



Recommending Committee Minutes

1. Call to Order

Minutes:

COUNCILMAN KNUDSEN called the meeting to order at 10:00 a.m.

PRESENT: COUNCILMEMBERS KNUDSEN and ALLEN-PALENSKE

EXCUSED: COUNCILWOMAN SEAMAN

ALSO PRESENT: CHIEF OPERATIONS AND DEVELOPMENT OFFICER TOM PERRIGO, ASSISTANT CITY ATTORNEY JEFF DOROCAK, CITY CLERK LUANN D. HOLMES, and DEPUTY CITY CLERK BRIAN CARROLL

2. Announcement Regarding: Compliance with Open Meeting Law

Minutes:

ANNOUNCEMENT MADE: This meeting has been properly noticed and posted at the following locations in accordance with the noticing standards as outlined in NRS 241.020: City Hall, 495 South Main Street, 1st Floor; the City of Las Vegas website – www.lasvegasnevada.gov; and the Nevada Public Notice website – notice.nv.gov.

3. For possible action to approve the Final Minutes by reference of the July 17, 2023 Recommending Committee Meeting

Minutes:

ASSISTANT CITY ATTORNEY JEFF DOROCAK opined that there should be a public comment item on the agenda before an action item. He noted that a public hearing is opened for each bill, and he asked if anyone wanted to be heard on this item. There being no one present to speak, he advised that a vote could be taken.

Motion made by Francis Allen-Palenske to Approve

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Brian Knudsen, Francis Allen-Palenske; Excused-Victoria Seaman;

4. Bill No. 2023-17 - For possible action - Amends various provisions of LVMC Chapters 14.10 and 14.11 to update water conservation measures to be consistent with regulations of the Las Vegas Valley Water District; makes related changes to LVMC Title 19; and amends LVMC Chapter 16.28 to prohibit the use of evaporative cooling in new structures. Sponsored by: Councilwoman Olivia Díaz

Minutes:

COUNCILMAN KNUDSEN declared the Public Hearing open.

MARCO VELOTTA, Planning Project Manager, appeared with ZANE MARSHALL, Director of Water Resources

at Southern Nevada Water Authority (SNWA) and stated that this bill would adopt new water conservation efforts into the Las Vegas Municipal Code. MR. VELOTTA utilized a PowerPoint presentation, a copy of which was submitted for the record, to explain that water from the Colorado River serves 40 million people. The river irrigates around 5.5 million acres for agriculture, and approximately 80 percent of that water is used for agricultural production. Under normal river conditions, California and Arizona receive nearly half of the total 15 million AFY (acre-feet per year) river allocation, while Nevada receives 300,000 AFY. Nevada's share was recently reduced to 275,000 AFY due to drought conditions and negotiations with the Federal Government and other basin states. MR. VELOTTA noted recent media reports regarding water elevations of Lake Mead and Lake Powell, and he advised that their elevations declined earlier in the spring in 2021 and 2022. He said there was a wet winter this year that increased their elevations, though Lake Mead was still at one-third of its capacity. He advised that SNWA is the wholesale water provider that negotiates on behalf of the region and is comprised of the Las Vegas Valley Water District (LVVWD), Clark County Water Reclamation District, Big Bend District, and Southern Nevada cities. LVVWD was established through a Special Act of the Legislature in 1947 and is governed by the Clark County Commission. Some municipalities have their own water utility, and the City handles wastewater treatment that discharges to Lake Mead. MR. VELOTTA noted there are County islands with groundwater as their primary water source, and they are handled separately through the State Engineer and relevant chapters of Nevada Revised Statutes. He advised that the 2050 Master Plan's water target mirrors SNWA's goal to reduce water usage to 86 gallons per person per day, noting that the City participates in conservation incentive programs offered by LVVWD, which include removing non-functional turf. Lastly, he stated that all other municipalities within SNWA's authority had adopted the proposed water conservation measures, and this item would recommend that City Council adopt the same measures.

MR. MARSHALL continued with the PowerPoint presentation and thanked the City for their partnership. He reported that Las Vegas is the driest metropolitan area in the country that receives an average of four inches of rain per year, and 90 percent of the water comes from the Colorado River with 10 percent coming from groundwater. He noted that 40 percent of that water is used indoors and is processed through water treatment plants before returning to the river, and 60 percent of the water is used for outdoor consumption. The conservation programs' focus is to reduce outdoor consumptive use. MR. MARSHALL confirmed that BLM (Bureau of Land Management) reduced Las Vegas' water allocation to 275,000 AFY, and shortage reduction amounts are determined by reservoir elevations. He expected water reduction to increase in the future and reduce the allocation to 270,000 AFY. He explained that the community's water consumptive use has reduced to 224,000 AFY, and he noted the importance of water reduction to remain resilient against climate change and changes to the river. Further, he advised that the population of Southern Nevada grew by 49 percent since 2002, while the per capita water use lowered by 51 percent. He framed water scarcity as a natural disaster for Southern Nevada, and he listed proposed code changes from the presentation that would help reduce the community's overall water use from 123 to 86 gallons per person per day. MR. MARSHALL stated that Assembly Bill (AB) 356 established an advisory committee that defined functional and non-functional turf. He clarified that non-functional turf is essentially ornamental in nature and includes all commercial landscaping, grass managed by HOAs (homeowners associations), and streetscape grass. He noted that the proposed code change would prohibit new grass in all new developments except parks, schools, and cemeteries after September 1, 2023. He advised that evaporative cooling is the second largest consumptive use for the community, and punitive water pricing was established to address the top 10 percent of single-family residential water users.

MR. VELOTTA clarified that a minor amendment was suggested for language in Sections 8 and 12 of the proposed Ordinance. ASSISTANT CITY ATTORNEY JEFF DOROCAK indicated that the proposed First Amendment would add references to using the waters of the Colorado River in regards to septic systems and sanitary sewer collection and disposal systems.

COUNCILWOMAN ALLEN-PALENSKE questioned if removing existing golf courses was considered. MR. MARSHALL advised that there are active programs to reduce consumptive use on golf courses, and their water budget had been recently modified from 6.3 to four acre feet per irrigated acre. Golf courses have participated in programs to reduce the total volume of turf, and SNWA is incentivizing replacing cool season grass with warm season grass to further reduce water consumption. He expressed interest in beginning conversations to remove golf courses from the community.

COUNCILMAN KNUDSEN said this was a tough issue that concerned his constituents, and he believed residents in Wards 1, 3, and 5 were accustomed to having large yards and pools. He questioned how residents repairing their large pools or septic systems would be affected. MR. MARSHALL advised that the proposed code change would only affect new pools, and he said AB220 offers a voluntary program to replace existing septic systems with municipal connections. MR. VELOTTA clarified that the proposed language affects new septic systems, noting that connecting septic systems to municipal systems was discussed during the Legislative Session. MR. DOROCAK read from the proposed Ordinance to explain that properties would be required to connect to the public sanitary sewer system when an existing septic system is removed. COUNCILMAN KNUDSEN understood this was adopted by other jurisdictions, and he asked how this would be incorporated into the planning process and enforced by staff. MR. VELOTTA stated that the 2050 Master Plan established development policies regarding water connections, and he explained that SNWA and the water district would continue to collaborate with the City on development. He wanted to ensure that major corridors are connected with higher density, noting there is a positive correlation between density and reduced water consumption. Further, he advised that the Ordinance would consider cooling methods other than evaporative cooling for tall buildings. Regarding the development process, the Councilman questioned if there were variances for new infill developments that go through the planning process. MR. VELOTTA stated that higher density uses would not require a variance, as they would support the Master Plan and overall conservation efforts. SETH FLOYD, Community Development Director, added that there would be a different enforcement mechanism for each portion of the Ordinance. He stated that new golf courses and buildings with evaporative cooling would not be able to acquire a building permit, and landscape plans with non-functional turf would not be approved. He advised that the single-family turf requirement would primarily be enforced by SNWA through their service rules, and he noted that Code Enforcement might get involved if someone installs front-yard turf.

In response to COUNCILMAN KNUDSEN, MR. MARSHALL explained that long-range water resource planning is one of SNWA's core responsibilities, and a 50-year outlook plan is developed every year with collaboration from the Center for Business and Economic Research at UNLV (University of Nevada, Las Vegas) and local regional planning agencies and municipalities. SNWA uses population projections to create demand projections in order to meet community water needs into the future. He believed water efficient developments with reduced consumptive use will allow the community to grow over the long term.

COUNCILMAN KNUDSEN declared the Public Hearing closed and announced that, if approved, this bill would be eligible for adoption at the City Council Meeting of August 16, 2023.

Motion made by Francis Allen-Palenske to Approve as Do Pass as a First Amendment

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Brian Knudsen, Francis Allen-Palenske; Excused-Victoria Seaman;


5. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Committee. No subject may be acted upon by the Committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:
None.

6. Adjournment

Minutes:
The meeting was adjourned at 10:38 a.m.

Respectfully submitted:



Brian Carroll, Deputy City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:

The City of Las Vegas website – www.lasvegasnevada.gov

The Nevada Public Notice website – notice.nv.gov

City Hall, 495 South Main Street, 1st Floor