



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** OCTOBER 1, 2019

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** MEG McWADE, PUBLIC WORKS DIRECTOR  
JON ORNDORFF, PUBLIC WORKS ANALYST

**SUBJECT:** AGREEMENT FOR SHARING COSTS FOR AMERICA'S  
WATER INFRASTRUCTURE ACT COMPLIANCE RISK  
AND RESILIENCY ASSESSMENT AND EMERGENCY  
RESPONSE PLAN (PHASES II AND III)

---

### **SUMMARY**

Request to enter into a shared consultant costs agreement with Metropolitan Water District of Orange County (MWDOC) to provide compliance with the American Water Infrastructure Act. The agreement is for Phases II and III which will create a Risk and Resiliency Assessment (RRA) and Emergency Response Plan (ERP).

### **RECOMMENDATION**

Authorize the City Manager to execute an agreement with MWDOC for professional services for the RRA and ERP for Phases II and III in the amount of \$145,228, in a form approved by the City Attorney.

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability
- Public Safety
- Infrastructure and City Assets.

## FISCAL IMPACT

Below is an estimate of the expected cost for each Phase. We have committed to Phase I and preliminarily committed to Phases II and III.

Phase I - Crosswalk	Phase II - RRA	Phase III - ERP	<b>Phases II &amp; III</b>	Total Cost
\$15,205	\$83,662	\$61,743	<b>\$145,405</b>	\$160,610*

\*These are the costs reflected in Exhibit A to the Agreement (Attachment 1) and may ultimately differ slightly based on participation by other agencies and related shared costs.

The total costs for America's Water Infrastructure Act (AWIA) requirements for the RRA and ERP will be funded within the existing FY 2019-20 appropriations in the Water Fund.

## DISCUSSION

On October 23, 2018, Congress signed into law the AWIA (S.3021, Law 115-270). Per Section 2013 of Title II, the AWIA requires utilities to conduct a RRA of their community water systems and develop a corresponding ERP. Upon completion of the RRA, the utility is to submit self-certification to the U.S. Environmental Protection Agency (USEPA) indicating that the RRA, in compliance with AWIA, is complete. Within six months of submitting the RRA certification letter, the community water system is required to submit a self-certification to the USEPA for the corresponding ERP. The legislation requires these documents to be updated every five years. Fullerton must complete the RRA and self-certify compliance by March 31, 2020. The ERP must be completed within six months of self-certification.

MWDOC created a shared services project (Attachment 1) with a single contract and reimbursement concept. Fullerton and 28 other agencies have agreed to participate. The group effort will result in a higher level of efficiency in the contracting and completion of the work. MWDOC developed, in coordination with Fullerton and the other agencies, a Request for Proposals package. MWDOC received, reviewed (with assistance from a review committee) and ranked seven proposals and choose to award to Herndon Solutions Group.

Phase I Design and Complete a Crosswalk Review - This first task determines what resources Fullerton already has and the gaps for compliance with the AWIA RRA and ERP requirements. Phase I is currently in progress.

Phase II Completion of the RRA - Phase II is expected to require the largest level of effort. The RRA will support the assessment and determination of an "all-hazards" approach to determine the risk and resilience of all physical, operational and cyber assets owned, utilized or operated by the Fullerton water utility. The RRA will identify and address the gaps identified under Phase I.

Phase III ERP Update – We are expecting a high level of effort for preparation of the ERP depending on the consultant's assessment of the condition of our existing ERP. The ERP will be updated in a manner that is reflective of how Fullerton operates but also will help to align with local and state partner's existing plans for coordination,

emergency operations, and hazard mitigation. Attachment 2 – EPA AWIA Fact Sheet has been included to provide additional background information.

Attachments:

- Attachment 1 – Agreement for Sharing Costs for America's Water Infrastructure Act
- Attachment 2 – EPA AWIA Fact Sheet