

OMOCHUMNE-HARTNELL WATER DISTRICT

VOTER'S PAMPHLET

**GENERAL DISTRICT ELECTION
OMOCHUMNE-HARTNELL WATER DISTRICT
November 5, 2019**

-----IMPORTANT NOTICE-----

This is an ALL-MAILED BALLOT ELECTION. There will be no polling places designated. You must vote the enclosed ballot and RETURN IT BY MAIL or deliver it to the District Secretary of Omochumne-Hartnell Water District using the RETURN ENVELOPE provided. You should return your voted ballot as soon as possible.

Ballots received after the DEADLINE of 8:00 p.m. on Tuesday November 5, 2019 will not be counted.

Mail to:

Omochumne-Hartnell Water District
P.O. Box 211
Wilton, CA 95693-9900

Or Hand-Deliver to:

Omochumne-Hartnell Water District
8970 Elk Grove Blvd.
Elk Grove, CA 95624

Questions may be addressed to the District Election Official at (916) 682-5958.

VOTER INFORMATION AND INSTRUCTIONS

Included with the ballot are: 1) Voter Information Pamphlet, including instructions on how to cast your votes, 2) a Legal Representative Form, in the event that you have been authorized by the landowner of a parcel to cast the votes for that parcel, 3) a Ballot Envelope, and 4) an Identification Envelope. When completed, the ballot must be mailed in sufficient time to be received by 8:00 p.m. November 5, 2019. **Ballots received after the deadline will not be counted.** The identification envelope is to be completed as indicated on its face and must bear your signature where indicated.

HOW TO RETURN YOUR BALLOT:

Step 1. Read and mark your ballot indicating which candidate(s) you wish to cast your votes for. There are three Director's seats open. You have been assigned a number of votes based on the acreage of your parcel. You may cast these votes for one candidate, for no candidate, or you may split your votes among multiple candidates. **Your total number of votes cast must be equal to the number of votes assigned to you, as indicated on the top of your ballot.** Mark the ballot by *clearly* writing in the number of votes you wish to cast for your candidates. Do not make any other marks of any kind on the ballot. For instance, if you simply put an "X" next to the names of a candidate, the ballot will not be counted. You must indicate your vote by using numbers next to the name of one or more candidates.

Step 2. Detach the stub from the top left portion of the official ballot. This is your receipt for voting.

Step 3. Place the marked ballot inside the BALLOT RETURN ENVELOPE and seal it.

Step 4. Place the BALLOT RETURN ENVELOPE inside the IDENTIFICATION ENVELOPE. If the property title lists more than one name, please read the AUTHORIZED VOTERS information below before you complete your ballot. Complete and sign the IDENTIFICATION ENVELOPE. **If the IDENTIFICATION ENVELOPE is not completed and signed, your ballot will not be counted.**

Step 5. Mail your IDENTIFICATION ENVELOPE to the District. Return postage has been prepaid on the envelope. It is addressed to:

Omochumne-Hartnell Water District
P.O. Box 211
Wilton, CA 95693-9900.

This envelope may be sent by registered or certified mail if you wish, at your cost. The IDENTIFICATION ENVELOPE may also be delivered personally to the Omochumne-Hartnell Water District Office located at:

Omochumne-Hartnell Water District
8970 Elk Grove Blvd.
Elk Grove, CA 95624

Regardless of how it is delivered, no ballot received after the DEADLINE of 8:00 p.m. on Election Day, November 5, 2019, will be counted.

If you failed to receive, lost, or destroyed your original ballot and would like a second ballot, contact the District at (916) 682-5958.

NUMBER OF VOTES:

Each voter is entitled to cast one vote for each acre owned by the voter within the district. If the voter owns less than one acre, then the voter is entitled to one vote and any fraction is rounded to the nearest full acre. Lands held by multiple title holders will be apportioned among the owners on a pro-rata basis. The total possible votes have already been calculated, and may be found on your official ballot. Votes are allocated among multiple owners of the same parcel according to state law and the District's By-laws.

AUTHORIZED VOTERS:

To be qualified to vote in the election, you must be a landowner in Omochumne-Hartnell Water District, or the legal representative of a landowner. Renters or leaseholders are not qualified to vote unless authorized by the landowner. It is not necessary to be a registered voter to vote in a California Water District Election.

“Landowner” means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the District.

“Legal Representative” means an officer or other person or persons appointed to serve in that capacity by the board of directors of a corporate landowner or a person appointed to serve as such by a non corporate landowner.

VOTING BY LEGAL REPRESENTATIVES

1. **Corporate and Partnership Landowners:** A legal representative shall be presumed to have authority to cast all votes for the principal identified in the certification by including in the Identification Envelope a certificate under penalty of perjury identifying the principal and the authority of the legal representative. Therefore, a general partner (not a limited partner) can vote the entire ownership of a landowning partnership by including in the Identification Envelope a certificate under penalty of perjury similar in form and content to that provided for a legal representative of a corporate landowner. Forms of certificate for a corporate and for a partnership landowner for this purpose are enclosed. (see FORM A)
2. **Guardians, conservators, executors, administrators and other persons holding land in a trust capacity** under appointment of court may vote without obtaining special authority from the court. Such a guardian, conservator, etc. must still, however, present proof of their appointment in the form of a copy of letters testamentary or of conservatorship or guardianship from the court, or a copy of a decree of distribution in the case of a testamentary trustee, unless the ownership shown on the appropriate county tax roll already shows the name and capacity of the conservator, executor, etc. If not, please include a copy of the needed documentation in the Identification Envelope.

VOTING RESULTS

An Independent Canvassing Board will count the ballots. The three candidates with the greatest number of votes will be appointed as Directors of the Omochumne-Hartnell Water District.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT OMOCHUMNE-HARTNELL WATER DISTRICT at:

Omochumne-Hartnell Water District
Telephone: (916) 682-5958
info@ohwd.org

Potential Questions:

Will my BALLOT be counted if it is received after 8:00 p.m. on November 5, 2019?

NO, mail your BALLOT early.

Do I vote using a number or a check mark?

Write the number of votes that you wish to cast next to the name of the candidate you wish to cast them for. You may vote for more than one candidate by allocating your total votes among two or more candidates. The total possible votes for your property are listed on the IDENTIFICATION ENVELOPE and BALLOT. If the total of votes written on the ballot exceeds the total you are allocated, the ballot will be rejected and NOT COUNTED.

Is my vote confidential?

Yes, that is why the BALLOT is in a separate envelope from the IDENTIFICATION ENVELOPE. The BALLOT envelope is separated from the IDENTIFICATION ENVELOPE prior to the opening and counting of the BALLOTS.

Do I need to sign the IDENTIFICATION ENVELOPE?

Yes, sign it with your name as it appears on the IDENTIFICATION ENVELOPE.

What if my property title on the IDENTIFICATION ENVELOPE is owned by a corporation such as Investments Inc., do I need to complete FORM A?

Yes, FORM A will need to be completed, signed, and mailed in the signed IDENTIFICATION ENVELOPE with the completed BALLOT in the BALLOT ENVELOPE.

What if my property title on the IDENTIFICATION ENVELOPE is owned and listed as a partnership such as the Jones Family Partnership, do I use FORM A?

Yes, FORM A will need to be completed, signed, and mailed in the signed IDENTIFICATION ENVELOPE with the completed BALLOT in the BALLOT ENVELOPE

Where do I find the Assessors Parcel Number referred to on FORM A?

It is on the IDENTIFICATION ENVELOPE.

What if I received a BALLOT package and my neighbor did not?

Have your neighbor call the Omochumne-Hartnell Water District office at (916) 682-5958.

What if I sold my property and received this BALLOT package in error?

Call the Omochumne-Hartnell Water District office at (916) 682-5958.

How will votes be divided among multiple owners of a parcel?

Votes shall be divided among multiple landowners on a pro-rata basis as provided for in Water Code section 35003 and the Omochumne-Hartnell Water District By-Laws, Article VIII. Specifically:

- For parcels held by joint tenants or tenants in common: Each “tenant” is entitled to an equal portion of the total number of votes assigned to that parcel. So, for a 100-acre parcel with two joint tenants, each joint tenant is entitled to 50 votes. However, if tenants in common have different interests in the property, the votes will be allocated based on the proportionate share of those tenants’ recorded interests in the property. *Joint tenants always share equal percentage ownerships. Two JT’s each have 50%, three have 33% and so on. Tenancies-in-common can be divided in any percentage, and so you have to look at the actual vesting deed to see what share each tenant in common holds.*
- For parcels held by a married couple as community property: One spouse shall cast the votes for the parcel. If the couple does not designate one member as the voting member, the votes will be assigned as a joint tenancy, that is, equally to each spouse.
- For parcels that are leased: The landowner, not the lessee, casts votes for the parcel.
- For parcels held under a deed of trust: The votes will be cast by the trustor (the landowner), not the lender-beneficiary of the deed of trust.
- For parcels owned by a corporation: Any officer of the corporation may cast the votes for the parcel.
- For parcels held by a trust or partnership: Any trustee of a trust (if there is more than one, the trustees must designate which one will vote) or member of the partnership may cast the votes for the parcel.

There are no fractional votes, and so fractions will be rounded up to the next whole number of votes.

In the event that there is any discrepancy in the list of persons entitled to vote at the election, or any controversy as to the persons actually entitled to vote, the books and records of the District shall be conclusive.

May the Legal Representative of a Landowner vote for the Landowner?

The legal representative of a landowner may cast votes for that landowner. For example, if ABC Corporation owns a parcel, and ABC Corporation has given John Smith, the president of ABC Corporation, the authority to act as the corporation’s legal representative, John Smith may cast votes for ABC Corporation. Any ballot that is cast by a legal representative of a landowner must be accompanied by a certified copy of the legal representative’s authority. Enclose this documentation in your IDENTIFICATION ENVELOPE. Do not place this documentation in your BALLOT ENVELOPE.

CANDIDATE STATEMENTS

Paul Hensleigh

My name is Paul Hensleigh - I have a degree in electrical engineering and have worked as an air quality regulator for 25 years. I am confident my analytical and problem-solving skills combined with my work experience can be a benefit to the Omochumne-Hartnell Water District and its constituents.

My wife Michele (an Elk Grove native) and I have lived in the Sheldon area for the past 20 years, so I understand some of the issues of being a rural resident such as having a well and septic system. We also have raised cattle in east Sacramento/Elk Grove for nearly that long so I understand some of the issues facing agriculture. We recently purchased a property in Sloughhouse and look forward to moving to the ranch and raising our cattle there.

Kurt Kautz

My family has been farming in this district since 1985. The protection of the water and the quality of the water is the only goal of the district to properly serve the constituents.

I have been on the district board for over 20 years and currently serve as chairman.

Our district is currently completing a large groundwater recharge project and has many challenges to comply with SGMA.

I would like to continue on the board to help protect our control of our water.

Suzanne Pecci

I have lived in Elk Grove since 1978, 30 years on 5 acres in East Elk Grove with a domestic well. Since incorporation of Elk Grove and retirement from the State as a Loan Officer in 2000, I have taken an active interest in local government. I was appointed by the Board of Supervisors as the alternate ag res board member to Sacramento Central Groundwater Authority. Since 2015 I have been involved with the Sustainable Groundwater Management Act which places water planning, management and financing in the hands of local agencies such as Omochumne Hartnell Water District– a landowner district where one acre is one vote and landowners with largest acreage have the most votes. After attending OHWD meeting for 4 years, I understand their role as future Groundwater Sustainability Agency for ag res, farming operations, ecosystems, and planned future urbanization by the city of Elk Grove within OHWD boundaries. Unlike several of the other candidates who own land in the district but whose domicile is outside the district and Sacramento County, my domicile is in the district. I will represent all OHWD water users in planning, managing and financing the district water supply.

Mark Wilson

I'm an ag residential owner in Wilton. For business reasons I had to move to Clarksburg in Yolo County in 2002, after living in Wilton and Sloughhouse from 1976. I will do my best to help Omochumne Harnell water district, it's residents, and the Cosumnes basin.