

**RESOLUTION NO. 2015-01**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT**

**APPROVING RATE STUDY PROPOSING  
WATER RATES FOR 2015, 2016, 2017, 2018, AND 2019,  
SETTING PUBLIC HEARING TO CONSIDER PROPOSED RATES,  
AND APPROVING RELATED MATTERS**

WHEREAS, Proposition 218 was adopted on November 6, 1996, adding Articles XIIC and XIID to the California Constitution; and

WHEREAS, the District's fees and rates for the sale of surface water have remained unchanged for many years, and the cost of providing surface water to District irrigation customers exceeds the fees and charges collected; and

WHEREAS, the Board of Directors authorized a comprehensive review of the District's surface water rates to be charged to parcel owners within the District who request and receive District water during 2015, 2016, 2017, 2018, and 2019; and

WHEREAS, the review was performed by District Consultant Walter Sadler, P.E., and a final Water Rate Study dated December 30, 2014 (the "Rate Study"), attached hereto as Exhibit "A," has been submitted to the Board of Directors for review; and

WHEREAS, the District Consultant at this Board meeting has presented and discussed his Rate Study to the Board of Directors and recommended that the Board of Directors approve and accept the Rate Study as being complete; and

WHEREAS, the Board of Directors will consider water rates for adoption after the mailing of notice and holding a public hearing in accordance with Proposition 218;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

1. The Board hereby approves and accepts the Rate Study as complete. Acceptance of the Rate Study as complete does not constitute the Board's adoption of any water rate proposed in the Rate Study.

2. A public hearing shall be held on March 30, 2015, at 2:15 PM at the City of Lodi Public Library, located at 201 West Locust Street, Lodi, California. The public hearing will be to receive public comment on the Rate Study and to consider adoption of the proposed water rates. The water rates actually adopted by the Board for 2015, 2016, 2017, 2018, and 2019 shall be the maximum allowable rates chargeable by the District for each of those years; however, the Board has the authority to set rates less than the adopted maximum allowable rate for any given year.

3. The Proposition 218 notice of the new proposed water rates, in substantially the form presented to the Board of Directors at this Board meeting and attached hereto as Exhibit "B", is approved. The President of the Board of Directors after consultation with the District's General Counsel may make such changes, insertions, and deletions to other than the rates specified as appropriate or necessary.

4. The District's Secretary and Deputy Secretary are authorized and directed by not later than Friday, February 6, 2015, to mail the final form of the Proposition 218 notice to those parcel owners recommended in the Rate Study to receive such notices.

5. The President and Secretary of the Board of Directors, the District Consultant, and any other officers, employees and agents of the District shall be, and each of them hereby is, authorized to give or take all actions permitted or required by this Resolution or by applicable law, with the advice of District's General Counsel, as each may deem necessary or desirable to further the purposes of this Resolution.

6. This Resolution is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Resolution does not constitute a "project" that requires environmental review (*see* specifically 14 CCR § 153 78(b)(4-5)).

Moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, that the foregoing resolution be adopted.

The Directors voted on the resolution as follows:

|          |           |
|----------|-----------|
| Ayes:    | Directors |
| Noes:    | Directors |
| Absent:  | Directors |
| Abstain: | Directors |

The President declared the resolution adopted.

I, Shasta Burns, Deputy Secretary of the Board of Directors of the NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT, do hereby CERTIFY that the foregoing is a full, true and correct copy of a resolution duly adopted at an adjourned regular meeting of said Board of Directors held on the 5<sup>th</sup> day of January, 2015.

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