

The meeting was held at 1:00 p.m. on Tuesday, June 9, 2015, at the Clark County Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada.

COMMISSIONERS IN ATTENDANCE

Chairman	George F. Ogilvie III
Vice Chairman	Berlyn D. Miller
Commissioner	Kara J. Kelley
Commissioner	Duncan R. McCoy
Commissioner	Puoy K. Premstrut
Commissioner	Steve Sisolak

COMMISSIONERS NOT IN ATTENDANCE

Commissioner	Bob Coffin
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DEPUTY ATTORNEYS GENERAL

Special Counsel, Attorney General	Jennifer T. Crandell
Special Counsel, Attorney General	Ann C. Pongracz

COMMISSION STAFF IN ATTENDANCE

Executive Director	Jayne Harkins, P.E.
Deputy Executive Director	James D. Salo
Assistant Director of Engineering and Operations	Robert D. Reese
Hydropower Program Manager	Craig N. Pyper
Natural Resource Analyst	Warren Turkett
Natural Resource Analyst	Jason Thiriot
Senior Accountant	Gail L. Benton
Senior Energy Accountant	Richard M. Sanders
Senior Energy Accountant	Kalora E. Snyder
Office Manager	Judy K. Atwood
Administrative Assistant III	Carol L. Perone
Administrative Assistant II	Rebecca Suafoa
Administrative Assistant II	Abigail Price

OTHERS PRESENT; REPRESENTING

Academica Nevada	Colin Bringhurst
Academica Nevada	Jacob Smoot
City of Las Vegas	Marco Velotta
City of Mesquite	Aaron Baker
City of Mesquite	Warren Harg
Clark County Water Reclamation District	Thomas Minwegen
Consultant	Sara A. Price, Esq.

OTHERS PRESENT; REPRESENTING (CONTINUED)

Fairchild Consulting Company
Nevada Department of Corrections
NV Energy
Overton Power District No. 5
Southern Nevada Water Authority
State Public Works Division (via teleconference)
University of Nevada Las Vegas
Valley Electric Association, Inc.
Valley Electric Association, Inc.

Sandra Fairchild
Kent LeFevre
Chelsie Campbell
Becky LaGrow
Lorrie Laird
Luke Whitney
Terry Romero
Jordan Bunker
Gustavo Nunez
Don Land
Chris Brooks
Curt Ledford

**COLORADO RIVER COMMISSION
OF NEVADA
MEETING OF JUNE 9, 2015**

INDEX

<u>Agenda Item</u>	<u>Subject</u>	<u>Page No.</u>
A.	Conformance to Open Meeting Law	1
B.	Comments from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.).....	1
C.	<i>For Possible Action:</i> Approval of minutes of the May 12, 2015 meeting	1
D.	<i>For Possible Action:</i> Colorado River Commission of Nevada (Commission) Staff seeks guidance from the Commission regarding whether Staff should propose to grant waivers of Hoover allocation eligibility requirements..	1
E.	<i>For Information Only:</i> Status update on Staff’s implementation of the provisions in the Hoover Power Allocation Act of 2011 (H.R. 470) passed by Congress	10
F.	<i>For Information Only:</i> Status update on the 2015 Nevada Legislative Session.....	11
G.	<i>For Information Only:</i> Status update on the hydrologic conditions, drought, and climate of the Colorado River Basin, Nevada’s consumptive use of Colorado River water, and other developments on the Colorado River.....	13
H.	Comments from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.).....	14

**COLORADO RIVER COMMISSION
OF NEVADA
MEETING OF JUNE 9, 2015**

INDEX (CONTINUED)

<u>Agenda Item</u>	<u>Subject</u>	<u>Page No.</u>
I.	Comments and questions from the Commission members.	14
J.	Selection of the next possible meeting date.	14
K.	Adjournment.	14

The Colorado River Commission meeting was called to order by Chairman Ogilvie at 1:05 p.m. followed by the pledge of allegiance.

A. Conformance to Open Meeting Law.

Executive Director Jayne Harkins confirmed that the meeting was in compliance with the Open Meeting Law.

B. Comments from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.)

Chairman Ogilvie asked if there were any comments or questions from the public. There were none.

C. For Possible Action: Approval of minutes of the May 12, 2015 meeting.

Vice Chairman Miller moved for approval of the minutes. The motion was seconded by Commissioner McCoy and approved by a unanimous vote.

D. For Possible Action: Colorado River Commission of Nevada (Commission) Staff seeks guidance from the Commission regarding whether Staff should propose to grant waivers of Hoover allocation eligibility requirements.

Ms. Harkins provided the following background information regarding whether Staff should propose to grant waivers of Hoover allocation eligibility requirements.

On August 25, 2014, Staff issued a notice of public meetings on proposed allocation criteria for marketing Nevada's share of Hoover Schedule D electric power. This Notice set forth the dates for public meetings in Pahrump, Las Vegas and Overton, Nevada at which Staff presented information regarding proposed eligibility and allocation criteria, a description of the allocation process and timeline, and the draft application, to be used by Nevada applicants for post 2017 Schedule D Hoover power. Staff held these public meetings, at which interested parties had the opportunity to weigh in on the proposed eligibility and allocation criteria and draft application and to provide comments.

On October 23, 2014, Staff issued a Notice of the hearing to be held on November 13, 2014 on the Draft Order regarding the proposed eligibility and allocation criteria and the draft application for allocations of Hoover Schedule D electric power.

On November 13, 2014, the Commission conducted a public hearing on the Draft Order setting forth the proposed eligibility and allocation criteria for allocating post 2017 Schedule D Hoover power to Nevada applicants, and approved the Draft Order.

On November 17, 2014, Staff issued a notice of public meetings on the approved criteria for eligibility and allocation, and call for applications. This Notice announced that public meetings would be held on December 4 and 5, 2014 in Pahrump, Las Vegas and Overton, Nevada. At these public meetings, Staff presented information regarding the approved eligibility and allocation criteria, the application process, the schedule for submission and consideration of applications and the application form, and responded to questions from interested parties.

Applications were due to the Commission by close of business on Friday, January 9, 2015. The Commission received 15 applications by the due date, and later received two additional non-timely applications and requests for acceptance of late filed application from State of Nevada Departments of Administration and Corrections on January 29, 2015 and February 2, 2015 respectively. On January 29, 2015 and February 3, 2015, following Staff review of both late filed applications, Staff acknowledged receipt of the applications, indicated that the acknowledgement was only for receipt, review and request for more information, and that it was not a guarantee of acceptance as a complete and timely submission, and stating that a decision on the acceptance of these applications would be made later.

On March 9, 2015, Staff issued a notice and request for comments on the proposed Draft Order regarding allocations of Schedule D Hoover power, requesting written comments to be submitted by April 8, 2015.

On March 10, 2015, at a regularly scheduled Commission public meeting, representatives of the Department of Corrections made statements to the Commission during the public comment period, asking for a waiver of the due date for submission of applications. Commission Chairman Ogilvie asked several clarifying questions, thanked the Department of Corrections representative for coming forward, and asked him to submit his comments in writing to Staff. Staff received the Department of Corrections written submission on March 19, 2015.

On Monday, March 30, 2015 and Tuesday, April 7, 2015, Academica Nevada provided written comments requesting the Commission staff review additional data for the year ending 2014 showing its load over 1 MW, with additional schools projected to be in operation by August 2015.

In preparing the Draft Order on Allocations, Staff reviewed all applications for eligibility. Staff then analyzed how each of the eligible applications satisfied the allocation criteria previously approved by the Commission, and prepared its recommended draft order proposing allocations.

Under the recommended Draft Order, applications that were received late were considered ineligible due to late filing, and Staff recommended that these applications be considered ineligible for further consideration in the allocation phase of this process due to late filing.

Regarding the applications submitted on time, the recommended draft Order deemed applications ineligible for consideration if the applicant did not show that it had minimum 1 MW annual peak load during the time frame of 2011, 2012 and 2013 specified in the application. Staff noted that no comments were submitted to justify acceptance of supplementary load information outside of the proposed time frame. Staff recommended that applications be considered ineligible for further consideration in the allocation phase of this process if they failed to demonstrate the required minimum load during the prescribed time period.

The Commission's Order on Eligibility and Allocation Criteria approved on November 13, 2014 states that the Commission reserves the authority to grant waivers, for good cause, from any allocation criteria. Pursuant to this provision, Staff sought Commission guidance on whether Staff should propose to grant:

- An eligibility waiver accepting late filed applications, and/or
- An eligibility waiver accepting load data which falls outside of the 2011, 2012, and 2013 time frame specified in the application.

Staff recommended that these waivers not be granted. All applicants had the opportunity to provide comments on the development of the eligibility and allocation criteria. Staff believes that any deviation from the Commission-approved eligibility criteria at this point in time could open the door to further challenges, e.g. from other potential applicants who could not meet the filing deadline, did not have a 1 MW peak load during 2011 – 2013 or could not satisfy some other criteria. Staff recommends the Commission direct Staff to not grant the requested eligibility waivers.

In the event that the Commission does direct Staff to grant the requested eligibility waivers, Staff noted that this would result in applications becoming eligible to be included in the group considered for allocations. It would not necessarily result in these applications being recommended to receive allocations.

Chairman Ogilvie asked if there were any comments from the public.

Thomas Minwegen, General Manager of the Clark County Water Reclamation District (CCWRD), commented that CCWRD was not mentioned as far as ineligibility; and that CCWRD is not seeking a waiver. CCWRD did submit an appeal letter to Staff for consideration and Staff reviewed its contents.

CCWRD is a 318 district within the State. It is responsible for treatment collection, as well as the reclamation of over 100 million gallons of wastewater a day through a collection system of over 2,100 miles of pipeline. CCWRD has a power consumption need in order to treat its wastewater. The CCWRD is introducing membranes at a new treatment facility that will start up in January. Its power consumption is going up this year and going forward. The CCWRD has over 250,000 accounts, both residential and commercial, all within the unincorporated Clark County. It is responsible for the outlying areas of Laughlin, Searchlight, Indian Springs, Blue Diamond, Moapa Valley, as well as Desert Breeze Water Resource and Reclamation Facility.

CCWRD processes over 120 million gallons of wastewater a day and is in charge of the water-cure cycle, and return flow credits for Southern Nevada which are absolutely critical. In terms of the water supply equation, CCWRD provides back on a daily basis over 27% of water that serves this community, in terms of return flow credits, and 30% taking into consideration the outlining area. This is very critical to a water, water management, and water resource portfolio, when you take into consideration the number of customers that are served in this community.

CCWRD is the largest wastewater facility in the State of Nevada. The Flamingo Water Resource Center re-produces over 100 million gallons of reclaimed water a day. The cost of the power consumed by this operation is borne by the rate-payer. No other group spreads out the resources as well as CCWRD. When looking at its history, CCWRD has been a very effective and very efficient plant, treatment, and collection operation group.

Mr. Minwegen, further noted that in 2013, CCWRD, through its Board of Trustees, (Board), based on efficiencies, gave back 4% to customers on the annual sewage service charge. The Board works well with an organization such as CCWRD in making sure that rate payers and customers are looked after. He complemented the Board as well as the relationships with the Board to make sure that checks and balances were always kept in check. In closing, when looking at the amount of water, wastewater that is treated and sent back to Lake Mead the CCWRD complies with one of most stringent national pollution discharge permits in this country. The water discharge goes to the Las Vegas Wash and Lake Mead, return flow credits and water for this community. The water cycle is absolutely critical and CCWRD is instrumental in that program working with the Southern Nevada Water Authority (SNWA), other wastewater groups, other wastewater purveyors in this community, a number of customers, its public health, environmental health, and it is the basis of the sustainability of the community.

Mr. Minwegen commented that CCWRD is not sure where they fell short of the eligibility, would entertain questions from the Commission, and have dialogue with Staff. He appreciated the opportunity to bring this appeal to the Commission.

Chairman Ogilvie expressed appreciation of the comments from Mr. Minwegen and asked Staff to undertake reconsideration of Mr. Minwegen comments.

Chairman Ogilvie stated that the Commission is considering three requests for waiver, and noted CCWRD does not need a waiver. CCWRD was timely, met the criteria and was included in the consideration by the Commission Staff. A Draft Order is scheduled to be published for consideration on June 18, 2015, no action has been taken at this time to include or exclude CCWRD. Consideration is scheduled for the July meeting. Chairman Ogilvie also noted that the Commission did set some priorities which included economic development and education, and it could be that CCWRD did not fit within the priorities set. CCWRD is welcome to come and address the Commission when the Draft Order is published.

Commissioner Sisolak expressed his appreciation to Mr. Minwegen and Mr. Flynn for attending the meeting today. As a Trustee on the Board, it was noted that CCWRD provides quality services, affordable rates, and does represent constituents in the best way possible. Commissioner Sisolak commented that he did not know if the relatively small amount was how the CCWRD was not included, and asked if an appeal letter was sent in to the Commission.

Mr. Minwegen answered yes.

Commissioner Sisolak asked Staff if a copy of the appeal letter could be provided.

Ms. Harkins answered yes.

Chairman Ogilvie asked if the general public would like to address the Commission relative to Agenda Item D.

Colin Bringhurst, representative from Academica Nevada and the charter schools that this applicant manages in Nevada addressed the Commission. He stated that Academica Nevada is one of the fifteen timely applicants; and that it is not being considered due to not meeting the peak load requirement of 1 MW. Academica Nevada's peak load is under that threshold at 917 kilowatts. Mr. Bringhurst stated that Academica Nevada is growing exponentially and the three years that were considered in the application time frame of 2011-2013 were the first three years, when the organization grew from two to five schools. The peak usage was 917 kilowatts during that time and has continued to grow. Information submitted to Staff for year 2014 reflected growth to seven schools and actual energy usage was 2,165 kilowatts, which far exceeds the minimum requirement. The application was not considered once it was noted that Academica Nevada only had 917 peak usage.

Mr. Bringhurst asked that Academica Nevada be considered because of the growth and the importance of what is done for education in the area by managing charter schools including Somerset Academy, Doral Academy, and Pinecrest Academy. Academica Nevada now has seven schools and, in the next school year, will have eleven schools with over 11,400 students. This year it has approximately 7,500 students. The need in this community for quality education in a state that consistently ranks lowest in the nation in education is clearly a priority, and education is a priority of the Commission. Schools in the next school year will employ over 775 people; which includes teachers, staff, educators, and administrators. Additionally, Academica Nevada is building five schools, employing over a 100 construction workers at each site, employing over 500 construction workers to benefit the economy in this area.

Academica Nevada is asking the Commission to consider the usage of energy from the year 2014 for the application because of the benefit to the State of Nevada, and the job creation which supports the Governor's office for advancing the educational and economic goals of the State.

Chairman Ogilvie clarified that Academica Nevada is not disputing that peak load of the minimum 1 MW requirement was not met at the time set forth in the criteria.

Mr. Bringhurst answered yes; at the time the peak load was 917 kilowatts.

Chairman Ogilvie commented it is a matter that the peak load has increased.

Mr. Bringhurst answered yes; it has increased over 1 MW. In fact the load has doubled.

Commissioner Kelley asked Ms. Harkins if there was an opportunity for public comment on the proposed requirements that were distributed prior to approval by the Commission.

Ms. Harkins answered yes.

Commissioner Kelley asked if a second opportunity for comment was in the public meetings on December 4, and December 5, 2014 that were set after the Commission approval.

Ms. Harkins clarified that at the December meetings Staff presented information on how to fill out the application form; the allocation criteria had been established. A public meeting notice on proposed allocation criteria was issued in August; and entities had an opportunity to comment at that time on the criteria itself. Staff received comments from entities and on October 23, 2014 issued a Notice of the hearing regarding the Draft Order. The Commission conducted a public hearing on November 13, 2014 so individuals had an opportunity to express any concerns or issues about the proposed criteria; and at that point, the Commission approved the draft Order and Staff used those criteria to evaluate the entities that are before us.

Commissioner Kelley inquired if Mr. Bringhurst or Academica Nevada staff participated in any of the public hearings for comment.

Mr. Bringhurst answered yes; he believed so and introduced Jacob Smoot, Academica Nevada's project manager.

Mr. Smoot stated that Academica Nevada staff participated in the meeting where Commission Staff took questions from entities on the criteria, but was never informed after that by Commission Staff of the public meetings that were being held and taken place.

Commissioner Kelley commented that the public meeting was properly posted and asked if Academica Nevada noted the fact that the threshold in 2011, 2012, and 2013 was not met and anticipated to meet the minimum threshold in 2014.

Mr. Smoot answered, in agreement with Commissioner Kelley, that meetings were properly posted and no, comment on criteria minimum was not given.

Commissioner Kelley thanked Mr. Smoot.

Commissioner Premsrirut asked Mr. Bringhurst if Academica Nevada owned the schools or if it is a consultant management company for schools.

Mr. Bringhurst answered that Academica Nevada is a consultant management company for the schools, which currently manages four academies which are: Pinecrest, Somerset, Doral and Mater.

Commissioner Premsrirut inquired if Academica Nevada included the schools it managed, not owned when calculating the load.

Mr. Bringhurst answered yes.

Commissioner Sisolak asked Mr. Bringhurst to clarify the number of students stated to be 11,000.

Mr. Bringhurst answered that they will have over 11,400 students in the next school year. That number will continue to grow because the demand for charter schools continues to rise in the valley. This past year there was over 7,500 students.

Commissioner Sisolak asked Mr. Bringhurst to explain this owning versus managing difference.

Mr. Bringhurst explained that the charter schools are given their charter by the Nevada Charter School Authority. Each charter school has their own board and are owners of the schools. Academica Nevada is the organization that manages the schools and is the school district for these charter schools.

Commissioner Sisolak commented that his understanding is, typically a grassroots group gets together and organizes a charter school, then funds it by raising money. Then Academica Nevada takes over and provides administration and logistics of the school.

Mr. Bringhurst stated yes. Academica Nevada manages every aspect of the schools and advises the board of their actions. They are the school district for these charter schools.

Chairman Ogilvie thanked Mr. Bringhurst.

Mr. Bringhurst presented to the Commission for the record Academica Nevada's letter dated June 9, 2015 and thanked the Commission. A copy of the letter is attached and made part of the minutes. (See Attachment A.)

Chairman Ogilvie stated that the Commission will take each consideration waiver individually for a vote following any additional public comment.

Gustavo Nunez, the Administrator for the State Public Works Division of the Department of Administration participated via teleconference.

Chairman Ogilvie acknowledged receipt of the State Public Works Division's letter dated June 8, 2015, a copy of which is made part of the minutes. Chairman Ogilvie asked if Mr. Nunez had additional comments to provide to the Commission. A copy of the letter is attached and made part of the minutes. (See Attachment B.)

Mr. Nunez answered no. State Public Works Division wanted the Commission to know of their interest in the process, and certainly would appreciate any consideration given on the requested waiver.

Chairman Ogilvie stated that at a previous Commission meeting the Department of Administration and the Department of Corrections appeared and addressed the Commission which resulted in the Commission requesting Staff to investigate the request for waivers. Staff provided information to the Commissioners along with the meeting materials for consideration today. Chairman Ogilvie asked Mr. Nunez to confirm for the record that the Department of Administration is not stating that conflicting dates were given and its request for waiver was premised on a lack of knowledge of the date.

Mr. Nunez answered yes; the notification was received and the deadline was an oversight on their part.

Chairman Ogilvie asked the Commissioners to consider the request for waivers individually.

Ms. Harkins noted the Department of Administration's request for consideration.

Commissioner McCoy commented that he thought the process was set-up for two reasons. First, to make sure that procedures were handled expeditiously and according to plan. Second, to make sure entities had a level playing field. If an agency cannot meet a deadline, that is nobody's fault but its own. When in a bid situation this becomes important. Commissioner McCoy questioned the approval of late submissions and the consequences if the Commission grants waivers. He noted that perhaps other agencies and entities may have been denied for the same reason. Commissioner McCoy asked to hear from the Commission's legal counsel about the possible repercussions of granting waivers when the criteria and the application deadline date were published.

Ann Pongracz, Special Counsel, Attorney General, noted the several different aspects to the question. First, the Commission has the legal authority to grant or deny requested waivers. Consideration of a request for a waiver is a policy question for the Commission to decide. There are no legal obstacles to the Commission making the decision.

Second, the consequences of recommending that a waiver be granted may increase the legal risk to the Commission of being challenged on its ultimate decision by applicants who did not submit a request for a waiver. An agency that is applying a set of criteria in a uniform manner is not likely to be challenged as acting in an arbitrary, capricious or discriminatory manner.

Finally, Ms. Pongracz stated that, if the Commission would decide to grant one or more of the requests for waiver, it then would be put in the position of making further decisions, such as: (1) Should the Commission direct Staff to include only the entities whose request for waiver were granted in the pool of applications that would ultimately to be considered for recommendation for the allocation in the July decision; and (2) would the Commission be vulnerable to challenge from either applicants in the current pool or other entities who also may think, “well if I had known the rules of the game would have been changed, then I would have known more and might have chosen to file an application,” and that might put the Commission in a position of needing to reopen the entire proceeding in order to create an opportunity for an entirely new consideration of a new pool of applicants.

Chairman Ogilvie commented that Ms. Pongracz summarized the position the Commission would be left in if it granted the waivers. In that instance, the Commission could have to restart the process, conduct workshops again, recreate an application and a new application due date, and allow for reconsideration. Otherwise, the Commission would be open to litigation by somebody else aggrieved who may have had their application ready on January 10, 2015 and due on the due date but did not submit an application; or some other entity who did not meet the peak load criteria as of January 9, 2015 but now meets, or anticipates to meet the peak load criteria prior to the new contracts becoming effective. In his opinion, the Commission would be facing litigation if it did not reopen the process; and because this is a policy matter, he is against reopening. Chairman Ogilvie personally did not see how the Commission can grant any of the waiver requests.

Commissioner Kelley inquired if these are 50-year contracts.

Ms. Harkins clarified the Commission’s contract with the federal government will be for 50 years, and that the allocations and contract term for the Commission’s contracts will be set at the discretion of the Commission.

Commissioner Kelley asked, what would be the benefits of the 50-year contract versus another length of time.

Ms. Harkins replied there is the surety and assurance that an entity has an allocation for 50 years versus something much less than that. The Commission may have a discussion on the contract term at a future time. The 50-year contract gives the surety of the cheaper renewable hydropower that Hoover provides.

Commissioner Sisolak stated his agreement with the Chairman regarding the re-opening of the process and of the legal process. In listening to the case Academica Nevada is making, and taking into account a 50-year contract, how does someone new which is demonstrating economic diversification and education ever going to break into this 50 or even a 20 year contract. A shorter contract time frame like 5 years would provide more of an opportunity.

Chairman Ogilvie stated that is a fair comment. The Commission and Staff should take into consideration the contract length when awarding the contracts.

Commissioner McCoy inquired if the Commission granted waivers in this instance, would it have implications when requesting bid proposals and sensitive timelines in other situations.

Ms. Pongracz replied that she believes the interpretation would be that by granting or denying a waiver now, the Commission is not prejudging how it would address a request for waiver in the future. Ms. Pongracz also supplemented Ms. Harkins response to the question that was asked by Commissioner Kelley. Ms. Harkins made it clear going forward for the Schedule D allottees, the Commission will have the authority to choose the length of the contract term. Ms. Pongracz noted for the record that the Commission previously has approved contracts in its bond refinancing effort in 2013, under which the Schedule A and B Hoover contractors will have an opportunity for a 50-year contract. The Commission previously made that decision, but it does not apply to the Schedule D contractors.

Commissioner McCoy moved to deny the Department of Administration’s request for waiver. The motion was seconded by Vice Chairman Miller and approved by a unanimous vote.

Vice Chairman Miller moved to deny the Department of Correction’s request for wavier. The motion was seconded by Commissioner Premsrirut and approved by a unanimous vote.

Commissioner Kelley moved to deny Academica Nevada’s request for wavier. The motion was seconded by Vice Chairman Miller and approved by a unanimous vote.

Chairman Ogilvie asked Mr. Minwegen if the CCWRD applied and received an allocation from Western.

Mr. Minwegen answered yes; CCWRD did receive an allocation from Western.

E. For Information Only: Status update of Staff implementation of the provision in the Hoover Power Allocation Act of 2011 (H.R. 470) passed by Congress.

Craig N. Pyper, Hydropower Program Manager, provided a status update regarding the implementation of the provisions in H.R. 470 passed by Congress.

Mr. Pyper commented that Staff has concluded another part of the allocation process and thanked the Commission for its guidance during the process. Staff received comments from nine different entities regarding the allocations proposed in March. Staff is reviewing all comments, some which address contract issues as well as transmission

issues. Staff is focusing currently on the allocation issues, and will work out the contract and transmission issues at a later date. Once the Commission issues an Order allocating Schedule D Hoover power, the post-2017 allocations by Western and the Commission will be complete in Nevada.

Western presented its proposed post-2017 Electric Service Contract in four workshops in May, two in Arizona and two in California. This version of the contract failed to address a number of points of concern to federal contractors, which the contractors had explained to Western in November 2014, when the federal contractors sent a draft contract proposal to Western. Staff attended each of Western's four meetings and expressed concerns.

Commission staff hosted a meeting for the federal contractors in June, to review issues and develop united positions for Schedule A and B contractors, and Schedule D new allottees in Nevada, California and Arizona. Staff also sent a copy of Western's draft of the post-2017 Electric Service Contract to the Commission's contractors, to get their input. Staff is working with its customers, and with the other federal contractors, to ensure that the post-2017 contract terms will make it possible for the Commission to ensure maximum benefit of Hoover for the State of Nevada. Western is hosting negotiations on this contract in August and Staff is representing Nevada's interests in these negotiations.

F. *For Information Only: Status update of the 2015 Nevada Legislative Session.*

Ms. Harkins provided a status update of the 2015 Nevada Legislative Session.

Assembly Bill (A.B.) 489 – The Legislature approved the elimination of furloughs that have represented a 2.3 percent decrease in state employee pay for the last four years and 4.6 percent for the prior two years. Furloughs will end July 1, 2015. The Legislature also approved a one percent Cost of Living Adjustment (COLA) beginning July 1, 2015 and a two percent COLA beginning July 1, 2016.

It is anticipated the State will require an additional 1.25 or 2.25 percent retirement contribution (depends on which pay plan the employee is in).

Employee health insurance premiums for medical are increasing on July 1, 2015 from \$3.00 to \$22.00 per month, depending on the plan chosen by the employee. Vision, dental and pharmacy premiums will all be increasing as well. The wellness program, which would have provided a reduction of \$50.00 per month in health insurance premiums for participating employees, was abolished.

A.B. 490 – The Legislature authorized the expenditures of state agencies including the Commission.

A.B. 59 – The Legislature made it mandatory for the Administrator of the State Public Works Division to lease and equip office rooms outside of the state buildings. This could impact the Commission if the agency leaves the Grant Sawyer State Office Building.

A.B. 236 – The Legislature approved this legislation which sets forth the policy of the State to promote public engagement in the activities of State Government by adopting methods of public participation and public comment, through the use of the internet, internet tools, electronic mailing lists, online forms, and social media. The legislation provides no additional funding to state agencies to carry out this policy. Ms. Harkins added that Staff does use the internet, internet tools, and electronic mailing lists frequently, although they do not use online forms since not many forms are used by the agency on a regular basis. She noted that Staff has not chosen to utilize any social media at this time.

A.B. 353 – The Legislature rejected this legislation which would have required competitive bidding for any contract for goods and services over \$100,000 and eliminated professional services sole source justifications.

A.B. 470 – This legislation eliminated the requirement that the Division of Human Resource Management Division’s estimate provided to state agencies of the cost of carrying out the functions of the Department of Administration for the succeeding two years, should be expressed as a percentage of the gross annual salaries paid. Ms. Harkins suggested that the Division may plan to give the agencies a dollar amount to be paid, instead of an estimate of the percentage of gross salaries.

Senate Bill (S.B.) 46 – The Legislature rejected legislation which would have exempted the Colorado River Commission of Nevada and Public Utilities Commission of Nevada from the State Budget Act.

S.B. 62 – The Legislature approved legislation which requires the Personnel Commission to adopt regulations regarding classified employees on changes to the method of appointment for promotional appointees who fail to attain permanent status, and adopt regulations regarding medical marijuana cards.

S.B. 70 – The Legislature approved legislation which made the following changes to the Open Meeting Law: “Working day” is defined as every day of the week except Saturday, Sunday and any day declared to be a legal holiday. For purposes of the Open Meeting Law, Fridays will be counted as a “working day”, unless the Friday is a legal holiday. Agencies are required to document in writing their compliance with required minimum public notice for meetings. Public bodies are required to approve minutes within 45 days or at the next meeting of the public body, whichever occurs later. This legislation clarifies that a quorum of a public body consists of a simple majority of the members of the public body, unless a different number is prescribed by law.

S.B. 472 – The Legislature approved this legislation which provides that a full-time employee is now eligible for health insurance on the first day of employment if it is the first day of the month, or is eligible on the first of the month, immediately following the first day of employment.

A.B. 495 – The Legislature approved this legislation which changes Bill Draft Request deadlines for state agencies – which currently list the pre-filed date as December 20 of the year prior to the Legislative Session. The Bill Draft Request pre-filed date will move to the third Wednesday in November proceeding the regular session. This legislation was not signed by the Governor as of the date of this briefing.

A.B. 436 – This Legislature eliminated longevity pay for state employees. This legislation was not signed by the Governor as of the date of this briefing.

S.B. 506 – Staff watched this legislation because it was sweeping funds from a number of accounts to fund the State General Fund for this fiscal year. None of the Commission accounts were in the bill.

G. For Information Only: Status update on the hydrologic conditions, drought, and climate of the Colorado River Basin, Nevada’s consumptive use of Colorado River water, and other developments on the Colorado River.

Warren Turkett, Natural Resource Group Analyst, provided a report on the following:

- Unregulated Inflow Into Lake Powell as of June 8, 2015
- Storage Conditions as of June 8, 2015
- Reservoir Storage as of June 8, 2015
- Lake Powell End of Month Elevations based on May 2015, 24-month Study
- Lake Mead End of Month Elevation Projections based on May 2015, 24-month Study
- U.S. West Drought Monitor, June 2, 2015
- U.S. Seasonal Drought Outlook, May 21 – August 31, 2015
- Precipitation – Colorado River Basin as of June 8, 2015
- Colorado Basin Above Lake Powell 118 Sit Group
- Upper Basin Precipitation for May 2015
- Upper Basin Seasonal Precipitation, October 2014 – May 2015
- Monthly Precipitation, Las Vegas, NV as of January – May 2015
- Cumulative Precipitation, Las Vegas, NV as of January – May 2015
- Water Use in Southern Nevada, January – April 2015
- Held for next meeting:
 - Lake Mead Geology – Surface Geology
 - Lake Mead Geology – Generalized Geologic Map
 - Bank Storage Modeling

A copy of the report is attached and made a part of the minutes. (See Attachment C.)

Mr. Turkett noted he spoke to SNWA staff in a follow-up to Commissioner Kelley’s inquiry regarding the difference in water use in Southern Nevada. The SNWA noted the precipitation so far this year has been normal, and last year it was well below normal. When there is more precipitation, there is usually less diversions needed. Currently the

Las Vegas Wash gauge flow was up by 2600 acre-feet and the diversions are decreased by 675 acre-feet.

H. Comments from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.)

Chairman Ogilvie asked if there were any comments from the public. There were none.

I. Comments and questions from the Commission members.

Chairman Ogilvie asked if there were any comments or questions from the Commission members. There were none.

J. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:00 pm on Thursday July 9, 2015, at the Grand Sawyer State Office Building, 555 East Washington Avenue, Suite 4401, Las Vegas, Nevada.

K. Adjournment.

The meeting adjourned at 2:07 p.m.

Jayne Harkins, P.E., Executive Director

APPROVED:

George F. Ogilvie III, Chairman