



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, December 8, 2015**

REGULAR CLOSED SESSION

11:00 a.m., Board Room

*(Director Andy Katz will participate by telephone from
14 Rue Saint-Séverin, Paris, Île-de-France 75005, France)*

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(d)(1):
 - a. *In Re Municipal Derivatives Antitrust Litigation*
Judicial Panel on Multidistrict Litigation (MDL) Docket No. 1950
No. 08-02516 (VM) (GWG) (S.D.N.Y.)
 - b. *Eric Smiler v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG15794927
2. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding conditions and terms of payment for the purchase of up to 50,000 acre-feet of water from Placer County Water Agency, Yuba County Water Agency, Glenn-Colusa Irrigation District, Reclamation District 108, Reclamation District 1004, and Sycamore Mutual Water Company for supplemental dry year supplies in 2016. East Bay Municipal Utility District negotiators: Richard G. Sykes, Director of Water and Natural Resources, and Michael T. Tognolini, Manager of Water Supply Improvements. Negotiating parties: East Bay Municipal Utility District, Placer County Water Agency, Yuba County Water Agency, Glenn-Colusa Irrigation District, Reclamation District 108, Reclamation District 1004, and Sycamore Mutual Water Company.

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

REGULAR BUSINESS MEETING

1:15 p.m., Board Room

*(Director Andy Katz will participate by telephone from
14 Rue Saint-Séverin, Paris, Île-de-France 75005, France)*

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 9 recommendations, including 1 Resolution.)

1. Approve the Regular Meeting Minutes of November 24, 2015.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Aztec Consultants, in the amount of \$2,358,500 for construction of the Diablo Pumping Plant Rehabilitation project under Specification 2084.
4. Authorize an agreement beginning on or after January 9, 2016 with Everbridge, Inc., in an amount not to exceed \$35,000 annually, for supplying emergency notification service for four years with three options to renew for an additional one-year period for a total cost of \$197,000, which includes a one-time fee of \$8,000 for training and configuration.
5. Authorize an amendment to an agreement with Pacific Gas & Electric Company beginning January 1, 2016 to provide High-Efficiency Clothes Washer Rebate Program services for one year at an annual cost of \$100,000, with an option to renew for an additional one-year period for a cost not to exceed \$200,000.
6. Authorize the General Manager to negotiate and execute Water Purchase Option Agreements with Glenn-Colusa Irrigation District, Sycamore Mutual Water Company, and Reclamation District 1004 for up to a total of 36,000 acre-feet of water at a maximum total cost of \$750,000, whereby EBMUD would secure the right of first refusal to negotiate with sellers for the purchase of transfer water in 2016.
7. Authorize the Office of General Counsel to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to construction, public contract and procurement, claims, trademark services, pension, employment, and litigation matters.

CONSENT CALENDAR: (Continued)

8. Authorize the Office of General Counsel to continue the employment of the law firm of Remcho, Johansen & Purcell, LLP, for specialized legal services related to elections and conflicts of interest matters.
9. Appointment of Assistant General Counsel. (Resolution)

DETERMINATION AND DISCUSSION:

10. Legislative Update:
 - Addendum #1 to State Legislative Initiatives for 2016 Legislative Year
 - Update on Legislative Issues of Interest to EBMUD
11. Conduct a second and final reading and vote to approve an ordinance amending the East Bay Municipal Utility District Employees' Retirement System Ordinance No. 40 to update Section 7 in accordance with guidance from the Internal Revenue Service.
(Second Reading and Vote – Ordinance No. 366-15)
12. General Manager's Report:
 - Water Supply Update
 - 2015 Critical Drought Action Plan Update
 - GM Monthly Report – November 2015

REPORTS AND DIRECTOR COMMENTS:

13. Committee Reports:
 - Finance/Administration
 - Planning
 - Legislative/Human Resources
14. Other Items for Future Consideration.
15. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 12, 2016 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, December 8	Planning Committee McIntosh {Chair}, Linney, Young Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson Board of Directors	9:15 a.m. Training Resource Center 10:30 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Pipeline Rebuild Update • Update on East Bay Watershed Master Plan • Legislative Update
Tuesday, December 22	Finance/Administration Committee Board of Directors		<i>Canceled</i> <i>Canceled</i>
Friday, December 25	Christmas Holiday Observed		<i>District offices closed</i>
Friday, January 1	New Year's Holiday Observed		<i>District offices closed</i>
Tuesday, January 12	Planning Committee McIntosh {Chair}, Linney, Young Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson Board of Directors	9:15 a.m. Training Resource Center 10:15 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	
Monday, January 18	Martin Luther King, Jr. Day Observed		<i>District offices closed</i>
Tuesday, January 26	Finance/Administration Board of Directors	10:00 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	