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C O U N C I L   C O M M U N I C A T I O N

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

COUNCIL MEETING DATE  
NOVEMBER 16, 1988

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SUBJECT:    ADOPTION OF STATE-MANDATED ORDINANCE PURSUANT TO AB1600

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PREPARED BY:                      City Attorney -

RECOMMENDED ACTION:            Following public hearing, adopt the attached Ordinance mandated by State statute addressing collection, retention and utilization of developers' fees.

BACKGROUND INFORMATION:       Pursuant to AB1600 and SB372, adopted by last year's Legislature, the City is required to have in place by January 1, 1989, provisions whereby the City would establish a "nexus" between development fees imposed and the needs generated by the development upon which the fee is imposed. The City is also required to establish certain accounting procedures for setting, collecting, retaining, and expending funds, account for them, and provide for refunds under certain circumstances.

The Ordinance itself does not establish a master drainage fee, but simply carries out the State mandates for establishing procedures. The actual fee itself will be set by resolution, to be adopted at a December 1988 City Council meeting.

Respectfully submitted,



BOB McNATT  
City Attorney

BM:vc

CCAB1600.2/TXTA.01V

NOTICE OF PUBLIC HEARING  
BEFORE THE LODI CITY COUNCIL

TO CONSIDER ADOPTION OF AN ORDINANCE AND RESOLUTION MANDATED BY STATE LAW (AB 1600) REQUIRING THE CITY OF LODI TO ADOPT REGULATIONS ESTABLISHING CERTAIN ACCOUNTING PROCEDURES FOR SETTING, COLLECTING, RETAINING, AND EXPENDING CERTAIN DEVELOPERS FEES, AND FOR ESTABLISHING A NEXUS BETWEEN SUCH FEES OR CHARGES AND THE NEEDS CREATED BY THE DEVELOPMENT ON WHICH SUCH FEES OR CHARGES ARE IMPOSED.

NOTICE IS HEREBY GIVEN that on Wednesday, the 16th day of November 1988 at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing in the Council Chambers, City Hall, 221 West Pine Street, Lodi, California to consider the adoption of an ordinance and resolution mandated by State law (A3 1600) requiring the City of Lodi to adopt regulations establishing certain accounting procedures for setting, collecting, retaining, and expending certain developers fees, and for establishing a nexus between such fees or charges and the needs created by the development on which such fees or charges are imposed.

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 and comments on this matter. 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 Public 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, 221 West Pine Street, Lodi, California, at or prior to the Public Hearing.

By Order of the Lodi City Council.

  
Alice M. Reimche  
City Clerk

Dated: November 2, 1988

Approved as to Form:

  
Bob McNatt  
City Attorney

NOTICE/TXTA.01V