

**MINUTES OF A REGULAR MEETING OF THE WEBER BASIN WATER
CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD THURSDAY,
FEBRUARY 2, 2023, 4:10 P.M., AT DISTRICT HEADQUARTERS**

Present:

Chairman Marlin K. Jensen
Trustee Mark D. Anderson
Trustee Jared Andersen
Trustee Kym O. Buttschardt
Trustee Scott K. Jenkins
Trustee Angie Osguthorpe
Trustee Christopher F. Robinson
Trustee Paul C. Summers
Trustee Randy B. Elliott

Scott W. Paxman, General Manager/CEO
Mike Malmborg, Legal Counsel
Jody Williams, Legal Counsel

Brittney Bateman, Financial Analyst
Calysta Bravo, Finance Manager
Stephen Dellermann, Electrical Engineer
Suzy Eppens, Contracts Administrator
Greg Pierce, Mgr. of Strategic Initiatives
Vincent Hamilton, Engineer
Darren Hess, Assistant General Manager
Josh Hogge, Mgr. of M&I
Derek Johnson, Mgr. of Engineering
Brad Nelson, Assistant General Manager
Riley Olsen, Mgr. of Water Supply & Power
Jon Parry, Assistant General Manager
Kendall Searle, Mgr. of Administration
Sam Sorensen, Mgr. of Maintenance

Grant Doty, Bureau of Reclamation
David Robertson, Lewis & Young
Trevor Datwyler, AE2S
Will Peterson, AECOM
Rick Smith, Davis & Weber Counties Canal Company

**I
INTRODUCTION OF NEW EMPLOYEES
STEPHEN DELLERMANN & VINCENT HAMILTON**

Chairman Jensen invited Gen. Mgr. Paxman to introduce two new employees to the District. Gen. Mgr. Paxman invited Steve and Vince to stand. He continued by way of introducing Stephen Dellermann who was hired as our new Electrical Engineer. Gen. Mgr. Paxman explained Steve has decades of experience and he will be studying under Mike Midgley for the next year to step into his shoes when Mike retires. He said Steve has worked with the District before on many major electrical installations and he is a wealth of knowledge. Gen. Mgr. Paxman then introduced Vincent Hamilton who came to the District from WesTech Engineering. He continued by stating Vince also has decades of experience and was hired as a staff engineer and he will jump right in working on the Weber West Water Treatment Plant. Chairman Jensen thanked the gentlemen for joining the District as it is a competitive job market for engineers these days.

**II
CONSIDERATION OF APPROVAL OF MINUTES FOR REGULAR BOARD
MEETING AND HEARING ON PETITIONS FOR WATER
CONTRACTS HELD DECEMBER 1, 2022 AND
ORIENTATION MEETING HELD NOVEMBER 14 & 28, 2022**

Chairman Jensen presented the minutes of the regular board meeting and hearing on petitions for water contracts held December 1, 2022, orientation meeting held November 14, 2022, and orientation meeting held November 28, 2022, for review and approval. There were no additions or corrections.

Motions was made by Trustee Buttschardt, seconded by Trustee Jenkins and the motion carried with a unanimous vote, approving the minutes as presented.

**III
CONSIDERATION OF APPROVAL OF DECEMBER 2022 FINANCIAL REPORT AND
UPDATE DISTRICT’S VARIOUS REPRESENTATION**

Finance Chair, Trustee Buttschardt invited Mgr. Bravo to present the financial report. Mgr. Bravo presented the second quarter end report. She then presented the year-to-date actual budget verses the fiscal year. Mgr. Bravo stated December is a big month for revenue as our large contracts get paid at this time. She also made mention that the District is on track and looking great to meet our annual water sales budget. Mgr. Bravo pointed out the District has several bond payments this quarter and large capital projects. She stated the board will see a drought response bill coming in February and will be seen in the operation expenses category for water purchased from Central Utah Water Conservancy District.

Trustee Buttschardt motioned for approval of the December 2022 financial report, and Trustee Summers seconded, with the motion passing unanimously.

Mgr. Bravo then presented the various agency representatives of the District and stated these positions need to be updated due to retirements and changes in personnel, and certain agencies require board approval for changes of authorized representatives.

Mgr. Bravo stated the Public Treasurer’s Investment Fund (PTIF) needs authorized individuals to access, add, delete, and transact with District accounts, and staff recommends General Manager Scott Paxman, Finance Manager Calysta Bravo, and Financial Analyst Brittney Bateman to serve the District in this capacity.

Next, Mgr. Bravo said the Zions Public Trust needs authorized individuals to act on behalf of the District to sign forms and certifications, request reimbursements, and execute transactions for bond trust accounts, and staff recommends General Manager Scott Paxman, Finance Manager Calysta Bravo, and Financial Analyst Brittney Bateman to serve the District in this capacity.

Mgr. Bravo stated the Utah Association of Special Districts (UASD) is the last entity needing updated District representatives. These individuals will serve on the Board of Representatives and vote on business items at the annual meeting. District staff recommends General Manager Scott Paxman and Assistant General Manager Jon Parry to serve in this capacity.

Motion was made by Trustee M. Anderson, seconded by Trustee J. Andersen, and carried with all in favor to appoint the aforementioned individuals as representatives of the District for the respective agencies and adopting the following resolution.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District the appointment of Gen. Mgr. Paxman, Finance Mgr. Bravo, and Financial Analyst Bateman to represent the District for the Public Treasurer’s Investment Fund and Zions Public Trust, and the appointment of Gen. Mgr. Paxman and AGM Parry to represent the District for Utah Association of Special Districts, on the terms and conditions presented to and considered at this meeting.

**IV
CONSIDERATION OF APPROVAL OF CONTRACTS FOR TREATED WATER**

Mgr. Searle presented the following treated water contract for approval:

A. DAVIS COUNTY

- 1) Syracuse City.....350.00 a.f. NEW
Syracuse City Culinary System

Trustee M. Anderson asked if the city knew of the upcoming rate changes and if that encouraged them to contract. Gen. Mgr. Paxman stated that the District has been in discussions with them for the past year about the city needing more water, but this certainly encouraged them to act within the time frame.

Motion was made by Trustee Robinson, seconded by Trustee Jenkins and the vote was unanimous to approve the treated water contract with Syracuse City and adopt the following resolution.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District the treated water contract with Syracuse City, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

- 1) Syracuse City.....350.00 a.f. NEW

**V
CONSIDERATION OF APPROVAL OF CONTRACTS FOR UNTREATED WATER**

Mgr. Searle presented the following untreated water contracts for approval:

A. DAVIS COUNTY

- 1) Syracuse City..... 227.3 a.f. NEW
Syracuse City Secondary System

B. MORGAN COUNTY

- 2) Cottonwood Mutual Water Company..... 0.65 a.f. NEW
Morgan
- 3) Ponderosa HOA.....11.25 a.f. NEW
Morgan

C. WEBER COUNTY

- 4) Weber-Box Elder Conservation District..... 2.52 a.f. NEW
Syracuse City Culinary System

Trustee Robinson asked if Syracuse City will restrict the use of this water. Gen. Mgr. Paxman answered that our secondary standards will restrict the uses and Syracuse City will follow our standards.

Trustee Buttschardt asked for clarification on how we contract in the West Haven service area. Mgr. Searle explained the contracts must be backed by shares that are turned over to the District prior to the execution of the contract, meaning the customer brings the water with them to cover the contracted amount. Gen. Mgr. Paxman stated when the District was asked to take over the

West Haven secondary irrigation system, part of the negotiation was that the District would require shares to be turned over.

Additional discussion continued regarding standards in the Wasatch Front and the coming of District 4 water.

After discussion ceased, motion was made by Trustee Robinson, seconded by Trustee Jenkins and the motion passed unanimously to approve the water contracts with Syracuse City, Cottonwood Mutual Water Company, Ponderosa HOA, and Weber-Box Elder Conservation District and adopting the following resolution.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District water contracts with Syracuse City, Cottonwood Mutual Water Company, Ponderosa HOA, and Weber-Box Elder Conservation District, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

- 1) Syracuse City..... 227.3 a.f. NEW
- 2) Cottonwood Mutual Water Company..... 0.65 a.f. NEW
- 3) Ponderosa HOA.....11.25 a.f. NEW
- 4) Weber-Box Elder Conservation District..... 2.52 a.f. NEW

VI

CONSIDERATION OF APPROVAL OF ASSIGNMENTS OF WATER CONTRACTS

Mgr. Searle presented the following assignments of water:

A. SUMMIT COUNTY

- 1) Wanship Cottage Water Company
to Wanship Water Company..... 10.0 a.f. Proj.

Motion was made by Trustee Robinson, seconded by Trustee Jenkins and passed unanimously, approving the assignment outlined above and adopting the following resolution.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the President and the Secretary of said District be and they are hereby authorized and empowered to execute on behalf of said District a 10.0 a.f. assignment between Wanship Cottage Water Company to Wanship Water Company, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

VII

CONSIDERATION OF APPROVAL OF CANCELLATIONS OF WATER CONTRACTS

Mgr. Searle presented the following cancellations of water:

A. DAVIS COUNTY

- 1) Central Davis Sewer District..... 0.3 a.f. Proj.
Farmington
- 2) Central Davis Sewer District..... 0.1 a.f. Dist. 2
Farmington

B. SUMMIT COUNTY

- 3) Aspen Mountain Property Owners..... 93.0 a.f. Proj.
2.5 Miles NW of Smith & Morehouse

C. WEBER COUNTY

- 4) Michael & Angel Park.....1.0 a.f. Dist. 3

Motion was made by Trustee Robinson, seconded by Trustee Summers and passed unanimously, approving the cancellations outlined above and adopting the following resolution.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District cancellation petitions for the following, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

- 1) Central Davis Sewer District..... 0.3 a.f. Proj.
- 2) Central Davis Sewer District..... 0.1 a.f. Dist. 2
- 3) Aspen Mountain Property Owners..... 93.0 a.f. Proj.
- 4) Michael & Angel Park..... 1.0 a.f. Dist. 3

VIII

CONSIDERATION OF APPROVAL OF WATER SUPPLY AGREEMENT WITH RIVERDALE CITY

Mgr. Searle presented the water supply agreement with Riverdale City. He stated this is a capital charge contract, and we currently have five entities contracted this way. He explained these entities pay quarterly for the capital charge portion that they need for new growth and development, then we bill annually on the contracted volume of water.

Mgr. Searle stated Riverdale City is looking at new growth and would like to enter into this agreement with the District to serve these developments. Gen. Mgr. Paxman stated that we have a capital charge agreement that allows the cities to charge an impact fee to their residents, which in turn the city uses to pay for the capital charge component, from then on they are only being charged the O&M portion of the payment. He said these have been good contracts, and with the District 4 rate, we will see this option become more popular. He concluded by stating these are contracts for us to deliver treated water to the cities. Mgr. Searle stated this is good because the city contracts for what they need and not large chunks of water for future development.

Legal Counsel Malmborg stated that the burden to abide by any impact fee laws is on the city and they agree to comply.

Motion to approve was made by Trustee Jenkins, seconded by Trustee Elliott, and passed without protest granting approval to execute the agreement with Riverdale City.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District a water supply agreement with Riverdale City, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

**IX
WATER SUPPLY REPORT**

Chairman Jensen invited Mgr. Olsen to present. Mgr. Olsen presented the following reservoir content data:

<u>RESERVOIR</u>	<u>TOTAL CAPACITY</u>	<u>DISTRICT CAPACITY</u>	<u>ACCRUED TO DIST TO DATE</u>	<u>% OF DIST CAPACITY</u>	<u>HISTORICAL RESERVOIR CONT.</u>	
					<u>AS OF 1/24/22</u>	<u>AS OF 1/25/21</u>
CAUSEY	7,870	6,870	3,848	56%	4,015	3,710
E CANYON	51,200	20,110	6,506	32	24,970	29,210
ECHO	73,940	6,422	15,717	245	22,800	23,460
LOST CRK	22,510	20,010	7,060	35	7,120	12,080
PINEVIEW	110,150	66,228	19,673	30	25,980	52,200
SMITH-M	8,351	6,560	3,536	54	3,727	1,782
WANSHIP	62,120	60,000	43,140	72	43,140	31,720
WILLARD	<u>247,302</u>	<u>222,273</u>	<u>81,141</u>	<u>37</u>	<u>81,141</u>	<u>136,340</u>
TOTAL	583,443	408,473	180,621	44%	198,714	290,502

Percent of District upstream storage is 53%.

Mgr. Olsen presented slides showing the Ogden River and Weber River storage. He also discussed the District’s storage allocation, soil moisture levels, precipitation, weather outlooks, and drought monitor. He stated that we have started releasing from Echo in preparation for runoff projects which is why that storage has gone down from last meeting. Mgr. Olsen stated that Willard is gaining storage by catching the releases from Echo.

Mgr. Olsen continued by stating on the Ogden side we are steadily gaining due to purchases from the power company. The District picked up the option to purchase, at \$2.00 per acre-foot, water from the power company to keep it stored in Pineview. If we are confident that Pineview will fill, the District has the option to release the water to the power company. He said it is a good insurance policy to have.

Discussion continued on the Great Salt Lake, flooding concerns, and the anticipation of filling all District reservoirs.

**X
CONSIDERATION OF APPROVAL OF CONSULTANT SELECTION FOR WEBER
WEST WATER TREATMENT PLANT PLANNING AND PILOT PROGRAM**

Chairman Jensen invited AGM Nelson to present. AGM Nelson said when Trustee M. Anderson was his boss, he said we needed a treatment plant going West, and now here it is as a reality. AGM Nelson said the most recent comprehensive study was completed in 2008 and the projected capacity needed for the Weber South and Davis North service area was about 20MGD, but actual growth and demand have not been realized at the rate the study predicted. AGM Nelson stated several locations were considered and West Haven was selected as the best possible option. Jordan Valley Conservancy District has purchased property in West Haven for the Bear River Project, and they have agreed to let us have our treatment plant at this location.

Trustee Robinson asked what the long term plan would be for our District having a treatment plant on land owned by another District. Gen. Mgr. Paxman stated there would be a subsequent agreement if we decide to go forward with the site.

Trustee Jenkins asked where the water would come from for this treatment plant, and AGM Nelson replied the water will come from Willard Bay and it will be difficult to treat.

AGM Nelson said the District requested qualifications for Professional Services and some big names teamed up. He said all teams submitted great proposals, and the highest qualified firm was selected, and negotiations took place for a price with the Carollo/ Jacobs team.

Gen. Mgr. Paxman stated the pilot project is a mini plant to treat and test the water to see if this is feasible on a large scale. He said the pilot project must be 6-12 months, must be manned, and it will be quite the process.

AGM Nelson stated District staff recommends approval to award the contract to conduct planning and piloting of the Weber West Water Treatment Plant to the Carollo/ Jacobs team, with a price not to exceed \$2,407,300.00. AGM Nelson stated negotiations took place for the District to use our own staff to operate the pilot plant and there may be a cost savings benefit should the District decide to go this route.

Trustee M. Anderson asked about the timeline of the project. AGM Nelson stated for the pilot project could run possibly up to two years as predictions were around 12,000-13,000 hours.

A motion was made by Trustee Summers, seconded by Trustee M. Anderson with the comment that these steps are very essential to take and he is in complete agreement, and all were in favor to award the contract to the Carollo/ Jacobs team.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District, to award Carollo and Jacobs, as a team, a contract not to exceed \$2,407,300.00 to conduct the planning and piloting for the future Weber West Water Treatment Plant, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

XI

CONSIDERATION OF APPROVAL OF THE RITTER DRIVE 30” CULINARY PIPELINE REPLACEMENT PROJECT

AGM Nelson presented the Ritter Drive project located in an area commonly known as 5 points. He said the city desires to build a round-a-bout and have a four-way intersection on Ritter Drive in Riverdale. AGM Nelson said the District would like to get in beforehand and replace a culinary line and will complete the work in house as the bid out price was hefty. Mgr. Sorensen has bid out all items needed to complete the project with an estimated cost of \$275,000.00. AGM Nelson said the District will save on cost for asphalt and road base as the city will partner to complete the road in conjunction with their project.

Trustee Summers motioned for approval to proceed with procurement of the goods and services for the District culinary line replacement in Ritter Drive, and the motion was seconded by Trustee Robinson. The vote passed unanimously.

XII

CONSIDERATION OF APPROVAL OF WASATCH FRONT WATER EFFICIENCY STANDARDS

AGM Parry quickly reviewed the extensive discussions that took place in previous meetings and asked for board approval to include in District 4 water sales contracts water efficiency standards approved from time to time by District staff that meet regional and District conservation goals.

Trustee Robinson motioned, seconded by Trustee Buttschardt and the vote was unanimous, approving the water efficiency standards inclusion in District 4 contracts.

XIII

CONSIDERATION OF APPROVAL OF A RESOLUTION REGARDING THE UAMPS CARBON FREE POWER PROJECT (CFPP)

AGM Hess gave a review of the previously presented UAMPS Carbon Free Power Project (CFPP) and the District’s current involvement. He stated the District is asking the board to approve a resolution to continue our entitlement share for 2MW for Phase 1B of the licensing period under the CFPP.

Legal Counsel Malmborg asked if any cities have dropped out at this stage. AGM Hess replied Morgan City, which has a very small portion, pulled out recently but most large contracts are choosing to stay at this time. Trustee M. Anderson asked about the time frame of the CFPP. AGM Hess stated they have done all the studies and are currently working toward a Class 2 cost estimate. He stated the cost estimate was \$58/MWh and now is \$89/MWh. Trustee Robinson stated he will trust our recommendation, but there seems to be quite a bit of work that needs to happen and they need to hold the price point at \$89/MWh.

Trustee Robinson motioned, Trustee Summers seconded, and all unanimously voted to approve a resolution to continue our entitlement share for 2MWh for Phase 1B of the licensing period under the Carbon Free Power Project Power Sales Contract.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District approval to continue District entitlement share of 2MWh for Phase 1B of the licensing period under the Carbon Free Power Project Power Sales Contract, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

**XIV
GENERAL MANAGER'S REPORT**

Gen. Mgr. Paxman stated the Utah Water Users Conference is fast approaching and will take place March 20-22 in St. George. He said the District has registered and reserved hotel rooms for the Trustees that who have requested their attendance.

Gen. Mgr. Paxman noted the many bills in the general legislative season regarding water. He said within the last 24 hours he had made four trips to the capital to discuss the many, many bills. Gen. Mgr. Paxman said there are some good bills out there, but a few that are not great and discussions continue in hopes to improve the outcome of the legislative season. He concluded by stating that more information will be coming in the very near future and he will send a summary of the current bills the District is tracking within the next few weeks.

**XV
ADJOURNMENT**

There being no further business for discussion, meeting adjourned at 5:30 p.m.

Respectfully submitted,



Scott W. Paxman, General Manager/ CEO