

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

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