

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

CALL TO ORDER AND ROLL CALL: Vice President Ottoboni called the regular meeting of the Irish Beach Water District Board Meeting to order at 10:03am. Roll call of Directors in attendance: Director Ottoboni, Director Kimsey, and Director Hackett attended in person. President Israel and Director Hohos attended via Zoom. Staff attending via Zoom: District Counsel Emrick, General Manager Acker, Plant Operator Dial, Accounting Manager Murray, and Staff Assistant Forbes.

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 the Consultant Services Agreement Amendment for \$14,185 for additional engineering services was signed by President Israel on September 16, 2023. General Manager Acker reported that **the District responded to Hazen & Sawyer's request for information regarding pipeline details, water pressure and flow, as well as previous improvements.** Director Hackett noted that the District anticipates receipt of the preliminary pipeline inventory from Hazen & Sawyer soon. The analysis and recommendations should be complete early in 2024, which will put the District on track to commence Prop. 218 proceedings in 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 ozonator and filtration equipment is complete, as is the chlorination monitoring and injection system. He indicated that pre-treatment sampling revealed elevated levels of iron, manganese, sulfate, and calcium carbonate in the well water. After extensive adjustments to the mini-treatment plant instruments, the crew determined that the filter shipped with the ozonator was the wrong part. Plant Operator Dial indicated that once the missing backwash parts are installed the District will submit post-treatment samples. General Manager Acker explained that National Storage Tank is scheduled to construct Tank #5 beginning November 27th leaving just plumbing and electrical connections to Well #5 and Tank #4, which will be completed soon after the tank is erected. He noted that the final step is identifying an engineer to provide overall review and certification of the three projects in preparation for certification of completion from DWR. Staff Assistant Forbes reported that the District submitted invoice #7 for \$86,354.88 in grant-related costs incurred in June – September. Director Hackett noted that after invoice #7, there is \$35,538.24 remaining in grant funding to cover the final payment for Tank 5, plumbing, electrical, and potential engineering costs. She explained that **the District's share of costs for Tank 2 and Well 2 is \$7,800** due to higher-than-expected material costs because of inflation. Accounting Manager Murray reported that she has been in contact with 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. Finally, Director Hackett reported that the Grant Committee plans investigate USDA grant funding to design and engineer a replacement for Tank 0 and a roof for Tank 4.

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

Action: The Board accepted **Accounting Manager Murray's report** that Director Kimsey's **appointment will expire** at noon on 12/01/23, so the Board will need to advertise the vacancy then appoint a Director to fill the vacancy. After discussion of the status of appointments for Directors Hackett, Hohos, and Ottoboni, Director Hackett made a motion to direct advertisement of the Director vacancy for 15 days beginning 12/2/23. Director Ottoboni 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: 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 higher than projected costs for legal expenses, as well as the cost of labor and materials for repairs. He noted that the FY 2022/2023 budget did not account for Proposition 218 engineering expenses; however, since the initiative has proceeded slowly, the expenses will be included in the FY 2023/2024 budget. Finally, Director Ottoboni explained that the District will end the year with net operating income of \$67,000, which will go into reserves for potential use in FY 2023/2024. General Manager Acker reported that filing an insurance claim for costs associated with the Arena Circle rupture was not necessary as repair costs were less than the deductible.

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

Action: Director Ottoboni presented a revised proposal for the FY 2023 / 2024 budget. He noted that expenses are based on a 5-year average, which results in increased projections for contractual services, including legal, engineering, and accounting, as well as the settlement costs for one aspect of the litigation confronting the District. Director Ottoboni explained that the decline in water usage coupled with increased expenses related to the proposition 218 initiative result in a budget deficit of approximately \$73,000. The Board engaged in a robust discussion of the options, including raising usage rates, implementing a one-time assessment to cover the shortfall, and adopting the budget with the deficit and reassessing the shortfall later in the year. Director Hackett made a motion to amend the budget and resolution 2024-1 to reflect a usage rate of \$1.04 per 100 gallons, which reduces the projected deficit to \$60,838. President Israel seconded the motion. Director Ottoboni called for a vote: Director Hackett – Aye, Director Hohos – Aye, President Israel – Aye, Director Kimsey – Aye, Director Ottoboni - No. The motion passed with a quorum. Director Hackett made a motion to adopt resolution 2024-1 as amended to reflect total budget expenses chargeable to usage of \$64,870, total budget expenses and reserve funding chargeable availability of \$330,513, and a usage rate per a hundred gallons of \$1.04. The number of billing periods in the year is unchanged and the availability charge for one month or two months is unchanged. President Israel seconded the motion. Director Ottoboni called for a vote: Director Hackett – Aye, Director Hohos – Aye, President Israel – Aye, Director Kimsey – Aye, Director Ottoboni - No. The motion passed with a quorum.

NEW BUSINESS:

A. DISCUSSION AND OR ACTION: IRISH BEACH WATER DISTRICT POLICY HANDBOOK ADDITION, SERIES 3000 OPERATIONS, POLICY 3036 CUSTOMER WATER SERVICE DISCONNECTION FOR ACCOUNT DELINQUENCY.

Action: Director Hackett explained that she reviewed the District's records related to delinquent accounts and found that prior Boards adopted several resolutions addressing the issue of delinquent accounts; however, District policies were not revised to comply with the requirements of the resolutions due to competing priorities. She reported that new Policy 3036 and updated Policy 3037 comply with the requirements of Water Code Section 35470.5, as well as Health and Safety Codes 116908 and SB998. Director Hackett made a motion to adopt IBWD Policy 3036. Director Kimsey seconded the motion and Director Ottoboni called for a vote: Director Hackett – Aye, Director Hohos – Aye, President Israel – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed unanimously.

B. DISCUSSION AND OR ACTION: IRISH BEACH WATER DISTRICT POLICY HANDBOOK ADDITION, SERIES 3000 OPERATIONS, POLICY 3037 CUSTOMER PAYMENT ARRANGEMENTS.

Action: Director Hackett introduced the update to Policy 3037. General Manager Acker noted that historically the District has considered disconnection the last resort when dealing with delinquent accounts. Director Hackett explained that the updated policy does not change the approach; however, the District needs a policy to address account delinquency if efforts to resolve the issue are unsuccessful. Director Hackett made a motion to adopt IBWD Policy 3037. Director Kimsey seconded the motion and Director Ottoboni called for a vote: Director Hackett – Aye,

Director Hohos – Aye, President Israel – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed unanimously

COMMUNICATIONS AND CORRESPONDENCE

Action: **The Board reviewed a customer’s request for** a payment arrangement to resolve a large bill resulting from an administrative error. The Board concluded that the customer is not questioning the calculation of the past due bills, but is protesting the delay in presenting the bill, and requesting a payment arrangement to reduce the monthly rate to something that is more manageable by spreading the costs over time. Director Hackett made a motion to direct staff to suggest a payment arrangement spanning 24 months, which will result in a monthly payment that the customer has indicated would be acceptable. Director Ottoboni seconded the motion and called for a vote: Director Hackett – Aye, Director Hohos – Aye, President Israel – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed unanimously.

CONSENT CALENDAR:

- A. **TREASURER’S REPORT, CHECKS ISSUED**
- B. WATER STORAGE FACILITIES/CONVEYANCE LOSS REPORT
- C. COMMUNICATIONS & OUTREACH COMMITTEE REPORT
- D. ORGANIZATIONAL STRUCTURE COMMITTEE REPORT
- E. APPROVAL OF MINUTES: SEPTEMBER 9, 2023 REGULAR MEETING

Action: Director Ottoboni made a motion to accept all items included in the Consent Calendar. Director Kimsey 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.

ADJOURNMENT: Motion was made by Director Hackett, with a second from Director Kimsey to adjourn the regular meeting at 11:42am. 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 12:10pm with no reportable actions.

Respectfully submitted:

Attest as Presented:

/s/ Susan Israel

/s/ Heather Hackett

Susan Israel, President
Date: January 13, 2024

Heather Hackett, Secretary of the Board
Date: January 13, 2024

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Sunday, December 17, 2023, 10:00 A.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 10:02am. Roll call of Directors in attendance: President Israel, Director Ottoboni, and Director Hackett attended in person. Director Hohos attended via Zoom. One Director position was vacant at the time of the special meeting. General Manager Acker and Staff Assistant Forbes attended via Zoom.

PUBLIC INPUT: None

OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: BOARD CONSIDERATION OF THE PROPOSED FISCAL YEAR 2023-24 BUDGET AND INCREASE IN WATER USAGE RATE.

Action: Director Ottoboni reviewed the proposed amendment to the FY 2023-23 budget and expressed concerns with increasing water usage charges to address a portion of the funding gap. He recommended that the Board maintain the split between water usage and availability charges to fund operating expenses and address the full extent of the gap between projected income and expenses rather than enacting an increase in water usage charges that will be insufficient to resolve the shortfall. After a lengthy discussion detailing the flaws in Resolution 2024-1 and options for resolving the problems, President Israel made a motion to rescind Resolution 2024-1 adopting the FY 2023 – 2024 Operating Budget for Water that was approved at the November 11, 2023 Board meeting. Director Ottoboni seconded the motion. After a roll-call vote, the motion passed unanimously. Further discussion of the FY 2023 – 2024 budget was postponed until the next meeting.

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

Action: President Israel reported that the District received a letter of interest from Mel Kimsey in response to the solicitation for a member of the Board of Directors. She indicated that no other letters were received and made a motion to appoint Mel to the Director position for the term December 2023 through December 2025. Director Hackett seconded the motion. After a roll-call vote, the motion passed unanimously. Director Hackett indicated that she would coordinate with Mel to complete the oath of office in advance of the next Board meeting.

NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: BOARD CONSIDERATION OF POSTPONING SELECTION OF THE DISTRICT TREASURER UNTIL THE JANUARY MEETING IN CONJUNCTION WITH ELECTION OF OFFICERS.

Action: The Board reviewed the action directed at the February 11, 2023 meeting, when the Board voted 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 Hackett Director made a motion to postpone the election of a Director to the position of District Treasurer until the January meeting in conjunction with elections for all Board officers. President Israel seconded the motion. After a roll-call vote, the motion passed unanimously.

ADJOURNMENT: Motion was made by President Israel, with a second from Director Hackett to adjourn the special meeting at 10:40am. After a roll-call vote, the motion passed unanimously.

Respectfully submitted:

/s/ Susan Israel

President

Date: January 13, 2024

Attest as Presented:

/s/ Heather Hackett

Secretary of the Board

Date: January 13, 2024

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, January 13, 2024 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 10:02am. Roll call of Directors in attendance: Director Ottoboni, Director Kimsey, Director Hohos, Director Hackett, and President Israel attended in person. Staff attending in person: General Manager Acker, and Staff Assistant Forbes. Staff attending via Zoom: District Counsel Emrick, and Accounting Manager Murray.

PUBLIC INPUT: None

OLD BUSINESS:

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

Action: The Board accepted General Manager Acker's report that initial testing of the water from Well 2 revealed elevated mineral levels; however, the operations crew completed adjustments to the mini-treatment plant, which should resolve the issues. The District submitted post-treatment water samples in mid-December, and expects results soon. He indicated that National Storage Tank completed construction of Tank #5 the first week of December, and the operations crew finished plumbing and electrical connections between Well #5, Tank #5, and Tank #4 shortly thereafter. General Manager Acker noted that Tank 5 is now filled with water from Well #5. Finally, he explained that the District is soliciting quotes for engineering review and certification of the three grant projects in preparation for submission of the completion report to the State. Staff Assistant Forbes reported that the District is waiting for reimbursement of invoice #7 for approximately \$78,000 and will submit invoice #8 for grant related costs incurred October – December 2023 soon. Director Hackett explained that once the District obtains final engineering certification, we request release of the 10% retention withheld from previous invoices.

B. DISCUSSION AND OR ACTION: PRESENTATION OF POSSIBLE FISCAL YEAR 2023-24 ONE-TIME EXPENSES AND BOARD CONSIDERATION OF THE FISCAL YEAR 2023-24 BUDGET

Action: Director Ottoboni presented an overview of the potential one-time expenses associated with the 2009 Moores v. Irish Beach Water District litigation. He explained the impact of the 2017 trial court judgement on District finances, funding options to cover the costs, as well as the potential refunds to property owners. Director Ottoboni noted that while the financial implications may change slightly as he researches the issues, the overview presentation provides a reasonable estimate of the amount of money that the District will need to raise at the conclusion of litigation. After discussion among the Board and members of the public, Director Ottoboni indicated that he would continue to refine the estimate for one-time funding needs. He reported that litigation expenses will not be included in the FY 2023-2024 budget, which he will present for Board approval at the next meeting. Director Hackett noted that even after removing litigation expenses from the FY 2023-2024 operating budget, the District will face a shortfall of approximately \$28,000. To ensure that the District has sufficient reserve funds to cover the shortfall, she made a motion to direct staff to work with the Treasurer elect to open a new high-yield money market account for reserves and transfer \$67,000 to the new account. Withdrawals from this account to be coordinated with the Treasurer elect before effectuation. Director Hohos seconded the motion, and President Israel called for a vote. The motion passed unanimously.

NEW BUSINESS:

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

Action: President Israel opened the annual organizational discussion and asked for nominations to the positions of President, Vice President, Secretary and Treasurer to serve during the coming calendar year. Director Hackett

nominated Suzy Israel as Board President, Danielle Hohos as Vice President, Tom Ottoboni as Treasurer, and Mel Kimsey as Director at Large. President Israel nominated Heather Hackett as Secretary and made a motion to elect the slate of officers nominated effective with the close of this meeting. Director Ottoboni verified that the Board Treasurer would be provided support through consultant services, and then seconded the motion. President Israel called for a vote, and the motion passed unanimously.

B. DISCUSSION AND OR ACTION: CONSIDER RESOLUTION 2024-4 UPDATING SIGNATURES FOR REDWOOD CREDIT UNION BANK ACCOUNTS.

Action: **The Board accepted Staff Assistant Fobes' report that** Redwood Credit Union has updated the requirements for changing access to accounts. She explained that before she can modify the list of individuals with access to District accounts, she will need to present meeting minutes reflecting Board approval of the individuals who are authorized to sign on District accounts and asked the Board to consider Resolution 2024-4. Accounting Manager Murray recommended that Resolution 2024-4 be modified to remove the Accounting Manager and replace it with General Manager **Acker**. **The Board agreed that General Manager Acker's proximity** made him more likely to conduct financial transactions, so it made sense to amend the resolution. Director Hackett made a motion to approve resolution 2024-4 as amended to reflect that the Board of Directors of the Irish Beach Water District hereby orders that the following staff and Directors be authorized to sign on District bank accounts:

- General Manager, Charles Acker (controlling individual)
- Board Treasurer elect, Thomas Ottoboni (controlling individual)
- Staff Assistant, Khadine Forbes (authorized signer)
- Board President elect, Susan Israel (authorized signer)

President Israel seconded the motion and then called for a vote. The motion passed unanimously.

COMMUNICATIONS AND CORRESPONDENCE: None

CONSENT CALENDAR:

- A. **TREASURER'S REPORT, CHECKS ISSUED.**
- B. WATER STORAGE FACILITIES/CONVEYANCE LOSS REPORT.
- C. PROPOSITION 218 COMMITTEE REPORT.
- D. ORGANIZATIONAL STRUCTURE COMMITTEE REPORT.
- E. APPROVAL OF MINUTES: NOVEMBER 11, 2023 REGULAR MEETING AND DECEMBER 17, 2023 SPECIAL MEETING.

Action: President Israel made a motion to accept all items included in the Consent Calendar. Director Hackett seconded the motion. President Israel called for a vote, and the motion passed unanimously.

ADJOURNMENT: Motion was made by President Israel, with a second from Director Hackett to adjourn the regular meeting at 11:07am. President Israel called for a vote. 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).

C. PUBLIC EMPLOYMENT (**Govt. Code § 54957**): OPERATOR LEVEL 1 AND OPERATOR LEVEL 2

Action: The executive (closed) session was adjourned at 12:10pm. President Israel reported that the District will amend the Operator Level 1 and Operator Level 2 job descriptions before filling the positions.

Respectfully submitted:

/s/ Danielle Hohos

Danielle Hohos, Vice President

Date: March 9, 2024

Attest as Presented:

/s/ Heather Hackett

Heather Hackett, Secretary of the Board

Date: March 9, 2024

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, February 24, 2024 at 9:30 A.M. (ZOOM AND IN-PERSON)*

CALL TO ORDER AND ROLL CALL: Vice President Hohos called the special meeting of the Irish Beach Water District Board Meeting to order at 9:31am. Roll call of Directors in attendance: Director Ottoboni, Director Hohos, Director Hackett, and President Israel attended in person. Director Kimsey attended via Zoom. Staff attending via Zoom: General Manager Acker, Plant Operator Dial, Staff Assistant Forbes, Accounting Manager Murray, and District Counsel Emrick.

PUBLIC INPUT: None

OLD BUSINESS:

A. DISCUSSION AND OR ACTION: UPDATE FROM THE PROP 218 COMMITTEE AND REVIEW OF THE 2002 GREATER THAN 40-YEAR ASSESSMENT FUND.

Action: Director Hackett presented an overview of the potential impact of a final judgement in in Mendocino Superior Court for case number SC-UK-CV-G-09-0054665-000 on the District's current plans for a Proposition 218 initiative. She reminded the Board that in September 2002 the property owners in Irish Beach voted to support a District-wide Capital Improvement Assessment, which commenced on 10/1/2002 and continued through FY 2016. Director Hackett explained that the Capital Replacement fund currently has a balance of \$101,000, and asked the Board to consider if these funds should be used to commence some of the high priority projects identified during preparations for the current Proposition 218 initiative. She also urged the Board to consider reinstating the Capital Replacement portion of the 2002 Assessment, which would yield an annual assessment of approximately \$32,000 by collecting approximately \$70 per year from every parcel, regardless of connection to the water system to fund Capital Replacements.

After a robust discussion by the Board and comments from members of the public, Director Hackett made a motion to direct Prop. 218 Committee to make recommendations for the use of Capital Replacement funds to complete projects identified as part of the current Proposition 218 initiative. Vice President Hohos seconded the motion and then called for a vote. Director Hackett – Aye, Director Hohos – Aye, President Israel – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed unanimously. In addition, Director Hackett made a motion to direct the Prop 218 Committee to work with District Counsel Emrick to make recommendations for reinstating the Capital Replacement Assessment in the 2024 / 2025 Tax Year. Vice President Hohos seconded the motion and then called for a vote. Director Hackett – Aye, Director Hohos – Aye, President Israel – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed unanimously.

The Board accepted **the Committee's report on the** status of the current Proposition 218 initiative and reviewed the scope of projects that SCI consulting should consider when making recommendations. After a lengthy discussion by the Board and comments from members of the public, Director Hackett made a motion to direct the Prop 218 Committee to communicate a project scope that includes both improvements to existing facilities and development of new water sources and supporting facilities. President Israel seconded the motion and Vice President Hohos called for a vote. Director Hackett – Aye, Director Hohos – Aye, President Israel – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed unanimously.

ADJOURNMENT: Motion was made by Vice President Hohos, with a second from Director Hackett to adjourn the regular meeting at 10:46am. Following a roll-call vote, the motion passed unanimously, and the meeting was adjourned.

Respectfully submitted:

/s/ Danielle Hohos

Danielle Hohos, Vice President

Date: March 9, 2024

Attest as Presented:

/s/ Heather Hackett

Heather Hackett, Secretary of the Board

Date: March 9, 2024

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, March 9, 2024 at 10:00 A.M. (ZOOM AND IN-PERSON)*

CALL TO ORDER AND ROLL CALL: Vice President Hohos called the regular meeting of the Irish Beach Water District Board Meeting to order at 10:03am. Roll call of Directors in attendance: Director Ottoboni, Director Hohos, and Director Hackett attended in person; Director Kimsey attended via Zoom and President Israel was absent. Staff Assistant Forbes attended in person. Staff attending via Zoom: General Manager Acker, District Counsel Emrick, and Accounting Manager Murray.

PUBLIC INPUT: None

OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: BUDGET COMMITTEE UPDATE REVIEW OF FISCAL YEAR 2023/2024 LINE- ITEM BUDGETED V. ACTUALS.

Action: Director Ottoboni explained that while expenses currently outpace income, and the District will need to be careful with expenditures, he expects the cash flow issue to resolve itself in the coming months. The Board accepted **the Committee's report detailing income and expenses** to date in relation to the proposed FY 2024 budget.

- B. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET COMMITTEE – BOARD CONSIDERATION OF RESOLUTION 2024-2 – DOCUMENTING THE APPROVAL OF THE FISCAL YEAR 2023-24 OPERATING BUDGET FOR WATER.

Action: Director Ottoboni presented an overview of the revisions to the proposed FY 2023 – 2024 budget. He explained that water sales have been adjusted downward to project a realistic level impact of income, which will require the use of anticipated DWR grant reimbursements to fund operational expenses instead of operational reserves as planned. In addition, Director Ottoboni indicated that the \$59,000 cash-flow loan from the greater than 40-year fund is budgeted to be repaid over FY 2023/2024 and FY 2024/2025, with approximately \$19,000 of the repayment planned for the current fiscal year and about \$40,000 planned for next fiscal year. Director Hackett made a motion to approve Resolution 2024-2 **documenting approval of the District's FY 2023 – 2024 Operating Budget for Water**. Director Hohos seconded the motion and called for a vote. Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed with a quorum.

- C. DISCUSSION AND OR ACTION: REPORT FROM THE PROP 218 COMMITTEE – BOARD CONSIDERATION OF RESOLUTION 2024-3 – DOCUMENTING THE APPROVAL OF REINSTATEMENT OF THE 2002 CAPITAL REPLACEMENT PORTION OF THE DISTRICT-WIDE CAPITAL IMPROVEMENT ASSESSMENT.

Action: **The Board accepted the Committee's report on the status of the current Proposition 218 initiative and reviewed the recommendations for reinstating the Capital Replacement portion of the 2002 Special Benefit Assessment, as well as the working plan for projects to be funded by Capital Replacement Assessments and those to be included in the 2024 Proposition 218 initiative.** Director Hackett explained that Director Ottoboni has been working informally with the Committee and asked that Vice President Hohos formally appoint him to the Prop. 218 Committee so activities related to Special Benefit Assessment activities with Budget formulation and execution functions. Director Ottoboni agreed to the assignment and Vice President Hohos made the appointment to the Prop. 218 Committee effective immediately. After discussion by the Board and comments from members of the public, Director Hackett made a motion to accept the Prop 218 Committee's **recommendations to communicate a project scope that includes a working plan for approximately nine improvements to existing facilities and**

development of new water sources with supporting facilities in the 2024 2024 initiative. Vice President Hohos seconded the motion and called for a vote. Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed with a quorum. In addition, the Board considered Resolution 2024-3. After discussion, Director Hackett made a motion to approve Resolution 2024 -3 as amended to document the approval of reinstatement of the 2002 Capital Replacement portion of the District-wide Capital Improvement Assessment. Vice President Hohos seconded the motion and called for a vote. Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed with a quorum. Finally, the Board directed staff to post the 2002 Bartle Wells Engineering Report to the District website.

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

Action: The Board accepted **General Manager Acker's report** that all three grant projects are virtually complete. The new cover for Tank 2 was installed several months ago; Well 2 has been activated; and the replacement for Tank 5 was installed at the end of the year. He explained that the District is still working to treat elevated levels of manganese in Well 2 water and will submit another round of water samples soon. Finally, General Manager Acker reported that the District has identified an engineer to complete a review and certification of the three grant projects in preparation for submission of the completion report to the State. Staff Assistant Forbes reported that the District received reimbursement for invoice #7 totaling approximately \$78,000 and submitted invoice #8 at the beginning of February. Director Hackett explained that once the District obtains final engineering certification, we will submit a project completion report and request release of the 10% retention withheld from previous invoices.

NEW BUSINESS:

A. DISCUSSION AND OR ACTION: REPORT FROM THE LITIGATION COMMITTEE – STATUS OF 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. (EMRICK, HOHOS, ISRAEL)

Action: The Board accepted **the Committee's report that the final judgement was issued February 26, 2024.** District Counsel Emrick indicated that the presentation made at the January Board meeting provided a good overview of the financial implications of the judgement; however, he noted that that the plaintiffs will have the opportunity to file one more motion seeking additional costs and fees. Director Hackett made a motion to direct staff to post the summary of the judgement and final judgement to the District website. Vice President Hohos seconded the motion and called for a vote. Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni – 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. ORGANIZATIONAL STRUCTURE COMMITTEE REPORT.
- D. APPROVAL OF MINUTES: JANUARY 9, 2024 REGULAR MEETING AND FEBRUARY 24, 2024 SPECIAL MEETING.

Action: Director Hackett made a motion to **accept the Treasurer's report, Operations report, the Organizational Structure Committee report, and meeting minutes** included in the consent calendar. Vice President Hohos seconded the motion and called for a vote. Director Hackett – Aye, Director Hohos – Aye, Director Kimsey – Aye, Director Ottoboni – Aye. The motion passed with a quorum.

ADJOURNMENT: Motion was made by Vice President Hohos, with a second from Director Hackett to adjourn the regular meeting at 10:56am. Vice President Hohos called for a vote. 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 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

Action: The executive (closed) session was adjourned at 11:24am with no reportable actions.

Respectfully submitted:

Susan Israel

Susan Israel, President

Date: May 11, 2024

Attest as Presented:

Heather Hackett

Heather Hackett, Secretary of the Board

Date: May 11, 2024

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, May 11, 2024 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 10:06am. Roll call of Directors in attendance: President Israel, Director Ottoboni, and Director Hackett attended in person; Director Kimsey attended via Zoom and Director Hohos was absent. General Manager Acker and Staff Assistant Forbes attended in person. Staff attending via Zoom: District Counsel Emrick, and Accounting Manager Murray.

PUBLIC INPUT: None

OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: BUDGET COMMITTEE UPDATE REVIEW OF FISCAL YEAR 2023/2024 LINE- ITEM BUDGETED V. ACTUALS.

Action: Director Ottoboni reported that while expenses currently outpace income, water usage is expected to increase in the summer months, which will increase monthly income. He noted that operations expenses are significantly lower than projected, while salaries are running around \$5,000 higher than budgeted. Director Ottoboni indicated that he would review salaries in preparation for the FY 2024/2025 budget and report back to the Board. He explained that he plans to separate fixed operations expenses from estimated costs for repairs and small equipment replacement by creating a separate emergency reserve fund in the budget for fiscal year 2024/2025. The Board accepted the report detailing income and expenses to date in relation to the FY 2024 budget **and thanked Director Ottoboni for his efforts to refine the District's funding needs.**

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

Action: **The Board accepted the Committee's report on the status of the current Proposition 218 initiative and the revised implementation schedule.** Director Hackett explained that Hazen & Sawyer has completed an inventory of **the District's pipelines and** the failure risk assessment. However, delivery of the analysis and recommendations for pipeline replacement has been delayed. She noted that SCI Consulting Group is working on the draft engineering report and will fold in the pipeline recommendations as soon as they are available. Although the Board planned to review the engineering report at this meeting, the schedule has slipped by approximately 4 weeks. The Board **accepted the Committee's recommendation to schedule special meetings to review the engineering report and accept ballot proceedings, as well as the public hearing at the end of the balloting period.**

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

Action: The Board accepted **General Manager Acker's report that** construction is complete and recent activity has focused on efforts to address Well 2 manganese levels. He explained that the application for a drinking water permit has been submitted and as soon as testing shows acceptable manganese levels, the State will process the application. Finally, General Manager Acker reported that an engineer from Brunsing Associates will complete a review and certification of the three grant projects in preparation for submission of the completion report to the State. Director Hackett reported that the District received reimbursement for invoice #8 totaling approximately \$25,000 on March 15th and will submit invoice #9 soon. She explained that once the District obtains final engineering certification, we will submit a project completion report and request release of the 10% retention withheld from previous invoices. Finally, Director Hackett noted that District staff have accomplished a huge amount of work in the two years since the grant was approved and showed a [PowerPoint presentation](#) to provide an overview of their accomplishments.

- D. DISCUSSION AND OR ACTION: ORGANIZATIONAL STRUCTURE COMMITTEE REPORT – CONSIDER REVISIONS TO THE OPERATOR LEVEL 1, OPERATOR LEVEL 2, AND STAFF ASSISTANT JOB DESCRIPTIONS. CONSIDER NEW JOB DESCRIPTIONS FOR THE GENERAL MANAGER AND SPECIAL ASSISTANT TO THE BOARD.

Action: The Board accepted **the Committee's** report summarizing efforts to develop a slate of job descriptions **that harkens back to the District's 1991 vision for staffing (Ordinance 91-3)**, which allows for the division of labor between a General Manager and a Water System Manager. Director Hackett explained that the committee considered the results of benchmarking with similarly sized water districts, as well as evaluation of the skills and abilities of current staff and recommends an organizational structure that splits line supervision of staff between the Administrative and Operational Branches with overall responsibility resting with the General Manager. She noted that the Committee is proposing an organization comprised of part-time positions, with hourly limits to be established as part of the annual budgeting process. Director Hackett explained that the Water System Manager would have the discretion to allocate the total budgeted hours among up to 3 Operator Grade 1 positions but may determine that fewer Operators are necessary, while the General Manager would have the discretion to contract for the designated support services within the annual budget. She provided an overview of the job descriptions for the General Manager / Administrator, Water System Manager (Operator Grade 2), Operator – Grade 1 Treatment, Operator – Grade 1 Distribution, Staff Assistant / Clerk, and Special Assistant to the Board, then made a motion to accept the **Organizational Structure Committee's recommendation to approve the job descriptions**. President Israel seconded the motion and called for a vote. Director Hackett – Aye, Director Kimsey – Aye, Director Ottoboni – Aye, President Israel – Aye. The motion passed with a quorum. Director Hackett made another motion **to accept the Organizational Structure Committee's recommendation to retire the 2014 version of the General Manager, Secretary to the Board / Office Clerk / Manager, Accounting Manager, Secretary to the Board / Billing Clerk, Water Treatment Plant & Distribution System Operator, and 2014 Version of the District Maintenance Worker job descriptions**. After discussion, Director Hackett withdrew the motion to retire the full slate of job descriptions and made a motion to retire the 2014 version of the General Manager and 2014 Version of the District Maintenance Worker job descriptions. President Israel seconded the motion and called for a vote. Director Hackett – Aye, Director Kimsey – Aye, Director Ottoboni – Abstain, President Israel – Aye. The motion passed with a quorum.

NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET & FINANCE COMMITTEE – UPDATE ON THE DISTRICT'S FINANCIAL AUDIT FOR FISCAL YEAR ENDING 9/30/22.

Action: The Board accepted **Accounting Manager Murray's** report that completion of the financial statement audit for fiscal year 2021/2022 has been **delayed due to the auditor's loss of key personnel**. **She explained that she is coordinating delivery of materials to the auditor and monitoring progress toward completion of the audit and will ensure that the report is ready for the July Board meeting.**

COMMUNICATIONS AND CORRESPONDENCE:

Action: The Board accepted President Israel's report that the District received correspondence from a customer who questioned her bill. The District responded and has had no further communications from the customer.

CONSENT CALENDAR:

- A. **TREASURER'S REPORT, CHECKS ISSUED.**
- B. WATER STORAGE FACILITIES/CONVEYANCE LOSS REPORT.
- C. APPROVAL OF MINUTES: MARCH 9, 2024 REGULAR MEETING.

Action: President Israel made a motion to **accept the Treasurer's report**, Operations report, and meeting minutes as amended included in the consent calendar. Director Ottoboni seconded the motion and President Israel called for a vote. Director Hackett – Aye, Director Kimsey – 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 11:22am. President Israel called for a vote. 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 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
- C. PUBLIC EMPLOYMENT (**Govt. Code § 54957**): OPERATOR LEVEL 1, OPERATOR LEVEL 2, GENERAL MANAGER, AND SPECIAL ASSISTANT TO THE BOARD

Action: The executive (closed) session was adjourned at 12:40pm. President Israel reported that the Board appointed Charlie Acker to the position of Water System Manager (Operator Level 2), as well as Acting General Manager until a new General Manager is hired. She noted that the Acting General Manager Acker will discuss appointments to the Operator Level 1 and Special Assistant to the Board at the July meeting.

Respectfully submitted:

Danielle Hohos

Danielle Hohos, Vice President

Date: July 13, 2024

Attest as Presented:

Heather Hackett

Heather Hackett, Secretary of the Board

Date: July 13, 2024

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, July 13, 2024 at 10:00 A.M. (ZOOM AND IN-PERSON)*

CALL TO ORDER AND ROLL CALL: Vice President Hohos called the regular meeting of the Irish Beach Water District Board Meeting to order at 10:02am. Roll call of Directors in attendance: Director Kimsey, Director Ottoboni, and Director Hackett attended in person; Vice President Hohos attended via Zoom; and President Israel was absent. Staff attending via Zoom: Water System Manager / Acting General Manager Acker, District Counsel Emrick, and Accounting Manager Murray.

PUBLIC INPUT: None

OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: BUDGET COMMITTEE UPDATE REVIEW OF FISCAL YEAR 2023/2024 LINE- ITEM BUDGETED V. ACTUALS.

Action: Director Ottoboni reported that while expenses continue to outpace income, he anticipates that water use will increase in the later part of the summer resulting in increased monthly income. He noted that operations expenses are significantly lower than projected, while salaries continue to run around \$5,000 higher than budgeted in part due to grant administration functions. He noted that higher employee benefits are the result of a one-time payout of accrued benefits. Director Ottoboni indicated that he projects an overall surplus at the end of the year. The Board accepted the report detailing income and expenses to date in relation to the FY 2024 budget **and thanked Director Ottoboni for his efforts to refine the District's funding needs.**

- B. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET & FINANCE COMMITTEE – UPDATE ON THE DISTRICT'S FINANCIAL AUDIT FOR FISCAL YEAR ENDING 9/30/22.

Action: The Board accepted **Special Assistant to the Board Murray's report** that the auditor is close to finishing field work and will soon commence testing activity. The Board requested that the Committee contact the auditor to discuss the schedule for the FY 2022- 2023 financial statement audit.

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

Action: **The Board accepted the Committee's report on the status of the** 2002 Capital Replacement Assessment as well as the 2024 Proposition 218 initiative. Director Ottoboni reported that the Committee is preparing to submit a request to the County for reinstatement of the 2002 Assessment and has reviewed parcel data from the County **Assessor's office** to identify the parcels subject to the proposed 2024 Assessment. Director Hackett reported that Hazen & Sawyer **completed an inventory of the District's** pipelines, the failure risk assessment, and delivered recommendations for replacement. She explained that SCI Consulting Group **incorporated Hazen & Sawyer's** recommendations and delivered a draft engineering report for District review on 6/28/24. Director Hackett noted that the Committee is reviewing the draft engineering report and will provide feedback to SCI by 7/14/24.

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

Action: The Board accepted Water System Manager / Acting **General Manager Acker's report** that recent activity has focused on efforts to address Well 2 manganese levels. He explained that the application for a drinking water permit has been submitted and as soon as testing shows acceptable manganese levels, the State will process the application. Finally, General Manager Acker reported that an engineer from Brunsing Associates conducted a site visit to inspect the three grant projects for compliance with plans and specifications. The District is awaiting receipt of the certification report. Director Hackett reported that the District submitted invoice #9 for \$7,024.81 and is expecting reimbursement in late July or early August. She noted that the District has \$1,030.70 in remaining grant

funding and explained that once the District obtains final engineering certification, a project completion report and request release of the 10% retention withheld from previous invoices will be submitted to the state.

NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET COMMITTEE – BOARD CONSIDERATION OF THE PROPOSED FISCAL YEAR 2024-25 BUDGET. (OTTOBONI)

Action: Director Ottoboni provided an overview of the draft fiscal year 2024 – 2025 budget. He noted that the budget has been updated to a monthly format to reflect income and expenses more accurately, and explained his recommendation to reduce the number of accounting codes by consolidating all Operations labor costs, PG&E costs, and several separate administrative supplies and services into single accounting codes. The Board **approved Director Ottoboni's proposal to reduce the number of accounting codes** to reduce staff time required for timekeeping and accounting, and to better align with the State Special District Uniform Accounting and Reporting procedures.

- B. DISCUSSION AND OR ACTION: REPORT FROM THE WATER SYSTEM MANAGER – DISTRICT RESPONSE TO TIMBER HARVEST PLAN 1-24-00075.

Action: The Board accepted Water System Manager / **Acting General Manager Acker's report** of his discussion with the State Water Resources Control Board, and with Russell Kobayashi, the professional forester managing Timber Harvest Plan 1-24-00075-MEN. He explained that he met with Mr. Kobayashi and toured District facilities to highlight concerns regarding the potential impact on District infrastructure, as well as the unpaved portion of Hillcrest Drive that the District recently spent tens of thousands of dollars to repair and upgrade. Manager Acker reported that Mr. Kobayashi plans to refrain from harvesting the timber on the hillside above the Irish Gulch upper diversion. He also explained that the California Department of Forestry will provide oversight and will serve as the enforcement entity in the event of damage resulting from timber harvest activities.

COMMUNICATIONS AND CORRESPONDENCE: None

CONSENT CALENDAR:

- A. **TREASURER'S REPORT, CHECKS ISSUED.**
B. WATER STORAGE FACILITIES/CONVEYANCE LOSS REPORT.
C. ORGANIZATIONAL STRUCTURE COMMITTEE REPORT
D. APPROVAL OF MINUTES: MAY 11, 2024 REGULAR MEETING.

Action: Director Hackett made a motion to **accept the Treasurer's report, Operations report**, Organizational Structure Committee report, and meeting minutes included in the consent calendar. Director Ottoboni seconded the motion and Vice President Hohos called for a vote. Director Hackett – Aye, Director Kimsey – Aye, Director Ottoboni – Aye, Vice President Hohos - Aye. The motion passed with a quorum.

ADJOURNMENT: Motion was made by Vice President Hohos, with a second from Director Hackett to adjourn the regular meeting at 11:00am. Vice President Hohos called for a vote. 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 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
- C. PUBLIC EMPLOYMENT (**Govt. Code § 54957**): OPERATOR LEVEL 1 AND SPECIAL ASSISTANT TO THE BOARD

Action: The executive (closed) session was adjourned at 12:00pm. Vice President Hohos reported that the Board accepted Water System Manager / Acting General Manager **Acker's report that he has appointed RJ Dial and Brant O'Dell to the positions of** Treatment Operator Level 1, Erik Malm to the position of Distribution Operator Level 1, and Judy Murray to the Position of Special Assistant to the Board. She noted that Acting General Manager Acker will discuss changes to the Staff Assistant position with the Board at the September meeting.

Respectfully submitted:

Danielle Hohos

Danielle Hohos, Vice President

Date: September 14, 2024

Attest as Presented:

Heather Hackett

Heather Hackett, Secretary of the Board

Date: September 14, 2024

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, August 10, 2024 at 10:00 A.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 10:13am. Roll call of Directors in attendance: President Israel, Director Hohos, Director Ottoboni, and Director Hackett attended in person; Director Kimsey was absent. Water System Manager / Acting General Manager Acker attended in person; Staff attending via Zoom included District Counsel Emrick, Special Assistant to the Board Murray, and Distribution Operator Dial.

PUBLIC INPUT:

Action: President Israel introduced the Proposition 218 Committee, John Bliss, President of SCI Consulting Group, and Melanie Lee, Consultant for SCI Consulting Group. Director Hackett, Director Ottoboni, Water System Manager / Acting General Manager Acker, John Bliss, and Melanie Lee provided **an overview of the District's capital improvement projects** and the proposed assessment. The PowerPoint presentation is available on the **District's website**.

Melanie Lee opened the discussion to the public for questions about the proposed Assessment. Several members of the public attending in person and via zoom asked questions about the initiative, which the Proposition 218 Committee and SCI Consulting Group answered. The Proposition 218 Committee and SCI Consulting Group encouraged participants to watch the mail for their ballots and to join the virtual Community Meeting on September 16, 2024 at 6:30pm if they have additional questions.

OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: REPORT FROM THE PROP 218 COMMITTEE - BOARD CONSIDERATION OF RESOLUTION 2024-5 INITIATING PROCEEDINGS, PROVIDING THE INTENTION TO LEVY ASSESSMENTS, PRELIMINARILY APPROVING ENGINEER'S REPORT, AND PROVIDING FOR NOTICE OF HEARING, AND THE MAILING OF ASSESSMENT BALLOTS FOR THE IRISH BEACH WATER DISTRICT 2024 WATER SYSTEM UPGRADE AND SUSTAINABILITY ASSESSMENT; AND RESOLUTION 2024-6 ADOPTING PROPOSITION 218 ASSESSMENT BALLOT PROCEEDINGS PROCEDURES. (ACKER, EMRICK, HACKETT, OTTOBONI, SCI CONSULTING GROUP)

Action: Director Hackett highlighted sections of the engineering report prepared by SCI Consulting Group and indicated that she believes that the proposed assessment will serve the District and its residents well for many years to come. She explained that to move forward with the assessment, the Board must consider two resolutions: 2024-5, which provides for the approval of the Engineering Report, establishes the date for the Public Hearing, and directs the Board Secretary to issue notice of the Public Hearing; and 2024-6, which provides a detailed process for conducting Ballot Proceedings.

Director Hackett made a motion to approve Resolution 2024-5 - Providing the Intention to Levy Assessments, **Preliminarily Approving the Engineer's Report**, and Providing for Notice of Hearing and the Mailing of Assessment Ballots for the Irish Beach Water District 2024 Water System Upgrade and Sustainability Assessment. Director Hohos seconded the motion and 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 made a motion to approve Resolution 2024-6 Adopting Proposition 218 Assessment Ballot Proceedings Procedures. President Israel seconded the motion and called for a vote. Director Hackett – Aye, Director Hohos – Aye, Director Ottoboni – Aye, President Israel - Aye. The motion passed with a quorum.

ADJOURNMENT. (ISRAEL)

Motion was made by President Israel, with a second from Director Hackett to adjourn the special meeting at 11:23am. President Israel called for a vote. The motion passed with a quorum.

Respectfully submitted:

Susan Israel

Susan Israel, President

Date: September 14, 2024

Attest as Presented:

Heather Hackett

Heather Hackett, Board Secretary

Date: September 14, 2024

*IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
Saturday, September 14, 2024, 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. Roll call of Directors in attendance: President Israel, Director Ottoboni, and Director Hackett attended in person; Director Hohos and Director Kimsey attended via Zoom. Staff attending in person included: Water System Manager / Acting General Manager Acker and Special Assistant to the Board Murray. District Counsel Emrick and Treatment Operator Dial attended via Zoom.

PUBLIC INPUT: None

OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: BUDGET COMMITTEE UPDATE REVIEW OF FISCAL YEAR 2023/2024 LINE- ITEM BUDGETED V. ACTUALS.

Action: Director Ottoboni reported that with the fiscal year nearing conclusion income has increased and is even with expenses, but he does not anticipate that the reserve account will increase this year. The Board discussed administrative salary costs, which have exceeded budgeted levels throughout the year, and directed the Organizational Structure Committee to review administrative functions to determine what is driving increased salary costs. The Board accepted the report detailing income and expenses to date in relation to the FY 2023-2024 budget and thanked Director Ottoboni for his efforts.

- B. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET & FINANCE COMMITTEE -- BOARD CONSIDERATION OF THE PROPOSED FISCAL YEAR 2024-25 BUDGET AND CONSIDERATION OF PROCEDURES TO REFUND THE BALANCES OF THE MALLO PASS AND SYSTEM-WIDE FUNDS

Action: Director Ottoboni reviewed the fiscal year 2024-2025 budget, which includes monthly projections for income and expenses, as well as a reduced number of account lines to simplify reporting and tracking. He explained that while the budget format and expense tracking will change, the water usage and water service charges will remain consistent with the rates charged in FY 2023-2024. Director Hackett made a motion to approve Resolution 2024-07 **Documenting the Approval of the District's FY 2024-2025 Operating Budgets for Water**. President Israel seconded the motion and called for a vote. Director Hackett – Aye, Director Kimsey – Aye, Director Ottoboni – Aye, Vice President Hohos – Aye, President Israel – Aye. The motion passed unanimously.

- C. DISCUSSION AND OR ACTION: REPORT FROM THE BUDGET & FINANCE COMMITTEE – UPDATE ON THE DISTRICT'S FINANCIAL AUDIT FOR FISCAL YEAR ENDING 9/30/22.

Action: The Board accepted **Director Ottoboni's report** that the District has received the draft audit report for review and anticipates that the final audit report will be received in time for the November meeting.

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

- Action: The Board accepted the **Committee's** report on the status of the 2002 Capital Replacement Assessment as well as the 2024 Proposition 218 initiative. Director Ottoboni reported that the Capital Replacement portion of the 2002 Assessment has been submitted to the County for inclusion in the next property tax bills. Director Hackett reported that 323 ballots for the proposed 2024 Water System Upgrade and Sustainability Assessment were mailed on 8/19/24, and 105 ballots had been returned as of 9/13/24. She explained that SCI Consulting Group and the Prop. 218 Committee would host a virtual community meeting on 9/16/24 to provide another opportunity to address questions in advance of the conclusion of the balloting period.

- E. DISCUSSION AND OR ACTION: REPORT FROM THE WATER SYSTEM MANAGER & DISTRICT COUNSEL – TIMBER HARVEST PLAN 1-24-00075.

Action: The Board accepted Water System Manager / Acting **General Manager Acker's report** detailing his most recent discussion with Timber Harvest Manager Russell Kobayashi. He indicated that the District plans to remove the temporary tank currently located along the unpaved portion of Hillcrest Drive since it has exposed pipes that might be damaged during the harvest. Manager Acker also explained that the District will contact the California Department of Forestry, the organization with regulatory authority over the timber harvest, if road conditions are negatively affected by the equipment using the road during the harvest. District Counsel Emrick explained that any effort to limit use of the paved portion of Hillcrest Drive would have no impact on District operations.

NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: : REPORT FROM THE LITIGATION COMMITTEE – STATUS OF 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

Action: District Counsel Emrick **provided an overview of the Superior Court's ruling on costs and attorney fees for the T5 Well litigation.** He explained that the plaintiffs sought attorney fees totaling \$632,470 and the trial court awarded \$48,614. Counsel Emrick reported that the plaintiffs sought to recover \$206,875 in trial related costs and the trial court awarded \$16,984. The Board thanked District Counsel Emrick for guiding the District through the litigation and directed staff to post the court orders as well as the summary to the **District's website.**

COMMUNICATIONS AND CORRESPONDENCE: None

CONSENT CALENDAR:

- A. **TREASURER'S REPORT, CHECKS ISSUED.**
B. WATER STORAGE FACILITIES/CONVEYANCE LOSS REPORT.
C. SMALL COMMUNITY DROUGHT RELIEF GRANT ADMINISTRATION & OVERSIGHT REPORT
D. APPROVAL OF MINUTES: JULY 13, 2024, REGULAR MEETING AND THE AUGUST 10, 2024, SPECIAL MEETING.

Action: President Israel made a motion to **accept the Treasurer's report, Operations report** as amended, Grant Committee report, and meeting minutes included in the consent calendar. Director Hackett seconded the motion and President Israel called for a vote. Director Hackett – Aye, Director Kimsey – Aye, Director Ottoboni – Aye, Vice President Hohos - Aye, President Israel – Aye. The motion passed unanimously.

ADJOURNMENT: Prior to adjourning the meeting, President Israel noted that Water System Manager / Acting General Manager Acker would shift from a management role to an Operator role effective September 30th and thanked him for serving the community for more than 30 years. President Israel made motion, with a second from Director Hackett to adjourn the regular meeting at 10:40am. President Israel called for a vote. 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 BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. 23CV00273
B. PUBLIC EMPLOYMENT (**Govt. Code § 54957**): STAFF ASSISTANT

Action: The executive (closed) session was adjourned at 11:24am with no reportable actions.

Respectfully submitted:

Danielle Hohos

Danielle Hohos, Vice President

Date: November 9, 2024

Attest as Presented:

Heather Hackett

Heather Hackett, Secretary of the Board

Date: November 9, 2024