

Report!



Board of Directors Summary for **June 17, 2009**

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

- On Thursday, June 4, Director Sullivan and I spoke at a Department of Water and Resources (DWR) Educator's Conference at the Wilson Creek Winery.
- On Friday, June 5, we held our Semi-Annual review of the Recycled Water System, which continues to expand. We will provide a shortened version of that presentation at a future Board Work Session.
- We met with the City of Perris on a number of issues. One issue is the collection of EMWD sewer fees. They are currently two months behind because of software problems with their billing system. If they do not make payment we intend to hold our payment of trash fees to the City on the other Perris accounts. Perris has also acquired a groundwater permit from the McCanna Ranch Water Company and is applying for an additional 1,000 Acre-Feet (AF) pumping permit. The District intends to file as well to protect our own wells in the area.
- Last Thursday we presented the draft County Conservation Ordinance to the WRCOG Board and it passed unanimously.
- Last week we met with Fish and Wildlife. The meeting was attended by the Regional Assistant Manager from Sacramento, the head of the Carlsbad office, and a number of staff. EMWD was represented by staff and Directors Sullivan and Paule. My understanding was that we would review the draft Biological Opinion, but we spent most of the meeting discussing options that had been discussed for years. We plan on meeting again on June 25, but I am considering meeting with the Regional Director in Sacramento in the interim. I have put together some notes, which were sent out yesterday and have forwarded them to the tribal attorney and the Washington staff.
- I attended the MWD Managers meeting last Friday, June 12. I had asked for and received an accounting of the Water Stewardship Fund, which is used for the Conservation Credits Program. MWD will begin the review of their rate structure and we intend to participate. I will schedule a review of the MWD rate structure in the Committee meetings to get the Board's input on changes. Other discussions were on the State Financial issues, the Drought Allocation and the lawsuits pending in the Delta.

- We will meet with the RCWD staff on June 30 on participation in their Ag Demineralization Project and other operational issues.
- MWD has begun an Integrated Resource Plan (IRP) process in which we are participating. The conference calls yesterday lasted six hours. We also have staff attending the meetings in LA. This effort will require substantial staff involvement and will set the stage for the Urban Water Management Plan update next year.
- Yesterday, Ed Filadelfia was able to testify in support of AB 696, the bill asking for return of the South Coast Air Quality Management District (SCAQMD) "Priority Reserve" program, which provides Emission Reduction Credits (ERC) to public agencies free of charge. Please note that the Board authorized \$107,000 to purchase credits on the open market for the Secondary Clarifier and Tertiary Treatment (SCATT) project, and we have been informed that the cost of permits for the flare and the emergency generator for the Acid Phase And Anaerobic Digestion (APAD) project will cost \$874,000 if we have to purchase them on the open market.

Future Activities

- I will be off on Friday, June 19.
- During the last meeting of all the participants in the Three-Party agreement for the funding of the Enchanted Heights sewer problems, we all agreed to have each of the agency attorneys meet and redraw the agreement for funding. That meeting will take place this week.

Follow Up From Previous Board Meetings

- Staff met with Mr. Casillas, the gentleman that appeared before the Board last meeting on the Community Vegetable Garden. There is an old connection where the meter has been removed and another connection which is inactive but ready to be used. Mr. Casillas was asked to work with New Business to activate the connection.
- We are working with the Tribal Attorney to set up some dates to meet with the Tribe. Karl Johnson has met with the tribal leaders yesterday.
- Director Slawson asked about using volunteer workers and student interns above the sheriff workers program. We discussed the policy during the June 10 Board Executive Committee.
- We sent out a Privacy warning to all employees on the GPS data, which I forwarded to the Board.
- There was also a question on why we do the State Appropriations Limit letter and we will have some information on that this morning.

Operational Highlights

- Due to some recent changes Congressional members are required to post their appropriation requests on their respective committee websites. Our delegation posted the following:

Bono-Mack Wastewater/Salinity Management:	\$1,000,000
Biodiesel Project:	\$450,000
Calvert Perris Desalter:	\$2,000,000
Feinstein Perris Desalter:	\$950,000

The House and Senate Appropriation Committees will determine which projects will make it into the FY 2010 Budgets and at what funding levels.

- I have sent a copy of a handout from the MWD Managers Meeting that shows the pending litigation surrounding the Bay-Delta ESA issues. The list includes litigation from both sides.
- The State received an additional \$2.8 million in State Revolving Funds (SRF) as part of a \$32 Million nationwide increase. We suspect this may be the first of several reprogramming of funds as projects are found not to be ready to go to construction.

Upcoming Meetings and Events

- The Western Riverside Council of Governments (WRCOG) General Assembly will take place on June 25 at the Morongo Casino. The JPA amendment is to allow full voting membership to the water agencies (except TUMPF matters).
- MWD is scheduling a number of community leaders meeting with legislators. EMWD will provide the Board Room for the meetings. The first meeting, a lunch with Assemblyman Cook, will take place on Friday, June 26, followed by a legislator’s breakfast on July 24 with Senator Benoit.
- We plan to meet with Director Paule and John Motte and City of Temecula Councilman, Mike Nagger, on the Motte wells tomorrow.

Organizational and Administrative Changes

- None to report
 - A. Recap of Board Committee Meetings
 1. Executive Committee (*June 10*)
 2. Planning Committee (*June 10*)
 3. Operations & Engineering Committee (*June 11*)
 4. Administrative Committee (*June 15*)
 - B. Items of Information

- II. **DGM/AGMs/CFO Reports** (Ravishanker/Bachmann/Iverson (for Luker)/Mortazavi/Rathbone)
- III. **Board Secretary’s Calendar Report** (Howell)

IV. Introduction of Guests (C.I. Officer)

Public Comments – (Any subject within the jurisdiction of EMWD. Speakers are requested to limit comments to 3 minutes).

V. Directors' Activities Report (Sullivan)

A. Board Attendance of EMWD Related Conferences, Meetings and Events:

1. ACWA Board Meeting (May 29) (Record)
2. DWR Education Committee Conference (June 4) (Sullivan)
3. Southern Coalition (June 5) (Record)
4. Monday Morning Group – Victoria Club (June 8) (Record/Kuebler)
5. Moreno Valley City Council (June 9) (Slawson)
6. Joint Meeting with Elsinore Valley MWD (June 9) (Paule/Sullivan)
7. Western MWD Landscape Contest Recognition (June 10) (Sullivan)
8. Murrieta Valley Networking (June 11) (Paule)
9. Fish & Wildlife Meeting (June 11) (Paule/Sullivan)
10. Murrieta 49th Annual Installation Awards (June 13) (Paule)

Not attended

VI. Discussion on Matters Which Will Require Board Action (Pack)

A. Review of June 17, 2009 Agenda Items

None

VII. Presentation To EMWD (Guest Speaker)

VIII. Response Items / Status Reports / Information Items

A. MWD Update (10 minutes) (Record/Allred)

- Deferred a decision on expenditures for Metropolitan's Conservation Credits Program and program changes until the auditor provides a program evaluation. The board asked the auditor to audit and evaluate the conservation program, provide a validated figure for the conservation rebate backlog (currently estimated at \$24 Million), and determine the best use of conservation funds moving forward. Discussion included issues of budget constraints, MWD's perception as a water steward and the value of the water stewardship fund, drought and the need for conservation, the appropriateness of auditor involvement in conservation, the effectiveness of MWD conservation rebate investments, and removal of the stewardship fund charge from the wheeling rate.
- Authorized purchase of nitrogen oxide (NOx) emission reduction credits for standby generators at Diemer (\$900,000) and Weymouth (\$800,000) plants. This purchase of credits was not originally planned and resulted from recent legal action which blocked access to cost-free credits from SCAQMD's internal offset bank for essential public services. MWD is also supporting SB 696 (Wright) which would help restore access to credits from SCAQMD's internal offset bank.
- Approved use of \$4.5 million Category III funds to assist in the completion of environmental documentation and preliminary engineering for the Two-Gates Fish Protection Demonstration Project. This near-term project should assist in reducing entrainment of Delta smelt and other sensitive aquatic species at the state and federal Delta pumping facilities. Related consultants' contracts were also increased.

- Adopted resolutions supporting Metropolitan applications for grant funding totaling \$19 million to the Bureau of Reclamation’s Challenge Grant Program authorized under the Water Marketing and Efficiency Grants for Recover Act. Resolutions pertained to five water use efficiency program grants and one grant promoting recycled water.
- Authorized final design of two reliability projects at Mills plant and appropriated \$620,000. Reliability project includes final design of weir gate and filter valve rehabilitation to resolve corrosion and deterioration issues and final design of electrical buildings seismic upgrade because the original buildings were constructed in 1976 and cannot withstand a major earthquake.
- Appropriated \$4.15 million and authorized the General Manager to proceed with a program to execute capital projects costing less than \$250,000 for fiscal year 2009/10. This action will enable staff to expeditiously address smaller upgrades and rehabilitation work that arises during the fiscal year.

The MWD Board also took action on the following legislative item:

- Expressed support for S. 624 (Durbin,D-IL)/H.R. 2030 (Blumenauer, D-OR) – the Senator Paul Simon Water for the World Act of 2009.

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| B. SAWPA Update (<i>10 minutes</i>) | (Sullivan/Pack) |
| C. Collection Process (<i>15 minutes</i>) | (Aanestad) |
| D. CIP Quarterly Schedule Report (<i>15 minutes</i>) | (Bachmann) |
| E. May Financial Update (<i>15 minutes</i>) | (Robinson) |
| <i>Deferred to 7/01/09</i> F. MVRWRF SCATT and APAD Project Update (<i>15 minutes</i>) | (Mouawad/Wright) |

IX. Matters of Interest to the Board Members

(Sullivan)

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| A. Follow-up – Old Business | |
| 1. State Appropriations Limit (<i>5 minutes</i>) | (Robinson) |
| B. New Requests by the Board Members | |

X. Closed Session

Not discussed

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| A. Re: Camp Pendleton Four-Party Agreement Claim
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation | |
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Update provided following the Board Meeting

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| B. Re: Real Property Proposal/Negotiations
Government Code Section 54956.8
Conference with Legal Counsel | |
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Not discussed

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| C. Re: EMWD vs. San Jacinto Z, LLC
Government Code Section 54956.9
Conference with Legal Counsel
One Litigation Case | |
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Update provided following the Board Meeting

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| D. Re: Memorandum of Understanding (MOU) Negotiations Update
Government Code Section 54957.6
Labor Negotiator: Anthony J. Pack
Employee Organization: IBEW Local 1436 | |
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Discussed following the Board Meeting

- E. Re: Performance Evaluation of the General Manager
Government Code Section 54957

Adjournment

(Sullivan)

Board Meeting

I. Recognitions

(Sullivan, C.I. Officer)

- A. Service Awards *Doug Hulstrom, 25 years; Rob Behrens, 20 years*
B. Academic Achievement Award – James Lee
C. Government Finance Officers Association (GFOA) Award
D. Proclamations/Academic Achievements/Others

None

II. Public Hearing

- A. **Hearing to Adopt Proposed Resolution No. 4918**, Approving the Implementation of Stage 2, of the Water Shortage Contingency Plan

R-4918

III. Discussions and/or Comments by Board Members

IV. Approval of Minutes

- A. Regular Meeting of June 3, 2009
1. **Consider Adoption of Minute Order**

M-140/09

V. Board Committee Reports

- A. Executive Committee (*June 10*)
B. Planning Committee (*June 10*)
C. Operations & Engineering Committee (*June 11*)
D. Administrative Committee (*June 15*)

Received & Filed

VI. Letters of Correspondence to the Board of Directors

- A. A letter of correspondence was received from Anthony Hipp regarding billing issues and customer hold time.
B. A letter of correspondence was received from Dannette Craft and Judy Stickel from Margarita Middle School regarding the students writing project of the importance of water conservation.
C. An email was received from Jenze Chang regarding a water saving device to offer our customers.

Reply mailed 6/18/09

Reply mailed 6/18/09

Reply emailed 6/18/09

The following emails were received June 15, after the agenda posted:

Reply emailed 6/18/09

- D. An email was received from Mr. Douglas P. Singer regarding a meter read error.

Reply emailed 6/18/09

- E. An email was received from Keri A. Then regarding the tiered rate implementation.

VII. Consent Calendar

- A. Approve and Authorize a Five-Year Agreement with GCA Services Group Inc., for Janitorial and Day Porter Services

M-141/09

- M-142/09** B. Approve and Authorize Additional Funding for the Supervisory Control and Data Acquisition (SCADA) Control Valve Installation Project at the Sun City Regional Water Reclamation Facility (SCRWRF)
- M-143/09** C. Approve and Authorize Award of Contracts for Construction of EMWD Water Pipeline Relocations Conflicting with City of Perris Line Q Storm Drain
- M-144/09** D. Approve and Authorize Insurance Renewals for District Vehicle Liability, Property, and Excess Liability Coverage for Fiscal Year 2009/2010

Annexation

- E. Annexation of Parcel Nos. U-27-09-2 and U-28-09-2 to Improvement District Nos. U-27 and U-28 (John A. and Nancy L. Pulliam - PM 30800)

- M-145/09** 1. **Approve and Authorize a Minute Order** Approving the Maps and Legal Descriptions for said Parcel Nos. U-27-09-2 and U-28-09-2 and ordering such Maps and Legal Descriptions Filed with the Secretary; and
- R-4919, R-4920** 2. **Adopt Resolution Nos. 4919 and 4920**, Annexing Parcel Nos. U-27-09-2 and U-28-09-2 to Improvement District Nos. U-27 and U-28 of the Eastern Municipal Water District

Received & Filed

F. Reports for the Months of April and May, 2009

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 May, 2009
- * 7. Treasurer's Report for the month of May, 2009

- * 8. **Post Audit of Checks for the month of April and May, 2009**

(End of Consent Calendar)

VIII. Negative Declaration

- M-146/09** A. Approve and Authorize CEQA Certification of the Temecula Valley Regional Water Reclamation Facility 18 MGD Reliable Capacity Upgrade – Initial Study and Mitigated Negative Declaration, and Mitigation Monitoring Program
 - 1. **Consider Adoption of Minute Order**

IX. Letters From the General Manager

- R-1709.7** A. **Adopt Proposed Resolution No. 1709.7**, Regarding the Appointment and/or Reappointment of Authorized Agents to Represent the District in Small Claims Court Actions
- R-4921** B. **Adopt Proposed Resolution No. 4921**, for the Fiscal Year 2009/10 Budget for Operations, Special Research and Conservation Projects, Capital Outlays, and General Fund Appropriations

X. Closed Session

Not discussed

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

Status report provided – Board gave directions on how to proceed

- B. Re: Real Property Proposals/Negotiations
Government Code Section 54956.8
Conference with Legal Counsel

Not discussed

- C. Re: EMWD vs. San Jacinto Z, LLC
Government Code Section 54956.9
Conference with Legal Counsel
One Litigation Case

Status report provided – Board gave directions on how to proceed

- D. Re: Memorandum of Understanding (MOU) Negotiations Update
Government Code Section 54957.6
Labor Negotiator: Anthony J. Pack
Employee Organization: IBEW Local 1436

General Manager received a positive review performance evaluation

- E. Re: Performance Evaluation of the General Manager
Government Code Section 54957

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).

M-147/09

ADJOURNMENT

Adjourned the meeting to Wednesday, July 1, 2009, 9:00 a.m.