

<h1 style="text-align: center;">POLICY MANUAL</h1>	Date Adopted: March 12, 1962
Classification: BOARD OF DIRECTORS	Date Last Amended: 11/18/1974; 03/14/1983 10/21/1985; 04/23/2025
Subject: Public Hearings	Approved By: <i>Peter Sanchez</i>

1. Public hearings shall be held on the regular meeting date and time of the Board of Directors in the regular meeting chambers. Such hearings shall be placed at the beginning of the meeting agenda. Should it be anticipated that attendance at said hearings exceed the available seating capacity of the regular meeting chambers or that time requirements for the subject hearing exceed the available time to conduct both regular monthly business and the subject hearing, the Board shall schedule said hearing at a time and place adequate for the anticipated needs of the hearing.

2. In the conduct of public hearings which by law require the filing of written protests, the Board of Directors shall ensure equity and fairness to all persons by application of the following policies:
 - a. All affected persons shall be provided equal consideration and notice of hearing.
 - b. All written protests, to be considered as provided by law, must be received by the Secretary of the District within the time prescribed by law and set forth in the notice of hearing.
 - c. In determining the public support for or opposition to the activity which is the object of the noticed public hearing, the Board of Directors shall give equal consideration to the number of valid written protests and to the numbers of noticed persons choosing not to submit written protests, applying in the decision process the principal of majority rule.
 - d. In the conduct of public hearings in which discussions become focused on decisions that, because of their relationship to land use, bear the potential of substantially affecting the rights of property owners, the Board of Directors shall continue the "land use" portion of said hearing until written notice is provided to the property owners in a manner that complies with this policy and State law, as applicable.

3. Public Notice and Information materials related to assessment districts and the annexation of property into an existing assessment district shall be in accordance with Government Code section 53753 and in conformity with the approval process set forth in Section 4 of Article XIII D of the California Constitution:

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- a. Prior to imposing a new or increased assessment or annexing property into an existing assessment district, the District shall mail notice to the record owner of each identified parcel at least **45 days** before the scheduled public hearing on the proposed action.
- b. Mailed Notice shall be sent first class and deposited, postage prepaid, in the United States mail and shall be deemed to have been given when so deposited.
- c. Each Notice shall include an Assessment Ballot, which shall provide the District's mailing address for return of the ballot and space for the property owner to indicate their name, reasonable parcel identification, and support or opposition to the proposed assessment or annexation.
- d. Pursuant to Government Code section 53752, subsection (b), each Notice shall include the total amount of the proposed assessment for the entire district, the amount of the proposed assessment chargeable to the recipient's parcel, the duration of the proposed assessment, the reason for the assessment or annexation, methodology used to calculate the proposed assessment amount, and the date, time, and location of the public hearing on the proposed assessment or annexation.
- e. The Notice shall also provide a summary of the procedures for completing, returning, and tabulating the Assessment Ballots. It must clearly state that the assessment will not be imposed if a majority protest exists. Majority protest is based on valid opposition ballots exceeding those in favor, weighted by the financial obligation of each affected property.
- f. The envelope containing the Notice and Assessment Ballot shall prominently display, in no smaller than 16-point bold type: "OFFICIAL BALLOT ENCLOSED" This phrase may also appear in other languages as deemed necessary by the Agency.
- g. Hearing Notices returned to the District due to changes in address or ownerships shall be re-mailed along with companion notices directed to the resident or occupant of the subject residence. Such companion mailing shall notify the resident that the formal hearing notice has been mailed to the current registered owner of the property.

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- h. For convenience of all property owners, Notice of the hearing shall be published in a publication of general circulation covering the District's boundaries, posted on the District's Website, and posted in a prominent place within the District's office as a means of encouraging the broadest possible awareness of the hearing.
- i. The failure of any person or entity to receive Notice given pursuant to this policy shall not constitute grounds to invalidate any action taken for which Notice was given.
- j. A public hearing shall be held at the time, date, and location stated in the mailed Notice. The hearing may be continued if necessary.
- k. Pursuant to Government Code section 53753 and 5495.6, subsection (h), the District shall still comply with Streets and Highways Code section 3100 *et seq.* where appropriate.