

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

AGENDA

November 4, 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. Regular Meeting of October 21, 2009
 - 1. **Consider Adoption of Minute Order**

III. Board Committee Reports

(Receive & File)

- A. Planning Committee (*October 19*)
- B. Executive Committee (*October 26*)
- C. Operations & Engineering Committee (*November 2*)

IV. Letters of Correspondence to the Board of Directors

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.

Executive – Fin.

- A. Receive and Accept the Audited Financial Statements for Assessment District Nos. 5, 7, 8 and 12 for Fiscal Year Ended June 30, 2009

Operations & Maint.

- B. Approve and Authorize Two-Year Agreements for On-Call Environmental Services

Operations & Maint.

- C. Approve and Authorize a Purchase Order Agreement with Scorpion Backhoe, Inc., for Dirt Work and Cleaning at Met Ponds

Operations & Maint.

- D. Approve and Authorize Additional Appropriation of Funds for the Skiland North Ponds Inlet Expansion

Engineering

- E. Approve and Authorize an Amendment to the Engineering Services Agreement with Stantec Consultant for the Design of the Menifee East Recycled Water Reservoir and Pipeline

Engineering

- F. Approve and Authorize Preliminary and Final Design of the Perris II Desalter Ancillary Facilities

Engineering

- G. Approve and Authorize an Engineering Services Agreement with MWH for Preliminary and Final Design of the Perris Water Filtration Plant Reject Recovery Facility

(End of Consent Calendar)

VI. Letters From the General Manager

Engineering

- A. Approve and Authorize Settlement Agreement with Hunco Development, LLC
 - 1. **Consider Adoption of Minute Order**

Executive – H.R.

- B. **Adopt Proposed Resolution No. 1854.20**, Amending Exhibit “A” to the District’s Standard Conflict of Interest Code

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. Re: Pechanga Annexation Request
Government Code Section 54956.9
Conference with Legal Counsel

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.*