

**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 30<sup>th</sup> 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