

February 6, 2024

Mayor Lori Stone  
Mayor Pro Tempore Cindy Warren  
Council Member Jon Levell  
Council Member Ron Holliday  
Council Member Lisa DeForest  
Members of the Press

Re: Mayor Club Corruption

Dear Mayor Lori Stone and Murrieta City Council Members,

On December 16<sup>th</sup> our country celebrated the 250<sup>th</sup> Anniversary of the Boston Tea Party, *taxation without representation*; a founding tenet of our democracy. At public hearings we recite the Pledge of Allegiance,... *liberty and justice for all*. *Transparency* is mentioned a lot at Murrieta city council meetings as well as cited on government doctrines. And occasionally, we witness the public swearing-in of our office holders who promise to follow our constitutions and laws.

But, if you are a parcel owner affected economically and environmentally by the Los Alamos Hills Water Project, you receive **no** notice of the opportunity to have a "voice" at the city council meeting on August 16, 2022; the EMWD Board Meeting on July 6, 2022; or the MWD Board Meeting on July 11, 2023.

Mayor Jonathan Ingram on August 16, 2022: "Mr. Holler. Item #8. I know you and I are – we've been going at this for many, many years, so, this is – this is good information, right?"

Assistant City Manager Ivan Holler, "One of the allowed uses for ARPA funds pursuant to the Drinking Water State Revolving Fund Eligibility handbook -- there will be a test on that later, is to provide potable municipal water service to areas that currently utilize wells."

Council Member Christi White and the agenda report, ***“Fortunately, annexation costs are eligible for funding through ARPA.”***

Non-parcel owner Ron Holliday, *“We have a need for fire hydrants as you mentioned, Mayor Pro Tem, in other areas of the city, too.” “So, while this is a great first step and I support it 100 percent, let’s keep our eye on the ball and get the rest of the city done as well, and listen to our residents. Thank You”*

Non-parcel owners, former Mayor Alan Long and his brother Dan Long spoke: *“Mr. Mayor, I know you and I have had numerous discussions over the years on this.” “This has really been three decades that we’ve been after this.” “Within that island, I’ve got eight lots, and I did go through the LAFCO process.” “Because you can say you’re going to these lots that are already in the district, while the others follow.”*

However, pursuant to the Drinking Water State Revolving Fund Eligibility handbook (DWSRF), the use of ARPA funds are ineligible for fire protection (*Section 3.4 Ineligible Projects, P 13-14*). The term “fire hydrant” is not mentioned anywhere in EMWD’s Initial Draft Study of the Mitigated Negative Declaration. EMWD Public Affairs Manager Roxanne Rountree made clear, *“Nothing provided to the residents from EMWD, the City of Murrieta or Mr. Alan Long identified the project as ‘Fire Hydrant Water Project.’”*

Likewise, pursuant to the Drinking Water State Revolving Fund Eligibility handbook, *“The DWSRF is meant to serve the public health needs of existing population. Congress specifically directed in the SDWA that the DWSRF program avoid the use of funds to finance the expansion of any public water system in anticipation of future population growth.”*

The 12-inch pipeline is oversized for future EMWD customers including sourcing the yet-to-be developed 8 lots belonging to former Mayor Alan Long.

**When and where were parcel owners given the opportunity to meet with city staff and our governmental decision makers to discuss the annexation costs that are eligible for funding through ARPA and/or our environmental issues?**

The American Rescue Plan Act funds are the peoples' tax money. Three million dollars of ARPA funds have been dedicated *"to provide municipal water service to the areas that currently utilize wells"* -- not a water source for former Mayor Alan Long's 68 acres atop the Los Alamos Hills which includes a new paved Mason Road; but *for the 50 parcels at the bottom of Los Alamos Hills.*

The Los Alamos Hills Water Project circumvented an Environmental Impact Report. Similar to former Mayor Jonathan Ingram's failed attempt in developing the Giant Soccer Complex at the Los Alamos Hills Sports Park which likewise bypassed resource and conservation agencies review.

Former Mayor Jonathan Ingram served as Chairman of the Board of Directors of Western Riverside County Regional Conservation Authority (WRCRCA) and represented the City of Murrieta at the ribbon cutting ceremony for the Clinton Keith Road wildlife crossing. Former Mayor Alan Long served as a Board of Director representing Murrieta for the WRCRCA. Both former Mayors know or should know the importance of wildlife movement corridors or linkages between MSHCP open spaces that exist within the Los Alamos Hills Water Project.

EMWD, the lead agency of the Los Alamos Hills Water Project, falsely identified the WRCRCA lands adjacent to the Los Alamos Hills Sports Park as "undeveloped lots" in their environmental document to avoid conflicting with the wildlife movement corridors or linkages that connect MSHCP open spaces. In doing so, EMWD as well as MWD bypassed notification and consultation requirements to the California Department of Fish and Wildlife (CDFW) as required by Public Resource Code Section 21080.3 (a) and State CEQA Guideline Section 15063(g).

To avoid notification and consultation requirements with Murrieta Valley Unified School District (MVUSD), EMWD & MWD's environmental document falsely identified a distant school, *"Avaxat Elementary School is located approximately 0.6 mile west of the project area....Therefore, impacts related to hazardous emissions within 0.25 mile of a school would be less than significant."*

The welfare of children and staff at Rail Ranch Elementary School are put at risk, again contrary to CEQA compliance and the California Department of Education

per section 21151.4 of the Public Resource Code. Notification is mandatory 30 days prior to the proposed certification of the environmental document. EMWD certified on March 15, 2023. MWD certified on July 11, 2023.

The environmental document is void of mandatory notification and consultation requirements to both CDFW & MVUSD. EMWD’s projected cost for the Los Alamos Hills Water Project was \$3.2 million...now at \$4.7 million?

On January 25, 2024, Assistant City Manager Ivan Holler declared to the Riverside LAFCO Board, the city council unanimously supports annexation. “We fully support this project.” Council Member Ron Holliday, who is a Board of Director on the WRCRCA, spoke as a nearby parcel owner building his new home a football field away from those “undeveloped lots”, supports annexation. Former Mayor Alan Long also endorsed annexation; citing his years of fire and public service.

Pursuant to CEQA Guidelines 15096(a), Responsible agencies **must independently** review and approve the CEQA document, and not rely automatically on the Lead Agency’s judgments.

Attached are: a letter to EMWD Public Affairs Manager Roxanne Rountree dated October 29, 2022; a letter to City Manager Kim Summers dated December 16, 2022 and an email to former Mayor Ingram and Council on December 19, 2022.

Please consider reading the January 1, 2024 correspondence to Riverside County Counsel, “Re: How to circumvent an EIR; profit from the misuse of federal funds; jeopardize the MSHCP; supplant parcel owners’ \$7,500 per acre annexation costs; oversize for future service; supply water to the former Mayor’s 96<sup>th</sup> Fringe Annexation; prevent those affected to have a “voice” with their elected representatives; give hope to neighbors under false pretenses; and make repeated false claims of CEQA compliance; (or) EMWD/MWD’s Application for Annexation of the Los Alamos Hills Water System Project”, on LAFCO’s web page.

Also attached is the 30-page cheat-sheet that was handed to each LAFCO Board Member on January 25, 2024. The documents contained within the cheat-sheet illustrate an ongoing pattern of continuing deception.

Mayor Lori Stone, during your Rival Coffee meetings with EMWD Board President Phil Paule while working to help us parcel owners over in District 2, was the term "Environmental Impact Report" mentioned?


Council Member Ron Holliday, some of our neighbors have lived on large acreage parcels for several decades and are elderly. They may not be able to financially afford drilling a 1,000'+ well as you and I can. They surely cannot afford EMWD's financing plan for 30-years at 4% and then pay a monthly water bill. The American **Rescue** Plan Act was purposed for them and others within the 50 parcels. ***"Fortunately, annexation costs are eligible for funding through ARPA."***

The reason my email to you on March 15, 2023 is titled \$750,000 is two-fold. Annexation fee per acre was \$7,500. At that time, 101 acres were being considered for annexation. On February 22, 2023 Patch news reported, *New Off-Leash Dog Park Coming to Murrieta*, *The pooch-friendly park will mark the third of its kind in the city which will include drinking fountains for pooches at Glen Arbor Park.* The dog park in District 4 was estimated to cost \$750,000.

Funding priorities, and who benefit from them, are misplaced.

Kind Regards,

  
Bob Landwehr

  
Murrieta, CA 92563

p.s. Why would Assistant Executive Officer Crystal Craig at Riverside LAFCO write, *"The City also participated in an outreach and education process with EMWD to communicate the project benefits and encourage owner participation in Phase 1"* and withhold the Murrieta City Council transcripts from public view?

October 29, 2022

Ms. Roxanne Rountree  
Public Affairs Manager  
Eastern Municipal Water District  
2270 Trumble Road  
Perris, CA 92572-8300

*Re: Los Alamos Hills "Fire Hydrant" Water Project Annexation*

Dear Ms. Rountree,

I have several questions concerning the Los Alamos Hills "Fire Hydrant" Water Project Annexation. To help put my questions in proper perspective, first please consider the timeline and manner on how our family was informed about this proposed project. Our first notification was your letter dated September 29, 2022. Since receiving the letter I have periodically checked the EMWD construction update page for Murrieta, but no additional information was posted.

On October 4, 2022, I was hand delivered a "Water Information Meeting" flier from Alan Long. Alan told me that in August the City had dedicated \$3 million in ARPA funding for "fire hydrants" to be installed in a loop system. Water supply would come from connections at Via Santee & Los Alamos and Ruth Ellen north of Los Alamos. *"It appears EMWD is on a fast track given the funding they received."*

Our next notification was your letter dated October 11, 2022 which made reference to a September 8, 2022 letter. We received no September 8, 2022 correspondence and were unable to attend the town hall meeting scheduled for the following day on October 13<sup>th</sup> due to a previously committed engagement.

For almost 30 years, our family has enjoyed having our own water well and living on a dirt road in our rural residential neighborhood. We are confident that we have saved thousands of dollars in water costs over the years. We feel fortunate

not to be burdened with excessive rates and surcharges coupled with poor service that some water districts have a reputation of providing. We hope to install solar with a battery energy storage system in the near future to further reduce both our utility dependency and overall costs.

I have since reviewed the minutes from the July 6, 2022 EMWD meeting and viewed the August 16, 2022 Murrieta City Council meeting. I also have reviewed the EMWD town hall power point presentation and maps now posted on EMWD's construction update page for Murrieta.

At the Murrieta City Council meeting which was well represented by EMWD staff, several spoke about the years long process involved in this project. Mayor Jonathan Ingram opened the agenda item by announcing, *"We've been going at this for many, many years."* That seemed to be the overwhelmingly sentiment by the entire City Council along with several of the speakers including the former mayor, Alan Long. In addition, Assistant City Manager Ivan Holler emphasized the importance of moving the project forward *"expeditiously"*.

*"Committed to move it forward aggressively and can find creative ways to move it forward rapidly,"* announced one EMWD representative.

However, first and foremost; parcels must be annexed and parcel owners must be invited to public hearings about a planned project affecting their property. In a review, I think most would concur that voting to fund a \$3+ million CEQA project that potentially imposes a \$32,000 property lien that includes a still-to-be-determined monthly service fee for an unnecessary utility on an affected property owner would trigger a notice requirement.

*Questions:*

#1) Why were the property owners affected by this CEQA water project not given the opportunity to ask questions and/or voice their opinions to governmental decision makers prior to the vote to fund this \$3+ million project?

#2) Since this CEQA water project involves 48 or 49 parcels and requires 75% participation; why didn't the EMWD simply mail a scoping letter to each property owner prior to committing to spend in excess of \$400,000 for consultant and engineering work? City Management and EMWD Management have had meetings since September of 2021 and no one thought of polling those that would be concerned or affected by this CEQA project prior to committing \$3 million in ARPA funds? Is there a special interest driving this project?

#3) ARPA funds have a spending deadline four years away. Why is the EMWD committed to move this project forward aggressively and finding creative ways to move it forward rapidly?

#4) Why are there two different parcel maps? The map displayed during the City Council Meeting depicts 930 LF of pipeline along Los Alamos Road from Via Santee to Ruth Ellen and a total of 166 acres that front the proposed pipeline. The second map does not include the previously identified parcel #1. The proposed pipeline of 930 LF along Los Alamos Road from Via Santee to Ruth Ellen has been deleted but the project has increased to 172 acres.

#5) The August 16<sup>th</sup> Council meeting estimated the costs of the project at \$3.2 million. The October 13<sup>th</sup> power point presentation estimated the cost at 3.5 million absent the 930 LF of pipeline along Los Alamos Road from Via Santee to Ruth Ellen. Why is there a \$300,000 cost increase with a decrease of 930 LF?

#6) Why doesn't The Los Alamos Hills Looped System Map identify the water lines in the 96<sup>th</sup> Fringe Annexation LAFCO 2006-118-3 (68.18 acres) like the existing water lines that are depicted in the nearby tract home streets? Who owns the 68.18 acres identified as the 96<sup>th</sup> Fringe Annexation?

#7) Is The Los Alamos Hills Looped System being engineered to supply water to the 96<sup>th</sup> Fringe Annexation? Will the Los Alamos Hills Looped System supply water to the tract homes between Parcel #24 & #25 of the second parcel map?



#8) Why is filling a water storage tank with potable water from a water delivery service considered a "legitimate public health and safety concern"?

#9) If a water well produces 4 gallons per minute, why would that be considered inadequate or insufficient for a family of six?

#10) If annexation does occur, would parcel owners be then prohibited from drilling a well on their own property?

#11) Since the annexation involves MWD, will there be a presentation by MWD concerning MWD's Water Use Efficiency Guidelines prior to the drafting of parcel owner agreements?

#12) Were the workers that severed the fiber optic cable that caused a two-day shut down of our neighborhood internet services EMWD employees or contractors working on behalf of EMWD? Will someone return to fill the pothole?

#13) What is a cost estimate for a monthly water bill for a family of six living in a 4200 square foot home with an in-ground swimming pool who wash their own vehicles?

#14) What is the approximate per foot cost for both the trenching and appropriate piping for a 3/4 inch water meter?

Kind Regards,

Bob Landwehr

  
Murrieta, CA 92563

APN: 900-370-001, Parcel #46 on the first Map & Parcel #1 on the Second Map

**\*\*Please include this correspondence with the LAFCO Filing\*\***

December 16, 2022

City Manager Kim Summers  
City of Murrieta  
One Town Square  
Murrieta, CA 92562

*Re: Los Alamos Hills Water Project & CEQA*

Dear City Manager Kim Summers,

Our family's first notification for this CEQA project was a September 29, 2022 letter from EMWD. We received a second EMWD letter which made reference to a purported September 8<sup>th</sup> letter. This second letter is dated October 11, 2022 and informed us of a Town Hall meeting scheduled for October 13, 2022.

We were unable to attend the Town Hall meeting. I mistakenly believed that if 75% of the parcel owners elected to be annexed, our family would be required to annex as well. I learned I was wrong after speaking at the November 16, 2022 EMWD Board Meeting where I had complained about the Community Outreach. I also complained about my neighbor who wants to turn his two parcels (#1 and #2) into multi-family housing. I was also not aware of other neighbors' water needs.

On August 16, 2022, the Murrieta City Council met to approve the funding for the Los Alamos Hills Water Project involving the 49 parcels. Why were we not given notice to voice our opinion or ask questions about this CEQA project which clearly affects all 49 parcels; whether you annex/connect or not? Why was there no EMWD and/or City sponsored workshop with the parcel owners after the two agencies began to move forward with this CEQA project in September of 2021? *(Please consider the example of the Northern Key Infrastructure Workshop on November 2, 2022 posted by EMWD in Murrieta Construction Updates)*

For previous CEQA projects like the Sports Park or the Los Alamos Hills specific plan; workshops were held at Rail Ranch Elementary multi-purpose room.

15201 Public Resource Code (Public Participation) *Public participation is an essential part of the CEQA process. Each public agency should include provisions in its CEQA procedures for wide public involvement, formal and informal, consistent with its existing activities and procedures, in order to receive and evaluate public reactions to environmental issues related to the agency's activities.*

15004 Public Resources Code (Time of Preparation) *(a) Before granting any approval of a project subject to CEQA, every lead agency or responsible agency shall consider a final EIR or negative declaration or another document authorized by these guidelines to be used in the place of an EIR or negative declaration. See the definition of "approval" in Section 15352.*

15352 Public Resources Code (Approval) *(a) "Approval" means the decision by a public agency which commits the agency to a definite course of action in regard to a project intended to be carried out by any person. The exact date of approval of any project is a matter determined by each public agency according to its rules, regulations, and ordinances. Legislative action in regard to a project often constitutes approval.*

It appears that Murrieta's and EMWD's actions are outside the requirements of CEQA since Murrieta has already funded EMWD \$1.5 million of an agreed \$3 million minimum toward this water project prior to considering an EIR or ND.

City Managers have a fiduciary responsibility to make sound recommendations to their City Council. It would very much be appreciated if annexation costs, meters, backflow devices and all associated fees be covered by ARPA and Measure T funds as purposed. Thank You!

Bob Landwehr

**Fw: Los Alamos Hills Potholing 12/13 and Notary Meeting**

BOB LANDWEHR [REDACTED]

Mon 12/19/2022 10:47 AM

To: Rountree, Roxanne <routr@emwd.org>; jingram@murrietaca.gov <jingram@murrietaca.gov>; ldeforest@murrietaca.gov <ldeforest@murrietaca.gov>; cwhite@murrietaca.gov <cwhite@murrietaca.gov>; lstone@murrietaca.gov <lstone@murrietaca.gov>; cwarren@murrietaca.gov <cwarren@murrietaca.gov>; ksummers@murrietaca.gov <ksummers@murrietaca.gov>

📎 1 attachments (20 KB)

EMWD November 4 2022.docx;

*(THE 10/09/22 LETTER TO ROUNTREE)*

Good Morning Ms. Rountree,

I am a product of your Community Outreach that has failed. I sent you an email with two questions on October 22, 2022 -- No response. I sent a certified letter with 12 additional questions that was received on November 1, 2022 -- No response. I complained to the EMWD Board on November 16, 2022 and gave each Board Member a copy of that letter. I was told that I would be receiving the next EMWD correspondence by certified mail. No certified mail nor did I receive Letter #3 or Letter #4. I finally received a response to my questions on December 6, 2022. I'm trying to catch up.

Agreed, the City and EMWD are working in partnership. When was the **first** City/EMWD sponsored workshop/town hall meeting for the parcel owners concerning this Los Alamos Hills Water Facilities project? The only one that I'm aware of was held on October 13, 2022 after a one day notice and after the August 16, 2022 Murrieta City Council Meeting.

*"We cannot speak for the City, but if you believe that there are additional ARPA funds available to pay annexation and connection costs, then we encourage you to explore that directly with the City."* Ms. Rountree, how does that occur if the parcel owners affected by this CEQA project do not receive notice about the public hearing to ask questions or make requests to their elected representatives?

The City of Murrieta has a heritage deeply rooted in public safety. The Los Alamos Hills parcel owners are in a **Very High Fire Hazard Safety Zone**. They were evacuated for the Liberty Fire on December 7, 2017. Ted and Kathy's house burned to the ground on March 7, 2020 due to a lack of fire hydrants. Mayor Jonathan Ingram and the entire City Council recognized the need for fire hydrants as well as supplying water to parcel owners who are having water well issues. The City Council declared, **"Fortunately, annexation costs are eligible for funding through ARPA."**

In the spirit of a true public safety partnership and to help those desperate and worried parcel owners shouldn't EMWD respect the will of the City Council? Instead, it seems as if EMWD wants to profit from financing a 30-year lean on the property owners when taxes have already been collected and purposed for this public safety need.

In the spirit of Christmas and with transparency, I trust the partnership will do right in resolving this public safety issue.

Kind Regards,  
Bob Landwehr