



LARSEN WURZEL  
& Associates, Inc.

*DEREK LARSEN, Principal • SETH WURZEL, Principal*

August 26, 2015

Ms. Cate Kuhne  
Reclamation District No. 2059  
PO Box 1059  
Oakley, CA 94561

Dear Ms. Kuhne:

Enclosed please find the final report related to the tabulation of the Assessment Ballot Proceeding for the proposed Reclamation District No. 2059 Operations and Maintenance Assessment dated August 04, 2015.

If you have any questions regarding the information within this report, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott L. Brown", is written over a horizontal line.

Scott L. Brown, PE  
Senior Vice President  
Larsen Wurzel & Associates, Inc.

## FINAL REPORT

### Reclamation District No. 2059 Operations and Maintenance Assessment Ballot Proceeding Tabulation

August 07, 2015

To the Board of Trustees of the  
Reclamation District No. 2059:

Larsen Wurzel & Associates, Inc. (LWA) has performed the tasks described in the Ballot Tabulation Procedures for the proposed Operations and Maintenance Assessment summarized below. These procedures were solely to assist Reclamation District No. 2059 (the "District" or "RD 2059") in tabulating ballots in favor of and opposition to the proposed assessment. The sufficiency of these procedures is solely the responsibility of the District. Consequently, we make no representation regarding the sufficiency of these procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures related to the Ballot Proceeding for the RD 2059 Operations and Maintenance Assessment performed were as follows:

- 1) A data processing system was prepared for the efficient preparation, production and subsequent tabulation of the ballots.
- 3) LWA provided their addresses for the return of the ballots and the ballots were collected during the balloting period and then maintained at a secure location within their offices in Sacramento.
- 4) LWA attended the Public Hearing at the close of the balloting period. Any ballots cast and received prior to the close of the Public Hearing were included within the ballot tabulation.
- 5) LWA directed the canvass of all ballots received from the total potential 63 ballots issued pursuant to the criteria outlined within our Ballot Tabulation Plan provided August 04, 2015. In summary, the tabulation criteria included the following steps:
  - A) Opening / Sorting: LWA directed the opening and sorting all of the ballots into three categories, Valid Yes Votes, Valid No Votes, and Invalid Votes. A ballot was considered valid if it contained a signature matching the name of the property owner on the ballot and a clear indication of a "yes" or "no" vote. Any other ballot was initially considered invalid and subject to review by District Counsel. District Counsel provided the final determination of all Ballots to be considered Invalid. If replacement ballots had been issued, they would have also been separated and sorted throughout this process in the same manner as original issued ballots, however, none were issued.
  - B) Data Entry: Original valid ballots were entered into two separate (but identical) ballot tabulation excel models. In their respective ballot tabulation excel model, appointed committee member #1

accounted for all yes votes and appointed committee member #2 accounted for all no votes. The ballots were then switched and recorded so that committee member #1 entered all no votes and committee member #2 entered all yes votes into their respective ballot tabulation excel model. If any replacement ballots had been issued, once the original ballots were entered, the replacement ballots would have been entered into the system, however, none were issued. During this process, had any valid replacement ballot vote cast for an original ballot already tabulated would have been automatically overwritten and the original vote would not have counted. Invalid ballots were also entered into the system to record the count and the weight of invalid ballots cast as well as the reason for invalidation.

C) Data Validation: Once the data entry was completed and all differences from the original and secondary entries were reconciled, preliminary results of the tabulation were tested. Nine of the 36 ballots received (25%) of the tabulated ballots were run through a verification process. The physical information on the ballots was compared to the results in the data processing system to ensure that the information in the program matched the physical ballot information. The results from the verification process matched the data within the software, thus the results were considered certifiable according to the established criteria.

- 6) As part of the ballot tabulation calculations, each valid yes or no vote was multiplied by the amount of the property owner's proposed assessment indicated on the ballot to determine the weight of each vote.
- 7) LWA summed all of the valid weighted yes votes and all of the valid weighted no votes in order to determine which response had the highest weighted vote.

The canvass of the assessment ballots submitted by property owners is now complete and LWA certifies in accordance with the established procedures and criteria enumerated above that the ballots cast were as follows:

**Reclamation District No. 2059**  
**Proposed Operations and Maintenance Assessment**  
 Summary of Ballot Proceeding Tabulation Results

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All Ballots

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Total Ballots:	63
Valid Ballots Returned:	34
Invalid Ballots Returned:	2
Total Ballots Returned:	36
Ballots Not Returned:	27
Total Assessment of All Ballots: \$	232,407.06
Return of Assessment:	68.38%
Total Ballots Returned:	53.97%

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Valid Ballots

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	<u>Number</u>	<u>Percent of Ballots</u>	<u>Total Assessment</u>	<u>Percent of Total Valid</u>
All Ballots	34	100.00%	\$ 158,931.43	100.00%
Yes Votes	18	52.94%	\$ 85,580.51	53.85%
No Votes	16	47.06%	\$ 73,350.92	46.15%

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Invalid Ballots

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	<u>Number</u>	<u>Total Assessment</u>	<u>Percent of Total Invalid</u>
All Ballots	2	\$ 1,314.15	100.00%
Yes Votes	1	\$ 33.30	2.53%
No Votes	1	\$ 1,280.85	97.47%
Blank Votes	0	\$ -	0.00%
No Signature	2	(of above)	

A total of 36 assessment ballots were returned and received prior to the close of the public hearing on August 04, 2015 at approximately 12:00 PM. Of the assessment ballots returned, 2 were declared invalid in that they were not signed. The weight of the ballots determined to be invalid would not have changed the tabulation results.

After the ballots were weighted according to the proportional financial obligation of the affected property, the tabulation shows that 53.85% of the valid ballots were cast in support of RD 2059's Operations and Maintenance Assessment. Since a majority protest, as defined by Article XIII-D of the California Constitution, did not exist, the Board may take action to approve the levy of the RD 2059 Operations and Maintenance Assessment as described in the Engineer's Report to pay the costs and expenses of the services identified therein.

This report is intended solely for the information and use of the Reclamation District No. 2059 and its management and is not intended to be and should not be used by anyone other than these specified parties.

Larsen Wurzel & Associates, Inc.



Scott L. Brown, PE  
Senior Vice President

Sacramento, CA  
August 26, 2015