

**LAKE COUNTY DISTRICT 2 LOCAL WINEGRAPE COMMISSION
NOMINATION AND ELECTION PROCEDURES**

Pursuant to California Food and Agricultural Code 74928.1, the Lake County District 2 Local Winegrape Commission (hereinafter "Commission") establishes the following Nomination and Election Procedures.

1. Voter Eligibility

a. Each individual or legal entity, whether a sole proprietorship, partnership, LLC, corporation, or other legal entity that qualifies as a "producer" pursuant to Section 74827 of the California Food and Agricultural Code (hereinafter "Commission law"), shall be entitled to participate in the nomination and election of Commission members (and alternates, if any).

b. The right to vote is retained by the individual or legal entity that is liable for the payment of assessments to the Commission.

c. Only an individual owner or a management level employee or representative may vote on behalf of a producer that is a sole proprietorship or family operation.

d. Any one designated general partner or management level employee or representative may vote on behalf of a producer that is a partnership.

e. Any one designated member or manager, or management level employee or representative may vote on behalf of a producer that is a limited liability company.

f. Any one designated director, officer or management level employee or representative may vote on behalf of a producer that is a corporation.

g. Only a designated trustee may vote on behalf of a producer that is a trust entity.

h. No parcel of property, or multiple parcels of property owned, leased or operated by the same legal entity may be the basis for more than one vote in any election.

i. Nothing herein shall prevent an individual who owns all or part of more than one separate legal entity from acting as the designated voter on behalf of each of the entities eligible to vote.

j. Any person seeking eligibility to vote shall, upon request, provide the Commission with copies of documents as needed to assist the Commission in determining eligibility.

2. General Qualifications for Nomination and Election

a. Good Standing. Any person elected to the Commission shall be in compliance with all requirements of Commission law, bylaws, conflict of interest code, and procedures, including, but not limited to the prompt and timely submittal of assessment reports and payment of assessments. Failure to meet good standing requirements will result in removal from the Commission board.

b. Conflict of Interest Code Requirements. The Commission has adopted a Conflict of Interest Code as required by law. Any individual serving on the Commission will be required to file a Form 700 Disclosure of Economic Interests as required by the Fair Political Practices Act. The Form 700 is a public document filed with the Fair Political Practices Commission in Sacramento.

c. Documentation. Nominees for election shall submit all necessary documents in order to establish qualifications in the manner and time required by the Commission.

3. Nomination Procedures

a. On or about February 1 of each election year, the Commission shall notify each producer of record of the number of Commission member and alternate positions which are available. The Commission shall also provide a calendar or schedule of deadlines for that election year.

b. Any qualified individuals, including incumbents, who seek nomination shall submit to the Commission not later than February 28 of each election year written notice of his or her intent to seek election. An eligible producer may also nominate another eligible producer, subject to the nominee's acceptance of the nomination on or before a date specified by the Commission.

The written notice of nomination shall include the following information on a nomination form provided by the Commission:

- 1) Nominee's name
- 2) Name of producer (if an entity) the nominee represents
- 3) Address, telephone, fax (if any), and email address (if any)
- 4) Whether the nomination is a self-nomination or the nomination of another eligible producer

c. Any person nominated or elected as a member (or alternate, if any) shall be a producer, or a representative of a producer, who has a financial interest in producing, or causing to be produced, winegrapes for market. The qualifications of producer members (and alternate members, if any) shall be maintained during the entire term of office. No more than one member (and his or her alternate member, if any) shall be employed by or connected in a proprietary capacity with the same producer. However, membership in an agricultural nonprofit cooperative association or trade organization shall not be considered

employment or being in a proprietary capacity. The Commission shall determine whether the proposed nominees are qualified and in good standing with the Commission.

d. The proposed nominees shall be eligible for election to the Commission if they meet the qualifications for election, submit a Candidate Statement, disclosures of affiliations, and any other documents required by the Commission.

e. Eligible nominees shall be listed on a ballot which shall be sent to all producers not later than March 15 of each election year.

f. Write-in candidates will be permitted on the ballot. If a write-in candidate wins the election, he or she will not be seated until all eligibility requirements and qualifications under these procedures have been verified to the satisfaction of the Commission.

5. Voter Access

Candidates may request that the Commission conduct an informational mailing to producers eligible to vote pursuant to the Voter Access Procedures adopted by the Commission.

6. Balloting

a. There shall be a fifteen (15) day balloting period which shall not extend beyond May 31 of each election year unless the Commission finds that extraordinary circumstances exist and the balloting period should be extended. Only ballots received on or before the last day of the balloting period at the address listed on the ballot shall be counted.

b. Ballots shall indicate whether they are to be returned to the California Department of Food and Agriculture ("CDFA"), or to a third party accounting or auditing firm. Valid ballots submitted by eligible voters shall be counted by the receiving party and verified by CDFa no later than 20 days after the close of the balloting period.

c. Once all votes have been counted, the nominee(s) receiving the highest number of votes will be elected to the available member seat(s), and if the Commission has determined that alternates shall be elected, the nominee(s) receiving the next highest number of votes will be elected to the available alternate seat(s).

d. In the event of a tie for a member (or alternate position, if any), there shall be a drawing of lots or some other random method to determine the outcome.

e. The term of office shall begin on May 1 unless due to extraordinary circumstances the votes have not been counted and verified by that date. In such event, the term of office shall begin as soon after July 1 as possible. Commission members (and alternates, if any) shall continue to serve until their successors are elected and qualified.

7. Public Member. A public member shall be appointed to the Commission by the Secretary from nominees recommended by the Commission. The public member shall have

all the rights, privileges, and powers of any other member of the Commission. The public member shall not have any financial interest in the wine or winegrape industry.

8. Filling Vacant Seats on the Commission. In the event of the death, removal, resignation, or disqualification of a member, the alternate, if any, shall serve as a member on the Commission until a successor is elected and qualified. If there is no alternate, the vacancy shall be filled by another eligible person for the unexpired portion of the term by a majority vote of the Commission. All candidates to fill a vacant member seat must meet the qualifications for election contained in these procedures.

9. Procedure for Removal of Members and Alternates

a. The Commission shall have the authority to remove, by majority vote, any member or alternate member of the Commission who becomes ineligible to serve or who is not otherwise in good standing as defined in these procedures.

b. Any person the Commission seeks to remove due to ineligibility or lack of good standing shall be notified in writing and shall have fifteen (15) days in which to make a written request for an informal hearing before the Executive Committee of the Commission.

If the person does not request an informal hearing within the 15 day period, he or she shall be removed as a member or alternate member of the Commission at the next regularly scheduled Commission meeting and shall be notified in writing within 15 days after the meeting that the removal has occurred.

If the person requests an informal hearing, the Executive Committee shall hold the hearing within forty-five (45) days of the date of the request. The Committee shall make a recommendation to the Commission within thirty (30) days after the hearing, and the Committee's recommendation shall be approved or denied by the Commission at the next regularly scheduled meeting of the Commission. If the Commission's decision is to remove the member or alternate from his/her position, the person shall be notified in writing that the removal has occurred within 15 days after the Commission's decision.

c. Any person removed from the Commission may appeal the decision of the Commission to the Secretary of the California Department of Food and Agriculture. The determination of the Secretary shall be final.

LAKE COUNTY DISTRICT 2 LOCAL WINEGRAPE COMMISSION

CANDIDATE STATEMENT

I, _____, am a candidate for election to the Commission. I represent _____, a producer of winegrapes.
(name of producer entity)

Please use space below to briefly summarize your experience in the District 2 winegrape industry and why you would like to serve on the Commission.

If elected, I am willing to dedicate the time and effort necessary to serve as a member of the Commission and any committees of the Commission to which I am appointed.

Dated: _____

Signature

Print name and name of company