



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, December 13, 2011**

**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. Significant exposure to litigation pursuant to Government Code section 54956.9(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

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 including 2 resolutions.)

1. Approve the Regular Meeting Minutes of November 22, 2011.
2. File correspondence with the Board.
3. Authorize agreements with Concentra Medical Centers; U.S. Healthworks, and Muir/Diablo Occupational Medicine, in the estimated annual amount of \$70,000 to provide medical evaluations required by federal and state regulations during the three-year period of January 1, 2012 to December 31, 2014, with two options to renew for an additional one-year period, for a total estimated amount of \$350,000.
4. Adopt restated District 401(a), 401(k), and 457 Deferred Compensation Plans, effective January 1, 2012, to comply with federal tax regulations and make other clarifying changes. (Resolution)
5. Approve the purchase of 7,400 +/- square feet of vacant land and an 18-month 10,019 +/- square feet temporary construction easement, located on Olympic Boulevard in Contra Costa County near the City of Walnut Creek, from Wells and Bennett Realtors, a California General Partnership and Barton W. Bennett, Trustee of the Bennett Family Revocable Trust dated August 3, 2000 in the amount of \$258,500 for the future Tice Valley Pumping Plant facility. (Resolution)

DETERMINATION AND DISCUSSION:

6. Legislative Update:
 - Update on Legislative Issues of Interest to EBMUD
7. Adopt Redistricting Plan to Establish EBMUD Ward Boundaries.
8. Approve the execution and delivery of a Novation Confirmation (the "Novation Confirmation") between the District, Citigroup Financial Products Inc. ("CFPI") and The Bank of New York Mellon ("BONY") and a Confirmation (the "BONY Confirmation") between the District and BONY, in order to transfer and novate the District's existing interest rate swap agreement with CFPI to BONY. (Resolution)
9. Approve the bond resolution and supporting documents necessary to authorize the negotiated sale of up to \$162.82 million of Series 2011A Water System Revenue Refunding Bonds; refund the Water Series 2002A and Series 2002B variable rate demand obligations totaling \$162.82 million; and fund costs of issuance up to \$375,000. (Resolution)
10. Approve the execution of a remarketing agreement and related supporting documents for the \$64.3 million Wastewater System Revenue Refunding Bonds, Series 2011A, and approve the appointment of JP Morgan as the remarketing agent. (Resolution)
11. General Manager's Report:
 - Monthly Report – November 2011

REPORTS AND DIRECTOR COMMENTS:

12. Committee Reports:
 - Finance/Administration
13. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 10, 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, December 13	Planning Committee Linney (Chair), Foulkes, McIntosh Legislative/Human Resources Committee McIntosh (Chair), Katz, Mellon Board of Directors	10:15 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Water Conservation Master Plan Update Cancelled <ul style="list-style-type: none"> • Closed Session • Regular Meeting
Monday, December 26	Christmas Holiday		Offices Closed
Tuesday, December 27	Board of Directors		Meetings Cancelled
Tuesday, January 10	Finance/Administration Committee Foulkes (Chair) Katz, Patterson Board of Directors	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
Friday, January 20	Martin Luther King Jr. Holiday		Offices Closed