

CITY COUNCIL MEETING
OCTOBER 1, 1986

2

COMMUNICATIONS
(CITY CLERK)

1
APPOINTMENT TO
MEASURE A TASK
FORCE

CC-2(j)

On motion of Council Member Hinchman, Olson second, Council concurred with Mayor Reid's appointment of Pat Philastre to the Measure A Task Force for an unspecified term.

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL

FROM: THE CITY MANAGER'S OFFICE

DATE

October 1, 1986

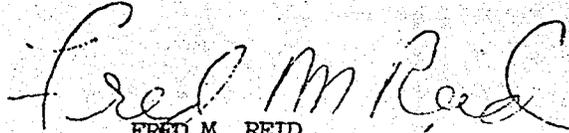
NO.

SUBJECT: APPOINTMENT TO THE MEASURE A TASK FORCE

At the September 17, 1986 Council Meeting, the City Clerk was directed to make the required posting for a vacancy on the City of Lodi Measure A Task Force. Further, Pat Philastre was appointed as an interim member of this Committee until a permanent appointment could be made as provided by State statute.

Copies of applications received from those persons interested in serving on this Task Force are enclosed under separate cover directed to the Council.

I would ask that Council, by motion action, concur with the permanent appointment of Pat Philastre as a member of the Lodi Measure A Task Force for an unspecified term.



FRED M. REID

Mayor

POSTING OF PENDING VACANCIES ON
VARIOUS BOARDS AND COMMISSIONS

LODI ARTS COMMISSION

Unexpired term of Shawn Allen, which term is due to expire May 5,
1987

MEASURE A TASK FORCE COMMITTEE

One unspecified term

POSTING AUTHORIZED BY THE
CITY COUNCIL OF THE CITY OF
LODI, CALIFORNIA ON
September 17, 1986

Alice M. Reimche
ALICE M. REIMCHE
City Clerk

Posted 9/18/86

APPLICATION FOR APPOINTMENT
MEASURE A TASK FORCE

RECEIVED

1986 SEP 22 AM 10:25

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

Name:

Dat Philastre

Address:

2137 Jerry Lane Lodi, Cal 95240

Telephone:

368-1363 home 944-2870 office

Date:

Sept 19, 1986

At the December 18, 1985 Council meeting, following receipt of a report from the City Attorney regarding the L.I.F.E. vs the City of Lodi (Green Belt Initiative) suit and discussion, Council, on motion of Council Member Snider, Olson second, agreed to proceed with the appeal process and to move forward with the development of a Task Force to seek viable alternatives to Measure A. (See attached memo from City Attorney dated 12/3/85)

Please indicate your interest and reasons why you are interested in serving on the City of Lodi Measure A Task Force.

As a twenty year resident I am interested in maintaining the quality of life in Lodi. My children grew up and were educated here. Because of the many benefits living in Lodi has afforded me and my family, I feel I would like to make a contribution to Lodi.

I feel I can be of use on the Task Force because of my experience with the League of Women Voters in St. Paul, Minnesota. One of many things I was responsible for while an active League member was producing a pamphlet on County Government.

For the past 17 years I have been employed by San Joaquin County Human Services Agency. My job requires skills I feel would be helpful as a member of the Measure A Task Force.

I will be happy to answer any questions you may have.

Dat Philastre
Signature (Applicant)

RECEIVED

APPLICATION FOR APPOINTMENT
MEASURE A TASK FORCE

1986 SEP 16 PM 3:16
ALICE H. REIMCHE
CITY CLERK
CITY OF LODI

Name: Eileen M. St. Yves

Address: 310 S. Orange #60

Telephone: 334-9401

Date: September 16, 1986

At the December 18, 1985 Council meeting, following receipt of a report from the City Attorney regarding the L.I.F.E. vs the City of Lodi (Green Belt Initiative) suit and discussion, Council, on motion of Council Member Snider, Olson second, agreed to proceed with the appeal process and to move forward with the development of a Task Force to seek viable alternatives to Measure A. (See attached memo from City Attorney dated 12/3/85)

Please indicate your interest and reasons why you are interested in serving on the City of Lodi Measure A Task Force.

The best for th City of Lodi, is my primary concern. I have attended with the exception of one meeting, all of the Measure A Task Force meetings. I have also been attendance at the Eastside Meratorium meetings.

I am in favor of limited and quality growth for the City of Lodi.

The developers have had Carte Blanc on their projects before the

Planning Commission. The majority of the voters, who took the time

to vote, favored Measure A. These same people fee they are being

betrayed by the City of Lodi, in favor of the develepeg. Prime

agriculture land is being lost, in favore of shopping centers and

multi-family dwellings we do not need. The resiidents of Lodi do not WANT

to be Stockt or Sacramento.

Ifeel that my knowledge of the task force and its workings, qualify

Signature (Applicant)

me as member of this body,

MEAS/A06

Eileen M. St. Yves

MEMORANDUM

To: Honorable Mayor and Council Members
From: City Attorney
Re: L.I.F.E. vs. City of Lodi (Green Belt Initiative)
Date: December 3, 1985

On November 25, 1985, Superior Court Judge James P. Darrah ruled on a Summary Judgment Motion by the L.I.F.E. Committee (hereinafter referred to as "Petitioner") that Measure A (Green Belt Initiative) was invalid. The ruling has as its basis that the measure interfered with the process of annexation, which is a matter of compelling State interest in which the State has preempted the field, not allowing cities by their councils or voters to prescribe any requirement relating to annexation.

A number of questions have been asked of this office since the decision was rendered, and I feel that it would be very important, in order for this Council to make a decision regarding the appeal process, to have these questions answered. I am sure that these are not the only questions, and obviously I will make myself available to answer any additional questions regarding this matter. I felt that the format to use should be a question and answer type format that would simplify and clarify the issues:

(1) Q. What did the Court decide?

A. Before the Court were two lines of cases which the Court was required to apply to its decision on the constitutionality of Measure A. The first line of cases, in effect, disallowed citizens of a municipality from voting on annexations, discussed in Ferrini v. The City of San Luis Obispo (Ferrini). The second line of cases allowed the citizens of a municipality to vote on zoning matters, including general plans discussed in Associated Home Builders of the Greater Eastbay v. City of Livermore (Livermore).

In the Judge's decision, he determined that Measure A was in effect, an initiative which would allow the citizens to vote on annexations, an area which has been preempted by State law (Ferrini). The Judge looked at the initiative itself and determined that the language of the initiative, the arguments in favor thereof, and the impartial analysis by the City Attorney, all referred to annexations. The Judge was of the opinion that the initiative was in effect to allow a vote on annexations by the citizens (a precondition to annexation); and therefore was invalid.