

Report!



Board of Directors Summary for **July 15, 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

- On July 6, we hosted a meeting of the Quail Valley Task Force. This meeting was largely an organizational meeting and a preliminary outline of the Public Outreach Program.
- On July 7, Joe Mouawad made a presentation on the Moreno Valley Fuel Cell before the SAWPA Commission.
- Later that day (on July 7), I met with staff to coordinate the organization of the Recycled Water Projects just approved for 25 percent federal funding under the Title XVI Program. Our share of the funding for the four projects could be as high as \$20 Million. The proceeds from the Bond Issue on your agenda will free up some \$15 million in COP funds that will be used to finance our share of the projects. The remaining \$5 Million will come from reserves.
- We also met to discuss construction on the Secondary Clarifier and Tertiary Treatment (SCATT) Project and final submissions for Acid Phase and Anaerobic Digestion (APAD). Both projects are now under construction.
- On Friday, July 10, we hosted the MWD Southern Coalition meeting.
- On Monday, July 13, Charlie and I met with the City of Perris concerning a sinkhole and settlement on Orange and Barrett Ave. The City alleges that the problem was caused by trench settlement over an EMWD sewer line. We had a contractor conduct a preliminary analysis and cost estimate. His opinion is that the damage was being caused by a leaking storm drain. We have agreed with the City to jointly fund an independent investigation and fund the repairs based on the portion of responsibility assigned. The repair cost could be as high as \$175,000.

Future Activities

- We have cancelled our Washington, DC, trip and rescheduled it for the last week in September.

- I will attend the WRCOG TAC meeting tomorrow and also the BIA function tomorrow night. Friday I will be going to MWD for the Managers Meeting.

Follow Up From Previous Board Meetings

- Last Board meeting we mentioned the problems at the Pala Lift Station caused by construction debris and asphalt that was dropped into our manholes during the Pechanga Parkway Project. We have cleaned the lines all the way back from the Parkway to our lift station and have removed a significant amount of material. I notified the City that we would be filing a claim.
- I have had phone discussions with both the Sacramento and Carlsbad offices of the Fish and Wildlife Service and it appears that they may have identified a solution to the permit issue that will allow us to move forward on implementing the settlement. We will meet next Tuesday to confirm that the proposal meets our requirements. I will go over some of the details on an aerial map in a few moments.
- We will have a preview of the Social Networking Websites later this morning.

Operational Highlights

- We received a grant for \$30,000 from the Southern California Salinity Coalition to complete the Innovative Desalination Recovery, Enhancement, and Concentrate Management Study. The funding will allow us to complete the data analysis and estimate the capital and O&M costs of a full scale 4 to 6 MGD plant.
- We finished last year with a record level of recycled water sales and should surpass that number again this year. Inland Empire Energy Center (IEEC) has increased its consumption to 2500 to 3000 GPM. We do not know if this is temporary or an indication that they have solved some of their problems. We are in the process of forming the Recycled Water Advisory Committee (RWAC) to discuss the next round of rate setting. Larry Minor has requested an Ag User Advisory Committee, but I feel we should include all customers. We will discuss at the next Board Planning Committee.
- We intend to file for a patent pending on the biodiesel production facility for our protection as there appears to be some interest in marketing a similar process by the manufacturer of one of the items of equipment. I mentioned that Congresswoman Bono-Mack put \$250,000 in the Fiscal Year 2010 Energy and Water Bill for the project.

Upcoming Meetings and Events

- We have the Community Leaders Breakfast with Senator Benoit on Friday, July 24. Rosemarie will provide more details during her report.

Organizational and Administrative Changes

- Nothing unusual to report
- A. Recap of Board Committee Meeting

Cancelled

1. ~~Executive Committee (July 8)~~
2. Operations & Engineering Committee (July 9)
3. Administrative Committee (July 9)

B. Items of Information

- 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. Conservation/Tiered Rates Info. at Lowes, Menifee (July 3) (Sullivan)
 2. DAC Towngate Center (July 7) (Slawson)
 3. Monday Morning Group (July 8) (Record/Kuebler)
 4. San Jacinto Water Sub-Committee (July 8) (Paule/Kuebler)
 5. Homeowner’s Association Meeting M.V. (July 9) (Slawson)
 6. Southern Coalition (July 10) (Record)
 7. Joint Meeting with Elsinore Valley MWD (July 14) (Sullivan/Paule)
 8. Rancho Del Sol Homeowner’s Association Meeting (July 14) (Sullivan)
- Not attended**
- VI. **Discussion on Matters Which Will Require Board Action** (Pack)
- A. Review of July 15, 2009 Agenda Items
- VII. **Presentation To EMWD (Guest Speaker)**
- VIII. **Response Items / Status Reports / Information Items**
- A. MWD Update (10 minutes) (Record/Harrison)
- Increased the Conservation Credits Program budget by \$14.2 million to pay additional FY 2008/09 needs and approved the use of FY 2009/10 budget of \$19.1 million to fund FY 2009/10 activities. The total cost of the program for FY 2008/09 is \$54.2 million; originally it was budgeted for \$20 million. The annual water savings is 18,000 acre-feet with an average cost of \$225 per acre-foot. The Board will discuss changes to the program in the future.
 - Authorized extension of the Diamond Valley Lake boat ramp at an estimated cost of \$1.1 million. The ramp extension would be paid for primarily through increased user fees at the lake. The construction of the ramp is expected to be fast-tracked to take advantage of the low water levels at the lake and favorable construction costs.
 - Deferred action on the Strategic Power Plan goals. The goals will provide direction as to where MWD wants to be in 20 years; recognizing that power costs are one of the drivers behind budget and rates.
 - Agreed to defer taking a position on S. 787, the Clean Water Restoration Act of 2009, so MWD staff and member agencies can work together to determine an appropriate position.

- Appropriated \$14.4 million for various projects located at the Skinner Water Treatment plant including the Oxidation Retrofit Program and the Skinner Finished Water Reservoir.
- Heard an update on Metropolitan’s activities in pursuing funding for water and energy projects through the American Recovery and Reinvestment Act including a background on the act, conditions, and status on MWD’s applications. MWD has submitted 19 applications related to water and is waiting to hear if funding will be granted. MWD is developing applications for energy funding.
- Heard the following water supply update:
 - The allocation for the SWP is currently 40%.
 - The Colorado River supply forecast for 2009 is 82% of the full aqueduct.
 - Diamond Valley Lake is at 43% capacity and is expected to slowly rise in the fall.
- Other news: Tom Evans from Western Municipal Water District was inducted as a new Director.

- B. SAWPA Update (*10 minutes*) **(Sullivan/Pack)**
- C. June Preliminary Financials (*15 minutes*) **(Rathbone)**

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

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

X. Closed Session

Status report provided – no action taken

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

Discussed following the Board Meeting

- B. Re: Real Property Proposal/Negotiations
Government Code Section 54956.8
Conference with Legal Counsel

Status report partially provided – no action taken

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

Discussed following the Board Meeting

- D. Re: Memorandum of Understanding (MOU) Negotiations Update
Government Code Section 54957.6
Labor Negotiator: Anthony J. Pack
Employee Organization: IBEW Local 1436

Adjournment **(Sullivan)**

Board Meeting

I. Recognitions

(Sullivan, C.I. Officer)

A. Service Awards *Carrie Lawler, 20 years*

M-157/09

B. Employee of the Quarter – Penny McElvain

1. **Consider Adoption of Minute Order**

C. Proclamations/Academic Achievements/Others

M-158/09

Approve and Authorize the Addition to the Agenda Item No. VII.F.: Adopt Proposed Resolution No. 4941, Supporting the Nomination of Randy A. Record for the Position of Vice President of the Association of California Water Agencies (ACWA)

1. **Consider Adoption of Minute Order**

II. Discussions and/or Comments by Board Members

III. Approval of Minutes

M-159/09

A. Regular Meeting of July 1, 2009

1. **Consider Adoption of Minute Order**

IV. Board Committee Reports

Cancelled

A. ~~Executive Committee (July 8)~~

Received & Filed

B. Operations & Engineering Committee (July 9)

Received & Filed

C. Administrative Committee (July 9)

V. Letters of Correspondence to the Board of Directors

Reply emailed
7/16/09

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

VI. Consent Calendar

M-160/09

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

M-161/09

B. Approve and Authorize the Declaration of Surplus Vehicles

M-162/09

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

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)

M-163/09

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

R-4923, R-4924

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

E. Annexation of Parcel No. U-20-09-1 to Improvement District No. U-20 (Garfield Beach CVS, LLC - PM 35888-1)

M-164/09

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

R-4925

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.

- F. Annexation of Parcel No. U-31-09-1 to Improvement District No. U-31 (David and Susan Adams - PM 12294)

M-165/09

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

R-4926

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.

Received & Filed

G. **Reports for the Month of June, 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. 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**

M-166/09

- A. Approve and Authorize an Extension of the District's Current Financial Participation Charges Deferred Implementation Program

1. **Consider Adoption of Minute Order**

R-3353.19

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

R-4927 – R-4940

- 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

M-167/09

- 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**

M-168/09

- 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**

ACWA Nomination

R-4941

- F. **Adopt Proposed Resolution No. 4941**, Supporting the Nomination of Randy A. Record for the Position of Vice President of the Association of California Water Agencies (ACWA)

VIII. Closed Session

Status report provided following Work Session – no action taken

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

Status report provided by Behrooz Mortazavi and Legal Counsel – no action taken

- B. Re: Real Property Proposals/Negotiations
Government Code Section 54956.8
Conference with Legal Counsel

Legal Counsel provided further update – no action taken

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

Status report provided by Legal Counsel – no action taken

- 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).*

M-169/09

ADJOURNMENT

Adjourned the meeting to Wednesday, August 5, 2009, 9:00 a.m.