

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

AGENDA

July 15, 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. Recognitions

(Sullivan, C.I. Officer)

- A. Service Awards
- B. Employee of the Quarter – Penny McElvain
 - 1. **Consider Adoption of Minute Order**
- C. Proclamations/Academic Achievements/Others
 - 1. **Consider Adoption of Minute Order**

II. Discussions and/or Comments by Board Members

III. Approval of Minutes

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

IV. Board Committee Reports

- A. Executive Committee (*July 8*)
- B. Operations & Engineering Committee (*July 9*)
- C. Administrative Committee (*July 9*)

V. Letters of Correspondence to the Board of Directors

Mortazavi

- A. An email was received from Mr. Kyle Wallace regarding conservation penalties.

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.

Operations & Maint.

- A. Approve and Authorize the Declaration of Surplus Farm Irrigation Parts and Systems

Operations & Maint.

- B. Approve and Authorize the Declaration of Surplus Vehicles

Executive – H.R.

- C. Approve and Authorize Builders All Risk Insurance Policy for the Moreno Valley Regional Water Reclamation Facility Preliminary Treatment And Acid Phase Anaerobic Digestion Project

Annexations

Operations & Maint.

- D. Annexation of Parcel Nos. U-17-09-1 and U-18-09-1 to Improvement District Nos. U-17 and U-18 (Hemet 55 SP, LLC - PM 35350)
1. **Approve and Authorize a Minute Order** Approving the Maps and Legal Descriptions for Said Parcel Nos. U-17-09-1 and U-18-09-1 and Ordering Such Maps and Legal Descriptions Filed with the Secretary; and
 2. **Adopt Resolution Nos. 4923 and 4924**, Annexing Parcel Nos. U-17-09-1 and U-18-09-1 to Improvement District Nos. U-17 and U-18 of the Eastern Municipal Water District

Operations & Maint.

- E. Annexation of Parcel No. U-20-09-1 to Improvement District No. U-20 (Garfield Beach CVS, LLC - PM 35888-1)
1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Said Parcel No. U-20-09-1 and Ordering Such Map and Legal Description Filed with the Secretary; and
 2. **Adopt Proposed Resolution No. 4925**, Annexing Parcel No. U-20-09-1 to Improvement District No. U-20 of the Eastern Municipal Water District.

Operations & Maint.

- F. Annexation of Parcel No. U-31-09-1 to Improvement District No. U-31 (David and Susan Adams - PM 12294)
1. **Consider Adoption of Minute Order**, Approving the Map and Legal Description for Said Parcel No. U-31-09-1 and Ordering Such Map and Legal Description Filed with the Secretary; and
 2. **Adopt Proposed Resolution No. 4926**, Annexing Parcel No. U-31-09-1 to Improvement District No. U-31 of the Eastern Municipal Water District.

G. Reports for the Month of June, 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. EMWD Claims
4. Special Funding Districts Status Report
5. Water Supply Conditions
- * 6. Change Orders to Specifications Issued June, 2009
- * 7. Post Audit of Checks for the month of June, 2009

(End of Consent Calendar)

VII. Letters From the General Manager

Executive – Fin.

- A. Approve and Authorize an Extension of the District's Current Financial Participation Charges Deferred Implementation Program
1. **Consider Adoption of Minute Order**

Executive – Fin.

- B. **Adopt Proposed Resolution No. 3353.19**, Revising Certain Water Rate Schedules

Executive – Fin.

- C. **Adopt Proposed Resolution Nos. 4927 through 4940**, Authorizing and Providing for the Issuance and Sale of General Obligation Bonds for Certain Improvement Districts within Eastern Municipal Water District

Claims

Executive – H.R.

- D. Deny Claim Against the District, Filed by Jay McClaugherty, Attorney at Law, for Edward Young Jr., for Personal Injury
1. **Consider Adoption of Minute Order**

Executive – H.R.

- E. Deny Claim Against the District, Filed by Jay McClaugherty, Attorney at Law, for Kearney Mae Young, for Personal 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: Real Property Proposals/Negotiations
Government Code Section 54956.8
Conference with Legal Counsel
- C. Re: EMWD vs. San Jacinto Z, LLC
Government Code Section 54956.9
Conference with Legal Counsel
One Litigation Case
- D. Re: Memorandum of Understanding (MOU) Negotiations Update
Government Code Section 54957.6
Labor Negotiator: Anthony J. Pack
Employee Organization: IBEW Local 1436

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.*