

MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT

Approved
9/6/16

NOTICE OF AND AGENDA FOR THE REGULAR BOARD MEETING TO BE HELD JULY 5, 2016 AT THE OFFICES OF THE MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT MEETING TO BEGIN AT 4:00 P.M.

CALL TO ORDER. The Meeting was called to order at 4:01pm by Chairman, Charles B. Sherrill, Jr.

PLEDGE OF ALLEGIANCE. The Pledge of Allegiance was lead by Vince Vasquez.

ROLL CALL.

Present: Charles B. (Chip) Sherrill, Jr., Chairman/Director Division III
Vince Vasquez, Director Division II
Clay Vanderslice, Director at Large
Perry Muscelli, Treasurer/Director at Large
Jamie Kelley, District Counsel
Mark Clark, CCM, Manager
Kerri Hatz, Administrative Assistant

Absent: John Kai, Jr., Director Division I

WAIVER MOTION. Motion to waive the reading of full minutes and resolutions presented for approval or adoption. Charles B. Sherrill, Jr. read the waiver motion. A waiver motion was made by Clay Vanderslice and Seconded by Vince Vasquez, all in favor motion passed.

1. REPORTS.

A. Staff report on water use.

Manager Mark Clark reported that the monthly used reported for May 2016 was 3,849 acre feet compared to 3,186 acre feet last year. Year to date we have used 12,825 acre feet compared to 12,010 acre feet last year. We have used 815 more acre feet this year then last year.

B. Bureau of Reclamation Lower Colorado Water Supply Report as of : June 27, 2016; Upper Colorado River Basin Snowpack Report; Lake Powell Water Data Graph; and Lake Mead Water Data Graph.

Manager Mark Clark reported that Lake Powell is 56% full so it has been steadily rising over the last year, it is at an elevation of 3618.81. Unfortunately, Lake Mead is not following suit. Lake Mead is 36% full with an elevation of 1072.01 and as of today it is at 1072.19 so it has held steady over this last week. An elevation of 1075 is the trigger point for the first shortage to be declared but that is in January of every year. In August of this year, the Bureau of Reclamation will do their 24 month study

and they will project out to January what they anticipate the elevation to be, if that elevation is less than the 1075 a shortage would be declared. However, they are anticipating that the water level will rise above 1075 by January of next year, so we are not anticipating a shortage for next year, but 2018 is another story.

2. **AGENDA MODIFICATION.** Possible action to withdraw from, or move, any item on the Agenda, including the removal of an item from the Consent Agenda. [Agenda Modification was read by Charles B. Sherrill, Jr. No action was taken.](#)

3. **CONSENT AGENDA.** The items listed below will be considered as a group and acted upon by one motion with no separate discussion of said items, unless a Board Member requests an item or items be removed for separate discussion and action. [Consent Agenda was read by Charles B. Sherrill, Jr., Perry Muscelli made a motion to approve, Clay Vanderslice seconded the motion, all in favor, motion passed.](#)
 - A. Approve the June 7, 2016 Executive Meeting Minutes.
 - B. Approve the June 7, 2016 Regular Meeting Minutes.
 - C. Ratify payment of expenses for June 2016.
 - D. Approve the June 21, 2016 Special Regular Meeting Minutes.

4. **REGULAR AGENDA.**
 - A. **2017 Annual Water Order.** Discussion and possible action to approve the 2017 Annual Water Order for MVIDD. [Mark Clark reported that the board members had a copy of the water order for 2017 and we are requesting 37,359 acre feet, the water order for 2016 was 39,905 but we are not going to use all of that water this year. We are looking at 31,848 acre feet for 4th priority water and 4,260 acre feet for PPR and MCWA Water of 1,250 acre feet for a total of 37,359 acre feet of water. Clay Vanderslice made a motion to approve, Vince Vasquez seconded the motion, all in favor, motion passed.](#)
 - B. **Master Interim Water Supply Contract.** Discussion and possible action to approve the Master Interim Water Supply Contract. [Mark Clark stated that the Board Members have all seen this a couple of times now and some of the numbers for this contract come from the Settlement Agreement with Mohave Valley Golf, LLC. they are on page 4 and we have been working on this about 2 years now and we are hoping the board will approve it today. Vince Vasquez asked if this would get everyone on the same level, Mark replied this is for the golf courses like Huukan, Willow Springs, El Rio Golf Courses, Los Lagos Golf Course, and man made lake systems like Bella Vista as well as Marina Coves. Perry Muscelli asked what it replaces? Mark replied, In the case of Huukan and Los Lagos it will replace their existing contracts which both expire December 31, 2017. The pricing for the next two years is the same as their existing contract. Perry Muscelli stated that this is like getting an extension, Mark replied yes and this new contract is for December](#)

31, 2026 and two years prior to 2026 expiration they would be able to negotiate for an extension at that time. Vince Vasquez asked if they need to be working toward Effluent? Mark explained there is a Board Resolution that was put into place many years ago stating that Golf Courses and Man Made Lakes are not a proper use for fresh water and they need to move toward Effluent. Mark explained that with this contract it would also give the golf course time to get the golf courses moving toward Effluent. Vince asked if they had some effluent then they can supplement with this new contract to offset the water they need? Mark referenced Bella Vista, because they have some Effluent right now through EPCOR and that's about 200-250 acre feet a year and they are supplementing that right now with a 4th priority water contract they have with MCWA. Mark said that when the others are able to get effluent, then they would supplement with any deficit they would have. Mark said we were all hopeful that effluent would have been available by now and it hasn't, so we need this contract to extend the time for them to get effluent. Chip stated that due to the economy 2008 that project did not take off. Vince Vasquez made a motion to approved the Master Interim Water Supply Contract, Perry Muscelli seconded the motion, all in favor, motion passed.

C. **Master Utility Water Reporting Contract.** Discussion and possible action to approve the Master Utility Water Reporting Contract.

Mark Clark stated this was another contract that he has been working on for about 2 years as well. The contract basically states that the Utility Companies do not have an entitlement that the water stays with the landowners in the district, they are the title holders. It states they will be able to provide water to the end users, it states we will be able to inspected their wells and metering facilities because we have to report the usage to the Bureau Of Reclamation, that is our responsibility. Mark said he did get one comment that was requested to be read from EPCOR Water. Mark read email. Mark stated they are requesting some items here to be in the contract but they are not what we have as part of this contract, priorities which is up to the Board to determine, payments: we do talk about payments and we would just refer them to our Comprehensive Fee Schedule which is what has been in place for several years now. Payments are already covered outside of the contract and priorities in time of a shortage are a separate item that the Board is working on so that is not part of this contract. So the things that they are requesting really are not part of this contract and I would recommend the board approve the contract that you have before you. Chip asked Legal Counsel Jamie Kelley if she had a problem with this, she replied she did not, it simply imposes a reporting obligation on them. Perry asked if we could put a title on the Contract because there was not one. Jamie Kelley and Mark Clark stated they would have that added. All board members agreed to it being name Master Utility Water Reporting Contract. Perry asked if there was more than just a name as "Water Provider" that we could put on it. Mark replied that each Utility Company already has their designated areas that they service. Vince stated that they all have APN's on the contract. Jamie Kelley stated you don't want to restrict it because they can expand that. But what the contract does do is say they cannot provide water service to lands without an allocation. Mark stated we will specify them by the Utility Company name. Jamie Kelley stated that is all we need because it's a reporting contract only. Perry Muscelli made a motion to approve the Master Utility Water Reporting Contract with that name being

put on the contract, Vince Vasquez seconded the motion, all in favor, motion passed.

5. **PUBLIC INPUT.** Charles B. Sherrill, Jr. asked if there was any public input. Tony Feiter said thank you. With no other public input, Chip thanked everyone for coming.
6. **ADJOURNMENT.** A motion to adjourn was made by Perry Muscelli and seconded by Vince Vasquez, all in favor, adjournment at 4:24pm.