

**SOUTHERN NEVADA WATER AUTHORITY
BOARD OF DIRECTORS
REGULAR MEETING
SEPTEMBER 17, 2015
MINUTES**

CALL TO ORDER 9:07 a.m., Colorado River Conference Rooms, Southern Nevada Water Authority, 100 City Parkway, Seventh Floor, Las Vegas, Nevada

BOARD MEMBERS PRESENT Mary Beth Scow, Chair
Sam Bateman, Vice Chair (Present for items 2-23)
Susan Brager (Available via phone for items 1-14)
Bob Coffin (Present for items 1-15, 18-23)
Duncan McCoy
Steve Sisolak
Anita Wood

BOARD MEMBERS ABSENT None

STAFF PRESENT John Entsminger, Greg Walch, Julie Wilcox, Dave Johnson, Marc Jensen

OTHERS PRESENT Dan Schall, Barnard of Nevada

Unless otherwise indicated, all members present voted in the affirmative.

COMMENTS BY THE GENERAL PUBLIC

For complete comments, audio is available online at snwa.com

Ed Uehling, Las Vegas, spoke in reference to items 3,4 and 22 and provided comments regarding item no. 15 for the record. He stated that item numbers 3 and 4 made no mention to conservation; felt the Water Resource Plan included a discriminatory rate structure for low water users and fails to address water waste and efforts to conserve. He also provided materials for inclusion with the minutes, which are attached.

1. For Possible Action: Approval of Agenda & Minutes

FINAL ACTION: A motion was made by Director Brager to approve the meeting's agenda and the meeting minutes of July 16, 2015.

CONSENT AGENDA The following items and considered routine and can be taken in one motion if requested to do so by a director.

2. ***For Possible Action:*** Approve and authorize the General Manager to sign an interlocal agreement between the City of Las Vegas and the Authority for a landscape conversion at Durango Hills Golf Course for an amount not to exceed \$300,000.
3. ***For Possible Action:*** Authorize the General Manager, or his designee, to negotiate and execute agreements for facilities and services necessary to host the WaterSmart Innovations Conference.
4. ***For Possible Action:*** Ratify the approval of an assistance agreement between the Bureau of Reclamation and the Authority to accept a grant in an amount not to exceed \$100,000 to support the Authority's Water Smart Landscape Rebate Program, and authorize the General Manager to approve future modifications only if the future modifications do not fiscally impact the Authority.
5. ***For Possible Action:*** Ratify the approval of an assistance agreement between the Bureau of Reclamation and the Authority to accept a grant in an amount not to exceed \$300,000 to support the Authority's Water Smart Landscape Rebate Program, and authorize the General Manager to approve future modifications only if the future modifications do not fiscally impact the Authority.
6. ***For Possible Action:*** Ratify the approval of an assistance agreement between the Bureau of Reclamation and the Authority to accept a grant in an amount not to exceed \$300,000 to support Lake Mead water quality monitoring efforts, and authorize the General Manager to approve future modifications only if the future modifications do not fiscally impact the Authority.

7. ***For Possible Action:*** Approve an interlocal agreement among the City of Henderson, the City of Las Vegas, Clark County, the Clark County Water Reclamation District, the Regional Transportation Commission of Southern Nevada, the Clark County Regional Flood Control District, and the Authority to establish funding allocations for the Clark County Aerial Imagery and LiDAR Project for a period of three years from January 1, 2016.
8. ***For Possible Action:*** Authorize an increase to Bid No. 2241-13, Annual Requirements Contract for the Repair of Electric Motors, awarded to Koffler Electrical Mechanical Apparatus Repair, Inc., in the amount of \$350,000, increasing the estimated annual contract amount to \$750,000 for the current and three remaining option periods.
9. ***For Possible Action:*** Approve and authorize the General Manager to sign an agreement between Carollo Engineers, Inc., and the Authority for the Operational, Monitoring, and Response Data from Unit Processes in Full-Scale Water Treatment, Potable Reuse, and Direct Potable Reuse study, and accept funds in an amount not to exceed \$60,056 for this research work.
10. ***For Possible Action:*** Approve and authorize the General Manager to sign an agreement between Merrick & Company and the Authority, in response to Request for Proposal 652-15, Part 1 - LiDAR Digital Elevation Data, for an amount not to exceed \$260,400 for the period from date of award through December 31, 2016, with the option to renew for two additional one-year periods.
11. ***For Possible Action:*** Approve and authorize the General Manager to sign an agreement between Geophex Surveys and the Authority, in response to Request for Proposal 652-15, Part 2 - Digital Aerial Imagery, for an amount not to exceed \$177,549 for the period from date of award through December 31, 2016, with the option to renew for two additional one-year periods.
12. ***For Possible Action:*** Authorize the renewal of the Authority's membership in the Water Research Foundation for fiscal year 2015/2016 for the subscription amount of \$359,990.
13. ***For Possible Action:*** Approve and authorize the General Manager to sign a joint funding agreement between the U.S. Geological Survey and the Authority for hydrologic data collection for an amount not to exceed \$243,400.
14. ***For Possible Action:*** Approve and authorize the General Manager to sign a funding contribution agreement between the Nevada Division of Water Resources and the Authority for surface and groundwater data collection services within Nevada to be performed by the U.S. Geological Survey for an amount not to exceed \$188,475.

FINAL ACTION: Director McCoy made a motion to approve staff recommendations. The motion was approved.

BUSINESS AGENDA

15. ***For Possible Action:*** Conduct a Public Hearing to find that the construction of the Lake Mead Intake No. 3 Low Lake Level Pumping Station is part of critical infrastructure for the Authority's water system and to exempt this construction from the provisions of Assembly Bill 159; as well as adopt a resolution approving the Southern Nevada Water Authority SNWS Improvements Project Labor Agreement to cover all contracts awarded by the Authority relating to the Lake Mead Intake No. 3 Low Lake Level Pumping Station.

Chairwoman Scow opened the Public Hearing.

Director Coffin recognized the life of Tom Turner and the contribution he made towards the construction of Lake Mead Intake No. 3.

Mr. Uehling recognized the importance of the Low Lake Level Pumping Station, but stated that the legislative intent of the hearing was undermined.

FINAL ACTION: Vice Chairman Bateman made a motion that the Board of Directors finds that the Low Lake Level Pump Station is part of critical infrastructure for the Southern Nevada Water System; that the Board exempts construction of the Pump Station from the provisions of AB 159; and that the Board adopts the attached Resolution authorizing use of the Southern Nevada Water System Improvements Project Labor Agreement for the construction of the pump Station. The motion was approved.

16. ***For Possible Action:*** Approve and authorize the General Manager to execute an agreement between the Authority and Barnard of Nevada, Inc., for construction of the Low Lake Level Pumping Station, authorize funding for Barnard to proceed with construction of the underground portion of the pumping station in an amount not to exceed \$209,847,000, and authorize a change order contingency not to exceed \$20,000,000 and 200 days.

FINAL ACTION: Director McCoy made a motion to approve staff's recommendation. The motion was approved.

17. ***For Possible Action:*** Approve and authorize the General Manager to sign an amendment to the existing agreement between Parsons Water & Infrastructure, Inc., and the Authority for program management services for an amount not to exceed \$26,000,000.

FINAL ACTION: Director Sisolak made a motion to approve staff's recommendations. The motion was approved.

18. ***For Possible Action:*** Approve and authorize the General Manager to execute purchase agreements between ANDRITZ Separation Inc., and the Authority in the amount of \$3,483,000, INDAR Consortium and the Authority in the amount of \$3,071,953, and Ebara Corporation and the Authority in the amount of \$2,562,700, for the supply and testing of pumps for the Lake Mead Intake No. 3 Low Lake Level Pumping Station, and authorize the General Manager to approve change orders for additional costs for an amount not to exceed \$250,000 for each agreement.

FINAL ACTION: Director McCoy made a motion to approve staff's recommendation. The motion was approved with Director Coffin voting no.

19. ***For Possible Action:*** Approve the purchase of builder's risk insurance and terrorism insurance on construction of the Low Lake Level Pumping Station, and retain Marsh Risk and Insurance Services, the Authority's current insurance broker, to place the required coverage.

FINAL ACTION: Director Sisolak made a motion to approve staff's recommendation. The motion was approved.

20. ***For Possible Action:*** Adopt the 2015 Bond Request Resolution, requesting the Board of Directors of the Las Vegas Valley Water District to issue bonds in the maximum principal amount of \$520,000,000 to finance the cost of water projects for the Authority; declaring the official intent of the Authority to reimburse certain costs related to such water projects with the proceeds of such bonds; and providing the effective date thereof.

FINAL ACTION: Director Coffin made a motion to approve staff's recommendation. The motion was approved.

21. ***For Possible Action:*** Approve and authorize the General Manager to sign, in substantially the same form as that attached hereto, the Third Amended Operational Agreement among the Metropolitan Water District of Southern California, the Colorado River Commission of Nevada, and the Authority for interstate banking of Colorado River water in California.

FINAL ACTION: Director Sisolak made a motion to approve staff's recommendation. The motion was approved.

22. ***For Possible Action:*** Receive a report on and, if appropriate, adopt the 2015 Water Resource Plan.

FINAL ACTION: Director Coffin made a motion to approve staff's recommendation. The motion was approved.

23. ***For Information Only:*** Receive an update from staff on water resources including, but not limited to, drought conditions in the Colorado River Basin, the results of the implementation of the Authority's Water Resource and Conservation Plans, activities on the Colorado River, the development of in-state water resources, and the status of construction activities near Lake Mead.

Mr. Entsminger gave a brief update on Colorado River activities.

Public Comment

There were no persons wishing to speak.

Adjournment

There being no further business to come before the board, the meeting adjourned at 10:32 a.m.

APPROVED:

Mary Beth Scow, Chair

John J. Entsminger, General Manager

Copies of all original agenda items and minutes, including all attachments, are on file in the General Manager's office at the Las Vegas Valley Water District, 1001 South Valley View Boulevard, Las Vegas, Nevada.

September 17, 2015

Mary Beth Scow, Chairperson
Southern Nevada Water Authority
Las Vegas, Nevada

Re: Item 15 of the September 17 agenda; suspension of AB159

Dear Commissioner Scow:

Since the SNWA is an institution existing on paper only and devoid of any decision-making power of its own, it has no choice but to adopt the low and even corrupt standards of the Clark County Commission, which uses the Las Vegas Valley Water District (LVVWD) to impose its values on the SNWA. These values include:

- Stealing from the poor to feed the rich and from the rich to feed the very rich
- Picking of winners and losers based on their influence and/or economic impact in elections
- Favoring of established contractors, businesses, property owners, unions, relationships over innovative, new or merit-based enterprises
- Practicing of crony-capitalism favoritism over free competition
- Tribalism over sensitivity toward groups other than one's own group
- Refusal to even listen to the pleas or words of "outside" individuals and groups
- A me-centric focus in making public policy—even in a county as diverse as this one
- Insular government instead of open government

The very existence of Item 15 represents the manifestation of these "standards" on many levels. The 2015 legislature made some timid attempts raise standards of governmental conduct in Nevada. AB159 was one of its attempts to force agencies like Clark County, LVVWD and SNWA to eliminate theft from rate payers and citizens, reverse "Robin Hoodism", tribalism, favoritism, politicizing of contracts, social and worker stratification, crony-capitalism (more accurately called Fascism), government waste, political pay-offs, etc. It's implementation will help end a racist hiring system in which certain favored workers begin earning at \$45 per hour for jobs that pay \$15 per hour on the open market. It is racist because the workers hired for these jobs are largely white and this explains a major reason for the 50% unemployment rate of black youth. That 7 white people would endorse a system of employment that discriminates against minorities should give the SNWA board of directors pause.

But that is not even the major motivation of the Legislature. A significant portion of this year's Legislature wanted to make government more efficient and conscious of results. By paying workers market wages and salaries, SNWA can do MORE projects

for LESS money. That was the intention of the Legislature and that is the compelling interest of the ratepayers, of which I am one, in even creating the SNWA.

The fat and lazy status quo will try to say that only workers receiving \$45 to \$90 per hour and that only their contractors, who feed on this corrupt system, are capable of producing a satisfactory final product. If that were true, then, every private investor, developer and contractor everywhere would race to embrace this system. They don't and that fact alone is proof that the "prevailing wage" hoax is contrived by money- and influence-seeking politicians, who benefit by doing all the things I listed above.

Finally, the SNWA management will tell you that they are pressured by time because Lake Mead might drop to a level at which only the new pump can operate. That is an outright untruth, as even the most pessimistic projections place that level years in the future. And, while SNWA management might BLABBER such nonsense to its gullible Board of Directors, it obviously doesn't believe it—as proven by allowing (in another item on this agenda) California to extract the 150,000 acre feet that Nevada SAVES in two years, so that state can continue flooding tens of thousands of acres of alfalfa with 5 vertical feet of water every year.

By the way, it is this same management team of SNWA that opposed every rational attempt by the Legislature to reduce government expenditures, its own costs of operation and make government more responsive and productive. That team worked on the front lines to deprive minority youth of job opportunities. The SNWA management team, with the exception of its favored groups of ratepayers—casinos, golf courses and wealthy homeowners, worked AGAINST the interests of its ratepayers, some of whom pay thirty times more for the water they use. The SNWA, like the County Commission that REALLY runs it, fully intends to continue discriminating against disfavored ratepayers, has no intention of abandoning its attachment to the status quo of crony capitalism, favoritism, political pay-offs, begging the poor to pander to the wealthy, etc., etc., etc.

I request that you prevent SNWA management from undermining the intent of the State Legislature and the interests of Southern Nevada ratepayers by voting "No" on Item #15.

Ed Uehling, ratepayer
702-808-6000

cc: Members of the SNWA Board of Directors, Nevada State Senators and Assembly members, Attorney General Adam Laxalt, Treasurer Dan Swartz, and Comptroller Ron Knect