



ACTION SUMMARY

Regular Meeting of the Board of Directors East Bay Municipal Utility District Tuesday, December 11, 2018

<u>Agenda Item</u>	<u>Motion</u>	<u>Action</u>
1.	171-18	Approved the Regular Meeting Minutes of November 27, 2018.
3.	172-18	Awarded a contract to Integrated Archive Systems, Inc., in an amount, after the addition of taxes, not to exceed \$205,100 for supplying Commvault software and support dedicated to the backup and restoration of critical business data for three years, beginning on or after December 12, 2018.
4.	173-18	Authorized an agreement beginning on or after December 12, 2018 with Aramark Uniform Services, a division of Aramark Uniform and Career Apparel, LLC, in an amount not to exceed \$150,000 annually for rental and laundry service for standard and flame resistant garments for one year with four options to renew for an additional one-year period for a total cost of \$750,000.
5.	174-18	Authorized an agreement with the Sycamore Mutual Water Company (SMWC) to perform environmental, financial, and technical analysis needed to evaluate a potential long-term water transfer project, and develop a framework under which EBMUD and SMWC would negotiate a future long-term agreement for EBMUD to purchase water from SMWC in dry years. The agreement includes a commitment for EBMUD to reimburse SMWC up to \$80,000 for consulting services.
6.	175-18	Authorized an amendment to the agreement awarded under Board Motion No. 140-15 dated July 28, 2015, to increase the agreement amount by \$1,700,000, to an amount not to exceed \$8,800,000, for additional wet weather Consent Decree required inflow and infiltration investigations of the regional wastewater collection system by the following vendors: ADS Corporation; Andes Construction, Inc.; Electro Scan, Inc.; Hoffman Southwest Corporation, dba Professional Pipe Services (Pro-Pipe); Infrastructure Engineering Corporation; Pacific General Engineering; Santact, Inc., dba Roto-Rooter; and V&A Consulting Engineers, Inc., through the remainder of the agreement period ending July 28, 2020.
7.	176-18	Authorized an amendment to the agreement with California Marine Diesel, Inc. to increase the amount by \$1,553,058 for a total cost not to exceed \$3,325,000 for engine overhaul services for the District's Main Wastewater Treatment Plant Power Generation Station.

<u>Agenda Item</u>	<u>Motion</u>	<u>Action</u>
8.1.-8.2.	177-18	Approved the assignment of the contract for the Electronic Bill Presentment and Payment Services from CheckFree Services Corporation to Fiserv Solutions, LLC (Fiserv); and authorized an extension of the current contract for Electronic Bill Presentment and Payment Services to be assigned to Fiserv for a period beginning December 31, 2018 and ending December 31, 2023 for an estimated additional amount of \$625,000 for a total cost not to exceed \$1,070,000.
9.	178-18	Authorized the execution of a five-year Ground Lease with an option to extend for an additional five years with S&S Trucking for 4.14 acres located at the District’s McMillan property located off Grant Avenue in San Lorenzo, California.
10.	179-18	Authorized the Office of General Counsel to continue the employment of the law firm of Ellison, Schneider, Harris & Donlan, LLP, for specialized legal services related to water and energy law and litigation matters in an additional amount not to exceed \$140,000.
15.1.	180-18	Conducted a public hearing to receive comments on a Resolution of Necessity to acquire formal fee property rights for the East Gate Access Road to the Main Wastewater Treatment Plant located off Yerba Buena Avenue on the Emeryville/Oakland border.
16.	181-18	Received Legislative Report No. 09-18 and approved a position on the following bill: SUPPORT S. 3564 (Cardin) Low-Income Water Customer Assistance Programs Act of 2018.
16.	182-18	Approved the following state legislative initiatives for the 2019 Legislative Year:

LEGISLATIVE PROPOSAL	2019 RECOMMENDATIONS
1. Advance EBMUD’s interests in the context of utility wildfire mitigation plans including the de-energization of electric lines.	<p>Proceed – The discussion of electric utility wildfire mitigation plans, including the de-energization of electric lines to prevent wildfires, may continue in the legislature in 2019 and may be considered in the context of follow-up legislation to SB 901 (Dodd). Staff will seek opportunities to strengthen wildfire mitigation plan requirements related to de-energization and critical water utility facilities.</p> <ol style="list-style-type: none"> 1. Staff will continue to work with PG&E and the CPUC to seek robust inclusion of water utility facilities in electric utility wildfire mitigation plans with regard to preparing for and undertaking de-energization, and given prioritization during re-energization. 2. Staff will work with other water agencies and relevant statewide associations to build a coalition, as appropriate.

LEGISLATIVE PROPOSAL	2019 RECOMMENDATIONS
	<p>3. Staff will seek opportunities to strengthen wildfire mitigation plan requirements related to de-energization, in the context of any follow-up legislation to SB 901, to ensure robust inclusion of water utility facilities in electric utility wildfire mitigation plans with regard to preparing for and undertaking de-energization, and given prioritization during re-energization.</p>
<p>2. Advance EBMUD’s interests in legislative efforts to address forest health.</p>	<p>Proceed – The legislature is likely to continue to discuss forest health in the context of wildfire preparedness in 2019 and will likely consider follow-up legislation to SB 901 (Dodd). Though SB 901 included some funding for forest health and wildfire fuels reduction, there may be efforts in 2019 to identify additional sustainable funding for on-going forest health efforts.</p> <p>1. Staff will continue to monitor legislation on forest and watershed health, and identify potential opportunities for EBMUD to engage, particularly through its role in the Upper Mokelumne River Watershed Authority. This is consistent with EBMUD’s current approach.</p>
<p>3. Seek constructive ways to advance EBMUD’s interests as the legislature continues to consider providing access to safe drinking water for disadvantaged communities.</p>	<p>Proceed – The issue of providing access to safe drinking water for disadvantaged communities, and establishing a steady source of funding for this purpose remains outstanding before the legislature. It is likely discussions will continue in 2019.</p> <p>1. Staff will bring specific legislative proposals on this issue to the Board for discussion and consideration, as appropriate. Staff will consider any proposals that include a statewide retail water user surcharge in the context of the April 24, 2018 EBMUD Board adopted revised policy position on statewide retail water user surcharges.</p>
<p>4. Seek constructive ways to advance EBMUD’s interests as the administration and the legislature consider ways to provide assistance to low-income water customers.</p>	<p>Proceed - The State Water Resources Control Board (SWRCB) has been directed to develop a plan for the funding and implementation of a low-income water-rate assistance program by AB 401 (Dodd). The SWRCB was expected to report to the legislature in 2018 on its recommendations for a low-income water-rate assistance program, including recommendations for any legislative action that may be needed. However, this report has been delayed indefinitely.</p> <p>1. Staff will continue to engage with the SWRCB as it works to finalize its report.</p> <p>2. Staff will bring relevant legislative proposals on this issue to the Board for discussion and consideration, as appropriate. Staff will consider any proposals that include a statewide retail water user surcharge in the context of the April 24, 2018 EBMUD Board adopted revised policy position on statewide retail water user surcharges.</p>

<u>Agenda Item</u>	<u>Resolution</u>	<u>Action</u>
17a.-17e.	35122-18	Certifying The Final Environmental Impact Report For The Leland Reservoir Replacement Project, Making Findings, Adopting The Mitigation Monitoring And Reporting Plan, And Approving The Project.
11.	35123-18	Amending And Restating The East Bay Municipal Utility District 401(k) Tax Deferred Savings Plan.
12.1.-12.3.	35124-18	Authorizing The Acquisition Of Real Property In Oakland In Alameda County, California And Amending The Fiscal Year 2019 Capital Budget To Appropriate For Expenditure An Additional \$9,665,000.
13.	35125-18	Declaring Results Of Election Held On November 6, 2018 For The Election Of Directors Of The East Bay Municipal Utility District.
14.	35126-18	Appointing Mona L. Favorite-Hill As Senior Community Affairs Representative (<i>effective January 7, 2019</i>).
15.2.	35127-18	Resolution Of Necessity For The Acquisition By Eminent Domain Of A Fee Interest In The Wastewater Treatment Plant Yerba Buena Avenue Access Road And Authorizing Condemnation Proceedings.
18.	35128-18	Amending Rules And Regulations Relating To Public Use Of East Bay Municipal Utility District Watershed, Reservoirs And Recreation Areas.

DATED: December 13, 2018



Rischa S. Cole, Secretary of the District

RSC/slb