

Report!



Board of Directors Summary for **October 21, 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

- Charlie and I met with the Perris City Manager to discuss options for future water service.
- Last week we conducted a Washington visit with Representatives of SAWPA and four of the five member agencies. Claire is not here, but I have distributed the joint notes that were compiled by Claire and Patti Bonawitz from SAWPA.
- We held a second Recycled Advisory Committee (RAC) meeting last Thursday. It was very well attended, and the staff notes will be distributed to the Board
- I have held several calls with Fish and Wildlife, United States Army Corps of Engineers (USACOE), Legal Counsel Staff Gerry and staff and the Federal Representatives. We are making progress and the revised Biological Opinion is being drafted.
- Last Friday (October 16), I attended the MWD Managers meeting as well as an earlier meeting with a number of member managers to discuss the Local Projects Program, the Carlsbad Desal Plant, future directions for MWD and other items. This was followed by a two-hour meeting on Monday night, which I attended by phone call-in.
- Yesterday, we had a second meeting with the attorneys and our staff on the Pechanga Annexation. We will discuss this in Closed Session today under property acquisition heading.

Future Activities

- I will be out of the office on Thursday and Friday (October 22 and 23).
- Next Tuesday (October 27), Directors Sullivan, and Kuebler, and staff will meet with the City of Temecula staff and City Council to discuss the drainage issues at our Temecula Valley Regional Water Reclamation Facility (TVRWRF).

- I will be meeting next week with Lake Hemet Municipal Water District (LHMWD) on the Hemet Booster, which is a plant that is only used to provide service to LHMWD and we wish to transfer or close.
- On Tuesday, November 3, we will be meeting with the regional staff from the National Resources Conservation Service (NRCS) to follow up on some of our Washington visits and explore the opportunities under the Agricultural Water Enhancement Program (AWEP).

Follow Up From Previous Board Meetings

- We are reviewing the Capital Improvement Plan (CIP) to identify what absolutely has to be constructed in the next five to ten years period and will then revise the five-year financial plan and present it to the Board.

Operational Highlights

- Recycled Water Storage Report was distributed to the Board

Upcoming Meetings and Events

- WRCOG is holding a Planning Retreat on Friday, October 30, and has asked each agency to identify its highest priorities and the regional matters critical to the agency's future. I have passed out the e-mail requesting the input and a form for each Board member to list his priorities. We can then discuss the priorities to reach an agency perspective. I would not limit the items to just three. The meeting will be facilitated by Kelly Bennett, Mayor Pro Tem, of the City of Murrieta.

- A. Recap of Board Committee Meetings
 - 1. Operations & Engineering Committee (*October 19*)
 - 2. ~~Planning Committee (*October 19*)~~
- B. Items of Information

Deferred to 11/04

- II. **DGM/AGMs/CFO Reports** (Ravishanker/Bachmann/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. WRCOG Executive Committee (*September 14*) (Paule)
 - 2. Customer Call Center Tour (*September 16*) (Paule)
 - 3. Inland Empire Economic Partnership (IEEP) Water Supply Strategy Event (*September 24*) (Slawson/Paule)
 - 4. CSDA Annual Conference (*September 21 - 24*) (Paule)
 - 5. WRCOG Washington D.C. (*September 28 - 30*) (Paule)

- 6. Temecula Chamber Legislative Summit (*October 1*) (Record/Kuebler)
- 7. WRCOG Executive Committee (*October 5*) (Paule)
- 8. Groundwater Policy Committee (*October 6*) (Kuebler/Paule)
- 9. ACWA Regions (*October 8 - 9*) (Sullivan/Paule/Record/Kuebler)
- 10. Southern Coalition (*October 9*) (Record)
- 11. SAWPA Legislative Trip D.C. (*October 12 - 14*) (Sullivan)
- 12. Grand Jury Tour DVL (*October 15*) (Record)
- 13. ~~One Water One Watershed (OWOW) (*October 15*)~~ (Sullivan)
- 14. Autumn Gala Dean Museum (*October 16*) (Slawson/Sullivan/Kuebler)

Mtg rescheduled

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

A. Review of October 21, 2009 Agenda Items:

- 1. Regular Agenda Item No. V.A.: Approve and Authorize Additional Funds for the District-Wide Best Available Retrofit Control Technology (BARCT) to Best Available Control Technology (BACT) Engine Retrofit Project Material Procurement and Construction

None

VII. Presentation To EMWD (Guest Speakers)

VIII. Response Items / Status Reports / Information Items

- A. MWD Update (*10 minutes*) (Record/Harrison)
- B. SAWPA Update (*10 minutes*) (Sullivan/Pack)
- C. Tiered Rates Status (*15 minutes*) (Rathbone)
- D. September Financial Update (*5 minutes*) (Robinson)

IX. Matters of Interest to the Board Members (Sullivan)

- A. Follow-up – Old Business
- B. New Requests by the Board Members

X. Recognitions (Sullivan, C.I. Officer)

- A. Employee of the Quarter – J.P. Galloway
- B. Service Awards *Mike Nusser, 10 years*
- C. Supplier of the Year – California Water Technologies (D. Howell)
- D. Proclamations/Academic Achievements/Others

None

XI. Closed Session

General Manager provided update during open session

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

General Manager provided update during open session

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

Discussed following Board Meeting

- C. Re: EMWD vs. Hunco
Government Code Section 54956.9
Conference with Legal Counsel
One Pending Litigation

Discussed following Board Meeting

- D. Re: Real Property Negotiations
Government Code Section 54956.8
Conference with Legal Counsel

Discussed following Board Meeting

- E. Re: Real Property Negotiations
Government Code Section 54956.8
Owner's Negotiators: Mike Niggar and Sam Alhadeff
District Negotiator: Anthony J. Pack
Conference with Legal Counsel

Discussed following Board Meeting

- F. Re: Soboba Settlement
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation

Discussed following Board Meeting

- G. Reports:
 - 1. EMWD Tort Liability Claims - Updates from 8/29/09 – 10/09/09

Adjournment

Adjourned the Work Session at 11:58 a.m.

(Sullivan)

Board Meeting

I. Discussions and/or Comments by Board Members

II. Approval of Minutes

M-213/09

- A. Adjourned Regular Meeting of September 30, 2009
 - 1. **Consider Adoption of Minute Order**

III. Board Committee Reports

Received & Filed

- A. Operations & Engineering Committee (*October 19*)

Defer to 11/04/09

- B. ~~Planning Committee (*October 19*)~~

IV. Letters of Correspondence to the Board of Directors

Reply mailed 10/02/09

- A. An email was received from Mr. Clifton Weise regarding needed street repair on Via Las Flores, Murrieta.

Reply mailed 10/22/09

- B. An email was received from Mr. Michael R. Crawford regarding a letter received from the District inquiring about a well on his property.

Reply mailed 10/23/09

- 1. An email was received from Mr. Kevin Linden regarding a water leak.
(*Received after agenda was posted*)

V. Consent Calendar

M-214/09

- A. Approve and Authorize Additional Funds for the District-Wide Best Available Retrofit Control Technology (BARCT) to Best Available Control Technology (BACT) Engine Retrofit Project Material Procurement and Construction

- Deferred**
- B. ~~Approve and Authorize a Project to Install a Standby Generator at the Customer Service Building~~
- M-215/09**
- C. Approve and Authorize a Project for the Installation of a NoxTech Unit at Mills Pump Station
- M-216/09**
- D. Approve and Authorize a District Wide Arc Flash Analysis Study Project
- M-217/09**
- E. Approve and Authorize the Administrative Award of Necessary Contracts and Agreements for the San Jacinto Valley Regional Water Reclamation Facility Electrical Rehabilitation Project
- M-218/09**
- F. Receive and File the West San Jacinto Groundwater Basin Management Plan 2008 Annual Report, Dated October 2009

Employee of the Quarter

- M-219/09**
- G. Employee of the Quarter – J.P. Galloway

Received & Filed

H. **Reports for the Months of August and September, 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. Special Funding Districts Status Report
4. Water Supply Conditions
- * 5. Change Orders to Specifications Issued September, 2009
- * 6. Treasurer's Report for the month of September, 2009

(End of Consent Calendar)

VI. Letters From the General Manager

- R-1962.15**
- A. **Adopt Proposed Resolution No. 1962.15**, Fixing the Employers Contribution for Medical Insurance Premiums for All Active and Retired Employees
- R-4951**
- B. **Adopt Proposed Resolution No. 4951**, Adopting Findings of Fact, Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and Certifying the Environmental Assessment/Final Environmental Impact Report for the Leon Road Recycled Water Booster Station, and Benton Road Recycled Water Tank and Pipeline Project, State Clearinghouse No. 2009041119
- M-220/09**
- C. Authorization to File Notice of Determination for the Leon Road Recycled Water Booster Station, and the Benton Road Recycled Water Storage Tank and Pipeline Project (State Clearinghouse No. 2009041119)
1. **Consider Adoption of Minute Order**
- R-4952**
- D. **Adopt Proposed Resolution No. 4952**, Approving the Form and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's (District) Proposition 1A Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith

Claim

M-221/09 E. Deny Claim Against the District, Filed by Procopio, Cory, Hargreaves & Savitch LLP on Behalf of SCW Contracting Corporation for Damages
1. **Consider Adoption of Minute Order**

M-222/09 Approve and Authorize the Addition to the Agenda Closed Session Item No. VII.H.: Re: Pechanga Annexation Request
Government Code Section 54956.9
Conference with Legal Counsel
1. **Consider Adoption of Minute Order**

VII. Closed Session

General Manager provided update during Work Session A. Re: Camp Pendleton Four-Party Agreement Claim
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation

General Manager provided update during Work Session B. Re: EMWD vs. San Jacinto Z, LLC
Government Code Section 54956.9
Conference with Legal Counsel
One Litigation Case

Board provided guidance for settlement C. Re: EMWD vs. Hunco
Government Code Section 54956.9
Conference with Legal Counsel
One Pending Litigation

Status report provided- no action taken D. Re: Real Property Negotiations
Government Code Section 54956.8
Conference with Legal Counsel

Status report provided- no action taken 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

Not discussed F. Re: Soboba Settlement
Government Code Section 54956.9
Conference with Legal Counsel
One Potential Litigation

Update provided – no action taken G. Report:
1. EMWD Tort Liability Claims
Updates from 8/29/09 – 10/09/09

Status report provided- no action taken H. Re: Pechanga Annexation Request
Government Code Section 54956.9
Conference with Legal Counsel