

RESOLUTION NO. 2005-158

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER  
TO SUBMIT "NO" VOTE ON PROPERTY ASSESSMENT BALLOT FOR CITY  
PROPERTY LOCATED WITHIN THE CENTRAL DELTA WATER AGENCY DISTRICT

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WHEREAS, the Board of Directors of the Central Valley Water Agency will hold a hearing on Tuesday, August 9, 2005, at 9:30 a.m., at 235 East Weber Avenue, Stockton, California, for the purpose of considering protests, tabulating assessment ballots, and otherwise considering adoption of a new maximum assessment rate for future years and the assessment rate for fiscal year 2005-06; and

WHEREAS, the current maximum annual assessment rate is \$5.00 per acre with a minimum of \$1.00 per parcel and generates approximately \$580,000.00 per year; and

WHEREAS, the current proposal would increase the maximum annual assessment rate to \$8.00 per acre with a minimum of \$2.00 per parcel, generating approximately \$922,000.00 per year, which would remain in effect indefinitely; and

WHEREAS, the Board of Directors could set the annual assessment at or below the maximum rate each year; and

WHEREAS, the proposed increased assessment is for the purpose of sustaining and increasing the level of activity to try to protect the water, water rights, drainage, levee, and flood-related interests; and

WHEREAS, the basis of the proposed increased assessment is the acreage of each parcel as shown on the San Joaquin County Assessor's Roll with some adjustments related to land use; and

WHEREAS, the maximum rate of assessment and assessment will not be increased if there is a "majority protest"; however, the existing maximum rate will remain in effect; and

WHEREAS, under Section 4 of Article XIII D of the California Constitution (Proposition 218), a majority protest exists if, upon conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment; and

WHEREAS, the number of votes will be based on the dollar amount of the proposed assessment using the proposed maximum assessment rate of \$8.00 per acre with a minimum of \$2.00 per parcel as adjusted pursuant to the allocations in the Engineer's Report; and

WHEREAS, staff recommends a no vote because of difficulty associating the proposed assessment with benefit to the citizens of Lodi.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute and submit "No" vote on Property Assessment Ballot for City property within the Central Delta Water Agency, on behalf of the City of Lodi.

Dated: August 3, 2005

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I hereby certify that Resolution No. 2005-158 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 3, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman  
NOES: COUNCIL MEMBERS – None  
ABSENT: COUNCIL MEMBERS – None  
ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk