

AGENDA
SPECIAL BOARD OF DIRECTORS MEETING
ORANGE COUNTY WATER DISTRICT
18700 Ward Street, Fountain Valley, CA (714) 378-3200
Wednesday, March 10, 2021, 7:55 a.m., via Zoom Webinar

Computer Audio: Join the Zoom Webinar by clicking on the following link:

<https://ocwd.zoom.us/j/91309035453>

Meeting ID: 913 0903 5453

Telephone Audio: (669) 900 9128

Pursuant to Paragraph 11 of Executive Order N-25-20, executed by the Governor of California on March 12, 2020 as a response to mitigating the spread of Coronavirus known as COVID-19, this Special Meeting of the Orange County Water District will allow members of the Board to attend the Board meeting telephonically from remote locations without requiring public access to those locations. Public participation will be afforded telephonically through the Zoom Webinar access listed above.

ROLL CALL

VISITOR PARTICIPATION

Time has been reserved at this point in the agenda for persons wishing to comment for up to three minutes to the Board of Directors on any item not listed on the agenda, but within the subject matter jurisdiction of the District. By law, the Board of Directors is prohibited from taking action on such public comments. As appropriate, matters raised in these public comments will be referred to District staff or placed on the agenda of an upcoming Board meeting.

At this time, members of the public may also offer public comment for up to three minutes on the Agenda item.

MATTER FOR CONSIDERATION

1. **AGREEMENT WITH BERNARDS BROS. INC. FOR REMOVAL OF SEDIMENT FROM PRADO BASIN**

RECOMMENDATION: Authorize approval of agreement with Bernards Bros. Inc. to remove up to 60,000 cubic yards of sediment from Prado Basin at no cost to the District, subject to review as to form and content by the District's general counsel

ADJOURNMENT

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby and on the posting board next to the guard shack of the Orange County Water District, 18700 Ward Street, Fountain Valley, CA and on the OCWD website not less than 24 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the District Secretary. Backup material for the Agenda is available at the District offices for public review and can be viewed online at the District's website: www.ocwd.com

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the District Secretary at (714) 378-3233, by email at jdurant@ocwd.com by fax at (714) 378-3373. Notification 24 hours prior to the meeting will enable District staff to make reasonable arrangements to assure accessibility to the meeting.

As a general rule, agenda reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda and can be reviewed at www.ocwd.com. Copies of these materials and other disclosable public records distributed to all or a majority of the members of the Board of Directors in connection with an open session agenda item are also on file with and available for inspection at the Office of the District Secretary, 18700 Ward Street, Fountain Valley, California, during regular business hours, 8:00 am to 5:00 pm, Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Orange County Water District office.

AGENDA ITEM SUBMITTAL

Meeting Date: March 10, 2021

To: Board of Directors

From: Mike Markus

Staff Contact: G. Woodside

Budgeted: N/A

Budgeted Amount: N/A

Cost Estimate: N/A

Funding Source: N/A

Program/Line Item No.: N/A

General Counsel Approval: Required

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

Subject: AGREEMENT WITH BERNARDS BROS. INC. FOR REMOVAL OF SEDIMENT FROM PRADO BASIN

SUMMARY

As part of the Prado Basin Sediment Management Demonstration Project, the District removed approximately 80,000 cubic yards of sediment from the Santa Ana River. The sediment is in a temporary stockpile in Prado Basin. Staff has found a company that would remove the sand at no cost to the District.

RECOMMENDATION

Authorize approval of agreement with Bernards Bros. Inc. to remove up to 60,000 cubic yards of sediment from Prado Basin at no cost to the District, subject to review as to form and content by the District's general counsel.

BACKGROUND/ANALYSIS

OCWD and the US Army Corps of Engineers work together to temporarily retain water behind Prado Dam for recharge into the Orange County Groundwater Basin. The Prado Basin Sediment Management Demonstration Project (SMDP) was created to develop methods to deal with the sediment building up behind Prado Dam and decreasing water storage capacity. In fall of 2020, the SMDP removed approximately 80,000 cubic yards of sediment from District property along the Santa Ana River within Prado Basin. The sediment was transported to a temporary storage (stockpile) area on property owned by the US Army Corps of Engineers (Corps). The District is temporarily storing the sediment on Corps property under a license issued by the Corps to OCWD.

District staff identified a contractor, Bernards Bros. Inc, (Bernards) that is willing to remove the sediment at no cost to the District. An agreement was drafted with Bernards stating the terms and conditions of the sediment removal as well as clarifying limitations on sediment removal activities such that they do not affect the District's or the Army Corps' property.

This item was brought to a special meeting of the Board of Directors since the contractor wants to begin hauling sediment as soon as possible.

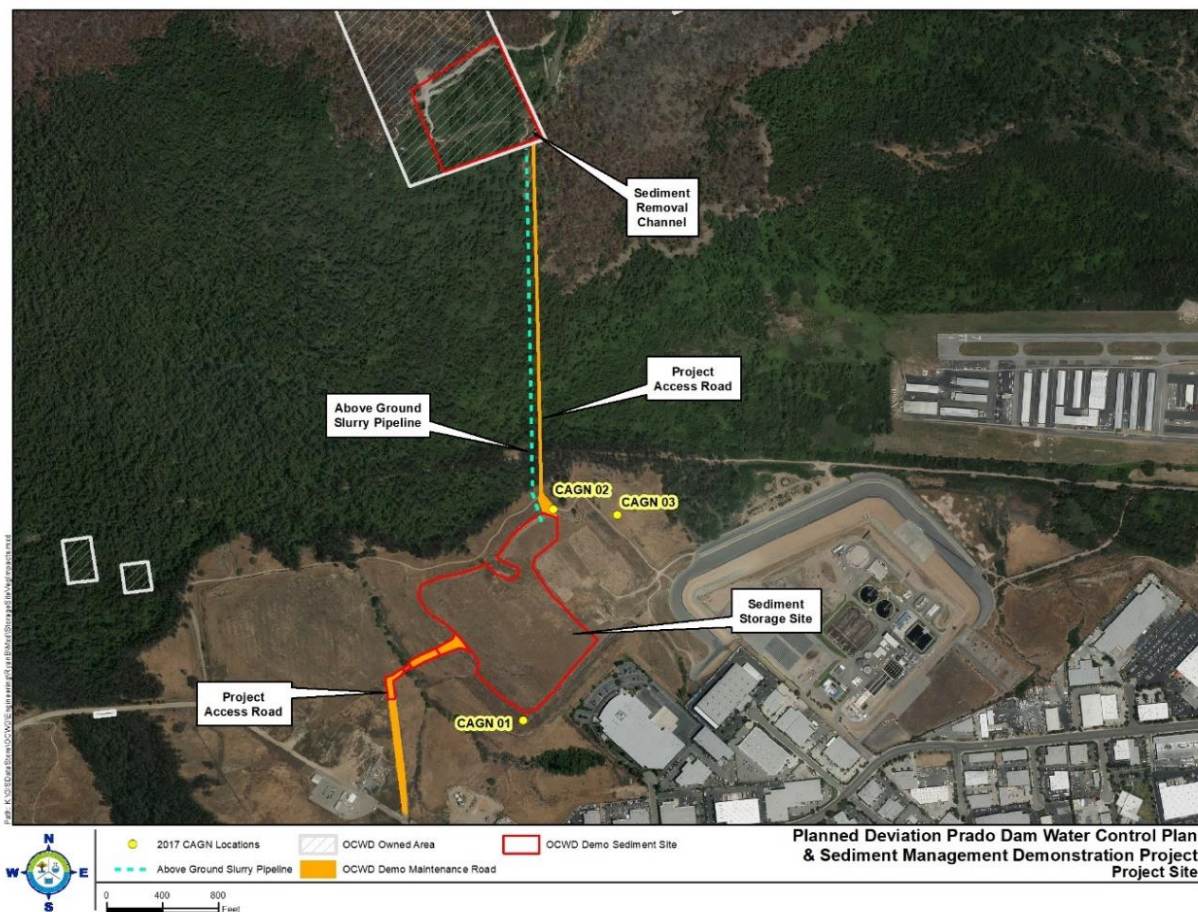
Bernards is ready to remove the sediment from the stockpile area starting in March 2021. The sediment would be used as backfill and related construction purposes at a new jail facility being constructed by the Orange County Sheriff's Department in Irvine.

The estimated cost to haul the sediment, should the District have to pay for hauling, would be approximately \$600,000. The proposed agreement provides for Bernards to remove the sediment at no cost to the District. Other terms of the agreement include:

- Bernards accepts the sediment 'as is' and releases the District from liability;
- Bernards complies with the terms of the license agreement issued to the District by the Army Corps for the Prado Basin Sediment Management Demonstration Project
- Bernards complies with hauling requirements of local cities and agencies with jurisdiction the hauling occurs in

Staff recommends that the Board of Directors authorize approval of an agreement with Bernards Bros Inc. to remove up to 60,000 cubic yards of sediment from Prado Basin, subject to review as to form and content by the District's general counsel.

Figure 1 – SMDP Project Vicinity and Sediment Storage Area



PRIOR RELEVANT BOARD ACTIONS:

NA