

**NOTICE OF PUBLIC HEARING
RECLAMATION DISTRICT NO. 1608
6:30 P.M. MARCH 25, 2025
MABLE BARRON ELEMENTARY SCHOOL
6835 CUMBERLAND PLACE
STOCKTON, CALIFORNIA**

Call to Order.

Roll Call.

Agenda Items.

1. Public Comment. Under Government Code Section 54954.3, members of the public may address the Board on any issue on the agenda as it is taken up by the Board.
2. Public Hearing Regarding Proposition 218 Notice to Property owners on proposed assessment.
 - a) General Overview of Proposed Assessment
 - b) Board Discussion Regarding Proposed Assessment
 - c) Opening of Public Hearing.
 - d) Public Comment/Questions on the proposed assessment.
 - e) Each speaker is limited to three (3) minutes.
 - f) Request for any remaining written protest.
 - g) Closure of Public Hearing.
3. Ballot Tabulation. Discussion and Possible Action to Adopt Ballot Tabulation Process & Procedures and Direct Tabulation of Assessment Ballots in accordance with District Resolution 2024-07.
4. Staff Reports.
 - a. If the Ballot Tabulation is not finished on March 25, 2025, the District Trustees will resume the process on March 26, 2025, at 9:00 a.m. at the District's Business Office located at 3121 West March Lane, Suite 100, Stockton, California. The tabulation process is accessible to the public.
 - b. The District plans to Certify the Assessment Election at the April 2, 2025 Regular Public Meeting which will be held at 8:00 a.m. at the District's Business Office located at 3121 West March Lane, Suite 100, Stockton, California.
 - c. The Notice, Call and Agenda for this meeting was posted outside the meeting room at 6835 Cumberland Place, Stockton, California, at least twenty-four (24) hours preceding the meeting.
5. Adjournment.

**AGENDA PUBLIC HEARING PACKET
RECLAMATION DISTRICT 1608
March 25, 2025**

<u>ITEM</u>	<u>COMMENTARY</u>
1.	Self-explanatory.
2.	Self-explanatory.
3.	Please see attached.
4.	Self-explanatory.
5.	Self-explanatory.

ITEM 3

**Reclamation District 1608
Maintenance and Capital Services Assessment District (MCSA)**

Ballot Tabulation Process & Procedures

Pursuant to

Section 4 of Article XIII D of California Constitution (Proposition 218)

Government Code Section 53753 (Proposition 218 Omnibus Implementation Act)

Government Code Section 54710 et. seq. (the Benefit Assessment Act of 1982)

Background

This Ballot Tabulation Plan governs the procedures for tabulating ballots received as part of the Proposition 218 ballot proceeding for the proposed Reclamation District 1608 (RD 1608 or Agency) Maintenance and Capital Services Assessment (MCSA). Further it establishes the procedures for members of the public wishing to observe the ballot tabulation. Any member of the public interested may observe the ballot tabulation as it occurs. The RD 1608 Board of Trustees (Board) respectfully requests that members of the public comply with rules of conduct outlined and described within this document. The rules are intended to ensure that the ballot tabulation process can be completed in an efficient and expeditious manner while ensuring transparency and fairness in the process.

Notice

This plan will be made available at the location where the ballots are to be tabulated. The Agency consultants and staff will direct inquiring members of the public to this Plan and Procedures.

Schedule Overview

Public Hearing:

March 25, 2025
Commencing at 6:30 PM
Mable Barron Elementary School
6835 Cumberland Pl, Stockton, California

Ballot Tabulation:

March 25, 2025
Commencing after the Public Hearing conclusion
Mable Barron Elementary School
6835 Cumberland Pl, Stockton, California

Unofficial Results Announced:

Following Tabulation

Official Results Announced

Wednesday, April 2, 2025
RD 1608 Board Meeting at 8:00 AM
Neumiller & Beardslee
3121 W. March Lane, Stockton, CA

Tabulation Contractor

Pursuant to Agency Board Resolution 24-07, Adopting Proposition 218 procedures for the MCSA Ballot Proceeding, Section 3 (E), employees of the assessment engineering firm, Larsen Wurzel & Associates, Inc. (LWA), and public outreach firm, Kim Floyd Communications (Floyd), collectively the “MCSA Contractors”, have been determined by the Board of Trustees of RD 1608 to be persons that do not have a vested interest in the outcome of the proposed assessment and been directed to perform the ballot tabulation. These people will tabulate the ballots pursuant to these procedures.

Ballot Custody

Mailed return ballots have been delivered directly to Neumiller & Beardslee. Hand delivered returned ballots deposited into the official ballot box located at that location and were collected from the Ballot Box for custody at Neumiller & Beardslee until the Public Hearing. All mailed and hand return ballots remain sealed in their return envelopes until the close of the public hearing and the start of the tabulation process. All ballots submitted at the public hearing on March 25, 2025, have been collected by the Secretary of the Board or its designee prior to the closing of the hearing in sealed envelopes. At the conclusion of the hearing, possession of the ballots and return envelopes will be turned over to MCSA Contractors for tabulation. At the conclusion of the tabulation, all ballot materials will be placed in sealed boxes or packages and turned over by LWA to the Agency for future custody. Pursuant to Resolution 24-07 Ballots will be retained by the Agency for minimum of two years after which they may be destroyed.

Ballots deemed undeliverable by the United States Postal Service

Mailed and undeliverable ballots returned by the United States Postal Service were returned to Neumiller & Beardslee’s offices at 3121 W. March Lane, Stockton, CA. When forwarding addresses were made available, undeliverable ballots were forwarded by Agency staff to the next known address of the property owner. All undeliverable ballots with no known forwarding address remained in the custody of the Agency as part of the official records of the ballot proceeding.

Tabulation Time

The actual tabulation of the ballots will begin immediately following the public hearing, on March 25, 2025. The tabulation will take place at Mable Barron Elementary School. The tabulation is expected to last no longer the evening of March 25th; however, in the event it takes more time, the tabulation will pause and recommence no earlier than 8:00 AM at the District’s Business Office located at Neumiller & Beardslee, 3121 West March Lane, Suite 100 on the next business day. Any member of the public who wishes to observe the ballot tabulation will be able to do so at this location.

Rules of Conduct for Tabulation Observers

Observers May:

- Observe the ballot tabulation from a location set aside for that purpose
- Take notes on the ballot tabulation procedures

Observers are Responsible for:

- Maintaining a respectful manner while observing the ballot tabulation processes
- Ensuring they do not interfere with the ballot tabulation processes

Observers May Not:

- Interfere in any way with the ballot tabulation
- Touch any ballot materials or equipment
- Talk to the tabulators while they are tabulating ballots
- Touch ballot tabulation personnel
- Assist in operations at the ballot tabulation site

Detailed Tabulation Procedures

The MCSA Contractors have been designated by the Agency to tabulate all ballots. LWA will direct all aspects of the ballot tabulation process. LWA will utilize the resources of the MCSA Contractors and Agency Staff to assist in the tabulation process.

Tabulation will occur in several steps as outlined below.

1) Opening / Sorting

The process will begin by opening the return envelopes and sorting all ballots received. Ballots submitted directly to the Secretary of the Board at the Public Hearing will be sealed by the Secretary in security envelopes. As such, only ballots returned in the official postage pre-paid ballot envelope will be opened and counted. Ballots returned in any other envelope will not be opened and included in the ballot tabulation proceeding. Ballot return envelopes will be opened by mechanical methods using a high-speed envelope opener. Ballots will be physically removed from official envelopes by hand and sorted.

Ballots will be sorted as follows:

Ballots will first be determined to be valid or invalid. A ballot is considered valid if it is:

- An Original or Revised / Replacement ballot produced by LWA;
- Contains a signature; and,
- Has a clear indication of a yes or no vote.

Photocopied ballots will not be counted. All other ballots will be considered preliminarily invalid. Invalid ballots will be sorted in a separate pile for review and further inspection (*see Invalid Ballot*

Inspection Below). Ballots deemed Invalid will not be included within the tabulation for purposes of determining a final outcome of the balloting proceeding, however, the Invalid ballots will be tabulated separately for purposes of reporting returns to the Agency.

Valid ballots will be sorted further by yes and no votes. Official Revised / Replacement ballots produced by the Agency will also be separated throughout this process. Any Revised / Replacement ballots, as indicated by being printed on colored paper, will be sorted in similar fashion as above (valid vs. invalid, valid by yes/no vote).

The sorting groups are as follows:

Original Ballots (White)

Yes

No

Revised / Replacement Ballots (Yellow for 1st, Blue for subsequent)

Yes

No

Revised / Replacement Ballots Cast at the Public Hearing (Green)

Yes

No

Invalid Ballots (either Original, Revised / Replacement)

subject to further inspection

Invalid Ballot Inspection & Marking

The Agency's General Counsel will make a final determination of whether a ballot is determined to be an Invalid ballot or not. If a ballot is determined to be invalid at the time of initial sorting, the reason as to why the ballot has been deemed invalid will be recorded on a slip of paper and stapled to the ballot by the staff initially sorting ballots. The preliminarily invalid ballot will be reserved for later review by Agency Counsel. Upon a final determination of a ballot being deemed invalid, the reason for the determination will be confirmed on the slip of paper with notes as needed made by Agency Counsel. If a ballot is determined to be valid, the reason as to why it was initially deemed invalid and then later found to be valid will be recorded on the slip of paper with notes made by Agency Counsel.

Damaged Ballot Inspection and Replacement

Valid damaged ballots (ballots damaged as part of opening and sorting, or ballots with wrinkles or folds) will be reviewed by LWA. A ballot is determined to be damaged if it cannot be run through the normal ballot tabulation scanning process. The vote (Yes/No) of a valid damaged ballot may be replicated on an official replacement ballot and run through the normal ballot tabulation procedures. After tabulation, a note will be signed by LWA on the Replacement ballot and it will be stapled to the Original damaged ballot.

Ballot Material Handling

At the time of opening, all ballot envelopes will be retained in boxes. Any materials returned with ballots within the envelopes (notes, checks, etc.) will also be retained for ultimate transfer to the Agency along with the tabulated ballots once the tabulation processes are complete. Should it be determined that it is necessary to return materials (i.e. bank checks) to property owners that have been mailed with the returned ballots, LWA staff will use its best efforts to take appropriate measures upon discovery of these items to record the pertinent information so that the Agency can make arrangements to return the materials.

2) Initial Tabulation

Prior to scanning, the sorted ballots (See Opening/Sorting above) will be batched in groups of 100 ballots.

Batching Process

A batch of 100 ballots will be created as follows. 50 ballots will be hand counted and weighed to determine the weight of 50 ballots. The weight of 50 ballots will be recorded. Based on extensive weight testing by LWA, a small batch of 50 ballots is within a clear detectable margin of error based on the accuracy of the scale utilized. Small batches of 50 ballots will be created by weighing ballots and adding or removing ballots until the weight matches the recorded amount. Two 50 ballot batches will be combined to make a single batch of 100 ballots. Each batch of 100 will be placed in a hanging folder and upon the initial scan, a batch number will be assigned. The batch number will be affixed to the batch.

All ballots have been produced with a unique bar code printed on the face of the ballot. The bar code corresponds to the unique parcels and their associated total special benefit assessment identified on the face of the ballot. Upon scanning the bar code, the tabulation software will return the total special benefit assessment represented by the parcels for the purposes of determined weighted vote of the ballot.

As the ballots in each batch are scanned, the batch number will be entered with the scan within the tabulation model. As ballots are scanned, on a random basis, additional confirmation of the sorting group will take place (i.e., a Valid Yes or No vote, and ballot paper color will be confirmed). The scanning process, however, is intended to take place in a rapid fashion to expedite the tabulation process. The count of the ballots scanned within each batch from tabulation will be confirmed to ensure that 100 ballots have been scanned. If the scanned count deviates from 100 ballots, then the data scanned will be removed from the model and the batch will be rescanned. If the count deviates again, then the count of ballots in the batch will be manually confirmed to ensure that physical number of ballots in the batch matches the amount of ballots scanned by the ballot tabulation machine.

Original valid ballots will be the first group scanned into the MS Excel ballot tabulation software. Batches of Yes and No votes will be randomly selected for tabulation.

At the conclusion of the scans, a duplication check will be made for duplicate scans of ballots. This will be completed by sorting the scanned ballot ID Numbers by numerical value and running an algorithm within MS Excel to check for duplicate values. If a duplicate scan is recorded, the physical batches within which the duplicate ballot is found will be examined to determine if the error was due to two physical ballots being scanned or duplicate scans of the same ballot. If two physical ballots exist, and one is determined to be a copy (that was not originally removed from validation process), that copy will be removed. Note - Two Original ballots with duplicate ballot ID's cannot exist as duplicates have not been produced.

During the scanning process, the scanning machinery shall be monitored to ensure each ballot is properly scanned. In the event of a malfunction with the scanning machinery, the entire batch will be recounted to ensure accuracy.

When ballots cast at the public hearing (Green) and Revised / Replacement (Yellow and Blue) ballots are scanned any ballots cast for Original ballots will void the respective Original ballot automatically in the tabulation software. As such, the Original ballot will not be counted (see Revised / Replacement ballots and Tabulation below). Correspondingly, any Valid Revised / Replacement ballots cast at the public hearing will override any Original, previously cast Revised / Replacement ballots of the same ballot ID.

Revised / Replacement Ballot Tabulation

Throughout the ballot proceeding time period, property owners have requested Revised and/or Replacement ballots. In the event that an Original Ballot has been submitted and a subsequent later Revised / Replacement ballot has been returned, the Original Ballot will not be counted. The tabulation software will "overwrite" all prior submitted ballots. Only the last ballot submitted, as indicated by the color of the ballot will be included in the tabulation.

In the event that a Revised / Replacement ballot has been issued to replace an Original ballot due to Property Ownership changes since the last secured roll, the Original ballot, if returned, will not be counted. In this case, the Original Ballot has now become Invalid.

In some cases, the Agency has issued Revised / Replacement ballots to reflect necessary adjustments to assessments and/or ballots. Examples of these scenarios include;

- Modifications to property attributes that impact special benefit, or property ownership changes;
- Separation of multiple parcels on a single ballot (e.g., a parcel has been removed from a ballot and issued a new ballot due to ownership changes); or,
- Other reasons resulting in the need to issue a replacement ballot.

In most, if not all cases, this has resulted in lower proposed assessments. In the case where an Original ballot has been returned by a property owner, but a later Revised / Replacement ballot has been issued that resulted in a lower assessment, and that Revised / Replacement **has not been returned**, the Original ballot will be included in the tabulation. However, the weight of that

ballot will be adjusted to reflect the corrected amount of special benefit. This ensures that the appropriate amount of special benefit is reflected in the protest ballot proceeding. In this case, as part of the tabulation, any Original ballot that has had the weight of ballot modified as part of the tabulation, will have an adhesive label attached to the ballot that reflects the updated weight of ballot included in the tabulation. After the scanning process, the software will indicate such ballots where this is the case and the adjusted ballot shall be located in the appropriate batch and the label will be affixed to the ballot to reflect the revised weight of the ballot. This ensures that the ballot, which is a disclosable public record, physically reflects the amount tabulated.

In the event that a Revised / Replacement ballot has been issued in place of Original ballot, and the weight of the Revised / Replacement ballot **has increased the assessment**, the Original ballot, if returned, will not be counted. In this case, the Original Ballot has now become Invalid.

3) Secondary Tabulation

Each ballot will be scanned twice, once each by two different independent scanners to confirm accurate tabulation results. Scanner A and Scanner B will perform independent tabulation. Scanner A and Scanner B will each have a computer with the tabulation model attached that should include the same batches of ballots.

To ensure accurate tabulation, the total Valid Yes/Valid No ballot counts of all ballots should reconcile in both tabulation models. Differences between the two systems will be able to be highlighted based on the batch numbering of the scans and if the data does not match, the batch with the discrepancy will be physically rescanned to determine the error (in both the initial tabulation and secondary tabulation). The error will be reconciled and the data in the first or secondary scan will be corrected to ensure the dual tabulation processes reconcile.

4) Invalid Ballot Tabulation

During the initial tabulation of all Valid ballots, the Invalid ballots will also be scanned into the system by the Assessment Engineer to record and count the weight of Invalid ballots cast. The scanning of Invalid ballots is for the purpose of reporting returns only.

5) Announcement of Un-Official Results

At the conclusion of the reconciliation of the data between the Initial and Secondary Tabulation, preliminary ballot tabulation results will be announced. A summary of the tabulation results will be printed from the tabulation model. The results will be considered unofficial and subject to change upon final data validation as described below and the submission of a Final Tabulation Report by LWA to the Agency. Official results will be announced and a Final Tabulation Report will be transmitted to the RD 1608 Board at its Regular Board Meeting on April 2, 2025.

6) Data Validation

LWA will validate a portion of the data scanned into the ballot tabulation model to ensure that the sorting was correct and the correct data from ballots was entered into the tabulation model.

Data validation will occur for at least 10% of the tabulated ballots for all sort groups of Valid ballots. The Invalid ballots will have undergone additional scrutiny and verification, and do not require additional validation.

For example, if there are 1,000 Valid ballots counted, there is expected to be ten batches with each batch containing 100 ballots of the same sorted group. A minimum of 10 ballots from each batch will be randomly selected for Data Validation.

To complete the data validation, the random ballots will be scanned into the data validation portion of the tabulation model. This portion of the model returns the data scanned into the model during the prior steps. The data returned will be reviewed to ensure that the information recorded in the ballot tabulation model for the relevant record is correct and matches the information on the physical ballot. If the results from the 10% selection match the original scans, then data entered will be considered verified. If the results from the 10% selection do not match, then the entire ballot tabulation process will be repeated.

Ballot Material Handling Note

At the conclusion of the ballot tabulation, all ballots (as sorted and noted in the batches) will be retained in boxes for transfer to the Agency once the tabulation is complete. The ballot proceeding materials will be transferred along with the tabulation results data. All boxes containing ballots and envelopes will be sealed. Each box will be numbered and a manifest listing each box and its contents will be provided to RD 1608. If RD 1608 intends to transfer the ballot materials to a records retention service provider, the manifest information will be organized and provided to ensure ease of access from records storage.

**RECLAMATION DISTRICT NO. 1608
RESOLUTION 2024-07**

**RESOLUTION ADOPTING PROPOSITION 218 PROCEDURES FOR THE
MAINTENANCE AND CAPITAL SERVICES ASSESSMENT BALLOT
PROCEEDING**

WHEREAS, the Reclamation District No. 1608 (“District”) adopted Resolution No. 24-06 (“Resolution of Intention”) initiating the proceedings to establish an assessment district, and indicating its intention to levy assessments, preliminarily approving an Engineer’s Report, and providing for notice of a public hearing and ballot process, all for the formation of a new special benefit assessment district and the levy of special assessments on properties therein receiving special benefit, which assessment district is referred to herein as the Maintenance and Capital Services Assessment District (“MCSA”); and

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

WHEREAS, Article XIID of the California Constitution imposes certain procedural and substantive requirements relating to assessments; and

WHEREAS, the District believes it to be in the best interest of the community to set forth its decisions regarding implementation of the provisions of Proposition 218 relating to the proposed MCSA; and

WHEREAS, the purpose of this Resolution is to approve the ballot procedures for the proposed MCSA; and

WHEREAS, upon completion of the tabulation of the ballots received, if there is no majority protest (votes in favor outweigh votes opposed, weighted according to the proportional assessment financial obligation of each affected property), then the Board of Trustees may, by action at a future Board meeting, consider adoption of a Resolution forming the MCSA and authorizing the levy of special assessments on the properties included therein.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED, by the Board of Trustees of Reclamation District 1608 that:

SECTION 1. Statement of Legislative Intent.

It is District’s intent in adopting this Resolution to adopt assessment ballot proceedings for the proposed MCSA that are consistent, and in compliance, with Articles XIIC and XIID of the California Constitution and with California Government Code section 53750 et. seq., the Proposition 218 Omnibus Implementation Act, and Government Code section 54703 et seq., the Benefit Assessment Act of 1982, which collectively govern the provisions authorizing the formation of the proposed MCSA and the levy by the District of special assessments on property therein.

SECTION 2. Existing District Assessments.

The District currently imposes one annual Operations and Maintenance assessment. This assessment is as determined by the related Engineer's Reports and analyses that were prepared at the time of formation of the applicable assessment district and that are updated annually as part of the annual levy of the assessments. This assessment will expire in fiscal year 2024-25 and will cease to be levied and is exempt from the procedures in this Resolution.

SECTION 3. Assessment Ballot Proceeding.

The following procedures shall be used in the assessment ballot proceeding for the proposed MCSA, and are intended to satisfy the requirements of Article XIID, Section 4 of the California Constitution and other applicable law:

- A. Mailed Notice. The following guidelines shall apply to the mailed notice of the proposed assessment pursuant to Article XIID, Section 4, of the California Constitution, Government Code section 53753, and Government Code section 54716 (c).
1. For all mailed notices, the record owner(s) of each parcel to be assessed and their mailing address shall be determined from the last equalized property tax roll prepared and made available to the District by the San Joaquin County Assessor. If the property tax roll indicates more than one owner, each owner shall receive notice at the mailing address provided. Only property owners shall receive notice.
 2. The mailed notice may be combined in a package with the assessment ballot described in Section 3.E. below. The form of mailed notice and assessment ballot package will be made available and accepted by the Board of Trustees prior to its use and distribution.
 3. The mailed notice shall be sent at least forty-five (45) days prior to March 25, 2025, the date set for the public hearing on the proposed MCSA. An affidavit of mailing from the contracted vendor providing mailing services indicating the date of mailing shall be the date of the notice for purpose of determining the forty-five day minimum notice requirement.
 4. The notice described above, shall supersede and be in lieu of any other notice to levy or increase an assessment, including but not limited to any notice required by Government Code section 54954.6.
 5. It is the intention of the District to use best efforts, based on the procedures above and below, for property owners to receive their ballots, and as such the failure of any person to receive a notice duly mailed will not invalidate the proceedings.

6. The cost of providing notice shall be included as a cost of the MCSA.
7. The District, upon the receipt of any returned ballots from the United States Postal Service, for any reason, will utilize its reasonable best efforts to forward the notice to the owner of record of the parcels associated with the returned notice as shown in the San Joaquin County Assessor's records or otherwise known to the District. Failure of the District to determine a valid mailing address for an owner of record shall not invalidate the proceedings to form the MCSA.

B. Posted Notice

1. A notice of the proposed MCSA shall be posted on the internet website of the District.
2. The content of the notice to be posted is attached to this Resolution as **Exhibit A**.
3. The notice shall be posted at least two weeks prior to March 25, 2025, date of the public hearing.

C. Assessment Ballot and Notice. The following guidelines shall apply to the assessment ballot and written notice package:

1. The ballot required by Article XIID, section 4(d) of the California Constitution and Government Code section 53753 shall be mailed with the mailed notice described in Section 3.C. to all owners of record of property within the proposed MCSA at least forty-five (45) days prior to March 25, 2025, date of the public hearing.
2. Together, the written notice and ballot and shall contain the following information and will be made available and accepted by the Board of Trustees prior to its use and distribution.
 - a. The total amount to be charged to all parcels within the proposed MCSA;
 - b. The amount to be charged to the property owner's particular parcel(s);
 - c. The duration of the assessment payments;
 - d. The reason for the proposed assessment;
 - e. The basis upon which the amount of the proposed assessment was calculated;
 - f. A summary of the procedures for the completion, return and tabulation of the ballots;
 - g. The date, time, and location of the public hearing on the proposed assessment;

- h. How the property owner can obtain a copy of the Engineer's Report for the assessment;
 - i. A statement that the receipt of a majority of ballots (weighted by the proportional assessment financial obligation of the related parcel) in opposition to the proposed assessment will result in the assessment not being imposed;
 - j. On the face of the envelope in which the notice of election and ballot are mailed, there shall appear in substantially the following form in no smaller than 16-point bold type: "OFFICIAL BALLOT ENCLOSED"; and
 - k. The address for return of the ballot, the date and location where the ballots will be tabulated, and a place where the person returning it may indicate his or her name, a reasonable identification of the parcel, and his or her support or opposition to the proposed assessment.
3. All ballots must be returned to the District by mail or in person to Reclamation District No. 1608, c/o Neumiller & Beardslee, 3121 West March Lane, Suite 100, Stockton, California. Ballots must be sealed in the envelope provided with the ballot materials, not later than 5 p.m., March 25, 2025. In person ballots will be accepted prior to the close of the public hearing at 6:30 p.m., March 25, at Mable Barron Elementary, 6835 Cumberland Pl, Stockton, CA 95219.
4. Each envelope provided by the District for the return of ballots shall be a "security envelope" which conceals the contents therein.
5. A ballot must be signed under penalty of perjury. For properties with more than one owner of record, ballots will be accepted from each owner of record. Each owner of record is entitled to vote. If more than one owner of record votes, the District shall apportion the voting rights between the owners based upon the respective record interests as the District deems correct, proper, and appropriate. However, if only one owner of record votes, the District shall tabulate that vote on behalf of the entire parcel.
6. Because assessments are levied on property and tenants are not directly liable to the District for payment of assessments, a tenant or lessee of real property shall not have the power or authority to submit an assessment ballot.
7. Only ballots with original signatures, not photocopies of signatures or DocuSign signatures, will be accepted. Ballots will not be accepted via e-mail. Ballots not submitted in the security envelope provided by the District shall not be counted.
8. Upon written request, the District will provide a duplicate ballot to any property owner whose original ballot was lost or destroyed. Such ballots shall be clearly marked as duplicate ballots and shall be accompanied by sufficient information for

the Secretary of the District to verify the location and ownership of the property in question and the identity of the individual casting the ballot to verify its authenticity.

9. The assessment ballot proceeding is not an election.
10. Assessment ballots shall remain sealed until the tabulation of ballots commences after the conclusion of the public hearing on the MCSA. An assessment ballot may be submitted, changed, or withdrawn by the person who submitted the ballot prior to the conclusion of the public testimony on the proposed MCSA at the public hearing.
11. During and after the tabulation, the assessment ballots shall be treated as disclosable public records, and will be equally available for inspection by the public, including by the proponents or the opponents of the proposed MCSA. The right of inspection shall be limited by such reasonable conditions as may be imposed by the District's staff and consultants, recognizing the need for public safety and to ensure an orderly and efficient tabulation process.
12. Prior to the public hearing, neither any assessment ballot nor any envelope in which a ballot is submitted shall be treated as a public record, pursuant to applicable law, in order to prevent potential unwarranted invasions of the submitter's privacy and to protect the integrity of the balloting process.

D. Public Hearing.

1. At the public hearing on the MCSA, the Board of Trustees of the District shall hear public testimony regarding the proposed MCSA and accept ballots until the close of the public hearing which hearing may be continued from time to time.
2. The Board of Trustees of the District may impose reasonable time limits on both the length of the entire public hearing and the length of each speaker's testimony.
3. At the conclusion of the public hearing, the Board of Trustees of the District shall direct the tabulation of the ballots, including those received during and prior to the close of the public hearing.
4. If it is not possible to tabulate the ballots on the same day as the public hearing, or if additional time is necessary for public testimony, the Board of Trustees of the District may continue the public hearing to a later date to receive additional testimony, information, or to finish tabulating the ballots; or may close the public hearing and continue the item to a future meeting to finish tabulating the ballots.

E. Tabulating Ballots. The following guidelines shall apply to tabulating assessment ballots:

1. Pursuant to Government Code Section 53753(e), impartial persons designated by the Board of Trustees of the District who do not have a vested interest in the outcome of the proposed MCSA shall tabulate, in public view, the assessment ballots submitted, and not withdrawn, in support or opposition to the proposed MCSA. The employees of the assessment engineering firm, Larsen Wurzel & Associates, Inc., and public outreach firm, Kim Floyd Communications, have been determined by the Board of Trustees of the District to be persons that do not have a vested interest in the outcome of the proposed assessment.
2. It is expected that the Board of Trustees will continue the hearing after tabulation on the same day and at the same location as the public hearing.
3. The ballot tabulation will take place at a location viewable by the public. The ballots shall be unsealed and tabulated in public view so as to permit all interested persons to meaningfully monitor the accuracy of the tabulation process.
4. The impartial persons tabulating the ballots may use technological methods of tabulating the assessment ballots, including, but not limited to, optically readable (bar-coded) assessment ballots and machinery to aid in the rapid and efficient scanning of the optically readable (bar-coded) assessment ballots.
5. The District shall determine the validity of all ballots. The District shall not accept as valid those ballots in the following categories:
 - a. A photocopy of a ballot which does not contain an original signature;
 - b. An unsigned ballot;
 - c. A ballot signed by an individual claiming to represent the owner without an affidavit;
 - d. A ballot which lacks an identifiable "yes" or "no" vote;
 - e. A ballot which appears to be materially tampered with, marred, defaced, split into two or more parts without repair performed by the signatory, or other similar circumstances;
 - f. A ballot which is submitted on a form which is different than the form of ballot provided by the District;
 - g. A ballot submitted to the District via e-mail; or
 - h. A ballot not returned in a District issued "security envelope."

The District's decision, after consultation with its counsel, that a ballot is invalid, shall be final and may not be appealed to the Board of Trustees of the District.

6. During and after the tabulation, the assessment ballots shall be treated as disclosable public records, as defined in the Public Records Act, and equally available for inspection by the proponents and the opponents of the proposed MCSA. The right of inspection shall be limited by such reasonable conditions as may be imposed by the District's staff and consultants, recognizing the need for public safety and to ensure an orderly and efficient tabulation process.
7. The ballots and all materials associated with the tabulation of the ballots shall be preserved by the District for a minimum of two years, after which they may be destroyed.
8. A property owner who has submitted an assessment ballot may withdraw the ballot and submit a new or changed ballot at any time prior to the conclusion of the public hearing on the MCSA.
9. A property owner's failure to receive a duly mailed assessment ballot shall not invalidate the ballot proceedings.
10. If according to the final tabulation of the ballots, ballots submitted and not withdrawn against the proposed assessment exceed the ballots submitted and not withdrawn in favor of the assessment, weighted according to the proportional financial obligation of each affected property, a "majority protest" exists and the Board of Trustees of the District shall not impose the new assessment.
11. If according to the final tabulation of the ballots, ballots submitted and not withdrawn against the proposed assessment do not exceed the ballots submitted and not withdrawn in favor of the assessment, weighted according to the proportional financial obligation of each affected property, a "majority protest" does not exist and the Board of Trustees of the District may proceed with the consideration of the formation of the MCSA and the levy and collection of the related assessments on property in the MCSA.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District No. 1608 at a meeting thereof held on this 4th day of December 2024, by the following vote TO WIT:

AYES: Dan MacDonnell, Dottie Lofstrom
NOES: 0
ABSTENTION: 0
ABSENT: Michael Panzer

RECLAMATION DISTRICT NO. 1608
A Political Subdivision of the
State of California

By: 
DOTTIE LOFSTROM, Trustee

ATTEST:


ELVIA TRUJILLO, Secretary

CERTIFICATION

I, ELVIA TRUJILLO, Secretary of Reclamation District No 1608, do hereby certify that the foregoing is full, true and correct copy of a resolution of Reclamation District No. 1608 duly passed and adopted at a regular meeting of the Board of Trustees thereof held on the 4th day of December 2024.

Dated: _____, 2024

ELVIA TRUJILLO, Secretary

Exhibit A

HOW TO COMPLETE & RETURN YOUR BALLOT

Ballots must be received before the close of the public hearing on Tuesday, March 25. By law, ballots received after the close of the public hearing cannot be accepted or counted.

TO COMPLETE YOUR BALLOT:

- 1 Cast your **VOTE** by marking an "X" in the box next to "Yes" or "No"
- 2 Print and **SIGN**
- 3 **DATE** your ballot
- 4 Place your entire ballot in the **POSTAGE-PAID RETURN ENVELOPE**

IMPORTANT!

Do not tear off any portion of the ballot or it may not be accepted.



TO RETURN YOUR BALLOT:

- A) BY MAIL** — Ballots must be in the postage-paid security envelope, mailed and received no later than 5 p.m., Tuesday, March 25. Postmarks cannot be accepted..
- B) BY HAND** — Place in the security envelope and
- **Deliver to RD 1608's secure ballot box at Neumiller & Beardslee**, 3121 W. March Lane, #100, Stockton, no later than 5 p.m., Tuesday, March 25; or.
 - **Deliver to the public hearing** at 6:30 p.m., Tuesday, March 25, at Mable Barron Elementary School, 6835 Cumberland Place, Stockton.

IMPORTANT!

You must return the official ballot in the security envelope (photocopies and regular envelopes can't be accepted). Please don't tear any portion of the ballot or it may not be accepted. If you need a replacement ballot and/or security envelope, please contact us at 209-475-7861, or info@rd1608.com.

"YES" OR "NO," WHAT HAPPENS?



Existing assessment ends in June 2025

New replacement assessment begins in July 2025, and RD 1608's levee maintenance program will be adequately funded

RD 1608 will invest 100% of assessment revenues into levee maintenance activities and capital services

RD 1608 levees will remain accredited by FEMA, and property owners can voluntarily purchase lowest-cost flood insurance

RD 1608 can assure state and federal agencies that it can maintain USACE levee improvements to state and federal regulations



Existing assessment expires in June 2025, cutting RD 1608's budget by 45%

Levee maintenance and capital services will be significantly reduced

Levees will degrade more quickly, increasing the likelihood of a flood

Ultimately, levees won't meet state and federal regulations for flood protection

The community will be at risk of being "mapped" into a FEMA Special Flood Hazard Area. In that case, any property with a mortgage would be required to carry high-cost flood insurance

ABOUT RD 1608

RD 1608, a public agency formed in 1914, is responsible for operating and maintaining levees that reduce flood risk for approximately 3,000 properties and 9,000 residents in Lincoln Village West. RD 1608 is governed by a three-member elected Board of Trustees composed of property owners within the district's boundaries. [Learn more at www.rd1608.com.](http://www.rd1608.com)

Reclamation District 1608

PROPOSED PROPERTY ASSESSMENT FOR LEVEE MAINTENANCE & CAPITAL SERVICES *to Replace Assessment that Expires in June 2025*

Official Notice & Ballot Information Guide

Questions?

www.rd1608.com | info@rd1608.com | 209-475-7861

VISIT RD 1608'S WEBSITE FOR MORE INFORMATION:

Assessment calculator

Preliminary Draft Engineer's Report

Frequently asked questions

District Budgets & Audits



COMMUNITY MEETING & PUBLIC HEARING

Community Meeting

6:30 p.m., Wed., February 19

Mable Barron Elementary

Multi-Purpose Room

6835 Cumberland Place, Stockton

Public Hearing

6:30 p.m., Tue., March 25

Mable Barron Elementary

Multi-Purpose Room

6835 Cumberland Place, Stockton

EXISTING PROPERTY ASSESSMENT ENDS JUNE 2025

Reclamation District 1608 [RD 1608] is the public agency responsible for maintenance of 3.5 miles of levees along the waterways that nearly surround Lincoln Village West. These levees are Lincoln Village West's only defense against flooding from the Delta along Fourteen Mile and Five Mile Sloughs.

Proper levee maintenance is critical to providing a strong level of flood protection, especially during storms and high-water events. RD 1608's operations are funded in near equal amounts by an annual property assessment approved by property owners in 2010, and a percentage of property taxes. The existing property assessment will end on June 30, 2025. This will leave RD 1608 with little more than one-half of its required annual operating revenues.

PROPOSED PROPERTY ASSESSMENT TO REPLACE EXISTING ASSESSMENT

RD 1608 cannot continue providing a high-level of flood protection unless the annual property assessment that ends on June 30, 2025, is replaced. Therefore, RD 1608 is proposing a new annual property assessment to replace the one that's ending. The proposed assessment also updates how assessments are calculated to comply with CA Proposition 218 law. This is the law that outlines requirements for property-related charges.

RD 1608's existing assessment generates approximately \$298,000 per year for levee maintenance and repairs. This amount has not increased since being approved by property owners in 2010, not even for inflation. The proposed replacement assessment is expected to generate \$330,000 in Fiscal Year 2025-26, which represents a modest increase to account for increases in labor costs and materials/supplies over the past 15 years. The proposed property assessment does allow annual adjustments for inflation, but only with RD 1608 Board approval (the lesser of CPI, or a maximum of 4%).

ASSESSMENT REVENUES PAY FOR LEVEE MAINTENANCE AND REPAIR

RD 1608 uses 100 percent of property assessment revenues on levee maintenance and repairs that prevent flooding. It employs one full-time superintendent and four part-time maintenance workers to ensure the levees meet state and federal flood protection regulations. Activities include:

- Routine inspection of levees and drainage facilities
- Removal of debris that obstructs flood flows, or otherwise damages levees
- Maintenance of channel depth to provide access to marine mounted equipment (material and crane barges)
- Vegetation removal and control
- Rodent removal and control
- 24/7 levee patrol during high water warning and flood stages
- Resurfacing of levee maintenance and patrol roads
- Erosion repair and protection
- Repair of levee embankments
- Storing and maintaining emergency flood fight materials
- Inspection and repair of gates
- Placement and distribution of sandbags and riprap during high water events
- State and federal environmental permit application and compliance
- Identification of encroachments and coordination with property owners to remove any that threaten levee stability/integrity

RD 1608 also certifies levees for Federal Emergency Management Agency (FEMA) accreditation. FEMA accreditation prevents the community from being "mapped" into a FEMA Special Flood Hazard Area and being subjected to mandatory flood insurance.

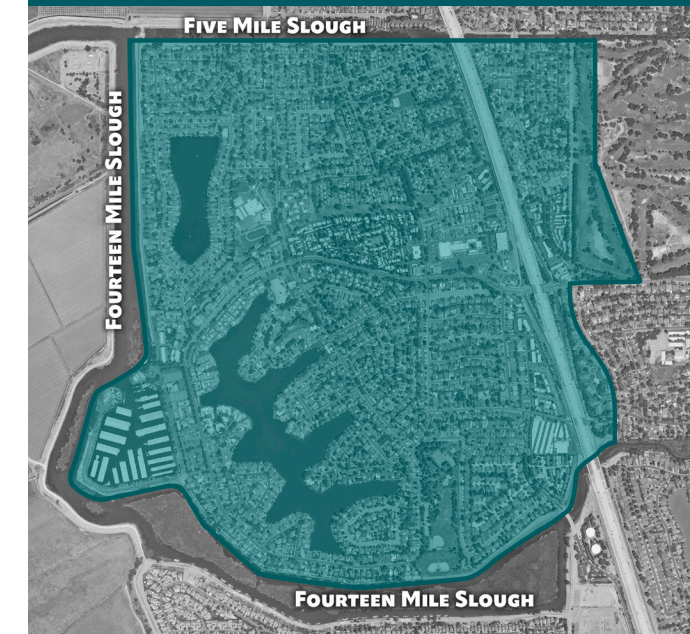


HOW PROPOSED ASSESSMENTS ARE CALCULATED

Under CA Proposition 218 law, only properties that receive benefit from the Agency's levee maintenance activities can be assessed. The benefit to each property is the avoidance of flood damage to land and structures due to proper levee maintenance. Each property's assessment is different based upon the following factors:

- Land use type (e.g., Single-family residential; Commercial; Industrial)
- Parcel size (acreage)
- Structure square footage
- Average depth of flooding

RD 1608 BOUNDARY MAP



VISIT [RD1608.COM/ABOUT-US-2/](https://rd1608.com/about-us-2/) PROPOSED-PROPERTY-ASSESSMENT TO:

- Use the Assessment Calculator to review the factors for your property's proposed assessment, and to compare your existing assessment to your proposed assessment
- Review the Preliminary Draft Engineer's Report, which details the assessment methodology

Reclamation District 1608

C/O Neumiller & Beardslee
3121 W. March Lane, #100
Stockton, CA 95219

**OPEN PROMPTLY
OFFICIAL ASSESSMENT BALLOT
INSIDE**

OFFICIAL BALLOT PROPOSED ANNUAL ASSESSMENT

Property Owner; Parcel Number; Site Address

Total Proposed Annual Assessment:

SAMPLE BALLOT

Existing Annual Assessment
(expires June 2025):

Net Change in Annual Assessment (+/-)

HOW TO COMPLETE YOUR BALLOT

1. Mark an "X" in the box next to "Yes" or No"
2. PRINT, SIGN, and DATE your ballot in the spaces provided.
3. DO NOT TEAR YOUR BALLOT. Ballots that are torn cannot be counted. Place the entire ballot into the postage-paid official ballot return envelope and return by either:
 - a) Mailing the ballot in the postage-paid security envelope. Ballots must be received no later than 5 p.m., Tuesday, March 25, 2025. Postmarks will not be considered.
 - b) Delivering by hand to Neumiller & Beardslee, 3121 W. March Lane, #100, Stockton, no later than 5 p.m., Tuesday, March 25.
 - c) Delivering by hand to the public hearing at 6:30 p.m., Tuesday, March 25, at Mable Barron Elementary School, 6835 Cumberland Place, Stockton.

Ballots must be received before the close of the public hearing. Ballots received after the close of the public hearing cannot be accepted as per state law.

Need a replacement ballot? Contact us at 209-475-7861, or info@rd1608.com.

BALLOT QUESTION

Shall Reclamation District No. 1608 (District) establish a new assessment district and levy an assessment commencing in fiscal year 2025/26 and increasing annually by the annual change in the Consumer Price Index up to a maximum of 4% per year, on all parcels within the boundary receiving special benefit, generating a total levy of \$330,000 in fiscal year 2025-26 and increasing thereafter, to pay for levee and flood control capital improvements, operation and maintenance services of benefit to parcels within the assessment district area, with the assessment ongoing in perpetuity for as long as services are provided, all as described in the Preliminary Report dated November 13, 2024, and with the approval of the District Board of Trustees?

THIS IS A WEIGHTED BALLOT. The total votes for this ballot equal the total proposed annual assessments in the box above.

YES, I support the proposed annual assessment.

NO, I oppose the proposed annual assessment.

The assessment will not be imposed if the ballots submitted, and not withdrawn, in opposition to the assessment exceed the ballots submitted, and not withdrawn, in favor of the assessment, with ballots weighted according to the proportional financial obligation of the affected property.

Property Owner/Authorized Representative must sign in his/her own handwriting for ballot to be counted:

SIGNATURE of Owner/Authorized Representative (DO NOT PRINT)

Date

Name of Owner/Authorized Representative (PRINT)

Witness Signature*

*Only required if property owner is unable to sign due to illness or injury. In that case, he/she may make a mark witnessed by one person.

PLEASE READ THE BACK OF THIS BALLOT AND THE BALLOT INFORMATION GUIDE FOR MORE INFORMATION

Ballots must be received before the close of the public hearing on Tuesday, March 25. By law, ballots received after the close of the public hearing cannot be accepted or counted, in accordance with California Proposition 218 law.

WHY DID I RECEIVE THIS BALLOT?

In 2010, RD 1608 property owners approved a 15-year assessment to fund a portion of ongoing operations, maintenance, capital projects, and assessment administration costs. The 2010 Assessment totaled \$298,830.64 per year for each of the fifteen years. Increases for inflation were not allowed, so RD 1608 has lost purchasing power as a result. The 2010 assessment will expire on June 30, 2025.

Property assessments account for about 45% of RD 1608's total revenue. The remainder comes from a portion of ad valorem property taxes and funding from the State's Delta Levees Maintenance Subventions Program. The purpose of the proposed assessment is to replace the 2010 assessment.

A proposed annual assessment of \$330,000 is required to fund operation, maintenance, and capital project Services to provide no less than 100-year flood protection. The specific maintenance activities may include, but are not limited to levee inspections and evaluations, debris cleanup, spraying for weed control, rodent control, levee patrols during warning and flood stages, encroachment permitting and compliance monitoring, resurfacing of levee roads when required to keep them passable for patrolling and maintenance purposes, replacing erosion protection materials as needed, in-channel vegetation and capacity management, repair of the embankment to ensure levee integrity, and general operations and administration of the agency required to provide flood protection services. Additionally, Services include capital projects as needed to maintain levels of protection.

The proposed assessment, in combination with RD 1608's other revenue sources, will also provide for reserves to support capital projects, for emergency response and preparedness services, routine repair, rehabilitation, and replacement of facilities, and would be levied in perpetuity so long as the Services are provided.

To ensure that RD 1608 can provide the needed Services over time, it is important to allow for an increase to address the rising costs of labor, supplies, and materials. Therefore, the maximum authorized assessment may be increased based on the annual change in the Consumer Price Index for San Francisco- Oakland-Hayward, subject to a minimum of zero percent and a maximum of 4% in any given year, and only upon approval by the RD 1608 Board of Trustees. The adjustment to the maximum authorized assessment would be applied to the prior year's annual assessment rate.

Questions?

Assessment Hotline
(209) 475-7861

Email
info@rd1608.com

<https://rd1608.com/about-us-2/proposed-property-assessment/>

Reclamation District 1608

DO NOT OPEN

ASSESSMENT BALLOT ENCLOSED

PLACE
STAMP
HERE

RECLAMATION DISTRICT 1608
C/O NEUMILLER & BEARDSLEE
3121 W. MARCH LANE, #100
STOCKTON, CA 95219