

EASTERN MUNICIPAL WATER DISTRICT  
**BOARD OF DIRECTORS**  
(REGULAR MEETINGS HELD THE FIRST AND THIRD WEDNESDAY OF EACH MONTH)  
**Regular Meeting**  
**AGENDA**  
**August 2, 2006**  
**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. VIP Leadership Excellence Award - 2nd Quarter 2006
- B. Service Awards
- C. Academic Achievement Award for Dennis Rich
- D. Proclamation Honoring Steve Temple, for His Retirement From The City of Hemet
  - 1. **Consider Adoption of Minute Order**

**II. Public Hearing**

**Engineering**

- A. Hearing to Adopt All Items Pertaining to CFD No. 2006-51 (Nuevo Meadows)
  - 1. **Adopt Proposed Resolution No. 4513**, a Resolution of the Board of Directors of Eastern Municipal Water District, Establishing Community Facilities District No. 2006-51 (Nuevo Meadows) and Authorizing the Levy of Special Taxes, and Calling Elections Therein;
  - 2. **Adopt Proposed Resolution No. 4514**, a Resolution of the Board of Directors of Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2006-51 (Nuevo Meadows), Determining the Necessity to Incur Bonded Indebtedness Within Community Facilities District No. 2006-51 (Nuevo Meadows) and Calling an Election Therein;
  - 3. **Adopt Proposed Resolution No. 4515**, a Resolution of the Board of Directors of Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2006-51 (Nuevo Meadows), Certifying the Results of the August 2, 2006, Special Tax and Bond Elections; and
  - 4. **Adopt Ordinance No. 133**, an Ordinance of the Board of Directors of Eastern Municipal Water District, Acting as the Legislative Body of Community Facilities District No. 2006-51 (Nuevo Meadows), Authorizing the Levy of a Special Tax Within Such District

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

**IV. Approval of Minutes**

- A. Regular Meeting of July 19, 2006
  - 1. **Consider Adoption of Minute Order**

**V. Board Committee Reports (Receive & File)**

A. Operations & Engineering (*July 18*)

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

A. Mrs. Frieda Daniels regarding the hardship of AD-19 Bond Assessment

**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.*

**Annexations**

**Operations & Maint.**

- A. Annexation of Parcel No. U-8-06-1 to Improvement District No. U-8 (Temecula Valley RV - APN 910-090-009 & 011)
1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. U-8-06-1 and Order Such Map and Legal Description Filed With the Secretary; and
  2. **Adopt Proposed Resolution No. 4516**, Annexing Parcel No. U-27-06-3 to Improvement District No. U-27 of EMWD

**Operations & Maint.**

- B. Annexation of Parcel Nos. U-29-06-4 and U-30-06-4 to Improvement District Nos. U-29 and U-30 (City of Perris - APN 310-210-029 & 030)
1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-29-06-4 and U-30-06-4 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
  2. **Adopt Proposed Resolution Nos. 4517 and 4518**, Annexing Parcel Nos. U-29-06-4 and U-30-06-4 to Improvement District Nos. U-29 and U-30 of EMWD

**Operations & Maint.**

- C. Annexation of the 96th Fringe Area to EMWD and MWD (Hohman Murrieta)
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. 4519:**
    - a. Requesting LAFCO to Initiate and Conduct a “Reorganization Proceeding” to Concurrently Annex the Subject Land(s) to Eastern Municipal Water District (EMWD) and The Metropolitan Water District of Southern California (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 MWD Under Terms and Conditions Fixed by Their Board of Directors;
3. **Adopt Proposed Resolution No. 4520**, 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. 4521**, 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

**Operations & Maint.**

- D. Annexation of the 97th Fringe Area to EMWD, RCWD, and MWD (Highpointe Temecula V, LP)
  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. 4522:**
    - a. Requesting LAFCO to Initiate and Conduct a "Reorganization Proceeding" to Concurrently Annex the Subject Land(s) to Eastern Municipal Water District (EMWD), Rancho California Water District (RCWD) and The Metropolitan Water District of Southern California (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. 4523**, 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. 4524**, 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

**E. Report for the Month of June, 2006**

**(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. Treasurer's Report for the month of June

**(End of Consent Calendar)**

**VIII. Letters From the General Manager**

**Engineering**

- A. Approve and Authorize an Amendment to the Agreement with Engineering Resources of Southern California, Inc., for Inspection Services

1. **Consider Adoption of Minute Order**

**Resource Dev.**

- B. Approve and Authorize the Water Supply Assessment for the Warehouse Distribution Center on the Northwest Corner at Rider Street and Perris Boulevard Proposed by Ridge Property Trust

1. **Consider Adoption of Minute Order**

**Resource Dev.**

- C. Approve and Authorize the Water Supply Assessment for the Tentative Parcel Map No. 33942 Proposed by Prologis

1. **Consider Adoption of Minute Order**

**Resource Dev.**

- D. Approve and Authorize the Water Supply Assessment for the Tentative Tract Map 33530 Proposed by the Kearny Real Estate Company

1. **Consider Adoption of Minute Order**

**Engineering**

- E. Approve and Authorize Upgrade and Purchase of Hydraulic Modeling Software for Water, Wastewater, and Recycled Water Modeling

1. **Consider Adoption of Minute Order**

**Executive – C.I.**

- F. Approve and Authorize the Distribution of 4,000 High Efficiency Toilets to EMWD Customers in 2006/2007

1. **Consider Adoption of Minute Order**

**Executive – H.R.**

- G. **Adopt Proposed Resolution No. 3345.19**, Amending Exhibit "A" - Classification of Positions

**Executive - Finance**

- H. **Adopt Proposed Resolution No. 3352.12**, Amending the Canyon Lake Sewer Rate Schedule

**Executive - Finance**

- I. **Adopt Proposed Resolution No. 3410.6**, Establishing General Obligation Bond Tax Rates, Water Standby Assessments, Sewage and Waste Service Standby Charges, Assessment District Fixed Charges, and Community Facilities District Special Taxes for Fiscal Year 2006/2007

**Engineering**

- J. **Adopt Proposed Resolution No. 4525**, Approving a Joint Community Facilities Agreement with the Moreno Valley Unified School District and Beazer Homes Holdings Corp. and Hearthstone Multi-Asset Entity B, L.P. for Community Facilities District No. 2005-5 of the Moreno Valley Unified District

**Engineering**

- K. **Adopt Proposed Resolution No. 4526**, Approving a Joint Community Facilities Agreement with the Menifee Union School District School District and D.R. Horton for Community Facilities District No. 2006-3 of the Menifee Union School District

**IX. Closed Session**

- A. Re: Camp Pendleton Four-Party Agreement Claim  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation
- B. Re: Aguilera vs. JWS Associates and EMWD  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case
- C. Re: Hemet/San Jacinto Integrated Recharge and Recovery Project –  
San Jacinto Z, LLC Development  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation Case
- D. Re: EMWD vs. Theresa Fontno – Manzanita Tank Settlement Case  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation
- E. Re: Assurance Co. of America vs. EMWD  
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**

(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.**