

# Report!



## Board of Directors Summary for **August 3, 2005**

**Report!** is prepared by the Community Involvement Department for all interested individuals. This brief summary of selected items from Eastern Municipal Water District Board of Directors' meetings is distributed after each meeting. Please circulate it to others having an interest. For more information, call 951/928-3777, ext. 4226; or FAX: 951/928-6171.

### **WORK SESSION**

#### **I. General Manager's Report**

**(Pack)**

##### **Past Activities**

- No special activities to report.

##### **Future Events**

- As I mentioned in my e-mail, we will meet with staff members from the Subcommittee on Energy and Resources this afternoon and will also host Assemblyman Emmerson for a tour of the wetlands tomorrow (Thursday, August 4).
- We are trying to set up a number of meetings with our congressional representatives during the August recess. I have a meeting with Darrell Issa on Friday, August 5, and Mary Bono on Friday, August 19.

##### **Items of Interest to the Board**

- We received a \$50,000 grant from BUREC to implement the California Friendly Residential Irrigation System Rebate Pilot Program.
- We will develop action plans for the new strategic plan priorities during the next several weeks.
- I have attached a copy of the written testimony we submitted to the House Committee on Resources, Water, and Power Subcommittee.

##### **Upcoming Meetings**

- The agency managers will be meeting at IEUA on next Tuesday, August 9, to review the MWD rate structure.
- I will be meeting with Jerry Lewis on August 24 as part of a Baldrige/CAPE group to ask for funding to implement the local government category for the National Malcolm Baldrige Award.

##### **Organizational and Administrative Changes**

- I authorized the hiring of a new Construction Administration Representative (CAR). The large construction projects we are undertaking almost require a full-time devoted representative.

**II. Matters Which Will Require Board Action**

**(Pack)**

- A. Review of August 3, 2005 Agenda Items (*If Needed*)

**None**

**III. Presentations To EMWD (Guest Speakers)**

**IV. Response Items / Status Reports / Information Items**

- A. MWD Update (*20 minutes*) **(Record/Harrison)**
- B. SAWPA Update (*10 minutes*) **(Slawson/Pack)**
- C. Canyon Lake Projects - Capital/Financial (*15 minutes*) **(Rathbone/Bachmann)**
- D. Calpine Agreements (*20 minutes*) **(Ravi/Bachmann)**
- E. Waterline Break at San Jacinto (*15 minutes*) **(Ghaderi)**
- F. DERCETO Energy Optimization (*15 minutes*) **(Ghaderi)**

**V. Closed Session**

**Not discussed**

**Status report was given by Legal Counsel – no action taken**

**Status report was given by Legal Counsel – no action taken**

- 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

**Status report was given by Legal Counsel – no action taken**

- 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

**Status report was given by Legal Counsel – no action taken**

- E. Re: San Jacinto Sewer Agreement  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case

**Not  
discussed**

- F. Re: Potential Litigation Against a Developer – Illegal Water Hookups  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case

**BOARD MEETING**

**I. Recognitions**

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

- A. Service Awards

**Kevin Hewitt, 20 years**  
**Robin Clayton, 10 years**

**Deferred**

- 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 Tocalota 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**

**O-122**

**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**

**M-222/05**

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

**Receive & file**

**V. Board Committee Reports**

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

**VI.**

LETTERS OF CORRESPONDENCE TO THE BOARD

**Written reply not necessary at this time**

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

**VII. Consent Calendar**

**M-223/05**

- A. Approve and Authorize the Webster Nuevo Booster Station Modernization

**M-224/05**

- B. Approve and Authorize the Purchase of an Unlimited Use Site License for the EB Document Management Software Suite

**M-234/05**  
**Voted on**  
**separately at the**  
**end of the**  
**Consent Calendar**

C. Approve and Authorize an Amendment for Additional Engineering Services with Engineering Resources of Southern California, Inc., for North San Jacinto Raw Water Facilities

**M-225/05**

D. Approve and Authorize the Reach 4 Pipeline and Brine Line Phase II Upgrade

**M-226/05**

E. Approve and Authorize an Amendment to the Agreement with CPS Human Resource Services for Baldrige Consulting Services

**M-227/05**

F. Approve and Authorize an Amendment to the Agreement with Krieger & Stewart, Inc., for the San Jacinto Valley Interceptor Sewer - Phase I

**R-4251**

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)

**M-228/05**

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

**R-4252**

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)

**M-229/05**

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

**R-4253, R-4254**

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)

**M-230/05**

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

**R-4255, R-4256**

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)

**M-231/05**

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):

**R-4257**

**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;

**R-4258**

**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**

**R-4259**

**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)**

**M-232/05**

**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):

**R-4260**

**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;

R-4261

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

R-4262

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)

M-233/05

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):

R-4263

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;

R-4264

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

R-4265

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**

**M-235/05**

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**

**R-3410.5**

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

**R-4266**

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

**Deferred**

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

**R-4268**

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

**R-4269**

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

**R-4270**

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

**R-4271, R-4272**

H. **Adopt Proposed Resolution Nos. 4271 and 4272**, in Connection with the Establishment of Community Facilities District 2005-42 (Belicia/Mosaico)

**R-4273**

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

**R-4274**

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**

**Not discussed**

A. Re: Soboba Indian Water Rights Claim  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case

**Not discussed**

B. Re: Camp Pendleton Four-Party Agreement Claim  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation

**Not discussed**

- C. Re: San Jacinto De Anza Lift Station Claim for Extras  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case

**Not discussed**

- 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

**Not discussed**

- E. Re: San Jacinto Sewer Agreement  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case

**Not discussed**

- F. Re: Potential Litigation Against a Developer – Illegal Water Hookups  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case

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