



February 9, 2021

Yuba County Board of Supervisors  
915 8<sup>th</sup> Street  
Marysville, CA 95901

**RE: North Yuba Water District representatives violate FPPC guidelines**

Honorable Chairperson Bradford and Supervisors Vasquez, Fletcher, Fuhrer, and Blaser,

In the Summer of 2020, North Yuba Water District sent out a newsletter via United States Postal Service to its **customers only**, which is a customary practice. During the 2020 General Election, the North Yuba Water District sent out their "Summer 2020" newsletter for a second time in the month of October to **voter households in the NYWD territory**. This caused many to ponder why NYWD representatives would approve such an expense when it was clear that the newsletter was outdated, evidenced by notices of upcoming meetings that had already occurred.

Upon reviewing the content of the newsletter and discovering who received the second round of mailings, it became clear; it was a campaign tactic deployed to sway the outcome of the General Election as it pertains to the contested seats on the NYWD Board. The newsletter mentions the names of its incumbent Directors numerous times and lauds the accomplishments of the District.

The NYWD paid a campaign strategist \$1,526.93 to re-print and mail 2,500 of the out-of-date newsletter to voter households in October and paid another \$2,600 for consulting on the same invoice (attached). The NYWD has less than 1,000 customers.

Our concerns are the following:

1. These actions violate California Fair Political Practices Commission transparency rules on mailers that are political in nature and have the ability to compromise the outcome of an election;
2. These actions have compromised the integrity of the NYWD Board to vote on resolutions since they lack a quorum of fairly elected officials. This could expose any vote taken by the district to a legal challenge.

This incident has been reported to the Yuba County Grand Jury which is conducting an ongoing investigation of the NYWD, the Fair Political Practices Commission and the Yuba County District Attorney who has the authority to investigate and prosecute criminal FPPC violations.

**Taxpayer and rate-payer funds should never be utilized by any public agency to influence the outcome of an election.** The actions of the NYWD are nothing more than an unethical political scheme to retain like-minded incumbents whose seats were challenged in the Election and compromised what should have been a fairly executed Election.

The election interference that was put into action by representatives of the North Yuba Water District should cause great concern to each of you in your role of Supervisor for Yuba County. These actions undermine the integrity of the Elections process in Yuba County. At the very least, the NYWD is engaging in unethical behavior and likely more serious infractions. By taking action to address this unfortunate situation, further tarnishing the reputation of the Yuba County Elections process and Yuba County in general can be avoided.

For your convenience, we are attaching a copy of the newsletter, the invoice issued by the campaign strategist, and a picture of an envelope address to NORTH YUBA WATER DISTRICT RESIDENT. Previous newsletters to the District's customers have been addressed to NORTH YUBA WATER DISTRICT CUSTOMER.

We are requesting the following:

- I. Support any investigation by District Attorney Clint Curry, the Yuba County Grand Jury and the FPPC into the matter.
- II. Issue a public statement to the North Yuba Water District voters that Yuba County takes this matter seriously and will do everything in its power to correct and remedy the situation.

Sincerely,

Foothill Water Coalition