

EASTERN MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS
(REGULAR MEETINGS HELD THE FIRST AND THIRD WEDNESDAY OF EACH MONTH)
Regular Meeting
AGENDA
August 5, 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. VIP Leadership Excellence Award, 2nd Quarter 2009 – Melita Caldwell
- C. Proclamations/Academic Achievements/Others

II. Public Hearing

Engineering

- A. **Hearing to Adopt Ordinance No. 148**, Establishing Schedule of Water Standby Assessments and Sewage and Waste Standby Charges for the Fiscal Year 2009-2010

III. Discussions and/or Comments by Board Members

IV. Approval of Minutes

- A. Regular Meeting of July 15, 2009
 - 1. **Consider Adoption of Minute Order**

V. Board Committee Reports

- A. Planning Committee (*July 24*)
- B. Operations & Engineering Committee (*August 3*)

VI. Letters of Correspondence to the Board of Directors

Nieman

- A. An email was received from C.P. Gillen regarding the District's sewer rates.

Rathbone

- B. An email was received from Ms. Nicole Phillips regarding a request to change billing date and poor customer service.

Mortazavi

- C. An email was received from Jon on a water saving device he has created.

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.

Engineering

- A. Approve and Authorize an Engineering Services Agreement with Kennedy/Jenks Consultants for Final Design of the Sun City Force Main and Recycled Water Pipeline Replacement

Engineering

- B. Approve and Authorize a Construction Change Order for Pipeline Relocation Conflicting with Lasselle Avenue Street Improvements in the City of Moreno Valley

C. Reports for the Month of July, 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. Treasurer's Report for the month of July, 2009

(End of Consent Calendar)

VIII. Letters From the General Manager

Executive

- A. Approve and Authorize the General Manager to Execute Amendment No. 1 to the Recycled Water Agreement (Agreement No. 04-07) with the Pechanga Band of Luiseño Mission Indians

1. Consider Adoption of Minute Order

Executive

- B. Approve and Authorize Participation in the Public Projects Roundtable

1. Consider Adoption of Minute Order

Executive

- C. Approve and Authorize an Agreement with Elan Associates, Ltd., to Provide Services Related to Development of Funding Applications

1. Consider Adoption of Minute Order

Resource Dev.

- D. Approve and Authorize the Appropriation of Funds for Rebates to Customers in the Residential and Commercial Sectors

1. Consider Adoption of Minute Order

Executive – Fin.

- E. **Adopt Proposed Resolution No. 3410.9**, Establishing General Obligation Bond Tax Rates, Water Standby Assessments, Sewage and Waste Service Standby Charges, And Community Facilities District Special Taxes for Fiscal Year 2009/2010

IX. 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.*