

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JULY 6, 2012



CONSENT AGENDA

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item removed. If discussion is desired, the item may be removed from the Consent Agenda by a Board member and will be considered separately at the conclusion of the Administrative Items. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is pulled for separate consideration. The recommendations for each item are noted in bracket. Members of the public may comment on the Consent Agenda items.

**Questions or clarification may be made by the Board members
without removal from the Consent Agenda.**

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) CONSOLIDATION OF DISTRICT BOARD ELECTION WITH FALL GENERAL ELECTION [RECOMMEND ADOPT RESOLUTION REQUESTING COUNTY CONSOLIDATE DISTRICT BOARD OF DIRECTORS ELECTION WITH COUNTY WIDE GENERAL ELECTION]

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JULY 6, 2012

**AGENDA ITEM
D-1
JULY 11, 2012**

WARRANTS LIST WILL BE DISTRIBUTED ON MONDAY, JULY 9, 2012.

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JULY 6, 2012



REQUEST CONSOLIDATION OF DISTRICT BOARD ELECTION WITH FALL GENERAL ELECTION

ITEM

Request Consolidation of District Board Election with Fall General Election [Adopt Resolution]

BACKGROUND

On May 3, 2012 the Office of the County Clerk-Recorder contacted the District and requested the District:

1. File a Notice of Offices to be Filled;
2. Provide a map of District Boundary; and
3. Provide a Resolution requesting consolidation with the November 6, 2012 General Election.

On May 12, 2012 the District conveyed to the County the Notice of Offices to be Filled and a map of District boundary.

A Resolution must be adopted and provide to the County Clerk Recorder no later than August 10, 2012 to fulfill the County's final requirement related to the fall District Board elections.

The draft Resolution provides for the election of the District's Board of Directors to be included on the ballot with the County-wide General Election.

RECOMMENDATION

Adopt attached Resolution approving consolidation of Board election with General Election.

ATTACHMENTS

- A. Draft Resolution
- B. Copy of Notice and Map
- C. Special District Calendar of Events for the November 6, 2012 Consolidated General Election

JULY 11, 2012

ITEM D-2

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2012-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN LUIS OBISPO TO CONSOLIDATE
A GENERAL DISTRICT ELECTION TO BE HELD ON NOVEMBER 6, 2012,
WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE
SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTION CODE**

WHEREAS, the Board of Directors of the Nipomo Community Services District has called a District Election to be held on November 6, 2012, for the purpose of the election of two members of the Board of Directors for full terms of four years, and

WHEREAS, pursuant to Section 10555 of the Elections Code, said election may be consolidated with other elections to be held on the same day pursuant to Chapter 3, Part 3, Division 10 of the Elections Code (commencing with Section 10400); and

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of the local agency adopt regulations pertaining to the materials prepared by any candidate for election, including the costs of the candidate's statement; and

WHEREAS, the Board of Directors of the Nipomo Community Services District desires to request the San Luis Obispo County Board of Supervisors to consolidate the District's General Election with the Statewide General Election to be held on the same date.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of Section 10403 of the Election Code, the Board of Supervisors of the County of San Luis Obispo is hereby requested to consent and agree to consolidate the District's General Election with the Statewide General Election to be held on Tuesday, November 6, 2012, for the purpose of the election of two members to the Nipomo Community Services District Board of Directors.

- A. This request is made pursuant to Section 10555 and 10400, et seq of the Election Code.
- B. That the County Election Department is authorized to canvas the returns of the District election.
- C. That the District recognizes that additional costs will be incurred by the County by reasons of this consolidation and agrees to reimburse the County for the additional costs.
- D. The Board of Supervisors is requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the consolidated election.

Section 2. The Notice to County Election Official attached hereto as Exhibit "A" provides that the candidate will pay for the printing and handling of the Statement of Qualifications is hereby approved and adopted.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2012-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN LUIS OBISPO TO CONSOLIDATE
A GENERAL DISTRICT ELECTION TO BE HELD ON NOVEMBER 6, 2012,
WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE
SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTION CODE

Section 3. The Secretary to the Board is hereby directed to file a certified copy of this Resolution, with attachments, with the Board of Supervisors and the County Elections Department of the County of San Luis Obispo.

On the motion by Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 11th day of July, 2012.

JAMES D. HARRISON, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

MICHAEL S. LEBRUN
Secretary to the Board

JON S. SEITZ
General Counsel

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ATTACHMENT B

**NOTICE TO COUNTY ELECTIONS OFFICIAL
ELECTIVE OFFICES TO BE FILLED
MAP OF DISTRICT BOUNDARIES
PAYMENT OF CANDIDATE STATEMENT OF
QUALIFICATIONS**

Elections Code §10509 & 10522

NIPOMO COMMUNITY SERVICES DISTRICT

Name of District

TO THE COUNTY ELECTIONS OFFICIAL OF SAN LUIS OBISPO COUNTY:

1. Notice is hereby given that the elective offices of the district to be filled at the Consolidated General Election on November 6, 2012 are as follows:

NUMBER OF DIRECTORS TO BE ELECTED	TERM OF OFFICE
<u>ED EBY and MIKE WINN</u>	Four Year Term
<u>None</u>	Two Year Term

2. The qualifications of a nominee and of an elective office of the District are as follows:

SHALL BE A REGISTERED ELECTOR RESIDING IN THE DISTRICT

3. Pursuant to Elections Code §10522, a map showing the boundaries of the district is attached.

Have the boundaries changed since 2010?

YES _____ NO x

4. Please indicate whether the DISTRICT or the CANDIDATE will pay for the printing and handling of the Statement of Qualifications, per Elections Code §13307

DISTRICT _____ CANDIDATE x

Signed: Michael S. LeBrun

Dated: 5/14/12

Print Name and Title: Michael S. LeBrun, General Manager



Nipomo Community Service District
P.O. Box 326
Nipomo, CA 93444

JULY 11, 2012

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ATTACHMENT C

SPECIAL DISTRICT CALENDAR OF EVENTS
NOVEMBER 6, 2012 CONSOLIDATED GENERAL ELECTION

DATE/DEADLINE	EVENT
July 4, 2012* 125 days EC §10509, 10522	District Secretary completes and delivers to the County Elections Official, the Notice of Elective Offices to be filled, along with the map of the district's boundaries.
JULY 9- AUG 8, 2012 120-90 Days EC Code §12112 EC §12113	County Elections Official shall publish the Notice of Election for each district containing: <ol style="list-style-type: none"> 1. The date of the election 2. The office for which candidates may file 3. The qualifications for office 4. Location where candidates may file for office and the deadlines 5. Statement regarding appointments EC §10515 In addition, County Elections official, shall, by a general press release, set forth the offices to be filled and a telephone number to call for information. County Elections Official shall deliver a copy of all published notices to the District Secretary for posting in the district office.
JULY 16- AUG 10, 2012 113-88 Days EC §10510, 10603 EC §10515	Nomination period - Candidates file declaration of candidacy forms and other related nomination documents with the County Elections Official. No person may file papers for more than one district office at the same election. Candidates for Harbor Commissioner must file nomination papers signed by 25 to 50 registered voters within the District. Insufficient Nominees - if by the close of nominations for a given office, there are insufficient or no nominees, and a petition requesting an election has not been filed, the district will not hold an election. Those candidates who filed Declarations of Candidacy will be appointed in-lieu of election by the Board of Supervisors. Upon recommendation of the District, the Board of Supervisors will make appointments where no candidates filed the requisite papers.
AUG 10, 2012 88 Days EC §10403, 10603b	Last day for districts to file their resolutions requesting consolidation of their election with the November 6, 2012 General Election with the County Elections Official Last day for a candidate to withdraw their Declaration of Candidacy.
AUG 11- AUG 15, 2012 87-83 Days EC §10604	Extended Filing Period- If an incumbent officer does not file a declaration of candidacy by August 10, 2012, any person other than the incumbent , may file between these dates. The extension is not applicable if there is no incumbent to be elected.
AUG 13, 2012 85 Days EC §13307	Last Day for a candidate to withdraw their Statement of Qualifications. Once filed, the statement cannot be changed, only withdrawn. If the office has a filing extension, the last day to withdraw the statement of qualifications is August 16, 2012.
DEC 7, 2012 EC §10554	Term of Office begins. Prior to taking office, each elective officer shall take the official Oath of Office.
JAN 7, 2013 HNC §6050, 6055, 6056	Term of Office for Harbor Commissioners begins at noon. Prior to taking office, each commissioner shall take the official oath and execute any bond required by the principal act.

* denotes a date that falls on a county holiday or weekend. Deadline extends until the next business day

COMMUNITY SERVICE DISTRICT DIRECTORS

DISTRICT	# OF TERMS	INCUMBENT	TERM BEGINS	TERM ENDS
Avila Beach Community Services District	2 Full Terms	John P. Janowicz Daniel Yoder	12/7/12	12/2/16
California Valley Community Services District	3 Full Terms	Tammy Forrest Lisa Marrone Thomas Ortega	12/7/12	12/2/16
Cambria Community Services District	3 Full Terms	Muril Clift Allan S. Mackinnon Vacant	12/7/12	12/2/16
Creston Hills Ranch Community Services District	2 Full Terms	Tom Blankenship Michael Prowse	12/7/12	12/2/16
Ground Squirrel Hollow Community Services District	3 Full Terms	Robin Bradley Mike Milbury Scott C Simons	12/7/12	12/2/16
Heritage Ranch Community Services District	2 Full Terms	Dan Burgess Richard Gourley	12/7/12	12/2/16
Independence Ranch Community Services District	3 Full Terms	Thomas John Hunter Carol Camarata Noe George Tracy	12/7/12	12/2/16
Linne Community Services District	2 Full Terms	James Dempsey Martha James	12/7/12	12/2/16
	1 Short Term	W Miller Newlon	12/7/12	12/5/14
Los Osos Community Services District	2 Full Terms	Marshall Ochylski Robert Michael Wright	12/7/12	12/2/16
Nipomo Community Services District	2 Full Terms	Ed Eby Mike Winn	12/7/12	12/2/16
Oceano Community Services District	3 Full Terms	Matthew Guerrero Felma Hurdle Mary Lucey	12/7/12	12/2/16
	1 Short Term	Richard Searcy	12/7/12	12/5/14
San Miguel Community Services District	3 Full Terms	Dale E Hamblin Richard L Harrison Richard Smithen	12/7/12	12/2/16
San Simeon Community Services District	3 Full Terms	Alan M Fields Ralph N Mc Adams Leroy Price	12/7/12	12/2/16
Squire Canyon Community Services District	3 Full Terms	Carol Capito Thomas J. Murphy Stephen Fiant	12/7/12	12/2/16
Templeton Community Services District	3 Full Terms	Robert Bergman Judith R Dietch Kevin G Hunt	12/7/12	12/2/16