

TOWN OF APPLE VALLEY, UTAH

RESOLUTION NO. R-2026-23

A RESOLUTION OF THE TOWN COUNCIL OF APPLE VALLEY, UTAH, DECLARING A WATER SUPPLY EMERGENCY AND AUTHORIZING EMERGENCY EXPENDITURES TO PROTECT THE TOWN'S CULINARY WATER SYSTEM

WHEREAS, the Town of Apple Valley owns and operates a public culinary water system that provides drinking water and fire protection services to residents and businesses within the Town; and

WHEREAS, the Town has experienced significant declines in groundwater and aquifer levels affecting the Town's water supply sources; and

WHEREAS, available information indicates that increased groundwater withdrawals from nearby wells may be contributing to declining aquifer levels and reduced production from the Town's water sources; and

WHEREAS, continued declines in water production may impair the Town's ability to provide adequate culinary water service, fire protection capacity, and other essential public services; and

WHEREAS, the Town Council finds that immediate action is necessary to investigate the cause of the declining water supply, evaluate available alternatives, implement mitigation measures, protect existing water sources, and ensure the continued delivery of safe and reliable drinking water to Town residents; and

WHEREAS, the Town's current Emergency Spending Policy authorizes emergency expenditures up to Fifty Thousand Dollars (\$50,000), and the Council finds that additional expenditures may be necessary to adequately respond to this emergency; and

WHEREAS, Utah Code § 63G-6a-803 authorizes emergency procurements when an emergency condition threatens public health, welfare, safety, property, or the continued provision of a governmental service and compliance with normal procurement procedures would unreasonably delay the response;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF APPLE VALLEY, UTAH, AS FOLLOWS:

Section 1. Declaration of Emergency.

The Town Council hereby declares that an emergency condition exists affecting the Town's culinary water system due to declining groundwater and aquifer levels that threaten the Town's ability to provide safe, reliable, and adequate drinking water service to its residents.

Section 2. Emergency Authorization.

The Mayor is authorized to approve emergency expenditures and execute contracts, agreements, purchase orders, and professional service engagements necessary to respond to and mitigate this emergency in an aggregate amount not to exceed Two Hundred Thousand Dollars (\$200,000), inclusive of any emergency expenditures previously authorized under the Town's Emergency Spending Policy.

Section 3. Authorized Activities.

Emergency expenditures may include, but are not limited to:

- A. Hydrogeologic investigations and groundwater studies;
- B. Engineering evaluations and design services;
- C. Water system assessments and source evaluations;
- D. Monitoring equipment, testing, and data collection;
- E. Emergency water supply measures and interim mitigation actions;
- F. Legal, technical, environmental, and regulatory consulting services;
- G. Coordination with the Utah Division of Water Rights, state and federal agencies, and other governmental entities;
- H. Emergency repairs, improvements, and actions reasonably necessary to maintain or restore adequate water service; and
- I. Other services, materials, equipment, or actions determined necessary to protect the Town's culinary water system and public health and safety.

Section 4. Procurement.

The Town shall obtain as much competition as is reasonably practicable under the circumstances consistent with Utah Code § 63G-6a-803. Procurement requirements may be modified or waived to the extent necessary to avoid delays that would jeopardize public health, safety, welfare,

property, or the continued provision of culinary water service.

Section 5. Funding Source.

Emergency expenditures authorized by this Resolution may be funded through available Water Fund revenues, reserves, emergency reserves, grants, loans, intergovernmental assistance, or any other legally available funding source approved by the Town Council.

Section 6. Reporting.

The Mayor and Town Staff shall provide regular updates to the Town Council regarding actions taken, expenditures incurred, contracts executed, project status, and anticipated future costs associated with the emergency response.

Section 7. Duration.

This Resolution shall remain in effect until the emergency condition has been mitigated, the authorized funds have been expended, or the Town Council rescinds or modifies this authorization by subsequent action.

PASSED AND ADOPTED by the Town Council of Apple Valley, Utah, this 30 day of June, 2026.

PRESIDING OFFICER

Mike Farrar, Mayor

ATTEST:

Jenna Vizcardo, Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Mike Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Richard Palmer	_____	_____	_____	_____