

MONDAY, MAY 20, 2019

Minutes of the 834th meeting of the Metropolitan Water District of Salt Lake & Sandy

The Board Meeting of the Metropolitan Water District of Salt Lake & Sandy on Monday, May 20, 2019 began at 5:00 p.m. in the District's Board Room located at 3430 East Danish Road, Cottonwood Heights, Utah 84093.

The following trustees were present:

Tom Godfrey	-Chair
Donald Y. Milne	-Vice Chair
Patricia Comarell	-Secretary
Cindy Cromer	-Trustee
John H. Mabey, Jr.	-Trustee
John S. Kirkham	-Trustee

Excused:

Joan Degiorgio	-Trustee
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Also present:

Mike DeVries, General Manager
Wayne Winsor, Assistant General Manager/Engineering & Maintenance Manager
Matt Tietje, Operations Manager
Ryan Nicholes, Information Services Manager
Cláudia Bauleth, Laboratory Manager
Sonya Shepherd, HR Program Manager
Josh Croft, Accountant
Shawn Draney, Snow Christensen & Martineau
Arthur Hunter
Jesse Stewart, Salt Lake City Public Utilities
Keith Denos, Provo River Water Users Association
Chris Finlinson, Central Utah Water Conservancy District
Jacob Young, Brown and Caldwell
Korey Walsh, Stantec
Randy Zollinger, Jacobs Engineering
Justin Bodily

Work Session Agenda

1. Closed session
 - a. Character, competence, or health of an individual
 - b. Pending or reasonably imminent litigation
2. Energy Management Plan

Board Meeting Agenda

1. Call to order
2. Public comment
3. Consider approval of resolution of appreciation for Arthur D. Hunter
4. Engineering Committee report
 - a. Consider appeal of Justin Bodily
 - b. Consider appeal of MCI metro
 - c. Consider approval of agreement with Provo River Water Users Association regarding Deer Creek Dam site operations
 - d. Reporting items
5. Discuss board committee assignments
6. Consider approval of Board Meeting minutes dated April 15, 2019
7. Consider acceptance of financial reports
8. Reporting/Scheduling items
9. Other business
10. Items to be discussed at future meetings
11. Adjourn

Public Hearing Agenda

1. Call to order
2. Presentation of Fiscal Year 2020 Tentative Budget
3. Report on budget presentation to Salt Lake City Council (May 14) and preparation for presentation to Sandy City Council (June 4)
4. Public comment
5. Adjourn

Work Session

Closed Session

Mr. Draney deemed it appropriate to go into closed session to discuss the character, competence, or health of an individual; and to discuss pending or reasonably imminent litigation. Mr. Mabey motioned to go into closed session; Ms. Cromer seconded the motion and it carried unanimously. All board members, minus Ms. Degiorgio, were present to discuss the character, competence, or health of an individual. Staff were excused. The following staff were present to discuss pending or reasonably imminent litigation: Mr. DeVries, Mr. Winsor, Ms. Shepherd, and Mr. Draney.

Mr. Kirkham motioned to go out of closed session; Mr. Milne seconded the motion and it carried unanimously.

Energy Management Plan

This agenda item will be discussed at a future board meeting.

Board Meeting

Call to order

At 5:03 p.m. the Chair called the meeting to order and welcomed board members, staff and guests. Ms. Degiorgio was excused.

Public comment

The Chair invited public comments and no comments were made.

Consider approval of resolution of appreciation for Arthur D. Hunter

Mr. Milne read the resolution of appreciation for Mr. Hunter. Mr. Godfrey presented a framed copy of the resolution to Mr. Hunter. He expressed appreciation to the board for their support.

Mr. Milne motioned to approve the resolution of appreciation for Arthur D. Hunter; Ms. Comarell seconded the motion and the motion carried unanimously.

Engineering Committee report

Mr. Godfrey reviewed the appealed process with the board, staff and guests.

Consider appeal of Justin Bodily

Justin Bodily

Location: 3298 East Antler Way, Cottonwood Heights

Station: 1874+34

Corridor: Easement (Tract 434, 435)

Mr. Winsor provided a staff review of the Bodily appeal. The Engineering Committee discussed the appeal during the April 30, 2019 committee meeting and recommended approval of Option 2 by the full board. The committee noted the concrete is directly above the aqueduct, adding time and cost for either scheduled or emergency work on the facility. Mr. Bodily was given an opportunity to address the board and share his concerns regarding the concrete.

Ms. Comarell motioned to approve Option 2: Deny the variance request. The concrete pad, sheds, and trees should be removed within one year. Require removal of the play equipment immediately. Uses consistent with policy may remain by agreement; Mr. Mabey seconded the motion and it carried unanimously.

Consider appeal of MCImetro

MCImetro

Location: Danish Road, Cottonwood Heights

Corridor: Easement and Fee (Tract 421, LCWTP, Creek Road turnout)

Mr. Winsor provided a staff review on the MCImetro appeal. The District received notice of a new communication fiber along Danish Road from Creek Road to the Verizon tower on the Little Cottonwood Water Treatment Plant (LCWTP) site. The Policies and Procedures (P&P) requires non-regulated utilities to comply with District regulations. At issue is P&P 16-7(7), which states in part “parallel utilities are not allowed within Aqueduct Corridors” and P&P 16-3(4) which excludes the LCWTP site from the SLA Corridor.

Staff recommends an administrative licensing fee, but no land use fees for the fiber across District-owned property (LCWTP) because the fiber is aerial on existing poles and the fiber is necessary for and for the sole use of the existing Verizon equipment, for which a lease already exists. The Engineering Committee discussed the MCImetro appeal on April 30, 2019 and tentatively recommended Option 1, with the understanding that any added cost to the District’s exercise of its property rights related to the fiber conduits is the responsibility of MCImetro. The recommendation was also based on the assumptions that MCImetro is a subsidiary of Verizon and the fiber conduits are for the sole use of Verizon.

Mr. Milne motioned to approve Option 1: Grant a variance to permit the fiber conduits to parallel the SLA as designed, and for fiber to be collocated on power poles as designed; Ms. Cromer seconded the motion. The motion carried unanimously.

Consider approval of agreement with Provo River Water Users Association regarding Deer Creek Dam site operations

Mr. DeVries provided a report on the agreement. The Provo River Water Users Association (Association) and the District wish to document their understanding regarding the ownership of facilities within the Primary Jurisdiction Area (PJA) and the operation activities. This includes the sharing of costs incurred by the Association for their activities within the PJA which Bureau of Reclamation is not obligated to reimburse. The Engineering Committee discussed the Deer Creek Operating Agreement on April 30, 2019 and recommended approval by the full board.

Mr. Kirkham motioned to approve the agreement with Provo River Water Users Association regarding Deer Creek Dam site operations and authorize the General Manager to sign the Deer Creek Operating Agreement, either in its current format or with minor changes as considered in the District’s best interest by the General Manager and legal counsel; Mr. Milne seconded the motion and the motion carried unanimously.

Discuss board committee assignments

With Mr. Hunter’s departure from the board, there is an opening on the Finance Committee and the Management Advisory Committee. The committee assignments will be approved during the June board meeting. Ms. Comarell has expressed interest in serving on the Management Advisory Committee and Mr. Kirkham has agreed to serve as Chair of the Finance Committee.

Consider approval of Board Meeting minutes dated April 15, 2019

Ms. Cromer motioned to approve the Board Meeting minutes dated April 15, 2019, with correction noted; Mr. Milne seconded the motion and it carried unanimously.

Consider acceptance of financial reports

Mr. Kirkham motioned to accept the March 2019 financial reports; Mr. Milne seconded the motion. The motion carried unanimously.

Reporting/Scheduling items

Mr. Winsor discussed the District's Open House scheduled for June 5, 2019 at Terminal Reservoir. Mr. Tietje provided an update on the water supply. Compared to last year, demand has been lower due to cooler temperatures. Mr. DeVries distributed the 2018 Annual Report to the board members.

Other business

No other business was discussed.

Adjourn

At 5:48 p.m. the board meeting adjourned.

Public Hearing

Call to order

At 6:01 p.m. the Chair called the public hearing to order.

Presentation of Fiscal Year 2020 Tentative Budget

Mr. DeVries made a presentation on the Fiscal Year 2020 tentative budget. He reviewed the budget process which began in December 2018. Mr. DeVries reviewed the sources and uses of funds. The budget reflects a three percent water rate increase to non-member entities. The budget maintains current tax revenues. Mr. DeVries highlighted the key Operations and Maintenance expenses.

Report on budget presentation to Salt Lake City Council (May 14) and preparation for presentation to Sandy City Council (June 4)

Mr. DeVries shared with the board a summary of the presentation to Salt Lake City Council and the council's questions and District responses. The District is scheduled to present to the Sandy City Council on June 4, 2019.

Public comment

The Chair invited public comments and no comments were made.

Adjourn

The Chair closed the public hearing. At 6:17 p.m., the public hearing adjourned.

Tom Godfrey, Chair

Patricia Comarell, Secretary

unapproved