



ACTION SUMMARY

Regular Meeting of the Board of Directors East Bay Municipal Utility District Tuesday, December 14, 2021

<u>Agenda Item</u>	<u>Motion</u>	<u>Action</u>
1.	210-21	Approved the Regular Meeting Minutes of November 23, 2021 and the Special Closed Session Meeting Minutes of December 2, 2021.
3.	211-21	Authorized an agreement beginning on or after December 14, 2021 with ADS Corp. in an amount not to exceed \$9,609,396 for the Consent Decree Performance Evaluation Plan Flow and Precipitation Monitoring.
4.	212-21	Authorized agreements beginning on or after December 14, 2021 with Fehr & Peers and Sandis Civil Engineers Surveyors Planners in an aggregate amount not to exceed \$400,000 for two years for preparation of signed, stamped, and site-specific traffic control plans.
5.	213-21	Authorized an agreement beginning on or after December 14, 2021 with National Plant Services, Inc. for five years for a total amount not to exceed \$3,000,000 for sanitary sewer inspection and cleaning services in support of the East Bay communities' infiltration and inflow reduction activities in the communities' collection systems.
6.	214-21	Authorized agreements beginning on or after January 1, 2022 with Occupational Health Centers of California dba Concentra Medical Centers, Emeryville Occupational Medical Center, Kaiser Permanente On-the-Job, Mobile-Med Work Health Solutions, Inc., and Alshifa Medical Group dba Trinity Urgent Care & Occupational Health for three years with two options to renew for additional one-year periods, in an aggregate amount, including option years, not to exceed \$250,000 for providing medical evaluations required by federal and state regulations.
7.1	215-21	Awarded a contract to the lowest responsive/responsible bidder, JMB Construction, Inc., in an amount not to exceed \$8,433,652 for construction of the Special Structures Rehabilitation Phase 1 project under Specification SD-404.
7.2	216-21	Authorized an amendment to the agreement previously authorized under Board Motion No. 191-20 with CDM Smith, Inc. to increase the agreement amount by \$508,612 to a total amount not to exceed \$1,502,817 and extend the agreement term to December 31, 2023 for additional construction inspection and engineering services during construction for the Special Structures Rehabilitation Phase 1 Project.
8.	217-21	Authorized the General Manager to execute an option agreement with Sycamore Mutual Water Company (Sycamore) at a maximum total cost of \$230,000 whereby EBMUD would secure the right of first refusal to negotiate with Sycamore for the purchase of up to 6,000 acre-feet of transfer water in 2022.

<u>Agenda Item</u>	<u>Motion</u>	<u>Action</u>
9.	218-21	Authorized a second amendment to the Memorandum of Agreement (MOA) for the Bay Area Regional Reliability partnership to extend the term of the MOA through March 31, 2023, update the signatory authorities and the delegated contacts, and include Marin Municipal Water District as a participating partner to work collaboratively to develop the Bay Area Shared Water Access Program.
10.	219-21	Authorized 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 contracts and procurement, claims, intellectual property and technology matters, tax, public pension law, labor and employment, and litigation matters in an additional amount not to exceed \$250,000.
16.	220-21	Approved the following state legislative initiatives for the 2022 Legislative Year: Climate Change – advance EBMUD’s interests related to climate change and climate adaptation discussions; Emerging Contaminants – advance EBMUD’s interests in legislative and policy discussions and seek opportunities to support efforts to eliminate the use of PFAS and other emerging contaminants; Forest Health/Wildfire Prevention and Response – advance EBMUD’s interests in efforts to address forest health and vegetation management in the context of water and wastewater service; Housing Fees – seek constructive ways to protect and advance EBMUD’s interests as the legislature considers development-related fees, including capacity charges and connection fees, in the context of increasing housing supply and affordability; Racial Equity and Justice – look for opportunities to advance EBMUD’s interests as the legislature continues to consider racial equity and justice issues in the context of policy development in areas relevant to EBMUD priorities; Ratepayer Assistance – seek constructive ways to advance EBMUD’s interests as the administration and legislature consider ways to provide ongoing as well as additional pandemic-related assistance to water and wastewater customers; and Water Supply Reliability and Resiliency – protect and advance EBMUD’s interests in the context of water supply reliability and resiliency, including the use of recycled water, and the Mokelumne River fishery.
17.1	221-21	Adopted the Proposed Wheeling Principles (EBMUD Principles) to govern negotiation of a potential wheeling agreement with Marin Municipal Water District (Marin Water) in furtherance of Marin Water’s Marin East Bay Emergency Intertie Project.
17.2	222-21	Tabled authorizing the General Manager to begin negotiating a wheeling agreement with Marin Water based on the EBMUD Principles for potential future consideration by the Board until a future meeting.

<u>Agenda Item</u>	<u>Resolution</u>	<u>Action</u>
11.	35256-21	Amending and Restating the East Bay Municipal Utility District 401(a) Plan.
	35257-21	Amending and Restating the East Bay Municipal Utility District 401(k) Tax Deferred Savings Plan.
	35258-21	Amending and Restating the East Bay Municipal Utility District 457 Deferred Compensation Plan and Trust.
12b.	35259-21	Adopting East Bay Plain Subbasin Groundwater Sustainability Plan.
13.	35260-21	Appointing Ruby Acevedo to the Position of Assistant Attorney of the District with the Title of Attorney II. <i>(effective December 20, 2021)</i>
14.	35261-21	Resolution Terminating the Existence of an East Bay Municipal Utility District Emergency. <i>(Catastrophic failure of sodium hypochlorite chemical storage tank at Oakport Wet Weather Facility)</i>
15.	35262-21	Authorizing Continued Utilization of Teleconferencing for Meetings of the East Bay Municipal Utility Board of Directors. <i>(Under Assembly Bill 361)</i>

DATED: December 15, 2021



Rischa S. Cole, Secretary of the District

/RSC

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