

**MINUTES OF LAYTON CITY
COUNCIL STRATEGIC PLANNING
WORK MEETING**

AUGUST 27, 2015; 5:01 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN,
TOM DAY, JORY FRANCIS, SCOTT FREITAG
AND JOY PETRO**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, SCOTT CARTER,
JAMES “WOODY” WOODRUFF, STEVE
JACKSON AND THIEDA WELLMAN**

The meeting was held in the Council Conference Room of the Layton City Center.

Mayor Stevenson opened the meeting and turned the time over to Staff.

PRESENTATION – WEBER BASIN WATER CONSERVANCY DISTRICT

James “Woody” Woodruff, City Engineer, said this was a continuation of secondary water presentations, with information about Weber Basin Water Conservancy District being presented. Woody said Weber Basin provided about 4,000 connections for secondary water in the City. He turned the time over to Tage Flint.

Mr. Tage Flint said they knew that the City had been hearing from secondary water service companies on their service areas. He said Weber Basin was in a little bit of a different situation than some of the other companies in that they were a very large regional water supplier; secondary water was only a part of their business model. Mr. Flint said they were delivering more drinking water through wholesale water to the cities. The only service they retailed was secondary water, and they only retailed in areas where there wasn't another purveyor at the time the project was built; they were the default.

Mr. Flint said their preference for many years had been to not retail any more than they had to, and in fact they were trying to diminish their retail deliveries of secondary water. He said their business model was taking large volumes of water through very large pipes and delivering it to communities; it was not retail customers and individual home deliveries.

Mr. Flint said Weber Basin had a secondary water delivery system in West Haven and they had contracted the operation and maintenance of that system over to the Roy Water District. He said they had secondary water retail in West Bountiful, Woods Cross and western North Salt Lake, and they had contracted the operation of all of those over to the Bountiful Irrigation District. Mr. Flint said they were backing away from retail and trying to contract that out. He said they were concentrating their focus on development of the Bear River; or moving water from Rockport Reservoir over to Park City; or more water supplies for the Wasatch Front.

Councilmember Day asked if the plan was the same for Layton City.

Mr. Flint said in these areas, there were responsible, responsive secondary providers that could easily take over the operations. If the same condition presented itself in Layton they would be very interested in doing the same thing.

Mr. Flint indicated that Weber Basin was organized in 1950. He reviewed information about Weber Basin. Mr. Flint stated that the culinary water business was a growing business as the population increased and the demand for water increased. He said Weber Basin only wholesaled culinary water. Mr. Flint said they still delivered a significant amount of irrigation water to farms in five counties, and they supplied treated and untreated water to industrial complexes.

Mr. Flint said they had 30 municipalities in Davis and Weber Counties that purchased wholesale culinary water from them, with many more on the Wasatch Back. He displayed a map of their service area, which included the Wasatch Front, the Wasatch Back, the Huntsville area and the Ogden areas. Their system included Causey Reservoir and Pineview Reservoir; and they had five other dams up the Weber River including Rockport and East Canyon. Mr. Flint said they delivered water throughout Summit County all the way out to Wyoming, including Coalville, Kamas and Henefer. He said they delivered a significant amount of water to the Park City area.

Mr. Scott Paxman said relative to the Layton City area, the District wholesaled and retailed irrigation water. He said they mostly serviced the northeastern area of the City. They were not expanding their secondary water infrastructure and only provided additional service when land developed where secondary water was already available. Mr. Paxman said they were getting out of retail and focusing more on wholesale service. He indicated that there were about 4,600 connections in Layton with 4,000 of those being retail secondary customers and almost 600 agricultural customers. Mr. Paxman said they delivered 5,726 acre-feet of water annually for agricultural uses, which could be converted to an additional 6,500 residential customers if or when that property developed.

Mr. Paxman reviewed information about their various blocks of water and rates for those blocks. He said it was projected that the next block of water would be sufficient for development over the next 10 years.

Alex Jensen, City Manager, said the reality in the past was that secondary water was attractive because the water was cheap. The day was quickly coming when it was just as expensive to put in a secondary system as it was for a culinary system.

Mr. Flint said that was correct; lately the cost of developing water far exceeded the cost of treating the water. Secondary water became more cost prohibitive; they were almost at the tipping point. He said secondary water was only cheaper if you were converting irrigation water that was already on the land for agricultural use to a residential secondary use.

Mr. Paxman explained that Weber Basin was pushing meters on each residential connection; all new connections required meters. He said meters were very effective in lowering water consumption. Mr. Paxman said they weren't charging more for metered water, they were simply providing a water usage report to the individuals.

Mr. Flint said it wasn't their intent to ever charge by the gallon. The idea was to educate consumers; it could be punitive if they exceeded their allocation in a given period.

Mr. Paxman reviewed user allocation and usage information.

Councilmember Francis arrived at 5:25 p.m.

Mr. Paxman indicated that with only giving customers a usage report, they were seeing a reduction of approximately 25% with metered users. They were seeing great success with meters. Mr. Paxman said since promoting conservation measures in 2000, they hadn't reached that level of usage since that time.

They were saving a significant amount of water and people were responding to conservation measures.

Mayor Stevenson asked if people could conserve more and still have green grass.

Mr. Paxman said typically people used 100% more water than was needed. He said 65% of water used was for landscape; that was where there was the biggest room for conservation. Mr. Paxman reviewed information about their various conservation programs. He explained their water check program; they would go out to anyone that requested the service to see if they could be using less water. Mr. Paxman said after the water check, they left residents with a preferred watering schedule.

Mayor Stevenson asked if Weber Basin provided seminars for landscapers.

Mr. Paxman said they had done that several times.

Mayor Stevenson asked if the City could require landscapers to have certification that they had gone through training.

Gary Crane, City Attorney, said the City could do that.

Mr. Flint said they had seen other cities do that.

Mr. Paxman said Layton City had three or four irrigation companies supplying water to various areas of the City; he had seen a lot of inefficiencies between all those irrigation companies trying to vie for different service areas. He said it might make sense for one entity to be in charge of running or controlling the entire area; Weber Basin wasn't interested in doing that.

Mr. Flint said they were in a unique situation; they were not interested in running secondary systems beyond what they currently had, and they would talk to anyone responsible about taking over what they did have.

Mayor Stevenson said Layton City had a unique situation with water; water was running off the mountain into the City and there were reservoirs in the City. He asked if there were things the City should be looking at that would be different than Bountiful or South Weber.

Mr. Flint said Weber Basin wasn't in a water marketing mode where they needed to sell additional water to survive. He said if they went too far down that road relative to demand, it would be very expensive for them to develop sources. Mr. Flint said they were fine with the optimization of each city's current water supplies and taking it as far as they could. There were several fairly good sized reservoirs on the east bench that were collecting water coming off the streams and they would encourage the most efficient use of that water. Mr. Flint said to keep in mind that water rights did not follow city boundaries or property; water rights were granted by the Division of Water Rights and they were very difficult to move, but they could be lost.

Mayor Stevenson asked, hypothetically, would it be possible for someone to come to Kays Creek Irrigation, and offer them a lot of money for their water, and move it somewhere else.

Mr. Flint said yes, as long as they received water rights approval to move the place of use. He said currently the various companies had a defined area where they could put their water; they would have to submit a change application to the Division of Water Rights to have a new place of use. If that was granted, they would be able to move the water.

Mayor Stevenson asked about the feasibility of expanding the size of the reservoirs.

Mr. Flint said it was very difficult to raise a dam, and they wouldn't get a lot more water unless there was consistently additional water coming off the mountain.

Mr. Flint reviewed information about the major water suppliers in the State; there were four major water suppliers in the State including Weber Basin. He reviewed project costs of providing water into the future and developing new water for growth.

Councilmember Day asked if those costs were common nationwide.

Mr. Flint said yes; particularly west of the Mississippi. Infrastructure was wearing out. Repair and replacement costs would be reflected in rate increases over time.

Mr. Mark Anderson said the problem of infrastructure repairs was nationwide. The American Society of Civil Engineers had given an infrastructure rating of a "D minus" to the upkeep of infrastructure. The problem was that it was out of sight and people didn't really know about the problem until there was a catastrophic event.

Mayor Stevenson said this was part of what the Sewer District was also facing; things were worn out and it cost a lot of money to fix.

Mr. Flint said the issue for them going forward was that the Federal Government was running away from providing any funds to deal with what they originally built wearing out. He said local money was going to have to rebuild the infrastructure instead of Federal money.

Councilmember Day asked if there was Federal money for new projects.

Mr. Flint said absolutely none.

Councilmember Day asked if there were any other major projects to increase the supply other than the Bear River project.

Mr. Flint said water conservation was working; they felt that water use would reduce to the point that it would create a block of water that could be applied to new development. He said they also had to optimize what they did within their own river systems. Mr. Flint said they had a pilot study right now in the mouth of Weber Canyon where they were percolating water into the aquifer artificially at a faster rate to try and store more water underground. He said they would be doing reuse projects where it made sense, but those were very controversial. Mr. Flint said all of these things had to be done before development of new water. He explained the Bear River project.

Mr. Flint said climate change was an impact; if there was more rain than snow as anticipated, they would need a lot more reservoirs. He said they were open for discussions moving forward.

Mayor Stevenson expressed appreciation to Weber Basin.

Mr. Flint thanked the Mayor and Council for their time. He said they enjoyed their relationship with the City and found City Staff to be very professional.

Gary Crane said Weber Basin had been a great partner at the Capitol. He said a lot of the changes in water, as it related to local government, came about as a result of great partnerships with the larger water

districts.

Mayor Stevenson said Weber Basin was a great partner to have in the City.

DISCUSSION – RECREATION, ARTS, MUSEUM AND PARKS (RAMP) TAX; GAS TAX; AND DAVIS COUNTY SCHOOL DISTRICT BOND

Mayor Stevenson said there would be three tax issues on the November ballot. He asked Gary to go through exactly what the elected officials could and couldn't do. Would it be different for the RAMP tax, because the City initiated that proposition?

Gary said the rule was the same for all three taxes. As a governmental entity and as officials of the governmental entity, they were limited in the things they could do once the issue was placed on a ballot, or once it was submitted to the County for placement on the ballot. He said all three issues had already been received by the County.

Gary said the City could no longer promote or oppose any ballot proposition or candidate. However, on an individual basis, the Mayor and Council could lend all the support or opposition they wanted. Gary mentioned a support card that was handed out by the School District for the Mayor and Council to show their support; that could be done on an individual basis.

Councilmember Brown said if they signed the card in support of the School District bond issue, did the District know that they could not indicate that they were a member of the Council.

Gary said there was nothing that would prohibit them from putting City Council on that. He said as a City Councilmember they had the same rights as anybody else did, but as an individual they did not represent the City. Gary said they asked the Lt. Governor for clarification on that matter and he indicated that as long as they did not represent the City as a whole it was fine to do that.

Mayor Stevenson asked if there was any issue with the RAMP Committee sending out a flyer stating that various Councilmembers supported the RAMP tax.

Gary said no. He said the Council had already adopted a couple of resolutions in support of placing the RAMP tax issue on the ballot; they had already taken a position in support of the RAMP tax in the past. They could refer back to those resolutions; they could state fact.

Councilmember Day said now that it was placed on the ballot, the City couldn't pass a resolution in support of the School District bond.

Gary said that was correct.

Gary said the Council could state any fact. He said the City had to provide an equal forum for pro and con comments. He said the City could not expend any money to support or oppose any ballot issue unless the opposition was provided the same opportunity.

Mayor Stevenson said relative to the RAMP tax, did the City send out notification of the issue with both pro and con arguments.

Gary said yes; the City would initiate the pro arguments and invite anyone that was negative towards it to provide the con arguments, at the City's expense.

Council and Staff discussed various aspects of the County proposition relative to a gas tax and the School District bond issue. They discussed coming up with an estimate of what the various propositions would cost individual households.

Councilmember Petro said there were a lot of questions from residents about how the RAMP tax would be structured and how the committee would function.

Mayor Stevenson said the bylaws would identify all of that. He said the RAMP Committee was working on the bylaws. Mayor Stevenson said questions could be directed to the Committee.

Council and Staff discussed the impacts to the City of the various ballot propositions.

Council and Staff discussed how to inform the public about the structure of the bylaws of the RAMP tax. Discussion suggested having the citizens group put the information out.

Gary suggested FAQs on their website.

Councilmember Day asked Gary about the history of the transportation tax and why UTA was getting such a big chunk of the money. He said most people had concerns with the amount of money UTA would be receiving.

Gary indicated that a member of the House of Representatives also sat on the UTA Board. He said it was a political decision; the cities and counties wouldn't have gotten the opportunity if UTA wasn't involved.

Councilmember Day said some felt that the internet should be taxed first. He asked where that stood in the State.

Gary said that was a federal issue; Utah continued to be hopeful.

The meeting adjourned at 6:29 p.m.

Thieda Wellman, City Recorder