

MINUTES OF REGULAR MEETING – OCTOBER 28, 2024

The regular meeting of the Board of Directors of the Irvine Ranch Water District (IRWD) was called to order by President Reinhart at 5:03 p.m. on October 28, 2024 at the District offices, 15600 Sand Canyon Avenue, Irvine.

President Reinhart acknowledged that Director McLaughlin was participating in the meeting remotely via teleconference and asked her to state the basis for remote participation.

Director McLaughlin stated that she required remote participation due to an illness that qualifies as a “just cause” exception to the standard Brown Act rules. (Section 54953(f)(2)(A)(i).)

Directors Present: McLaughlin (via teleconference), Withers, Swan, LaMar, and President Reinhart.

Directors Absent: None.

Oral and Written Communications: None.

Items too late to be agendized: 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 Recycling Operations Zepeda, Director of Water Resources Sanchez, Director of Information Technology Kaneshiro, Director of Strategic Communications and Advocacy/Deputy General Counsel Compton, Construction Services Manager Crowe, General Counsel Collins, Secretary Swan, members of the staff, and public.

PRESENTATIONS – PROCLAMATION

A Proclamation was presented to Mr. Dave Crowe for 32 years of service as an IRWD employee.

CONSENT CALENDAR

On MOTION by LaMar, seconded by Withers and unanimously carried on a roll call vote (5-0, Withers, Swan, Reinhart, McLaughlin, and LaMar voting aye), CONSENT CALENDAR ITEMS 5 THROUGH 15 WERE APPROVED AS FOLLOWS:

5. BOARD MEETING MINUTES

Recommendation: That the minutes of the September 23, 2024 Regular Board meeting be approved as presented.

CONSENT CALENDAR (CONTINUED)

6. ADOPTION OF REVISED IRWD SCHEDULE OF POSITIONS AND SALARY RATE RANGES

Recommendation: That the Board adopt a resolution superseding Resolution No. 2024-8 and adopting a revised Schedule of Positions and Salary Rate Ranges for the General Unit, Non-Exempt Supervisors, Confidential, and Exempt Employees.

RESOLUTION NO. 2024 – 12

RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRVINE RANCH WATER DISTRICT SUPERSEDING RESOLUTION NO. 2024-8 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

7. RATIFY RESTORATION PAYMENT TO SERVICE MASTER RESTORE

Recommendation: That the Board ratify the retainment of Services Master Restore for restoration work and authorize that a payment be made to the company for \$549,092.59.

8. SEPTEMBER 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 September 2024 Summary of Payroll ACH payments in the total amount of \$2,586,806, and approve the September 2024 accounts payable disbursement summary of warrants 444858 through 445363, Workers’ Compensation distributions, ACH payments, virtual card payments, wire transfers, payroll withholding distributions, and voided checks in the total amount of \$18,863,543.

9. FISCAL YEAR 2024-25 IRWD GUIDING PRINCIPLES SCORECARD

Recommendation: Receive and file.

10. REVISIONS TO IRWD’S CONFLICT OF INTEREST CODE

Recommendation: That the Board adopt a resolution rescinding Resolution 2022-16 and adopting a revised Conflict of Interest Code.

RESOLUTION NO. 2024 – 13

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT RESCINDING RESOLUTION NO. 2022-16 AND ADOPTING A REVISED CONFLICT OF INTEREST CODE FOR THE DISTRICT

CONSENT CALENDAR (CONTINUED)

11. 2025-2026 LOBBYING AND ADVOCACY SERVICES

Recommendation: That the Board authorize the General Manager to execute a Professional Services Agreement with Kadesh & Associates for federal advocacy services for the period of January 1, 2025, through December 31, 2026, at a rate of \$11,092 per month in 2025 and \$11,369 per month in 2026 plus reasonable reimbursement of direct expenses for a total contract amount not to exceed \$278,250, and with Resolute for State legislative lobbying and advocacy services for the period of January 1, 2025, through December 31, 2026, at a rate of up to \$13,500 per month plus reasonable reimbursement of direct expenses for a total contract amount not to exceed \$334,000.

12. WEBSITE REDESIGN CONSULTANT SELECTION

Recommendation: That the Board authorize the General Manager to execute a Professional Services Agreement with Idea Hall for website redesign consulting services for an amount not to exceed \$248,175.

13. ACWA 2024 MEMBERSHIP MEETING

Recommendation: That the Board designate Vice President Steve LaMar as IRWD's voting delegate and Paul Cook, IRWD's General Manager, as his alternate, for the December 4 Association of California Water Agencies membership meeting; authorize the General Manager to sign and submit the "Voter Designation & Information Form" to Association of California Water Agencies designating Vice President Steve LaMar and Paul Cook as its initial authorized voting representatives for the District; and support the proposed bylaw amendments.

14. DOMESTIC WATER METER VAULT REPLACEMENT ON EAST PELTASON DRIVE CONSTRUCTION AWARD

Recommendation: That the Board authorize the General Manager to execute a construction contract with GCI Construction, Inc. in the amount of \$346,500 for the Domestic Water Vault Replacement on East Peltason Drive, Project 11850.

15. LAKE FOREST ZONE B TO C RECYCLED WATER PUMP STATION PROJECT FINAL ACCEPTANCE

Recommendation: That the Board accept construction of the Lake Forest Zone B to C Recycled Water Pump Station, authorize the General Manager to file a Notice of Completion, and authorize payment of the retention of 35 days after the date of recording the Notice of Completion for Project 11168.

ACTION CALENDAR

16. AMENDMENT NO. 2 TO THE SHORT-TERM WATER EXCHANGE PROGRAM WITH CENTRAL COAST WATER AUTHORITY

Director of Water Resources Sanchez briefed the Board on the District's unbalanced short-term exchange programs with Carpinteria Valley Water District through the Central Coast Water Authority dating back to 2008. The exchanges of water associated with the programs were completed and have been deemed successful. In anticipation of possible spills from the San Luis Reservoir in 2024, Central Coast Water Authority requested an amendment to the 2019 Short-Term Water Exchange Program agreement as outlined in Exhibit "A".

Director Swan stated that the Short-Term Water Exchange Program with Central Coast Water Authority was reviewed by the Supply Reliability Programs Committee, and the Committee supports the staff recommendation for Amendment No. 2 to the program based on the draft terms presented.

On MOTION by Swan, seconded by Reinhart, and carried unanimously carried on a roll call vote (5-0, Withers, Swan, Reinhart, McLaughlin, and LaMar voting aye), THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE AN AMENDMENT NO. 2 TO THE 2019 SHORT-TERM WATER EXCHANGE PROGRAM WITH CENTRAL COAST WATER AUTHORITY BASED ON THE DRAFT TERMS PRESENTED AT THE MEETING, SUBJECT TO SUBSTANTIVE CHANGES APPROVED BY THE SUPPLY RELIABILITY PROGRAMS COMMITTEE AND SPECIAL LEGAL COUNSEL.

OTHER BUSINESS

17. General Manager's Report

General Manager Cook thanked Executive Directors Chambers and Weghorst for filling in for him while he was away on vacation for the past two weeks.

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

Mr. Newell was unable to attend in person, but reported via General Manager Cook that the canyons are doing well, and thanked Director Withers for participating in the Canyons' Wildfire meeting and for providing great information regarding IRWD.

19. Directors' Comments and Meeting Reports

Director McLaughlin reported on her attendance at the Orange County Coastkeeper's Toast the Coast.

Director Withers reported on his attendance at the Orange County Coastkeeper's Toast the Coast; the 16th Annual OC Water Summit in Costa Mesa; the ISDOC Executive Committee meeting; the monthly WACO meeting; the OCWA Monthly Industry Insight meeting featuring IRWD Safety in Dams; the Canyons Community Meeting for Wildfire Awareness; the Water UCI Webinar: Antifouling Nanobubbles for Water Purification and Desalination; and the State of OC SAN in Fountain Valley.

Director Swan reported on his attendance at the Orange County Coastkeeper's Toast the Coast; the 16th Annual OC Water Summit in Costa Mesa; the Southern California Water Dialogue

OTHER BUSINESS (CONTINUED)

Steering Committee meeting; the MWDOC Workshop Board meeting with the MWD Directors; the WACO monthly meeting; the MWDOC Administration / Finance Issues Committee meeting; the MWDOC Planning and Operations Committee Meeting; the WACO Planning Committee meeting; the MWDOC Board meeting; the OCWA Monthly Industry Insight meeting featuring IRWD Safety in Dams; the Quarterly MWDOC / OCWD Joint Planning Committee meeting; the Southern California Water Dialogue Meeting Webinar: Taming Catastrophic Wildfires; and the State of OC SAN.

Director LaMar reported on his participation in the South Orange County Agencies' Group MWDOC/OCWD Joint Meeting; the Orange County Coastkeeper's Toast the Coast; the 16th Annual OC Water Summit in Costa Mesa; the MWDOC Workshop Board meeting with the MWD Directors; the WACO monthly meeting; the CCEEB Water Quality Task Force Meeting; the ACWA Region 10 Event in Placentia; the CCEEB WCW Project Fall Planning Prep meeting; the OCWA Monthly Industry Insight meeting featuring IRWD Safety in Dams; and the IRWD H2O Show & Tell in the Sand Canyon parking lot.

Director Reinhart reported on his participation in the South Orange County Agencies' Group MWDOC/OCWD Joint Meeting; the Orange County Coastkeeper's Toast the Coast; the 16th Annual OC Water Summit in Costa Mesa; the MWDOC Workshop Board meeting with the MWD Directors; the OCWD Board meeting; the OCWD Communications & Legislative Liaison Committee meeting; the WACO monthly meeting; the MWDOC Administration / Finance Issues Committee meeting; the OCWD Water Issues Committee meeting; the OCWD Administrative / Finance Issues Committee meeting; the MWDOC Planning and Operations Committee Meeting; the MWDOC Board meeting; and the OCWD Board meeting.

20. CLOSED SESSION

President Reinhart convened the meeting into Closed Session at 5:20 p.m. with General Legal Counsel Collins announcing the following:

- 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 LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Government Code Section 54956.9(d)(1): *BKK Working Group, et al. v. 1700 Santa Fe LTD, et al.*, Central District of California Case No. 2:18-cv-05810-MWF-PLA
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8:
Property: Storage Rights and other Real Property at Santiago Reservoir (Irvine Lake), adjacent to 4621 Santiago Canyon Road, Silverado Canyon, CA 92676.
Agency negotiator: Paul Cook, IRWD General Manager
Negotiating parties: Serrano Water District General Manager
Under negotiation: Price and Terms of Payment

OTHER BUSINESS (CONTINUED)

21. OPEN SESSION

Following the Closed Session, the meeting was reconvened in Open Session with Directors Withers, Swan, Reinhart, McLaughlin (via teleconference), and LaMar present. General Counsel Collins announced that the Board directed Legal Counsel to pursue appropriate relief following the appeal for item A, and that there was no action to report on items B and C.

22. ADJOURNMENT

There being no further business, President Reinhart adjourned the meeting at 6:12 p.m.

APPROVED and SIGNED this 11th day of November 2024.

President, IRVINE RANCH WATER DISTRICT

Assistant Secretary,
IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Claire Hervey Collins, General Counsel
Hanson Bridgett LLP