

## EXHIBIT "A"

### MINUTES OF REGULAR MEETING – January 11, 2021

The regular meeting of the Board of Directors of the Irvine Ranch Water District (IRWD) was called to order at 5:00 p.m. by President Reinhart on January 11, 2021 via teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20 due to COVID-19. Members of the public did not attend this meeting in person.

Directors Present: Withers, Swan, McLaughlin, LaMar and Reinhart.

Directors Absent: None.

Also Present: General Manager Cook, Executive Director of Technical Services Burton, Executive Director of Water Policy Weghorst, Executive Director of Finance and Administration Clary, Director of Treasury and Risk Management Jacobson, Executive Director of Operations Chambers, Director of Recycling Operations Zepeda, Director of Information Services Malone, Director of Water Resources Sanchez, Director of Maintenance Mykitta, Government Relations Officer/Deputy General Counsel Compton, Secretary Bonkowski, General Counsel Collins, Special Legal Counsel Robinson, and members of staff and the public.

WRITTEN AND ORAL COMMUNICATIONS: None.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED: None.

### PRESENTATIONS

General Manager Cook presented proclamations to Beth Beeman, retired Director of Public Affairs for her 18 years of service to the District, Jeff Bertsch, retired Networking and Cybersecurity Manager, for his 27 years of service to the District, and Tanja Fournier, retired Treasury Manager, for her 28 years of service to the District.

### CONSENT CALENDAR

On MOTION by Withers, seconded by Swan, and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes, ITEMS 4 THROUGH 9 WERE APPROVED AS FOLLOW:

#### 4. BOARD MEETING MINUTES

Recommendation: That the minutes of the December 14, 2020 Regular Board meeting be approved as presented.

#### 5. RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS

Recommendation: That the Board ratify/approve the meetings and events for Karen McLaughlin, Steve LaMar and John Withers, as described.

## CONSENT CALENDAR (CONTINUED)

### 6. MEMORANDUM ON OFFICERS OF THE BOARD, COMMITTEE APPOINTMENTS AND OTHER ASSIGNMENTS

Recommendation: That the Board receive and file the memorandum dated January 11, 2021, titled Officers of the Board, Committee Appointments and Other Assignments and approve attendance for meetings and events for the Board's representation for calendar year 2021 as delineated.

### 7. SAND CANYON OFFICE SPACE IMPROVEMENT PROJECT FINAL ACCEPTANCE

Recommendation: That the Board accept construction of the Sand Canyon Office Space Improvement, Projects 01257, 01336, and 01549, authorize the General Manager to file a Notice of Completion, and authorize the release of retention 35 days after filing of the Notice of Completion.

### 8. INTEREST RATE SWAPS – LIBOR INDEX TRANSITION

Recommendation: That the Board approve adherence to the International Swap and Derivatives Association 2020 LIBOR Fallback Protocol for IRWD's \$60 million notional fixed payer interest rate swaps and authorize the Treasurer to take steps to adhere to the ISDA Protocol prior to January 25, 2021.

### 9. FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE SAN JOAQUIN RESERVOIR FILTRATION FACILITY PROJECT

Recommendation: That the Board find on the basis of the whole record before it (including the Final Initial Study/Mitigated Negative Declaration and the comments received) that there is no substantial evidence that the San Joaquin Reservoir Filtration Facility Project will have a significant effect on the environment and that the Final Mitigated Negative Declaration reflects IRWD's independent judgment and analysis, adopt the proposed Final Mitigated Negative Declaration for the San Joaquin Reservoir Filtration Facility Project and the associated Mitigation Monitoring and Reporting Program, approve the San Joaquin Reservoir Filtration Facility Project, and authorize staff to post and file a Notice of Determination.

## ACTION CALENDAR

### FINAL ENVIRONMENTAL IMPACT REPORT FOR KERN FAN GROUNDWATER STORAGE PROJECT

Using a PowerPoint Presentation, Director of Water Resources Sanchez reported that the Groundwater Banking Joint Powers Authority (The Authority) as the Lead Agency, in consultation with Rosedale-Rio Bravo Water Storage District (Rosedale) and IRWD as Responsible Agencies, proposes the development of the Kern Fan Groundwater Storage Project. The proposed project would provide a regional water bank to capture, recharge and store water for later use in providing water supply reliability for IRWD and Rosedale. The proposed project would also provide ecosystem and other benefits in exchange for Water Storage Investment

Program funding from the State of California. The proposed project will allow Rosedale and IRWD to manage sources of water supply more effectively by using available underground storage in the local San Joaquin Valley Groundwater Basin.

Ms. Sanchez provided highlights and said that the proposed Project would: 1) include the construction of up to 1,300 acres of recharge basin facilities and up to 12 recovery wells on project properties, 2) consist of a canal, pipelines, pump stations and a new turnout at the California Aqueduct to convey water between the project facilities and the California Aqueduct, 3) be operated such that surplus surface water from the State Water Project, Central Valley Project, Kern River and other available water sources could be recharged and stored for subsequent recovery and use, and 4) be able to recharge and store up to 100,000 acre-feet of water.

Ms. Sanchez said that pursuant to the requirements of California Environmental Quality Act (CEQA) Guidelines, a Notice of Preparation was publicly circulated for 30 days on April 8, 2020 and a public scoping meeting was held on April 29, 2020 with the purpose of the meeting to provide the public and governmental agencies information on this process and to give further opportunities to identify environmental issues and alternatives for consideration in the Environmental Impact Report (EIR). She said that on October 19, 2020, Rosedale filed a Notice of Completion of a Draft Environmental Impact Report for the proposed project with the Governor's Office of Planning and Research for the 45-day public review period. A Notice of Availability of the Draft EIR was posted on October 16, 2020 with the County Clerks in Kern County and Orange County and a public meeting held at Rosedale in Bakersfield on November 4, 2020. No comments were offered from the audience at the public meeting. She further said that nine letters providing comments on the Draft EIR were received during the public review period. The agencies that provided comments are the California Department of Water Resources, California Department of Water Resources Division of Safety of Dams, California Department of Fish and Wildlife, West Kern Water District, Kern County Water Agency, Kern Water Bank Authority, Metropolitan Water District of Southern California, Dudley Ridge Water District and City of Bakersfield. She said that the Authority, in consultation with Rosedale and IRWD, reviewed all the written comments received on the Draft EIR and prepared detailed responses to comments directed to any significant environmental issues. She then described the key comments and noted that they related to the need for clarification or detail, and misconceptions. She said that written responses were provided to the commenting agencies, and that some revisions were made to the text in the Draft EIR.

Ms. Sanchez said that on December 28, 2020, the Authority adopted a resolution certifying the Final EIR, and that as a responsible agency, IRWD must comply with CEQA by considering the EIR that was prepared and certified by the Authority. She said that IRWD's consideration must be given to the environmental effects of the Project prior to reaching a decision on the Project, and that additionally, IRWD must approve findings related to the Project and file a Notice of Determination.

Director Swan reported that The Authority reviewed this item in December 2020 with a considerable discussion, and reviewed various issues with certification. Following discussion, on MOTION by Swan, seconded by Reinhart, and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes, THE BOARD DIRECTED STAFF TO INCORPORATE INTO THE DRAFT FINDINGS AS PRESENTED IN THIS MEETING SUCH REVISIONS AS MAY BE NECESSARY TO CONFORM THE FINDINGS TO ANY INFORMATION THAT MAY BE RECEIVED AFTER PREPARATION

OF SAID FINDINGS AND PRIOR TO THIS ACTION, INCLUDING ANY CHANGES MADE IN THE FINDINGS BY THE AUTHORITY IN ADOPTING THE FINAL ENVIRONMENTAL IMPACT REPORT AND COMMENTS FROM THE BOARD AT THIS MEETING; DIRECTED THAT THE FINDINGS, AS SO REVISED, BE ATTACHED TO THE BELOW-MENTIONED RESOLUTION, AND ADOPTED THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2021 -1

RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRVINE RANCH WATER DISTRICT RELATIVE TO ITS CONSIDERATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE KERN FAN GROUNDWATER STORAGE PROJECT; ADOPTING WRITTEN FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING A MITIGATION, MONITORING AND REPORTING PROGRAM; APPROVING THE PROJECT; AND AUTHORIZING THE FILING OF A NOTICE OF DETERMINATION TO PROCEED WITH THE PROJECT

REVISED PERSONNEL POLICIES AND PROCEDURES: PERSONNEL POLICY NO. 44 AND NO. 46

Government Relations Officer / Deputy General Counsel Compton reported that the District has adopted Personnel Policies and Procedures to consistently address personnel-related issues at IRWD and to keep these policies current, staff regularly reviews and recommends updates and revisions when appropriate. Ms. Compton said that staff recently undertook an evaluation of IRWD Personnel Policies and Procedures related to the use of the District's computer systems, email, and public records to ensure compliance with current employment and labor laws and regulations, and as a result of the review, it was determined that Policy No. 44 – Electronic Mail and Policy No. 46 – Access and Use of the Internet should be updated to reflect the District's current use of computer systems, electronic messaging platforms, and other technology. She said that additionally, the review revealed that IRWD's Personnel Policies and Procedures currently did not address the use of personal computers and accounts for District business, so the existing policies were updated to address the use of personal computers and accounts, and to address Public Records Act requests related to public records on personal computer systems and accounts. She said that the resolutions and policies are provided in the exhibit, and that when changes are made to policies, that all personal policies are readopted as a unit.

Director Swan reported that this item was reviewed by the Finance and Personnel Committee on January 5, 2021. Following discussion, on MOTION by Swan, seconded by LaMar and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes, THE BOARD ADOPTED THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2021 -2

RESOLUTION OF THE BOARD OF DIRECTORS  
OF IRVINE RANCH WATER DISTRICT,  
SUPERSEDING RESOLUTION NO. 2019-7  
AND ESTABLISHING REVISED PERSONNEL  
POLICIES AND PROCEDURES

## GENERAL MANAGER'S REPORT

For the COVID-19 update, General Manager Cook reported that IRWD staff was impacted by the holiday surge in COVID cases; thankfully, none of the exposures appear to have occurred at work. He said that a couple of crews were together over the weekend and unfortunately one of the employees tested positive, so those crews are now in quarantine. Mr. Cook said that staff has updated the IRWD Business Continuation Plan to reflect the current notification criteria due to recent legislation.

Mr. Cook said that the District has now \$1.6 million in outstanding receivables from customers, and that staff is beginning to receive more calls from customers interested in making payment arrangements and applying for temporary variances during this time. IRWD's customer satisfaction rate remains high at 93%. He further reported that Customer Service staff are working proactively with residents to deal with the recent wildfires and adjusting monthly bills.

Mr. Cook updated the Board relative to Williams Canyon where in 2009 rains washed away a portion of the creek. He said that this area now requires more rip-rap and repairs due to ongoing erosion in advance of mudslide that could come as a result of the recent fires. Staff is working with the community and is also obtaining necessary permits for making road repairs.

Mr. Cook updated the Board on a request from Supervisor Wagner's office to potentially partner for a USDA conservation grant if a nexus is found.

Mr. Cook said that he was contacted by the Los Angeles Times relative to IRWD's perspective on the Huntington Beach Poseidon project.

Using a PowerPoint presentation, Mr. Cook provided the Board an overview of the Sand Canyon headquarters "refresh" project with photos.

## DIRECTOR COMMENTS

Director LaMar reported on his attendance at a MWDOC Board Workshop with MWD Directors, a WACO meeting, and a Southern California Water Committee annual meeting.

Director Withers reported on his attendance at the Chapman University Annual Economic Forecast, an Elected Official Outreach and Local Government Public Affairs meeting, an ISDOC Executive Committee meeting, a WACO meeting, and an OCWD webinar on stormwater in southern California.

Director Swan reported on his attendance at various MWDOC meetings, a WACO meeting, an OCBC Government Affairs meeting, a Special Groundwater Water meeting on Kern Fan, a variety of meetings at the San Joaquin Wildlife Sanctuary, a Newport Bay Watershed Committee meeting, and an OCWD stormwater capture webinar.

Director McLaughlin reported on her attendance at an orientation meeting with General Manager Cook and a WACO meeting.

Director Reinhart reported on his attendance at MWDOC and OCWD meetings, a SOCWA Board meeting, a Chapman University Economic Forecast, a WACO meeting and a kickoff meeting relative to MWDOC's South County open seat where he is a member of the Selection Committee.

President Reinhart asked that tonight’s meeting be closed in memory of both Mr. Raymond Miller, a former SOCWA Board member, and Mr. Brian Ragland, the Water Manager from the City of Huntington Beach. Present Reinhart reflected on Mr. Miller’s many years of service to the water industry in Orange County and beyond. Mr. Cook related how thoughtful and generally well-liked Mr. Ragland was, especially among the Orange County Groundwater Producer Agencies.

CLOSED SESSION

General Manager Cook said that the CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): (1 case) would not be held this evening.

Legal Counsel Collins said that CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *Kessner, et al. v. City of Santa Clara, IRWD, et al.*, Santa Clara County Superior Court Case No. 20CV364054 would be held this evening.

OPEN SESSION

Following the Closed Session, the meeting was reconvened with Directors McLaughlin, Swan, Reinhart, LaMar and Withers present. No action was reported.

ADJOURNMENT

There being no further business President Reinhart adjourned the meeting in memory of Mr. Raymond Miller and Mr. Brian Ragland.

APPROVED and SIGNED this 25th day of January 2021.

---

President, IRVINE RANCH WATER DISTRICT

---

Secretary IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

---

Claire Hervey Collins, General Counsel  
Hanson Bridgett LLP