

**LAS VEGAS VALLEY WATER DISTRICT BOARD OF DIRECTORS
BIG BEND WATER DISTRICT BOARD OF TRUSTEES
AND KYLE CANYON WATER DISTRICT BOARD OF TRUSTEES
JOINT MEETING
DECEMBER 5, 2023
MINUTES**

CALL TO ORDER 9:01 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, Dave Johnson, Greg Walch, Kevin Bethel

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

Ed Uehling, Las Vegas, spoke on item #9 and asked if an appraisal of the proposed property purchase has been conducted. He expressed disapproval of the District's purchasing of this property.

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 joint meeting of November 7, 2023. The motion was approved.

CONSENT AGENDA Items 2 – 7 are routine and can be taken in one motion unless a Director requests that an item be taken separately.

Las Vegas Valley Water District – CONSENT AGENDA

- 2. Approve and authorize the President to sign, in substantially the same form as attached hereto, an interlocal agreement between the City of Las Vegas and the District for installation of water facilities for the Rampart Boulevard Charleston Boulevard to Vegas Drive Roadway Improvements Project.**
- 3. Approve a resolution authorizing the submission of a grant proposal to the Bureau of Reclamation's WaterSMART Drought Response Program: Drought Resiliency Projects grant program seeking \$807,462.**
- 4. Ratify the submission of documents to effectuate opting out of a proposed PFAS class action settlement with DuPont and approve submission of documents necessary to effectuate opting out of a proposed PFAS class action settlement with 3M Company.**

Big Bend Water District – CONSENT AGENDA

- 5. Ratify the submission of documents to effectuate opting out of a proposed PFAS class action settlement with DuPont and approve submission of documents necessary to effectuate opting out of a proposed PFAS class action settlement with 3M Company.**
- 6. Approve and authorize the General Manager to sign Change Order No. 2 to the contract with U.S. Mechanical, LLC, for the replacement of air conditioning equipment to serve the ozone generator system, extending the completion date by 404 calendar days.**

Big Bend Water District – CONSENT AGENDA

- 7. Ratify the submission of documents to effectuate opting out of a proposed PFAS class action settlement with DuPont and approve submission of documents necessary to effectuate opting out of a proposed PFAS class action settlement with 3M Company.**

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

BUSINESS AGENDA

Las Vegas Valley Water District

- 8. Approve a resolution approving the form of the Amended and Restated SNWA/LVVWD Master Bond Repayment Agreement and authorizing District Officers to execute the agreement and take all actions necessary to effectuate the provisions of the resolution.**

Director Segerblom asked if this resolution changes the arrangement of what bonds can be sold. John Entsminger, General Manager, stated that it does not change anything regarding what bonds are sold, but verifies that if quarter cent sales tax proceeds are needed to pay off bonds, they will be used to do so to provide an additional layer of credit security to the bond rating agencies. He added that this item clarifies to the rating agencies what revenue streams will be used and under what circumstances.

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

- 9. Approve a Purchase and Sale Agreement and Joint Escrow Instructions and authorize the General Manager to sign any ministerial documents necessary to effectuate the purchase of real property, Clark County, Nevada, Assessor Parcel No. 139-31-601-004, from Meadow View Associates, LLC, and BOYDT2, LLC, in the amount of \$21,250,000.**

In response to public comment, Mr. Entsminger stated that an appraisal was conducted prior to entering negotiations, and that the purchase price is nearly \$2 million less than the appraised value. He added that the appraisal is available to the board and the public, and that this property, which is adjacent to the Water District's campus, will allow the District to expand its administrative capacities, drill new production wells, and increase access and safety for the Springs Preserve.

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

- 10. Award a bid for the supply of diesel fuel to Pilot Thomas Logistics, LLC, in the amount of \$2,552,343 and authorize a contingency of 25 percent for fluctuations in pricing and volume, contract renewals of four additional one-year terms with annual price and volume increases of up to 35 percent per term, and the General Manager to sign the purchase agreement.**

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

COMMENTS BY THE GENERAL PUBLIC

Daniel Braisted, Las Vegas, requested information regarding property taxes of the Southern Nevada Water Authority offices.

Sharon Sealy, 6475 Darby Ave., has lived in Las Vegas for more than 60 years and built their family home in 1977. She stated that over the years, they have made efforts to convert their yard to desert landscaping but feels that the newly imposed water restrictions have greatly impacted her quality of life.

Norm Schilling, 767 Rossmore Dr., spoke about the importance of trees and plants in the valley. He stated as trees mature, they need more water and nutrition, and that with people watering less, due to the excessive use fines, many of the trees in the valley are suffering. He stated that the new excessive use policy is detrimental to the urban forest, adding that education, rather than punitive fees, is the solution to this problem.

Pete Foley, 4512 Fernbrook Rd., stated that he is a behavioral scientist and marketing consultant. During his comment, he called into question the District's marketing strategy, stating that it disrespects the truth and misleads consumers in an effort to manipulate behavior.

Mark Craven, 2121 S. Cimarron Rd., stated that he has lived in Las Vegas for more than 40 years and feels that this is the most egregious money grab he has seen in that time. He stated that the excessive use charge is not applied equally and needs to be reconsidered.

MINUTES – JOINT MEETING – DECEMBER 5, 2023 – PAGE THREE

Robert Casper, 9045 Patinagem Ave., asked why so much development is allowed if we truly have a water shortage. He suggested that District be more proactive and teach people how to save water instead of going after them with fines and fees.

Diane Henry, 7525 Coley Ave., spoke on the hazards of artificial turf and stated that many cities have banned the installation of artificial turf, and some are making efforts to remove it based on its hazardous and toxic materials. She added that the District's extreme water conservation efforts are forcing people to remove grass and replace it with turf.

Ed Uehling, Las Vegas, apologized for not knowing that an appraisal was completed on item #9. He also noted that the District's leak detection notifications are working well and are valuable. He added that the basic issue is that Las Vegas needs to increase its water supply.

Bridgette Solvie, 7030 N. Conquistador, is representing her 84-year-old sister-in-law, who resides at 3654 Anthony Dr. Ms. Solvie said that her sister-in-law has received notifications that she has a substantial water issue, and that she has tried to reach the Water District on behalf of her sister-in-law but gets stuck in the queue.

Tom Reynolds, 2740 Mann St., a long-time resident of Las Vegas stated that he and his wife have spent time and resources on desert landscaping at their home. He stated, and is confused, that his recent water bills show him using half the amount of water that he used to, but that costs are twice as much.

Peter Fada, 2000 Diamond Bar, representing the Buffalo Neighborhood Coalition, stated that voters pay attention to what the commission looks at, votes on and how it votes. He stated that the people who have lived here for years are paying for the new development in the valley. He stated that Las Vegas cannot expand forever, given its water shortage. He stated that the water district needs to offer greater incentives for landscape conversions.

Mara Maservey, 2718 Mason Ave., applauds those that have provided comment and said that people are feeling squeezed. She stated she has always been concerned about water and has done her part to conserve, but that the excessive use charge is too much regulation and needs to be scaled back.

Marti Partridge, 8037 Echo Cliff Lane, was born and raised in Las Vegas and feels that the excessive use fees are unfair. She stated that her landscape conversion, even with SNWA's incentive, cost more than \$18,000, and that the Authority should increase its incentive/rebate.

Chris Stevens, 4105 Del Monte, talked about deregulation of utilities. He asked the board to protect the residents of Las Vegas from the monopoly that is the water district. He added that the water district should simply focus on providing clean drinking water to its residents and not focus on ways to increase its revenue stream. He said that his water bill has been more than \$3,000 during the summer months.

Alex Kleitman, 836 Santa Ynez, Henderson, is representing the Mission Paradise Rural Alliance and is Vice President of the Water Fairness Coalition. He asked that the board start a conversation with the coalition about the community's needs, and that they put a stop to the excessive fees. He also requested that the commission reach out to the City of Henderson and ask them to table its item to raise residential water rates until the excessive use charge and its issues are resolved.

Laura McSwain, 2727 Ashby Ave, is representing the Water Fairness Collation. She stated that the first board meeting she attended was in May and feels that nothing has happened regarding the public's request to reconsider the excessive use charge, and is asking that an item be place on the agenda to do just that. She feels that those who have expressed environmental concerns, spoke to traditional development standards, and addressed property rights have all been ignored by the board.

Dennis Maservey, 2718 Mason Ave., would like to know what is being done with the additional revenue received by the excessive use charges. He also expressed concern that this policy is not implemented equally across the other jurisdictions in Southern Nevada. He added that the water district should focus on finding additional water resources.

Stephanie Heaton-Stefan, 2021 Grouse St., stated that the existing algorithm within the excessive use charge policy is too simplistic and needs to account for lot size. She said that all businesses and the commercial sector should be subject to this policy as well, adding that the water district would hear extreme outcries from that sector if implemented. She stated that people are having to choose to pay exorbitant fees to keep their landscaping, a huge part of property values, or let it die.

MINUTES – JOINT MEETING – DECEMBER 5, 2023 – PAGE FOUR

Ed McSwain, 2222 W. Cheyenne Ave., stated that the advertising of the water district is misleading. He suggests that underground cisterns be built under parking lots for rain and runoff water to be captured, reused, or sent back to underground aquifers.

Celia Berg submitted public comment in advance of the meeting. Her comments are attached to these minutes.

Adjournment

There being no further business to come before the board, the meeting adjourned at 10:02 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.

Jason Bailey

From: Celia Berg <cmb212017@gmail.com>
Sent: Friday, December 1, 2023 3:40 PM
To: &PublicComment
Subject: {External} Water Fairness Coalition

Follow Up Flag: Follow up
Flag Status: Flagged

[Some people who received this message don't often get email from cmb212017@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

When middle class goes broke trying to pay utility bills - there is a big problem.
Open your eyes to see how unfair this water situation is.

Sent from my iPhone