

**IRVINE RANCH WATER DISTRICT  
BOARD OF DIRECTORS  
REGULAR MEETING**

**December 14, 2009**

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER**                    5:00 P.M., Board Room, District Office  
15600 Sand Canyon Avenue, Irvine, California

**ROLL CALL**                             Directors LaMar, Matheis, Swan, Withers, and President Reinhart

Teleconferencing will be used to connect meeting locations at Board Room and California Strategies, 980-9<sup>th</sup> Street, Suite 2000, Sacramento, California. All votes taken shall be by roll call vote.

**NOTICE**

If you wish to address the Board on any item, including Consent Calendar items, please file your name with the Secretary. Forms are provided on the lobby table. Remarks are limited to five minutes per speaker on each subject. Consent Calendar items will be acted upon by one motion, without discussion, unless a request is made for specific items to be removed from the Calendar for separate action.

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**COMMUNICATIONS TO THE BOARD**

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1.     A. Written:
- B. Oral: Mrs. Joan Irvine Smith relative to the Dyer Road Wellfield.

2.     **ITEMS RECEIVED TOO LATE TO BE AGENDIZED**

Recommendation: Determine that the need to discuss and/or take immediate action on item(s) introduced come to the attention of the District subsequent to the agenda being posted.

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**PRESENTATIONS**

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3.     **NATIONAL PURCHASING INSTITUTE ACHIEVEMENT OF EXCELLENCE IN PROCUREMENT AWARD**

The Achievement of Excellence in Procurement Award was presented to Irvine Ranch Water District by the National Purchasing Institute for the ninth year in a row.

4.     **ACWA 2009 OUTSTANDING OUTREACH PARTICIPATION AWARD**

The Association of California Water Agencies Award for outstanding Outreach Participation for 2009 was presented to the Irvine Ranch Water District in recognition for outstanding outreach participation as the top agency in ACWA's Region 10.

5.     **DELTA PACKAGE UPDATE AND BUDGET OUTLOOK**

The District's consultant Phil Isenberg of Isenberg/O'Haren will present a Delta package update and budget outlook.

CONSENT CALENDAR	Next Resolution No. 2009-32	Items 6-16
6. <u>MINUTES OF BOARD MEETINGS</u>	Recommendation: That the minutes of the November 23, 2009 Regular Board Meeting be approved.	
7. <u>RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS</u>	Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Mary Aileen Matheis, Doug Reinhart, Peer Swan and John Withers.	
8. <u>MASTER CALENDAR AND OTHER INFORMATION ITEMS</u>	Recommendation: Receive and file.	
9. <u>CASH AND DEBT MANAGEMENT GUIDING PRINCIPLES</u>	Recommendation: Receive and file.	
10. <u>FISCAL YEAR 2008/09 COMPREHENSIVE ANNUAL FINANCIAL REPORT</u>	Recommendation: Receive and file.	
11. <u>NOVEMBER 2009 FINANCIAL REPORTS</u>	Recommendation: Receive and file the Treasurer's Investment Summary Report and the Monthly Interest Rate Swap Summary for November 2009; approve the November 2009 Summary of Wire Transfers and ACH payments in the total amount of \$5,403,699.48; and approve the November 2009 Warrants Nos. 305737 through 306426, Workers' Compensation distributions and voided checks in the total amount of \$5,491,357.59.	
12. <u>PROPOSED 2010 INVESTMENT POLICY</u>	Recommendation: That the Board approve the proposed 2010 Investment Policy and adopt a resolution approving investment policy and authorizing the Treasurer and Assistant Treasurers to invest and reinvest funds of the District and of each of its Improvement Districts and to sell and exchange securities.	Reso No. 2009-

CONSENT CALENDAR	Next Resolution No. 2009-32	Items 6-16
<p>13. <u>DEFERRED COMPENSATION PLAN AMENDMENT</u></p> <p>Recommendation: That the Board adopt the restated Section 457 Deferred Compensation Plan and adopt a resolution adopting amendments with respect to the Irvine Ranch Water District Deferred Compensation Plan.</p> <p>14. <u>FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH POSEIDON RESOURCES LLC AND ITS AFFILIATES</u></p> <p>Recommendation: That the Board authorize the General Manager to execute the First Amendment to the Memorandum of Understanding with Poseidon Resources and its affiliates subject to non-substantive changes as approved by the General Manager and Legal Counsel.</p> <p>15. <u>SYPHON RESERVOIR AND SURROUNDING PROPERTY LAND ACQUISITION NEGATIVE DECLARATION</u></p> <p>Recommendation: That the Board adopt the proposed negative declaration for the Syphon Reservoir and surrounding property land acquisition and approve the project; direct staff to post and file a Notice of Determination, and submit payment for the Department of Fish and Game filing fee.</p> <p>16. <u>2010 SELECTION OF STATE LOBBYIST/CONSULTANT</u></p> <p>Recommendation: That the Board approve a Professional Services Agreement for a term of six months with Isenberg/O'Haren in the amount of \$6,500 per month retainer plus reimbursable direct expenses for a total not to exceed \$42,900.</p>	Reso No. 2009-	

ACTION CALENDAR	
<p>17. <u>SHADY CANYON GOLF COURSE RECYCLED WATER ISSUES</u></p> <p>Recommendation: That the Board authorize the General Manager to execute an Agreement with Shady Canyon Golf Club in which potable water may be used for six months each year (May through October) inclusive, for two years subject to IRWD's Water Shortage Contingency Plan during which time Shady Canyon Golf Club will convert its existing grass to a more salt tolerant hybrid of Bermuda grass.</p>	

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**ACTION CALENDAR - Continued**

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18. RECYCLED WATER SERVICE LATERAL FOR THE GAS RECOVERY SYSTEM CONSTRUCTION AWARD

Recommendation: That the Board authorize the addition of project 30340 to the Fiscal Year 2009/10 Capital budget for \$315,700; approve an Expenditure Authorization for the same amount; and authorize the General Manager to execute a construction contract with GCI Construction, Inc. in the amount of \$228,770 for the Recycled Water Service Lateral for gas recovery system, project 30340.

19. UNIVERSITY DRIVE AND CAMPUS DRIVE SEWER REHABILITATION AND FORCE MAIN PHASE II – CAPITAL BUDGET ADJUSTMENT, EXPENDITURE AUTHORIZATION AND CONTRACT CHANGE ORDER NO. 1

Recommendation: That the Board authorize an increase to the Fiscal Year 2009/10 Capital budget in the amount of \$271,300, from \$2,536,900 to \$2,808,200 for project 20378; approve an Expenditure Authorization in the amount of \$271,300; and authorize the General Manager to execute Contract Change Order No. 1, in the amount of \$188,262.54, to Leatherwood Construction, Inc. for construction of the University Drive and Campus Drive Sewer Rehabilitation and Force Main Phase II, project 20378.

20. MODJESKA CANYON ROAD PIPELINE RELOCATION CONSTRUCTION AWARD

Recommendation: That the Board approve Expenditure Authorizations in the amounts of \$183,700 for project 11244 and \$183,700 for project 31244; and authorize the General Manager to execute a construction contract with Paulus Engineering, Inc in the amount of \$105,576 for the Modjeska Canyon Road Pipeline Relocation projects 11244 and 31244.

21. IRVINE DESALTER WELLS, PIPELINE, AND TREATMENT PLANT IMPROVEMENTS DESIGN CONSULTANT SELECTION

Recommendation: That the Board approve an Expenditure Authorization in the amount of \$1,354,500 for project 11325; and authorize the General Manager to execute a Professional Services Agreement with Tetra Tech, Inc. in the amount of \$1,120,800 for the Irvine Desalter Wells, Pipeline, Treatment Plant Improvements, project 11325.

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**ACTION CALENDAR - Continued**

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22. PURCHASE OF SYPHON RESERVOIR

Recommendation: That the Board authorize the addition of project 30341 to the Fiscal Year 2009/10 Capital budget in the amount of \$5.50 million; approve an Expenditure Authorization in the amount of \$5,550,000 for project 30341; authorize the General Manager to execute a Conveyance Agreement with the Irvine Company for the purchase of Syphon Reservoir for \$5.5 million; and adopt a resolution authorizing acquisition of land and easements for Syphon Reservoir project.

Reso No. 2009-

23. ELECTION OF OFFICERS FOR 2010

Recommendation: That an election be conducted of the President and Vice President of the Board of Directors.

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**OTHER BUSINESS**

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Pursuant to Government Code Section 54954.2, members of the Board of Directors or staff may ask questions for clarification, make brief announcements, make brief reports on his/her own activities. The Board or a Board member may provide a reference to staff or other resources for factual information, request the staff to report back at a subsequent meeting concerning any matter, or direct the staff to place a matter of business on a future agenda. Such matters may be brought up under the General Manager's Report or Directors' comments.

24. A. General Manager's Report

B. Directors' Comments

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**OTHER BUSINESS - Continued**

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24. B. Directors' Comments

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C. CLOSED SESSION WITH REAL PROPERTY NEGOTIATOR – Government Code Section 54956.8

(a) Property: Various parcels - Portions of Sections 25, 26, 34, and 35 of T23S R19E MDB&M.  
Negotiating Parties: Ernest Conant, Legal Counsel Representing Jackson Ranch owners  
Agency Negotiator: Paul Jones, General Manager  
Purpose of Negotiations: Price and Term of Payment

(b) Property: 1221 Edinger Avenue, Tustin, CA  
Negotiating Parties: Jemsa Enterprises LLC  
Agency Negotiator: Paul Jones, General Manager  
Purpose of Negotiations: Price and Term of Payment

D. Adjourn meeting to Friday, December 18, 2009 at 7:30 a.m. to hold a Strategic Planning Workshop in the Multi-purpose Room.

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Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Irvine Ranch Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, 15600 Sand Canyon Avenue, Irvine, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available at the entrance to the Board of Directors Room of the District Office.

The Irvine Ranch Water District Board Room is wheelchair accessible. If you require any special disability-related accommodations (e.g., access to an amplified sound system, etc.) please contact the District Secretary at (949) 453-5300 during business hours at least seventy-two (72) hours prior to the Scheduled meeting. This agenda can be obtained in alternative format upon written request to the District Secretary at least seventy-two (72) hours prior to the scheduled meeting.