

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

AGENDA
September 3, 2008
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. Recognition of Michael Spencer, student, for his song about conserving water
- C. Proclamations/Academic Achievements/Others

II. Public Hearings

Engineering

- A. **Hearing to Adopt Proposed Resolution No. 4849**, of Eastern Municipal Water District to Acquire Real Property, by Eminent Domain Proceedings for Facilities Construction Related to the Del Rio Road Sewer Project

Engineering

- B. **Hearing to Adopt Proposed Resolution No. 4850**, of Eastern Municipal Water District to Acquire Real Property, by Eminent Domain Proceedings for Facilities Construction Related to the Murrieta Creek Sewer Relief Project

III. Discussions and/or Comments by Board Members

IV. Approval of Minutes

- A. Regular Meeting of August 20, 2008
 - 1. **Consider Adoption of Minute Order**

V. Board Committee Reports (Receive & File)

- A. Operations & Engineering (*August 28*)

VI. Letters of Correspondence to the Board of Directors

- A. A letter of correspondence was received from Myrna Morales on behalf of Lynwood Richardson, in regards to a billing dispute on the illegal restoration fee.

VII. 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 Appropriation of Additional Funds for the Ammonia Feed System and On-Site Sodium Hypochlorite Generation Project

Engineering

- B. Approve and Authorize an Amendment to the Agreement with Psomas for Surveying Services for Specification 1049W, Cactus Avenue Feeder

Engineering

- C. Approve and Authorize an Award of Contract Under Specification No. 1124W, Barton/Nandina Interagency Connection 12-Inch Pipeline, Phase II, and Appropriate Additional Funds

Operations & Maint.

- D. Annexation of Parcel Nos. U-35-08-8 and U-36-08-8 to Improvement District Nos. U-35 and U-36 (The Spanos Corporation - APN 333-230-006 through 009)
1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel Nos. U-35-08-8 and U-36-08-8 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 2. **Adopt Proposed Resolution Nos. 4853 and 4854**, Annexing Parcel Nos. U-35-08-8 and U-36-08-8 to Improvement District Nos. U-35 and U-36 of EMWD

Operations & Maint.

- E. Annexation of Parcel Nos. U-35-08-9 and U-36-08-9 to Improvement District Nos. U-35 and U-36 (Fairfield Holland Road LLC - APN 364-070-007 through 009 & 042)
1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Parcel Nos. U-35-08-9 and U-36-08-9 and Order Such Maps and Legal Descriptions Filed With the Secretary; and
 2. **Adopt Proposed Resolution Nos. 4855 and 4856**, Annexing Parcel Nos. U-35-08-9 and U-36-08-9 to Improvement District Nos. U-35 and U-36 of EMWD

(End of Consent Calendar)

VIII. Letters From the General Manager

Executive – I.S.

- A. Approve and Authorize Replacement of the Customer Online Information Networking System (COINS) Hardware with the New Servers Procured During the COINS Replacement Project
1. **Consider Adoption of Minute Order**

Executive – Leg.

- B. **Adopt Proposed Resolution No. 4852**, Supporting a State Legislative Proposal to Establish a Water Demand Based Threshold for Commercial/Industrial Development in the Water Supply Assessments Process, for Consideration by the Association of California Water Agencies (ACWA) State Legislative Committee at its October 24 Planning Session

Executive – Fin.

- C. **Adopt Proposed Resolution No. 4857**, Recognizing the District's Commitment to Reimburse Financing Provided by the State of California in Compliance with Treasury Regulation §1.150-2, to Construct Portions of the Moreno Valley Regional Water Reclamation Facility for Secondary Clarifier And Tertiary Treatment (SCATT)

Executive

- D. **Adopt Proposed Resolution No. 4858**, Authorizing Application Filing for the Construction of the San Jacinto Valley Regional Water Reclamation Facilities (SJVRWRF) Expansion, and Designating an Authorized Representative

Executive

- E. **Adopt Proposed Resolution No. 4859**, Authorizing Application Filing for the Construction of the Moreno Valley Regional Water Reclamation Facilities Secondary Clarifiers and Tertiary Treatment (SCATT) Project, and Designating an Authorized Representative

Executive

- F. **Adopt Proposed Resolution No. 4860**, Authorizing Application Filing for the Construction of the Moreno Valley Regional Water Reclamation Facilities (MVRWRF) Preliminary Treatment Acid Phase and Anaerobic Digestion (P-APAD) Project, and Designating and Authorized Representative

Executive

- G. **Adopt Proposed Resolution No. 4861**, Supporting a State Legislative Proposal to Prohibit the Use of Potable Quality Groundwater for Certain Non-Potable Purposes

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

X. 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. Ventyx
Government Code Section 54956.9
Conference with Legal Counsel
One Litigation Case
- C. Re: Real Property Negotiations
Government Code Section 54956.8
Conference with Legal Counsel
- D. Re: Significant Exposure to Litigation
Government Code Section 54956.9 (b)
Conference with Legal Counsel
One Potential Litigation Case

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)

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.*