

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

August 9, 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.

PRESENTATIONS

Next Resolution No. 2010-27

3. RESOLUTION COMMENDING SERVICE TO THE DISTRICT

Recommendation: That the Board adopt a resolution commending Loretta Velazquez for 26 years of dedicated service to the District.

Reso. No. 2010 -

4. SHADETREE PARTNERSHP OVERVIEW

Mr. Thomas Bonkowski, General Manager of Shadetree Partnership, will provide an overview of activities from January 2009 through June 2010.

CONSENT CALENDAR

Next Resolution No. 2010-27

Items 5-17

5. MINUTES OF REGULAR BOARD MEETING

Recommendation: That the minutes of the July 26, 2010 Regular Board Meeting be approved as presented.

CONSENT CALENDAR - Continued	Next Resolution No. 2010-27	Items 5-17
6. <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.	Reso. No. 2010 -
7. <u>2010 PROJECT MANUAL</u>	Recommendation: That the Board adopt a resolution subject to nonsubstantive changes and adopt a resolution rescinding Resolution 2001-5 and revising standard form construction contract documents.	
8. <u>RECYCLED WATER SERVICE LATERAL AND ON-SITE SYSTEM FOR GAS RECOVERY SYSTEMS, INC. – FINAL ACCEPTANCE</u>	Recommendation: That the Board accept construction of the Recycled Water Service Lateral and On-site Systems for Gas Recovery Systems, Inc., project 30340; authorize filing of a Notice of Completion; and authorize the payment of the retention 35 days after the date of recording the Notice of Completion.	
9. <u>PLANNING AREA 6 ZONES 6 AND D RESERVOIRS LANDSCAPING AND IRRIGATION IMPROVEMENTS PROJECT – FINAL ACCEPTANCE</u>	Recommendation: That the Board accept construction of the Planning Area 6, Zones 6 and D Reservoirs Landscape and Irrigation improvement project, projects 10426 and 30180; authorize filing of a Notice of Completion; and authorize the payment of the retention 35 days after the date of recording the Notice of Completion.	
10. <u>FY 2010-11 WATER QUALITY PLANNING RESERVES BUDGET AND EXPENDITURE AUTHORIZATIONS</u>	Recommendation: That the Board approve Expenditure Authorizations in the amount of \$110,900 for project 11471; \$50,100 for project 20850; and \$94,200 for project 30344 for the FY 2010-11 Water Quality Planning Reserves.	

CONSENT CALENDAR - Continued Next Resolution No. 2010-27 Items 5-17

11. ORANGE PARK ACRES DOMESTIC WATER DISTRIBUTION AND TRANSMISSION SYSTEM IMPROVEMENTS MITIGATED NEGATIVE DECLARATION

Recommendation: That the Board adopt the proposed Mitigated Negative Declaration for the Orange Park Acres Domestic Water Distribution and Transmission System Improvements project and approve the project; direct staff to post and file a Notice of Determination, and submit payment for the California Department of Fish and Game filing fee.

12. QUITCLAIM OF REAL PROPERTY – WOODBURY DEVELOPMENT (TRACT 17348)

Recommendation: That the Board adopt a resolution approving execution of the Quitclaim Deed to Irvine Community Development Company LLC for Woodbury Tract No. 17348.

Reso. No. 2010-

13. QUITCLAIM OF REAL PROPERTY – WOODBURY DEVELOPMENT (TRACT 17349)

Recommendation: That the Board adopt a resolution approving execution of the Quitclaim Deed to Irvine Community Development Company LLC for Woodbury Tract No. 17349.

Reso. No. 2010-

14. QUITCLAIM OF REAL PROPERTY – STONEGATE EAST DEVELOPMENT

Recommendation: That the Board adopt a resolution approving execution of the Quitclaim Deed to Irvine Community Development Company LLC for Stonegate East Tract Nos. 17357, 17374 and 17375.

Reso. No. 2010-

15. RESOLUTION DELEGATING AUTHORITY TO ACT ON BEHALF OF THE DISTRICT WITH REGARD TO OFFICIAL MATTERS OF CSAC-EIA

Recommendation: That the Board adopt a resolution delegating authority to the General Manager or his designee to act on behalf of the Board of Directors with regard to official matters of the California State Association of Counties Excess Insurance Authority.

Reso. No. 2010-

16. PLANNING AREA 40 SUB AREA MASTER PLAN BUDGET ADDITIONS AND EXPENDITURE AUTHORIZATION APPROVALS

Recommendation: That the Board authorize the addition of project 11399 for \$80,300 and project 21399 for \$89,100 to the FY 2010-11 Capital Budget and approve Expenditure Authorizations for \$20,300 and \$29,100, respectively, for the Planning Area 40 Sub Area Master Plan.

CONSENT CALENDAR - Continued	Next Resolution No. 2010-27	Items 5-17
17. <u>REIMBURSEMENT AGREEMENT BETWEEN IRWD AND THE CITY OF IRVINE FOR THE BARRANCA PARKWAY/RED HILL AVENUE/DYER ROAD STREET INTERSECTION IMPROVEMENT CAPITAL IMPROVEMENT PROJECT 327030</u>		
Recommendation: That the Board authorize the addition of project 11448 to the FY 2010-11 Capital Budget; authorize an increase to the Capital Budget in the amount of \$60,500, from \$244,900 to \$305,400; approve an Expenditure Authorization in the amount of \$60,500; and authorize the General Manager to execute a Reimbursement Agreement between Irvine Ranch Water District and the City of Irvine for the Barranca Parkway/Red Hill Avenue/Dyer Road Street Intersection Improvement project, Capital Improvement Project 327030, CIP project 11448.		

ACTION CALENDAR

18. <u>FISCAL YEAR 2010/11 GENERAL COUNSEL SERVICES FOR BOWIE, ARNESON, WILES AND GIANNONE</u>	
Recommendation: That the Board approve the Engagement Agreement with Bowie, Arneson, Wiles, and Giannone effective July 1, 2010 for general counsel services in the amount not to exceed \$615,000, subject to not to exceed amounts within such total amount as provided in separate detail; and authorize the General Manager to execute an Approval of Engagement.	
19. <u>2011 MEDICAL INSURANCE COVERAGE RENEWAL</u>	
Recommendation: That the Board will authorize the continuance of the District's health care coverage with CalPERS for calendar year 2011 with changes in employee and district contribution levels as recommended in Table A.	
20. <u>CONSULTANT SELECTIONS FOR IMPLEMENTATION OF THE DISTRICT'S ENTERPRISE RESOURCE PLANNING SYSTEM REPLACEMENT</u>	
Recommendation: That the Board authorize a budget increase of \$1,513,000 each and approve Expenditure Authorizations of \$2,200,000 each for projects 11521 and 21521, authorize the General Manager to execute an Implementation Services Agreement with Applications Software Technology (AST) Corporation in an amount not to exceed \$3,425,440, subject to non-substantive modifications, authorize the General Manager to execute a Professional Services Agreement with Pacific Technologies, Inc. (PTI) in an amount not to exceed \$74,125, and authorize the General Manager to engage consulting services for project management with costs not to exceed \$200,000.	

ACTION CALENDAR - Continued

21. WATER OPERATIONS TRANSDYN REPLACEMENT VARIANCE NO. 2

Recommendation: That the Board approve Expenditure Authorizations in the amount of \$1,011,400 for project 10489 and \$384,800 for project 30489 for the Water Operations Transdyn System Replacement and authorize the General Manager to approve Variance No. 2 with Tetra Tech, Inc. in the amount of \$364,939.

22. NEWPORT BAY WATERSHED TMDL PROGRAM – AMENDMENT NO. 3 TO COUNTY AGREEMENT D99-128

Recommendation: That the Board authorize the General Manager to execute Amendment No. 3 to Agreement D99-128 (Agreement to fund Nutrient, Fecal Coliform and Toxics Total Maximum Daily Load (TMDL) Studies in the Newport Bay Watershed) and approve IRWD’s funding share of \$151,801 for Fiscal Year 2010-11.

23. REVISED WATER BANKING, TRANSFERS AND WHEELING POLICY POSITION PAPER

Recommendation: That the Board adopt the revised policy position paper entitled: *Water Banking, Transfers and Wheeling*.

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.

24. A. General Manager’s Report

B. Directors’ Comments

1)

OTHER BUSINESS - Continued

24. B. Directors' Comments

2)

3)

4)

5)

C. CLOSED SESSION:

- 1) With legal counsel regarding anticipated litigation (Government Code Section 54956.9(b) – significant exposure to litigation (one potential case – BKK Working Group notification to IRWD of potential liability, claim and/or litigation, on file with the District).
- 2) Conference with Real Property Negotiators (Government Code Section 54956.8.
Property: Parcels within flood elevation contour of proposed Prado Dam spillway improvement (parcels undisclosed per Gov't Code 6254.5(e))
Negotiating Parties; County of Orange
Agency Negotiator: Paul Jones, General Manager
Purpose of Negotiations: Participation in funding of acquisition

D. Adjourn

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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.