

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

(Approved May 10, 2023)

April 12, 2023

The Annual Board meeting of the Board of Trustees of the Jordan Valley Water Conservancy District was held both in person and electronically on Wednesday, April 12, 2023, 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:

A. Reed Gibby  
Zach Jacob  
Karen D. Lang  
Sherrie L. Ohrn  
Dawn R. Ramsey (electronic)  
Mick M. Sudbury  
John H. Taylor  
Barbara L. Townsend

Trustees Not Present:

Corey L. Rushton, Chair

Staff Present:

Alan Packard, General Manager  
Jacob Young, Deputy General Manager  
Matt Olsen, Assistant General Manager  
Shazelle Terry, Assistant General Manager  
Gordon Batt, Operations Department Manager  
Jason Brown, Information Systems Department Manager  
Brian Callister, Maintenance Department Manager  
Shane Swensen, Engineering Department Manager  
Mark Stratford, General Counsel  
David Martin, Chief Financial Officer/Treasurer  
Kurt Ashworth, Human Resources Manager  
Beverly Parry, Executive Assistant  
Mindy Keeling, Administrative Assistant  
Alicia Sekiller, Administrative Assistant  
Martin Feil, Database Administrator (electronic)  
Kelly Good, Communications Division Manager  
Cynthia Bee, Public Information Officer  
Margaret Dea, Senior Accountant (electronic)  
Kevin Rubow, Staff Engineer  
Conor Tyson, Staff Engineer  
Travis Christensen, Senior Engineer

Also Present:

Matt Berry, Jordan River Commission  
Tish Buroker, Riverton City Council Member

Greg Christensen, Kearns Improvement District Trustee  
 Greg Davenport, Utility Manager, City of West Jordan  
 Clint Dilley, General Manager, Magna Water District (electronic)  
 Jason Helm, General Manager, Granger-Hunter Improvement District (electronic)  
 Alpha Lambert, Naturalist, Utah State University(electronic)  
 Jason Luettinger, Principal, Bowen Collins & Associates  
 Brien Maxfield, Senior Engineer, Draper City  
 Chris Merket, Engineer, City of South Salt Lake (electronic)  
 Annalee Munsey, Assistant General Manager, Metropolitan Water District of Salt Lake & Sandy (electronic)  
 Stacie Olson, Water Director, Riverton City  
 Ana Paz, Associate Engineer, South Jordan City (electronic)  
 Jason Rasmussen, Public Works Director, South Jordan City  
 Shawn Robinson, Director of Operations and Maintenance, Taylorsville-Bennion Improvement District (electronic)  
 Troy Stout, COO, Granger-Hunter Improvement District (electronic)  
 Dan Tracer, Assistant City Engineer, Bluffdale City (electronic)

**Call to order and introduction of visitors**

Ms. Karen Lang, Vice Chair, convened the Board meeting of the Jordan Valley Water Conservancy District Board of Trustees at 3:00 p.m. on Wednesday, April 12, 2023. Ms. Lang introduced the members of the Board and the public who joined the meeting both in person and electronically. Mr. Corey Rushton was excused from the meeting.

**Approval of common consent items**

Ms. Lang presented the minutes of the Executive Committee meeting held March 6, 2023; the Finance Committee meeting held March 6, 2023; the Annual Board meeting held March 8, 2023; and the Finance Committee meeting held March 29, 2023. She also presented the March 2023 Trustees' Expenses Report. Ms. Lang called for a motion. Ms. Barbara Townsend moved to approve the minutes of the March 6, March 8, and March 29 meetings and the March 2023 Trustees' Expenses Report. Following a second by Mr. Mick Sudbury, the motion was unanimously approved by those present as follows:

Mr. Gibby – aye	Mr. Jacob – aye
Ms. Lang – aye	Ms. Ohrn – aye
Ms. Ramsey – aye	Mr. Rushton – not present
Mr. Sudbury – aye	Mr. Taylor – not present
Ms. Townsend - aye	

**Public comments**

There were no public comments.

**Core Mission Reports**  
**Water supply update**

Mr. Packard reviewed the Municipal and Industrial (M&I) Water Deliveries report through March 2023, the Wholesale Contract Progress report for each Member Agency, the Provo River Reservoirs Update, and the Wholesale and Retail Actual and Projected Deliveries report. He reported that the Drought Monitoring Committee met on March 15, 2023, and reviewed water supply conditions and voted on a water supply availability level. Eight members voted for Level 0 and seven members voted for Level 1. Mr. Packard reviewed the proposed water supply availability messaging for Level 0 and Level 1. He reported that since the Drought Monitoring Committee vote on March 15<sup>th</sup>, water supply conditions have improved to the point it leans more heavily towards a Level 0. He said the JWVCD Board

will vote on establishing a water supply availability level at the May Board meeting. Discussion took place regarding the water supply availability levels JWWCD might establish at the May meeting.

### **Water quality update**

Ms. Shazelle Terry, Assistant General Manager, said the purpose of Aquifer Storage and Recovery (ASR) is to stabilize declining groundwater levels, use off-peak aqueduct import capacity, capture and store snowmelt runoff during April through June, and extract stored water to meet July through September peak demands. She reviewed the method of operating injection wells; the history of JWWCD's Artificial Groundwater Recharge Demonstration Project; the Groundwater Recharge and Recovery Act (1991), Utah Code 73-3B; and the permitting, reporting, and monitoring required for ASR.

### **Standing Committee Reports**

#### **Finance update**

Mr. Dave Martin, Chief Financial Officer, reviewed the Financial Report for February 2023. He said that the Year-to-Date Expenses are on track with what was projected for the 2022/2023 budget. He also reviewed the Income Statement and said a CUP payment was made during February which is included in Water Purchases, and there was a gain on Sale of Assets of \$1.5 million which was from the sale of a reservoir site to GHID. Mr. Martin provided a comparison of monthly payment transactions between February 2018 and February 2023 and noted the shift from checks and credit cards being used for payments to EFT/ACH and P-cards. He also described the potential need for bonding for major projects.

#### **Conservation update**

Mr. Matt Olsen, Assistant General Manager, reported on the adoption of Water Efficiency Standards (WES) for new construction in the JWWCD's service area. He noted that the 2019 Conservation Plan Update identified widescale adoption of WES as a priority. Mr. Olsen also highlighted DWRe's ongoing efforts to promote WES adoption by offering additional turf rebate funds to cities that have implemented the standards. Consequently, many cities have taken the necessary steps to adopt these standards. Prior to 2023, Herriman City, South Jordan City, West Jordan City, JWWCD's retail system, Bluffdale City, and Kearns Metro Township had adopted WES through ordinances or policies. In 2022, West Valley City and Riverton City began the process, which has now been completed. West Valley City updated its ordinances on January 10, 2023, while Riverton City did so on February 21, 2023. Mr. Olsen acknowledged the considerable effort involved in adopting ordinances and amending codes. He expressed his gratitude to all Member Agencies, cities, and townships that have adopted WES, emphasizing the benefits of water conservation for current and future generations.

Mr. John Taylor arrived at 3:41 p.m.

### **Financial matters**

#### **Consider adoption of Resolution No. 23-10, "Tentatively Adopting JWWCD's tentative Budget, Financial Plan, and Water Rates for Fiscal Year 2023-2024"**

Mr. Martin presented the tentative budget, financial plan, and water rates for fiscal year 2023-2024. He said that prior to this meeting, two Finance Committee meetings were held where staff and the Board reviewed and discussed the tentative budget and water rates in detail.

The fiscal year 2023-2024 budget is based on 102,000 acre-feet of water deliveries, a 5.0% average water rate adjustment, and a property tax increase of approximately nine percent. The proposed operation and maintenance budget has a 7.5% increase over last year's budget. A merit

pay increase of 6.5% or step increase for employees below midpoint is proposed, with four new personnel positions included in the budget. He said \$5.7 million of the Revenue Stabilization Fund is budgeted to be used. The Conservation Programs budget increased by \$1.5 million which will be offset by funding grants. The proposed General Equipment budget is \$1,4 million, and the Net Capital Projects budget is \$61.2 million. Mr. Martin said the outcome of the proposed budget is a balanced approach using water rate increases, a property tax increase, and use of reserve funds. He said the current high inflation has influenced the budget for fiscal year 2023-2024. Mr. Martin reviewed the various departments' proposed operating and maintenance budgets.

Mr. Martin presented property tax historical data and said this year's certified tax rate is estimated to be 0.000345. He reviewed the tentative wholesale and retail water rates for fiscal year 2023-2024 and gave an overview of the rate study process. The base-extra capacity method is the cost-of-service method used to allocate costs and is designed to have a base component of all the costs that it takes to meet the average day demand. The extra day and extra hour costs are allocated to customers based on how the extra capacity portion of the JVVCD's system is being used. Mr. Martin said peaking factors for each Member Agency and for the retail system are measured each year at JVVCD's peak three-day period, which is different from year to year. As a Member Agency or the retail system changes its peaking factors, it also changes the allocation of those costs for all customers.

The proposed overall average water rate increase is 5.0%; however, a Member Agency or the retail system rate adjustment could be more or less, based on the extra capacity allocations. Some Member Agencies have a "pump zone" surcharge, which have been updated. The surcharge is due to the additional electrical power costs to pump water to a higher elevation zone. He shared the Block 2 and BCWTP water rates. He stated there is no change proposed to the meter base charge, the retail pricing tier thresholds, or the drought surcharges. Mr. Martin reviewed fees that have been updated.

Mr. Martin recommended adoption of Resolution No. 23-10, "Tentatively Adopting Jordan Valley Water Conservancy District's Tentative Budget, Financial Plan, and Water Rates for Fiscal Year 2023-2024."

Ms. Lang called for a motion on the recommendation. Ms. Sherrie Ohrn moved to adoption of Resolution No. 23-10, "Tentatively Adopting Jordan Valley Water Conservancy District's Tentative Budget, Financial Plan, and Water Rates for Fiscal Year 2023-2024." Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

Mr. Gibby – aye  
 Ms. Lang – aye  
 Ms. Ramsey – aye  
 Mr. Sudbury – aye  
 Ms. Townsend - aye

Mr. Jacob – aye  
 Ms. Ohrn – aye  
 Mr. Rushton – not present  
 Mr. Taylor – aye

**Consider setting public hearing date on May 10, 2023, at 6:00 p.m. for proposed fiscal year 2023-2024 budget and water rates**

Mr. Martin recommended setting a public hearing date on May 10, 2023, at 6:00 p.m. for proposed fiscal year 2023-2024 budget and water rates.

Ms. Lang called for a motion on the recommendation. Ms. Barbara Townsend moved to set a public hearing date on May 10, 2023, at 6:00 p.m. for proposed fiscal year 2023-2024 budget and water rates. Following a second by Mr. John Taylor, the motion was unanimously approved by those present as follows:

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|--------------------|---------------------------|
| Mr. Gibby – aye    | Mr. Jacob – aye           |
| Ms. Lang – aye     | Ms. Ohrn – aye            |
| Ms. Ramsey – aye   | Mr. Rushton – not present |
| Mr. Sudbury – aye  | Mr. Taylor – aye          |
| Ms. Townsend - aye |                           |

**Engineering Activities**

**Consider authorization to award a construction contract for 2023 Vault Improvement Project**

Mr. Jacob Young, Deputy General Manager, said this project is part of an ongoing effort to perform vault repair and replacement work on transmission system vaults in which equipment has reached the end of its serviceable life. Staff has identified several vaults that are suffering from age related advanced corrosion which requires replacement of the vault piping and valves. This project makes improvements to two existing vaults, abandons four vaults, and replaces one vault in the transmission system. Mr. Young recommended authorization to award a construction contract for the 2023 Vault Improvement Project to VanCon, Inc. in the amount of \$893,500.

Ms. Lang called for a motion on the recommendation. Mr. Mick Sudbury moved to authorize the award of a construction contract to VanCon, Inc. in the amount of \$893,500 for the 2023 Vault Improvement Project. Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

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|--------------------|---------------------------|
| Mr. Gibby – aye    | Mr. Jacob – aye           |
| Ms. Lang – aye     | Ms. Ohrn – aye            |
| Ms. Ramsey – aye   | Mr. Rushton – not present |
| Mr. Sudbury – aye  | Mr. Taylor – aye          |
| Ms. Townsend - aye |                           |

**Consider authorization to award a construction contract for 4670 South 1590 East Well Rehabilitation**

Mr. Young said the work for this project is on a well that is currently out of service for motor repairs. While it is out of service, this project will remove and inspect the pump and chemically and mechanically redevelop the well to improve well productivity. Mr. Young recommended authorization to award a construction contract for 4670 South 1590 East Well Rehabilitation to Widdison Well Services, LLC in the amount of \$289,700.

Ms. Lang called for a motion on the recommendation. Mr. John Taylor moved to authorize the award of a construction contract to Widdison Well Services, LLC in the amount of \$289,700 for 4670 South 1590 East Well Rehabilitation. Following a second by Mr. Mick Sudbury, the motion was unanimously approved by those present as follows:

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|--------------------|---------------------------|
| Mr. Gibby – aye    | Mr. Jacob – aye           |
| Ms. Lang – aye     | Ms. Ohrn – aye            |
| Ms. Ramsey – aye   | Mr. Rushton – not present |
| Mr. Sudbury – aye  | Mr. Taylor – aye          |
| Ms. Townsend - aye |                           |

**Consider authorization to award construction contracts for 3300 South Pipeline Replacement – Phase 2**

Mr. Young said Phase 1 of this project was awarded in August 2022 which included additional inspection of segments of pipe so staff could refine the design of Phase 2. This is a seventy year old pipeline that has been experiencing frequent breaks and requires replacement. Phase 2 consists of the installation of a 12-inch pipeline along 3300 South from 500 West to State Street in a heavy traffic area. This project was put out to bid in February 2023, but no bids were received. It was decided to put the project out to bid with three schedules which broadened the pool of contractors that could bid on the project.

Mr. Young recommended authorization to award construction contracts for 3300 South Pipeline Replacement – Phase 2 Schedule A to VanCon, Inc. in the amount of \$1,765,300 and Schedules B and C to Beck Construction in the amount of \$6,914,355.

Ms. Lang called for a motion on the recommendation. Mr. Reed Gibby moved to authorize award of construction contracts for 3300 South Pipeline Replacement – Phase 2 Schedule A to VanCon, Inc. in the amount of \$1,765,300 and Schedules B and C to Beck construction in the amount of \$6,914,355. Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

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|--------------------|---------------------------|
| Mr. Gibby – aye    | Mr. Jacob – aye           |
| Ms. Lang – aye     | Ms. Ohrn – aye            |
| Ms. Ramsey – aye   | Mr. Rushton – not present |
| Mr. Sudbury – aye  | Mr. Taylor – aye          |
| Ms. Townsend - aye |                           |

**Reporting Items**

Mr. Mark Stratford, General Counsel, reported that JVVCD is in compliance with all legal requirements and internal District practices. Mr. Packard reviewed the routine reporting items which included: facilities rental agreements signed by the General Manager, easement encroachment agreements signed by the General Manager, lease agreements signed by the General Manager, performance indicators for February 2023, and media coverage. Mr. Shane Swensen, Engineering Department Manager, gave final project completion reports on the 2022 Vault Improvement Projects and the Point of the Mountain Actuator Replacements Project.

**Upcoming meetings**

Ms. Lang reviewed the upcoming meetings including the Conservation Committee meeting, Monday, May 8 at 3:00 p.m.; Executive Committee Tour, Monday, May 8 at 3:00 p.m.; and Public Hearing, Wednesday, May 10 at 6:00 p.m. Ms. Lang recommended cancelling the Conservation Committee meeting scheduled for May 8, 2023. Mr. Mick Sudbury moved to cancel the May Conservation Committee meeting. Following a second by Ms. Sherrie Ohrn, the motion was unanimously approved by those present as follows:

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|--------------------|---------------------------|
| Mr. Gibby – aye    | Mr. Jacob – aye           |
| Ms. Lang – aye     | Ms. Ohrn – aye            |
| Ms. Ramsey – aye   | Mr. Rushton – not present |
| Mr. Sudbury – aye  | Mr. Taylor – aye          |
| Ms. Townsend - aye |                           |

**Closed meeting**

Ms. Lang proposed to convene a closed meeting at 4:21 p.m. to discuss pending litigation. Ms. Sherrie Ohrn moved to go into closed session for the discussion. Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

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|--------------------|---------------------------|
| Mr. Gibby – aye    | Mr. Jacob – aye           |
| Ms. Lang – aye     | Ms. Ohrn – aye            |
| Ms. Ramsey – aye   | Mr. Rushton – not present |
| Mr. Sudbury – aye  | Mr. Taylor – aye          |
| Ms. Townsend - aye |                           |

The closed meeting convened at 4:28 p.m. with the following Trustees present: Mr. Reed Gibby, Mr. Zach Jacob, Ms. Karen Lang, Ms. Sherrie Ohrn, Mr. Mick Sudbury, Mr. John Taylor, and Ms. Barbara Townsend. Also present were: Alan Packard, General Manager; Jacob Young, Deputy General Manager; Mark Stratford, General Counsel; Matt Olsen, Assistant General Manager; Shazelle Terry, Assistant General Manager; Dave Martin, Chief Financial Officer; Beverly Parry, Executive Assistant; Shane Swensen, Chief Engineer and Engineering Department Manager; and Travis Christensen, Senior Engineer-Property.

No votes or actions were taken during the closed meeting.

**Open meeting**

**Adjourn**

The open meeting was reconvened at 5:01 p.m. Ms. Lang called for a motion to adjourn. Mr. Zach Jacob moved to adjourn. Following a second by Mr. Mick Sudbury, the meeting adjourned at 5:02 p.m.

  
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 Corey L. Rushton, Chair of the Board of Trustees

  
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 Alan E. Packard, District Clerk