

EASTERN MUNICIPAL WATER DISTRICT  
**BOARD OF DIRECTORS**  
(REGULAR MEETINGS HELD THE FIRST AND THIRD WEDNESDAY OF EACH MONTH)  
**Adjourned Regular Meeting**

**AGENDA**

**September 24, 2003**

**1:00 p.m.**

**Pledge of Allegiance**

**Introductions**

**Public Comments** - *Any subject within the jurisdiction of EMWD. However, no action can be taken on any item discussed unless such action has been authorized under §54954.2(b)(2) of the Government Code. Speakers are requested to limit comments to 3 minutes.*

**I. Recognitions**

**(Hall, C.I. Officer)**

- A. Service Awards
- B. Proclamation Re: Customer Service Week as October 6 –10, 2003
  - 1. **Consider Adoption of Minute Order**

**II. Public Hearing**

**A. Hearing to Adopt All Items Pertaining to CFD No. 2003-12 (Temecula Creek)**

- 1. **Adopt Proposed Resolution No. 3798**, a Resolution of the Board of Directors of Eastern Municipal Water District, Approving the Joint Community Facilities Agreement with the State of California Department of Transportation for the Community Facilities District No. 2003-12 (Temecula Creek);
- 2. **Adopt Proposed Resolution No. 3799**, a Resolution of the Board of Directors of Eastern Municipal Water District, Approving the Joint Community Facilities Agreement with the County of Riverside for the Community Facilities District No. 2003-12 (Temecula Creek);
- 3. **Adopt Proposed Resolution No. 3800**, a Resolution of the Board of Directors of Eastern Municipal Water District, Approving the Joint Community Facilities Agreement with the Rancho California Water District for the Community Facilities District No. 2003-12 (Temecula Creek);
- 4. **Adopt Proposed Resolution No. 3801**, a Resolution of the Board of Directors of Eastern Municipal Water District, Establishing Community Facilities District No. 2003-12 (Temecula Creek), Authorizing the Levy of Special Taxes, and Calling Elections Therein;
- 5. **Adopt Proposed Resolution No. 3802**, a Resolution of the Board of Directors of Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2003-12 (Temecula Creek), Determining the Necessity to Incur Bonded Indebtedness Within Community Facilities District No. 2003-12 (Temecula Creek) and Calling An Election Therein;
- 6. **Adopt Proposed Resolution No. 3803**, a Resolution of the Board of Directors of Eastern Municipal Water District, Acting in its Capacity as the Legislative Body of Community Facilities District No. 2003-12 (Temecula Creek), Certifying the Results of the September 24, 2003, Special Tax and Bond Elections; and

7. **Adopt Ordinance No. 101**, an Ordinance of the Board of Directors of the Eastern Municipal Water District, Acting in its Capacity as the Legislative Body of Community Facilities District No. 2003-12 (Temecula Creek), Authorizing the Levy of a Special Tax Within Such District.

**III. Discussions and/or Comments by Board Members**

**IV. Approval of Minutes** Regular Meeting of August 6, 2003 and August 20, 2003

1. **Consider Adoption of Minute Order**

**V. Board Committee Report**

**(Receive & File)**

- A. Board Administrative Committee (*August 14 & September 11*)
- B. Board Operations and Engineering Committee Meeting (*September 11*)

**VI. Letters of Correspondence to the Board of Directors**

**VII. Consent Calendar**

*Consent Calendar items are expected to be routine and non-controversial, to be acted upon by the Board of Directors at one time without discussion. If any Board member, Staff member, or interested person requests that an item be removed from the Consent Calendar, it will be removed so that it may be acted upon separately.*

- A. Approve and Authorize a Three-Year Agreement with US Filter/RJ Environmental, in Accordance with RFP No. 2011, for the Purchase of Preventative Maintenance and Acid Washing Services for the District's Chlorine and Odor Scrubbers
- B. Approve and Authorize Declaration Of Surplus Equipment and Execution of an Agreement with a Professional Auctioneer
- C. Approve and Authorize Setting of Time and Place of Hearing to Consider the Adoption of a "Resolution of Necessity" to Acquire, by Eminent Domain Proceedings, Real Property for the Temecula Valley Recycled Water Pipeline Project
- D. Approve and Authorize Setting of Time and Place of Hearing to Consider the Adoption of a "Resolution of Necessity" to Acquire, by Eminent Domain Proceedings, Real Property for Assessment District 19
- E. Approve and Authorize Preliminary Change Order No. 1 to Specification No. 896W, Elsworth Street 30" Water Transmission Pipeline, Phase I
- F. **Adopt Proposed Resolution No. 3813**, Approving a Joint Community Facilities Agreement with the City of Murrieta, Lennar Homes California Inc. and Mapleton Commons, LLC for Community Facilities District No. 2003-4 of the City of Murrieta

**Annexations**

- G. Annexation of Parcel No. 17-03-2 to Improvement District No. (Empire Homes - Tract 30689-1)
  1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. 17-03-2 and Order Such Map and Legal Description Filed With the Secretary; and

2. **Adopt Proposed Resolution No. 3814**, Annexing Parcel No. 17-03-2 to Improvement District No. 17 of EMWD
- H. Annexation of Parcel No. U-8-03-9 to Improvement District No. U-8 (McMillin Morgan Hill, LLC - Tract Nos. 29554-1 thru 29554-5; 30347 & 30885)
  1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. U-8-03-9 and Order Such Map and Legal Description Filed With the Secretary; and
  2. **Adopt Proposed Resolution No. 3815**, Annexing Parcel No. U-8-03-9 to Improvement District No. U-8 of EMWD
- I. Annexation of Parcel Nos. U-19-03-2 and U-20-03-2 to Improvement District Nos. U-19 and U-20 (Osborne Development Corporation - Tract 28858)
  1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-19-03-2 and U-20-03-2 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
  2. **Adopt Proposed Resolution Nos. 3816 and 3817**, Annexing Parcel Nos. U-19-03-2 and U-20-03-2 to Improvement District Nos. U-19 and U-20 of EMWD
- J. Annexation of Parcel Nos. U-25-03-2 and U-26-03-2 to Improvement District Nos. U-25 and U-26 (Pulte Homes - Tract 29570)
  1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel No. U-25-03-2 and U-26-03-2 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
  2. **Adopt Proposed Resolution Nos. 3818 and 3819**, Annexing Parcel Nos. U-25-03-2 and U-26-03-2 to Improvement District Nos. U-25 and U-26 of EMWD
- K. Annexation of Parcel Nos. U-25-03-3 and U-26-03-3 to Improvement District Nos. U-25 and U-26 (Pulte Homes - Tract 29570-1)
  1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-25-03-3 and U-26-03-3 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
  2. **Adopt Proposed Resolution Nos. 3820 and 3821**, Annexing Parcel Nos. U-25-03-3 and U-26-03-3 to Improvement District Nos. U-25 and U-26 of EMWD
- L. Annexation of Parcel Nos. U-25-03-4 and U-26-03-4 to Improvement District Nos. U-25 and U-26 (Ashby USA, LLC - Tract 29661; -1; -2; -3; & -4)
  1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-25-03-4 and U-26-03-4 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
  2. **Adopt Proposed Resolution Nos. 3822 and 3823**, Annexing Parcel Nos. U-25-03-4 and U-26-03-4 to Improvement District Nos. U-25 and U-26 of EMWD
- M. Annexation of Parcel No. U-29-03-4 to Improvement District No. U-29 (HDL Management, LLC - Tract 27888)

1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. U-29-03-4 and Order Such Map and Legal Description Filed With the Secretary; and
  2. **Adopt Proposed Resolution No. 3824**, Annexing Parcel No. U-29-03-4 to Improvement District No. U-29 of EMWD
- N. Annexation of EMWD's 73<sup>rd</sup> Fringe Area to EMWD and MWD (Maudelene Dutton Trust)
1. **Adopt Proposed Resolution No. 3825**, Establishing and Setting Forth the Terms and Conditions to be Associated with the Proposed Annexation Designated as the 73<sup>rd</sup> Fringe Area to EMWD and MWD
- O. Annexation of EMWD's 74th Fringe Area to EMWD and MWD (Superior Ready Mix)
1. **Adopt Proposed Resolution No. 3826**, Establishing and Setting Forth the Terms and Conditions to be Associated with the Proposed Annexation Designated as the 74<sup>th</sup> Fringe Area to EMWD and MWD
- P. Annexation of the 76th Fringe Area to EMWD, RCWD, and MWD (Murrieta Mini Storage)
1. **Consider Adoption of Minute Order:**
    - a. Approving the Map and Legal Description for the Subject Parcel (s) of land Proposed to be Annexed and Order Them Filed with the Secretary; and
    - b. Authorizing All Work Necessary and Pertinent to the Annexation Proceedings and the Appropriation of the Funds Necessary to Cover the Involved Expenses
  2. **Adopt Proposed Resolution No. 3827**
    - a. Requesting LAFCO to Initiate and Conduct a "Reorganization Proceeding" to Concurrently Annex the Subject Land (s) to EMWD, RCWD and MWD; and
    - b. Setting Forth EMWD's Terms and Conditions to be Associated with the Annexation, Which Terms and Conditions, Among Other Things, Provide for or that:
      1. The Owner(s) of the Subject Land Shall be Obligated to Pay EMWD Such Sums of Money as are in the Future Determined by EMWD's Board of Directors to be Necessary to Cover All of EMWD's Expenses Associated with the Annexation Proceeding; and
      2. The Subject Land(s) Shall be Concurrently Annexed to RCWD and MWD Under Terms and Conditions Fixed by Their Board of Directors;
  3. **Adopt Proposed Resolution No. 3828**, Determining That There Will be no Exchange or Transfer of Ad Valorem Property Tax Revenue Between the City of Murrieta and EMWD as a Result of the Subject Proposed Reorganization; and
  4. **Adopt Proposed Resolution No. 3829**, Making Applications to the Board of Directors of MWD for Formal Consent and Terms and Conditions for the Annexation of the Subject Land to MWD.

**Q. Reports for the Months of August, 2003**

**(Receive & File)**

*The back up materials and/or reports indicated (\*) are on file with the Secretary of the District and will be made available for inspection, upon request, by any person or persons interested.*

1. Employee Reimbursement Reporting Specific Charges Greater Than \$100
2. District Staffing Status Report by Classification
3. Contracts Executed on Behalf of the District
4. EMWD Claims
- \* 5. Change Orders to Specifications Issued
- \* 6. Treasurer's Report for the Month of July
- \* 7. Post Audit of Checks for the Month of August

**(End of Consent Calendar)**

**VIII. Letters From the General Manager**

**Negative Declaration**

- A. Approve and Authorize CEQA Certification of the Elsworth Street 30-Inch Water Transmission Pipeline – Initial Study and Mitigated Negative Declaration, and Mitigation Monitoring Program
  1. **Consider Adoption of Minute Order**

**IX. Closed Session**

- A. Re: Soboba Indian Water Rights Claim  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case
- B. Re: Camp Pendleton Four-Party Agreement Claim  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case

**ADDITIONS TO AGENDA - (if any) In Accordance with §54954.2 of the Government Code (Brown Act) Two-Thirds Vote Required for Action Items (Upon a determination by two-thirds vote of the legislative body, or if less than two-thirds of the members are present, a unanimous vote of those members present, that the need to take action arose after the Agenda was posted).**

**ADJOURNMENT**

**REVISIONS TO THE AGENDA** - *In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Board Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 2270 Trumble Road, Perris, California, up to 72 hours prior to the Board Meeting.*

**REQUIREMENTS RE: DISABLED ACCESS** -*In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the Board Secretary, Rosemarie Howell, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. Ms. Howell may be contacted by telephone at (909) 928-3777, Ext. 4235, or in writing at the Eastern Municipal Water District, P.O. Box 8300, Perris, California, 92572-8300.*