

EASTERN MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS
(REGULAR MEETINGS HELD THE FIRST AND THIRD WEDNESDAY OF EACH MONTH)
Regular Meeting
AGENDA
August 3, 2005
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

(Record, C.I. Officer)

- A. Service Awards
- B. VIP Leadership Excellence Award

II. Public Hearing

- A. **Water Standby Assessments and Sewage and Waste Service Standby Charges for the Fiscal Year 2005-2006**

Water Standby Assessments for Fiscal Year 2005-2006:

- 1. EMWD General District

Improvement Districts

- 2. 8 Good Hope and Adjacent Lands
- 3. 9 Quail Valley
- 4. 11 Mission Canyon
- 5. 13 Perris Valley and Adjacent Lands
- 6. 14 Diamond Valley and Adjacent Lands
- 7. 15 Bautista Canyon and Adjacent Lands
- 8. 16 Mead Valley
- 9. 18 Juniper Flats and Adjacent Lands
- 10. 21 Menifee Valley
- 11. U-5 Dairyland and Adjacent Lands
- 12. U-7 Soboba
- 13. U-17 Ryan Field and Adjacent Lands
- 14. U-20 North San Jacinto
- 15. U-26 Tocalota Creek
- 16. C Murrieta Hot Springs
- 17. D Northern California Water Integration System for the Entire District Area Except for the Temecula Area and the Badlands Region

Sewage and Waste Service Standby Charges for Fiscal Year 2005-2006:

Improvement Districts

1. No. 19 Central Moreno Valley and Adjacent Lands
2. No. 20 Hemet-San Jacinto and Adjacent Lands Collector System No. 1
3. No. 25 Temecula Townsite
4. No. U-8 Rancho California and Adjacent Lands Sewer System No. 1
5. No. U-9 Perris Valley Transmission, Treatment and Disposal System No. 1
6. No. U-10 North Canyon Lake
7. No. U-12 Hemet-San Jacinto Collector System No. 2
8. No. U-13 West Moreno Valley and Adjacent Lands
9. No. U-14 Hemet-San Jacinto Collector System No. 3
10. No. U-15 North Sun City
11. No. U-16 Hemet-San Jacinto and Adjacent Lands Collector System No. 4
12. No. U-19 Hemet-San Jacinto Collector System No. 6
13. No. U-21 Hemet-San Jacinto Collector system No. 7
14. No. U-22 East Moreno Valley
15. No. U-25 Tualota Creek
16. No. U-27 North Perris and Adjacent Lands
17. C Murrieta Hot Springs
18. E City of Perris and Adjacent Lands
19. F Romoland
20. G Homeland-Green Acres

CLOSE HEARING

Adopt Proposed Ordinance No. 122, Establishing Schedules of Water Standby Assessments and Sewage and Waste Service Standby Charges for the 2005-2006 Fiscal Year

III. Discussions and/or Comments by Board Members

- A. Directors' Activity Report

IV. Approval of Minutes

- A. Regular Meeting of July 20, 2005
 1. **Consider Adoption of Minute Order**

V. Board Committee Reports

(Receive & File)

- A. Administrative (*July 20*)
- B. Planning (*July 21*)

VI. Letters of Correspondence to the Board of Directors

- A. Mr. John Gillis in regards to the District's Certified Backflow Tester List (*letter dated July 19*)

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 the Webster Nuevo Booster Station Modernization
- B. Approve and Authorize the Purchase of an Unlimited Use Site License for the EB Document Management Software Suite
- C. Approve and Authorize an Amendment for Additional Engineering Services with Engineering Resources of Southern California, Inc., for North San Jacinto Raw Water Facilities
- D. Approve and Authorize the Reach 4 Pipeline and Brine Line Phase II Upgrade
- E. Approve and Authorize an Amendment to the Agreement with CPS Human Resource Services for Baldrige Consulting Services
- F. Approve and Authorize an Amendment to the Agreement with Krieger & Stewart, Inc., for the San Jacinto Valley Interceptor Sewer - Phase I
- G. **Adopt Proposed Resolution No. 4251**, a Resolution to Approve an Amendment to the Contract Between the California Public Employees' Retirement System and Eastern Municipal Water District to Provide Section 21354.4 (2.5% @ 55 Full & Modified Formula) for Local Miscellaneous Members

Annexations

- H. Annexation of Parcel No. U-22-05-6 to Improvement District No. U-22 (Wal-Mart Stores - PM 30882 Parcel 1 & 3)
 - 1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. U-22-05-6 and Order Such Map and Legal Description Filed With the Secretary; and
 - 2. **Adopt Proposed Resolution No. 4252**, Annexing Parcel No. U-22-05-6 to Improvement District No. U-22 of EMWD
- I. Annexation of Parcel Nos. U-31-05-8 and U-32-05-8 to Improvement District Nos. U-31 and U-32 (Menifee Development LLC - Tract 31795, -1, -3, & -4)
 - 1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-31-05-8 and U-32-05-8 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 - 2. **Adopt Proposed Resolution Nos. 4253 and 4254**, Annexing Parcel Nos. U-31-05-8 and U-32-05-8 to Improvement District Nos. U-31 and U-32 of EMWD
- J. Annexation of Parcel Nos. U-31-05-9 and U-32-05-9 to Improvement District Nos. U-31 and U-32 (Calpine Corporation - APN 331-180-008)
 - 1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-31-05-9 and U-32-05-9 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 - 2. **Adopt Proposed Resolution Nos. 4255 and 4256**, Annexing Parcel Nos. U-31-05-9 and U-32-05-9 to Improvement District Nos. U-31 and U-32 of EMWD

K. Annexation of the 85th Fringe Area to EMWD, RCWD, and MWD (Temecula Valley LLC)

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 (Which Appropriated Funds Will Be Reimbursed by the Property Owner(s) Prior to the Completion of the Proceedings):

2. **Adopt Proposed Resolution No. 4257:**

- 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. 4258**, Determining That There Will Be No Exchange or Transfer of Ad Valorem Property Tax Revenue Between the County of Riverside and EMWD as a Result of the Subject Proposed Reorganization; and

4. **Adopt Proposed Resolution No. 4259**, Making Application to the Board of Directors of MWD for Formal Consent and Terms and Conditions for the Annexation of the Subject Land to MWD

L. Annexation of the 86th Fringe Area to EMWD, RCWD, and MWD (Thakkar)

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 (Which Appropriated Funds Will Be Reimbursed by the Property Owner(s) Prior to the Completion of the Proceedings):

2. **Adopt Proposed Resolution No. 4260:**

- 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. 4261**, Determining That There Will Be No Exchange or Transfer of Ad Valorem Property Tax Revenue Between the County of Riverside and EMWD as a Result of the Subject Proposed Reorganization; and
 4. **Adopt Proposed Resolution No. 4262**, Making Application to the Board of Directors of MWD for Formal Consent and Terms and Conditions for the Annexation of the Subject Land to MWD
- M. Annexation of the 87th Fringe Area to EMWD, RCWD, and MWD (Oxford/Opportunity)
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 (Which Appropriated Funds Will Be Reimbursed by the Property Owner(s) Prior to the Completion of the Proceedings):
 2. **Adopt Proposed Resolution No. 4263:**
 - 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. 4264**, Determining That There Will Be No Exchange or Transfer of Ad Valorem Property Tax Revenue Between the County of Riverside and EMWD as a Result of the Subject Proposed Reorganization; and

4. **Adopt Proposed Resolution No. 4265**, Making Application to the Board of Directors of MWD for Formal Consent and Terms and Conditions for the Annexation of the Subject Land to MWD

(End of Consent Calendar)

VIII. Letters From the General Manager

- A. Approve and Authorize the Administrative Award of Contract and Consultant Agreements Under Specification No. 969S for the Perris Valley Regional Water Reclamation Facility (PVRWRF) Tertiary Expansion
 1. **Consider Adoption of Minute Order**
- B. **Adopt Proposed Resolution No. 3410.5**, Establishing General Obligation Bond Tax Rates, Water Standby Assessments, Sewage and Waste Service Standby Charges, Assessment District Fixed Charges, Community Facilities District Special Taxes, and Delinquent Water and Sewer Assessments for Fiscal Year 2005/2006
- C. **Adopt Proposed Resolution No. 4266**, Accepting the California Department of Water Resources Proposition 13 Groundwater Storage Construction Grant, Authorizing the President of the Board of Directors to Execute the Funding Contract with the State, and Designating the Director of the Water Resources Management Department to Approve Reimbursement Requests
- D. **Adopt Proposed Resolution No. 4267**, of the Board of Directors of the Eastern Municipal Water District, Riverside County, California, Affecting the Exchange of Property Tax Revenue Relating to the Local Agency Formation Commission Processing of the Dissolution of the Murrieta County Water District with Continuing Service by Western Municipal Water District
- E. **Adopt Proposed Resolution No. 4268**, Approving a Joint Community Facilities Agreement with the Moreno Valley Unified School District, Tract 29860, LLC, and YH Cottonwood, LLC, for Community Facilities District No. 2005-2 of the Moreno Valley Unified School District
- F. **Adopt Proposed Resolution No. 4269**, Approving a Joint Community Facilities Agreement with the Moreno Valley Unified School District and MVGH 2004 LLC, for Community Facilities District No. 2005-3 of the Moreno Valley Unified School District
- G. **Adopt Proposed Resolution No. 4270**, Approving a Joint Community Facilities Agreement with the Moreno Valley Unified School District, Drake Development LLC, and Highpoint Moreno Valley III, LP, for Community Facilities District No. 2005-4 of the Moreno Valley Unified School District
- H. **Adopt Proposed Resolution Nos. 4271 and 4272**, in Connection with the Establishment of Community Facilities District 2005-42 (Belicia/Mosaico)
- I. **Adopt Proposed Resolution No. 4273**, Approving and Authorizing the General and Specific Project Budgets for the Santa Ana Watershed Project Authority (SAWPA) for Fiscal Year 2005/2006
- J. **Adopt Proposed Resolution No. 4274**, Supporting the Nomination of Glen D. Peterson, as Vice President of Association of California Water Agencies (ACWA)

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
- C. Re: San Jacinto De Anza Lift Station Claim for Extras
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation Case
- D. Re: Potential Litigation Against the City of San Jacinto for CEQA Challenge
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation Case
- E. Re: San Jacinto Sewer Agreement
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation Case
- F. Re: Potential Litigation Against a Developer – Illegal Water Hookups
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

(Record)

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.