



BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

AGENDA
Tuesday, September 25, 2012

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. E-D Coat, Inc.'s Administrative Appeal of the Termination of Wastewater Discharge Permit No. 03300871.
 - b. *EBMUD Appeal of CalOSHA Citation*
California Division of Occupational Safety and Health, Oakland District Office
Citation Nos. 11-R1D4-0135 and 11-R1D4-0136
 - c. *In Re Municipal Derivatives Antitrust Litigation*
Judicial Panel on Multidistrict Litigation (MDL) Docket No. 1950
No. 08-02516 (VM) (GWG) (S.D.N.Y.)
2. Significant exposure to litigation pursuant to Government Code section 54596.9(b):
 - a. Thomas and Kathleen Burney
Claim Number: 2011-L-277
 - b. One matter.

(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
- Director Patterson 15 Year Service Award

ANNOUNCEMENTS FROM CLOSED SESSION:

PRESENTATIONS:

- California Association of Sanitation Agencies 2012 Outstanding Capital Project Award for the Power Generation Station Renewable Energy Expansion Project.
- Government Finance Officers Association of the United States and Canada FY11 Certificate of Achievement for Excellence in Financial Reporting Award

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CONSENT CALENDAR: (Single motion and vote approving 6 recommendations including 1 resolution.)

1. Approve the Regular Meeting Minutes of September 11, 2012.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, CORE Education and Consulting Solutions, Inc., in the estimated amount of \$1,883,851.74, including tax, for the purchase of 1,270 Dell desktop and 450 laptop computers during the period October 1, 2012 through September 30, 2013 under Proposal No. 1303.
4. Authorize an agreement with VWR International, Inc. and an agreement with Fisher Scientific Company, in the estimated annual amount of \$100,000 per vendor to supply laboratory chemicals and supplies for District-wide use covering the period beginning November 1, 2012 and ending June 30, 2013 with two one-year options for the State and the District to extend, for a total estimated cost of \$520,000.
5. Approve five-year grazing leases with Five Dot Cattle Company, Jim Mohring, Carr Ranch, Inc., Alfred Mendoza, Nick Batteate, Alberta Nunes, Redwood Rangers, Orinda Horsemen, and Moraga Horsemen for grazing in the East Bay Watershed during the period October 1, 2012 through September 30, 2017, with one option to renew for an additional five-year lease term.
6. Extend authorization for new water service applicants meeting eligibility criteria defined and approved by the District to voluntarily participate in the District's Submeter Pilot Study for the time period lasting until the date when the Submeter Pilot Study is completed.
(Resolution)

DETERMINATION AND DISCUSSION:

7. Legislative Update:
 - Update on Legislative Issues of Interest to EBMUD
8. Approve actions related to the following proposed bond financings:
 - 8a. Authorize and approve the issuance of not to exceed \$191,750,000 aggregate principal amount of EBMUD Water System Revenue Refunding Bonds, Series 2012A and \$20,000,000 aggregate principal amount of EBMUD Wastewater System Revenue Refunding Bonds, Series 2012A; and approve the form and authorize the execution of a Twentieth Supplemental Indenture to the Water Bond Indenture and a Sixteenth Supplemental Indenture to the Wastewater Bond Indenture pursuant to which such bonds are to be issued. (Resolution)
 - 8b. Authorize and approve the issuance of not to exceed \$65,000,000 aggregate principal amount of EBMUD Water System Revenue Refunding Bonds, Series 2013A, and approve the form and authorize the execution of a Twenty-Second Supplemental Indenture pursuant to which such bonds are to be issued. (Resolution)
 - 8c. Authorize and approve the issuance of not to exceed \$750 million aggregate principal amount of EBMUD Water System Revenue Refunding Bonds; approve the form and authorize the execution of a Twenty-First Supplemental Indenture pursuant to which the EBMUD Water System Revenue Refunding Bonds, Series 2012B are to be issued; and authorize and approve the issuance and sale of one or more additional series of Water System Revenue Refunding Bonds. (Resolution)

REPORTS AND DIRECTOR COMMENTS:

9. Committee Reports:
 - Planning
 - Legislative/Human Resources
 - Finance/Administration
10. General Manager's Report.
11. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, October 9, 2012 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 25	<p>Finance/Administration Committee Katz (Chair), Mellon, Patterson</p> <p>Board of Directors</p>	<p>9:30 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> • Annual Audit & Management Letter & Financial Trends Report • FY12 Annual Budget Performance Report • Key Performance Indicators Report for FY12 • FY13 Insurance Summary • Proposed Financings for FY13 - Updated • Wastewater Department Resource Recovery Program Annual Update FY12 • Closed Session • Regular Meeting
Tuesday, October 9	<p>Planning Committee Linney (Chair), Foulkes, McIntosh</p> <p>Legislative/Human Resources Committee McIntosh (Chair), Katz, Mellon</p> <p>Board of Directors</p>	<p>9:15 a.m. Training Resource Center</p> <p>10:15 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> • Legislative Update • Closed Session • Regular Meeting
Tuesday, October 23	<p>Finance/Administration Committee Katz (Chair), Mellon, Patterson</p> <p>Board of Directors</p>	<p>10:00 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> • Closed Session • Regular Meeting