

PUBLIC HEARING SET  
REGARDING THE  
DECLARATION OF  
IMPACTION AND  
NOTIFICATION OF  
CONDITIONS OF  
OVERCROWDING 1986-87  
BY THE LODI UNIFIED  
SCHOOL DISTRICT  
GOVERNING BOARD

CC-7(e)  
CC-43

Following a report regarding AB 2926 (Stirling) which allows school districts to directly impose school impact fees, Council on motion of Council Member Hinchman, Olson second, set a public hearing for November 5, 1986 regarding the Declaration of Impaction and Notification of Conditions of Overcrowding 1986-87 by the Lodi Unified School District Governing Board.

## COUNCIL COMMUNICATION

TO: THE CITY COUNCIL  
FROM: THE CITY MANAGER'S OFFICE

DATE:  
October 1, 1986

NO.

**SUBJECT:**

SET PUBLIC HEARING REGARDING THE DECLARATION OF IMPACTION AND NOTIFICATION OF CONDITIONS OF OVERCROWDING 1986-87 BY THE LODI UNIFIED SCHOOL DISTRICT GOVERNING BOARD

On Friday, September 17, 1986 copies of the Lodi Unified School District Development Fee Report - 1986-87 were received and distributed to the Council. In a cover letter attached to the report, Council was apprised that the Lodi Unified School District requests the continued collection of Development Fees. The District's request is based on the number of "unhoused" students in each elementary, middle and high school attendance area shown on exhibits contained in the subject report.

Section 15.48.150 of the Lodi City Code provides that, upon receipt of a Notice of Overcrowding by the School District, the city council shall schedule and conduct a public hearing on the notification for the purpose of allowing interested parties to comment on the matter. Following such hearing, the city council shall determine whether it concurs in such finding. If the city council concurs it shall, by resolution, designate the school as an overcrowded school.

Presently, the City Attorney is reviewing the status and implications of AB 2926 (Stirling) which amends the State of California Education Code relating to school facilities. Mr. Stein will present a report concerning this bill to the Council at the October 1, 1986 Council Meeting.

**RECOMMENDED ACTION:**

That Council, by motion action, set a public hearing for the Regular Meeting of November 5, 1986 regarding the Declaration of Impaction and Notification of Conditions of Overcrowding 1986-87 by the Lodi Unified School District Governing Board.

*Alice M. Reimche*  
ALICE M. REIMCHE  
City Clerk

NOTICE OF PUBLIC HEARING REGARDING DECLARATION OF  
IMPACTION AND NOTIFICATION OF CONDITIONS OF OVERCROWDING  
1986-87 BY THE LODI UNIFIED SCHOOL DISTRICT GOVERNMENT BOARD

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; and (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.

Upon receipt of such notice the City Council shall schedule and conduct a public hearing on the notification for the purpose of allowing interested parties to comment on the matter. Following such hearing the City Council shall determine whether it concurs in such finding. If the City Council concurs it shall, by resolution, designate the school as an overcrowded school.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Lodi does hereby set a Public Hearing on Wednesday, November 5, 1986 at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, in the Council Chambers, City Hall, 221 West Pine Street, Lodi, California, to receive public input on notification received from the Lodi Unified School District declaring a state of impaction in twenty-five attendance areas.

Information regarding this item may be obtained in the office of the City Clerk at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views.

Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

If you challenge the subject matter in court you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk at, or prior to, the Public Hearing.

Dated: October 1, 1986

By Order of the City Council:

  
ALICE M. REIMCHE  
City Clerk