

**MONDAY, MARCH 25, 2024**

Minutes of the 881<sup>st</sup> meeting of the Metropolitan Water District of Salt Lake & Sandy Board of Trustees held Monday, March 25, 2024 at 4:30 p.m. at 3430 E Danish Road, Cottonwood Heights, UT 84093.

The following trustees attended the board meeting:

Tom Godfrey	-Chair *electronic participation*
John S. Kirkham	-Vice Chair
Patricia Comarell	-Secretary
Donald Y. Milne	-Trustee
Cindy Cromer	-Trustee

The following trustees were excused from the board meeting:

John H. Mabey, Jr.	-Trustee
Joan Degiorgio	-Trustee

The following staff and guests attended the board meeting:

Annalee Munsey, General Manager  
Gordon Cook, Assistant General Manager – Chief Operating Officer  
Wayne Winsor, Assistant General Manager – Chief Administrative Officer  
Darin Klemin, IT Manager  
Ammon Allen, Engineering Manager  
Kelly Stevens, Senior Engineer  
Gardner Olson, Engineer II  
Nathan Scown, Operations Manager  
Andy Reidling, Assistant Maintenance Manager  
Jeff Matheson, Laboratory Manager  
Breana Jackson, Executive Administrator  
Josh Croft, Accountant  
Eric Sorensen, Water Resources Manager  
Dani Cepernich, Spencer Fane  
Dan Hartman, Hartman Management Group  
Jesse Stewart, Salt Lake City Public Utilities  
Scott Ellis, Sandy City Public Utilities  
Marie Owens, AE2S  
Brad Buswell, Carollo Engineers  
Elliot Meyer, Salt Lake Tribune  
Cam Walker, HDR  
Jeff Budge, Provo River Water Users Association  
Susan Spore, Brown and Caldwell  
Steve Van Maren, Sandy City resident  
Bruce Blanchard, Sandy City resident

**Work Session Agenda**

1. FY25 Budget discussion
2. Other

**Board Meeting Agenda**

3. Call to order
4. Public comment
5. Legislative update
6. Engineering Committee report
  - a. Consider approval of Addendum No. 1 to Sam Park West Reservoir and Terminal Reservoir Easement Agreement

- b. Consider approval of Aqueduct Resilience Grant Agreement with the Utah Division of Water Resources
- c. Consider approval of professional services agreement and Task Order No. 1 with Davenport Consulting for right of way acquisition services
- d. Consider approval of Task Order No. 1 with Kimley-Horn for public engagement on the Cottonwoods Connection project
- e. Reporting items
- 7. Management Advisory Committee report
  - a. Reporting items
- 8. Consider approval of Board Meeting minutes dated February 26, 2024
- 9. Reporting/Scheduling items
  - a. Water supply and demand update
- 10. Items to be discussed at future meetings
- 11. Closed session
  - a. Pending or reasonably imminent litigation
- 12. Adjourn

### **Work Session**

#### **FY25 Budget Discussion**

Mr. Cook presented the FY25 budget O&M summary and other significant costs including chemicals, contract services, utilities, administrative fees, and general insurance. Ms. Munsey presented the FY25 staffing, compensation, and employee benefits. Mr. Winsor presented the FY25 Capital Improvement Plan overview, cash flow, interest expense, costs from other agencies, revenue analysis, and the cash flow summary.

### **Board Meeting**

#### **Call to order**

At 4:30 p.m. the Vice-Chair, Mr. Kirkham, called the meeting to order and welcomed board members, staff, and visitors. The Chair, Mr. Godfrey attended the meeting electronically. Mr. Mabey and Ms. Degiorgio were excused.

#### **Public comment**

Mr. Steve Van Maren asked about the bonding process. Mr. Kirkham noted the District follows the truth in taxation process which will begin in the spring. The final approval of the property tax will be in August.

#### **Legislative Update**

Mr. Dan Hartman provided a legislative update for the board. He described some successful and unsuccessful bills. He noted SB118, HB453, SB211, HB280, and SB270. Ms. Cepernich will share a handout of her legislative notes with the board.

#### **Consider approval of Addendum No. 1 to Sam Park West Reservoir and Terminal Reservoir Easement Agreement**

Salt Lake City (SLC) is constructing the East-West Conveyance Line. The pipe will connect to the SLA in the Sam Park Reservoir Inlet Valve Vault. SLC also plans to install an isolation valve on the SLA. Addendum No. 1 identifies ownership, operation, maintenance, repair and replacement responsibilities for the new facilities and requires the District and SLC to coordinate concerning the operation of the valve. It also requires SLC contractors to include the District as an additional insured for liability coverage for claims arising from the contractor's work on the District's property. Finally, it requires SLC to defend and indemnify the District for SLC work on the District's property.

Ms. Cromer inquired about the house that could be demolished. Staff reported it may be demolished if it is the most cost effective option. Salt Lake City has already purchased the lot.

The Engineering Committee discussed this item on March 12, 2024, and recommended approval of the addendum.

Mr. Milne motioned to approve Addendum No. 1 to Sam Park West Reservoir and Terminal Reservoir Easement Agreement. Ms. Comarell seconded the motion and the motion passed unanimously.

**Consider approval of Aqueduct Resilience Grant Agreement with the Utah Division of Water Resources**

In October 2023, the District was notified it had been awarded a \$1,469,000 aqueduct resilience grant from the Utah Division of Water Resources. The grant will cover up to 73.45% of the estimated \$2,000,000 design for the Finished Water Salt Lake Aqueduct Hardening project. Acceptance of the grant requires a District match of at least \$531,000.

The Engineering Committee discussed this item on March 12, 2024 and recommended approval of the agreement.

Mr. Milne motioned to approve the Aqueduct Resilience Grant Agreement with the Utah Division of Water Resources. Ms. Cromer seconded the motion and the motion passed unanimously.

**Consider approval of professional services agreement and Task Order No. 1 with Davenport Consulting for right of way acquisition services**

Hazen and Sawyer is the design engineer for the Cottonwoods Connection project. CRS Engineers is a sub-consultant to Hazen and is responsible for right-of-way surveying and mapping. CRS subcontracted to Davenport Consulting to lead right-of-way acquisition. Staff does not anticipate finishing right of way acquisition before the end of March 2024, and is working with CRS to move Davenport Consulting's remaining services directly to the District.

Davenport Consulting has obtained extensive knowledge and familiarity with the Cottonwoods Connection and the easements required for the project; has developed relationships with the property owners impacted by the project; and has been involved, at various stages, in the preparation for and negotiation of the acquisition of all of the required easements for the project. District staff believes for these reasons it is critical to complete the acquisition process with Davenport Consulting.

Staff has followed the procedure for sole source procurement. On March 18, 2024 the District posted a notice of intent to award a contract without engaging in a standard procurement process on the District's website in accordance with Utah Code 63G-61-8-802. The board will document a finding stating that using this alternative form of procurement process was appropriate as the compatibility of the continued services was the overriding consideration, and awarding the contract without engaging in standard procurement process was in the best interest of the District.

The Engineering Committee discussed this item on March 12, 2024 and recommended approval of the agreement.

Mr. Milne motioned to award contract to Davenport Consulting without engaging in standard procurement process, and approve the professional services agreement and Task Order No. 1 with Davenport Consulting for right of way acquisition service with an amount not to exceed \$97,350. Ms. Comarell seconded the motion and the motion passed unanimously.

**Consider approval of Task Order No. 1 with Kimley-Horn for public engagement on the Cottonwoods Connection project**

This first task order with Kimley-Horn includes work through June 30, 2025 for the Cottonwoods Connection project. It includes coordination meetings with District staff, other PI firms, stakeholders, and project neighbors. It includes creating various templates, website rebuild and maintenance, and design elements for consistent, recognizable content. It also includes efforts for a project hotline number.

Ms. Comarell asked for clarification on the kickoff meetings and the neighborhood meetings. Both kickoff meetings will be held with District staff to coordinate efforts and expectations. Staff has requested Kimley-Horn coordinate with the District's right-of-way acquisition team to identify appropriate neighborhoods and hold open forum meetings to address questions and concerns and provide helpful information regarding the project. These meetings will be held in nearby established neighborhoods, not at the District.

The Engineering Committee discussed this item on March 12, 2024, and recommended approval of the task order.

Mr. Milne motioned to approve Task Order No. 1 for \$112,360 with Kimley-Horn for public engagement on the Cottonwoods Connection project through June 20, 2025. Ms. Comarell seconded the motion and the motion passed unanimously.

### **Reporting items**

Mr. Milne noted an MAR update would be useful during the May work session. Ms. Comarell recommended project neighbors be invited to the work session and a less technical presentation should be presented.

### **Consider approval of Board Meeting minutes dated February 26, 2024**

Ms. Cromer noted an error on the board meeting minutes to be corrected. She will send the note to Ms. Jackson.

Ms. Cromer motioned to approve the Board Meeting minutes dated February 26, 2024 with the aforementioned change. Ms. Comarell seconded the motion and the motion passed unanimously.

### **Reporting/Scheduling items**

Mr. Scown provided a water supply and demand update for the board. He mentioned the forecast and snow-water equivalent for Snowbird, Trial Lake, Provo/Utah Lake/Jordan, and for the Great Salt Lake. Mr. Scown reviewed the water supply forecasts and the water deliveries for FY24 versus a 5-year average.

The next board meeting will be held on April 15<sup>th</sup>. The Finance and Executive Committee meetings will be held on April 2<sup>nd</sup>, both will be virtual. The Salt Lake City Council meeting the board members need to attend will be scheduled soon.

The board recognized the retirements of Matthew Tietje and Jonathan Peters from the District.

### **Items to be discussed at future meetings**

No other items were discussed.

### **Closed Session**

Mr. Milne motioned to go into closed session to discuss pending or reasonably imminent litigation. Ms. Cromer seconded the motion and the motion passed unanimously. The following board members were present: Mr. Godfrey (electronic participation), Mr. Kirkham, Ms. Comarell, Ms. Cromer and Mr. Milne. The following staff were also present: Ms. Munsey, Mr. Cook, Mr. Winsor, Ms. Jackson, Mr. Allen, Mr. Stevens, Mr. Sorensen, and Ms. Cepernich. Mr. Sorensen was excused partway through the closed session.

Ms. Cromer motioned to go out of closed session. Mr. Milne seconded the motion and the motion passed unanimously.

**Adjourn**

At 5:49 p.m. the board meeting adjourned.

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Tom Godfrey, Chair

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Patricia Comarell, Secretary