



John C. Lemmo, Partner

Practice Areas	Education and Charter Schools Public Agencies Land Use Environment and Natural Resources
Admissions	California
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Professional Summary

John C. Lemmo provides general and focused counseling to charter schools, school districts, water districts and municipalities regarding governance, operational and business matters. John's practice focuses on public agencies, private developers and landowners in matters involving environmental and land use regulation, and litigation. He has extensive experience working with, and on behalf of, local and state governmental and regulatory agencies on permitting, entitlement, compliance and environmental enforcement matters. John also has extensive experience assisting private K-12 schools and colleges.

Representative Matters

- Provides counseling and litigation defense for charter schools, school districts, water districts and other local agencies.
- Served as legal counsel in connection with large, controversial public projects; residential, commercial and industrial approvals; and litigation with respect to CEQA and NEPA issues.
- Serves as special counsel to city council for administrative appeals.
- Provided counseling and litigation defense related to sewer service allocation, and other rate-payer disputes.
- Provided counseling and litigation defense related to taxpayer challenge to general obligation bond



issuance and program.

- Provides counseling and litigation defense in connection with the formation and operation of charter schools.
- Represented board member in special district election dispute.
- Provided cost recovery and enforcement defense representation involving LUSTs and other hazardous waste-related cleanups, as well as counseling and negotiation for brownfields representation.
- Represented agencies and property owners in direct and inverse condemnation eminent domain litigation.
- Provides counseling and litigation defense in connection with coastal development permits (Coastal Act).

Selected Reported Cases

- *Anderson Union High School District v. Shasta Secondary Home School* (2016) 4 Cal.App.5th 262
- *California School Boards Association v. State Board of Education* (2010) 191 Cal.App.4th 530
- *New West Charter Middle School v. Los Angeles Unified School District* (2010) 187 Cal.App.4th 831
- *McLeod v. Vista Unified School District* (2008) 158 Cal.App.4th 1156
- *Life Care Centers of America v. CalOptima* (2005) 133 Cal.App.4th 1169

Recognitions

- Best Lawyers® , 2017 (Environmental Law), San Diego, CA
- *The Best Lawyers in America*® 2016-2019 (Environmental Law)

Community

- City of San Diego – Historical Resources Board Chair, 2008-2016
- The State Bar of California – Environmental Section



Education

- JD, University of San Diego School of Law
- BA, Occidental College, cum laude

News Coverage

- Dolan, Maura. "LAUSD officials must revise how space is allotted to charter schools," *Los Angeles Times*, April 9, 2015.
- Webster, Keeley. "Judge Intervenes in California School Bond Spending Plan," *The Bond Buyer*, January 29, 2015.
- Davis, Lisa. "Schoolyard Fight: A charter school's bid for more space divides a Silicon Valley suburb," *California Lawyer*, October 2013.

Seminars

John has given numerous presentations on environmental matters to academic and professional organizations, including the California Charter Schools Association (CCSA), Coalition for Adequate School Housing (CASH), Charter Schools Development Center, University of California, US EPA Brownfields National Conference and the General Land Office of the State of Texas, and has published many articles in the areas of regulatory compliance. He has also made many local television and radio appearances discussing land use and environmental topics.

- "5 Nightmares of Site Selection and How to Avoid Them," 25th Annual California Charter Schools (CCSA) Conference, San Diego, CA, March 28, 2018.
- "Student Expulsions: Charter Schools are Different," 25th Annual California Charter Schools (CCSA) Conference, San Diego, CA, March 28, 2018.
- Co-presenter. "Home Offices, CMOs and resource sharing across schools: Workshop," 25th Annual California Charter Schools (CCSA) Conference, San Diego, CA, March 28, 2018.
- Co-presenter. "A Conversation about LAUSD Chartering: Substance and Process," 25th Annual California Charter Schools (CCSA) Conference, San Diego, CA, March 26, 2018.
- "Student Expulsions: Charter Schools are Different," The 24th Annual California Charter Schools Conference, Sacramento, CA, March 23, 2017.

- Co-presenter, "Can Charter Schools Do That? Pupil Fees and the Use of School Funds," The 24th Annual California Charter Schools Conference, Sacramento, CA, March 22, 2017.
- "A Piece of Dirt to Call Our Own: Negotiating Ground Leases with Districts," The 24th Annual California Charter Schools Conference, Sacramento, CA, March 21, 2017.
- Co-presenter. "A Conversation About LAUSD Chartering: Substance and Process," The 24th Annual California Charter Schools Conference, Sacramento, CA, March 21, 2017.
- Charter School Facilities: A How-To Guide (Non-Prop 39)," The 24th Annual California Charter Schools Conference, Sacramento, CA, March 21, 2017.
- Co-presenter. "Can You Do That With Charter School Money? Use of School Funds & Pupil Fees," The 23rd Annual California Charter Schools Conference, Long Beach, CA, March 17, 2016.
- "How to Acquire Facilities Under Proposition 39," The 22nd Annual California Charter Schools Conference, Sacramento, CA, March 19, 2015.
- Panelist. "Survival 101: Successful Renewal Strategies and How to Handle Revocation," The 22nd Annual California Charter Schools Conference, Sacramento, CA, March 18, 2015.
- Panelist. "The Best (And Toughest) Board Meeting Ever: Best Practices Illustrated," The 22nd Annual California Charter Schools Conference, Sacramento, CA, March 17, 2015.
- Co-presenter. "Charter Facilities: A How-To Guide (Non-Prop 39)," The 22nd Annual California Charter Schools Conference, Sacramento, CA, March 17, 2015.
- "In The Wake of Sandy Hook: How to Handle Threats from Students," 21st Annual Charter School Conference, San Jose, CA, March 4-6, 2014.
- "How to Acquire Facilities Under Proposition 39," 21st Annual Charter School Conference, San Jose, CA, March 4-6, 2014.
- "Student Expulsions and "Dismissals:" Charter Schools are Different," 21st Annual Charter School Conference, San Jose, CA, March 4-6, 2014.
- "The Best Board Meeting Ever: Demonstrating Best Practices," 21st Annual Charter School Conference, San Jose, CA, March 4-6, 2014.
- "The Aftermath of the Ivy Academia Case," Procopio and CCSA Webinar, Nationwide, April 19, 2013.
- "Student Expulsions and Suspensions: Charter Schools are Different," 20th Annual Charter



Schools Conference, San Diego, CA, March 11-14, 2013.

- “Legal Fundamentals of Charter School and Nonprofit Governance,” 20th Annual Charter Schools Conference, San Diego, CA, March 11-14, 2013.
- “Free Legal Clinic on Charter School and Nonprofit Governance,” 20th Annual Charter Schools Conference, San Diego, CA, March 11-14, 2013.
- “How to Acquire Facilities Under Proposition 39,” 20th Annual Charter Schools Conference, San Diego, CA, March 11-14, 2013.
- “Charter Facilities: A How-to Guide (non-Prop 39),” 20th Annual Charter Schools Conference, San Diego, CA, March 11-14, 2013.
- “CCSA Governance Academy: Brown Act, Conflicts and Best Practices for Charter School Board Members and Officials,” April 2012.
- “Charter Facilities: A How-To Guide (non-Prop 39),” 19th Annual Charter Schools Conference, Sacramento, CA, February 27-March 1, 2012.
- “How to Acquire Facilities Under Proposition 39,” 19th Annual Charter Schools Conference, Sacramento, CA, February 27-March 1, 2012.
- “Expulsions and Suspensions: This Isn't How We Did It at the District!” 19th Annual Charter Schools Conference, Sacramento, CA, February 27-March 1, 2012.

Publications

- [“The Ralph M. Brown Act and Related Statutes,”](#) January 2017.
- [“Compilation of Selected Laws and Regulations Applicable to Charter Schools,”](#) January 2017.
- Author. [“Key Local Agency Transparency Rules Apply to Charter Schools, According to Attorney General,”](#) January 8, 2019.