

EXHIBIT "A"

MINUTES OF REGULAR MEETING –SEPTEMBER 26, 2022

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 LaMar on September 26, 2022 at the District offices, 15600 Sand Canyon Avenue, Irvine.

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

Directors Absent: None.

Written and Oral Communications: None.

Also Present: General Manager Cook, Executive Director of Operations Chambers, Executive Director of Finance and Administration Clary, Executive Director of Technical Services Burton, Executive Director of Water Policy Weghorst, Director of Treasury and Risk Management Jacobson, Director of Strategic Communications and Advocacy / Deputy General Counsel Compton, Director of Recycling Operations Zepeda, Director of Water Quality and Regulatory Compliance Colston, Director of Water Resources Sanchez, Director of Human Resources Mitcham, Director of Maintenance Manning, Director of Safety and Security Choi, Director of Information Services Kaneshiro, Secretary Bonkowski, Assistant Secretary Swan, General Counsel Collins, Consultant Newell and members of the staff and public.

CONSENT CALENDAR

On MOTION by Withers, seconded by Withers, and unanimously carried, CONSENT CALENDAR ITEMS 4 THROUGH 9 WERE APPROVED AS FOLLOWS:

4. BOARD MEETING MINUTES

Recommendation: That the minutes of the August 22, 2022 Regular Board meeting be approved as presented.

5. REIMBURSEMENT TO BOARD MEMBER FOR BUSINESS EXPENSES

Recommendation: That the Board approve the expenses submitted for reimbursement incurred by Director Peer Swan.

6. AUGUST 2022 TREASURY REPORT

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 August 2022 summary of payroll ACH payments in the total amount of \$2,396,625, and approve the August 2022 accounts payable disbursement summary of warrants 429431 through 430167, Workers' Compensation distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$27,806,268.

CONSENT CALENDAR (CONTINUED)

7. 2022 LEGISLATIVE AND REGULATORY UPDATE

Recommendation: Receive and file.

8. MORSE / GILLETTE DOMESTIC WATER PIPELINE REPLACEMENT FINAL ACCEPTANCE

Recommendation: That the Board accept construction of the Morse / Gillette Domestic Water Relocation, Project 11567, 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.

9. CYBERSECURITY THREAT DETECTION AND RESPONSE SERVICES

Recommendation: That the Board authorize the General Manager to execute a Professional Services Agreement with AT&T for a not-to-exceed amount of \$442,400 for a duration of three years for cybersecurity threat detection and response services.

ACTION CALENDAR

REHABILITATION OF DYER ROAD WELLFIELD WELLS 10 AND 12 BUDGET INCREASE AND CONSTRUCTION AWARD

Executive Director of Technical Services Burton reported that the Dyer Road Wellfield (DRWF) Wells 10 and 12 require rehabilitation to improve their hydraulic performance and remove foulants and scale from the wells. Mr. Burton said that DRWF Well 10 was constructed in 1994 with copper bearing steel casing and the capacity has decreased from its original 112 gallons per minute per foot of drawdown (gpm/ft-dd) to the current specific capacity of 20 gpm/ft-dd. He said that DRWF Well 12 was constructed in 1981 with mild steel casing and steel Johnson screens and the capacity has decreased from its original 88 gpm/ft-dd to 20 gpm/ft-dd.

Mr. Burton said the project was advertised for construction to a select bidders list of five contractors; the bid opening held on September 8, 2022 and one bid was received. He said that Best Drilling and Pump, Inc. is the apparent low bidder with a bid amount of \$2,133,834; the engineer's estimate was \$2,228,054. He said that the other potential bidders informed IRWD that they decided to not submit a bid due to their heavy workloads through the end of the calendar year 2023. The bid amount for Well 10 was \$1,071,849 and for Well 12 was \$1,061,985, and Mr. Burton said that staff believes the bid from Best is fair based on comparison to other well rehabilitation contracts in the past few years. In response to Director Swan's comment, Mr. Burton reported that since the one bid was close to the engineer's estimate, and that this contractor's past bids for projects are consistently lower than other contractors' bids, staff does not see a benefit of rebidding the project. There being no further comments, on **MOTION** by Withers, seconded by McLaughlin and unanimously carried, **THE BOARD AUTHORIZED A BUDGET INCREASE IN THE AMOUNT OF \$600,000, FROM \$810,000 TO \$1,410,000, FOR PROJECT 07087, AND IN THE AMOUNT OF \$600,000, FROM \$770,000 TO \$1,370,00, FOR PROJECT 11845; AND AUTHORIZED THE GENERAL**

MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH BEST DRILLING AND PUMP, INC. IN THE AMOUNT OF \$2,133,834 FOR REHABILITATION OF DYER ROAD WELLFIELD WELLS 10 AND 12, PROJECTS 07087 AND 11845.

TERMS FOR LETTER AGREEMENT TO ALLOW METROPOLITAN WATER DISTRICT TO BORROW WATER

Executive Director of Water Resources Weghorst reported that in June 2022, Metropolitan Water District requested concepts for short- and long-term projects that could help make up shortfalls in Metropolitan's ability to deliver water to the State Water Project (SWP)-dependent areas. Mr. Weghorst said that one of the concepts submitted by IRWD included Metropolitan borrowing SWP water stored in IRWD's Kern Water Bank (KWB) account that must be used in Dudley Ridge.

Mr. Weghorst said that staff proposes to structure the terms for Metropolitan borrowing IRWD's KWB supplies as a two-for-one exchange, whereby Dudley Ridge would deliver banked SWP water to Metropolitan and within five years Metropolitan would return twice the amount, net of losses, to Dudley Ridge for IRWD's benefit. Based on this structure, staff has prepared draft terms for a letter agreement that would provide for Metropolitan's use of the 1,803 AF from IRWD's KWB account.

Mr. Weghorst said that IRWD would benefit by receiving twice the amount of water as the original amount, net of losses. Approximately half of the water would be returned to KWB and the other half to the IRWD Water Bank. The returned SWP water would be held by Dudley Ridge on behalf of IRWD, which would provide future exchange and use flexibility to IRWD.

Director Reinhart said that this item was reviewed and approved by the Supply Reliability Programs Committee on September 14, 2022. In response to Director Swan's inquiry, General Manager Cook said that an earlier payback can be discussed with MWD as an option. There being no further comments, on MOTION by Reinhart seconded by Swan, **THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE A LETTER AGREEMENT WITH METROPOLITAN WATER DISTRICT ALLOWING IT TO BORROW WATER FROM IRWD'S ACCOUNT IN THE KERN WATER BANK, BASED ON THE PROPOSED TERMS AND SUBJECT TO SUBSTANTIVE CHANGES APPROVED BY THE SUPPLY RELIABILITY PROGRAMS COMMITTEE.**

GENERAL MANAGER'S REPORT

General Manager Cook reported there were four COVID-19 cases since late last week.

Mr. Cook announced that under the urgent necessity policy where the cost of a repair exceeds the General Manager's authority, A&Y Paving was hired for a 12" domestic AC pipe break occurred on Irvine Center Drive at a cost estimated to be under \$400,000.

Mr. Cook said that the District will be holding a Health and Wellness Fair on Wednesday and that flu shots will be available.

COMMUNITY UPDATES

Consultant Newell reported that SCE's work in the Canyon area is underway. He further said a cleanup effort is ongoing at Wildcat and Silverado Creek where last year's rain events caused serious damage. He said that 50 loads of green waste were accumulated along with 464 man-hours to perform this task.

DIRECTORS' COMMENTS

Director Withers said he attended the meetings listed along with an OCSD meeting this Wednesday. He said that a recruitment effort for a new OCSD General Manager is ongoing. He further said that he will be attending an ISDOC Executive Committee meeting next week.

Director Swan reported on his attendance at an Urban Water Institute conference, MWDOC Committee meetings, a Southern California Water Committee meeting, an OCBC Infrastructure Committee meeting, a Groundwater Banking JPA Board meeting, and a Newport Bay Watershed Executive Committee meeting.

Director Reinhart reported on the meetings listed along with OCWD and MWDOC meetings and an OCBC meeting. He said he was unable to attend the South Orange County Agencies Group meeting.

Director McLaughlin had nothing to report.

Director LaMar reported that he attended the meetings listed.

CLOSED SESSION

Legal Counsel Collins reported that the following Closed Session items would be held:

A. CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8:

Property: APN 610-691-41

Agency Negotiator: Paul A. Cook, General Manager

Negotiating Party: Keith Neves, Assistant City Manager, City of Lake Forest

Under Negotiation: Price and terms of property

B. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
(Gov. Code § [54956.9\(d\)\(4\)](#)) *Initiation of litigation:* 1 case

Director Reinhart said he would recuse himself from the second Closed Session item listed on the agenda. Following the first Closed Session at 5:54 p.m., Director Reinhart left the room.

OPEN SESSION

Following the Closed Sessions, the meeting reconvened with Directors Withers, Reinhart, McLaughlin, Swan and LaMar present. President LaMar said there was no action reported.

ADJOURNMENT

President LaMar adjourned the meeting.

APPROVED and SIGNED this 24th day of October 2022.

President, IRVINE RANCH WATER
DISTRICT

Secretary IRVINE RANCH WATER
DISTRICT

APPROVED AS TO FORM:

Claire Hervey Collins, General Counsel
Hanson Bridgett LLP

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