



A G E N D A
LAS VEGAS VALLEY WATER DISTRICT
BOARD OF DIRECTORS

REGULAR MEETING
9:00 A.M. – AUGUST 3, 2021

COMMISSION CHAMBERS
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY, LAS VEGAS, NEVADA
(702) 258-3100

Board of Directors
Marilyn Kirkpatrick, President
Jim Gibson, Vice President
Justin Jones
William McCurdy II
Ross Miller
Michael Naft
Tick Segerblom

John J. Entsminger,
General Manager

Date Posted: July 27, 2021

The Las Vegas Valley Water District makes reasonable efforts to assist and accommodate persons with physical disabilities who desire to attend the meeting. For assistance, call the Agenda Coordinator (702) 258-3277 at least 24 hours prior to the meeting.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED IN THE FOLLOWING LOCATIONS:

LAS VEGAS VALLEY WATER DISTRICT
1001 SOUTH VALLEY VIEW BOULEVARD
LAS VEGAS, NEVADA

CLARK COUNTY GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA

SOUTHERN NEVADA WATER AUTHORITY
100 CITY PARKWAY, SUITE 700
LAS VEGAS, NEVADA

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE
LAS VEGAS, NEVADA

All items listed on this agenda are for action by the Board of Directors, unless otherwise indicated. Items may be taken out of order. The Board of Directors may combine two or more agenda items for consideration, and/or may remove an item from the agenda or delay discussions relating to an item on the agenda at any time.

Visit our website at <https://www.lvvwdd.com/lvwwd-agendas> or main office at 1001 S. Valley View Boulevard, Las Vegas, Nevada for Las Vegas Valley Water District agenda postings, copies of supporting material and approved minutes. To receive meeting information, including supporting material, contact the LVVWD Agenda Coordinator at (702) 258-3277 or agendas@lvvwdd.com.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

NO ACTION MAY BE TAKEN: At this time, the Board of Directors will hear general comments from the public on items listed on the agenda. If you wish to speak to the Board about items within its jurisdiction, but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Please limit your comments to three minutes or less. Public comment can also be provided in advance of the meeting and submitted to publiccomment@lvvwdd.com.

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 July 6, 2021.

BUSINESS AGENDA

2. *For Possible Action:* Approve and authorize the General Manager to sign an amendment to the existing agreement between The Howard Hughes Company, LLC, and the District to increase the developer's financial commitment for construction of the 4125 Zone North Reservoir.
3. *For Possible Action:* Waive the bid irregularity and award a contract to construct the 4125 Zone North Reservoir to Sletten Construction of Nevada, Inc., for the amount of \$16,693,000, authorize a change order contingency amount not to exceed \$1,000,000, and authorize the General Manager to sign the construction agreement.
4. *For Possible Action:* Consent to the Southern Nevada Water Authority granting a parity lien on Authority Water Revenues for payment of the Southern Nevada Water Authority, Water Revenue Refunding Bonds, Series 2021, in the maximum aggregate principal amount of \$70,000,000 to be sold to Clark County, Nevada.
5. *For Possible Action:* Adopt a resolution notifying the Clark County Debt Management Commission of the District's proposal to borrow money and issue general obligation bonds additionally secured by Southern Nevada Water Authority pledged revenues in the maximum aggregate principal amount of \$350,000,000, and providing certain details in connection therewith.

AGENDA – LAS VEGAS VALLEY WATER DISTRICT – PAGE TWO – AUGUST 3, 2021

6. *For Possible Action:* Conduct a Public Hearing to consider and adopt a new 5-tier rate structure and increases to the daily service charge and water rates for the Blue Diamond Water System, as recommended by the Red Rock Citizens Advisory Committee, and approve corresponding changes to the Blue Diamond Service Rules.

COMMENTS BY THE GENERAL PUBLIC

NO ACTION MAY BE TAKEN: At this time, the Board of Directors will hear general comments from the public on matters under the jurisdiction of the Las Vegas Valley Water District. Please limit your comments to three minutes or less.

**LAS VEGAS VALLEY WATER DISTRICT
BOARD OF DIRECTORS MEETING
JULY 6, 2021
MINUTES**

CALL TO ORDER 9:02 a.m., Commission Chambers, Clark County Government Center,
500 South Grand Central Parkway, Las Vegas, Nevada

DIRECTORS PRESENT: Jim Gibson, Vice President
William McCurdy II
Ross Miller
Michael Naft
Tick Segerblom

DIRECTORS ABSENT: Marilyn Kirkpatrick, President
Justin Jones

STAFF PRESENT John Entsminger, Dave Johnson and Greg Walch

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

COMMENTS BY THE GENERAL PUBLIC

For full public comment, visit www.lvwd.com/apps/agenda/lvwd/index.cfm

Ed Uehling, Las Vegas, spoke on his personal history with Lake Mead. He also provided a handout to the Board with comments on a presentation given at the prior month's meeting. His handout is attached to these minutes.

ITEM NO.

1. Approval of Agenda & Minutes

FINAL ACTION: A motion was made by Director Naft to approve the agenda and the minutes from the regular meeting of June 1, 2021. The motion was approved.

CONSENT AGENDA Items 2 – 3 are routine and can be taken in one motion unless a Director requests that an item be taken separately.

- 2. Approve and authorize the General Manager to sign an amended and restated agreement between C.A. Group, Inc., and the District to provide professional services for Las Vegas Boulevard Improvements, Phase I for an increased amount of \$15,000, resulting in a total amount not to exceed \$436,935.**
- 3. Approve an oversized main extension agreement between Century Communities of Nevada, LLC, and the District for pipeline oversizing within the 2745 Pressure Zone for an amount not to exceed \$134,046.**

FINAL ACTION: A motion was made by Director McCurdy to approve staff's recommendations. The motion was approved.

BUSINESS AGENDA

- 4. Award a contract to construct the Centennial 2635 Zone Reservoir and 2745 Zone Pumping Station to MMC, Inc., for the amount of \$32,980,417, authorize a change order contingency amount not to exceed \$1,600,000, and authorize the General Manager to sign the construction agreement.**

FINAL ACTION: A motion was made by Director Segerblom to award the contract. The motion was approved.

- 5. Reject the bid from Harber Company, Inc., dba Mountain Cascade of Nevada, and award a contract to construct the 4125 Zone Pumping Station to J.A. Tiberti Construction Company, Inc., for the amount of \$13,262,727, authorize a change order contingency amount not to exceed \$1,230,000, and authorize the General Manager to sign the construction agreement.**

John Entsminger, General Manager, stated that the reason for the bid rejection was because the organization did not include a listing of subcontractors and are not responsive under NRS. He added that this facility will be completely funded by the Howard Hughes Corporation as part of the expansion of the system to serve the Summerlin area.

MINUTES – LAS VEGAS VALLEY WATER DISTRICT – JULY 6, 2021 – PAGE TWO

FINAL ACTION: A motion was made by Director Naft to approve staff's recommendations. The motion was approved.

- 6. Determine that the proposed changes to the Blue Diamond Water System's Service Rules affecting service charges and water rates are not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business; consider and approve the attached Business Impact Statement; and direct staff to set a public hearing for possible adoption of the proposed changes for August 3, 2021.**

Mr. Entsminger stated that the District held multiple meetings with the Red Rock Citizens Advisory Committee, stating that the rate changes reflected in the Business Impact Statement are what were recommended by that committee. He added that the District has been operating the Blue Diamond water system since 1992 and this is the first time a rate change has been proposed. He included that even after the increase, water rates in that area will still be lower than in the Las Vegas valley.

FINAL ACTION: A motion was made by Vice President Gibson to apply a collar to the increase once CPI indexed and to set a public hearing for the August 3, 2021 meeting. The motion was approved.

COMMENTS BY THE GENERAL PUBLIC

Ed Uehling commented on the accuracy of the Blue Diamond Business Impact Statement. He also commented on item #5, stating that higher elevations and the need for pumping water should lead to higher water rates for those users.

David Millette, 5532 Cleary Court, spoke on the history of the drought in the western U.S. and his research on the subject over the past 20 years. He concluded his remarks by asking about long-term and future planning for the water supply.

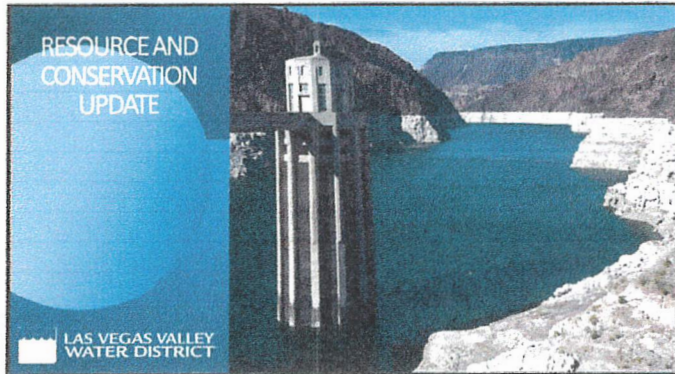
Steve Strehlow, 4374 Sun Vista Drive, commented on world issues and racism in Clark County.

Adjournment

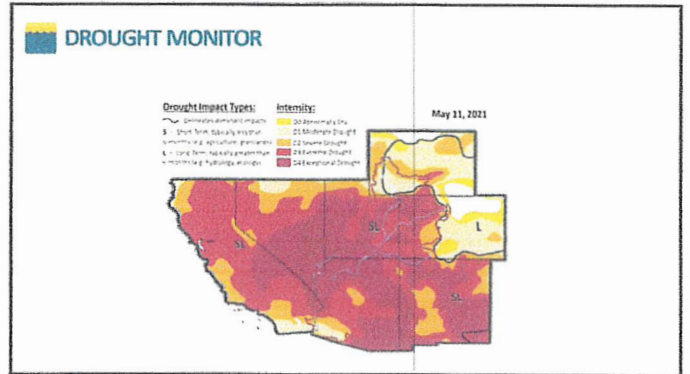
There being no further business to come before the board, the meeting adjourned at 9:25 a.m.

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.

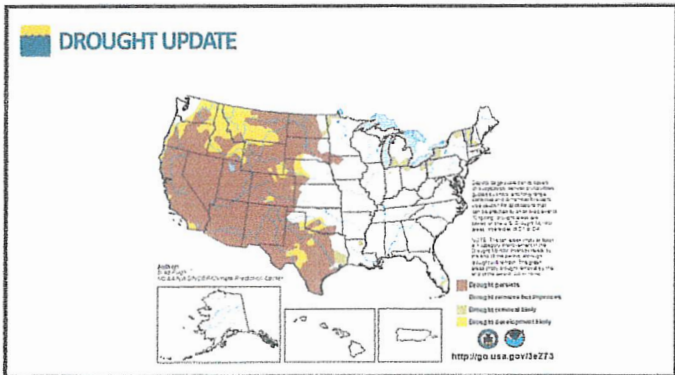
Public Comment provided by Ed Uehling, received on 7/6/21 and included in the minutes as required by Nevada's Open Meeting Law



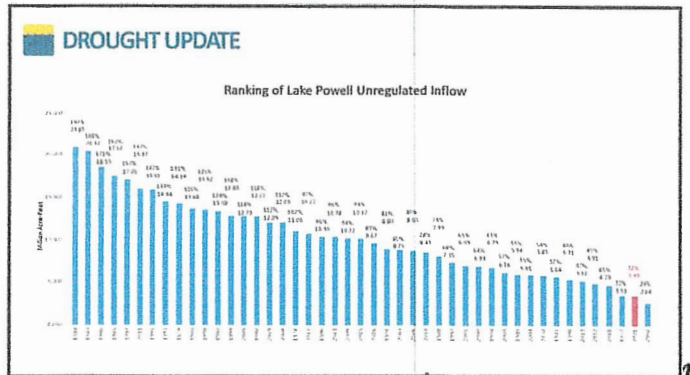
1



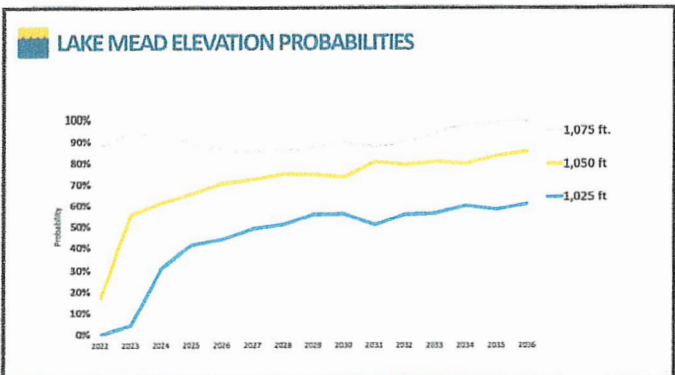
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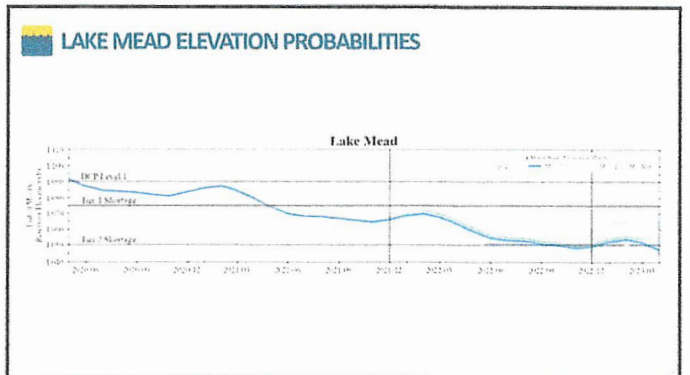
3



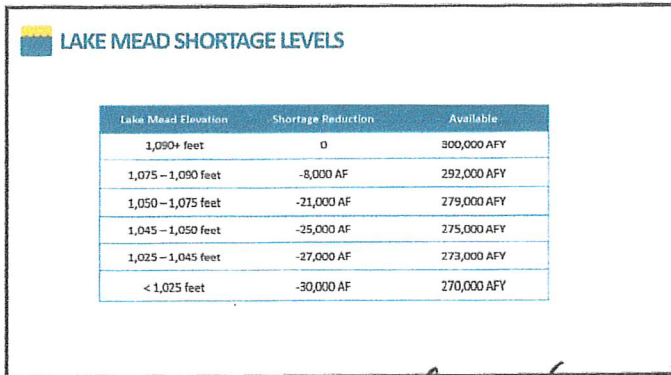
4 Why did they allow 8.3 million acre-feet of water to go through the dam? 7.5 M af, the supposed maximum is too much.



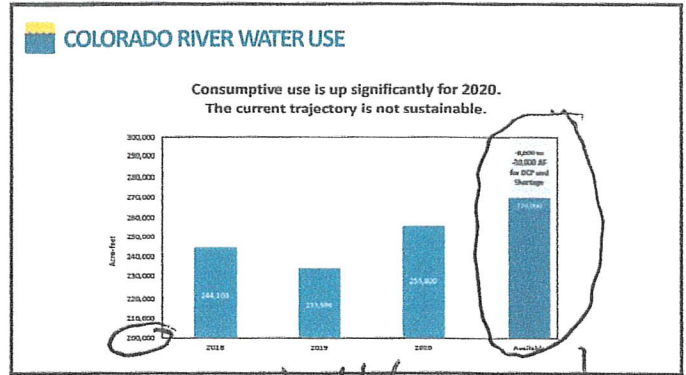
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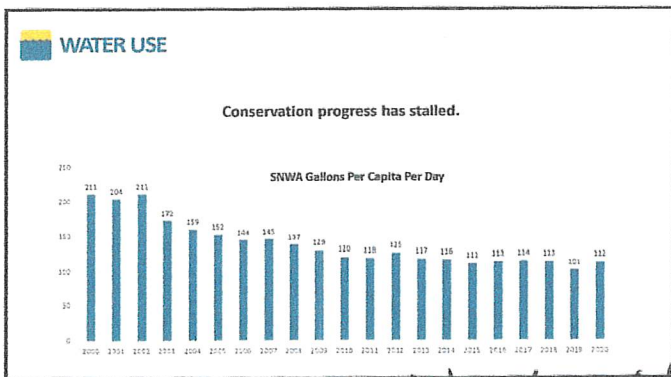
6



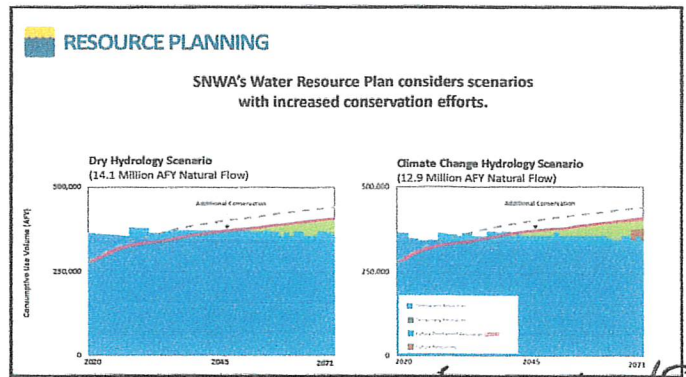
7 Shows insignificant effects of SN use.



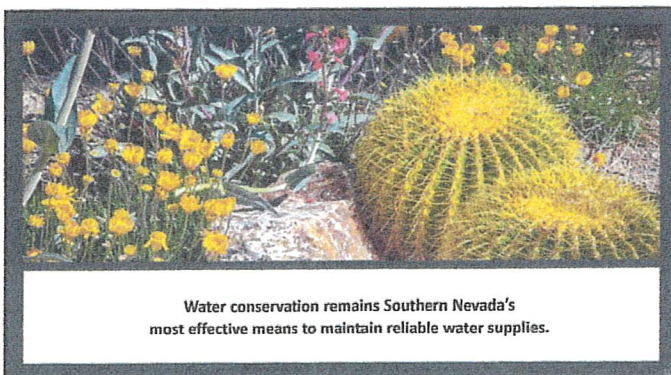
8 Chicken Little graph



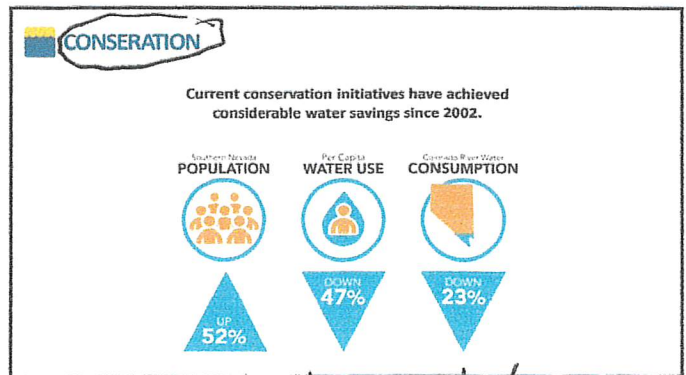
9, Meaningless statistic b/c it includes both consumption & use. Used water = free money to LVWD



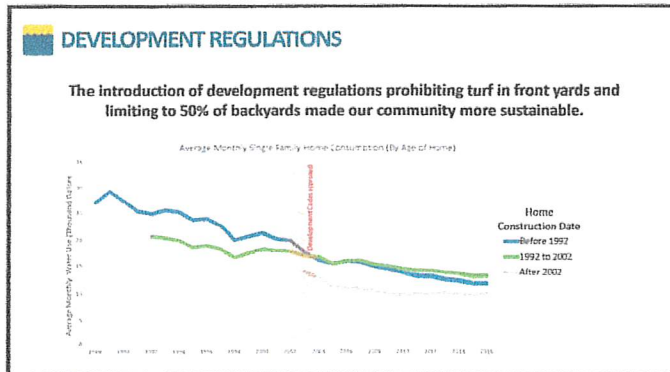
10 Valuable graph: 2 M af problem caused by farming stupidities in CA & AZ



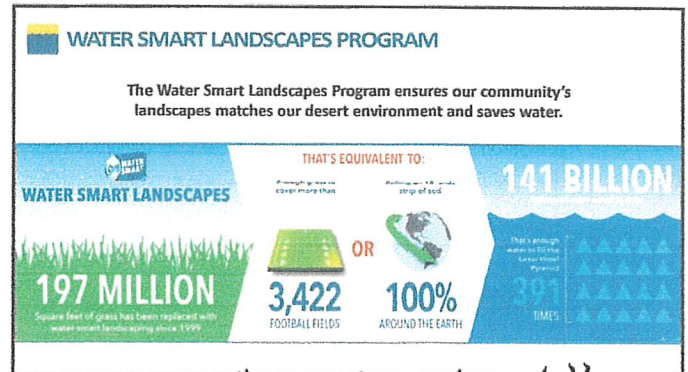
11



12 Great but cost being paid by people living in old neighborhoods for benefit of new



13

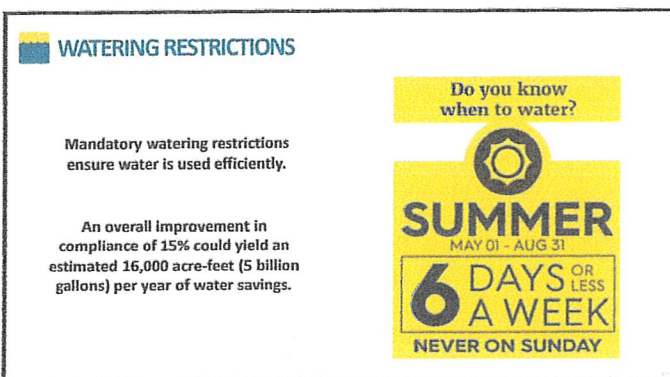


14 Creating "heat island" on eastside that will cost billions to solve in future. Purpose today is to foment sprawl (wasteful) development on westside

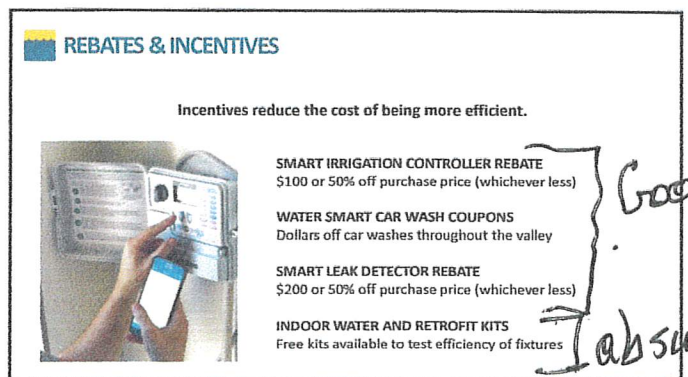


15 113,000 is a little over half the average salary of one of the 1500-1800 employees of the district

16 And they want to hire still more people!



17 Yes let's blame and beat up the customers for the last 16,000 acre-ft so we can fill the 36 inch new pipe for the houses & fill all those new swimming pools!




18

Good

absurd 4 money loss

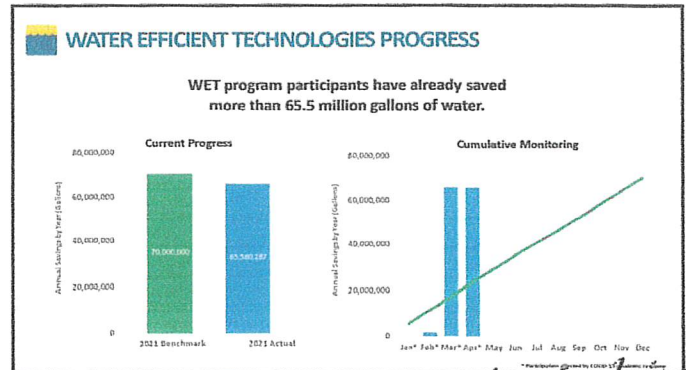
BUSINESS INCENTIVES

Businesses can reduce water use while saving money through SNWA Conservation programs.



The Water Efficient Technologies program offers rebates to businesses who install water-efficient devices and technologies.

- Cooling tower retrofits
- Sport field conversions
- Custom technology incentives




19 To fill up Hughes' 36" pipe 20 More nonsense (relative) 600,000,000 gallons = < 200 a/f why not change tier system, eliminate septic the problem (slide 10) is 2 million a/f

MARKETING

Marketing efforts remind customers to take action.



SHORTAGE




Impending water shortages punctuate the need to keep conserving.

21 Blame the customers! 72 people work in the propaganda department 13M in wages, how much in (misleading) ads

22 Yes, millions for insignificant changes & crickets for 2M a/f wasted in CA & AZ growing hay.

CONSERVATION

Warming climates and an aging system adds to the challenge.



Climate Change & Aging System
Increasing consumptive water demands due to warmer temperatures, drier soils, lower precipitation, and increased system loss due to aging infrastructure.

Adaptive Management
Significant additional effort will be required to reduce consumptive water use to meet our conservation goal and maximize the availability of water supplies.

SNWA CONSERVATION STRATEGIC PLAN



The SNWA's Conservation Strategic Plan sets goals and priorities to reduce water use throughout the valley.

Consumptive Use Focus Areas:

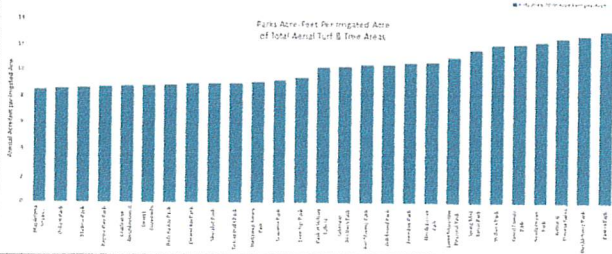
- Non-functional turf
- New development
- Compliance with watering restrictions
- Cooling efficiency
- Leaks
- Asset Management

23

24 And we won't say a word about the wasteful agricultural practices in California. Maybe HWD or DWP will hire us when we "retire"!

OPPORTUNITY: PARK WATER BUDGETS

Analyses indicate some parks are consuming more water than needed to maintain turf.



31

OPPORTUNITY: PARK WATER BUDGETS



PARK ACREAGE: 9.33 acres
WATER USE: 13.07 acre-feet per irrigated acre
ANNUAL IRRIGATION USE: 121.9 acre-feet per year

Water Use Per Acre-Feet Comparisons:
Paseos Park: 13.07 AF per irrigated acre
California Rice Patty: 5.10 AF per irrigated acre
Spanish Trails Golf Course: 3.89 AF per irrigated acre

RAINFALL:
Paseo Park: 156.8 inches per acre
Kauai: 41.2 inches of rainfall
Paseos park irrigation uses the equivalent of 3.8 times the annual rainfall in Kauai

32

OPPORTUNITY: EQUALIZING SFR WATER THRESHOLDS

A 2003 Advisory Committee recommended taking steps towards charging all residential customers the same rate for the same amount of water used, regardless of meter size.

Meter Size	Tier 1 Volume (1,000 Gallons)	Tier 2 Volume (1,000 Gallons)	Tier 3 Volume (1,000 Gallons)	Tier 4 Volume (1,000 Gallons)	Monthly Service Charge
Rate Per 1,000 Gal	\$1.34	\$2.39	\$3.55	\$5.22	
5/8"	0-5	5.01-10	10.01-20	>20	\$11.57
3/4"	0-6.8	6.81-13.5	13.51-27	>27	\$13.32
1"	0-10.1	10.11-20.32	20.33-57.5	>57.5	\$16.82
1.5"	0-18.6	18.61-37.2	37.21-175.7	>175.7	\$25.58
2"	0-28.71	28.72-57.43	57.44-385.26	>385.26	\$36.10

33

Unaware of this; first time I hear about it. Why does LVWD refuse to continue tiers to punish excessive ~~use~~ outdoor use? Is it because those users are rich?

OPPORTUNITY: EVALUATE NON-SFR TIERS

Meter Size	Tier 1 Volume (\$1.34/Kgl)	Tier 2 Volume (\$2.39/Kgl)	Tier 3 Volume (\$3.55/Kgl)	Tier 4 Volume (\$5.22/Kgl)	Monthly Service Charge
1"	0-12.5 Kgl	12.51-25 Kgl	25.01-75 Kgl	>75 Kgl	\$16.82
1.5"	0-25 Kgl	25.01-50 Kgl	50.01-250 Kgl	>250 Kgl	\$25.58
2"	0-40 Kgl	40.01-80 Kgl	80.01-560 Kgl	>560 Kgl	\$36.10
3"	0-80 Kgl	80.01-160 Kgl	160.01-1,440 Kgl	>1,440 Kgl	\$64.15
4"	0-125 Kgl	125.01-250 Kgl	250.01-4,000 Kgl	>4,000 Kgl	\$95.70
6"	0-250 Kgl	250.01-500 Kgl	500.01-12,500 Kgl	>12,500 Kgl	183.34
8"	0-400 Kgl	400.01-800 Kgl	800.01-24,000 Kgl	>24,000 Kgl	288.51
10"	0-575 Kgl	575.01-1,150 Kgl	1,150.01-40,250 Kgl	>40,250 Kgl	411.20
12"	0-850 Kgl	850.01-1,700 Kgl	1,700.01-59,500 Kgl	>59,500 Kgl	604.01

34

Charges should be based on "households" not pipe sizes. The current system charges SFR dwellers \$12 & apart dwellers \$35 for the basic consumption/household of 10,000 gallons/month.

CURRENT PRIORITIES

Continue to drive down water use:

- Convert non-functional turf / destroy neighborhood
- Make new development as efficient as possible / by charging tiers
- Ensure all wastewater is returned to Lake Mead
- Adhere to the watering schedule / arbitrary
- Address water waste / as long as it doesn't affect future



35

job prospects



LAS VEGAS VALLEY
WATER DISTRICT

36

**LAS VEGAS VALLEY WATER DISTRICT
BOARD OF DIRECTORS
AGENDA ITEM**

August 3, 2021

Subject:
Amendment

Petitioner:
Doa J. Ross, Deputy General Manager, Engineering

Recommendations:
That the Board of Directors approve and authorize the General Manager to sign an amendment to the existing agreement between The Howard Hughes Company, LLC, and the District to increase the developer's financial commitment for construction of the 4125 Zone North Reservoir.

Fiscal Impact:

If the above recommendation is approved, the District will receive funds from The Howard Hughes Company, LLC, in the total amount of \$18,100,000.

Background:

The Howard Hughes Company, LLC (Developer), is proposing to develop property within the District's 3895 and 4125 Pressure Zones. To ensure adequate water service to existing and proposed development and to provide service to future pressure zones in Summerlin, construction of the 4125 Zone North Reservoir (Reservoir), as generally shown on Attachment A, is required.

On July 3, 2018, the District and Developer entered into Agreement No. 116525 (2018 Agreement) for design of the 4125 Zone North Reservoir (Reservoir) at Developer's sole cost and expense. This 2018 Agreement, which was amended December 3, 2018, called for a construction agreement to be executed once the design was completed. On October 6, 2020, the Board of Directors approved Agreement No. 137036 (2020 Agreement) to provide Developer funding for the construction of the Reservoir. An item to award the construction of the Reservoir is also being brought before the Board today. Upon completion of construction and acceptance by the District, the Reservoir shall be, and remain, the exclusive property of the District.

If approved, the attached Amendment to the 2020 Agreement provides an increase in total construction cost and a revised pay schedule to align with actual bid costs obtained through the public bidding process. The revised Developer commitment for construction of the Reservoir would increase from \$11,000,000 to \$18,100,000. The District will not fund any portion of the Reservoir's construction costs.

This amendment is being entered into pursuant to NRS 338.0115(1) and Section 1(13) of the Las Vegas Valley Water District Act, Chapter 167, Statutes of Nevada 1947. The office of the General Counsel has reviewed and approved the amendment.

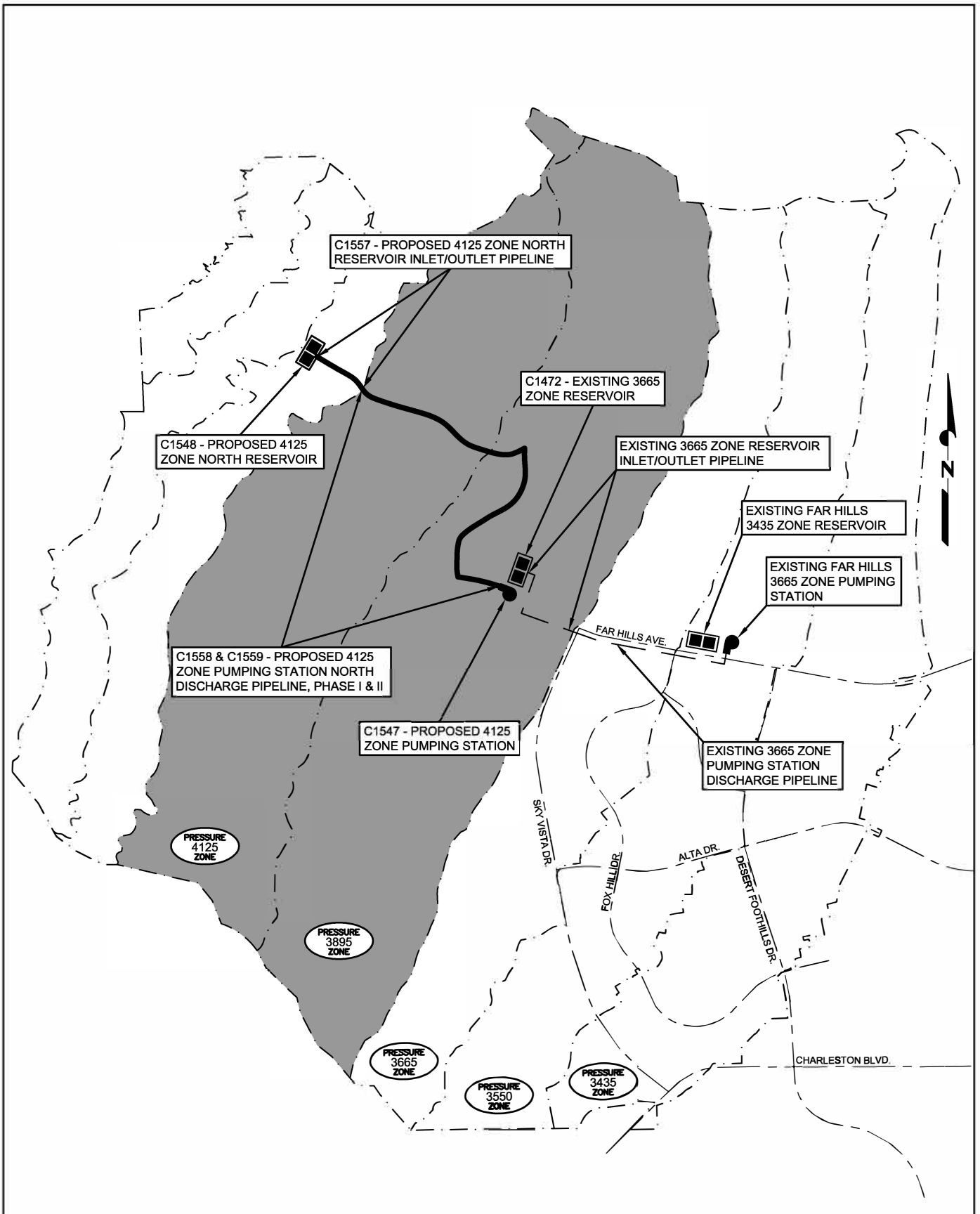
JJE:DJR:PJJ:RCP:kd

Attachments: Map, Disclosure, Agreement

AGENDA
ITEM #

2

Proposed 4125 Zone Water Facilities By Summerlin



DISCLOSURE OF OWNERSHIP/PRINCIPALS

Business Entity Type (Please select one)						
<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Partnership	<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Privately Held Corporation	<input checked="" type="checkbox"/> Publicly Held Corporation	<input type="checkbox"/> Trust	<input type="checkbox"/> Non-Profit Organization
Business Designation Group (Please select all that apply)						
<input type="checkbox"/> MBE	<input type="checkbox"/> WBE	<input type="checkbox"/> SBE	<input type="checkbox"/> PBE	<input type="checkbox"/> VET	<input type="checkbox"/> OVET	<input type="checkbox"/> ESB
Minority Business Enterprise	Women-Owned Business Enterprise	Small Business Enterprise	Physically Challenged Business Enterprise	Veteran Owned Business	Disabled Veteran Owned Business	Emerging Small Business
Number of Clark County Nevada Residents Employed: 0						
Corporate/Business Entity Name: The Howard Hughes Company, LLC						
(Include d.b.a., if applicable)						
Street Address:		13355 Noel Road, 22nd Floor		Website: www.howardhughes.com		
City, State and Zip Code:		Dallas, Texas 75240		POC Name: Brian Walsh		
				Email: brian.walsh@howardhughes.com		
Telephone No:		214-741-7744		Fax No: 702-791-4385		
Nevada Local Street Address: (If different from above)		10845 Griffith Peak Dr., Suite 160		Website: www.howardhughes.com		
City, State and Zip Code:		Las Vegas, Nevada 89135		Local Fax No: 702-791-4385		
Local Telephone No:		702-791-4000		Local POC Name: Brian Walsh		
				Email: brian.walsh@howardhughes.com		

All entities, with the exception of publicly-traded corporations and non-profit organizations, must list the names of individuals, either directly or indirectly, holding more than five percent (5%) ownership or financial interest in the business entity appearing before the Board of Directors.

Publicly-traded corporations and non-profit organizations shall list all Corporate Officers and Directors in lieu of disclosing the names of individuals with ownership or financial interest.

Entities include all business associations organized under or governed by Title 7 of the Nevada Revised Statutes, including but not limited to private corporations, close corporations, foreign corporations, limited liability companies, partnerships, limited partnerships, and professional corporations.

Full Name	Title	% Owned (Not required for Publicly Traded Corporations/Non-profit organizations)
Publicly traded - see attached page		

This section is not required for publicly-traded corporations.

1. Are any individual members, partners, owners or principals, involved in the business entity, an Entity full-time employee(s), or appointed/elected

official(s)?

☐ Yes

☐ No

(If yes, please note that the employee(s), or appointed/elected official(s) may not perform any work on professional service contracts, or other contracts, which are not subject to competitive bid.)

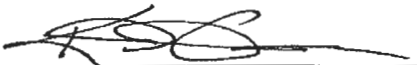
2. Do any individual members, partners, owners or principals have a spouse, registered domestic partner, child, parent, in-law or brother/sister, half-brother/half-sister, grandchild, grandparent, related to an Entity full-time employee(s), or appointed/elected official(s)?

☐ Yes

☐ No

(If yes, please complete the Disclosure of Relationship form on Page 2. If no, please print N/A on Page 2.)

I certify under penalty of perjury, that all of the information provided herein is current, complete, and accurate. I also understand that the Board will not take action on any item without the completed disclosure form.



 Signature
 Vice President

 Title

Kevin T. Orrock

Print Name

09-10-20

Date

DISCLOSURE OF RELATIONSHIP

List any disclosures below:
(Mark N/A, if not applicable.)

NAME OF BUSINESS OWNER/PRINCIPAL	NAME OF ENTITY* EMPLOYEE/OFFICIAL AND JOB TITLE	RELATIONSHIP TO ENTITY* EMPLOYEE/OFFICIAL	ENTITY* EMPLOYEE'S/OFFICIAL'S DEPARTMENT
N/A			

* Entity employee means an employee of Las Vegas Valley Water District, Southern Nevada Water Authority, or Silver State Energy Association .

"Consanguinity" is a relationship by blood. "Affinity" is a relationship by marriage.

"To the second degree of consanguinity" applies to the candidate's first and second degree of blood relatives as follows:

- Spouse – Registered Domestic Partners – Children – Parents – In-laws (first degree)
- Brothers/Sisters – Half-Brothers/Half-Sisters – Grandchildren – Grandparents – In-laws (second degree)

For Entity Use Only:

If no Disclosure or Relationship is noted above or the section is marked N/A, please check this box.

☒ No Disclosure

If any Disclosure of Relationship is noted above, please complete the following:

☐ Yes ☐ No Is the Entity employee(s) noted above involved in the contracting/selection process for this particular agenda item?

☐ Yes ☐ No Is the Entity employee(s) noted above involved in any way with the business in performance of the contract?

Notes/Comments:

Nass Diallo

Digitally signed by Nass
Diallo
Date: 2020.09.15 07:42:11
-07'00'

Signature

Nass Diallo, Acting Manager

Print Name

Authorized Department Representative

ATTACHMENT PAGE TO LVVWD DISCLOSURE OF OWNERSHIP/PRINCIPALS

OFFICERS OF THE HOWARD HUGHES COMPANY, LLC

Name	Title
Paul Layne	Chief Executive Officer
David O'Reilly	President & Chief Financial Officer
Peter F. Riley	Secretary
Kevin Orrock	Vice President
Carlos Olea	Vice President
David Striph	Vice President
Andrew Ciarrocchi	Vice President
Brian Walsh	Vice President
Chad Hastings	Vice President
Danielle Bisterfeldt	Vice President

MANAGERS OF THE HOWARD HUGHES COMPANY, LLC

(A LIMITED LIABILITY COMPANY DOESN'T TYPICALLY HAVE DIRECTORS)

Paul Layne, Manager

David O'Reilly, Manager

4125 ZONE NORTH RESERVOIR CONSTRUCTION AGREEMENT AMENDMENT NO. 1

This Amendment No. 1 (Amendment) to the 4125 Zone North Reservoir Construction Agreement (“Agreement”) is made by and between The Howard Hughes Company, LLC (“DEVELOPER”), and the Las Vegas Valley Water District, a political subdivision of the State of Nevada (“DISTRICT”). DISTRICT and DEVELOPER are sometimes hereinafter referred to individually as “Party” or collectively as “Parties.” The “Effective Date” is the date of last signature on this Amendment.

WITNESSETH:

WHEREAS, the Parties entered into the original Agreement effective 10/20/2020, through which DEVELOPER would provide the DISTRICT with funding for construction of the 4125 Zone North Reservoir, and

WHEREAS, the Parties desire to amend the Agreement to update the construction funding based on the best bid for the total construction cost.

NOW THEREFOR, in consideration of the promises and mutual covenants contained herein, the Parties hereto agree to this Amendment to the Agreement as follows:

A. REPLACE Paragraph No. 4(a) of the Agreement with the following Paragraph No. 4(a):

4. Construction Funding.

(a) The Developer will pay the District the actual cost of the construction of the Project, which is estimated to be \$18,100,000, to fund the construction of the Project (“Developer Contribution”). The Developer shall make payments (“Payment Schedule”) on the Developer Contribution as follows:

- | | |
|-------------------|---|
| i) \$2,000,000 | due on or before October 5, 2020, by 9:00 a.m.; |
| ii) \$1,700,000 | due within 24 hours of receipt of the District's Notice of Award of the contract for the construction of the Project; |
| iii) \$1,600,000 | due the first of the first month following the Notice of Award; |
| iv) \$1,600,000 | due the first of the second month following the Notice of Award; |
| v) \$1,600,000 | due the first of the third month following the Notice of Award; |
| vi) \$1,600,000 | due the first of the fourth month following the Notice of Award; |
| vii) \$1,600,000 | due the first of the fifth month following the Notice of Award; |
| viii) \$1,600,000 | due the first of the sixth month following the Notice of Award; |
| ix) \$1,600,000 | due the first of the seventh month following the Notice of Award; |
| x) \$1,600,000 | due the first of the eighth month following the Notice of Award; |
| xi) \$1,600,000 | due the first of the ninth month following the Notice of Award; |

All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed the day and year last entered below.

THE HOWARD HUGHES COMPANY, LLC

LAS VEGAS VALLEY WATER DISTRICT

Signature

Signature

Print Name

Print Name

Title

Title

Date

Date

**LAS VEGAS VALLEY WATER DISTRICT
BOARD OF DIRECTORS
AGENDA ITEM**

August 3, 2021

Subject:

Waive Bid Irregularity and Award Construction Contract

Petitioner:

Doa J. Ross, Deputy General Manager, Engineering

Recommendations:

That the Board of Directors waive the bid irregularity and award a contract to construct the 4125 Zone North Reservoir to Sletten Construction of Nevada, Inc., for the amount of \$16,693,000, authorize a change order contingency amount not to exceed \$1,000,000, and authorize the General Manager to sign the construction agreement.

Fiscal Impact:

If the above recommendation is approved, the District will utilize \$17,693,000 in developer contribution funds from The Howard Hughes Company, LLC, to pay for this Contract.

Background:

On October 20, 2020, the Board of Directors approved an agreement for construction of the 4125 Zone North Reservoir (Agreement) between The Howard Hughes Company, LLC (HHC), and the District. An additional item before the Board today amends the HHC Agreement, increasing the developer funding contribution to \$18,100,000. Under the terms of the amended Agreement, the District will receive developer contribution funds from HHC to pay for the 4125 Zone North Reservoir (4125 Reservoir) construction.

Contract No. C1548, 4125 Zone North Reservoir (Contract) is for the construction of the 4125 Reservoir, located as generally shown on Attachment A. Sealed bids were received and publicly opened on June 8, 2021. A tabulation of the bids received is listed below:

Sletten Construction of Nevada, Inc.	\$16,693,000
MMC, Inc.	\$18,947,400
Harber Company, Inc. dba Mountain Cascade of Nevada	\$20,355,000
Granite Construction Company	\$21,067,669

The Sletten Construction of Nevada, Inc. (Sletten), proposal contained a minor irregularity in that Document 00 43 40, Security Checklist, was properly completed but submitted on the form for a different contract. Staff has determined that the Contractor did not gain a material or competitive advantage, and the error is therefore subject to waiver. In compliance with NRS 338.1389, Sletten's proposal is therefore considered to be the best bid received. The attached agreement provides for Sletten to accept and agree to all Contract terms. Sletten is a Nevada corporation located in Las Vegas, Nevada.

This agreement is being entered into pursuant to NRS 338.1389 and Section 1(13) of the Las Vegas Valley Water District Act, Chapter 167, Statutes of Nevada 1947. The office of the General Counsel has reviewed and approved the agreement.

JJE:DJR:PJJ:SO:MD:SP:evw

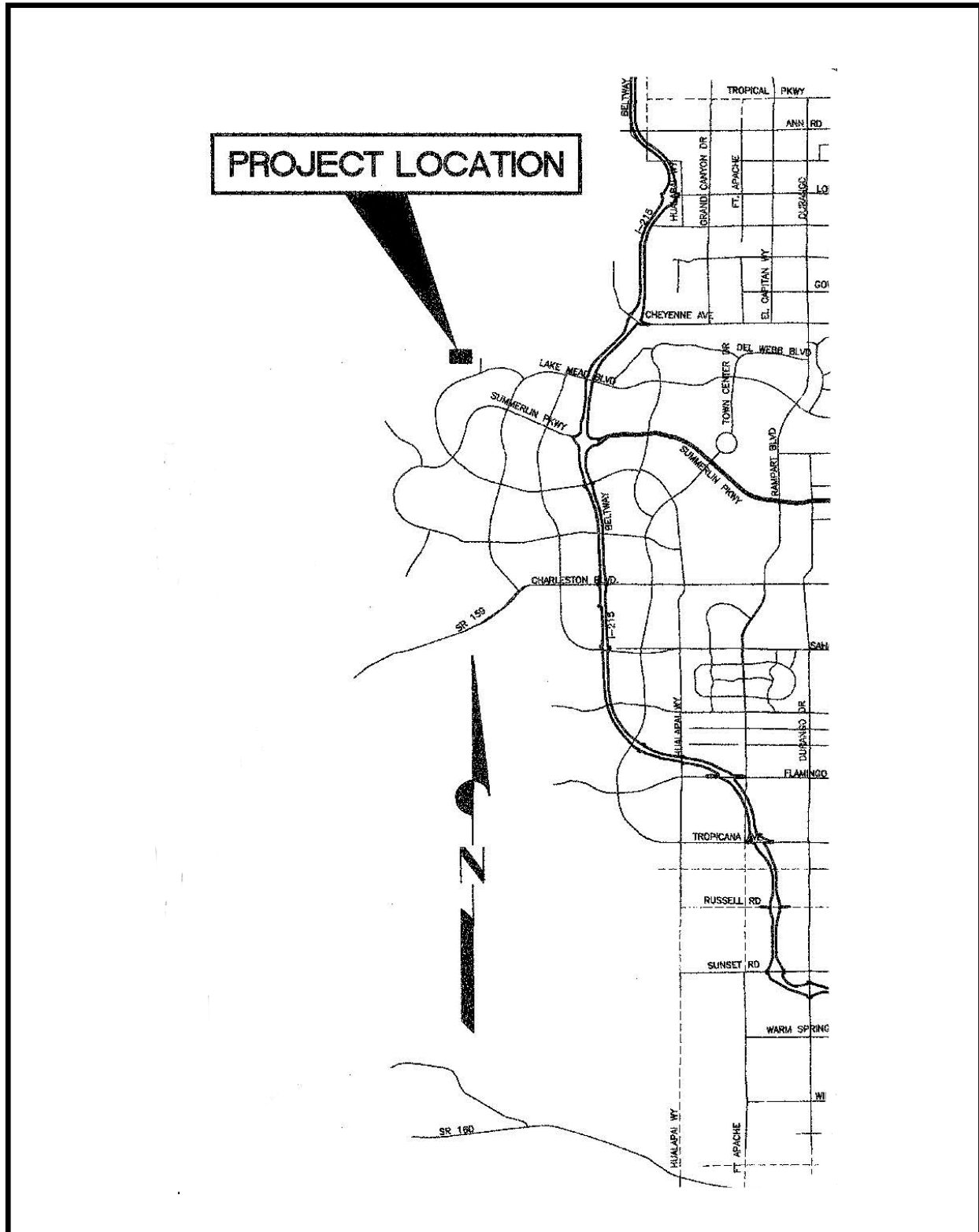
Attachments: Map, Disclosure, Agreement

AGENDA
ITEM #

3

LVVWD BOARD OF DIRECTORS
AGENDA ITEM

CONTRACT NO. C1548
4125 ZONE NORTH RESERVOIR





Las Vegas Valley Water District
Southern Nevada Water Authority
Springs Preserve™

LVVWD/SNWA/SSEA DISCLOSURE OF OWNERSHIP/PRINCIPALS

Business Entity Information

Business Entity Type:	Privately Held Corporation
Business Designation Group:	
Number of Clark County Residents Employed:	225
Corporate/Business Entity Name:	Sletten Construction of Nevada, Inc.
Doing Business As:	
Street Address:	600 S. Las Vegas Blvd.
City, State, and Zip Code	Las Vegas , Nevada 89101
Website:	www.sletteninc.com
Contact Name:	Paul Robinson
Contact Email:	probinson@sletteninc.com
Telephone No:	702-739-8770
Fax No:	702-739-9932

Nevada Local Business Information (if applicable)

Local Street Address:	
City, State, and Zip Code	, NV
Local Website:	
Local Contact Name:	
Local Contact Email:	
Telephone No:	
Fax No:	

Disclosure of Relationship/Ownership

Do any business/corporate entity members, partners, owners or principals have a spouse, registered domestic partner, child, parent, in-law or brother/sister, half-brother/half-sister, grandchild, grandparent, related to a LVVWD, SNWA, or SSEA full-time employee(s) and/or appointed/elected official(s)?
No
Are any LVVWD, SNWA, or SSEA employee(s) and/or appointed/elected official(s) an individual member, partner, owner or principal involved in the business entity?
No

BUSINESS ENTITY OWNERSHIP LIST

All entities, with the exception of *publicly-traded corporations* and *non-profit organizations*, must list the names of individuals, either directly or indirectly, holding more than five percent (5%) ownership or financial interest in the business entity appearing before the Board of Directors. *(If no parties own more than five percent (5%), then a statement relaying that information should be included in lieu of listing the parties)*

Entities include all business associations organized under or governed by Title 7 of the Nevada Revised Statutes, including but not limited to private corporations, close corporations, foreign corporations, limited liability companies, partnerships, limited partnerships, and professional corporations.

Publicly-traded corporations and non-profit organizations shall list all Corporate Officers and Directors in lieu of disclosing the names of individuals with ownership or financial interest.

No Ownership More than Five Percent (5%) Statement: <i>(if applicable)</i>
Sletten is wholly-owned by the Sletten, Inc. Employee Stock Ownership Plan (ESOP) (Currently, 292 individuals are participants in the plan. No individual plan participant has a plan balance that exceeds 5% of the total ownership.)

Listed Disclosures Below:

(additional supplemental information may be attached, if necessary)

Additional Supplemental Information to be Attached?	More than ten Board members/officers?	No	More than ten Owners?	100% ESOP-Owned
--	---------------------------------------	----	-----------------------	-----------------

Names, Titles and Percentage Owned:

Full Name	Title	% Owned <small>(Not required for Publicly Traded Corporations/Non-profit organizations)</small>

DISCLOSURE OF RELATIONSHIPS

Disclosure of Employee Relationships: *(List any disclosures below)*

Business Owner/Principal relationships to any Employee and/or Official of LVVWD, SNWA or SSEA must be listed whether that relationship is by blood "Consanguinity" or by marriage "Affinity". "Degree of consanguinity", first or second, of *blood* relatives is as follows:

Spouse – Registered Domestic Partners – Children – Parents – In-laws (first degree)

Brothers/Sisters – Half-Brothers/Half-Sisters – Grandchildren – Grandparents – In-laws (second degree)

NAME OF BUSINESS OWNER/PRINCIPAL	LVVWD/SNWA/SSEA EMPLOYEE/OFFICIAL AND JOB TITLE	BUSINESS OWNER/OFFICIAL RELATIONSHIP TO LVVWD/SNWA/SSEA EMPLOYEE/OFFICIAL	LVVWD/SNWA/SSEA EMPLOYEE'S/OFFICIAL'S DEPARTMENT

Disclosure of Employee Ownership/Involvement: *(List any disclosures below)*

NAME OF BUSINESS OWNER/PRINCIPAL	LVVWD/SNWA/SSEA EMPLOYEE/OFFICIAL AND JOB TITLE	BUSINESS OWNER/OFFICIAL RELATIONSHIP TO LVVWD/SNWA/SSEA EMPLOYEE/OFFICIAL	LVVWD/SNWA/SSEA EMPLOYEE'S/OFFICIAL'S DEPARTMENT

Authorized Signature

By providing an electronic signature in the indicated area below, *the signatory acknowledged and agreed to sign documents and contracts electronically and to receive by electronic delivery documents, contracts, notices, communications, and legally-required disclosures. Signatory also* certified, under penalty of perjury, that all of the information provided herein is current, complete, and accurate and that signatory is authorized to sign. Signatory also understands that the LVVWD/SNWA/SSEA Board of Directors will not take action on any item without the completed disclosure form.

Signer Name:	Paul Robinson
Signer Title:	Vice President, Industrial Division Manager
Signer Email:	Probinson@sletteninc.com
Signed Date:	2021-06-23

LVVWD/SNWA/SSEA Review

This section to be completed and signed by the LVVWD/SNWA/SSEA Authorized **Department** Representative.

☒ **No** Disclosure or Relationship is noted above or the section is not applicable.

☐ Disclosure or Relationship **IS** noted above (complete the following):

☐ Yes ☐ No – Is the LVVWD/SNWA/SSEA representative listed above involved in the contracting/selection process for this item?

☐ Yes ☐ No – Is the LVVWD/SNWA/SSEA representative listed above involved in any way with the business in performance of the contract?

Additional Comments or Notes:

Chetan Champaneri
Signature

Chetan Champaneri, Senior Purchasing Analyst
Print Name/Title

6/23/2021
Date

AGREEMENT

THIS AGREEMENT, made and entered into, by and between Las Vegas Valley Water District, hereinafter referred to as Owner, and _____
Sletten Construction of Nevada, Inc.,
hereinafter referred to as Contractor, with both Owner and Contractor collectively referred to as the Parties,

WITNESSETH: That the Parties do mutually agree as follows:

1. Owner has awarded to Contractor the Contract for:

Contract Title: 4125 ZONE NORTH RESERVOIR

Contract No: C1548

Public Works Project Identifying Number: CL-2021-347
2. For and in consideration of the payments and agreements hereinafter mentioned to be made and performed by said Owner, Contractor agrees to perform and complete in a good and workmanlike manner Work as defined in the Contract Documents and to furnish materials and tools and labor necessary to properly perform and complete the Work ready for use in strict accordance with the Contract Documents and under the penalty expressed in the attached bonds, which are hereby declared and accepted as essential parts of this Agreement and to accept as full compensation therefor the Contract Price as defined in the Contract Documents.
3. The Contractor hereby certifies that the Contractor has read and understands every provision contained in the Contract Documents. Contractor shall be bound and shall comply with each and every term, condition, and covenant set forth in the Contract Documents.
4. For performing all Work and furnishing materials and labor necessary thereto, Owner will pay and Contractor shall receive in full compensation the Contract Price, in the manner and upon the conditions set forth in the Contract Documents.
5. Contract Documents which comprise the entire agreement between the Owner and Contractor for the performance of Work consist of the following:
 - a. Addenda
 - b. General Requirements
 - c. Supplementary Conditions
 - d. General Conditions
 - e. Agreement
 - f. Drawings
 - g. Technical Specifications
 - h. Permits

- i. Bidder Statement of Authority to Submit Bid Form and accompanying Documents, including without limitation, Affidavit Pertaining to Preference Eligibility
 - j. Bid Form
 - k. Bonds
 - l. Instructions to Bidders
 - m. Invitation to Bid and Legal Notice
 - n. Notice of Award
 - o. Final Notice to Proceed
6. Affirmative Agreement to Arbitrate. By the signing of this Agreement, Contractor expressly authorizes Article 16 of the General Conditions and affirmatively agrees to settle all disputes, claims, or questions by binding arbitration.

IN WITNESS WHEREOF: The Contractor has caused this agreement to be executed this 23rd day of June, 2021.

[CONTRACTOR'S NAME]

Sletten Construction of Nevada, Inc.

By: 

Signatory Empowered to Bind Contractor

Paul Robinson

Type or Print Name

Vice President, Industrial Division Manager

Official Title

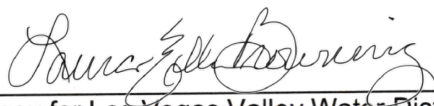
THIS AGREEMENT shall be in full force and effect as of the 23rd day of June, 2021, when it was duly signed by the proper officer of the Las Vegas Valley Water District.

LAS VEGAS VALLEY WATER DISTRICT

By: _____

John J. Entsminger
General Manager

Approved as to Form:


Attorney for Las Vegas Valley Water District

END OF DOCUMENT

**LAS VEGAS VALLEY WATER DISTRICT
BOARD OF DIRECTORS
AGENDA ITEM**

August 3, 2021

Subject:

2021 LVVWD Consent Resolution

Petitioner:

E. Kevin Bethel, Chief Financial Officer

Recommendations:

That the Board of Directors consent to the Southern Nevada Water Authority granting a parity lien on Authority Water Revenues for payment of the Southern Nevada Water Authority, Water Revenue Refunding Bonds, Series 2021, in the maximum aggregate principal amount of \$70,000,000 to be sold to Clark County, Nevada.

Fiscal Impact:

The debt service on the Southern Nevada Water Authority, Water Revenue Refunding Bonds, Series 2021 will be paid from Southern Nevada Water Authority rates and charges. These bonds will be issued by the Authority and sold to the Clark County Bond Bank.

Background:

The Southern Nevada Water Authority (Authority) and the District entered into the SNWA/LVVWD Master Bond Repayment Agreement (Master Agreement) dated July 1, 1996, and the Bond Repayment Agreement Amendment dated January 1, 1996 (Repayment Agreements).

The Repayment Agreements provide that the Authority will not issue bonds or other obligations or enter into any agreements granting a lien on Authority Water Revenues (as defined in the Master Agreement) that are on a parity with or superior to the lien on those revenues granted in the Repayment Agreements, unless specifically consented to in writing by the District.

The attached resolution provides the District's consent for the Authority to grant a lien on Authority Water Revenues for the payment of the Southern Nevada Water Authority, Water Refunding Bonds, Series 2021 (or Series 2022 if issued in 2022) (2021 SNWA Refunding Bonds) that is in parity with the lien on Authority Water Revenues granted in the Repayment Agreements. The parity lien position on the Authority Water Revenues is for the security of the Clark County, Nevada General Obligation (Limited Tax) Bond Bank Refunding Bonds (Additionally Secured by SNWA Pledged Revenues), Series 2021, which will be issued by Clark County to purchase the 2021 SNWA Refunding Bonds.

This resolution is being entered into pursuant to Section 1(13) of the Las Vegas Valley Water District Act, Chapter 167, Statutes of Nevada 1947. The office of the General Counsel has reviewed and approved the resolution.

JJE:EKB:RRS:kan

Attachments: 2021 LVVWD Consent Resolution

AGENDA
ITEM #

4

RESOLUTION

A RESOLUTION OF THE LAS VEGAS VALLEY WATER DISTRICT AUTHORIZING THE SOUTHERN NEVADA WATER AUTHORITY TO ENTER INTO SPECIFIED AGREEMENTS AND INCUR CERTAIN OBLIGATIONS WHICH HAVE A SPECIFIED LIEN POSITION ON AUTHORITY WATER REVENUES.

WHEREAS, the Southern Nevada Water Authority and the Las Vegas Valley Water District (the “Authority” and the “District” respectively) have heretofore entered into the SNWA/LVVWD Master Bond Repayment Agreement (the “Master Agreement”) dated as of July 1, 1996; and

WHEREAS, the Authority and District have heretofore entered into the SNWA/LVWD Bond Repayment Agreement No. 1, dated as of January 15, 1995 (“Agreement No. 1”), and the SNWA/LVVWD Bond Repayment Agreement No. 2, dated as of April 15, 1995 (“Agreement No. 2”); and

WHEREAS, the Agreement No. 1 and Agreement No. 2 were amended by the SNWA/LVVWD Bond Repayments Agreement Amendment dated as of January 1, 1996 (as amended, Agreement No. 1 and Agreement No. 2 are collectively referred to as the “1995 Agreements”); and

WHEREAS, Section 6(E) of the Master Agreement and Section 6(E) of each of the 1995 Agreements provide that, generally, the Authority will not issue bonds or other obligations or enter into any agreements which grant a lien on the Authority Water Revenues (as defined in the Master Agreement) that is on a parity with or superior to the lien on those revenues of the Master Agreement and the 1995 Agreements (collectively, the “Agreements”), unless specifically approved in writing by the District; and

WHEREAS, the District’s consent is required for the Authority to grant a lien on Authority Water Revenues for payment of the Southern Nevada Water Authority, Water Revenue Refunding Bonds, Series 2021 (or Series 2022 if issued in 2022), in the aggregate principal amount not to exceed \$70,000,000 (the “Bonds”) to be sold to Clark County, Nevada (the “County”) that is on a parity with the lien thereon of the Agreements (a “Parity Lien”).

NOW, THEREFORE, BE IT RESOLVED BY THE LAS VEGAS VALLEY WATER DISTRICT:

Section 1. The District hereby approves and consents to the Authority issuing the Bonds with a Parity Lien in a principal amount that does not exceed \$70,000,000. This approval and consent applies to a Parity Lien for the Bonds mentioned in this Section and for any obligations that refund those Bonds.

Section 2. This Resolution shall be effective upon the adoption and approval by the Board.

INTRODUCED, ADOPTED AND APPROVED on this August 3, 2021.

[DISTRICT SEAL]

Attest:

John J. Entsminger, Secretary
Las Vegas Valley Water District

Marilyn K. Kirkpatrick, President
Las Vegas Valley Water District

STATE OF NEVADA)
)
COUNTY OF CLARK) ss.
)
LAS VEGAS VALLEY)
WATER DISTRICT)

I, John Entsminger, the duly chosen and qualified Secretary of the Las Vegas Valley Water District (the “District”), do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the Board of Directors of the District (the “Board”) on August 3, 2021.

2. The original of the resolution has been approved and authenticated by the signatures of the President of the District and the Board and myself as Secretary of the District and the Board, and sealed with the seal of the District, and has been recorded in the minute book of the Board kept for that purpose in my office which record has been duly signed by such officers and properly sealed.

3. All of the members of the Board present at the meeting voted on the passage of the resolution as follows:

Those Voting Aye:	Marilyn Kirkpatrick
	Jim Gibson
	Justin Jones
	William McCurdy II
	Ross Miller
	Michael Naft
	Tick Segerblom

Those Voting Nay: _____

Those Abstaining: _____

Those Absent: _____

4. All members of the Board were given due and proper notice of the meeting.

5. Public notice of each meeting was given and the meeting was held and conducted in full compliance with the provisions of NRS 241.020 and, if applicable, any emergency directives then in effect, as amended or extended. Unless such requirement was

suspended by any emergency directive, a copy of the notice of each meeting was posted not later than 9:00 a.m. of the third working day before the meeting at:

(a) By giving a copy of the notice to each member of the Board;

(b) By posting a copy of the notice on the State of Nevada's website, the District's website, at the principal office of the Board, or if there is no principal office, at the building in which the meeting is to be held, and at least three other separate, prominent places within the jurisdiction of the Board, to wit:

- (i) Las Vegas Valley Water District
1001 South Valley View Blvd.
Las Vegas, Nevada 89107;
- (ii) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada 89155;
- (iii) Grant Sawyer State Office Building
555 East Washington Avenue
Las Vegas, Nevada 89101; and
- (iv) Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89101;

and

(c) By giving a copy of the notice to each person, if any, who has requested notice of the meetings of the Board in accordance with the provisions of Chapter 241 of NRS.

6. A copy of the notice so given of the meeting of the Board is attached hereto as Exhibit A.

7. Upon request, the District provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the Board for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on behalf of the Las Vegas Valley Water District in Clark County, Nevada, this August 3, 2021.

John J. Entsminger, Secretary
Las Vegas Valley Water District

EXHIBIT A

(Attach Copy of Notice of Meeting)

**LAS VEGAS VALLEY WATER DISTRICT
BOARD OF DIRECTORS
AGENDA ITEM**

August 3, 2021

Subject:

2021 DMC Notice Resolution – New Money Bonds

Petitioner:

E. Kevin Bethel, Chief Financial Officer

Recommendations:

That the Board of Directors adopt a resolution notifying the Clark County Debt Management Commission of the District's proposal to borrow money and issue general obligation bonds additionally secured by Southern Nevada Water Authority pledged revenues in the maximum aggregate principal amount of \$350,000,000, and providing certain details in connection therewith.

Fiscal Impact:

The debt service will be paid from Southern Nevada Water Authority rates and charges.

Background:

On July 1, 1996, the Southern Nevada Water Authority (Authority) and the District entered into the Master Bond Repayment Agreement (MBRA). The MBRA authorizes the District to issue general obligation bonds for the benefit of the Authority. The proceeds may be used to fund capital expenditures or refund outstanding debt issued under the MBRA. The MBRA requires the Authority to pay the costs of debt issued under the MBRA.

In 2002, the Board of Directors of the Authority adopted the SNWA Major Construction and Capital Plan (MCCP), last amended November 19, 2020. In accordance with the Facilities and Operations Agreement, each Authority purveyor approved the MCCP and all amendments. The MCCP provides for the accomplishment of capital endeavors such as acquisition of water resources, system repairs and replacements, water quality enhancements, and construction of facilities for increased reliability and drought protection.

The attached resolution requests that the Clark County Debt Management Commission consider the District's proposal to authorize the issuance of General Obligation (Limited Tax) Water Bonds (Additionally Secured by SNWA Pledged Revenues) in an amount not to exceed \$350,000,000. The proceeds of the bonds will be used to provide the Authority with funds to pay the cost of capital endeavors of the Authority.

This Bond Resolution is authorized pursuant to NRS Chapter 350, Section 6(l) of the SNWA 1995 Amended Cooperative Agreement, and the MBRA. The office of the General Counsel has reviewed and approved this resolution.

Summary - a resolution directing notice to the Clark County Debt Management Commission of the request for approval by the Board of Directors of the Las Vegas Valley Water District to issue general obligation (limited tax) water bonds.

RESOLUTION

A RESOLUTION CONCERNING THE FINANCING OF WATER PROJECTS; DIRECTING THE NOTIFICATION OF THE CLARK COUNTY DEBT MANAGEMENT COMMISSION OF THE DISTRICT'S PROPOSAL TO BORROW MONEY AND ISSUE SECURITIES TO EVIDENCE SUCH BORROWING IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$350,000,000; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Las Vegas Valley Water District (the "District"), in the County of Clark and the State of Nevada, is now organized and operating under the provisions of the Las Vegas Valley Water District Act, Chapter 167, Statutes of Nevada 1947, as amended (the "Project Act"), and is authorized, on behalf of the Southern Nevada Water Authority (the "SNWA") and in the name of the District, to issue general obligations of the District which are additionally secured by certain revenues as set forth in the Project Act (the "SNWA Revenues") for the purpose of financing the cost of acquiring and constructing improvements for water projects for the SNWA, as set forth in Chapter 631, Statutes of Nevada 1993, as amended; and

WHEREAS, the Board proposes to issue, in one or more series, general obligation (limited tax) water bonds of the District additionally secured by SNWA Revenues in the maximum aggregate principal amount of \$350,000,000 or such lesser amount as specified by the Chief Financial Officer of the District (the "Bonds"); and

WHEREAS, the Board, pursuant to NRS 350.020(3) (subject to the approval of the proposal to issue the Bonds by the Clark County Debt Management Commission), proposes to adopt and publish a resolution of intent to issue the Bonds; and

WHEREAS, based on a revenue study presented to the Board, the Board hereby determines that the SNWA Revenues will at least equal the amount required in each year for the payment of interest and principal on such Bonds; and

WHEREAS, the Board proposes to incur this general obligation without an election unless a petition signed by the requisite number of registered voters of the District is presented to the

Board requiring the Board to submit to the qualified electors of the District for their approval or disapproval the following proposal:

**GENERAL OBLIGATION (LIMITED TAX) WATER BONDS
(ADDITIONALLY SECURED BY SOUTHERN NEVADA
WATER AUTHORITY REVENUES) PROPOSAL:**

Shall the Board of Directors of the Las Vegas Valley Water District be authorized to issue the District's negotiable general obligation (limited tax) water bonds or other obligations (additionally secured by Southern Nevada Water Authority revenues), in one or more series, in an aggregate principal amount not to exceed \$350,000,000 to defray wholly or in part the cost of acquiring, constructing, reconstructing, improving, extending and bettering facilities pertaining to a water system for the collection, transportation, treatment, purification and distribution of water, including, without limitation, springs, wells, ponds, lakes, water rights, other raw water sources, basin cribs, dams, spillways, retarding basins, detention basins, reservoirs, towers and other storage facilities, pumping plants, infiltration galleries, filtration plants, purification systems, other water treatment facilities, waterworks plants, pumping stations, gauging stations, ventilating facilities, stream gauges, rain gauges, valves, standpipes, connections, hydrants, conduits, flumes, sluices, canals, channels, ditches, pipes, lines, laterals, service pipes, force mains, submains, syphons, other water transmission and distribution mains, engines, boilers, pumps, meters, apparatus, tools, equipment, fixtures, structures, buildings and other facilities for the acquisition, transportation, treatment, purification and distribution of untreated water or potable water for domestic, commercial and industrial use and irrigation, or any combination thereof (the "Project"), the bonds or other obligations to mature not later than the maximum maturity allowed by law, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time the bonds are sold, to be payable from general (ad valorem) taxes (except to the extent Southern Nevada Water Authority revenues are available therefor), and to be issued and sold at par, or below or above par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(the “Proposal”); and

WHEREAS, subsection 1 of NRS 350.014 provides, in relevant part, as follows:

“1. Before any proposal to incur a general obligation debt or levy a special elective tax may be submitted to the electors of a municipality. . . , or before any other formal action may be taken preliminary to the issuance of any general obligation debt, the proposed incurrence or levy must receive the favorable vote of two-thirds of the members of the commission of each county in which the municipality is situated”

and

WHEREAS, subsection 1 of NRS 350.0145 provides, in relevant part, as follows:

“1. The governing body of the municipality proposing to incur general obligation debt . . . shall notify the secretary of each appropriate commission, and shall submit a statement of its proposal in sufficient number of copies for each member of the commission”

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE LAS VEGAS VALLEY WATER DISTRICT, NEVADA:**

Section 1. This resolution shall be known as and may be cited as the “2021D DMC Notice Resolution (LVVWD).”

Section 2. Based on the revenue study presented to the Board, the Board hereby finds that no increase in the rate of an ad valorem tax is anticipated to be necessary for the payment of the Bonds described in the Proposal for the term thereof (the “Finding”) and requests that the Clark County Debt Management Commission (the “Commission”) approve the Proposal and the Finding.

Section 3. The Chief Financial Officer and Treasurer of the District (the “Treasurer”) is authorized to and directed to:

(i) notify the Secretary of the Commission of the District’s Proposal and Finding;

(ii) submit to the Secretary of the Commission the Finding and a statement of the Proposal in sufficient number of copies for each member of the Commission; and

(iii) submit to the Secretary of the Commission and the Nevada Department of Taxation any necessary amendments to the

District's statements of current and contemplated debt, capital improvement plan and debt management policy to conform to the provisions of this resolution.

Section 4. All action, proceedings, matters and things heretofore taken, had and done by the Board, and the officers thereof (not inconsistent with the provisions of this resolution) directed toward the Proposal be, and the same hereby is, ratified, approved and confirmed.

Section 5. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 6. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 7. This resolution shall become effective and be in force immediately upon its adoption.

INTRODUCED, ADOPTED AND APPROVED on August 3, 2021.

[DISTRICT SEAL]

Attest:

John J. Entsminger, Secretary
Las Vegas Valley Water District

Marilyn K. Kirkpatrick, President
Las Vegas Valley Water District

STATE OF NEVADA)
)
COUNTY OF CLARK) ss.
)
LAS VEGAS VALLEY)
WATER DISTRICT)

I, John Entsminger, the duly chosen and qualified Secretary of the Las Vegas Valley Water District (the “District”), do hereby certify:

2. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the Board of Directors of the District (the “Board”) on August 3, 2021.

3. The original of the resolution has been approved and authenticated by the signatures of the President of the District and the Board and myself as Secretary of the District and the Board, and sealed with the seal of the District, and has been recorded in the minute book of the Board kept for that purpose in my office which record has been duly signed by such officers and properly sealed.

4. All of the members of the Board present at the meeting voted on the passage of the resolution as follows:

Those Voting Aye:

Marilyn Kirkpatrick
Jim Gibson
Justin Jones
Ross Miller
William McCurdy, II
Michael Naft
Tick Segerblom

Those Voting Nay:

Those Abstaining:

Those Absent:

5. All members of the Board were given due and proper notice of the meeting.

6. Pursuant to NRS 241.020, written notice of the meeting was given by 9:00 a.m. at least three working days before the meeting, including in the notice the time, place, location and agenda of the meeting:

1. By giving a copy of the notice to each member of the Board;

2. By posting a copy of the notice on the State of Nevada’s website, the District’s website, at the principal office of the Board, or if there is no principal office, at the

building in which the meeting is to be held, and at least three other separate, prominent places within the jurisdiction of the Board, to wit:

- (a) Las Vegas Valley Water District
1001 South Valley View Blvd.
Las Vegas, Nevada 89107;
- (b) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada 89155;
- (c) Grant Sawyer State Office Building
555 East Washington Avenue
Las Vegas, Nevada 89101; and
- (d) Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89101;

and

3. By giving a copy of the notice to each person, if any, who has requested notice of the meetings of the Board in accordance with the provisions of Chapter 241 of NRS.

7. A copy of the notice so given of the meeting of the Board is attached hereto as Exhibit A.

8. The revenue study presented to the Board which is referenced in the resolution is attached hereto as Exhibit B.

9. Upon request, the Board provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on behalf of the Las Vegas Valley Water District in Clark County, Nevada, this August 3, 2021.

John J. Entsminger, Secretary
Las Vegas Valley Water District

EXHIBIT A

(Attach Copy of Notice of Meeting)

EXHIBIT B

(Attach Copy of Revenue Study)

Revenue Study

Existing and Proposed Annual Debt Service Requirements* Southern Nevada Water Authority August 1, 2021

Fiscal Year Ending June 30,	SNWA Pledged Revenues	Existing SNWA Revenue Supported Bonds Debt Service (1)	Series 2021 Bonds Debt Service (2)	Proposed Series 2022A Bonds Debt Service (3)	Total Existing & Proposed Debt Service	Coverage (times)
2022	\$ 287,366,018	\$ 277,027,546	\$ 870,139	\$ 9,468,333	\$ 287,366,018	1.00
2023	301,357,731	276,729,481	1,750,000	22,878,250	301,357,731	1.00
2024	300,915,840	276,290,590	1,750,000	22,875,250	300,915,840	1.00
2025	291,429,340	266,805,840	1,750,000	22,873,500	291,429,340	1.00
2026	291,373,340	266,746,090	1,750,000	22,877,250	291,373,340	1.00
2027	284,160,290	259,534,790	1,750,000	22,875,500	284,160,290	1.00
2028	269,843,865	245,216,115	1,750,000	22,877,750	269,843,865	1.00
2029	234,693,690	210,065,690	1,750,000	22,878,000	234,693,690	1.00
2030	235,303,658	210,678,158	1,750,000	22,875,500	235,303,658	1.00
2031	213,225,475	188,600,975	1,750,000	22,874,500	213,225,475	1.00
2032	212,928,300	188,304,300	1,750,000	22,874,000	212,928,300	1.00
2033	211,996,150	187,373,150	1,750,000	22,873,000	211,996,150	1.00
2034	216,823,875	170,404,250	23,544,125	22,875,500	216,823,875	1.00
2035	179,300,400	155,226,900	1,198,250	22,875,250	179,300,400	1.00
2036	184,344,438	136,900,750	24,567,438	22,876,250	184,344,438	1.00
2037	184,342,563	136,897,000	24,568,313	22,877,250	184,342,563	1.00
2038	184,253,650	161,376,650	0	22,877,000	184,253,650	1.00
2039	184,286,700	161,412,450	0	22,874,250	184,286,700	1.00
2040	76,874,100	53,996,350	0	22,877,750	76,874,100	1.00
2041	76,868,750	53,993,000	0	22,875,750	76,868,750	1.00
2042	76,872,150	53,995,150	0	22,877,000	76,872,150	1.00
2043	53,262,500	30,387,750	0	22,874,750	53,262,500	1.00
2044	53,265,250	30,387,750	0	22,877,500	53,265,250	1.00
2045	53,263,500	30,390,250	0	22,873,250	53,263,500	1.00
2046	53,262,500	30,387,000	0	22,875,500	53,262,500	1.00
2047	22,877,000	0	0	22,877,000	22,877,000	1.00
2048	22,875,750	0	0	22,875,750	22,875,750	1.00
2049	22,874,750	0	0	22,874,750	22,874,750	1.00
2050	22,876,750	0	0	22,876,750	22,876,750	1.00
2051	22,874,250	0	0	22,874,250	22,874,250	1.00
TOTAL	\$ 4,825,992,573	\$ 4,059,127,975	\$ 93,998,265	\$ 672,866,333	\$ 4,825,992,573	

* Preliminary, subject to change. Totals may not add due to rounding.

- (1) Combined debt service on the MBRA Parity Obligations, the SNWA Parity Obligations and the Subordinate Obligations. And, reflects debt service on the Subordinate Lien Revenue Bond (Clean Renewable Energy), Series 2008. Excludes the Series 2006 Bonds that will be refunded with this refunding.
- (2) Preliminary, subject to change.
- (3) Proposed debt service on the Series 2022A Bonds in the par amount of \$350 million which is expected to close on February 1, 2022. Preliminary, subject to change.

SOURCE: Compiled by the Municipal Advisors.

**LAS VEGAS VALLEY WATER DISTRICT
BOARD OF DIRECTORS
AGENDA ITEM**

August 3, 2021

Subject:

Conduct Public Hearing

Petitioner:

E. Kevin Bethel, Chief Financial Officer

Recommendations:

That the Board of Directors conduct a Public Hearing to consider and adopt a new 5-tier rate structure and increases to the daily service charge and water rates for the Blue Diamond Water System, as recommended by the Red Rock Citizens Advisory Committee, and approve corresponding changes to the Blue Diamond Service Rules.

Fiscal Impact:

If approved, the rate increase is estimated to generate an additional \$123,000 of revenue in Fiscal Years 2022-2025, assuming current consumption levels continue. Following Fiscal Year 2025, a CPI-indexed increase will determine the amount of additional revenue generated. Water rate revenue will be used to fund long-term system maintenance, continue funding day-to-day system operations and support water conservation programs for Blue Diamond residents and businesses.

Background:

The District has owned and operated the Blue Diamond Water System (BDWS) since 1992. BDWS water rates have not been adjusted since that time, as it has been a financially self-sustaining water system able to pay for maintenance, operation and upgrades through existing customer rates. A rate increase is now necessary to establish a reserve fund for the purposes noted in the prior paragraph.

In April 2021, District staff hosted three informational public workshops to solicit community input regarding a new rate structure for the BDWS. At its May 26, 2021, regular meeting, the Red Rock Citizens Advisory Committee (CAC) considered a series of proposed tiered rate scenarios and recommended a 5-tier rate structure based on consumption levels rather than meter size. The CAC also recommended increases to the daily service charge and all tiered water rates to be phased in from years 2022-2025, then indexed each year thereafter in accordance with the Consumer Price Index (CPI).

As required by NRS 237.080, the District notified trade associations and businesses of the proposed changes, solicited feedback and evaluated potential impacts in a Business Impact Statement (BIS). On July 6, 2021, the District's Board of Directors determined that the proposed rate changes were not likely to impose a direct and significant economic burden upon or directly restrict the formation, operation or expansion of businesses, considered and approved the BIS, and directed staff to notice a public hearing for potential approval of the changes on August 3, 2021. The Board also directed that the annual indexing of the rates and daily service charge, which would begin in 2026, be collared with a 4.5 percent ceiling and a 1.5 percent floor. If approved, the BDWS Service Rule changes implementing the new rate structure and rate increases will go into effect January 1, 2022.

This action is authorized pursuant to NRS 237.030 through 237.150, and Sections 9(1), 9.2 and 16 of the Las Vegas Valley Water District Act, Chapter 167, Statutes of Nevada 1947. The office of the General Counsel has reviewed and approved this item.

JJE:EKB:AMB:KH:JB:mlt

Attachments: Proposed rates structure

AGENDA
ITEM #

6

BLUE DIAMOND WATER SYSTEM SERVICE RULES¹

...

SECTION 8 - RATE SCHEDULE

8.1 Metered Rates for Domestic Service:

<u>Meter Size</u>	<u>Daily Service Charge</u>	<u>Charge for Water Used</u>
<u>5/8"</u>	<u>\$0.4290</u>	<u>\$1.55/1000 gallons</u>
<u>3/4"</u>	<u>\$0.4290</u>	<u>\$1.55/1000 gallons</u>
<u>1"</u>	<u>\$0.8680</u>	<u>\$1.55/1000 gallons</u>
<u>1½"</u>	<u>\$1.5996</u>	<u>\$1.55/1000 gallons</u>
<u>2"</u>	<u>\$2.4776</u>	<u>\$1.55/1000 gallons</u>
<u>3"</u>	<u>\$4.5261</u>	<u>\$1.55/1000 gallons</u>
<u>4"</u>	<u>\$7.4527</u>	<u>\$1.55/1000 gallons</u>

Service Charge (all meter sizes)*

	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
<u>Daily Service Charge</u>	<u>\$0.4891</u>	<u>\$0.5576</u>	<u>\$0.6357</u>	<u>\$0.7247</u>

Consumption Charge (all meter sizes, per 1,000 gallons)*

<u>Tier</u>	<u>Average Daily Usage (Gallons)</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
<u>1</u>	<u>First 167</u>	<u>\$1.55</u>	<u>\$1.55</u>	<u>\$1.55</u>	<u>\$1.55</u>
<u>2</u>	<u>Next 167</u>	<u>\$1.60</u>	<u>\$1.65</u>	<u>\$1.75</u>	<u>\$1.85</u>
<u>3</u>	<u>Next 333</u>	<u>\$1.80</u>	<u>\$2.05</u>	<u>\$2.35</u>	<u>\$2.75</u>
<u>4</u>	<u>Next 500</u>	<u>\$1.95</u>	<u>\$2.36</u>	<u>\$2.83</u>	<u>\$3.35</u>
<u>5</u>	<u>Over 1,167</u>	<u>\$3.45</u>	<u>\$3.80</u>	<u>\$4.11</u>	<u>\$4.30</u>

*Beginning January 1, 2026, the Service Charge and the Consumption Charge at all tiers will be adjusted annually on January 1. The rates will be set in accordance with the annual increase of September the previous year, per the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W). The annual adjustment shall not exceed 4.5 percent or fall below 1.5 percent without additional action by the Board.

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¹ This is an excerpt of the full service rule document, using strike through to indicate the text being proposed for removal from section 8 and underline to denote the text proposed to be added in its place. The full service rule document, which includes all other sections and service rules, can be accessed online at <https://www.lvvwd.com/service-areas/blue-diamond/rates-rules.html>.