

## COUNCIL COMMUNICATION

TO THE CITY COUNCIL FROM THE CITY MANAGER'S OFFICE	DATE: July 1, 1987	NO.
SUBJECT: CONSIDER VARIOUS MATTERS PERTAINING TO REQUESTS FOR MEASURE "A" ELECTIONS - NOVEMBER 3, 1987		

- RECOMMENDED ACTION:
- A) By Resolution, Council authorize consolidating the November 3, 1987 election with the County of San Joaquin.
  - B) Pursuant to Section 4015.5 of the State of California Elections Code, Council shall determine whether or not to allow for rebuttal arguments.
  - C) By motion action, Council direct the City Clerk to determine the order of the various City of Lodi measures on the ballot by randomized drawing.
  - D) By motion action, direct the City Clerk to transmit a copy of the measures to the City Attorney for preparation of an impartial analysis, not exceeding 500 words in length.

**BACKGROUND INFORMATION:** Section 8 of Ordinance No. 1237 - An Ordinance Amending The Land Use Element Of The City's General Plan As Adopted October 5, 1955 Removing From The Land Use Element Any Area Not Within The Corporate Limits Of The City On The Date Of The Adoption Of The Ordinance And Requiring A Vote Of The People To Again Include This Area In The Land Use Element, which Ordinance was adopted by a vote of the people on August 25, 1981 provides that, before land in the Green Belt area can be annexed by the City of Lodi, an amendment to the City's Land Use Element of the General Plan must be made and approved by a majority of the people voting in a city-wide election.

In order for the City of Lodi to consolidate with the County of San Joaquin for the November 3, 1987 election, it is required that the City Council adopt a resolution requesting consolidation for presentation to the San Joaquin County Board of Supervisors at least 88 days prior to the election. A sample resolution is attached for Council's review.

Section 4015.5 entitled Rebuttal Arguments of the State of California Elections Code sets forth the provisions for rebuttal arguments and determines that rebuttal arguments can only be allowed if not later than the day on which the legislative body calls an election, the legislative body, by a majority vote, adopts its provisions.

This section also provides that if Council allows rebuttal, it shall be allowed at the next ensuing municipal election and each municipal election thereafter until repealed.

Rebuttal was not allowed in the November 1985 election but was allowed in the November 1986 election. It should be noted that, in 1986, no arguments against the measures nor rebuttal were received.

In order to fairly determine the placement of the City of Lodi measures on the ballot it is recommended that Council direct the City Clerk to conduct a randomized drawing. The results of this drawing will determine the order of the measures on the ballot and this order will be set forth in the Resolution calling for the election and requesting consolidation. It should be noted that this is the method used by the Secretary of State for the order of the placement of candidates names on the ballot throughout the State of California.

Section 5011 of the State of California Elections Code states that whenever any city measure qualifies for a place on the ballot, the governing body may direct the City Clerk to transmit a copy of the measure to the City Attorney for preparation of an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The analysis shall be printed preceding the arguments for and against the measure and shall not exceed 500 words in length.

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

AMR:jj

RESOLUTION NO. 87-82

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI  
REQUESTING CONSOLIDATION WITH THE COUNTY OF SAN JOAQUIN  
FOR THE NOVEMBER 3, 1987 GENERAL ELECTION

BE IT RESOLVED that the City Council of the City of Lodi, pursuant to Section 23301.5 et seq. of the Elections Code of the State of California, does hereby request consolidation with the County of San Joaquin for the November 3, 1987 General Election for the purpose of placing measures on the ballot to be voted upon by the voters of the City of Lodi.

The measures requested to be placed on the ballot are shown on Exhibit "A" attached hereto, and thereby made a part hereof.

BE IT FURTHER RESOLVED that the City Clerk of the City of Lodi is hereby directed to file with the San Joaquin County Board of Supervisors and the San Joaquin County Clerk a certified copy of this resolution requesting consolidation at least 88 days prior to the date of the election as specified by State Statutes.

Dated: July 1, 1987

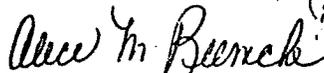
I hereby certify that Resolution No. 87-82 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 1, 1987 by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

  
ALICE M. REIMCHE  
City Clerk

Approved as to form

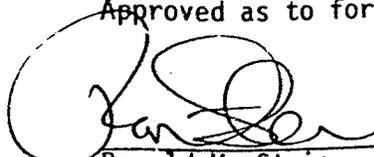
  
Ronald M. Stein  
City Attorney

EXHIBIT A

BALLOT MEASURES

MEASURE "A" ELECTION - NOVEMBER 3, 1987

LODI PARK WEST ESTATES

Shall the Land Use Element of the Lodi General Plan be amended to include Lodi Park West Estates, a 100 acre project containing 316 single-family lots; a 9.4 acre site for 141 senior citizens housing units; a 10 acre elementary school site; and a 14 acre addition for the completion of the Westgate Park-Storm Drainage Basin, bounded by Lodi Park West Subdivision on the north, Lower Sacramento Road on the east, and the Woodbridge Irrigation District Canal on the south and west?

TAVES PARK

Shall the Land Use Element of the Lodi General Plan be amended to include Taves Park, a 23.6 acre project containing 71 single-family lots; 12 duplex lots; a shopping center site of 10.5 acres; and office institutional uses located at the southeast corner of Lower Sacramento Road and West Kettleman Lane (State Route 12)?

JOHNSON RANCH II

Shall the Land Use Element of the Lodi General Plan be amended to include Johnson Ranch II, a 30.6 acre project containing 145 single-family lots, located south of the Johnson-Tandy Ranch Developments and west of South Cherokee Lane?

TOWNE RANCH

Shall the Land Use Element of the Lodi General Plan be amended to include Towne Ranch, a 78.3 acre project containing 397 single-family lots bounded by West Turner Road on the north, Lower Sacramento Road on the east, Lodi Park West Subdivision on the south, and the Woodbridge Irrigation District Canal on the west?

BRIDGETOWNE ESTATES AND THE ADDITION TO WINE AND ROSES COUNTRY INN

Shall the Land Use Element of the Lodi General Plan be amended to include Bridgetowne Estates and the addition to Wine and Roses Country Inn, a 61.6 acre project containing 225 single-family lots and acreage for the expansion of the Wine and Roses Country Inn, bounded by the Woodbridge Irrigation District Canal on the north and west, Lilac Street and Woodhaven Drive on the east, and West Turner Road on the south?

CENTURY MEADOWS, UNIT NO. 1

Shall the Land Use Element of the Lodi General Plan be amended to include Century Meadows, Unit No. 1, a 43.3 acre project containing 221 single-family lots, bounded by Century Boulevard on the north, the Woodbridge Irrigation District Canal on the east; Harney Lane on the south, and a line 480.67 feet west of the Woodbridge Irrigation District Canal as measured along Century Boulevard on the west?

CENTURY MEADOWS, UNIT NO. 2

Shall the Land Use Element of the Lodi General Plan be amended to include Century Meadows, Unit No. 2, a 35.5 acre project containing 186 single-family lots, bounded by Century Boulevard on the north, Harney Lane on the south and located between 480.67 feet and 1139.47 feet west of the Woodbridge Irrigation District Canal as measured along Century Boulevard?

CENTURY MEADOWS, UNIT NO. 3

Shall the Land Use Element of the Lodi General Plan be amended to include Century Meadows, Unit No. 3, a 39.5 acre project containing 198 single-family lots, bounded by Century Boulevard on the north, Harney Lane on the south, and located between 1139.47 feet and 1798.27 feet west of the Woodbridge Irrigation District Canal as measured along Century Boulevard?

CENTURY MEADOWS, UNIT NO. 4

Shall the Land Use Element of the Lodi General Plan be amended to include Century Meadows, Unit No. 4, a 41.7 acre project containing 201 single-family lots, a 2.4 acre institutional site (church site) and an 8.3 acre addition to Park-Basin G, bounded by Century Boulevard on the north, a line 2609.48 feet east of Lower Sacramento Road on the east, a line 1320 feet south of Century Boulevard on the south, and Park-Basin G on the west?

WOODBIDGE SCHOOL

Shall the Land Use Element of the Lodi General Plan be amended to include the Woodbridge School, an existing 11.38 acre Middle School, bounded by Academy Street (Woodbridge) on the north, the Southern Pacific Railroad right-of-way and Lower Sacramento Road on the east; the Woodhaven North Subdivision on the south and Lilac Street on the west?