

EASTERN MUNICIPAL WATER DISTRICT  
**BOARD OF DIRECTORS**  
(REGULAR MEETINGS HELD THE FIRST AND THIRD WEDNESDAY OF EACH MONTH)  
**Regular Meeting**  
**AGENDA**  
**October 21, 2009**  
**1:00 p.m.**

**Pledge of Allegiance**

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

**II. Approval of Minutes**

- A. Adjourned Regular Meeting of September 30, 2009  
1. **Consider Adoption of Minute Order**

**III. Board Committee Reports**

**(Receive & File)**

- A. Operations & Engineering Committee (*October 19*)  
B. Planning Committee (*October 19*)

**IV. Letters of Correspondence to the Board of Directors**

*Reply mailed  
10/02/09*

- A. An email was received by Mr. Clifton Weise regarding needed street repair on Via Las Flores, Murrieta.

*Ghaderi*

- B. An email was received by Mr. Michael R. Crawford regarding a letter received from the District inquiring about a well on his property.

**V. 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. Approve and Authorize Additional Funds for the District-Wide Best Available Retrofit Control Technology (BARCT) to Best Available Control Technology (BACT) Engine Retrofit Project Material Procurement and Construction

*Operations & Maint.*

- B. Approve and Authorize a Project to Install a Standby Generator at the Customer Service Building

*Operations & Maint.*

- C. Approve and Authorize a Project for the Installation of a NoxTech Unit at Mills Pump Station

*Operations & Maint.*

- D. Approve and Authorize a District Wide Arc Flash Analysis Study Project

*Engineering*

- E. Approve and Authorize the Administrative Award of Necessary Contracts and Agreements for the San Jacinto Valley Regional Water Reclamation Facility Electrical Rehabilitation Project

**Resource Dev.**

- F. Receive and File the West San Jacinto Groundwater Basin Management Plan 2008 Annual Report, Dated October 2009

**Employee of the Quarter**

**Executive – C.I.**

- G. Employee of the Quarter – J.P. Galloway
  - 1. **Consider Adoption of Minute Order**

**H. Reports for the Months of August and September, 2009 (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. Special Funding Districts Status Report
- 4. Water Supply Conditions
- \* 5. Change Orders to Specifications Issued September, 2009
- \* 6. Treasurer's Report for the month of September, 2009

**(End of Consent Calendar)**

**VI. Letters From the General Manager**

**Executive – H.R.**

- A. **Adopt Proposed Resolution No. 1962.15**, Fixing the Employers Contribution for Medical Insurance Premiums for All Active and Retired Employees

**Engineering**

- B. **Adopt Proposed Resolution No. 4951**, Adopting Findings of Fact, Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and Certifying the Environmental Assessment/Final Environmental Impact Report for the Leon Road Recycled Water Booster Station, and Benton Road Recycled Water Tank and Pipeline Project, State Clearinghouse No. 2009041119

**Engineering**

- C. Authorization to File Notice of Determination for the Leon Road Recycled Water Booster Station, and the Benton Road Recycled Water Storage Tank and Pipeline Project (State Clearinghouse No. 2009041119)
  - 1. **Consider Adoption of Minute Order**

**Executive – Fin.**

- D. **Adopt Proposed Resolution No. 4952**, Approving the Form and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's (District) Proposition 1A Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith

**Claim**

**Executive – H.R.**

- E. Deny Claim Against the District, Filed by Procopio, Cory, Hargreaves & Savitch LLP on Behalf of SCW Contracting Corporation for Damages
  - 1. **Consider Adoption of Minute Order**

**VII. Closed Session**

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

- B. Re: EMWD vs. San Jacinto Z, LLC  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Litigation Case
- C. Re: EMWD vs. Hunco  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Pending Litigation
- D. Re: Real Property Negotiations  
Government Code Section 54956.8  
Conference with Legal Counsel
- E. Re: Real Property Negotiations  
Government Code Section 54956.8  
Owner's Negotiators: Mike Naggar and Sam Alhadeff  
District Negotiator: Anthony J. Pack  
Conference with Legal Counsel
- F. Re: Soboba Settlement  
Government Code Section 54956.9  
Conference with Legal Counsel  
One Potential Litigation
- G. Reports:
  - 1. EMWD Tort Liability Claims  
Updates from 8/29/09 – 10/09/09

**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**

(Sullivan)

**AVAILABILITY OF AGENDA MATERIALS** - *Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Eastern Municipal Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, at 2270 Trumble Road, Perris, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District's Board Secretary of the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available from the District's Board Secretary in the Board Room of the District's Office.*

**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.*