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POLICY ESTABLISHED REGARDING THE NUMBER OF MEASURE A ELECTIONS TO BE HELD WITHIN A TWELVE MONTH PERIOD

Agenda Item K-2 - "Establish a policy regarding number of Measure A elections to be held within a twelve month period" was introduced by Community Development Director Schroeder and City Attorney Stein.

The following letter which had been received from Steven A. Herum, Attorney-at-law representing the LIFE COMMITTEE was presented for Council's perusal:

"This office represents Lodians In Favor of Free Enterprise (LIFE). Without in any way waiving our legal opinion that Lodi's Green Belt Initiative ordinance is invalid, we wish to comment on the proposal to limit a landowner's right to petition for election to once a year.

1. If the City is correct that the subject matter of such an election is only an amendment to its General Plan, then why is the landowner restricted to only one election per year? By law a landowner is otherwise provided the right to petition for a change to the General Plan designation four times a year. Will landowners who are not within the Green Belt area be similarly affected? If not, what is the underlying justification for creating two classes of landowners for purposes of General Plan amendments?

2. Will all Measure A elections be held at one time, or may they be spread throughout the year?

In short, LIFE believes that no limitation upon the yearly number of elections should be imposed. To do so would be detrimental to the economic growth of Lodi.

Very truly yours,

LIFE COMMITTEE

s/Steven A. Herum"

Council discussion followed with questions being directed to Mr. Schroeder and Mr. Stein.

RES. NO. 85-08

On motion of Council Member Olson, Hinchman second, Council adopted Resolution No. 85-08 establishing a policy regarding the number of Measure A elections to be held within the City of Lodi within a twelve month period whereby no measure pertaining to Measure A can be voted upon more often than once a year as determined by the Lodi City Council. The motion carried by a unanimous vote.