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CITY COUNCIL MEETING
JANUARY 16, 1985

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.

FOUNDED AS
ASHLEY & NEUMILLER
JANUARY 1903

STEVEN A. HERUM

Neumiller & Beardslee

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS

FIFTH FLOOR WATERFRONT OFFICE TOWER II
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ALICE M. HERUM
52530-09211

December 18, 1984

52530-09211

HONORABLE CITY COUNCIL
City of Lodi
City Hall
Lodi, California 95240

Members of the Council:

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Very truly yours,

LIFE COMMITTEE

By



STEVEN A. HERUM

SAH/sd

cc: A. Frederic Baker, Esq.

CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

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(209) 334-5634

HENRY A. CLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

February 5, 1985

Mr. Steve A. Herum
Attorney at Law
Neumiller & Beardslee
Fifth Floor Waterfront Office Tower II
509 West Weber Avenue
Stockton, CA 95202

Dear Mr. Herum:

Please be advised that your December 18, 1984 letter was presented to the Lodi City Council for consideration at its regular meeting of January 16, 1985.

The Council, following a staff report and deliberation, adopted Resolution No. 85-08 establishing a city policy that no measure pertaining to Measure A (The Green Belt Initiative) can be voted upon more often than once a year as determined by the Lodi City Council.

A certified copy of the subject resolution is attached.

Should you have any questions, please do not hesitate to call.

Very truly yours,

Alice M. Reimche
Alice M. Reimche
City Clerk

AMR:jj
Enc.

RESOLUTION NO. 85-08

WHEREAS, the electorate on August 25, 1981 adopted Measure "A", the Green Belt Initiative; and

WHEREAS, said initiative removed certain areas from the Land Use Element of the Lodi General Plan; and

WHEREAS, those areas so removed can only be added to the Land Use Element, either in whole or in part by subsequent vote of the electorate.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi does hereby establish a policy whereby no measure pertaining to Measure "A" can be brought to a vote of the electorate more often than once a year as determined by the Lodi City Council.

Dated: January 16, 1985

I hereby certify that Resolution No. 85-08 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 16, 1985 by the following vote:

Ayes: Council Members - Pinkerton, Hinchman,
Olson, Reid, & Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Alice M. Reimche
Alice M. Reimche
City Clerk