

RESOLUTION NUMBER R- 265564

ADOPTED ON APR 28 1986

RESOLUTION OF INTENTION TO CONSIDER  
CONCURRENCE WITH FINDINGS OF OVERCROWDING BY  
THE GOVERNING BOARD OF THE SOUTH BAY UNION  
SCHOOL DISTRICT.

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That this Council proposes to consider concurrence with findings of overcrowding made by the governing board of the SOUTH BAY UNION SCHOOL DISTRICT.

2. That pursuant to the provisions of Chapter 4.7 (commencing with Section 65970) of Division 1 of Title 7 of the California Government Code and the provisions of the San Diego Municipal Code, Section 98.0401 et seq., the City Council may establish Impacted Attendance Areas in concurrence with documented findings of the governing board of a school district that conditions of overcrowding, reasonably related to new development, exist, that all reasonable methods of mitigating the conditions of overcrowding have been evaluated, and no feasible methods for relieving those conditions exist.

3. That prior to determining its concurrence or nonconcurrence with a school district's findings, the City is required by Section 65971 of the above-cited chapter, division and title of the California Government Code, to make the findings available to the public for 60 days after the school district completes the documentation and files it with the City Council.

4. If the City Council concurs in the findings of the school district and establishes an Impacted Attendance Area covering the area designated by the school district, then no building permit shall be issued for residential development with such Impacted Attendance Area unless the applicant pays school fees or otherwise meets the requirements set forth in Municipal Code Section 98.0401, et seq.

TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that on June 16, 1986 at 2:00 p.m. in the Council Chambers of the City Administration Building, Community Concourse, 202 C Street, in the City of San Diego, California, is the day, hour and place for the hearing when any person interested may comment on the actions proposed to be taken by the City Council, as follows:

a. Concurrence with the findings of the governing board of the SOUTH BAY UNION SCHOOL DISTRICT, as follows:

(1) That conditions of overcrowding exist in one or more attendance areas within the district which impair the normal functioning of educational programs, including the reasons for the existence of those conditions; and

(2) That all reasonable methods of mitigating the conditions of overcrowding have been evaluated and no feasible methods for relieving those conditions exist;


b. Establishment of an Impacted Attendance Area covering the area designated by the school district, and, consequently, activation of the requirements of Municipal Code Section 98.0416 with regard to the payment of school fees, or other requirements, as a condition of the issuance of a building permit within that Impacted Attendance Area; and

c. Determination of the schedule for the amount of school fees, or other requirements, to be paid as a condition of the issuance of a building permit within that Impacted Attendance Area, unless the residential development is exempt from the requirements of Municipal Code Section 98.0417.

5. Persons desiring to make inquiries regarding these proceedings are hereby advised that they may contact Ruth Ann Hageman of the Manager's Office staff at the City Operations Building, 1222 First Avenue, San Diego, California 92101 or telephone (619) 236-7342.

APPROVED: John W. Witt, City Attorney

BY

  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:cc:600  
04/07/86  
Or.Dept:Mgr.  
R-86-1899

Passed and adopted by the Council of The City of San Diego on APR 28 1986,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *June L. Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-265564 Adopted APR 28 1986

RECEIVED  
CITY CLERK'S OFFICE  
1993 APR 16 AM 3:05  
SAN DIEGO, CALIF.

APR 16 1993

8808 APR 16 1993

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET 12TH FLOOR  
SAN DIEGO, CA 92101

NO.

IN THE MATTER OF

RESOLUTION OF INTENTION TO CONSIDER CONCURRENCE WITH FINDINGS OF OVERCROWDING BY THE GOVERNING BOARD OF THE SOUTH BAY UNION SCHOOL DISTRICT.

RESOLUTION NUMBER R-265564

RESOLUTION OF INTENTION TO CONSIDER CONCURRENCE WITH FINDINGS OF OVERCROWDING BY THE GOVERNING BOARD OF THE SOUTH BAY UNION SCHOOL DISTRICT.

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That this Council proposes to consider concurrence with findings of overcrowding made by the governing board of the SOUTH BAY UNION SCHOOL DISTRICT.

2. That pursuant to the provisions of Chapter 4.7 (commencing with Section 85970) of Division 1 of Title 7 of the California Government Code and the provisions of the San Diego Municipal Code, Section 98.0401 et seq., the City Council may establish Impacted Attendance Areas in concurrence with documented findings of the governing board of a school district that conditions of overcrowding, reasonably related to new development, exist, that all reasonable methods of mitigating the conditions of overcrowding have been evaluated, and no feasible methods for relieving those conditions exist.

3. That prior to determining its concurrence or nonconcurrence with a school district's findings, the City is required by Section 85971 of the above-cited chapter, division and title of the California Government Code, to make the findings available to the public for 60 days after the school district completes the documentation and files it with the City Council.

4. If the City Council concurs in the findings of the school district and establishes an Impacted Attendance Area covering the area designated by the school district, then no building permit shall be issued for residential development with such Impacted Attendance Area unless the applicant pays school fees or otherwise meets the requirements set forth in Municipal Code Section 98.0401, et seq.

TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that on June 16, 1986 at 2:00 p.m. in the Council Chambers of the City Administration Buildings, Community Concourse, 202 C Street, in the City of San Diego, California, is the day, hour and place for the hearing when any person interested may comment on the actions proposed to be taken by the City Council, as follows:

a. Concurrence with the findings of the governing board of the SOUTH BAY UNION SCHOOL DISTRICT, as follows:

(1) That conditions of overcrowding exist in one or more attendance areas within the district which impair the normal functioning of educational programs, including the reasons for the existence of those conditions; and

(2) That all reasonable methods of mitigating the conditions of overcrowding have been evaluated and no feasible methods for relieving those conditions exist;

b. Establishment of an Impacted Attendance Area covering the area designated by the school district, and, consequently, activation of the requirements of Municipal Code Section 98.0416 with regard to the payment of school fees, or other requirements, as a condition of the issuance of a building permit within that Impacted Attendance Area; and

c. Determination of the schedule for the amount of school fees, or other requirements, to be paid as a condition of the issuance of a building permit within that Impacted Attendance Area, unless the residential development is exempt from the requirements of Municipal Code Section 98.0417.

5. Persons desiring to make inquiries regarding these proceedings are hereby advised that they may contact Ruth Ann Hageman of the Manager's Office staff at the City Operations Building, 1222 First Avenue, San Diego, California 92101 or telephone (619) 236-7342.

Passed and adopted by the Council of The City of San Diego on APR 28 1986, by the following vote:

YEAS: Wolfheimer, McColi, Jones, Struikama, Gotch, McCarty, Martinez.

NAYS: None  
NOT PRESENT: Cleator  
VACANT: Mayor  
AUTHENTICATED BY: ED T. JIK...

Thomas D. Kelleher

I, \_\_\_\_\_, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

RESOLUTION NUMBER R-265564

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

MAY 12, 1986.

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 12<sup>th</sup> day of May, 19 86.

*Thomas D. Kelleher*

(Signature)

01089

4 25 x 9.76 = 143.96

48  
(14/4)  
7.125 x 2 x 9.76 = 139.08