



LLMD NEWS

AUDIT OF LLMD BALLOT TABULATION RESULTS

August 16, 2023

(Revised September 13, 2023 and October 5, 2023)

The City of Fairfield is conducting a public audit of the June 7, 2023, landscaping and lighting maintenance district (LLMD) ballot tabulation results on Monday, August 21, 2023, at 10:00am in the city council chambers.

In early 2023 the city initiated the formation of nine new landscaping and lighting maintenance districts (LLMDs) and hired an experienced consultant firm, NBS, to complete an engineering analysis and balloting process, as required by Article XIII D of the California Constitution, also known as Proposition 218. The proposed new districts were known as LLMDs Nos. 2023-1 (Gateway), 2023-3 (Waterman Highlands), 2023-5 (Rancho Solano), 2023-6 (Peppertree), 2023-7 (Rolling Hills), 2023-8 (Kolob Estates), 2023-11 (Paradise Valley), 2023-12 (Downtown Business District), and 2023-13 (North Cordelia). The balloting process concluded with a public ballot tabulation procedure which took place in the city council chambers on June 7.

Over the following four weeks, out of approximately 2,500 ballots tabulated, three issues were uncovered regarding the final tabulation results that were provided to the city council at that time. Specifically, NBS informed us that two ballots submitted by the city for city-owned parcels in LLMD Nos. 2023-11 (Paradise Valley) and 2023-12 (Downtown Business District) were not counted in the final tally as they were somehow misplaced within a separate group of ballots. Additionally, two ballots, one for LLMD No. 2023-7 (Rolling Hills) and one for LLMD No. 2023-13 (North Cordelia) were found by Solano County employees inside the door cavity of the ballot box the city borrowed from the county for this effort (evidently, not an uncommon problem, per the county staff). Lastly, one ballot for LLMD No. 2023-5 (Rancho Solano) was omitted from the final results provided to the city council and read into public record. All ballots that were omitted from the final results have been added to the tabulation and the outcome for each respective district remains unchanged.

While the city is confident that the appropriate corrections have been made, this situation

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deserves more thoughtful examination. In an abundance of caution and in consideration of complete transparency for our residents, to preserve the integrity of the voting process, and to uphold the highest standards of accountability, the city has committed to three action items to resolve this matter:

1. The city hired Willdan, another consultant with decades of experience in the field of special districts and LLMDs, as an independent third-party to perform a peer review and audit to confirm the results of the June 7, 2023, ballot tabulation and subsequent corrections. This review/audit will be open to the public and is scheduled for Monday, August 21, 2023, at 10:00am in the city council chambers. Willdan will provide the city with a report of findings which will be presented to council by late September or early October.
2. Along with the report of findings, staff will be bringing a resolution to council to recertify the ballot tabulation results, including any final corrections made to ballot counts and/or weighted assessment amounts that were either in favor of, or opposition to, the formation of each district.
3. While it is unclear how these few tabulation errors occurred, the city and NBS agreed that NBS will pay for the additional out-of-pocket costs of the peer review and ballot audit.

The city is committed to the residents and property owners, and we are looking forward to bringing you a resolution on this matter very soon.

Please visit www.fairfield.ca.gov/llmd to find status updates about your district. If you have any questions, please reach out to me at clewis@fairfield.ca.gov or (707) 428-7089.