

**SOUTHERN NEVADA WATER AUTHORITY
BOARD OF DIRECTORS
REGULAR MEETING
NOVEMBER 16, 2023
MINUTES**

CALL TO ORDER 9:04 a.m.

BOARD MEMBERS PRESENT Marilyn Kirkpatrick, Chair
Dan Stewart, Vice Chair
Scott Black
Olivia Diaz (by telephone)
Jim Gibson
Justin Jones
Steve Walton

BOARD MEMBERS ABSENT None

STAFF PRESENT John Entsminger, Dave Johnson, Doa Ross, Tabitha Simmons, and Kevin Bethel

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

Ed Uehling spoke concerning item 2. He asked about the Authority's plans to bring additional water to Southern Nevada or any efforts to reduce new construction. He recalled reading about a Southern California family that uses more water than the 2.5 million residents of Southern Nevada, and that family was willing to sell water to other users. He said that the Authority should stop spending money on conservation advertising, instead the money should be used in purchasing water from willing sellers.

Pete Foley spoke concerning item 4. He said that the Board of Directors should not sign off on the interlocal agreement since not all of the water purveyors instituted excess usage fees in their jurisdictions. He also spoke concerning item 9. He said that more information on the amount that the Authority spends on marketing should be made available.

Diane Henry spoke concerning item 7. She said that artificial grass saves water but is toxic to the environment. She said that saving water should not come at the expense of the environment.

Laura McSwain spoke concerning items 3, 4, 7 and 9. She provided written comments for the record. A copy of her comments are attached to these minutes.

Julie Wignall spoke concerning item 7. She said that the Authority's decisions regarding water and grass have impacts on health, air quality, quality of life, rising temperatures and mental health. She said that removing grass in Southern Nevada is having an adverse effect on the environment.

Sue A. and Sheri Cole also submitted written comments. A copy of their comments are attached to these minutes.

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 September 21, 2023.***

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 September 21, 2023. The motion was approved.

CONSENT AGENDA Items 2 – 6 are routine and can be taken in one motion unless a Director requests that an item be taken separately.

2. ***For Possible Action: Adopt the Annual Operating Plan for the Southern Nevada Water System.***
3. ***For Possible Action: Ratify the execution of an assistance agreement between the Bureau of Reclamation and the Authority to accept a grant in an amount not to exceed \$2,000,000 for the Water Efficient Technologies Program and authorize the General Manager to approve future modifications if the future modifications do not impact the Authority.***

4. ***For Possible Action:*** Approve and authorize the General Manager to sign, in substantially the same form as attached hereto, an interlocal agreement among Clark County, Boulder City, the City of Henderson, the City of Las Vegas, the City of Mesquite, the City of North Las Vegas, the Regional Transportation Commission of Southern Nevada and the Authority to participate in a Regional Climate Collaborative to help further the actions recommended in the All-In Community Sustainability and Climate Action Plan in Southern Nevada.
5. ***For Possible Action:*** Approve a resolution authorizing the submission of a grant proposal to the Nevada Department of Conservation and Natural Resources' Nevada Water Conservation and Infrastructure Initiative grant program to seek funding to purchase and retire groundwater rights within the over-appropriated Lower White River Flow System, and, if awarded, authorize the General Manager, or his designee, to enter into any future funding agreement for the project.
6. ***For Possible Action:*** Approve a resolution authorizing the General Manager, or his designee, to submit a grant proposal to the Bureau of Reclamation's WaterSMART Applied Science Grants program for Fiscal Year 2023 seeking \$307,955, contribute matching funds of up to \$405,840 if awarded, and enter into and execute an agreement with the Bureau of Reclamation for WaterSMART Applied Science Grants funding.

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

BUSINESS AGENDA

7. ***For Possible Action:*** Adopt a resolution setting forth the requirements defined in Assembly Bill 220 for the installation of new turf on land parcels served by Colorado River water.

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

8. ***For Possible Action:*** Approve a resolution approving the form of the Amended and Restated SNWA/LVVWD Master Bond Repayment Agreement and authorizing Authority Officers to execute the Agreement and take all actions necessary to effectuate the provisions of the Resolution.

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

9. ***For Possible Action:*** Accept the Authority's Annual Comprehensive Financial Report, including the corresponding Independent Auditor's Report on Financial Statements and Other Supplementary Information for the Fiscal Year ended June 30, 2023, and authorize its submission to the Nevada Department of Taxation.

Kevin Bethel, Chief Financial Officer, presented the Authority's Annual Comprehensive Financial Report. Mr. Bethel said that the audit with Baker Tilly US, LLP, went extremely well. He said that within the auditor's required communications, there were no findings, and it was an unmodified, or clean, audit.

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

10. ***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.

John Entsminger, General Manager, gave an update on water use and conservation initiatives. A copy of his presentation is attached to these minutes.

Director Jones asked what the Authority was doing outside of conservation to work with the Bureau of Reclamation and the other Colorado River Basin states to address the drought. Mr. Entsminger said that earlier this year, Nevada, California, and Arizona negotiated and agreed to the largest interstate water conservation program in the history of the Colorado River, which will save 3 million acre-feet of water dedicated to rebuilding storage in Lake Mead. Also, Nevada's work to implement a non-functional grass law has led to a memorandum of agreement among 35 communities in six other states to reduce non-functional grass. He said that over the past summer and fall Nevada, California, and Arizona have come together on a proposal on how to operate the major system reservoirs in the post-2026 environment since all of the agreements put in place in 2007 are set to expire.

Vice Chair Stewart asked about the community's consumptive use reductions. Mr. Entsminger said that Southern Nevada used 325,000 acre-feet of water in 2002. This year, the Authority projects that the community's consumptive use will be 188,000 acre-feet of water. He said that the reduced water use is the result of all the conservation measures that the Board has implemented over the past 20 years.

NO ACTION REQUIRED

Public Comment

Laura McSwain said that other communities are conserving water without implementing heavy-handed restrictions and fees, such as have been implemented by the SNWA and LVVWD. She said the SNWA and LVVWD need to be creating fairness. She questioned the Authority's watering practices, whether it had leaks at its offices and how much water was used at the Springs Preserve. She said that it was unfair that excessive use due to leaks was penalized at residential properties but not at commercial properties. She said that her community was experiencing blight due to reduced water being applied on legacy trees.

Judy Tobler said that she has removed trees, grass, evaporative cooler, and her garden to reduce water consumption at her home, but her water bill remains high. She said that it was time to limit the number of people that can move to the community. She questioned what was being done with the money collected from the increased water rates and fines.

Ed Uehling said the Authority gave the Howard Hughes Corporation 40,000 gallons per house to build homes on the other side of the freeway while putting a high-ranking Hughes executive on the non-functional turf committee. He said that there is no conservation in Southern Nevada. He said that there is just a transfer of water from weak, ordinary people to developers. He said that cows in the Imperial Valley in California get 10 times more water than the people in Las Vegas. He said that the water problem in Las Vegas is not a demand issue; it is a supply issue, and the Authority needs to do more to increase the supply. He said that eminent domain needed to be used to bring in more supply.

Alisa Ohlson spoke concerning the Water Smart Landscape program requirements. She also spoke about the LVVWD's excessive use charge and the difficulties converting grass on her large property.

Pete Foley said that he was concerned with the SNWA's and LVVWD's advertising and communication spin. He said that the water conservation achievements over the last 20 years cannot continue since the community has already been wrung dry. He said that residents are now being asked to make ridiculous water cuts. He said that the Authority takes an adversarial position against its customers, because it is a monopoly instead of trying to take a collaborative approach.

Adjournment

There being no further business to come before the Board, the meeting adjourned at 10:00 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.