, 1986, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections Sections 17739.2, 17788, and 33051 of, and to add Sections 17705.5 and 39015.5 to, the Education Code, to amend Section 65974, and to add Sections 53080 and 53081 and Chapter 4.9 (commencing with Section 65995) to Division 1 of Title 7 of, the Government Code, and to amend Section 6217 of the Public Resources Code, relating to school facilities, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2926, Stirling. School facilities.

(1) Under existing law, cities and counties are authorized to impose developer fees, as a condition of the issuance of building permits, to pay certain school construction costs.

This bill would impose a state-mandated local program by prohibiting cities and counties from issuing building permits absent certification from the appropriate school district governing board that the development is in compliance with any developer fee requirement imposed by that governing board.

This bill would also grant the authority to school district governing boards to impose developer fees, subject to specified limits, would prohibit the imposition of other developer fees, excepting certain statutory fees and requirements relating to interim school facilities, and would limit the methods of mitigating environmental effects relating to the adequacy of school facilities. These limits and prohibitions would be repealed if the voters of this state fail to ratify any state general obligation bond measure for school construction purposes in any primary or general election.

(2) The Leroy F. Greene State School Building Lease-Purchase Law of 1976 provides for the acquisition and construction of school facilities by the state and the lease-purchase of those facilities by school districts. This bill would impose a local matching share requirement for the building cost portion of any project for the new

construction or rehabilitation of school facilities. This matching share would be measured as the amount that would result from the application of the maximum developer fee the district is statutorily authorized to impose upon all new residential, commercial, and industrial construction occurring in the district over a designated period of time, as specified. This requirement would be repealed if the voters of this state failed to ratify any state general obligation bond measure for school construction purposes in any primary or general election.

(3) Existing law provides that not more than \$200,000,000 of the money authorized under the State School Building Lease-Purchase Bond Act of 1984 for the acquisition and construction of facilities by the state and the lease-purchase of those facilities by school districts may be reserved for the rehabilitation or modernization of facilities. Of those reserved moneys, the State Allocation Board may reserve not more than \$25,000,000 for school districts to acquire sites and construct school facilities for school sites that are in severe need of the apportionment, based upon specified criteria relating to inadequacies due to increased enrollment.

This bill would base the determination of severe need upon conditions established by the board, which would include, but not be limited to, those specified criteria.

This bill would also provide that, of the amount of \$360,000,000 authorized for the reconstruction or modernization of school facilities, as specified, the board may reserve up to and including 10% for school districts that are determined to be in severe need of apportionment for this purpose.

(4) Pursuant to existing law, the State Allocation Board is granted authority to, among other things, own, maintain, and lease portable classrooms to qualifying school districts.

Existing law provides that the board shall make available to the Director of the State Department of General Services, in amounts which it determines necessary for provision of classrooms, any funds available to the board for this purpose from the State School Building Aid Fund.

This bill would provide that, notwithstanding any other provision of law, the board may make available to the Director of General Services up to \$15,000,000 annually from any funds available to the board for purchase of portable classrooms. This authorization would constitute an appropriation to the extent it authorizes any existing appropriation to be expended for a new purpose.

(5) Under existing law, the State Lands Commission is required with certain exceptions, to deposit tidelands revenues, moneys, and remittances in the State Treasury, and to allocate the moneys to specified obligations in a specified order. Pursuant to this requirement, the State School Building Lease-Purchase Fund is entitled to an allocation of \$150,000,000 in each of the fiscal years 1985-86, 1986-87, 1987-88, and 1988-89.

This bill would extend that allocation entitlement to the 1989-90 and 1990-91 fiscal years.

(6) This bill would appropriate \$30,000,000 from designated federal oil overcharge funds received by the state to the State Allocation Board without regard to fiscal year for allocation to school districts for school air-conditioning and insulation needs pursuant to the operation of year-round educational programs, as specified.

(7) This bill would specify that its provisions would become operative only if SB 327 is enacted and becomes effective on January 1, 1987.

(8) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$500,000 statewide and other procedures for claims whose statewide costs exceed \$500,000.

This bill would provide that reimbursement for costs mandated by the bill shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$500,000, shall be payable from the State Mandates Claims Fund.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature that the state share with local governmental entities the financial burden of school facilities construction, of which the state's share is to be funded from such revenue sources as general obligation bond proceeds and specified tidelands moneys and other revenues as specified in Assembly Bill 2926 of the 1985-86 Regular Session. Subject to the approval by the electorate of state general obligation bond measures, the state intends to stand behind that funding commitment.

SEC. 2. Section 17705.5 is added to the Education Code, to read:

17705.5. (a) The total building cost portion of any state funding for any project approved under this chapter for the new construction or rehabilitation of one or more school facilities shall be reduced by the amount of the local matching share requirement computed under subdivision (b).

(b) Each school district to which funds are allocated pursuant to this chapter for the new construction or rehabilitation of one or more school facilities shall provide, as its share of the cost of the project, an amount equal to the following:

(1) The product of the applicable maximum fee set forth in subdivision (b) of Section 65995 of the Government Code times the number of square feet of new residential, commercial, and industrial construction, as appropriate, for which building permits are issued within the boundaries of the school district from the date on which the board approves the district's application for project funding under this chapter to the date upon which the notice of completion for the project is issued, except that this period shall not exceed the time reasonably necessary for the final apportionment to be issued where the district meets its obligations as an applicant under this chapter. This amount is reduced by the sum of the following:

(A) Any amounts expended by the district during the described period of time for the acquisition of interim

classroom facilities pursuant to Chapter 4.9 commencing with Section 65970) of Division 1 of Title 7 of the Government Code from the proceeds of the fee levied by the district during that period. This amount is limited to the acquisition of interim classroom facilities necessary to temporarily house that number of pupils calculated, under state pupil loading standards, by subtracting the average daily attendance of the district based on a three-year enrollment projection from the average daily attendance of the district based on a five-year enrollment project. Enrollment projections for this purpose shall be made in accordance with this chapter.

(B) Any amounts expended by the district during the described period of time for the local matching share of any project funded under this chapter from the proceeds of the fee levied by the district during that period.

(C) An amount reflecting the extent to which the district is precluded from collecting those fees by reason of the levy and collection of developer fees by another school district having common territorial jurisdiction.

(c) For purposes of establishing an estimate of the state project costs pursuant to subdivision (a), the board may estimate the local matching share by using the product of the annual average of the amount that would have resulted from the application of the maximum fee to the square footage of all new construction within the district over the three calendar years preceding the district's project application times the number of years over which the board estimates the fee will be collected by the district pursuant to the project to be funded.

(d) Only those project applications for which, prior to January 1, 1987, the board had made the apportionment for site acquisition and working drawings or the final apportionment for construction of the project shall be subject to the provisions of this chapter in effect prior to that date.

(e) The board may provide a loan to any applicant district in an amount equal to all or a part of the district's obligation under subdivision (b), subject to the requirement that the district pay each month to the

board, as reimbursement, an amount equal to the proceeds that would be received by the district from the imposition of the fee described under subdivision (b) until the total amount of the loan has been repaid, together with interest computed pursuant to Section 16065.

(f) The board may make the loan specified in subdivision (e) from any funds available from any source, including, but not limited to, those amounts made available pursuant to Section 16065.

(g) All loan and interest amounts paid to the state pursuant to this section shall be available for the use of the board in the funding of projects as otherwise provided under this chapter, including, but not limited to, additional loans.

(h) This section shall remain in effect only until such date as any state general obligation bond measure submitted to the voters of this state for their ratification, which measure includes within its purposes the funding of school facilities construction, fails to receive that ratification, and as of that date is repealed.

SEC. 3. Section 17739.2 of the Education Code is amended to read:

17739.2. Of the moneys reserved for the rehabilitation or modernization of facilities pursuant to Section 17739.1, the board may reserve not more than twenty-five million dollars (\$25,000,000) for apportionments to school districts that the board has determined to be in severe need of the apportionment. In addition, of the moneys reserved for the reconstruction or modernization of facilities pursuant to Section 17696.96, the board may reserve up to and including 10 percent for this purpose. In either event, the apportionment shall be for purposes of site acquisition and the construction of school facilities for school sites that meet one or more of the conditions established by the board, which shall include, but are not limited to, the following:

- (a) The school site is not less than 30 years of age.
- (b) The school site has accommodated a significant increase in enrollment during the last 10-year period.
- (c) Enrollment increases have been accommodated

by placing relocatable structures on the school site without expanding the school site.

(d) The school site has inadequate playground space for its enrollment.

(e) The school site has inadequate meal facilities, and those facilities are used for more than three times the number of pupils for which the facilities were originally designed.

SEC. 4. Section 17788 of the Education Code is amended to read:

17788. In addition to any other powers and duties as are granted the board by this chapter, other statutes, or the State Constitution, the board has the power to do each of the following:

(a) Establish any qualifications not in conflict with other provisions of this chapter, as it deems will best serve the purposes of this chapter, for determining the eligibility of school districts and county superintendents of schools to lease portable classrooms under this chapter.

(b) Establish any procedures and policies in connection with the administration of this chapter as it deems necessary.

(c) Adopt any rules and regulations for the administration of this chapter requiring such procedure, forms, and information, as it may deem necessary.

(d) Have constructed, furnished, equipped, or otherwise require whatever work is necessary to place, portable classrooms on school sites where needed.

(e) Own, have maintained, and lease portable classrooms to qualifying school districts and county superintendents of schools.

(f) From any moneys in the State School Building Aid Fund available for purposes of this chapter, the board shall make available to the Director of General Services such amounts as it determines necessary to provide the assistance, pursuant to this chapter, required by Section 15504 of the Government Code.

(g) Notwithstanding any other provision of law, the board may make available to the Director of General Services up to fifteen million dollars (\$15,000,000) annually from any funds available to the board. These

funds shall be utilized to purchase portable classrooms for the purposes of this section.

SEC. 5. Section 33051 of the Education Code is amended to read:

33051. (a) The State Board of Education shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following:

(1) The educational needs of the pupils are not adequately addressed.

(2) The waiver affects a program that requires the existence of a school site council and the school site council did not approve the request.

(3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees.

(4) Pupil or school personnel protections are jeopardized.

(5) Guarantees of parental involvement are jeopardized.

(6) The request would substantially increase state costs.

(7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

(b) The State Board of Education shall not approve any request for waiver of any provision of Article 5 (commencing with Section 39390) of Chapter 3 of Part 23 unless the school district seeking the waiver demonstrates all of the following:

(1) The school district provided the written notice required under subdivision (f) of Section 33050.

(2) The school district, after making a good-faith effort to that purpose, was unable to reach agreement with any public agency identified under Section 39394 that seeks to acquire the site under that article on terms and conditions that are consistent with the requirements of

the purchase plan adopted by the agency under Section 39397.5 and would enable the district to meet its reasonable financial goals.

(3) The detriment to the school district's ability to financially meet the educational needs of the community resulting from the disposition of the school site pursuant to the sale price or lease rate limitations set forth in Section 39396, as compared to the fair market value of the site, outweighs the need for the use of the site for outdoor recreational and open-space purposes as established by a finding made under Section 39397.

(4) In the event that the school district enters into a long-term lease during the period of the waiver or any extension thereof, the school district shall be exempt from the requirements of Article 5 (commencing with Section 39390) of Chapter 3 of Part 33, for the duration of the lease term for that site.

(c) A waiver shall be approved or renewed by the State Board of Education prior to its implementation for the period of time requested by the governing board of a district, but not to exceed two years, except that a waiver approved pursuant to subdivision (b) may be for up to three years.

SEC. 6. Section 39015.5 is added to the Education Code, to read:

39015.5. The amount of any nonuse payments required of any school district under Section 39015 shall be reduced, without regard to fiscal year, by the amount of the proceeds, resulting from the lease of district property that is subject to that section, that are expended by the district for the purposes of subdivision (a) or (b) of Section 17705.5, or for the payment of bond debt service costs that are directly related to the actual construction of school facilities.

SEC. 7. The Legislature finds and declares as follows:

(a) Many areas of this state are experiencing substantial development and population growth, resulting in serious overcrowding in school facilities.

(b) Continued economic development requires the availability of the school facilities needed to educate the state's young citizens.

(c) In growing areas of this state, the lack of availability of the public revenues needed to construct school facilities is a serious problem, undermining both the education of the state's children and the continued economic prosperity of California.

(d) For these reasons, a comprehensive school facilities finance program based upon a partnership of state and local governments and the private sector is required to ensure the availability of school facilities to serve the population growth generated by new development.

(e) The Legislature therefore finds that the levying of appropriate fees by school district governing boards at the rates authorized by this act is a reasonable method of financing the expansion and construction of school facilities resulting from new economic development within the district.

SEC. 3. Section 53080 is added to the Government Code, to read:

53080. (a) The governing board of any school district is authorized to levy a fee, charge, dedication, or other form of requirement against any development project, as defined in Section 65928, for new construction within the boundaries of the district, for the construction or reconstruction of school facilities, subject to any limitations set forth in Chapter 4.9 (commencing with Section 65995) of Division 1 of Title 7.

(b) No city or county, whether general law or chartered, may issue a building permit for any development absent certification by the appropriate school district of compliance by that development project with any fee, charge, dedication, or other form of requirement levied by the governing board of that school district pursuant to subdivision (a).

(c) In the case of the sale of a manufactured home or mobilehome, the payment of fees to either the school district or other entity shall occur at the time of occupancy pursuant to the sale or lease of the manufactured home or mobilehome pursuant to Section 18080.5 of the Health and Safety Code.

SEC. 9. Section 53081 is added to the Government

Code, to read:

53081. A school district that imposes any fees on construction within the school district may use those fees to pay any bonds, notes, loans, leases or other installment agreements including, but not limited to, bonds issued by the authority or loans, leases or other installment agreements that secure bonds issued by the authority. The authority may issue bonds, in accordance with Section 17883, to finance projects for one or more participating school districts that have imposed fees on construction within the district, which bonds may be payable from and secured by those fees in whole or in part. For this purpose, participating school districts may pledge and assign all or any part of those fees to the authority, and the fees so pledged and assigned to the authority, and any income thereon, may be pledged and assigned by the authority to the payment of bonds issued by the authority to finance projects for those participating school districts. While it is the intent of the Legislature that the amount of financing provided to a participating school district pursuant to this section shall be reasonably related, in the judgment of the authority, to the amount of fees on construction expected by the authority to be derived from or attributable to that participating school district, nothing in this section or any other provision of law shall be deemed to require a proportionate or other relationship between the amount of the financing actually provided to a participating school district pursuant to this section and the amount of fees on construction actually derived from or attributable to that participating school district pursuant to this section or used by the authority to secure or pay any bonds of the authority issued pursuant to this section.

SEC. 10. Section 65974 of the Government Code is amended to read:

65974. (a) For the purpose of establishing an interim method of providing classroom facilities where overcrowded conditions exist, as determined necessary pursuant to Section 65971, and notwithstanding Section 66478, a city, county, or city and county may, by ordinance, require the dedication of land, the payment of

fees in lieu thereof, or a combination of both, for classroom and related facilities for elementary or high schools as a condition to the approval of a residential development, if all of the following occur:

(1) The general plan provides for the location of public schools.

(2) The ordinance has been in effect for a period of 30 days prior to the implementation of the dedication or fee requirement.

(3) The land or fees, or both, transferred to a school district shall be used only for the purpose of providing interim elementary or high school classroom and related facilities. If fees are paid in lieu of the dedication of land and those fees are utilized to purchase land, no more land shall be purchased than is necessary for the placement thereon of interim facilities.

(4) The location and amount of land to be dedicated or the amount of fees to be paid, or both, shall bear a reasonable relationship and be limited to the needs of the community for interim elementary or high school facilities and shall be reasonably related and limited to the need for schools caused by the development. However, the value of the land to be dedicated or the amount of fees to be paid, or both, shall not exceed the amount necessary to pay five annual lease payments for the interim facilities. In lieu of the dedication of land or the payment of fees, or both, the builder of a residential development may, at his or her option and at his or her expense, provide interim facilities, owned or controlled by the builder, at the place designated by the school district, and at the conclusion of the fifth school year the builder shall, at the builder's expense, remove the interim facilities from that place.

(5) A finding is made by the city council or board of supervisors that the facilities to be constructed from the fees or the land to be dedicated, or both, is consistent with the general plan.

(b) The ordinance may specify the methods for mitigating the conditions of overcrowding which the school district shall consider when making the finding required by paragraph (2) of subdivision (a) of Section

65971.

(c) If the payment of fees is required, the payment shall be made at the time the building permit is issued or at a later time as may be specified in the ordinance.

(d) Only the payment of fees may be required in subdivisions containing 50 parcels or less.

(e) Notwithstanding any other provision of this chapter, contracts entered into or contracts to be entered into pursuant to a School Facilities Master Plan administered by a Joint Powers Authority created under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code for a designated community plan area adopted by a city, county, or city and county, whether general law or chartered, on or before September 1, 1986, that requires the payment of a fee, charge, or dedication for the construction of school facilities as a condition to the approval of residential development shall not be subject to the provisions of subdivision (b) of Section 65995. Provided, however, that in determining developer fees under that school facilities master plan, the cost and maximum building area standards for school buildings prescribed by Chapter 22 (commencing with Section 17700) of Part 10 of the Education Code shall apply, and the school district or districts involved are required to have on file with the Office of Local Assistance, and actively pursue in good faith, an application for preliminary determination of eligibility for project funding under that chapter, and shall actively pursue in good faith the establishment of a community capital facilities district or other permanent financing mechanisms to reduce or eliminate developer fees.

Any fees collected or land dedicated after September 1, 1986, pursuant to this section, and not used to avoid overcrowding of the facilities to be built pursuant to the school facilities master plan, shall be subject to disposition in accordance with subdivision (b) of Section 65979.

Fees collected in excess of the limitations set forth in subdivision (b) of Section 65995 for schools constructed under that school facilities master plan shall neither advantage nor disadvantage a school district's application

for project funding under Chapter 22 (commencing with Section 17700) of Part 10 of the Education Code.

SEC. 11. Chapter 4.9 (commencing with Section 65995) is added to Division 1 of Title 7 of the Government Code, to read:

**CHAPTER 4.9. PAYMENT OF FEES, CHARGES,
DEDICATIONS, OR OTHER REQUIREMENTS AGAINST A
DEVELOPMENT PROJECT**

65995. (a) Except for a dedication or fee, or both, required under Section 53080, or pursuant to Chapter 4.7 (commencing with Section 65970), no fee, charge, dedication, or other form of requirement shall be levied by the legislative body of a local agency against a development project, as defined by Section 65928, for the construction or reconstruction of school facilities.

(b) In no event shall the amount of any fee, charge, dedication, or other form of requirement, as described in subdivision (a), including the amount of fees to be paid or the value of land to be dedicated, or both, under Chapter 4.7 (commencing with Section 65970), exceed the following:

(1) One dollar and fifty cents (\$1.50) per square foot of covered or enclosed space, in the case of any residential development.

(2) Twenty-five cents (\$0.25) per square foot of covered or enclosed space, in the case of any commercial or industrial development. No fee, charge, dedication, or other form of the requirement may be levied by any school district governing board upon any commercial or industrial development unless and until the governing board has first made the finding that the location and amount of land to be dedicated or the amount of fees to be paid, or both, shall bear a reasonable relationship and be limited to the needs of the community for elementary or high school facilities and shall be reasonably related and limited to the need for schools caused by the development.

(3) The amount of the limits set forth in paragraphs (1) and (2) shall be annually increased according to the

adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting.

(c) Subdivision (a) does not apply during the term of any contract entered into between a subdivider or builder and a school district, city, county, or city and county, whether general law or chartered, on or before the effective date of this chapter that requires the payment of a fee, charge, or dedication for the construction of school facilities as a condition to the approval of residential development. In addition, any development project for which a final map was approved and construction had commenced on or before September 1, 1986, is subject to only the fee, charge, dedication, or other form of requirement prescribed in any local ordinance in existence on that date and applicable to the project.

(d) The Legislature finds and declares that the subject of the financing of school facilities with development fees is a matter of statewide concern. For this reason the Legislature hereby occupies the subject matter of mandatory development fees and other development requirements for school facilities finance to the exclusion of all local measures on the subject.

(e) Nothing in this section shall be interpreted to limit or prohibit the use of Chapter 2.5 (commencing with Section 53311) of Division 2 of Title 5 to finance the construction or reconstruction of school facilities.

65996. The following provisions shall be the exclusive methods of mitigating environmental effects related to the adequacy of school facilities when considering the approval or the establishment of conditions for the approval of a development project, as defined by Section 65928 of the Government Code pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code:

(a) Chapter 2.5 (commencing with Section 53311) of Division 2 of Title 5 of the Government Code.

(b) Chapter 4.7 (commencing with Section 65970) of Division 1 of Title 7 of the Government Code.

(c) Chapter 4.5 (commencing with Section 15450) of

Part 10 of the Education Code.

(d) Chapter 22 (commencing with Section 17700) of Part 10 of the Education Code.

(e) Chapter 28 (commencing with Section 17870) of Part 10 of the Education Code.

(f) Chapter 25 (commencing with Section 17785) of Part 10 of the Education Code.

(g) Article 2.5 (commencing with Section 39327) of Chapter 3 of Part 23 of the Education Code.

(h) Article 3 (commencing with Section 42260) of Chapter 7 of Part 24 of the Education Code.

No public agency shall, pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code or Division 2 (commencing with Section 66410) of this code, deny approval of a project on the basis of the adequacy of school facilities.

65997. This chapter shall remain in effect only until such date as any state general obligation bond measure submitted to the voters of this state for their ratification, which measure includes within its purposes the funding of school facilities construction, fails to receive that ratification, and as of that date is repealed.

SEC. 12. Section 6217 of the Public Resources Code, as amended by Chapter 1749 of the Statutes of 1984, is amended to read:

6217. With the exception of revenues derived from state school lands and from sources described in Sections 6217.6, 6301.5, 6301.6, 6855, and 8551 to 8558, inclusive, and Section 6406 (insofar as the proceeds are from property that has been distributed or escheated to the state in connection with unclaimed estates of deceased persons), the commission shall deposit in the State Treasury all revenues, moneys, and remittances received by it under this division, and under Chapter 138 of the Statutes of 1964, First Extraordinary Session, and these sums shall be applied to the following obligations in the following order:

(a) To the General Fund the revenue necessary to provide in any fiscal year for the following:

(1) Payment of refunds, authorized by the commission and approved by the State Board of Control, out of

appropriations made for that purpose by the Legislature.

(2) Payment of expenditures of the commission as provided in the annual Budget Act approved by the Legislature.

(3) Payments to cities and counties of the amounts specified in Section 6817 for the purposes specified in that section, and the revenues so deposited are appropriated for such purpose.

(4) Payments to cities and counties of the amounts agreed to pursuant to the provisions of Section 6875.

(b) To the California Water Fund each fiscal year the amount of twenty-five million dollars (\$25,000,000).

(c) To the Central Valley Water Project Construction Fund each fiscal year the amount of five million dollars (\$5,000,000).

(d) To the Resources Agency, the amount of five hundred thousand dollars (\$500,000) for each of the fiscal years 1984-85, 1985-86, 1986-87, 1987-88, and 1988-89 for distribution for public and private higher education for use as up to two-thirds of the local matching share for projects under the National Sea Grant College and Program Act of 1966 (P.L. 89-688) approved, upon the recommendation of the advisory panel appointed pursuant to this section, by the Secretary of the Resources Agency or his or her designee. During the 1988-89 fiscal year, the Legislature shall consider recommendations from the Secretary of the Resources Agency and other interested parties on the benefits to the people of the State of California derived from this program and shall determine whether or not to continue similar appropriations for subsequent fiscal years.

There shall be an advisory panel to the Secretary of the Resources Agency consisting of 13 members, which shall do all of the following:

(1) Identify state needs that might be met through Sea Grant research projects, including, but not limited to, such fields as living marine resources, aquaculture, ocean engineering, marine minerals, public recreation, coastal physical processes and coastal and ocean resources planning and management, and marine data acquisition and dissemination, establish priorities for those needs,

and transmit those needs and priorities to the Legislature not later than January 1 of each year and include them in all announcements of proposals for grants in the following fiscal year.

(2) Review all applications for funding under this section and make recommendations based upon the priorities it establishes.

(3) Periodically review progress on Sea Grant research projects subsequent to their approval and funding under this section.

(4) Make recommendations to the Secretary of the Resources Agency with respect to the implementation of this section.

The Secretary of the Resources Agency shall appoint the following members of the advisory panel, who shall serve at the pleasure of the secretary:

(A) A representative of the Department of Boating and Waterways.

(B) A representative of the Department of Conservation.

(C) A representative of the Department of Fish and Game.

(D) The Executive Director of the California Coastal Commission or his or her designee.

(E) A representative of the fish industry.

(F) A representative of the aquaculture industry.

(G) A representative of the ocean engineering industry.

(H) A representative of the University of California.

(I) A representative of the California State University.

(10)

(J) A representative of a private California institution of higher education which is participating in the National Sea Grant Program.

(K) A representative of the State Lands Commission.

The Senate Committee on Rules shall appoint one Member of the Senate to the panel, who shall serve at the pleasure of the Senate Committee on Rules.

The Speaker of the Assembly shall appoint one Member of the Assembly to the panel, who shall serve at the pleasure of the Speaker. This member shall not be of

the same political party as the member appointed by the Senate Committee on Rules.

The Secretary of the Resources Agency shall designate one member of the panel to serve as its chairman. Panel members shall serve without compensation.

The Sea Grant research projects selected for state support under this section shall have a clearly defined benefit to the people of the State of California. The Legislature hereby finds and declares that the funding provided by this section is needed to stimulate the development and utilization of ocean and coastal resources by working constructively with private sector firms and individuals. Nothing in this section shall be construed to preclude the application for funding of any project that would be eligible for funding under the terms of the National Sea Grant College and Program Act of 1966.

(e) To the Capital Outlay Fund for Public Higher Education for the 1984-85 fiscal year the amount of one hundred two million one hundred sixty-eight thousand dollars (\$102,168,000), and for each fiscal year thereafter, the amount necessary to provide for an unencumbered balance available for appropriation on July 1 of each fiscal year of one hundred twenty-five million dollars (\$125,000,000).

(f) (1) To the State School Building Lease-Purchase Fund, for each of the fiscal years 1985-86, 1986-87, 1987-88, and 1988-89, the amount of one hundred fifty million dollars (\$150,000,000).

(2) For the fiscal years 1984-85, 1985-86, 1986-87, 1987-88, 1988-89, 1989-90, and 1990-91, up to 5 percent of the amounts deposited in the State School Building Lease-Purchase Fund pursuant to this section or any other provision of law may be spent in accordance with Sections 17785 to 17795, inclusive, of the Education Code (Emergency School Classroom Law of 1979).

(g) To the Energy and Resources Fund each fiscal year, commencing with the 1985-86 fiscal year, the amount of sixty-five million dollars (\$65,000,000).

(h) To the Special Account for Capital Outlay, the balance of all revenues in excess of the amount

distributed under subdivisions (a), (b), (c), (d), (e), (f), and (g).

The commission may, with the approval of the State Board of Control, authorize the refund of moneys received or collected by it illegally or by mistake, inadvertence, or error. Claims authorized by the commission and approved by the State Board of Control shall be filed with the Controller and the Controller shall draw his or her warrant against the General Fund in payment of the refund from any appropriation made for that purpose.

All references in any law to Section 6816 shall be deemed to refer to this section.

SEC. 13. Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of thirty million dollars (\$30,000,000) is hereby appropriated to the State Allocation Board from funds in the Federal Trust Fund, created pursuant to Section 16360 of the Government Code, received by the state either from federal oil overcharge funds in the Petroleum Violations Escrow Account, as defined by either Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or by any other federal law, or from federal oil overcharge funds available pursuant to court judgments, for allocation without regard to fiscal year to school districts for the expenses of air-conditioning equipment and insulation materials pursuant to Section 42250.1 of the Education Code.

SEC. 14. (a) Sections 1 to 21, inclusive, of this act shall become operative only if Senate Bill 327 is enacted and becomes effective on January 1, 1987.

(b) As an additional condition, Sections 2 and 19 of this act shall become operative only if the Greene-Hughes School Building Lease Purchase Bond Law of 1986 was ratified by the voters of this state at the general election of November 4, 1986.

SEC. 15. Reimbursement to local agencies and school districts for costs mandated by the state pursuant to this act shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government

AB 2926

— 22 —

Code and, if the statewide cost of the claim for reimbursement does not exceed five hundred thousand dollars (\$500,000), shall be made from the State Mandates Claims Fund.



Lodi Unified School District

REVIEW OF AB 2926

Prepared September 25, 1986

- Intent is that the State share financial burden for schools. Money to come from GO bonds, specified Tideland's \$'s and other sources as specified in AB 2926
- State to stand behind funding commitment subject to GO bond approval(s)
- (EC 17705.5) Total new building cost portion reduced by amount of local match share requirement (inc. reconstruction)
- Each district to provide amount equal to product of applicable maximum fee of Section 65995(b) GC (

times
new square footage of residential, commercial, industrial building permits in district issued from when board (SAB?) approves project funding under this chapter to date of NOC except time not to exceed time reasonably necessary for final apportionment if District meets obligations

Question - What constitutes "reasonable time"
What constitutes "where district meets its obligations"

- Amount of match reduced by sum of: interim housing expenditures during time of fee levy (pursuant to Section 65970, et seq GC (

)- amount
limited to interim housing needed for number pupils under State loading standards, 5 year projection ADA minus 3 year projection ADA;

Question - New loading standards in SB 327 or existing?

and any amount spent by district during time period for local match of any project funded under this chapter; and amount precluded from collecting because of another district collecting with common jurisdiction.

- Estimate of local match determined by product of annual average of amount that would have resulted from maximum fee over last three years times number years estimated fee will be collected
- Projects with Phase II or Phase III approval before Jan. 1, 1987 subject to current law

- SAB may loan district share provided district pay monthly amount equal to proceeds that would be received by district from imposition of fee until total repaid with interest
- Funds may come from any source including pursuant to Section 16065 EC ()
- Loan repayment and interest available to board for reuse in the program
- In effect only until state GO bonds for school facility funding approved. If not - then repealed

Question - If repealed, what is in its place?

- (EC 17739.2 amended) SAB determines hardship apportionment eligibility for \$25,000,000 max setaside also SAB may reserve up to 10% of money from Section 17696.96 ()

for hardship for projects that meet one or more of the conditions established by board, which include by not limited to those in existing code section

- (EC 17788 amended) In addition to any other powers SAB has power to establish any (instead of such) qualifications, procedures, policies, rules, regs plus existing criteria
- SAB may make up to \$15,000,000/yr available for portables per this education section from any funds available to SAB
- (EC 33051 amended) Added criteria for Board of Education approval of waiver request - if district enters into long-term lease during waiver time or extension, district exempt from Article 5, Ch. 3 of Part 33 (Section 39390)

for term of least

- Added waiver made per (b) can be up to three years instead of 2
- (EC 39015.5 added) Nonuse payments regardless of fiscal year reduced by amount of proceeds from lease of district property if expended for purposes of (a) or (b) of EC 17705.5 (New section on local match) or to pay bond debt service costs for school construction
- Legislative findings: serious school overcrowding due to development and population growth in state; economic development requires continued school facilities; lack of available public revenues for school facilities undermines education of kids and state's economic prosperity; reasons for comprehensive finance package with state, local government and private participation; "levying of appropriate fees by school district governing boards at rates authorized by this act is reasonable method of financing expansion and construction of school facilities resulting from new economic development within district."

Question - What if growth is result of increased births and not new economic development?

- (Section 53080 GC added) school board authorized to levy fee, charge, dedication or other form of requirement against any development project as defined in Section 65928 (

for school construction or reconstruction)

- No building permits may be issued without certification of compliance from school district

Question - How is compliance determined when there is more than one district in same jurisdiction, ie. Tracy

Question - Can district work out procedure of collection with local entity as we now do?

- For mobilehomes or manufactured house payment of fees to district or other entity is at time of occupancy pursuant to sale or lease per HSC 18080.5 (

- (GC 53081 added) District may impose fees on construction for payment on any bonds, notes, loans, leases or other installment agreements.

- "The authority" may issue bonds per Section 17883 to finance projects for one or more participating districts imposing fees with fees securing bonds

Question- Who might be the "authority?"
to the authority

- District may pledge fees/and authority may then pledge fees for repayments
- Legislative intent that amounts be reasonably related to costs in judgement of authority; however, nothing in law requires a proportionate or other relationship between amount of financing provided to district and amount of fees derived from construction or used by authority to secure or pay on bonds
- (GC 65974 amended) Contracts entered into or to be entered into per a School Facilities Master Plan administered by Joint Powers Authority per GC 6500 (

for adopted community plan area before September 1, 1986 requiring payment of fee, charge or dedication for school facilities as condition of residential development is not subject to GC 65995(b) (

provided determination of fees under school facilities master plan cost and maximum building area per EC17700 et seq apply and districts are required to have on file and actively pursue in good faith an application for eligibility and actively pursue in good faith establishment of community capital facilities district or other permanent financing mechanism to reduce or eliminate developer fees.

- Land or fees after 9/1/86 not used subject to disposition per code
- Excess fees collected per GC 65995(b) for construction of schools under school facilities master plan shall not advantage or disadvantage district app under Section 17700 ()
- (GC 65995, et seq is added) Except for dedication, fee or both per GC 53080 or Chapter 4.7, section 65970 ()

local agency leg body shall not levy any fee, charge, dedication or other requirement for school construction)

- In no event shall fees exceed \$1.50/sq. ft of covered or enclosed space for residential; \$.25/sq. ft of covered or enclosed space for commercial or industrial.
- No fee or charge or dedication against industrial or commercial until school board makes finding that the location and amount of land or amount of fee bears reasonable relation and be limited to needs of the community for elementary or high school facilities and be reasonable related and limited to the need for schools caused by the development

Question - What constitutes community?

What constitutes need caused by the development?

If the governing board can not make the findings required, will the SAB agree and decrease the match requirement accordingly?

- Fee limits increased annually for inflation in January by SAB per index for Class B construction
- Prohibition to collect other fees per (a) of this section does not apply during term of contract between developer and district, city county on or before effective date of new chapter that requires fee, charge or dedication for new schools as a condition of approval of residential development.

Question - Effect of this section on current Development Fee Agreements for now and long-term?

Can you assume this means all business as usual until 1/1987?

- "Any development project for which a final map was approved and construction had commenced on or before September 1, 1986 is subject to only the fee, charge, dedication or other form of requirement prescribed by local ordinance in existence on that date and applicable to the project."

Question - Does this mean that existing lots are exempt from any fee if created before the old developer fee or bedroom tax?

Any lots created under old developer fee are to pay only what was required under that program?

Do the exemptions apply only if construction was commenced prior to 9/1/86?

What constitutes commencement of construction?

In the County would development of roads count?

- Legislature finds financing of schools to be a statewide matter and preempts all local measures on school facilities finance
- Nothing prohibits or limits use of Chapter 2.5 GC 53311 et seq for school financing for construction or reconstruction (

)

- (GC 65996 added) the following are considered the exclusive methods of mitigating environmental effects related to adequacy of school facilities re: conditions for approval of a development project defined by Section 65928 GC (

- GC 53311, et seq (
- GC 65970, et seq(
- EC 15450, et seq (
- EC 17700, et seq (
- EC 17870, et seq (
- EC 17785, et seq (
- EC 39327, et seq (
- EC 42260, et seq (

)

- No public agency per PRC 21000 et seq (

)

or GC 66410 (

)

deny approval of a project on the basis of adequacy of school facilities

- (GC 65997 added) This chapter in effect only until school bond measures pass, if not it is repealed as of that date

Note - refers to new Chapter 4.9 which limits the fees

- (PRC 6217 amended) minor language changes to provisions related to State funds for school purposes

- adds 89-90 and 90-91 to (f) (2) re: funds for state lease portables from SSBLPF
- (Add Section 13) \$30,000,000 apportioned to SAB from Federal Trust Fund dollars for allocation without regard to fiscal year to school districts for expenses of air conditioning equipment and insulation materials per ED 42250.1 (

)
 Limited by extent permitted by Federal Law and GC 13340 and 16361 not withstanding(

)
 Question - Does this apply only to YRS schools? If so, ones in existence or planned?

- (Add Section 14) Sections 1 to 21 operative only if SB 327 enacted and effective on 1/1/87 Note: Signed by Governor September 18, 1986
- Sections 2 and 19 of this act operative only if Green-Hughes School Building Lease Purchase Bond Law of 1986 is passed (

- (Section 15 added) Reimbursements to local agencies and school districts for mandated costs to come from Claims Fund per usual restrictions
- Delete language re: Legislative intent schools are local infrastructure problem
- Delete section EC 17717.5 as presently worded re: SAB approval of 90% apportionments; 5 year plan requirement;

)
 Question - Does that mean we no longer need a five year plan, regardless of when Phase II or III approved?

building area limitations to state standard; description of computing ada projections; increased allowable square footage (Section 17746.7 of EC)

Questions - what happens to fees already on deposit with District? Do they become part of the total available for match? Must they be used first or at any time?
 Must they continue to be used on attendance area basis?
 Must they be returned?
 Can new fees be collected, and spent, on District basis or only by attendance area or jurisdiction?
 Will State calculate our match for any project in District on basis of total District fee capability or by jurisdiction/project?

What about those attendance areas that are in more than one jurisdiction?

Relationship of elementary and secondary projects as they relate to attendance area and jurisdiction?

Related to reals if bonds not passed, where does it say that local board has authority to set whatever fee is necessary?



Alice

Lodi Unified School District

FACILITY PLANNING: 1986 SEP 22 AM 7:56

815 W. Lockeford St., Lodi, CA 95240 (209) 369-5511 369-5561 464-1748

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

September 19, 1986

City of Lodi
Council Members
221 West Pine Street
Lodi, CA 95240

The Lodi Unified School District hereby requests the continued collection of Development Fees in your jurisdiction. The District's request is based on the number of "unhoused" students in each elementary, middle and high school attendance area as shown on Exhibits A and B in the 1986-1987 Development Fee Report.

An accounting of the District's expenditure of all funds to date is contained in the Report.

Thank you for setting this matter for hearing. We will be pleased to make a presentation and answer questions.

Sincerely,

A handwritten signature in cursive script that reads "Mary Joan Starr".

Mary Joan Starr
Facility Planner

MJS:cw
Enc.

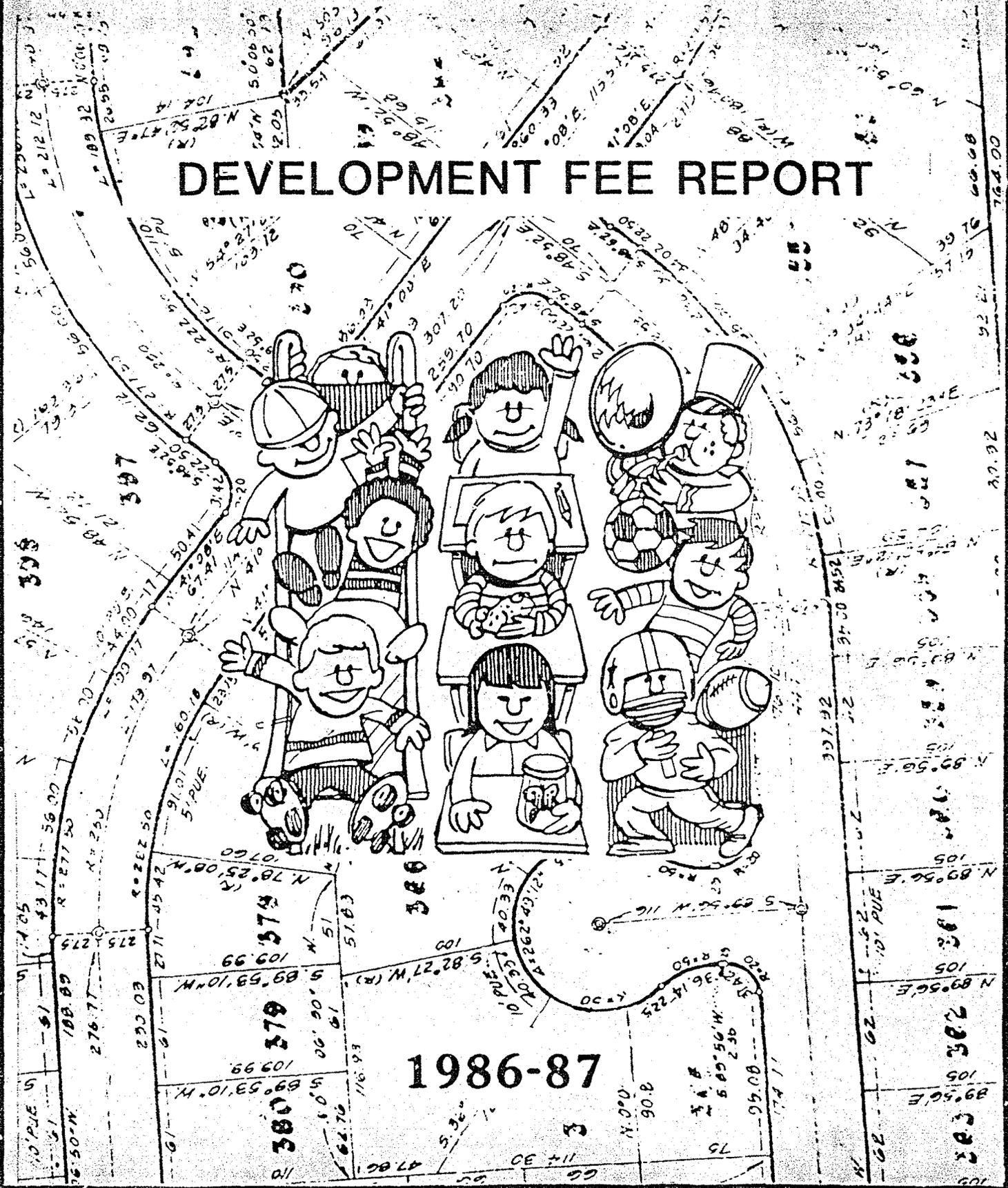


Iodi Unified School District

DEVELOPMENT FEE REPORT



1986-87



GOVERNING BOARD

FLOYD DALE, PRESIDENT

ELEANOR TODD, VICE-PRESIDENT

BONNIE MEYER, CLERK

ROBERT BALL

FRANCES DERRICK

ANN JOHNSTON

JOHN VATSULA

ADMINISTRATION

Ellerth E. Larson, Superintendent
Tom Bandelin, Assistant Superintendent
Ronald Alsup, Assistant Superintendent
Mary Joan Starr, Facility Planner
Joan Pipes, Business Manager
Sam Swofford, Personnel Director
Joan Jensen, Administrative Assistant

LODI UNIFIED SCHOOL DISTRICT

1986-87

DEVELOPMENT FEE REPORT

PREPARED BY

FACILITY PLANNING DEPARTMENT

This report has been prepared in fulfillment of the requirements of State Government Code Sections 65976, 65978, and 65981 and the requirements of the implementing ordinances of the Cities of Lodi (Ord. 1149, August 2, 1978), and Stockton (Ord. 3095 C.S., July 1978), and San Joaquin County (Ord. 2574, July 1978). This report is presented in three sections: Declaration of Impaction and Notification of Conditions of Overcrowding for the 1986-87 School Year; Allocation of Development Fees; and Student Housing Option Update.

DECLARATION OF IMPACTION and NOTIFICATION OF CONDITIONS OF OVERCROWDING

The following details the conditions of overcrowding anticipated in the coming school year and details the rationale behind the District's formal declaration of impaction for the 1986-87 school year.

The projected Lodi Unified School District student enrollment for the 1986-87 school year is 19,954 students. This is a projected increase of approximately 1,720 students over last year and does not take into account any sudden influx of students which might occur as the result of rapid residential construction within expanding areas within the District.

Twenty-five percent (25%), or more importantly, 5,014 of the statistically projected number of students planned for arrival are considered "unhoused," meaning that there are insufficient regular classrooms available in the coming school year in the District, thereby necessitating the implementation of continued temporary student housing alternatives.

It is the District's plan to house regular, special education and pull-out program students in the following manner during the 1986-87 school year.¹

474 permanent classrooms

??? "other" in-school spaces, i.e., storage areas, work rooms, offices, etc.
"unofficially" used as classroom space

20 leased and District-owned trailers (does not include administrative trailers at Washington School or other sites)

14 mini-school rooms and 13 maxi-school rooms in temporarily converted duplexes plus 8 rooms in leased elementary school (SDA)

63 District-owned relocatable rooms

111 State leased portables

12 District leased portables

3 owned program portables

2 Leased houses used for high school vocational education and continuation classes

¹Seven District-owned relocatables house the Adult School and there are six rooms in the leased Career Center. Development Fees can not be applied at these locations.

Both high schools will continue on extended day and Year Round School Schedule has been implemented at Creekside and Heritage Elementary Schools with Parklane, Oakwood and Clairmont scheduled in 1987. The Board has indicated all new schools will open on a YRS schedule unless determined otherwise at the time of opening and all schools in the District may go YRS if necessary.

Based on the known extent of overcrowding, the anticipated increase in enrollment, and the known potential for all residential construction activity within the impacted attendance areas of the Lodi Unified School District, the following school attendance areas are considered impacted for the purposes of requesting the continued imposition and collection of development fees by local governments. A copy of the Board Resolution listing the impacted schools for 1986-87 is set forth as Exhibit A in this report. Enrollment projections and classroom loading are detailed by School Attendance Area in Exhibit B.²

LODI UNIFIED SCHOOL DISTRICT
IMPACTED SCHOOL ATTENDANCE AREAS
1986-1987

Lodi High School Attendance Area
Tokay High School Attendance Area
Liberty High School Attendance Area

Morada Middle School Attendance Area
Needham Middle School Attendance Area
Senior Elementary School Attendance Area
Woodbridge Middle School Attendance Area

Clairmont Elementary School Attendance Area
Clements Elementary School Attendance Area
Creekside Elementary School Attendance Area
Davis Elementary School Attendance Area
Elkhorn Elementary School Attendance Area
Henderson Elementary School Attendance Area
Heritage Elementary School Attendance Area
Houston Elementary School Attendance Area
Lakewood Elementary School Attendance Area
Lawrence Elementary School Attendance Area
Lockeford Elementary School Attendance Area
Leroy Nichols Elementary School Attendance Area
Oakwood Elementary School Attendance Area
Parklane Elementary School Attendance Area
Reese Elementary School Attendance Area
Tokay Colony Elementary School Attendance Area
Vinewood Elementary School Attendance Area
Washington/DCH Elementary School Attendance Area

²Attendance Areas are determined each year by the Assistant Superintendent-Elementary Education, in cooperation with the principals and the District Administration and Staff. A publication is prepared each year. The Attendance Areas are based on neighborhood units. There may be more than one elementary school in an Attendance Area. The high school attendance areas have been determined on the basis of a number of factors which were considered over a period of two years by the High School Attendance Area Committee. A partial listing of attendance areas is contained in Exhibit D.

EXHIBIT A

BEFORE THE BOARD OF TRUSTEES OF THE LODI UNIFIED SCHOOL
DISTRICT OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

RESOLUTION 86-103
1986-1987 DECLARATION OF IMPACTION

WHEREAS, the development of new residential property results in the demand for school facilities; and

WHEREAS, the construction of new residences and the resultant increase of students continues; and

WHEREAS, students from new residential units in overcrowded attendance areas cause an immediate need for classroom solutions; and

WHEREAS, Lodi Unified School District has considered and acted upon such options as (1) presentation to the voters of bond measures to provide capital funds for permanent school housing, (2) temporary buildings, (3) double sessions, (4) bussing, (5) school attendance boundary realignment, (6) year-round school attendance, and (7) extended day programs (high school); and

WHEREAS, there have been no developer provided facilities as defined in Government Code Section 69578; and

WHEREAS, pursuant to Government Code Section 65978 the City of Lodi has enacted Ordinance No. 1149, the City of Stockton has enacted Ordinance No. 3095-C.S., and the County of San Joaquin has enacted Ordinance No. 2574 to assist school districts mitigating the impact of new home construction; and

WHEREAS, the aforementioned Ordinances require residential developers to participate in the cost of interim solutions necessitated by the overcrowding of existing classroom facilities due to new residential construction; and

WHEREAS, this Board has reviewed the content of the Development Fee Report prepared by staff, copy of which is attached hereto, and has approved said report for public distribution;

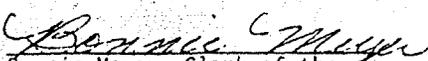
THEREFORE, IT IS HEREBY RESOLVED that the Lodi Unified School District declares impaction in these school attendance areas affected by current and proposed development plans, to wit:

Lodi High School AA (Attendance Area)	Heritage Elementary School AA
Tokay High School AA	Houston Elementary School AA
Liberty High School AA	Lakewood Elementary School AA
Morada Middle School AA	Lawrence Elementary School AA
Needham Middle School AA	Lockeford Elementary School AA
Senior Elementary School AA	Leroy Nichols Elementary School AA
Woodbridge Middle School AA	Oakwood Elementary School AA
Clairmont Elementary School AA	Parklane Elementary School AA
Clements Elementary School AA	Reese Elementary School AA
Creekside Elementary School AA	Tokay Colony Elementary School AA
Davis Elementary School AA	Vinewood Elementary School AA
Elkhorn Elementary School AA	Washington/DCH Elementary School AA
Henderson Elementary School AA	

BE IT FURTHER RESOLVED that the Superintendent be, and he hereby is directed to transmit a certified copy of this resolution and the accompanying staff report to the City Councils of Lodi and Stockton and the Board of Supervisors of the County of San Joaquin for their consideration and concurrence.

PASSED AND ADOPTED this 2nd day of September, 1986, by the following vote of the Board of Trustees, to wit:

AYES: Ball, Dale, Derrick, Johnston, Meyer, Todd, Vatsula
NOES: None
ABSENT: None


Bonnie Meyer, Clerk of the
Board of Trustees

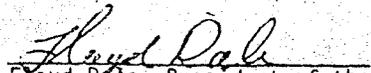

Floyd Dale, President of the
Board of Trustees

EXHIBIT B
1986-87 DETERMINATION OF IMPACTION

SCHOOLS	PERMANENT CLASSROOMS					STUDENT CAPACITY OF PERMANENT CLASSROOMS				SPACE UTILIZATION		INTERIM HOUSING			
	A	B	Ca (1)	Cb (1)	D Add	E NET	F (2)	G (1)	H	I (3)	J Extra or Deficient	K	L	M	Na
	Perm. Add No. CR. P.M. K	Spec. Ed	Minus Program Rooms	Minus Program Rooms	District Owned Relocatables	Perm. Classrooms A+B+C+D	Regular Student Capacity Ex30 Stud.	Special Program Capacity CaX12 Stud.	Net Student Capacity of School: F + G	Projected 1986-87 Enrollment	Student Capacity H - I	State Lease Port.	Leased or Owned Trailers	Mini/Maxi School Rooms	Leased Reloca- tables
Lodi High School	67	0	2	3	9	68	2040	24	2064	2517	-453	5	0	0	5
Tokay High School	69	0	4	3	3	64	1920	48	1968	2720	-752	17	1	1	1
Liberty High School	9	0	0	0	4	13	390	0	390	654	-264	0	0	1	0
Morada Middle School	20	0	1	1	3	21	630	12	642	684	-42	9	0	0	0
Delta Sierra Middle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Senior Elementary (17)	31	0	3	3	3	28	840	36	876	887	-11	0	4	0	0
Woodbridge Middle (*)	19	0	3	2	1	15	450	36	486	509	-23	2	1	0	0
Needham Middle (4)	13	0	2	1	0	10	300	24	324	509	-185	8	1	0	0
Clairmont/Clairmont Mini (5)	12	0	2	2	8	16	480	24	504	983	-479	6	2	4	1
Clements Elementary (6)	3	1	0	0	0	4	120	0	120	122	-2	0	0	0	0
Creekside/Otto Drive (7)	12	3	2	2	15	26	780	24	804	1385	-581	0	1	13	0
Davis Elementary	20	1	3	1	0	17	510	36	546	623	-77	4	0	0	0
Elkhorn/Elkhorn Mini (8)	7	0	2	1	6	10	300	24	324	784	-460	7	2	3	0
Henderson (9)	3	0	0	0	0	3	90	0	90	228	-138	6	0	0	0
Heritage Elementary	19	2	1	1	0	19	570	12	582	853	-271	0	3	8	2
Houston K-8 (10)	14	0	2	2	0	10	300	24	324	378	-34	2	0	0	0
Lakewood Elementary	17	2	2	0	0	17	510	24	534	597	-63	1	0	0	0
Lawrence Elementary	7	2	2	0	0	7	210	24	234	448	-214	7	1	0	0
Live Oak Elementary	11	1	3	0	2	11	330	36	366	341	25	0	0	0	0
Lockeford Elementary (6)	7	0	0	1	2	8	240	0	240	305	-65	1	0	0	0
Dorothy Mahin (11)	6	0	4	0	0	2	60	48	108	60	48	0	0	0	0
Leroy Nichols	20	2	1	1	0	20	600	12	612	767	-155	4	1	0	2
Oakwood Elementary (12)	5	1	1	0	7	10	300	12	312	691	-379	18	1	0	0
Parklane Elementary	9	2	1	1	4	13	390	12	402	723	-321	11	0	0	0
Ray Elementary (13)	4	0	0	0	0	4	120	0	120	72	48	0	0	0	0
Reese Elementary (14)	17	1	3	1	0	14	420	36	456	550	-94	3	1	0	1
Tokay Colony Elementary (15)	4	0	0	0	2	6	180	0	180	194	-14	0	0	0	0
Turner Elementary	2	0	0	0	0	2	60	0	60	52	8	0	0	0	0
Victor Elementary	9	1	2	0	0	8	240	24	264	240	24	0	0	0	0
Vinewood Elementary	18	1	2	0	0	17	510	24	534	602	-68	0	0	0	0
Washington/DCH (18)	20	1	7	1	0	13	390	84	474	476	-2	0	1	0	0
TOTAL	474	21	55	27	69	476	14280	660	14940	19954	-5014	111	20	35	12

EXHIBIT B
(Continued)

NOTATIONS:

- 1) Includes all type of special education classes, i.e., English as a second language, learning disability, resource specialists, etc. Rooms are deducted because they are loaded at less than 50% of the loading of a regular classroom, i.e., 12 students versus 30 students. This column is intended to include only permanent classrooms used for these classes. Column "B" is "pullout" program rooms. Children using these rooms are from a regular 30-student class and therefore are accounted for in those columns. There may be minor discrepancies between these figures and others used by the District due to scheduling modifications after data compilation.
- 2) Thirty students is used as a multiplier. Actual loading may vary with conditions and contractual agreements.
- 3) These are locally generated enrollment projections, calculated for the purposes of classroom planning. There may be some deviation from those done by Office of Local Assistance due to varying considerations.
- 4) Thirty Parklane Attendance Area students will attend Senior Elementary rather than Morada.
- 5) Students from Senior Elementary are attending Morada to relieve overcrowding.
- 6) Two permanent classrooms are undersized and loaded at 1/2 capacity.
- 7) Grade 7 and 8 students from portions of Elkhorn and Oakwood areas will be housed at Needham until construction of the new Delta Sierra Middle School in North Stockton. Needham kindergartners attend Nichols and grades 1-6 attend Vinewood. Middle school overflow will be sent to Woodbridge or Senior Elementary.
- 8) Fox Creek area grades K-6 will attend Clairmont. Overflow students will attend Tokay Colony, Live Oak and Davis.
- 9) Grades 2-6 go to Lockeford and K-1 to Clements.
- 10) Grade 6 from Oakwood attends Otto Drive School. Otto Drive will be used for overflow from Elkhorn and Oakwood.
- 11) Includes Elkhorn Mini School. Students from old Venice King Island attendance area go to Elkhorn.
- 12) Henderson will house one class each of grades 3-6 from the Parklane attendance area. Henderson attendance area students attend Vinewood.
- 13) Houston is a grade 1-8 school with 7th and 8th grade students from Lockeford/Clements area.
- 14) Mahin houses only special education students.
- 15) Grades 1-5 from Oakwood attendance area attend Oakwood with Stonewood Subdivision kindergartners also attending Oakwood. Western Valley and Davis Oaks Subdivision kindergartners attend Elkhorn Mini. Grade 6 from Oakwood attendance area attend Otto Drive (4 classes).
- 16) Grades K-3 attend Ray and grades 4-6 attend Turner.
- 17) Reese, Otto Drive and Tokay Colony will be overflow schools for other attendance areas, (i.e., Elkhorn, Heritage, Lakewood, Nichols, Oakwood, Davis, Vinewood and Parklane) and projection reflects overflow anticipated based on 1985-86 enrollment count.
- 18) Grades K-6 attend Tokay Colony.
- 19) The Development Center for the Handicapped at Washington School houses +50 special education students.
- 20) There are 4 kindergarten rooms with 2 sessions equaling 8 loadings for Elkhorn Mini and 4 rooms with 3 first grades and 4 kindergarten sessions at Clairmont Mini.
- 21) Two relocatables are used for a cafeteria and library.
- 22) Two trailers are used for administration facilities.

- Note:
- a) Generally the attendance area and the school are the same; however, in certain situations (as noted above) students from one attendance area may be attending a school in another area or areas have been combined. This has been taken into account in the figure in Column I.
 - b) There may also be interim housing in the permanent facilities, i.e., in closets, offices, etc., and double sessions.
 - c) Heritage and Creekside are presently on Year-Round School; others will be placed on Year-Round School in the future.

ALLOCATION OF DEVELOPMENT FEES

The allocation of development fees is based on strict interpretation of the enabling legislation. Government Code Sections 65970-65981 (SB201-1977) permit local jurisdictions to adopt ordinances requiring land dedication or to exact fees from residential developers in lieu of land dedication for purposes of providing interim school facilities. Section 65978 requires that Lodi Unified School District maintain an accounting of fees, while Section 65980 limits their use to strictly defined interim facilities. In addition, Government Code Section 65978(d) states in part.

The location and amount of land to be dedicated or the amount of fees to be paid, or both, shall bear a reasonable relationship and will be limited to the needs of the community for interim elementary or high school facilities and shall be reasonably related and limited to the need for schools caused by the development...

Based on the District's desire to use the Fees only in the manner intended by the implementing legislation and the local ordinances, assumptions and qualifiers were first developed in 1982 to guide in the allocation of Development Fees. With minor modifications, these same assumptions were used in the allocation of Development Fees in the ensuing years. The Assumptions and Qualifiers are detailed in Exhibit C.

Attendance Areas

Elementary, Middle and High School Attendance Areas and specific schools serving each City subdivision paying fees in 1985-86 are listed below. All County fees were accounted for permit by permit; therefore, attendance areas for County developments are listed as coming from individual builders. All attendance area information was obtained from the District's annual publication, which is available from the Office of the Assistant Superintendent, Elementary Education, with some modification as staffing and enrollment figures developed.

Exhibit D details the attendance areas for the 1985-86 school year. These attendance areas are applicable to the allocation of development fees received during the 1985-86 school year. Enrollment overflow schools are shown on Exhibit E.

Development Fee Revenue

During the period July, 1985 through June, 1986 a total of \$542,329 was received in Development Fees. This is approximately \$135,790 less than the previous year. The decrease is a result of decreased residential construction in new areas and a decrease in the fee from \$280/bedroom to \$200/bedroom in the City of Stockton.

Allocation of Development Fees

The basis upon which Development Fees are used for payment of interim housing expenditures is detailed in the introductory portion of this section of the report. It is reiterated that the District uses the most stringent interpretation of the State Code and implementing ordinances and directives in the allocation of Development Fees. At the present time Development Fees are used exclusively for the lease and setup of portables and trailers, and the mini-maxi school leases (by special legislation). Revenue collected from developers under an agreement with the District may be used for non-interim housing, i.e. at new schools; however, fees collected by agreement were generally not used for permanent facilities this year. It is anticipated that future fees will be encumbered for non-interim housing.

Expenditures

Exhibit F details the Development Fee revenue received and the expenditures "paid" during the 1985-86 Fiscal Year. Based on the allocation of revenue, \$515,864 for qualifying expenditures was eligible for transfer into the General Fund at the end of 1985-86 Fiscal Year for expenses actually incurred during that fiscal year.

As in past years, all interim housing costs were budgeted as a General Fund expenditure and payments were made from the General Fund. This is done to be sure that there is sufficient income to cover the expenditures. Development Fees are an unpredictable revenue source. At the end of each year all expenditures are accounted for by school and matched with revenue from subdivisions and developments in the area. A lump sum amount is then transferred to the General Fund. In anticipation of this transfer, an amount of Development Fee revenue was considered in the budget in 1982-83; 1983-84; 1984-85; 1985-86; and will be included in the 1986-87 budget.

Development Fees have become an important source of revenue for the provision of interim classroom space.

The 1985-86 Fiscal Year began with a carry-over of \$83,040 in "unpaid" expenditures in five attendance areas. Expenditures during the year totaled \$556,271 as detailed in Exhibits G & H. A total of \$515,864 in qualifying expenditures were "paid" by Development Fee Revenue at the end of the fiscal year. This amount was transferred into the General Fund at that time and appears in the ending balance. This information is summarized in table on page 14. A comprehensive summary of Development Fee Revenue and Expenditures by jurisdiction is contained in Exhibits H, I, and J.

EXHIBIT C

ASSUMPTIONS AND QUALIFIERS

1. Allocations are made on a fiscal year basis. The starting date for allocation was Fiscal Year 1979-80.
2. Based on a 1980 change in the definition of interim, a State Attorney General Opinion 79-625 (October 16, 1979), and the advice of County Counsel, the expenses of Otto Drive Maxi School and the two mini schools were not considered eligible, and did not appear in any totals in reports for 1982-83 (except Elkhorn set-up, which predated the code change). In 1983, AB-1645 was signed into law, permitting Lodi Unified to use development fees for the payment of mini/maxi school leases.
- 3) Consistent with Government Code Section 65974, all expenditures must be related to the impacted attendance area containing the contributing residential development. Expenditures by school were "credited" on the basis of the District's Declaration of Impaction Report and the Board formula. Non-impacted schools are not considered eligible.
4. Development fees are used to cover expenditures at schools outside of the attendance area containing the generating residential development, if that is the overflow school for that attendance area. For example, Lodi High School takes the overflow from Tokay High School; Morada is taking overflow from Senior Elementary; Woodbridge is taking overflow from Senior Elementary and Needham; Lakewood, Reese, Washington, Vinewood, Henderson, Live Oak, Tokay Colony, Creekside and Otto Drive receive overflow from Davis, Oakwood, Clairmont, Parklane, Elkhorn, Heritage and Nichols.
5. In those attendance areas with several schools (specifically Elkhorn), it is recognized that the impact of any specific development is on the entire attendance area, therefore, expenditures made for any school in the attendance area are considered relative to any paying development built in the attendance area.
6. "Unpaid" or "unrecovered" expenditures made in the first couple of years were not carried to the next year. However, it has been determined that it is reasonable to carry expenditures, as well as revenue, forward from one year to the next based on the rationale that the District may provide interim housing in advance of the development fee income and the arrival of the students from the subject development(s).
7. "Unspent" fees or "unexpendable" revenue received in any given year is carried from year to year for future expenditure on the basis that the need for interim facilities to serve children from the related developments may not arrive at the schools until sometime after the revenue is collected. This is the companion condition to that discussed above.
8. Interest is applied only to qualifying expenditures and not for any other District purpose, although that may technically be possible. It is felt that the only proper use of interest is in the manner ascribed since a portion of the interest is earned while the fees are still in City and County accounts.
9. Leased trailers financed directly or indirectly by the General Fund are included in the expenditures. Students housed in leased trailers are substantially from the attendance area of the school where they are located, or, as in the case of Reese, from overflow from other attendance areas. (See Exhibit D)
10. At the present time, interim housing expenditures are budgeted from the District's general fund at the beginning of each fiscal year. At the end of the fiscal year development fee revenue is allocated to the various expenditures based on the above and a lump sum is transferred from the Development Fee Fund to the General Fund, where it appears in the ending balance. At the beginning of the fiscal year an anticipated sum may be transferred in advance through the budget process. The amount is based on a conservative projection of fees to be received relative to qualifying expenditures. This procedure is presently to facilitate cost-accounting.

EXHIBIT D

SCHOOL ATTENDANCE AREAS BY SUBDIVISION
1985-1986

SUBDIVISION/ JURISDICTION	ELEMENTARY SCHOOL ATTENDANCE AREA	MIDDLE SCHOOL ATTENDANCE AREA	HIGH SCHOOL ATTENDANCE AREA
LODI			
AARON TERRACE	VINEWOOD	SR. ELEMENTARY	LODI HIGH
ADOBE CT.	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
BECKMAN RANCH	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
BURGUNDY VILLAGE	HERITAGE	SR. ELEMENTARY	TOKAY HIGH
IRIS DRIVE	VINEWOOD	SR. ELEMENTARY	LODI HIGH
LAKESHORE VILLAGE	VINEWOOD (RURAL)	SR. ELEMENTARY	TOKAY HIGH
*LODI PARK WEST	REESE	WOODBIDGE	LODI HIGH
*MEADOWS	VINEWOOD	SR. ELEMENTARY	TOKAY HIGH
*MILLSWOOD	REESE	WOODBIDGE	LODI HIGH
*NOMA RANCH	HERITAGE	SR. ELEMENTARY	TOKAY HIGH
PALOMAR DRIVE	REESE	WOODBIDGE	LODI HIGH
PINEWOOD	REESE	WOODBIDGE	LODI HIGH
PIONEER PLACE	LAWRENCE	WOODBIDGE	LODI HIGH
*RIVERGATE PLACE #1	LAKWOOD	WOODBIDGE	LODI HIGH
RIVERGATE PLACE #2	LAKWOOD	WOODBIDGE	LODI HIGH
STONETREE	HERITAGE	SR. ELEMENTARY	TOKAY HIGH
SUMMERFIELD	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
SUNWEST NO. 4	VINEWOOD	SR. ELEMENTARY	LODI HIGH
*TANDY RANCH	HERITAGE	SR. ELEMENTARY	TOKAY HIGH
*WAGNER HEIGHTS	ELKHORN	NEEDHAM	TOKAY HIGH
*WHISPERING OAKS (Lobaugh Meadows)	VINEWOOD	SR. ELEMENTARY	
WILLOW COURT	LAKWOOD	WOODBIDGE	LODI HIGH
WINDJAMMER COURT	VINEWOOD (RURAL)	SR. ELEMENTARY	TOKAY HIGH
WINCHESTER ACRES	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
WOODLAKE NORTH	LAKWOOD	WOODBIDGE	LODI HIGH
INDIVIDUAL BUILDERS	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
INDIVIDUAL BUILDERS	LAKWOOD	WOODBIDGE	LODI HIGH
INDIVIDUAL BUILDERS	VINEWOOD	SR. ELEMENTARY	LODI HIGH
INDIVIDUAL BUILDERS	HERITAGE	SR. ELEMENTARY	LODI HIGH

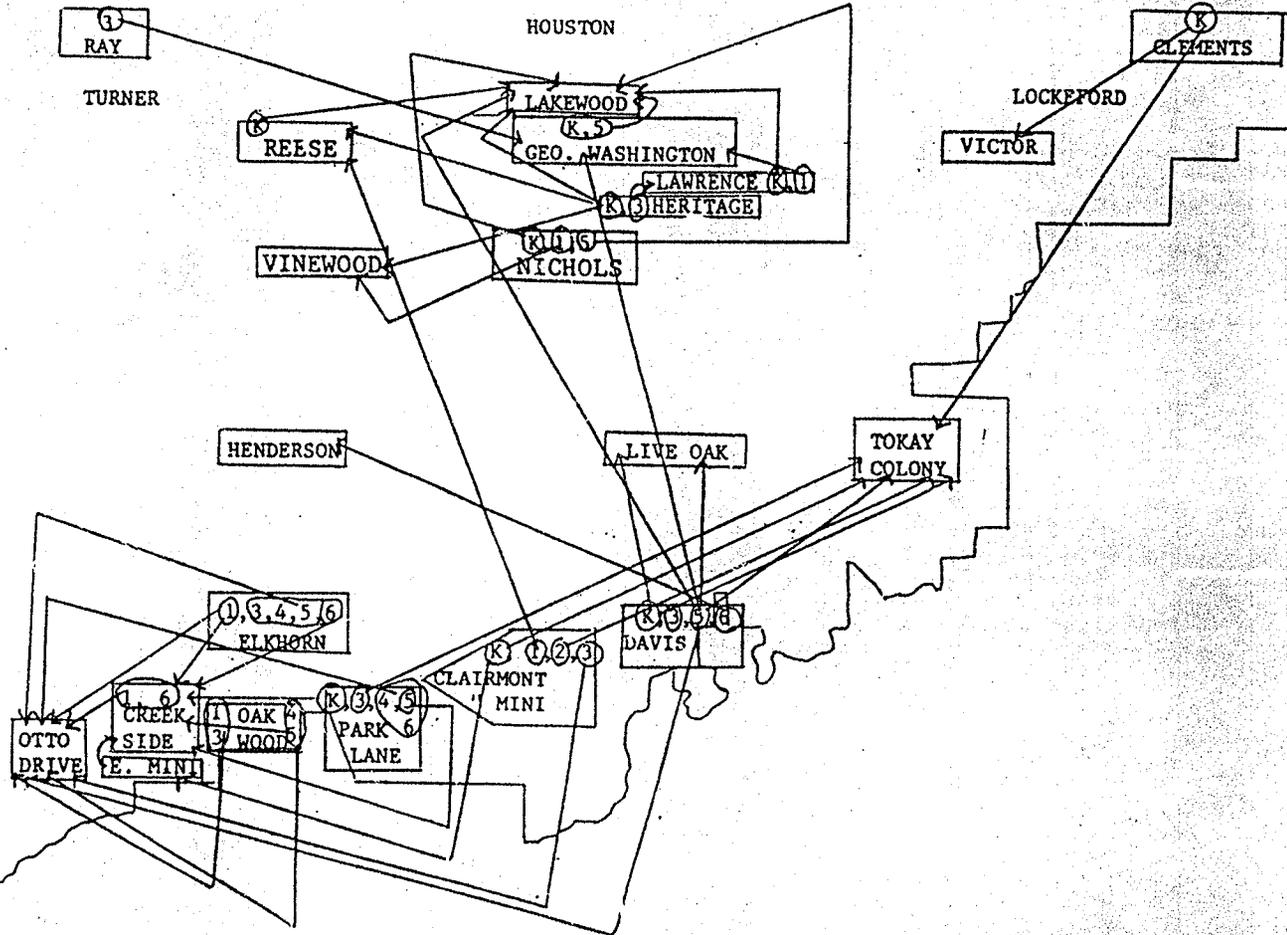
EXHIBIT D
continued

SUBDIVISION/ JURISDICTION	ELEMENTARY SCHOOL ATTENDANCE AREA	MIDDLE SCHOOL ATTENDANCE AREA	HIGH SCHOOL ATTENDANCE AREA
STOCKTON			
BEAR CREEK	OAKWOOD/OTTO DR.	NEEDHAM	TOKAY HIGH
CLAIRMONT	CLAIRMONT/MINI/ HENDERSON	MORADA	TOKAY HIGH
CLAIRMONT PLACE	CLAIRMONT/MINI/ HENDERSON	MORADA	TOKAY HIGH
COLONIAL ESTATES N.	ELKHORN MINI/OTTO DR./CREEKSIDE	SR. ELEMENTARY	TOKAY HIGH
COLONIAL WEST	ELKHORN/ELKHORN MINI	NEEDHAM	TOKAY HIGH
DON AVENUE	ELKHORN/MINI	NEEDHAM	TOKAY HIGH
FALCON CREST (MARINER'S DR.)	ELKHORN	SR. ELEMENTARY	TOKAY HIGH
*JOAQUIN MURIETTA	ELKHORN	NEEDHAM	TOKAY HIGH
LANDING, THE	ELKHORN	SR. ELEMENTARY	TOKAY HIGH
LIANNA CT.	ELKHORN	NEEDHAM	TOKAY HIGH
PALOMA PARK ESTATES	PARKLANE	SR. ELEMENTARY	LODI HIGH
STONEWOOD ESTATES	ELKHORN/MINI	SR. ELEMENTARY	TOKAY HIGH
SUSSEX GARDENS	ELKHORN/ELKHORN MINI	NEEDHAM	TOKAY HIGH
WESTERN VALLEY	ELKHORN	NEEDHAM	TOKAY HIGH
SAN JOAQUIN COUNTY			
COUNTRY VIEW ESTATES	LAKWOOD	WOODBIDGE	LODI HIGH
RIVER MEADOWS	LAKWOOD	WOODBIDGE	LODI HIGH
*WOODBIDGE GREENS	LAKWOOD	WOODBIDGE	LODI HIGH
INDIVIDUAL BUILDERS	LOCKEFORD/CLEMENTS	HOUSTON	LODI HIGH
INDIVIDUAL BUILDERS	LIVE OAK	MORADA	TOKAY HIGH
INDIVIDUAL BUILDERS	ELKHORN	NEEDHAM	TOKAY HIGH
INDIVIDUAL BUILDERS	TOKAY COLONY	MORADA	TOKAY HIGH

EXHIBIT E
ENROLLMENT OVERFLOW

LODI UNIFIED SCHOOL DISTRICT

Grades K-6
October, 1985



SUMMARY OF DEVELOPMENT FEE REVENUE AND EXPENDITURES
JULY 1985 - JUNE 1986

REVENUE

Revenue Received 1985-1986	\$ 539,989
Revenue Forward from 1984-1985	<u>392,173</u>
Total Revenue Available 1985-1986	932,162
Revenue Transferred 1985-1986	<u>515,864</u>
Total Balance Forward to 1986-1987	\$ 416,298

EXPENDITURES

Total Expenditures for 1985-1986	\$ 556,271
Expenditures Forward from 1984-1985	<u>83,040</u>
Total Expenditures	639,311
Expenditures Paid with Development Fees	<u>515,864</u>
Expenditures "Unpaid" ³	\$ 123,447

"In-Lieu" Agreements

There are presently 15 in-lieu agreements operative, including one for partial payment of the Clairmont School Site, as listed on page 14. The District continues to encourage all residential developers to enter into an agreement because of the added flexibility provided the District. Fees collected solely as a result of the SB 201 Ordinance may be used only for interim facilities, whereas fees collected through an agreement may be used for long-term housing needs, as well. At present the District is using all fees for interim housing; however, it is anticipated that some fees will be encumbered in the future for application towards more permanent housing.

The District is also continuing to review dedication of school sites in-lieu of fee payment.

³The \$123,447 in "unpaid" expenditures will be "paid" during the 1986-1987 Fiscal Year from the Balance of \$416,298. In addition, the remaining balance will be encumbered for expenditures on the 3 new State lease portables; for new District lease portables; for existing leased facilities and other trailer/portable moves and set-up costs.

DEVELOPMENT FEE AGREEMENTS

JULY, 1986

<u>AGREEMENT</u>	<u>AMOUNT COLLECTED</u>
Dennis Noble (Zinfandel Estates) - Stockton	
Cook-John Development (Willow Brook) - Stockton	
Eilers Annexation (Woodlake North) - Woodbridge	\$ 7,200
Woodbridge Greens - Woodbridge	6,240
Noma Annexation - Lodi	
Park West (formerly Kennedy Ranch) - Lodi	55,400
Filley Ranch (Sun West #4) - Lodi	
Barnett-Range (Fox Creek 11 & 12) - Stockton	210,815
Lobaugh (Lobaugh Meadows Annexation) - Lodi	30,400
Joaquin Murietta - Stockton	7,280
Barnett-Range (Clairmont) - Stockton (Clairmont School Site in lieu of fees)	122,610
Tandy Ranch - Lodi	
Johnson Ranch - Lodi	
Rivergate Place Unit #1 - Lodi	3,800
Wagner Heights/Wagner Oaks - Stockton	

EXHIBIT F
 LODI UNIFIED SCHOOL DISTRICT
 DEVELOPMENT FEE REVENUE/EXPENDITURE ACCOUNT FORM
 FOR PERIOD JULY, 1985 - JUNE, 1986

DEVELOPMENTS:	REVENUE RECEIVED BY DEVELOPMENT		REVENUE RECEIVED BY DEVELOPMENT		LODI	TOTAL	LIBERTY	ROBERTSON	KERRICK	KERRICK	GR. EL.	WOOD- BRIDGE	CALVERT	COTO DE /	DAVIS	ELAMEN	HENDERSON	HARTNER	LAKESIDE	LIMBROCK	LOCKPORT	MCKENZIE	OAKWOOD	PARK LAKE	RIDGE	WASSILBERT	TOTAL	BALANCE	
	1985-86	1986-87	1985-86	1986-87																									REVENUE
ALLEN TRAIL	1,400	0	0	0	1,400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN CT.	1,200	5,539	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	3,400	0	0	0	3,400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN VILLAGE	9,000	0	0	0	9,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN VILLAGE	57,200	37,178	0	0	57,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	43,000	42,139	0	0	43,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	0	30,400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	0	12,512	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	20,200	0	0	0	20,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	600	3,400	0	0	600	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	4,400	31,048	0	0	4,400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	0	3,400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	0	13,493	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	4,400	12,149	0	0	4,400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	21,800	0	0	0	21,800	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	4,600	0	0	0	4,600	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	43,400	0	0	0	43,400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,400	41,600	0	0	1,400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	600	41,600	0	0	600	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0	1,200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEN BLVD	1,200	41,600	0	0																									

EXHIBIT F
 LODI UNIFIED SCHOOL DISTRICT
 DEVELOPMENT FEE REVENUE/EXPENDITURE ACCOUNT FORM
 FOR PERIOD JULY, 1985 - JUNE, 1986
 (Continued)

FEE REVENUE RECEIVED BY DEVELOPMENT	EXPENDITURES:																	TOTAL EXPENDITURES	BALANCE FORWARD									
	REVENUE RECEIVED 1985-86	REVENUE BROUGHT FORWARD	LODI HIGH	TOLAY HIGH	LEIBERT HIGH	WOODSTON	NORADA	NEEDHAM	DR. EL	MOOD-BRIDGE	CLAIMMENT PINE	OTTO DR. / CREEKSIDE	DAVIS	ELIJAH	MCDOUGLSON	FRITZ	LARKWOOD			LAWRENCE	LOCKEFORD	NICHOLS	OSAKWOOD	PARKLAKE	REXSE	WASHINGTON		
547,329	392,173	61,277	78,851	6,929	5,217	15,430	24,011	13,129	8,261	54,579	96,180	0	37,076	12,000	8,522	1,633	18,678	2,000	21,240	2,160	23,040	13,291	12,370	12,370	515,864			
						15,239	0	0	0	33,300	0	13,160	0	0	0	0	0	0	0	0	4,562	13,445	0	761	123,447	416,638		
STOCKTON BEAR CREEK	2,200	0					1,000														1,200					2,200	0	
CLAIMMENT	8,580	0				8,580																				8,580	0	
CLAIMMENT PLACE	6,000	0				600				5,400																6,000	0	
COLONIAL ESTATES #	80,800	18,834									96,180															96,180	23	
COLONIAL WEST	0	39,795								2,719			37,076													39,795		
DOM AVENUE	1,680	0								1,680																1,680	0	
FALCON CREST (MacLear's Dr.)	2,640	0			1,680																960					2,640	0	
LAJOLTA BELLITA	6,160	7,280								7,232																7,232	6,208	
LAWDING, YRE	13,600	0																					13,600			13,600	0	
LIANA CT.	9,400	0								9,400																9,400	0	
ROSEMOUNT ESTATES	37,130	0				8,800																				8,800	28,330	
WESTERN VALLEY	600	0								600																600	0	
PALOMA PARK ESTATES	9,440	0																					9,440			9,440	0	
RUSSEY GARDENS	600	0								600																600	0	
INTEREST	7,128	0								7,128																7,128	0	
SAN JOAQUIN COUNTY COUNTRY VIEW ESTATES	24,960	31,423								6,240																	16,713	39,667
RIVER MEADOWS	6,680	8,902								12,802																	12,802	780
WOODBRIDGE GREENS	8,040	6,160																								0	14,300	
LOCKEFORD/CLIFTONS WOODSTON/LODI HIGH	6,760	0				6,437														1,360						5,997	763	
LIVE OAK/NORADA/TOLAY HIGH	6,680	0								6,680																6,680	0	
ELIJAH/NEEDHAM/TOLAY HIGH	780	0								780																780	0	
TOLAY COLONY/NORADA/TOLAY HIGH	780	0								780																780	0	
VICTOR/WOODSTON/LHS	1,560	0				780																				780	0	
LARKWOOD/MOODBRIDGE/LHS	1,560	0																								0	1,560	
DAVIS/NORADA/LHS	780	0								780																780	0	
INTEREST	547	0								107										640						547	0	
TO BE REIMBURSED	2,340	0																								0	2,340	
INTEREST LIAB ACT	61,944	0								61,944																61,944	0	
TOTAL REVENUE	547,329	392,173																										
TOTAL QUALIFYING EXPENDITURES			61,277	78,851	6,929	5,217	15,430	24,011	13,129	8,261	54,579	96,180	0	37,076	12,000	8,522	1,633	18,678	2,000	21,240	2,160	23,040	13,291	12,370	12,370	515,864		

REVENUE RECEIVED JULY 1985 THRU JUNE 1986:	547,329	EXPENDITURES 1985-1986	556,271
REVENUE CARRIED FORWARD FROM PRIOR YEARS:	392,173	UNPAID EXPENSES FORWARD FROM PRIOR YEARS	81,040
TOTAL REVENUE	914,502	TOTAL EXPENDITURES	639,311
LESS AMOUNT COLLECTED IN ERROR FROM COUNTY	2,340	QUALIFYING EXPENDITURES	515,864
LESS QUALIFYING EXPENDITURES	515,864	UNPAID EXPENSES FORWARD	123,447
BALANCE FORWARD	416,298		

LODI UNIFIED SCHOOL DISTRICT
INTERIM HOUSING EXPENDITURES
1985 - 1986

EXHIBIT G

SITE	IDENT. NO.	DISTRICT	ST. LEASED	LS. PORT.	LEASING OTHERS	LESSOR	TERM OF LEASE	AMOUNT PER YEAR	SETUP COSTS	EXPENDITURES		
										FOR 1985-86	SUB TOTAL	TOTAL
CLAIMMONT	#1392				1	MOBILE MODULAR	7/1/85-6/30/86	4,123.80		4,123.80	4,124	
CLAIMMONT	#1202/2203		1			CHINO BANK (STEELGARD)	7/3/85-7/3/88	7,800.33		7,801.00	7,801	
CLAIMMONT	#25/16126*			6		ST. OF CALIF.	11/4/85-11/4/86	12,000.00	8,674.03	2,307.08	10,981	
CLAIMMONT	#HIMI-SCHOOL				4	BARNETT-RANGE	7/2/77-6/30/86	19,200.00		19,200.00	19,200	42,106
CREEKSIDE	#1852				1	SMELEY'S MOBILE OFF.	11/4/84-6/30/86	3,180.00		3,180.00	3,180	
											0	
											0	3,180
DAVIS	#25/16109			4		ST. OF CALIFORNIA	1985-86	8,000.00		8,000.00	8,000	8,000
ELKHORN	#430				1	ALLSPACE LEASING	1985-86	4,261.50		4,261.50	4,262	
	#25/16103/10			6		ST. OF CALIF.	1985-86	12,000.00		12,000.00	12,000	
	#25/16127*			1		ST. OF CALIF.	11/4/85-11/4/86	2,000.00	4,080.00	1,134.36	5,214	
	#HIMI-SCHOOL				4	BECK CONST. CO.	16/15/79-6/30/86	15,600.00		15,600.00	15,600	37,076
ENDERSON	#25/16111			6		ST. OF CALIF.	1985-86	12,000.00		12,000.00	12,000	12,000
HERITAGE	#051 622				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261	
	#00 315				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261	8,522
HOUSTON	#25/16134*			2		ST. OF CALIF.	11/4/85-11/4/86	4,000.00	3,222.00	1,995.00	5,217	5,217
LAKEMOOD	#25/16128*			1		ST. OF CALIF.	11/4/85-11/4/86	2,000.00	816.00	816.52	1,633	1,633
LANEWOOD	#25/16113			3		ST. OF CALIF.	1985-86	6,000.00		6,000.00	6,000	
	#25/16129*			4		ST. OF CALIF.	11/4/85-11/4/86	8,000.00	8,644.80	4,033.00	12,678	18,678
LOCKEFORD	#25/16125			1		ST. OF CALIF.	1985-86	2,000.00		2,000.00	2,000	
											0	2,000
LODI HIGH	#1883-97-01		2			CHINO VALLEY BANK	7/3/85-7/3/88	13,688.00		13,688.00	13,688	
	#1884-105		1			CHINO BANK (DOUPNIK)	10/16/84-10/16/88	7,844.00		7,844.00	7,844	
	#11-84-DH-317ABCD		1			CHINO BANK (DOUPNIK)	2/19/85-2/19/89	28,316.50	233.00	28,316.00	28,549	
	#25/16122			2		ST. OF CALIF.	1985-86	4,000.00		4,000.00	4,000	
	#25/16124*			3		ST. OF CALIF.	1986-	6,000.00	2,574.60	2,071.44	4,646	58,727
MORADA	#25/16121			5		ST. OF CALIF.	1985-86	10,000.00		10,000.00	10,000	
	#25/16100			4		ST. OF CALIF.	1985-86	8,000.00		8,000.00	8,000	18,000
NEEDHAM	#MISRV 002				1	ALLSPACE LEASING	1985-86	4,388.40		4,388.40	4,388	
	#DEL 7-18-86				1				2,623.00	1,000.00	3,623	
	#25/16116			8		ST. OF CALIF.	1985-86	16,000.00		16,000.00	16,000	24,011
NICHOLS	#433				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261	
	#2198/2199		1			CHINO BANK (STEELGARD)	7/3/85-7/3/88	7,800.33		7,800.00	7,800	
	#25/16117			2		ST. OF CALIF.	1985-86	4,000.00		4,000.00	4,000	
	#25/16130*			2		ST. OF CALIF.	11/4/85-11/4/86	4,000.00	3,162.00	2,017.00	5,179	21,240
OAKWOOD	#25/16118			9		ST. OF CALIF.	1985-86	18,000.00		18,000.00	18,000	
	#25/16102			8		ST. OF CALIF.	1985-86	16,000.00		16,000.00	16,000	
	#25/16131*			1		ST. OF CALIF.	11/4/85-11/4/86	2,000.00	4,239.60	822.00	5,062	
	#1391				1	MOBILE MODULAR CORP.	1985-86	3,912.64		3,912.64	3,913	42,974
OTTO DRIVE	#DUPLICES				8	BECK CONST. CO.	1-12/86	93,000.00		93,000.00	93,000	
											0	98,000
PARKLANE	#25/16119			2		ST. OF CALIF.	1985-86	4,000.00		4,000.00	4,000	
	#25/16101			8		ST. OF CALIF.	1985-86	16,000.00		16,000.00	16,000	
	#25/16132*			1		ST. OF CALIF.	11/4/85-11/4/86	2,000.00	2,767.50	997.00	3,765	13,765
REESE	#432				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261	
	#1200/2201		1			CHINO BANK (STEELGARD)	7/3/85-7/3/88	7,800.34		7,800.00	7,800	
	#25/16133*			1		ST. OF CALIF.	11/4/85-11/4-86	2,000.00	282.00	948.00	1,230	13,291
SR. EL.	#429				1	ALLSPACE LEASING	1985-86	4,388.40		4,388.40	4,388	
	#00296				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261	
	#00773				1	ALLSPACE LEASING	11/13/86-6/30/87	3,816.00	2,379.00	2,120.00	4,479	13,129
TOKAY HIGH	#051 512				1	ALLSPACE LEASING	1985-86	3,625.20		3,625.20	3,625	
	#11-84-DH-316ABCD		1			CHINO BANK (DOUPNIK)	2/19/85-2/19/89	28,316.50	233.00	28,316.00	28,549	
	#25/16104			8		ST. OF CALIF.	1985-86	16,000.00		16,000.00	16,000	
	#25/16123			6		ST. OF CALIF.	1985-86	12,000.00		12,000.00	12,000	
	#25/16125*			3		ST. OF CALIF.	1986-	6,000.00	14,220.00	1,907.04	16,127	76,301
WASHINGTON	#435				1	ALLSPACE LEASING	1985-86	3,752.40		3,752.40	3,752	
	#1393				1	MOBILE MODULAR	1985-86	4,024.43	5,355.00	4,024.00	9,379	13,131
WOODBRIDGE	#25/16106			2		ST. OF CALIF.	1985-86	4,000.00		4,000.00	4,000	
	#434				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261	8,261
HORIZON SCHOOL	#230 N. ORANGE				1	GARY BRANDT	7/22/85-6/30/87	6,396.00	894.00	6,035.00	6,929	6,929
HANIN SCHOOL											0	0
VCC. ED. CENTER	1418 S. CHURCH				1	ALADDIN PROP. MGMT.	10/1/80-6/30/86	5,100.00		5,100.00	5,100	5,100
	418 S. Church											
PRESCHOOL FOR HANDICAP	1ST. CONG. CHURCH				1	1ST. CONG. CHURCH	11/14/85-6/1/86	1,300.00	4,875.00	1,362.15	6,237	6,237
TOTAL ROOMS / \$			8	109	17	19		525,202	69,275	493,234	562,509	562,509

EXHIBIT H

DEVELOPMENT FEES
TOTAL REVENUE AND EXPENDITURES
CITY OF LODI

SUBDIVISION	TOTAL AMOUNT COLLECTED 1979-1986	SCHOOLS & AMOUNT OF FUNDS EXPENDED	TOTAL AMOUNT SPENT	BALANCE OF UNRESED DEVELOPMENT FEES
Aaron Terrace	8,000	Senior El 8,000	8,000	0
Adobe Court	16,000	Senior El 4,261 Reese 5,000 Nichols 6,739	16,000	0
Beckman Ranch	70,800	Nichols 25,011 Tokay High 40,100 Reese* 4,792 Lodi High 897	70,800	0
Burgundy Village	9,000	Henderson 1,600	1,600	7,400
Cambridge Place	58,800	Tokay High 54,139 Heritage 4,661	58,800	0
Iris Drive	1,200	Senior El 461 Lodi High 739	1,200	0
Lakeshore Village	235,600	Lawrence* 14,319 Reese* 7,793 Senior El 13,190 Tokay High 104,464 Vinewood 9,330 Liberty High 6,932 Henderson 2,000	140,015	77,575
Lodi Park West (1)	98,400	Woodbridge 8,261	8,261	90,139
McCoy Court	6,400	Tokay High 6,400	6,400	0
The Meadows (1)	30,400		0	30,400
Hillswood	38,200	Woodbridge 25,688	25,688	12,512
Noma Ranch (1)	28,200		0	28,200
Falcoar Drive (Hillswood)	600	Lodi High 600	600	0
Pinewood	7,200	Lodi High 3,000 Woodbridge 3,421 Reese 779	7,200	0
Pioneer Place	48,000	Lodi High 10,952 Lawrence 24,678 Washington 12,370	48,000	0
Rivergate Place #1 (1)	8,600		0	8,600
Rivergate Place #2	2,800	Lodi High 2,800	2,800	0
Rivergate Commons	11,000	Lodi High 11,000	11,000	0
North School Street Condos	1,200	Woodbridge 1,200	1,200	0
Stonetree	39,600	Heritage 29,629 Tokay High 9,971	39,600	0
Summerfield	33,000	Tokay High 12,655 Nichols 10,054 Reese* 5,058 Henderson 4,800 Lakewood 433	33,000	0
Sunwest No. 4	600	Lodi High 600	600	0
Tandy Ranch (1)	21,800		0	21,800
Whispering Oaks (1)	27,000		0	27,000
Willow Court	9,200	Lodi High 8,200 Lakewood 1,200	9,200	0
Windjammer Court	4,600	Tokay High 3,000 Henderson 1,600	4,600	0
Winchester Acres	34,800	Nichols 21,236 Tokay High 13,564	34,800	0
Woodlake North (1)	43,200	Lodi High 41,200 Henderson 2,000	43,200	0
Individual Permits: Washington, Woodbridge Lodi High	5,600	Lodi High 5,600	5,600	0
Individual Permits: Nichols, Vinewood, Senior El, Tokay High	600	Nichols 600	600	0
Individual Permits: Nichols, Senior El, Tokay High	41,600	Tokay High 41,600	41,600	0
Individual Permits: Vinewood, Senior El, Lodi High	3,600	Lodi High 3,400	3,400	200
Individual Permits: Lakewood, Woodbridge, Lodi High	600	Woodbridge 600	600	0
Individual Permits: Heritage, Senior El, Tokay High	2,750	0	0	2,750
TOTAL	955,350	642,374	642,374	312,976

EXHIBIT I
DEVELOPMENT FEE
TOTAL REVENUE AND EXPENDITURES
CITY OF STOCKTON

SUBDIVISION	TOTAL AMOUNT COLLECTED 1979-1986	SCHOOLS & AMOUNT OF FUNDS EXPENDED	TOTAL AMOUNT SPENT	BALANCE OF UNUSED DEVELOPMENT FEES
Agate Manor	14,280	Needham 14,280	14,280	0
Bear Creek	2,200	Needham 1,000 Oakwood 1,200	2,200	0
Clairmont	131,250	Elkhorn 36,980 Parklane* 43,660 Tokay High 3,950 Clairmont 9,783 Needham 28,297 Morada 8,580	131,250	0
Colonial Estates North	448,125	Creekside/Otto Dr 143,150 Elkhorn/Elkhorn Mini 89,010 Oakwood* 185,709 Lodi High 1,800 Reese* 5,000	424,669	23,456
Colonial West	40,320	Needham 3,244 Elkhorn 37,076	40,320	0
Don Avenue	1,680	Needham 1,680	1,680	0
Falcon Crest (Mariner's Drive)	127,700	Elkhorn 125,060 Tokay High 1,680 Parklane 960	127,700	0
Fox Creek (1)	210,815	Davis 20,290 Parklane 108,937 Morada 39,148 Tokay High 37,840 Oakwood* 4,600	210,815	0
Harper's Ferry	9,300	Oakwood 9,300	9,300	0
Joaquin Murietta (1)	13,440	Morada 7,232	7,232	6,208
Kelly North	162,000	Creekside 53,460 Morada 1,340 Elkhorn 78,000 Lodi High 29,200	162,000	0
Landing, The	13,600	Parklane 13,600	13,600	0
Lianna Court	9,400	Needham 9,400	9,400	0
Paloma Park Estate	36,940	Parklane 36,940	36,940	0
Stonewood Estates	37,120	Lodi High 8,800	8,800	28320
Summer Place	37,590	Parklane 36,550 Morada* 1,040	37,590	0
Sussex Gardens	26,220	Elkhorn 6,892 Needham 19,328	26,220	0
Western Valley	600	Needham 600	600	0
TOTAL	1,322,580	1,264,596	1,264,596	57,984

*Overflow Schools

EXHIBIT J

DEVELOPMENT FEES
TOTAL REVENUE AND EXPENDITURES
SAN JOAQUIN COUNTY

SUBDIVISION	TOTAL AMOUNT COLLECTED 1979-1986	SCHOOLS & AMOUNT OF FUNDS EXPENDED	TOTAL AMOUNT SPENT	BALANCE OF UNUSED DEVELOPMENT FEES	
Country View Estates	51,220	Lodi High Woodbridge	15,000 4,798	19,798	31,422
River Meadows	33,020	Lodi High Woodbridge	27,500 4,740	32,240	780
Woodbridge Greens (1)	54,300	--	0	0	54,300
Individual Permits Lodi High Area	36,120	Lodi High Lockeford Woodbridge Houston Morada	14,915 9,540 2,565 5,217 780	33,017	3,103
Individual Permits Tokay High Area	41,560	Morada Davis Tokay High Anderson Needham	18,160 9,060 9,400 4,160 780	41,560	0
Interest	547	Clairmont Lockeford	107 440	547	0
TOTAL	216,767		127,162	127,162	89,605

(1) Development Fee Agreement

STUDENT HOUSING OPTIONS

The final section of this report is intended to provide all interested parties an update on other means of housing students in the District's educational programs to mitigate conditions of overcrowding.

Busing: Busing is used as an interim process to implement the equal load policy. The Board finds that no pupil should be bused from his attendance area, but if necessary, never more than 10 miles from the "full" school to the school of redirection. (See Exhibit D)

High School Extended Day: Lodi High School and Tokay High School will continue on Extended Day for the 1986-87 school year.

Year-Round School: Creekside will join Heritage School in Year-Round School scheduling this year. Oakwood, Clairmont and Parklane will implement YRS in 1987 with all new schools to open on a YRS schedule. The Board has directed staff to provide information on possible implementation of YRS at all District schools if overcrowded.

Reconstruction Projects: The District presently has 11 reconstruction projects, which are nearing completion and an additional 10 or more projects are in process. The reconstruction projects will not necessarily increase housing, but will improve housing.

New Schools

1) Schools Complete

The Clairmont Elementary School (design capacity of 700+ students) has been completed and was dedicated in February, 1986.

A 30,000 square foot addition to Morada Middle School was completed in the spring of 1986 and houses approximately 230 additional students.

2) Schools Under Construction

Delta Sierra Middle School: On-site and off-site work has been completed. The contract has been awarded to F & H Construction with work to begin September 2, 1986 with a 420 day contract time.

Bear Creek High School: The site has been selected by the Board. Staff is pursuing final site purchase, geological and engineering reports, and the architect has completed all schematic drawings.

Schools Under Construction (Cont.)

Continuation High School: Site selection is underway. Construction is expected to start within the next year, pending State approval of plans and specifications and authorization of funds.

Beckman Elementary School: Construction is expected to start within the next year, pending State approval of plans and specifications and authorization of funds.

Wagner-Holt Elementary School: The site has been selected. Construction is expected to start within the next year, pending State approval of plans and specifications and authorization of funds.

Millswood Elementary School: Construction of an elementary school on a site owned by the District on Mills Avenue is being planned.

Oakwood Addition: Construction is expected to start within the next year pending State approval of plans and specifications and authorization of funds.

Parklane Elementary School: Construction of an additional 20,000 square foot permanent facility is expected to begin in summer of 1987.

3) Applications

It is anticipated that the District will be able to add additional schools to our application with increased enrollment this year.

Leased Buildings (K-12): The District is currently leasing residential units to house Clairmont Mini School, Elkhorn Mini School, Otto Drive Maxi School, a Vocational Education Center and the Horizon School Program. These facilities may be in use until the permanent facilities are complete and on line or until limited by statute.

Leased Elementary School (Garfield Mini School): The District has leased an 8 classroom school facility from the Lodi Seventh Day Adventist Church.

Trailers: The District currently leases 17 trailers to house students in addition to office functions. The capacity of these units is approximately 12 students and the leases and setup costs are two to three times the cost of the State portables. The District will attempt to phase out the trailers in favor of State lease portables where possible; however, space on sites and electrical supply are significant problems.

Shared Facilities: Other alternatives that are in use in other districts include the use of school buildings in adjoining districts which are not needed by that district. This is not considered a viable alternative for Lodi as facilities in all adjoining districts are used to the maximum extent except in Linden. The schools which are not at capacity are located some distance from the impacted schools in the Lodi district.

State Lease Emergency Classrooms: In 1986-87 the District will be leasing 111 portables from the State.

District Lease Portables: in 1986-87 the District will be leasing 12 portables.

District Owned Relocatables: In 1986-87 the District will "own" 69 relocatable classrooms.

RESOLUTION NO. 86-166

RESOLUTION CONCURRING WITH THE FINDINGS OF THE
LODI UNIFIED SCHOOL DISTRICT REGARDING IMPACTION
AND DECLARING A STATE OF IMPACTION IN TWENTY-FIVE
ATTENDANCE AREAS WITHIN THE DISTRICT FOR 1986-87

WHEREAS, Ordinance No. 1149, entitled, "An Ordinance of the City of Lodi to Provide for the Dedication of Land or Fees or Both as a Condition to the Approval of New Residential Developments, for the Purpose of Providing Classroom Facilities Where Conditions of Overcrowding Exist in a Public School Attendance Area", which was adopted by the Lodi City Council on August 2, 1978, provides that the Governing Body of a school district which operates, in whole or in part, within the City of Lodi may at any time pursuant to Government Code Section 65971, notify the City Council that it has found that:

- (1) Conditions of overcrowding exist in one or more attendance areas within the district which will impair the normal functioning of educational programs including the reason for such conditions existing;
- (2) All reasonable methods of mitigating conditions of overcrowding have been evaluated;
- (3) No feasible methods for reducing such conditions exist. Such notification shall remain in effect until withdrawn in writing by the Governing Body of the School District.

WHEREAS, pursuant to Ordinance No. 1149, following receipt of the Declaration of Impaction from the Lodi Unified School District - 1986-87 a copy of which is attached hereto marked Exhibit "A", the Lodi City Council scheduled and conducted a public hearing on November 5, 1986 on the notification for the purpose of allowing interested parties to comment on the matter.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi following the receipt of public testimony concerning the matter, does hereby concur with the findings of the Lodi Unified School District in declaring impaction in those school attendance areas affected by current and proposed development plans, to wit:

Lodi High School AA (Attendance Area)	Heritage Elementary School AA
Tokay High School AA	Houston Elementary School AA
Liberty High School AA	Lakewood Elementary School AA
Morada Middle School AA	Lawrence Elementary School AA
Needham Middle School AA	Lockeford Elementary School AA
Senior Elementary School AA	Leroy Nichols Elementary School AA
Woodbridge Middle School AA	Oakwood Elementary School AA
Clairmont Elementary School AA	Parklane Elementary School AA
Clements Elementary School AA	Reese Elementary School AA
Creekside Elementary School AA	Tokay Colony Elementary School AA

Davis Elementary School AA
Elkhorn Elementary School AA
Henderson Elementary School AA

Vinewood Elementary School AA
Washington/DCH Elementary School AA

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby authorize the continued collection of Development Fees at the present rate of \$200.00 per bedroom and for mobile home park spaces the rate of \$250.00 per space until such time as the Lodi Unified School District Governing Board confirms State of California school impact fee legislation.

BE IT FURTHER RESOLVED, that the City Clerk of the City of Lodi is hereby directed to transmit a certified copy of this Resolution to the Governing Board of the Lodi Unified School District.

Dated: November 5, 1986

I hereby certify that Resolution No. 86-166 was passed and adopted by the City Council of the City of Lodi in a Regular Meeting held October 2, 1985 by the following vote:

AYES: Council Members - Hinchman, Olson, Snider
and Reid (Mayor)

NOES: Council Members - Pinkerton

ABSENT: Council Members - None

ABSTAIN: Council Members - None

ATTEST:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk

CITY COUNCIL

FRED M. REID, Mayor
EVELYN M. OLSON
Mayor Pro Tempore
DAVID M. HINCHMAN
JAMES W. PINKERTON, Jr.
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634

THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

November 11, 1986

file copy

Governing Board
Lodi Unified School District
1300 West Lodi Avenue
Lodi, CA 95240

Gentlemen:

Enclosed herewith is a certified copy of Resolution No. 86-166 entitled "Resolution Concurring With The Findings of the Lodi Unified School District Regarding Impaction And Declaring A State Of Impaction In Twenty-Five Attendance Areas Within The District for 1986-87" which was adopted by the Lodi City Council at its regular meeting of November 5, 1986.

Should you have any questions regarding this matter, please do not hesitate to call this office.

Very truly yours,

Alice M. Reimche
Alice M. Reimche
City Clerk

AMR:jj

GOVERNING BOARD

FLOYD DALE, PRESIDENT

ELEANOR TODD, VICE-PRESIDENT

DONNIE MEYER, CLERK

ROBERT BALL

FRANCES DERRICK

ANN JOHNSTON

JOHN VATSULA

ADMINISTRATION

Ellerth E. Larson, Superintendent
Tom Bandelin, Assistant Superintendent
Ronald Alsup, Assistant Superintendent
Mary Joan Starr, Facility Planner
Joan Pipes, Business Manager
Sam Swofford, Personnel Director
Joan Jensen, Administrative Assistant

LODI UNIFIED SCHOOL DISTRICT

1986-87

DEVELOPMENT FEE REPORT

PREPARED BY

FACILITY PLANNING DEPARTMENT

This report has been prepared in fulfillment of the requirements of State Government Code Sections 65976, 65978, and 65981 and the requirements of the implementing ordinances of the Cities of Lodi (Ord. 1149, August 2, 1978), and Stockton (Ord. 3095 C.S., July 1978), and San Joaquin County (Ord. 2574, July 1978). This report is presented in three sections: Declaration of Impaction and Notification of Conditions of Overcrowding for the 1986-87 School Year; Allocation of Development Fees; and Student Housing Option Update.

DECLARATION OF IMPACTION and NOTIFICATION OF CONDITIONS OF OVERCROWDING

The following details the conditions of overcrowding anticipated in the coming school year and details the rationale behind the District's formal declaration of impaction for the 1986-87 school year.

The projected Lodi Unified School District student enrollment for the 1986-87 school year is 19,954 students. This is a projected increase of approximately 1,720 students over last year and does not take into account any sudden influx of students which might occur as the result of rapid residential construction within expanding areas within the District.

Twenty-five percent (25%), or more importantly, 5,014 of the statistically projected number of students planned for arrival are considered "unhoused," meaning that there are insufficient regular classrooms available in the coming school year in the District, thereby necessitating the implementation of continued temporary student housing alternatives.

It is the District's plan to house regular, special education and pull-out program students in the following manner during the 1986-87 school year.¹

474 permanent classrooms

??? "other" in-school spaces, i.e., storage areas, work rooms, offices, etc.
"unofficially" used as classroom space

20 leased and District-owned trailers (does not include administrative trailers at Washington School or other sites)

14 mini-school rooms and 13 maxi-school rooms in temporarily converted duplexes plus 8 rooms in leased elementary school (SDA)

63 District-owned relocatable rooms

111 State leased portables

12 District leased portables

3 owned program portables

2 Leased houses used for high school vocational education and continuation classes

¹Seven District-owned relocatables house the Adult School and there are six rooms in the leased Career Center. Development Fees can not be applied at these locations.

Both high schools will continue on extended day and Year Round School Schedule has been implemented at Creekside and Heritage Elementary Schools with Parklane, Oakwood and Clairmont scheduled in 1987. The Board has indicated all new schools will open on a YRS schedule unless determined otherwise at the time of opening and all schools in the District may go YRS if necessary.

Based on the known extent of overcrowding, the anticipated increase in enrollment, and the known potential for all residential construction activity within the impacted attendance areas of the Lodi Unified School District, the following school attendance areas are considered impacted for the purposes of requesting the continued imposition and collection of development fees by local governments. A copy of the Board Resolution listing the impacted schools for 1986-87 is set forth as Exhibit A in this report. Enrollment projections and classroom loading are detailed by School Attendance Area in Exhibit B.²

LODI UNIFIED SCHOOL DISTRICT
IMPACTED SCHOOL ATTENDANCE AREAS
1986-1987

Lodi High School Attendance Area
Tokay High School Attendance Area
Liberty High School Attendance Area

Morada Middle School Attendance Area
Needham Middle School Attendance Area
Senior Elementary School Attendance Area
Woodbridge Middle School Attendance Area

Clairmont Elementary School Attendance Area
Clements Elementary School Attendance Area
Creekside Elementary School Attendance Area
Davis Elementary School Attendance Area
Elkhorn Elementary School Attendance Area
Henderson Elementary School Attendance Area
Heritage Elementary School Attendance Area
Houston Elementary School Attendance Area
Lakewood Elementary School Attendance Area
Lawrence Elementary School Attendance Area
Lockeford Elementary School Attendance Area
Leroy Nichols Elementary School Attendance Area
Oakwood Elementary School Attendance Area
Parklane Elementary School Attendance Area
Reese Elementary School Attendance Area
Tokay Colony Elementary School Attendance Area
Vinewood Elementary School Attendance Area
Washington/DCH Elementary School Attendance Area

²Attendance Areas are determined each year by the Assistant Superintendent-Elementary Education, in cooperation with the principals and the District Administration and Staff. A publication is prepared each year. The Attendance Areas are based on neighborhood units. There may be more than one elementary school in an Attendance Area. The high school attendance areas have been determined on the basis of a number of factors which were considered over a period of two years by the High School Attendance Area Committee. A partial listing of attendance areas is contained in Exhibit D.

EXHIBIT A

BEFORE THE BOARD OF TRUSTEES OF THE LODI UNIFIED SCHOOL
DISTRICT OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

RESOLUTION 86-103
1986-1987 DECLARATION OF IMPACTION

WHEREAS, the development of new residential property results in the demand for school facilities; and

WHEREAS, the construction of new residences and the resultant increase of students continues; and

WHEREAS, students from new residential units in overcrowded attendance areas cause an immediate need for classroom solutions; and

WHEREAS, Lodi Unified School District has considered and acted upon such options as (1) presentation to the voters of bond measures to provide capital funds for permanent school housing, (2) temporary buildings, (3) double sessions, (4) bussing, (5) school attendance boundary realignment, (6) year-round school attendance, and (7) extended day programs (high school); and

WHEREAS, there have been no developer provided facilities as defined in Government Code Section 69578; and

WHEREAS, pursuant to Government Code Section 65978 the City of Lodi has enacted Ordinance No. 1149, the City of Stockton has enacted Ordinance No. 3095-C.S., and the County of San Joaquin has enacted Ordinance No. 2574 to assist school districts mitigating the impact of new home construction; and

WHEREAS, the aforementioned Ordinances require residential developers to participate in the cost of interim solutions necessitated by the overcrowding of existing classroom facilities due to new residential construction; and

WHEREAS, this Board has reviewed the content of the Development Fee Report prepared by staff, copy of which is attached hereto, and has approved said report for public distribution;

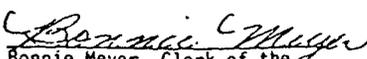
THEREFORE, IT IS HEREBY RESOLVED that the Lodi Unified School District declares impaction in these school attendance areas affected by current and proposed development plans, to wit:

Lodi High School AA (Attendance Area)	Heritage Elementary School AA
Tokay High School AA	Houston Elementary School AA
Liberty High School AA	Lakewood Elementary School AA
Morada Middle School AA	Lawrence Elementary School AA
Needham Middle School AA	Lockeford Elementary School AA
Senior Elementary School AA	Leroy Nichols Elementary School AA
Woodbridge Middle School AA	Oakwood Elementary School AA
Clairmont Elementary School AA	Parklane Elementary School AA
Clements Elementary School AA	Reese Elementary School AA
Creekside Elementary School AA	Tokay Colony Elementary School AA
Davis Elementary School AA	Vinewood Elementary School AA
Elkhorn Elementary School AA	Washington/DCH Elementary School AA
Henderson Elementary School AA	

BE IT FURTHER RESOLVED that the Superintendent be, and he hereby is directed to transmit a certified copy of this resolution and the accompanying staff report to the City Councils of Lodi and Stockton and the Board of Supervisors of the County of San Joaquin for their consideration and concurrence.

PASSED AND ADOPTED this 2nd day of September, 1986, by the following vote of the Board of Trustees, to wit:

AYES: Ball, Dale, Derrick, Johnston, Meyer, Todd, Vatsula
NOES: None
ABSENT: None


Bonnie Meyer, Clerk of the
Board of Trustees


Floyd Dale, President of the
Board of Trustees

EXHIBIT B
1986-87 DETERMINATION OF IMPACTION

R 9/23/86

SCHOOLS	PERMANENT CLASSROOMS				STUDENT CAPACITY OF PERMANENT CLASSROOMS					SPACE UTILIZATION			INTERIM HOUSING				
	A	B	Ca (1)	Cb (1)	D	E	F (2)	G (1)	H	I	J	K	L	M	Na	Nb	
	Perm. Add No. CR.	P.M. K	Minus Spec. Ed	Minus Program Rooms	Add District Owned Relocatables	NET Pers. Classrooms A+B-C+D	Regular Student Capacity Ex30 Stud.	Special Program Capacity Cx12 Stud.	Net Student Capacity of Schools: F + G	Projected 1986-87 Enrollment	Extra or Deficient Student Capacity H - I	State Lease Port.	Leased or Owned Trailers	Mini/Maxi School Rooms	Leased Reloca- tables	Program Reloca- tables	
Lodi High School	67	0	2	3	9	71	2130	24	2154	2517	-363	5	0	0	5	0	
Tokay High School	69	0	4	3	3	65	1950	48	1998	2720	-722	17	1	1	1	0	
Liberty High School	9	0	0	0	4	13	390	0	390	654	-264	0	0	1	0	0	
Morada Middle School	20	0	1	1	3	21	630	12	642	684	-42	9	0	0	0	0	
Delta Sierra Middle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Senior Elementary (17)	31	0	3	3	3	28	940	36	876	887	-11	0	4	0	0	0	
Woodbridge Middle (*)	19	0	3	2	1	15	450	36	486	509	-23	2	1	0	0	0	
Needham Middle (4)	13	0	2	1	0	10	300	24	324	509	-185	8	1	0	0	0	
Clairmont/Clairmont Mini (5)	12	0	2	2	8	16	480	24	504	981	-477	6	2	4	1	0	
Cleavets Elementary (6)	3	1	0	0	0	4	120	0	120	122	-2	0	0	0	0	0	
Creekside/Otto Drive (7)	12	3	2	2	15	26	780	24	804	1385	-581	0	1	13	0	0	
Davis Elementary	20	1	3	1	0	17	510	36	546	623	-77	4	0	0	0	0	
Elkhorn/Elkhorn Mini (8)	7	0	2	1	6	10	300	24	324	784	-460	7	2	8	0	0	
Henderson (9)	3	0	0	0	0	3	90	0	90	228	-138	6	0	0	0	0	
Heritage Elementary	19	2	1	1	0	19	570	12	582	853	-271	0	3	8	2	0	
Houston K-8 (10)	14	0	2	2	0	10	300	24	324	378	-54	2	0	0	0	0	
Lakewood Elementary	17	2	2	0	0	17	510	24	534	597	-63	1	0	0	0	0	
Lawrence Elementary	7	2	2	0	0	7	210	24	234	448	-214	7	1	0	0	0	
Live Oak Elementary	11	1	3	0	2	11	330	36	366	341	25	0	0	0	0	0	
Lockeford Elementary (6)	7	0	0	1	2	8	240	0	240	305	-65	1	0	0	0	0	
Dorothy Mahin (11)	6	0	4	0	0	2	60	48	108	60	48	0	0	0	0	0	
Leroy Nichols	20	2	1	1	0	20	600	12	612	767	-155	4	1	0	2	0	
Oakwood Elementary (12)	5	1	1	0	7	12	360	12	372	691	-319	18	1	0	0	0	
Parklane Elementary	9	1	1	1	4	13	390	12	402	723	-321	11	0	0	0	0	
Ray Elementary (13)	4	0	0	0	0	4	120	0	120	72	48	0	0	0	0	0	
Roose Elementary (14)	17	1	3	1	0	14	420	36	456	550	-94	3	1	0	1	0	
Tokay Colony Elementary (15)	4	0	0	0	2	6	180	0	180	194	-14	0	0	0	0	0	
Turner Elementary	2	0	0	0	0	2	60	0	60	52	8	0	0	0	0	0	
Victor Elementary	9	1	2	0	0	8	240	24	264	240	24	0	0	0	0	0	
Vinewood Elementary	18	1	2	0	0	17	510	24	534	602	-68	0	0	0	0	0	
Washington/DCH (18)	20	1	7	1	0	13	390	84	474	476	-2	0	1	0	0	0	
TOTAL	474	21	55	27	69	482	14460	660	15120	19954	-4834	111	20	35	12	1	

EXHIBIT B
(Continued)

NOTATIONS:

- 1) Includes all type of special education classes, i.e., English as a second language, learning disability, resource specialists, etc. Rooms are deducted because they are loaded at less than 50% of the loading of a regular classroom, i.e., 12 students versus 30 students. This column is intended to include only permanent classrooms used for these classes. Column "B" is "pullout" program rooms. Children using these rooms are from a regular 30-student class and therefore are accounted for in those columns. There may be minor discrepancies between these figures and others used by the District due to scheduling modifications after data compilation.
- 2) Thirty students is used as a multiplier. Actual loading may vary with conditions and contractual agreements.
- 3) These are locally generated enrollment projections, calculated for the purposes of classroom planning. There may be some deviation from those done by Office of Local Assistance due to varying considerations.
- 4) Thirty Parklane Attendance Area students will attend Senior Elementary rather than Morada.
- 5) Students from Senior Elementary are attending Morada to relieve overcrowding.
- 6) Two permanent classrooms are undersized and loaded at 1/2 capacity.
- 7) Grade 7 and 8 students from portions of Elkhorn and Oakwood areas will be housed at Needham until construction of the new Delta Sierra Middle School in North Stockton. Needham kindergartners attend Nichols and grades 1-6 attend Vinewood. Middle school overflow will be sent to Woodbridge or Senior Elementary.
- 8) Fox Creek area grades K-6 will attend Clairmont. Overflow students will attend Tokay Colony, Live Oak and Davis.
- 9) Grades 2-6 go to Lockeford and K-1 to Clements.
- 10) Grade 6 from Oakwood attends Otto Drive School. Otto Drive will be used for overflow from Elkhorn and Oakwood.
- 11) Includes Elkhorn Mini School. Students from old Venice King Island attendance area go to Elkhorn.
- 12) Henderson will house one class each of grades 3-6 from the Parklane attendance area. Henderson attendance area students attend Vinewood.
- 13) Houston is a grade 1-8 school with 7th and 8th grade students from Lockeford/Clements area.
- 14) Mahin houses only special education students.
- 15) Grades 1-5 from Oakwood attendance area attend Oakwood with Stonewood Subdivision kindergartners also attending Oakwood. Western Valley and Davis Oaks Subdivision kindergartners attend Elkhorn Mini. Grade 6 from Oakwood attendance area attend Otto Drive (4 classes).
- 16) Grades K-3 attend Ray and grades 4-6 attend Turner.
- 17) Reese, Otto Drive and Tokay Colony will be overflow schools for other attendance areas, (i.e., Elkhorn, Heritage, Lakewood, Nichols, Oakwood, Davis, Vinewood and Parklane) and projection reflects overflow anticipated based on 1985-86 enrollment count.
- 18) Grades K-6 attend Tokay Colony.
- 19) The Development Center for the Handicapped at Washington School houses +50 special education students.
- 20) There are 4 kindergarten rooms with 2 sessions equaling 8 loadings fo. Elkhorn Mini and 4 rooms with 3 first grades and 4 kindergarten sessions at Clairmont Mini.
- 21) Two relocatables are used for a cafeteria and library.
- 22) Two trailers are used for administration facilities.

- Note:
- a) Generally the attendance area and the school are the same; however, in certain situations (as noted above) students from one attendance area may be attending a school in another area or areas have been combined. This has been taken into account in the figure in Column I.
 - b) There may also be interim housing in the permanent facilities, i.e., in closets, offices, etc., and double sessions.
 - c) Heritage and Creekside are presently on Year-Round School; others will be placed on Year-Round School in the future.

ALLOCATION OF DEVELOPMENT FEES

The allocation of development fees is based on strict interpretation of the enabling legislation. Government Code Sections 65970-65981 (SB201-1977) permit local jurisdictions to adopt ordinances requiring land dedication or to exact fees from residential developers in lieu of land dedication for purposes of providing interim school facilities. Section 65978 requires that Lodi Unified School District maintain an accounting of fees, while Section 65980 limits their use to strictly defined interim facilities. In addition, Government Code Section 65978(d) states in part.

The location and amount of land to be dedicated or the amount of fees to be paid, or both, shall bear a reasonable relationship and will be limited to the needs of the community for interim elementary or high school facilities and shall be reasonably related and limited to the need for schools caused by the development...

Based on the District's desire to use the Fees only in the manner intended by the implementing legislation and the local ordinances, assumptions and qualifiers were first developed in 1982 to guide in the allocation of Development Fees. With minor modifications, these same assumptions were used in the allocation of Development Fees in the ensuing years. The Assumptions and Qualifiers are detailed in Exhibit C.

Attendance Areas

Elementary, Middle and High School Attendance Areas and specific schools serving each City subdivision paying fees in 1985-86 are listed below. All County fees were accounted for permit by permit; therefore, attendance areas for County developments are listed as coming from individual builders. All attendance area information was obtained from the District's annual publication, which is available from the Office of the Assistant Superintendent, Elementary Education, with some modification as staffing and enrollment figures developed.

Exhibit D details the attendance areas for the 1985-86 school year. These attendance areas are applicable to the allocation of development fees received during the 1985-86 school year. Enrollment overflow schools are shown on Exhibit E.

Development Fee Revenue

During the period July, 1985 through June, 1986 a total of \$542,329 was received in Development Fees. This is approximately \$135,790 less than the previous year. The decrease is a result of decreased residential construction in new areas and a decrease in the fee from \$280/bedroom to \$200/bedroom in the City of Stockton.

Allocation of Development Fees

The basis upon which Development Fees are used for payment of interim housing expenditures is detailed in the introductory portion of this section of the report. It is reiterated that the District uses the most stringent interpretation of the State Code and implementing ordinances and directives in the allocation of Development Fees. At the present time Development Fees are used exclusively for the lease and setup of portables and trailers, and the mini-maxi school leases (by special legislation). Revenue collected from developers under an agreement with the District may be used for non-interim housing, i.e. at new schools; however, fees collected by agreement were generally not used for permanent facilities this year. It is anticipated that future fees will be encumbered for non-interim housing.

Expenditures

Exhibit F details the Development Fee revenue received and the expenditures "paid" during the 1985-86 Fiscal Year. Based on the allocation of revenue, \$515,864 for qualifying expenditures was eligible for transfer into the General Fund at the end of 1985-86 Fiscal Year for expenses actually incurred during that fiscal year.

As in past years, all interim housing costs were budgeted as a General Fund expenditure and payments were made from the General Fund. This is done to be sure that there is sufficient income to cover the expenditures. Development Fees are an unpredictable revenue source. At the end of each year all expenditures are accounted for by school and matched with revenue from subdivisions and developments in the area. A lump sum amount is then transferred to the General Fund. In anticipation of this transfer, an amount of Development Fee revenue was considered in the budget in 1982-83; 1983-84; 1984-85; 1985-86; and will be included in the 1986-87 budget.

Development Fees have become an important source of revenue for the provision of interim classroom space.

The 1985-86 Fiscal Year began with a carry-over of \$83,040 in "unpaid" expenditures in five attendance areas. Expenditures during the year totaled \$556,271 as detailed in Exhibits G & H. A total of \$515,864 in qualifying expenditures were "paid" by Development Fee Revenue at the end of the fiscal year. This amount was transferred into the General Fund at that time and appears in the ending balance. This information is summarized in table on page 14. A comprehensive summary of Development Fee Revenue and Expenditures by jurisdiction is contained in Exhibits H, I, and J.

EXHIBIT C

ASSUMPTIONS AND QUALIFIERS

1. Allocations are made on a fiscal year basis. The starting date for allocation was Fiscal Year 1979-80.
2. Based on a 1980 change in the definition of interim, a State Attorney General Opinion 79-625 (October 16, 1979), and the advice of County Counsel, the expenses of Otto Drive Maxi School and the two mini schools were not considered eligible, and did not appear in any totals in reports for 1982-83 (except Elkhorn set-up, which predated the code change). In 1983, AB-1645 was signed into law, permitting Lodi Unified to use development fees for the payment of mini/maxi school leases.
- 3) Consistent with Government Code Section 65974, all expenditures must be related to the impacted attendance area containing the contributing residential development. Expenditures by school were "credited" on the basis of the District's Declaration of Impaction Report and the Board formula. Non-impacted schools are not considered eligible.
4. Development fees are used to cover expenditures at schools outside of the attendance area containing the generating residential development, if that is the overflow school for that attendance area. For example, Lodi High School takes the overflow from Tokay High School; Morada is taking overflow from Senior Elementary; Woodbridge is taking overflow from Senior Elementary and Needham; Lakewood, Reese, Washington, Vinewood, Henderson, Live Oak, Tokay Colony, Creekside and Otto Drive receive overflow from Davis, Oakwood, Clairmont, Parklane, Elkhorn, Heritage and Nichols.
5. In those attendance areas with several schools (specifically Elkhorn), it is recognized that the impact of any specific development is on the entire attendance area, therefore, expenditures made for any school in the attendance area are considered relative to any paying development built in the attendance area.
6. "Unpaid" or "unrecovered" expenditures made in the first couple of years were not carried to the next year. However, it has been determined that it is reasonable to carry expenditures, as well as revenue, forward from one year to the next based on the rationale that the District may provide interim housing in advance of the development fee income and the arrival of the students from the subject development(s).
7. "Unspent" fees or "unexpendable" revenue received in any given year is carried from year to year for future expenditure on the basis that the need for interim facilities to serve children from the related developments may not arrive at the schools until sometime after the revenue is collected. This is the companion condition to that discussed above.
8. Interest is applied only to qualifying expenditures and not for any other District purpose, although that may technically be possible. It is felt that the only proper use of interest is in the manner ascribed since a portion of the interest is earned while the fees are still in City and County accounts.
9. Leased trailers financed directly or indirectly by the General Fund are included in the expenditures. Students housed in leased trailers are substantially from the attendance area of the school where they are located, or, as in the case of Reese, from overflow from other attendance areas. (See Exhibit D)
10. At the present time, interim housing expenditures are budgeted from the District's general fund at the beginning of each fiscal year. At the end of the fiscal year development fee revenue is allocated to the various expenditures based on the above and a lump sum is transferred from the Development Fee Fund to the General Fund, where it appears in the ending balance. At the beginning of the fiscal year an anticipated sum may be transferred in advance through the budget process. The amount is based on a conservative projection of fees to be received relative to qualifying expenditures. This procedure is presently to facilitate cost-accounting.

EXHIBIT D

SCHOOL ATTENDANCE AREAS BY SUBDIVISION
1985-1986

SUBDIVISION/ JURISDICTION	ELEMENTARY SCHOOL ATTENDANCE AREA	MIDDLE SCHOOL ATTENDANCE AREA	HIGH SCHOOL ATTENDANCE AREA
LODI			
AARON TERRACE	VINEWOOD	SR. ELEMENTARY	LODI HIGH
ADOBE CT.	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
BECKMAN RANCH	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
BURGUNDY VILLAGE	HERITAGE	SR. ELEMENTARY	TOKAY HIGH
IRIS DRIVE	VINEWOOD	SR. ELEMENTARY	LODI HIGH
LAKESHORE VILLAGE	VINEWOOD (RURAL)	SR. ELEMENTARY	TOKAY HIGH
*LODI PARK WEST	REESE	WOODBIDGE	LODI HIGH
*MEADOWS	VINEWOOD	SR. ELEMENTARY	TOKAY HIGH
*MILLSWOOD	REESE	WOODBIDGE	LODI HIGH
*NOMA RANCH	HERITAGE	SR. ELEMENTARY	TOKAY HIGH
PALOMAR DRIVE	REESE	WOODBIDGE	LODI HIGH
PINEWOOD	REESE	WOODBIDGE	LODI HIGH
PIONEER PLACE	LAWRENCE	WOODBIDGE	LODI HIGH
*RIVERGATE PLACE #1	LAKWOOD	WOODBIDGE	LODI HIGH
RIVERGATE PLACE #2	LAKWOOD	WOODBIDGE	LODI HIGH
STONETREE	HERITAGE	SR. ELEMENTARY	TOKAY HIGH
SUMMERFIELD	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
SUNWEST NO. 4	VINEWOOD	SR. ELEMENTARY	LODI HIGH
*TANDY RANCH	HERITAGE	SR. ELEMENTARY	TOKAY HIGH
*WAGNER HEIGHTS	ELKHORN	NEEDHAM	TOKAY HIGH
*WHISPERING OAKS (Lobaugh Meadows)	VINEWOOD	SR. ELEMENTARY	
WILLOW COURT	LAKWOOD	WOODBIDGE	LODI HIGH
WINDJAMMER COURT	VINEWOOD (RURAL)	SR. ELEMENTARY	TOKAY HIGH
WINCHESTER ACRES	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
WOODLAKE NORTH	LAKWOOD	WOODBIDGE	LODI HIGH
INDIVIDUAL BUILDERS	NICHOLS	SR. ELEMENTARY	TOKAY HIGH
INDIVIDUAL BUILDERS	LAKWOOD	WOODBIDGE	LODI HIGH
INDIVIDUAL BUILDERS	VINEWOOD	SR. ELEMENTARY	LODI HIGH
INDIVIDUAL BUILDERS	HERITAGE	SR. ELEMENTARY	LODI HIGH

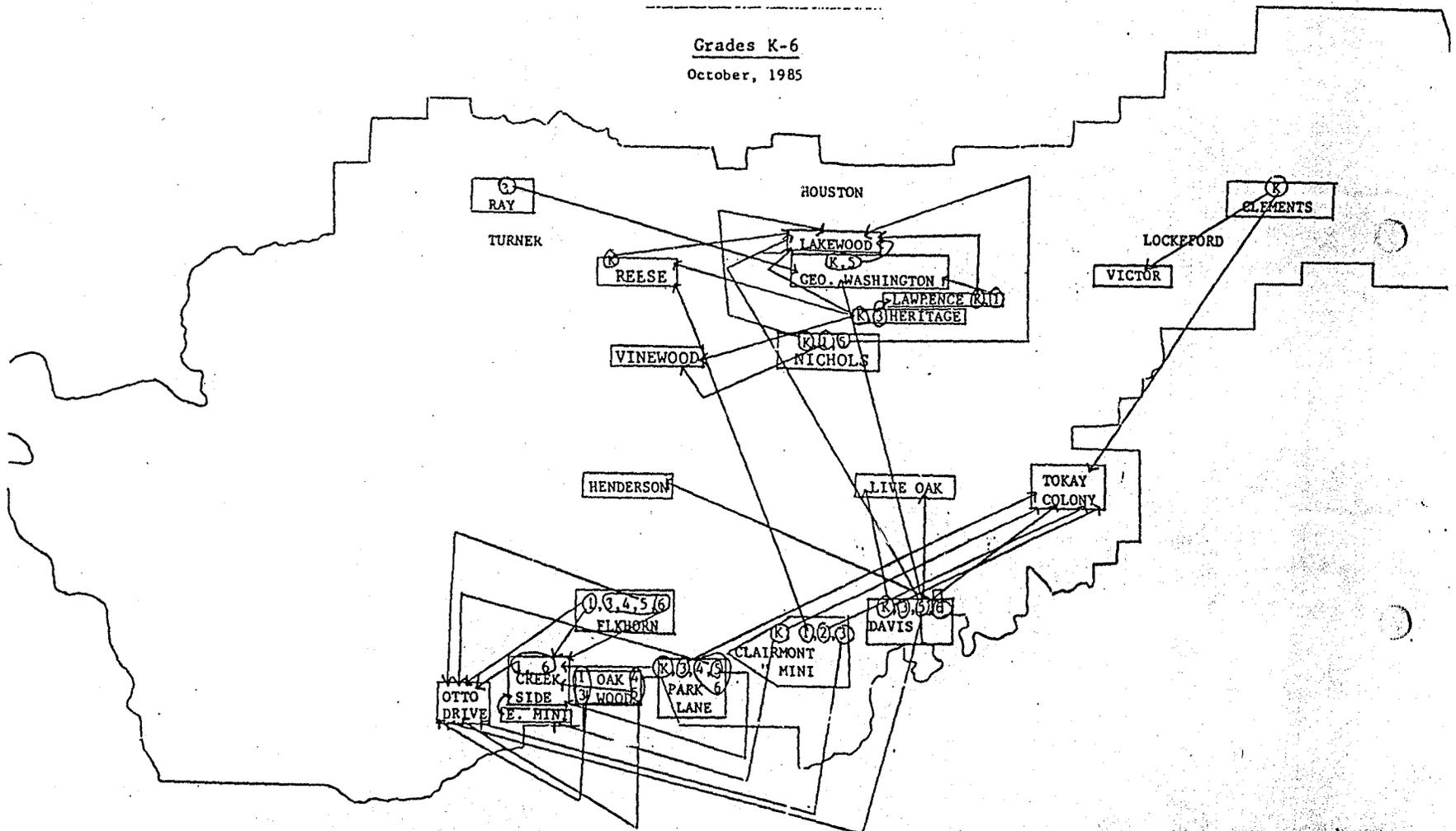
EXHIBIT D
continued

SUBDIVISION/ JURISDICTION	ELEMENTARY SCHOOL ATTENDANCE AREA	MIDDLE SCHOOL ATTENDANCE AREA	HIGH SCHOOL ATTENDANCE AREA
STOCKTON			
BEAR CREEK	OAKWOOD/OTTO DR.	NEEDHAM	TOKAY HIGH
CLAIRMONT	CLAIRMONT/MINI/ HENDERSON	MORADA	TOKAY HIGH
CLAIRMONT PLACE	CLAIRMONT/MINI/ HENDERSON	MORADA	TOKAY HIGH
COLONIAL ESTATES N.	ELKHORN MINI/OTTO DR./CREEKSIDE	SR. ELEMENTARY	TOKAY HIGH
COLONIAL WEST	ELKHORN/ELKHORN MINI	NEEDHAM	TOKAY HIGH
DON AVENUE	ELKHORN/MINI	NEEDHAM	TOKAY HIGH
FALCON CREST (MARINER'S DR.)	ELKHORN	SR. ELEMENTARY	TOKAY HIGH
*JOAQUIN MURIETTA LANDING, THE	ELKHORN	NEEDHAM	TOKAY HIGH
LIANNA CT.	ELKHORN	SR. ELEMENTARY	TOKAY HIGH
PALOMA PARK ESTATES	ELKHORN	NEEDHAM	TOKAY HIGH
STONEWOOD ESTATES	PARKLANE	SR. ELEMENTARY	LODI HIGH
SUSSEX GARDENS	ELKHORN/MINI	SR. ELEMENTARY	TOKAY HIGH
WESTERN VALLEY	ELKHORN/ELKHORN MINI	NEEDHAM	TOKAY HIGH
	ELKHORN	NEEDHAM	TOKAY HIGH
SAN JOAQUIN COUNTY			
COUNTRY VIEW ESTATES	LAKWOOD	WOODBIDGE	LODI HIGH
RIVER MEADOWS	LAKWOOD	WOODBIDGE	LODI HIGH
*WOODBIDGE GREENS	LAKWOOD	WOODBIDGE	LODI HIGH
INDIVIDUAL BUILDERS	LOCKEFORD/CLEMENTS	HOUSTON	LODI HIGH
INDIVIDUAL BUILDERS	LIVE OAK	MORADA	TOKAY HIGH
INDIVIDUAL BUILDERS	ELKHORN	NEEDHAM	TOKAY HIGH
INDIVIDUAL BUILDERS	TOKAY COLONY	MORADA	TOKAY HIGH

EXHIBIT E
ENROLLMENT OVERFLOW

LODI UNIFIED SCHOOL DISTRICT

Grades K-6
October, 1985



SUMMARY OF DEVELOPMENT FEE REVENUE AND EXPENDITURES
JULY 1985 - JUNE 1986

REVENUE

Revenue Received 1985-1986	\$ 539,989
Revenue Forward from 1984-1985	<u>392,173</u>
Total Revenue Available 1985-1986	932,162
Revenue Transferred 1985-1986	<u>515,864</u>
Total Balance Forward to 1986-1987	\$ 416,298

EXPENDITURES

Total Expenditures for 1985-1986	\$ 556,271
Expenditures Forward from 1984-1985	<u>83,040</u>
Total Expenditures	639,311
Expenditures Paid with Development Fees	<u>515,864</u>
Expenditures "Unpaid" ³	\$ 123,447

"In-Lieu" Agreements

There are presently 15 in-lieu agreements operative, including one for partial payment of the Clairmont School Site, as listed on page 14. The District continues to encourage all residential developers to enter into an agreement because of the added flexibility provided the District. Fees collected solely as a result of the SB 201 Ordinance may be used only for interim facilities, whereas fees collected through an agreement may be used for long-term housing needs, as well. At present the District is using all fees for interim housing; however, it is anticipated that some fees will be encumbered in the future for application towards more permanent housing.

The District is also continuing to review dedication of school sites in-lieu of fee payment.

³The \$123,447 in "unpaid" expenditures will be "paid" during the 1986-1987 Fiscal Year from the Balance of \$416,298. In addition, the remaining balance will be encumbered for expenditures on the 3 new State lease portables; for new District lease portables; for existing leased facilities and other trailer/portable moves and set-up costs.

DEVELOPMENT FEE AGREEMENTS

JULY, 1986

<u>AGREEMENT</u>	<u>AMOUNT COLLECTED</u>
Dennis Noble (Zinfandel Estates) - Stockton	
Cook-John Development (Willow Brook) - Stockton	
Eilers Annexation (Woodlake North) - Woodbridge	\$ 7,200
Woodbridge Greens - Woodbridge	6,240
Noma Annexation - Lodi	
Park West (formerly Kennedy Ranch) - Lodi	55,400
Filley Ranch (Sun West #4) - Lodi	
Barnett-Range (Fox Creek 11 & 12) - Stockton	210,815
Lobaugh (Lobaugh Meadows Annexation) - Lodi	30,400
Joaquin Murietta - Stockton	7,280
Barnett-Range (Clairmont) - Stockton (Clairmont School Site in lieu of fees)	122,610
Tandy Ranch - Lodi	
Johnson Ranch - Lodi	
Rivergate Place Unit #1 - Lodi	3,800
Wagner Heights/Wagner Oaks - Stockton	

EXHIBIT F
 LODI UNIFIED SCHOOL DISTRICT
 DEVELOPMENT FEE REVENUE/EXPENDITURE ACCOUNT FORM
 FOR PERIOD JULY, 1985 - JUNE, 1986

FEE REVENUE RECEIVED BY DEVELOPMENT	REVENUE RECEIVED	REVENUE REVENUE	EXPENDITURES:																	TOTAL	BALANCE										
	1985-86	1984-85	LODI HIGH	TOKAY HIGH	LIBERTY HIGH	HOUSTON	NORADA	HEZENEM	SR. EL	WOOD-BRIDGE	CLAIMMONT	OTTO DR./CREEKSTIDE	DAVIS	ELKHORN	MONTERSON-HERITAGE	LAKEWOOD	LAWRENCE	LOCKEFORD	NICHOLS	OSWOOD	PARKLANE	REISE	WASHINGTON	EXPENSE	FORMER						
	547,329	392,173	61,277	78,851	6,929	5,217	12,459	24,011	13,129	8,261	44,773	42,106	96,180	8,000	37,076	12,000	8,522	1,633	18,678	2,000	21,240	7,748	12,720	42,974	23,765	13,291	13,131	81,040	554,271		
LODI																															
MASON TERRACE	1,400								1,400																				1,400	0	
ADORE CT.	1,200	5,539																				6,739							6,739	0	
MEYHAR BANCH	5,400	0																				5,400							5,400	0	
BRANDST VILLAGE	9,000	0													1,600													1,600	7,400		
IRIS DRIVE	0	0																										0	0		
SAKINBORO VILLAGE	57,200	57,176		16,145	6,929				11,729						2,000													34,803	77,575		
*LODI PARK WEST	43,000	47,139																										0	90,139		
*MEADOWS	0	30,400																										0	30,400		
KILLBROOK	0	12,512																					12,512					12,512	0		
*ONA BANCH	28,200	0																										0	28,200		
PALOWAR DRIVE	0	0																										0	0		
FLAKWOOD	600	3,400								3,421															779			4,200	0		
PIIONEER PLACE	0	31,048								0																		18,678	12,370	31,048	0
*RIVERGATE PLACE #1	4,800	3,800																										0	8,600		
RIVERGATE PLACE #2	0	0																										0	0		
STONETREE	0	13,493			4,971																							13,493	0		
SONNET FIELD	4,800	12,189			2,455										4,800													9,101	16,989	0	
SONNET NO. 4	600	0		600																								600	0		
FOUNT BANCH	21,800	0																										0	21,800		
WHISPERING OARS	27,000	0																										0	27,000		
WILLOW COURT	0	1,200																										1,200	0		
WINDJAMMER COURT	4,400	0			3,000										1,600													4,600	0		
WINDSEYER ACRES	0	0																										0	0		
WOODLAKE NORTH	42,400	0		34,000											2,000													36,000	6,400		
NICHOLS/SR EL/TOKAY		41,600			41,600																							41,600	0		
LAKEWOOD/MODAN/LHS	600									600																		600	0		
VINDWOOD/SR EL/LHS	1,600			1,400																								1,400	200		
HERITAGE/SR EL/THS	2,750																											1,400	2,750		

LODI UNIFIED SCHOOL DISTRICT
INTERIM HOUSING EXPENDITURES
1985 - 1986

EXHIBIT G

SITE	IDENT. NO.	DISTRICT	ST. LEAS.	LEASED		LESSOR	TERM OF LEASE	AMOUNT PER YEAR	SETUP COSTS	EXPENDITURES		TOTAL
				FOR	OTHER					FOR LEASES	SUB TOTAL	
CLAIMONT	181393					MOBILE MODULAR	7/7/85-6/30/86	4,123.80		4,123.80	4,123.80	4,123.80
CLAIMONT	182202/2203		1			CHINO BANK (STEELGARD)	7/3/85-7/3/88	7,800.33		7,800.33	7,800.33	7,800.33
CLAIMONT	125/16126*			6		ST. OF CALIF.	11/4/85-11/4/86	12,000.00	8,676.03	2,307.08	10,981.08	12,000.00
CLAIMONT	18181-SCHOOL				6	BARRETT-RANGE	7/7/77-6/30/86	19,200.00		19,200.00	19,200.00	42,106
CHEESIDE	151852				1	SHEELY'S MOBILE OFF.	11/1/84-6/30/86	3,180.00		3,180.00	3,180.00	3,180.00
DAVIS	125/16109			4		ST. OF CALIFORNIA	1985-86	8,000.00		8,000.00	8,000.00	8,000.00
ELKORN	18430				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261.20	4,261.20
ELKORN	125/16103/10				6	ST. OF CALIF.	1985-86	12,000.00		12,000.00	12,000.00	12,000.00
ELKORN	125/16127*				1	ST. OF CALIF.	11/4/85-11/4/86	2,000.00	4,080.00	1,134.36	5,214.36	2,000.00
ELKORN	18181-SCHOOL				6	REX CONST. CO.	16/15/79-6/30/86	15,600.00		15,600.00	15,600.00	37,076
KENNESAW	125/16111			6		ST. OF CALIF.	1985-86	12,000.00		12,000.00	12,000.00	12,000.00
HERITAGE	18081 622				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261.20	4,261.20
HERITAGE	1800 315				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261.20	8,522
HOUSTON	125/16134*			2		ST. OF CALIF.	11/4/85-11/4/86	4,000.00	3,222.00	1,995.00	5,217.00	4,000.00
LAKEMOOD	125/16128*			1		ST. OF CALIF.	11/4/85-11/4/86	2,000.00	816.00	816.52	1,633.52	2,000.00
LAWRENCE	125/16113				3	ST. OF CALIF.	1985-86	6,000.00		6,000.00	6,000.00	6,000.00
LAWRENCE	125/16129*				4	ST. OF CALIF.	11/4/85-11/4/86	8,000.00	8,644.80	4,033.00	12,677.80	8,000.00
LOCKEFORD	125/16115				1	ST. OF CALIF.	1985-86	2,000.00		2,000.00	2,000.00	2,000.00
LODI HIGH	18083-97-01		2			CHINO VALLEY BANK	7/3/85-7/3/88	13,688.00		13,688.00	13,688.00	13,688.00
LODI HIGH	18484-105				1	CHINO BANK (DOOPNIK)	10/16/84-10/16/88	7,844.00		7,844.00	7,844.00	7,844.00
LODI HIGH	111-84-08-317ABCD				1	CHINO BANK (DOOPNIK)	2/19/85-2/19/89	28,316.50	233.00	28,316.00	28,549.50	28,549.50
LODI HIGH	125/16123				2	ST. OF CALIF.	1985-86	4,000.00		4,000.00	4,000.00	4,000.00
LODI HIGH	125/16124*				3	ST. OF CALIF.	1986-	6,000.00	2,574.60	2,071.44	4,646.44	6,000.00
MORAGA	125/16121			5		ST. OF CALIF.	1985-86	10,000.00		10,000.00	10,000.00	10,000.00
MORAGA	125/16100				4	ST. OF CALIF.	1985-86	8,000.00		8,000.00	8,000.00	18,000.00
NEEDHAM	18181V 002				1	ALLSPACE LEASING	1985-86	4,388.40		4,388.40	4,388.40	4,388.40
NEEDHAM	18DEL 2-18-86				1	ST. OF CALIF.	1985-86	1,000.00	2,623.00	3,623.00	1,000.00	
NEEDHAM	125/16116				8	ST. OF CALIF.	1985-86	16,000.00		16,000.00	16,000.00	24,011
NICHOLS	18433				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261.20	4,261.20
NICHOLS	12198/2199				1	CHINO BANK (STEELGARD)	7/3/85-7/3/88	7,800.33		7,800.33	7,800.33	7,800.33
NICHOLS	125/16117				2	ST. OF CALIF.	1985-86	4,000.00		4,000.00	4,000.00	4,000.00
NICHOLS	125/16130*				2	ST. OF CALIF.	11/4/85-11/4/86	4,000.00	3,162.00	2,017.00	5,179.00	4,000.00
ORANWOOD	125/16118				9	ST. OF CALIF.	1985-86	18,000.00		18,000.00	18,000.00	18,000.00
ORANWOOD	125/16102				8	ST. OF CALIF.	1985-86	16,000.00		16,000.00	16,000.00	16,000.00
ORANWOOD	125/16131*				1	ST. OF CALIF.	11/4/85-11/4/86	2,000.00	4,239.60	822.00	5,061.60	2,000.00
ORANWOOD	181391				1	MOBILE MODULAR CORP.	1985-86	3,912.44		3,912.44	3,912.44	42,979
OTTO DRIVE	18DUPLEXES				8	REX CONST. CO.	1-12/86	93,000.00		93,000.00	93,000.00	93,000.00
PARKLANE	125/16119				2	ST. OF CALIF.	1985-86	4,000.00		4,000.00	4,000.00	4,000.00
PARKLANE	125/16101				8	ST. OF CALIF.	1985-86	16,000.00		16,000.00	16,000.00	16,000.00
PARKLANE	125/16132*				1	ST. OF CALIF.	11/4/85-11/4/86	2,000.00	2,767.50	997.00	3,765.00	2,000.00
REISK	18432				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261.20	4,261.20
REISK	182200/2201				1	CHINO BANK (STEELGARD)	7/3/85-7/3/88	7,800.34		7,800.34	7,800.34	7,800.34
REISK	125/16133*				1	ST. OF CALIF.	11/4/85-11/4/86	2,000.00	282.00	948.00	1,230.00	13,291
SR. EL.	18429				1	ALLSPACE LEASING	1985-86	4,388.40		4,388.40	4,388.40	4,388.40
SR. EL.	180296				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261.20	4,261.20
SR. EL.	180073				1	ALLSPACE LEASING	11/13/86-6/30/87	3,816.00	2,379.00	2,100.00	4,479.00	13,129
TOKAT HIGH	18081 512				1	ALLSPACE LEASING	1985-86	3,623.20		3,623.20	3,623.20	3,623.20
TOKAT HIGH	111-84-08-316ABCD				1	CHINO BANK (DOOPNIK)	12/19/85-2/19/89	28,316.50	252.00	28,316.00	28,549.50	28,549.50
TOKAT HIGH	125/16104				8	ST. OF CALIF.	1985-86	16,000.00		16,000.00	16,000.00	16,000.00
TOKAT HIGH	125/16123				6	ST. OF CALIF.	1985-86	12,000.00		12,000.00	12,000.00	12,000.00
TOKAT HIGH	125/16125*				3	ST. OF CALIF.	1986-	6,000.00	14,220.00	1,907.04	16,127.04	6,000.00
WASHINGTON	18435				1	ALLSPACE LEASING	1985-86	3,752.40		3,752.40	3,752.40	3,752.40
WASHINGTON	181393				1	MOBILE MODULAR	1985-86	4,024.43	5,355.00	4,024.00	9,379.43	13,131
WOODBRIDGE	125/16106				2	ST. OF CALIF.	1985-86	4,000.00		4,000.00	4,000.00	4,000.00
WOODBRIDGE	18434				1	ALLSPACE LEASING	1985-86	4,261.20		4,261.20	4,261.20	8,261
HORIZON SCHOOL	230 N. ORANGE					GARY BRANDT	7/22/85-6/30/87	6,396.00	894.00	6,035.00	6,929.00	6,929.00
NORTH SCHOOL											0	0
VOC. ED. CENTER	418 S. Church					ALADDIN PROP. MGMT.	10/1/80-6/30/86	5,100.00		5,100.00	5,100.00	5,100.00
PRESCHOOL FOR HANDICAP.	1ST. CONC. CHURCH					1ST. CONC. CHURCH	11/14/85-4/1/86	1,300.00	4,875.00	1,362.15	6,237.15	6,237.15
TOTAL ROOMS / \$			8	109	17	19		525,202	69,275	493,234	562,509	562,509

EXHIBIT H

DEVELOPMENT FEES
TOTAL REVENUE AND EXPENDITURES
CITY OF LODI

SUBDIVISION	TOTAL AMOUNT COLLECTED 1979-1986	SCHOOLS & AMOUNT OF FUNDS EXPENDED	TOTAL AMOUNT SPENT	BALANCE OF UNUSED DEVELOPMENT FEES
Aaron Terrace	8,000	Senior El 8,000	8,000	0
Adobe Court	16,000	Senior El 4,261 Reese 5,000 Nichols 6,739	16,000	0
Beckman Ranch	70,800	Nichols 25,011 Tokay High 40,190 Reese* 4,792 Lodi High 897	70,800	0
Burgundy Village	9,000	Henderson 1,600	1,600	7,400
Cambridge Place	58,800	Tokay High 54,139 Heritage 4,661	58,800	0
Iris Drive	1,200	Senior El 461 Lodi High 739	1,200	0
Lakeshore Village	235,600	Lawrence* 14,319 Reese* 7,793 Senior El 13,190 Tokay High 104,464 Vinewood 9,330 Liberty High 6,929 Henderson 2,000	158,025	77,575
Lodi Park West (1)	98,400	Woodbridge 8,261	8,261	90,139
McCoy Court	6,400	Tokay High 6,400	6,400	0
The Meadows (1)	30,400		0	30,400
Hillwood	38,200	Woodbridge 25,688	25,688	12,512
Noma Ranch (1)	28,200		0	28,200
Palomar Drive (Hillwood)	600	Lodi High 600	600	0
Vinewood	7,200	Lodi High 3,000 Woodbridge 3,421 Reese 779	7,200	0
Pioneer Place	48,000	Lodi High 10,952 Lawrence 24,678 Washington 12,370	48,000	0
Rivergate Place #1 (1)	8,600		0	8,600
Rivergate Place #2	2,800	Lodi High 2,800	2,800	0
Rivergate Commons	11,000	Lodi High 11,000	11,000	0
North School Street Condos	1,200	Woodbridge 1,200	1,200	0
Stonetree	39,600	Heritage 29,629 Tokay High 9,971	39,600	0
Summerfield	33,000	Tokay High 12,655 Nichols 10,054 Reese* 5,058 Henderson 4,800 Lakewood 433	33,000	0
Sunwest No. 4	600	Lodi High 600	600	0
Tandy Ranch (1)	21,800		0	21,800
Whispering Oaks (1)	27,000		0	27,000
Willow Court	9,200	Lodi High 8,000 Lakewood 1,200	9,200	0
Windjammer Court	4,600	Tokay High 3,000 Henderson 1,600	4,600	0
Winchester Acres	34,800	Nichols 21,236 Tokay High 13,564	34,800	0
Woodlake North (1)	49,600	Lodi High 41,200 Henderson 2,000	43,200	6,400
Individual Permits: Washington, Woodbridge Lodi High	5,600	Lodi High 5,600	5,600	0
Individual Permits: Nichols, Vinewood, Senior El, Tokay High	600	Nichols 600	600	0
Individual Permits: Nichols, Senior El, Tokay High	41,600	Tokay High 41,600	41,600	0
Individual Permits: Vinewood, Senior El, Lodi High	3,600	Lodi High 3,400	3,400	200
Individual Permits: Lakewood, Woodbridge, Lodi High	600	Woodbridge 600	600	0
Individual Permits: Heritage, Senior El, Tokay High	2,750	0	0	2,750
TOTAL	955,350	642,374	642,374	312,976

EXHIBIT I
DEVELOPMENT FEE
TOTAL REVENUE AND EXPENDITURES
CITY OF STOCKTON

SUBDIVISION	TOTAL AMOUNT COLLECTED 1979-1986	SCHOOLS & AMOUNT OF FUNDS EXPENDED	TOTAL AMOUNT SPENT	BALANCE OF UNUSED DEVELOPMENT FEES
Agate Manor	14,280	Needham 14,280	14,280	0
Bear Creek	2,200	Needham 1,000 Oakwood 1,200	2,200	0
Clairmont	131,250	Elkhorn 36,980 Parklane* 43,660 Tokay High 3,950 Clairmont 5,783 Needham 28,297 Morada 8,580	131,250	0
Colonial Estates North	448,125	Creekside/Otto Dr 143,150 Elkhorn/Elkhorn Mini 89,010 Oakwood* 185,709 Lodi High 1,800 Reese* 5,000	424,669	23,456
Colonial West	40,320	Needham 3,244 Elkhorn 37,076	40,320	0
Don Avenue	1,680	Needham 1,680	1,680	0
Falcon Crest (Mariner's Drive)	127,700	Elkhorn 125,060 Tokay High 1,680 Parklane 960	127,700	0
Fox Creek (1)	210,815	Davis 20,290 Parklane 108,937 Morada 39,148 Tokay High 37,840 Oakwood* 4,600	210,815	0
Harper's Ferry	9,300	Oakwood 9,300	9,300	0
Joaquin Murietta (1)	13,440	Morada 7,232	7,232	6,208
Kelly North	162,000	Creekside 53,460 Morada 1,340 Elkhorn 78,000 Lodi High 29,200	162,000	0
Landing, The	13,600	Parklane 13,600	13,600	0
Lianna Court	9,400	Needham 9,400	9,400	0
Paloma Park Estate	36,940	Parklane 36,940	36,940	0
Stonewood Estates	37,120	Lodi High 8,800	8,800	28320
Summer Place	37,590	Parklane 36,550 Morada* 1,040	37,590	0
Sussex Gardens	26,220	Elkhorn 6,892 Needham 19,328	26,220	0
Western Valley	600	Needham 600	600	0
TOTAL	1,322,580	1,264,596	1,264,596	57,984

*Overflow Schools

EXHIBIT J

DEVELOPMENT FEES
TOTAL REVENUE AND EXPENDITURES
SAN JOAQUIN COUNTY

SUBDIVISION	TOTAL AMOUNT COLLECTED 1979-1986	SCHOOLS & AMOUNT OF FUNDS EXPENDED	TOTAL AMOUNT SPENT	BALANCE OF UNUSED DEVELOPMENT FEES
Country View Estates	51,220	Lodi High Woodbridge	15,000 4,798	31,422
River Meadows	33,020	Lodi High Woodbridge	27,500 4,740	780
Woodbridge Greens (1)	54,300	--	0	54,300
Individual Permits Lodi High Area	36,120	Lodi High Lockeford Woodbridge Houston Morada	14,915 9,540 2,565 5,217 780	3,103
Individual Permits Tokay High Area	41,560	Morada Davis Tokay High Henderson Needham	18,160 9,060 9,400 4,160 780	0
Interest	547	Clairmont Lockeford	107 440	0
TOTAL	216,767		127,162	89,605

(1) Development Fee Agreement

STUDENT HOUSING OPTIONS

The final section of this report is intended to provide all interested parties an update on other means of housing students in the District's educational programs to mitigate conditions of overcrowding.

Busing: Busing is used as an interim process to implement the equal load policy. The Board finds that no pupil should be bused from his attendance area, but if necessary, never more than 10 miles from the "full" school to the school of redirection. (See Exhibit D)

High School Extended Day: Lodi High School and Tokay High School will continue on Extended Day for the 1986-87 school year.

Year-Round School: Creekside will join Heritage School in Year-Round School scheduling this year. Oakwood, Clairmont and Parklane will implement YRS in 1987 with all new schools to open on a YRS schedule. The Board has directed staff to provide information on possible implementation of YRS at all District schools if overcrowded.

Reconstruction Projects: The District presently has 11 reconstruction projects, which are nearing completion and an additional 10 or more projects are in process. The reconstruction projects will not necessarily increase housing, but will improve housing.

New Schools

1) Schools Complete

The Clairmont Elementary School (design capacity of 700+ students) has been completed and was dedicated in February, 1986.

A 30,000 square foot addition to Morada Middle School was completed in the spring of 1986 and houses approximately 230 additional students.

2) Schools Under Construction

Delta Sierra Middle School: On-site and off-site work has been completed. The contract has been awarded to F & H Construction with work to begin September 2, 1986 with a 420 day contract time.

Bear Creek High School: The site has been selected by the Board. Staff is pursuing final site purchase, geological and engineering reports, and the architect has completed all schematic drawings.

Schools Under Construction (Cont.)

Continuation High School: Site selection is underway. Construction is expected to start within the next year, pending State approval of plans and specifications and authorization of funds.

Beckman Elementary School: Construction is expected to start within the next year, pending State approval of plans and specifications and authorization of funds.

Wagner-Holt Elementary School: The site has been selected. Construction is expected to start within the next year, pending State approval of plans and specifications and authorization of funds.

Millswood Elementary School: Construction of an elementary school on a site owned by the District on Mills Avenue is being planned.

Oakwood Addition: Construction is expected to start within the next year pending State approval of plans and specifications and authorization of funds.

Parklane Elementary School: Construction of an additional 20,000 square foot permanent facility is expected to begin in summer of 1987.

3) Applications

It is anticipated that the District will be able to add additional schools to our application with increased enrollment this year.

Leased Buildings (K-12): The District is currently leasing residential units to house Clairmont Mini School, Elkhorn Mini School, Otto Drive Maxi School, a Vocational Education Center and the Horizon School Program. These facilities may be in use until the permanent facilities are complete and on line or until limited by statute.

Leased Elementary School (Garfield Mini School): The District has leased an 8 classroom school facility from the Lodi Seventh Day Adventist Church.

Trailers: The District currently leases 17 trailers to house students in addition to office functions. The capacity of these units is approximately 12 students and the leases and setup costs are two to three times the cost of the State portables. The District will attempt to phase out the trailers in favor of State lease portables where possible; however, space on sites and electrical supply are significant problems.

Shared Facilities: Other alternatives that are in use in other districts include the use of school buildings in adjoining districts which are not needed by that district. This is not considered a viable alternative for Lodi as facilities in all adjoining districts are used to the maximum extent except in Linden. The schools which are not at capacity are located some distance from the impacted schools in the Lodi district.

State Lease Emergency Classrooms: In 1986-87 the District will be leasing 111 portables from the State.

District Lease Portables: in 1986-87 the District will be leasing 12 portables.

District Owned Relocatables: In 1986-87 the District will "own" 69 relocatable classrooms.

PUBLIC HEARINGS

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing which had been set for this date and time regarding unmet transit needs within the City of Lodi.

Council was apprised that an earlier Public Hearing regarding the matter had been held at 1:00 p.m., January 15, 1986, at the Loel Center, 105 South Washington Street, Lodi. Minutes of this Public Hearing are hereby set forth below.

Notices of both Public Hearings were sent to:

Loel Center
Lodi Public Library for Posting
Lodi Police Department for Posting
50+ Club
Senior Citizens Center
Casa de Lodi
Arbor Mobile Home Park
Almond Drive Estates
City Cab Company
San Joaquin Council of Governments

UNMET TRANSIT NEEDS
PUBLIC HEARINGS

The meeting was called to order by Mayor David Hinchman who made the following introductions:

Gordon Moore, County Council of Governments Planner

Jerry Glenn, Assistant City Manager

Alice M. Reimche, City Clerk

Mayor Pro Tempore Reid was also in attendance.

Mayor Hinchman then explained to the audience the purpose of the meeting and the procedure to be followed for receiving public testimony.

cc. 5d(+)

The following persons gave testimony regarding unmet transit needs within the City of Lodi and the City's Dial-a-Ride area:

1. Mrs. John Schook, 906 Kirkwood Drive, Lodi - stated that she felt there was a need for a transit system that would serve every citizens, not just Dial-a-Ride.
2. Mr. John Ochsner, 5 Chestnut Street, Lodi representing the Senior Citizens' Club - stated that there is a need for Saturday and Sunday Dial-a-Ride service and for a longer daily operation of Dial-a-Ride.

Following Mr. Ochsner's inquiry, Assistant City Manager Glenn responded that the Lodi City Council sets the hours of operation for the City's Dial-a-Ride Program and reviewed the present hours of service.

3. Laura Cates, 336 Louie Avenue, Lodi - stated that she feels that the program should be expanded to include transportation between Stockton and Lodi.
4. Helen Locy, Acampo Road - indicated the need for Dial-a-Ride service to be expanded into Acampo.

Assistant City Manager Glenn apprised those in attendance that the program presently includes the Arbor Mobile Home Park in Acampo.

5. Laura Bohrn, 3600 E. Peltier Road, Acampo - also asked for expansion of the service into Acampo.

Following introductions of the matter by Mayor Hinchman, and discussion by those in attendance, the need for a better program of advertising the Dial-a-Ride Program became apparent.

6. Anna Mae White, 301 East Oak, Lodi - talked about three people being able to ride on one ticket if they were picked up at one location and dropped off at one location. She felt that this was a real bonus to those using Dial-a-Ride.
7. Shirley Kleim, Loel Center - talked about general public ridership and the need for additional advertising regarding this service. Ms. Kleim also talked about the need for separate Dial-a-Ride service to handicapped and to general ridership.
8. Milta Gorton, 412 1/2 Eden Street, Lodi - indicated that she felt one service could be used by everybody.
9. Dallas Stafford, Dial-a-Ride driver - stated that if riders would be ready when they arrived, better service could be given to all users in the community.

It was suggested by Shirley Kleim that brochures could be passed out to all Dial-a-Ride users outlining policies of the Dial-a-Ride program, including rider responsibilities.

It was also pointed out that Dial-a-Ride drivers assist riders with carrying in groceries and in entering and exiting Dial-a-Ride vehicles.

10. Stanley Harkness, 700 S. Cardinal Street, Lodi - asked questions regarding the amount of dollars paid to City Cab for Dial-a-Ride.

Assistant City Manager Glenn addressed the group regarding the agreement with City Cab for the Dial-a-Ride Program, and responded to questions as were posed.

11. Following an inquiry as to whether or not there was still train service to Lodi, Mr. Moore from C.O.G. responded that there was not.

Following an inquiry by Mayor Hinchman, Assistant City Manager Glenn addressed the group about Dial-a-Ride holiday service.

Milta Gorton stated that she felt that Dial-a-Ride deserved a "vote of thanks".

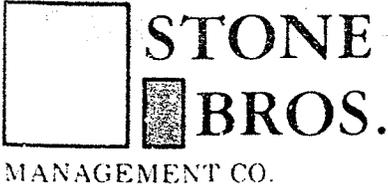
There being no other persons wishing to give additional testimony, Mayor Hinchman adjourned the hearing at approximately 1:30 p.m.

Mayor Hinchman reported what had transpired at the earlier Public Hearing.

There were no persons in the audience wishing to speak on the matter and the public portion of the hearing was closed.

Mayor Hinchman asked Mr. Gordon Moore, County Council of Governments Planner to look into the possibility of providing service to and from Stockton. Mr. Moore stated that he would have a report back to the Council on the matter within 30 days.

It was also suggested that Staff should correspond with churches within the City of Lodi to ascertain what their membership ridership would be for Sundays should Sunday service be implemented.



RECEIVED

September 19, 1986

1986 SEP 22 AM 10:26

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

ATTENTION: Alice M. Reimche, City Clerk

Re: Lakewood Mall Expansion
Agenda Item Request for October 1, 1986 City Council Meeting

Dear Ms. Reimche:

Stone Brothers is in the process of expanding the existing Lakewood Mall by building additional shops to the west of the existing structure. On September 8, 1986 we presented our plans for expansion at the Lodi Planning Committee meeting. (See drawing AP-3 attached.) The committee unanimously approved the project and there was no opposition expressed by surrounding homeowners.

We have recently met with the Lodi Public Works Department in preparation for the scheduled Site Plan Architectural Committee meeting on October 6, 1986. They have advised us that we would not be allowed a driveway onto Pacific Avenue from the mall expansion. This causes us great concern because of the importance this driveway is to our development plans. We, therefore, request this be brought before the City Council as a regular agenda item in the October 1, 1986 meeting. Specifically our request is that Stone Brothers be allowed a two-way entrance onto our property from Pacific Avenue. The reasons for this entrance is to provide access for customers and delivery traffic to and from Pacific. We feel it is essential for the protection of our center court customers, that especially during the busy parts of the day, delivery trucks can be routed to a Pacific Avenue exit.

Plans for having this exit have not changed from the beginning of our development in the early 1960's. The site plans submitted for zoning and later for use permits all show this access onto Pacific. Attached is a copy of a site plan dated August 17, 1964 submitted for a use permit. While the building layout has changed, our need for the Pacific Avenue entrance has not changed.

In an effort not to have this issue sent to committee, I will list the reason why Public Works wants this planned entrance eliminated. Their only concern is to not increase the truck and car traffic into a residential area.

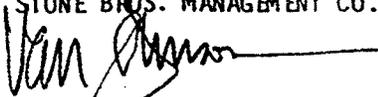
Alice M. Reimche, City Clerk
City of Lodi

September 19, 1986
Page Two

We appreciate your thoughtful consideration of this important issue.

Sincerely,

STONE BROS. MANAGEMENT CO.



Van Johnson
Assets Manager

VJ:ct

Enclosures

cc: Jack L. Ronske, Public Works Director, City of Lodi
Merrill Stone
Bert Foris