

Santaquin City Resolution 12-02-2013

A RESOLUTION AUTHORIZING "ADDENDUM #4 - OPERATIONS ORGANIZATION" TO THE SUMMIT CREEK WATER MANAGEMENT PROJECT MEMORANDUM OF UNDERSTANDING (MOU)

WHEREAS, Santaquin City, a political subdivision of the State of Utah, is responsible for all or part of the storm, culinary, irrigation, and waste water issues within its municipal boundaries; and

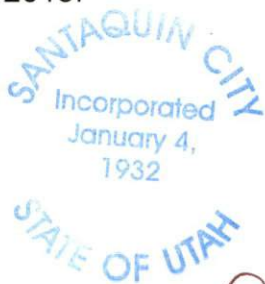
WHEREAS, Santaquin City entered into an MOU with the Summit Creek Irrigation and Canal Company, Utah County, and the Strawberry High Line Canal Company for the design, installation, operation, and maintenance of the Summit Creek Water Management Project (SCWMP); and

WHEREAS, Addendums to the SCWMP will be required from time to time to outline the policies, practices, steps, and commitments of the aforementioned participating entities to implement the goals and objectives of the SCWMP; and

WHEREAS, Addendum #4 outlines plans to address the operations of SCWMP facilities;

NOW THEREFORE, be it resolved by the City Council of Santaquin City the adoption of the attached "Addendum #4 - 'SCWMP Operations Organization' amending the MOU between Summit Creek Irrigation and Canal Company, Utah County, Santaquin City, and Strawberry High Line Canal Company for the Design, Installation, Operation and Maintenance of the Summit Creek Water Management Project.

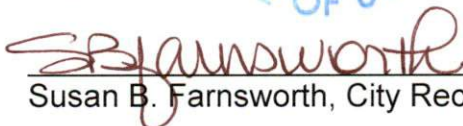
ADOPTED AND PASSED by the City Council of Santaquin City, Utah, this 11th day of December, 2013.



SANTAQUIN CITY


James E. DeGraffenried, Mayor

Attest


Susan B. Farnsworth, City Recorder

Addendum #4
SCWMP Operations Organization

Consistent with the terms of the Memorandum of Understanding (MOU) of the 9th day of February, 2012 for the Summit Creek Water Management Project (SCWMP), this addendum to the MOU defines a subsequent step in the Project.

RECITALS

Summit Creek Water Management Project

- A. Through the cooperative effort of the MOU participants, a multipurpose water management project has been planned and is being developed.
- B. Utilizing the basic concept of recharge and recovery, numerous benefits are achieved by the SCWMP to those participating entities. These basic concepts and benefits are described in a Summary Master Plan.
- C. The overall concept of the project is that each organization has its own recharge and recovery permits due to water right considerations.
- D. The facilities used to accomplish the recharge component of the SCWMP, as defined in the separate permits, are separately owned by the respective participants of the project but are being shared in the coordinated operations of the SCWMP.
- E. In order for the project to operate as intended, decisions affecting the operation these facilities will be needed during the winter and spring months of each year.
- F. The guidelines to assist with the analysis and decision making are contained in an Operation and Maintenance (O&M) Manual.

Water Rights

- G. SCIC will or has obtained recharge and recovery permits utilizing their existing water rights.
- H. Santaquin will or has obtained recharge and recovery permits utilizing their existing water rights. In addition, Santaquin has a permit to reuse treated Type I effluent from their wastewater treatment plant.

- I. High Line Canal Company will or has obtained recharge and recovery permits utilizing their existing water rights.
- J. Each of these permits requires a recordkeeping (accounting) of both the water stored by recharge and the water recovered.

Facilities

- K. The facilities needed to accomplish the recharge processes are discussed in paragraph D above. A specific inventory of these facilities is given in Addendum #____.
- L. The wells needed to recover the water resulting from the recharging process are owned and operated by the appropriate entity with the respective permits. The recovery is the responsibility of the individual permit holder.
- M. The high water conveyance channel and land is owned by Utah County consistent with State Law.

Funding

- N. SCIC has a loan for the implementation of the SCWMP from the Utah Board of Water Resources with annual payments due.
- O. Participants of the SCWMP are making payments to SCIC towards a portion of the repayment of the loan.
- P. The terms of the funding and repayment of capital costs and operation and maintenance expenses are contained in Addendums #2, #3, & #5.

TERMS

The parties agree to the following terms:

- 1. This addendum shall become effective when each party has approved the document.
- 2. The SCWMP Operation Committee (Committee) shall be organized. This addendum shall serve as the bylaws for the committee.
- 3. The purpose of the Committee is to implement the concepts outlined in the SCWMP Master Plan by coordinating the operation of numerous facilities utilized by the project.

Organization

- 4. The committee shall consist of five members appointed as follows:

- a. SCIC Board of Directors shall appoint a chairman of the Committee. The chairman shall call the necessary meetings with appropriate agendas, reports, and minutes.
 - b. Santaquin City shall appoint a vice chairman of the Committee who shall act as chairman if the chairman is unable to perform.
 - c. Utah County Commissioners shall appoint a member to the SCWMP Operations Committee.
 - d. High Line Canal Company Board of Directors shall appoint a member to the SCWMP Operations Committee.
 - e. SCIC Board of Directors shall appoint an additional member to the SCWMP Operations Committee in addition to the Chairman.
5. The term of each committee member shall be five years.
- a. The term is established at five years due to the complexity of the project and to allow continuity of the operation.
 - b. The terms shall expire in July. This allows a new board member to be appointed and "get up to speed" prior to the next runoff season.
 - c. The terms of board members will expire in the following order: e (year 1), d (year 2, etc), c, b, a; use Item 4 as a reference. Only one term will expire in any calendar year.
 - d. If an appointed member is unable to complete the full term, the appropriate body shall appoint a replacement member to fill the unexpired portion of the term.

Meetings

6. The committee may conduct official business when a quorum of 3 members is present with one of the three being either the Chair or Vice-chair.
7. Committee members may attend and participate via electronic methods.
8. In order to facilitate timely and efficient decision making, the SCWMP Operating Committee shall utilize the concepts of "Robert's Rules of Order" as it conducts its business including agendas and anticipated motions.

Duties

9. The Committee shall determine the annual recharge operation, including the shared facilities, based on guidelines contained in the O&M Manual.
10. The Committee should meet on or near the 1st of February of each

year to analyze snowpack conditions and make appropriate determinations concerning the operation of recharge versus the filling of Summit Creek Reservoir No. 2. Regular coordination should continue to occur until that year's major runoff has occurred. This may include other meetings as deemed necessary by the Chairman.

11. The Committee should receive monthly reports concerning the amount of water recharged during the previous month. These reports will also differentiate the owner of the recharged water in accordance with the appropriate recharge permit. (see J above)
12. The Committee shall receive quarterly reports from each member organization. The quarterly reports should contain the amount of water recovered under their respective permits. (see J above)
13. The Committee shall receive an annual summary report for the previous water year. This report will usually be received in November for the previous water year (October 1 to September 30).
14. Each entity shall provide the quantity of water recovered for the annual report.
15. The annual report submitted to the Committee shall serve as the basis for the report submitted to the Utah State Division of Water Rights as required by the respective permits. (see J, #13 above) This is to ensure the facilities are being used in a coordinated fashion and that water is being accounted for properly under the permits.
16. The Committee may appoint, hire, or otherwise ensure sufficient staff is available to meet the operational needs of the project.
17. The Committee shall prepare a budget for each fiscal year from July 1 to June 30. The budget shall include expenses and revenues for the operation of the project including O&M.
18. The Committee shall update the O&M Manual as appropriate.
 - a. As experience is gained in the operation and maintenance of the project, the knowledge gained should be documented in the O&M Manual.
 - b. Updating or revising the O&M Manual shall require at least a 80% vote of the Committee.
19. The Committee may evaluate any proposals it may receive from

other organizations who desire to use the SCWMP facilities for recharging water.

- a. The O&M Manual defines the areas of consideration in evaluating the proposals.
 - b. Accepting a proposal shall require at least a 80% majority vote of the Committee.
 - c. If a proposal is accepted from other participant for inclusion in the SCWMP, a formal agreement shall be required with the new SCWMP participant and the Operation Committee.
20. The Committee may modify this addendum with a least a 80% majority vote.

Operations

21. SCIC staff shall operate the infiltration basins and facilities related directly to recharge in accordance with the decisions of the Committee.
22. Close coordination shall occur with Santaquin City staff on the recharge of Santaquin's reuse water.
23. Close coordination shall occur with High Line Canal staff on the recharge of High Line's water.
24. Each entity is responsible for their own operation and distribution of water to their customers or shareholders. This addendum applies only to the recharge portion of daily operations.
25. Water being recharged will be measured and shall accrue to the appropriate permittee in paragraphs G, H, and I above. (see J above)
26. Each entity shall be responsible for its own recovery and recovery recordkeeping.

11-12-2013

SIGNATURES
Addendum #4

Philip B. Rowley 1-2-14
Phil Rowley, President Date
Summit Creek Irrigation & Canal Company

Attest [Signature] 1-2-14
Date

Doug Whitney 1-3-14
Doug Whitney, Chairman Date
Utah County Commission

Attest [Signature] 1-3-14
Date

James DeGraffenried 12-11-13
James DeGraffenried, Mayor Date
Santaquin City

Attest [Signature] 12-11-13
Date

Marty Larson 1/22/14
Marty Larson, Chairman Date
High Line Canal Company

Attest [Signature] 1/22/14
Date