

NOTICE OF PUBLIC HEARING AND BALLOT PROCEEDING

REGARDING THE ADOPTION OF A SPECIAL BENEFIT ASSESSMENT TO PAY FOR OPERATION AND MAINTENANCE OF DISTRICT AND TO ESTABLISH A RESERVE FUND.

The purpose of this Notice is to provide you with information about an assessment ballot proceeding that is being conducted by Reclamation District 2095 (District) and its effect on real property that you own. This notice is being sent to you in accordance with Section 53753 of the California Government Code, and Article XIII D, section 4 of the California Constitution.

Please be advised that a public hearing is set for 10:00 a.m. on May 17, 2022, at the San Joaquin River Club, 30000 Kasson Road, Tracy, CA 95304. If you wish to comment on this matter, you are invited to do so at the public hearing.

Background & Summary

When the District was formed, the District's assessment was established on an acreage-based formula which has continued unchanged. The current assessment assigns a \$100/acre levee valuation to each parcel and an assessment of \$4.00 per \$100 of valuation is charged quarterly for a total of \$16/acre of assessed land.

The District's current funding source totals \$57,130.32 annually from assessments. This sum is inadequate to fund the District's regular annual operating and maintenance expenses and does not allow for a reserve fund for major repair or replacement projects in the future. The current assessment also does not include an inflation adjustment, yet the cost to perform the basic functions of the District including Routine Maintenance, Permitting, and Professional Fees continue to increase over time.

Reclamation District 2095 cannot continue to meet its obligations in providing levee and flood control services along with associated administrative services without increasing its current annual assessment. Also, the District is unable to raise reserve funds for future emergencies or unanticipated major repairs. The District needs to raise \$75,000 to \$100,000 per year to meet the needs of its maintenance and operation as well as collect a total of \$250,000 over a period of 10-15 years to be held in a reserve account.

How much will it cost?

In order to raise sufficient funds to meet its obligations, the District has proposed a gradual increase in the assessment rate over a five-year period and has included an inflation factor not to exceed 3% per year for each year following year five. The maximum rate per acre would start at \$22.00 and increase annually by \$2.00 per acre until year 5 where the maximum assessment will be \$30.00 per acre.

The total amount of the assessment against all parcels in the District in year 1 (2022) will be \$77,113.28. The total amount of the Maximum assessment against all parcels in the District will be \$105,154.47 annually plus a maximum of 3% per year thereafter as described in the Engineers Report.

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As is required by law, your property will be charged no more than the reasonable cost of the proportional special benefit conferred by the District on your property, as shown in the Engineer’s Report, which is on file with the District for your review (Available online at www.RD2095.org or at the district office located at 1005 Parker Avenue, Tracy, CA 95376).

The assessment will replace the existing assessment and will be used to perform the operation and maintenance of the District and develop a reserve fund for emergencies and major repairs.

If this proposed new assessment is adopted, your parcel(s) will be assessed starting in 2022. The annual assessment will not exceed the maximum rates set forth below:

Maximum Assessment Rate Schedule

<u>Assessment Year</u>	<u>Maximum Assessment</u>
2022	\$22.00/ac
2023	\$24.00/ac
2024	\$26.00/ac
2025	\$28.00/ac
2026 – Maximum Rate	\$30.00/ac
Future Years	\$Max + 3%*

**See Engineers Report For Detailed Description of Inflation Factor*

How can I vote on the proposed assessment?

Landowners may vote on the proposed assessment using the enclosed Ballot. The number of votes that you can cast in this assessment ballot proceeding correspond to the potential financial obligation imposed on your property, as set forth on the enclosed Ballot.

Please follow the directions listed on the assessment Ballot to vote on the proposed assessment. You may mail your original signed Ballot in the enclosed self-addressed stamped envelope to P.O Box 1083, Denair, CA 95316. Hand-delivered Ballots will also be accepted at the public hearing. Regardless of whether you choose to mail or hand-deliver your Ballot, it MUST be received no later than the conclusion of the public hearing, which begins at 10:00 a.m. on May 17, 2022 or it will not be counted in the final tabulation of Ballots.

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You may change your vote at any time prior to the conclusion of the public hearing on this matter. However, because the Ballots must remain sealed until the tabulation begins regardless of your method of delivery, we ask that you please seal your Ballot in the enclosed return envelope and include your name and address on the envelope so that we may return your Ballot to you if you wish.

A Ballot will not be accepted nor counted if:

1. It is delivered in a manner that fails to conceal its vote;
2. It is a photocopy without an original signature;
3. It is unsigned;
4. It lacks an identifiable "yes" or "no" vote; or
5. It appears to have been tampered with or otherwise invalid based upon its appearance or method of delivery.

After the hearing, an independent third party will tabulate the ballots weighted according to the proportional financial obligation and will post the results in the District's office and on the District's website (www.RD2095.org) as soon as practical. The Board of Directors will not impose the proposed assessment if the votes submitted in opposition exceed the votes submitted in favor of the proposed assessment.

Note, if your parcel has more than one ownership interest, the various owners may submit their own Ballots. In the event, all of the separate owners fail to submit their own ballots, the independent third party tabulating the Ballots will tabulate the submitted Ballots as they deem it correct, proper and appropriate to apportion the vote to reflect a one hundred percent (100%) vote.

Should you have any questions about the Ballot or how to vote, please call or write to:

Daniel de Graaf
P.O. Box 87
Ripon, CA 95366
(209) 614-2745

Dated: March 25, 2022



Daniel de Graaf, District Engineer
Reclamation District 2095