



**Irish Beach Water District**

**Meeting Packet**

**November 13, 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, November 13, 2021, 10:00 A.M.**

PLEASE NOTE: The November 13, 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](mailto:jmurray@mcn.org) or Connie Sackman at [czsackman18@gmail.com](mailto:czsackman18@gmail.com) for log-in information. The Meeting Packet can be accessed at [WWW.IBWD.ORG](http://WWW.IBWD.ORG).

1. **CALL TO ORDER AND ROLL CALL: Attendance via Zoom Teleconferencing**
2. **APPROVAL OF MINUTES:**
3. **COMMUNICATIONS AND CORRESPONDENCE. None.**
4. **PUBLIC INPUT: (limited to five minutes for each person's input)**
5. **REPORTS:**
  - A. **TREASURER: (MURRAY) - Treasurer's Report, Checks Issued.**
  - 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: CONNECTION FEE INCREASE PROCESS. (MURRAY).**
  - B. **DISCUSSION AND OR ACTION: GRANT APPLICATION UPDATE. (DIAL/HACKETT)**
  - C. **ANNOUNCEMENT: NOVEMBER 17, 2021, ORAL ARGUMENTS PURSUANT TO MOORES VS. IBWD APPEAL (TERRY).**
  - D. **DISCUSSION AND OR ACTION: FISCAL YEAR OCTOBER 2021 TO SEPTEMBER 2022, ADOPTION OF FINAL BUDGET RESOLUTION. (MURRAY/DIRECTORS)**
7. **NEW BUSINESS:**
  - A. **DISCUSSION AND OR ACTION: SELECTION (BY BOARD VOTE) OF NEW BOARD MEMBERS TO FILL WHITAKER AND ELLISON VACANCIES, EFFECTIVE NOVEMBER 3, 2021, CANDIDATES: HEATHER HACKETT, MEL KIMSEY, AND SANDRA REGAN.**
  - B. **DISCUSSION AND OR ACTION: IMPROVED COMMUNICATION TO CUSTOMERS TO ENABLE TEXT MESSAGING PROVIDED BY MCN.ORG LISTSERV. (K. DIAL/ACKER).**
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 –September 11, 2021**

**Special Meeting Minutes – October 16, 2021**

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS**  
**REGULAR MEETING MINUTES**  
**15401 FOREST VIEW ROAD, POB 67, MANCHESTER, CA 95459**  
**September 11, 2021**

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:00 A.M. on Saturday, September 11, 2021, in person and using Zoom, a web-based video and audio-conferencing tool, to meet online. Roll call of directors in person in attendance was: President Terry and Director Israel. Director Dyson, Director Whitaker, and Director Ellison were present with Zoom. Employees in person in attendance were: Treasurer Murray, Clerk/Secretary Sackman, and Clerk/Accountant Dial. Employees in attendance with Zoom were General Manager Acker, Plant Operator Dial. Legal Counsel Emrick attended the meeting online with Zoom.
2. **APPROVAL OF MINUTES:** President Terry made a motion to approve the Regular Meeting Minutes dated July 10, 2021 and Special Meeting Minutes dated August 14, 2021, as submitted. The motion was seconded by Director Dyson. Roll call vote: President Terry, aye; Director Dyson, aye; Director Israel, aye; Director Ellison, aye; and Director Whitaker, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** None
4. **PUBLIC INPUT:** None.
5. **REPORTS:**

**A. TREASURER'S REPORT:**

Treasurer Murray submitted the Treasurer's Report, which showed a balance of \$65,100 in the operating cash account.

November 2021:

Cash in Bank: \$59,086

Accounts Receivable: \$5,389

County Tax Rolls: \$139

Accounts Payable: \$0

Greater than 40-year (pipe replacement project): \$35,350

Emergency Response Augmentation: \$40,336

Loan Receivable: \$120,000

Total: \$155,350

Treasurer Murray discussed with the Board the Cash Statement as of September 2, 2021, and the Checks Issued Report from July 1 through September 2, 2021, and stated that there is now \$59,086 in the checking account. For July and August, the billing has not been accomplished yet to finish out the fiscal year. The receivables is \$62,063, which brings it down to the total unrestricted of \$126,677, but there is \$20,000 to be transferred to Redwood Coast Fire District, and greater than 40 year replacement reserve down to \$35,350.

The loan receivables is the same of \$120,000, which we will make the payment as needed when we close the fiscal year. There is not much change in cash and receivables of \$749,360 when we close in September for the fiscal year.

Treasurer Murray stated that she did a comparison of current year to closing the fiscal year ending in September and predicts a close in deficit of approximately \$20,000. There was \$20,000 over budget due to engineering budget of \$6,000, expenditure of \$26,000 over by \$20,000.

A motion was made by Director Israel to vote to accept the Treasurer's Report and Checks Issued Report for the period stated. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Dyson, aye; Director Whitaker, aye; Director Ellison, aye; and Director Israel, aye. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker discussed with the Board the following: In covering some key items, mostly concerned the lower diversion, which had become the main water source currently. Some maintenance and parts replacement was completed for the lower diversion water system. There was some problem with water quality in the upper diversion, which was corrected with some adjustments. The paving project has been completed with the yellow and white strips being re-painted. Discussed the amount of water coming from the upper and lower diversions and confirmed that there is enough water for the community's needs. A calculation was done to determine how many houses could be supplied with the current water supply. It was determined that the amount of water available would cover 326 houses, which calculates to be more water available than is used. The water haulers purchase of water has been temporarily suspended until the supply of water increases, although private individuals may still collect water in 50 to 300 gal containers without affecting the District's water supply. General Manager Acker commented that the community is doing an excellent job of conserving water. The metered customers' water leakage has been reduced from twelve to one. Discussed a grant application in the process that if funds were approved would provide for repair of tanks and more storage. Also attended regular and special board meetings.
- C. SAFETY COMMITTEE:** General Manager Acker reported safety meeting attendance has changed to on-line safety meetings attended as individuals and will have been implemented by the next board meeting.
- D. LEGAL COUNSEL:** Legal Counsel Emrick reported that an oral argument on the appeal is scheduled for November 2, 2021, and notification will be received if the meeting will be conducted on line or in person.
- E. DIRECTORS.** President Terry reported that a notice has been posted in the kiosks and at IBWD.org for those property owners in Irish Beach who are interested in applying to replace Director Whitaker and Director Ellison, who will be resigning effective November 1, 2021.

## **6. OLD BUSINESS:**

- A. DISCUSSION AND OR ACTION: MENDOCINO COUNTYWIDE DROUGHT TASK FORCE. (TERRY/ACKER).** President Terry reported that the Mendocino Countywide Drought Taskforce Meeting was conducted by online Zoom and lasted 1 ½ hours. During the meeting water conditions at various communities were discussed and possible solutions to providing water to those communities most in need.
- B. DISCUSSION AND OR ACTION: CONNECTION FEE. (TERRY).** President Terry, Board Directors, Treasurer, General Manager and Legal Counsel discussed the process of increasing the connection fee and decided to continue the discussion at the next Board Meeting
- C. DISCUSSION AND OR ACTION: PROPOSITION 218 ASSESSMENT BALLOT RESULTS FROM PUBLIC HEARING. (TERRY).** President Terry discussed the results of the Proposition 218 failure to pass, projects that will need to be funded, and discussed during the budget presentation Item 7. B.

D. **DISCUSSION AND OR ACTION: SYSTEM/POLICY FOR COLLECTION OF OVERDUE PAYMENTS. (DYSON/TERRY/MURRAY).** After discussion, it was determined by the Board that IBWD would continue with the established procedure of collecting overdue payments.

**7. NEW BUSINESS:**

A. **DISCUSSION AND OR ACTION: APPLICATION AND RESOLUTION FOR SMALL COMMUNITY DROUGHT RELIEF PROGRAM FROM THE STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES FOR GRANT FOR SPECIFIC PROJECTS TO BE DETERMINED. (DIRECTORS/ACKER/STAFF).** General Manager Acker opened the discussion by stating that he, Plant Operator Dial, and Community Member Heather Hackett are asking the Board’s permission to start the process of applying for a grant to be titled “Well Connection and Tank Restoration Grant.” General Manager Acker stated that grants are offered by the California State Water Resources Control Board for drought relief. President Terry asked for a motion to pass a resolution to authorize the processing and submission of the grant application. The motion was made by Director Dyson and was seconded by Director Israel. Roll call vote: Director Dyson, aye; Director Israel, aye; Director Whitaker, aye; Director Ellison, aye; and President Terry, aye. Motion carried.

B. **DISCUSSION AND OR ACTION: FISCAL YEAR OCTOBER 2021 TO SEPTEMBER 2022, PROPOSED BUDGET, INCLUDES AVAILABILITY INCREASE OF \$256 PER YEAR TO EACH CONNECTION TO ESTABLISH A RESERVE FOR REPAIRS, EQUIPMENT, AND OTHER INFRASTRUCTURE NEEDS. (MURRAY).** Treasurer Murray presented to the Board the new fiscal year budget for October 2021 to September 2022 as follows: The budget shows an increase in availability charges of \$22.22 per month, and water usage current charges of \$0.65 per 100 gallons of water used. There will be a public hearing special board meeting to determine budget approval. The increase will help to finance the needed infrastructure for the water system. During the discussion, the Treasurer stated she would research an amount to add to the budget for an increase in water usage also. President Terry discussed with the Board the need for an increase in the salaries for staff using the Consumer Price Index (CPI) guidelines. A motion was made by Director Ellison to direct our Treasurer to proceed with integrating a CPI budget increase of 3.2% to the 2021 to 2022 Fiscal Budget to be re-formulated and re-entered into the October 16, 2021, Public Hearing Special Board Meeting. The motion was seconded by Director Whitaker. All voted ayes. Motion carried.

**ADJOURNMENT:** Director Whitaker moved to adjourn the Public Session of the Board Meeting at 12:33 P.M. and Director Israel seconded the motion. Motion carried. The next Public Hearing Special Board Meeting will be scheduled for Saturday, October 16, 2021.

**8. EXECUTIVE (CLOSED) SESSION:** The Executive Closed Session Zoom Meeting was conducted after the close of the Regular Zoom Meeting.

**Respectfully submitted:**

**Attest:**

\_\_\_\_\_  
**Kenneth Terry, President**

\_\_\_\_\_  
**Stephen Whitaker, Secretary of the Board**

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Prepared by: Clerk/Secretary Sackman**

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS  
SPECIAL MEETING MINUTES  
October 16, 2021

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Special Meeting to order at 10:02 A.M. on Saturday, October 16, 2021, in the Rex Dunning Firehouse, 15401 Forest View Road, and using a web-based video and audio conferencing tool, to meet in person and on-line. Roll call of directors in attendance were: President Terry, Director Whitaker, Director Ellison, Director Israel, and Director Dyson. Employees in attendance were: District General Manager Acker, Accountant/Clerk Murray, Clerk/Secretary Sackman, Plant Operator Dial, and Clerk/Accountant Dial. District’s Legal Counsel Emrick was absent.
2. **COMMUNICATIONS AND CORRESPONDENCE:** None
3. **PUBLIC INPUT: OPENING OF THE MEETING TO PUBLIC COMMENTS FOR TOPICS NOT ON THE AGENDA. A MAXIMUM OF FIVE (5) MINUTES ALLOWED FOR EACH PRESENTATION. (TERRY).** Guest discussed with the Board his concern regarding improving the notification system for the community. President Terry stated that the notification system will be addressed and discussed at the next Regular Board Meeting.
4. **DISCUSSION: IRISH BEACH WATER DISTRICT GENERAL MANAGER’S UPDATE:**
  - **Recent Rain Contamination Event. (Acker).** General Manager Acker stated the following: I received an early notification that the latest water sample taken to the lab for testing showed a positive reading for bacteria, which prompted a Boil Water Notification to be reported to the Irish Beach Community, as required by the State Water Resources Control Board. A second testing was completed, which showed negative readings for bacteria. All of the water system has been gone through to ensure adequate levels of chlorine. The recent rainfall after a long period of drought may have caused the bacteria to be present from the runoff.
  - **Drought Status. (Acker).** General Manager Acker stated the following: Due to recent rainfall, the possible water shortage concern is currently not an issue for the Irish Beach Community. Before the recent rainfall, selling water to the water haulers was discontinued to ensure adequate water supply to the Irish Beach Community. The rainfall has brought back normal conditions for our water system supply.
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5. **DISCUSSION: 2021-2022 FISCAL YEAR BUDGET OVERVIEW – PROPOSED AVAILABILITY CHARGE INCREASE. (MURRAY)** Treasurer Murray presented the following: At the last Board Meeting’s discussion regarding the fiscal year budget, it was determined that an availability rate increase is needed and necessitated the need for this Public Hearing/Special Board Meeting for rate payers to protest the increase. The proposed increase will be an additional \$23.06, from \$85.50 to \$108.57. This increase will add an additional \$5,057 for operating expenses and provide for the new reserve of \$52,224, which will provide for maintenance, repairs, and other infrastructure needs. The availability rate increase is needed due to the recent Proposition 218 failure to be approved, and the connected users will be responsible for this increase. Protests need to be logged by the end of this date. The status of this increase being approved will be announced on the IBWD website at IBWD.org by the next day...
6. **(TERRY). DISCUSSION: OPENING OF THE MEETING TO PUBLIC COMMENTS. A MAXIMUM OF FIVE (5) MINUTES ALLOWED FOR EACH PRESENTATION**

Guest: “Any written feedback about the increase received by the IBWD at this point”?

President Terry replied: “There have been two protests so far.:

Plant Operator Dial: “Received one today during the meeting, and one before the meeting today, both protests related to the connection fee.

Treasurer Murray: “I will make a presentation at the next Board Meeting regarding connection fees.”

Guest: “It sounds as though the expansion and prices of connection fees don’t get us there in maintaining the system.”

Guest: “With only receiving two opposing mail ins, are we moving forward with raising the rates? How does the process work?”

Treasurer Murray: “We need one-half of the connected users: 104 negative protests against the increase. So far it doesn’t look like we will even approach that negative number. If the Board approves the increased fees, then they will be increased.”

President Terry: “In everyone’s bill the negative protest format explained the process.”

Guest: “I have to applaud people who are paying that are connected, but not drawing water. My feeling on it is: these people are doing that when the connection fee has not changed, I feel they shouldn’t have to pay it, if they are paying it now.”

Treasurer Murray: “They paid the connection fee and are getting a meter. They will also be paying the availability charge.”

Plant Operator Dial: “We only have 10 more connections before we run into an issue. People who are planning on building within the next 2-3 years want to ensure they will have water when they build their homes.”

Guest: “Are there only a certain number of people who can plug into the system? How do the existing users maintain the system?”

President Terry: “Even if we had all 456 lots open for development, up until most recently of the most severe time of this drought, even before this drought, we were able to serve 456 lots.”

Guest: “If the 218 Proposition would have been done as it was in the past, where it was weighted, the people that were not connected were paying less of a fee than those that were connected. Also the non-connected people have questions about what the rates are that the current users are paying. Are the water rates at the upper half of what Californians are paying or lower half? We have an unreal perspective. The current users are paying very low for their water compared to what the rest of California is paying. We feel insulted when you were going to let us pay the same amount on a 218 proposition as the current connected people. Your theory that the un-connected people’s value of property would continue to go up, that our benefit would be the same as the connected people. If you are connected and you have a house whose value is going up, you will get more out of your investment than those that are not connected. It was more of a perception thing. You probably could have got some who voted no, it was a perception thing.”

Treasurer Murray: “the IBWD with their prior proposition 218 never had a weighted average. The amount in our last successful proposition 218 was the same for a developed lot and un-developed lot. We could explore a weighted average the next time we explore a proposition 218, might be a good idea”



Guest: "I believe the engineering report showed that the people that were connected paid a higher amount for the short term repairs and the longer term repairs spread more even across everybody."

President Terry: "...that perhaps our format could have been adjusted, there is always the potential to resurrect this proposition once again."

Guest: "What can be done to help with getting the word out in the case of the boil water notice"?

President Terry: "What we will do at our next Board Meeting: there will be an agenda item to specifically address this and form an ad hoc sub-committee to address communications relative to water contamination. This will be addressed at our next Board Meeting."

- 7. DISCUSSION AND OR ACTION: TALLY OF NEGATIVE DECLARATIONS TO PROPOSED AVAILABILITY CHARGE INCREASE TO OCCUR BY THE END OF DAY, 10/16/2021, AND POSTED ON THE DISTRICT'S WEBSITE, IBWD.ORG. (TERRY/MURRAY).** President Terry stated that we received only two (2) opposing mail-ins and two (2) on-line oppositions. Treasurer Murray stated that due to the low number of oppositions, the availability increase could be approved by the Board this date. The website will show the results of the rate increase by the end of the day.

Treasurer Murray stated that a motion by the Board to direct Treasurer Murray to bring a resolution to the November 13, 2021 Board Meeting to adopt the availability increase. Motion was made by Director Israel, and seconded by Director Whitaker. Three of the four directors approved the motion. The motion was carried

- 8. ANNOUNCEMENT: THE IBWD BOARD VACANCIES. (TERRY).** President Terry stated the following: We encourage any property owner of the Irish Beach Community to apply for the two Board vacancies. The two open seats will be selected from the availability of candidates on November 13, 2021. The remaining Board Members will select the two new Board Members from those who have submitted letters of interest. The letters of interest need to be received no later than November 3, 2021, either to my email address: k.terry@comcast.net or to: IBWD, P. O. Box 67, Manchester, CA 95459.

Director Whitaker moved to adjourn the Board Meeting at 11:45 A.M. Motion was seconded by Director Israel. All voted by saying aye. Motion carried and the special meeting was adjourned.

- 9. EXECUTIVE (CLOSED) SESSION:** No closed executive 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.**
- 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).**

**Respectfully submitted:**

**Attest:**

\_\_\_\_\_  
Kenneth Terry, President

\_\_\_\_\_  
Stephen Whitaker, Secretary of the Board

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Prepared by: Connie Sackman, Clerk/Secretary



**COMMUNICATIONS & CORRESPONDENCE**



**Correspondence: None**



**Treasurer**

**Water/Storage Facilities/Conveyance/Loss**

**Safety Committee**

**Legal Counsel**

**Directors**





**Treasurer's Report 5.A**  
**Cash Statement**



Nov 13, 2021  
Board Meeting

		11/4/2021 This period	9/2/2021 Last period
IBWD Cash and Assets:		November-2021	September-2021
TIME DEPOSITS	Checking      Restr Loan Pmt -\$46,400	\$48,784	\$59,086
	Operations Reserve	\$0	\$0
	< 40 Year Reserve	\$0	\$0
<b>TOTAL CASH ASSETS</b>		<b>\$48,783.63</b>	<b>\$59,086.00</b>
TOTAL OTHER ASSETS	Accounts Receivable	\$6,711	\$67,452
	County Tax Rolls	\$5,006	\$139
	Accounts Payable	\$0	\$0
		\$11,717.00	\$67,591
<b>TOTAL UNRESTRICTED ASSETS</b>		<b>\$60,500.63</b>	<b>\$126,677</b>
9/30/21 \$44,000 payment	Emergency Response Augmentation- 100%	\$40,202	\$40,336
	> 40 Year	\$81,791	\$35,350
	Loan Receivable	\$76,000	\$120,000
		\$157,791	\$155,350
	AWDF	\$431,465	\$426,997
<b>TOTAL RESTRICTED ASSETS</b>		<b>\$ -</b>	<b>\$622,683</b>
<b>TOTAL ASSETS</b>		<b>\$689,958.13</b>	<b>\$749,360</b>

WATER BUDGET FOR IRISH BEACH WATER DISTRICT

Sep 30, 2021  
 2020-2021      2020-2021  
 Actual            Budget  
 current year

Income

12 months end Aug 31 80,577 /100 gals = \$1,029 less

Water Usage	47,288	41,015	6,273	
Water Sales	5,191	-	5,191	
Availability	206,127	207,238	(1,111)	
Late fees	3,621		3,621	
Meter Connections	500	361	139	
Operating Income	\$ 262,726	\$ 248,614	14,112	
Other - SDAF	4,656		4,656	
Total	267,382	248,614	18,768	actual over estimated

Expense

Source of Supply	10,029	8,808	1,221	
Water Treatment	55,113	37,298	17,815	computer, software
Transmission & Distribution	39,896	32,179	7,717	filtration, chemicals
Customer Accounts	7,223	11,990	(4,767)	
Operating Expense	112,261	90,275	21,986	
Admin & General	124,374	108,689	15,685	prop 218 eng rpt 26,000 /Budget 6,000
Other Operating vehicle	4,783	3,250	1,533	
Other non-operating				
Total Expense	241,418	202,214	39,204	
Loan payments	\$ 46,400	46,400	-	

Total Expense and Increase			Actual over estimated
Reserves	287,818	248,614	<u>39,204</u>
Net Ordinary Income	<u>\$ (20,436)</u>	<u>\$ -</u>	<u>(20,436) (436)</u> Net Loss (If not for engineer report)

A loss of net income for this year, considering all business the district handled during the year, of (\$20,436) is acceptable.

We conducted a parcel tax vote that unfortunately lost by 16 votes. Ballots, printing, postage not in budget. As noted the engineering report cost \$26,000 with only a \$6,000 engineering budget.

We held successful public hearing to raise rates for next year. Newsletter, postage, etc. extra costs.

We made our second payment of \$46,400 of our four scheduled payments to pay back loan from restricted funds.

payments for fiscal year 21-22 scheduled for \$45,800 and fiscal year 22-23 scheduled for \$25,199.40. This loan from restricted reserves was for unbudgeted legal fees and the electronic meter upgrade.

Other closing entries and audit adjustments may change this closing estimate.

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

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**To be presented under separate cover.**





**SAFETY COMMITTEE 5.C.**



**C.SAFETY COMMITTEE:**

**To be announced at the Board Meeting.**

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**LEGAL COUNSEL 5.D.**



**To be announced at the Board Meeting.**

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**DIRECTORS 5. E.**

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**OLD BUSINESS 6. A, B, C, & D.**



- A. DISCUSSION AND OR ACTION: CONNECTION FEE INCREASE PROCESS. (MURRAY).**
  
- B. DISCUSSION AND OR ACTION: GRANT APPLICATION UPDATE. (RJ DIAL/HACKETT).**
  
- C. DISCUSSION AND OR ACTION: ANNOUNCEMENT OF NOVEMBER 17, 2021, ORAL ARGUMENTS PURSUANT TO MOORES VS. IBWD APPEAL. (TERRY).**
  
- D. DISCUSSION AND OR ACTION: FISCAL YEAR OCTOBER 2021 TO SEPTEMBER 2022 ADOPTION OF FINAL BUDGET RESOLUTION. (MURRAY).**

## HOOK-UP FEE REVIEW FOR NOVEMBER 13, 2021, BOARD MEETING

Resolution 89-7 Increasing Fees for Hooking up to the water system to \$1,800 from \$600. Not known when \$600 fee was initiated

Resolution 89-8 states that District not accept hook-up fees from anyone who does not hold clear title to property, and that the District will not accept hook-up fees in advance of completion of water mains to property, or to any property which does not have all proper permits by Mendocino County Coastal Commission, and I. B. Architectural Com.

Resolution 2000-1 Collection of standby fees by District from owners of unmetered and undeveloped lots is hereby terminated forthwith. (This was result of Prop 218 lawsuit ordering refund of standby fees collected after July 1, 1997. Minutes of March 11, 2000, state the loss of revenue of over \$98,000.

Resolution 2002-7 reduction and suspension of water connection fees. The resolution reduces the connection fee to \$150 from \$1,800 during the suspension period to cover the actual cost of connection. The term “suspended” was used so that the Board has the right to change the fee back to \$1,800 if it needs to. This was done after resolution 2002-6 which implemented the district wide capital improvement assessment pursuant to parcel holders’ approval of the new prop 218 assessment stating that the new 218 capital improvement assessment will provide funds partially funded heretofore by water connection fees of \$1,800 per parcel. Further stating the \$150 fee shall remain in effect until changed by resolution of the board.

Resolution 2008-xx provides formula for calculating hook-up fees for parcels not previously in the District, but requesting water hook-up. (Hunolt) Approximately \$4,000.

Letter from Wm Moores dated March 10, 2004 indicating the fact that “All other building sites at Irish Beach indirectly paid a \$1,800/connection initial capital improvement cost share in purchasing their sites from the original developer in 1965 and thereafter. (This was presented in discussion to determine cost of buying into district – Hunolt)

After the above review it seems the current “Hook-up Fee” should be revised by resolution to an estimated amount of the actual cost of labor and materials to install a meter to an undeveloped lot not currently hooked up to system but within the district.

Motion would be to direct staff to prepare resolution referencing resolution 2002-7 providing current estimate of actual cost to provide meter service to an undeveloped lot in the district.

In summary it appears the current hook-up fee is documented to be \$150. At some point in the past that \$150 fee was amended to \$250 to reflect actual cost of installing a meter. (I believe this estimate was updated by staff)

November 13, 2021, estimate to install meter to undeveloped lot in district:

\$250.00 Cost of new meter

\$ 58.00 Cost of fittings and other necessary piping

\$308.00 Cost of material

\$ 53.14 Cost of worker one for 2 hours.

\$ 52.52 Cost of worker two for 2 hours.

\$ 26.26 Cost of manager for .5 hours

\$131.92 Cost of direct labor

\$ 24.60 Cost of salary driven benefits

\$156.52 Total cost of salary and benefits

\$ 69.68 Cost of indirect costs estimated at 15%

**\$534.20 Total estimated cost of materials and labor to install one meter**

**WATER BUDGET FOR THE IRISH BEACH WATER DISTRICT**  
**FISCAL YEAR 2021-**  
**2022**

Board Revised PROPOSED BUDGET - 3.2% cola

	<b>Item</b>	<b>Sub- Total</b>	<b>Total</b>
<b>Income</b>			
Operating Income		\$324,85	
		0	
Non-Operating Income		\$0	
Total Income			\$324,85
			0
<b>Expenses</b>			
Operating Expenses		\$226,82	
		6	
Non- Operating Expenses		\$45,800	
Total Expenses			\$272,62
			6
<b>Capital Projects and Equipment Purchases</b>			
Capital Improvement Projects Covered by Assessment.			\$0
<b>Assessment and Operating Reserve Changes</b>			
Assessment Reserves Account Deposits and Withdrawals (Not Including Interest)			
Deposits in Assessment Reserves		\$0	
Draws From Assessment Reserves (Loan Repayment & Projects)		\$0	
Operating Reserves Account Deposits and Withdrawals (Not Including Interest)			
Deposits in Operating Reserves / Capital Projects			\$52,224
<u>Budget Balance Reconciliation</u>			
<u>Expense Reconciliation</u>			
Expenses Funded by Water Charges			
Expenses Funded from Usage Charges	\$54,808		
Expenses Funded from Availability Charges	\$217,44	6	
Expenses Charged Directly to Customers (Meter Connections)	\$372		
	Expenses Funded by	\$272,62	
	Income (Subtotal)	6	
Expenses Funded by Assessment			
	Total Funded	\$272,62	
	Expenses	6	
<u>Income Reconciliation</u>			
Income Designated for Expenses	\$272,62		
	6		
Income Designated for Reserves (Funded by Availability Charges)	\$52,224	\$324,85	
		0	
Interest Income Allowed to Accumulate in Accounts	\$0		

Reimbursements, Late Fees, & Penalties Not Budgeted for Expenses (Unacceptable High Uncertainty)		\$0	
		\$0	
		\$0	
Restricted Assessment Income		\$0	0
	Total Income	\$324,85	0

**Water Rates Based on Funding Requirements of this Budget**

<b>Total Number of Users as of 9/30/21</b>	<b>207</b>		2 new connections
<b>100s of Gallons used in District per year (Fiscal year)</b>	<b>82,160</b>		2015 71,798 HUNDREDS GALS
<b>Total Expenses Chargeable to Usage</b>	<b>\$54,808</b>		2016-58,547 Hundreds of Gallons
<b>Expenses Chargeable to Availability</b>	<b>\$217,44</b>		2017 - 60,975 Hundreds of Gallons
<b>Reserves Chargeable to Availability</b>	<b>\$52,224</b>	<b>\$324,47</b>	2018 - 60,404 Hundreds of Gallons
<b>Total Expenses Chargeable to Availability</b>	<b>\$269,67</b>	<b>8</b>	2019 - 63,243 Hundreds of Gallons
<b>Usage Charge</b>	<b>\$0.67 Per 100 Gallons</b>		7/20/21 - 82,160 Hundreds of Gallons
<b>Availability Charge</b>	<b>\$108.56 Per Month</b>		
	<b>\$217.13 Per Billing</b>		

*Judy Murray*

Treasurer

Note:

Operating loan payments scheduled for 5 years.

Presented for approval to IBWD Board of Directors ( ) This is third year



**Resolution # 2021-06**

**Resolution of the Board of the Irish Beach Water District Documenting  
The Approval of the District’s FY2021-2022 Operating Budgets for Water**

**WHEREAS**, the Irish Beach Water District income requirements are stated in the annual budget and income is derived by water rates and the District-Wide Capital Improvement Assessment. Since the budget varies each year depending on anticipated expenses, capital projects, and reserve goals, the water rates must be adjusted to meet the needs of the budget.

1. **NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Irish Beach Water District approves the FY 2021-2022 Water District Budget as attachments to this resolution titled “Cash Flow Water Budget for the Irish Beach Water District – “October 1, 2021 through September 30, 2022”.
2. **NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Irish Beach Water District has determined that the water rates, as stated below and on the attached “Cash Flow Water Budget For the Irish Beach Water District – October 1, 2021 through September 30, 2022 are responsive to and in support of the needs of the Water District and are approved for the FY 1921-2022. These rates will be effective beginning **September 1, 2022**.

**Water Rate Calculation**

**Basis**

Total Number of Connected Users as of 9/30/2021	204
100s of Gallons used in District per year (most recent year to date 7/31/21)	\$82,160
Total Budget Expenses Chargeable to Usage	\$53,262
Total Budget Expenses & Reserve Funding Chargeable to Availability	\$ 211,474
Total Billing Periods in Year	6

**Rate Calculation**

Usage Rate/100 Gallons	\$0.65
Availability Charge/ 1 month	\$107.72
Availability Charge/ 2 months	\$215.44

3. **BE IT FURTHER RESOLVED** that the Board of Directors of the Irish Beach Water District will review water rates annually in conjunction with the annual budget and make adjustments to water rates as required to assure that water rates accurately reflect the needs of the approved budget including an annual inflationary adjustment tied to the Consumer Price Index as of January of each succeeding year, with the maximum annual adjustment not to exceed 3%. The foregoing Resolution No. 2021-06 was considered and adopted by the Directors of the Irish Beach Water District at their Special meeting held \_\_\_\_\_, 2021 by the following vote.

Ayes:

Noes:

Abstain:

Absent:

Dated \_\_\_\_\_

\_\_\_\_\_

Kenneth Terry, President

Attest: \_\_\_\_\_  
Stephen Whitaker, Secretary of the Board

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**NEW BUSINESS 7. A. & B.**

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**A. DISCUSSION AND OR ACTION: SELECTION (BY THE BOARD VOTE) OF NEW BOARD MEMBERS TO FILL WHITAKER AND ELLISON VACANCIES, EFFECTIVE NOVEMBER 3, 2021. CANDIDATES: HEATHER HACKETT, MEL KIMSEY, AND SANDRA REGAN. (DIRECTORS).**

**B. DISCUSSION AND OR ACTION: IMPROVED COMMUNICATION TO CUSTOMERS TO ENABLE TEXT MESSAGING PROVIDED BY MCN.ORG LISTSERV. (K. DIAL/ACKER).**

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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).**