

MONDAY, NOVEMBER 16, 2009

Minutes of the 736th meeting of the Metropolitan Water District of Salt Lake & Sandy

The Board Meeting of the Metropolitan Water District of Salt Lake & Sandy on Monday, November 16, 2009 began at 4:30 p.m. in the District's Board Room located at 3430 East Danish Road, Cottonwood Heights, Utah 84093.

The following Trustees were present:

Leland J. Myers	-Chair
John S. Kirkham	-Vice Chair
Lee Kapaloski	-Secretary
Donald Y. Milne	-Trustee
Tom Godfrey	-Trustee
David L. Buhler	-Trustee
Kathy W. Loveless	-Trustee

Also present:

Michael Wilson, General Manager
Michael DeVries, Assistant General Manager/Information Services Manager
Josh DeBry, Controller
Steve Stocking, Operations & Maintenance Manager
Steve Slack, Assistant Operations & Maintenance Manager
Wayne Winsor, Engineering Manager
Annalee Munsey, Executive Assistant/HR Officer
Gardner Olson, Project Engineer
Ammon Allen, Project Engineer
Shawn Draney, Snow, Christensen & Martineau
Tom Ward, Salt Lake City Public Utilities
Jeff Niermeyer, Salt Lake City Public Utilities
Mike Marchant, Brown & Caldwell
Greg Loscher, Bowen Collins & Associates
Chris Finlinson, Central Utah Water Conservancy District
Alan Packard, Jordan Valley Water Conservancy District
Mike Zuhl, R&R Partners
Kristopher Cox, Haynie & Company
Scott Reams, Haynie & Company
David Robertson, Lewis, Young, Robertson & Burningham
Scott Robertson, Lewis, Young, Robertson & Burningham
Duane Jensen, Carollo Engineers
Adam Murdock, CH2M Hill
Jeff Budge, Provo River Water Users Association
Keith Denos, Provo River Water Users Association

Work Session Agenda

1. Provo Reservoir Canal Enclosure Project
2. Salt Lake Aqueduct
 - a. Landscape Replacement Study
 - b. Relocation Alternatives in Sandy City
3. Other

Board Meeting Agenda

1. Call to order
2. Public comment
3. Finance Committee
 - a. Consider acceptance of annual financial audit report
 - b. Consider approval of Resolution 1835 appointing a representative to serve on the taxing entity committee for the Redevelopment Agency of Salt Lake City
 - c. Consider approval of consulting contract for financial advisor services
 - d. Report on review of quarterly check register and semi-annual investment report.
4. Consider approval of response to Government Records and Access Management Act (GRAMA) appeal
5. Engineering Committee
 - a. Consider approval of contract for final design of the Terminal Reservoir Replacement Project
 - b. Reporting items
6. Conservation Committee
7. Consider acceptance of financial reports
8. Consider approval of Board Meeting Minutes dated October 19, 2009
9. Reporting/Scheduling items
 - a. Consider cancellation of board meeting scheduled for December 21, 2009
 - b. Consider approval of meeting calendar for 2010
10. Other Business
11. Items to be discussed at the next meeting
12. Closed session (if necessary)
13. Adjourn

Work Session

Provo Reservoir Canal Enclosure Project

Mr. Jeff Budge, from the Provo River Water Users Association, presented an overview of the Provo Reservoir Canal Enclosure Project.

Salt Lake Aqueduct

The District's Policies & Procedures does not hold the District responsible for any landscaping replacement costs in the event the District would need to repair or replace the Salt Lake Aqueduct (SLA). The District commissioned a study to determine the cost if the District were to replace landscaping along the SLA in Sandy and along the entire corridor. The total expense for replacing landscaping in Sandy City is \$3.2 million and \$15 million along the 42 mile corridor. Based on the results of the study, the District will maintain its current policy.

The District also commissioned an alignment study to determine options to relocate the SLA in the boundary limits of Sandy City, thus not disturbing existing landscaping and structures. The three alternatives studied included abandoning the SLA and constructing a new pipe along a new corridor (specifically Wasatch Boulevard), lining the current SLA, or placing a new pipe next to the SLA. In summary, relocating the aqueduct does not appear to be a feasible option.

Other

No other business was discussed.

Board Meeting

Call to order

At 4:54 p.m. the Chair called the meeting to order and welcomed board members, staff and guests.

Public comment

The Chair invited any public comment. No public comment was made.

Finance Committee

Mr. Scott Reams from Haynie & Company presented the findings of the annual financial audit report for FY 2009. He reviewed the audit opinion, financial highlight, and the management letter. Mr. Kirkham reported that the Finance Committee had reviewed the results of the audit.

Consider approval of Resolution 1835 appointing a representative to serve on the taxing entity committee for the Redevelopment Agency of Salt Lake City

The Redevelopment Agency of Salt Lake City has established a taxing entity committee which consists of six members, with two members appointed by the Salt Lake City School District, two members appointed by Salt Lake City, one member from the State Board of Education and one member from the following taxing entities: Metropolitan Water District of Salt Lake & Sandy, Central Utah Water Conservancy District, Salt Lake City Mosquito

Abatement District, and Salt Lake City Public Library. The District will appoint a representative to serve on the taxing entity committee for a two year period from September 15, 2011 to September 14, 2013.

Mr. Kirkham motioned to approve Resolution 1835 as amended; Mr. Godfrey seconded the motion, and the motion passed unanimously upon roll call:

Mr. Buhler	-aye
Mr. Godfrey	-aye
Mr. Kapaloski	-aye
Mr. Kirkham	-aye
Ms. Loveless	-aye
Mr. Milne	-aye
Mr. Myers	-aye

Consider approval of consulting contract for financial advisor services

Mr. Kirkham reported that District staff and the Finance Committee felt it was appropriate to review the contractual status of the District's financial advisor who has been serving the District for more than 11 years (since May 15, 1998). Requests for proposals were sent on October 23, 2009 to four firms offering financial advisor professional services: George K. Baum and Company; Lewis, Young, Robertson, and Burningham (LYRB); Wells Fargo; and Zions Bank Public Finance (ZBPF). Proposals were received from LYRB and ZBPF. George K. Baum and Company and Wells Fargo expressed interest in providing underwriting services rather than financial advising services.

Proposals from LYRB and ZBPF were received and distributed to the members of the Finance Committee, the Controller, and the General Manager for review and ranking. Both firms interviewed with the Finance Committee prior to the Board Meeting on November 16, 2009. The Finance Committee is prepared to make a recommendation to the Board.

Mr. Kirkham motioned to approve the consulting contract for financial advisor services to Zions Bank Public Finance; Ms. Loveless seconded the motion and it carried unanimously.

Mr. Kirkham motioned to recognize Lewis, Young, Robertson, and Burningham for their financial advisor services; Mr. Milne seconded the motion and it passed unanimously.

Report on review of quarterly check register and semi-annual investment report.

Mr. Kirkham reported that the members of the Finance Committee received and reviewed the quarterly check register and semi-annual investment report.

Consider approval of response to Government Records and Access Management Act (GRAMA) appeal

An Ad hoc committee, consisting of Mr. Kirkham, Mr. Godfrey, and Mr. Buhler, met and reviewed the GRAMA appeal. The committee recommended that the determination of the Board, together with a description of Mr. Garside's appeal rights, be mailed to Mr. Garside as soon as practicable. Per the records law, the committee erred on the side of disclosing not withholding information. The Board discussed the creation of a standard form for GRAMA requests.

Mr. Godfrey motioned to approve the response to the GRAMA appeal; Mr. Buhler seconded the motion and the motion carried unanimously.

Engineering Committee

Mr. Myers referred the Board to the items that have been reviewed and accepted by the General Manager. The project reports were included in the Board packet for review. The improvements to the twenty waste washwater gates at the Little Cottonwood Water Treatment Plant are complete and the results are significant.

The District solicited bids for the Corner Canyon Coyote Hollow Drainage and Erosion Mitigation Project. The Engineering Committee had not reviewed the bids; therefore, the committee is recommending the Board approve the award of contract.

Mr. Milne motioned to approve the construction contract for the Corner Canyon Coyote Hollow Drainage and Erosion Mitigation Project to Wardell Brothers, not to exceed \$60,618.00; Mr. Kapaloski seconded the motion and the motion passed unanimously.

Consider approval of contract for final design of the Terminal Reservoir Replacement Project

The Engineering Committee reviewed three proposals for the final design of the Terminal Reservoir Replacement Project. The District has reached an understanding with member cities regarding cost allocation for the project. Capacity improvements would require the approval from the member cities.

Mr. Milne motioned to approve the contract for final design of the Terminal Reservoir Replacement Project to Bowen, Collins & Associates, not to exceed amount of \$699,850.00; Mr. Kirkham seconded the motion and it passed unanimously.

Conservation Committee

Mr. Kapaloski reported that the Conservation committee met and reviewed a draft of the Request for Proposals for the Governors' Water Conservation Media Campaign. Ms. Alane Boyd made a presentation to the Conservation Committee regarding the District's participation in an educational program.

Consider acceptance of financial reports

Mr. Buhler motioned to accept the September 2009 financial reports; Mr. Godfrey seconded the motion, and the motion passed unanimously.

Consider approval of Board Meeting Minutes dated October 19, 2009

Mr. Milne motioned to approve the Board Meeting Minutes dated October 19, 2009; Mr. Kirkham seconded the motion and it carried unanimously.

Reporting/Scheduling items

Mr. Wilson recommended cancellation of the board meeting scheduled for December 21, 2009. A 2010 board meeting and committee calendar was included in the board packet.

Mr. Kirkham motioned cancellation of the December 21, 2009 board meeting, unless otherwise needed, and approval of the board meeting calendar for 2010; Ms. Loveless seconded the motion and the motion carried unanimously.

Other Business

The Board recognized and welcomed back Ms. Loveless.

Adjourn

At 5:35 p.m. Mr. Kapaloski motioned to adjourn and the motion passed unanimously.

Chair

Secretary