

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN *MSL*
 GENERAL MANAGER
 DATE: MAY18, 2012



GENERAL MANAGER'S REPORT

ITEM

Standing report to your Honorable Board -- *Period covered by this report is May 4, 2012 through May 18, 2012.*

DISTRICT BUSINESS

Administrative

- A summary of tabulation results by Special District Financing and Administration is attached.
- An observation report of tabulation process by SLO County League of Women's Voters is attached.
- A history of the District's Board of Directors is attached.
- County Planning Economic Element Update announcement
- Office Projects
 - Front counter 'Store Front' installation is scheduled to be complete on May 22, 2012.
 - Parking lot seal, top-coat, and re-stripping scheduled for Memorial Day Weekend.

Connection Report

(no change from last report)

Nipomo Community Services District
 Water and Sewer Connections

End of Month Report 2012

	Dec-11	JAN-12	FEB-12	MAR-12	APR-12
Water Connections (Total)	4232	4232	4239	4239	4239
Sewer Connections (Total)	3022	3022	3035	3035	3035
Meters turned off (Non-payment)	23	28	22	18	28
Meters off (Vacant)	62	64	62	64	68
Sewer Connections off (Vacant)	20	24	22	22	27
New Water Connections	0	0	7	0	0
New Sewer Connection	0	0	13	0	0
Galaxy & PSHH at Orchard and Division Sewer Connections billed to the County	460	460	460	460	460

Meetings

Meetings attended:

- *May 8, Supplemental Water, Spanish language presentation*
- *May 9, Regular Meeting Supplemental Water Project funding ballot Public Hearing*

- *May 10, Special Meeting, Ballot tabulation result*
- *May 11, Quarterly All-Staff Safety*
- *May 14, Board Officer coordination*
- *May 14, Special Meeting 2012-2013 Budget Workshop*
- *May 15, Rating Call Southland WWTF Phase I*
- *May 18, SLO Co Chapter CSDA*

Meetings Scheduled:

- *May 23, Regular Board Meeting*
- *May 24, Guadalupe Wastewater Plant Tour*

NOTE: General Manager will be on vacation and out of office May 29 – June 1, 2012.

Safety Program

Paint spill on Tefft. No injuries.

RECOMMENDATION

Staff seeks direction and input from your Honorable Board

ATTACHMENTS

- May 15, 2012 Special District Financing and Administration Tabulation Summary
- May 14, 2012 League of Women's Voters Report
- Board of Director History
- County Planning Announcement

May 15, 2012

Mr. Michael Lebrun
 General Manager
 Nipomo Community Services District
 P.O. Box 326
 148 South Wilson
 Nipomo, CA 93444-0326

**RE: PROPOSED ASSESSMENT DISTRICT NO. 2012-1
 BALLOT RESULTS FROM PROTEST HEARING**

Special District Financing & Administration (SDFA) appreciates the opportunity to have assisted the Nipomo Community Facilities District (NCSD) in its recent effort to form Assessment District No. 2012-1 in order to finance a supplemental water project. The following tables summarize the number and proportional weighting of ballots cast in favor or opposition to the assessment. Table 1 summarizes the weighted dollar value of ballots cast in favor and in opposition to the proposed assessments for each of the water purveyors:

Table 1

Water Purveyor	Value of Ballots Received, Validated and Tabulated			
	Value of Ballots in Support	Value of Ballots in Opposition	Value of Ballots Tabulated	Pct. of Weighted Ballots Cast In Support
Golden State Water Company	\$230,503.47	\$960,242.44	\$1,190,745.91	19.36%
Nipomo Community Services District	\$3,390,185.46	\$4,986,176.29	\$8,376,361.75	40.47%
Rural Water Company	\$138,071.15	\$1,060,507.41	\$1,198,578.56	11.52%
Woodlands Mutual Water Company	\$3,159,801.92	\$486,498.24	\$3,646,300.16	86.66%
Aggregate Assessments	\$6,918,562.00	\$7,493,424.38	\$14,411,986.38	48.01%

Table 2 indicates the number of ballots cast in favor and in opposition to the proposed assessments for each of the water purveyors:

Table 2

Water Purveyor	No. of Ballots Received, Validated and Tabulated			
	No. of Ballots in Support	No. of Ballots in Opposition	No. of Ballots Tabulated	Pct of Ballots Cast In Support
Golden State Water Company	171	629	800	21.38%
Nipomo Community Services District	740	1,953	2,693	27.48%
Rural Water Company	72	607	679	10.60%
Woodlands Mutual Water Company	524	167	691	75.83%
Total Number of Ballots	1,507	3,356	4,863	30.99%

A total of 38 ballots required special consideration to be deemed validated and incorporated into the tabulation. These ballots were either cast during the public hearing or were in a condition that required further visual inspection before validating and scanning. These ballots were inspected in public view by SDFA, bond counsel for the District, and a representative of the League of Women Voters ("League") and then validated during the tabulation of the ballots. A summary of weighting for these ballots is shown below:

Table 3

Ballots Requiring	Ballots Requiring Special Handling		
	Value of Ballots in Support	Value of Ballots in Opposition	Value of Ballots Tabulated
Weighting of Ballots Requiring Special Handling	\$189,218.15	\$94,936.02	\$284,154.17

Of the 100 ballots received and deemed invalid, most were invalidated because the property owner did not identify their support or opposition to the assessment. Ballots which were invalidated for other reasons were inspected by SDFA, bond counsel, and a representative of the League prior to being invalidated. A summary of weighting for these ballots is shown below

Table 4

Reason for Invalidation	Invalidated Ballots	
	No. of Ballots Invalidated	Value of Ballots Invalidated
Subsequent Issuance of Corrected Ballot	1	\$6,922.24
Ballot was not signed	4	\$27,399.09
No indication of Vote – Assessment > 0	45	\$304,557.39
No indication of Vote – Assessment = 0	46	0.00
Unsigned and No indication of vote	1	2,397.90
Ballot was outside envelope	1	1,447.96
Ballot Not Sealed	1	1,276.14
Photocopied ballot	1	1,595.18
Total No. & weight of Invalidated ballots	100	\$345,595.90

Finally, a total of 28 ballots representing replacement ballots were tabulated and incorporated into the final tabulation. Any previous replacement and original ballots associated with these assessments which were received by the District were identified and removed from the final calculation. Of the 28 replacement ballots requested, received and validated, 15 reflected no change in assessment and the remaining 13 reflected either an increase or decrease in the assessment amount as contained on the previous ballot. The weighting of the validated replacement ballots and their original or previous replacement ballot is summarized below:

Table 5

Balloting Component	Validated Replacement Ballots		
	Aggregate Assessment of Original/Previous Ballots	Aggregate Assessment of Replacement Ballots	Aggregate Increase in Assessments
Weighting of Replacement Ballots	\$299,955.13	\$434,741.03	\$134,785.90

The enclosed Exhibit further summarizes the final tally for the protest hearing. Again, SDFA appreciates the opportunity to have assisted the District in this process.



Jeffery A. Hamill

Enclosures

Exhibit A

Nipomo Community Services District
Assessment District No. 2012-1
Supplemental Water Project

Ballot Tabulation Summary - Post Public Hearing on May 9, 2012

Component of Ballot Tabulation	Water Purveyor				Aggregate
	NCS D	G S W C	R W C	W M W C	
Total Amount of Assessments	\$13,333,249.29	\$2,127,276.22	\$1,994,645.16	\$4,104,913.30	\$21,560,083.97
Total No. of Assessments	4,593	1,492	1,085	907	8,077
Assessments Initially Tabulated:					
Total Assessments Tabulated	\$8,647,371.96	\$1,198,619.12	\$1,195,275.91	\$3,650,334.66	\$14,691,601.65
No. of Assessments In Favor	\$3,447,450.21	\$232,098.65	\$138,071.15	\$3,167,923.76	\$6,985,543.77
No. of Assessments In Opposition	\$5,199,921.75	\$966,520.47	\$1,057,204.76	\$482,410.90	\$7,706,057.88
Assessments Tabulated and Validated:					
Total Assessments Voted	\$8,376,361.75	\$1,190,745.91	\$1,198,578.56	\$3,646,300.16	\$14,411,986.38
No. of Assessments In Favor	\$3,390,185.46	\$230,503.47	\$138,071.15	\$3,159,801.92	\$6,918,562.00
No. of Assessments In Opposition	\$4,986,176.29	\$960,242.44	\$1,060,507.41	\$486,498.24	\$7,493,424.38
Pct of Total Assessments Tabulated & Validated	62.82%	55.98%	60.09%	88.83%	66.85%
Pct of Tabulated Assessments In Favor	40.47%	19.36%	11.52%	86.66%	48.01%
Pct of Tabulated Assessments In Opposition	59.53%	80.64%	88.48%	13.34%	51.99%
Ballots Tabulated:					
Total Ballots Voted	2,693	800	679	691	4,863
No. of Ballots In Favor	740	171	72	524	1,507
No. of Ballots In Opposition	1,953	629	607	167	3,356
Ballots Tabulated and Validated:					
Total No. of Ballots	2,669	798	679	688	4,834
No. of Ballots voted In Favor	735	170	72	521	1,498
No. of Ballots voted in Opposition	1,934	628	607	167	3,336
Largest Property Owners in Favor (by Assessment)⁽¹⁾:					
1 Owner(s) with Largest Assessment	Herrnreck Enterprises	Cormany, Burt M Tre Et al.	Russ, Richard	Woodland Ventures	
1 Amount of Largest Assessment	\$451,570.29	\$4,785.54	\$7,193.70	\$1,884,943.70	
2 Owner(s) with 2nd Largest Assessment	Blacklake Golf Resort	Rose, Edward L	SLO Board of Educ	Shea Homes	
2 Amount of 2nd Largest Assessment	\$315,309.76	\$3,190.36	\$7,145.74	\$406,092.00	
Largest Property Owners in Opposition (by Assessment)⁽¹⁾:					
1 Owner(s) with Largest Assessment	Lucia Mar USD	Tanner, Sharon A	Degroot, Henri	Monarch Dunes Golf	
1 Amount of Largest Assessment	\$143,232.20	\$30,308.42	\$22,060.68	\$41,962.84	
2 Owner(s) with 2nd Largest Assessment	Fairbanks, Kathleen	Criswell, Donald	Lucia Mar USD	Hedges, Thomas	
2 Amount of 2nd Largest Assessment	\$134,135.96	\$20,737.34	\$21,976.75	\$5,414.56	
Largest Property Owners Not Voting (by Assessment)⁽²⁾:					
1 Owner(s) with Largest Assessment	East West Bank Et al.	Community Health Centers of the	H Land PTP LP	Scardino, John	
1 Amount of Largest Assessment	\$221,511.81	\$31,584.56	\$105,507.60	\$5,414.56	
2 Owner(s) with 2nd Largest Assessment	East West Bank	Llamas, Jose	Cypress Ridge Golf Course LLC	Hawks View Properties LLC	
2 Amount of 2nd Largest Assessment	\$124,600.39	\$19,142.16	\$55,655.26	\$4,060.92	
3 Owner(s) with 3rd Largest Assessment	Margarita Valley Ranch LLC	Gutierrez, Anthony J and Nicole L	Cypress Ridge LP	Schug, Carson B	
3 Amount of 3rd Largest Assessment	\$84,055.82	\$14,356.62	\$50,355.90	\$2,707.28	
4 Owner(s) with 4th Largest Assessment	Michel, Hopa Et al.	Melero, Pete and Lucille	Cypress Ridge LTD PTP	Sears, Richard K Tre Et al.	
4 Amount of 4th Largest Assessment	\$83,066.93	\$12,761.44	\$27,000.35	\$2,707.28	
5 Owner(s) with 5th Largest Assessment	Apple, Mannela R Tre.	Sugano, Irene Tre.	Craig, Jeffery K Tre Et al.	Wennergren, Kenneth H	
5 Amount of 5th Largest Assessment	\$80,771.17	\$7,975.90	\$7,193.70	\$2,707.28	

(1) Reflects only that portion of the total assessments for the owner indicated for which a ballot was cast and validated in favor or opposition of the assessment.

(2) Reflects the aggregate assessment amount identified for a particular owner and for which no ballot was cast for a majority of their property.

LEAGUE OF WOMEN VOTERS® OF SAN LUIS OBISPO COUNTY

Mailing Address: PO Box 4210, San Luis Obispo CA 93403
TEL (805) 782-4040 EMAIL info@lwvslo.org WEBSITE www.lwvslo.org



Summary of Property Owner Assessment Balloting Nipomo Community Service District Observation of Official Ballot Count May 9 & 10, 2012

Prepared by the League of Women Voters of San Luis Obispo County
May 14, 2012

I. Role of the League of Women Voters

The League was requested by Michael LeBrun, General Manager of the Nipomo Community Service District, to serve as an independent observer of the process and to provide input and a post balloting summary of said process.

II. Observation

The completion, return, and tabulation of Assessment Ballots were to be consistent with and in compliance with Articles XIIC and XIID of the California Constitution and with the Proposition 218 Omnibus Implementation Act.

Information provided to the property owners by the District prior to the balloting was clear and thorough. A public hearing held Wednesday, May 9, attended by the board members of the Services District, the General Manager, the Bond Counsel, and the Consulting Engineer, provided the members of the public with the opportunity to ask and receive answers to questions on any concerns they might have with the proposed assessment and water project. A significant number of members of the public took advantage of this opportunity.

At all times, the marked ballots were kept secure by the district staff and the third party consultant, Special District Finance Administration, as observed by the representatives of the League of Women Voters of San Luis Obispo County. In addition, deputies from the San Luis Obispo Sheriffs' Department were in attendance during the public hearing and available throughout the process.

The counting process by the Special District Finance Administration was careful and concise. It included bar code reading of each ballot, which identified the ballots' property location and allowed follow up of ballots as needed. Problem or questionable or replacement ballots were set aside for careful review and decision as to legal acceptability by the Bond Counsel, Consulting Engineer and the representatives of the League of Women Voters.

The public was welcome to observe the ballot count and process at all times. The room was arranged so that the ballots and computer remained separate and secure. A member of the public requested to use his personal computer and bar code scanner to additionally process ballots and was appropriately denied.

III. Conclusion

The process was handled extremely well, very fairly, with many checks and balances to preserve integrity, careful assessment and solutions for any anomalies or unusual circumstances, and all was done according to existing law.

Submitted respectfully,

Vera Wallen, LWV-SLO Observer

Emily Penfield, LWV-SLO Observer

NIPOMO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
1965 TO CURRENT

Source: Board Minutes and Board Member files

DATE	MEMBER #1	MEMBER #2	MEMBER #3	MEMBER #4	MEMBER #5
1/28/65	Jim Miller	John Mylan	Bill Black	Jim Kitchen	Cecil Davis
2/10/67				Kitchen resigned	
3/10/67				Frank Lucas	
12/12/69	Jim Miller	John Mylan	Bill Black	Hideo Kaminaka	Eugene Santos
12/9/70	Leonard Hart	John Mylan	Bill Black	Hideo Kaminaka	Roy Stanton
11/10/71				Kaminaka resigned	
11/10/71				Leonard Sweeney	
11/26/71	James Backus	B. Mylan	Herb Sutcliffe	Leonard Sweeney	Roy Stanton
3/14/73					Stanton resigned
12/12/73	James Backus	B. Mylan	Herb Sutcliffe	Fergus	Frank Grabil
12/31/73	Backus resigned			Fergus resigned	Grabil resigned
1/7/74	Dolores Dana	B. Mylan	Herb Sutcliffe	Peggy Miller	Clifton Calvert
8/15/75					Calvert resigned
9/10/75					Orval Bantz
12/10/75	Leonard Hart	Maurice Prince	Leonard Hertler	Peggy Miller	Orval Bantz
3/10/76			Hertler resigned		
5/12/76			Homer Sanchez		
11/10/76				RECALLED	RECALLED
11/22/76	Leonard Hart	Maurice Prince	Fay Douglass	Hideo Kaminaka	Homer Sanchez
1/12/77	Hart resigned				Sanchez resigned
2/16/77	Richard Blackwell				Doris McKinnon
6/18/77				Kaminaka resigned	
8/11/77				Glenn Peck Sr	
11/25/77	Richard Blackwell	Maurice Prince	Fay Douglass	Glen Peck Jr	Doris McKinnon
1978	Blackwell Died				
7/28/78	Barbara Haslam				
12/19/79	Barbara Haslam	Jackie Neary	Fay Douglass	Glen Peck Jr	Doris McKinnon
1/16/80					McKinnon resigned
2/7/80					Lester Ziegler

NIPOMO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
1965 TO CURRENT

Source: Board Minutes and Board Member files

DATE	MEMBER #1	MEMBER #2	MEMBER #3	MEMBER #4	MEMBER #5
1983??			Douglass resigned		
10/19/83			David Manriquez		
1/7/87		Neary resigned			
2/18/87		Steven Small			
3/29/89				Peck Jr resigned	
5/30/89				Kathleen Furness aka Fairbanks	
12/6/89					Ziegler resigned
12/6/89					Alex Mendoza
2/7/90	Haslam resigned				
3/28/90	Gordon Gracia				
12/7/94	Robert Blair	Steven Small	Albert Simon	Kathleen Fairbanks	Alex Mendoza
12/11/96		Gene Kaye			
12/4/98				Richard Mobraaten	Caren Moore
12/20/98					Moore resigned
1/20/99					Alex Mendoza
4/10/00		Kaye resigned			
5/19/00		Michael Winn			
12/1/00	Robert Blair (4)	Michael Winn (4)			Judith Wirsing (2)
5/22/01			Simon Died		
7/16/01			Clifford Trotter		
12/6/02			Clifford Trotter (4)	Larry Vierheilig (4)	Judith Wirsing (4)
12/3/04	Ed Eby (4)	Michael Winn (4)			
12/1/06			Clifford Trotter (4)	Larry Vierheilig (4)	James Harrison (4)
12/5/08	Ed Eby(4)	Michael Winn (4)			
5/2009			Trotter resigned		
6/10/09			Bill Nelson		
12/3/10			Dan A. Gaddis (4)	Larry Vierheilig (4)	James Harrison (4)

t:\board matters\board members\history of board members.doc



DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

DATE: May 1, 2012
FROM: Dana Lilley, Supervising Planner
SUBJECT: LRP2011-00014 - Economic Element Update

RECEIVED
MAY - 7 2012
NIPOMO COMMUNITY SERVICES

This referral is being sent to notify you that the County of San Luis Obispo is preparing an update to the adopted Economic Element of the General Plan. The Economic Element is being restructured into a broad set of goals and policies.

The Economic Element is a document containing goals and policies that will guide actions the County needs to take to assure a vital economy and with it, a continuing high quality of life. This element focuses on:

- establishing a commitment to economic vitality
• setting priorities for economic development
• identifying strategies for retaining existing businesses and attracting new ones
• expanding diverse employment opportunities for current and future workers
• supporting a countywide economic strategy through establishment of complementary goals and policies

We invite you to review the proposed amendment and submit comments before June 15, 2012. The Public Review Draft document can be found at: www.sloplanning.org or at the offices of the Department of Planning and Building at 976 Osos Street, Room 200, San Luis Obispo, Ca 93408.

If you have any questions, you can contact Dana Lilley, Project Manager at 805-781-5715.



- ☐ We have received the referral on the above-referenced amendments and have no comments.
☐ We have received the referral on the above-referenced amendments and have the following comments (or attach a separate letter):

Four horizontal lines for providing comments.