

MINUTES OF REGULAR MEETING – AUGUST 26, 2024

The regular meeting of the Board of Directors of the Irvine Ranch Water District (IRWD) was called to order by President Reinhart at 5:00 p.m. on August 26, 2024 at the District offices, 15600 Sand Canyon Avenue, Irvine.

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

Directors Absent: None.

Oral and Written Communications: None.

Items too late to be agendaized: None.

Also Present: General Manager Cook, Executive Director of Technical Services Burton, Executive Director of Operations Chambers, Executive Director of Finance Adly, Executive Director of Water Policy Weghorst, Director of Human Resources Mitcham, Director of Maintenance Manning, Director of Recycling Operations Zepeda, Director of Water Resources Sanchez, Director of Information Technology Kaneshiro, Director of Strategic Communications and Advocacy/Deputy General Counsel Compton, Director of Financial Planning and Data Analytics Smithson, General Counsel Collins, Secretary Swan, Consultant Newell, and members of the staff and public.

CONSENT CALENDAR

On MOTION by LaMar, seconded by Swan and unanimously carried, CONSENT CALENDAR ITEMS 4 THROUGH 10 WERE APPROVED AS FOLLOWS:

4. BOARD MEETING MINUTES

Recommendation: That the minutes of the August 12, 2024 Regular Board meeting be approved as presented.

5. JULY 2024 TREASURY REPORT

Recommendation: That the Board receive and file the Treasurer's Investment Summary report, the summary of fixed and variable rate debt, and the disclosure report of reimbursements to Board members and staff, approve the July 2024 summary of payroll ACH payments in the total amount of \$2,505,929, and approve the July 2024 accounts payable disbursement summary of warrants 443804 through 444221, Workers' Compensation distributions, ACH payments, virtual card payments, wire transfers, payroll withholding distributions, and voided checks in the total amount of \$50,988,142.

6. PLANNING AREA 40 CYPRESS VILLAGE MARINE WAY CAPITAL DOMESTIC WATER IMPROVEMENTS

Recommendation: That the Board authorize the General Manager to accept Irvine Community Development Company's construction contract with Shoffeitt Pipeline, Inc. in the amount of \$795,843.25, and authorize a budget increase for Project 12510 in the amount of \$693,000, from \$507,000 to \$1,200,000, for the Planning Area 40 Cypress Village Marine Way Capital Domestic Water Improvements.

CONSENT CALENDAR (CONTINUED)

7. PLANNING AREA 51 HERITAGE FIELDS MARINE WAY STAGE 3 CAPITAL FACILITIES

Recommendation: That the Board authorize the General Manager to accept Heritage Fields' construction contract with L&S Construction, Inc. in the amount of \$2,031,738 for the Planning Area 51 Marine Way Stage 3 Capital Facilities Improvements Project; and authorize the addition of Projects 13107, 13109, and 13110 in the respective amounts of \$710,000, \$1,200,000, and \$900,000 to the Fiscal Year 2024-25 Capital Budget for the Planning Area 51 Marine Way Stage 3 Capital Improvements Project.

8. FISCAL YEARS 2023-24 AND 2024-25 GENERAL REPLACEMENTS AND MODIFICATIONS PROJECTS BUDGET INCREASES

Recommendation: That the Board authorize budget increases to Fiscal Year 2023-24 for Project 11774 in the amount of \$967,000, from \$6,663,000 to \$7,600,000, and for Project 11777 in the amount of \$1,037,000, from \$2,663,000, to \$3,700,000; and authorize budget increases to Fiscal Year 2024-25 for Project 11850 in the amount of \$3,517,000, from \$6,283,000, to \$9,800,000, Project 11851 in the amount of \$3,597,000, from \$2,103,000, to \$5,700,000, and Project 11852 in the amount of \$1,815,000, from \$1,785,000, to \$3,600,000.

9. TRUNK SEWER PROTECTION WITHIN SAN DIEGO CREEK AT STATE ROUTE 133 CONTRACT CHANGE ORDER AND FINAL ACCEPTANCE

Recommendation: That the Board approve Contract Change Order No. 1 in the credit amount of \$1,803,000, accept construction of the Trunk Sewer Protection within San Diego Creek at State Route 133, authorize the General Manager to file a Notice of Completion, and authorize the payment of the retention 35 days after the date of recording the Notice of Completion for Project 12125.

10. FARM LEASES ON IRWD PROPERTIES IN PALO VERDE IRRIGATION DISTRICT

Recommendation: That the Board authorize the General Manager to execute a five-year lease agreement with E&S Farming LLC for the Williams and Martin properties at \$335 per acre, and an amendment to the existing lease agreement with Van Dyke Farms to extend the lease term and include the Holt property starting at \$275 per acre, subject to non-substantive changes.

ACTION CALENDAR

11. SYPHON RESERVOIR IMPROVEMENT VARIANCE AND FINAL ENVIRONMENTAL IMPACT REPORT ADDENDUM NO. 1

Executive Director of Technical Services Burton reported on the progress that the AECOM design team has made and requested the Board authorize the General Manager to execute Variance No. 3 to cover three additional areas of the project: (1) additional engineering services that the Division of Safety of Dams requested, and that AECOM was tasked to address and resolve; (2) additional engineering analyses requested by the Independent Design & Safety Review Panel, a group of nationally-recognized dam professionals that IRWD established to provide a design review; and (3) additional design developments requested by IRWD staff over

ACTION CALENDAR (CONTINUED)

the course of the past two years. Following his report, Mr. Burton introduced Director of Water Resources Sanchez to present Addendum No. 1 to the Final Environmental Impact Report for the Syphon Reservoir Improvement Project.

Director of Water Resources Sanchez requested that the Board approve the proposed Addendum No. 1 to the Syphon Reservoir Improvement Project Environmental Impact Report and the modifications of the off-site habitat as mitigation land, and that the Board authorize staff to post and file a notice of determination.

Director McLaughlin reported that this item was reviewed and discussed at the Engineering and Operations Committee, and that Committee supports the staff recommendation. President Reinhart opened the floor to comments. Ms. Sanchez fielded questions from the Board, confirming that two existing facilities will be able to divert water to the proposed Syphon Reservoir Improvement Project Off-Site Mitigation Project. The project will not require the Regional Board to be involved as there will be a minimal impact to the San Diego Creek, and water would be diverted during the seasonal wet months. The operation would be covered under IRWD's existing riparian rights.

On MOTION by McLaughlin, seconded by Withers and carried with a 4-1 vote, (Reinhart, LaMar, McLaughlin, Withers, and Reinhart voting aye, and Swan voting no), THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE VARIANCE NO. 3 IN THE AMOUNT OF \$660,000 WITH AECOM FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR PROJECT 03808, AND APPROVED THE PROPOSED ADDENDUM NO. 1 TO THE SYPHON RESERVOIR IMPROVEMENT PROJECT FINAL ENVIRONMENTAL IMPACT REPORT, INCLUDING THE DETERMINATIONS SET FORTH IN ADDENDUM NO. 1, APPROVED THE MODIFICATIONS TO THE PROJECT CONSISTING OF THE OFF-SITE HABITAT AS MITIGATION FOR THE SYPHON RESERVOIR IMPROVEMENT PROJECT AND AUTHORIZED STAFF TO POST AND FILE A NOTICE OF DETERMINATION.

12. ORANGE HEIGHTS ZONE 5 TO 6 AND ZONE C+ TO E BOOSTER PUMP STATIONS CONSULTANT SELECTION

Executive Director of Technical Services Burton provided an overview of the project and its history. Dating back to 2016, the project has been stopped three times by the Irvine Community Development Company. Lee + Ro was the original design engineer that was selected through a competitive proposal process. Since so much time had passed since the initial request for proposals in 2016, staff went out to bid, and two firms submitted proposals. Lee + Ro proved to be the best firm to undertake the project. Director McLaughlin provided that following a discussion at the Engineering and Operations Committee, the Committee supports the staff recommendation.

On MOTION by McLaughlin, seconded by Withers, and carried unanimously, THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH LEE + RO IN THE AMOUNT OF \$836,760 FOR ENGINEERING DESIGN SERVICES FOR THE ORANGE HEIGHTS ZONE 5 TO 6 AND ZONE C+ TO E PUMP STATIONS, PROJECTS 07136 AND 07139.

OTHER BUSINESS

13. General Manager's Report

General Manager Cook stated that he did not have a report for the evening; but that the IRWD coloring books are available.

14. Receive oral update(s) from District liaison(s) regarding communities within IRWD's service area and interests.

Consultant Newell reported that the Canyons are doing well; no issues to report.

15. Directors' Comments and Meeting Reports

Director McLaughlin reported on her participation in the ACWA webinar "From Policy to Practice: Understanding the Making Conservation a California Way of Life Regulation".

Director Withers had nothing to report.

Director Swan reported on his attendance at the MWDOC Administration and Finance Committee meeting; the WACO Planning Committee Meeting; the MWDOC Board Meeting via teleconference; the Urban Water Institute 2024 Annual Conference in San Diego; and the Urban Water Institute Board Meeting.

Director LaMar reported on his participation in the CCEEB Joint Meeting of the Water, Chemistry & Waste Project and the Water Quality Task Force; the NCC Finance Committee meeting; the ACWA Headwaters Task Force meeting; and the Urban Water Institute 2024 Annual Conference in San Diego.

President Reinhart reported on his attendance at the MWDOC Administration and Finance Committee meeting; the OCWD Water Issues Committee meeting; the OCWD Administration and Finance Issues Committee meeting; and the Urban Water Institute 2024 Annual Conference in San Diego.

16. CLOSED SESSION

President Reinhart convened the meeting into Closed Session at 5:35 p.m. and General Counsel Collins announcing the following:

- A. CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION – Pursuant to Government Code Section 54956.9(d)(2): significant exposure to litigation. (*One (1) potential case; City of Lake Forest re: El Toro Road Damage.*)

17. OPEN SESSION

Following the Closed Session, the meeting was reconvened in Open Session with Directors Withers, Swan, McLaughlin, LaMar, and President Reinhart present. General Counsel Collins announced that there was no action to report.

18. Adjournment

There being no further business, President Reinhart adjourned the meeting at 5:45 p.m.

OTHER BUSINESS (CONTINUED)

APPROVED and SIGNED this 23rd day of September 2024.

President, IRVINE RANCH WATER DISTRICT

Secretary, IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Claire Hervey Collins, General Counsel
Hanson Bridgett LLP