

EASTERN MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS
(REGULAR MEETINGS HELD THE FIRST AND THIRD WEDNESDAY OF EACH MONTH)
Regular Meeting
AGENDA
December 15, 2004
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. Board of Directors' Proceedings

Seating of Directors: Randy A. Record (Division 3), Ronald W. Sullivan (Division 4)

- A. Board Letter Read /Orally Summarized by the Board Secretary
- B. Oath of Office Administered by the Secretary to the Board Members Randy A. Record and Ronald W. Sullivan
 - 1. **Consider Adoption of Minute Order**

II. Recognitions

(Hall, C.I. Officer)

- A. Community Partnering Program 2004-05 **(Ortloff)**
- B. Safety Person of the Year **(Carman)**
- C. Service Plus! Quarterly Excellence Award **(Parrott)**
- D. Service Awards

III. Public Hearing

- A. **Hearing to Adopt All Items Pertaining to CFD No. 2004-30 (Barrington Heights)**
 - 1. **Adopt Proposed Resolution No. 4055**, a Resolution of the Board of Directors of Eastern Municipal Water District, Approving the Joint Community Facilities Agreement with the Valley-Wide Park and Recreation District;
 - 2. **Adopt Proposed Resolution No. 4056**, a Resolution of the Board of Directors of Eastern Municipal Water District, Establishing Community Facilities District No. 2004-30 (Barrington Heights), Authorizing the Levy of Special Taxes, and Calling Elections Therein;
 - 3. **Adopt Proposed Resolution No. 4057**, a Resolution of the Board of Directors of Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2004-30 (Barrington Heights), Determining the Necessity to Incur Bonded Indebtedness Within Community Facilities District No. 2004-30 (Barrington Heights) and Calling An Election Therein;

4. **Adopt Proposed Resolution No. 4058**, a Resolution of the Board of Directors of Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2004-30 (Barrington Heights), Certifying the Results of the October 6, 2004, Special Tax and Bond Elections; and
5. **Adopt Ordinance No. 114**, an Ordinance of the Board of Directors of the Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2004-30 (Barrington Heights), Authorizing the Levy of a Special Tax Within Such District

IV. Discussions and/or Comments by Board Members

V. Approval of Minutes

- A. Regular Meeting of November 17, 2004
 1. **Consider Adoption of Minute Order**

VI. Board Committee Reports

(Receive & File)

- A. Executive (*November 22*)
- B. Operations & Engineering (*December 9*)
- C. Administrative (*December 9*)

VII. Letters of Correspondence to the Board of Directors

- A. Mr. Jim Gorsline in regards to tank construction on Walther Ave., Moreno Valley
- B. Fay L. Loomis, from Valley Beautiful regarding the landscape workshops

VIII. 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 Additional Appropriation of Funds for Specification No. Spec 971W, Elsworth Street 30-inch Potable Water Transmission Pipeline, Phase 2
- B. Approve and Authorize an Amendment to the Annual Agreement with Krieger & Stewart, Inc., for Inspection Services
- C. Ratify the Execution of a Contract with W.A. Rasic Construction for the Temecula Valley Regional Water Reclamation Facility to Santa Rosa Wastewater Reclamation Facility Recycled Water Storage Ponds Intertie Pipeline
- 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 Facilities Construction Related to the North San Jacinto Regional Sewer, Phase 1 Project
- E. Approve and Authorize Annual Agreements for Various Information Systems Services
- F. Approve and Authorize an Engineering Services Agreement with Carollo Engineers for Expansion of the San Jacinto Valley Regional Water Reclamation Facility

- G. Approve and Authorize an Engineering Services Agreement with Engineering Resources of Southern California for Design Services on the Moreno Valley Regional Water Reclamation Facility Plant No. 1 Miscellaneous System Improvements Project
- H. Approve and Authorize Derceto Phase Two Study and System Scope Definition for Implementation of an Energy Savings Program
- I. Approve and Authorize Execution of a Lease Agreement with AB Cellular LA, LLC, dba AT&T Wireless
- J. Approve and Authorize Annual Agreements for Various Engineering Services
- K. Ratification of Award of Contract and Additional Appropriation of Funds for Specification No. 898P, Reach 16 Recycled Water Pipeline
- L. Approve and Authorize the Legislative Policy Principles Regarding Water Conservation and Water Recycling Legislation
- M. Receive and File Annual Fruitvale Report
- N. **Adopt Proposed Resolution Nos. 1599.11, 1639.14 and 1641.14**, Revising the District's Water and Sewer System Financial Participation Charge Policies
- O. **Adopt Proposed Resolution No. 3345.14**, Amending Exhibit "A" - Classification of Positions
- P. **Adopt Proposed Resolution No. 4059**, Establishing and Setting Forth the Terms and Conditions of the Annexation of EMWD's 77th Fringe Area to EMWD and MWD (The Lynch Project)
- Q. **Adopt Proposed Resolution No. 4063**, Approving a Joint Community Facilities Agreement with the Murrieta Unified School District, U.S. Home Corporation, and Lennar Homes of California, Inc., for Community Facilities District No. 2004-1 of the Murrieta Unified School District

Annexations

- R. Annexation of Parcel No. U-13-04-2 to Improvement District No. U-13 (Michael P. Jennings, et al - PM 27548 (Lots 1-4); PM 24350 (Lots 1-2); PM 24349 (Lots 1&3); PM 24348 (Lots 1-2))
 - 1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. U-13-04-2 and Order Such Map and Legal Description Filed With the Secretary; and
 - 2. **Adopt Proposed Resolution No. 4064**, Annexing Parcel No. U-13-04-2 to Improvement District No. U-13 of EMWD
- S. Annexation of Parcel Nos. U-19-04-2 and U-20-04-2 to Improvement District Nos. U-19 and U-20 (Gateway Inland, LLC - Tract 30944 & 30944-1)
 - 1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-19-04-2 and U-20-04-2 and Order Such Maps and Legal Descriptions Filed With the Secretary; and

2. **Adopt Proposed Resolution Nos. 4065 and 4066**, Annexing Parcel Nos. U-19-04-2 and U-20-04-2 to Improvement District Nos. U-19 and U-20 of EMWD

- T. Annexation of Parcel Nos. U-31-04-4 and U-32-04-4 to Improvement District Nos. U-31 and U-32 (WL Sun City Associates, LP - Tract 30507)

1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-31-04-4 and U-32-04-4 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
2. **Adopt Proposed Resolution Nos. 4067 and 4068**, Annexing Parcel Nos. U-31-04-4 and U-32-04-4 to Improvement District Nos. U-31 and U-32 of EMWD

U. Reports for the Months of October and November, 2004 (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. Special Funding Districts Status Report
6. Water Supply Conditions
- * 7. Change Orders to Specifications Issued
- * 8. Treasurer's Report for the month of October, 2004
- * 9. Post Audit of Checks for the month of November, 2004

(End of Consent Calendar)

IX. Negative Declaration

- A. Approve and Authorize CEQA Certification of the Reach 16 (Phase II) Recycled Water Line - Initial Study and Mitigated Negative Declaration, and Mitigation Monitoring Program
1. **Consider Adoption of Minute Order**

X. Letters From the General Manager

- A. Deny Claim Against the District and Robert Philip Stoffel for Personal Injuries and Damages by Shirley Hart; Estate of Carolyn Wedeman
1. **Consider Adoption of Minute Order**
- B. Deny Claim Against the District and Robert Philip Stoffel for Personal Injuries and Damages by Stephanie Lang; Cheryl Pegram; Cindy Pegram; Dawnie Pegram; Michael Pegram; as Individuals and Successors in Interest to Decedent Carolyn Wedeman
1. **Consider Adoption of Minute Order**
- C. Deny Claim Against the District and Robert Philip Stoffel for Personal Injuries and Damages by Francisco Batres Barajas
1. **Consider Adoption of Minute Order**

- D. Deny Claim Against the District for Injuries and Damages by Nelson Development, L.L.C.
 - 1. **Consider Adoption of Minute Order**
- E. Approve and Authorize the Water Supply Assessment for the Perris Warehouse/Distribution Facility
 - 1. **Consider Adoption of Minute Order**
- F. Approve and Authorize the Water Supply Assessment for the Heacock Industrial Facility
 - 1. **Consider Adoption of Minute Order**
- G. Approve and Authorize the Water Supply Assessment for the Esplanade Specific Plan
 - 1. **Consider Adoption of Minute Order**
- H. Approve and Authorize the Water Supply Assessment for the Villages of San Jacinto Specific Plan
 - 1. **Consider Adoption of Minute Order**
- I. **Adopt Proposed Resolution No. 4069**, Designating the General Manager to File an Application for a Grant and to Enter into an Agreement with the California Department of Water Resources

XI. 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
- C. Re: Potential Litigation Between Orange County Sanitation District and SAWPA
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation Case
- D. Re: San Jacinto Sewer Negotiations
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation

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

(Hall)

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 (951) 928-3777, Ext. 4235, or in writing at the Eastern Municipal Water District, P.O. Box 8300, Perris, California, 92572-8300.*