

MINUTES OF REGULAR MEETING –JULY 25, 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 July 25, 2022, at the District offices, 15600 Sand Canyon Avenue, Irvine.

Directors Present: Swan, Withers, Reinhart, and LaMar

Directors Absent: McLaughlin

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 Recycling Operations Zepeda, Director of Water Quality and Regulatory Compliance Colston, Director of Water Resources Sanchez, Director of Human Resources Mitcham, Acting 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.

PUBLIC HEARING

REPORT ON WATER QUALITY RELATIVE TO PUBLIC HEALTH GOALS

President LaMar declared this to be the time and place for the Hearing on the Report on Water Quality Relative to Public Health Goals, and he declared the Hearing open and asked the Secretary to report the manner by which the Notice of Hearing was given.

Secretary Bonkowski said that the Notice of the Hearing was published in the Orange County Register on July 10, 2022, and July 17, 2022. A Notice was also posted in the District office and on the District's website on July 7, 2022. She then presented an Affidavit of Posting and the Proof of Publication for the Board to receive and file.

On MOTION by Swan, seconded by Reinhart and carried, (Swan, Withers, Reinhart and LaMar voting aye, and McLaughlin absent (4-0 vote), **THE AFFIDAVIT OF POSTING AND THE PROOF OF PUBLICATION PRESENTED BY THE SECRETARY WAS RECEIVED AND FILED.**

President LaMar asked legal counsel to describe the nature of the proceeding. Legal Counsel Collins said that the Public Hearing is required under Health and Safety Code Section 116470(c) for the purpose of the Board accepting and responding to any public comment on the 2022 Report on Water Quality Relative to Public Health Goals, including exceedance of and steps to treat any contaminant to meet any State Public Health Goal or any National Maximum Contaminant Level Goal.

President LaMar asked staff to provide a report. Director of Water Quality and Regulatory Compliance Colston said that this is a triennial review required by California law to report on

IRWD's drinking water quality relative to the state-adopted Public Health Goals. He said that Public Health Goals are not adopted standards for drinking water like Maximum Contaminant Levels, but rather goals at which the State says there is zero risk to public health by drinking the water over a lifetime. He said that this report covers the calendar years 2019 through 2021, and that as compared to the 2019 report, IRWD exceeded four fewer public health goals in this report. He said that the report was previously presented to the Engineering and Operations Committee. He further said that the District has not received any public comment or questions.

President LaMar asked whether there is anyone present who wished to address the Board concerning the Report on Water Quality Relative to Public Health Goals. There were none.

President LaMar asked whether there were any comments or questions from members of the Board of Directors. There were none. He asked that the hearing be closed and to receive and file the report. On MOTION by Withers, seconded by Swan, and carried, (Swan, Withers, Reinhart and LaMar voting aye, and McLaughlin absent (4-0 vote), THE HEARING WAS CLOSED AND THE 2022 REPORT ON WATER QUALITY RELATIVE TO PUBLIC HEALTH GOALS WAS RECEIVED AND FILED.

CONSENT CALENDAR

On MOTION by Reinhart, seconded by Withers, and carried, (Swan, Withers, Reinhart and LaMar voting aye, and McLaughlin absent (4-0 vote), CONSENT CALENDAR ITEMS 5 THROUGH 7 WERE APPROVED AS FOLLOWS:

5. BOARD MEETING MINUTES

Recommendation: That the minutes of the July 11, 2022, regular Board meeting be approved as presented.

6. JUNE 2022 TREASURY REPORTS

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 June 2022 summary of payroll ACH payments in the total amount of \$2,171,526, and approve the June 2022 accounts payable disbursement summary of warrants 427729 through 428808, Workers' Compensation distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$25,432,594.

7. FISCAL YEAR 2021-22 IRWD GUIDING PRINCIPLES SCORECARD

Recommendation: Receive and file.

ACTION CALENDAR

FLEMING ZONE 8 RESERVOIR AND ZONE 8 TO 9 PUMP STATION BUDGET INCREASE, CONSULTANT SELECTION, AND CONSTRUCTION AWARD

General Manager Cook reported that the Fleming Zone 8 Reservoir and Zone 8 to 9 Pump Station project includes removal of the existing steel tank and pump station and replacement with a new prestressed concrete tank, pump station, reservoir management system, and related facilities. IRWD provides potable water supply service to approximately 2,500 customers in the Santiago area located in an unincorporated region of Orange County. Each canyon area contains a system of domestic water tanks and pump stations that relies on the existing 150,000-gallon steel Fleming Zone 8 tank and the existing Zone 8 to 9 booster pump station as the main source of supply and this project will increase capacity to 1.3 million gallons (MG) to meet the storage requirements for the area.

Executive Director of Technical Services Burton said that Tetra Tech performed all elements of the preliminary and final design for the project including geotechnical, civil, mechanical, structural, architectural, electrical, and instrumentation and control and staff requested Tetra Tech to submit a proposal for construction phase engineering services. Tetra Tech submitted a proposal in the amount of \$330,000, which includes scope for submittal reviews, responses to contractor requests for information, site visits, record drawing preparation, development of energy control procedures, and construction coordination and engineering support commensurate with the requirements of the project, which staff finds satisfactory.

Mr. Burton said that the project was advertised for construction bidding to a select list of five reservoir contractors with bids received from Pacific Hydrotech Corporation, Gateway Pacific Contractors, Inc., and Kiewit Infrastructure West Co. Pacific Hydrotech Corporation was the apparent low bidder with a bid amount of \$13,765,100.

Director Reinhart said that the consultant selection recommendation was reviewed by the Engineering and Operations Committee on June 21, 2022. In response to Director Swan's inquiry, staff provided a summary of the funding sources for this project. On MOTION by Reinhart, seconded by Withers and carried, (Swan, Withers, Reinhart and LaMar voting aye, and McLaughlin absent (4-0 vote), THE BOARD AUTHORIZED A BUDGET INCREASE IN THE AMOUNT OF \$7,739,000, FROM \$9,001,000 TO \$16,740,000, AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH IN THE AMOUNT OF \$330,000 FOR ENGINEERING SUPPORT SERVICES DURING CONSTRUCTION, AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH PACIFIC HYDROTECH CORPORATION IN THE AMOUNT OF \$13,765,100 FOR THE FLEMING ZONE 8 RESERVOIR AND ZONE 8 TO 9 PUMP STATION, PROJECT 10101.

COASTAL ZONE 1-2 AND 2-4 PUMP STATIONS REHABILITATION CONSULTANT SELECTION

The Coastal Zone 1-2 (CZ1-2PS) and the 2-4 Pump Station (CZ2-4PS), which serve Coastal Zones 2 and 4 in Newport Coast, have seldomly been used since the completion of the Coastal Zone 4 Pump Station (CZ4PS) and due to this lack of use, have become inoperable. This project will rehabilitate these pump stations and return them to operational use as the secondary pumping system for drinking water supply to the Newport Coast area.

In response to Director Swan's comment, Executive Director of Technical Services Burton provided a summary of the scope of work to be performed. Director Reinhart reported that this item was reviewed by the Engineering and Operations Committee on July 19, 2022, and on MOTION by Reinhart, seconded by Withers and carried, (Swan, Withers, Reinhart and LaMar voting aye, and McLaughlin absent (4-0 vote), THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GHD IN THE AMOUNT OF \$446,243 FOR DESIGN ENGINEERING SERVICES FOR THE COASTAL ZONE 1-2 AND 2-4 PUMP STATIONS REHABILITATION, PROJECT 11912.

GENERAL MANAGER'S REPORT

General Manager Cook reported that the COVID-19 cases are improving, and the Operations Center is now mask-optional.

COMMUNITY UPDATE

Consultant Newell reported on the improvements that are occurring in the canyon area.

DIRECTORS' COMMENTS

Director Withers reported that he attended his regular meetings along with a Southern California Water Coalition meeting in Long Beach and an OCWA monthly meeting.

Director Swan reported on his attendance at an OCBC Infrastructure meeting, MWDOC Committee and Board meetings, an OCWA presentation, and a Newport Beach Chamber of Commerce meeting.

Director Reinhart reported on his attendance at MWDOC and OCWD meetings.

Director LaMar reported on his attendance last week at a California Council of Economic Balance summer issues seminar in Olympic Valley. Additionally, he said that Mr. Jerry Gladbach, former Vice President of Santa Clarita Valley Water Agency and former ACWA Vice President, among other water related accomplishments, had passed and requested that the Board meeting be adjourned in his memory.

CLOSED SESSION

Legal Counsel Collins said that the following Closed Sessions would be held:

- 1) CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION – Pursuant to Government Code Section 54956.9(d)(2): significant exposure to litigation. (One potential case; California Barricade claim on file with the District.)
- 2) CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Pursuant to Government Code Section Gov. Code § 54956.9(d)(4) – *Initiation of litigation (one case)* – Potential condemnation action for mitigation lands

CLOSED SESSION (CONTINUED)

- 3) CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8:

Property: Capacity rights in the SOCWA Effluent Transmission Main and Aliso Creek Ocean Outfall

Agency Negotiator: Paul Cook, General Manager, and Kevin Burton, Executive Director of Technical Services

Negotiating Parties: El Toro Water District

Under negotiation: Price and Terms of Payment

OPEN SESSION

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

ADJOURNMENT

At 6:42 p.m., President LaMar adjourned the meeting in memory of Mr. Jerry Gladback.

APPROVED and SIGNED this 8th day of August 2022.

President, IRVINE RANCH WATER
DISTRICT

Secretary IRVINE RANCH WATER
DISTRICT

APPROVED AS TO FORM:

Claire Hervey Collins, General Counsel
Hanson Bridgett LLP