

VALLEY CENTER MUNICIPAL WATER DISTRICT

A Public Agency Organized July 12, 1954

Board of Directors
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Robert A. Polito
Vice President
Merle J. Aleshire
Director
Charles W. Stone, Jr.
Director
Randy D. Haskell
Director

February 16, 2006

Mr. Patrick T. Miller
CAL-REPUBLIC COMPANY
2658 Del Mar Heights Road, #200
Del Mar, CA 92014-3100

Subject: Rincon Venture (TM #892)
[Project No. 01-1510.72]

Dear Mr. Miller:

Enclosed please find your copy of "Amendment No. 1 to Agreement to Provide Sewer Billing Service for City of Escondido by Valley Center Municipal Water District."

Sincerely,

Dianne Kilwein, P.E.
Project Manager

:ld
Enclosure

**AMENDMENT NO. 1 TO
AGREEMENT TO PROVIDE SEWER BILLING
SERVICE FOR CITY OF ESCONDIDO
BY VALLEY CENTER MUNICIPAL WATER DISTRICT**

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2006 THIS AGREEMENT is entered into this 7th day of February ~~2005~~, by and between the City of Escondido, a general law city (hereinafter called "City") and the Valley Center Municipal Water District, a municipal water district existing and organized under the Municipal Water district Law of 1911, Water Code section 71000, et seq. (hereinafter called "District").

RECITALS

A. District entered into an agreement dated April 13, 2000, to provide sewer billing service to City for the 44 lot subdivision known as Escondido Woods (TM #4775).

B. By previous agreement, the 41 lot subdivision known as Rincon Escondido, LLC (RE, LLC) and Escondido Tract Map #892, will be receiving domestic water service from the District and sewer service from the City.

C. To avoid duplicate billings to the users of water and sewer service within the subdivision, the City transfers to District its authority to include in its water bill an amount for the sanitary sewer service charges that would be normally billed by the City.

D. District is prepared to provide billing services to the RE, LLC, Escondido Tract Map # 892 subdivision for the City under the terms of this agreement.


NOW, THEREFORE, in consideration of the Recitals and mutual obligations expressed herein, the Parties agree that the Agreement to Provide Sewer Billing Service for the City of Escondido by the Valley Center Municipal Water District dated April 13, 2000, is hereby amended to provide that District will provide billing service for the RE, LLC, Escondido Tract map # 892 subdivision. All other terms and conditions of the Agreement are unchanged.

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IN WITNESS WHEREOF, this agreement is executed by the Valley Center Municipal Water District, acting by and through its proper officers duly authorized and by the City of Escondido, acting by and through its proper officers duly authorized.

Valley Center Municipal Water District
29300 Valley Center Road
P.O. Box 67
Valley Center, CA 92082

Date: 1/3/06

By: 
Gary A. Broomell, President
GARY A. BROOMELL, GENERAL MANAGER

Date: 1-23-06

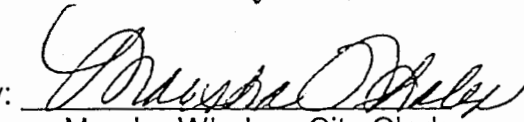
By: 
Kathy Stetson, Secretary to Board

City of Escondido
201 N. Broadway
Escondido, Ca 92025

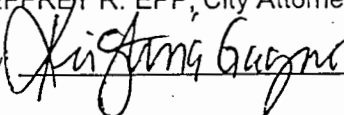
Date: 2-7-06

By: 
Lori Holt Pfeiler, Mayor

Date: 2-7-06

By: 
Marsha Whalen, City Clerk

Approved as to Form:
Office of the City Attorney
JEFFREY R. EPP, City Attorney

By: 

RESOLUTION NO. 2005-306

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY, A FIRST AMENDMENT TO AN AGREEMENT WITH VALLEY CENTER MUNICIPAL WATER DISTRICT FOR BILLING OF SEWER SERVICE CHARGES FOR THE RINCON ESCONDIDO, LLC, TRACT 892

WHEREAS, the 41 lot subdivision known as Rincon Escondido, LLC Tract 892 as part of Escondido Woods located within the boundaries of the Valley Center Municipal Water District and North of the City of Escondido will be receiving domestic water service from Valley Center and sewer service from the City; and

WHEREAS, to avoid duplicate billings to the users of water sewer service within the subdivision, the City of Escondido desires Valley Center Municipal Water District to include in its water bill an amount for the sewer service charges as would normally be billed by the City; and

WHEREAS, the Valley Center Municipal Water District is willing to provide billing services to the Rincon Escondido subdivision for the City; and

WHEREAS, the City of Escondido and Valley Center Municipal Water District find that it would be in the best interest of each public agency and the residents of the subdivision to amend the current agreement; and

WHEREAS, the Director of Public Works has reviewed this proposal and recommends entering into an agreement with Valley Center Municipal Water District for these services; and

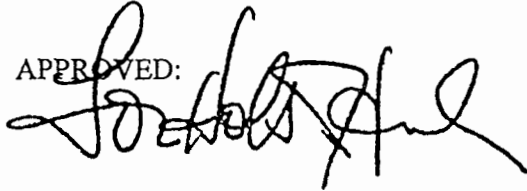
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 14th day of December, 2005 by the following vote to wit:

AYES : Councilmembers: ABED, GALLO, NEWMAN, PFEILER, WALDRON

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

A handwritten signature in black ink, appearing to read "Lori Holt Pfeiler", written over the word "APPROVED".

LORI HOLT PFEILER, Mayor of the
City of Escondido, California

ATTEST:

A handwritten signature in black ink, appearing to read "Marsha Whalen", written in a cursive style.

MARSHA WHALEN, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2005-306