

EASTERN MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS
(REGULAR MEETINGS HELD THE FIRST AND THIRD WEDNESDAY OF EACH MONTH)
Regular Meeting
AGENDA
August 16, 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. Service Plus! Excellence Award
 - 1. **Consider Adoption of Minute Order**
- B. Service Awards
- C. Solar Cup Recognition (Ortloff)
- D. Proclamations/Academic Achievements/Others

II. Discussions and/or Comments by Board Members

III. Approval of Minutes

- A. Regular Meeting of August 2, 2006
 - 1. **Consider Adoption of Minute Order**
- B. Special Work Session of August 4, 2006
 - 1. **Consider Adoption of Minute Order**

IV. Board Committee Reports (Receive & File)

- A. Operations & Engineering Committee (August 8)
- B. Administrative Committee (August 8)

V. Letters of Correspondence to the Board of Directors

VI. 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.

Operations & Maint. A. Ratify and Approve the Increase of Funding for Agreement No. 33570 with Alpha Environmental for Hazardous Material Disposal Services

Operations & Maint. B. Approve and Authorize an Agreement with Carollo Engineers for Phase 2 of the Investigation of Brown Water Complaints in the East Valley Area

Operations & Maint. C. Approve and Authorize a California Friendly Landscape Modifications Project

Operations & Maint. D. Approve and Authorize the Declaration of Surplus Equipment

Engineering E. Approve and Authorize the Administrative Award of Necessary Contracts and Agreements for Construction of the Perris Valley Regional Water Reclamation Facility (PVRWRF) Plant 1 Tertiary Conversion, Specification No. 1069S

Engineering F. Approve and Authorize Property Acquisition for the McLaughlin Reservoir

Annexations

Operations & Maint. G. Annexation of Parcel Nos. U-23-06-3 and U-24-06-3 to Improvement District Nos. U-23 and U-24 (Jubilee Way LLC - Tract 29789)

1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-23-06-3 and U-24-06-3 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
2. **Adopt Proposed Resolution Nos. 4528 and 4529**, Annexing Parcel Nos. U-23-06-3 and U-24-06-3 to Improvement District Nos. U-23 and U-24 of EMWD

Operations & Maint. H. Annexation of Parcel Nos. U-23-06-4 and U-24-06-4 to Improvement District Nos. U-23 and U-24 (Lennar Communities - Tract Nos. 30694, 30695, 30695-1, 30696 thru 30696-4)

1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-23-06-4 and U-24-06-4 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
2. **Adopt Proposed Resolution Nos. 4530 and 4531**, Annexing Parcel Nos. U-23-06-4 and U-24-06-4 to Improvement District Nos. U-23 and U-24 of EMWD

Operations & Maint. I. Annexation of Parcel Nos. U-27-06-4 and U-28-06-4 to Improvement District Nos. U-27 and U-28 (KB Home Coastal Inc. - Tract 32262)

1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-27-06-4 and U-28-06-4 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
2. **Adopt Proposed Resolution Nos. 4532 and 4533**, Annexing Parcel Nos. U-27-06-4 and U-28-06-4 to Improvement District Nos. U-27 and U-28 of EMWD

Operations & Maint. J. Annexation of Parcel Nos. U-29-06-5 and U-30-06-5 to Improvement District Nos. U-29 and U-30 (Indian Palms Business Park, LLC - PM 33953 Lot 10)

1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-29-06-5 and U-30-06-5 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
2. **Adopt Proposed Resolution Nos. 4534 and 4535**, Annexing Parcel Nos. U-29-06-5 and U-30-06-5 to Improvement District Nos. U-29 and U-30 of EMWD

Operations & Maint. K. Annexation of Parcel Nos. U-29-06-6 and U-30-06-6 to Improvement District Nos. U-29 and U-30 (Centex Homes - Tract 32428)

1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-29-06-6 and U-30-06-6 and Order Such Maps and Legal Descriptions Filed With the Secretary; and

2. **Adopt Proposed Resolution Nos. 4536 and 4537**, Annexing Parcel Nos. U-29-06-6 and U-30-06-6 to Improvement District Nos. U-29 and U-30 of EMWD

Operations & Maint.

- L. Annexation of Parcel Nos. U-31-06-5 and U-32-06-5 to Improvement District Nos. U-31 and U-32 (Jesse Olsen - APN 322-280-002)
 1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-29-06-5 and U-30-06-5 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 2. **Adopt Proposed Resolution Nos. 4538 and 4539**, Annexing Parcel Nos. U-29-06-5 and U-30-06-5 to Improvement District Nos. U-29 and U-30 of EMWD

Operations & Maint.

- M. Annexation of Parcel Nos. U-33-06-1 and U-34-06-1 to Improvement District Nos. U-33 and U-34 (County of Riverside - Tract APN 318-180-060)
 1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-33-06-1 and U-34-06-1 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 2. **Adopt Proposed Resolution Nos. 4540 and 4541**, Annexing Parcel Nos. U-33-06-1 and U-34-06-1 to Improvement District Nos. U-33 and U-34 of EMWD

N. Reports for the Month of July, 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. Employee Reimbursement Reporting Specific Charges Greater Than \$100
2. District Staffing Status Report by Classification
3. EMWD Claims
4. Special Funding Districts Status Report
5. Water Supply Conditions
- * 6. Change Orders to Specifications Issued
- * 7. Treasurer's Report for the month of July, 2006

(End of Consent Calendar)

VII. 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 Specific Plan No. 346 (Four Seasons at Menifee Valley) Proposed by K. Hovnanian Companies of California
 1. **Consider Adoption of Minute Order**

Resource Dev.

- C. Approve and Authorize the Water Supply Assessment for Tentative Parcel Map No. 34576 and Tentative Parcel Map No. 34577 Proposed by Komar Investments
 1. **Consider Adoption of Minute Order**

- Engineering** D. Approve and Authorize Funding, Construction, and Acquisition Agreement for Community Facilities District 2004-27 (Cottonwood Ranch)
1. **Consider Adoption of Minute Order**
- Engineering** E. Approve and Authorize Additional Capacity Reimbursement to Ryland Group Inc., for Sewerline Oversizing at Myers Avenue and Devonshire Avenue, to Serve Tract 31970 Offsite
1. **Consider Adoption of Minute Order**
- Executive – Fin.** F. **Adopt Proposed Resolution No. 3290.14**, Revising the Statement of Investment Policy
- Executive – Fin.** G. **Adopt Proposed Resolution No. 4542**, Establishing the District's Interest Rate Swap Policy
- Engineering** H. **Adopt Proposed Resolution No. 4543**, Authorizing and Providing for the Issuance of 2006 Special Tax Bonds, Community Facilities District (CFD) 2004-27 (Cottonwood Ranch), and Approving Certain Documents and Authorizing Certain Actions in Connection Therewith
- Engineering** I. **Adopt Proposed Resolution No. 4544**, Authorizing and Providing for the Issuance of 2006 Special Tax Bonds, Community Facilities District 2004-29 (Sun Ranch), and Approving Certain Documents and Authorizing Certain Actions in Connection Therewith
- Engineering** J. **Adopt Proposed Resolution No. 4545**, Authorizing and Providing for the Issuance of 2006 Special Tax Bonds, Community Facilities District (CFD) 2001-01 (French Valley) Improvement Area A, and Approving Certain Documents and Authorizing Certain Actions in Connection Therewith
- Operations & Maint.** K. **Adopt Proposed Resolution No. 4527**, Authorizing EMWD to Participate in the Department of Homeland Security National Incident Management System (NIMS)

Claims

- Executive – H.R.** L. Deny Claim Against the District for Equitable Indemnity by Blaine Construction Corporation
1. **Consider Adoption of Minute Order**

VIII. 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
- F. Re: EMWD vs. Huang/Lee RIC 416192
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation
- G. Re: Personnel
Government Code Section 54957
Annual Performance Evaluation of the General Manager
- H. Re: EMWD vs. American Guarantee
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.*