

EXHIBIT "A"

MINUTES OF REGULAR MEETING – September 28, 2020

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 Matheis on September 28, 2020 via teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20 due to COVID-19. Members of the public did not attend this meeting in person.

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

Directors Absent: None.

Also Present: General Manager Cook, Executive Director of Technical Services Burton, Executive Director of Water Policy Weghorst, Executive Director of Finance and Administration Clary, Director of Treasury and Risk Management Jacobson, Executive Director of Operations Chambers, General Counsel Collins, Director of Public Affairs Beeman, Director of Human Resources Roney, Director of Water Quality and Regulatory Compliance Colston, Director of Recycling Operations Zepeda, Director of Maintenance Mykitta, Director of Administrative Services Malone, Director of Water Resources Sanchez, Government Relations Officer/Deputy General Counsel Compton, Secretary Bonkowski, Mr. Bruce Newell, and members of staff and the public.

WRITTEN AND ORAL COMMUNICATIONS: None.

CONSENT CALENDAR

On MOTION by Matheis, seconded by LaMar, and unanimously carried by a roll call vote (5-0) Withers, Matheis, Reinhart, Swan, and LaMar voting aye, and 0 noes, CONSENT CALENDAR ITEMS 3 THROUGH 7 WERE APPROVED AS FOLLOWS:

3. BOARD MEETING MINUTES

Recommendation: That the minutes of the September 14, 2020 Regular Board meeting be approved as presented.

4. RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS

Recommendation: That the Board ratify/approve the meetings and events for Mary Aileen Matheis, Peer Swan, Steve LaMar, and John Withers, as described.

5. AUGUST 2020 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 2020 Summary of Payroll ACH payments in the total amount of \$2,119,464, and approve the August 2020 accounts payable Disbursement Summary of warrants 410388 through 411398, Workers' Compensation distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$16,863,053.

CONSENT CALENDAR (CONTINUED)

6. SAN JOAQUIN RESERVOIR FILTRATION PROJECT VARIANCE NO. 3

Recommendation: That the Board authorize the General Manager to execute Variance No. 3 in the amount of \$128,503 with Carollo Engineers for the San Joaquin Reservoir Filtration Project, Project 10379.

7. REIMBURSEMENT AGREEMENT BETWEEN IRWD AND THE CITY OF IRVINE FOR FISCAL YEAR 2020-21 ANNUAL STREET REHABILITATION AND SLURRY SEAL PROJECT

Recommendation: That the Board authorize the General Manager to execute the Reimbursement Agreement between Irvine Ranch Water District and the City of Irvine for Adjustment of Street Utilities to Grade for the Fiscal Year 2020-21 Annual Street Rehabilitation and Slurry Seal Project, subject to non-substantive changes.

ACTION CALENDAR

ASSET MANAGEMENT CAPITAL IMPROVEMENT PROGRAM CONSULTANT SELECTION

Using a PowerPoint presentation, Engineering Manager Akiyoshi reported that the Asset Management Capital Improvement Program (CIP) will provide a comprehensive approach for planning capital replacement and rehabilitation (R&R) projects. IRWD currently plans for R&R projects through individual studies, regular operational capital project meetings between Engineering and Operations teams, and updates to the Water Resources, Sewer Treatment, and Sewage Collection Master Plans. Mr. Akiyoshi said that staff anticipates implementing the Asset Management CIP in multiple phases to consolidate capital-related R&R project planning. This will optimize efficiencies, coordination, timing, and financing of capital-related R&R improvements for vertical and linear facilities.

Mr. Akiyoshi said that Phase 1 of the program focuses on developing a five-year risk-based prioritized CIP for pump stations, lift stations, tanks, and wells. The scope of work includes a desktop condition assessment, ranking facilities based on likelihood of failure, developing consequences of failure and levels of service expectations, calculating facilities' remaining useful lives, estimating replacement costs, and producing a five-year prioritized CIP project list.

Mr. Akiyoshi said that staff invited seven consultants to propose on the project and received proposals from five consultants: Black and Veatch, Kennedy Jenks, HDR, GHD, and Brown and Caldwell. Based on team experience, displaying innovative ideas for proposed tools, and articulating a clear approach to risk assessment, three consultants: Black and Veatch, Kennedy Jenks, and HDR were selected for interviews. All the firms presented qualified teams and well-thought-out approaches to the project and scope of work. He said that while all the teams were well qualified, Black and Veatch presented a well-balanced team, clear project approach, and excellent understanding that meets IRWD's goals and objectives for this project.

Following discussion, Director Reinhart said that this item was reviewed and approved by the Engineering and Operations Committee on September 15, 2020. On MOTION by Reinhart, seconded by Swan and unanimously carried by a roll call vote (5-0) Withers, Matheis, Reinhart, Swan, and LaMar voting aye, and 0 noes, THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BLACK & VEATCH IN THE AMOUNT OF \$423,281 AND APPROVED THE ADDITION OF PROJECTS 11686, 11687, AND 11688, EACH IN THE AMOUNT OF \$225,500 FOR A TOTAL OF \$676,500, TO THE FISCAL YEAR 2020-21 CAPITAL BUDGET FOR THE ASSET MANAGEMENT CAPITAL IMPROVEMENT PROGRAM PROJECT.

ASSOCIATION OF CALIFORNIA WATER AGENCIES 2021 LEGISLATIVE PLANNING

Government Relations Officer/Deputy General Counsel Compton reported that each year ACWA's State Legislative Committee solicits legislative proposals from ACWA members, which it considers at its Annual Planning Meeting held in the fall. The ACWA State Legislative Committee will meet on October 30, 2020, to prepare for the first year of the 2021-2022 State Legislative Session.

Ms. Compton said that water agencies currently have no means of proactively seeking a court judgment that their rates and charges are legal and comply with the requirements of Proposition 218 and other laws. For certain local agency actions, existing law provides that a local agency may file a validation action – a lawsuit filed in Superior Court seeking a finding that a certain action is legal. She said that the potential legislative concept, which was prepared by staff and is provided as an exhibit seeks to provide that same validation action option to retail water suppliers for property-related water, wastewater, and sewer fees and charges. If retail water suppliers had the option of filing a validation action, a water supplier could have avoided future challenges to its rates years after they had been set and collected because a court would have already reviewed them and ruled of their legality.

Ms. Compton said that due to timing, this item was not reviewed by a Committee. In response to Director Swan's inquiry, Legal Counsel Collins explained the validation process to the Board. Following discussion, on MOTION by LaMar, seconded by Reinhart, and unanimously carried by a roll call vote (5-0) Withers, Matheis, Reinhart, Swan, and LaMar voting aye, and 0 noes, THE BOARD AUTHORIZED STAFF TO SUBMIT THE LEGISLATIVE PROPOSAL TO THE ASSOCIATION OF CALIFORNIA WATER AGENCIES LEGISLATIVE BEFORE THE OCTOBER 2, 2020, DEADLINE FOR CONSIDERATION AS AN ACWA-SPONSORED LEGISLATION AND THAT THE BOARD ADOPT A "SUPPORT" POSITION ON THE CONCEPT PUT FORTH IN THE LEGISLATIVE PROPOSAL FORM.

OTHER BUSINESS

GENERAL MANAGER'S REPORT

General Manager Cook reported that there is one new case of COVID-19, and that from the other five previous cases the employees have returned to work.

He further said that he just received word that the Governor signed AB 1386 (Moorlach), which the District is supporting that specifies that fire hydrants are part of the system of public improvements included in the definition of water for purposes of Proposition 218.

DIRECTORS' COMMENTS

Director Withers reported that he attended his regular meetings.

Director Swan reported that he attended several meetings including a WACO Planning meeting, a Southern California Dialogue meeting, Newport Chamber of Commerce meetings, a Kern Fan Project meeting, and MWDOC Board and Committee meetings. He further asked that the General Manager email him a detailed project cost updates on a monthly basis for the Biosolids project as well as the Syphon Reservoir.

Director LaMar reported on his attendance at ACWA meetings, a South Orange County Water Agencies meeting, a Natural Communities Coalition meeting, and a Scripps Water Advisory group meeting.

Director Reinhart reported on his attendance at OCWD and MWDOC Board and Committee meetings, and a South Orange County Water Agencies meeting.

Director Matheis said that she attended her general meetings, a Santiago Aqueduct Commissioners' Quarterly meeting, and MWDOC meetings.

COMMUNITY UPDATES

The District's Consultant, Mr. Bruce Newell, said he had nothing to report.

CLOSED SESSION

Legal Counsel Collins said that the following would be held:

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Gov. Code § 54956.9(d)(2) and (d)(4)) – two potential cases.

OPEN SESSION

Following the Closed Session, the meeting was reconvened with Directors Matheis, Swan, Reinhart, LaMar and Withers present. No action was reported.

ADJOURNMENT

President Matheis adjourned the meeting at 7:00 p.m.

APPROVED and SIGNED this 12th day of October 2020.

President, IRVINE RANCH WATER DISTRICT

Secretary IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Claire Hervey Collins, General Counsel
Hanson Bridgett LLP