



May 12, 2025

Dear Irish Beach Water District Parcel Owner:

Please be advised that the at their May 10, 2025 meeting, the Irish Beach Water District Board of Directors voted to pass Resolution 2025-06 approving the one-time 2002 Assessment Refund Settlement and Litigation Fee. For your convenience, the full text of the resolution is included below.

In the coming weeks, the District will begin issuing notices regarding refunds, as well as notices to each record owner of parcels of real property subject to the one-time fee referenced in Resolution 2025-06.

Sincerely,

*Heather Hackett*

Board Secretary, Irish Beach Water District



#### **RESOLUTION NO. 2025-06**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRISH BEACH WATER DISTRICT FINDING THAT A MAJORITY PROTEST DOES NOT EXIST AND APPROVING THE ONE-TIME 2002 ASSESSMENT REFUND SETTLEMENT AND LITIGATION FEE**

WHEREAS, on March 8, 2025, the Board of Directors (Board) of the Irish Beach Water District (District) adopted Resolution No. 2025-4, establishing procedures for the submission and tabulation of protests in connection with the one-time fee related to the 2002 Assessment Refund and Litigation Settlement, as mandated by the judgment in *Moore v. Irish Beach Water District*, Mendocino County Superior Court, Case No. SCUk CVG 09-54665, dated February 8, 2024, pursuant to Article XIID, Section 6(c) of the California Constitution; and

WHEREAS, pursuant to the provisions of Article XIID of the California Constitution, the District has provided 45-days' written mailed notice to each record owner of parcels of real property subject to the one-time proposed fee of a public hearing, which was held at a regular meeting of the board meeting on May 10, 2025, at 10:00 AM, located at Rex Dunning Firehouse, 15401 Forest View Road, Manchester, CA 95459, on the issue of whether the proposed one-time property-related fee should be levied and collected; and

WHEREAS, the mailed notice of the public hearing contained the following information: (a) the total amount of one-time fee proposed to be levied; (b) the fee chargeable to each owner's parcel; (c) the reason for the 2002 Assessment Refund Settlement; (d) the basis upon which the amount of the proposed 2002 Assessment Refund

Settlement Fee was calculated; (e) the date, time and place of the public hearing as specified in this resolution; and (f) a summary of the effect of a majority protest; and

WHEREAS, any timely written objections to the fee received by the deadline posted in the Notice of Public Hearing have been duly considered and a written response has been provided pursuant to Government Code Sections 53759.1 and 53759.2.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Irish Beach Water District as follows:

**Section 1. Tabulation of Written Protests:**

The tabulation of written protests by the Board Secretary is complete. A total of four (4) written protests have been submitted representing 1.9% of the 209 identified parcels subject to the proposed one-time fee. Therefore, the Board hereby finds that a majority protest does not exist as defined in Section 6(a)(2) of Article XIII D of the California Constitution and Sections 53755(b) and (d) of the California Government Code with respect to the proposed 2002 Assessment Refund Settlement and Litigation Fee.

**Section 2. Method of Collections**

The one-time fee will be collected through a billing statement.

**Section 3. Effective Date:**

This Resolution shall take effect immediately upon adoption.

The foregoing Resolution No. 2025-06 was considered and adopted at the May 10, 2025, regular meeting of the Board of Directors by the following vote:

Ayes: Director Hackett, Director Israel, Director Ottoboni

Noes: None

Abstain: None

Absent: Director Hohos; Director Kimsey

Dated: May 10, 2025

/s/ Susan Israel

Board President

Attest: /s/ Heather Hackett

Board Secretary