**ULA Governing Board**

Wednesday, May 24, 2023, 9:00 A.M.

Hybrid Public Meeting held via Zoom and anchor location at

Utah County Historic Courthouse

51 S. University Ave., 3rd Floor Ballroom, Provo, UT 84601

**ATTENDEES:**

Julie Fullmer, Vineyard, Chair

Michelle Kaufusi, Provo, Vice-Chair

Eric Ellis, Executive Director ULA

Curtis Blair, UV Chamber

John Mackey, DWQ

Ben Stireman, FFSL

Hilary Hungerford, UVU

Mark Johnson, Lehi

Isaac Paxman, Provo

Brady Brammer, State Representative

Kamron Dalton, GO UTAH

Tom Sakievich, Commissioner UC

Chris Carn, Saratoga Springs

**INTERESTED PARTIES / VISITORS:**

Sam Braegger, Utah Lake Authority

Kaye Nelson, CUV

Jacob Holdaway

Angela Mourik

Wayne Leavitt

Kristina Davis

Scott Daly

Blake Bingham

Morgan Faulkner

Ryan Van Goetham

Ben Abbott

Sarah Graham

Soren Simonsen

Ruby

Dave Epstein

Renn Lambert

John Bennion

**ABSENT:** DEQ, Lindon, Orem, Spanish Fork, Utah Senate

**UTAH BOARD REGULAR SESSION-**

1. **Welcome and Call to Order**

Curtis Blair gave a thought.

1. **Chair and Board Members' Reports/Disclosure/Recusals**

There were no reports.

1. **Staff and Committee Reports**
   1. Executive Director Eric Ellis – Project Updates and Legislative Report

Eric Ellis gave an update on existing projects, including issuing an RFP for algae treatments and using a treatment regime. They had allocated funding for algae treatments in their 2024 budget, which would take effect on July 1. Regarding shoreline restoration work, they aimed to be more precise in their treatment methods. They continued to perform aerial treatments in a helicopter for larger areas but used marsh masters for slightly smaller areas where buffer zones prevented helicopter treatment. They had also begun incorporating seeds from upstream sources like golf courses. They emphasized the importance of the current year's treatment due to rising water levels, as treating drought-stressed areas was challenging. They discussed the need to raise awareness about the project and broadcast information to the public, addressing concerns about invasive species.

He continued and provided an update on the progress of the UL A branding project. The brand architecture and messaging portion had been completed, including headlines, taglines, and pillars of the brand platform. The report they received was exciting, with innovative ideas. The package was scheduled to be delivered to their creative team, and they would have a creative presentation by BWE in the next meeting to finalize the details and move forward.

Mark Johnson pointed out that Russian olives are listed as part of wetland plants during delineation, which is interesting because they are recognized as invasive and protected species. He expressed curiosity about the reason behind this recognition.

Eric Ellis commented that he had no answer but offered to investigate further.

Another participant added that certain indicator species, like phragmites, are considered invasive but still indicate wetland conditions.

Eric Ellis mentioned inviting municipal members to attend management planning meetings. They expressed the importance of having representatives from all seven municipalities to ensure proper representation. He also mentioned the successful Utah Lake Commission Appreciation Dinner, which Dr. Hungerford organized. The event was well-received by historical and recent board members and volunteers.

He continued that the request to assist with the management of Lower Hobble Creek from the June Sucker Program was fulfilled using the excess funding from this year's watershed restoration initiative grant. They discussed the possibility of a further partnership with the June Sucker Program in fishery management and carbon removal efforts.

Additionally, he presented a series of photos showcasing Lower Hobble Creek's progress, demonstrating their efforts' effectiveness in reducing sediment and improving water quality.

Finally, he noted the grazing plan for Walkara Way and Powell Slough was completed and shared with partner organizations, such as State Lands and the Bureau of Reclamation, for their review. The final details of loading and unloading locations for cattle and fence line designs were finalized.

Eric Ellis stated that the legislative report mentioned that Utah received a $5 million budget allocation, which was directed to the Division of Fire and State Lands for administration. Meetings were held with executive appropriations officials, fiscal analysts, and legislators to discuss the clear intent of administering pass-through dollars to agencies. A bill file was suggested to bring uniformity and provide clear direction for agencies like forestry. For the current year, forestry is in agreement on how the funds will be spent, and they are eager to implement the projects during the summer. Further details about the utilization of the funds would be discussed later.

* 1. Addy Valdez- Conservation Biologist: Introduction and Update

Addy Valdez, Conservation Biologist with ULA, introduced herself. She had a background in aquatic research and growing up on a ranch in Montana. She has a strong passion for ecosystem conservation and outdoor activities. She was grateful for the opportunity to work with excellent agencies and apply my skills to my current role. Recent projects involved pipe monitoring and tagging June suckers to track their spawning and stocking progress. She collaborated with UVU and professors to grow donated plants for the Delta project.

Additionally, she was working on an application with the Department of Food to implement pollinator programs for shoreline restoration. USU's assistance was sought to improve the implementation of submerged aquatic vegetation. Exciting opportunities existed to enhance resources and promote ecosystem cohesiveness. She was open to discussions and eager to collaborate with others. The ongoing challenge was reducing the number of carp in the lake, which had seen a decline but required continued efforts to stay below the target of 20%. Program managers were actively seeking sustainable solutions to meet this goal.

A Board Member mentioned that as a Board, they were responsible for selecting specific metrics and measuring them consistently over the years to demonstrate the effectiveness of their actions. They requested recommendations on these metrics, particularly within the expertise of the individuals present. They acknowledged that some aspects may be challenging to measure and encouraged everyone to become familiar with the process. They expressed gratitude for the attendees' efforts and contributions.

* 1. Jenna Ahern – Outreach Coordinator: Introduction and Update

Jenna Ahern introduced herself as the new Outreach Coordinator at the ULA. She highlighted her previous experience in content writing, marketing, and social media. She expressed enthusiasm for contributing to the company's front-facing aspect. In her early days, Jenna was involved in website updates, SEO improvement, and making information more accessible on the website and social media platforms. She has also assisted in creating content for event flyers, banners, and other materials to communicate effectively with people. Jenna has been brainstorming ideas to improve the perception of the lake among residents due to common misconceptions about Utah. Despite being with the company for only two weeks, she appreciates the support from everyone and mentions her intention to provide event reports in the future.

* 1. Sam Braegger – Programs Manager: Events and Engagement Update

Sam Braegger expressed gratitude to Ms. Ahern. He explained that their objective in hiring Jenna was to delegate the communications and events responsibilities he previously handled. He proceeded to provide a quick report on recent and upcoming events. The first event he mentions is the fourth-grade field trips, where they had nearly 1,104 students across four days, with various presentations and activities focused on water conservation, wildlife, and fishing. Sam appreciates the agencies that contributed to educating the children about Utah Lake. He mentions their plans to continue these field trips in the future.

Next, he discussed the Summer Fish Fest, a catch-and-release fishing challenge held over nine days. Sam highlights the diversity of fish species available in Utah Lake and the positive feedback received from participants. He mentioned the raffle and partnership with sporting goods for prizes.

Additionally, he noted the Paddle with Care event, which raises awareness about water safety. He acknowledges Kim Ray, a volunteer who initiated the event and mentioned the educational booths and life jacket giveaway. The event also served as a fundraiser for the Life Jacket Loaner program. Sam shares their success in raising funds and increasing participation compared to the previous year.

Finally, he mentioned plans for future events, including the photo contest galleries displayed at libraries and the Utah Lake Festival, which features educational booths, activities, food trucks, and a scavenger hunt. Sam invites the board members to engage with their communications teams for more information and encourages questions about the events.

1. **Consent Items**
   1. Approval of March 29, 2023, ULA Board Meeting Minutes:
   2. Review and approve October – April Monthly ULA Budget Reports

Action: To approve the Consent Items 4.1 and 4.2. Brady Brammer motioned. Tom Sakievich seconded. The motion passed unanimously

1. **Presentations/Recognitions/Awards**

5.1 Open and Public Meetings Act Training – AAG Paula Faeber

Paula Faeber explained that she had been working with Eric and Sam since January but looked forward to collaborating with everyone in the future. She discussed the Open and Public Meetings Act, specifically its application to the Lake Authority. She emphasized the importance of proper notice for meetings and the inclusion of agenda items for discussion and voting. The Act also ensured public attendance, transparency in conducting business, and maintaining accurate records. She defined meetings under the Act and clarified when it applied, highlighting the need for a quorum and specific reasons to close a meeting. She recommended consulting Eric or the Attorney General's office for any uncertainties regarding meeting requirements. She stressed the importance of adhering to Section 52-4-202 and the electronic meeting policy. She provided guidelines for closed meetings, agenda items, recordings, and minutes. The key takeaways were to avoid acting outside of official meetings, closing meetings unnecessarily, and conducting Lake Authority business during social gatherings. Public attendance was encouraged, but disruptive individuals could be removed. She offered her assistance and encouraged reaching out for any questions or concerns.

5.2 Fiscal Training and ULA Pocket Guide – Eric Ellis

Eric Ellis addressed the audience and discussed the fiscal reporting procedures of the Utah Lake Authority. He highlighted the various reports they provide, including monthly expenditures and annual reports to the UL A board, an annual progress report to the Executive Appropriations Committee, an annual budget report to the state auditor's office, and a self-evaluation report, financial survey, trial balance, third-party audit report, fraud risk report, and financial certification at the end of the year. He mentioned they also report quarterly to the state transparency office, sharing revenue, expenses, and salary information. He emphasized the importance of transparency and mentioned that the comprehensive reporting process helps prevent fraud. Eric informed the attendees about the pocket guide in their package, which contains information about the Authority's vision statement, mission statement, major projects, and training sections. He specifically mentioned the importance of completing the open public meetings training and the state auditor board member training at least once during their tenure. He encouraged everyone to review the guide, which also provided the meeting schedule, contact information for board members, and frequently asked questions. He concluded by providing QR codes for quick access to relevant documents and contact information for himself and the Authority's social media accounts.

1. **Public Hearing Discussion and Action: Proposed FY2024 Budget**

Review and Approval of the FY24 Proposed Annual Budget:

Action: To open the Public Hearing. Michelle Kaufusi motioned. Curtis Blair seconded.

Eric Ellis provided an overview of the Utah Lake Authority's operating budget for the upcoming year. He mentioned that it resembles the previous year's budget since it is their first full operating year. He explained that their funds do not lapse, so they incorporate unused funds from the previous year into the new budget. He discussed allocating funds, including accounting services, promotion, and event sponsorship, and a transfer to the capital projects fund for planned projects. He shared the planned expenditures for access enhancements, algae treatment, wetland and conservation mitigation, and shoreline restoration. He mentioned that their contribution to the shoreline restoration project is more substantial than before and is part of an ongoing effort.

Julie Fullmer asked about ongoing funding.

Eric clarified that a portion of the annual appropriation goes directly into the project while the total amount remains ongoing.

Action: To close the Public Hearing. Michelle Kaufusi motioned. Tom Sakievich seconded. The motion passed unanimously.

Action: To approve the proposed FY2024 annual budget. Michelle Kaufusi motioned. Curtis Blair Seconded. "Aye," Curtis Blair, Hilary Hungerford, Kamron Dalton, Julie Fullmer, Michelle Kaufusi, Isaac Paxman, Tom Sakievich, Mark Johnson. "Nay," none. The motion passed unanimously.

1. **Closed Session**

Paula Faeber stated the reasons and requirements for entering into a closed session.

Action: Motion to close the meeting to discuss section d. Tom Sakievich motioned. Kamron Dalton seconded. The motion passed unanimously.

At 10:31, the board returned from closed session and the public meeting was continued.

1. **Action Items**
   1. Board Resolution and the creation, monitoring, and maintenance of the Utah Lake Wetland restoration site.

Eric Ellis presented a resolution to the Board, stating that the Utah Lake Authority will take responsibility for overseeing the completion and maintenance of a wetland restoration site. He mentioned that the Authority has received a grant for developing the site and will continue working in the future to ensure its successful vegetation efforts. The resolution serves as a plan to fulfill these responsibilities.

Action: To approve the resolution as presented. Kameron Dalton motioned. Brady Brammer Seconded. "Aye," Ben Stireman, Hilary Hungerford, Kamron Dalton, Julie Fullmer, Isaac Paxman, Brady Brammer, Tom Sakevich, Mark Johnson, Curtis Blair. "Nay," none.

* 1. Discuss and approve the resolution assigning the ULA Chair the duty of annually reviewing performance and recommending compensation rate for the Executive Director to the Board.

Paula Faeber presented a resolution regarding the review and possible salary increase for the Executive Director. She explained that according to the statute and bylaws, the Utah Lake Authority is responsible for establishing the Executive Director's salary, and the Chair conducts an annual performance evaluation. The resolution delegates the Authority to the Chair to review the market analysis and performance evaluation and make a recommendation for any salary increases, which would then be discussed and approved by the Board. It was noted that the Executive Director is not involved in reviewing their salary, and the responsibility for reviewing other staff compensation falls to the Executive Director. The discussion highlighted that other organizations follow similar practices, and it was important to recognize the unique position and requirements of the Executive Director role within the Utah Lake Authority.

The motion received support, emphasizing the need to treat the Executive Director fairly based on the responsibilities and demands of the position.

Action: To approve resolution 2023-2 regarding the compensation of the Executive Director. Kamron Dalton motioned. Tom Sakievich seconded. "Aye," Ben Stireman Hillary Hungerford, Kamron Dalton, Julie Fullmer, Isaac Paxman, Brady Brammer, Tom Sakievich, Mark Johnson, Curtis Blair. "Nay," none.

1. **Public Comments**

Julie Fullmer mentioned that there had been a public comment from Mr. Jacob Holdaway regarding the Lake Authority's project.

The comment stated that the Holdaway family would not support the project in its current form and would fight it with the help of an attorney. It was mentioned that if the Lake Authority continued to remove their families, it could lead to a lengthy federal court case.

Jacob Holdaway then requested to address the group directly.

Chair Julie Fullmer allowed him two minutes to speak.

Jacob Holdaway expressed dissatisfaction with the lack of transparency regarding the documents on the road passing through their property. He claimed that the Lake Authority denied their involvement for nine months, but when the federal government made the documents public, they fought against their release. Jacob questioned why the documents were not being made public and mentioned that Eric Ellis had previously stated no roads were going through the wetlands during a meeting. However, the documents indicated Eric's presence during the road planning. Jacob emphasized their request for the documents and expressed confidence in their century-old case. He mentioned the possibility of dragging the case in court for another decade due to the court's backlog. Jacob suggested that if the Lake Authority was established for the people's vote, they should have another election to address the issue. He emphasized the importance of access to the documents and stood up for their rights as citizens, clarifying that it was not personal.

Julie Fullmer thanked Mr. Jacob Holdaway for his comment and responded by stating that there may have been a misunderstanding. She clarified that the information he mentioned, such as the documents, was already public and available for the Board's access if needed.

Kaye Nelson, a Utah Valley and Utah Lake Conservation Coalition member, expressed her enthusiasm about the positive developments discussed in the meeting. She mentioned her connection with Jenna and Addie and offered to help disseminate information about the progress to their email list and social media platforms. She expressed her fatigue in dispelling misconceptions about the lake's condition and commended the Board for their efforts. She raised concerns about the proposed Inland Forks project in Spanish Fork, mentioning a town hall meeting planned for June 8, where the issue will be discussed. She requested representation from the Board or someone knowledgeable about the project's potential impact on the lake's wetlands and views. She concluded by expressing her gratitude.

John Bennion asked about the location of the wetlands restoration area. He also asked about mitigation and restoration. He spoke to a contractor involved in the pathway project and expressed confusion about the purpose of purchasing mitigation land. They mentioned the contractor's statement about downgrading policy and buying land to mitigate it. He hoped the wetlands would be maintained and not downgraded.

Eric Ellis clarified that wetland mitigation needs to take place within the same watershed, either by offsetting the impacts at the location or setting aside a piece of property in the same region. It was emphasized that the existing wetlands around the lake should be protected and enhanced rather than simply establishing new wetlands. He assured that the wetlands within the site are intended to be enhanced and will serve as a focal point for showcasing good restoration practices. The individual expressed satisfaction with the response and stated that their question had been answered.

1. **Adjournment**

Action: Motion to adjourn the meeting. Ben Stireman motioned. Julie Fullmer seconded.