



Irish Beach Water District

Meeting Packet

January 9, 2021



**NOTICE OF THE REGULAR MEETING OF THE
IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, January 9, 2021, 10:00 A.M.**

PLEASE NOTE: The January 9, 2021 regular bi-monthly meeting of the IBWD will be held via ZOOM teleconferencing. IBWD directors/employees will be emailed an invitation to the meeting with a link to log-in to the meeting. For guests to join the meeting: E-mail Judy Murray at jmurray@mcn.org or Connie Sackman at czsackman18@gmail.com for log-in information. The Meeting Packet can be accessed at IBWD.org.

1. **CALL TO ORDER AND ROLL CALL: Attendance via Zoom Teleconferencing**
2. **APPROVAL OF MINUTES:**
3. **COMMUNICATIONS AND CORRESPONDENCE.** Correspondence from William Moores dated 12/12/2020.
4. **PUBLIC INPUT: (limited to five minutes for each person's input)**
5. **REPORTS:**
 - A. **TREASURER: (MURRAY) – Treasurer's Report, Checks Issued, and Resolutions 2021-01 and 2021-02**
 - B. **WATER STORAGE FACILITIES/CONVEYANCE LOSS: (ACKER)**
 - C. **SAFETY COMMITTEE: (ACKER)**
 - D. **LEGAL COUNSEL: (EMRICK)**
 - E. **DIRECTORS:**
6. **OLD BUSINESS:**
 - A. **DISCUSSION AND OR ACTION: UNAPPROVED WELL ON NICHOLS RANCH (APN 132-21-38 (-37). A WELL DRILLED ON 4/30/2007 WAS TESTED ON 10/7/2008 TO 10/11/2008. RESULTS INDICATE THAT ENOUGH WATER IS AVAILABLE TO SUPPLY 6.24 CONNECTIONS AT 300 GPD. DISTRICT TO CONSIDER POTENTIAL APPROVAL OF WELL. (WHITAKER).**
7. **NEW BUSINESS:**
 - A. **DISCUSSION AND OR ACTION: IBWD BOARD OF DIRECTORS ELECTION OF OFFICERS. (DIRECTORS)**
 - B. **DISCUSSION AND OR ACTION: LAFCO BOARD ELECTION. (ACKER/TERRY/EMRICK).**
8. **EXECUTIVE (CLOSED) SESSION.**
 - A. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000; First District Court of Appeal No. A151867.**
 - B. **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).**

ADJOURNMENT

ASSISTANCE WILL BE PROVIDED TO HANDICAPPED PERSONS WHO REQUIRE IT TO PARTICIPATE IN THE MEETING, PER GOVERNMENT CODE SECTION §549 PER CALIFORNIA 50-54963. PUBLIC RECORDS ARE AVAILABLE PER CALIFORNIA PUBLIC RECORDS ACT GOVT. CODE §6250-6276.48, UNLESS THEY ARE EXEMPT UNDER PUBLIC RECORDS.

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**APPROVAL OF MEETING MINUTES**

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Regular Meeting Minutes –November 14, 2020

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
November 14, 2020**

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:02 A.M. on Saturday, November 14, 2020. Roll call of directors in attendance were: President Terry, Director Ellison, Director Dyson, and Director Whitaker. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick attended the meeting online with Zoom.
2. **APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated September 11, 2020, as submitted. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** None...
4. **PUBLIC INPUT:** none.
5. **REPORTS:**

A. TREASURER'S REPORT:

November 2020:

Cash Balance: \$43,718

Operations Reserve: \$0.00

Emergency Response Augmentation: -\$0.00

System Wide Capital Improvement: \$0.00

>40 Year Equipment Replacement Fund: \$65,130

Alternate Water Development Fund: \$426,997

Total Assets both Restricted and Unrestricted: \$663,730

Clerk/Accountant Murray stated: This report is similar to the last report. Starting the new fiscal year with the checking account balance of \$43,718, accounts receivable of \$16,470, county tax rolls of \$1,983, accounts payable of -\$10,568 for a total for cash assets and other assets of \$51,503.15. Greater than 40 changed from \$58,475 to \$65,130 due to a \$5,000 payment plus interest on the IBWD loan repayment. Loan Receivable went down from \$125,000 to \$120,000 due to loan payment. Alternate water development fund stayed the same for total assets of \$663,730.15. Treasurer Murray also presented to the Board the Checks Issued Report for September 1, 2020 through November 6, 2020, for the Board's approval.

Clerk Accountant Murray requested the Board approve the purchase of a new computer for Clerk/Accountant Murray to replace the one that is ten years old and has become dysfunctional. The purchase of the replacement computer would be \$1,299.

Director Whitaker made the motion to approve the Treasurer's Report, checks issued from September 1, 2020 through November 6, 2020, and purchase of the replacement computer. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker discussed the need to augment the lower diversion of water to compensate for the continued draught, which caused less water flow from the upper diversion. Using the water from the lower diversion necessitated the need for a large chemical testing requirement by the State. Due to the increase in rain the lower diversion flow has been discontinued. Tank 3 lost two-thirds of its water due to a broken pipe, which was repaired and water was restored by pumping up from the South Gulch lower diversion to the well. Electronics will continue to be upgraded and transmittal of data to our main computer. General Manager Acker discussed with the Board the State requirement to do lead and copper testing to determine if there is any leaching from corrosion of household pipes into the water, and very favorably passed the tests. A replacement part was installed for the filter control system. General Manager Acker attended IBWD Board Meetings, completed sample testing, and processed system checks.

C. SAFETY COMMITTEE: General Manager Acker reported the attendance by employees and the completion of written tests at the Safety Committee Meeting: November 13, 2020: "Safety During the Holidays." Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.

D. LEGAL COUNSEL: Legal Counsel Emrick stated that there was nothing to report at this meeting.

E. DIRECTORS: Resolution 2020-03 was signed into effect and read by Clerk/Accountant Murray pertaining to the retirement of Director Leon Drolet from the IBWD Board of Directors.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: ISRAEL/CURBELO WELL REQUEST.

(TERRY/EMRICK/ACKER). The Board of Directors reviewed the posted staff report. Director Whitaker made a motion to approve the drilling of the well with the conditions that were stipulated in the staff report. Motion seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, aye. Motion carried.

B. REVIEW AND DISCUSSION: UNAPPROVED WELL ON NICHOLS RANCH. A WELL DRILLED ON 4/30/2007 WAS TESTED ON 10/7/2008. RESULTS INDICATE THAT ENOUGH WATER IS AVAILABLE TO SUPPLY 6.24 CONNECTIONS AT 300 gpd. (WHITAKER). After discussion between the Directors and Mr. William Moores, it was decided by the Board that the notes from the County to Mr. Moores be presented to the Board for further review and discussion at the next board meeting

7. NEW BUSINESS:

DISCUSSION AND OR ACTION: APPOINTMENT (VIA VOTE OF DIRECTORS) OF NEW BOARD DIRECTOR TO SERVE THE REMAINDER OF DIRECTOR DROLET'S TERM. (IBWD DIRECTORS).

The Board of Directors interviewed the candidates Mel Kimsey and Susan Israel for the Board of Director vacancy position. The Board of Directors voted in favor of appointing Susan Israel to the position. Director Israel was sworn in and took the oath of office as a Director of the Board by Director/Secretary of the Board Whitaker. The swearing in form was signed by both Director/Secretary of the Board Whitaker and Director Israel.

ADJOURNMENT: President Terry moved to adjourn the Public Session of the Board Meeting at 11:45 A.M. and Director Dyson seconded the motion. Motion carried. The next Board Meeting will be scheduled for Saturday, January 9, 2021.

8. EXECUTIVE (CLOSED) SESSION: There was no Executive (closed) session following the Public Session.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____



COMMUNICATIONS & CORRESPONDENCE



Correspondence from William Moores dated 12/12/2020.

From: "Bill Moores" <irishbeachrealty@gmail.com>
Date: Dec 12, 2020 2:30 PM
Subject: The next IBWD agenda
To: "Annette Fromwiller" <amfromwi@gmail.com>
Cc:

Hello Annette:

You were correct that there was no IBWD BOARD meeting this Saturday as I incorrectly thought. Please forward the following letter to each one of the Board members as a preliminary partial step to formulation of the agenda for the next Board meeting:

Dear Members of the IBWD BOARD:

I am writing to you to request that the Board agenda for the next meeting include discussion and vote of the Board a motion to adopt an assessment to be included in the operational budget of the Board of \$65/per month per house connected. I am submitting this proposal at this time because there are likely expenses of this district almost certainly coming up and there are no funds collected to meet those expenses so it is important to begin the process of collection of funds to enable the district to pay its bills to continue operations.

The basis of the \$65/month figure and the purpose of the assessments collected in this next next year is simply to raise funds to pay for: 1) \$32,000 to reimburse Moores for his costs to hire a contractor to install an asphalt overlay on 200 ft. of Alta Mesa Road as previously described which is a repair necessary because of the District's previously installed overlay for a waterline leak that is unraveling; and 2) to enable the district to repay to the prop 218 trust account funds approximately \$39,000 borrowed from that fund to pay the cost of installing the new water meters plus interest on that loan at the applicable court rate for delinquent judgements; 3) to raise funds to replace or repair the roof for the Unit #8 water tank and to provide some cash cushion for emergencies. None of the above described uses of the funds for the first year is related to the outcome of the court of appeals lawsuit so that suit is not a rational basis for delaying further this assessment. It is important to begin collections regardless of whether all upcoming expenses in the future are now known, or calculated or included in this proposed assessment.

Sincerely'

W.Moores



Treasurer

Water/Storage Facilities/Conveyance/Loss

Safety Committee

Legal Counsel

Directors





Treasurer's Report 5.A
Cash Statement



CASH IN BANK JANUARY 1, 2021	\$ 50,276
GREATER THAN 40 YEAR EQUIPMENT REPLACEMENT - CASH	\$ 65,130
LOAN RECEIVABLE	<u>\$120,000</u>
	\$185,130
TOTAL	\$235,406

LIST OF CAPITAL PROJECTS:

Mr. Moores ask for repairs to T2 tank roof on Hillcrest. Instead of repairing roof, it probably would make more sense to replace this outdated tank with a metal tank. The cost of this new tank would probably be about \$80,000.

Tank 4 on Alta mesa has similar roof so add another \$80,000. The replacement of these two tanks would leave almost nothing in our greater than forty year equipment replacement reserve. This equipment replacement reserve was intended to continue for as long as it was needed. However, in our appealed lawsuit, the court ordered it to sunset. Therefore, we no longer have a funding source for these kind of improvements other than current operating funds.

The district has over six miles of aging pipe. When O’Rorey’s pipeline was replaced it cost approximately \$100 a foot. So six miles equals 31,680 feet as one mile = 5280 feet. $31,680 \times \$100 = \$3,168,000$. If we set a goal of completion in 20 years, that computes to \$158,400 a year, or \$349 per each of 459 parcels; or \$29 a month.

Mr. Moores is against assessments to all landowners. If 202 current users were assessed for these improvements, it would be \$784 a year or \$65 a month.

However, the district cannot impose an assessment on all 459 lots both developed (202) and undeveloped (257) without a proposition 218 election to seek approval from all landowners.

Therefore, I suggest the district refine the list of capital projects and obtain an engineering report and go to landowners in a prop 218 election for another capital projects special assessment to be collected via property tax bills.

Resolution # 2021 - 01

Resolution of the Irish Beach Water District

Authorizing Certain Board Members and Staff to access to district post office box, box combination, and other related business

WHEREAS, the Irish Beach Water District has a post office box in Manchester, California; and,

WHEREAS, the Irish Beach Water District needs to designate authorized Board Members and staff to access this post office box and combination, and other related business; and,

THEREFORE, BE IT RESOLVED that the Board of Directors of the Irish Beach Water District hereby orders that the following staff and Director be authorized to access the post office box in Manchester, California:

General Manager, Charles Acker

Secretary/Clerk, Connie Sackman

Operation/Treatment Tech, R J Dial

Board Secretary, Steve Whitaker

THEREFORE, BE IT FURTHER RESOLVED that the persons identified are authorized to access the district post office box, box combination, and conduct other related business consistent with indicated signature authorizations.

The foregoing Resolution #2021 -01 was considered and adopted by the Directors of the Irish Beach Water District at their regular meeting held January 9, 2021, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Dated: _____, President

Dated: _____ Attest: _____, Secretary of the Board

Resolution # 2021 - 02

Resolution of the Irish Beach Water District

Authorizing Certain Board Members and Staff to sign on District Bank Accounts

WHEREAS, the Irish Beach Water District has bank accounts with Redwood Credit Union; and,

WHEREAS, the Irish Beach Water District needs to designate authorized Board Members and staff to sign on these accounts to maintain these accounts; and,

THEREFORE, BE IT RESOLVED that the Board of Directors of the Irish Beach Water District hereby orders that the following staff and Director be authorized to sign on these accounts:

General Manager, Charles Acker

Accountant/Treasurer, Judy Murray

Account Clerk, Krista Dial

Board Secretary, Steve Whitaker

THEREFORE, BE IT FURTHER RESOLVED that the persons identified as authorized signers are authorized to conduct all business on financial institution accounts for Irish Beach Water District, including but not limited to (1) opening accounts, (2) closing accounts, and (3) depositing and withdrawing funds consistent with indicated signature authorizations.

The foregoing Resolution #2021 - 02 was considered and adopted by the Directors of the Irish Beach Water District at their regular meeting held January 9, 2021, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Dated: _____, Kenneth Terry, President

Dated: _____ Attest: _____ Steve Whitaker,
Secretary of the Board

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**Water/Storage Facilities/Conveyance/Loss 5.B.**

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SAFETY COMMITTEE 5.C.



C.SAFETY COMMITTEE: General Manager Acker reported the attendance and completion of written tests by employees at the following Safety Committee Meetings:

November 24, 2020: “Blood-born Pathogens”

Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.

December 8, 2020: “Understanding Generations”

Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.

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**LEGAL COUNSEL 5.D.**

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**DIRECTORS 5. E.**

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OLD BUSINESS 6. A



- A. DISCUSSION AND OR ACTION: UNAPPROVED WELL ON NICHOLS RANCH (APN) 132-21-38 (-37). A WELL DRILLED ON 4/30/2007 WAS TESTED ON 10/7/2008. RESULTS INDICATE THAT ENOUGH WATER IS AVAILABLE TO SUPPLY 6.24 CONNECTIONS AT 300 GPD. DISTRICT TO CONSIDER POTENTIAL APPROVAL OF WELL. (WHITAKER).**

Jan 2, 2020

TO: Board of Directors, Irish Beach Water District

FROM: Matthew Emrick, General Counsel

RE: Proposal for District Approval of Existing Test Well in Nichols Ranch –APN #132-210-38

I. OVERVIEW

Proposal for the District’s approval of an existing test well in Nichols Ranch (APN #132-210-38).

Applicant seeks approval of an existing test well on his property built in 2007 and that it be exempted from the District’s well moratorium, which is currently in place. Applicant has presented the matter to the Board and has provided further information regarding the County’s position as to the status of the existing well.

Background

The private use of wells in the District has been generally prohibited. The rationale for this prohibition is multi-faceted and spans the history of the District.

The private well prohibition has over the years been stated to be based in part on: the transfer of all water rights by the developer to the District as directed by Mendocino County and LAFCO; Water Code 35602 dedicating all water owned by the state to the District; the County’s requirement that subdivided properties be connected to the District; protecting community water resources and supply in the District from being diminished by private groundwater pumping from a fractured rock system; and the general unpredictable nature of groundwater availability on the Mendocino Coast.

Another rationale has been the need by the District to maximize the beneficial use of Irish Gulch Creek. Irish Gulch is the primary water supply source in the District. The permit for Irish Gulch from the State Water Resources Control Board (“SWRCB”) is set to transition to License at any time. Under applicable law, the License will “lock-in” a specific amount of water that the District will be able to divert for use. The initial licensing inspection by the SWRCB in 1999 set this specific licensed amount at only 29.62 gallons per minute. The District has projected that it needs a minimum of 58 gallons per minute from Irish Gulch Creek to meet the demand at full-build out of the development. It has been the District’s goal to maximize the use of Irish Gulch water for beneficial purposes before the next inspection to establish a use greater than 29.62 gallons per minute.

In light of the above, the existing well moratorium was adopted in 2000 (Res. 2000-7). It was extended to June 2021 as part of the District’s drought protection measures instituted pursuant to the State drought regulations.

In about 2013, the District began to allow exemptions from the well moratorium for Nichols Ranch Properties on a case-by-case basis upon the property owners agreeing to certain specific conditions. This exemption was based upon the rationale that there is no existing water supply connection between those properties and the District and the parcel was being considered for a potential transfer or sale.

II. ANALYSIS

The existing test well on Parcel APN #132-210-38 was first built in 2007. The County originally issued the well permit because it contends it was unaware the parcel was located in the District or that the District had a moratorium on well construction at that time. It is the County’s policy to not permit existing wells within public water Districts without District approval.

The County and the District received at least one protest against the well in 2007 from a landowner in Nichols Ranch concerned about the impacts of potential development in Nichols Ranch.

On July 24, 2008, the County revoked its well permit approval and ordered the well destroyed. The County noted that the applicant had not received District approval and that such approval was required. In a follow-up Order on August 28, 2008, the County determined that the test well did not need to be destroyed but did not revoke or suspend the requirement that the District approve the test well. On or about November 3, 2008, the applicant appeared to have performed testing on the well even though the applicant had not yet received District approval as had been required by the County.

During a site visit with the applicant in October 2019 regarding the construction of a potential new test well, District staff noticed that the existing well was not locked and sealed. The District asked that applicant to work with the County to ensure the existing well was properly secured as required by law. During the spring and summer of 2020, the applicant and the District had separate conversations with the County. The County represented to the District that the well had not been properly permitted or sealed. In communications to the applicant (provided to the District by the applicant), it appears the County indicated to the applicant that the well had been properly permitted and did not need to be sealed.

Because the applicant had not received District approval pursuant to the express policy of the County, nor applied for an exemption from the District's well moratorium, District staff concludes that the existing well is not properly permitted.

III. FISCAL IMPACT

None.

IV. RECOMMENDATION

Staff recommends District **approval** of the existing test well for applicant's use only on APN #132-210-38. This approval shall not be construed in any way to constitute the District's acceptance or approval (express or implied) of the test well for District ownership, use, maintenance, control, or responsibility - now or in the future.

Staff recommends the consideration of the following conditions for this approval:

- Applicant agrees the well shall not interfere with or adversely impact the District's water system or water rights.
- Existing District easements and rights of access, if any, shall not be affected.
- Water to be used only on Applicants' property - APN #132-210-38.
- Applicant shall be solely responsible for the well. The District shall not have any responsibility whatsoever for the well.
- Approval of the test well by the District shall not constitute the transfer of any District water rights (or any other District right, interest or property) to the Applicant nor a waiver of the District's claim to the ownership of any such rights to the extent such rights exist.
- Applicant works with the District to install a meter on their well to be read by the applicants and reported to the District. The purpose of this proposed condition so that District may use the amount of water reported as conserved water to be applied to the total use for Irish Gulch License.
- Applicant shall comply with District, County and State Well standards, regulations, laws and policies.
- If converted to a production well (for any purpose), Applicant shall notify the District in writing at least 10 days prior to any such conversion. If not converted to a production well within 10 years from the date of the District's approval of the test well (Jan. 9 2020),

If converted to a production well, the following additional conditions will also apply:

- Applicant agrees to use water in a reasonable and non-wasteful manner.
- Applicant agrees that the conditions accepted by Gordan and Sandy Moores (as set forth in District Res. 2014-1) shall also apply to the applicants' well.

V. CEQA

The District's approval of the proposed project is a discretionary action subject to the California Environmental Quality Act ("CEQA"). *Protecting Our Water and Environmental Resources v. County of Stanislaus* (2020 [Case No. S251709](#)). Staff determines that the District's approval of this project falls within the following CEQA Exemptions: New Construction and Small Structure; Minor Alteration to Land (14 CCR § 15303 and 15304).



NEW BUSINESS 7. A. & B.



- A. DISCUSSION AND OR ACTION:IBWD BOARD OF DIRECTORS ELECTION OF OFFICERS. (DIRECTORS)**

- B. DISCUSSION AND OR ACTION: LAFCO BOARD ELECTION. (ACKER/TERRY/EMRICK)**

From: Charlie Acker
To: KEN TERRY, Kasey Dyson, Joe Ellison, Sackman, Connie, Judy Murray, Matt Emrick, Steve & Sue Whitaker
Sent: December 13, 2020 at 8:33 PM
Subject: Re: LAFCO Support

Hi All,

Sorry for the confusion. The ballot was sent to the district and was on my desk intending to get on the agenda, but didn't. The vote deadline has been extended so that we may accommodate it at our next meeting. I sent to to Judy to get it on the agenda.

Charlie

On 12/13/20 3:42 PM, KEN TERRY wrote:
To all,

I just spoke with Terry Gross regarding the LAFCO Board elections. Terry is a candidate, but the election failed to elect a quorum due to lack of participation. Apparently a ballot packet was sent to some representative of our District but was not returned, thus we're on a list of Special Districts in the County that did not submit a vote. Do any of you know who received this packet?

Good news is that we have another opportunity to submit it with our vote by January 19th.

Terry is asking for our support.

Best, Ken

Sent from Xfinity Connect App

----- Original Message -----

From: Steve & Sue Whitaker
To: Kasey Dyson, Joe Ellison, Steve & Sue Whitaker, Sackman, Connie, Judy Murray, Matt Emrick, Charlie Acker, Terry, Kenneth
Sent: December 9, 2020 at 8:04 PM
Subject: LAFCO Support

Hi IBWD Participants,

Copied below is a message that I just received concerning our failure to participate in voting for the LAFCO (Local Area Formation Commission) Board. It sounds like LAFCO is in a hurry ("they had a few more days"). I think that we need to contact Terry Gross and help out in any way that we can. My recollection of LAFCO is that it is a useful community service organization that we should support. Would someone like to take charge and contact Terry Gross to see what we can do to support LAFCO?

Steve

Good evening,

Thank you for speaking with me about this tonight. Terry Gross is a local attorney in Elk who is also on the Elk Water District Board. She said that there were not enough votes for the LAFCO Board and was informed that they had a few more days to seek support from the districts who did not vote. It appears that Irish Beach falls into that category. If you have any questions, I'm sure she would be happy to answer. Her cell number is (707) 272-8579. Thank you for forwarding this.

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: www.mendolafco.org

OFFICIAL BALLOT INDEPENDENT SPECIAL DISTRICT LAFCO REPRESENTATIVE

Mark selection directly onto the ballot, voting for no more than one (1) candidate per seat. Ballots must be returned to Mendocino LAFCo at 200 South School Street, Ukiah, CA, 95482, or by email to eo@mendolafco.org, on or before November 23, 2020 at 5:00 p.m.

Regular Member Seat, Remainder of 4-year Term, Ending December 31, 2022:

- Leslie Bates**
Mendocino Coast Recreation & Park District
- Jenifer Bazzani**
Ukiah Valley Fire District
- Matthew Froneberger**
Mendocino County Russian River Flood Control & Water Conservation Improvement District
- Terry Gross**
Elk Community Services District
- Michael Schaeffer**
Comptche Community Services District

Regular Member Seat, Full 4-year Term, Ending December 31, 2024:

- Ross LaRue**
Willow County Water District
- Francois Christen**
Anderson Valley Community Services District
- Tony Orth**
Brooktrails Township Community Services District

The above voting was approved and authorized by the _____
Board of Directors at a meeting of the Board held on the _____ day of _____, 2020, by the
following vote:

AYES:
NOSE:
ABSENT:
ABSTAIN:

PRESIDING OFFICER:

Signature, Title

Printed Name

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**EXECUTIVE (CLOSED) SESSION 8 A& B**

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8. EXECUTIVE (CLOSED) SESSION.

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:
SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9:
WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT,
MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000;
First District Court of Appeal No. A151867.**

- B. 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).**