


JEFFRY T. NIERMEYER  
DIRECTOR

# SALT LAKE CITY CORPORATION

DEPARTMENT OF PUBLIC UTILITIES  
WATER SUPPLY AND WATERWORKS  
WATER RECLAMATION AND STORMWATER

## CITY COUNCIL TRANSMITTAL

  
David Everitt, Chief of Staff

SCANNED TO: *mayor*  
SCANNED BY: *mayor*  
DATE: 3/30/2010  
RALPH BECKER  
MAYOR



Date Received: 03/30/2010  
Date sent to Council: 04/01/2010

TO: Salt Lake City Council  
JT Martin, Chair

DATE: March 30, 2010

FROM: Dick Gaddis, chair, Public Utilities Advisory Committee

*97 for Dick Gaddis*

SUBJECT: Public Utilities Advisory Committee

STAFF CONTACT: Jeff Niermeyer, Director, Department of Public Utilities;  
801.483.6785 or [jeff.niermeyer@slcgov.com](mailto:jeff.niermeyer@slcgov.com)

DOCUMENT TYPE: Informational

RECOMMENDATION: This document is being submitted in response to the City Council's invitation to meet with the Public Utilities Advisory Committee

BUDGET IMPACT: None.

### BACKGROUND/DISCUSSION:

Honorable Council members, on behalf of the Public Utilities Advisory Committee, we present to you this report summarizing our efforts, duties, and powers in our role in working with the Department of Public Utilities and as a voice for the public we all serve.

### History

The Salt Lake City Department of Public Utilities (Utility) has operated with a public advisory board as early as 1928. The first committee was charged by then Mayor John Bowman with acquiring and securing an adequate water supply to support a population of 400,000 people. Since that time, advisory boards have been convened as issues and needs

arose, attesting to the Utilities long history of working directly with the public to protect our water supply, and identify and solve problems.

Recognizing the value of public involvement and also the stability of a permanent organization, the Public Utilities Advisory Committee (PUAC) was formally created by ordinance in 1979 (Ord. 2.40). Charged with providing a citizen's view, it has grown to be an integral and necessary component in visualizing and developing the programs, policies, and projects that makes the Utility a successful organization.

### **Board Make-up**

The PUAC consists of nine voting members with the Mayor, the Utilities director, and the city attorney serving in ex officio capacity. Each member may serve two consecutive terms of four years. Code requires that at least three members of the PUAC reside outside of City limits but within the Utilities service area. Though not a requirement, every effort is made to identify and appoint individuals from throughout the city for the remaining six seats.

### **Powers and Duties**

Under City Ordinance Section 2.40.110, the Powers and Duties of the PUAC are as follows:

- A. To annually review the department's water and sewer system capital improvement program;
- B. To review annually the department's operations and maintenance budget and expenditures;
- C. Annually review the water and sewer revenue requirements and recommend to the mayor any rate adjustments they deem necessary;
- D. Review and make recommendations on proposed legislation relating to water and sewer;
- E. Consult with the mayor relative to water resources and sewage reclamation requirements;
- F. The power to determine and establish such rules and regulations for the conduct of the committee as the members shall deem advisable; provided however, that such rules and regulations shall not be in conflict with this chapter or any other city, state or federal law;
- G. To adopt and alter all rules and regulations which it shall from time to time deem in the public interest and most likely to advance, enhance, foster, and promote the public utility systems of the city for the purpose of carrying out the objects of this chapter, but such rules and regulations shall not be in conflict with the terms of this or any other city ordinance, state or federal law;
- H. Assist the public utilities director in every way possible for the continuing orderly development and operation of the public utilities system of the city in order to best serve the users thereof;

- I. Hear and decide appeals arising from decisions granting or denying a riparian protection permit (Or. 3-08 § 1, 2008; amended during 1/88 supplement; prior code § 49-10-11).

Additional PUAC authority is found under City Code Sections 17.16.792 and 17.81.500. Under these provisions, three members of the PUAC are appointed by City Council to hear appeals related to decisions of the hearing officer (the Director) pertaining to fines imposed during declared water shortages and the PUAC serves as the appeal authority for storm water charges.

Another important service performed by the PUAC is the committee's involvement with the Watershed Lands and Water Rights Acquisition Fund program. The PUAC helped initiate the program by their involvement and approval of the 1988 Watershed Master Plan, and their subsequent involvement and approval of the 1998 Watershed Master Plan Update. Additionally, the PUAC has advised the Utility on the development of a list of criteria for watershed lands and water rights acquisitions, as well as being directly involved in significant purchases. It is through this effort that the PUAC has one of its most direct positive impacts on watershed and water source protection, a legacy that will benefit the community well into the future.

Lastly, as the ordinance that established the PUAC was adopted prior to the creation of the Stormwater Utility, though not articulated in the code, the PUAC also performs all powers and duties for the Stormwater Utility as ascribed to Drinking Water and Wastewater.

### **Meeting Schedule**

The PUAC meets monthly, at the Utility Administrative Offices located at 1530 South West Temple. These meetings are open to the public and conducted pursuant to the Utah Open Meetings Act (the 'Act') with agendas posted at [www.slcgov.com/Utilities/ud\\_puac.htm](http://www.slcgov.com/Utilities/ud_puac.htm). As a rule, the PUAC meets on the fourth Thursday of the month at 7 am, with meetings lasting until approximately 9 am, depending on the agenda. The public is welcome to attend these meetings, with the exception being when closed sessions are conducted under the Act.

In addition to the PUAC members, the meetings are also attended by the director of the Utility, and a member of the City Attorney's Office. Also frequently in attendance are members of the Utility administrative staff, other Utility staff members, and a representative from the Mayor and City Council offices.

It is also common for representatives of consulting and engineering firms to attend, whether or not the firms are currently involved in contracts for projects with the Utility. Media typically attend only when an agenda item catches their attention.

### **Meeting Structure**

Most meetings begin with finance reports on each of the three utilities (drinking water, stormwater, and wastewater). Additional agenda items are selected as a result of questions from a committee member, issues raised in previous meetings, issues raised by the Utility administrative staff, reports and updates of ongoing projects, or for informational purposes. Presentations may be conducted by a staff member at the request of the committee or the Utility administration; a consultant reporting on a project; or by a subject expert invited by the committee to speak on an issue or topic.

It is during the course of these presentations, reports, and discussions that the PUAC is most likely to interact with staff and these opportunities are appreciated both on the part of the committee as well as by the staff of the utility. Besides its concerns regarding fiscal matters, the committee takes great interest in learning about and commenting on the various special projects and stewardship programs being implemented by the Utility. In fact, many of these programs, such as the Watershed Lands and Water Rights Acquisition Fund, the *Keep it Pure*<sup>™</sup> Campaign, and the water conservation programs, are better for the discussions that take place within the committee meetings between members, administration, and staff.

Recognizing that other perspectives are also valuable in discussion and decision making processes, the PUAC frequently invites subject experts from academia, industry, other agencies, and special interests to speak on selected topics, such as climate change, water security, and rate setting. These opportunities serve to enhance the understanding of the committee on current projects and broader issues affecting or being affected by water and its role in building and sustaining the community.

### **Sub-Committees**

The utilization of sub-committees by the PUAC is a long-standing tradition when faced with the arduous task of making recommendations on policy or programming. From its inception, the PUAC has sought not only the voices of administration, staff, and experts, but other citizens.

PUAC sub-committees have been instrumental in critical policy and program development including: the creation and adoption of volumetric sewer rates (one of the first in the state); the formation of the stormwater utility; the development of long-range solid waste management through the bio-solids program; our current three-tiered water rate structure (on which we have made recommendations of the latest rate review); the riparian corridor protection study; the 2004 and 2009 Water Conservation Master Plans; the Salt Lake City Water-wise Plant List and Park Strip List; and the *Keep it Pure*<sup>™</sup> classroom curricula; the 13<sup>th</sup> East Reservoir Reconstruction Project; to name just a few. It is this broader dialogue, in which the PUAC plays an instrumental role that provides the Utility with the link to its customers and community.



### **Utilization of Consultants**

The expertise and depth of knowledge of the leadership and staff of the Utility makes this one of the most innovative public utilities in the country. There are circumstances, however, when another view point or a more specialized skill-set can provide a valuable additional layer to the decision-making process. During these times the PUAC, with great support of the Utility, calls on consultants to assist the Utility in moving to the next level of performance and service. The PUAC and the Utility have benefitted from the experience of these experts in areas of rates and impact fees; bio-solids management; riparian corridor protection; facilities planning; and more. Access to these experts deepens the knowledge and understanding of committee members in highly specialized topics, which in turn enhances our value to the Utility.

### **Commitment to Stewardship**

The PUAC has long upheld the tradition of the Utility in making the stewardship of our water resources and broader water environment a priority. In every vote, and with each recommendation we weigh the impacts of our decisions on all those not at the table, present and future. The Watershed Lands and Water Rights Fund, water conservation, *Keep it Pure*<sup>™</sup>, and riparian corridor protection are all vital to the attainment of the goal of protecting and preserving our water supply. And there are programs the community doesn't see, such as the pre-treatment program, back-flow prevention, and stormwater protection that are equally as critical to sustaining our community through a secure and strong water environment.

### **Compensation**

As with other city committees and commissions, the members of the PUAC serve without compensation. Of course, there is the annual winter luncheon, in which we honor the service of the committee members, past and present, as well as the efforts of the Utility. This is also when the committee is presented with the outcome of the independent accounting audit, and the Annual Report. The PUAC extends an invitation to the City Council members to join us in this small act of appreciation.

But perhaps it's the words of Emmanuel A. Floor, the first Chairperson of PUAC that may best express the reasons that citizens, despite the lack of compensation, continue to provide countless hours of public service and invaluable advice and recommendations. In expressing his concern with the out-of-sight-out-of-mind apathy regarding the underground utility works, Mr. Floor stated, "If I have been able to increase the public's awareness of the infrastructure, the maze of pipes beneath the earth, buried from sight, by bringing them to the surface for all to see, then I have made my contribution to the city's future."

### **Conclusion**

The members of the PUAC perform an outstanding public service. Unpaid, they devote untold hours of their personal time to serve on this citizens' committee. Besides the

monthly meeting, they serve on sub-committees; attend public hearings, and City Council meetings. LeRoy W. Hooton, the former director of the Utility wrote, "Over the years that we have worked together on issues, I can't think of a time that the outcome didn't improve after the [Public Utility] Advisory Committee worked through it." He continued, "I believe having citizen's involvement provides a perspective that strengthens municipal government's effectiveness in providing services. There have been more instances than I can count, that my position changed after the [Public Utility] Advisory Committee worked through an issue. I am deeply grateful for all of the men and women who have served on the Committee." "Furthermore," he adds, "I think that the department's credibility with the Mayor and City Council is greatly enhanced when the Advisory Committee makes a recommendation. They are respected for their careful study of utility issues and independent recommendations."

This concludes our report; thank you for this opportunity to both present this information and to serve our community.

Sincerely,

Dick Gaddis, Chair  
Michael Polacek, Vice-Chair  
Dwight Butler  
Dixie Huefner  
Larry Myers  
Allen Orr  
Jan Striefel

**PUBLIC PROCESS:** Not applicable to this report.