

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

AGENDA
September 20, 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 (Slawson, C.I. Officer)

- A. Service Awards
- B. Proclamation in Support of Pollution Prevention Week as September 18-24, 2006
 - 1. **Consider Adoption of Minute Order**
- C. Proclamations/Academic Achievements/Others

II. Discussions and/or Comments by Board Members

III. Approval of Minutes

- A. Regular Meeting of September 6, 2006
 - 1. **Consider Adoption of Minute Order**

IV. Board Committee Reports (Receive & File)

- A. Operations & Engineering Committee (*September 14*)
- B. Administrative Committee (*September 14*)

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.

Deferred A. ~~Approve and Authorize a Project in the Amount of \$100,000 for 500 Residential Conservation Surveys~~

Engineering B. Approve and Authorize the Award of Necessary Contracts and Agreements for Construction of the Moreno Valley and Temecula Valley Regional Water Reclamation Facilities' (MV & TVRWRFs') Waste Activated Sludge (WAS) Thickening Expansion, Specification No. 1039S

Engineering C. Approve and Authorize a Design Engineering Services Agreement With Krieger & Stewart for Design of the Nandina Pump Station Upgrade

Engineering D. Approve and Authorize the Administrative Award of Necessary Contracts and Agreements for Construction of the San Jacinto Valley Regional Water Reclamation Facility (SJVRF) Equalization Basins, Specification No. 1067S

- Engineering** E. Approve and Authorize an Agreement with Kaufman Consultation for On-site Recycled Water Landscape Inspection and Testing Services
- Operations & Maint.** F. Approve and Authorize Installation of a Surge/Pressure Relief Valve and Flow Meter for the Recycled Water System at Winchester Pond A
- Operations & Maint.** G. Approve and Authorize Additional Appropriation of Funds for the OMC Fueling Station Upgrade
- Operations & Maint.** H. Approve and Authorize the Purchase of Two, Three-axle Dump Trucks
- Operations & Maint.** I. Approve and Authorize Execution of an Agreement Between Eastern Municipal Water District and Western Municipal Water District Regarding the Assignment of Murrieta County Water District Agreements
- Operations & Maint.** J. Approve and Authorize an Amendment to the Annual Agreement with CH2M Hill for Environmental Services
- Operations & Maint.** K. Approve and Authorize the Purchase of a 12-inch, Trailer Mounted, Sewage and Trash Pump
- Operations & Maint.** L. Approve and Authorize a Five-Year Agreement with HPD Inc., for Asphalt Maintenance and Repair Services
- Operations & Maint.** M. Approve and Authorize a Project to Upgrade the Uninterruptible Power System (UPS) and Install Various Electrical Improvements in the District's Computer Server Room
- Operations & Maint.** N. Approve and Authorize a Five-Year Agreement with Minnesang Pest Specialists for Herbicide Application
- Operations & Maint.** O. Approve and Authorize a Two-Year Agreement with Hi-Desert Communications for Radio System Parts, Equipment and Support Services
- Engineering** P. Approve and Authorize an Amendment to the Agreement with SV Engineering Consultants for Plan Check Services
- Engineering** Q. Approve and Authorize Additional Capacity Reimbursement to A. Murphy Ranch, LLC, for Waterline and Sewerline Extension and Construction in Berea Road, Goetz Road and Newport Road
- Engineering** R. Approve and Authorize Additional Capacity Reimbursement to KB Home for Sewerline Oversizing in Evans Road from Corson Avenue to Wicherd Road to Serve Tract 30142-1 Offsite
- Operations & Maint.** S. Approve and Authorize Additional Appropriation of Funds for the Hemlock Transmission Waterline
- Executive- Legislative** T. Approve and Adopt Eminent Domain Legislative Policy Principle and **Adopt Proposed Resolution No. 4574**, to Oppose Proposition 90, The Protect Our Homes Act

Annexations

- Operations & Maint.** U. Annexation of Parcel No. U-8-06-2 to Improvement District No. U-8 (Butterfield Ranch Self Storage, Inc. et al - Tract PM 33545)
1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. U-8-06-2 and Order Such Map and Legal Description Filed With the Secretary; and
 2. **Adopt Proposed Resolution No. 4554**, Annexing Parcel No. U-8-06-2 to Improvement District No. U-8 of EMWD

- Operations & Maint.** V. Annexation of Parcel No. U-27-06-5 to Improvement District No. U-27 (Dulce Lyons - APN 317-030-024)
1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel No. U-27-06-5 and Order Such Map and Legal Description Filed With the Secretary; and
 2. **Adopt Proposed Resolution No. 4555**, Annexing Parcel No. U-27-06-5 to Improvement District No. U-27 of EMWD

- Operations & Maint.** W. Annexation of Parcel Nos. U-23-06-5 and U-24-06-5 to Improvement District Nos. U-23 and U-24 (D.R. Horton - Tract 29484)
1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-23-06-5 and U-24-06-5 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 2. **Adopt Proposed Resolution Nos. 4556 and 4557**, Annexing Parcel Nos. U-23-06-5 and U-24-06-5 to Improvement District Nos. U-23 and U-24 of EMWD

- Operations & Maint.** X. Annexation of Parcel Nos. U-31-06-5 and U-32-06-5 to Improvement District Nos. U-31 and U-32 (Donald McKeehan - APN 427-170-056)
1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-31-06-5 and U-32-06-5 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 2. **Adopt Proposed Resolution Nos. 4558 and 4559**, Annexing Parcel Nos. U-31-06-5 and U-32-06-5 to Improvement District Nos. U-31 and U-32 of EMWD

- Operations & Maint.** Y. Annexation of Parcel Nos. U-35-06-11 and U-36-06-11 to Improvement District Nos. U-35 and U-36 (Frederick Feck - APN 336-180-020)
1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-35-06-11 and U-36-06-11 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 2. **Adopt Proposed Resolution Nos. 4560 and 4561**, Annexing Parcel Nos. U-35-06-11 and U-36-06-11 to Improvement District Nos. U-35 and U-36 of EMWD

- Operations & Maint.** Z. Annexation of Parcel Nos. U-19-06-4 and U-20-06-4 to Improvement District Nos. U-19 and U-20 (City of San Jacinto - APN 431-150-043)
1. **Consider Adoption of Minute Order**, Approving the Maps and Legal Descriptions for Parcel Nos. U-19-06-4 and U-20-06-4 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 2. **Adopt Proposed Resolution Nos. 4562 and 4563**, Annexing Parcel Nos. U-19-06-4 and U-20-06-4 to Improvement District Nos. U-19 and U-20 of EMWD

- Operations & Maint.** AA. Annexation of the 94th Fringe Area to EMWD, RCWD, and MWD (Smith Family Trust)
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. 4564:**

- 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. 4565**, 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. 4566**, 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

AB. **Reports for the Months of July and August, 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 August, 2006
- * 8. Post Audit of Checks for the month of July & August, 2006

(End of Consent Calendar)

VII. Letters From the General Manager

- Engineering** A. Approve and Authorize an Architectural Engineering Services Agreement with Dougherty and Dougherty Architects, LLP, for Final Design of the Administrative Center Expansion
1. **Consider Adoption of Minute Order**
- Resource Dev.** B. Approve and Authorize the Water Supply Assessment for the Commons at French Valley, Proposed by Regency Centers
1. **Consider Adoption of Minute Order**
- Resource Dev.** C. Approve and Authorize the Water Supply Assessment for the Commerce Pointe Menifee Project, Proposed by Pac Ten Partners
1. **Consider Adoption of Minute Order**
- Resource Dev.** D. Approve and Authorize the Water Supply Assessment for the Arizona Tile Industrial Project
1. **Consider Adoption of Minute Order**
- Engineering** E. **Adopt Proposed Resolution No. 4549**, Determining that the Special Tax of Said Community Facility District Shall Cease to be Levied on Certain Property Located Therein, and Authorizing and Directing the Recordation of Notice of Cancellation of Special Tax for Community Facilities District No. 2003-20 (Corman Leigh Communities) Improvement Area A
- Engineering** F. **Adopt Proposed Resolution No. 4567**, Approving a Joint Community Facilities Agreement with the County of Riverside and Fieldstone Community Park, LLC, Pulte Home Corporation and Rancon Winchester Valley 200, LLC, for Community Facilities District No. 05-1 (Salt Creek Bridges) of the County of Riverside
- Engineering** G. **Adopt Proposed Resolution No. 4568**, Approving a Joint Community Facilities Agreement with the County of Riverside and Fieldstone Community Park, LLC, Ryland Homes of California, Inc., Shea Homes Limited Partnership, La Ventana Partners 77, LLC, Pulte Home Corporation, Fieldstone Winchester Valley, LLC, A.C. Rice, LLC, and Winchester Ranch 202, LLC, for Community Facilities District No. 05-2 (Winchester Parkside) of the County of Riverside
- Engineering** H. **Adopt Proposed Resolution No. 4569**, Approving a Joint Community Facilities Agreement with the County of Riverside and Pulte Home Corporation, Trimark Pacific-Homestead, LLC, SF 150, LLC, Continental Residential, Incorporated and Lennar Homes of California, Incorporated, for Community Facilities District No. 05-3 (Winchester Creekside) of the County of Riverside
- Engineering** I. **Adopt Proposed Resolution No. 4570**, Approving a Joint Community Facilities Agreement with the County of Riverside and Lennar Homes of California, Incorporated, BSC Winchester Hills 260, LLC, TMC Menifee, LLC, Rancon Winchester Valley 85, LLC, Rancon Winchester Valley 200, LLC, Ashbrook West Prarie Crossing L.P., AC Newport, LLC, SF 150, LLC, and Barratt American Incorporated for Community Facilities District No. 05-4 (Winchester Hills) of the County of Riverside
- Engineering** J. **Adopt Proposed Resolution No. 4571**, Approving a Joint Community Facilities Agreement with the County of Riverside and Beeler 64, LLC, Winchester Property Group L.P., Pradera Heights, LLC, Simpson 49, LLC, OF-10, LLC, Eucalyptus Grove, LLC and Grand 62 Properties, LLC for Community Facilities District No. 05-5 (Winchester Trails) of the County of Riverside

Engineering K. **Adopt Proposed Resolution No. 4572**, Authorizing and Providing for the Issuance of 2006 Special Tax Bonds, Community Facilities District 2003-25 (Pacific Communities) Improvement Area D, and Approving Certain Documents and Authorizing Certain Actions in Connection Therewith

Engineering L. **Adopt Proposed Resolution No. 4573** Authorizing and Providing for the Issuance of 2006 Special Tax Bonds, Community Facilities District 2005-40 (Mahogany/Promontory Pointe), and Approving Certain Documents and Authorizing Certain Actions in Connection Therewith

Claims

Executive – H.R. M. Deny Claim Against the District by the City of San Bernardino for Property Damages and Bodily Injury
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: Assurance Co. of America vs. EMWD
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation
- C. Re: EMWD vs. Huang/Lee RIC 416192
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation
- D. 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

(Slawson)

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.*