

**SOUTHERN NEVADA WATER AUTHORITY
BOARD OF DIRECTORS
REGULAR MEETING
JULY 21, 2022
MINUTES**

CALL TO ORDER 9:06 a.m.

BOARD MEMBERS PRESENT Marilyn Kirkpatrick, Chair
Dan Stewart, Vice Chair
James Adams (by telephone)
Scottt Black
Cedric Crear
Jim Gibson
Justin Jones

BOARD MEMBERS ABSENT

STAFF PRESENT John Entsminger, Doa Ross, 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

Kevin Kraft said that limiting pool size to 600 square feet would negatively impact his industry. He spoke against implementing the size limit by September. He said that the pool industry had an alternative proposal and urged the Board to consider it.

Amanda Moss said that the Southern Nevada Home Builders Association commissioned a study performed by Applied Analysis that showed that new homes were much more water efficient than older homes. New homes used approximately 50 percent less water than older homes due in part to not installing new turf in the front yards since 2003. She said that SNHBA supported the proposed 600 square foot pool size limit to increase water conservation and sustain economic vitality in Southern Nevada. She said that she looked forward to working with staff to help distribute information about the pool size limit to new home owners should it be approved.

Terrance Thorton said he was a fourth generation Nevadan and worked in the pool construction industry. He said that the process to develop the pool size limit proposal was bad public policy. He said that the pool industry developed an alternative proposal that staff dismissed. He said that the pool size limit did not save enough water to warrant the impact it would have on his industry. He asked the Board to reject the proposal or delay its implementation.

Fred Volz spoke concerning items 11 and 15. He said that as a Boulder City resident, he was concerned at Boulder City's lack of water conservation. He said that the proposed turf conversion by the city did not do enough to reduce turf at municipal facilities. He recommended that the Board send the proposal back to the city to put together a more comprehensive turf removal agreement. He also said that he disagreed with the pool size limit proposal. He said that the community should not approve any new pool construction given the seriousness of the drought.

Tim Unick said that he represented a customer home builder in Las Vegas. He said that he supported the pool industry's alternative pool size proposal. He recommended that the Board delay adoption of the pool size limit by a minimum of six months to allow staff to better collaborate with the pool industry.

Marv Howell said that he worked as a pool builder. He said that he supported water conservation, but he did not support the Authority's proposed pool size limit. He said that the pool industry's alternative proposal would save more water with more equitable impacts. He said that it would be difficult to recreate in a 600 square foot pool. He said that homes with property large enough to accommodate bigger pools should be allowed to build. He said that some restrictions on pool size were reasonable, but that 600 square feet was too restrictive.

Jennifer Lanahan said that she represented the Southern Nevada Pool and Spa Builders and reviewed a pool size limit proposal developed by her association. The proposal limited pool size to seven percent of the total lot size with conservation fees incurred for pools larger than 1,000 square feet. The conservation fees would be waived if permanent pool covers were installed. The proposal also included a maximum on pool size and a prohibition on independent water features. She said a quantitative assessment was performed by Shawn McCoy who holds a Ph.D.

in economics. Based on his analysis, she said that the pool industry's proposal would save 30 percent more water than the proposed 600 square foot pool size limit. She asked the Board to delay the vote to allow for additional time to work with staff.

Ed Uehling said that the Authority should not implement piecemeal conservation measures, like the proposed pool size limit, that detrimentally impact the pool industry. The Authority should focus on larger efforts, such as preventing one million acre-feet of water from being diverted from the Colorado River Basin to the Missouri Valley. He said that the Missouri watershed has floods all the time. The Authority should show leadership and work with partners to develop methods of transferring water from the Missouri Basin into the Colorado River Basin. He said that when his family moved to Southern Nevada in 1942, they lived in the lodge near Lake Mead and the water was nearby. Now, the water is a half mile away from the lodge. He asked why the situation has gotten worse when the Authority has been aware of the declining lake levels for more than 20 years. He said that the pricing tiers should be adjusted so that large water users should pay more for using excess water.

CJ Hoogland said that his firm designed custom homes. Many of the homes his firm had been designing have been worked on for the last year or two and now were coming up against the proposed pool size limit deadline. He said that if they were unable to pull permits before the deadline, the work of many architects, landscape architects, civil engineers, structural engineers and pool builders would go away, wasting tens of thousands of dollars and many hundreds of hours of effort. He asked the Board to reconsider the deadline.

Joe Stubitz, City of Boulder City Utilities Director, spoke in favor of the Boulder City turf conversion agreement. He said that the City looked forward to working with the Authority on additional conservation efforts.

John Hiatt said that the proposed amount of water that would be saved by converting golf course turf in Boulder City suggested that too much water was being used to irrigate golf courses in Southern Nevada. He said that Boulder City should also look at returning its treated waste water to Lake Mead so that the community could receive return-flow credits for that water instead of allowing it to evaporate.

Nick Goodman said that restricting pool size would negatively impact the real estate market in Southern Nevada.

Sam Berdina said that as a custom homebuilder, several projects would be negatively impacted by the pool size limit implementation date.

Chris Attanasio said that landscape architects worked to ensure that their projects were water efficient. He said that the Authority should collaborate with industry experts to develop the best solution not just a solution developed in house. He also supported postponing the implementation deadline.

Karey Zimmerman said that the luxury home market was an important part of the Southern Nevada economy, and that potential luxury home buyers will look to other communities due to a pool size limitation. He said that the Authority should look to the collaborative work done to reduce home energy consumption in Southern Nevada as a model for working collaboratively with industry experts to reduce water consumption.

Dustin Watters said his family had been in the pool industry in Southern Nevada since the late 1960s. He said that the industry would like to work with the Authority to conserve water. He said that the proposed pool size limit and associated implementation deadline was not the best solution for Southern Nevada and does not save enough water.

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 19, 2022.***

FINAL ACTION: Vice Chair Stewart made a motion to approve the agenda for this meeting, and to approve the minutes from the regular meeting of May 19, 2022. The motion was approved.

2. ***For Possible Action: Appoint a chairman and vice chairman to preside over the Board of Directors for Fiscal Year 2022/23.***

FINAL ACTION: Director Jones made a motion to reappoint Marilyn Kirkpatrick as chair and Dan Stewart as vice chair. The motion was approved.

3. ***For Possible Action: Appoint three directors to serve as commissioners of the Colorado River Commission for two-year terms.***

FINAL ACTION: Director Gibson made a motion to appoint Marilyn Kirkpatrick, Dan Stewart and Justin Jones as commissioners of the Colorado River Commission. The motion was approved.

4. ***For Possible Action:*** Receive a presentation from the Authority's Youth Conservation Council and direct staff accordingly.

Maryn Ferguson and Mark Marchlewski, Youth Conservation Council (YCC), gave a presentation. A copy of their presentation is attached to these minutes.

Director Crear asked how many students participated in the YCC and how he might be able to help recruit other participants. Mr. Marchlewski said that 40 students across 22 schools participated in the program. Abigail Phillips, YCC advisor, said that staff reached out to all Southern Nevada high schools to recruit participants and welcomed recruitment help from the Board. Director Crear said he would like to help and suggested possibly co-hosting an outreach event in the future.

Chair Kirkpatrick thanked the students for their involvement in the program, especially after it had been put on hold during the pandemic.

NO ACTION REQUIRED

CONSENT AGENDA Items 5 – 8 are routine and can be taken in one motion unless a Director requests that an item be taken separately.

5. ***For Possible Action:*** Approve and authorize the General Manager to sign an agreement between The Regents of The University of California, Scripps Institution of Oceanography, and the Authority for a spring season precipitation, temperature, and streamflow prediction project in the Colorado River Basin for an amount not to exceed \$136,000.
6. ***For Possible Action:*** Approve and authorize the General Manager to sign Change Order No. 3 to the contract with Commercial Roofers, Inc., for roof replacement at two Authority-owned facilities located in Boulder City, extending the substantial and final completion dates by 517 calendar days.
7. ***For Possible Action:*** Approve a resolution authorizing the submission of a grant proposal to the Bureau of Reclamation's WaterSMART Drought Response Program: Drought Resiliency Projects for Fiscal Year 2023 grant program, and authorize the General Manager to sign the implementing funding agreement provided the Authority's obligations do not exceed \$1,747,500.
8. ***For Possible Action:*** Approve an amended and restated professional services agreement among Hobbs, Ong & Associates, Inc.; Public Financial Management, Inc.; and the Authority for independent financial advisory services with the purpose of adding Public Financial Management, Inc., as a party to the agreement, amending the fee schedule, and increasing the not to exceed amount from \$250,000 to \$350,000 per fiscal year.

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

BUSINESS AGENDA

9. ***For Possible Action:*** Reject the bid from Benchmark Contracting dba Cobblestone Construction and award a contract for construction of the River Mountains Engineering and Operations Building at the Authority's existing River Mountains Water Treatment Facility campus to Builders United LLC in the amount of \$6,158,296, authorize a change order contingency amount not to exceed \$615,830, and authorize the General Manager to sign the construction agreement.

FINAL ACTION: Vice Chair Stewart 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 CDM Smith Inc. and the Authority to provide professional engineering design services for the Ozone Equipment Upgrade Project in an amount not to exceed \$10,248,751.

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

11. ***For Possible Action:*** Approve and authorize the General Manager to sign an interlocal agreement between the City of Boulder City and the Authority for the conversion of approximately 721,000 square feet of irrigated turf to water efficient landscaping and to authorize the General Manager to sign any ministerial documents necessary to effectuate the transaction in an amount not to exceed \$1,210,000.

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

12. ***For Possible Action:*** Approve and authorize the General Manager to sign an interlocal agreement between the City of Henderson and the Authority to install approved cooling technologies compliant with the Water Efficient Technologies Program and authorize the General Manager to sign any ministerial documents necessary to effectuate the agreement in an amount not to exceed \$495,000.

FINAL ACTION: Vice Chair Stewart made a motion to approve staff's recommendation. The motion was approved.

13. ***For Possible Action:*** Approve an increase to the maximum incentive issued for Water Efficient Technologies projects associated with consumptive water use reduction to \$500,000 per applicant annually.

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

14. ***For Possible Action:*** Authorize the General Manager to establish a uniform, volumetrically based incentive level for cool-to-warm-season turf conversions.

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

15. ***For Possible Action:*** Adopt a resolution (1) supporting a size limit of 600 square feet of total combined surface area for single-family residential pools, spas and water features; and (2) urging the immediate revision of applicable regulatory codes, ordinances, and policies from governing jurisdictions.

John Entsminger, General Manager, gave a presentation regarding the proposed pool size limit. A copy of his presentation is attached to these minutes.

Director Crear asked about the Authority's efforts to collaborate with the pool industry. Mr Entsminger said that staff met with the industry and reviewed its proposal. Based on the Authority's analysis, the pool industry's proposal would save significantly less water than the Authority's proposed pool size limit.

Director Crear asked about the implementation timing of the proposed limit. Mr. Entsminger said that the longer the Authority waits to implement, the less water the community saves. Chair Kirkpatrick said that the Las Vegas Valley Water District had already implemented the pool size limit, so delaying action would only postpone action in other jurisdictions.

FINAL ACTION: Chair Kirkpatrick 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.

Mr. Entsminger gave an update on conservation initiatives. A copy of his presentation is attached to these minutes.

Chair Kirkpatrick said that the Authority should widely publicize the measures being taken to reduce the community's water use to 86 gallons per capita per day. She said that there was a lot of misinformation and misunderstanding regarding the community's water use and the conservations measures that were being implemented.

Director Jones asked about efforts to convert septic systems to municipal sewer. Doa Ross, Deputy General Manager, Engineering, said that the Authority had applied for funding to help with converting septic systems. Staff was working with the municipal sewer providers to develop program parameters. The Authority has also compiled a list of multiple residents and businesses that are interested in the program.

NO ACTION REQUIRED

Public Comment

Director Crear said that Juneteenth had been declared a Federal holiday in 2021. He said that the City of Las Vegas had worked to establish Juneteenth as a holiday as well. He said that the holiday was important with his community and wanted to see the holiday observed by the Authority. Mr. Entsminger said that if the Nevada Legislature declares Juneteenth a State holiday then it will automatically be incorporated into labor agreements. He said he would also explore incorporating the holiday into future labor agreements.

Ed Uehling said that if the pool builders were developers or resorts owners, the pool size limit would not have been approved. He said that the adopted restriction would only save 10 million gallons of water per year, but approvals for new homes located in Summerlin will use more than that amount of water. He said that the Authority was tearing up grass and vegetation on the east side of Las Vegas and in Boulder City to allow for new homes to be built on the west side of Las Vegas. He said the solution to the drought was moving water from wetter areas of the country to the arid Southwest.

Kevin Kraft said that just because the Las Vegas Valley Water District voted to implement the pool size limit on September 1, they could vote at a future meeting to change the implementation date. The implementation date was not set in stone and that it could be reconsidered. He said that the pool industry's proposed conservation fee would help fund turf conversions that would save more water than limiting pool size.

John Hiatt said that average Colorado River flows have sharply declined and that the Authority should be planning on Colorado River flows averaging between 6 million and 8 million acre-feet per year. He said that the Southwest's social and economic problems were equal to the water problem. In order to address the water problem, society needs to address farm labor issues. He said that the Authority was in a unique position to provide leadership on the issue due to its water conservation efforts and the lack of local agriculture in Southern Nevada to provide opposition.

Daniel Braisted said that Joel Epstein had developed an invention that made water using laws of physics, temperature, sand and electric shock. He said that he would contact the Authority to further discuss the invention.

Terrance Thornton said that the pool size limit would save 40 million gallons of water over time. However, the approved Boulder City turf conversion would save 50 million gallons of water. He said that it was not good public policy to take such a drastic step to save a small amount of water.

Fred Volz said that all the conservation measures proposed and adopted by the Authority do not amount to the water needed for the community should the drought continue or worsen. He said that no new grass should be allowed even in schools, parks or cemeteries. He said that AB356 has a four year implementation deadline; however, the community might not have that much time. He said that more meaningful water conservation should take place at existing athletic fields, public and private golf courses, playgrounds and cemeteries. Ornamental landscaping watering in places like Green Valley and Summerlin should be curtailed. Evaporative cooling should be addressed in existing buildings. The community can not continue to grow given the current water shortage. He also said that the Federal government should buy out the water rights of alfalfa and cotton farmers in California, Arizona and Nevada.

Troy Miller said that someone could build a 10,000 square foot house with 65 trees, but they can only build a 600 square foot pool. Restricting pool sizes for residents that have the means to pay for it will cause them to go elsewhere. The limit is too small. The limit should have been closer to 1,000 square feet. The pandemic and supply chain issues have already severely impacted the pool industry.

Karey Zimmerman said that there were several projects that were a year in design and will now have to be reworked due to the September 1 implementation of the pool size limit. He said that his homeowners association required him to keep his turf. He said that the public does not understand or believe that there is a water shortage. He said that Mark Davis would not have brought the Raiders to Las Vegas had the pool size limit been implemented earlier.

Adjournment

There being no further business to come before the Board, the meeting adjourned at 11:17 a.m.

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.



YOUTH CONSERVATION COUNCIL

- Created in 1999 by the SNWA Board of Directors
- This year's program was generously supported by the One Drop Foundation
- Explore the water sustainability challenges facing Southern Nevada and the design solutions needed to address those challenges
- Learn about the many educational and professional paths that support resource management and conservation
- Field trips expose students to water management in action
- Share knowledge with the public at the Springs Preserve Earth Day Event



LEARNING



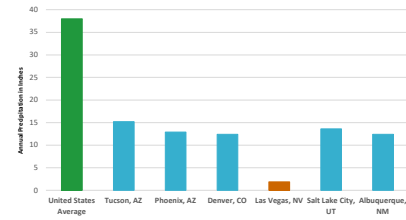
- Engage visitors in the topics of water resources, conservation and desert adaptation
- Inform visitors of water challenges facing our community
- Encourage visitors to be part of the solution



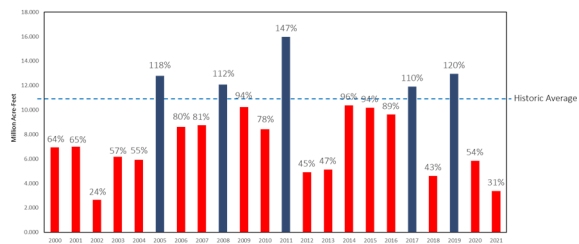
THANK YOU



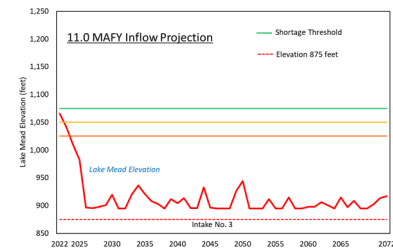
Las Vegas is the driest metropolitan area in the United States.



Since 2000, cumulative Colorado River natural inflows have been approximately **16 trillion gallons** below the historical average.



The Colorado River Basin is likely experiencing aridification – the gradual change of a region from a wetter to a drier climate.



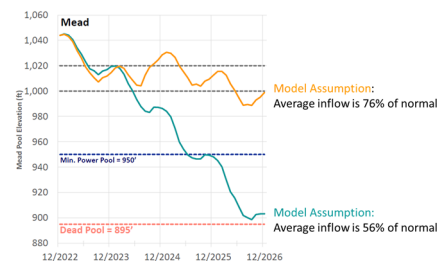
Lake Mead is at significant risk of falling below 900 feet.

At that elevation:

- Reservoir storage is less than 10 percent of capacity
- The SNWA's first two intakes are above the surface
- Hoover Dam is unable to release water downstream to Arizona, California or Mexico
- Hoover Dam can no longer generate power
- Nevada's allocation will be further curtailed by an undefined, potentially significant quantity



Models completed by the Bureau of Reclamation show lake elevations drastically falling.



"In the Colorado River Basin, more conservation and demand management are needed, in addition to the actions already underway."

Between 2 and 4 million acre-feet of additional conservation is needed just to protect critical levels in 2023."

- Honorable Camille Touton, Commissioner, Bureau of Reclamation

What 4 million acre-feet means:

- Nearly one-third of the entire Basin's U.S. allocation
- More than 13 times Nevada's current allocation (300,000 acre-feet)



Cutting use will require participation from every state and every sector in the Basin.

In Southern Nevada, there are five major uses of water that cannot be recovered:



Landscape Irrigation



Septic Systems



Evaporative Cooling



Export Products



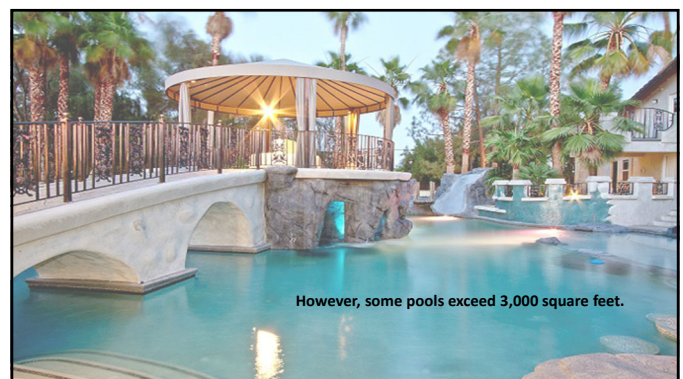
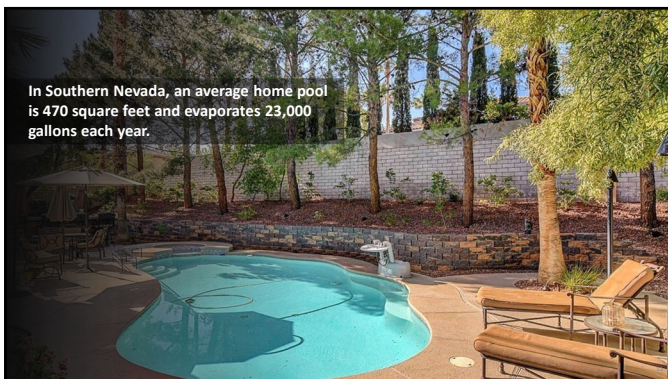
Water Feature Evaporation



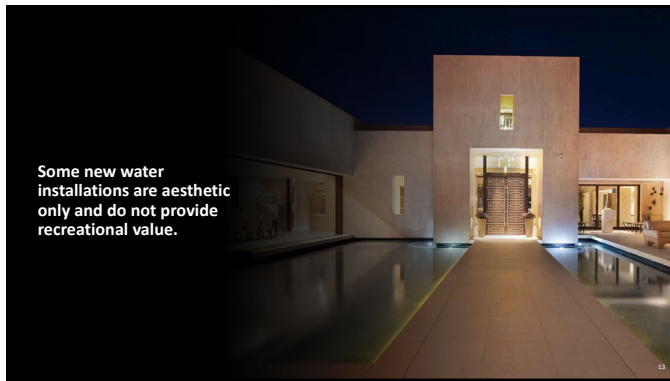
Currently, pools at single-family residences are not limited in size.

2020

In Southern Nevada, an average home pool is 470 square feet and evaporates 23,000 gallons each year.



However, some pools exceed 3,000 square feet.



Future development is limited only by its unrecoverable water uses.

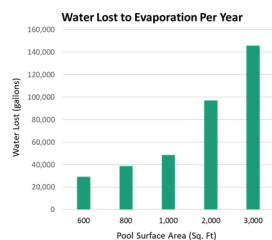
Southern Nevada must adapt with more efficient development codes.



New luxury home with pool that meets proposed 600 sq. ft. surface area limit with artificial turf.

SNWA member agencies are proposing a 600-square foot limit to the combined surface area of a pool, spa and/or ornamental water feature at a single-family residence.

- 75% of recently constructed pools already fall under the proposed size limit
- 600 sq. ft. proposed as it achieves quantifiable water savings without significant impact to homeowners
- Size still allows for sufficient recreational space

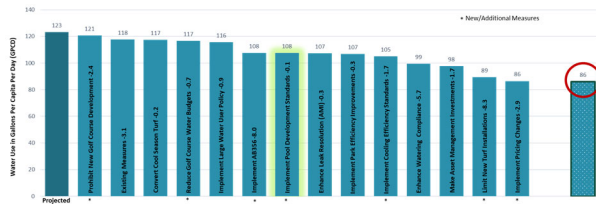


No one would question developing to earthquake safety standards in San Francisco or hurricane standards in Florida.

In Southern Nevada, water scarcity is our natural disaster.



Achieving higher levels of efficiency will extend the availability of current resources and reduce the need for temporary and future resources.



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Staff has reached out to industry professionals on the proposed pool-size limit.

- **March 15** – SNWA staff met with members of the Association of Pool and Spa Professionals to share the current status of drought and water supply and discuss the proposed 600 sq ft limit
- **March 31** – SNWA staff followed up with members of the Association of Pool and Spa Professionals and discussed other proposals shared by the pool industry. These proposals were evaluated
- **Early June** – SNWA mailed notice to approximately 120 pool construction companies, 35 homebuilders and more than two dozen real estate businesses to inform them of the 600 sq ft limit being considered (Resulted in two inquiries from pool companies)
- **June 29** – SNWA General Manager and Deputy General Manager met with members of the Association of Pool and Spa Professionals

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Working together, we can navigate this crisis.

However, our success depends upon our willingness to adapt.

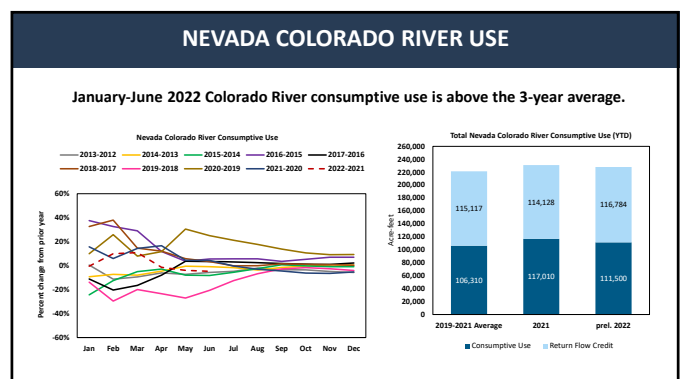
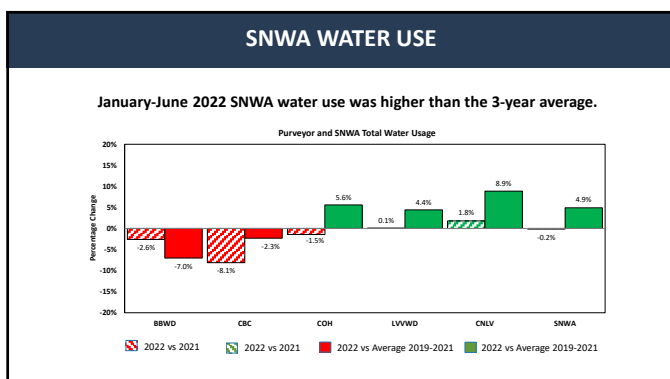
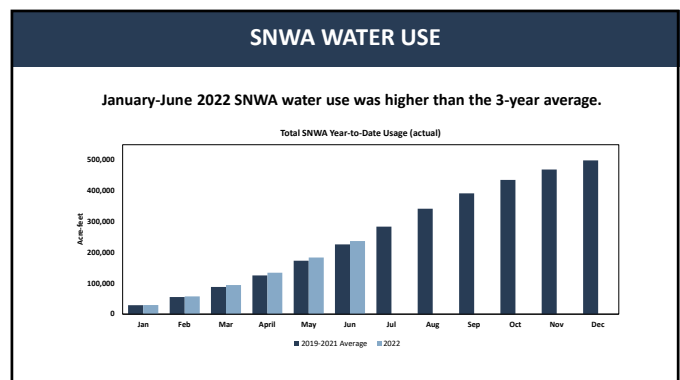
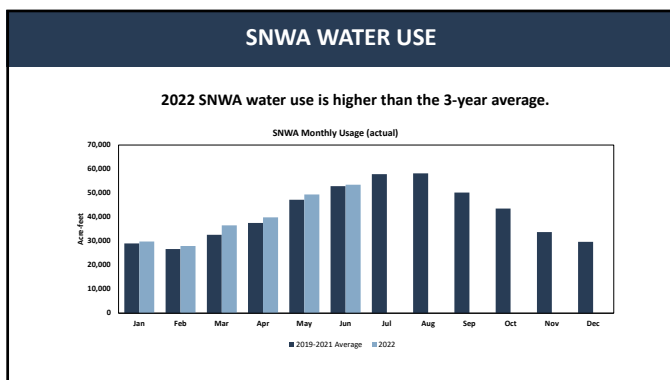


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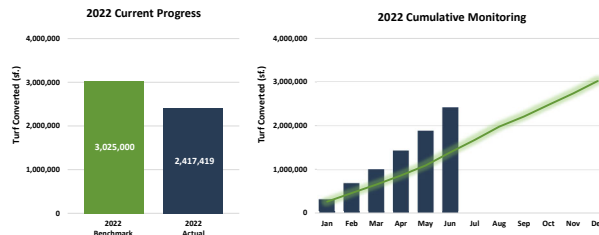
	SNWA	LVVWD	Henderson	North Las Vegas	Boulder City	City of Las Vegas	Clark County
NTRAC Definitions	✓ Jan '22	✓ Apr '22	✓ Sep '22	✓ Sep '22	✓ Aug '22	N/A	N/A
No New Grass	✓ Dec '21	✓ Apr '22	✓ Sep '22	✓ Sep '22	✓ Aug '22	Unscheduled	Jul '22
No New Spray Irrigation	✓ Dec '21	✓ Apr '22	✓ Sep '22	✓ Sep '22	✓ Aug '22	Unscheduled	Jul '22
SFR Pool Size Limits	✓ Jul '22	✓ Jul '22	✓ Sep '22	✓ Sep '22	✓ Aug '22	Unscheduled	Jul '22
Golf Course Water Budgets	✓ May '22	✓ Oct '22	✓ Oct '22	✓ Sep '22	✓ Oct '22	N/A	N/A
New Golf Course Prohibition	N/A	✓ 2021	✓ 2021	✓ Sep '22	✓ Aug '22	✓ Aug '22	Jul '22
Consistent Fountain Codes	N/A	✓ Sep '22	Next Code Cycle	✓ Sep '22	✓ Aug '22	✓ Aug '22	Jul '22
Septic Prohibition	N/A	✓ 2020	Unscheduled	Evaluating consistent language	Unscheduled	✓ Aug '22	N/A



WATER CONSERVATION UPDATE

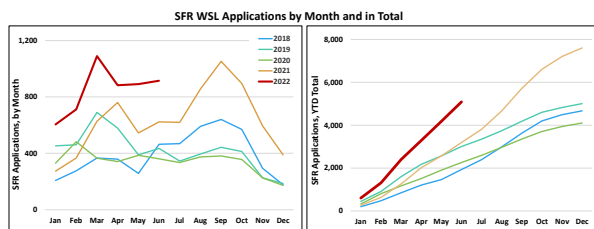
WATER SMART LANDSCAPES

Homeowners converted more than 2.4 million sf. of turf in 2022, saving an estimated 134.8 million gallons of water annually.



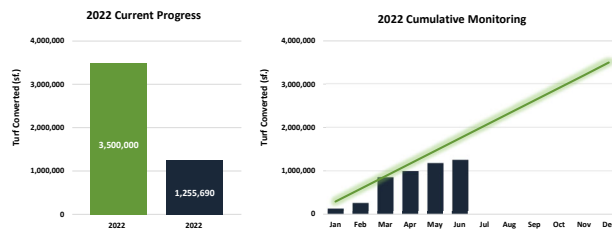
WATER SMART LANDSCAPES

Single Family Residential WSL applications continue to outpace progress in recent prior years.



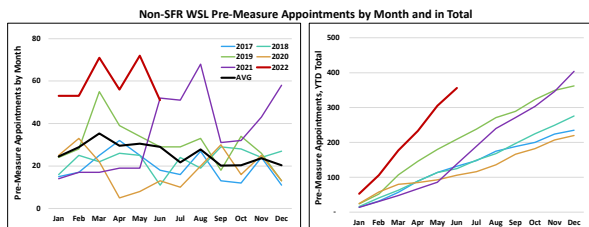
WATER SMART LANDSCAPES

Non-SFR customers have converted more than 1.2 million sf. of turf in 2022, saving more than an estimated 70 million gallons of water annually.



WATER SMART LANDSCAPES

Program interest among the Non-SFR water users continues to outpace prior recent years.



WATER EFFICIENT TECHNOLOGIES

WET program participants completed 19 projects in 2022, saving an estimated 47.6 million gallons of water.

