

EXHIBIT "A"

MINUTES OF REGULAR MEETING – July 26, 2021

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 Reinhart on July 26, 2021 in person at the District's headquarters located at 15600 Sand Canyon Avenue, Irvine, California and via teleconference pursuant to the provisions of the Governor's Executive Order N-08-21 due to COVID-19.

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

Directors Absent: None

Also Present: General Manager Cook, Executive Director of Water Policy Weghorst, Executive Director of Operations Chambers, Executive Director of Finance and Administration Clary, Director of Treasury and Risk Management Jacobson, Director of Water Quality and Regulatory Compliance Colston, Director of Information Services Malone, Director of Maintenance Mykitta, Director of Human Resources Mitcham, Secretary Bonkowski, General Counsel Collins, Consultant Newell, Ms. Brenda Deeley and Ms. Suzanne Choi of Fiona Hutton and Associates, members of the public and other staff.

WRITTEN AND ORAL COMMUNICATIONS: None.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED: None.

PRESENTATION

General Manager Cook presented a proclamation to retiree Ray Bennett to commend him for 12 years of dedicated and loyal service to IRWD.

CONSENT CALENDAR

Director Swan asked that Consent Calendar items 6 and 7 be moved to the Action Calendar for discussion. There being no objections, these items were moved accordingly. He further received clarification on Item No. 11 from staff that the facility would not be visible from the walking area near "Tree Hill". On MOTION by Swan, seconded by Withers and unanimously carried, CONSENT CALENDAR ITEMS 4, 5, 8, 9, 10 AND 11 WERE APPROVED AS FOLLOWS:

4. BOARD MEETING MINUTES

Recommendation: That the minutes of the July 12, 2021, Regular Board meeting be approved as presented.

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

Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Karen McLaughlin, Douglas Reinhart, Peer Swan, and John Withers, as described.

CONSENT CALENDAR (CONTINUED)

8. REHABILITATION OF DYER ROAD WELLFIELD WELL NOS. 5, 14, AND 16 FINAL ACCEPTANCE

Recommendation: That the Board accept construction of rehabilitation of Dyer Road Wellfield Well Bos. 5, 14, and 16; authorize the General Manager to file a Notice of Completion; and authorize the release of retention 35 days after filing of the Notice of Completion for Projects 10914, 07089, AND 07091.

9. TURTLE RIDGE PIPELINES CATHODIC PROTECTION – FINAL ACCEPTANCE

Recommendation: That the Board accept construction of the Turtle Ridge Pipelines Cathodic Protection, 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 for Projects 07888 and 07889.

10. ADOPTION OF CORRECTED DISTRICT SCHEDULES OF POSITIONS AND SALARY RATE RANGES EFFECTIVE JUNE 14, 2021 THROUGH JUNE 30, 2021

Recommendation: That the Board adopt the following resolution by title adopting corrected schedules of positions and salary rate ranges effective June 14, 2021, through June 30, 2021.

RESOLUTION NO. 2021-18

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT ADOPTING
CORRECTED SCHEDULES OF POSITIONS AND
SALARY RATE RANGES EFFECTIVE AS OF JUNE 14, 2021.

11. DISTRICT-WIDE EMERGENCY GENERATOR DIESEL FUEL STORAGE CONSULTANT SELECTION

Recommendation: That the Board authorize the General Manager to execute a Professional Services Agreement with Psomas in the amount of \$428,713 for engineering design services for the District-wide Emergency Generator Diesel Fuel Storage, Projects 11536 and 11537.

ACTION CALENDAR

JUNE 2021 TREASURY REPORT

Following Director Swan's comment on Exhibit "B" noting IRWD's total fixed and variable rate debt amount of approximately \$641 million, on MOTION by Swan, seconded by LaMar and unanimously carried, THE BOARD RECEIVED AND FILED THE TREASURER'S INVESTMENT SUMMARY REPORT, THE SUMMARY OF FIXED AND VARIABLE RATE DEBT, AND DISCLOSURE REPORT OF REIMBURSEMENTS TO BOARD

MEMBERS AND STAFF, APPROVED THE JUNE 2021 SUMMARY OF PAYROLL ACH PAYMENTS IN THE TOTAL AMOUNT OF \$2,178,699, AND APPROVED THE JUNE 2021 ACCOUNTS PAYABLE DISBURSEMENT SUMMARY OF WARRANTS 418630 THROUGH 419653, WORKERS' COMPENSATION DISTRIBUTIONS, WIRE TRANSFERS, PAYROLL WITHHOLDING DISTRIBUTIONS AND VOIDED CHECKS IN THE TOTAL AMOUNT OF \$17,143,433.

IRWD STRATEGIC MEASURES

Following Director Swan's comment on the recycled water measurement noting it was considerably lower than planned, on MOTION by Swan, seconded by LaMar and unanimously carried, THE IRWD STRATEGIC MEASURES ITEM WAS RECEIVED AND FILED.

APPROVAL OF FINAL ENVIRONMENTAL IMPACT REPORT FOR SYPHON RESERVOIR IMPROVEMENT PROJECT

General Manager Cook reported that staff will be presenting the key elements of the final Environmental Impact Report for the Syphon Reservoir Improvement project this evening, and during this process will be accepting comments in the Webex chat function as well as in person.

Using a PowerPoint presentation, Environmental Compliance Analyst Corey provided a map of the reservoir location, and then reviewed the key project objectives as follows: 1) to improve local water supply reliability by reducing the need to purchase costly Metropolitan Water District imported water; 2) to maximize the use of recycled water produced by IRWD; 3) to reduce diversions of sewage to Orange County Sanitation District; 4) to reduce recycled water discharges to the ocean; and 5) to meet or exceed the latest safety standards of State of California Department of Water Resources, Division of Safety of Dams.

Ms. Corey highlighted the project noting it will increase reservoir capacity from 500 acre-feet to 5,000 acre-feet. Additionally, the project will: 1) replace the existing 59-foot-high engineered dam with a new 136-foot-high engineered dam; 2) protect reservoir overtopping with the construction of a new spillway well; 3) provide a new treatment facility and inlet / outlet control building; 4) create onsite access and maintenance roads; 5) provide for wetland and riparian mitigation areas; and 6) provide a potential recreational facility including walking and running trails for the community.

Ms. Corey then reviewed the timeline for this project noting that pursuant to the California Environmental Quality Act (CEQA) and related guidelines, a Notice of Preparation of a Draft EIR was publicly circulated for 45 days on August 2, 2019, followed by a public scoping meeting that was held on August 21, 2019, providing the public and governmental agencies information on the CEQA process and providing opportunities to identify environmental issues and alternatives for consideration in the Draft EIR. She said that on March 17, 2021, IRWD filed a Notice of Completion of a Draft EIR for the Project with the Governor's Office of Planning and Research. A Notice of Availability of the Draft EIR was posted on March 19, 2021, and a virtual public meeting was held on April 21, 2021 where two comments were received from the audience. She said that the comments were in support of the environmental analysis included in the Draft EIR and included a request that the Final EIR include an inundation map with depth contours. She said that 11 letters providing comments on the Draft EIR were received during the public review period. The agencies that provided comments are

the Orange County Fire Authority, Irvine Unified School District, City of Irvine, California Department of Fish and Wildlife, Transportation Corridor Agencies, California Department of Transportation, Orange County Public Works, and the City of Newport Beach. In addition to these agencies, two Irvine residents provided comment letters and one comment letter was received from an IRWD Board Member. She said that staff and consultants from Environmental Science Associates (ESA) reviewed the written comments and prepared detailed responses to comments directed to any significant environmental issues. The comments, responses, and revisions to the Draft EIR text are included in a separate document comprised of additional chapters 8 through 11 which, together with the Draft EIR, comprise the Final EIR. The Final EIR is provided as an exhibit, the Findings and Facts in Support of Findings for the Project are provided as an exhibit along with the associated Mitigation Monitoring and Reporting Program provided as an exhibit. During the meeting, two comments were received via the Webex chat function in support of the project. Director Swan then provided a summary of objections for not moving forward with this project, and said he believed the Green Acres project would be a better alternative for recycled water storage to the proposed Syphon Reservoir project, and he said for those reasons that he would be voting no on this item.

There being no further comments, on MOTION by LaMar, seconded by McLaughlin, and carried by a vote of 4-1 (Reinhart, Withers, LaMar and McLaughlin voting aye, and Swan voting no), THE BOARD DIRECTED STAFF TO INCORPORATE INTO THE DRAFT FINDINGS AS PRESENTED IN THIS MEETING SUCH REVISIONS AS MAY BE NECESSARY TO CONFORM THE FINDINGS TO ANY INFORMATION THAT MAY BE RECEIVED AFTER PREPARATION OF SAID DRAFT AND PRIOR TO THIS ACTION, INCLUDING ANY CHANGES TO THE FINAL ENVIRONMENTAL IMPACT REPORT AND ANY COMMENTS FROM THE BOARD AT THIS MEETING; DIRECT THAT THE FINDINGS, AS SO REVISED, BE ATTACHED TO THE BELOW-MENTIONED RESOLUTION, AND ADOPTED THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2021 – 20

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE IRVINE RANCH WATER DISTRICT
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT AND
APPROVING THE SYPHON RESERVOIR IMPROVEMENT PROJECT

GROUNDWATER BANKING JOINT POWERS AUTHORITY CASH CALL FUNDING
APPROVAL

Using a PowerPoint presentation, General Manager Cook provided highlight of the Kern Fan Groundwater Storage project noting that: 1) the Proposition 1 Water Storage Investment Program (WSIP) is administered by the California Water Commission; 2) the Kern Fan Project is conditionally awarded \$87.8 million in WSIP funding; 3) the Kern Project includes a new conveyance from the California Aqueduct including a new turnout and a 10-mile canal, and has a 500 cubic foot per second capacity; 4) provides for 1,040 acres of recharge basins with an annual recharge capacity of 100,000 acre-feet and 100,000 acre-feet of storage capacity; and 5) provides for 12 recovery wells with a combined capacity up to 70 cubic feet per second.

Director of Treasury and Risk Management Jacobson reviewed the project location noting that the project requires the acquisition of approximately 1,280 acres of land in Kern County. Staff

from IRWD and Rosedale identified several suitable target properties to facilitate the future design and construction of the project, and the Groundwater Banking Joint Powers Authority Board approved acceptable price parameters for staff to negotiate each of the potential property purchases.

Director of Water Policy Weghorst provided a summary of the project status noting that: 1) staff is working with Department of Water Resources (DWR), Kern County Water Agency and Dudley Ridge Water District on hydraulic modeling on the California Aqueduct and the proposed new turnout, an ecosystem exchange concept and agreement terms, and the availability of Article 21 water; 2) the Environmental Impact Report was certified in December 2020 with DWR as lead on environmental compliance for the ecosystem pulse and State Water project operations; 3) 30 percent of the Feasibility report is in progress; 4) the request for proposal for design is expected to be released in August 2021; 5) a project update will be provided to the California Water Commission in August 2021; 6) the California Water Commission hearing is scheduled for November 2021 for continued grant eligibility; and 7) the property acquisition is in process. He further reviewed the project schedule.

General Manager Cook reported that late last week staff received, after the Board agenda was posted, an expense of \$267,000, and asked to amend the motion to clarify approvals for such items that have previously been approved during the budget process by the Board. There being no objection to this amendment, on MOTION by Withers, seconded by Swan and unanimously carried, **THE BOARD APPROVED THE FUNDING OF THE GROUNDWATER BANKING JOINT POWERS AUTHORITY'S (GBJPA) CASH CALL IN THE AMOUNT OF \$450,000 AND AUTHORIZED STAFF TO TRANSFER FUNDS IN THE AMOUNT OF \$450,000 FROM IRWD TO THE GBJPA BANK ACCOUNT TO INITIATE THE LAND ACQUISITION PROCESS, AND THAT THE BOARD AUTHORIZED THE GENERAL MANAGER TO PAY ALL CASH CALLS RELATED TO THE APPROVED GBJPA CAPITAL AND OPERATING BUDGET, EXCEPT FOR LAND ACQUISITION CASH CALLS AND CASH CALLS FOR DESIGN AND CONSTRUCTION CONTRACTS THAT EXCEED THE DELEGATION OF AUTHORITY AMOUNT OF THE IRWD GENERAL MANAGER.**

OTHER BUSINESS

GENERAL MANAGER'S REPORT

General Manager Cook reported that there were no recent new COVID-19 cases. He updated the Board on customer billing noting that the outstanding debt is at \$2.6 million.

Mr. Cook said that this Thursday he is participating in an OCWD webinar on the drought condition along with panelists Dan Denham from SDCWA, James Bodnar from MWD, and Mike Markus from OCWD.

COMMUNITY UPDATES

Consultant Newell said that the pre-fire meeting was rescheduled for August 8. Director Withers said that he would be attending this meeting.

DIRECTORS' COMMENTS

Director LaMar reported on his attendance at MWDOC's Water Policy Forum and Dinner, an ACWA Region 3 event, an MWRP and San Joaquin Marsh tour with Senator David Min, a Southern California Water Coalition meeting, and an NWRA Western water webinar.

Director McLaughlin reported on her attendance at an ACWA Region 3 event.

Director Swan reported on his attendance at his normal meetings including a MWDOC Administration and Finance Committee meeting, a MWDOC Water Policy Forum and Dinner, a Groundwater Banking JPA Board meeting, a WACO Planning Committee meeting, an OCWA monthly meeting, and a Southern California Water Coalition meeting. He further commented that Board members would occasionally like to be in contact with community leaders, and asked that when this occurs, to be included in these opportunities.

Director Withers reported on his attendance at a MWDOC Water Policy Forum and dinner meeting, and an OCWA monthly meeting. He noted upcoming meetings including NWRI and OCSD meetings.

Director Reinhart reported on his attendance at an OCWD Water Issues Committee meeting, a MWDOC Water Policy Forum and Dinner, and a South Orange County Agencies group meeting.

ADJOURNMENT

There being no further business, President Reinhart adjourned the meeting at 6:18 p.m.

APPROVED and SIGNED this 9th day of August 2021.

President, IRVINE RANCH WATER DISTRICT

Secretary IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Claire Hervey Collins, General Counsel
Hanson Bridgett LLP