

Report!



Board of Directors Summary for **February 20, 2008**

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

- Last week (on February 11, 12, and 13), we were in Washington, D.C., for a rather full schedule of meetings. John Rossi from Western Municipal Water District (WMWD) accompanied us on the meetings on Tuesday and Wednesday morning.
- On Friday I attended the MWD Managers meeting and in the afternoon a meeting on the proposed Tax Credit Bonds. I'll be going to Washington on March 3-4 for further discussions and a meeting with the Joint Tax Committee.
- Director Sullivan and I met with the City of Perris yesterday.

Future Activities

- Tomorrow, we will have the CAPE feedback briefing with the senior judge and lead examiner. We have distributed the written report to the Board and many employees. The meeting will be held at 9:00 a.m., in the Board Room.
- John Rossi and I will meet with Rick Bishop tomorrow to go over the details for joining WRCOG.
- I continue to meet with the city managers in our service area. I will meet with Lori Moss from Canyon Lake next week.
- Next Wednesday, the Steering Committee of the Groundwater Management Committee will meet here for a working dinner meeting to bring the elected members up to date on the issues, costs, and progress on the settlement and the recharge facilities.

Follow Up From Previous Board Meetings

- I had a phone conference with Vince Burkett from Ventyx on February 7 (the Thursday after the last Board meeting), but we have not received any counter proposals. We will have a closed session item today.

Operational Highlights

- Since we discussed the Auction Rate Bonds last Thursday, we have seen a decline in the number of issues that “Failed Auction”, and were re-priced, although at higher interest rates. This indicates that a secondary market has developed and there is some competition for good quality paper. We still intend to convert the issues as quickly as we can and will have documents for Board approval next Board meeting. Tom De Mars will be here today to provide further information and answer questions.

Upcoming Meetings and Events

- None to report

Organizational and Administrative Changes

- None to report

A. Recap of Board Committee Meetings

1. Executive Committee (*February 7*)

B. Items of Information

II. Comments and Matters of Interest to the Board Members (Pack)

III. Directors’ Activities Report (Pack)

A. Special Districts Conference (*February 7 - 9*) (Paule)

B. Southern Coalition (*February 8*) (Record)

C. Washington D.C. Meetings (*February 10 - 13*) (Sullivan)

D. AGWA Long Range Planning (*February 11*) (Paule)

E. Inland Empire Waterkeeper (*February 11*) (Paule)

F. Information Technology Issues w/Gott (*February 13*) (Paule)

G. Wine Country Sewer (*February 13*) (Record/Kuebler)

H. RCWD Board Meeting (*February 14*) (Sullivan/Paule/Kuebler/Record)

Not reported I. Wake Up Moreno Valley (*February 15*) (Record)

J. City of Perris (*February 19*) (Paule/Sullivan)

Not attended K. Murrieta/Temecula Mtg. (*February 19*) (Kuebler)

L. (Others?)

1. City of San Jacinto (*February 7*) (Record)

IV. Matters Which Will Require Board Action (Pack)

A. Review of February 20, 2008 Agenda Items (*If Needed*)

1. Agenda Item No. VIII.H.: Approve and Authorize Additional Funding for Implementation of Municipal Software (CityView), presentation by Mike Wayment

B. (Others?)

V. Presentation To EMWD (Guest Speakers)

A. Carollo Engineering Introductions

(Bachmann)

VI. Response Items / Status Reports / Information Items

A. MWD Update (15 minutes)

(Record/Pack)

Approved the Water Supply Allocation Plan as amended. This plan prescribes the method Met will use to allocate supplies to member agencies in the event of a shortage. As a result of member agencies recommendations, amendments included:

- Indicate that Board action is required to authorize Plan implementation
- Specify that May 2008 is the earliest the Plan could come before the Board for approval and July 2008 is the soonest the plan could be implemented after Board action
- Structure a review after each time the Plan is implemented and amend plan accordingly
- Specify that funds collected through penalty rates would go toward LRP and conservation programs
- Adjust penalty rate structure as follows:

Use up to and Including: Proposed	Use up to and Including: As amended	Penalty Rate: Proposed	Penalty Rate: As amended
100% of Allocation	No change	0	No change
100% < Use ≤ 110%	100% < Use ≤ 115%	3 x Tier 2	2 x Tier 2
Use > 110%	Use > 115%	5 x Tier 2	4 x Tier 2

Public comment and letters from cities and legislators focused on the Plan's potential impact on economically disadvantaged customers. The General Manager reiterated that if the plan works, no customers will be financially impacted. The Board members took the opportunity to encourage legislators to implement a statewide water solution so Met will not be forced to implement this plan.

- Authorized staff negotiations with Menifee Properties LLC for acquisition of land for potential use as a future water treatment plant in Riverside County. Once negotiations are complete, Board action is required to appropriate funds for the purchase.
- Appropriated \$3.95 million and authorized completion activities for the major construction program at the Skinner treatment plant and increase in change order authority for the Skinner ozone equipment procurement contract. Also appropriated \$1.77 million and authorized new chlorine injection point at Lake Skinner Outlet Conduit and procurement of operating equipment for Phase II of the Quagga Mussel Control Program. This program includes purchase of liquid chlorine trailers to inject chlorine in vulnerable sections of the Colorado River Aqueduct.
- Heard public comment on the pending 9.8% rate increase from Rich Atwater of Inland Empire Utility Agency and Matt Stone, Municipal Water District of Orange County recommending that the pending increase not apply to replenishment water. In the event replenishment water is available, agencies need to be encouraged to purchase and store this supply.

- Heard an extensive presentation from Phillip Isenberg, Chairman of the Governor’s Blue Ribbon Task Force on Vision for California’s Delta. Mr. Isenberg complimented Met on its terrific job increasing water use efficiency and its efforts to stock-pile rock and construction materials to restore SWP flows in the event of a levee breach. The Task Force will be preparing a short term action list, discussing future Delta governance, and by June will be making further recommendation on the peripheral canal. Director Record asked what Met can do advance Delta solutions, and Mr. Isenberg suggested proactive maneuvering like purchasing and protecting susceptible lands in the Delta.
- Heard status report on longfin smelt. Fish and Game Commission voted to make the longfin smelt a candidate species under the California Endangered Species Act and adopted an emergency regulation authorizing the take of longfin smelt by the SWP and CVP during the next 180 days provided that the projects comply with certain flow restrictions and monitoring requirements. Staff indicated that the risk is low that this will cause further SWP flow reductions because the Delta and longfin smelt share a migration pattern and are near, and away from the pumps at similar times.
- Authorized initial payment of \$5/AF for 2008 Sacramento Valley water transfers.
- Appropriated \$10.2 million and authorized replacement of Met’s aging telephone system. EMWD and Met IS Departments have been working closely to ensure future phone system compatibility.

- B. SAWPA Update (*10 minutes*) **(Sullivan/Pack)**
- Cancelled** C. ~~Building Landscaping Phase II Update (*15 minutes*)~~ **(Iverson/Lewis)**
- D. January Financial Reports (*15 minutes*) **(Rathbone/Tom DeMars)**

VII. Follow-up of Update on Previous Closed Session Item(s)

Discussed during Regular Board Meeting

- A. Re: EMWD vs. JWS (Aguilera)
 Government Code Section 54956.9 (b)
 Conference with Legal Counsel
 One Litigation Case

Closed Session to be discussed in Work Session if time permits

VIII Closed Session

Status report given by Trial Counsel

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

Discussed after the Board Mtg.

- B. Re: EMWD vs. Indus
 Government Code Section 54957.1
 Conference with Legal Counsel
 One Litigation Case

Discussed after the Board Mtg.

- C. Re: Anticipated Litigation
 Government Code Section 54956.9 (b)
 Conference with Legal Counsel
 One Potential Litigation Case

Adjournment

Adjourned the Work Session at 12:25 p.m.

Board Meeting

I. Recognitions

(Sullivan, C.I. Officer)

None

A. Service Awards

M-46/08

B. Service Plus! Excellence Winner, January - March 2008

John Wuerth

1. **Consider Adoption of Minute Order**

None

C. Proclamations/Academic Achievements/Others

II. Public Hearing

R-4798

A. **Hearing to Adopt Resolution No. 4798**, a Resolution of Necessity of Eastern Municipal Water District to Acquire Real Property, by Eminent Domain Proceedings, for Facilities Construction Related to the Cactus Feeder Project

III. Discussions and/or Comments by Board Members

IV. Approval of Minutes

M-47/08

A. Regular Meeting of February 6, 2008

1. **Consider Adoption of Minute Order**

Deferred to 3/05/08

B. ~~Special Board Work Session of February 14, 2008~~

Receive & File

V. Board Committee Reports

A. Executive Committee (*February 7*)

VI. Letters of Correspondence to the Board of Directors

Reply emailed following the Board Meeting

A. Email received from Mr. Dave Dillon in regards to sewer odor at Via Eduardo and Jeronimo, Temecula.

A list emailed on February 19, 2008

B. Email received from Mr. Michael D. Francis in regards to obtaining a list of general contractors awarded the District's new building project.

Reply mailed following the Board Meeting

C. Email received from Mrs. Lorean Williamson in regards to disturbance from the access of the Moreno Beach Tank.

VII. Consent Calendar

Receive & File

A. **Reports for the Month of January, 2008**

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. Treasurer's Report for the month of January, 2008

(End of Consent Calendar)

VIII. Letters From the General Manager

- M-48/08* A. Approve and Authorize an Award of Contract Under Specification No. 1089W, Scott Road Booster Pump Station
1. **Consider Adoption of Minute Order**
- Deferred* B. ~~Approve and Authorize an Agreement with Krieger and Stewart for Final Design of the Mills Pump Station Modifications~~
- M-49/08* C. Approve and Authorize an Amendment to the Agreement with Albert A. Webb Associates for the 1627 Perris Valley Transmission Preliminary Alignment Study
1. **Consider Adoption of Minute Order**
- M-50/08* D. Approve and Authorize an Engineering Services Agreement with CH2M HILL for a Feasibility Study of the Perris Valley Regional Water Reclamation Facility (PVRWRF) Plant 1 Upgrade
1. **Consider Adoption of Minute Order**
- M-51/08* E. Approve and Authorize the Declaration of Surplus Vehicles
1. **Consider Adoption of Minute Order**
- M-52/08* F. Approve and Authorize Additional Funds to Provide Field Mapplet and Electronic Data Recording (Meter Reading) in the Mapplet Program Project
1. **Consider Adoption of Minute Order**
- M-53/08* G. Approve and Authorize the Legislative Policy Principles Regarding Integrated Regional Water Management Planning and Biosolids Management
1. **Consider Adoption of Minute Order**
- M-54/08* H. Approve and Authorize Additional Funding for Implementation of Municipal Software (CityView)
1. **Consider Adoption of Minute Order**
- M-55/08* I. Approve and Authorize Funding, Construction and Acquisition Agreement for Community Facilities District (CFD) 2005-47 (The Lakes) Improvement Area A (Centex Homes)
1. **Consider Adoption of Minute Order**
- R-4799* J. **Adopt Proposed Resolution No. 4799**, Authorizing and Providing for the Issuance of 2008 Special Tax Bonds, Community Facilities District 2005-47 (The Lakes) Improvement Area A (Centex Homes), and Approving Certain Documents and Authorizing Certain Actions in Connection Therewith
- R-4800* K. **Adopt Proposed Resolution No. 4800**, Supporting the District's Proposal for the United States Bureau of Reclamation's Water Conservation Field Services Grant Program for Neighborhood Workshops for Water Use Efficiency Pilot Program
- R-4801* L. **Adopt Proposed Resolution No. 4801**, Supporting the District's Proposal for the United States Bureau of Reclamation's Water Conservation Field Services Grant Program for Landscape Information Data

IX. Follow-up of Update on Previous Closed Session Item(s)

Settled – JWS agreed to pay

- A. Re: EMWD vs. JWS (Aguilera)
Government Code Section 54956.9 (b)
Conference with Legal Counsel
One Litigation Case

X. Closed Session

Status report given by Trial Counsel following Work Session

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

General Manager reported on conference call with Ventyx during Open Session

- B. Re: EMWD vs. Indus
Government Code Section 54957.1
Conference with Legal Counsel
One Litigation Case

Legal Counsel made a recommendation

- C. Re: Anticipated Litigation
Government Code Section 54956.9 (b)
Conference with Legal Counsel
One Potential Litigation Case

M-56/08

ADJOURNMENT

Adjourned the meeting to Wednesday, March 5, 2008, 9:00 a.m.