

EXHIBIT “A”

MINUTES OF REGULAR MEETING – June 28, 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 June 28, 2021 in person at the District’s headquarters located at 15600 Sand Canyon Avenue, Irvine, California and via teleconference pursuant to the provisions of the Governor’s Executive Order N-08-21 due to COVID-19. Members of the public also attended this meeting in person.

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

Directors Absent: None.

Also Present: General Manager Cook, Executive Director of Water Policy Weghorst, Executive Director of Technical Services Burton, Executive Director of Operations Chambers, Executive Director of Finance and Administration Clary, Director of Treasury and Risk Management Jacobson, Director of Water Quality and Regulatory Compliance Colston, Director of Recycling Operations Zepeda, Director of Information Services Malone, Director of Water Resources Sanchez, Director of Maintenance Mykitta, Director of Human Resources Mitcham, Director of Strategic Communications and Advocacy/Deputy General Counsel Compton, Secretary Bonkowski, Assistant Secretary Swan, General Counsel Collins, Special Counsel Casey, Consultant Newell, and others.

WRITTEN AND ORAL COMMUNICATIONS: None.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED: None.

PRESENTATIONS

DISTRICT TRANSPARENCY CERTIFICATE OF EXCELLENCE ACHIEVEMENT

Public Affairs Field Coordinator Chris Palmer from the California Special Districts Association presented the Special District Leadership Foundation’s *District Transparency Certificate of Excellence* to IRWD, reflecting IRWD’s dedication to being fully transparent, and open and accessible to the public and other stakeholders.

ADDENDUM TO IRWD’S 2015 URBAN WATER MANAGEMENT PLAN

General Manager Cook reported that a draft of an addendum to IRWD’s 2015 Urban Water Management Plan (UWMP) had been prepared in accordance with Delta Stewardship Council (DSC) Policy WR-P1. Mr. Cook said that the addendum includes all required elements consistent with Policy WR-P1 to cover certain water supply-related actions in the Sacramento-San Joaquin Delta. He said that Appendix J is being added as an addendum which indicates that suppliers shall demonstrate compliance commencing in 2015.

President Reinhart declared this to be the time and place for a hearing on the report relative to an addendum to the 2015 Urban Water Management Plan and declared the hearing open. He asked the Secretary how the hearing was noticed.

Secretary Bonkowski said that the report was filed with her on June 3, 2021 and notice of the filing of the report and the time and place of this hearing was published in the Orange County Register on June 6, 2021, and June 13, 2021. She said additionally that a notice of the hearing was also posted at the District office on June 2, 2021.

On MOTION by Swan, seconded by LaMar and unanimously carried, THE AFFIDAVIT OF POSTING AND THE PROOF OF PUBLICATION PRESENTED BY THE SECRETARY WAS RECEIVED AND FILED.

President Reinhart asked Legal Counsel to describe the nature of the proceedings. Legal Counsel Collins said that in accordance with applicable law, including but not limited to Water Code §10642, a public hearing is required to provide members of the public and other interested entities an opportunity to be heard in connection with proposed adoption of the Addendum to the 2015 UWMP.

Using a PowerPoint presentation, Water Resources Manager Welch provided an overview of the purpose of the addendum to the 2015 Urban Water Manager Plan. Director Swan said that there was a gross misunderstanding on what reduced reliance on the Delta means, and he said he would approve this item with the understanding that reduced reliance on the Delta would not require any actions in this plan. This was confirmed by staff.

President Reinhart asked the Secretary whether there have been any written communications. Secretary Bonkowski said that there were none.

President Reinhart inquired whether there is anyone present who wished to address the Board concerning an addendum to the 2015 Urban Water Management Plan. There were none.

President Reinhart asked whether there are any comments or questions from members of the Board of Directors. There were none.

On MOTION by LaMar, seconded by McLaughlin, and unanimously carried, THE HEARING WAS CLOSED AND THE FOLLOWING RESOLUTION WAS ADOPTED BY TITLE:

RESOLUTION NO. 2021 – 10

RESOLUTION OF THE BOARD OF DIRECTORS
OF IRVINE RANCH WATER DISTRICT ADOPTING
AN ADDENDUM TO ITS 2015 URBAN WATER
MANAGEMENT PLAN

IRWD's 2020 WATER SHORTAGE CONTINGENCY PLAN

General Manager Cook said that staff had prepared an update of IRWD's Water Shortage Contingency Plan (WSCP) to address changes in legislative requirements and to reflect updates to IRWD's projected water supplies.

President Reinhart declared this to be the time and place for a hearing on the report relative to the IRWD's 2020 Water Shortage Contingency Plan and declared the hearing open. He asked the Secretary how the hearing was noticed.

Secretary Bonkowski said that the report was filed with her on June 3, 2021 and notice of the filing of the report and the time and place of this hearing was published in the Orange County Register on June 6, 2021, and June 13, 2021. She said additionally that a notice of the hearing was also posted at the District office on June 2, 2021.

On MOTION by Swan, seconded by McLaughlin and unanimously carried, THE AFFIDAVIT OF POSTING AND THE PROOF OF PUBLICATION PRESENTED BY THE SECRETARY WAS RECEIVED AND FILED.

President Reinhart asked Legal Counsel to describe the nature of the proceedings. Legal Counsel Collins said that IRWD prepared the IRWD 2020 Water Shortage Plan pursuant to the requirements of Water Code § 10632 and incorporates new legislative requirements, and the public hearing provides members of the public and other interested entities with the opportunity to be heard in connection with proposed Plan.

President Reinhart asked the Secretary whether there have been any written communications. Secretary Bonkowski said that there were none.

President Reinhart inquired whether there is anyone present who wished to address the Board concerning the IRWD 2020 Water Shortage Plan. There were none.

President Reinhart asked whether there are any comments or questions from members of the Board of Directors. There were none.

On MOTION by Swan, seconded by LaMar, and unanimously carried, THE HEARING WAS CLOSED AND THE FOLLOWING RESOLUTION WAS ADOPTED BY TITLE:

RESOLUTION NO. 2021 –11

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT RESCINDING
RESOLUTION 2018-13 AND ADOPTING IRWD'S 2020
WATER SHORTAGE CONTINGENCY PLAN

IRWD'S 2020 URBAN WATER MANAGEMENT PLAN

General Manager Cook reported that a draft of IRWD's 2020 Urban Water Management Plan (UWMP) has been prepared in accordance with the Urban Water Management Planning Act of 1983 (Act), as amended.

President Reinhart declared this to be the time and place for a hearing on the report relative to an addendum to the IRWD's 2020 Urban Water Management Plan and declared the hearing open. He asked the Secretary how the hearing was noticed.

Secretary Bonkowski said that the report was filed with her on June 3, 2021 and notice of the filing of the report and the time and place of this hearing was published in the Orange County Register on June 6, 2021, and June 13, 2021. She said that a notice of the hearing was also posted in the District office on June 2, 2021.

On MOTION by Swan, seconded by McLaughlin and unanimously carried, THE AFFIDAVIT OF POSTING AND THE PROOF OF PUBLICATION PRESENTED BY THE SECRETARY WAS RECEIVED AND FILED.

President Reinhart asked Legal Counsel to describe the nature of the proceedings. Legal Counsel Collins said that IRWD prepared the IRWD 2020 Urban Water Manager Plan and pursuant to Water Code § 10621, it provides an opportunity for all persons interested to be heard concerning any matter set forth in the UWMP.

President Reinhart asked the Secretary whether there have been any written communications. Secretary Bonkowski said that there were none.

President Reinhart inquired whether there is anyone present who wished to address the Board concerning the IRWD 2020 Water Shortage Plan. There were none.

President Reinhart asked whether there are any comments or questions from members of the Board of Directors. There were none.

On MOTION by Swan, seconded by LaMar, and unanimously carried, THE HEARING WAS CLOSED AND THE FOLLOWING RESOLUTION WAS ADOPTED BY TITLE:

RESOLUTION NO. 2021 –12

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT
RESCINDING RESOLUTION NO. 2016-9 AND ADOPTING
IRWD's 2020 URBAN WATER MANAGEMENT PLAN

CONSENT CALENDAR

On MOTION by Withers, seconded by LaMar and unanimously carried, CONSENT CALENDAR ITEMS 7 THROUGH 13 WERE APPROVED AS FOLLOWS:

7. BOARD MEETING MINUTES

Recommendation: That the minutes of the June 14, 2021 and June 21, 2021 Regular Board meetings be approved as presented.

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

Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Karen McLaughlin, Douglas Reinhart, Peer Swan, and John Withers, as described.

CONSENT CALENDAR (CONTINUED)

9. TREASURY REPORTS

Recommendation: That the Board receive and file the Treasurer's Investment Summary Report, the Summary of Fixed and Variable Rate Debt, and Disclosure Report of Reimbursements to Board Members and staff, approve the May 2021 Summary Of Payroll ACH payments in the total amount of \$2,131,527, and approve the May 2021 Accounts Payable Disbursement Summary of Warrants 417885 through 418629 through, Workers' Compensation Distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$14,170,854.

10. IRVINE LAKE ACCESS AND USE LICENSE EXTENSION

Recommendation: That the Board authorize the General Manager to execute a Second Amendment to the license agreement between IRWD, the County of Orange and Serrano Water District to extend the term of the fishing concession at Irvine Lake for a period of up to one year.

11. MEMORANDUM OF UNDERSTANDING WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (AFL-CIO LOCAL #47) SUPERVISOR UNIT EMPLOYEES – JULY 1, 2021, THROUGH JUNE 30, 2023

Recommendation: That the Board authorize the General Manager to execute a Memorandum of Understanding with the International Brotherhood of Electrical Workers Local #47 Supervisor Unit Employees, effective July 1, 2021, through June 30, 2023, subject to non-substantive changes.

12. MEMORANDUM OF UNDERSTANDING WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (AFL-CIO LOCAL #47) GENERAL UNIT EMPLOYEES – JULY 1, 2021, THROUGH JUNE 30, 2023

Recommendation: That the Board authorize the General Manager to execute a Memorandum of Understanding with the International Brotherhood of Electrical Workers Local #47 General Unit Employees, effective July 1, 2021, through June 30, 2023, subject to non-substantive changes.

13. IRWD SALARY GRADE SCHEDULE CHANGES FOR GENERAL UNIT AND NON-EXEMPT SUPERVISOR UNIT EMPLOYEES FOR FISCAL YEAR 2021-22

Recommendation: That the Board adopt the following resolution by title superseding Resolution No. 2021-9 and adopting a revised Schedule of Positions and Salary Rate Ranges for the General Unit, Non-exempt Supervisor Unit, and for Managers, Exempt Supervisors, Confidential and Exempt Employees.

CONSENT CALENDAR (CONTINUED)

RESOLUTION NO. 2021 –13

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT, SUPERSEDING
RESOLUTION NO. 2021-9 AND ADOPTING A REVISED
SCHEDULE OF POSITIONS AND SALARY RATE
RANGES

ACTION CALENDAR

PARTICIPATION IN VOLUNTARY FALLOWING PROGRAM

Executive Director of Water Policy Weghorst reported that in 2016 and 2017, IRWD purchased approximately 3,100 acres of farmland within Palo Verde Irrigation District (PVID). Mr. Weghorst said that PVID provides approximately 450,000 acre-feet (AF) of water per year to 91,400 acres of productive farmland on a first priority basis. Of the nearly 3,100 acres of land owned by IRWD, 2,845 acres are irrigable water toll acres, all of which are enrolled in the Metropolitan/PVID Fallowing Program. He said that under the Fallowing Program terms, IRWD is required to fallow a minimum of 242 acres up to a maximum of 969 acres.

Mr. Weghorst said that because of current dry conditions, Lake Mead is projected to fall to record-low levels in the next few years, which could trigger shortages to the states of Arizona, Nevada, and California under the Colorado River Drought Contingency Plan (DCP). In an effort to avoid a shortage condition, Metropolitan has been in discussions with U.S. Bureau of Reclamation, Central Arizona Water Conservation District, and Southern Nevada Water Authority regarding a plan to conserve and forbear Colorado River supplies through additional land fallowing over the next three years. The conserved water would be stored in Lake Mead to potentially delay the timing and magnitude of DCP contributions or shortages. Metropolitan has indicated that it expects to fallow at the minimum level (25%) within PVID to meet its own needs through 2024. The plan proposed by these agencies is to jointly fund additional fallowing beyond Metropolitan's needs through Metropolitan's PVID and Bard fallowing programs. For PVID, this involves an increase of up to 16,900 acres of fallowed lands through 2024. As proposed, the combined fallowing is expected to result in the storage of up to 246,600 AF of water in Lake Mead over the next three years.

Mr. Weghorst said that IRWD's fallowing commitment under a 75% call would be 727 acres. He said that staff estimates the expected fallowing calls under this program would be effective in August 2021 through July 2023.

Director Swan said that that this item was reviewed by the Supply Reliability Programs Committee on June 17, 2021. On MOTION by Swan, seconded by Reinhart, THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA TO VOLUNTARILY FALLOW ADDITIONAL LANDS WITHIN PALO VERDE IRRIGATION DISTRICT UNDER THE EXISTING METROPOLITAN/PVID FALLOWING PROGRAM TERMS AND CONDITIONS.

OTHER BUSINESS

GENERAL MANAGER'S REPORT

General Manager Cook reported that there was one new case of an employee with COVID-19. He said that staff recently updated the IRWD Business Continuation Plan which conforms with Cal-OSHA's new regulations related to COVID protection including masking requirements. He said that the current plan is to have all employees back in the office by September 7, 2021.

Mr. Cook provided the Board an update on the chlorine shortage across the western states and noted that water and wastewater agencies have priority on procuring sources.

Mr. Cook updated the Board on the Irvine Lake Pipeline conversion and noted that an additional \$1 million in grant funding will be received. A total of \$8.7 million has been received to date.

COMMUNITY OUTREACH

Mr. Cook said that Consultant Newell had to leave tonight's meeting early but relayed that he is continuing to work with staff relative to the July 8 shutdown in the canyon area for a four-hour period.

DIRECTORS' COMMENTS

Director LaMar reported on his attendance at a Chapman University Economic Forecast update, a Southern California Water Coalition Legislative Task Force virtual meeting, an OCWD PFAS treatment study meeting, an ACWA Region 1 event, and a Southern California Dialogue meeting.

Director McLaughlin reported on her attendance at a Southern California Water Coalition Legislative Task Force meeting, an OCWD PFAS treatment study meeting, an ACWA Region 1 event, and an Open House event for the City of Irvine's Mayor Farrah Khan.

Director Swan reported on his attendance at a WACO meeting, a Newport Bay Watershed Executive Committee meeting, an OCWA lunch meeting, a Newport Beach Governor's event, a Southern California Dialogue meeting, and a South County Chambers meeting.

Director Withers reported that he attended regular meetings along with many OC San meetings.

Director Reinhart reported on his attendance at an OCWD Board meeting, a MWDOC Board meeting, a meeting regarding Irvine Lake, and a SOCWA Board meeting.

CLOSED SESSION

Legal Counsel Collins said that the following Closed Sessions would be held:

- a.) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *IRWD v. OCWD, et al.*, Case No. 30-2016-00858584-CU-WM-CJC.

- b.) CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8

Property: 15550 Sand Canyon Avenue, Irvine, CA 92618

Agency Negotiator: Paul Cook, General Manager & Rob Jacobson, Treasurer

Negotiating Parties: Bandai Namco Holdings USA (Lessee)

Under Negotiation: Lease Price and Terms of Payment

- c.) 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

OPEN SESSION

At 8:02 p.m. the meeting was reconvened with Directors Swan, LaMar, Withers, McLaughlin, and Reinhart present. Legal Counsel Collins said that there was no action to report.

ADJOURNMENT

There being no further business, President Reinhart adjourned the meeting.

APPROVED and SIGNED this 12th day of July 2021.

President, IRVINE RANCH WATER DISTRICT

Secretary IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Claire Hervey Collins, General Counsel
Hanson Bridgett LLP