

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

(Approved November 13, 2024)

October 9, 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, October 9, 2024, at 3:00 p.m. at JVVCD'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
Karen D. Lang (electronic)
Zach Jacob
Andy Pierucci (electronic)
John H. Taylor
Barbara L. Townsend
John Richardson
Dawn R. Ramsey
Mick M. Sudbury

Staff Present:

Alan Packard, General Manager
Jacob Young, Deputy General Manager
Shazelle Terry, Assistant General Manager
Mark Stratford, General Counsel
David Martin, Chief Financial Officer
Gordon Batt, Operations Department Manager
Brian Callister, Maintenance Department Manager
Jason Brown, Information Systems Department Manager (electronic)
Kelly Good, Community Engagement Department Manager
Kurt Ashworth, Human Resources Manager
Martin Feil, Database Administrator (electronic)
Shane Swensen, Chief Engineer
Travis Christensen, Engineering Group Leader
Mindy Keeling, Executive Assistant
Lisa Wright, Administrative Assistant III
Rebecca Bateman, Administrative Assistant I/Receptionist
Margaret Dea, Senior Accountant (electronic)
Matt Volmar, Asset Management Data Analyst (electronic)
Mike Brinton, Asset Management Program Administrator (electronic)
Nick McDonald, JVVTP Supervisor
Jared Vigil, Lead System Operator
Jeff Betton, Safety Manager
Kevin Rubow, Capital Planning & Project Management Leader
Conor Tyson, Registered Engineer

Also Present:

Greg Davenport, Utility Manager, City of West Jordan
Ana Paz, Associate Engineer, City of South Jordan (electronic)

Justun Edwards, Director of Public Works, Herriman City
 Dustin Lewis, City Manager, City of South Jordan (electronic)
 Jason Rasmussen, Assistant City Manager, City of South Jordan
 Gary Henrie, Engineer, Bureau of Reclamation
 Austin Ballard, CFO/Controller, Granger-Hunter Improvement District (electronic)
 Brien Maxfield, Senior Engineer, Draper City
 Jason Luettinger, Principal, Bowen Collins & Associates
 Cary Necaise, Director of Public Works, Riverton City
 Clint Dilley, General Manager, Magna Water District
 Dan Tracer, Assistant City Engineer, Bluffdale City
 David Robertson, Principal/Owner, LRB Public Finance Advisors
 Gordon Cook, Assistant General Manager, Metropolitan Water District of Salt Lake and Sandy
 Greg Anderson, General Manager, Kearns Improvement District
 Lorna Rosenstein, Director, Waterwatch of Utah
 Mark Chalk, General Manager, Taylorsville-Bennion Improvement District (electronic)
 Raymond Garrison, Public Works Director, City of South Jordan
 Joe Benson, Engineer, AE2S
 Sam Fankhauser, Operations Manager, AE2S

**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, October 9, 2024. Mr. Rushton introduced the members of the Board and the public who joined the meeting both in person and electronically. Mr. Rushton then recognized two JVVCD employees who recently received recognitions; Jared Vigil, who was honored at the 2024 Hispanic Heritage Congressional Recognition Ceremony by Congressman Burgess Owens, and Nick McDonald who was awarded the AWWA Intermountain Section Outstanding Operator Award at the section's annual conference held at the Kanab Convention Center in September.

**Approval of common
consent items**

Mr. Rushton presented the minutes of the regular Board meeting held September 11, 2024. He also presented the September 2024 Trustees' Expenses Report. Mr. Rushton called for a motion. Mr. Mick Sudbury moved to approve the minutes of the September 11 meeting. Following a second by Ms. Karen Lang, the motion was approved by those present 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	

Mr. Mick Sudbury moved to approve the September 2024 Trustees' Expenses Report. Following a second by Ms. Barbara Townsend, the motion was approved by those present 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	

Public comments

Ms. Lorna Rosenstein, representing Waterwatch of Utah commented on her concerns about fluoridation of the drinking water supply. She provided information on various fluoride reports along with the recent National

Toxicology Program report and court findings from a federal district court judge in California that fluoride is found to have an adverse effect on the IQ of children. She shared her opinion that fluoridation mandates are not compatible with the Safe Drinking Water Act and should be stopped.

Core Mission Reports**Water supply update**

Mr. Alan Packard, General Manager, reviewed the Municipal and Industrial (M&I) Water Deliveries report through September 2024, saying that deliveries were up eight percent (8%) from the previous year due to hot and dry weather late in the season. He then reviewed the Wholesale and Retail Actual and Projected Deliveries report and said that approximately 3,400 acre-feet of water is available this year for Member Agencies who wish to request a decrease in their Water Purchase Contract amount. The M&I Water Sources report showed a decrease in groundwater usage due to good snowpack and available supply of un-stored surface water. Mr. Packard reviewed the Provo River Reservoirs Update which shows Utah Lake at well above its 10-year average, allowing for a release of water from Utah Lake to Great Salt Lake via the Jordan River.

Water quality update

Ms. Shazelle Terry, Assistant General Manager, gave an update on the recent ruling in the case *Food and Water Watch vs. EPA* regarding drinking water fluoridation levels and risk under the Toxic Substance Control Act and provided a timeline of events during the Court proceedings. The Court ordered the EPA to "engage with a regulatory response." The EPA stated that it is reviewing the decision. Ms. Terry said the Centers for Disease Control (CDC), American Dental Association (ADA), and American Academy of Pediatrics (AAP) all continue their support of drinking water fluoridation. She then reviewed Salt Lake County Health Department (SLCHD) regulations for either underfeeding or not feeding fluoride as required. She said underfeeding or not feeding fluoride for up to three weeks does not require notification to the SLCHD. Anything beyond three weeks requires notice to SLCHD and a requirement to collaborate with them to reintroduce fluoridation. Ms. Terry explained that fluoridation in Salt Lake and Davis Counties are required by a county-wide mandate that was approved by voters in 2000 and began in 2003. Utah's current fluoridation law states that voters must approve the addition to or removal of fluoride from their water supply by a majority vote in an election. Ms. Terry then explained the next steps for JVVCD are to collaborate with MWDSLS, SLCPU, Sandy City, and WBWCD and meet with the DDW Director and work to schedule a meeting with the SLCHD to discuss concerns and options going forward. She said for the immediate short term, JVVCD is looking for: 1) an authorized administrative pause in the requirement to fluoridate by either the County or the State while EPA is determining their next course of action, or 2) investigate pursuing a legislative solution.

Mr. Rushton inquired as to what the natural level of fluoride in drinking water would be in JVVCD's service area without additional fed fluoride. Ms. Terry said the natural background fluoride level for most of JVVCD's water sources is between 0.1 and 0.2 mg/L. She explained this is not always the case across Utah as some areas have a natural background near 0.7 mg/L or higher.

Mr. Richardson asked whether any agencies from states outside of Utah have reacted to the Court ruling. Ms. Terry said she is not aware of any specific comments but has seen an upward trend of communities placing

fluoridation in drinking water on the ballot, and having fluoridation discontinue.

Standing Committee Reports

Finance update

Mr. Brian McCleary, Controller, reviewed the Financial Report for August 2024, explaining that as of the second month of the fiscal year, the amounts for actual expenses and revenues are right in line as projected. He also reviewed the income statement, pointing out the net revenues after debt service show an increase from the previous year, and said the increase is due to an increase in water deliveries. He then explained that the increase in Investment Income is due to closing on the 2024A bonds and having more money to generate interest.

Conservation update

Mr. Jacob Young, Deputy General Manager, recognized Kearns Improvement District for their achievement in winning the 2024 WaterSense Award for outreach and education efforts in leadership and conservation. He also acknowledged Mayor Ramsey for her attendance at the 2024 Water School, and her participation in a panel discussion with legislators and mayors from across the State, exhibiting outstanding leadership in conservation.

Mr. Young then announced that JWCD's updated Conservation Plan (Plan) is available for public review and comment on jwcd.org. He gave a summary of the Plan update saying four alternative conservation targets were evaluated: 1) meeting UDWR goals through 2065, 2) keeping demands within currently secured water rights, 3) achieving zero net depletion of Great Salt Lake, and 4) meeting accelerated UDWR goals. After a cost benefit analysis on the four alternative conservation targets, the outcome was that alternative four would provide the greatest value to the community within JWCD's service area. He said that the accelerated UDWR goal was then translated into three specific conservation goals; 1) achieve usage rate of 174 gpcd by 2035, 2) reach 9.2 million square-feet of turf replacement by 2035, and 3) program participation. Mr. Young said to implement the goals, JWCD will continue to match dollars with State funding and other grant sources. The budget is estimated to be approximately two million dollars for conservation efforts in the next fiscal year, ramping up to approximately three and one-half to four million in the next five years. Mr. Young explained that the projected staffing needs to execute the Plan will require the current seventeen full-time conservation staff to increase to twenty-four over the next ten years. He said the next steps to finalize the Plan update are to receive public feedback via jwcd.org and hold a Public Hearing scheduled for November 13, 2024. If no significant changes are needed, formal adoption of the Plan will be considered at the November 13, 2024, Board meeting. He stated that if more changes are needed based on comments received, then formal adoption of the Plan will then be considered at either the December or January regular Board meeting.

Mr. Pierucci expressed his appreciation to staff for balancing a wide variety of competing interests and for different demands on conservation.

Conservation, Communications, and Information Systems Activities

Mr. Young said the City of South Jordan (City) has applied for a Water Efficiency Standards Funding grant to continue funding a water conservation staff position that will manage City Water Efficiency Standards. This position will ensure compliance with the Water Efficiency

**Consider approval of
Member Agency
Water Efficiency
Standards Funding
Agreement with the
City of South Jordan**

Standards verifying code compliance, collaborating with builders for residential landscapes, and coordinating commercial landscape projects. Mr. Young recommended approval of a Water Efficiency Standards Funding Agreement with the City of South Jordan in the amount of \$68,000.

Ms. Ramsey expressed appreciation for JVVCD's grant process which allows funding for an integral staff position for the City.

Mr. Rushton called for a motion on the recommendation. Ms. Barbara Townsend moved to approve a Member Agency Water Efficiency Standards Funding Agreement with the City of South Jordan in the amount of \$68,000. Following a second by Mr. Mick Sudbury, the motion was unanimously 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 approval of
Member Agency
Water Efficiency
Standards Funding
Agreement with
Riverton City**

Mr. Young said Riverton City has applied for a Water Efficiency Standards Funding grant to assist in funding a Water Conservation Coordinator Specialist staff position to manage City conservation programs. This position assists in ensuring compliance with the Water Efficiency Standards, provides public education, enforces landscape requirements through on-site visits, and performs customer water audits. Mr. Young recommended approval of a Water Efficiency Standards Funding Agreement with Riverton City in the amount of \$54,000.

Mr. Pierucci conveyed appreciation for Riverton City's partnership with JVVCD which provides them opportunities to lead by example, and in turn help others within its community to lead.

Mr. Rushton called for a motion on the recommendation. Mr. John Richardson moved to approve a Member Agency Water Efficiency Standards Funding Agreement with Riverton City in the amount of \$54,000. Following a second by Mr. Mick Sudbury, the motion was unanimously 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 approval of
a Water Conservation
Funding Agreement
with the Herriman
City**

Mr. Young said Herriman City has applied for a Water Conservation Funding grant to assist in funding a Tier 2 Project. The Project includes design services for replacing existing lawn with waterwise landscaping in Main Street medians, and park strips near City Hall. Estimated square footage of turf to be replaced is 73,000. Mr. Young recommended approval of a Water Conservation Funding Agreement with Herriman City in the amount of \$17,442.

Mr. Rushton called for a motion on the recommendation. Ms. Dawn Ramsey moved to approve a Member Agency Water Conservation Funding Agreement with Herriman City in the amount of \$17,442. Following a

second by Mr. Andy Pierucci, the motion was unanimously 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

Engineering Activities

Consider authorization to award an engineering contract for the 5700 West 10200 South Booster Pump Station Upgrades

Mr. Shane Swensen, Chief Engineer, said JVVCD relies on the existing 5700 West 10200 South Booster Pump Station to move water into pressure Zone C through the 10200 South Pipeline. He said the existing booster pump station was built in 1981 and has a capacity of 11 MGD which is frequently reached with current operations. He mentioned that the Master Plan identifies necessary upgrades of up to 18 MGD at this booster pump station which will require new pumps, site piping and electrical work. He said two proposals were received and recommended authorizing the award of an engineering contract for the 5700 West 10200 South Booster Pump Station Upgrades to AE2S in the amount of \$840,044.

Mr. Rushton called for a motion on the recommendation. Mr. Mick Sudbury moved to authorize the award of an engineering contract to AE2S in the amount of \$840,044 for the 5700 West 10200 South Booster Pump Station Upgrades. Following a second by Ms. Dawn Ramsey, the motion was unanimously 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 approval of Amendment No. 1 to the Cathodic Protection System Cost Sharing Agreement with Central Utah Water Conservancy District

Mr. Swensen presented information on a cost sharing agreement amendment between JVVCD and CUWCD for a Cathodic Protection System. He said JVVCD operates and maintains the Jordan Aqueduct Reach 4 (JA-4) and CUWCD operates and maintains the Alpine Aqueduct Reach 3 (AA-3) which parallels JA-4. An agreement was entered into in 2014, to construct a single cathodic protection system for both JA-4 and AA-3. Mr. Swensen said as the system has been evaluated, a deficiency has been identified indicating the need to install an additional anode well to provide additional protection to both pipelines. He said CUWCD has agreed to cost-sharing of 50% and will manage the design and construction of the project. The estimated total cost is \$342,000 with JVVCD's 50% cost allocation being \$171,000. Mr. Swensen recommended approval of Amendment No. 1 to the Cathodic Protection System Cost Sharing Agreement with Central Utah Water Conservancy District, to pay 50% of the project cost.

Mr. Rushton called for a motion on the recommendation. Mr. John Richardson moved to approve Amendment No. 1 to the Cathodic Protection System Cost Sharing Agreement with Central Utah Water Conservancy District. Following a second by Mr. Mick Sudbury, the motion was unanimously 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 approval of amendment to water purchase agreement with Herriman City

Mr. Mark Stratford, General Counsel, said that Herriman City (City) has requested to increase its existing contract amount from 4,200 acre-feet per year to 6,500 acre-feet per year to account for operational changes and to help provide for previously approved growing demand. Mr. Stratford recommended approval of an Amendment to the Water Purchase Agreement with Herriman City.

Mr. Rushton called for a motion on the recommendation. Ms. Dawn Ramsey moved to approve an amendment to a water purchase agreement with Herriman City. Following a second by Mr. Andy Pierucci, the motion was unanimously 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 approval of block 2 water purchase agreement with Herriman City

Mr. Stratford, said that as a condition of annexation of the land associated with the Olympia development into JVVCD's service area, Herriman City (City) is required to enter into a Block 2 water purchase agreement for water delivered to that land. He said the Block 2 agreement does not require a minimum purchase amount of water, but rather a limit on the maximum amount of water that may be purchased annually. The maximum water supply limit in the proposed Block 2 agreement is 1,606 acre-feet per year. Mr. Stratford recommended approval of a Block 2 Water Purchase Agreement with Herriman City.

Mr. Rushton called for a motion on the recommendation. Mr. John Richardson moved to approve a block 2 water purchase agreement with Herriman City. Following a second by Mr. Andy Pierucci, the motion was unanimously 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

Reporting Items

Mr. Stratford verified that JVVCD is in compliance with all selected legal requirements and internal District practices.

Review annual Loss Report

Mr. Jeff Betton, Safety Manager, reviewed the annual Loss Report for fiscal year 2023/2024 which included workers' compensation injury claims, vehicle crashes, and property damage costs. Mr. Betton reported there was one workers' compensation claim this past fiscal year, which was lower than the previous past five-year average of claims. The worker's compensation costs were also lower than the previous five-year average. He said JVVCD incurred four vehicle crashes, which is lower than the previous five-year

average of 7.4. The vehicle crash costs were also lower than the previous five-year average. Mr. Betton also reported there were nine property damage claims, which is lower than the previous five-year average of 10.6. The costs for property damage claims were lower this past fiscal year as compared with the previous five-year average, with the highest percentage of claims being for facilities and equipment.

Mr. Betton noted the employee injury rate performance indicator has decreased slightly from the previous year and ended the fiscal year in the green, on-track category. He reported the crash rate performance indicator had a slight increase over the last fiscal year, but still ended the year in the green, on-track category on the current performance indicator report. He said the slight increase in crash rate prompts emphasis on defensive driving and avoiding distractions. Mr. Betton stated JVVCD's Experience Modification Factor (EMOD) is 0.69, well below the expected industry average of 1.00. This resulted in \$52,856 savings on JVVCD's workers' compensation insurance premium. JVVCD once again received the Utah Safety Council Annual Award of Merit, as well as the AWWA Intermountain Section System Safety Award.

Report on disposal of surplus property for fiscal year 2023/2024

Mr. Brian Callister, Maintenance Department Manager, reported on the disposal of District surplus property during fiscal year 2023/2024 including three vehicles, various pumps, motors, and generators, and a variety of used office furniture items and maintenance tools.

Mr. Taylor inquired as to what happens with surplus items that do not sell. Mr. Callister said options for disposing of unsold surplus items is to either donate them to a charitable organization or discard them in the trash. He said due to JVVCD being a public agency, items cannot be given to employees.

Report on tentative 2025 Board meetings schedule

Ms. Mindy Keeling, Executive Assistant, reviewed the proposed 2025 Board meeting schedule and the conferences available for trustees to attend during 2025. The meeting schedule will go before the Board for final approval at the November 13, 2024, Board meeting.

Report on AWWA Intermountain Section Annual Conference

Mr. Young reviewed awards that JVVCD received at the AWWA Intermountain Section Conference which included Water Taste Test Winner (Best Surface Water), 2024 Safety Award of Excellence, and Outstanding Operator Award to Nick McDonald. He reported that Travis Christensen, Engineering Group Leader; Jeanette Perry, Customer Services Supervisor; Kevin Rubow, Capital Planning & Project Management Leader; and Shaun Moser, Conservation Garden Park Manager, presented at the conference.

Routine reporting items

Mr. Packard reviewed the routine reporting items which included: proposed Trustee division boundary adjustments, facilities rental agreements signed by the General Manager, performance indicators for September 2024, and media coverage. A video clip by ABC4 News was shared that highlighted the release of 10,000 acre-feet (5,300 of which were donated by JVVCD) of water to Great Salt Lake. Mr. Shane Swensen, Chief Engineer, reported on a final project completion report for the Distribution Pipeline Replacement 2023 – Old Farm and 5650 South Areas.

Upcoming meetings

Mr. Rushton reviewed the upcoming meetings including the Conservation Committee meeting, Tuesday, November 12 at 3:00 p.m.; Executive Committee meeting, Tuesday, November 12 at 3:30 p.m.; and the regular

Board meeting, Wednesday, November 13 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 Ms. Barbara Townsend, the meeting adjourned at 4:55 p.m.

A handwritten signature in blue ink, appearing to read "Corey Rushton", written over a horizontal line.

Corey L. Rushton, Chair of the Board of Trustees

A handwritten signature in blue ink, appearing to read "Alan Packard", written over a horizontal line.

Alan E. Packard, District Clerk