

RESOLUTION NO. 2003-97

A RESOLUTION OF THE LODI CITY COUNCIL OPPOSING ASSEMBLY BILL 170
REGARDING AN UNFUNDED STATE MANDATE THAT WOULD REQUIRE CITIES
AND COUNTIES IN THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL
DISTRICT TO PREPARE AND ADOPT AIR QUALITY GENERAL PLAN POLICIES
OR A SEPARATE GENERAL PLAN ELEMENT

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WHEREAS, on May 27, 2003, the State Assembly held a second reading of AB 170 that would require all cities and counties within the San Joaquin Valley Air Pollution Control District to prepare and adopt air quality General Plan policies or a separate General Plan Element. Cities and counties would have five years to amend general plan policies or adopt a separate air quality element; and

WHEREAS, this Bill singles out cities and counties in the Valley for compliance with a relatively obscure document that the San Joaquin Valley Air Pollution Control District published in 1994 called Air Quality Guidelines for General Plans; and

WHEREAS, the guidelines emphasized ideas that could lead toward less reliance on the automobile. While the district is not complying with federal and state standards for both PM₁₀ (dust) and ozone, the document only addresses a portion of the overall creation of ozone and does not address the problem of PM₁₀; and

WHEREAS, agricultural operations are the primary cause of dust and thus PM₁₀. Agriculture contributes to the formation of ozone though the operation of equipment and normal agricultural practices such as irrigation pumps and burning; and

WHEREAS, this Bill is an example of one of the many unfunded state mandates passed by the Assembly. Although by law the State must provide funding for mandates, this Bill skirts this issue by stating that a city could impose a fee for the preparation of these newly required general plan policies or elements. No fees are being collected nor were they anticipated, thus this Bill represents an unfunded mandate; and

WHEREAS, clean air is an important issue for all state residents. This Bill singles out the Valley without paying attention to the migration of air pollutants created in the Bay Area. The way that our basin is created, we breathe air that has migrated from the Bay Area. To ignore the initial source of pollutants without forcing the Bay Area cities to prepare policies to minimize migrating pollutants does not equitably share the responsibility.

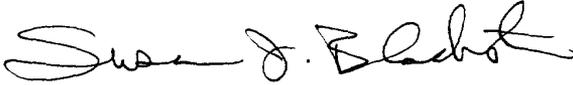
NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby declares its opposition to AB 170 regarding the unfunded State mandate that would require cities and counties in the San Joaquin Valley Air Pollution Control District to prepare and adopt air quality general plan policies or a separate general plan element.

Dated: June 3, 2003

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I hereby certify that Resolution No. 2003-97 was passed and adopted by the City Council of the City of Lodi in a special meeting held June 3, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Howard, and Land
NOES: COUNCIL MEMBERS – Mayor Hitchcock
ABSENT: COUNCIL MEMBERS – Hansen
ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk