

BYLAWS OF IRISH BEACH WATER DISTRICT

Updated: October 3, 2026

ARTICLE I

- 1.1 The Irish Beach Water District (herein sometimes called the "District") is organized and exists under the California Water District Law, being Division 13 of the California Water Code.
- 1.2 The District was formed pursuant to an election held on June 6, 1967; the results having been declared by the Mendocino Board of Supervisors at their meeting on June 20, 1967.
- 1.3 The District lies wholly within the County of Mendocino.
- 1.4 The District shall operate on a fiscal year ending ~~September 30th~~ June 30th.

ARTICLE II

- 2.1 The District office shall be maintained at ~~the residence of the President of the Board of Directors~~ 15401 Forest View Road in Manchester, California.
- 2.2 ~~The location of the District office may be changed from time to time by resolution of the District Board of Directors without necessity of amending these Bylaws.~~ If for any reason it is necessary that the location of the District Office be changed, the Board of Directors is hereby expressly authorized and empowered to change the location of the District Office to some other location, consistent with applicable law.

ARTICLE III

~~RESOLVED pursuant to Section 34711 of the Water Code of California the assessor and tax collector shall henceforth be appointed by the Board of Directors to serve at its pleasure, and be it~~

~~FURTHER RESOLVED that Article III of the Bylaws is hereby amended to read as follows:~~

- 3.1 The District is governed by a board of five (5) directors, elected at large by the voters of the District, or appointed due to a vacancy as provided by California Government Code Section 1780.
- 3.2 The Board of Directors shall hold an annual organizational meeting at which the Board will elect a President, Vice President, Secretary and Treasurer from among its members to serve during the coming fiscal year. The elected and appointed officers of the ~~District~~ Board of Directors are:
 - a. The President who shall be elected ~~or re-elected~~ by the Board of Directors from among its members ~~at least every second year at its regular meeting in November commencing in 1977~~ and who shall ~~otherwise~~ serve as such at the pleasure of the Board, and

- b. ~~Such~~ The Vice president who shall be elected by the Board of Directors from among its members ~~or Vice Presidents as the President may appoint from the directors from time to time to~~ and who shall serve at the pleasure of the Board of Directors ~~President~~, and
- c. The Secretary who shall be ~~appointed~~ elected by the Board of Directors, and who shall serve as such at the pleasure of the Board, and
- d. The Treasurer, who shall be ~~appointed~~ elected by the Board of Directors, and who shall serve as such at the pleasure of the Board, and
- e. ~~The Tax Collector, who shall be appointed by the Board of Directors, and who shall serve a such at the pleasure of the Board, and~~
- f. ~~The Assessor, who shall be appointed by the Board of Directors, and who shall serve such at the pleasure of the Board.~~

3.3 None of the ~~elective or appointive~~ officers receive compensation for their services as such, ~~including services as President~~, but they may receive reimbursement for necessary expenses to the extent the Board of Directors may prescribe.

3.4 A director must be a holder of title to land within the District as provided in California Water Code Sections 34026 and 34700.

3.5 Except as stated above in this Article III, the qualifications and duties of the officers, the tenure of and the time and manner of their appointment or election are as provided in the California Water Code and Uniform District Election Law.

ARTICLE IV

4.1 The election procedure is governed by the Uniform District Election Law and the California Water District Law.

4.2 At any election, votes may be cast in person or by proxy pursuant to California Water Code Sections 35004-6.

ARTICLE V

5.1 Regular meetings of the Board of Directors of the Irish Beach Water District shall be held at the District office at ~~10:00am 9:30~~ a.m. on the second Saturday of ~~January, March, May, July, September and November~~ February, April, June, August, October, and December of each year. ~~If for any reasons it is~~

necessary that the date or location for meetings of the Board be changed, the Board of Directors is hereby expressly authorized and empowered to make the change consistent with applicable law.

5.2 At least 72 hours before a regular meeting the President or ~~his~~ designee shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting. The agenda shall specify the time and location that is freely accessible to members of the public and on the local agency's internet website. No action shall be taken on any item not appearing on the posted agenda with the exception of those listed in Section 54954.2 of the Government Code.

~~The Irish Beach Water District may take action on items of business not appearing on the posted agenda under the following conditions:~~

- ~~1. Upon a determination by a majority vote of the Board that an emergency situation exists, as defined in Section 54956.5.~~
- ~~2. Upon a determination by a two-thirds vote of the Board, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that the need to take action arose subsequent to the agenda being posted.~~
- ~~3. The item was posted for a prior meeting of the Board, occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting in which action is being~~

5.3 A special meeting may be called at any time by the presiding officer of the Board or by a majority of the members of the Board, by delivering personally or by mail written notice to each member of the Board and to each local newspaper of general circulation, radio or television station that has requested notice in writing, and on the local agency's internet website. The notice shall be delivered personally or by any other means ~~mail~~ and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed consistent with applicable law. ~~No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the Board a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. Notice shall be required pursuant to this section regardless of whether any action is taken at the special meeting.~~

~~The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.~~

5.4 In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a Board may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posted requirement of Section 54956 or both of the notice and posting requirements consistent with applicable law.

~~For the purpose of this section, emergency situation means any of the following:~~

~~Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Board.~~

~~Crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of Board.~~

~~However, each local newspaper of general circulation and radio or television station which has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the Board, or designee thereof, one hour prior to the emergency meeting by telephone and all telephone numbers provided in the most recent request of such newspaper or station for notification of special meetings shall be exhausted.~~

~~Notwithstanding Section 54947, the Board shall not meet in closed session during a meeting called pursuant to this section.~~

~~The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body or designee of the Board, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.~~

ARTICLE VI

6.1 The District presently derives its revenue from charges for water as established from time to time by the Board of Directors, including ~~stand by charges~~ **fixed service fees**, charges for ~~regular water~~ **use** and ~~charges for connections to the District water system,~~ **fees charged for specific customer requests.**

6.2 The District may, if the Board of Directors deems it necessary, ~~exercise the taxing power given to it by the California Water District Law.~~ **charge fees, rates, and assessments to recover the costs of providing water service consistent with applicable law**

ARTICLE VII

7.1 Pursuant to California Water Code Section 35304(d), a penalty of ~~twenty-five dollars (\$25)~~ **two hundred (\$200.00)** is hereby imposed for each violation of these Bylaws.

7.2 The existence of a violation of these Bylaws shall be determined by the Board of Directors who shall afford adequate notice and the opportunity for a hearing to any person charged with violating these Bylaws. The decision of the Board of Directors with respect to an alleged violation of these Bylaws shall be subject to review by any court of competent jurisdiction.

7.3 ~~No director alleged to have violated these Bylaws shall be permitted to vote on the matter at any meeting of the Board of Directors at which such alleged violation is considered.~~ **No director alleged to have violated these Bylaws shall be permitted to vote on any matter concerning or resulting from the alleged violation, including but not limited to motions to sanction or remove the board member.**

7.4 Except as may be otherwise required by law, all penalties assessed by the District pursuant to this Article ~~VII~~ shall be paid to the Treasurer and shall be deposited ~~by the Treasurer~~ in the District's general fund.

7.5 Officers and directors of the District shall be entitled to rely upon the advice of governmental officials and upon the advice of attorneys, accountants, engineers and others employed or engaged by the District in connection with the performance of their official duties, and such reliance, if in good faith, shall be an absolute defense to an alleged violation of these Bylaws.

ARTICLE VIII

8.1 These Bylaws may be amended or repealed and new Bylaws adopted as provided in Water Code Section 35305, namely:

- a. By the assent of two-thirds of the total vote of the District, given either in writing or by ballot cast at a District election, and, alternatively,
- b. By a four-fifths vote of the Board of Directors and approval of the Board of Supervisors of Mendocino County.

ARTICLE IX

9.1 As to all matters concerning the affairs and business of the District, not herein specifically set forth or provided, pertinent provisions of the Water Code of the State of California shall govern.

~~The undersigned, Secretary of the Irish Beach Water District, certifies that the foregoing Bylaws were duly adopted by the Board of Directors of the Irish Beach Water District at a meeting thereof duly held at the District office on February 21, 1977, and that the foregoing Bylaws shall become effective upon written approval of the Board of Supervisors of Mendocino County.~~

~~Dated: Feb: 25 1977.~~

~~*/s/ Gertrude J. Elder*~~

~~GERTRUDE J. ELDER~~

~~Secretary of the Irish Beach Water District~~

~~The foregoing Bylaws are approved pursuant to Section 35305 of the California Water Code.~~

~~BOARD OF SUPERVISORS OF MENDOCINO COUNTY - [~~

~~Dated: March 18, 1987~~

~~The foregoing Amendment to the Bylaws are approved pursuant to Section 35305 of the California Water Code.~~

~~BOARD OF SUPERVISORS OF MENDOCINO COUNTY~~