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**IRISH BEACH WATER DISTRICT MEETING PACKET**  
February 24, 2024

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**NOTICE OF A SPECIAL MEETING OF THE IRISH BEACH WATER DISTRICT  
BOARD OF DIRECTORS  
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459  
Saturday, February 24, 2024, 9:30 A.M.**

PLEASE NOTE: The February 24, 2024 special meeting of the Irish Beach Water District Board of Directors will be held via ZOOM teleconferencing and in person meeting at Firehouse. Irish Beach Water District directors/employees will be emailed an invitation to the meeting 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/86348543211?pwd=YmJlYWVqWFImOTdoNWV6VnBZK09mdz09>

Meeting ID: 863 4854 3211

Passcode: 086822

Dial by your location:

+1 669 900 9128 US (San Jose)

Find your local number: <https://us02web.zoom.us/u/kcqlsQKYOH>

**Agenda**

1. **CALL TO ORDER AND ROLL CALL OF BOARD MEMBERS.** (ISRAEL).
2. **PUBLIC INPUT:** PUBLIC COMMENTS, *INCLUDING TOPICS ON THE AGENDA*. A MAXIMUM OF FIVE (5) MINUTES ALLOWED FOR EACH PRESENTATION. (ISRAEL)
3. **OLD BUSINESS:**
  - a. **DISCUSSION AND OR ACTION:** UPDATE FROM THE PROP. 218 COMMITTEE AND REVIEW OF THE 2002 GREATER THAN 40-YEAR ASSESSMENT FUND. (ACKER, EMRICK, HACKETT, OTTOBONI)
4. **ADJOURNMENT.** (ISRAEL)

ASSISTANCE WILL BE PROVIDED TO DISABLED 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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**PUBLIC INPUT**  
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**OLD BUSINESS: A. DISCUSSION AND OR ACTION:** UPDATE FROM THE PROP. 218 COMMITTEE AND REVIEW OF THE 2002 GREATER THAN 40-YEAR ASSESSMENT FUND.  
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# Proposition 218 Assessments

Coordinating Capital Replacement Projects Using 2002 Assessment Funds with the 2024 Assessment Preliminary Project List

# 2002 Proposition 218 included 4 items in the assessment of 460 parcels

- Systemwide Capital Improvement
  - e.g. Replace Storage Tanks 1, 3, improve pump stations & water mains, raw waterline
- Mallo Pass Capital Improvements
  - Development of new water supply from Mallo Pass Creek
- Capital Replacements
  - Replacement of fixed assets with lives >40 years
- Loan Repayment

# Moores v. Irish Beach Water District Litigation

## *Relevant 2021 Appeals Court Opinion*

- Liability for Inverse Condemnation by building T5 Well
  - District exceeded scope of the existing easement when it built the T5 Well in 2008.
  - District did not take any water rights or water-related facilities from the Moores when it built the T5 Well.
- Damages for Inverse Condemnation by building T5 Well
  - Damages and attorney's fees awarded to Moores by the trial court, which included water rights, was reversed by the Court of Appeals.
- Breach 2002 agreement by not building Mallo Pass project
  - Trial court judgment against the District (including damages) reversed and directed that judgment be entered in favor of District.
- 2002 Prop 218:
  - NOT Appealed: Mallo Pass Assessment account balance to be refunded because no present Mallo Pass Permit/Project
  - NOT Appealed: System-Wide Assessment to end in 2017 and account balance to be refunded
  - **Trial court judgment as to Capital Replacement Assessment was reversed and directed that judgment be entered in favor of the District**

Please refer to the IBWD website for additional information regarding Moores vs. Irish Beach Water District litigation.

# Planning for Capital Replacement Projects Using 2002 Assessment Funds & Consider Reinstating Assessments

- Appeals Court remanded case back to Superior Court for proceedings consistent with Appeals Court opinion.
- While proceedings are not yet concluded, the District is budgeting for the financial implications:
  - Compensation to the Moores' for Inverse Condemnation and potential associated legal costs.
  - Reimbursement of balances of Systemwide and Mallo Pass 218 funds to lot owners
- Once a final judgement is issued, the District may use Capital Replacement funds and reinstate the Assessment to replenish this fund.



# The 2002 Capital Replacement Fund Covers the Cost of Replacing Many of the District's Fixed Assets

Appendix A Irish Beach Water District Fixed Asset Listing					
Quantity	Description (1)	Acquisition Date, FY	Original Cost, \$	Estimated Useful Life	Replacement Cost (2)
1,270 LF	6" A.C. Pipeline (Unit I)	1965	21,437	40	136,000
4,310 LF	4" A.C. Pipeline (Unit I)	1965	Inc. Above	40	
1,810 LF	2" A.C. Pipeline (Unit I)	1965	Inc. Above	40	
280 LF	1-1/2" A.C. Pipeline (Unit I)	1965	Inc. Above	40	
108 Ea.	Connections - Saddle, corp stop & curb stop (Unit I)	1965	Inc. Above	40	
16 Ea.	Valves (Unit I)	1965	Inc. Above	40	
8 Ea.	4" Fire Hydrants (Unit I)	1965	Inc. Above	40	
2,600 LF	6" A.C. Pipeline (Unit II)	1965	21,437	40	136,000
1,880 LF	4" A.C. Pipeline (Unit II)	1965	Inc. Above	40	
300 LF	2" A.C. Pipeline (Unit II)	1965	Inc. Above	40	
75 Ea.	Connections - Saddle, corp stop & curb stop (Unit II)	1965	Inc. Above	40	
14 Ea.	Valves (Unit II)	1965	Inc. Above	40	
4 Ea.	4" Fire Hydrants (Unit II)	1965	Inc. Above	40	
2,580 LF	6" A.C. Pipeline (Unit III)	1967	21,437	40	123,000
2,540 LF	4" A.C. Pipeline (Unit III)	1967	Inc. Above	40	
72 Ea.	Connections - Saddle, corp stop & curb stop (Unit III)	1967	Inc. Above	40	
6 Ea.	Valves (Unit III)	1967	Inc. Above	40	
4 Ea.	4" Fire Hydrants (Unit III)	1967	Inc. Above	40	
2,900 LF	6" A.C. Pipeline (Unit IV)	1969	21,437	40	103,000
800 LF	4" A.C. Pipeline (Unit IV)	1969	Inc. Above	40	
86 Ea.	Connections - Saddle, corp stop & curb stop (Unit IV)	1969	Inc. Above	40	
10 Ea.	Valves (Unit IV)	1969	Inc. Above	40	
5 Ea.	4" Fire Hydrants (Unit IV)	1969	Inc. Above	40	

370 LF	6" A.C Pipeline (Unit V)	1978	60,000	40	131,000
900 LF	4" A.C. Pipeline (Unit V)	1978	Inc. Above	40	
600 LF	2" A.C. Pipeline (Unit V)	1978	Inc. Above	40	
17 Ea	Connections - Saddle, corp stop & curb stop (Unit V)	1978	Inc. Above	40	
2 Ea.	Valves (Unit V)	1978	Inc. Above	40	
2 Ea.	Fire Hydrants (Unit V)	1978	Inc. Above	40	
3,500 LF	6" PVC Pipeline (Unit VII, VIIA, & VIII)	1978	Inc. Above	40	
1,200 LF	3" PVC Pipeline (Unit VII, VIIA, & VIII)	1978	Inc. Above	40	
58 Ea.	Connections - Saddle, corp stop & curb stop (Unit VII-VIII)	1978	Inc. Above	40	
14 Ea.	Valves (Unit VII, VIIA, & VIII)	1978	Inc. Above	40	
8 Ea.	4" Fire Hydrants (Unit VII, VIIA, & VIII)	1978	Inc. Above	40	
1,020 LF	6" A.C. Pipeline (Ties Unit III to Unit VII)	1978	32,000	40	70,000
1,000 LF	6" Pipeline (Unit VIII)	1978	6,000	40	13,000
300 LF	3" Pipeline (Unit VIII)	1978	Inc. Above		
Note	Connections - Included in Item 82 above	1978			
1,000 LF	2" Pipeline Witch Well (Unit VIII)	1979	32,000	40	64,000
1 Lot	Electrical for above	1979	3,200	40	6,000
1 Lot	Upper Catchment - Dam, Rockfill, Etc.C.O.	1983	33,217	40	51,000
600 LF	6" PVC Pipeline	1983	20,000	40	31,000
1 Ea.	10,000 Gal. Concrete A.G. Tank	1983	13,000	40	20,000
5 Ea.	Valves	1983	2,500	40	4,000
1 Lot	Lower Catchment - Dam, Rockfill, Etc.	1983	21,211	40	32,000
1,950 LF	2-1/2" PVC Pipeline	1983	51,000	40	78,000
1 Ea.	Valve	1983	350	40	1,000
1 Lot	Electrical	1983	7,256	40	12,000
500 LF	6" C900 Pipeline (Forrest View Loop)	2000	24,680	40	25,000
1 Lot	Diversion @ Tank T1 - 2 Pumps, Piping, & Electrical Contracted by Lin Ford	1974	11,953	50	36,000

1 Ea.	Unit IX Water System	1989	185,000	40	248,000
1,289 LF	3" PVC Cl. 200 Pipeline - Tank T5 to Tank T4 - Unit IX	1989	Inc. Above		
3 Ea.	3" Valves Unit IX	1989	Inc. Above		
1 Ea.	125,000 Concrete Tank - Alta Mesa - Unit IX	1989	Inc. Above		
1 Lot	3 HP Pump, Probe & Controls - Unit IX	1989	Inc. Above		
1 Ea.	6" Gate Valve - Unit IX	1989	Inc. Above		
3,010 LF	6" Pipeline - Upper Alta Mesa Inc Connections, Unit IX	1989	Inc. Above		
5 Ea.	6" Fire Hydrants - Alta Mesa, Unit IX	1989	Inc. Above		
1,400 LF	3" Pipeline, Sch. 80 - From Lot 3 to Tank T3, Unit IX	1989	Inc. Above		
350 LF	Water Service Road Crossings, Unit IX	1989	Inc. Above		
1 Lot	Pump Station C - 10 HP Pump, Controls, Etc. Unit IX	1989	Inc. Above		
44 Ea.	Connections - A saddle, corp stop & curb stop(Unit IX & IXA	1989	Inc. Above		
1 Lot	Pressure Station G - Unit IX	1989	2,800	40	4,000
1 lot	Water Treatment Control Building 20' X 20'	1985	8,895	40	13,000
1 Lot	Diatomacious Earth Filter System - Contract	2002	60,000	40	60,000
<b>Total Replacement Value of Assets</b>					<b>1,397,000</b>
<b>100% Replacement Value of Assets With Lives Great than 40 Years</b>					<b>1,397,000</b>
<b>50% Replacement Value of Assets With Lives Great than 40 Years</b>					<b>698,500</b>

## The 2002 Capital Replacement Assessment Was Set at \$17,500 and Adjusted Annually for Inflation

- The 2002 Capital Replacement Fund currently has a balance of \$101,000.
- The Assessment is subject to an annual adjustment tied to the annual change in the Engineering News Record Construction Cost Index 20 cities average (ENR-CCI) as of January of each succeeding year, with the maximum annual adjustment not to exceed 3%.
- If reinstated in 2024, the annual assessment would be approximately \$32,000 annually.
  - Each parcel owner would be assessed approximately \$70 per year.

# Using 2002 Capital Replacement Assessment Funds for Projects Included in the 2024 Preliminary Project List

Proposition 218 Projects: Revised Plan A							
2002 Assessment Greater Than 40-Year Project List	Time-frame	Ref. #	Quantity	Description	Acquisition Date, FY	Est. Useful Life	Comments
	Short	66	1 Ea.	<b>Tank 3</b> - 84,000 gal - Bolted Steel on Concrete	2010	40	Bolted steel tank showing areas of coating damage. Special 2- part paint. exterior needs recoating.
Yes	Short	54	1 Ea.	<b>Tank 0</b> - 10,000 Gal. Concrete A.G. Tank	1983	40	10,000 gal ferro cement tank has numerous cracks concrete roof has limited strength. Needs replacement tank.
Yes	Short	34	820 LF	6" 200 PSI PVC Pipeline (Unit VII)	1978	40	Pipeline, valves & connections: U7 from Hunolt to O'Rorey's Tee to Pomo Lake Dr. sub-feed from - buried with high voltage lines.
	Mid	84		Water <b>Treatment Plant</b> Filters & Equipment	1985	20	Replaced failing parts as urgent repairs needed. Entire water plant filter assembly is showing age and needs replacement.
Maybe	Mid	72	1 Ea.	<b>Tank 4</b> - 125,000 Concrete Tank - Alta Mesa - Unit IX	1989	40	Wooden truss structure over tank: inaccessible lower vent screens, deteriorating roof & siding, carpenter ant & termite infestation.
Yes	Mid	35	1327 LF	6" 200 PSI PVC Pipeline (Unit VII)	1978	40	Pipeline, valves & connections: U5 to Hunolt - thin wall glue joint PVC through open space field.
Yes	Mid	77	1,200 LF	3" Pipeline, Sch. 80 - From Lot 3 to Tank T3, Unit IX	1989	40	Pipeline, valves & connections: deducted 250 LF of pipeline replaced in Alta Mesa repaving project in ref. #76 - remaining pipeline is leaking.
	Mid	37	800LF	2" 200 PSI PVC Pipeline (Unit VIIA)- O'Rorey's along North side of Pomo	1978	40	Pipeline, valves & connections: Replace due to numerous leaks and blow-outs.
Yes	Mid	33	670 LF	6" 200 PSI PVC Pipeline (Unit VII, VIIA, & VIII)	1978	40	Pipeline, valves & connections: South from O'Rorey's loop replacement, across Pomo Creek to Pump Station A at the bottom of Hillcrest.
	Long	N2	1 Ea.	<b>New Well A</b> - Easement & Wellhead	New	40	Expand system capacity to support build-out.
	Long	N3	1 Ea.	<b>New Well A</b> - Electrical, controls, pipeline	New	40	Expand system capacity to support build-out.
	Long	N4	1 Ea.	<b>New Tank A</b> - bolted steel on concrete	New	40	Expand system capacity to support build-out.

# Next Steps for the 2002 Capital Replacement Fund & Assessments:

- Consider reinstating the Capital Replacement Assessment as soon as the trial court judgment is final.
- Review the District's preliminary project list considering the potential for use of 2002 Capital Replacement Assessment funds.

# If the Board Reinstates the 2002 Capital Replacement Assessment, the Preliminary Project List Might Include the Following:

2002 Capital Replacement Fund Preliminary Project Plan							
2002 Assessment Greater Than 40-Year Project List	Time-frame	Ref. #	Quantity	Description	Acquisition Date, FY	Est. Useful Life	Comments
Yes	Short	54	1 Ea.	<b>Tank 0</b> - 10,000 Gal. Concrete A.G. Tank	1983	40	10,000 gal ferro cement tank has numerous cracks concrete roof has limited strength. Needs replacement tank.
Yes	Short	34	820 LF	6" 200 PSI PVC Pipeline (Unit VII)	1978	40	Pipeline, valves & connections: U7 from Hunolt to O'Rorey's Tee to Pomo Lake Dr. sub-feed from - buried with high voltage lines.
Yes	Mid	35	1327 LF	6" 200 PSI PVC Pipeline (Unit VII)	1978	40	Pipeline, valves & connections: U5 to Hunolt - thin wall glue joint PVC through open space field.
Yes	Mid	77	1,200 LF	3" Pipeline, Sch. 80 - From Lot 3 to Tank T3, Unit IX	1989	40	Pipeline, valves & connections: deducted 250 LF of pipeline replaced in Alta Mesa repaving project in ref. #76 - remaining pipeline is leaking.
Yes	Mid	33	670 LF	6" 200 PSI PVC Pipeline (Unit VII, VIIA, & VIII)	1978	40	Pipeline, valves & connections: South from O'Rorey's loop replacement, across Pomo Creek to Pump Station A at the bottom of Hillcrest.

# Status of the 2024 Proposition 218 Initiative:

Tasks	Dates	Party
Progress Meeting	February 08	SCI, District, and Hazen & Sawyer
Compilation of engineering, property and community data. Development of budgets and service plans.	Feb - March	SCI
Draft Engineer's Report, Resolutions, Notice and Ballot submitted to District (legal counsel) for review	April 09	SCI
Engineer's Report edits/comments due to SCI	April 19	District/Legal
<b>Board Meeting:</b> Board approves Engineer's Report and 2 resolutions.		
1) Resolution preliminarily approves budget, assessment rates, Engineer's Report and calls for mailing of Ballots.	<b>May 11</b>	SCI, District, and Board
2) Resolution adopts Prop 218 assessment ballot proceedings.		
Informational Outreach	April - July	SCI and District
Print and address notices and ballots	Week of May 13th	SCI
Mail public hearing notices and ballots	May 27	SCI
Balloting period (ballots must be out for at least 45 days)	May 28 - July 13	SCI
<b>Board Meeting:</b>		
- Public Hearing and close of balloting period; - Tabulation of ballots and announcing results; - *Resolution ordering levying of assessments for FY 2024-25	<b>July 13</b>	SCI, District, and Board



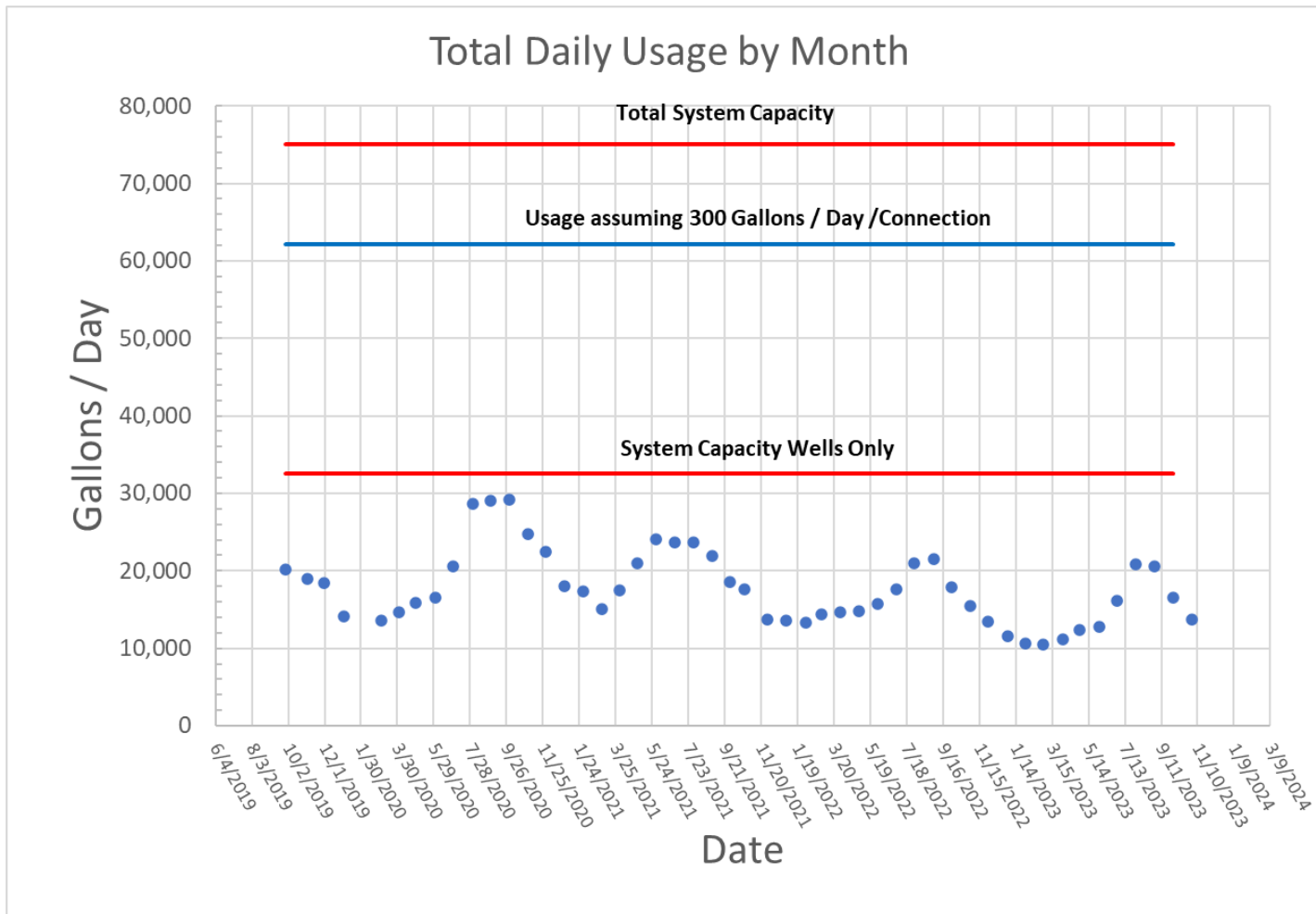
# Review Planned Project Scope for the 2024 Proposition 218 Initiative:

- In August 2022, the Board held a meeting to discuss the initiative, and shared a preliminary list of 14 projects that included:
  - Maintenance and upgrades for existing water system facilities.
  - The addition of new water sources and storage facilities since the existing system will not support full build-out.
- In April 2023, the Board modified the scope of the preliminary project list to exclude 2 potential pipeline projects. The 12 remaining preliminary projects include maintenance and improvements, as well as new facilities.
- Determine the scope of the District's preliminary project list considering the potential for use of 2002 Capital Replacement funds for some projects.

# 2024 Prop. 218 Preliminary Project List – Plan C

Preliminary Proposition 218 Projects: Plan C							
2002 Assessment Greater Than 40-Year Project List	Time-frame	Ref. #	Quantity	Description	Acquisition Date, FY	Est. Useful Life	Comments
	Short	66	1 Ea.	<b>Tank 3</b> - 84,000 gal - Bolted Steel on Concrete	2010	40	Bolted steel tank showing areas of coating damage. Special 2- part paint. exterior needs recoating.
	Mid	84		Water <b>Treatment Plant</b> Filters & Equipment	1985	20	Replaced failing parts as urgent repairs needed. Entire water plant filter assembly is showing age and needs replacement.
Maybe	Mid	72	1 Ea.	<b>Tank 4</b> - 125,000 Concrete Tank - Alta Mesa - Unit IX	1989	40	Wooden truss structure over tank: inaccessible lower vent screens, deteriorating roof & siding, carpenter ant & termite infestation.
	Mid	37	800LF	2" 200 PSI PVC Pipeline (Unit VIIA)- O'Rorey's along North side of Pomo	1978	40	Pipeline, valves & connections: Replace due to numerous leaks and blow-outs.
	Long	N2	1 Ea.	<b>New Well A</b> - Easement & Wellhead	New	40	Expand system capacity to support build-out.
	Long	N3	1 Ea.	<b>New Well A</b> - Electrical, controls, pipeline	New	40	Expand system capacity to support build-out.
	Long	N4	1 Ea.	<b>New Tank A</b> - bolted steel on concrete	New	40	Expand system capacity to support build-out.

# Current Capacity vs Future Needs



IBWD Water Sources as of March 28, 2022			
Available Capacity Based on <i>Permits / Licensing</i>	Gallons Per Minute	Gallons Per Day - Use Full Well Capacity	Gallons Per Day - 25% Well Contingency (1)
Irish Gulch (tentative licensing in 2005/2006)	29.62	42652.8	42652.8
Well #5 & Well #9 combined	11	15840	11880
<b>Total Available</b>	<b>40.62</b>	<b>58492.8</b>	<b>54532.8</b>
Average Daily Use (2)		300	300
<b>Maximum Connection Capacity</b>		<b>195</b>	<b>182</b>
<small>(1) Allow contingency for well sources to safeguard against a complete loss of a well or well capacity, or a stream source, or mega drought condition.</small>			
<small>(2) State Water Resources Control Board Safe Capacity Standard</small>			
Well #2 (not connected) (4)	11.5	16560	12420
<b>2024 Total Available</b>	<b>52.12</b>	<b>75052.8</b>	<b>66952.8</b>
<b>Maximum Connection Capacity</b>		<b>250</b>	<b>223</b>
<small>(4) Well #2 Activation is a Work in Progress - estimated activation date is June 2024. Estimated permitted flow is 50% of actual</small>			