



C A L I F O R N I A

DEPARTMENT OF JUSTICE

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January 14, 2025

VIA CERTIFIED MAIL AND EMAIL

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RE: 2024 Orosi Public Utilities District Election

We write on behalf of Attorney General Bonta and Secretary of State Weber concerning the certified results of the 2024 Orosi Public Utilities District (“OPUD”) election, held on November 5, 2024. Simply stated, Reynaldo Rivas, Maria C. Gonzalez, and Johnny Sandoval must respect the electoral process and peacefully vacate their offices immediately, having lost their respective contests for reelection to the OPUD Board of Directors.

Based on publicly available information, including OPUD Resolutions 2024-10 and 2024-13, we understand that Mr. Rivas, Ms. Gonzalez, and Mr. Sandoval assert that the November 5, 2024 election is “null and void” and that they intend to continue to serve in their roles as members of the OPUD Board until such time as a new election is held.

They are wrong.

The November 5, 2024 election was duly certified by the Tulare County Registrar of Voters, and the Tulare County Board of Supervisors subsequently issued certificates of election to the prevailing candidates in accordance with the California Elections Code. Those new Board members have since taken their oath of office on December 6, 2024 and are the legitimate members of the OPUD Board for Districts 1, 2 and 4. No election contest was filed challenging the election, and the time to bring such a challenge has expired. The election was lawful and is now certified. Further, contrary to the assertions of Mr. Rivas, Ms. Gonzalez, and Mr. Sandoval,

January 14, 2025

Page 2

Public Utilities Code section 15971 does not provide them with any authority to rescind the election and to refuse to vacate their office.

For this reason, Mr. Rivas, Ms. Gonzalez, and Mr. Sandoval may not lawfully exercise any of the powers of a member of the OPUD Board of Directors. Any attempted meeting of the OPUD that is not composed of the three newly elected Board members and the two members whose seats were not up for election is not a legitimate or lawful meeting. Likewise, any attempted meeting of the Board that purports to include Mr. Rivas, Ms. Gonzalez, or Mr. Sandoval as a member of the Board is not a legitimate meeting of the OPUD.

It is the fundamental obligation of any elected officer to graciously accept the will of the voters, in victory and in defeat; our constitutional democracy depends on it. If Mr. Rivas, Ms. Gonzalez, and Mr. Sandoval fail to vacate their offices and acknowledge the results of the November 5, 2024 election, the Attorney General and the Secretary will pursue appropriate legal remedies. This may include civil monetary penalties.

If the Board, its counsel, Mr. Rivas, Ms. Gonzalez, or Mr. Sandoval have any questions, we would be glad to discuss them this week. Otherwise, we expect that they will uphold their oaths of office and accept the results of the November 2024 election. Those results require that they immediately cease from engaging in any further conduct as purported members of the OPUD Board of Directors. Please provide our offices with written confirmation that Mr. Rivas, Ms. Gonzalez, and Mr. Sandoval will no longer assert their entitlement to serve as members of the Board by noon on Friday, January 17, 2024.

Sincerely,

/s/ Nicholas R. Green
NICHOLAS R. GREEN
Deputy Attorney General

/s/ Steven J. Reyes
STEVEN J. REYES
Chief Counsel

FOR: ROB BONTA
Attorney General

FOR: SHIRLEY N. WEBER, PH.D.
Secretary of State

CC:

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