

Report!



Board of Directors Summary for **September 21, 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

- The major activity since the last Board meeting was our visit to Washington DC to meet with various agency and committee staffs to discuss our projects and to interview five lobbying firms to represent the District at the federal level. We are preparing a report on our activities as a separate attachment. I have distributed the actual schedule for the visit this morning.
- The special committee of our Board and the General Manager met with the San Jacinto Mayor and the General Manager and reached tentative agreement on the boundaries of the area that the City will provide collector maintenance. We will discuss in further during today's Closed Session. I will meet with the San Jacinto General Manager to work out the details next Tuesday.
- The Groundwater Policy Committee met on Monday and reviewed the stipulated judgment. The last major issue in that agreement is the handling of the credits for previously recharged water. We have scheduled another CAM meeting for next Monday afternoon to discuss that issue.

Future Events

- Next Wednesday we will have a special Work Session on swaps and derivatives followed by a training session on your new computer laptop and how we propose to do future Board packets.
- In partnership with the BIA, we will host a seminar on California-Friendly Landscaping on Monday, October 3. We have had about 22 developers respond so far.
- I will be flying to San Jose late this afternoon to attend the California Council for Excellence conference along with several employees. I will be out for the rest of the week, but Ravi will be here.

Items of Interest to the Board

- John Robertus has stepped down from his position as Executive Director of the San Diego Regional Water Quality Control Board (SDRWQCB). They are currently looking for a replacement.
- Today we will provide a Work Session presentation on the Board of Directors' ethics, travel, and compensation policies (Proposed Ordinance 70.5). I wanted one more opportunity for the Board to review and discuss before we adopt the policies. The actual document will be distributed by

the end of the week.

- We have been notified that we have qualified to receive a site visit from the CAPE evaluators. We are hoping to schedule this for the second week in October.
- RCWD held a public meeting on Thursday, September 15 to present its Integrated Resources Plan (IRP). Elizabeth Lovsted from Planning represented the District.
- The Hemet City Council approved the Mitigation MOU by a 4-to1 vote on September 13.
- We have received an unsolicited check for \$1.2 million dollars from RCWD for the purchase of the Butterfield Stage Recycled water pipeline. Staff does not feel the District has any future need for the facility and Charlie can expand on that during his report.
- This afternoon we will have the public hearing for AD 19. We expect a large crowd and a fairly long meeting. I may have to leave before the end of the Board meeting to catch my flight.

Operational Highlights

- We continue the live stream discharge at Temecula Wash.
- We are also recharging in the San Jacinto River and are approaching 4,000 AF, which is half our intended target for this year. We plan to start recharge operations at the Grant Street Ponds by next week.

Upcoming Meetings

- The SAWPA General Managers planned to meet with OCSD managers next Friday but the meeting is to be rescheduled. The SAWPA Commission has asked the GM Technical Committee to be the point agency for the SARI enhancement issues.

Organizational and Administrative Changes

- Nothing to report.

II. Matters Which Will Require Board Action

(Pack)

- A. Review of September 21, 2005 Agenda Items (*If Needed*)

III. Presentations To EMWD (Guest Speakers)

None

IV. Response Items / Status Reports / Information Items

- A. MWD Update (*20 minutes*)

(Record/Harrison)

- The Metropolitan Water District of Southern California (MWD) held its monthly Board and committee meetings on September 12 and 13, 2005. At these meetings, the MWD Directors:
- Heard report from ethics officer that MWD delayed ethics training for board members until spring 2006 to allow time for the Fair political Practices Commission (FPPC) and the Attorney General to approve the curriculum. The ethics interchange will be contacting member agencies to coordinate ethics training efforts.

- Granted conditional approval for the 90th, 91st, and the 92nd fringe area annexations to Eastern Municipal Water District and Metropolitan.
- Adopted final resolutions for annexation and to impose water standby charge for the 84th fringe area annexation to Eastern Municipal Water District and Metropolitan.
- Authorized entering into a renewable one-year agreement for up to \$1.5 million annually for regional advertising services related to planned outdoor water conservation efforts as well as emergency needs.
- Withdrew motion to authorize a farm lease of 2,280 acres in Imperial County, with River Valley Ranches, a California farming partnership. Will continue work on this issue and then revisit at next month's board meeting.
- Adopted an amended resolution to accept grant funding, on an individual basis, from the State Department of Parks and Recreation for the Diamond Valley Lake Trails Program.
- Appropriated \$2.60 million; and authorized final design of two ozone contactors at Mills Water Treatment Plant and an agreement with URS Corporation for project management support.
- Heard at the Water Planning, Quality and Resources Committee meeting a report on MWD's reservoir reconnaissance study, which identified 73 potential reservoir sites statewide, 25 of which made it through the initial screening and will continue to be evaluated. Board members requested a study to explore groundwater storage options before pursuing additional surface storage. Other board members urged adherence to the current IRP, or update the IRP to reflect the need for additional storage.
- Heard at the Communications and Legislation Committee a report on the federal Endangered Species Act (ESA) and the potential reform. Two bills on ESA are pending, H.R. 1299 the "Critical Habitat Enhancement Act of 2005" and H.R. 1837 which prohibits designating critical habitat within the high water mark of water storage reservoirs if habitat is periodically created and destroyed as a result of fluctuating water levels. U.S. Representative Pombo plans to introduce legislation that will propose major revisions to the ESA. MWD ESA policy principle was revised in anticipation of ESA overhaul.
- Heard at the Communications and Legislation Committee an update on MWD's director-sponsored inspection trip program. Program needs to be kept within the administrative code. MWD will explore inspection trip opportunities to arrange an annual orientation for past trip attendees, send attendees quarterly updates, and create a college of water ambassadors program to teach past trip attendees how to be advocates for MWD. Board members expressed the need for and value of offering agriculture tours within MWD's service area. Board members also suggested that tours be brief, dynamic, and focused on current water issues.

B. SAWPA Update (10 minutes) (Slawson/Pack)

C. Ordinance 70 (30 minutes) (Carman)

D. Basin Regional Bio-solids Partnership (20 minutes) (Luker)

E. Strategic Plan CS I.B: Develop and implement programs to build relationships with the various customer requirements (15 minutes) (Nieman)

Deferred

F. August Financial Report (15 minutes) (Rynda)

M-279/05

Approve and Authorize the Addition to the Agenda of Closed Session Item No. V.D. Re: Evaluation of Lobbying Firms

1.

CONSIDER ADOPTION OF MINUTE ORDER

V. Closed Session

Not discussed

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

Status report given by Legal Counsel – no action taken

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

Status report given by Legal Counsel – no action taken

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

A Board Letter will be submitted at the Board Meeting

- D. Re: Evaluation of Lobbying Firms
Conference with Legal Counsel

Adjournment

(Record)

I. Recognitions

(Record, C.I. Officer)

- A. Service Awards **None**

M-280/05

- B. Proclamation in Support of Pollution Prevention Week as September 19-25, 2005
 - 1. **Consider Adoption of Minute Order**

II. Public Hearings

M-281/05

- A. Continuation of Hearing to Adopt All Items Pertaining to CFD No. 2004-37 (Western Village)

1. Consider Adoption of Minute Order

- B. Hearing to Adopt All Items Pertaining to CFD No. 2004-35 (Mountain Gate)

R-4315

- 1. **Adopt Proposed Resolution No. 4315**, a Resolution of the Board of Directors of Eastern Municipal Water District, Approving a Joint Community Facilities Agreement with Valley-Wide Recreation and Park District for Community Facilities District No. 2004-35 (Mountain Gate);

R-4316

- 2. **Adopt Proposed Resolution No. 4316**, a Resolution of the Board of Directors of Eastern Municipal Water District, Establishing Community Facilities District No. 2004-35 (Mountain Gate) and Designating Improvement Areas, Authorizing the Levy of Special Taxes, and Calling Elections Therein;

R-4317

3. **Adopt Proposed Resolution No. 4317**, a Resolution of the Board of Directors of Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2004-35 (Mountain Gate), Determining the Necessity to Incur Bonded Indebtedness Within Each Improvement Area of Community Facilities District No. 2004-35 (Mountain Gate) and Calling Elections Therein;

R-4318

4. **Adopt Proposed Resolution No. 4318**, a Resolution of the Board of Directors of Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2004-35 (Mountain Gate), Certifying the Results of the September 21, 2005, Special Tax and Bond Elections; and

O-126

5. **Adopt Ordinance No. 126**, an Ordinance of the Board of Directors of Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2004-35 (Mountain Gate), Authorizing the Levy of a Special Tax Within Each of Improvement Areas A, B and C of Such District.

C. **Public Hearing for Assessment District No. 19-A (Rancho Glenoaks Water System)**

R-4319

1. **Adopt Resolution No. 4319**, Confirming Assessments and Proceedings, and Ordering the Acquisition of the Improvements, Designating the Superintendent of Streets to Collect and Receive Assessments and to Establish a Special Fund for Assessment District No. 19-A

R-4320

2. **Adopt Proposed Resolution No. 4320**, Authorizing the District to Make Contributions to the Construction of Certain Improvements for the Benefit of Assessment District No. 19-A

III. Discussions and/or Comments by Board Members

- A. Directors' Activity Report

IV. Approval of Minutes

M-282/05

- A. Regular Meeting of September 7, 2005
 1. **Consider Adoption of Minute Order**

Receive & file

V. Board Committee Reports

- A. Operations & Engineering (*September 8*)
- B. Administrative (*September 8*)

VI. Letters of Correspondence to the Board of Directors

Reply forthcoming

- A. Mr. Darrell L. Connerton, in regards to an increase of waterline installation costs at the Alternative to Domestic Violence (ADV) building, Romoland.

No reply necessary

- B. William and Robin Seal, in regards to a two unit assessment for service to a guest house on the property.

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.

- M-283/05** A. 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 Diaz Lift Station Replacement Project
- M-284/05** B. Approve and Authorize an Amendment to the Agreement with K. S. Dunbar for the Environmental Impact Report (EIR) for the Perris Valley Pipeline Project
- M-285/05** C. Approve and Authorize Engineering Services Agreements with CH2M Hill for the Water Facilities Master Plan Update
- M-286/05** D. Approve and Authorize Engineering Services Agreements with Krieger & Stewart, Inc., for the Cactus Avenue Feeder Pipeline Project
- M-287/05** E. Approve and Authorize the Administrative Award of Contracts with Necessary Consultants and the Lowest Responsible Bidder for the Construction of Clark Street / Old Elsinore Road Water System Improvements, Phase 2
- M-288/05** F. Approve the August 30, 2005 Revision to the West San Jacinto Groundwater Management Plan Advisory Committee Procedures and Guidelines
- R-4321** G. **Adopt Proposed Resolution No. 4321**, Establishing and Setting Forth the Terms and Conditions of the Annexation of EMWD's 82nd Fringe Area to EMWD and MWD (Calvary Chapel Murrieta)

Annexations

- H. Annexation of Parcel No. U-8-05-6 to Improvement District No. U-8 (Jefferson Business Park, LLC - APN 909-060-010 and 910-220-015)

- M-289/05** 1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. U-8-05-6 and Order Such Map and Legal Description Filed With the Secretary; and

- R-4322** 2. **Adopt Proposed Resolution No. 4322**, Annexing Parcel No. U-8-05-6 to Improvement District No. U-8 of EMWD

- I. Annexation of Parcel No. U-8-05-7 to Improvement District No. U-8 (Pulte Homes - Tract 29473; -1)

- M-290/05** 1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. U-8-05-7 and Order Such Map and Legal Description Filed With the Secretary; and

- R-4323** 2. **Adopt Proposed Resolution No. 4323**, Annexing Parcel No. U-8-05-7 to Improvement District No. U-8 of EMWD

Receive & File J. **Reports for the Months of July and August, 2005**

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. Change Orders to Specifications Issued
- * 7. Treasurer's Report for the month of August, 2005
- 8.

M-291/05

- * **Post Audit of Checks for the months of July and August, 2005**

(End of Consent Calendar)

VIII. Negative Declaration

M-292/05

- A. Approve and Authorize CEQA Certification of the San Jacinto Valley Interceptor Sewer Project – Initial Study and Mitigated Negative Declaration, and Mitigation Monitoring Program
 - 1. **Consider Adoption of Minute Order**

IX. Letters From the General Manager

M-293/05

- A. Approve and Authorize the Water Supply Assessment for the Perris Specialty Center
 - 1. **Consider Adoption of Minute Order**

M-294/05

- B. Approve and Authorize the Water Supply Assessment for the Nuevo Business Park, Tentative Parcel Map 33530
 - 1. **Consider Adoption of Minute Order**

M-295/05

- C. Approve and Authorize the Water Supply Assessment for the Stoneridge Development, Tentative Tract Map 32372
 - 1. **Consider Adoption of Minute Order**

M-296/05

- D. Approve and Authorize the General Manager to Execute the Desalination and Water Purification Research and Development Project Grant Agreement and Other Necessary Agreements
 - 1. **Consider Adoption of Minute Order**

M-297/05

- E. Approve and Authorize Reach 4 Outfall Energy Dissipater Valve Actuator Replacement
 - 1. **Consider Adoption of Minute Order**

M-298/05

- F. Approve and Authorize Additional Appropriation of Funds for Sanderson Ave. 8" and 24" Waterline Relocation
 - 1. **Consider Adoption of Minute Order**

M-299/05

- G. Approve and Authorize the Administrative Award of Contract with Necessary Consultants and Contractors for Construction of the Winchester Road Emergency Relief Sewer
 - 1. **Consider Adoption of Minute Order**

R-4324

- H. **Adopt Proposed Resolution No. 4324**, Approving a Joint Community Facilities Agreement with the Menifee Union School District and Silveroaks 183, LLC, for Community Facilities District No. 2004-6 of the City of Murrieta

R-4325

- I. **Adopt Proposed Resolution No. 4325**, Approving a Joint Community Facilities Agreement with the Hemet Union School District and SJ Development Company, LLC, for Community Facilities District No. 2005-6 of the Hemet Unified School District

M-300/05

- J. Ratify and Approve the Ridgemoor Booster Facility Upgrade
 - 1. **Consider Adoption of Minute Order**

R-4326

M-279/05 *

K. **Adopt Proposed Resolution No. 4326**, In Support of Amendment of Water Codes Sections 1209 through 1212

* Note: The Addition to the Agenda of Closed Session Item No. X.D. Re: Evaluation of Lobbying Firms, was approved by the Board after Work Session Item No. IV.F., and Minute Order No. M-279/05 was assigned.

1.

Consider Adoption of Minute Order

M-301/05

Approve and Authorize the Addition to the Agenda Item IX.L.: Approve and Authorize Washington Lobbyist Representation

1.

Consider Adoption of Minute Order

M-302/05

L. Approve and Authorize Washington Lobbyist Representation

1.

Consider Adoption of Minute Order

X. **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 Sewer Agreement
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation Case

Discussed at work session. Board Letter will be submitted at the Board Meeting

D. Re: Evaluation of Lobbying Firms
Conference with Legal Counsel

M-303/05

ADJOURNMENT

Adjourned the meeting to Wednesday, September 28, 2005, 9:00 a.m., for Special Board Work Session

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