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24 November 1999

Richard P. Bay, PE  
Jordan Valley Water Conservancy District  
8215 South 1300 West  
West Jordan, UT 84088-0070

Dear Mr. Bay:

Thank you for the presentation to the Herriman Town Council on Thursday, 18 November. The presentation was most informative and interesting. We appreciate your time and your interest in available water resources for the town of Herriman.

This will also provide an expression of support for the proposed project to reclaim contaminated water for culinary use by the municipalities in the southwest sector of the Valley. Quality water resources are vital to the health and welfare of our communities. We are certainly interested in and support your efforts in behalf of Herriman.

Sincerely,

  
J. Lynn Crane  
Mayor



March 24, 2000

Mr. Richard Bay, P.E.  
Chief Engineer & Assistant General Manager Jordan Valley Water Conservancy District  
8215 South 1300 West,  
P.O. Box 70  
West Jordan, Utah 84088-0070  
Fax Number: 801-565-8917

RE: Kennecott Water Extraction and Treatment Project

Dear Richard:

A few months ago, you visited with us regarding the Kennecott Water Extraction and Treatment Project. This project will include the extraction and treatment of contaminated ground water from Kennecott's mining operations to be used for culinary purposes. As per our subsequent conversations, you were desirous to know if Riverton City wanted to participate in receiving an allocated portion of the water from the project. This letter is to confirm in writing our verbal conversations that Riverton City does request to keep the allocation percentage of water available from this project for our City. As shown in the studies that you shared with us, there are different methods of determining the percentage of allocation that Riverton should receive. Obviously, we would be in favor of the highest percentage of allocation for Riverton City.

As the time comes closer, we will stay in communication with you regarding the more precise amounts of water and percentages in relation to Riverton City and this project. Please keep in mind that the implementation of our new secondary water system will have a bearing on how much water we would want or need. We will have a better understanding of our needs when this system is on line and fully operational.

Please let me know if we can help in any way or if you have any questions.

Sincerely,

M. Leon Berrett, P.E.

City Engineer

cc: Mark Palesh, City Administrator  
Scott Hill, Water Department Head



**Tom Steele**  
**Assistant City Manager**  
8000 South Redwood Road  
West Jordan, Utah 84088  
(801) 569-5102  
Fax (801) 565-8978

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April 22, 2003

Mr. Richard Bay  
Jordan Valley Water Conservancy District  
8215 South 1300 West  
West Jordan, Utah 84088-0070

Dear Mr. Bay,

On behalf of the City of West Jordan I am writing to confirm our community's interest and support for the Kennecott Water Extraction and Treatment Project. We understand that the project will provide for the treatment of extracted contaminated ground water from mining operations, to culinary quality.

The southwest cities have been offered the opportunity to benefit from the production of this culinary water source, and the city reaffirms its interest in securing an appropriate allocation of water from the reclamation process.

We appreciate all who have worked to develop the program, and stand ready to cooperate to move towards completion of the project.

Sincerely,

Tom Steele  
Assistant City Manager

**SOUTH JORDAN CITY  
CITY COUNCIL REGULAR MEETING**

**NOVEMBER 16,1999**

**Present:** Mayor Dix McMullin, Councilman Skip Criner, Councilman Eugene Findlay, Councilwoman Mary Lynn Liddiard, Councilman Richard Warne, City Administrator Gary Chandler, Executive Director MaryAnn Dean, Public Works Director Steve Bowen, Community Development Director Clark Labrum, Water Superintendent George Leatham

**Others:** Marnie Jensen, Jonathan Callender, Glenn Barnes, Blair Brown, Ron Bagley, Dwayne Woolley, Robert & Nancy Ledford

**Councilman Criner made a motion to go into closed meeting for property acquisition and litigation. Councilman Findlay seconded the motion. The vote was unanimous in favor, with Councilwoman Liddiard and Councilman Christensen absent.**

CLOSED MEETING

**Councilman Criner made a motion to come out of closed meeting. Councilman Findlay seconded the motion. The vote was unanimous in favor, with Councilwoman Liddiard and Councilman Christensen absent.**

I. GENERAL BUSINESS

A. Welcome, Roll Call, And Prayer

Mayor McMullin welcomed everyone present. He excused Councilman Christensen, who will not be in attendance tonight. All other members of the City Council were present. Councilwoman Liddiard offered the opening prayer.

B. Pledge Of Allegiance

Community Development Director Labrum led the audience in the Pledge Of Allegiance.

C. Committee Reports

There were no committee reports given.

D. Minute Approval

1. October 26, 1999

**Councilman Warne made a motion to approve the October 26, 1999 City Council meeting minutes, as printed. Councilman Criner seconded the motion. The vote was unanimous in favor, with Councilman Christensen absent.**

## II. AWARDS, PRESENTATIONS, APPOINTMENTS, AND PROCLAMATIONS

### A. U.S. Census 2000 Presentation By Joanie Burum

**Joanie Burum**, said she is a recruiter with the U.S. Census. She showed a video outlining the responsibility and impact that the census will have on the community. She provided some handouts (Attachment A). Ms. Burum said she will be training people for the southwest quadrant of the valley. She said there is a lot of information, and there is a lot of needs to meet. She said forms will be sent to the residents on March 15th, requesting census information. She said the second notice will be sent on April 1st, also known as Census Day. She said they will be doing a lot of advertising, and working with the cities to get a good count for the census. She said the people doing the counting will be starting the end of April, or the beginning of May. She said they will also have Quality Assurance Centers for people to bring in their census forms.

### B. Jordan Valley Water Conservancy District (Richard Bay) And Kennecott Utah Copper Corporation (John Callender) Presentation

**Richard Bay**, Jordan Valley Water Conservancy District, and **Jon Callender**, Kennecott, introduced themselves. Dale Gardner, representative for South Jordan City, and Mr. Henderson with the Jordan Valley Water Conservancy District, were also introduced.

Mr. Bay passed out some information on their proposed Southwest Extraction and Treatment Project (Attachment B).

Jon Callender, Kennecott, showed a map of the Southwest Jordan Valley sulfate concentration at any depth 1994-1996, with 1998-99 data changes. He said in 1986, the State of Utah sued Kennecott Copper for damage to the state's natural resources which, in this case, is ground water resources. He said a settlement was agreed upon in 1995, in which Kennecott Copper paid the State of Utah \$9 million, and put aside a trust fund of \$28 million to restore and remediate this contamination, and provide drinking water as part of the restoration process. He said in 1995, the U.S. EPA began to evaluate the nature of the contamination. He said it was agreed that Kennecott would have the ability and right until the year 2000 to evaluate the situation, and to propose a remedy, which would make use of the trust fund money set aside to provide the restoration and treatment of water in this region. He said in July 2000, the trustee (Diane Nielson, Director of the Utah Department of Environmental Quality) will make the decision of whether or not to accept Kennecott's proposal or to go to a general use of the money and cash in the trust fund.

Mr. Bay showed a map of the proposed groundwater extraction and treatment system

(Attachment B). He said the treatment process is a reverse osmosis treatment that produces good drinking water. He reviewed the capital, operation, and maintenance, and replacement costs as outlined in Table 8.6 A (Attachment B). He summarized the proposed funding of the project as outlined in Table 9.0A (Attachment B). He summarized the annual groundwater extraction volumes in table 5.2A (Attachment B). He said they have selected zone A (3500 acre feet) as an allocation that would go directly to the benefit of the 4 communities effected, and would provide a reduced water price for a 50 year period. He reviewed the options for allocation of Zone A benefits, as shown in Tables 11.0A-G (Attachment B). He pointed out Tables 12.4A, which shows the operation, maintenance, replacement and ownership of facilities for the proposed project, and 12.1 A, which shows the proposed project schedule. (Attachment B).

Mr. Callender said this proposal will provide better quality water, with higher water pressure, at a lower cost and will utilize existing infrastructure.

Mr. Bay said this proposal will be presented to the State of Utah and the EPA in early December, and they are seeking the City's endorsement.

Mayor McMullin asked what percent of the water supply will come from this source if they support this plan, and what happens to the rights that the City has in the Deer Creek water? Mr. Bay said the water from Deer Creek reservoir constitutes most of what the Jordan Valley Water Conservancy District currently provides to the City. He said this would be a new supply in addition to the Deer Creek water, and would not effect the current contract with the City, or the current water supply that Jordan Valley Water Conservancy District provides to the City. He said it will reduce the amount of water from other sources, such as the Bear River, in the future.

Mayor McMullin asked if after 50 years, would the water blend with the Deer Creek water? Mr. Bay said the water would blend, and the quality would be equivalent. He said the reduced price, as proposed, would be available for 50 years, it would revert back to the normal price. City Administrator Chandler said this would be about 15 percent of the City's total current water usage.

Councilman Warne said Table 11.0B shows that South Jordan has 50 percent of the effected area, but the allocation is only 30 percent. Mr. Bay said they used three criteria to come up with the allocation. Councilman Warne said South Jordan City has been negatively impacted for a long time, and the neighboring communities have the capability to drill wells, which South Jordan does not have. He said as a result, the neighboring communities have also had their water at a cheaper rate because South Jordan has to buy all of their water from the Jordan Valley Water Conservancy District. He feels that should be considered in the allocation. Mr. Bay said they would consider his request, and pointed out that they have had the same request from each of the other three communities for other reasons. The other three communities are West Jordan, Riverton, and Herriman.

Mayor McMullin asked if they would start construction of this project in 2003? He was told that was correct. He asked what size of line would be installed in 1300 West, and where would the line be located? Mr. Bay said the proposal is to put the pipe in the road right-of-way, and the pipeline is from 6-16 inch in diameter. Mayor McMullin said the City is looking at reconstructing 1300 West, and they need to coordinate with the Jordan Valley Water Conservancy District so the road is not torn up again. Mr. Bay said they would like to work with the City, and see if they can move the schedule up.

Mayor McMullin asked how big the wells are that have been identified in the plan? Mr. Bay said there are 8 wells, and each well has identified 2-4 possible sites. He said they could be as small as 80 feet by 100 feet, and it would be put on a 1/2 lot, or larger. Mayor McMullin asked that they meet with Community Development Director Labrum to make sure the wells are not proposed under a project that is planned.

Mr. Callender said two of the sites are already in operation on the Kennecott property.

Mayor McMullin said the City is going to be designing 10400 South, from 2700 West to 3200 West, and they need to include those plans in conjunction with this project.

Mayor McMullin said he thinks this program is great, and he hopes the City will continue their good relationship with Kennecott, as the west side of the City is developed. He recognized the Chairman of the Board of the Jordan Valley Water Conservancy District, and Dale Gardner, South Jordan representative, and said Mr. Gardner has done more for the southwest portion of the valley than any other individual with regards to the water lawsuit over the last several years.

Councilman Warne concurred, and thanked Mr. Gardner for his work.

Councilman Warne asked if the net 1999 water rate (\$203.02) was a fixed cost, and how long would it be effective? Mr. Bay said it is a fixed formula that will be in place for 50 years.

Mayor McMullin asked if they can look at putting the pipe, or a portion of the pipe, in 1300 West, and have Kennecott or the Jordan Valley Water Conservancy District advance the money? Mr. Bay said they will take that request to the Board of Directors. Mr. Callender said they will work with the City.

**Councilman Criner made a motion to support this proposal, and to relook at the 30 percent allocation for South Jordan. Councilwoman Liddiard seconded the motion.**

Councilman Criner commended Kennecott for their hard work in remedying this situation.

**The vote was unanimous in favor, with Councilman Christensen absent.**

### III. CITIZEN REQUESTS

**Kent Sorenson**, Peterson Development, said on the south side of the Jones Farm subdivision, on 10200 South, he is required to install the landscaping in the parkstrip and the homeowners are to maintain the parkstrip. He said it does not make sense to install the landscaping now because the homes will not be completely finished for a year, and he would have to install separate water meters and electrical panels for each house, and then he would take them out when all of the houses are finished. He asked if the City Council would let him post another bond, or add this onto his existing bond, and allow him to delay installing the landscaping for a year?

Councilman Warne asked if he would still be installing the collector street fencing? Mr. Sorenson said the collector street fencing is already in.

**Councilman Warne made a motion to allow Peterson Development to landscape the parkstrip on 10200 South in conjunction with the construction of houses in the Jones Farm subdivision, and to allow the developer to post a separate cash bond for improvements, and at the appropriate time, the rest of the bond be released, and that the improvements be done within 12 months. Councilman Criner seconded the motion. The vote was unanimous in favor, with Councilman Christensen absent.**

### IV. PUBLIC HEARINGS

- A. Text Amendment To Section 12.54.160 Eliminating The Requirement For 8' Wide Landscape Planters Between Double Parking Rows In The Redwood Road MU Zones

Community Development Director Labrum said they found a duplication in the Ordinance regarding parking landscaping. He said the current Ordinance requires an 8 foot park strip between double parking rows, and landscaping on the perimeter of the parking lot. He said staff is recommending that they eliminate the 8 foot parkstrip requirement, and only require planters on single parking rows every 10 stalls, and double rows every 6 stalls. He said it would still provide the desired shading. He said the Boyer Company is the main developer requesting this amendment. He said it will reduce the parking lot area dedicated to grass and shrubs.

Mayor McMullin opened the public hearing. There were no public comments. He closed the public hearing.

### V. SUMMARY ACTION CALENDAR

None.

## VI. SUMMARY ACTION ITEMS HELD OVER

None.

## VII. DISCUSSION/POTENTIAL ACTION ITEMS

- A. Text Amendment To Section 12.54.160 Eliminating The Requirement For 8' Wide Landscape Planter Between Double Parking Rows In The Redwood Road MU Zones

Councilman Warne asked if this Ordinance amendment could only apply to the MU City Center zone? Community Development Director Labrum feels it should be applied to all MU zones because there are landscaping requirements, and they will be getting the landscape strips in the parking lot. He said this will help simplify the designing of the parking lots for developments to come.

Mayor McMullin asked if the developers still have to meet the percentage of green space requirement for a parking lot? Community Development Director Labrum said they would have to meet the 25 percent landscaping requirement.

Councilman Findlay asked about the status of Harman's coming to South Jordan? City Administrator Chandler said it is not absolute that they are coming because of the Super Wal-Mart, but they seem to be moving forward. He said Harman's is relooking at the demographics for their store.

Councilman Criner said the Planning Commission passed this amendment unanimously, and no one spoke in opposition to it.

**Councilwoman Liddiard made a motion to approve the Text Amendment To Section 12.54.160 Eliminating The Requirement For 8' Wide Landscape Planters Between Double Parking Rows In The Redwood Road MU Zones. Councilman Warne seconded the motion. The vote was unanimous in favor, with Councilman Christensen absent.**

- B. File #27-20-351-005, Deferral Agreement For Frontage Improvements For Property Located At 3892 West 11800 South Street, Anthony Rivera And Marnie Jensen (Applicants)

**Councilman Criner made a motion to circle item VII. B. Councilman Findlay seconded the motion. The vote was unanimous in favor, with Councilman Christensen absent.**

- C. File #27-14-302-017, Conditional Use Permit-Site Plan, Caroline Dreams Reception Center, Ron Bagley/Furst Construction (Applicant)

Community Development Director Labrum said this project is on two acres, east of the Grandpa Maddox restaurant, and they have met all of the conditions for the C-C zone. He feels it will be a nice development.

Councilman Warne commended the developers on their nice building, and the exterior building materials.

**Councilman Findlay made a motion to approve File #27-14-302-017, Conditional Use Permit-Site Plan, Caroline Dreams Reception Center. Councilman Criner seconded the motion. The vote was unanimous in favor, with Councilman Christensen absent.**

D. South Jordan City Police Job Description

**Councilman Warne made a motion to approve the South Jordan City Police Job Description. Councilman Criner seconded the motion.**

Mayor McMullin said this will ensure proper training for the officers, and recognize them in the retirement plan.

**The vote was unanimous in favor, with Councilman Christensen absent.**

VIII. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. CALENDARING ITEMS

Councilwoman Liddiard asked for the status of the City Administrator position. City Administrator Chandler said the screening committee has all of the packets of applications to make their top selections.

Mayor McMullin said they need to determine a deadline, and dates to set up the interviews. Mayor McMullin suggested they get a report back next week, have the staff call their references, and set up the interviews. Mayor McMullin said he would follow up with the screening committee.

Mayor McMullin said the 1300 West reconstruction project is on the agenda next week, and they need to meet with Kennecott and the Jordan Valley Water Conservancy District to coordinate with their project. He asked the City Engineers to look at the situation and work with them.

Councilman Criner said the Jordan Valley Water Conservancy District will want a right-of-way easement from the City. Mayor McMullin said they should ask the Jordan Valley

Water Conservancy District what is in their budget plans to purchase the easement.

**B. COMMENTS FROM MAYOR AND MEMBERS OF THE CITY COUNCIL**

Mayor McMullin said the Historical Committee met and they are getting the committee organized. He said they talked about the issues with the widening of 1300 West. He said their next meeting will be Thursday, November 18th, at 4:00 p.m. He said the Historical Committee needs to be invited to the public hearing with UDOT regarding 10400/10600 South. He said the Historical Committee is looking at preserving the flour mill off of 10400 south. He said they are also looking at having a marker used on the various historical places in the City. He said they have looked at using the Paul Nielson home for storage of the historical items that are collected. He said he has additional names to be added to the committee: Jan Criner, Robert Thomas, Glade McKee, Elmo Turner, and Jean Jackman. He asked that a letter be sent to them inviting them to participate. He said they will be organizing the committee with a chair, vice chair, secretary, etc. He asked that this item be put on the agenda next week to accept the new members, and then they will start looking for applications for funding for the committee.

Councilman Criner asked that they ensure Paul Nielson's home is safe according to the building and fire departments.

Councilman Wame suggested they look at getting a temporary shed for storage of the Historical Committee items and lock it with the Public Works equipment, to ensure the items are safe.

City Administrator Chandler said the City Christmas party date has been set for December 4, 1999 at Merit Medical, from 7-9 p.m.. Mayor McMullin asked that the citizen committees be invited to the party.

**Councilman Criner made a motion to go into closed meeting for personnel. Councilman Findlay seconded the motion. The vote was unanimous in favor, with Councilman Christensen absent.**

CLOSED MEETING

ADJOURNMENT

**Councilman Findlay made a motion to adjourn. Councilman Criner seconded the motion. The vote was unanimous in favor, with Councilman Christensen absent.**

The November 16, 1999 City Council regular meeting adjourned at 10:00 p.m.

This is a true and correct copy of the November 16, 1999 City Council meeting, which was approved on December 7, 1999.

  

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South Jordan City Recorder