

MINUTES OF REGULAR MEETING –MARCH 26, 2012

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 Matheis on March 26, 2012 in the District office, 15600 Sand Canyon Avenue, Irvine, California.

Directors Present: Swan, LaMar, Withers, and Matheis

Directors Absent: Reinhart

Also Present: General Manager Cook, Executive Director of Operations Pedersen, Executive Director of Engineering and Planning Burton, Executive Director of Finance Cherney, Executive Director of Water Policy Heiertz, Secretary Bonkowski, Legal Counsel Arneson, Director of Water Resources Weghorst, Director of Water Operations Posey, Director of Human Resources Wells, Assistant Director of Water Policy Sanchez, Ms. Jo Ann Corey, Ms. Shannon Reed, Ms. Gina Jackson, Mr. Dave Hayden, Ms. Rosemary Riddle, Ms. Amy McNulty, Mr. Charley Wilson, Ms. Carolyn Emery, Mr. Jim Reed and other members of the public and staff.

WRITTEN COMMUNICATION: None.

ORAL COMMUNICATION:

Mrs. Joan Irvine Smith's assistant addressed the Board of Directors with respect to the Dyer Road wellfield. She said it was her understanding that currently wells C-8, C-9, 10, 11, 12, 15 16, 17 and 18 will operate in accordance with the District's annual pumping plan. Wells, 1, 2, 3, 4, 5, 6, 7, 13 and 14 will be off. This was confirmed by Mr. Cook, General Manager of the District.

With respect to the Orange County Basin Groundwater Conjunctive Use Program being coordinated by Municipal Water District of Orange County (MWDOC) and Orange County Water District (OCWD), a Notice of Completion was approved by the OCWD Board of Directors on March 19, 2009. Metropolitan Water District has given notice to OCWD to extract 22,000 acre feet in fiscal year 2009/10. The extraction is being performed by agencies that constructed conjunctive use wells under this program. IRWD is not a participant. This was confirmed by Mr. Cook.

With respect to the OCWD annexation of certain IRWD lands, on June 5, 2009, IRWD received a letter from OCWD noting that OCWD has completed the formal responses to comments they previously received on the draft program Environmental Impact Report. The letter further noted that with this task completed, OCWD has exercised its right to terminate the 2004 Memorandum of Understanding (MOU) regarding annexation. OCWD also indicated that due to the lack of progress on the annexation issue, the draft program Environmental Impact Report will not be completed. On June 8, 2009, OCWD completed the Long-Term Facilities Plan which was received and filed by the OCWD Board in July 2009. Staff has been coordinating with the City of Anaheim (Anaheim) and Yorba Linda Water District (YLWD) on their most recent annexation requests and has reinitiated the

annexation process with OCWD. IRWD, YLWD and Anaheim have negotiated a joint MOU with OCWD to process and conduct environmental analysis of the annexation requests. The MOU was approved by the OCWD Board on July 21, 2010. This was confirmed by Mr. Cook.

With respect to the Groundwater Emergency Service Plan, IRWD has an agreement in place with various south Orange County water agencies, MWDOC and OCWD, to produce additional groundwater for use within IRWD and transfer imported water from IRWD to south Orange County in case of emergencies. IRWD has approved the operating agreement with certain south Orange County water agencies to fund the interconnection facilities needed to affect the emergency transfer of water. MWDOC and OCWD have also both approved the operating agreement. This was confirmed by Mr. Cook.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED: None.

PRESENTATIONS

CAL-STATE FULLERTON PUBLIC SECTOR LEADERSHIP

Using a PowerPoint presentation, Mrs. Shelly Wang, Program Developer with the University Extended Education California State University, Fullerton and Sally Starr, Director, Corporate Relations and Workplace Solutions, provided a presentation about their series entitled "Leadership Development for Public Agencies". Following the presentation, the District's most recent employees to complete the program, including Ms. Amy McNulty, Mr. Dave Hayden, Ms. Rosemary Riddle, and Ms. Jo Ann Corey, were acknowledged for their participation in this program.

ORANGE COUNTY LAFCO ACTIVITIES AND PROJECTS UPDATE

The Orange County Local Agency Formation Commission's (LAFCO) Chairman Charley Wilson thanked the Board for its continued support and partnership. Ms. Carolyn Emery, LAFCO's Assistant Executive Officer, provided the Board with an update on its latest activities and projects, including the revamp of its Municipal Service Reviews featuring the Fiscal Trend Analysis and Shared Services Program. In response to Director Swan's inquiry relative to Elastic Revenue, Ms. Emery said that Executive Director of Finance Cherney will be working with LAFCO for a better understanding of this measure relative to its Fiscal Trends Analysis. Director Withers left the Board room.

CONSENT CALENDAR

Director Swan asked that Item No. 10 be moved to the Action Calendar for discussion. There being no objection, this item was placed on the Action Calendar. On MOTION by LaMar, seconded and carried (3-0) (Matheis, LaMar, and Swan voting aye and Withers absent), **CONSENT CALENDAR ITEMS 3 THROUGH 9 AND 11 THROUGH 13 WERE APPROVED AS FOLLOWS:**

CONSENT CALENDAR (CONTINUED)

5. MINUTES OF REGULAR BOARD MEETING

Recommendation: That the minutes of the February 22, 2012 Adjourned Regular Meeting and February 27, 2012 Regular Board Meeting be approved as presented.

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

Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Mary Aileen Matheis, Douglas Reinhart, Peer Swan and John Withers.

7. FEBRUARY 2012 FINANCIAL REPORTS

Recommendation: That the Board receive and file the Treasurer's Investment Summary Report and the Monthly Interest Rate Swap Summary for February 2012; approve the February 2012 Summary of Payroll ACH payments in the total amount of \$1,400,794.94, and approve the February 2012 accounts payable Disbursement Summary of Warrants Nos. 327179 through 327967, Workers' Compensation distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$22,751,234.66.

8. DISTRICT STRATEGIC MEASURES DASHBOARD

Recommendation: That the Board receive and file the Strategic Measures Dashboard and information items.

9. 2012 STATE LEGISLATIVE UPDATE

Recommendation: That the Board take a support position on AB 2398 (Hueso) and SB 250 (Rubio); a watch position on AB 1750 (Solorio); and remove opposition and take a neutral position on AB 1354 (Huber), AB 246 (Wieckowski), and SB 200 (Wolk).

11. REIMBURSEMENT AGREEMENT WITH THE CITY OF IRVINE FOR INSTALLATION AND ADJUSTMENT OF IRWD FACILITIES TO GRADE

Recommendation: That the Board authorize the addition of projects 11658 (3786), 21658 (3787), and 31658 (3788) to the FY 2011-12 Capital Budget in the amount of \$222,200, \$95,700, and \$28,600, respectively; approve Expenditure Authorizations for projects 11658 (3786) and 21658 (3787) in the amount of \$222,200 and \$95,700, respectively; and authorize the General Manager to execute a Reimbursement Agreement with the City of Irvine for its annual slurry seal and pavement rehabilitation project, capital improvement projects 311106, 311203, 341203, and 361204.

CONSENT CALENDAR (CONTINUED)

12. OPERATIONS CENTER EXPANSION PROJECT PHASE I MEZZANINE
CONVERSION REDUCTION OF RETENTION

Recommendation: That the Board find that satisfactory progress is being made on the contract; authorize the reduction of retention from 10% to 5% of the contract amount; and release funds in excess of 5% of the contract amount from retention currently held for the Operations Center Expansion Project Phase I Mezzanine Conversion, projects 11422 (1388), 21422 (1120), and 31422 (1156).

13. WELL 107 DRILLING AND EQUIPPING PROJECT REDUCTION OF RETENTION

Recommendation: That the Board find that satisfactory progress is being made on the District's construction contract with Pascal & Ludwig Constructors; authorize the reduction of retention from 10% to 5% of the contract amount; and release funds in excess of 5% of the contract amount from retention currently held for the Well 107 drilling and equipping, project 11432 (1403).

ACTION CALENDAR

AMENDMENT NO. 1 TO AGREEMENT BETWEEN ORANGE COUNTY SANITATION
DISTRICT AND IRVINE RANCH WATER DISTRICT

In response to Director Swan's inquiry, Legal Counsel Arneson said that in July of 2003, OCSD and IRWD had entered into an agreement concerning the transfer of sewer facilities from OCSD to IRWD within the Irvine Business Complex; however, at that time they neglected to include right-of-way transfers, which will be accomplished with this Amendment. On MOTION by Swan, seconded and carried (3-0) (Matheis, LaMar, and Swan voting aye and Withers absent), THE BOARD AUTHORIZED THE DISTRICT OFFICERS TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT WITH THE ORANGE COUNTY SANITATION DISTRICT; AND ADOPTED THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2012 – 15

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT APPROVING EXECUTION
OF AMENDMENT NO. 1 TO AGREEMENT
BETWEEN ORANGE COUNTY SANITATION DISTRICT
AND IRVINE RANCH WATER DISTRICT

WELLS 21 AND 22 PIPELINES CONTRACT CHANGE ORDER AND VARIANCE, AND
WELLS 21 AND 22 WELLHEAD FACILITIES EXPENDITURE AUTHORIZATION,
CONTRACT CHANGE ORDER AND VARIANCE

General Manager reported that Wells 21 and 22 pipelines are being constructed by Flatiron West, Inc. and that the Wells 21 and 22 wellhead facilities are being constructed by F.T. Ziebarth Company. Director Withers returned to the Board room.

Executive Director of Engineering Burton reported that for the Wells 21 and 22 Pipeline Project, Contract Change Order (CCO) No. 7 is for work related primarily to the untreated water pipe and the well pump-to-waste pipelines being constructed as part of the contract. Mr. Burton said that the costs include design revisions implemented after receiving the contractor's pothole data and changed conditions encountered during construction. The pothole revisions resulted in costs for increased excavation and backfill, additional lateral utility crossings, and additional steel pipe and fittings. Changed conditions that resulted in additional costs include: 1) mismarked or unidentified utilities; 2) realignment of the 18-inch concrete pipe to avoid the base of an existing manhole; 3) additional effort to cross a 12-inch water main due to the City of Tustin's difficulties in isolating the line for removal and replacement; and 4) replacement of 500 feet of curb and gutter.

Mr. Burton said that during the initial pipeline work, the City of Tustin requested additional pavement testing as well as more frequent testing and multiple sampling locations which were not included in the original scope of work and budget. As a part of this effort, the District's consultant, Ninyo & Moore, has also been participating with LaBelle Marvin on pavement remediation requirements. Variance No. 2 includes the additional pavement testing and engineering support performed by Ninyo & Moore, and Flatiron's extended pipeline construction schedule through April 2012. Variance No. 2 in the amount of \$69,500.

Mr. Burton said relative to the Wells 21 and 22 wellhead facilities project, these wells were initially rehabilitated in 2008 to identify flow rates and water quality characteristics, from which reverse osmosis treatment design criteria for the Wells 21 and 22 Desalter Plant could be developed. He said that since the wells were idle for over three years, video surveys were completed in July 2011 prior to starting construction, which resulted in limited well rehabilitations being recommended to remove the accumulated tubercles. CCO No. 2 was approved in October 2011 for the well drilling subcontractor, Best Drilling, to perform limited well rehabilitations. After well brushing and bailing were completed, subsequent video surveys showed holes and severe corrosion in the upper 300 feet of each well, where the 20-inch copper-bearing steel casing was used. The proposed well repair work includes installation of a 300-foot long section of 304L stainless steel liner, a specially designed landing shoe for the 16-inch by 20-inch reducer, and cement fill in the resulting annular space for each well. Additional airlifting, swabbing and bailing will also be performed at each well. Mr. Burton said that staff received a quote for this work from Ziebarth/Best Drilling, which was found to be reasonable.

Mr. Burton said that the total contract time extension for CCO No. 5 is 113 days. Ziebarth, Best Drilling, and staff worked together to develop an acceptable approach and schedule. He said that the Wellheads Project's completion date is May 10, 2012 and the current American Recovery and Reinvestment Act (ARRA) deadline is June 30, 2012. He further said that United

States Bureau of Reclamation (USBR) staff appears to be amenable to a proposed time extension of four months.

Mr. Burton said that Geoscience was contracted in October 2011 to assist with the hydrogeologic services for the CCO No. 2 work which consisted of well rehabilitation work only. He said that Variance No. 1 is for the additional work for the recent well videos, casing thickness testing, metallurgic testing, gyroscopic surveys, investigation of well repair options, summary reports for the proposed well repairs, technical specifications and bid schedule for the well liners, change order negotiations and schedule evaluations, working with the well liner supplier, upcoming field inspection for the installation of the full-length liners in both wells, and adding well repair work to the summary rehabilitation reports.

Director Withers reported that this item was reviewed and approved by the Engineering and Operations Committee on March 20, 2012. Following discussion, on MOTION by Withers, seconded and unanimously carried, 1) THE BOARD APPROVED CONTRACT CHANGE ORDER NO. 7 IN THE AMOUNT OF \$138,320.51 TO FLATIRON WEST AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE VARIANCE NO. 2 IN THE AMOUNT OF \$69,500 WITH NINYO & MOORE FOR GEOTECHNICAL SERVICES DURING CONSTRUCTION FOR THE PIPELINES FOR THE WELLS 21 AND 22, PROJECT 10286 (1081); AND 2) APPROVED AN EXPENDITURE AUTHORIZATION IN THE AMOUNT OF \$1,577,800; APPROVED CONTRACT CHANGE ORDER NO. 5 IN THE AMOUNT OF \$791,166 TO F.T. ZIEBARTH COMPANY; AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE VARIANCE NO. 1 IN THE AMOUNT OF \$105,630 WITH GEOSCIENCE FOR ENGINEERING SERVICES DURING CONSTRUCTION OF THE WELLHEAD FACILITIES FOR THE WELLS 21 AND 22, PROJECT 10286 (1081).

ORANGE PARK ACRES TRANSMISSION PIPELINE PROJECT – CONTRACT CHANGE ORDER NO. 28

General Manager Cook reported that construction of the Orange Park Acres Transmission Pipeline Project was awarded to Leatherwood Construction, Inc. in October 2010 for the amount of \$6,786,397. Mr. Cook said that this project replaces the existing riveted steel pipeline installed in 1929 that has experienced repeated failures, and will also improve fire flow and water system pressure to the Orange Park Acres area.

Executive Director of Engineering Burton said that Contract Change Order (CCO) No. 28, in the amount of \$668,679, includes the following Change Requests (CR): 1) additional work related to the Delta No. 9 plan revisions along Rancho Santiago for added pot-holing, saw-cutting, breaking and removal of Portland cement concrete beneath the asphalt pavement sections and for additional utility crossings and slurry backfill required by the City of Orange in intersections (CR-41, 43, 44, 46 and 51); 2) additional labor, equipment and materials for the construction of the jack and bore operation at Hewes Avenue due to the unforeseen presence of large rocks which necessitated a larger casing, a deeper excavation and more dewatering (CR-45-1 through CR 45-41); 3) additional work related to the Delta No. 10 plan revisions along Bond Avenue for additional utility crossings and additional slurry backfill required by the City of Orange in the intersections (CR-52, 53 and 54); and 4) additional base paving of 20,641 square feet for trenches over and above the bid quantity of 127,160 square feet at the contract unit price of \$9.00 per SF (CR 58).

He said that staff has reviewed Leatherwood's cost proposals and negotiated changes, and believes that Leatherwood's final costs are appropriate and reasonable.

Director Withers said that this item was reviewed by the Engineering and Operations Committee on March 20, 2012. On MOTION by Withers, seconded and unanimously carried, THE BOARD AUTHORIZED AN EXPENDITURE AUTHORIZATION IN THE AMOUNT OF \$1,839,800 FOR THE ORANGE PARK ACRES TRANSMISSION PIPELINE, PROJECT 11408 (1279), AND APPROVED CONTRACT CHANGE ORDER NO. 28 WITH LEATHERWOOD CONSTRUCTION, INC. IN THE AMOUNT OF \$668,679.

DEVELOPMENT AGREEMENT AND ENVIRONMENTAL COMPLIANCE FOR A JOINT WATER BANKING PROJECT INVOLVING THE STOCKDALE WEST RANCH

Director of Water Resources Weghorst reported that staff has been working with Rosedale in initiating a Joint Water Banking Project that would utilize IRWD's Stockdale West Ranch and Rosedale's Enos property located directly east of the Strand Ranch. Mr. Weghorst said that the project would provide for each agency to receive reciprocal use of each other's facilities on a second priority basis. This project would also incorporate additional storage rights for IRWD that would offset the use of existing storage capacity to store water on behalf of IRWD's unbalanced exchange partners and in exchange would incorporate the construction of additional recovery capacity for Rosedale. He said to begin work on the project, an agreement needs to be executed that will provide for the development of an Environmental Impact Report (EIR) and the development of a long-term agreement for the construction and operation of the project. He then reviewed the draft terms of the agreement including: 1) the determination of recharge, recovery and storage rights; 2) reciprocal second priority rights to facilities with Rosedale being able to use the Stockdale West Ranch Facilities once IRWD has used the facilities to satisfy its own requirements and IRWD being able to use equivalent capacity in Rosedale's service area after Rosedale satisfies its own requirements; 3) the division of costs for CEQA, design and construction; 4) an additional storage account in the amount of 50,000 acre-feet for IRWD's use in Rosedale's Conjunctive Use Program with spill provisions that would allow IRWD to store water in Rosedale's Conjunctive Use Program; 5) the construction of additional recovery capabilities for Rosedale on the Enos Property for a cost not to exceed \$1,500,000; 6) the division of high flow Kern River water spread on Joint Banking Project facilities; 7) the division of Kern River flood waters spread on the Joint Banking Project facilities; 8) Rosedale's support of IRWD's pursuit of water supply programs with Friant 215 water suppliers; 9) the operation of the facilities consistent with the long-term IRWD and Rosedale program for the Strand Ranch Integrated Banking Project; and 10) the identification of infrastructure improvements that would benefit the parties. He said that the draft terms have been finalized with Rosedale and IRWD legal counsel has developed an agreement that commits IRWD and Rosedale to the development of an EIR for the project and to the development of a comprehensive long-term agreement that incorporates the proposed terms (Development Agreement). The Rosedale Board of Directors has approved the Development Agreement.

Mr. Weghorst said that both IRWD and Rosedale have extensive experience working with Environmental Science Associates (ESA) on water banking projects including the preparation of the comprehensive Strand Ranch Integrated Banking Project EIR. He said that staff has successfully negotiated a scope of work, schedule and cost estimate with ESA to prepare an

EIR for the proposed Joint Banking Project that incorporates efficiencies based on ESA's prior work on the Strand Ranch EIR and other environmental documentation prepared for Rosedale. He said that staff recommends that ESA be awarded a sole-source professional services contract to prepare the EIR.

Mr. Weghorst said that staff is working with Rosedale in negotiating with Rosedale's hydrogeologist, Mr. Thomas Harder, on a scope of work and costs associated with hydrogeologic evaluations. Staff expects that this cost will be less than the cost of the EIR and that Rosedale will be reimbursing IRWD for a portion of the cost of the EIR. Staff will update the Committee in the future on the reconciled costs of the preparation of the EIR.

Mr. Weghorst said that in addition to the work that Rosedale's hydrogeologist will be performing for the EIR, staff recommends contracting with Wildermuth Environmental, Inc. to summarize previous analyses and groundwater work performed at the Strand Ranch that are relevant to the Joint Banking Project, provide pertinent peer review support for the EIR, an independent technical support to IRWD during the development of the Joint Banking Project EIR, and conducting peer reviews of Rosedale's geohydrologic evaluations and in responding to public comments. He said that staff has negotiated a scope of work and cost estimate for Wildermuth to perform the above work for \$32,710. At the request of staff, Wildermuth has included in its scope of work tasks associated with groundwater elevation monitoring on the Strand Ranch for a two year period. This work, valued at \$17,208, is relevant to the operation of the Strand Ranch wells and will be funded through the Strand Ranch annual operating budget.

Director Swan said that the components of this item were reviewed by the Water Banking Ad-Hoc Committee on January 11, 2012 and March 22, 2012. Following discussion relative to storage capacity, on MOTION by Swan, seconded and unanimously carried, THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE THE AGREEMENT WITH ROSEDALE THAT WILL FACILITATE THE COST SHARING OF AN EIR AND THE DEVELOPMENT OF A LONG-TERM AGREEMENT FOR A JOINT BANKING PROJECT; AUTHORIZED THE ADDITION OF PROJECT 11645 (3766) TO THE FY 2011-12 CAPITAL BUDGET FOR THE STOCKDALE WEST JOINT BANKING IN THE AMOUNT OF \$246,400; APPROVED AN EXPENDITURE AUTHORIZATION IN THE AMOUNT OF \$246,400 FOR PROJECT 11645 (3766) FOR THE PREPARATION OF THE EIR, PREPARATION OF SUMMARY TECHNICAL REPORTS, PROVIDING FOR PEER REVIEW SUPPORT AND STAFF AND LEGAL TIME; AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$135,675 FOR PROJECT 11645 (3766) WITH ENVIRONMENTAL SCIENCE ASSOCIATES TO PREPARE THE EIR AND SUPPORTING STUDIES; AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$49,918 (\$32,710 FOR PROJECT 11645 (3766) AND \$17,208 FOR OPERATIONS RELATED WELL MONITORING AT THE STRAND RANCH PROJECT) WITH WILDERMUTH ENVIRONMENTAL, INC. TO PREPARE REPORTS ON AQUIFER-SYSTEM PARAMETERS, RECHARGE MOUNDING AND GROUNDWATER QUALITY TO SUPPLEMENT AND SUPPORT THE EIR AS WELL AS TO PROVIDE INDEPENDENT PEER REVIEWS OF THE HYDROLOGIC EVALUATIONS TO BE COMPLETED BY ROSEDALE'S GEOHYDROGEOLOGIST AND TO PROVIDE OPERATIONS RELATED WELL MONITORING AT THE STRAND RANCH.

OTHER BUSINESS

GENERAL MANAGER'S REPORT

General Manager Cook reported on an upcoming meeting with General Managers and Board Members in South County to coordinate efforts for the April 5 meeting with MWDOC.

Mr. Cook said that on Friday a meeting is scheduled with the Army Corps of Engineers' Colonel Toy, along with Directors LaMar and Matheis and staffing from both agencies, relative to potential funding for the District's Syphon Reservoir.

Mr. Cook said that this Friday, several staff members will be attending Corcordia University's one day class entitled: *Creating High Performance Government in Orange County and Beyond*. Staff was asked to inquire if the class is going to be videotaped, and if so, to provide a copy to Director Swan.

DIRECTORS' COMMENTS

Director LaMar reported that he will be attending a Water Education Foundation meeting along with an ACWA Federal Affairs meeting this week.

Director Swan reported that he will be attending a Southern California Dialogue meeting this Wednesday, a Newport Beach Rotary Club meeting on Thursday, an ACWA Board of Directors meeting and an Executive Board meeting on Friday in Sacramento. He said that he attended a Sea & Sage Audubon's annual event on March 16. He asked staff to submit an item to the Finance and Personnel Committee relative to late water fee assessments and trending.

Director Matheis reported that she will be attending a WateReuse Education Foundation meeting, a meeting with Colonel Toy and staff this Friday, and an upcoming ISDOC meeting this Thursday.

CLOSED SESSION

President Matheis said that the following Closed Sessions would be held: 1) CLOSED SESSION with legal counsel relative to existing litigation - Government Code Section 54956.9(a) – SEMA Construction vs. City of Tustin and City of Tustin vs. IRWD; and Sloan vs. Davis, et al.; and 2) CLOSED SESSION with legal counsel relative to anticipated litigation- Government Code Section 54956.9(b) - significant exposure to litigation – one potential case concerning claim filed by Jaimie Davis against IRWD under the Government Tort Claims Act, on file with the District.

OPEN SESSION

Following the Closed Session, the meeting was reconvened with Directors Swan, LaMar, Withers, and Matheis present. No action was reported under Closed Session Agenda Item (1). President Matheis reported the following action under Closed Session Agenda Item (2):

by a unanimous vote (Reinhart absent), the claim presented by Jaimie Davis was rejected as untimely and without merit.

ADJOURNMENT

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

APPROVED and SIGNED this 9th day of April, 2012.

President, IRVINE RANCH WATER DISTRICT

Secretary, IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Legal Counsel - Bowie, Arneson, Wiles and Giannone