

TO: BOARD OF DIRECTORS  
FROM: RAY DIENZO *R.D.*  
GENERAL MANAGER  
DATE: JUNE 26, 2024

**AGENDA ITEM  
D-4  
JUNE 26, 2024**

**REQUEST CONSOLIDATION OF DISTRICT BOARD ELECTION  
WITH STATEWIDE GENERAL ELECTION AND ADOPTING  
REGULATIONS FOR CANDIDATES AND COSTS OF CANDIDATES  
STATEMENTS SUBMITTED TO THE VOTERS**

**ITEM**

Request Consolidation of District Board Election with Fall General Election and Adopting Regulations for Candidates and Costs of Candidates Statements [RECOMMEND ADOPT RESOLUTIONS]

**BACKGROUND**

On May 15, 2024, 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 5, 2024 General Election and a Resolution pertaining to the rules and costs for candidates' statements.

The draft Resolutions provide for the election of the District's Board of Directors to be consolidated on the ballot with the Statewide General Election conducted by the County on November 5, 2024, and adopting regulations for candidates and costs of candidates statements submitted to the voters.

The Notice and Map are due back to the County by June 28, 2024. The Resolution must be adopted and provided to the County Clerk Recorder no later than August 9, 2024.

**RECOMMENDATION**

Adopt attached Resolution approving consolidation of Board election with the General Election and direct staff to submit all election related material to the County Clerk Recorder no later than June 28, 2024.

**ATTACHMENTS**

- A. Draft Resolutions
- B. Notice and District Boundary Map
- C. Calendar of Events for the November 5, 2024 Consolidated General Election

**JUNE 26, 2024**

**ITEM D-4**

**ATTACHMENT A**

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2024-XXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF NIPOMO COMMUNITY SERVICES  
DISTRICT, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ADOPTING  
REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO, AND  
COSTS OF, CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT THE  
NOVEMBER 5, 2024, STATEWIDE GENERAL ELECTION**

**WHEREAS**, Section 13307 of the Elections Code of the State of California requires this board to adopt certain policies in regard to statements of candidates who run for office as members of the governing board of the district.

**NOW, THEREFORE, BE IT RESOLVED** that this governing board does hereby determine:

1. That the cost of printing, handling, and mailing candidates' statements of qualifications shall be charged to the: CANDIDATE
2. That the candidates' statement of qualifications shall not exceed: "200" WORDS
3. The statement shall be filed with the County of San Luis Obispo Registrar of Voters at the time the candidate's nomination papers are filed.
4. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00pm of the next working day after the close of the nomination paper.
5. That the candidates are not permitted to submit additional materials to be sent to the voter with the County Voter Information Guide.
6. That the County of San Luis Obispo Registrar of Voters be directed to give a copy of these regulations to each candidate, or their representative, at the time that nomination documents are received.

**PASSED AND ADOPTED** by the Board of Directors of the Nipomo Community Services District, County of San Luis Obispo, State of California, at a regular meeting thereof held on the 26<sup>th</sup> day of June, 2024, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2024-xxxx

A RESOLUTION OF THE BOARD OF DIRECTORS OF NIPOMO COMMUNITY SERVICES DISTRICT, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO, AND COSTS OF, CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT THE NOVEMBER 5, 2024, STATEWIDE GENERAL ELECTION

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ED EBY, President  
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

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RAY DIENZO  
Secretary to the Board

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CRAIG A. STEELE  
District Legal Counsel

**CERTIFICATE OF SECRETARY I**, [Secretary's Name], Secretary of the Board of Directors of [Special District Name], hereby certify that the above is a true and correct copy of Resolution No. [XXXX] passed and adopted by the Board at a meeting held on [date].

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of [Special District Name] on this [day] day of [month], [year].

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2024-XXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF NIPOMO COMMUNITY SERVICES DISTRICT, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, REQUESTING THE CONSOLIDATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT GOVERNING BOARD ELECTION WITH THE NOVEMBER 5, 2024 STATEWIDE GENERAL ELECTION**

**WHEREAS**, the Nipomo Community Services District (hereinafter "District") is governed by a Board of Directors committed to effectively representing the interests of the district's beneficiaries; and

**WHEREAS**, the regular election for members of the Board of Directors is scheduled to occur on November 5, 2024; and

**WHEREAS**, the consolidation of the District governing board election with the general election to be conducted on the same date by the County of San Luis Obispo is in the public interest as it promotes greater voter participation and reduces the overall cost of the election; and

**WHEREAS**, pursuant to California Elections Code Section 10400 and following, the District is permitted to request the consolidation of its regular election with the statewide Presidential General Election; and

**WHEREAS**, pursuant to California Elections Code Sections 10400 and 10403, upon approval of such consolidation by the County, the District is obliged to reimburse the County for all costs incurred in conducting the consolidated election, thereby assuming financial responsibility for the related expenditures.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Nipomo Community Services District, County of San Luis Obispo, as follows:

1. **Election Consolidation:** The Board hereby requests the consolidation of its upcoming governing board election with the general election conducted by the County of San Luis Obispo on November 5, 2024, pursuant to California Elections Code Section 10400.
2. **Reimbursement of Costs:** The District commits to reimburse the County fully for all services provided and costs incurred in the conduct of the consolidated election, as mandated by California Elections Code Section 10400. This includes, but is not limited to, all direct and indirect expenses such as staffing, equipment, materials, and overhead costs.
3. **Submittal:** The secretary to the Board shall transmit copies of this resolution to the County forthwith.

**PASSED AND ADOPTED** by the Board of Directors of the Nipomo Community Services District, County of San Luis Obispo, State of California, at a regular meeting thereof held on the 26th day of June, 2024, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2024-xxxx

A RESOLUTION OF THE BOARD OF DIRECTORS OF NIPOMO COMMUNITY SERVICES DISTRICT, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, REQUESTING THE CONSOLIDATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT GOVERNING BOARD ELECTION WITH THE NOVEMBER 5, 2024 STATEWIDE GENERAL ELECTION

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ED EBY, President  
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

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RAY DIENZO  
Secretary to the Board

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CRAIG A. STEELE  
District Legal Counsel

**CERTIFICATE OF SECRETARY I**, [Secretary's Name], Secretary of the Board of Directors of [Special District Name], hereby certify that the above is a true and correct copy of Resolution No. [XXXX] passed and adopted by the Board at a meeting held on [date].

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Nipomo Community Services District on this 26 day of June 2024.



**November 5, 2024, Presidential General Election**  
**County of San Luis Obispo Elections Division**  
**NOTICE OF ELECTIVE OFFICES TO BE FILLED**

**DISTRICT NAME:** Nipomo Community Services District

**TO: Elaina Cano, County Clerk-Recorder, Registrar of Voters, County of San Luis Obispo**

You are hereby notified that at the **Presidential General Election** to be held for the above district on **November 5, 2024**, the elective office(s) listed below are to be filled.

**1. NUMBER OF FULL-TERM OFFICES TO BE FILLED AND HOW ELECTED**

How many full-term (or 4-year term) offices for district directors, trustees, or board members are to be elected to a full-term at this election? two (2)

How are they to be elected? (Please mark all applicable boxes)  by-division  by-district  by-trustee area  at-large

If "by-division," "by-district," or "by trustee area," please list the offices below in **section A**. If "at-large," complete **section B**. If both apply, complete sections **A** and **B** with applicable information.

**A. List "district-based" office(s) to be filled. Attach additional pages if necessary.**

District, Division, or TA number	Incumbent's name or "N/A"		Term Ending (Year)
	N/A	<input type="checkbox"/> N/A	
		<input type="checkbox"/> N/A	
		<input type="checkbox"/> N/A	
		<input type="checkbox"/> N/A	
		<input type="checkbox"/> N/A	

**B. List "at-large" office(s) to be filled. Attach additional pages if necessary.**

Incumbent's name	Term Ending (Year)
Phil Henry	2024
Mario Iglesias	2024

**2. NUMBER OF SHORT-TERM OFFICES TO BE FILLED AND HOW ELECTED**

How many short-term (or 2-year term) offices for district directors, trustees, or board members are to be elected to a short-term at this election? (If there are no short-term offices to be filled, please print "N/A") N/A

How are they to be elected? (Please mark all applicable boxes)  by-division  by-district  by-trustee area  at-large

Please list the offices below.

District, Division, or TA number (If applicable)	Incumbent's name	Term Ending (Year)
	N/A	

You are further notified that if a candidate files a **candidate statement of qualifications** pursuant to Elections Code Section 13307, the **cost of printing and handling** of the statement shall be **paid by** the: CANDIDATE

PRINT "CANDIDATE" OR "DISTRICT"

Date: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF DISTRICT SECRETARY



November 5, 2024, Presidential General Election  
 County of San Luis Obispo Elections Division  
**QUALIFICATIONS TO RUN AND HOLD OFFICE**

DISTRICT NAME: Nipomo Community Services District

**GENERAL QUALIFICATIONS** E.C. §§ 20, 201; G.C. §§ 1020, 1021, 24001, 36502:

- Must be at least 18 years old and a citizen of the state at the time of their election;
- Must be a registered voter of the district in which the duties of the office are to be exercised at the time that nomination papers are issued to the person or at the time of the appointment of the person;
- Cannot be convicted of designated crimes as specified in the Constitution and laws of the State; and,
- Cannot be convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury or conspiracy to commit any of these crimes.

In addition to the general qualifications outlined above, candidates for the district must also meet the qualifications to run and hold office identified in the ADDITIONAL QUALIFICATIONS section below.

**ADDITIONAL QUALIFICATIONS** (Please include reference to, or attach copies of, the applicable legal code section(s) and/or principal act. If there are no additional qualifications, please print "N/A" in the space provided below and date and sign below):

Executed on: \_\_\_\_\_, 2024

*District Seal*

\_\_\_\_\_  
 SIGNATURE OF DISTRICT SECRETARY





November 5, 2024, Presidential General Election  
County of San Luis Obispo Elections Division  
**DISTRICT BOUNDARY MAP**

Pursuant to Elections Code § 21600 - 21606, 22000 – 22001, please attach a map showing the boundaries of the district.

Have the boundaries changed since 2022?

Yes \_\_\_\_\_

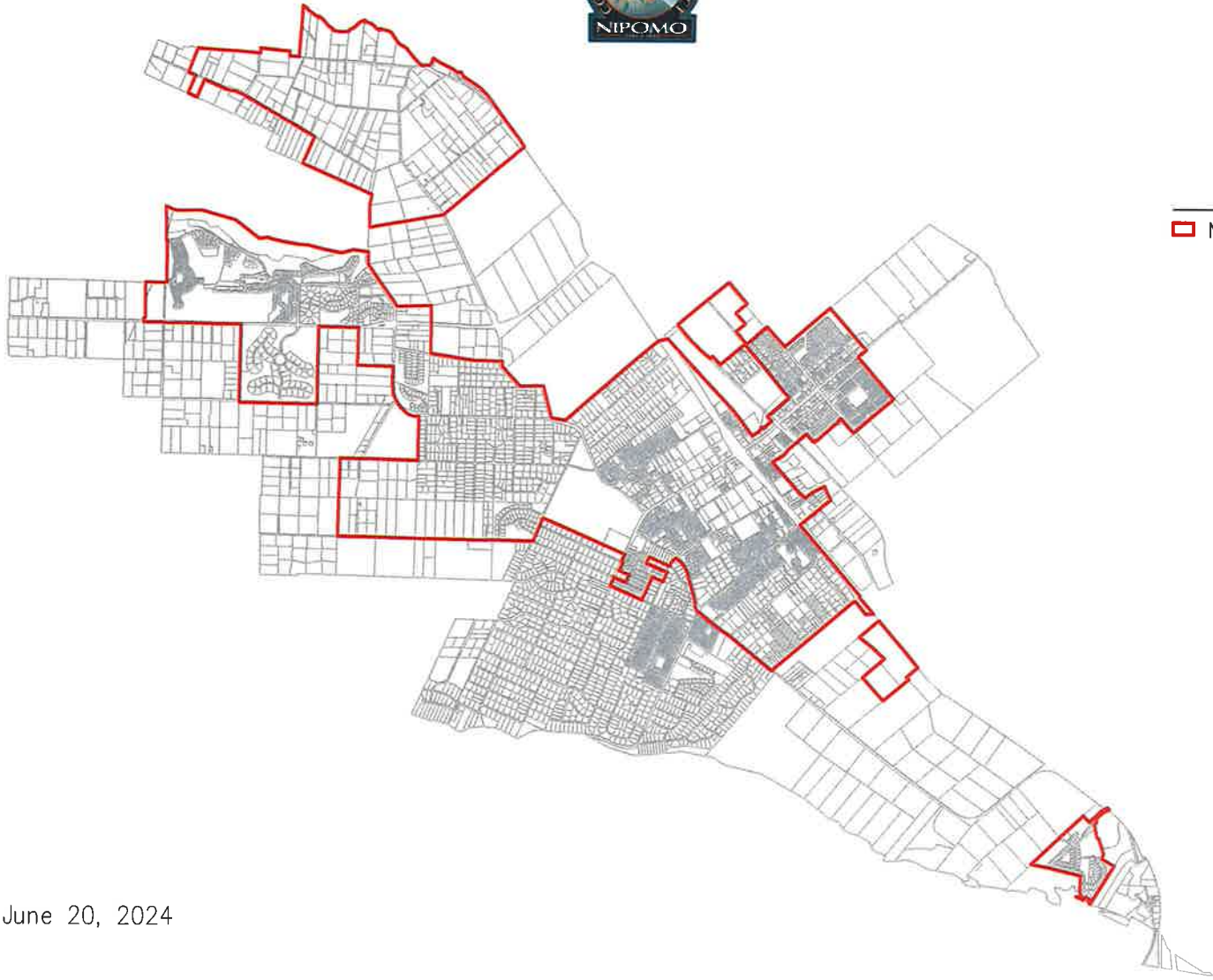
No  \_\_\_\_\_

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ATTACHMENT B

# NIPOMO COMMUNITY SERVICES DISTRICT



Legend  
□ NCS D Boundary



June 20, 2024

JUNE 26, 2024

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ATTACHMENT C

**SPECIAL DISTRICT CALENDAR OF EVENTS**  
**NOVEMBER 5, 2024, CONSOLIDATED PRESIDENTIAL GENERAL ELECTION**

<b>DATE/DEADLINE</b>	<b>EVENT</b>
<b>July 7, 2024</b> E-125 days EC §§10509, 10522	<b>District Secretary</b> completes and delivers to the County Elections Official, the Notice of Elective Offices to be filled, along with whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant EC13307 and a map of the district's boundaries.
<b>JULY 8 - AUG 7, 2024</b> E-120-90 Days EC Code §12112  EC §12113	<b>County Elections Official</b> shall publish the Notice of Election for each district containing: <ol style="list-style-type: none"> <li>1. The date of the election</li> <li>2. The office for which candidates may file</li> <li>3. The qualifications for office</li> <li>4. Location where candidates may file for office and the deadlines</li> <li>5. Statement regarding appointments EC §10515</li> </ol> In addition, the County Election Official shall, by a general press release, set forth the offices to be filled and a telephone number to call for information.  <b>County Elections Official</b> shall deliver a copy of all published notices to the District Secretary for posting in the district office.
<b>JULY 15 - AUG 9, 2024</b> E-113-88 Days EC §§10510, 10603  HNC §6053  EC §10515	<b>Nomination Period</b> - 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.  <b>Insufficient Nominees</b> - 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.
<b>AUG 9, 2024</b> E-88 Days EC §§10403	<b>Last day</b> for districts to file their resolutions requesting consolidation of their election with the November 5, 2024, General Election with the County Elections Official.
<b>AUG 10 - AUG 14, 2024</b> E-87-83 Days EC §10604	<b>Extended Filing Period</b> - If an incumbent officer does not file a declaration of candidacy by August 9th, any person <b>other than the incumbent</b> , may file between these dates. The extension is not applicable if there is no incumbent to be elected.
<b>AUG 12, 2024</b> E-85 Days EC §13307(3)	<b>Last Day</b> for a candidate to withdraw their Statement of Qualifications. Once filed, the statement cannot be changed, only withdrawn. <b>If the office has a filing extension, the last day to withdraw the statement of qualifications is August 15th.</b>
<b>DEC 6, 2024</b> EC §10554	<b>Term of Office begins.</b> Prior to taking office, each elective officer shall take the official Oath of Office.
<b>JAN 3, 2023</b> HNC §§6050, 6055, 6056	<b>Term of Office for Harbor Commissioners</b> 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.  
 EC = Election Code      HNC = Harbors and Navigation Code      (E-) = Election Day Minus