



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, October 22, 2013**

REGULAR CLOSED SESSION

11:00 a.m., Board Room

*(Director Frank Mellon will participate by telephone from
3850 S. Las Vegas Blvd., Las Vegas, NV 89109)*

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.

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Conference with Labor Negotiators Bruce Heid and Glenn Berkheimer from the Industrial Employers Distributors Association (I.E.D.A.), Alexander R. Coate, Carol Nishita, Eric Sandler, Delores Turner, Michael Rich and Lisa Sorani pursuant to Government Code Section 54957.6: Employee Organizations International Union of Operating Engineers, Local 39 and American Federation of State, County and Municipal Employees, Locals 444 and 2019.

(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

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 5 recommendations.)

1. Approve the Regular Meeting Minutes of October 8, 2013.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, NMI Industrial Holdings, Inc., in the amount of \$484,664 for the construction of the Sobrante and Upper San Leandro Water Treatment Plants Flocculator Rehabilitation under Specification 2080.
4. Authorize an amendment to the agreement with the City of Albany in an amount not to exceed \$17,127 beyond the original authorization of \$93,600 for additional work associated with the installation of approximately 2,200 feet of 8-inch PVC recycled water pipeline along Buchanan Street and Marin Avenue.
5. Authorize an agreement with Pacific Gas and Electric Company in an amount not to exceed \$70,000 annually for a cooperative weather modification program in the Mokelumne River watershed during the period beginning November 1, 2013 to October 31, 2014, with four options to renew for an additional one year period, for a total estimated cost of \$350,000.

DETERMINATION AND DISCUSSION:

6. Legislative Update:
 - Mid-Session Report on State Legislation
 - Update on Legislative Issues of Interest to EBMUD
7. Approve the following three actions relating to the remarketing of Series 2009A-1 and Series 2009A-2 Water System Bonds: 1) Approve the execution of remarketing agreements and related supporting documents for the outstanding \$41.04 million Water Series 2009A-1 Bonds and \$41.035 million Water Series 2009A-2 Bonds; 2) Approve the appointment of Morgan Stanley & Co. LLC and Barclays Capital Inc. as remarketing agents for the Water Series 2009A-1 Bonds, and E.J. De La Rosa & Co., Inc. and RBC Capital Markets, LLC as remarketing agents for the Water Series 2009A-2 Bonds; and 3) Approve the form of the preliminary reoffering circular related to the remarketing of the Water Series 2009A-1 and 2009A-2 Bonds. (Resolution)
8. Authorize and approve the following three actions relating to the replacement of liquidity facilities and related fee letter agreements: 1) Authorize the execution of replacement liquidity facilities and related fee letter agreements for the Water Series 2008A-4, Water Series 2008B-3 and Wastewater Series 2008C Bonds, and extend the term of, and amend the commitment fee for, the existing liquidity facility for the Water Series 2008A-1 Bonds; 2) Approve the forms of the remarketing memoranda related to the remarketing of the Water Series 2008A-4, Water Series 2008B-3 and Wastewater Series 2008C Bonds in connection with the delivery of the new liquidity facilities; and 3) Authorize the transfer of remarketing agent assignment for the Water 2008A-4 Bonds from Bank of America/Merrill Lynch to Wells Fargo Bank, National Association (Wells Fargo) and approve the documents to execute the transfer. (Resolutions)

DETERMINATION AND DISCUSSION (continued):

9. General Manager's Report:
- Statewide Water Action Plan Proposals

REPORTS AND DIRECTOR COMMENTS:

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

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, November 12, 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, October 22	Sustainability/Energy Committee Linney (Chair), Foulkes, Katz	9:30 a.m. Training Resource Center	<ul style="list-style-type: none"> Wastewater Department Resource Recovery Program Annual Update FY13 Revised Energy Policy
	Finance/Administration Committee Coleman (Chair), Linney, Patterson	10:15 a.m. Training Resource Center	<ul style="list-style-type: none"> Remarketing of Series 2009A-1 and Series 2009A-2 Water System Bonds Replacement/Amendment of Liquidity Facilities FY13 Annual Power Sales Report Financial Quarterly Reports
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> Closed Session Regular Meeting
Monday, November 11	Veterans Day Holiday		<i>District Offices Closed</i>
Tuesday, November 12	Finance/Administration Committee Coleman (Chair), Linney, Patterson	9:00 a.m. Training Resource Center	<ul style="list-style-type: none"> Closed Session Regular Meeting
	Legislative/Human Resources McIntosh (Chair), Coleman, Mellon	9:30 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Tuesday, November 26	Planning Committee Foulkes (Chair), Linney, McIntosh	9:45 a.m. Training Resource Center	<ul style="list-style-type: none"> Closed Session Regular Meeting
	Board of Directors	11:00 a.m. 1:15 p.m.	
Thursday, November 28 & Friday, November 29	Thanksgiving Holiday		<i>District Offices Closed</i>