



March 17, 2025

Dear Irish Beach Water District Parcel Owner:

Please be advised that the at their March 8, 2025, meeting, the Irish Beach Water District Board of Directors voted to pass Resolution 2025-05 increasing reconnection fees and security deposits. For your convenience, the full text of the resolution is included below.

Effective May 5, 2025, reconnection fees will increase to \$270.00 and security deposits will be \$556.00. Any judicial action or proceeding to attack, review, set aside, void, validate, or annul this resolution must be commenced within 120 days of the effective date.

Sincerely,

Heather Hackett

Board Secretary, Irish Beach Water District



Resolution Number 2025-05
Resolution of the Board of the Irish Beach Water District Board of Directors
Documenting the Decision to Modify Resolution 2002-02 - Pertaining to Delinquent Accounts

WHEREAS, on March 9, 2002, the Irish Beach Water District Board of Directors adopted Resolution 2002-02 establishing a standard procedure for processing of delinquent accounts; and

WHEREAS, pursuant to Government Code section 66013, the Irish Beach Water District (the "District") is authorized to impose fees for water connections, and to impose capacity charges for public facilities in existence at the time the charge is imposed or for new facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged; and

WHEREAS, said connection fees and capacity charges are not "taxes" as defined in Section 1, paragraph (e) of Article XIII C of the California Constitution (commonly referred to as "Proposition 26") because said fees are imposed for a specific service provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable cost to the District of providing the service; and/or the fee is imposed for a specific government service provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable cost to the District of providing the service; and

WHEREAS, California Environmental Quality Act (CEQA) Guidelines section 15273 state that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of: 1. Meeting operating expenses; 2. Purchasing or leasing supplies, equipment, or materials; 3. Meeting financial reserve needs and requirements; 4. Obtaining funds for capital projects, necessary to maintain service within existing service; and

WHEREAS, the District's current disconnection fee is less than the estimated reasonable cost of materials and labor necessary to complete disconnections and reconnections to the water system, and the security deposit does not reflect an accurate estimate of average charges for two billing periods.

NOW, THEREFORE, IT IS RESOLVED that from the time of adoption of this resolution, reconnection fees will be as follows:

	3/4"	1"
Labor (Workers, Admin., Manager, Benefits)	\$236	\$236
Indirect Costs	\$34	\$34
Total Reconnection Fee	\$270	\$270

AND BE IT FURTHER RESOLVED that from the time of adoption of this resolution, security deposits will be as follows:

	Per Billing Period	Total for Two Billing Periods
Average Customer Water Usage	\$61	\$122
Water Service	\$217	\$434
Total Security Deposit		\$556

AND BE IT FURTHER RESOLVED that the last bullet in Resolution 2002-02 be amended to reflect current reasonable costs of reconnection and monthly billing for security deposit as follows:

Prior to reconnection of any customer disconnected for delinquent charges, all past due charges (see above) must be paid, a \$270 delinquent account reconnection fee must be paid, and a \$556 (approximately 2 billing periods) security deposit must be paid. Security deposits shall be held by the District for a five-year period. If after five years a customer pays all billings on time and the account is not allowed to become delinquent, the security deposit shall be applied as a credit against future bills.

AND BE IT FURTHER RESOLVED that the Board of Directors shall review the reconnection fee annually in conjunction with the budget formulation process and revise the fee if necessary;

AND BE IT FURTHER RESOLVED that if any section, subsection, clause, phrases, or portion of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution.

This resolution becomes effective 45 days after notification by posting on kiosks and the District website, IBWD.org, of the adoption of this resolution. Pursuant to Government Code section 53759, the District shall mail notice of such reconnection fee increase to all landowners in the District that a 120-day statute of limitations period applies to legal challenges to any connection fee increases related to water service.

The foregoing Resolution No. 2025-05 was considered and adopted as amended by the Directors of the Irish Beach Water District at their meeting held March 8, 2025, by the following vote:

Ayes: Director Hackett, Director Hohos, Director Kimsey, Director Ottoboni

Noes: None

Abstain: None

Absent: Director Israel

Dated: March 8, 2025

/s/ Susan Israel
Board President

Attest: */s/ Heather Hackett*
Board Secretary