



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

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375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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**AGENDA  
Tuesday, September 24, 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.

**ANNOUNCEMENT OF CLOSED SESSION AGENDA:**

1. Existing litigation pursuant to Government Code section 54956.9(a):
  - a. *Gregory Tarbet v. East Bay Municipal Utility District*  
Alameda County Superior Court, Case No. RG12615347
2. 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 Federation of Professional and Technical Engineers AFL-CIO, Local 21; 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:**

**PRESENTATION:**

- WaterSmart Business Certification Awards

**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 8 recommendations, including 1 resolution)

1. Approve the Regular Meeting Minutes of September 10, 2013.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder Monterey Mechanical Co., in the amount of \$539,992 for construction of Bryant No. 2 Pumping Plant Electrical Rehabilitation under Specification 2072.
4. Authorize an agreement with Jaspersoft Corporation in an amount not to exceed \$89,500 for software subscription renewal which provides licensing and technical support for Jasper Server which includes Jasper Reports and Jasper Analysis software during the five-year period October 13, 2013 to October 12, 2018.
5. Authorize agreements with A1 Truck Driving School and Western Pacific Truck School in an aggregate amount not to exceed \$41,000 annually for Commercial Driver License Training at the Pipeline Training Academy during the period of October 1, 2013 to October 1, 2014, with four options to renew for an additional one-year period for a total cost of \$205,000.
6. Authorize the General Manager to enter into a Memorandum of Agreement with San Joaquin County Flood Control and Water Conservation District to develop a groundwater banking demonstration project.
7. Authorize the Office of General Counsel to continue the employment of the law firm of Best, Best & Krieger LLP for specialized legal services related to federal water law, rates, charges, taxes, liens, and litigation involving such matters.
8. Approve revisions to the following District policies: Policy 4.01 – Employee Earnings and Payroll Determination; Policy 4.12 – Purchasing and Materials Management; Policy 4.15 – Reimbursement of Employee Expenses; Policy 4.19 – Travel; Policy 4.24 – Internal Audit; and Policy 7.03 – Emergency Preparedness/Business Continuity. (Resolution)

**DETERMINATION AND DISCUSSION:**

9. Legislative Update:
  - Receive Legislative Report No. 09-13 and consider position on the following bill: S Amendment 1913 (Paul) Amendment to Repeal National Plumbing Efficiency Product Standards
  - Update on Legislative Issues of Interest to EBMUD
10. Authorize and approve four resolutions all covering the issuance and sale of one or more Series of Water and Wastewater System Revenue Refunding Bonds in connection with the potential refunding of outstanding variable and fixed rate bonds. (Resolutions)

**DETERMINATION AND DISCUSSION (Continued):**

11. Transfer the remarketing agent assignment for the Water Series 2008A-1 Variable Rate Demand Bonds (VRDBs) from Royal Bank of Canada to Wells Fargo Bank and transfer the remarketing agent assignment for the Water Series 2008A-2 and 2008A-3 VRDBs from Barclays Bank to U. S. Bank. Approve the following documents to execute the transfer: First Amendment to the 13<sup>th</sup> Supplemental Indenture, Remarketing Agreement for Wells Fargo Bank and Remarketing Agreement for U.S. Bank. (Resolution)
12. General Manager's Report:
  - Work in the Streets – Leak Repairs

**REPORTS AND DIRECTOR COMMENTS:**

13. Committee Reports:
  - Planning
14. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, October 8, 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, September 24	<b>Finance/Administration Committee</b> Coleman (Chair), Linney, Patterson	9:30 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Annual Audit and Management Letter and Financial Trends Report</li> <li>• Key Performance Indicators Report for FY 13</li> <li>• FY13 Annual Budget Performance Report</li> <li>• FY14 Insurance Summary</li> <li>• Water and Wastewater Financings for Variable and Fixed Rate Refundings</li> <li>• Replacement of Remarketing Agent</li> <li>• Revised Energy Policy</li> <li>• Review of Revisions to District Policies</li> </ul>
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
Tuesday, October 8	<b>Planning Committee</b> Foulkes (Chair), Linney, McIntosh	TBD Training Resource Center	
	<b>Legislative/Human Resources Committee</b> McIntosh (Chair), Coleman, Mellon	TBD Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
Tuesday, October 22	<b>Sustainability/Energy Committee</b> Linney (Chair), Foulkes, Katz	TBD Training Resource Center	
	<b>Finance/Administration Committee</b> Coleman (Chair), Linney, Patterson	TBD Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>