

**LAS VEGAS VALLEY WATER DISTRICT
BOARD OF DIRECTORS MEETING
FEBRUARY 3, 2026
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
April Becker
Justin Jones
William McCurdy II
Michael Naft

DIRECTORS ABSENT: Tick Segerblom

STAFF PRESENT: John Entsminger, Doa Ross, Colby Pellegrino, Greg Walch, Andy Belanger and
Paul Johnson

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

There were no members of the public wishing to speak.

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 January 6, 2026. 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. Ratify approval of an interlocal agreement between the Southern Nevada Health District and the District for installation of water facilities for the SNHD – BSL3 Lab Project.**
- 3. Approve and authorize the President to sign an interlocal agreement between the City of Las Vegas and the District for installation of water facilities for the Fire Station 103 Project.**
- 4. Approve and authorize the General Manager, or designee, to acquire a temporary construction easement that is necessary to construct, operate, and maintain District water facilities for a fair market value not to exceed \$103,015, and authorize an extension of the temporary easement term if needed to accommodate project delays for an additional amount not to exceed \$100,000.**
- 5. Approve and authorize the General Manager, or designee, to acquire temporary construction and permanent easements that are necessary to construct, operate, and maintain District water facilities, for a fair market value not to exceed \$157,654, and authorize the General Manager to extend the temporary easement term for an additional year in an amount not to exceed \$23,100.**

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

BUSINESS AGENDA

- 6. Approve and authorize the General Manager to sign an amendment to the existing agreement between GCW, Inc., and the District to provide additional professional design services for multiple projects within the District's minor capital improvement program for an increase of \$1,000,000 during the current term and each renewal term of the contract.**

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John Enstminger, General Manager, noted that while this is considered a routine item, he asked Doa Ross, Deputy General Manager of Engineering & Operations, to discuss the item's disclosures.

Ms. Ross stated that the contract is for the District's minor capital improvement program, which is administered through the Infrastructure Management department. She acknowledged the disclosed District employees as being related to people employed by the engineering firm but noted the disclosed District employees work in the Engineering department and have no bearing on the contract.

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

7. Authorize an additional incentive of 75 percent for eligible District customers participating in the Authority's Water Efficient Technologies and Smart Irrigation Rebate Programs.

Mr. Entsminger stated that these are existing Southern Nevada Water Authority programs, and this additional incentive is only available for District customers. He noted that public comment was received on this item questioning the authority to implement this program under the District's legislation.

Greg Walch, General Counsel, stated that under the District's act, which was passed in 1947 by the Nevada legislature, there are at least three independent provisions that authorize the conservation programs that exist. They are included in section 1, paragraph 6, and section 1, paragraph 8, with mentions about conserving water brought to the valley for the beneficial use of the District. He added that the District is within its authority to move forward with this item.

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

COMMENTS BY THE GENERAL PUBLIC

Ed Uehling, Las Vegas, expressed frustration that the District is not doing its part to bring more water supply to Las Vegas. He stated that some of the low-income areas of Las Vegas are being charged more for water, as high as \$6,000 per acre-foot of water. He also stated that the District and Authority have not shared anything at these public meetings about what is transpiring with the other basin states related to the Colorado River negotiations. He added that there are no solutions being offered.

Stephanie Steffen, 2021 Grouse St., presented photos of trees being removed and the impact of turf removal within her community. She expressed frustration about water conservation policies that have negatively impacted the tree canopy in her neighborhood and the costly expense to re-landscape these areas. She added that her community has done its part in helping remove turf and participate in water conservation initiatives. Ms. Steffen submitted a document for the record, which is attached to these minutes.

Laura McSwain, representing Water Fairness Coalition, provided written comment in advance of the meeting. Her comment is attached to these minutes.

Laura W. provided written comment in advance of the meeting. Her comment is attached to these minutes.

Adjournment

There being no further business to come before the board, the meeting adjourned at 9:14 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.

Tree death



Photos from 2/15/25 and 5/5/25 on Village Center Circle in Summerlin North, 89134. The south half of Village Center, a distance of less than ½ mile, has lost about **200** once gorgeous ash trees after turf removal. The red slashes mean the trees are marked for removal after dying. About 100 trees have already been removed and replaced with saplings. 92 more were scheduled to be cut down January 2026. Many more have died after turf removal along Town Center Drive. This tragedy is happening all over the Las Vegas Valley.





Trees all marked for removal. 2/15/25. This is directly in front of TPC Summerlin



**Public comment
received for the 2/3/26
LVVWD Board of
Directors meeting**



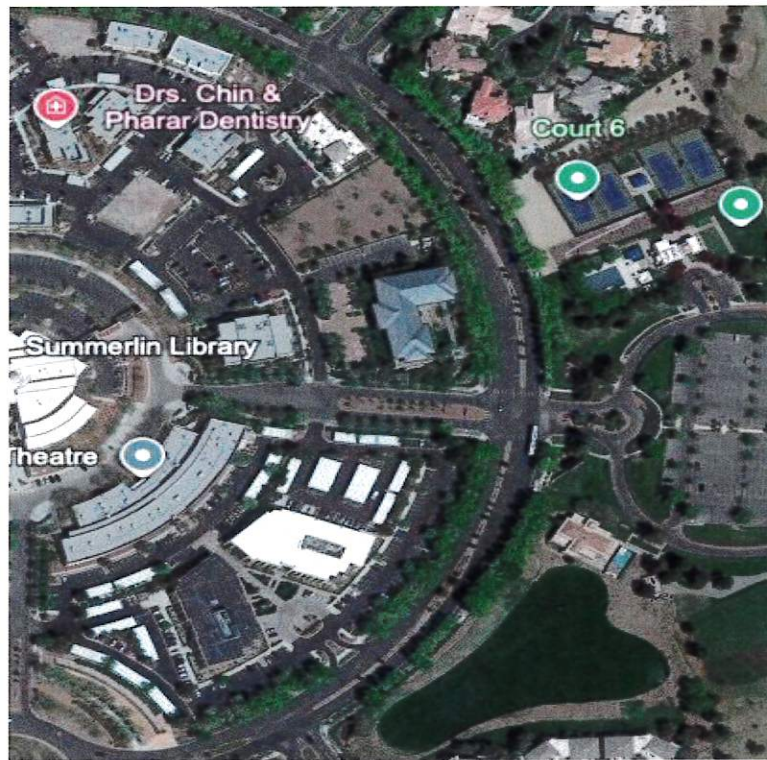
Every tree in this particular section died and is slated for removal



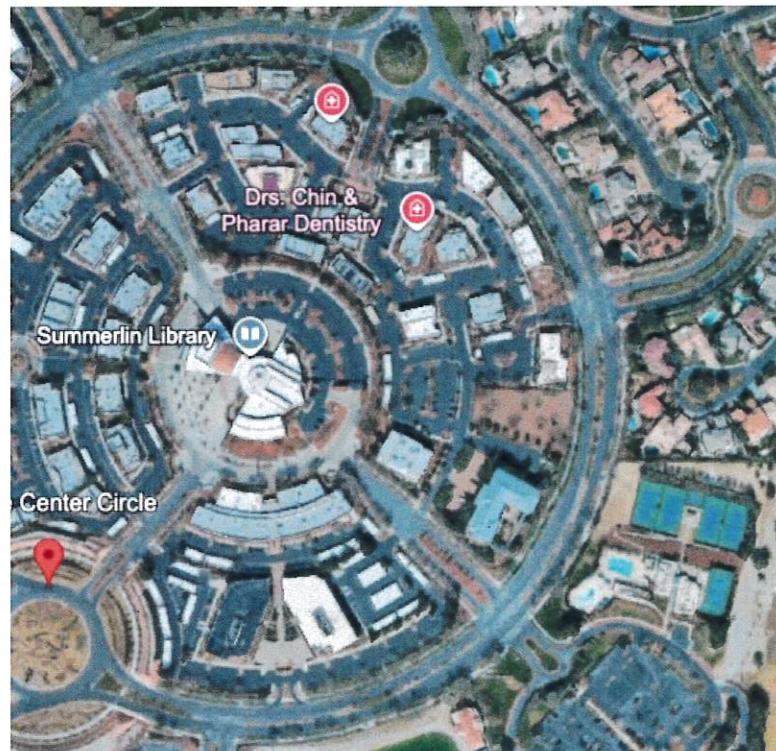
One ash tree in this section of about 30 trees survived the turf removal. The rows of expensive Netafim being installed to support the new sapling trees is visible here. The expense to first remove the turf and landscape the area with drip irrigation, then remove the huge dead trees later, including massive root balls, and then relandscape, is in the millions.



Public comment received for the 2/3/26 LVVWD Board of Directors meeting



The area outside our neighborhood, as it looked in March 2015. The beautiful trees provided cooling shade and respite from the heat. (Google Earth)



The same area March 2024 after turf was removed and the trees died. There isn't a current photo in Google Earth to reflect the removal of most of them.



February 1, 2026

LVVWD Board of Directors Meeting, February 3, 2026

Re: Public Comment – Items #5 and #7

Item #5 –

This item asks the Board to approve an amendment to increase a previously approved contract amount for GCW by \$1,000,000, effectively doubling the current cap, but the agenda materials do not provide enough procurement context for the public to evaluate the request.

Recent issues withing Clark County contract awards underscore why transparent documentation matters across all public agencies.

The attachment includes a relationship disclosure and states there is no employee/official ownership interest or involvement in negotiation/day-to-day activities, but it does not explain how the underlying contract was originally awarded, whether it was competitively solicited, how many firms were considered, what evaluation criteria were used, or what oversight safeguards were applied at the time of selection.

Before approving additional funding, I urge the District to provide a brief, public-facing summary of the original award method and justification, including solicitation type (if any), scoring/evaluation approach, and the specific controls used to manage and document conflict-of-interest risk.

Item #7-

Proposed authorization of a District-funded supplemental incentive for participants in the Southern Nevada Water Authority's Water Efficient Technologies (WET) and Smart Irrigation Rebate (SIR) Programs.

The agenda item states that this action is authorized pursuant to Section 1(13) of the Las Vegas Valley Water District Act (Chapter 167, Statutes of Nevada, 1947). Section 1(13), however, is procedural in nature. It authorizes the District to make contracts and take actions **only as a**

means of exercising powers otherwise granted by the Act. It does not itself expand or define the substantive purposes for which District funds may be expended.

Accordingly, reliance on Section 1(13) necessarily requires identification of the **specific enumerated power or purpose** that this supplemental incentive is intended to implement.

The Act's stated purposes and powers focus repeatedly on the acquisition, construction, operation, maintenance, and improvement of **District works and properties**, the **distribution of water**, and the **conservation and protection of water resources for District use**. While conservation is an articulated objective, the Act does not expressly authorize the District to subsidize customer-owned equipment, site improvements, or private retrofits—particularly at subsidy levels that may reach up to 80 percent of total project cost.

This proposal therefore raises several unresolved statutory and ratepayer-related questions that warrant clarification on the record.

First, the agenda item does not identify which enumerated power in Section 1 this incentive is “necessary” to carry out. A general assertion that the District may enter into contracts is insufficient. Section 1(13) operates only in service of another express grant of authority, and the underlying power being exercised here should be clearly identified and explained.

Second, the Board should clarify how these expenditures are categorized for accounting and rate-setting purposes. Section 16 of the Act requires that rates and charges be reasonable and tied to the costs of operating and maintaining the District's works and properties, the general expenses of the District, and debt service. If these incentives are being treated as a “general expense,” the legal and factual basis for classifying large-scale subsidies of private capital investments as a District general expense should be articulated, along with how this treatment is reflected in the District's rate structure.

Third, Section 15 of the Act expressly prohibits the Board from incurring any debt or liability beyond the Act's express provisions, declaring any such obligation absolutely void. This program is proposed to apply to active, pending, and future projects, with future-year funding to be “budgeted accordingly.” Clarification is therefore warranted as to what statutory limits constrain the District's ongoing financial exposure and how this program avoids creating an open-ended or continuing liability inconsistent with Section 15.

Fourth, the proposal is expressly designed to supplement programs administered by the Southern Nevada Water Authority. The Act distinguishes between the responsibilities and funding mechanisms of the District and the Authority, particularly where costs associated with Authority facilities and programs are concerned. It is therefore appropriate to ask why District operating revenues are being used to enhance an Authority program, and how this allocation aligns with the District's independent statutory purposes and obligations to its ratepayers.

The agenda item also notes that the proposed supplement is “similar to the District's Water Smart Landscapes topper.” However, the item does not reference a prior Board resolution, policy adoption, or legal determination establishing the statutory basis for that program or for District-funded supplemental incentives generally. Similarity to a prior program is not a substitute for identifying statutory authority or defining the legal limits applicable to this action.

Public comment received for the 2/3/26 LVVWD Board of Directors meeting

If the District intends to rely on a prior approval or historical practice as precedent, the specific action, date, and statutory rationale should be identified so that the Board and the public may evaluate whether the same legal interpretation is being extended here and whether that interpretation remains appropriate given the scope and scale of the proposed supplement.

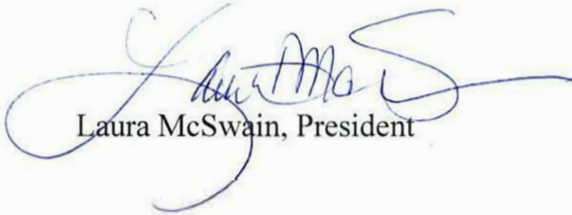
It is anticipated that staff or counsel may assert that conservation incentives have previously been approved as a matter of Board discretion or treated as general District expenses. If that is the case, further clarification would still be helpful as to:

- (1) where in the Act the authority to subsidize customer-owned capital improvements is derived beyond Section 1(13);
- (2) what limiting principles apply to prevent such incentives from expanding beyond the Act's express purposes or creating liabilities prohibited by Section 15; and
- (3) how reasonableness under Section 16 is evaluated when District funds are used to match or supplement Authority incentives at levels approaching full project cost coverage.

Because this item proposes a material, multi-year financial commitment funded by District revenues, a clearer articulation of the statutory authority, expenditure category, and limiting constraints governing this program would strengthen transparency, ensure consistency with the LVVWD Act, and better inform the Board's decision.

Respectfully submitted,

WATER FAIRNESS COALITION



Laura McSwain, President

Public comment received for the 2/3/26 LVVWD Board of Directors meeting

From: [Laura W](#)
To: [&PublicComment](#)
Subject: {External} - {LVVWD Public Comment} - Public comment for 2/3/2026 meeting
Date: Monday, February 2, 2026 7:12:03 PM

[You don't often get email from vegasrain@hotmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Board of Directors,

One of the agenda items, #6, is a possible action to sign an amendment to the an existing agreement to increase compensation for additional professional design services for multiple projects within the District's minor capital improvement program by One Million dollars. The back up materials show familial relationships to the company and LVVWD employees. The public needs to know what oversight is in place for potential ethical violations in this specific matter. In addition, a request for full transparency is being made to provide information on the contract selection process, the selection criteria used, and if any Board member recused themselves with a potential conflict of interest. There is also a need for more transparency on exactly what the design services are for before a blanketed \$1,000,000 is awarded, and information on the length of the contract, as it states the increase can occur every year during the term of the contract if this item is approved. When and where will the above requested information be posted for the public to review?