



## CITY COUNCIL MEETING AGENDA

### Mayor Trevor Olsen

Mayor Pro-Tempore Charlie Taylor  
Council Member Kellen Nielson  
Council Member Chris Ewald  
Council Member Jesse Grover  
Council Member Chad Moses

January 27, 2026 7:00 PM City Council Meeting  
50 West 100 South Street,  
Blanding Utah 84511

**Meetings live streamed when available at:**  
<https://meet.google.com/ksn-wsxi-zea>

Notice is hereby given that the City Council of Blanding, Utah will hold a Regular Council Meeting on January 27, 2026 at 7:00 pm at the City Office, located at 50 W. 100 S.

## POLICY MEETING

1. Call to Order
2. Roll Call
3. Prayer or Thought
  - a. Anyone in attendance is invited to notify the Mayor prior to the meeting if they would like to offer a prayer or thought
4. Pledge of Allegiance
5. Consent Agenda & City Council Minutes Approval - January 13th, 2026 **Pg. 03**
6. Approval of CDBG Minutes from First Public Hearing **Pg. 11**
7. Declaration of Conflicts of Interest

## Public Input

City Council and staff strive to keep all discussions respectful, on topic, and solution-focused. Comments should be conducted with kindness and professionalism, and we ask that all public comments follow the same standard. **Comments are limited to 3 minutes.**

Anyone wishing to address the Council on any item is invited to do so. Public Input is an opportunity for the public to bring information to the Council. Clarifying questions may be asked by the Council, but it is not an appropriate time for substantive discussion.

## Reports

1. Mayor
2. City Council
3. Pratt Redd
  - a. City Manager Report
4. Patrick Parsons
  - a. Monthly Water & Public Works Report **Pg. 13**
5. Taylor Francom
  - a. Monthly Airport & Building Reports **Pg. 17**



### Business Items

1. Resolution 01-27-2026-1 Approval of Interlocal Cooperation Agreement **Pg. 18**

### Discussion Items

1. Personnel Policy Modifications - **Separate Document**

### Closed Session

Possible closed session for the purpose of discussing pending or reasonably imminent litigation; to discuss the character, professional competence, or physical or mental health of an individual; to discuss collective bargaining; or to discuss the purchase, exchange, sale or lease of real property. *Utah Code 52-4-205*

### Adjournment

*In compliance with the ADA, individuals needing special accommodations during this meeting may call the City Offices at (435) 678-2791 at least twenty-four hours in advance. Every effort will be made to provide the appropriate services. One or more members may participate in the meeting electronically, according to Blanding City Ordinance 1-5-5-F regarding electronic meeting participation. All agenda times are approximate.*



## CITY COUNCIL MINUTES

### Mayor Trevor Olsen

Council Member Kellen Nielson

Council Member Chris Ewald

Council Member Charlie Taylor

Council Member Jesse Grover

Council Member Chad Moses

January 13, 2026 6:00 PM - Work Session

January 13, 2026 7:00 PM City Council Meeting

50 West 100 South Street,

Blanding Utah 84511

**Meetings live streamed when available at:**

<https://meet.google.com/xxg-uefm-yut>

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### Work Session

#### 1. Stormwater Interlocal Agreement Review

- WHEREAS, the San Juan School District has constructed a stormwater retention facility located on the southeast corner of the Blanding Elementary School property, designed to manage up to a 100-year storm event within a 24-hour period; and WHEREAS, under certain rare and limited conditions, controlled release of stormwater from the retention facility into the City's municipal stormwater system may be necessary to prevent overflow and address public safety concerns, including the accumulation of standing water near a school zone; and WHEREAS, infrastructure exists to allow controlled drainage from the retention facility through an overflow valve mechanism; and WHEREAS, the Parties desire to establish clear operational procedures, coordination requirements, and allocation of responsibility for such releases; and WHEREAS, this Agreement is entered into pursuant to the Utah Interlocal Cooperation Act, Utah Code §11-13-101 et seq.
- Mr. Redd explained some of the specifics of the interlocal agreement. He provided context on a storm water issue concerning the school district's pond, which was originally intended as a retention pond but failed to percolate correctly due to clay in the ground. The city is changing the definition of the pond to a detention pond to allow for controlled release of water into the city's storm water system when it is not raining. They discussed who will supervise the whole thing and especially when water is being let out of the detention pond. A fence will also be installed around the pond to resolve safety issues related to standing water. It was suggested that they put in the contract that they will reevaluate in a year and see how things have gone. They also talked about roads and the school district's responsibility.

#### 2. Annual Schedules

- The city council went over the city council scheduled meetings for 2026 as well as the city office and holiday schedule. Mr. Redd presented a detailed holiday office schedule to streamline the time-off hours for all employees across different departments, including admin, public works, and police. The goal is to balance the time off for different schedules and provide clarity for traditional holiday closures around Thanksgiving and Christmas. The standardized schedule results in approximately 104 hours of paid time off for most employees, comparable to

past practices. Councilmember Taylor expressed concern that the detailed holiday schedule, which provides more time off than standard federal holidays, might create a perception of excessive leave. Mr. Redd defended the plan, noting it reflects a long-standing practice that is now being documented for transparency and to simplify payroll administration. They agreed to put in the caveat of "upon the mayor's approval" for the time off. The schedule allows for adjustments throughout the year if necessary.

### **3. Area of Responsibility**

- They discussed the council members' responsibilities over certain departments and what they have traditionally done in the past. Mr. Redd asked if anyone was interested in being involved with anything in particular. Councilmember Taylor will be over parks and rec and the rec board he will also be the mayor pro temp. He would also like to remain over power. Councilmember Nielson will remain with the planning commission and events. Councilmember Ewald will remain over the airport and take on tourism and economic development. Councilmember Moses will be over public health, water, sewer and solid waste. Councilmember Grover will be over natural gas and youth city council.

### **4. General Preferences & Procedures**

- Mr. Redd went over the logistics of getting the packet ready and when you can add things and when he gets it finalized. He talked about the best meeting times, text threads and emails. Mr. Redd wanted the new council members to be aware of policies and procedures and how things work. The mayor talked about how the meetings usually run.

### **5. Gemini Training**

- Mr. Redd provided training on digital assets for new council members, including access to the Google Drive for council packets and minutes. He introduced Gemini, an AI tool that records meetings and generates transcripts, video, and summaries, though these are not the official minutes. Mr. Redd also demonstrated a "notebook" feature for uploading and querying large policy documents like the Utah League of Cities and Towns book.

## **POLICY MEETING**

1. Call to Order
2. Roll Call
3. A Prayer was offered by Mayor Olsen.
4. The Pledge of Allegiance was recited by all in attendance.
5. Consent Agenda & City Council Minutes Approval - 12.09.2025

**Councilmember Taylor made a motion to approve the consent agenda and minutes from December 9, 2025. Councilmember Ewald seconded the motion. Mayor Olsen repeated the motion and asked for discussion or questions. Hearing none, he called for a vote.**



**Those voting aye:**

**Councilmember Taylor  
Councilmember Nielson  
Councilmember Grover  
Councilmember Ewald  
Councilmember Moses**

**Those voting nay:**

**None**

**Constituting all members thereof, Mayor Olsen declared the motion carried.**

6. Declaration of Conflicts of Interest - None

### **Public Input**

Martin Numbers was present at the council meeting. He wanted to express some concerns. He said that he doesn't live here anymore, he lives up north with his daughter. He stated that he has heard that power is cheaper here than other places. He went over some calculations of kilowatts and prices and expressed his confusion of electric utility rates, which seem to decrease with higher usage.

Kenyadi Kane was present and she asked that the council reconsider joining up with White Mesa as far as water goes. She feels like it would be a strain on an already limited system to add another township. Mayor Olsen confirmed that as of right now there is nothing in the works.

### **Reports**

#### **1. Mayor**

- The mayor stated that he asked Councilmember Taylor to be the Mayor Pro Tempore.

#### **2. City Council**

- Councilmember Nielson stated that the planning commission has been working on the mobile home ordinance and it will be brought to city council at the next meeting or the first meeting in February.

#### **3. Pratt Redd**

##### **a. City Manager Report**

- Mr. Redd stated that the company, Lockner, that is handling the airport project is in town and they have been checking in on things and going over some final check lists and things are going well there.
- He was asked by a citizen about a potential dog park, it has been talked about before and it can be brought back to council and discussed.
- The county is planning on appointing a judge on January 27th.
- Councilmember Ewald asked what the plans are for the gates on the wildlife fence at the airport. Mr. Redd stated that there are plans to get proper gates put in. He will confirm with Taylor Francom.

##### **b. Court Report**

- December: Total Traffic Cases: 39  
Total Criminal Cases: 12



#### 4. Finance Report - James Francom

- Mr. Francom had the operational budget available for the council to look at. He also explained the budget and how to read it to the new councilmembers. He explained how to look things up and what the numbers mean.
- They talked about the marathon and how much was spent on it and how much was made. They spent less than what was budgeted for. Mr. Muhlestein talked about the revenue and the indirect revenue.
- Councilmember Taylor asked about the county comfort expense. They talked about bathrooms at the parks. Mr. Palmer stated that he is currently looking into grant funding for some permanent bathrooms at the pickleball courts.
- Councilmember Nielson asked about the big expense on the fuel system. It was explained that it is the fuel system at the airport. Councilmember Ewald reported that it is working fine as far as he knows.

#### 5. Community & Economic Development Report - Ben Muhlstein

- **Blanding Businesses** - We are continuing to get business renewals through City Inspect. A majority of existing licenses have been renewed with about 50 remaining. We are still figuring out all the kinks, but the process is getting much better.
- **Events: July 4th:** Plans are shaping up for this year. Our committee will be meeting later this month with the County which also has a 4th of July committee for this year. **Marathon:** The marathon officially had 159 registrants with 120 showing up to run. We are still waiting on an invoice from the School District but the marathon continues to make money for the city, both through direct costs and through indirect taxes from TRT and Sales Tax.
- **Community Development:** Mobile Home updates are coming along. The Planning Commission is meeting on the 8th to vote on sending their current thoughts to the City Council. (To review in February) - Planning Commission is also reviewing the idea of a Water Wise ordinance. They have finalized that ordinance and it is ready for the council to look at and approve that.
- **Visitor Center Data for 2025**
  - 20,489 Total Visitors for 2025
  - \$43,532 Total (CNHA) Sales for 2025 (An additional \$3,600 in City Sales.)
- Councilmember Taylor stated that he would like to see the mobile home ordinance as soon as possible so that they have time to really look over it and review it.

#### 6. Police Report - Chief JJ Bradford(Chief Bradford was absent, Mr. Redd went over his report)

- All officers attended arrest control and vehicle extraction training.
- December kept us busy with more calls for service than last year. We took an additional five calls for service and our arrests and citations were just slightly lower than last year. This was done while being down a third of our department.
- Cadets Spillman and Laws spent a couple weeks over the Christmas break riding along with officers and getting some field training. They were able to be a part of a

couple DUI arrests, obtaining and serving a search warrant, domestic violence calls and observe a couple other investigations as they were conducted.

- Chief Bradford is getting one of the three new trucks right now. He drove an old police car up north for the company to take all the assets out and put them into the trucks.

#### **7. Park & Rec quarterly report - David Palmer**

- **The 4th quarter of 2025 was very busy, I have listed the highlights below:** We Finished up all of our Fall Sports which are listed below
  - We finished Flag Football this quarter
  - We finished Tackle Football this quarter
  - We finished Girls Basketball this quarter and this was the first year we offered basketball to the 1st & 2nd grade girls. It was a great success.
    - We Winterized all of our City Parks and buildings for the winter during the first part of October
    - We finished the registration process for Boys Basketball and started practice in December
    - The Wellness Center this quarter had 7,200 visits during the 4th quarter and 43,794 visits for the whole year of 2025. That is an average of 142 paying customers every day. This does not count the hundreds of spectators that come to watch sporting events at the facility.
    - At the end of December we installed all brand new exercise equipment at the Wellness Center.
    - At the end of my 1st full year with the City we had 736 participants in our sports programs. This year marked my 15th year with Blanding City and we ended the year with 1,031 total participants in our sports programs. That is an increase of 40.1% which is incredible considering the Census data shows the population of Blanding has only increased by 1% over the same time frame.
- Last Monday they started their new position and he is very grateful for that and they have big plans and goals for the position and hopefully the results will be a noticeable difference.
- Mr. Palmer stated that they have purchased all the new mowers that they need. The mowing will now be done in-house. It has already been beneficial in that the mowers have been across every inch of the parks and it's brought to light some things that need attention and improvements.
- Before spring baseball the renovations will be done on the concession stands at the ball park.
- They briefly discussed the hours of the wellness center. Mr. Palmer stated that they are busy early in the morning and in the evening.

### **Business Items**

#### **1. Resolution 01-13-2026-1 APPROVING THE ANNUAL OFFICE AND HOLIDAY SCHEDULE FOR BLANDING CITY**

- WHEREAS, Blanding City establishes an annual office and holiday schedule to ensure consistent municipal operations, employee clarity, and continuity of essential public services; and WHEREAS, City Staff has prepared the 2026 Office and Holiday Schedule, which outlines official City holidays, office closures, and applicable administrative guidance for City departments; and WHEREAS, the Blanding City Council desires to formally approve the annual office and holiday





schedule as presented, without enumerating individual dates or hours within this Resolution.

**Councilmember Taylor made a motion to approve Resolution 01-13-2026-1 approving the annual office and holiday schedule for Blanding City. Councilmember Nielson seconded the motion. Mayor Olsen repeated the motion and asked for discussion or questions. Hearing none, he called for a vote.**

<b>Those voting aye:</b>	<b>Councilmember Taylor</b>
	<b>Councilmember Nielson</b>
	<b>Councilmember Grover</b>
	<b>Councilmember Ewald</b>
	<b>Councilmember Moses</b>

<b>Those voting nay:</b>	<b>None</b>
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**Constituting all members thereof, Mayor Olsen declared the motion carried.**

**2. Resolution 01-13-2026-2 APPROVING THE ANNUAL CITY COUNCIL MEETING SCHEDULE FOR BLANDING CITY**

- WHEREAS, the Blanding City Council establishes an annual meeting schedule to ensure orderly governance, public transparency, and compliance with applicable open and public meetings requirements; and WHEREAS, City Staff has prepared the 2026 City Council Meeting Schedule, which outlines the regular meeting cadence, locations, and associated work sessions for the calendar year; and WHEREAS, the Blanding City Council desires to formally approve the annual City Council meeting schedule as presented, without enumerating individual meeting dates or times within this Resolution.

**Councilmember Ewald made a motion to approve Resolution 01-13-2026-2 approving the annual city council meeting schedule for Blanding City. Councilmember Taylor seconded the motion. Mayor Olsen repeated the motion and asked for discussion or questions. Hearing none, he called for a vote.**

<b>Those voting aye:</b>	<b>Councilmember Taylor</b>
	<b>Councilmember Nielson</b>
	<b>Councilmember Grover</b>
	<b>Councilmember Ewald</b>
	<b>Councilmember Moses</b>

<b>Those voting nay:</b>	<b>None</b>
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**Constituting all members thereof, Mayor Olsen declared the motion carried.**

**Advice and Consent Items**

**1. Create Resolution for Blanding Downtown Plan**



- Mr. Redd sought advice and consent to create a resolution for the downtown plan documents, noting that changes have been made, including removing some specific language about a bypass. The plan provides guidance for grant funding and partnerships to make the downtown more walkable and user-friendly, emphasizing it is a blueprint of ideas, not final policy or procedure. The council advised moving forward with creating the resolution.

## Discussion Items

### 1. 2027 Budget Discussion & Timeline

- Mr. Redd outlined the timeline for the 2027 budget, starting with department heads meeting with employees in the first two weeks of March, followed by preparation with department heads in the latter half of March and April. The City Council will begin reviewing the budget in early May. He encouraged the council to bring up any items or any areas of concern or projects that they want in the budget. They plan to dedicate time to discuss budget items during the six o'clock work sessions and encouraged council members to watch a training video on approaching budgets as a guide for city goals and objectives, not just a profit and loss sheet.

## Closed Session

**Councilmember Nielson made a motion to go into closed session to discuss personnel. Councilmember Grover seconded the motion. Mayor Olsen repeated the motion. He asked for discussion or questions. Hearing none, he called for a vote.**

**Those voting aye:**

**Councilmember Taylor  
Councilmember Grover  
Councilmember Nielson  
Councilmember Ewald  
Councilmember Moses**

**Those voting nay:**

**None**

**Constituting all members thereof, Mayor Olsen declared the motion carried.**

## Adjournment

**Councilmember Grover made a motion to adjourn. Councilmember Nielson seconded the motion. Mayor Olsen repeated the motion and asked for discussion or questions, hearing none, he called for a vote.**



**Those voting aye:**

**Councilmember Taylor  
Councilmember Grover  
Councilmember Nielson  
Councilmember Ewald  
Councilmember Moses**

**Those voting nay:**

**None**

**Constituting all members thereof, Mayor Olsen declared the motion carried.**

**The meeting adjourned at 8:28pm.**



## COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FIRST PUBLIC HEARING NOTICE MINUTES

### Mayor Trevor Olsen

Mayor Pro Tempore Cheryl Bowers  
Council Member Chris Ewald  
Council Member Charlie Taylor  
Council Member Erik Grover  
Council Member Kellen Nielson

### December 9th - CDBG First Public Hearing

50 West 100 South Street,  
Blanding Utah 84511

### Meetings live streamed when available at:

<https://meet.google.com/ymf-jwqo-rjs>

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Blanding City FIRST CDBG PUBLIC HEARING HEARING HELD (50 W 100 S, Blanding Utah, 84511 on December 9th, at 7:00 pm

The Blanding City first CDBG public hearing was held on December 9th, in the City Hall located at 50 W 100 S, meeting commenced at 7:00 pm.

### Present: (Please list all in attendance for the meeting)

Mayor Pro Tempore Cheryl Bowers  
Council Member Chris Ewald  
Council Member Charlie Taylor  
Council Member Kellen Nielson  
City Manager/Recorder - Pratt Redd  
City Clerk - Nicole Holiday  
Community Development - Ben Muhlestein  
JJ Bradford - Police Chief  
Corey Spillman - Fire Chief  
Public Attendees - None

### COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC HEARING:

Mayor Olsen opened the public hearing for the CDBG program and stated that the purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications for the 2026 funding cycle. It was explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. Southeast region, in which Blanding City is a member, is expecting to receive approximately **\$504,284** in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual and interested persons can review it at any time. Mayor Olsen read several of the eligible activities listed including examples, such as Construction of public works and facilities, fire stations and fire safety, acquisition of real property, and other projects. Mayor Olsen indicated that in the past Blanding City has received two grants for the shade structures and pickleball courts. The city has handed out its capital investment plan as part of the regional "Consolidated



Plan". This list shows which projects the city has identified as being needed in the community.

It was asked that anyone with questions, comments or suggestions during the hearing please identify themselves by name, before they speak. The clerk will include your names in the minutes and we would like to specifically respond to your questions and suggestions during the hearing.

- We did not have any community members in attendance during the public hearing for this first meeting. No suggestions were given.

# City of Blanding

## Monthly Water Report



### December 2025

Reported in Acre Feet

(1 acre foot = 325,851 gallons)

Reservoir	Total Reservoir Capacity	Required Consrvn Capacity	Total Usable Capacity	City Share of Total Capacity	Current Reservoir Volume	Unused City Storage	City Share of Current Volume	City Share of Volume 2024	City Share of Volume 2023
Starvation	500	0	500	500	139	361	139	388	388
4th Reservoir	2,350	250	2,100	2,100	1,513	837	1,263	1,638	1,782
3rd Reservoir	250	50	200	200	145	105	95	170	190
Drywash	500	100	400	0		0	0	0	0
Recapture	8,444	2,500	5,944	800	2,506	800	0	0	0
<b>Total</b>	<b>12,044</b>	<b>2,900</b>	<b>9,144</b>	<b>3,600</b>	<b>4,303</b>	<b>2,103</b>	<b>1,497</b>	<b>2,196</b>	<b>2,360</b>

	Gallons/Per Day	Acre Feet/Month
Pipeline Flow	1,125,903	107

	Gallons	Acre Feet
Monthly Total Treated	9,429,400	29.00
Monthly Total Pumped	Well A	0.00
	Well B	0.00
	Well C	0.00
Total Montly Treated and Pumped		29.00

#### Notes:

We're looking good as far as precipitation totals, not so good as far as snow pack. It's been exceptionally warm (see temps graph for reference).

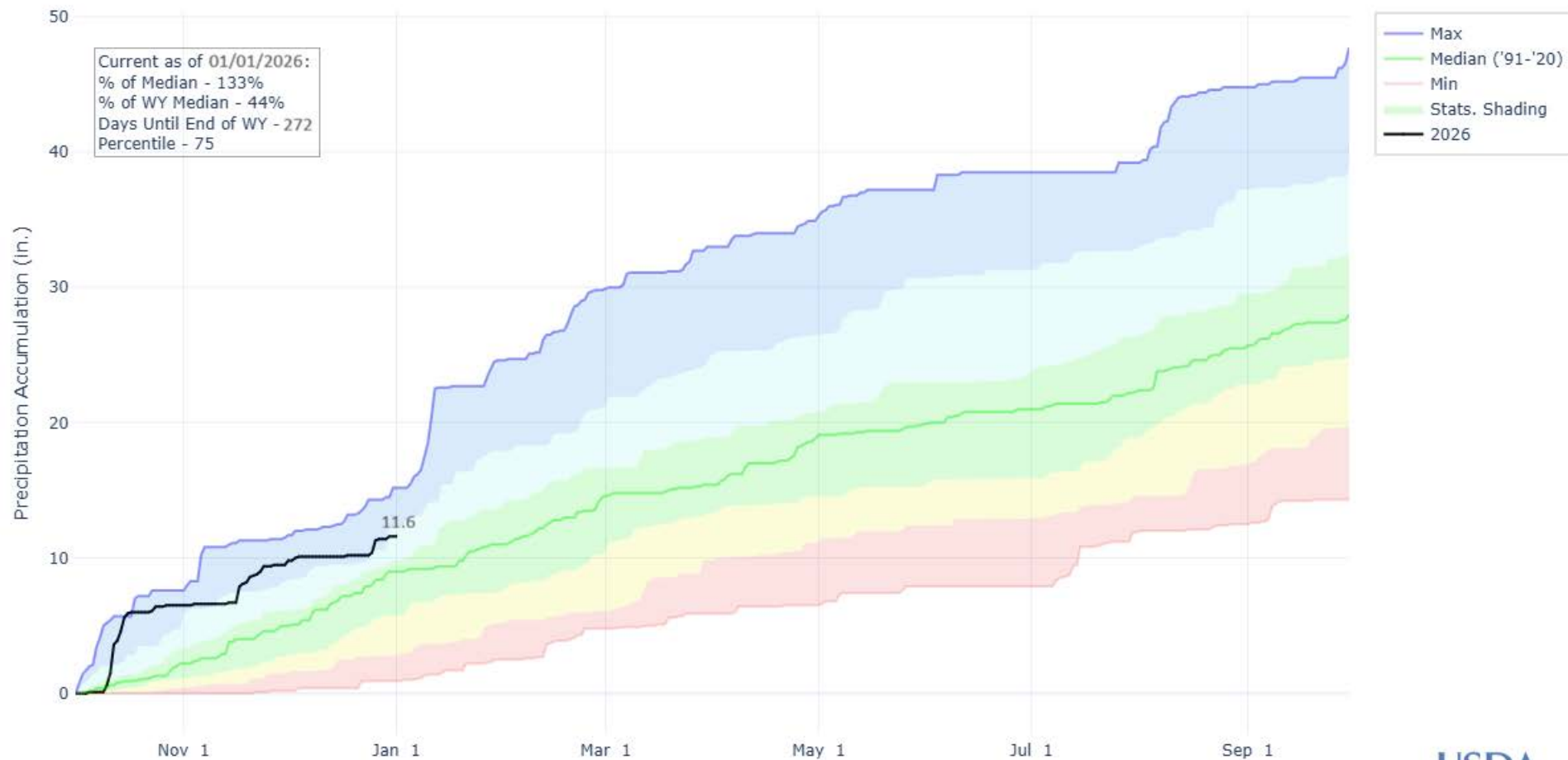
Month to Month Reconciliation <b>Upper</b> System	
Beginning Reservoirs Storage	1,465.80
Plus Water Taken From Pipeline	107.00
Plus Water Taken From Ditch	0.00
Plus Water Pumped from Recapture	0.00
Plus Water to System from Irrigation Shares	0.00
Less Water Treated	29.00
Less Water Sold Third Parties	0.00
Less Raw Water Tap Sales	0.72
Less Water Loaned Irrigation Agreement	0.00
Less Evap/Ditch/Theft/Backwash losses	46.08
Ending Reservoir Storage	1,497.00

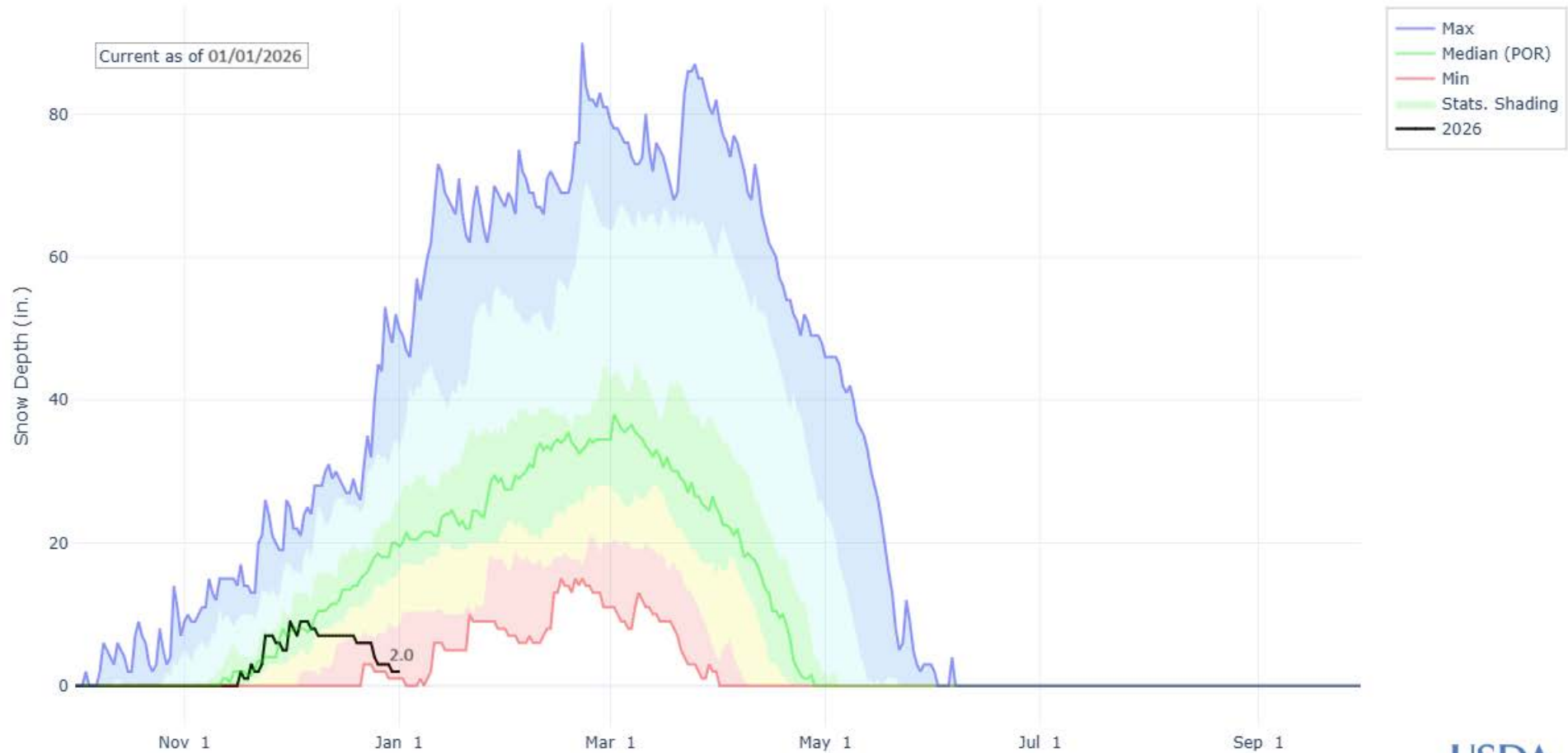
Blanding City Water from Recapture Sold to Energy Fuels

0 ac ft

# CAMP JACKSON, UT (383) PRECIPITATION ACCUMULATION

14

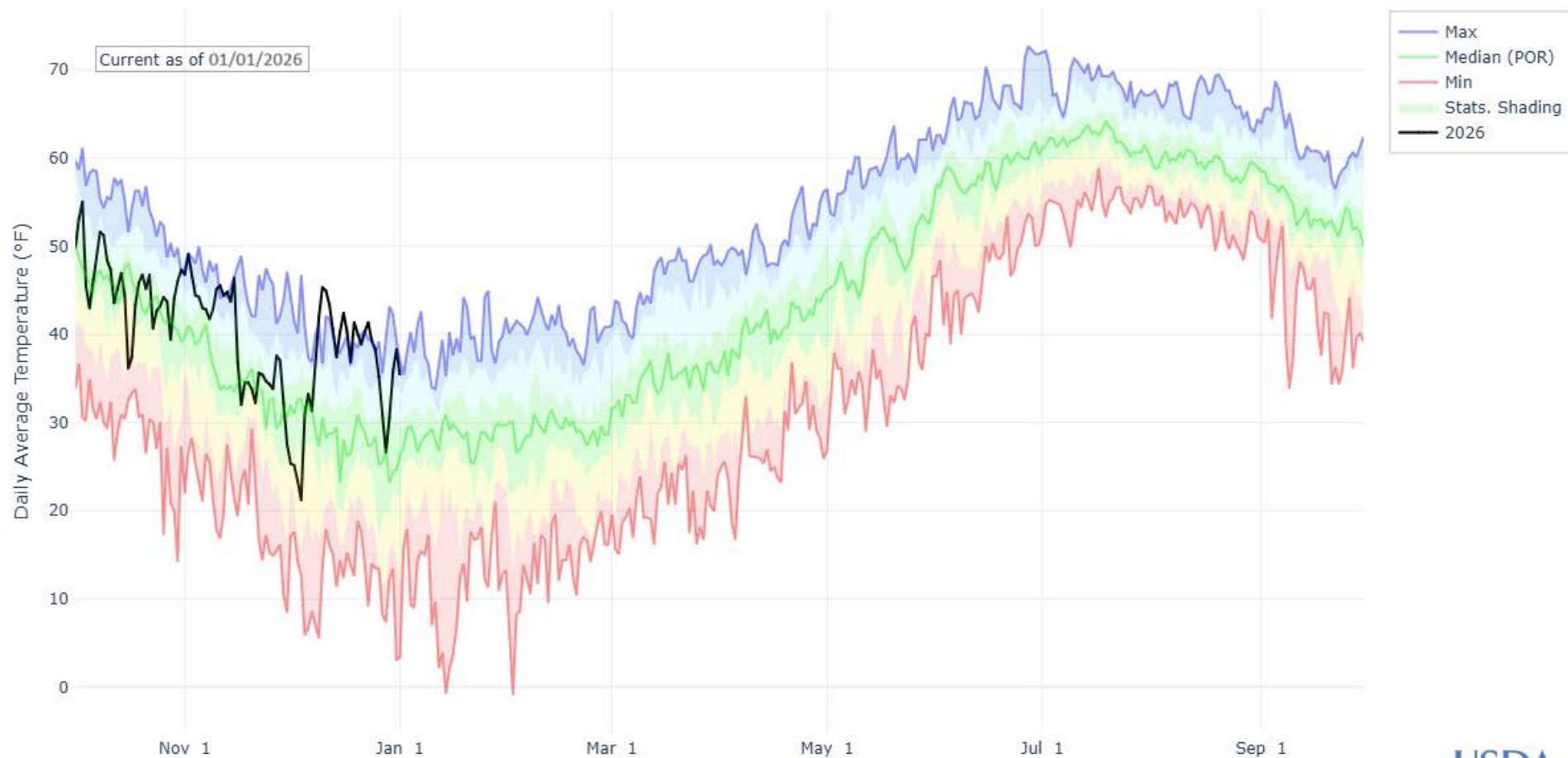






# CAMP JACKSON, UT (383) DAILY AVERAGE TEMPERATURE

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## **CITY COUNCIL MEETING - STAFF REPORT**

**Prepared By:** Taylor Francom  
**Department:** Building Department  
**Subject:** December 2025 Report

### **New permits issued**

- 1 Permits
  - Commercial

### **Inspections Completed**

- 8 Inspections completed
  - 5 Residential
  - 3 Commercial

### **Notes:**

- Active issued permits-24



## **RESOLUTION 01-27-2026-1**

### **A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT FOR STORMWATER RETENTION MANAGEMENT AT THE BLANDING ELEMENTARY SCHOOL BETWEEN BLANDING CITY & SAN JUAN SCHOOL DISTRICT**

**WHEREAS**, the San Juan School District has constructed a stormwater retention facility located on the southeast corner of the Blanding Elementary School property to manage stormwater runoff associated with extreme precipitation events; and

**WHEREAS**, under rare and limited circumstances, controlled release of stormwater from the retention facility into the City of Blanding's municipal stormwater system may be necessary to protect public safety and prevent localized flooding; and

**WHEREAS**, Blanding City and the San Juan School District desire to establish clear operational procedures, coordination requirements, and allocation of responsibility related to any such controlled releases; and

**WHEREAS**, City Staff and the San Juan School District have negotiated an Interlocal Cooperation Agreement for Stormwater Retention Management – Blanding Elementary School, pursuant to the Utah Interlocal Cooperation Act, Utah Code §11-13-101 et seq.; and

**WHEREAS**, the Blanding City Council has reviewed the proposed Agreement and finds it to be in the best interest of the City to formally approve and enter into the Agreement;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BLANDING CITY, UTAH:**

#### **SECTION 1.**

The Blanding City Council hereby approves the Interlocal Cooperation Agreement for Stormwater Retention Management – Blanding Elementary School, as presented and maintained on file with the City Recorder.

#### **SECTION 2.**

The Mayor and/or City Manager are authorized to execute the Agreement and any related documents necessary to implement its terms on behalf of Blanding City.

#### **SECTION 3.**

City Staff are authorized to administer the Agreement in accordance with its terms and applicable state law.



#### **SECTION 4.**

This Resolution shall become effective immediately upon adoption.

ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

SIGNED:

\_\_\_\_\_  
Trevor Olsen, Mayor

ATTEST:

\_\_\_\_\_  
Pratt Redd, City Manager/Deputy Recorder

SIGNED:

\_\_\_\_\_  
Steve Francom, San Juan School District

SIGNED:

\_\_\_\_\_  
Jacob Swanson, San Juan School District



## **Interlocal Cooperation Agreement for Stormwater Retention Management Blanding Elementary Site**

WHEREAS, the San Juan School District has constructed a stormwater retention facility located on the southeast corner of the Blanding Elementary School property, designed to manage up to a 100-year storm event within a 24-hour period; and

WHEREAS, under certain rare and limited conditions, controlled release of stormwater from the retention facility into the City's municipal stormwater system may be necessary to prevent overflow and address public safety concerns, including the accumulation of standing water near a school zone; and

WHEREAS, infrastructure exists to allow controlled drainage from the retention facility through an overflow valve mechanism; and

WHEREAS, the Parties desire to establish clear operational procedures, coordination requirements, and allocation of responsibility for such releases; and

WHEREAS, this Agreement is entered into pursuant to the Utah Interlocal Cooperation Act, Utah Code §11-13-101 et seq.

NOW, THEREFORE, in consideration of the mutual covenants herein, the Parties agree as follows:

### **Authorized Overflow Release**

1.1 The San Juan School District is permitted to release water from the retention facility only after precipitation has ceased and only upon coordination and approval from at least one of the following City representatives:

- The Blanding City Manager
- The Public Works Director
- The City Engineer

1.2 The overflow valve shall not be opened more than four (4) inches at any time. Gradual drainage is required to protect the City's stormwater infrastructure and surrounding neighborhoods.

### **Emergency Provisions**

2.1 In all cases, the San Juan School District shall coordinate directly with the City Manager, Public Works Director, or City Engineer prior to initiating any release. Due to the size and proximity of the community, real-time communication is both expected and feasible.

2.2 Any uncoordinated release shall be considered a violation of this Agreement.



2.3 If the retention facility exceeds capacity and overflows during or immediately following continuous precipitation, and no release is initiated due to ongoing storms, such event shall be deemed an act of God.

2.4 Under no circumstance shall the San Juan School District initiate a release during active rainfall or without a clear break in precipitation, even if the retention facility is full.

2.5 The City shall not be held liable for downstream impacts resulting from overflow under the circumstances described in this Section.

### **Prohibited Actions and Penalties**

3.1 Unauthorized releases, including any discharge:

- Without prior approval
- During active precipitation
- In excess of the four (4) inch valve limit

shall constitute a violation of this Agreement.

3.2 For each violation, the San Juan School District shall pay the City a liquidated damages fee of \$2,000 per incident, payable within thirty (30) days of written notice.

3.3 Continued violations may result in revocation of participation in future overflow allowances and/or pursuit of additional remedies available at law or equity.

### **Indemnification**

4.1 To the extent permitted by Utah law, the San Juan School District agrees to be responsible for its own acts and omissions and those of its officers, employees, and agents.

4.2 The San Juan School District shall indemnify and hold harmless the City from third-party claims, damages, or losses arising directly from an unauthorized or improperly coordinated release initiated by the San Juan School District, except to the extent caused by the City's own negligence or willful misconduct.

### **Insurance**

5.1 Each Party shall maintain insurance coverage consistent with its obligations under the Utah Governmental Immunity Act.

5.2 Upon reasonable request, each Party shall provide the other with proof of such coverage.

### **General Terms**

6.1 This Agreement applies solely to the stormwater retention facility located on the southeast corner of the Blanding Elementary School site.

6.2 This Agreement does not bind the City to similar arrangements for other retention facilities or properties owned by the San Juan School District or any other entity.



6.3 City participation is contingent upon available stormwater system capacity and infrastructure conditions.

6.4 This Agreement shall become effective upon execution by both Parties and approval by their respective governing bodies as required by law.

6.5 In the event of a breach, the non-defaulting Party shall be entitled to recover reasonable costs of enforcement, including attorney's fees.

6.6 The Parties agree that the San Juan School District shall assume ownership and maintenance responsibility for the fence and the specific portions of the sidewalk and underlying concrete infrastructure directly beneath and affected by the fence's placement along the east and south sections of the retention facility. The School District shall be responsible for the maintenance and repair of any cracking or damage to these specific portions of the sidewalk and concrete. Blanding City will maintain the other portions of the sidewalk adjacent to the road as public infrastructure.

6.7 The Parties shall annually, through 2030, review the stormwater retention facility to assess its operational efficacy and performance relative to its design specifications. Should this review determine that the retention capacity or function is inadequate, the Parties shall meet with City Council to discuss, recommend, and agree upon necessary modifications or alternative solutions.

6.8 This Agreement constitutes the entire understanding between the Parties regarding the subject matter herein and may be amended only by written agreement executed by both Parties.