

AGENDA

SERRANO WATER DISTRICT /
IRVINE RANCH WATER DISTRICT COMMITTEE MEETING
MONDAY, MARCH 9, 2020

CALL TO ORDER 4:00 p.m., IRWD Committee Room, Second Floor,
15600 Sand Canyon Avenue, Irvine, California

ATTENDANCE Committee Members:

IRWD: Peer Swan _____ Doug Reinhart _____
SWD: Larry Pharris _____ Frank Bryant _____

ALSO PRESENT

Paul Cook _____ Jerry Vilander _____
Cheryl Clary _____ Vittorio Roggero _____
Rob Jacobson _____ Jeremy Jungreis _____
Kevin Burton _____ _____
Paul Weghorst _____ _____
Wendy Chambers _____ _____
Claire Hervey Collins _____ _____

COMMUNICATIONS

1. Notes: Clary
2. Public Comments
3. Determine the need to discuss and/or take action on item(s) introduced, which came to the attention of the District subsequent to the agenda being posted.
4. Determine which items may be approved without discussion.

INFORMATION

5. IRVINE LAKE REAL PROPERTY MATTERS – JACOBSON / CLARY

Recommendation: Receive and file.

OTHER BUSINESS

6. Director Comments
7. Adjourn

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 above-named Committee in connection with a matter subject to discussion or consideration at an open meeting of the Committee 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 Committee 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 Committee Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available at the entrance of the meeting room at the District Office. The Irvine Ranch Water District Operation’s Committee 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 an alternative format upon written request to the District Secretary at least seventy-two (72) hours prior to the scheduled meeting.

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March 9, 2020
Prepared by: R. Jacobson
Submitted by: C. Clary
Approved by: Paul A. Cook



IRWD/SWD IRVINE LAKE COMMITTEE

IRVINE LAKE REAL PROPERTY MATTERS

SUMMARY:

Staff and legal counsel for IRWD and Serrano Water District (SWD) are preparing draft agreements and easements intended to address outstanding real property commitments at Irvine Lake between IRWD, SWD, the County of Orange, and the Irvine Company. Staff will provide an overview of the key issues addressed in the agreements and easements. Staff will also update the Committee about an inquiry from the County regarding future fishing concessions at the lake.

BACKGROUND:

A 2003 Memorandum of Understanding between IRWD, SWD (collectively “the Districts”), and the Irvine Company includes a number of commitments related to real property within the Irvine Lake boundaries (owned by IRWD and SWD) and land adjacent to the lake, which was previously owned by the Irvine Company and subsequently dedicated to the County in 2014 for open space and recreation purposes.

In June 2019, the Districts and the County executed a one-year license agreement allowing the County to operate a fishing concession providing shoreline fishing to the public at the lake. That agreement is scheduled to end June 30, 2020, and the Districts and the County have held multiple meetings and conference calls in an effort to facilitate terms for a long-term recreation agreement between the holders of the recreation rights. The Irvine Company has irrevocably offered its interest in the recreation rights to the County and, upon completion of the transfer, the County would own a 75% interest in the recreation rights and SWD would own a 25% interest.

Proposed Easement and Agreement Terms:

Staff will review key issues and concepts addressed in three agreements and three easements being drafted by legal counsel for the Districts. Based on input provided by the Committee at the meeting, staff intends to forward draft documents to the County and the Irvine Company for review and comment. Key issues addressed in the draft documents to be discussed at the meeting include:

- Reciprocal unrestricted use by the County and Districts of the existing access road from Santiago Canyon Road to the lake boundary;
- Termination of certain historic agreements (e.g., the Haul Road Agreement, the Reciprocal License Agreement, etc.);
- The return of two parcels of land “loaned” between the Districts and the Irvine Company (now owned by the County) in the Reciprocal License Agreement;
- Replacing the reversionary rights at the lake with a use covenant for water operations;
- Terms for the future use of the “flats” area (between IRWD and SWD only); and

- Districts' approval of the Irvine Company's transfer of recreation rights to the County.

Terms and conditions included in the draft documents are consistent with previous discussions between the Districts and County.

Future Recreational Uses on the Lake Surface:

Representatives from IRWD and SWD have had multiple meetings regarding permissible future recreation activities on the lake keeping in mind that, first and foremost, the lake is a water supply reservoir. Staff will provide an update on those fishing-related activities that the Districts agree would be acceptable recreational uses on the water. The agreed-upon recreation uses are intended to be included in any long-term recreation agreement between to owners of the recreation rights.

County Inquiry for Fishing Concessions:

Recently, IRWD and SWD received a preliminary inquiry from the County regarding the Districts' potential interest in operating the fishing concession at the lake on a long-term basis. Under the proposed terms, the County would continue to own its 75% interest in the recreation rights at the lake and would license those rights to the Districts. Staff will provide the Committee with additional details included in the proposal at the meeting and its recommended response.

Next Steps and Schedule:

Based on additional input provided by the Committee at the meeting, staff intends to forward draft documents to the County and the Irvine Company for review and comment in March 2020. The final proposed easements and agreement terms will be subject to approval of the Districts, the County, and the Irvine Company.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act Code of Regulations, Title 14, Chapter 3, Section 15378.

RECOMMENDATION:

Receive and file.

LIST OF EXHIBITS:

None.