

**SPECIAL MEETING MINUTES
OF THE IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
HELD VIA ZOOM TELECONFERENCING ON
THURSDAY, OCTOBER 6, 2022, 10:00AM**

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the special meeting of the Irish Beach Water District Board of Directors to order at 10:00am. Roll call of directors in attendance: Director Terry, Director Hackett, Director Regan, Director Israel attended by zoom. Director Dyson, absent. This constitutes a quorum. Staff attending by zoom: General Manager Acker and Clerk/Accountant Judy Murray.
2. **PUBLIC INPUT:** President Terry opened up the floor to the public for comments on any topics not on agenda. Attorney Colin Morrow representing William and Tona Moores asked President Terry if he could comment now on the agenda item presented. Clerk/Accountant Judy Murray stated that Mr. Morrow would have to wait for the President to call for discussion on the agenda item.

At this time President Terry thanked Board and staff for the work being done and time spent on several important projects for the district.

3. **DISCUSSION AND OR ACTION: Consider job description for Staff Assistant position to provide support to the General Manager and the Office Manager.** President Terry noted that the District has recently experienced turnover with the resignation of Krista Dial, and thanked her for her service to the District. President Terry then turned the floor over to director Hackett who also noted the current activity of the district and thanked staff as well for the development of the job description to facilitate the recruitment process for the staff assistant position. Director Hackett then called on General Manager Acker to present the job description he prepared for the Staff Assistant position. General Manager Acker then commented on the position and duties saying this phase formalize the hiring. He then asked for any comments or questions from the board. Director Hackett noted, and President Terry concurred that bullet points nine and ten appear to repeat in the PDF version of the document included in the meeting packet. General Manager Acker clarified that there are a total of twelve bullet points in the job description, so it appears to be a clerical error in the material submitted for the meeting packet. At this time Mr. Morrow raised his hand for recognition to speak stating his clients, William and Tona Moores, had concerns regarding the job posting that it would be more appropriate to outsource this role to a CPA firm and delay consideration of this issue while his clients and the District explored options to reconcile differences over the years. President Terry thanked Mr. Morrow for attending on the Moores' behalf but stated that it would not be appropriate at this time to consider such action.

President Terry called for approval of the job description "as corrected" but explained that the approval of this job description by the board was just a formality as the preparation of job descriptions for his staff, is the responsibility of the General Manager. Director Israel made a motion to approve this job description "as corrected" but disagreed with President Terry and emphasized that it was the responsibility of the Board to review and approve expenditures and while the Board has been more hands-off in the past, it is a step in the right direction for the Board to insist that the District honor the policies in place. She noted that if there is a disagreement regarding the General Manager and Administrator's duties and the Board's duties that should be addressed at a later date. Motion to approve the job description from Director Israel and a second from Director Hackett. President Terry explained that it is the District's policy that the Board approve expenditures; however, the position is already budgeted, and not a new position, that it is approved and funded in the budget. Therefore, the motion is not approving expenditure of new funds. Director Hackett cautioned President Terry that the Board's discussion might be venturing off of the agenda item, and suggested that further discussion be postponed and properly agenzized for a future meeting.

Roll call vote: Director Terry aye, Director Hackett aye, Director Regan aye, Director Israel aye, Director Dyson absent, motion carried to approve the job description.

Motion to adjourn the meeting was made by Director Hackett, with second by Director Regan. Roll call vote: Director Israel aye, Director Hackett aye, Director Regan aye, President Terry aye, Director Dyson absent. Motion carried to adjourn the special meeting of the Irish Beach Water District. President Terry stated that the next regular meeting will be scheduled for November 12, 2022

Respectfully submitted:

Attest as submitted:

Kenneth Terry, President

Heather Hackett, Secretary of the Board

date: _____

date: _____

Prepared by: Clerk Annette Fromwiller

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, November 12, 2022, 10:00 A.M. (ZOOM AND IN-PERSON)

CALL TO ORDER AND ROLL CALL: President Terry called the regular meeting of the Irish Beach Water District Board Meeting to order at 10:00am. Roll call of Directors in attendance: Direct Regan attended via Zoom; Directors attending in person were Director Terry, Director Dyson, Director Israel, and Director Hackett. Staff attending via Zoom: District Counsel Emerick and Accounting Manager Murray. Staff attending in person General Manager Acker and Plant Operator Dial.

PUBLIC INPUT: President Terry made a public statement tendering his resignation from the Board of Directors effective at the close of the regular January Board meeting. President Terry opened the floor to the public for discussion. A member of the public, Joe Ellison, thanked Director Terry for his service to the community.

OLD BUSINESS:

- A. **DISCUSSION AND OR ACTION: Recommendation from the Proposition 218 Committee – Withdraw the request for proposals issued September 26, 2022 and re-announce as soon as possible with an updated implementation plan.** Director Dyson reported that during the proposal evaluation process, the Committee discovered a communications issue that requires the District to withdraw the RFP issued on September 26th and announce an updated RFP. After review and discussion of the material in the meeting packet, Director Hackett made a motion to amend the composition of the Proposition 218 Committee to include Director Hackett, Director Dyson, and General Manager Acker. Director Israel seconded the motion. Roll call vote: Director Israel aye, Director Hackett aye, Director Regan aye, Director Dyson aye, and Director Terry no. Motion passed. Director Hackett made a motion to approve the proposed modification to the RFP submission details and the project timeline. Director Dyson seconded the motion. Motion unanimously approved. Director Hackett made a motion to direct staff to remove the 9/26/22 version of the RFP and the 2021 Bartle Wells engineering report from the district web site. Director Israel seconded. The motion passed unanimously.
- B. **DISCUSSION AND OR ACTION: Proposition 218 Communication and Outreach Sub-Committee Implementation Plan.** Director Hackett noted that the meeting packet includes the wrong version of the implementation plan and should indicate that the Sub-committee has two community volunteers: Ken Weston and Jerry Bradbury; however, other members of the community are encouraged to join the group. Director Hackett explained that the Sub-committee will follow the Customer Communications and Social Media Use policy, which will be covered later in the agenda. Director Regan explained the benefits of starting District Meta Facebook and Instagram accounts and noted that each platform appeals to a different segment of the Irish Beach community. She explained that the accounts will be linked, which will make the launch and maintenance relatively simple.
- C. **DISCUSSION AND OR ACTION: Small Community Drought Relief Grant Administration & Oversight.** General Manager Acker reported that the Tank 2 roof replacement was ordered and should be delivered soon. He stated that the largely fire-resistant structure that protects the well equipment was finished. General Manager Acker explained that a similar structure that will be used for water treatment was also completed, as well as approximately 3000 feet of the road grading and trenching necessary for both safety and getting the material for the project up the hill. General Manager Acker stated that the hydrologist who tested Well 2 when it was drilled in 2008 reported a flow of 23 gallons per minute, which would generate sufficient water for the entire development as built out at this point. Director Israel asked if the hydrology report would need to be updated, and general Manager Acker indicated that no update will be required; however, the District will have to complete a water test before the well is licensed for production. General Manager Acker indicated that once PG&E connects the electrical to the pole, the work to lay conduit for electrical and water can start. A member of the public, Colin Morrow representing William and Tona Moores, noted a concern that the work described by General Manager Acker is probably inconsistent with Section 2

of the stipulation of partial judgment that was entered in February 2016, particularly as it pertains to undergrounding a secondary power line as opposed to a primary power line. Director Israel thanked Mr. Morrow for his comment. Accounting Manager Murray reported on the financial status of the DWR Grant and indicated that reimbursement for the first invoice of \$106,000 less retention was received at the end of October, the second invoice was submitted in mid-October, and a third invoice will be submitted in December 2022. Director Hackett discussed the quarterly status report included in the meeting packet. Director Dyson requested clarification regarding the owner of the land where the electrical will be run as well as primary versus secondary power sources. General Manager Acker explained that the parcel is owned by Mr. Gordon Moores with an easement owned by the District. He noted that prior to installing the electrical for Well 2, he will discuss placement with Gordon Moores. General Manager Acker and Plant Operator Dial reported that PG&E has stated that they will install primary electrical and a meter to the pole but will go no further up the road. Director Dyson clarified that he wants to ensure that Gordon Moores has sufficient space to trench for primary electrical if he develops the property. Director Israel explained that she asked similar questions regarding placement, and she is satisfied that there is sufficient room on the North side of the road for separate trenches for water and electrical while still leaving sufficient space for future electrical installation. The Board thanked General Manager Acker and Accounting Manager Murray for their work on Grant projects and concluded discussion of the topic.

- D. **DISCUSSION AND OR ACTION: Continued from 9/17/2022 board meeting item 7C to consider the need for a position to assist General Manager Acker with operation reports and an operation manual.** General Manager Acker reported that the main staffing need is operator training, which includes a variety of responsibilities and reporting to State regulators. He noted that he has already hired two individuals for the training program and will report back to the Board after their probationary period regarding the need for additional staff or another position. General Manager Acker explained that Rio Russell, has the necessary licenses and can assist with running the district when needed. President Terry asked about Mr. Russell's availability, and General Manager Acker clarified that he runs several small systems near Mendocino and is the main operator for Elk but is in training to complete reporting for Irish Beach as well. Director Hackett asked which job descriptions were used to hire the two individuals currently in operator training, and General Manager Acker indicated that he would elaborate during his Operations Report.

At 11:06am Director Regan announced that she had to leave the meeting for a previously scheduled event. President Terry excused her from the remainder of the meeting.

- E. **DISCUSSION AND OR ACTION: Fiscal Year 2022-23 Final Budget.** Accounting Manager Murray explained that the proposed 2022-2023 budget included in the meeting packet remains the same since no action was directed at the last meeting. Director Hackett noted that the District's budget formulation process calls for a meeting of the Finance Committee prior to the adoption of the annual budget. Since the Committee has not met, she suggested that the Committee meet to complete an analysis of actual costs versus budget estimates over the last three years, with particular attention to labor costs, which have been overestimated in recent years. Director Hackett and Director Dyson suggested that the Committee consider separate line items for the labor costs for permanent employees and temporary employees (extra help) so that the Board and General Manager have a clear picture of the budget available for hiring. Finally, Director Hackett suggested that the Finance Committee review the allocation of costs to usage fees and availability charges, as well as the spreadsheet currently used in the budget formulation process. Director Hackett made a motion to continue the agenda item to the January meeting so that the Finance Committee can complete a thorough analysis before bringing the FY2022 / 2023 budget to the Board. Director Israel seconded. Roll call vote: President Terry aye, Director Israel aye, Director Hackett aye, Director Dyson aye, Director Regan absent. Motion passed with a quorum.

President Terry called for a 10-minute break. President Terry called the regular meeting back to order. Directors in attendance Director Dyson, Director Hackett, Director Israel, President Terry, Director Regan absent from the meeting, constituting a quorum.

NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: Adopt Policy 3096, Customer Communications and Social Media Use.** Director Hackett noted that the wrong version of the policy was included in the meeting packet. She noted that items 3096.2.4, 3096.3.2, 3096.4, 3096.4.1 and 3096.4.2 should read "the General Manager and/or the Secretary of the Board." After discussion, Director Hackett made a motion to adopt IBWD Policy 3096 with the minor changes discussed. Director Israel seconded. President Terry voiced a concern over the staff maintaining the new social media sites and suggested that the Policy be reviewed at the September 2022 Board meeting. Director Hackett agreed with President Terry. President Terry called for a vote. Roll call vote: Director Hackett aye, Director Dyson aye, President Terry aye, Director Israel aye, Director Regan absent. Motion passed with a quorum.
- B. DISCUSSION AND OR ACTION: Revise Policy 4040.40 Board Treasurer – Treasurer of Board.** President Terry made a motion to table the item to the next meeting. Motion failed due to lack of a second. After discussion, Director Hackett made motion to continue consideration of Policy 4040.40 until the January meeting and form an ad hoc committee comprised of President Terry and Director Dyson to consider the functions of the Treasurer, including the following options, and make recommendations to the Board:
- Electing a member of the Board to fulfil the Treasurer function, which was the practice until 2017
 - Writing a job description for a Treasurer, or incorporating the duties into an existing job description
 - Investigating the cost/benefit of contracting out the function to a firm with expertise in the fields of audit and Special District accounting
 - Other possibilities as identified by the committee
- Director Israel seconded. Roll call vote: Director Dyson aye, Director Israel aye, Director Hackett aye, President Terry aye. Director Regan absent. Motion passed with quorum
- C. DISCUSSION AND OR ACTION: Adopt Series 2000 Personnel, Policy 2000 District Employment: Recruitment, Hiring, and Promotions.** Director Hackett made a motion to continue the agenda item until the special meeting being held on December 9, 2022 for further consideration. President Terry seconded. Roll call vote: Director Terry aye, Director Israel aye, Director Dyson aye, Director Hackett aye, Director Regan absent. Motion passed with a quorum.

COMMUNICATIONS AND CORRESPONDENCE: None

REPORTS:

- A. TREASURER:** Accounting Manager Murray reviewed the reports included in the meeting packet and advised the Board to ignore that first column dated period July due to a clerical error. She clarified that the reports begin with the current period of November 1, 2022 comparing it to the previous period of September 1, 2022. The Board discussed the Treasurer's report and list of checks included in the meeting packet, as well as the status of the 2020 and 2021 financial statement audits and the update of Resolution 88-1. Director Hackett made motion to approve treasurer's report and the checks issued as presented. President Terry seconded. Roll call vote: Director Israel aye, Director Dyson aye. Director Hackett aye, President Terry aye and Director Regan absent. Motion passed with a quorum.
- B. WATER STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker explained that his report on water storage facilities/conveyance loss was done under the Old Business agenda item C as part of the Small Community Drought Relief Grant Administration & Oversight report. General Manager Acker announced that he has decided to adjust his plans to retire to approximately 6 months from now instead of a year and will discuss options for

transitioning to an hourly position with Board President Terry. General Manager Acker assured the Board that he will keep the plant functioning during the transition period and that on-call Technician Rio Russell has the necessary licenses to keep the plant running. Plant Operator Dial reported that he has no interest in obtaining any other licenses and agrees with General Manager Acker that it does take staff to run the plant. President Terry thanked General Manager Acker for his 30+ years of service.

- C. **SAFETY COMMITTEE:** General Manager Acker reported that two meetings had taken place: holiday safety, don't let people drive while drinking, and earthquake safety, keep yourself safe and have a plan.
- D. **LEGAL COUNSEL:** District Counsel Emrick briefly updated the Board on upcoming changes regarding the Brown Act and teleconferencing starting January 1, 2023. The new law, AB2449, will require a quorum of the legislative body be present at the meeting (post covid rule). Three board members must be present to form a quorum and a non-quorum fourth or fifth can attend by teleconference if there is just cause or an emergency.
- E. **DIRECTORS:**
Report on CSDA Workshop: Financial Management for Special Districts. Director Israel reported that the CSDA financial management class provided by the CSDA was very educational and she encourages other board members to take advantage of other workshops that are offered. The link to review the workshop materials is: <https://drive.google.com/drive/folders/1HLL6YjWumHkJKmCN8tgtuoPOHSP78MR>

Director Hackett explained that she submitted an agenda item for today's Board meeting to include an executive session item, which was not included in the agenda. Director Hackett made a motion to include an agenda item for an executive session at the December 2022 special meeting to discuss personnel issues subject to consultation with District Counsel Emerick. President Terry seconded. Roll call vote: President Terry aye, Director Israel aye, Director Hackett aye, Director Dyson aye, Director Regan absent. Motion passed with a quorum.

APPROVAL OF MINUTES: Regular Meeting September 17, 2022, and Special Meeting October 6, 2022. President Terry made a motion to approve the Regular September 17, 2022 meeting minutes. Director Hackett seconded. Roll call vote: President Terry aye, Director Hackett aye, Director Israel aye, Director Dyson aye, Director Regan absent. Motion passed with a quorum. President Terry made a motion to approve the Special October 6, 2022 meeting minutes. Director Dyson seconded. Roll call vote: President Terry aye, Director Hackett aye, Director Israel aye, Director Dyson aye, Director Regan absent. Motion passed with a quorum.

Adjournment: Motion was made by President Terry with second from Director Dyson to adjourn the regular meeting at 1:19pm. Motion passed with ayes from Directors Terry, Israel, Hackett, and Dyson. Director Regan absent. Director Dyson excused himself, and the meeting then convened into executive closed session.

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).**

Closed session was adjourned at 1:54pm with no reportable actions.

Respectfully submitted:

Attest as Presented:

Kenneth Terry, President

Heather Hackett, Secretary of the Board

Date: January 14, 2023

Date: January 14, 2023

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Friday, December 9, 2022, 10:00 A.M. (ZOOM AND IN-PERSON)

CALL TO ORDER AND ROLL CALL: President Terry called the special meeting of the Irish Beach Water District Board Meeting to order at 10:00am. Roll call of Directors in attendance: Direct Regan attended via Zoom; Directors attending in person were Director Terry, Director Dyson, Director Israel, and Director Hackett. Staff attending via Zoom: District Counsel Emerick and Accounting Manager Murray. Staff attending in person General Manager Acker.

PUBLIC INPUT: None

OLD BUSINESS:

A. DISCUSSION AND OR ACTION: RECOMMENDATION FROM PROP. 218 COMMITTEE: SELECTION OF CONSULTANT TO COMPLETE SPECIAL BENEFIT ASSESSMENT ENGINEERING STUDY.

Director Hackett explained that the District released a new RFP on 11/14/22 with a closing date of 12/6/22. The RFP was sent directly to seven engineering firms via email and USPS certified mail. The District verified that all seven firms received the RFP. In addition, the RFP was posted to the CSDA RFP clearinghouse, and the Bluebook. She reported that one firm notified the District that they would not submit a proposal due to a conflict of interest and four firms did not respond at all. The District received proposals from Bartle Wells Associates and SCI Consulting Group, which are included in the meeting packet. The Prop. 218 Committee met on 12/7/22 to evaluate the proposals and scored each against the six criteria included in the RFP. The rating for each proposal is included in the meeting packet. Director Dyson explained that both firms have strengths: Bartle Wells has experience working with IBWD but is focused on rate studies, while SCI consulting has more experience with special benefit assessments as well as non-advocacy outreach and the requirements to endure legal challenges. Director Hackett explained that the Committee concluded that SCI Consulting Group had a stronger proposal.

After discussing cost comparisons, the process for establishing the project list, and apportionment methods, Director Hackett made a motion for the Board to delegate authority to Directors Hackett and Dyson to work with District Counsel Emerick to negotiate a contract for special benefit assessment engineering services from SCI Consulting Group. President Terry seconded. After a roll-call vote, the motion passed unanimously.

Citing the uncertainty presented by General Manager Acker's resignation, Director Hackett made a motion for the Board to delegate authority to award the contract for engineering services to the Board President. Director Israel seconded. Roll call vote: President Terry aye, Director Israel aye, Director Hackett aye, Director Regan aye, Director Dyson no. Motion passed with a quorum.

NEW BUSINESS:

A. DISCUSSION AND OR ACTION: IRISH BEACH WATER DISTRICT POLICY HANDBOOK ADDITION, SERIES 2000 PERSONNEL, POLICY 2000 DISTRICT EMPLOYMENT: RECRUITMENT, HIRING, AND PROMOTIONS.

Director Hackett explained that employment issues are an area of shared responsibility between the Board of Directors and the General Manager; the Board of Directors sets employee relations policy, including the hiring and supervising of the general manager who, in turn, operates the district and hires/manages its staff. She highlighted the following aspects of the draft policy:

- A requirement for written job descriptions (permanent job descriptions reviewed/approved by the Board, while temporary positions do not require Board review/approval)
- Standard procedures for announcing permanent job openings, as well as processes for evaluating new hire and promotional candidates
- The General Manager continues to effectuate all (temporary and permanent) recruitment, interviewing, and hiring actions, but must have board approval before initiating such actions for permanent staff.

Following lengthy discussion, Director Hackett made a motion to adopt IBWD Policy 2000. Director Israel seconded. Roll call vote: President Terry abstain, Director Israel aye, Director Hackett aye, Director Regan aye, Director Dyson aye. Motion passed with a quorum.

Director Hackett explained that the new policy conflicts with the General Manager's job description. Director Hackett then made a motion to specify that IBWD Policy 2000 supersedes all hiring authority previously delegated to the General Manager. President Terry seconded the motion. After a roll call vote, the motion passed unanimously.

Director Hackett reported that District Counsel Emerick suggested that the District verify that the Board of Directors has appropriate insurance coverage. After discussion, Director Hackett made a motion to direct staff to confer with the District's insurance carrier to ensure that the Board of Directors is properly insured for employment actions. Director Israel seconded that motion. Roll call vote. Motion passed unanimously.

B. DISCUSSION AND OR ACTION: IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS RECRUITMENT.

President Terry reminded the Board that he announced his resignation at the November 12, 2022 Board meeting and asked Accounting Manager Murray to provide an overview of the process for appointing a new Director to fill the remainder of his term. Accounting Manager Murray reported that the Board has 60 days from the effective date of the resignation to appoint a new Director to fill the vacancy through the end of the term or the next general election. She noted that if the IBWD Board does not appoint a replacement within 60 days, the District can make a recommendation to the Mendocino County Board of Supervisors, which has another 30 days to appoint a new Director to the IBWD Board. Accounting Manager Murray explained that if a new Director is not appointed within 90 days, the District will have a vacancy until the next general election. She noted that since President Terry's resignation is effective at the conclusion of the January 14, 2023 Board meeting, the District can appoint a replacement at the March meeting, which is scheduled to occur within the 60-day timeframe.

Director Dyson suggested that it might be effective for the Board to form an ad hoc committee to conduct initial interviews with the candidates and present the information to the full Board at the March meeting. He indicated that he would be happy to collaborate with Director Israel on such an ad hoc committee.

Director Hackett reported that the Communication and Outreach Sub-committee is working on a flyer to solicit candidates for the soon to be vacant Director position. She requested feedback regarding the draft material included in the meeting packet. Director Israel and Director Dyson indicated they would serve as the points of contact. After discussion, the Board requested that the Sub-committee clarify that candidates must be registered voters, own property in the District, and be available to attend meetings. Finally, the Board requested that the flyer include a February 24, 2023 due date for letters of interest. Director Regan indicated that the Sub-committee would include the requested information in an eye-catching post to the new IBWD Facebook page.

C. DISCUSSION AND OR ACTION: TO FORM AN AD HOC COMMITTEE TO RECOMMEND ORGANIZATIONAL STRUCTURE FOR THE DISTRICT (I.E., WHICH JOB DESCRIPTIONS SHOULD THE DISTRICT HAVE, AND WHEN SHOULD WE BEGIN RECRUITMENT TO FILL THEM) AS WELL AS A PLAN TO TRANSITION SOME OF THE DISTRICT'S TEMPORARY, PART-TIME STAFF INTO NEWLY CREATED JOB DESCRIPTIONS. (TERRY

After discussion, Director Hackett made a motion to appoint Director Israel and Director Hackett to an ad hoc committee charged with recommending organizational structure for the district as well as a plan to transition some of the district's temporary and part-time staff into newly created job descriptions. President Terry seconded the motion. After a roll call vote, the motion passed unanimously.

COMMUNICATIONS AND CORRESPONDENCE: NONE

EXECUTIVE (CLOSED) SESSION. NONE

ADJOURNMENT: A motion was made by President Terry with second from Director Israel to adjourn the regular meeting at 11:55am. Roll call vote. Motion passed unanimously.

Respectfully submitted:

Attest as Presented:

Kenneth Terry, President

Heather Hackett, Secretary of the Board

Date: January 14, 2023

Date: January 14, 2023

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Wednesday, December 28, 2022, 12:00 P.M. (ZOOM ONLY)

CALL TO ORDER AND ROLL CALL:President Terry called the special meeting of the Irish Beach Water District Board Meeting to order at 12:00pm.Roll call of Directors in attendance via Zoom; Director Terry, Director Dyson (joined 5 minutes late), Director Israel, Director Hackett, and Director Regan (joined 15 minutes late). Staff attending via Zoom: District Counsel Emerick, Accounting ManagerMurray, General Manager Acker, and Staff Assistant Forbes.

PUBLIC INPUT:A member of the public, Heather Hackett reported that information regarding the opportunity to volunteer to join the IBWD Board of Directors is posted to the District's website, the Kiosks, as well as the District's Facebook page.

A member of the public, Karen Vaughn, requested information regarding the time commitment and other requirements for members of the Board. President Terry provided an overview of the meeting schedule as well as committee workloads. Director Hackett suggested that Ms. Vaughn contact Directors Dyson and Israel for additional information.

ADJOURNMENT:Motion was made by Director Hackett with second from President Terry to adjourn the regular meeting at 12:11pm. Motion passed with ayes from Directors Terry, Israel, Hackett, and Dyson. Director Regan absent. Director Dyson excused himself, and the meeting then convened into executive closed session.

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 BEACHWATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-090054665-000; 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).**

Closed session was adjourned at 2:14pm with no reportable actions.

Respectfully submitted:

Attest as Presented:

Kenneth Terry, President

Heather Hackett, Secretary of the Board

Date: January 14, 2023

Date: January 14, 2023

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, February 11, 2023 at 10:00 A.M. (ZOOM AND IN-PERSON)*

CALL TO ORDER AND ROLL CALL: President Terry called the postponed regular meeting of the Irish Beach Water District Board Meeting to order at 10:00am. Roll call of Directors in attendance: Direct Regan and Director Dyson attended via Zoom; President Terry, Director Israel, and Director Hackett attended in person. Staff attending via Zoom: District Counsel Emrick and Plant Operator Dial. General Manager Acker, Accounting Manager Murray, and Staff Assistant Forbes attended in person.

PUBLIC INPUT: A member of the public, Ken Weston, encouraged participants to ask questions and seek clarification during the meeting. A member of the public, Collin Morrow (representing Bill and Tona Moores) noted that the meeting packet does not include a copy of the correspondence sent by Gordon Moores regarding plans to install a secondary electrical line on the easement along Hillcrest Drive. President Terry indicated that he was unaware of the correspondence, and asked when it was sent. Mr. Morrow reported that he did not have a copy of the letter but understood that it was sent sometime this year.

OLD BUSINESS:

- A. **DISCUSSION AND OR ACTION:** REPORT FROM THE PROP 218 COMMITTEE - STATUS OF CONTRACT FOR SPECIAL BENEFIT ASSESSMENT ENGINEERING STUDY.

Action: The Board accepted the Committee's report that due diligence was completed in January with positive recommendations from the City of Alameda and the Vallejo Flood & Wastewater District, and President Terry signed the consulting service agreement on 2/2/23. The Committee worked with staff to assemble the material needed for a kickoff meeting with SCI, which is scheduled for Thursday, 2/16/23.

- B. **DISCUSSION AND OR ACTION:** REPORT FROM THE COMMUNICATIONS AND OUTREACH SUB-COMMITTEE.

Action: The Board accepted Director Regan's report that the District's Facebook page was activated in December 2022, and now has 42 followers. She noted that the Committee is posting to Facebook regularly and is removing posts after 30 days to keep the page fresh, as well as issuing information via email and kiosk posts. Director Hackett reported that one of the initial volunteers, Jerry Bradbury, withdrew from the Committee for personal reasons.

- C. **DISCUSSION AND OR ACTION:** SMALL COMMUNITY DROUGHT RELIEF GRANT ADMINISTRATION & OVERSIGHT.

Action: The Board accepted General Manager Acker's report that installation of the cover for Tank 2 is in progress, with installation of the of the support girders complete, and power-washing in preparation for installation of external overhead panels completed yesterday. He reported that the District has been pumping water from Well 2 using a generator to prepare for testing; current samples reflect high levels of calcium carbonate, but the levels are coming down. General Manager Acker noted that pending construction actions include installation of electrical service to Well 2 and ordering the new Tank 5. He reported that the District recently submitted a third invoice for approximately \$87,000 as well as a quarterly status report. In addition, the board accepted Director Regan's withdrawal from the Grant Committee and determined that Director Hackett will be the sole Board representative on the Committee pending selection of a new member of the Board of Directors.

- D. **DISCUSSION AND OR ACTION:** TECHNOLOGY GRANT IMPLEMENTATION UPDATE.

Action: The Board accepted staff reports indicating that General Manager Acker and Staff Assistant Forbes have completed storage of records subject to retention in the District's DropBox account, while Accounting Manager Murray indicated that she needs to verify completion and will provide confirmation at the March meeting. General Manager

Acker noted that the District is working with Steve Acker to complete mapping the water system using the new ArcGIS service, and Accounting Manager Murray indicated that a prototype of the new website is ready, but need's assistance in determining what information to make available on the website, as well as design. Staff Assistant Forbes volunteered to help with design, and the Board directed the Communications and Outreach Sub-committee to collaborate with Annette and Khadine to develop the new website.

E. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET COMMITTEE – BOARD CONSIDERATION OF THE FINAL FISCAL YEAR 2022-23 BUDGET.

Action: After discussion of a proposed COLA for District staff, as well as the need to purchase a truck, Director Hackett made a motion to continue the agenda item until the March meeting so that the Finance/Budget Committee can complete a thorough analysis as discussed at the November Board meeting before bringing the FY2022 / 2023 budget to the Board. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously.

F. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET COMMITTEE – RECOMMENDATIONS FOR BOARD CONSIDERATION OF ASSIGNMENT OF TREASURER FUNCTIONS.

Action: The Board heard the Committee's recommendation that the role of Treasurer as delineated in IBWD Policy 4040.40 be returned to an elected member of the Board of Directors. After discussing the option of contracting out the function, Director Hackett made a motion to move the functions of the Treasurer as delineated in IBWD policy 4040.40 back to an elected member of the Board of Directors by the end of calendar year 2023, and to authorize contracting for financial consultant services for up to two years of support to the newly elected Treasurer. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously.

NEW BUSINESS:

A. DISCUSSION AND OR ACTION: 2023 ELECTION OF OFFICERS TO THE BOARD OF DIRECTORS

Action: Director Hackett nominated Director Israel as President of the Board; Director Israel nominated Director Dyson as Vice-President of the Board; and President Terry nominated Director Hackett as Board Secretary. All Directors accepted the nominations and President Terry made a motion to elect the slate of officers nominated effective with the March meeting. The motion was seconded by Director Hackett. After a roll-call vote, the motion passed unanimously.

B. DISCUSSION AND/OR ACTION: NEW BOARD MEMBER RECRUITMENT.

Action: The Board accepted Director Israel's report on the effort to recruit a new member of the Board to fill the vacancy created by President Terry's resignation. She reported that notices have been posted to solicit volunteers, and reminded the public that letters of interest are due by February 24, 2023.

C. DISCUSSION AND/OR ACTION: ADOPT SERIES 1000 GENERAL, POLICY 1035 CODE OF CONDUCT AND VALUES.

Action: After a review of the draft policy, Director Hackett made a motion to adopt Policy 1035 Code of Conduct and Values. President Terry seconded the motion. After a roll-call vote, the motion passed unanimously.

D. DISCUSSION AND OR ACTION: ACCEPT AND FILE DISTRICT FINANCIAL AUDIT FOR FISCAL YEARS ENDING 9/30/21; 9/30/20.

Action: Accounting Manager Murray provided an overview of the FY 2020 and FY 2021 audits. Director Hackett asked for clarification regarding the material included in the meeting packet and posted to the IBWD website. After review, the Board concluded that the independent auditor's report and the management discussion and analysis were accidentally omitted, and not available for Board review. Director Hackett made a motion to continue the agenda item until the March meeting so that Accounting Manager Murray can release the full audit report to the Board with sufficient time to review the documents. President Terry seconded the motion. After a roll-call vote, the motion passed unanimously.

E. DISCUSSION AND OR ACTION: REQUEST FOR PROPOSAL FOR AUDIT SERVICES FOR FISCAL YEAR ENDING SEPTEMBER 30, 2022.

Action: After a review of the draft Request for Proposals for Audit Services, President Terry made a motion to approve issuance of the RFP on Monday, February 13, 2023. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously. In addition, the Board directed staff to conduct a search for a vendor to assist the district in documenting the District's financial operating procedures and internal controls in a manual (a financial bible). Director Israel agreed to provide Accounting Manager Murray a description of the scope of services to be provided for no more than \$1,800.

F. **DISCUSSION AND OR ACTION:** APPROVE RESOLUTION #2 2023 UPDATING SIGNATURES FOR REDWOOD CREDIT UNION BANK ACCOUNTS.

Action: The Board discussed the draft resolution and agreed to several amendments: change the resolution number from 2023-02 to 2023-01; remove Board Secretary Hackett as a signatory and insert President elect Israel; change the resolution date from January 11, 2023 to February 11, 2023. Director Hackett made a motion to approve Resolution 2023-01 as amended. President Terry seconded the motion. After a roll-call vote, the motion passed unanimously.

G. **DISCUSSION AND/OR ACTION:** PROCLAMATION HONORING DIRECTOR KEN TERRY'S SERVICE TO IRISH BEACH WATER DISTRICT. (ISRAEL)

Action: Director Israel read Resolution 2023-2, honoring President Terry for his service to the Irish Beach Community as a member of the Board of Directors of the Irish Beach Water District. Director Israel made a motion to adopt Resolution 2023-2. Director Dyson seconded the motion. Roll-call vote: Director Dyson – aye, Director Hackett – aye, Director Israel – aye, Director Regan – aye, Director Terry – abstain. The motion passed with a quorum.

COMMUNICATIONS AND CORRESPONDENCE: None

REPORTS:

A. **TREASURER:** Treasurer's Report, Checks Issued, FY 2020 & FY 2021 Financial Statement Audits.

Action: Accounting Manager Murray presented the Treasurer's report and list of checks issued. After discussing several points of clarification, Director Hackett made a motion to approve the list of checks issued and the Treasurer's report. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously. In addition, the Board directed staff to provide the Board with a chart of accounts including all account codes. Finally, staff reported that the action to verify appropriate insurance coverage for Board members (from the December 9, 2022 special meeting) has not been completed, and the direction to draft an update to Resolution 88-1 (from the September 17, 2022 meeting) has not been started. Director Israel agreed to assume responsibility for drafting a replacement for resolution 88-1.

B. **WATER STORAGE FACILITIES/CONVEYANCE LOSS**

Action: The Board accepted General Manager Acker's report on submission of the State Water Resources Control Board report for Irish Gulch, as well as the use of Well 5 as the source of water supply during the recent storms that rendered Irish Gulch water unusable due to turbidity. Finally, General Manager Acker reported that the North Gualala Water Company trucked about 24,000 gallons of water from Irish Beach during the January storms when their wells were affected by power outages.

C. **SAFETY COMMITTEE:**

Action: The Board accepted General Manager Acker's report that safety meetings had been postponed allowing for coordination with Staff Assistant Forbes. He noted that the March report would include all pending topics.

D. **LEGAL COUNSEL:** None

E. **DIRECTORS:** None

APPROVAL OF MINUTES: November 12, 2022 Regular Meeting; December 9, 2022 Special Meeting; December 28, 2022 Special Meeting.

Action: The Board accepted Director Hackett's recommendation to move to an "Action Minutes" format that captures each agenda item, as well as the action taken by the Board in response, with details regarding the Board's discussion captured separately in a document transcribed from the Zoom recording by REV transcription automation. Director Hackett made a motion to authorize the reimbursement of an amount not to exceed \$399 for the purchase of an annual subscription to REV transcription services to create Word document from Zoom recording. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously. Director Dyson made a motion to direct staff to purchase of a refurbished Owl conference microphone for an amount not to exceed \$599 plus tax and shipping. Director Hackett seconded the motion. After a roll-call vote, the motion passed unanimously. Director Israel made a motion to approve the November 12, 2022, December 9, 2022, and December 29, 2022 meeting minutes. After a roll-call vote, the motion passed unanimously. The Board accepted President Terry's recommendation to develop a policy delineating post-COVID requirements for meeting attendance. President-elect Israel agreed to work with District Counsel Emerick to develop a policy.

ADJOURNMENT: Motion was made by Director Hackett with second from President Terry to adjourn the regular meeting at 2:11pm. After a roll-call vote, the motion passed unanimously. Director Dyson excused himself, and the meeting then convened into executive closed session.

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 BEACHWATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-090054665-000; 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).

Action: Closed session was adjourned at 4:16pm with no reportable actions.

Respectfully submitted:

Attest as Presented:

/s/ Susan Israel
Susan Israel, President

/s/ Heather Hackett
Heather Hackett, Secretary of the Board

Date: March 11, 2023

Date: March 11, 2023

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, March 11, 2023 at 10:00 A.M. (ZOOM AND IN-PERSON)*

CALL TO ORDER AND ROLL CALL: President Israel called the regular meeting of the Irish Beach Water District Board Meeting to order at 10:01am. President Israel reported that Director Dyson resigned from the Board of Directors effective March 10, 2023. Roll call of Directors in attendance: Director Regan attended via Zoom; President Israel, and Director Hackett attended in person. Staff attending via Zoom: General Manager Acker, District Counsel Emrick, and Plant Operator Dial. Accounting Manager Murray, and Staff Assistant Forbes attended in person.

PUBLIC INPUT: President Israel explained that the public input portion of the agenda is the time when members of the public can comment on items on the agenda, or issues not on the agenda. She indicated that the structure of the remainder of the meeting will conform to Robert's rules of order, in which discussion of agenda items will be limited to board members prior to the vote. President Israel invited the public to provide input at this time; however, there were no comments.

OLD BUSINESS:

A. DISCUSSION AND OR ACTION: REPORT FROM THE PROP 218 COMMITTEE.

Action: The Board accepted the Committee's report regarding the kick-off meeting held with SCI on 2/16/22, as well as the review of the timeline included in the meeting packet.

B. DISCUSSION AND OR ACTION: SMALL COMMUNITY DROUGHT RELIEF GRANT ADMINISTRATION & OVERSIGHT.

Action: The Board accepted General Manager Acker's report that installation of the cover for Tank 2 is almost done; installation of the of the girders and external overhead panels is complete and work on the flashing needed to completely seal the tank is in progress. He indicated that once the flashing is complete, Tank 2 will be returned to service. In addition, General Manager Acker explained that the District is ready to begin the electrical work needed to activate Well 2, so a notice will be released to neighboring properties advising them of the planned construction. Plant Operator Dial reported that the District has issued an invitation to bid on the replacement of Tank 5 and anticipates selecting a supplier soon. Director Hackett reported that the District continues to work with the Department of Water Resources to clarify a couple of details related to invoice #3 and anticipates submission of a 4th invoice in April.

C. DISCUSSION AND OR ACTION: TECHNOLOGY GRANT IMPLEMENTATION UPDATE.

Action: The Board accepted staff reports indicating that Accounting Manager Murray has not completed storage of records subject to retention in the District's DropBox account; however, she will complete the action soon. General Manager Acker noted that the District is working with Steve Acker to map the water system using the new ArcGIS service. Director Hackett reported that the Communications and Outreach Committee will meet with Staff Assistant Forbes and acting Information Technician Fromwiller next week to review the IBWD website prototype, evaluate other special district websites, and plan for training additional staff to maintain the IBWD website.

D. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET COMMITTEE.

Action: After discussing the need to monitor actual expenses and make line-item adjustments as the year progresses, the Board determined that both the water usage rate increase and 7.5% COLA for District staff included in the FY 2022-2023 budget would be effective March 1, 2023. Director Hackett made a motion to approve resolution 2023-3 documenting the approval of the District's FY 2022-2023 Operating Budget for Water, as amended, and directing staff to provide a line-item report of budget versus actuals at the May, July, and September meetings so that the Board can consider modification of budget allocations in the FY 2022-2023 budget. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously. Accounting Manager Murry suggested that the Board schedule a budget workshop for a future meeting, and the Board concurred with the recommendation.

- E. **DISCUSSION AND OR ACTION:** ACCEPT AND FILE DISTRICT FINANCIAL AUDIT FOR FISCAL YEARS ENDING 9/30/21; 9/30/20.

Action: The Board accepted Accounting Manager Murray's report on the FY 2020 and FY 2021 Financial Statement Audits. After discussing the current process for review of the Management Discussion and Analysis (MD&A), as well as the auditor's Report on Internal Control Over Financial Reporting, Director Hackett made a motion to accept the FY 2020 and FY 2021 financial statement audits and direct Accounting Manager Murray to work with the auditor to file the audits with the State. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously. Next Director Hackett made a motion to direct the Treasurer to submit the draft MD&A to the Budget/Finance committee for review prior to submission to the auditor for future audits. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously. Finally, Director Hackett made a motion to direct the Budget/Finance committee to consider the auditor's comments regarding internal controls, and present recommendations to the full board at a future meeting. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously.

NEW BUSINESS:

- A. **DISCUSSION AND OR ACTION:** SELECTION OF NEW MEMBER OF THE BOARD OF DIRECTORS.

Action: President Israel explained that the Board reviewed the letters of interest from two highly qualified candidates, Danielle Hohos and Tom Ottoboni. President Israel made a motion to accept the nominations and called for a vote to appoint Tom Ottoboni to the Director position vacated by Ken Terry, and Danielle Hohos to the position vacated by Brad Dyson. Director Hackett seconded the motion. After a roll-call vote, the motion passed unanimously. Board Secretary Hackett administered the Oath of Office to new board members Danielle Hohos and Tom Ottoboni. With their affirmation to the Oath of Office, President Israel welcomed them as full voting members of the Board.

- B. **DISCUSSION AND/OR ACTION:** CONSIDER RESOLUTION 2023-03 – IRISH BEACH WATER DISTRICT POLICY REGARDING SEPTIC TANK INSPECTION AND PUMPING.

Action: The Board accepted President Israel's request to table the agenda item while she continues to research the issues related to septic tank inspections.

- C. **DISCUSSION AND/OR ACTION:** PROPOSED REVISION TO AGENDA FORMAT AND ACTION PROCESS FOR EFFICIENCY AND IN ACCORDANCE WITH ROBERTS RULE OF ORDER.

Action: President Israel described a proposal to modify the Board meeting agenda to increase efficiency. She explained that public comments on items on the agenda or issues not on the agenda will be accepted during the Public Input agenda item, while discussion prior to a vote on each agenda item will be limited to board members. She also recommended inclusion of a Consent Calendar to simplify the vote process for routine issues such as staff reports, approval of meeting minutes, etc. After discussing the need for flexibility in public comments and the timing of executive (closed) sessions, President Israel called for a roll-call vote on the proposed changes. The motion passed unanimously.

- D. **DISCUSSION AND OR ACTION:** APPOINT MEMBERS TO BUDGET/FINANCE COMMITTEE AND REVIEW PROCEDURES FOR STANDING COMMITTEES.

Action: President Israel reported that former Director Ken Terry has asked to step back from the Committee and former Director Dyson resigned, so the Board will reconstitute the Budget and Finance Standing Committee. She appointed Director Ottoboni and a member of the public, Bill Mabie, to the Committee. In addition, President Israel explained that she was appointing Accounting Manager Murray in an advisory capacity and would solicit for volunteers. Director Hackett indicated that the Communications and Outreach Committee would solicit volunteers. President Israel made a motion to reconstitute the Budget and Finance Committee as discussed. Director Hackett seconded the motion. After a roll-call vote, the motion passed unanimously.

COMMUNICATIONS AND CORRESPONDENCE: None

Action: President Israel reported that Director Dyson submitted a letter of resignation on March 10, 2023.

REPORTS:

A. **TREASURER:** Treasurer's Report, Checks Issued, FY 2020 & FY 2021 Financial Statement Audits.

Action: Accounting Manager Murray presented the Treasurer's report and list of checks issued. Director Hackett made a motion to approve the list of checks issued and the Treasurer's report. Director Hohos seconded the motion. After a roll-call vote, the motion passed unanimously. In addition, District Counsel Emrick reported that he has verified insurance coverage in relation to employment actions for Board members.

B. **WATER STORAGE FACILITIES/CONVEYANCE LOSS**

Action: The Board accepted General Manager Acker's report on bacterial and chemical testing, as well as the current source of water supply due to the storms that render Irish Gulch water unusable because of turbidity.

C. **SAFETY COMMITTEE:**

Action: The Board accepted General Manager Acker's report on the most recent safety meeting.

D. **LEGAL COUNSEL:** None

Action: The Board accepted District Counsel Emrick's report on changes to the Public Records Act.

E. **DIRECTORS:** None

Action: The Board accepted Director Regan's report on the District's Facebook page, which has 47 followers.

APPROVAL OF MINUTES: February 11, 2023 Regular Meeting

Action: Accounting Manager Murray noted typographical errors in the draft February 11, 2023 meeting minutes: District Counsel Emrick's name was misspelled and numbering of items in the Old Business, New Business, and Reports sections were incorrect. Director Israel made a motion to approve the February 11, 2023 meeting minutes as amended to correct the typographical errors. Director Hackett seconded the motion. Roll-call vote: Director Hackett Aye, Director Israel Aye, Director Regan Aye. Directors Hohos and Ottoboni abstained. The motion passed with a quorum.

ADJOURNMENT: Motion was made by President Israel with second from Director Hackett to adjourn the regular meeting at 11:13am. After a roll-call vote, the motion passed unanimously.

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 BEACHWATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-090054665-000; 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).

Action: Closed session was adjourned at 12:09pm with no reportable actions.

Respectfully submitted:

Attest as Presented:

/s/ Susan Israel

/s/ Heather Hackett

Susan Israel, President

Heather Hackett, Secretary of the Board

Date: May 13, 2023

Date: May 13, 2023

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Friday, April 7, 2023 at 3:00 P.M. (ZOOM AND IN-PERSON)*

CALL TO ORDER AND ROLL CALL: President Israel called the special meeting of the Irish Beach Water District Board Meeting to order at 3:00pm. Roll call of Directors in attendance: Director Regan attended via Zoom; President Israel, Director Hackett, Director Hohos, and Director Ottoboni attended in person. Staff attending via Zoom: District Counsel Emrick, Accounting Manager Murray, and Staff Assistant Forbes. General Manager Acker attended in person.

PUBLIC INPUT: None.

OLD BUSINESS:

A. DISCUSSION AND OR ACTION: REPORT FROM THE PROP 218 COMMITTEE.

Action: The Board accepted the Committee's report regarding discussions with SCI regarding identification of a water system engineer who is available to complete an evaluation of the pipeline in the IBWD system using current engineering industry standards (review the age of the pipe, historical failure data, other available records,). Director Hackett explained the two options included in the meeting packet and made a motion to authorize the Prop 218 Committee to determine whether to move forward with an initiative including a 12 project / 20-year scope, or a 7 project / 10-year scope, and report back at the May Board meeting. Director Israel seconded the motion. After a roll-call vote, the motion passed unanimously.

B. DISCUSSION AND OR ACTION: STATUS OF GENERAL MANAGER'S RETIREMENT.

Action: The Board accepted General Manager Acker's request to rescind the resignation that he proffered at the November 12, 2022 Board meeting. He indicated that rather than resigning in May 2023, he will continue to serve as the District's General Manager without any changes to hours and responsibilities until further notice.

ADJOURNMENT: Motion was made by President Israel with second from Director Hackett to adjourn the regular meeting at 3:08pm. After a roll-call vote, the motion passed unanimously.

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 BEACHWATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-090054665-000; 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).

Action: The executive (closed) session was adjourned at 3:33pm. President Israel reported that the Board voted to accept a settlement offer to compensate William and Tona Moores for inverse condemnation in case no.: SCUK-CVG-2009-54665.

Respectfully submitted:

/s/ Susan Israel
Susan Israel, President

Date: May 13, 2023

Attest as Presented:

/s/ Heather Hackett
Heather Hackett, Secretary of the Board

Date: May 13, 2023

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, May 13, 2023 at 10:00 A.M. (ZOOM AND IN-PERSON)*

CALL TO ORDER AND ROLL CALL: Director Hackett called the regular meeting of the Irish Beach Water District Board Meeting to order at 10:01am. Roll call of Directors in attendance: Director Regan attended via Zoom; Director Hohos, Director Ottoboni, and Director Hackett attended in person. President Israel was absent. Staff attending via Zoom: Accounting Manager Murray, District Counsel Emrick and Plant Operator Dial. General Manager Acker, and Staff Assistant Forbes attended in person.

PUBLIC INPUT: None

OLD BUSINESS:

A. DISCUSSION AND OR ACTION: REPORT FROM THE PROP 218 COMMITTEE.

Action: The Board accepted the Committee's report that SCI consulting has identified a water system engineer to perform an assessment and make recommendations for pipeline replacements. Director Hackett indicated that the evaluation process will take several months, which may take us beyond the final date to submit 2023 – 2024 tax levies to the County Assessor. The Committee and staff are considering options for the timing of the initiative and will report back at the July Board meeting.

B. DISCUSSION AND OR ACTION: SMALL COMMUNITY DROUGHT RELIEF GRANT ADMINISTRATION & OVERSIGHT.

Action: The Board accepted General Manager Acker's report that installation of the engineered metal cover for Tank 2 is finished and once the installation of the level indication and fill system is completed, the tank will be returned to service. He reported that the District completed the trenching from Well 2 to Tank 2 and installed electrical conduits and waterlines concurrently with the trenching work. In addition, the back-up generator at Tank 2 has been connected, so water can be pumped from the well. Plant Operator Dial noted that the District awarded the contract for Tank 5 and the geotechnical engineering site visit was completed, so manufacture of the tank has commenced. Accounting Manager Murray reported that the District is waiting for payment of three invoices totaling approximately \$122,000, which were submitted to the State during the period March – May 2023. Director Hackett reminded participants that images of the progress on the grant projects can be found on the District's Facebook page.

C. DISCUSSION AND OR ACTION: TECHNOLOGY GRANT IMPLEMENTATION UPDATE ON THE NEW WEBSITE.

Action: The Board accepted the Communications and Outreach Sub-committee's report on the development of a new website. Director Regan noted that the District's webmaster, Annette Fromwiller, is making great progress and should be ready to provide a tour of the prototype at the next regular meeting.

D. DISCUSSION AND OR ACTION: BUDGET COMMITTEE UPDATE – SELECTION OF NEW MEMBERS AND REVIEW OF FISCAL YEAR 2022/2023 LINE- ITEM BUDGETED V. ACTUALS.

Action: After noting that President Israel's absence precluded appointments to the Budget Committee, Director Hackett made a motion to continue the agenda item until the May meeting. Director Hohos seconded the motion. Roll-call vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, Director Regan – Aye, President Israel – Absent. The motion passed with a quorum.

E. DISCUSSION AND OR ACTION: PROPOSAL FOR AUDIT SERVICES FOR FISCAL YEAR ENDING SEPTEMBER 30, 2022.

Action: The Board heard the Accounting Manager Murray's recommendation to contract with Fechter & Company, CPAs to complete a financial statement audit for the fiscal year ending September 30, 2022 with the option to extend for two additional fiscal years. After discussing the line item fees in the proposal, Director Hackett made a motion to approve contracting for audit services with Fechter & Company, CPAs. for Fiscal year 2022, 2023, and 2024 financial

statement audits. Director Ottoboni seconded the motion. Roll-call vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, Director Regan – Aye, President Israel – Absent. The motion passed with a quorum. In addition, the Board directed General Manager Acker and Director Hackett to sign the engagement letter on behalf of the District.

NEW BUSINESS:

A. DISCUSSION AND OR ACTION: NOTICE OF SPECIAL DISTRICT ELECTION.

Action: The Board heard Accounting Manager Murray’s overview of the August 29, 2023 election. She reminded the four Directors with terms ending in 2023 to submit declaration of candidacy forms by June 2, 2023, and noted that if the incumbents do not file, the public will have the opportunity to submit candidacy forms until June 7, 2023.

B. DISCUSSION AND/OR ACTION: PROCLAMATION HONORING DIRECTOR BRAD DYSON’S SERVICE TO IRISH BEACH WATER DISTRICT.

Action: After a reading resolution, Director Hackett made a motion to approve Resolution 2023-4. Director Hohos seconded the motion. Roll-call vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, Director Regan – Aye, President Israel – Absent. The motion passed with a quorum.

COMMUNICATIONS AND CORRESPONDENCE: None

CONSENT CALENDAR:

- A. TREASURER: TREASURER’S REPORT, CHECKS ISSUED.
- B. WATER STORAGE FACILITIES/CONVEYANCE LOSS.
- C. LEGAL COUNSEL: UPDATE ON MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000; FIRST DISTRICT COURT OF APPEAL NO. A151867.
- D. APPROVAL OF MINUTES: MARCH 11, 2023 REGULAR MEETING, AND APRIL 7, 2023 SPECIAL MEETING.

Action: Director Hackett made a motion to approve the items included in the Consent Calendar. Director Hohos seconded the motion. Roll-call vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, Director Regan – Aye, President Israel – Absent. The motion passed with a quorum.

ADJOURNMENT: Motion was made by Director Hackett with second from Director Regan to adjourn the regular meeting at 10:38am. Roll-call vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, Director Regan – Aye, President Israel – Absent. The motion passed with a quorum, and the meeting then convened into executive closed session.

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 BEACHWATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-090054665-000; 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).

Action: Closed session was adjourned at 11:48am with no reportable actions.

Respectfully submitted:

Attest as Presented:

/s/ Susan Israel

/s/ Heather Hackett

Susan Israel, President

Heather Hackett, Secretary of the Board

Date: July 22, 2023

Date: July 22, 2023

D. APPROVAL OF MEETING MINUTES: JULY 22, 2023 REGULAR MEETING.

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, July 22, 2023 at 10:00 A.M. (ZOOM AND IN-PERSON)*

CALL TO ORDER AND ROLL CALL: President Israel called the regular meeting of the Irish Beach Water District Board Meeting to order at 10:00am. Roll call of Directors in attendance: President Israel, Director Hohos, Director Ottoboni, and Director Hackett attended in person. Former Director Regan resigned effective 5/26/23 and was not in attendance. Staff attending via Zoom: District Counsel Emrick, General Manager Acker, Plant Operator Dial, and Staff Assistant Forbes. Accounting Manager Murray attended in person.

PUBLIC INPUT: None

OLD BUSINESS:

A. **DISCUSSION AND OR ACTION:** REPORT FROM THE PROP 218 COMMITTEE.

Action: The Board accepted the Committee's report that SCI consulting has identified a water system engineer to perform an assessment and make recommendations for pipeline replacements; however, the District does not have sufficiently detailed records of the distribution system for the engineer to complete the evaluation. Director Hackett explained that District staff have been focused on grant projects, so the Committee recommends that the District contract for engineering services to develop a detailed pipeline inventory that will form the basis for recommendations for replacements and provide the foundation for modern records of District facilities that will be maintained by staff moving forward. After discussing the specific engineering services that exceed the project scope included in the service agreement with SCI Consulting Group, Director Hackett made a motion to authorize the Proposition 218 Committee to work with District Counsel, Matt Emerick, to negotiate a supplemental agreement with SCI to pay \$14,185 for additional engineering services that will be subcontracted with Hazen & Sawyer. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum.

B. **DISCUSSION AND OR ACTION:** SMALL COMMUNITY DROUGHT RELIEF GRANT ADMINISTRATION & OVERSIGHT.

Action: The Board accepted General Manager Acker's report that installation of the engineered metal cover is complete, and Tank 2 returned to service at the beginning of June. He reported that the District completed the trenching from Well 2 to Tank 2 and installed electrical conduits and waterlines concurrently with the trenching work. General Manager Acker noted that final grading of the road is complete, as is PG&E's activation of the power and control electrical work. Finally, he explained that chemical and hydrological testing has been submitted to the State Water Resources Control Board which is the precursor for obtaining a permit for drinking water use. Plant Operator Dial noted that the ozonator and filtration equipment has been delivered and installation is in progress. He also reported that the District has received the geotechnical engineering report, so work on the Tank 5 foundation can be scheduled for later this summer or early fall. Director Hackett reported that the District received reimbursement from the State for three invoices totaling approximately \$122,000 and submitted another invoice for approximately \$52,000 at the beginning of July. She noted that the District is making great progress toward completion of three critical infrastructure projects and is on track to finish on schedule.

C. **DISCUSSION AND OR ACTION:** BUDGET COMMITTEE UPDATE – SELECTION OF NEW MEMBERS AND REVIEW OF FISCAL YEAR 2022/2023 LINE- ITEM BUDGETED V. ACTUALS.

Action: President Israel announced the appointment of Ken Turnquist to the Budget Committee and thanked him for volunteering his services. Director Ottoboni noted that the Committee is planning to update the District's budget spreadsheet to simplify the budgeting process. He explained that he has reviewed the FY 2022/2023 budget and identified areas that require review. Director Hackett made a motion requesting the Committee to work with staff to review year-to-date expenses and make recommendations for reallocation between lines. President Israel seconded the motion, then

called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum.

NEW BUSINESS:

A. DISCUSSION AND OR ACTION: SELECTION OF NEW MEMBER OF THE BOARD OF DIRECTORS.

Action: President Israel reported that the Board received one letter of interest and made a motion to appoint Mel Kimsey to fill the vacant Director position. Director Hackett seconded the motion. President Israel called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum. Director Hackett reported that since Mr. Kimsey was unable to attend the meeting, he will take the oath of office later in the week and will be seated as a Director at the next meeting.

B. DISCUSSION AND OR ACTION: ELECTION TO FILL THE VACANT POSITION OF VICE PRESIDENT OF THE BOARD OF DIRECTORS.

Action: President Israel made a motion to elect Tom Ottoboni to Vice President of the Board of Directors to fill the role left vacant when Director Dyson resigned. Director Hohos seconded the motion. President Israel called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni – Abstain, President Israel – Aye. The motion passed with a quorum.

C. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET COMMITTEE – BOARD CONSIDERATION OF THE PROPOSED FISCAL YEAR 2023-24 BUDGET

Action: The Board heard Accounting Manager Murray’s report that the proposed FY 2023/2024 reflects updated loan and reserve projections; however, the operating budget remains unchanged pending a meeting with the Budget Committee. Director Hackett made a motion requesting the Budget Committee to work with staff to review FY 2022/2023 actual expenses, consider anticipated changes, and revise the proposed FY 2023/2024 budget for consideration at the September meeting. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum.

D. DISCUSSION AND/OR ACTION: CONSIDER RESOLUTION 2023-5 HONORING DIRECTOR SANDRA REGAN’S SERVICE TO IRISH BEACH WATER DISTRICT.

Action: Director Hackett made a motion to approve Resolution 2023-5. Director Hohos seconded the motion. President Israel called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum.

E. DISCUSSION AND/OR ACTION: CONSIDER RESOLUTION 2023-06 – IRISH BEACH WATER DISTRICT RESPONSIBILITY FOR DISTRICT ELECTIONS AND DIRECTOR RECRUITMENT

Action: Director Hackett made a motion to approve Resolution 2023-6. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum.

F. DISCUSSION AND/OR ACTION: CONSIDER OPERATOR - LEVEL 1, OPERATOR – LEVEL 2, AND MAINTENANCE WORKER JOB DESCRIPTIONS

Action: Director Hackett explained that several of the District’s staff are working without job descriptions, and since IBWD Policy 2000 was adopted last December, establishing job descriptions for Operations staff was necessary. General Manager Acker reported that the three positions in the Operator series as well as the District Maintenance Worker are well put together. Director Hackett made a motion to approve the Operator Trainee, Operator – Grade 1, Operator – Grade 2, and Maintenance Worker Job Descriptions. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum. Director Hackett made a second motion to direct staff to assign employees to the appropriate positions based on experience, credentialing, and budgeted positions, then report back to the Board at the September meeting. Director Hohos seconded

the motion. President Israel called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum.

COMMUNICATIONS AND CORRESPONDENCE: None

CONSENT CALENDAR:

- A. TREASURER'S REPORT, CHECKS ISSUED.
- B. WATER STORAGE FACILITIES/CONVEYANCE LOSS REPORT
- C. APPROVAL OF MINUTES: MAY 13, 2023 REGULAR MEETING.
- D. APPROVAL OF UPDATE TO IBWD POLICY 5070 – RULES OF ORDER FOR BOARD MEETINGS
- E. APPROVAL OF UPDATE TO IBWD POLICY 3091 – PUBLIC RECORDS ACT REQUESTS
- F. APPOINT DIRECTORS TO THE LITIGATION AD HOC COMMITTEE AND THE ORGANIZATIONAL STRUCTURE AD HOC COMMITTEE.

Action: President Israel made a motion to approve the items included in the Consent Calendar. Director Ottoboni seconded the motion. President Israel called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum.

ADJOURNMENT: Motion was made by President Israel, with a second from Director Hackett to adjourn the regular meeting at 10:42am. Roll-call vote: Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed with a quorum, and the meeting then convened into executive closed session.

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 BEACHWATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-090054665-000; 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).

Action: The executive (closed) session was adjourned at 11:19am. President Israel reported that the Board formed a Litigation Discovery Support Ad Hoc Committee, and she appointed Danielle Hohos and Tom Ottoboni to coordinate the Committee's work with District Counsel Emrick

Respectfully submitted:

Attest as Presented:

Susan Israel, President
Date: September 9, 2023

Heather Hackett, Secretary of the Board
Date: September 9, 2023

Adjournment of Public Session:

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 – EXISTING LITIGATION:** SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. 23CV00273

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, September 9, 2023 at 10:00 A.M. (ZOOM AND IN-PERSON)

CALL TO ORDER AND ROLL CALL: President Israel called the regular meeting of the Irish Beach Water District Board Meeting to order at 10:00am. Roll call of Directors in attendance: President Israel, Director Hohos, and Director Hackett attended in person. Director Ottoboni and Director Kimsey attended via Zoom. Staff attending via Zoom: District Counsel Emrick, General Manager Acker, Plant Operator Dial, Accounting Manager Murray, and Annette Fromwiller. Staff Assistant Forbes attended in person.

PUBLIC INPUT: None

OLD BUSINESS:

A. DISCUSSION AND OR ACTION: REPORT FROM THE PROP 218 COMMITTEE

Action: The Board accepted the Committee's report that it has reviewed the Sub-consultant Agreement between SCI and Hazen & Sawyer, as well as the proposed Amendment to the Consulting Services agreement between the District and SCI. Director Hackett noted that the Committee suggested a few modifications, which SCI is currently reviewing. She indicated that the Committee anticipates that the Consultant Services Agreement Amendment will be signed by President Israel later this month (per the Board's 12/9/22 decision to authorize the Board President to sign agreements with SCI). Hazen & Sawyer's work with the District will begin soon, which will put us on track to commence Prop. 218 proceedings in early 2024.

B. DISCUSSION AND OR ACTION: SMALL COMMUNITY DROUGHT RELIEF GRANT ADMINISTRATION & OVERSIGHT

Action: The Board accepted General Manager Acker's report that installation of the water treatment equipment for Well 2 is complete. Pre-treatment chemical testing for Well 2 revealed a few elements that exceed acceptable levels. He indicated that the District knew that iron and manganese would require treatment; however, test results also reflect higher levels of calcium carbonate, which the District will address at the main treatment plant prior to submitting water quality and hydrological test results to the State Water Resources Control Board. Finally, General Manager Acker noted that construction on the Tank 5 foundation has been completed and National Storage Tank will complete the installation of the new tank soon. Staff Assistant Forbes reported that the Grant Committee conducted an internal review to ensure QuickBooks Grant accounts balance with requests for reimbursement and indicated she is in the process of making a few corrections identified during the. Accounting Manager Murray reported that the District received reimbursement for Invoice #6, which totaled \$52,171.91. In addition, she noted that she is conducting a search for a vendor to assist with documenting the District's financial operating procedures and internal controls in a manual (a financial bible), which is one of the requirements of State grant funding and expenditure of project funds. Director Hackett reported that one of the issues that has complicated finances is the limit on the District's credit card, which is currently set at \$7,500. She recommended that the District request an increase in the credit limit to \$10,000, which aligns with the spending limits established in Policy 3080. Director Hackett made a motion directing staff to contact Capital One to request an increase in the District's credit limit to \$10,000. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously.

C. DISCUSSION AND OR ACTION: TECHNOLOGY GRANT IMPLEMENTATION UPDATE ON NEW WEBSITE

Action: The Web Update Team, led by Annette Fromwiller, provided a virtual tour of the District's new website, which is currently under development. After discussing the functionality of the new site, the Board requested that the Team continue to work on updates, including the ability to sign up for notifications via text or email, enhanced eCommerce functionality to view and pay bills and connection fees online, as well as modifications to the customer service phone

numbers to business accounts rather than personal contact information. Finally, the Board requested the Team add a “contact us” tab with an email fill-in form to contact staff with space to submit questions and comments. Director Hackett made a motion to direct staff to purchase mobile phone(s) for use when conducting District business. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously.

D. DISCUSSION AND OR ACTION: STATUS OF SPECIAL DISTRICT ELECTION

Action: The Board accepted Director Hackett’s report that Director Kimsey was sworn in as a member of the Irish Beach Water District Board of Directors on July 25, 2023. She noted that while the Board understood that they were appointing Director Kimsey through December 2025, the County provided Accounting Manager Murray with guidance indicating that the Board appointment would only be effective through 12/1/23, and additional action would be necessary for appointment for the period 12/1/23 through December 2025. Accounting Manager Murray reported that although Director Kimsey submitted a request to the Mendocino County Board of Supervisors, his appointment has not been placed on the agenda. After discussion of the status of appointments for Directors Hackett, Hohos, and Ottoboni, Director Hackett made a motion to direct staff to contact the Mendocino County Clerk to clarify the status of appointment of four directors in lieu of election. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously.

E. DISCUSSION AND OR ACTION: BUDGET COMMITTEE REVIEW OF FISCAL YEAR 2022/2023 LINE- ITEM BUDGETED V. ACTUALS

Action: The Board accepted Director Ottoboni’s report on the review of the FY 2022/2023 budget versus actual expenditures, which highlighted the significant drop in water usage, as well as the anomalies in distribution of labor costs between line items. Accounting Manager Murray reported that labor costs assigned to the Administrative and General Salaries line should be allocated to the customer accounts line. General Manager Acker noted that all the labor costs in Operating Expense lines were lower than usual due to the focus on grant funded projects, as well as the reduction in meter reading costs following the installation of smart meters. Plant Operator Dial explained that the decline in water usage is the result of several factors, including the District’s focus on leak reduction, and the end of COVID shelter in place, both of which swelled past water usage, so FY 2022/2023 usage is probably a more accurate indicator for projections. After discussion of outside water sales, the status of the July/August billing, the status of the insurance claim for costs associated with the Arena Circle rupture, as well as unposted end-of-year expenses, Director Hackett made a motion directing staff to file a claim to recover the costs for the Arena Circle rupture. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously.

F. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET COMMITTEE – BOARD CONSIDERATION OF THE PROPOSED FISCAL YEAR 2023-24 BUDGET

Action: Director Ottoboni presented the proposed FY 2023 / 2024 budget, which was based on an analysis of income from 2015 – 2021, as well as expenses over the last couple of years. He noted that projected expenses for contractual services, including legal, engineering, and accounting have been increased, as have labor costs and a few minor administrative costs. Director Ottoboni explained that the decline in water usage coupled with increased expenses related to the proposition 218 initiative result in a budget deficit. He recommended that he work with Accounting Manager Murray to refine the proposed budget, and that once adopted, the Board schedule quarterly reviews to amend the budget based on actuals. Director Hackett made a motion to postpone action on the FY 2023/2024 budget until a future meeting. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously. Accounting Manager Murray reminded the Board that the District will need spending authority effective October 1, 2023, so Director Hackett made a motion to adopt the fiscal year 2022/2023 budget and to authorize spending authority pending adoption of an updated 2023/2024 budget. President Israel seconded the

motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously.

COMMUNICATIONS AND CORRESPONDENCE

Action: The Board reviewed a customer’s request for a reduction in a large bill and a payment plan to address the unique circumstances. Accounting Manager Murray and Plant Operator Dial explained the events leading to the correspondence, and the Board concluded that Policy 3037 did not adequately address the circumstances resulting from an Administrative error. Director Hackett made a motion to direct staff to discuss a payment plan with the customer based on the provisions of Policy 3037 pending an update of the policy at the next meeting. President Israel seconded the motion, then called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously.

CONSENT CALENDAR:

- A. TREASURER’S REPORT, CHECKS ISSUED
- B. WATER STORAGE FACILITIES/CONVEYANCE LOSS REPORT
- C. COMMUNICATIONS & OUTREACH COMMITTEE RECOMMENDATION: DISTRICT FACEBOOK PAGE
- D. APPROVAL OF MINUTES: JULY 22, 2023 REGULAR MEETING

Action: President Israel made a motion to remove item A, Treasurer’s Report, from the consent calendar. Director Hackett seconded the motion. Roll-call vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously. President Israel made a motion to approve the remaining items included in the Consent Calendar. Director Hackett seconded the motion. Roll-call vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously. Director Ottoboni explained that while the Treasurers Report includes a cash flow loan from restricted accounts to pay for expenses related to grant projects, it does not currently reflect future accounts receivable grant reimbursements. After discussing the need to address repayment of the loan from the restricted account as part of the discussion of the FY2023/2024 budget, Director Hackett made a motion to accept list of checks issued. President Israel seconded the motion, and called for a vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously.

ADJOURNMENT: Motion was made by President Israel, with a second from Director Hackett to adjourn the regular meeting at 12:05pm. Roll-call vote: Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni - Aye, President Israel – Aye. The motion passed unanimously, and the meeting then convened into executive closed session.

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 BEACHWATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-090054665-000; 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).

Action: The executive (closed) session was adjourned at 12:21pm with no reportable actions.

Respectfully submitted:

Attest as Presented:

Susan Israel
Susan Israel, President
Date: November 11, 2023

Heather Hackett
Heather Hackett, Secretary of the Board
Date: November 11, 2023