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**Irish Beach Water District**

**Meeting Packet**

**June 4, 2022**

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**NOTICE OF SPECIAL MEETING OF  
THE IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS**  
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459  
SATURDAY, JUNE 4, 2022, AT 10:00 A.M.

PLEASE NOTE: The June 4, 22 Special Meeting of the Irish Beach Water District will be held via ZOOM teleconferencing and/or in person at the Rex Dunning Firehouse, 15401 Forest View Road, Manchester, CA 95459. IBWD directors/employees will be emailed an invitation to the meeting via ZOOM with a link to log-in to the meeting. The Meeting Packet can be accessed at [www.ibwd.org](http://www.ibwd.org).

**Join Zoom Meeting**

<https://us02web.zoom.us/j/82578797197?pwd=ZnVmdWlzSWdEN05Hdjg2ZUdOY1hkZz09>

Meeting ID: 825 7879 7197

Passcode: 208704

Dial by your location:

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

**Agenda**

1. CALL TO ORDER AND ROLL CALL OF BOARD MEMBERS. (ISRAEL).
2. COMMUNICATIONS AND CORRESPONDENCE. (ISRAEL)
3. PUBLIC INPUT: OPENING OF THE MEETING TO PUBLIC COMMENTS FOR TOPICS NOT ON AGENDA. A MAXIMUM OF FIVE (5) MINUTES ALLOWED FOR EACH PRESENTATION. (ISRAEL)
4. DISCUSSION AND OR ACTION: RESOLUTION 2022-4 – MODIFYING BIDDING PROCEDURES. (HACKETT)
5. DISCUSSION AND OR ACTION: IRISH BEACH WATER DISTRICT POLICY HANDBOOK UPDATES AND ADDITIONS. (MURRAY/DIAL):
  - a. 1010 ADOPTION / AMENDMENT OF POLICIES
  - b. 3040 EXPENSE AUTHORIZATION
  - c. 3050 CREDIT CARD USE
  - d. 3080 PURCHASING
  - e. 3081 SELECTION OF CONTRACTORS AND CONSULTANTS
6. DISCUSSION AND OR ACTION: DELEGATING AUTHORITY TO LET INFORMAL CONTRACTS FOR MATERIALS TO COMPLETE REPLACEMENT OF TANK 2 ROOF (DWR GRANT) TO THE GENERAL MANAGER. (HACKETT)
7. EXECUTIVE (CLOSED) SESSION.
  - a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/ POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPHS (2) OR (3) OF SUBDIVISION (D) OF SECTION §54956.9: (1 POTENTIAL CASE). DISCUSSION AND ACTION:
8. ADJOURNMENT. (ISRAEL)

ASSISTANCE WILL BE PROVIDED TO HANDICAPPED PERSONS WHO REQUIRE IT TO PARTICIPATE IN THE MEETING. PER GOVERNMENT CODE SECTIONS §54950-54963.

PUBLIC RECORDS ARE AVAILABLE PER CALIFORNIA PUBLIC RECORDS ACT GOVERNMENT CODE §6250-6276.48, UNLESS THEY ARE EXEMPT UNDER PUBLIC RECORDS ACT §54957.5.

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**COMMUNICATIONS AND CORRESPONDENCE**

**PUBLIC INPUT**

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**4. DISCUSSION AND OR ACTION;      RESOLUTION 2022-4**

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**RESOLUTION NO. 2022 – 4  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE IRISH BEACH WATER DISTRICT  
MODIFYING BIDDING PROCEDURES AUTHORIZED BY CALIFORNIA PUBLIC CONTRACT CODE  
SECTIONS 22020 ET SEQ.**

WHEREAS, the Irish Beach Water District (IBWD) elected to be subject to the Uniform Construction Cost Accounting Procedures (CUCCAC) promulgated by the Controller of the State of California (SOC) pursuant to the California Public Contract Code, specifically Section 22034 commencing in November 1992 by adopting Ordinance 92-1; and

WHEREAS, the California Uniform Construction Cost Accounting Commission (CUCCAC) in agreement with the State Controllers Office (SCO) recommended an increase to the bid limit threshold pursuant to PCC 22020 and effectuated the following changes on January 1, 2019:

- a) Allowing projects costing \$60,000 or less to be performed by employees of a public agency by force account, by negotiated contract, or by purchase order; and
- b) Allowing projects costing up to \$200,000 to be contracted by informal bidding procedures; and projects costing over \$200,000 to be subject to the formal bidding process.

NOW, THEREFORE, IT IS RESOLVED that effective with the date of adoption of this resolution, IBWD is adopting the following bidding procedures:

1. Maintenance of Qualified Contractors List. Commencing in November 1992 and annually thereafter, the IBWD established and shall maintain in accordance with the Policies and Procedures of the California Uniform Public Construction Cost Accounting Commission a list of qualified contractors identified according to category of work. All contractors on the list for the category of work being bid, or all construction trade journals specified in Public Contract Code Section 22036, or both all contractors on the list for the work being bid, and all construction trade journals specified in said Section 22036, shall be notified of the opportunity to submit informal bids.

If the product or service is proprietary in nature or otherwise of such a specific design or construction such that it can be obtained only from certain contractors, the notice inviting informal bids may be sent exclusively to such contractors.

If no bids are received through the formal or informal procedure, the project may be performed by the employees of the public agency by force account, negotiated contract, or purchase order, without further complying with this ordinance.

2. Bidding and Contracting Procedures. Public projects with a cost of sixty thousand dollars (\$60,000) or less may be performed by employees of the District by force account, by negotiated contract, or by purchase order.

District public projects of two hundred thousand dollars (\$200,000) or less may be let to contract by the informal procedures as set forth herein and authorized by Public Contract Code Section 22034.

- o When the Board of Directors invokes the procedures of this Section, the Treasurer shall issue a notice inviting informal bids ten (10) calendar days before bids are designated as being due. The notice inviting informal bids shall describe the project or material in general terms, how to obtain more detailed information, and state the time for the submission of bids. The notice inviting informal bids need not contain specifications.

- o If all bids received are more than two hundred thousand dollars (\$200,000), the Board of Directors may by passage of a resolution by a four—fifths vote, award the contract, at two hundred twelve thousand, five hundred dollars (\$212,500) or less, to the lowest responsible bidder, if it determines the cost estimate was reasonable.

District public projects with a cost of more than two hundred thousand dollars (\$200,000) will be let to contract by the formal procedures as set forth herein and authorized by Public Contract Code 22037.

- o The District shall issue a notice inviting bids a minimum of fourteen (14) calendar days prior to the time of receiving bids, in a general circulation newspaper published within the District boundaries and to all construction trade journals specified in Section 22036. This type of formal bidding process typically includes the issuance of written plans and/or specifications describing the materials or services to be provided.
3. Letting of Contract. The Board of Directors may delegate the authority to award informal contracts to the General Manager of the District or other person designated by the Board of Directors. All contracts let under this resolution shall be let to the lowest responsible bidder.
  4. Emergency Work. In cases of great emergency as determined by the Board of Directors, including, but not limited to, states of emergency defined in Section 8558 of the California Government Code, when repair or replacements are necessary to permit the continued conduct of the operation or services of the District, or to avoid danger to life or property, the Board of Directors by majority vote, may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, working details, or giving notice for bids, formal or informal, to let contracts. The work may be done by day-labor under the direction of the Board of Directors, or by contract, or by a combination of the two. The Board of Directors delegates to the President the power to declare a public emergency, subject to confirmation by the Board of Directors by four—fifths vote at its next meeting.

AND BE IT FURTHER RESOLVED that the District will review the [CUCCAC manual](#) in 2024 and every five years thereafter to update monetary thresholds to reflect the material changes in public construction costs.

This resolution becomes effective on the date of adoption. Upon the effective date of Resolution 2022 – 4, Ordinance 92-1 (Implementing Informal Bidding Procedures Authorized by California Public Contract Code Sections 22030 Et. Seq.) is superseded by this resolution.

This resolution was passed at the June 4, 2022, special meeting of the Board of Directors by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Susy Israel, Vice-President

ATTEST:

Judy Murray, Clerk/Treasurer

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**5. DISCUSSION AND OR ACTION; POLICY HANDBOOK UPDATES:**

- a. 1010 ADOPTION / AMENDMENT OF POLICIES
- b. 3040 EXPENSE AUTHORIZATION
- c. 3050 CREDIT CARD USE
- d. 3080 PURCHASING
- e. 3081 SELECTION OF CONTRACTORS AND CONSULTANTS

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## Irish Beach Water District

### Policy Handbook

May 2022

**POLICY TITLE: Adoption/Amendment of Policies**

**POLICY NUMBER: 1010**

1010.1 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director, General Manager or Treasurer. The proposed adoption or amendment shall be initiated by a Director, General Manager or Treasurer by submitting a written draft of the proposed new or amended policy to the Board Chairperson and the General Manager, which may be submitted in person or by any communication method approved by the District, and requesting that the item be included for consideration on the agenda of either the next appropriate regular meeting of the Board of Directors, or if necessary by a special meeting of the Board of Directors. Any member of the Board may place an item on a future agenda by making a formal request to the General Manager or Treasurer at a meeting of the Board. The General Manager or Treasurer will place Board items on a future Board agenda when reasonable, based on the staff time and research necessary to prepare the item for Board consideration.

1010.2 Adoption of a new policy or amendment of an existing policy shall be accomplished at a meeting of the Board of Directors, either regular or special, in accordance with the District's state statutes regarding the constitution of a majority vote.

1010.3 Copies of the proposed new or amended policy shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration (listed on the agenda). A copy of the proposed new or amended policy(ies) shall be made available to each Director for review at least 72 hours, per the Brown Act, prior to any meeting at which the policy(ies) are to be considered.



## Irish Beach Water District

### Policy Handbook

May 2022

**POLICY TITLE: Expense Authorization**

**POLICY NUMBER: 3040**

3040.1 All purchases made for the District by staff shall be reviewed by the General Manager for purchases made by operations staff, and reviewed by the Treasurer for purchases made by administrative staff, and shall be in conformance with the approved District budget.

3040.2 Any commitment of District funds for a purchase or expense greater than \$10,000.00 shall first be submitted to the Board of Directors for approval, or shall be in conformance with prior Board action and/or authorizations.

3040.3 Whenever employees or Directors of the District incur "out-of-pocket" expenses for item(s) or service(s) appropriately relating to District business as verified by valid receipts, said expended cash shall be reimbursed from District funds. In those instances when a receipt is not obtainable, the requested reimbursement shall be approved by the General Manager or Treasurer before remuneration.

3040.4 Requests for reimbursement to the District must have a good faith basis. Submission of a request for a reimbursement without such a basis shall subject the requestor to appropriate sanctions, up to and including termination of employment and referral to an appropriate law enforcement agency for prosecution.

3040.5 All Expense payments by District checks will be reviewed after-the-fact by the Board of Directors at regularly scheduled Board Meetings and approved.



## Irish Beach Water District

### Policy Handbook

May 2022

**POLICY TITLE:** Credit Card Use

**POLICY NUMBER:** 3050

2115.1 Purpose: The purpose of this policy is to prescribe the internal controls for management of District credit cards.

2115.2 Scope: This policy applies to all individuals who are authorized to use District credit cards and/or who are responsible for managing credit card accounts and/or paying credit card bills.

2115.3 Implementation: A credit card shall be issued to the General Manager and Treasurer. Credit cards shall not be issued or used by members of the Board of Directors. Directors will use their personal credit cards for lawful expenses of the District and seek reimbursement from the District.

- a) All credit card bills shall be paid timely to avoid late fees and finance charges. The District shall not reimburse requestors for late fees and finance charges.
- b) Use of the credit card for District business may be delegated to District employees by the General Manager or Treasurer if required.
- c) All credit card expenses shall be reasonable and necessary to the furtherance of District business and made in accordance with District policy. No personal expenses shall be charged on a District credit card. If a transaction involves both personal and District business, the employee shall pay for the transaction personally and request reimbursement by the District of the appropriate portion of the expense.
- d) All credit card transactions shall have third-party documents (receipts) attached and the District purpose annotated by the cardholder.
- e) The Treasurer shall review and approve credit card transactions by the General Manager. The General Manager shall review and approve credit-card transactions by the Treasurer.
- f) All records of the District involving credit card use, including receipts, invoices, and requests for reimbursement are maintained consistently with the District's records management policy.



## Irish Beach Water District

### Policy Handbook

May 2022

**POLICY TITLE: Purchasing**

**POLICY NUMBER: 3080**

3080.1 To purchase small items — such as office supplies, repair parts, operation supplies, and other miscellaneous items costing less than \$1,000— pricing and terms will be obtained by telephone, website or written/email quotation. Purchases are then made from those suppliers that provide the best price, discount, service or quality. Vendors where the District maintains an account shall have preference.

3080.2 To purchase items costing more than \$1,000 and up to \$10,000, quotations will be solicited from vendors and received by telephone or written (including email) quotation. Quotations will be solicited from at least two sources before selecting a supplier. The General Manager must approve all purchases and will verify budgetary compliance with the Treasurer prior to purchase.

3080.3 For items over \$10,000, the District will provide suppliers with a list of items to be purchased. Suppliers will provide written quotes for consideration and recommendation. District staff will then present written quote and recommendation to the Board of Directors for acceptance of the purchase order. Items on the list will be purchased from the supplier quoting the lowest prices, appropriate quality and with an acceptable delivery date.

3080.4 Receipts/Invoices for all items purchased shall be forwarded to the Bills Payable Clerk, indicating for which account the amount due should be charged to.

3080.5 This policy covers the purchase of goods, not services and not public project construction services. Those matters are addressed in other policies of the District: See Policy Number 3081, Selection of Contractors and Consultants.



## Irish Beach Water District

### Policy Handbook

May 2022

**POLICY TITLE:** Selection of Contractors and Consultants

**POLICY NUMBER:** 3081

**3081.1** For the purposes of this Policy, the following definitions apply:

**3081.1.1** Public project means any of the following: Construction, reconstruction, erection, alteration, renovation, improvement, demolition, repair work, or painting involving any publicly owned, leased, or operated facility.

**3081.1.2** Facility means any plant, building, structure, ground facility, or water system.

**3081.1.3** Public project does not include maintenance work. Maintenance work includes the following:

- Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
- Minor repainting and landscape maintenance.
- Work performed to keep, operate, and maintain publicly owned water systems.

**3081.2** The District engages contractors or consultants for construction, engineering, planning, and environmental review projects, auditing, and other purposes approved by the Board of Directors. The District's procedure is as follows:

**3081.2.1** For services that are not defined as public projects, staff will provide requirements, scope and quote/bid due date to the District list of prior successful providers. In the event that there is one or fewer providers on the list, the same information and request for bid will be provided to other known or recommended entities in the field of expertise. Bid review and award is open to the public and will be made available at the next scheduled Board of Directors meeting.

**3081.2.2** For services that are defined as public projects, staff will comply with the procedures in section 3081.4 to the exclusion of the previous paragraph.

**3081.3** Consultants will be approved by the Board of Directors on the recommendation of the General Manager. The General Manager and/or Board of Directors will make their decision based on the consultant's experience and qualifications. The consultant will also be required to provide an explanation of scope of work, hours to complete, and applicable cost estimate for their services that will be used in their evaluation in the selection process. Per State law, consultants for engineering, architectural, and other professional services shall be evaluated based upon demonstrated competence and the professional qualifications necessary for the satisfactory performance of the required services and not on cost of services.

**3081.4** When IBWD engages contractors or consultants for public projects approved by the Board of Directors, the District's procedure is as follows:

**3081.4.1** Maintenance of Qualified Contractors List. IBWD shall maintain a list of qualified contractors identified according to category of work in accordance with the provisions of the California Uni-



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May 2022

form Public Construction Cost Accounting Commission.

**3081.4.1.1** All contractors on the list for the category of work being bid, or all construction trade journals specified in Public Contract Code Section 22036, or both all contractors on the list for the work being bid, and all construction trade journals specified in [Section 22036](#), shall be notified of the opportunity to submit informal bids.

The District will accept [applications](#) for inclusion on the IBWD qualified contractors list. New contractors will be added at the beginning of each fiscal year in October.

**3081.4.1.2** If the product or service is proprietary in nature or otherwise of such a specific design or construction such that it can be obtained only from certain contractors, the notice inviting informal bids may be sent exclusively to such contractors.

#### **3081.4.2** Informal Bidding and Contracting Procedures.

**3081.4.2.1** District public projects with a cost of sixty thousand dollars (\$60,000) or less may be performed by employees of the District by force account, by negotiated contract, or by purchase order.

**3081.4.2.2** Public projects of the District with an estimated cost of two hundred thousand dollars (\$200,000) or less may be let to contract by the informal procedures as set forth herein, and as set forth or authorized by Public Contract Code 22034.

When the Board of Directors invokes the procedures of this Section, the Treasurer shall issue a notice inviting informal bids ten (10) calendar days before bids are designated as being due. The notice inviting informal bids shall describe the project or material in general terms, how to obtain more detailed information, and state the time for the submission of bids. The notice inviting informal bids need not contain specifications.

**3081.4.2.3** If all bids received are in excess of two hundred thousand dollars (\$200,000), the Board of Directors may by passage of a resolution by a four—fifths vote, award the contract, at two hundred twelve thousand, five hundred dollars (\$212,500) or less, to the lowest responsible bidder, if it determines the cost estimate was reasonable.

**3081.4.3** Formal Bidding and Contracting Procedures. District public projects with an estimated cost of more than two hundred thousand dollars (\$200,000) will be let to contract by the formal procedures as set forth herein, and authorized by Public Contract Code 22037.

**3081.4.3.1** The District shall issue a notice inviting bids a minimum of fourteen (14) calendar days prior to the time of receiving bids, in a general circulation newspaper published within the District boundaries and to all construction trade journals specified in [Section 22036](#).

This type of formal bidding process typically includes the issuance of written plans and/or



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May 2022

specifications describing the materials or services to be provided.

**3081.4.4** If no bids are received through the formal or informal procedure, the public project may be performed by the employees of the public agency by force account, negotiated contract, or purchase order, without further complying with this resolution.

**3081.6** The Board of Directors may delegate the authority to award contracts and sign purchase orders to the General Manager of the District or other person designated by the Board of Directors.

#### **3081.7** Exceptions to standard Contracting Procedures

**3081.7.1** Emergency Work. In cases of great emergency as determined by the Board of Directors, including, but not limited to, states of emergency defined in Section 8558 of the California Government Code, when repair or replacements are necessary to permit the continued conduct of the operation or services of the District, or to avoid danger to life or property, the Board of Directors by majority vote, may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, working details, or giving notice for bids, formal or informal, to let contracts. The work may be done by daylabor under the direction of the Board of Directors, or by contract, or by a combination of the two. The Board of Directors delegates to the President the power to declare a public emergency, subject to confirmation by the Board of Directors by four—fifths vote at its next -meeting.

**3081.7.2** Limited Availability/Sole Source. Occasionally, necessary materials or services are of a proprietary nature, or are otherwise of such a specific design or construction to be available from only one source. The General Manager may dispense with the requirement of competitive bids and recommend negotiating a fair price and making the purchase from a sole source if, after reasonable efforts by District staff to find alternative suppliers, there exists only a sole source. The basis for the sole source recommendation shall be documented in writing on the contract or purchase order and approved, in advance, by the Board for purchases exceeding \$60,000.

**3081.8** Every person involved in the solicitation, selection, and approval of consultants shall comply with applicable conflicts of interest laws, including Government Code section 1090, the Political Reform Act of 1974, and the District's conflict of interest code section 1020.

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**6. DISCUSSION AND OR ACTION:**

DELEGATING AUTHORITY; INFORMAL CONTRACTS FOR MATERIALS TO COMPLETE REPLACEMENT OF TANK 2 ROOF AND TANK 5 (DWR GRANT) TO GENERAL MANAGER.

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**7. EXECUTIVE SESSION**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/ POTENTIAL LITIGATION:  
SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPHS (2) OR  
(3) OF SUBDIVISION (D) OF SECTION §54956.9: (1 POTENTIAL CASE).  
DISCUSSION AND OR ACTION.

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## 8. ADJOURNMENT

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