



**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, January 8, 2013**

**REGULAR CLOSED SESSION
11:00 a.m., Board Room**

ROLL CALL:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

BROWN ACT BRIEFING:

- Presentation of the Brown Act and the Ethics Policy of the EBMUD Board of Directors.

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Existing litigation pursuant to Government Code section 54956.9(a)
 - a. *United States of America, et al. v. East Bay Municipal Utility District*
USDC, N.D. Cal., Case No. CV 09-0186 RS
2. Initiation of litigation pursuant to Government Code section 54956.9(c): one matter.
3. Conference with Real Property Negotiator pursuant to Government Code section 54956.8 regarding conditions and terms of payment for the purchase of a minimum of 10,000 acre feet of water from Placer County Water Agency for supplemental dry year supplies. Negotiating parties: Richard Sykes, Director of Water and Natural Resources, and Michael Tognolini, Manager of Water Supply Improvements.
4. Personnel exception pursuant to Government Code section 54957 to consider public employee evaluations: General Manager and General Counsel.

(The Board will hold Closed Session in Conference Room 8A/B)

REGULAR BUSINESS MEETING
1:15 p.m., Board Room

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance
- Election of Officers
- 2013 Board Committee Assignment Preferences

ANNOUNCEMENTS FROM CLOSED SESSION:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the Agenda.

CONSENT CALENDAR: (Single motion and vote approving 6 recommendations.)

1. Approve the Regular Meeting Minutes of December 11, 2012.
2. File correspondence with the Board.
3. Award a contract to the lowest responsible/responsive bidder, Duperon Corporation, in the estimated total amount of \$1,526,850 for supplying five sets of influent bar screens and washer compactors for the Main Wastewater Treatment Plant under Proposal No. 1306.
4. Authorize an agreement with DesignMind Business Solutions in an amount not to exceed \$404,875 for software development services to construct the Private Sewer Lateral Application Enhancements.
5. Authorize an amendment to Board Motion 170-10 to include Verizon Wireless as an additional provider of cellular telephone and push-to-talk services.
6. Authorize the Office of General Counsel to continue the employment of the law firm of Barg, Coffin, Lewis & Trapp, LLP, for services of special counsel related to environmental regulation and litigation matters.

DETERMINATION AND DISCUSSION:

7. Legislative Update:
 - Federal Legislative Initiatives for 2013
 - Update on Legislative Issues of Interest to EBMUD
8. Approve the execution of remarketing agreements and related supporting documents for the \$41,035,000 Water System Revenue Refunding Bonds, Series 2009A-2, and approve the appointment of E.J. De La Rosa & Co. Inc. and RBC Capital Markets Corporation as remarketing agents. (Resolution)

DETERMINATION AND DISCUSSION: (Cont'd)

9. General Manager's Report:
- Water Supply Report
 - Monthly Report – December 2012
 - Summary of Board 2012 Committee Agendas and Upcoming Topics for 2013

REPORTS AND DIRECTOR COMMENTS:

10. Committee Reports:
- Finance/Administration
 - Planning
 - Legislative/Human Resources
11. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 22, 2013 in the Administration Center Board Room, 375 Eleventh Street, Oakland, California.

Disability Notice

If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.

Document Availability

Materials related to an item on this Agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours.

BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, January 8	Planning Committee Linney (Chair), Foulkes, McIntosh Legislative/Human Resources Committee McIntosh (Chair), Katz, Mellon Board of Directors	9:45 a.m. Training Resource Center 10:15 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Diablo Vista Pumping Plant Replacement Project Update • Orinda Water Treatment Plant NPDES Permit • Project Labor Agreements • Federal Legislative Initiatives for 2013 • Legislative Update • Closed Session • Regular Meeting
Monday, January 21	Martin Luther King Day Holiday		<ul style="list-style-type: none"> • Offices Closed
Tuesday, January 22	Finance/Administration Committee Katz (Chair), Foulkes, Linney Water Supply Workshop Board of Directors	9:00 a.m. Training Resource Center 9:30 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, February 12	Lincoln's Birthday Holiday		<ul style="list-style-type: none"> • Offices Closed
Wednesday, February 13	FY14-15 Budget & Strategic Plan Update Board of Directors	TBD Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Monday, February 18	President's Day Holiday		<ul style="list-style-type: none"> • Offices Closed
Tuesday, February 26	Energy/Sustainability Committee Finance/Administration Committee Board of Directors	TBD 10:00 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting