

PROTEST VALIDATION & TABULATION DETAILED PROCEDURES

1. Incoming Protest Handling

Receptionists to:

- 1) Log walk-in protests in receptionist chain of custody log (Appendix A),
- 2) Forward protests to the Mailroom

Mailroom to:

- 1) Look for envelopes that look like protests and avoid opening them. Date and time stamp the ones received at close of the public hearing.
- 2) Log protest in master chain of custody log (Appendix A),
- 3) Place un-opened protests into lock box,
- 4) Hold onto lock box until close of the public hearing,
- 5) Transmit lock boxes with protests and returned envelopes to Clerk of the Board in A-136 after close of hearing



2. Verifying Accuracy of Chain of Custody

Clerk of the Board to:

- Number the entries in the log for reference purposes.
- Check that protests logged in the receptionist chain of custody log are also in the master chain of custody log
- Check that all protests listed in the master chain of custody log are in the pile
- Maintain a running list of issues
- Verify receipt of protests by signing and dating master chain of custody log (Appendix A)



3. Initial Protest Evaluation

Clerk of Board to open protest envelopes.

- Did it arrive between 2/26/10 and 4/27/10?
- Does the envelope have an address or APN #?
- Did it arrive via mail or in person in a sealed envelope?
- Is protest signed with original signature?
- Note: Well number is optional, not required



- If yes, move to Step 4
- If no to any questions, protest is invalid (store invalid protests in separate box and document reason the protest is invalid on a sticky note and on spreadsheet (Appendix G).
- Store any protests requiring research in "Research" or "Legal" boxes as necessary.

4. Validate/Tabulate Well Protest

- Clerk of Board to check name, address/APN and well number (if available) against well owners list (Appendix B) using the find or filter function in Excel. WRIS may be used for reference. Is the protester and address on the list?
- If name/well number is already checked off, the protest is a duplicate.



- If yes, a) check name off on list; b) identify which zone(s) the address(es) falls into and c) identify the total number of wells the protester has and put that number in the Tabulation table (Appendix F) under well protest column for the appropriate zone(s). Move to Step 5
- If no, move to Step 5. Note that protest may still be valid under the parcel tabulation.

5. Validate/Tabulate Parcel Protest

- Clerk of the Board to check name and address/APN against parcel owners list (Appendix C) using the find or filter function of Excel. WRAS may be used for reference. Is the protester and address on the list?
- If name/parcel number is already checked off, the protest is a duplicate.



- If yes, a) check name off of list; and b) identify the total number of parcels the protester has and put that amount in the Tabulation table (Appendix F) under parcel protest column for the appropriate zone(s).
- If no, store protest in "Research" or "Legal" box. Note that protest may still be valid if the protester is a secondary well owner or joint parcel owner.
- Cycle through steps 4 and 5 for all remaining protests and then move to Step 6.

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6. Validate/Tabulate Secondary Well or Parcel Owner Protest

For protests stored in the "Research" box, Clerk of the Board to ask Water Revenue to research if the protester is a joint well or property owner. If the primary well or parcel owner has not already protested, this protest may be counted in the well and/or parcel count (whichever is applicable). Is the protester a secondary owner?



- If yes, tabulate the protest as applicable.
- If no, the protest may be invalid. Store protest in the "Invalid" box and document reason protest is invalid on a sticky note and spreadsheet (Appendix G).
- After evaluating all protests in the "Research" box, move to step 7.

7. Rendering Legal Judgment on Protests

For protests requiring research stored in the "Legal" box, Clerk of the Board to confer with Legal Counsel. Tabulate protests accordingly. Clerk of the Board to confirm with Legal Counsel that all protests in the "Invalid" box are indeed invalid.

Note: A person signing the protest on behalf of an organization must have authorization from the appropriate level authority to be valid (i.e. authorization in writing from a City Council, Board of Directors or Corporate Officers as appropriate from a school/city/agency/business).

Note: An individual cannot sign on behalf of another individual unless duly authorized.

Note: If a protest is not written in english, COB can use a translator to translate the protest.

Note: A protest with a name that is printed but not signed is invalid.



8. Rescinding Protests/Duplicates

If a protester rescinds their protest, point of contact is to request it in writing. The writing should include well #, address, a statement that indicates that they are rescinding their original protest, and signature. Make sure this written statement is transmitted to Clerk of the Board.

Clerk of the Board to subtract the appropriate amount of well and parcel protests in the Tabulation Table (Appendix F).

Any duplicates should be moved from the tabulation table to the summary of invalid protests. WRIS and WRAS should be used to help identify duplicates.



- There should be 6 boxes for protests:
1) W2 valid, 2) W5 valid, 3) invalid, 4) rescind, 5) research, 6) legal evaluation.
- By the end of step 8, the protests should be in one of the first four boxes.

9. Determine the Outcome of Protest

- a) If well protest count is 50% of total well owners in zone plus 1 or greater, then the result is a majority protest in the respective zone
- b) If parcel protest count is 50% of total parcels in zone plus 1 or greater, then the result is a majority protest in the respective zone
- c) If parcel protest count is 50% of total parcels in zone plus 1 or greater and if well protest count is 50% of total well owners in zone plus 1 or greater, then the result is a majority protest in the respective zone
- d) If parcel protest count is less than 50% of total parcels in zone plus 1 and and if well protest count is less than 50% of total well owners in zone plus 1, then the result is NO majority protest in the respective zone



10. Logging Returned Notices

Clerk of the Board to count, bundle, and log all returned envelopes (Appendix H)



11. Certification of Process

Third Party to certify that the protest validation and tabulation process was done properly and in an unbiased manner.