

**SOUTHERN NEVADA WATER AUTHORITY  
BOARD OF DIRECTORS  
REGULAR MEETING  
JULY 15, 2021  
MINUTES**

CALL TO ORDER 9:06 a.m.

BOARD MEMBERS PRESENT Marilyn Kirkpatrick, Chair  
Dan Stewart, Vice Chair (by telephone)  
James Adams  
Jim Gibson  
Justin Jones  
John Lee

BOARD MEMBERS ABSENT Cedric Crear

STAFF PRESENT John Entsminger, Colby Pellegrino, Doa Ross, Dave Johnson, Kevin Bethel  
and Greg Walch

OTHERS PRESENT None

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

**COMMENTS BY THE GENERAL PUBLIC**

*For full public comment, visit [snwa.com/apps/snwa-agendas/index.cfm](http://snwa.com/apps/snwa-agendas/index.cfm)*

Ed Uehling submitted written comments for the record. A copy of his comments are attached to these minutes. He spoke concerning item 5, and said that the item was an effort for Governor Sisolak to extend his influence over the Authority. He said that other contracts under consideration by the board involved father / son relationships. He also said that the bond issuance for \$350 million lacked definition for which capital projects would be funded by the bond issuance.

**ITEM NO.**

1. ***For Possible Action: Approve agenda with the inclusion of tabled and/or reconsidered items, emergency items and/or deletion of items, and approve the minutes from the regular meeting of May 20, 2021.***

FINAL ACTION: Director Gibson made a motion to approve the agenda for this meeting, and to approve the minutes from the regular meeting of May 20, 2021. The motion was approved.

2. ***For Possible Action: Appoint a chairman and vice chairman to preside over the Board of Directors for Fiscal Year 2021/22.***

FINAL ACTION: Director Gibson made a motion to reappoint Marilyn Kirkpatrick as Chair, and Dan Stewart as Vice Chair. The motion was approved.

**CONSENT AGENDA**

3. ***For Possible Action: Approve and authorize the General Manager to sign an interlocal agreement between the City of North Las Vegas and the Authority for an amount not to exceed \$3,025,000 for the conversion of approximately 1,712,870 square feet of turfgrass and authorize the General Manager to sign any ministerial documents necessary to effectuate the transaction.***

4. ***For Possible Action: Approve and authorize the General Manager to sign an interlocal agreement between the City of North Las Vegas and the Authority to convert ten parks to artificial turf and alternate sporting surfaces with an estimated rebate of up to \$976,000 through the Water Efficient Technologies Program and authorize the General Manager to sign any ministerial documents necessary to effectuate the transaction.***

5. ***For Possible Action: Approve a professional services agreement with Hobbs, Ong & Associates, Inc., for independent financial advisory services for an amount not to exceed \$250,000 per fiscal year, with the option to renew for six additional one-year periods.***

FINAL ACTION: Director Jones made a motion to approve staff's recommendations. The motion was approved with Director Lee abstaining from item 5.

**BUSINESS AGENDA**

6. ***For Possible Action:*** Approve and authorize the General Manager to execute a Funding Agreement, in substantially the same form as attached hereto, for the Creation of Colorado River System Water among the Bureau of Reclamation, Central Arizona Water Conservation District, Metropolitan Water District of Southern California, and the Authority through which the Authority will contribute a maximum of \$2,020,354 per year, subject to Consumer Price Index adjustments, to create Colorado River System Water that will bolster Lake Mead elevations under a fallowing program with the Palo Verde Irrigation District; and to execute documents as necessary to effectuate the agreement.

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

7. ***For Possible Action:*** Approve and authorize the General Manager to execute an Agreement for the Lease of Decreed Muddy River Rights between Nevada Power Company dba NV Energy and the Authority that will allow the Authority to create up to 247.68 acre-feet annually of Intentionally Created Surplus by maintaining the good standing of such water rights and authorize the General Manager to sign ancillary or ministerial documents as necessary.

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

8. ***For Possible Action:*** Approve and authorize the General Manager to sign an agreement between GCW Engineering, Inc., and the Authority to provide preliminary engineering design services on the Garnet Valley Wastewater System Project for an amount not to exceed \$7,871,344.

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

9. ***For Possible Action:*** Approve and authorize the General Manager to sign an agreement between HDR Engineering, Inc., and the Authority to provide preliminary engineering design services on the Garnet Valley Water Transmission System Project for an amount not to exceed \$6,454,639.

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

10. ***For Possible Action:*** Approve and authorize the General Manager to sign an agreement between Stantec Consulting Services Inc. and the Authority to provide preliminary engineering design services on the Stage II Reliability Upgrades Project for an amount not to exceed \$3,363,569.

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

11. ***For Possible Action:*** Approve and authorize the General Manager to execute the Garnet Valley Water Resources Management Agreement among the City of North Las Vegas, Nevada Power Company dba NV Energy, and the Authority that allows for limited short-term groundwater pumping in the Apex area, requires the development of a long-term sustainable groundwater management plan, resolves protests to change applications impacting the area, and provides that if the change applications are approved, the Authority and NV Energy will terminate the Authority's lease of Garnet Valley groundwater rights to NV Energy and the Authority will not make further use of the water under certain conditions; and authorize the General Manager to sign all ministerial documents necessary to effectuate the transaction.

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

12. ***For Possible Action:*** Adopt a resolution requesting the refunding of certain Clark County General Obligation (Limited Tax) Bond Bank Bonds that are additionally secured by SNWA Pledged Revenues, and requesting that the Clark County Board of Commissioners issue general obligation (Limited Tax) (Additionally Secured by SNWA Pledged Revenues) refunding bonds in the maximum principal amount of \$70,000,000, in one or more series, to refinance all or any portion of the bonds.

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

13. ***For Possible Action:*** Adopt a resolution requesting the Board of Directors of the Las Vegas Valley Water District to issue bonds in the maximum principal amount of \$350,000,000 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 Gibson made a motion to approve staff's recommendation. The motion was approved.

14. ***For Possible Action:*** Appoint nine individuals in accordance with Nevada Assembly Bill 356 (2021) to serve on the Nonfunctional Turf Removal Advisory Committee and make recommendations for the removal of nonfunctional turf in the Las Vegas Valley.

John Entsminger, General Manager, gave a brief presentation on Assembly Bill 356 and the Nonfunctional Turf Removal Advisory Committee (NTRAC). A copy of his presentation is attached to these minutes. Staff recommended appointment of Mauricia Baca, Scott Black, Stephanie Bressler, Tom Burns, Tena Cameron, Larry Fossan, Dale Hahn, David Strickland, and Brian Walsh to the NTRAC.

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

15. ***For Possible Action:*** Authorize the General Manager or his designee to make changes to the current Water Smart Landscapes Program, including: 1) removing the \$500,000 annual incentive cap for non-single-family residential projects effective August 1, 2021; 2) eliminating the ability for a non-single-family residential project to obtain \$3.00 for the first 10,000 square feet of turf converted annually; 3) modifying program incentive rates, structure, and annual cap after January 1, 2024; and 4) eliminating, waiving, or modifying program easement requirements; and to execute documents as necessary to effectuate the program.

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

16. ***For Information Only:*** Receive an update from staff on water resources including, but not limited to, drought conditions in the Colorado River Basin, conservation programs and initiatives, activities on the Colorado River, and water resource acquisition and development.

Colby Pellegrino, Deputy General Manager, Resources, gave a water resources and conservation update presentation. A copy of her presentation is attached to these minutes.

Director Lee asked when was the deadline for nonfunctional turf to be removed under AB 356. Mr. Entsminger said that nonfunctional turf at non-residential properties under AB 356 needed to be removed by December 31, 2026. Director Lee asked if municipalities could do something to encourage compliance earlier than the deadline. Ms. Pellegrino said that the law allows for interim deadlines or phases, and that staff would be willing to work with city staff to investigate incentives. Mr. Entsminger added that the Authority was committed to working with the purveyor members and jurisdictions to successfully implement AB 356, including providing incentives for early adopters.

Director Jones asked about whether Washington County, Utah's plan to construct a pipeline to Lake Powell was impacted by recent declines in Colorado River Basin hydrology. Mr. Entsminger said southern Utah's applications for right-of-way and amended contract with Bureau of Reclamation were still active and pending action by the U.S. Department of the Interior.

NO ACTION REQUIRED

### **Public Comment**

John Hiatt spoke concerning Las Vegas Valley groundwater. He said that in the late 1980s, many well owners began to notice declining water levels at their wells. From the mid-1990s until 2012, the Authority pumped Colorado River water into the aquifer to stabilize well levels and store the water for future use. Mr. Hiatt said that since the valley is still overappropriated and the Authority has ceased recharging the aquifer with Colorado River water, well owners will once again experience issues with water levels. He said that areas of the valley will also experience ground subsidence.

Ed Uehling said that the fallowing agreement with Palo Verde Irrigation District was a good idea. However, releasing 8.1 million acre-feet of water from Lake Mead to California and Arizona when Lake Mead will receive only 7.5 million acre-feet of water means that lake levels will continue to decline. Diversions out of the Colorado River Basin into the Missouri Basin further contribute to problems. Also, Southern Nevada continues to approve the building of subdivisions, despite the drought. If the community built taller residential complexes with little landscaping, instead of homes with yards, all the homes' water use would be recycled.

### **Adjournment**

There being no further business to come before the Board, the meeting adjourned at 9:56 a.m.