

**LAS VEGAS VALLEY WATER DISTRICT  
BOARD OF DIRECTORS MEETING  
NOVEMBER 2, 2021  
MINUTES**

CALL TO ORDER 9:00 a.m., Commission Chambers, Clark County Government Center,  
500 South Grand Central Parkway, Las Vegas, Nevada

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

STAFF PRESENT John Entsminger, Doa Ross, Kevin Bethel, Greg Walch

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

**COMMENTS BY THE GENERAL PUBLIC**

*For full public comment, visit [www.lvwwd.com/apps/agenda/lvwwd/index.cfm](http://www.lvwwd.com/apps/agenda/lvwwd/index.cfm)*

Ed Uehling, Las Vegas, provided a letter to the Board concerning agenda item #7 and summarized it during public comment. His letter is attached to these minutes.

Mike Walter, 1325 Los Meadows Drive, discussed a proposal he sent to the Board of County Commissioners about the County's Wetlands Park and development within that area.

**ITEM NO.**

**1. Approval of Agenda & Minutes**

FINAL ACTION: A motion was made by Vice President Gibson to approve the agenda and the minutes from the regular meeting of September 21, 2021. The motion was approved.

**CONSENT AGENDA Items 2 – 5 are routine and can be taken in one motion unless a Director requests that an item be taken separately.**

- 2. Approve and authorize the President to sign an interlocal agreement between Clark County and the District for construction of water facilities as part of the Las Vegas Boulevard Improvements Phase E and F Project for an amount not to exceed \$13,816,934.**
- 3. Approve and authorize the President to sign an amendment to the Self-Funded Group Medical and Dental Benefits Preferred Provider Organization (PPO) Plan among Clark County, the Clark County Water Reclamation District, the University Medical Center of Southern Nevada, the Las Vegas Convention and Visitors Authority, the Las Vegas Valley Water District, the Clark County Regional Flood Control District, the Regional Transportation Commission of Southern Nevada, the Southern Nevada Health District, the Henderson District Public Libraries, the Mount Charleston Fire Protection District, the Las Vegas Metropolitan Police Department and the Moapa Valley Fire Protection District adopting an amended Self-Funded Group Medical and Dental Benefits PPO Plan, effective January 1, 2022.**
- 4. Approve and authorize the President to sign the Self-Funded Group Medical and Dental Benefits Exclusive Provider Organization (EPO) Plan among Clark County, the Clark County Water Reclamation District, the University Medical Center of Southern Nevada, the Las Vegas Convention and Visitors Authority, the Las Vegas Valley Water District, the Clark County Regional Flood Control District, the Regional Transportation Commission of Southern Nevada, the Southern Nevada Health District, the Henderson District Public Libraries, the Mount Charleston Fire Protection District, the Las Vegas Metropolitan Police Department and the Moapa Valley Fire Protection District adopting the Self-Funded Group Medical and Dental Benefits EPO Plan, effective January 1, 2022.**

- 5. Approve and authorize the President to sign an amendment to the Interlocal Agreement among Clark County, the Clark County Water Reclamation District, the University Medical Center of Southern Nevada, the Las Vegas Convention and Visitors Authority, the Las Vegas Valley Water District, the Clark County Regional Flood Control District, the Regional Transportation Commission of Southern Nevada, the Southern Nevada Health District, the Henderson District Public Libraries, the Mount Charleston Fire Protection District, the Las Vegas Metropolitan Police Department and the Moapa Valley Fire Protection District establishing the rates for the Self-Funded Group Medical and Dental Benefits Plans, effective January 1, 2022.**

FINAL ACTION: A motion was made by Vice President Gibson to approve staff's recommendations. The motion was approved.

#### **BUSINESS AGENDA**

- 6. Approve a resolution authorizing the submission of a grant proposal to the Bureau of Reclamation's WaterSMART Drought Response Program seeking \$732,684 toward a two-year project to construct a new well at the Fort Apache Reservoir site.**

FINAL ACTION: A motion was made by Vice President Gibson to approve the resolution. The motion was approved.

- 7. Approve and authorize the General Manager to sign an agreement between The Howard Hughes Company, LLC, and the District for design and construction of the 4125 Zone South Reservoir Inlet/Outlet Pipeline.**

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

- 8. Consent to the Southern Nevada Water Authority granting a parity lien on certain Authority water revenues for payment of the Southern Nevada Water Authority, Water Revenue Refunding Bonds, Series 2022, in the maximum aggregate principal amount of \$85,000,000 to be sold to the Clark County Bond Bank.**

John Entsminger, General Manager, stated that this bond refunding is estimated to save approximately \$16 million.

FINAL ACTION: A motion was made by Vice President Gibson to approve staff's recommendations. The motion was approved.

- 9. Accept the Las Vegas Valley Water District's Annual Financial Report, including the corresponding Independent Auditors' Report on Financial Statements and Other Supplementary Information, for the Fiscal Year ended June 30, 2021, and authorize its submission to the Nevada Department of Taxation.**

Kevin Bethel, Chief Financial Officer, presented the District's Annual Financial Report. He stated that in the auditor's required communications, one uncorrected misstatement was identified related to a customer's accounts receivable balance. He stated that this adjustment will be corrected in fiscal year 2022 and that the auditor, BDO, agrees with the assessment. Vice President Gibson spoke on the identified misstatement and commented that it was a legal and timing issue that had to do with the negotiation and collection of funds from a defaulted customer.

FINAL ACTION: A motion was made by Vice President Gibson to accept the District's Annual Financial Report. The motion was approved.

- 10. Conduct a public hearing regarding the issuance of General Obligation (Limited Tax) Water Bonds (additionally secured by SNWA pledged revenues) in the maximum aggregate principal amount of \$350,000,000 for the purpose of financing water projects for the Southern Nevada Water Authority.**

Mr. Entsminger stated that this item has already been before the board and was presented to the Debt Management Commission. He added that these bonds are for the Southern Nevada Water Authority's (SNWA) approved Major Construction and Capital Plan.

Ed Uehling, Las Vegas, sought confirmation that these funds will not be co-mingled with other infrastructure funding.

NO ACTION NECESSARY

**11. Conduct a Public Hearing to consider and adopt Service Rule changes supporting regional conservation goals, including prohibiting the use of Colorado River Water for new golf courses, imposing charges and fees for water theft, and other clarifying revisions.**

Mr. Entsminger stated that there are additional conservation measures that will need to be considered by the community, and many are reflected in these Service Rule changes. He added that there will be other steps and conservation recommendations that will come before the Board in early 2022. Director Segerblom acknowledged that there will be no new golf courses constructed that will use Colorado River water.

Ed Uehling, Las Vegas, requested to know what amount of water is involved in water theft. He added that he believes item #7 allows for a different type of theft.

President Kirkpatrick stated that many developers pay for reservoirs and pumps, as well as connection fees. Mr. Entsminger added that Howard Hughes is responsible for the capital improvement payments necessary for their Summerlin developments, and each new home pays a connection charge. He also noted that within new construction, the average monthly consumption is approximately 10,000 gallons and at least 60 percent of that is used indoors and returned to Lake Mead for return flow credits. President Kirkpatrick expects to look at additional conservation efforts moving forward. Mr. Entsminger stated that this is in addition to AB356, and he expects the Nonfunctional Turf Removal Advisory Committee to be making its recommendation to the SNWA Board in January 2022. President Kirkpatrick also requested an informational webinar be provided on septic systems after the new year.

FINAL ACTION: A motion was made by Director Jones to adopt the Service Rule changes. The motion was approved.

**COMMENTS BY THE GENERAL PUBLIC**

Ed Uehling, Las Vegas, stated that there is a disparity of water and resources used across the Las Vegas valley, and thus rates should be adjusted.

**Adjournment**

There being no further business to come before the board, the meeting adjourned at 9:29 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 11/2/21 and included in the minutes as required by Nevada's Open Meeting Law

November 2, 2021

To: Marilyn Kirkpatrick, Chair of the Board of County Commissioners

From: Ed Uehling 702-808-6000 [ed.uehling@yahoo.com](mailto:ed.uehling@yahoo.com)

For years I have been questioning the penchant of our water authorities to “conserve water!!” Just imagine the scenario all of us are stirred by our fear-mongering water managers to fear: Even if rain and snow stopped falling in the entire Colorado River Basin and the river were to dry up and stop running completely, Las Vegas and Nevada will still have monopoly access to a 10-year supply behind the Dam. The other 6 states and Mexico, except perhaps of a couple towns sitting next to Lake Powell, would have zero access to water in that very unlikely scenario.

Finally, a few months ago, Mr. Entsminger let the cat out of the bag: the purpose of his agencies’ “conservation” fixation is to “provide future water needs of Las Vegas”. Item number 7 in today’s agenda is the realization of his “dream”: The tens of thousands of acre-feet of water he has “conserved” by ripping up vegetation in the older urban areas of Clark County (particularly on the East side of the Valley) is going to be transported and pumped 2000 thousand feet higher for the purpose of enriching the Hughes Corporation through public policy.

Sometimes the English language proves itself inadequate for describing certain situations. In this case the “public” “servants” of 2 government agencies have spent tens of millions of water customers’ dollars to cajole, threaten, and deceive those same, mostly minority water customers into destroying the remainder of their own “well-being” so that favored (i.e., wealthy, and “influential” and usually “white”) segments of society can literally steal by government mandate what serves as the continuation of decades of racist and xenophobic policies.

The English word to describe this behavior is “shameless”. However, this adjective lacks force sufficient to describe what the designers of Item #7 are REALLY doing. The Spanish phrase, which is both adjective and noun, “sin vergüenza” (“totally lacking in shame”), draws a more adequate description of the people and their institutions which cry “CONSERVATION” in every ad and mailing and interview from the one side of their mouths while from the other side they:

- Steal the water used by as many as 25 households merely to provide the 40,000 gallons of water per month Item #7 allocates to each Hughes single-family household.
- Charge eastside apartment dwellers (50%+ minority) \$25 for their first 5000 gallons vs. \$5 for the same quantity they charge single-family households in Summerlin, even though the cost of pumping the water to Summerlin is vastly greater.
- Disgracefully force Eastside households to subsidize Hughes SFRs.
- Charge eastside households as much as \$15/month, sometimes for decades, for “infrastructure” charges (\$1800/year, \$1800/decade) even though Hughes and other

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developers benefit most from the infrastructure and other charges ripped from eastside dwellers.

- Hand the new homeowner in Summerlin, who has paid ZERO dollars for infrastructure prior to buying the home, most of the \$1800 ripped from the pockets of water customers who can only dream of owning an SFR in Summerlin.
- Continue the hypocrisy contained in the documentation which states that this enormous quantity of water has not been promised to Hughes, when everyone knows that it has been promised

ITEM #7 IS WIN, WIN, WIN FOR HUGHES AND OTHER DEVELOPERS OF SPRAWL AND LOSE, LOSE, LOSE FOR OLDER NEIGHBORHOODS FROM DAY ONE.

Most of us have the image that Hughes Corporation is a model of decency and fairness, so it is very disappointing to witness it operating with the same avarice as the casino cartel. A “yes” vote for this predatory item merits the label “sin vergüenza”. However, it is unfortunately consistent with the war that the State and County have launched against the citizenry (particularly that segment that is less wealthy and lacking in influence and ability to buy influence and that happens to live on the Eastside).

And, peering into the future, one can bet that all of us—not just the sprawlers like Hughes who make money jamming the roads—will be forced to pay the billions of dollars that widened freeways will cost.

This item is a disgrace, racist, xenophobic and should not be passed. It forces the least wealthy to subsidize one of the biggest corporations in the country, not only from the past, but also in the present and foreseeable future.

**Public Comment provided by Ed Uehling, received on 11/2/21 and included in the minutes as required by Nevada's Open Meeting Law**

**EXHIBIT 2**

<b>3895 Pressure Zone</b>			
<b>TYPE OF LAND USE</b>	<b>GROSS ACRES</b>	<b>UNITS</b>	<b>MAXIMUM DAY DEMAND (G.P.M.)</b>
Single-Family Residential	878	4,259	5,044
Multi-Family Residential	27	250	273
Commercial	75	NA	352
Schools	71	NA	167
Hotel Casino	31	622	318
Park	1000	NA	483
<b>TOTAL</b>	<b>2,082</b>	<b>5,131</b>	<b>6,637</b>
<b>Maximum Fire Flow Requirement is 6,000 gpm @ 36 psi</b>			

<b>4125 Pressure Zone</b>			
<b>TYPE OF LAND USE</b>	<b>GROSS ACRES</b>	<b>UNITS</b>	<b>MAXIMUM DAY DEMAND (G.P.M.)</b>
Single-Family Residential	815	2,480	4,208
Commercial	30	NA	136
Hotel Casino	10	204	104
Park	40	NA	194
<b>TOTAL</b>	<b>895</b>	<b>2,684</b>	<b>4,642</b>
<b>Maximum Fire Flow Requirement is 6,000 gpm @ 36 psi</b>			