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PUBLIC HEARING TO  
RECEIVE PUBLIC INPUT ON  
NOTIFICATION RECEIVED FROM  
LODI UNIFIED SCHOOL DISTRICT  
DECLARING A STATE OF IMPACTION  
IN TWENTY-ONE ATTENDANCE AREAS

RES. NO. 85-142 Notice thereof having been published according to law and

10/2/85  
Continued October 2, 1985

school attendance areas are considered impacted for the purpose of requesting the continued imposition and collection of development fees by local governments:

LODI UNIFIED SCHOOL DISTRICT IMPACTED SCHOOL ATTENDANCE AREAS

1985-86

Lodi High School  
Tokay High School  
Liberty High School  
Morada Middle School  
Needham Middle School  
Senior Elementary School  
Woodbridge Middle School  
Clairmont Elementary School  
Creekside Elementary School  
Davis Elementary School  
Elkhorn Elementary School  
Henderson Elementary School  
Heritage Elementary School  
Lakewood Elementary School  
Lawrence Elementary School  
Lockeford Elementary School  
Leroy Nichols Elementary School  
Oakwood Elementary School  
Parklane Elementary School  
Vinewood Elementary School  
Washington Elementary School

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

A lengthy Council discussion followed with questions being directed to Staff and to persons who had presented testimony.

On motion of Council Member Olson, Snider second, Council, by the following vote adopted Resolution No. 85-142 confirming the designation of impactation in the twenty-one attendance areas in the Lodi Unified School District heretofore set forth and determined to retain the current \$200 per unit "bedroom" tax:

AYES: Council Members - Olson, Snider, and Reid

NOES: Council Members - Pinkerton

ABSENT: Council Members - Hinchman (Mayor)

an affidavit of publication being on file in the office of the City Clerk, Mayor Pro Tempore Reid called for the Public Hearing to receive public input on notification received from the Lodi Unified School District declaring a state of impaction in twenty-one attendance areas.

The matter was introduced by City Manager Peterson who advised that in 1978, the Lodi City Council adopted Ordinance No. 1149, an Ordinance providing for the dedication of land or fees or both as a condition to the approval of new residential development, for the purpose of providing classroom facilities where conditions of overcrowding exist in a public school attendance area.

Ordinance No. 1149 provides that upon receipt of the Declaration of Impaction and Notification of Conditions of Overcrowding, the 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 findings. If the City Council concurs, it shall by resolution designate the school as an over-crowded school. Additionally, the City Council may be requested by the School Board to make an adjustment to the district's impact fee.

Mr. Ellerth E. Larson, Lodi Unified School District Superintendent of School addressed the Council regarding the matter and responded to questions.

Mary Joan Starr, Lodi Unified School District Facility Planner addressed the Council presenting in detail the Lodi Unified School District 1985-86 Development Fee Report.

Ms. Starr advised that the projected Lodi Unified School District student enrollment for the 1985-86 school year is 18,565 students. This is a projected increase of approximately 737 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. In March, 1985, local agencies and developers reported probable summertime construction of approximately 650 residential units. In addition there are approximately 3,500 residential units in various stages of planning.

Twenty-two percent or 4,021 of the statistically projected number of students planned for arrival are considered "uphoused" 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 noted that not all rooms will be available for the opening of school. Twenty-five State Lease Emergency Portables have been requested and will be located at various sites later in the school year; some elementary classes will be on double session for a period of time; and there will be "inconveniences" at the high schools until all portable facilities are in place. Both high schools will continue on extended day and there will be Year Round School at Heritage.

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, the following

# COUNCIL COMMUNICATION

TO: THE CITY COUNCIL

DATE

NO.

FROM: THE CITY MANAGER'S OFFICE

September 24, 1985

SUBJECT:

PUBLIC HEARING - LODI UNIFIED SCHOOL DISTRICT DEVELOPMENT FEE REPORT

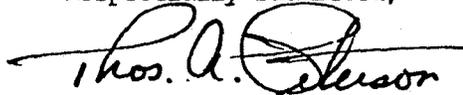
RECOMMENDED ACTION: That the City Council conduct a public hearing on the Lodi Unified School District's Development Fee Report and take action as deemed appropriate.

BACKGROUND INFORMATION: In 1978, the Lodi City Council adopted Ordinance No. 1149, an Ordinance providing for the dedication of land or fees or both as a condition to the approval of new residential development, for the purpose of providing classroom facilities where conditions of overcrowding exist in a public school attendance area.

Ordinance No. 1149 provides that upon receipt of the Declaration of Impaction and Notification of Conditions of Overcrowding, the 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 findings. If the City Council concurs, it shall by resolution designate the school as an over-crowded school. Additionally, the City Council may be requested by the School Board to make an adjustment to the district's impact fee.

School district representatives will be in attendance at Wednesday night's meeting to assist in the presentation of this item and answer questions of the Council, the public and City staff.

Respectfully submitted,



Thomas A. Peterson  
City Manager

84-147

NOTICE OF PUBLIC HEARING REGARDING DECLARATION OF  
IMPACTION DATED AUGUST 6, 1985 BY LODI UNIFIED  
SCHOOL DISTRICT BOARD OF TRUSTEES

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, October 2, 1985 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-one 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 either for or against the above proposal. 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.

Dated: September 18, 1985

By Order of the City Council

*Alice M. Reinche*  
Alice M. Reinche  
City Clerk