

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

January 11, 2010

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

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.

COMMUNICATIONS TO THE BOARD

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.

PRESENTATION

3. CONFLICT OF INTEREST PRESENTATION

 Darleen Bloom, Orange County Clerk of the Board of Supervisors will present an overview of the on-line Conflict of Interest program they are recommending IRWD Board members to use for annual filing.

CONSENT CALENDAR	Next Resolution No. 2010-1	Items 4-10
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| <ol style="list-style-type: none">4. <u>MINUTES OF REGULAR AND ADJOURNED BOARD MEETINGS</u>

 Recommendation: That the minutes of the December 14, 2009 Regular Board Meeting and the December 18, 2009 Adjourned Regular Board Meeting be approved as presented. | | |
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CONSENT CALENDAR – Continued	Next Resolution No. 2010-1	Items 4-10
5. <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, Douglas Reinhart, Peer Swan and John Withers.	
6. <u>SAN JOAQUIN MARSH PONDS "A" AND "B" BANK EROSION REPAIR PROJECT – CONSTRUCTION AWARD</u>	Recommendation: That the Board authorize the General Manager to execute a construction contract in the amount of \$93,740 to Rock Structures Construction Company for the San Joaquin Marsh Ponds "A" and "B" Bank Erosion Repair, project 10942.	
7. <u>VARIANCE NO. 3 TO THE ON-CALL ENVIRONMENTAL CONSULTANT PROFESSIONAL SERVICES AGREEMENT</u>	Recommendation: That the Board authorize the General Manager to approve Variance No. 3 to the Professional Services Agreement with ESA in the amount of \$9,611.	
8. <u>ENGINEERING EVALUATION AND TESTING OF CIENEGA PROJECT – CONTRACT VARIANCE NO. 3</u>	Recommendation: That the Board approve an increase to the Fiscal Year 2009-10 Capital budget for project 10867 in the amount of \$36,900, from \$482,300 to \$519,200; approve an Expenditure Authorization for project 10867 for \$36,900; and approve Variance No. 3 with Geosyntec in the amount not to exceed \$35,172 for additional engineering services for the engineering evaluation and testing of the Cienega project.	
9. <u>QUITCLAIM OF REAL PROPERTY – THE IRVINE COMPANY LLC, AND THE IRVINE LAND COMPANY LLC</u>	Recommendation: That the Board adopt a resolution approving execution of the Quitclaim Deed to The Irvine Company LLC and The Irvine Land Company LLC.	Reso No. 2010-
10. <u>QUITCLAIM OF REAL PROPERTY – IRVINE COMMUNITY DEVELOPMENT COMPANY LLC</u>	Recommendation: That the Board adopt a resolution approving execution of the Quitclaim Deed to Irvine Community Development Company LLC.	Reso No. 2010-

ACTION CALENDAR

11. REVISED PERSONNEL POLICIES AND PROCEDURES

Recommendation: That the Board adopt a resolution rescinding Resolution No. 2009-9 and establishing revised personnel policies (for Policy Nos. 6, 10, 12, 22, 37, 50 and 51).

Reso No. 2010-

12. PLANNING AREA 6 ZONES 6 AND D RESERVOIR LANDSCAPING AND IRRIGATION PROJECT - CONSTRUCTION AWARD

Recommendation: That the Board authorize the General Manager to execute a contract with Tropical Plaza Nursery, Inc. in the amount of \$210,121 for Planning Area 6, Zones 6 and D Reservoirs Landscaping and Irrigation, projects 10426 and 30180.

13. SACRAMENTO-SAN JOAQUIN DELTA CARBON SEQUESTRATION WETLANDS – CONTRACT VARIANCE

Recommendation: That the Board approve an increase to the Fiscal Year 2009/10 Capital budget for project 11453 in the amount of \$33,300, from \$61,600 to \$94,900; approve an Expenditure Authorization for project 11453 for \$33,300; and approve Variance No. 1 with Hydro Focus, Inc. in the amount not to exceed \$20,258 for additional consulting services to develop a work plan for a Pilot Carbon Sequestration Wetland in the Sacramento-San Joaquin Delta.

14. 2010 STATE LEGISLATIVE UPDATE

Recommendation: That the Committee recommend the Board take a *Support* position on the Senate Local Government Omnibus Bill.

15. JACKSON RANCH PROPERTY ACQUISITION NEGATIVE DECLARATION

Recommendation: That the Board find on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects IRWD's independent judgment and analysis, adopt the proposed negative declaration for the Jackson ranch land and property 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 contingent upon execution of an Agreement between IRWD and Dudley Ridge Water District and completion and acceptance of all due diligence requirements.

OTHER BUSINESS

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 staff to report back at a subsequent meeting concerning any matter, or direct 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.

16. A. General Manager's Report

B. Directors' Comments

1)

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5)

OTHER BUSINESS - Continued

16. C. CLOSED SESSION WITH REAL PROPERTY NEGOTIATOR – Government Code Section 54956.8
- a) Property: 1221 Edinger Avenue, Tustin, CA
Negotiating Parties: Gemsa Enterprises LLC
Agency Negotiator: Paul Jones, General Manager
Under Negotiation: Price and Terms of Payment

 - b) Property: 1.2 acre parcel (APN 430-253-15), Tustin, CA
Negotiating Parties: Owner of record: Catellus Finance 1 (Catellus was acquired by ProLogis of Denver, Colorado)
Agency Negotiator: Paul Jones, General Manager
Under Negotiation: Price and Terms of Payment
- D. Adjourn Meeting to Friday, January 15, 2010 at 9:00 a.m. at the Baker Treatment Plant located at Wisteria in Lake Forest to tour the facility with the Moulton Niguel Water District Board members and staff.

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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.