

**MINUTES OF THE REGULAR BOARD MEETING OF THE
BOARD OF TRUSTEES OF JORDAN VALLEY WATER CONSERVANCY DISTRICT**

(Approved July 10, 2024)

June 5, 2024

A regular Board meeting of the Board of Trustees of the Jordan Valley Water Conservancy District was held both in person and electronically on Wednesday, June 5, 2024, at 3:00 p.m. at JVWCD's administration building located at 8215 South 1300 West, West Jordan, Utah.

This meeting was conducted electronically in accordance with the Utah Open and Public Meetings Act (Utah Code Ann. (1953) §§ 52-4-1 et seq.) and Chapter 7.12 of the Administrative Policy and Procedures Manual ("Electronic Meetings").

Trustees Present:

Corey L. Rushton, Chair
Zach Jacob
Karen D. Lang
John H. Taylor (electronic)
Andy Pierucci (electronic)
Mick M. Sudbury
Barbara L. Townsend
John Richardson
Dawn R. Ramsey (electronic)

Staff Present:

Alan Packard, General Manager
Jacob Young, Deputy General Manager
Shazelle Terry, Assistant General Manager
Gordon Batt, Operations Department Manager
Jason Brown, Information Systems Department Manager
Troy Tucker, Pipeline Maintenance Division Manager
Shane Swensen, Chief Engineer
Mark Stratford, General Counsel
David Martin, Chief Financial Officer/Treasurer
Brian McCleary, Controller
Kurt Ashworth, Human Resources Manager
Mindy Keeling, Executive Assistant
Lisa Wright, Administrative Assistant III
Travis Christensen, Engineering Group Leader
Margaret Dea, Senior Accountant (electronic)
Martin Feil, Database Administrator (electronic)
Kelly Good, Community Engagement Department Manager
Jeanette Perry, Customer Service Supervisor (electronic)
Becca White, Customer Services Billing Lead
Clifton Smith, Senior Business Data Analyst
Matt Volmar, Asset Management Data Analyst
Sam Mingo, Business Data Analyst (electronic)
Marcelo Anglade, Senior Engineer - Drafting

Also Present:

Greg Anderson, General Manager, Kearns Improvement District
Raymond Garrison, Public Works Director, City of South Jordan

Jonathan Bowers, Engineer of Public Utilities, Herriman City
 Greg Christensen, Trustee, Kearns Improvement District
 Marie Owens, Client Manager, AE2S
 Jason Helm, General Manager, Granger-Hunter Improvement District (electronic)
 Mark Chalk, General Manager, Taylorsville-Bennion Improvement District (electronic)
 Craig Giles (electronic)
 Dennis Pay, City Engineer, City of South Salt Lake (electronic)
 Ryan Willeitner, Engineer, Jacobs (electronic)
 Vanessa Stewart (electronic)
 Greg Davenport, Utility Director, City of West Jordan
 Clint Dilley, General Manager, Magna Water District (electronic)
 Justun Edwards, Public Works Director, Herriman City
 Stacie Olson, Assistant Public Works Director, Riverton City
 David Robertson, Principal/Owner, LRB Public Finance Advisors
 Wayne Winsor, Assistant General Manager/Chief Engineer, Metropolitan Water District of Salt Lake and Sandy

**Call to order and
introduction of
visitors**

Mr. Corey Rushton, Chair, convened the Board meeting of the Jordan Valley Water Conservancy District Board of Trustees at 3:00 p.m. on Wednesday, June 5, 2024. Mr. Rushton introduced the members of the Board and the public who joined the meeting both in person and electronically.

**Approval of common
consent items**

Mr. Rushton presented the minutes of the Executive Committee meeting held May 6, 2024; the regular Board meeting held May 8, 2024; and the Public Hearing Board meeting held May 8, 2024. He also presented the May 2024 Trustees' Expenses Report. Mr. Rushton called for a motion. Ms. Barbara Townsend moved to approve the minutes of the May 6, and May 8 meetings and the May 2024 Trustees' Expenses Report. Following a second by Mr. Mick Sudbury, the motion was unanimously approved by those present as follows:

Mr. Richardson – aye	Mr. Jacob – aye
Ms. Lang – not present	Mr. Pierucci – not present
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Sudbury – aye	Mr. Taylor – not present
Ms. Townsend – aye	

Public comments

There were no public comments.

Core Mission Reports

Water supply update

Mr. Alan Packard, General Manager, reviewed the Municipal and Industrial (M&I) Water Deliveries report through May 2024, and mentioned that deliveries are slightly less than this time last year due to a combination of weather and waterwise use by the public. He also reviewed the Wholesale Contract Progress report for each Member Agency, the M&I Water Source report, and the Provo River Reservoirs Update. He noted that Utah Lake reached compromise level and is spilling.

Mr. Andy Pierucci joined electronically at 3:11 p.m.

Water quality update

Ms. Shazelle Terry, Assistant General Manager, reported on the finalized PFAS regulation from the Environmental Protection Agency (EPA). She said PFAS are per- and polyfluoroalkyl substances, which are synthetic man-made chemicals used in a wide variety of products, that can migrate into the soil, water, and air and most of them do not break down. Ms. Terry

said the final EPA PFAS rule sets maximum contaminant levels (MCL), maximum contaminant level goals (MCLG), and a hazard index for six regulated PFAS compounds. She said compliance is determined by the running annual average at each sampling point. Compliance monitoring must be completed quarterly unless initial monitoring results are below the trigger level of half the MCLs, at which point monitoring can be reduced to once every three years. She said if at any point trigger limits are exceeded, monitoring frequency reverts to quarterly. She explained that if an MCL is exceeded, notice must be provided to customers within thirty (30) days. Ms. Terry described the implementation schedule for PFAS monitoring and said JMWCD has been regularly sampling for PFAS since 2013, with all results to date being non-detect.

Standing Committee Reports

Finance update

Mr. Brian McCleary, Controller, reviewed the Financial Report for April 2024. He said that the Year-to-Date Revenues are very close to what was projected for the 2023/2024 budget, and the Expenses are trending below the projected budget due to varying factors.

Mr. Rushton asked whether the actual Revenues and Expenses amounts will coincide with the projected Revenues and Expenses amounts by the end of FY 2023/2024. Mr. McCleary said that May and June typically show a significant increase in water deliveries, which helps to align the actual and projected Revenues and Expenses. Mr. Rushton also asked if this would have an impact on the year-end transfer to the Revenue Stabilization Fund. Mr. McCleary said that since Revenue is trending as budgeted, it would not have an impact on that transfer at this point and there may not be much added to the Revenue Stabilization Fund.

Conservation update

Mr. Jacob Young, Deputy General Manager, reported on developing per capita consumptive use calculations. He said Utah Code § 73-5-8.5 requires that counties of the first and second class report to the Utah Division of Water Resources (DWRe) their consumptive use through a water conservancy district. JMWCD is designated as the District responsible for reporting Salt Lake County's consumptive use. Reporting begins with water data for calendar year 2023 and must be filed annually before July 1. Mr. Young explained that to determine consumptive use, total water usage data is gathered from public water systems in the county, then return flows from the five Water Reclamation Facilities in the county are subtracted from the total water usage. He said inflow and infiltration from groundwater, storm systems, and other sources do not count toward return flow in consumptive use calculations. That number is then divided by population. Mr. Young said JMWCD will report the 2023 consumptive use in Salt Lake County as 100 gpcd.

Mr. Rushton asked how the consumptive use in Salt Lake County compares to neighboring states. Mr. Young said there is not a standardized method, but that the method prescribed by the statute is similar to the method used by Southern Nevada Water Authority and Las Vegas Valley Water District. The most current consumptive use number we have from them is 99 gpcd.

Ms. Karen Lang arrived in person at 3:25 p.m.

Financial matters

Mr. David Martin, Chief Financial Officer, reviewed the proposed water rates for fiscal year 2024/2025, which includes an average rate adjustment

Consider adoption of Resolution No. 24-08, "Adopting JVVCD's Retail Water Rates and Wholesale Water Rates for Fiscal Year 2024-2025, and Amending Penalties and Fees for Services"

of six percent. He said the proposed rates were tentatively approved at the April Board meeting and discussed with JVVCD's Member Agencies at the Annual Member Agency meeting in April. JVVCD's retail customers and others were sent notice of a public hearing, which was held in May, where comments were made and noted. Mr. Martin summarized an additional comment from a retail customer that was received after the public hearing. Mr. Martin then reviewed the proposed wholesale and retail water rates and the amended penalties and fees for services for fiscal year 2024/2025. Mr. Martin recommended adoption of Resolution No. 24-08, "Adopting JVVCD's Retail Water Rates and Wholesale Water Rates for Fiscal Year 2024/2025, and Amending Penalties and Fees for Services."

Mr. Rushton called for a motion on the recommendation. Mr. John Richardson moved to approve Resolution No. 24-08. Following a second by Mr. Andy Pierucci, the motion was approved as follows:

Mr. Richardson – aye
Ms. Lang – aye
Ms. Ramsey – aye
Mr. Sudbury – aye
Ms. Townsend – aye

Mr. Jacob – aye
Mr. Pierucci – aye
Mr. Rushton – aye
Mr. Taylor – aye

Consider adoption of Resolution No. 24-09, "Adopting JVVCD's Budget and Financial Plan for Fiscal Year 2024-2025"

Mr. Martin said the fiscal year 2024/2025 tentative budget and financial plan have been discussed and reviewed at Finance Committee meetings and JVVCD's May public hearing. The budget is based on 104,000 acre-feet of water deliveries, an average water rate increase of 6.0%, no property tax increase, and using \$5.2 million from the Revenue Stabilization Fund. The proposed budget will fund things like the Operations and Maintenance budget, which includes a 1.1% increase over the previous fiscal year budget, bond principal and interest, with a 12.2% increase due to a new bond issuance, and a 4.1% increase in transfers and reserves funding. The total budget, sources and uses, is \$182 million. Mr. Martin reviewed the budgeted sources and uses of funds, operation and maintenance budget, general equipment budget, and capital projects budget.

Mr. Rushton called for a motion on the recommendation. Ms. Karen Lang moved to adopt Resolution No. 24-09. Following a second by Mr. Mick Sudbury, the motion was approved as follows:

Mr. Richardson – aye
Ms. Lang – aye
Ms. Ramsey – aye
Mr. Sudbury – aye
Ms. Townsend – aye

Mr. Jacob – aye
Mr. Pierucci – aye
Mr. Rushton – aye
Mr. Taylor – aye

Consider adoption of Resolution No. 24-10, "Determining and Fixing JVVCD's Tax Rate for Fiscal Year 2024-2025"

Mr. Martin said the State Tax Commission has not yet released the certified tax rate at this time. He said there will be no increase in JVVCD's tax rate and as the proposed Resolution states the tax levy for fiscal year 2024/2025 shall be the certified tax rate. He also stated that the certified tax rate will generate the revenues shown in the budget. Due to no increase in JVVCD's tax rate, a Truth-in-Taxation public hearing is not needed. Mr. Martin recommended adoption of Resolution No. 24-10, "Determining and Fixing JVVCD's Proposed Tax Rate for Fiscal Year 2024/2025."

Mr. Rushton called for a motion on the recommendation. Mr. Mick Sudbury moved to adopt Resolution No. 24-10. Following a second by Mr. John Richardson, the motion was approved as follows:

Mr. Richardson – aye	Mr. Jacob – aye
Ms. Lang – aye	Mr. Pierucci – aye
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Sudbury – aye	Mr. Taylor – aye
Ms. Townsend – aye	

**Review completed
Fraud Risk
Assessment for fiscal
year ending June 30,
2024**

Mr. Martin reviewed the Fraud Risk Assessment completed for fiscal year ending June 30, 2024. He said the Fraud Risk Assessment is required to be presented to the Board before the end of the fiscal year and submitted to the State Auditor within six months of the end of the fiscal year. He said JVVCD has adopted all the policies and achieved all the recommended measures to achieve the highest score possible, which puts JVVCD at a very low risk of fraud.

**Consider adoption of
Resolution 24-11,
“Amending JVVCD’s
Rules and
Regulations for
Wholesale Water
Service”**

Mr. Mark Stratford, General Counsel, said when new lands are annexed into JVVCD’s service area, the available water budget and water demands for those lands are determined. He said if the demand exceeds the available budget, something must be done to make JVVCD whole by the annexation applicant either contributing water resources or paying an In Lieu of Fee. Mr. Stratford said the proposed policy change describes the Payment In Lieu of Conveying Water Interests and how the fee is calculated. He recommended the adoption of Resolution No. 24-11, “Amending JVVCD’s Rules and Regulations for Wholesale Water Service”.

Mr. Rushton called for a motion on the recommendation. Mr. Mick Sudbury moved to adopt Resolution No. 24-11. Following a second by Ms. Karen Lang, the motion was approved as follows:

Mr. Richardson – aye	Mr. Jacob – aye
Ms. Lang – aye	Mr. Pierucci – aye
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Sudbury – aye	Mr. Taylor – not present
Ms. Townsend – aye	

Mr. John Taylor left the meeting at 3:45 p.m.

**Consider approval of
annexation
agreements for the
Olympia Hills
Development**

Mr. Stratford presented information on annexation agreements for the Olympia Hills Development. He said the purpose of the agreements is to establish a water budget and define the conditions under which new lands are annexed into JVVCD’s service area. He provided a summary of current landowners which will each be required to enter into an annexation agreement for the Olympia Hills Development in accordance with JVVCD policy. Mr. Stratford recommended the approval of executing annexation agreements for the Olympia Hills Development with: Olympia Ranch, LLC, Last Holdout, LLC, Salt Lake County, Jordan School District Board of Education, Edge Homes Utah, LLC, Richmond American Homes of Utah, Inc., and Fox landing, LLC.

Mr. Richardson asked about JVVCD’s involvement in calculating projected demands for the annexation agreements. Mr. Stratford said there is a vetting process which verifies that demand projections submitted by the annexation applicant are realistic and not over-inflated or under reported.

Mr. Rushton called for a motion on the recommendation. Ms. Barbara Townsend moved to approve annexation agreements for the Olympia Hills Development with the designated parties. Following a second by Mr. John Richardson, the motion was approved as follows:

Mr. Richardson – aye	Mr. Jacob – aye
Ms. Lang – aye	Mr. Pierucci – aye
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Sudbury – aye	Mr. Taylor – not present
Ms. Townsend – aye	

Consider adoption of Resolution 24-12, “Approving Annexation of Lands into the JVVCD” (Olympia Hills Development)

Mr. Stratford said that Resolution 24-12 is to approve the annexation of lands for the Olympia Hills Development, and that by doing so, a 30 day time limit is set in motion to file the final documents with the Lieutenant Governor’s office. He explained challenges in obtaining signatures on the annexation agreements from all landowners in that time frame, and that a condition of the Resolution is to not file with the Lieutenant Governor until all agreements are signed. Mr. Stratford said the annexation applicants are comfortable deferring the approval of Resolution No. 24-12, and that by doing so, JVVCD is still in compliance with legal requirements. He recommended deferring consideration and approval of Resolution No. 24-12 to the July 2024 regular Board meeting.

Mr. Rushton called for a motion on the recommendation. Mr. John Richardson moved to defer the consideration and adoption of Resolution No. 24-12 to the July 10, 2024, regular Board meeting. Following a second by Mr. Mick Sudbury, the motion was approved as follows:

Mr. Richardson – aye	Mr. Jacob – aye
Ms. Lang – aye	Mr. Pierucci – not present
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Sudbury – aye	Mr. Taylor – not present
Ms. Townsend – aye	

Mr. Andy Pierucci left the meeting at 4:00 p.m.

Conservation, Communications, and Information Systems activities

Consider approval of Member Agency Water Efficiency Standards Funding Agreement with Draper City

Mr. Young said Draper City is seeking grant funding assistance for additional staff to assist in compliance with the Water Efficiency Standards. He said the proposed grant funding amount is for fiscal year 2024/2025. Mr. Young recommended approval of a Member Agency Water Efficiency Standards Funding agreement with Draper City in the amount of \$53,800.

Mr. Rushton called for a motion on the recommendation. Mr. Mick Sudbury moved to approve a Member Agency Water Efficiency Standards Funding Agreement with Draper City. Following a second by Ms. Barbara Townsend, the motion was approved as follows:

Mr. Richardson – aye	Mr. Jacob – aye
Ms. Lang – aye	Mr. Pierucci – not present
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Sudbury – aye	Mr. Taylor – not present
Ms. Townsend – aye	

Consider approval of Water Conservation Funding Agreement

Mr. Young said Kearns Improvement District is seeking water conservation grant funding assistance to purchase and install Advanced Metering infrastructure (AMI) and to develop an AMI education and outreach

**with Kearns
Improvement District**

messaging film. He recommended approval of a Water Conservation Funding Agreement with Kearns Improvement District in the amount of \$57,750.

Mr. Rushton called for a motion on the recommendation. Mr. John Richardson moved to approve a Water Conservation Funding Agreement with Kearns Improvement District. Following a second by Mr. Mick Sudbury, the motion was approved as follows:

Mr. Richardson – aye
Ms. Lang – aye
Ms. Ramsey – aye
Mr. Sudbury – aye
Ms. Townsend – aye

Mr. Jacob – aye
Mr. Pierucci – not present
Mr. Rushton – aye
Mr. Taylor – not present

**Engineering
Activities**

**Consider
authorization to
award a construction
contract for the
Administration
Building Roof
Replacement**

Mr. Shane Swensen, Chief Engineer, said the JVVCD administration building roof was installed in 1986 and has developed numerous leaks that have increased over time and are not easily repaired. He said a consultant was hired to inspect and evaluate the roof and recommended a roof replacement with different material than the original roof. He explained that in addition to issuing a public notice inviting bids, staff reached out to seven different contractors to bid on the project, yielding only one response. Mr. Swensen recommended authorization to award a construction contract for the Administration Building Roof Replacement to North Face Roofing, Inc., in the amount of \$494,800.

Mr. Richardson inquired as to why only one bid was received. Mr. Swensen said he believed it was due to the availability of contractors.

Mr. Rushton called for a motion on the recommendation. Mr. Mick Sudbury moved to authorize the award of a construction contract to North Face Roofing, Inc. for the Administration Building Roof Replacement in the amount of \$494,800. Following a second by Ms. Karen Lang, the motion was approved by those present as follows:

Mr. Richardson – aye
Ms. Lang – aye
Ms. Ramsey – aye
Mr. Sudbury – aye
Ms. Townsend – aye

Mr. Jacob – aye
Mr. Pierucci – not present
Mr. Rushton – aye
Mr. Taylor – not present

**Consider approval of
grant of easement to
Senawave
Communications at
16109 South Railcar
Lane**

Mr. Swensen said this project is for Senawave Communications to provide fiber optic services to homes located within Edge Home's Bringham Station Development in Bluffdale. He explained that Senawave Communications has requested an easement to cross through JVVCD property at 16109 South Railcar Lane, which contains JVVCD's Central Pipeline. Mr. Swensen noted that a similar easement located at Geyser Lane, was approved by the Board in the March 2024 regular Board meeting. Mr. Swensen recommended authorization to approve a grant of easement to Senawave Communications at 16109 South Railcar Lane.

Mr. Rushton called for a motion on the recommendation. Ms. Barbara Townsend moved to approve a grant of easement to Senawave Communications at 16109 South Railcar Lane. Following a second by Mr. John Richardson, the motion was approved by those present as follows:

Mr. Richardson – aye
 Ms. Lang – aye
 Ms. Ramsey – aye
 Mr. Sudbury – aye
 Ms. Townsend – aye

Mr. Jacob – aye
 Mr. Pierucci – not present
 Mr. Rushton – aye
 Mr. Taylor – not present

**Consider approval of
 Water District Water
 Development Council
 Interlocal Agreement**

Mr. Packard said during the 2024 Utah Legislative session, SB211 – Generational Water Infrastructure Amendments, was passed. The new law directs the formation of the Water District Water Development Council (Council), whose purpose is to help identify viable water supply development projects that will support the needs of future generations of Utah citizens. He said the Council consists of five members including the general managers from the four P60 water districts and the director of Utah Division of Water Resources. He stated that the Council is to meet periodically and will hire a Technical Director to oversee the research and idea development process to be recommended to the State. Mr. Packard said JWWCD has been designated as the managing district for the Council, and will keep its financial records and administer its procurement process. He explained the proposed Interlocal Cooperative Agreement between the four P60 districts and the State which recites requirements of the law, the purpose for the Council, and how the Council will fulfill its purpose. Mr. Packard said the first annual report of the Council is due at the end of the 2024 calendar year. Mr. Packard then recommended approval of the Interlocal Cooperative Agreement between JWWCD, Central Utah Water Conservancy District, Washington County Water Conservancy District, Weber Basin Water Conservancy District, and Utah Division of Water Resources.

Mr. Rushton called for a motion on the recommendation. Ms. Karen Lang moved to approve the Water District Water Development Council Interlocal Agreement subject to minor revisions approved by the General Manager and General Counsel. Following a second by Mr. Mick Sudbury, the motion was approved by those present as follows:

Mr. Richardson – aye
 Ms. Lang – aye
 Ms. Ramsey – aye
 Mr. Sudbury – aye
 Ms. Townsend – aye

Mr. Jacob – aye
 Mr. Pierucci – not present
 Mr. Rushton – aye
 Mr. Taylor – not present

**Consider approval to
 select Technical
 Director for Water
 District Water
 Development Council**

Mr. Packard said that as managing district for the Water District Water Development Council (Council), JWWCD has worked with the Council to proceed with procurement of a Technical Director. He said after interviewing potential candidates, the Council has selected Mike Collins to be appointed as Technical Director. He stated that the recommended compensation for a one-year contract is \$96,000, of which the four P60 districts will each share equally in the cost. Mr. Packard recommended the funding authorization for Mike Collins as Technical Director for the Water District Water Development Council.

Mr. Rushton called for a motion on the recommendation. Mr. Mick Sudbury moved to approve the procurement award and funding of a contract for the Technical Director for the Water District Water Development Council. Following a second by Ms. Barbara Townsend, the motion was approved by those present as follows:

Mr. Richardson – aye
Ms. Lang – aye
Ms. Ramsey – aye
Mr. Sudbury – aye
Ms. Townsend – aye

Mr. Jacob – aye
Mr. Pierucci – not present
Mr. Rushton – aye
Mr. Taylor – not present

Reporting Items

Mr. Packard reviewed the routine reporting items which included: the Central Utah Project/CUWCD activities report, facilities rental agreements signed by the General Manager, performance indicators for April 2024, and media coverage. Mr. Shane Swensen, Chief Engineer, gave a report on the Southwest Aqueduct Reach 2 project.

Upcoming meetings

Mr. Rushton reviewed the upcoming meetings including the Conservation Committee meeting, Monday, July 8 at 3:00 p.m.; Executive Committee meeting, Monday, July 8 at 3:30 p.m.; and regular Board meeting, Wednesday, July 10 at 3:00 p.m.

Closed meeting

Mr. Rushton said there would be no need for a closed session.

Adjourn

Mr. Rushton called for a motion to adjourn. Mr. Mick Sudbury moved to adjourn. Following a second by Mr. Zach Jacob, the meeting adjourned at 4:30 p.m.



Corey L. Rushton, Chair of the Board of Trustees



Alan E. Packard, District Clerk