

IMPARTIAL ANALYSIS OF MEASURE H
Prepared by Lodi City Attorney

On September 21, 2005, the Lodi City Council adopted Resolution No. 2005-203 entitled "A Resolution of the Lodi City Council establishing water rates," raising water rates to pay for the cleanup of perchloroethylene (PCE) and trichloroethylene (TCE) in Lodi's groundwater. State and federal health regulators have found both chemicals to be hazardous to human health.

Measure H would repeal Resolution No. 2005-203, repeal the water rates established by that resolution, and require the City to refund all money collected under that resolution. The Initiative states that it can only be repealed by a majority vote of Lodi's voters.

Measure H will not eliminate the City's legal duty under a State order to pay for the cleanup of the chemicals. Although the chemicals are not yet in the area where Lodi's operating wells draw water, if they are not cleaned up they will eventually contaminate Lodi's wells. As such, if Measure H is approved, the City will have to find a different way to pay for cleanup.

The measure would take effect 10 days after the results of the election are certified under the Elections Code.