

## MINUTES OF REGULAR MEETING – AUGUST 9, 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 August 9, 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 Technical Services Burton, 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 Recycling Operations Zepeda, Director of Information Services Malone, Director of Water Resources Sanchez, Director of Maintenance Mykitta, Director of Human Resources Mitcham, Director of Strategic Communications and Advocacy/Deputy General Counsel Compton, Public Affairs Specialist Rivenburg, Secretary Bonkowski, General Counsel Collins, Consultant Newell, representatives from Discovery Cube Orange County, Mr. John Hayes and other staff.

WRITTEN AND ORAL COMMUNICATIONS: None.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED: None.

### PRESENTATION

General Manager Cook presented a proclamation of service to retiree John Hayes to commend him for 32 years of dedicated and loyal service to IRWD.

### CONSENT CALENDAR

Director Reinhart asked that Item No. 6 be moved to the Action Calendar to receive a staff update on SB 323 and AB 148. There being no objection, this item was moved accordingly. Director Swan said that he will be voting no on Item No. 10 to be consistent with his opposition to the proposed Syphon Reservoir Improvement project. There being no further comments, on MOTION by Withers, seconded by LaMar and carried, Withers, LaMar, Reinhart, McLaughlin, and Swan voting aye for item Nos. 4, 5, 7, 8, and 9 (5-0 vote), and for item No. 10, (Withers, LaMar, Reinhart, McLaughlin voting aye and Swan voting no (4-1 vote).

#### 4. BOARD MEETING MINUTES

Recommendation: That the minutes of the July 26, 2021, Regular Board meeting be approved as presented.

CONSENT CALENDAR (CONTINUED)

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

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

7. LAKE FOREST 16-INCH ZONE C RECYCLED WATER PIPELINE IN VISTA TERRACE AND ZONE B TO C PUMP STATION PIPING IMPROVEMENTS FINAL ACCEPTANCE

Recommendation: That the Board accept construction of Lake Forest 16-inch Zone C Recycled Water Pipeline in Vista Terrace and Zone B to C Pump Station Piping Improvements, 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 Project 11236.

8. GROUNDWATER BANKING JOINT POWERS AUTHORITY CASH CALL FUNDING APPROVAL

Recommendation: That the Board approve the funding of the Groundwater Banking Joint Powers Authority (GBJPA) cash call in the amount of \$2,500,000 and authorize staff to transfer funds in the amount of \$2,500,000 from IRWD to the GBJPA to fund the land acquisition following the approval of due diligence findings by the GBJPA Board.

9. AGREEMENT REGARDING TRANSFER OF APPLICANT STATUS FOR PROPOSITION 1 WATER STORAGE INVESTMENT PROGRAM FUNDING TO THE GROUNDWATER BANKING JOINT POWERS AUTHORITY

Recommendation: That the Board authorize the General Manager to execute an agreement, subject to non-substantive changes, regarding the transfer of applicant status for Proposition 1 Water Storage Investment Program funding with Rosedale-Rio Bravo Water Storage District and the Groundwater Banking Joint Powers Authority, and authorize staff to request approval of the California Water Commission to transfer the applicant status for the Kern Fan Groundwater Storage Project to the Groundwater Banking Joint Powers Authority.

10. RESOLUTION REGARDING AN APPLICATION FOR WATER RECYCLING FUNDING FOR THE SYPHON RESERVOIR IMPROVEMENT PROJECT

Recommendation: That the Board adopt the following resolution by title authorizing the General Manager to apply for and accept grant funding from the State Water Resources Control Board under the Water Recycling Funding Program for the planning, design, and construction of the Syphon Reservoir Improvement Project.

CONSENT CALENDAR (CONTINUED)

RESOLUTION NO. 2021-20

RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE IRVINE RANCH WATER DISTRICT  
AUTHORIZING THE GENERAL MANAGER TO  
APPLY FOR AND ACCEPT GRANT FUNDING FROM  
THE STATE WATER RESOURCES CONTROL BOARD FOR  
THE SYPHON RESERVOIR IMPROVEMENT PROJECT

ACTION CALENDAR

2021 LEGISLATIVE AND REGULATORY UPDATE

Following an update by Director of Strategic Communications and Advocacy/Deputy General Counsel Compton, on MOTION by Reinhart, seconded by LaMar and unanimously carried, THE 2021 LEGISLATIVE AND REGULATORY UPDATE WAS RECEIVED AND FILED.

EDUCATIONAL AGREEMENT WITH DISCOVERY CUBE ORANGE COUNTY

Public Affairs Specialist Rivenburg reported that IRWD has collaborated with Discovery Cube Orange County since 2007 for water education for elementary school assemblies, presentations and field trips to the San Joaquin Wildlife Sanctuary and educated more than 120,000 local students about the importance of water. Ms. Rivenburg said that in 2020-2021, the District worked with Discovery Cube to establish online and virtual resources to continue water educational outreach during COVID-19. Live and pre-recorded virtual workshops were offered, along with digital tools such as workbooks, lab activities and digital programming that included the San Joaquin Marsh 360 Experience. The digital material, combined, yielded 121,055 visits and views in one year.

Ms. Rivenburg introduced Discovery Cube representatives Mr. Robert Carlson, Ms. Tina Rolewicz, Ms. Quincy Stokes, and Ms. Lianne Leiss. Ms. Rolewicz summarized plans for the next two years which will include a hybrid model of in-person and virtual learning that will be made available to all schools within IRWD's service area. She said that the menu of options can be tailored to address the student health guidelines of each campus and classroom. She then highlighted the breakdowns by grade levels.

Ms. Stokes then presented a video of the Virtual Marsh Experience which is used as an educational learning tool for students.

Ms. Rivenburg reviewed the program costs which are funded through over-allocation revenues. She noted that the current proposed contract for 2021 to 2023 reflects an 8% increase from the budget approved in 2019.

Director LaMar reported that this item was reviewed by the Water Resources Policy and Communications Committee on August 4, 2021, and said he enthusiastically supported this program. Following comments from other Directors, on MOTION by LaMar, seconded by McLaughlin and unanimously carried, THE BOARD AUTHORIZED THE GENERAL

MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH DISCOVERY CUBE ORANGE COUNTY IN THE AMOUNT OF \$412,822.60 FOR THE TWO-YEAR PERIOD COVERING FY 2021-2022 AND FY 2022-2023 FOR THE ELEMENTARY AND MIDDLE SCHOOL EDUCATION PROGRAMS.

## OTHER BUSINESS

### GENERAL MANAGER'S REPORT

General Manager Cook said he was pleased to introduce Mr. Aaron Solorzano, the District's User Support Manager, who started work at IRWD today.

Mr. Cook reported that the District had three new cases of COVID-19 at the Operations Center, which triggers Cal/OSHA requirements for staff to mask and social distance for four days.

Mr. Cook reported that 4,000 customer accounts have overdue balances with a current outstanding debt of \$2.6 million.

He said that the Regional Water Quality Control Board appointed Ms. Jane Joy its new Executive Director.

Mr. Cook also said that Palo Verde Irrigation District will hold its election on September 21, 2021 for two Board members, and that staff will submit a recommendation to the Supply Reliability Programs Committee in September for casting the District's vote.

### COMMUNITY UPDATES

Consultant Newell said that last night a pre-fire meeting was held and that he appreciated the attendance of Director Withers along with staff. He said that there were 100 attendees in-person and virtual.

### DIRECTORS' COMMENTS

Director LaMar reported on his attendance at the meetings listed, along with a MWDOC workshop.

Director McLaughlin reported on her attendance at an OCWD Webinar, a South OC Watershed Management area Executive Committee meeting, and a WACO meeting.

Director Swan reported on his attendance at an OCWD Joint Planning Committee meeting, a Southern California Water Dialogue meeting, a MWDOC Planning and Operations Committee meeting, a Groundwater Banking JPA Special Board meeting, a MWDOC Board meeting, a WACO meeting, and Newport Beach Chamber of Commerce meetings.

Director Withers reported that he attended the meetings provided on the list along with a pre-fire meeting in the canyon area along with staff members discussing IRWD projects recently completed along with upcoming projects. He said that Wednesday he will be attending a CASA conference.

Director Reinhart reported on his attendance at an OCWD Joint Planning Committee meeting, a Groundwater Banking JPA Special Board meeting, an OCWD Board and Committee meeting, a MWDOC Board workshop, and a WACO meeting.

CLOSED SESSION

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

1) CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *Kern County Water Agency v. Groundwater Banking Joint Powers Authority, Rosedale-Rio Bravo Water Storage District, Irvine Ranch Water District*, Kern County Superior Court Case No. BCV-21-100223

2) CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *City of Bakersfield v. Groundwater Banking Joint Powers Authority, Rosedale-Rio Bravo Water Storage District, Irvine Ranch Water District*, Kern County Superior Court Case No. BCV-21-100221

3) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *IRWD v. OCWD, et al.*, Case No. 30-2016-00858584-CU-WM-CJC.

OPEN SESSION

The meeting was reconvened with Directors Swan, LaMar, Withers, McLaughlin, and Reinhart present. Legal Counsel Collins said that there was no action to report.

ADJOURNMENT

There being no further business, President Reinhart adjourned the meeting.

APPROVED and SIGNED this 23<sup>rd</sup> day of August 2021.

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President, IRVINE RANCH WATER DISTRICT

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Secretary IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

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Claire Hervey Collins, General Counsel  
Hanson Bridgett LLP