

**WEBER BASIN WATER CONSERVANCY DISTRICT
BOARD OF TRUSTEES MEETING
THURSDAY, SEPTEMBER 28, 2023, 9:00 A.M.
DISTRICT HEADQUARTERS**

- 1) Welcome & Pledge of AllegianceChairman Jensen
- 2) Introduction of New Employees-
Kevin Ramos.....Gen Mgr. Paxman
- 3) Consideration of Approval of Minutes for Regular Board Meeting and
Hearing on Petitions for Water Contracts held August 31, 2023,
and Truth in Taxation hearing held August 28, 2023Chairman Jensen
- 4) Consideration of Approval of August
2023 Financial ReportTrustee Buttschardt
- 5) Consideration of Approval of Interlocal Agreement
with Redevelopment Agency of Syracuse City.....and Mgr. Bravo
Gen. Mgr. Paxman
- 6) Consideration of Approval of Petitions for Water Contracts,
Transfers of Water, and Water Cancellations Mgr. Searle

A. SUMMIT COUNTY:

Petitions for New Water

- 1) Douglas & Meryll Prawitt 0.65 a.f. Dist. 4
5 miles west of Wanship (SS-142-D)
- 2) Jonathan Smoot Family Cabin LLC 0.65 a.f. Dist. 4
6 miles east of Smith & Morehouse (AA-A-17)
- 3) Jonathan Smoot Family Cabin LLC 0.65 a.f. Dist. 4
6 miles east of Smith & Morehouse (AA-A-18)

B. WEBER COUNTY:

Petitions for New Water

- 1) Green Farm 2 Community LLC0.65 a.f. other
West Haven (08-675-0045)
- 7) Water Supply ReportMgr. Olsen
- 8) Consideration of Approval of Interlocal Agreement with
Park City for Turf Removal Incentive Program and AGM Parry
Gen. Mgr. Paxman
- 9) Consideration of Approval of General Manager Paxman
to Continue Serving on UASD BoardGen. Mgr. Paxman
- 10) General Manager’s ReportGen. Mgr. Paxman
- 11) Other Business

**MINUTES OF A REGULAR MEETING OF THE WEBER BASIN WATER
CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD
THURSDAY, SEPTEMBER 28, 2023, 9:00 A.M., AT DISTRICT HEADQUARTERS**

Present:

Chairman, Marlin K. Jensen
Trustee Mark D. Anderson
Trustee Scott K. Jenkins
Trustee Angie Osguthorpe
Trustee Christopher F. Robinson
Trustee Paul C. Summers
Scott W. Paxman, General Manager/CEO

Excused:

Trustee Jared Andersen
Trustee Kym O. Buttschardt
Trustee Randy B. Elliott
Jody Williams, Legal Counsel

Mike Malmborg, Legal Counsel

Brittney Bateman, Fin. Analyst
Calysta Bravo, Fin. Manager
Suzy Eppens, Contracts Administrator
Darren Hess, Assistant General Manager
Josh Hogge, Mgr. of M&I
Shane McFarland, Mgr. of Engineering
Brad Nelson, Assistant General Manager
Riley Olsen, Mgr. of Water Supply & Power
Greg Pierce, Mgr. of Strategic Initiatives
Jon Parry, Assistant General Manager
Kevin Ramos, GIS Specialist
Kendall Searle, Mgr. of Administration
Samuel Sorensen, Mgr. of Maintenance
Kathy Wood, Mgr. of Human Resources

Noah Steele, Syracuse City CED Director
Dave Maughan, Syracuse City Mayor

I

WELCOME & PLEDGE OF ALLEGIANCE

Chairman Jensen welcomed all in attendance and led the group as they recited the Pledge of Allegiance.

II

INTRODUCTION OF NEW EMPLOYEE – KEVIN RAMOS

Gen. Mgr. Paxman introduced Kevin Ramos and explained he is our new GIS Specialist recruit in the Strategic Initiatives Department. Gen. Mgr. Paxman said Kevin is currently attending the University of Utah and will graduate this December. Gen. Mgr. Paxman stated Kevin has had several GIS positions previously and we are very excited to welcome him to the District.

III

CONSIDERATION OF APPROVAL OF MINUTES

Chairman Jensen presented the minutes of the regular board meeting and hearings on petitions held August 31, 2023 and minutes of the truth in taxation hearing held August 28, 2023 for review and approval. There were no additions or corrections.

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

**IV
CONSIDERATION OF APPROVAL OF AUGUST
2023 FINANCIAL REPORT**

Chairman Jensen invited Mgr. Bravo to present the August 2023 financial report. Mgr. Bravo reviewed the O&M report and the sources and uses statement. She said many of these expenses will be accrued back to the fiscal year 2023 expenses so those numbers may seem off, but the year-to-date numbers accurately reflect our position. Mgr. Bravo stated the actual versus the year-to-date budget is right on track with the exception of the capital portion which was pulled back into the previous fiscal year.

Mgr. Bravo displayed various slides showing charts and graphs providing additional information on revenue, expenses, reserves, etc. Questions from the Board were then answered.

Trustee Summers stated it is an interesting time to see financials. He asked about the increase in secondary water sales and M&I water sales. Mgr. Bravo stated the way we bill certain contracts makes this difference. She stated we do have certain larger contracts that pay on a monthly basis and at this time of year we would only see those monthly contracts as revenue.

There being no further questions from the board, Chairman Jensen entertained a motion for approval of the August 2023 financial report. Trustee Summers motioned for approval, seconded by Trustee M. Anderson, and the vote was unanimous approving the August 2023 financial report as presented.

**V
CONSIDERATION OF APPROVAL OF INTERLOCAL AGREEMENT WITH
REDEVELOPMENT AGENCY OF SYRACUSE CITY**

Mgr. Bravo continued to the next agenda item and began presenting the interlocal agreement with the Redevelopment Agency of Syracuse City. She showed a map of the site to be developed and shared that there are 268 developable acres within the 338 acre project area. Mgr. Bravo said this will be an industrial/business park development with significant economic activity, job creation, and infrastructure improvements.

Mgr. Bravo presented the many financial partners of this project such as UDOT, Boyer, Davis County, the LDS Church, Syracuse City, and future developers.

Mgr. Bravo stated a large motivator of this project is the need for local employment. She said there are 1,500 projected jobs created mostly in light industrial and aerospace fields with wages ranging from \$45,000 to \$200,000 a year. Mgr. Bravo said this is the largest remaining vacant commercial site in Syracuse City.

Mgr. Bravo then presented the tax increment request to the District:

- 60% for 15 years from all taxing entities
- Syracuse City
 - 100% from Boyer development
 - 60% from other development
- Maximum request of \$20,000,000 (cap may be reduced depending on pending grant)

Mgr. Bravo reviewed the benefits to the taxing entities:

1. **Financial Benefits**
 1. Project \$11.6M in new increment to taxing entities during 15-year CRA term
 2. Area currently generates only \$334K per year in property tax revenues
 3. Project \$3.6M annually in property taxes when built out
2. **Other Benefits**
 1. Increased buying power and wages paid in the community
 2. Reduced housing and transportation costs for households
 3. More balanced and sustainable tax base

Trustee Robinson asked whether this area has water rights and who the provider would be. Gen. Mgr. Paxman stated that Syracuse City is the provider in the area for both secondary and culinary water and they are a wholesale customer of the District.

Syracuse City Mayor, Dave Maughan, came forward and gave an overview of the project plan. He stated the land that is owned by the LDS Church has proposed plans and agreements in progress. Mayor Maughan said there are much higher development costs to develop this area and it has been a struggle to get these lands developed. He said this project will help with those costs. Mayor Maughan said Syracuse City needs the jobs.

Trustee Robinson asked about other entities involved and if they are also contributing at the 60/40 split. Mayor Maughan answered that all other entities have approved and agreed to participate at the 60/40 split.

Trustee Summers said to Mayor Maughan, that this will create jobs, and asked if it is anticipated that these new jobs will bring new people into the city. Mayor Maughan answered that is not the intent, and he stated this will be good, high-end manufacturing for the base and possible employment for spouses of base employees and kids coming out of school.

Mgr. Bravo made mention that we did include our water efficiency standards and additional language within the interlocal agreement ensuring new development will meet these standards. She also stated the District placed a cap of \$500,000 for its participation.

Mgr. Bravo then recommend the board approve the interlocal agreement for the Syracuse 2500 West Community Redevelopment Agency. Trustee Jenkins motioned for approval, Trustee Robinson seconded, and the vote was unanimous, approving the interlocal agreement for the Syracuse 2500 West Community Redevelopment Agency.

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/CEO of said District be and they are hereby authorized and empowered to execute on behalf of said District an Interlocal Agreement with the Syracuse City Redevelopment Agency, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

**VI
WATER SUPPLY REPORT**

Mgr. Olsen was invited to present the water supply report and showed 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 9/26/22</u>	<u>AS OF 9/27/21</u>
CAUSEY	7,870	6,870	4,726	69%	1,762	2,751
E CANYON	51,200	20,110	17,522	87	23,885	20,250
ECHO	73,940	6,357	0	0	35,800	7,900
LOST CRK	22,510	20,010	14,300	71	6,420	6,330
PINEVIEW	110,150	66,228	42,730	65	37,340	17,120
SMITH-M	8,351	6,560	6,157	94	4,596	4,632
WANSHIP	62,120	60,000	48,108	80	34,790	15,760
WILLARD	<u>247,302</u>	<u>222,273</u>	<u>189,930</u>	<u>85</u>	<u>72,961</u>	<u>76,844</u>
TOTAL	583,443	408,408	323,473	79%	217,554	151,587

The percent of District upstream storage is 72% compared to last month of 80%. Mgr. Olsen stated we are typically around 55% at this time of year.

Mgr. Olsen presented slides showing the Ogden River, Weber River, and Willard Bay storage. He also discussed the District’s storage allocation, soil moisture levels, precipitation/SNOTEL,

forecasted runoff, weather outlooks, and drought monitor. Mgr. Olsen said we are above the basin average for the SNOTEL as well as the annual precipitation. He ended the presentation by showing the weather outlooks for the next month and the temperature and the monthly precipitation predictions show equal chances for above or below.

Mgr. Olsen then answered questions from the trustees.

Trustee Osguthorpe asked if there will be additional water sent to the Great Salt Lake (GSL) if we have another great winter of precipitation and ground water saturation. Mgr. Olsen stated yes, if we build snowpack early, we will need to release water to make room, and that released water would go to the GSL. He said even if we have an average year, we will be releasing and pushing water to the GSL.

Trustee Jenkins stated he is aware that one good water year doesn't fix everything but commented that it has certainly helped and has been a tremendous water year for our District.

Gen. Mgr. Paxman said Riley is doing a great job. He said Riley, Darren, and the Army Corps of Engineers met and visited our reservoirs. He said it was a valuable tour and stated the Corps may better understand how we operate and strive to keep balance of storing water and managing flooding.

VII CONSIDERATION OF APPROVAL OF INTERLOCAL AGREEMENT WITH PARK CITY FOR TURF REMOVAL INCENTIVE PROGRAM

Chairman Jensen invited AGM Parry to present the next item. AGM Parry stated the District has been engaged in conversations with Park City for about six months regarding a Turf Incentive Program.

AGM Parry said the District is now partnering with the state to facilitate more funds for the program. He stated our Flip Your Strip Program is sunsetting and we will be moving over completely to the Turf Removal Program. AGM Parry explained the administration of this program weighs heavily on District staff in conjunction with the Utah Water Savers website.

AGM Parry stated Park City approached the District and would like to contribute to this program and make it available to residents. He explained that the District has entered into similar agreements with Ogden City and Mountain Regional Water Special Service District.

AGM Parry said residents may be eligible for up to \$3.00 per square foot of turf grass replaced with water wise landscaping, with \$1.00 coming from the state, \$1.00 from the District, and \$1.00 from Park City. He stated if the state does not contribute reimbursement will be \$2.50 per square foot, with \$1.25 from the District and \$1.25 from Park City.

AGM Parry explained the program will be administered by Park City, the agreement will be for a period of five years, and the District will reimburse Park City up to \$100,000 per year. He said the state's standards for communities to participate in the program are right in line with District standards and are as follows:

Water efficiency standards for Turf Removal Program

- Turf Grass Restrictions
 - Single family – 35% front and side yard
 - CII, Multi-Family, PRUD – 15-20%
 - Widths less than 8-feet and park strips
- Irrigation System Design
 - Drip irrigation where turf grass not used
 - Irrigation Valves
 - Watersense smart irrigation controllers

AGM Parry shared pictures of completed turf removal projects from the program and recommended approval of the interlocal agreement. Discussion continued.

Trustee Summers stated he was surprised to see so much rock in the pictures and thought that was discouraged. AGM Parry replied stating we have decided in the park strip areas there is no vegetation minimum, but in the lawn exchange program there are plant requirements. He explained our standards require yards must meet city ordinances. He said it is a concern and something we are trying to address.

Trustee Summers motioned for approval and the motion was seconded by Trustee Jenkins. Trustee Osguthorpe was no longer present, therefore Chairman Jensen voted on the matter completing the quorum, and the motion passed unanimously approving the recommendation 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 an Interlocal Agreement with Park City for cooperation in the Landscape Lawn Exchange Program, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

VIII

CONSIDERATION OF APPROVAL OF GENERAL MANAGER PAXMAN TO CONTINUE SERVING ON UASD BOARD

Gen. Mgr. Paxman said when Gen. Mgr. Flint retired, he took his remaining term on the Utah Association of Special Districts (UASD) Board. He said he's been serving for about two years now and the term is coming to an end. Gen. Mgr. Paxman stated he is asking for support from the board to continue serving in this capacity. He said it is a beneficial board, especially for legislation, rules and regulations, and helping to establish new boards. Gen. Mgr. Paxman stated the term is four years long and asked for the board's approval and adoption of a resolution of support.

Trustee Jenkins motioned for approval, Trustee Summers seconded, and with Chairman Jensen voting, the motion carried unanimously and the following resolution was adopted.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District, that General Manager Scott W. Paxman has our full support and is hereby authorized to serve on the Utah Association of Special Districts' Board of Trustees.

IX

GENERAL MANAGER'S REPORT

Gen. Mgr. Paxman said Prepare 60 had their annual meeting at Brian Head and it ended a few days ago. He said all things water were discussed including the history, collecting and using taxes, and even the GSL. He said many participants from our region were in attendance including Senator Chris Wilson from Logan, Representative Katie Hall from South Ogden, Representative Calvin Musselman from South Weber, our own Trustee J. Andersen from Morgan County, Layton City Counselman Tyson Roberts, Mayor Tammy Tran from Kaysville, Farmington City Manager Burton Meller, and many others throughout the state. Gen. Mgr. Paxman said those in attendance expressed their appreciation for the conference and said the time was valuable as they understand water better. Gen. Mgr. Paxman said Marcus Faust, our federal lobbyist, was there and gave a presentation on the history of water in our state and the large water districts in Utah.

Gen. Mgr. Paxman said we had the American Water Works Association Conference a few weeks ago at the Davis Conference Center. He said there were many technical classes that our Managers, Operators, and Engineers were able to attend. He said AGM Nelson was chairman of

the AWWA Intermountain Section and did a fabulous job.

Gen. Mgr. Paxman said the National Water Resources Association (NWRA) Conference is fast approaching and will be held in San Antonio. Mgr. Searle went through attendees for this conference stating Chairman Jensen, Trustees Osguthorpe, M. Anderson, and Summers, and Gen. Mgr. Paxman are planning to attend. Gen. Mgr. Paxman stated we are anticipating a brief meeting with the Commissioner of Reclamation during this conference.

Gen. Mgr. Paxman said the Great Sale Lake Commissioner, Brian Stead, requested a meeting with the large water districts in the state to create strategies to solve the GSL situation. He stated this seems difficult and almost impossible, but we are grateful to be invited to the table and contribute in this way.

Trustee Jenkins stated he would like to know the Commissioner’s thoughts on the large districts and the state competing for water rights. Gen. Mgr. Paxman stated we will be pushing for the development of the Bear River, which is the last water supply in the Northern Utah area.

Trustee M. Anderson said Gene Shawcroft stated we’ve always told water managers to hold water upstream and now there is an outcry for releasing to the GSL. Trustee M. Anderson stated we should keep as much as we can upstream and high in the mountains and we should not change holding that position moving forward.

Trustee Summers made mention that Gene Shawcroft also stated that large water managers were told by the government to not let water halt development, but we are running into this as well.

Gen. Mgr. Paxman reported the Division of Water Resources and Utah State University partnered to develop the Growing WaterSmart Workshop. He said it is a collaboration of entities that have legislative authority for development and planning and water suppliers. Gen. Mgr. Paxman said the idea is to get these entities together and have a discussion on how to move forward with development and water supply struggles. Gen. Mgr. Paxman said we will be host to one of these meetings in May and hope to do one specific to our customer agencies. AGM Parry said the target would be to have 8-10 entities attend. AGM Parry said these meetings are really workshop based, where planners, policy makers, and water suppliers get together in small groups and brainstorm.

Gen. Mgr. Paxman said there is a Public Trust Doctrine Lawsuit being filed against the state. The lawsuit aims to mandate a target elevation of the GSL to be met within 10 years. Gen. Mgr. Paxman said the District will probably join the state in fighting this as it is a great concern. He said the state will be the lead, but we want to show that we are supporting the state’s position.

Gen. Mgr. Paxman stated there was a new non-consumptive exchange filed on the GSL for 225,000 ac-ft. He said this exchange is for extracting lithium, and we have protested this exchange as it raises concerns. Gen. Mgr. Paxman said it sounds like a great method of extracting lithium, it is an ion exchange method where water is passed through the system then returned, yet they must prove the exchange would truly be non-consumptive.

Trustee Robinson asked if Compass Minerals has any pending exchange or change applications, and Gen. Mgr. Paxman stated they have asked for additional treated water from the District but have not filed for rights or exchanges as far as we know.

Trustee Robinson stated he heard TAGE is running the Utah Water Ways non-profit organization. Gen. Mgr. Paxman said that is correct, and it is state-wide water conservation, use, and education. He said they will try to raise money to create grants for water efficiency. Gen. Mgr. Paxman said this was created by the legislature, and all four large water districts are on the board as well as some state managers and private entities such as IHC, Rio Tinto, and Zions Bank.

Trustee M. Anderson asked if our water conservation program will plug into the Utah Water Ways at some point. Gen. Mgr. Paxman said there are a lot of state programs that probably will eventually, but possibly more along the lines of state-wide rebate programs and opportunities of that nature. Gen. Mgr. Paxman said the hope is Utah Water Ways will help consolidate these rebate and conservation groups, not create more.

X
ADJOURNMENT

There being no further business for discussion, meeting adjourned at 10:23 a.m.

Respectfully submitted,



Scott W. Paxman, General Manager/ CEO

The Board of Trustees of the Weber Basin Water Conservancy District, Utah, met in public session September 28, 2023, at 9:00 a.m., at District headquarters, Layton, Utah. Meeting was called to order by Chairman Marlin K. Jensen. On roll call the following members were found to be present:

Present:
Chairman, Marlin K. Jensen
Trustee Mark D. Anderson
Trustee Scott K. Jenkins
Trustee Angie Osguthorpe
Trustee Christopher F. Robinson
Trustee Paul C. Summers
Scott W. Paxman, General Manager/CEO

Excused:
Trustee Jared Andersen
Trustee Kym O. Buttschard
Trustee Randy B. Elliott
Jody Williams, Legal Counsel

Mike Malmborg, Legal Counsel

Brittney Bateman, Fin. Analyst
Calysta Bravo, Fin. Manager
Suzy Eppens, Contracts Administrator
Darren Hess, Assistant General Manager
Josh Hogge, Mgr. of M&I
Shane McFarland, Mgr. of Engineering
Brad Nelson, Assistant General Manager
Riley Olsen, Mgr. of Water Supply & Power
Greg Pierce, Mgr. of Strategic Initiatives
Jon Parry, Assistant General Manager
Kevin Ramos, GIS Specialist
Kendall Searle, Mgr. of Administration
Samuel Sorensen, Mgr. of Maintenance
Kathy Wood, Mgr. of Human Resources

Mgr. Searle stated the meeting was being held pursuant to notice to the public, duly published as required by law, for the purpose of permitting all interested persons to show cause why the respective petitions for water contracts of the individuals as set forth in the notice, copies of which are attached hereto and incorporated by reference as a part of these minutes, for the allotment of water to lands in Summit County and Weber County, Utah, by the Weber Basin Water Conservancy District, should not be granted.

Mgr. Searle reported there have been no written objections filed against the foregoing petitions and asked for any other objections to be presented at this time. No objections were received.

Thereupon the following resolution was presented and read:

**RESOLUTION GRANTING PETITIONS FOR THE ALLOTMENT
OF WATER BY WEBER BASIN WATER CONSERVANCY DISTRICT**

WHEREAS, acting pursuant to Section 73-9-19, Utah Code Annotated, 1953, as amended, there has been filed in the office of the Weber Basin Water Conservancy District, the following petitions for water contracts requesting the allotment of Weber Basin water annually, pursuant to the terms and conditions set forth in said petition:

A. SUMMIT COUNTY:

- 1) Douglas & Meryll Prawitt 0.65 a.f. Dist. 4
5 miles west of Wanship (SS-142-D)
- 2) Jonathan Smoot Family Cabin LLC 0.65 a.f. Dist. 4
6 miles east of Smith & Morehouse (AA-A-17)
- 3) Jonathan Smoot Family Cabin LLC 0.65 a.f. Dist. 4
6 miles east of Smith & Morehouse (AA-A-18)

B. WEBER COUNTY:

- 1) Green Farm 2 Community LLC0.65 a.f. other
West Haven (08-675-0045)

Whereas after the filing of said petitions, it was determined to hold a public hearing on same in the office of the Board of Trustees of the District, and the General Manager/CEO of the District caused due and proper notice of the holding of such hearing to be posted to the Utah Public Notice Website on September 13, 2023, which notice advised all interested persons of the holding of such hearing and of their right to present objections in writing showing cause why such petitions should not be granted, and

WHEREAS, at the hour and place named in said notice, or at a subsequent meeting adjourned there from, the Board of Trustees of the District has met in public session and has heard all persons desiring to be heard and written or other objections having been presented, and

WHEREAS, after due consideration, it is the determination of the Board of Trustees that it is for the best interest of the District that such petitions should be granted.

NOW, THEREFORE, be it Resolved and Ordered by the Board of Trustees of the Weber Basin Water Conservancy District, as follows:

Section 1. That it is hereby determined to be in the best interest of the Weber Basin Water Conservancy District, that such petitions be granted.

Section 2. That said petitions are hereby granted and amounts of water in acre-feet are hereby allotted to the respective petitioners for the lands for which the same is petitioned, all as above set out.

Section 3. That the Chairman of the District is hereby authorized and directed in the name of the District and on its behalf to execute formal orders granting said petitions allotting water to lands therein described, upon the terms, at the rates, and payable in the manner as in said petitions set forth and the General Manager/CEO of the District is authorized and directed to attest said order.

Section 4. The General Manager/CEO of the Board of Trustees in its behalf, is directed to cause a fully executed copy of said order, to which shall be attached a copy of the petitions upon which the order is made, to be recorded in the office of the respective County Recorder.

After consideration of the resolution and order, motion was made by Trustee Osguthorpe, seconded by Trustee Summers and passed unanimously, approving petitions for water contracts in Summit County and Weber County and adopting the foregoing resolution.

Approved and adopted September 28, 2023.



Marlin K. Jensen, Chairman

ATTEST:



Scott W. Paxman, General Manager/CEO

(SEAL)