

# WESTERN REGIONAL WATER COMMISSION ("WRWC") AGENDA

Thursday, December 13, 2018  
8:30 a.m.

Sparks Council Chambers, Legislative Building  
745 Fourth St., Sparks, Nevada

## TRUSTEES

Vaughn Hartung, Chairman  
Ron Smith, Vice Chair  
Sandra Ainsworth, Secretary-  
Treasurer

Donald Abbott  
Kristopher Dahir  
Naomi Duerr

Jeanne Herman  
Neoma Jardon  
Bob Lucey

NOTICE OF POSSIBLE QUORUM OF THE BOARD OF DIRECTORS OF THE TRUCKEE MEADOWS WATER AUTHORITY ("TMWA"), AND/OR A POSSIBLE QUORUM OF THE BOARD OF COUNTY COMMISSIONERS ("BCC") FOR WASHOE COUNTY

*(See following Notes)*

**Notes: Because several of the WRWC Trustees are also members of the Board of Directors of TMWA and/or the BCC, it is possible that a quorum of the TMWA Board and/or a quorum of the BCC may be present. Such members will not deliberate or take action at this meeting as members of the TMWA Board or the BCC, but may take action exclusively in their capacity as WRWC Trustees.**

1. Items on this agenda on which action may be taken are followed by the term "For Possible Action". Non-action items are followed by an asterisk (\*).
2. Public comment is limited to three minutes per speaker and is allowed during the public comment periods, and before action is taken on any action item. Comments are to be directed to the Commission as a whole. Persons may not allocate unused time to other speakers. The public may sign-up to speak during the public comment period or on a specific agenda item by completing a Public Comment Information ("Request to Speak") card and submitting it to the clerk.
3. Items on this agenda may be taken out of order, combined with other agenda items for consideration, removed from the agenda, or delayed for discussion at any time. Arrive at the meeting at the posted time to hear item(s) of interest.
4. Supporting material provided to the Commission for items on the agenda is available to members of the public at the Western Regional Water Commission ("WRWC") offices, 1001 E 9th Street, Reno, NV, from Jim Smitherman, Water Resources Program Manager, (775) 954-4657, and on the WRWC website at <http://www.wrwc.us>
5. The Washoe County Commission Chambers are accessible to the disabled. We are pleased to make reasonable accommodations for persons who are disabled and wish to attend meetings. If you require special arrangements for the meeting, please call (775) 954-4657 no later than 24 hours prior to the meeting.
6. In accordance with NRS 241.020, this agenda has been posted at the following locations: Reno City Hall (1 East First Street), Sparks City Hall (431 Prater Way), Sun Valley GID (5000 Sun Valley Blvd.), TMWA (1355 Capital Blvd.), Washoe County Administration Building (1001 E. Ninth Street), South Valleys Library (15650A Wedge Parkway), the WRWC website at <http://www.wrwc.us>, and the State of Nevada website at <https://notice.nv.gov>

1. Roll Call and Determination of Presence of a Quorum. \*
2. Pledge of Allegiance. \*
3. Public Comment – limited to no more than three minutes per speaker. \*
4. Approval of Agenda. **(For Possible Action)**
5. Approval of the Minutes for meetings of October 17, 2018, August 14, 2018, and July 18, 2018. **(For Possible Action)**

6. Presentation on Regional Effluent Management Planning and “OneWater Nevada”, a study to evaluate treatment technologies and determine if Category A+ reclaimed water can offer regional long-term benefits and opportunities to the Truckee Meadows water portfolio, and possible discussion / direction to staff -- Jim Smitherman, WRWC Water Resources Program Manager, Rick Warner, P.E., Senior Engineer, Washoe County, and John Enloe, P.E., Director of Natural Resources, TMWA. **(For Possible Action)**
7. Presentation, discussion, and possible approval of a scope of work for legal services for the WRWC and Northern Nevada Water Planning Commission, and possible direction to staff. – John Rhodes, WRWC Legal Counsel, and Jim Smitherman. **(For Possible Action)**
8. Discussion and possible establishment of the WRWC Legislative Subcommittee for the 2019 session of the Nevada Legislature, and possible direction to staff – Jim Smitherman. **(For Possible Action)**
9. Discussion and possible direction to staff regarding agenda items and dates for future WRWC meetings – Jim Smitherman. **(For Possible Action)**
10. Commission Comments. \*
11. Staff Comments. \*
12. Public comment – limited to no more than three minutes per speaker. \*
13. Adjournment. **(For Possible Action)**

**WESTERN REGIONAL WATER COMMISSION  
BOARD OF TRUSTEES  
DRAFT MINUTES**

**Wednesday, October 17, 2018**

The regular meeting of the Western Regional Water Commission (“WRWC”) Board of Trustees was held on Wednesday, October 17, 2018, at Truckee Meadows Water Authority, 1355 Capital Blvd., Reno, Nevada.

**1. Roll Call and Determination of Presence of a Quorum**

Chair Hartung called the meeting to order at 8:30 a.m. There was a quorum present.

|  |   |
|--|---|
| <u>Commissioners Present:</u>                | <u>Appointed by:</u>                              |
| Vaughn Hartung                               | Washoe County                                     |
| Donald Abbott                                | TMWRF   |
| Sandra Ainsworth ( <i>present at 10:04</i> ) | Sun Valley General Improvement District (“SVGID”) |
| Kristopher Dahir                             | City of Sparks                                    |
| Naomi Duerr ( <i>present at 9:14</i> )       | City of Reno                                      |
| Jeanne Herman<br>(STMGID Successor)          | Truckee Meadows Water Authority (“TMWA”)          |
| Neoma Jardon ( <i>present at 8:38</i> )      | TMWA (Reno)                                       |
| Bob Lucey ( <i>present at 8:38</i> )         | TMWA (Washoe County)                              |
| Ron Smith                                    | TMWA (Sparks)                                     |

|                              |                      |
|------------------------------|----------------------|
| <u>Commissioners Absent:</u> | <u>Appointed by:</u> |
| None                         |                      |

**2. Pledge of Allegiance**

The Pledge of Allegiance was led by Lydia Peri.

**3. Public Comment**

None

**4. Approval of Agenda (For Possible Action)**

COMMISSIONER DAHIR MADE A MOTION TO APPROVE THE AGENDA, SECONDED BY COMMISSIONER SMITH. THE MOTION CARRIED UNANIMOUSLY WITH FIVE (5) COMMISSIONERS PRESENT.

**5. Approval of the Minutes for Meetings of October 18, 2017, July 18, 2018, and August 14, 2018 (For Possible Action)**

It was noted that only the October 18, 2017 meeting minutes are ready for approval and included in the meeting packet.

COMMISSIONER ABBOTT MADE A MOTION TO APPROVE THE OCTOBER 18, 2017 MINUTES, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH FIVE (5) COMMISSIONERS PRESENT.

**6. Discussion and possible approval of the fiscal year 2017 - 2018 WRWC financial statements and audit opinion, and possible direction to staff - Ben Hutchins, Director, Finance & Administration Division, Washoe County Community Services Department, and Zeth Macy, Schettler Macy & Associates, LLC. (For Possible Action)**

Zeth Macy, Schettler Macy & Associates, presented the financial report. It is the auditor's expressed opinion that the financial statements present fairly, in all material respects, the financial position of the WRWC as of June 30, 2018, and the changes in its financial position and budgetary comparison for the year then ended in conformity with accounting principles generally accepted in the United States of America.

COMMISSIONER SMITH MADE A MOTION TO APPROVE THE WRWC FINANCIAL STATEMENTS AND AUDIT OPINION FROM SCHETTLER MACY & ASSOCIATES, LLC FOR FISCAL YEAR 2017 - 2018, AND DIRECT STAFF TO FILE THE SAME AS A PUBLIC RECORD, AS REQUIRED BY LAW, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH FIVE (5) COMMISSIONERS PRESENT.

**7. Discussion and possible designation of Schettler Macy & Associates, LLC as the external auditors for the fiscal year 2018 - 2019 WRWC financial statement audit; and, if approved, authorize the Chairman to execute the related Engagement Letter, and direct staff to file the required documents with the State of Nevada - Ben Hutchins. (For Possible Action)**

Ben Hutchins, Director, Finance & Administration Division, Washoe County Services Department, presented the staff report. Staff is recommending that the WRWC designate Schettler Macy & Associates, LLC, as the auditors for fiscal year 2018 - 2019, approve the related Engagement Letter, and direct staff to report this designation to the State of Nevada by the March 30, 2019 deadline.

*(Commissioner Jardon present at 8:38 a.m.)*

COMMISSIONER DAHIR MADE A MOTION TO DESIGNATE SCHETTLER MACY & ASSOCIATES, LLC AS THE WRWC'S EXTERNAL AUDITORS FOR THE FISCAL YEAR ENDING JUNE 30, 2019, AUTHORIZE THE CHAIRMAN TO EXECUTE THE RELATED ENGAGEMENT LETTER, AND DIRECT STAFF TO REPORT THE DESIGNATION TO THE STATE OF NEVADA BY THE STATUTORY DEADLINE, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) COMMISSIONERS PRESENT.

**8. Discussion and possible approval of a scope of work, and funding in an amount not to exceed \$150,000 from Regional Water Management Fund ("RWMF"), to complete the update of the Truckee Meadows Watershed Management and Protection Plan for Tributaries to the Truckee River (the "Plan"); if approved, authorize the Chairman to execute a First Amendment to the Interlocal Agreement ("IA") with the City of Reno for that purpose; and possible direction to staff. (For Possible Action)**

*(Commissioner Lucey present at 8:38 a.m.)*

Chris Wessel, WRWC Water Management Planner, presented the staff report. The Truckee Meadows Storm Water Permit Coordinating Committee (“SWPCC”) recently completed a gap analysis as part of the initial update to the Plan. The current Plan includes some, but not all, components of nine elements required by the Environmental Protection Agency (“EPA”) for grant funding under (Clean Water Act) Section 319. Based on information identified in the initial gap analysis, the SWPCC is requesting funding in the amount \$150,000 to complete the Plan update. The SWPCC approved the hiring of NCE Consulting, Inc. to complete this final phase of the Plan update. The proposal has been recommended for approval by the Northern Nevada Water Planning Commission (“NNWPC”).

Theresa Jones, SWPCC Coordinator for the City of Reno, answered questions regarding the funding request and tributaries that are included in the Plan.

*Public Comment:*

Birgit Widgren, Nevada Division of Environmental Protection (“NDEP”), spoke in support of this funding to continue with the next phase in the Plan update.

COMMISSIONER ABBOTT MADE A MOTION TO APPROVE THE PROPOSED SCOPE OF WORK, AND FUNDING IN AN AMOUNT NOT TO EXCEED \$150,000 FROM THE RWMF, TO COMPLETE THE PLAN UPDATE; AND AUTHORIZE THE CHAIRMAN TO EXECUTE A FIRST AMENDMENT TO THE IA WITH THE CITY OF RENO FOR THAT PURPOSE, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) COMMISSIONERS PRESENT.

**9. Report by the Desert Research Institute (“DRI”) on last winter’s cloud seeding operations for the Truckee River and Lake Tahoe Basins; discussion and possible approval of a scope of work, and funding in an amount not to exceed \$50,000 from the RWMF, to augment State funded operations for the upcoming winter; if approved, authorize the Chairman to execute an IA with DRI for that purpose; and, possible direction to staff - Frank McDonough, Associate Research Scientist, DRI, and Chris Wessel, WRWC Water Management Planner. (For Possible Action)**

Frank McDonough, DRI, gave a presentation on last winter’s cloud seeding operations for water year 2017-2018, and the proposed scope of work for the upcoming winter, water year 2018-2019. DRI secured partial funding for the 2018-2019 Program from the State of Nevada during the previous legislative session. State funding will cover the cost of forecasting as well as the operation and maintenance of five of seven existing cloud seeding generators for the upcoming winter. Mr. McDonough answered questions regarding the proposed scope of work and technical details of cloud seeding.

Commissioner Dahir suggested that the WRWC provide some kind of official document expressing support for this program that can be brought to the state when requesting funding.

Chair Hartung stated that ongoing support of this program is necessary regardless of having a good water year.

Commissioner Lucey also spoke in support of the program stating that the data has shown the effectiveness of these snow sites and what they mean to our Tahoe Basin.

COMMISSIONER LUCEY MADE A MOTION TO APPROVE THE PROPOSED SCOPE OF WORK, AND FUNDING IN AN AMOUNT NOT TO EXCEED \$50,000 FROM THE RWMF, TO AUGMENT STATE FUNDING AND PARTIALLY SUPPORT DRI'S CLOUD SEEDING PROGRAM FOR THE UPCOMING WATER YEAR; AND AUTHORIZE THE CHAIRMAN TO EXECUTE AN IA WITH DRI FOR THAT PURPOSE, SECONDED BY COMMISSIONER DAHIR. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) COMMISSIONERS PRESENT.

**10. Report on the development of outreach strategies, messages, materials and information dissemination methods related to regional effluent management planning (the "Project") provided by Data Instincts Public Outreach Consultants ("Data Instincts"); discussion and possible approval of a scope of work, and funding in an amount not to exceed \$100,000 from the RWMF, to continue the Project; if approved, authorize the Chairman to execute a First Amendment to the Agreement with Data Instincts for that purpose; and, possible direction to staff - Jim Smitherman, WRWC Water Resources Program Manager. (For Possible Action)**

Rick Warner, Washoe County Community Services Department, presented a summary of current activities and answered questions regarding the feasibility study.

*(Commissioner Duerr present at 9:14 a.m.)*

Lydia Peri, Washoe County Engineering and Capital Projects Division, presented information and answered questions on details of the project focusing on the public outreach component of the feasibility study.

COMMISSIONER LUCEY MADE A MOTION TO APPROVE THE PROPOSED SCOPE OF WORK, AND FUNDING IN AN AMOUNT NOT TO EXCEED \$100,000 FROM THE RWMF, TO CONTINUE THE PROJECT; AND AUTHORIZE THE CHAIRMAN TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH DATA INSTINCTS FOR THAT PURPOSE, SECONDED BY COMMISSIONER SMITH. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) COMMISSIONERS PRESENT.

**11. Report on the September 5, 2018, Northern Nevada Water Planning Commission ("NNWPC") workshop, including recommendations regarding WRWC strategic priorities, annual meeting schedule, administrative and legal services, overhead and non-staff related operating expenses, and possible budget adjustments; discussion and possible adoption, revision, or deferral of any NNWPC recommendations; and, possible direction to staff - Jim Smitherman. (For Possible Action)**

Jim Smitherman, WRWC Water Resources Program Manager, presented the staff report. On September 5, 2018, the NNWPC held a workshop in response to direction from the WRWC to discuss and forward possible recommendations to the WRWC regarding WRWC strategic priorities, annual meeting schedule, administrative and legal services, overhead and non-staff related operating expenses, existing contracts, and possible budget adjustments. Mr. Smitherman presented results from the workshop for each of these topics. Details of those results are provided in the written staff report.

*(Sandra Ainsworth present at 10:04 a.m.)*

John Rhodes, WRWC legal counsel, distributed a proposal to amend the existing Agreement for Legal Services, and stated that the staff report indicated he would provide additional information at the meeting. He explained that when the Agreement was amended last year, he anticipated that a substantial amount of legal work would be required during the 2019 Legislative session, which would justify and support the monthly retainer fee on an overall basis. This assumption was based on numerous prior discussions by WRWC Board members indicating a desire to either dissolve the WRWC, or transfer many of its responsibilities to other regional bodies. This assumption did not change until the August 14 meeting. Now there are no legislative changes anticipated, allowing the proposed fee reductions: Option 1, all services in the existing Agreement for a flat monthly retainer of \$9,500; and Option 2, for \$8,500 per month, which includes the following cost-cutting measures. The legislative subcommittee would be eliminated, review of staff reports and minutes would be reduced or eliminated, and staff meetings would be reduced to once a month.

Several WRWC Trustees discussed details of the Legal Services Contract, the Proposal, and the desire to prepare an RFP for legal services.

*(Commissioner Herman absent at 10:10 a.m.)*

COMMISSIONER LUCEY MADE A MOTION TO AFFIRM THE MEETING SCHEDULE AS PROPOSED IN TABLE 2, AND AFFIRM THE PRIORITIES AS PROPOSED IN TABLE 1 OF THE STAFF REPORT, SECONDED BY COMMISSIONER SMITH. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) COMMISSIONERS PRESENT.

COMMISSIONER DUERR MADE A MOTION TO DIRECT STAFF TO BRING BACK A SCOPE OF WORK FOR LEGAL SERVICES AT THE NEXT WRWC MEETING.

Commissioner Lucey discussed the options provided in the proposal to amend the Agreement for Legal Services, and expressed support for proposed Option 2.

Commissioner Duerr expressed support for Option 1, to keep the status quo with the services currently being provided while having some immediate savings.

COMMISSIONER DUERR AMENDED THE MOTION TO ALSO INCORPORATE OPTION 1 EFFECTIVE NOVEMBER 1, 2018, SECONDED BY COMMISSIONER JARDON.

Chair Hartung expressed support for Option 2.

THE MOTION FAILED WITH FOUR (4) IN FAVOR AND FOUR (4) OPPOSITIONS BY COMMISSIONERS DAHIR, HARTUNG, LUCEY, AND SMITH.

COMMISSIONER LUCEY MADE A MOTION TO MOVE FORWARD WITH DISCUSSION OF AN RFP PROCESS AT THE NEXT REGULARLY SCHEDULED MEETING, AND ENTERTAIN LEGAL SERVICES OPTION 2, SECONDED BY COMMISSIONER DAHIR.

John Rhodes, Legal Counsel, pointed out that there is only a difference of about \$1,000 a month between the two options. He stated that he is willing to amend the contract effective November 1, 2018 for a monthly flat fee retainer of \$9,000.00, and continue providing all current services. That would result in a reduction of \$3,000.00 a month for legal services, and an immediate savings of 25% for legal costs going forward.

COMMISSIONER LUCEY AMENDED THE MOTION TO MOVE FORWARD WITH DISCUSSION OF AN RFP PROCESS AT THE NEXT REGULARLY SCHEDULED MEETING, AND AMEND THE LEGAL SERVICES CONTRACT, EFFECTIVE NOVEMBER 1, 2018, TO A \$9,000.00 MONTHLY FLAT FEE RETAINER, SECONDED BY COMMISSIONER DAHIR. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) COMMISSIONERS PRESENT.

**12. Discussion and possible direction to staff regarding agenda items and dates for future WRWC meetings - Jim Smitherman. (For Possible Action)**

The next regularly scheduled WRWC meeting will be December 19, 2018.

**13. Commission Comments**

None

**14. Staff Comments**

None

**15. Public Comment**

None

**16. Adjournment (For Possible Action)**

The meeting was adjourned at 10:18 a.m.

Respectfully submitted by,  
Christine Birmingham, Recording Secretary

Approved by Commission in session on \_\_\_\_\_ 2018.

\_\_\_\_\_  
Chair Vaughn Hartung

**WESTERN REGIONAL WATER COMMISSION  
AND  
NORTHERN NEVADA WATER PLANNING COMMISSION**

**CONCURRENT MEETING DRAFT MINUTES**

**Tuesday, August 14, 2018**

The Western Regional Water Commission (“WRWC”) Board of Trustees, and the Northern Nevada Water Planning Commission (“NNWPC”), held a concurrent meeting on Tuesday, August 14, 2018, at Washoe County Caucus Room, 1001 East Ninth Street, Reno, Nevada, and conducted the following business.

**1. Roll Call and Determination of Presence of a Quorum**

Chair Hartung called the meeting to order at 10:01 a.m. There was a quorum present.

WRWC Commissioners Present:

Vaughn Hartung

Ron Smith

Sandra Ainsworth

Donald Abbott

Kristopher Dahir

Naomi Duerr (*present at 10:04*)

Jeanne Herman

Neoma Jardon

Bob Lucey

Appointed by:

Washoe County

Truckee Meadows Water Authority (“TMWA”) (Sparks)

Sun Valley General Improvement District (“SVGID”)

Truckee Meadows Water Reclamation Facility

City of Sparks

City of Reno

TMWA (South Truckee Meadows General Improvement District Successor)

TMWA (Reno)

TMWA (Washoe County)

WRWC Commissioners Absent:

None

Appointed by:

*NNWPC Commissioners Present:* Danielle Henderson, Michael DeMartini (*present at 10:08*), Michael Drinkwater, John Enloe, Bill Hauck, Mickey Hazelwood, John Martini, Jon Combs, David Solaro, and John Zimmerman

*NNWPC Commissioners Absent:* John Flansberg and Mervin Wright

*Non-Voting NNWPC Members Present:* None

*Non-Voting NNWPC Members Absent:* Cindy Turiczek, Harry Fahnestock, My-Linh Nguyen, and Ron Penrose

*Staff Members Present:* Jim Smitherman, Chris Wessel, Jennifer Purgitt, and John Rhodes, Legal Counsel

**2. Pledge of Allegiance**

The Pledge of Allegiance was led by Mr. Wolgast.

### 3. Public Comment

Garth Elliott, SVGID Trustee, expressed concern regarding the possibility of eliminating or decreasing SVGID representation on the WRWC Board.

*(WRWC Commissioner Duerr present at 10:04 a.m.)*

### 4. Approval of Agenda (For Possible Action)

WRWC COMMISSIONER JARDON MADE A MOTION TO APPROVE THE AGENDA, SECONDED BY WRWC COMMISSIONER LUCEY. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) WRWC TRUSTEES AND NINE (9) NNWPC COMMISSIONERS PRESENT AND VOTING ON BEHALF OF THEIR RESPECTIVE BODIES.

NNWPC COMMISSIONER MARTINI MADE A MOTION TO APPOINT NNWPC COMMISSIONER HENDERSON AS NNWPC ACTING CHAIR (PRESIDING OFFICER), SECONDED BY NNWPC COMMISSIONER DRINKWATER. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) NNWPC COMMISSIONERS PRESENT.

### 5. Presentation of the draft 2018 Washoe County Consensus Population Forecast; discussion and possible approval of a recommendation by the NNWPC to make a determination that the draft Consensus Forecast population for 2038 can be supported by the sustainable water resources set forth in the Regional Water Management Plan; and possible direction to staff - Jim Smitherman, WRWC Water Resources Program Manager. (For Possible Action)

*(NNWPC Chair DeMartini present at 10:08 a.m.)*

Jim Smitherman, WRWC Water Resources Program Manager, presented the information included in the staff report. The draft 2018 Consensus Forecast projects a 20-year population increase of 106,823 persons. The 2016 Regional Water Management Plan ("RWMP") includes an estimate of potentially available, sustainable water resources of approximately 190,500 acre feet per year. Using 2018 retail customer water use data and the 2018 Consensus Forecast, TMWA has provided a County-wide water demand projection of approximately 111,875 acre feet for the 2038 population projection of 558,746.

Mr. Smitherman confirmed for WRWC Chair Hartung that the water resources estimate does not contemplate the re-use of highly treated effluent.

Mr. Smitherman answered questions from WRWC Commissioner Duerr regarding the areas included in calculating the water resource forecast versus the population forecast (service area).

WRWC COMMISSIONER SMITH MADE A MOTION TO DETERMINE THAT THE DRAFT CONSENSUS FORECAST POPULATION FOR 2038 CAN BE SUPPORTED BY THE SUSTAINABLE WATER RESOURCES SET FORTH IN THE RWMP, AND DIRECT STAFF TO SUBMIT THE DRAFT CONSENSUS FORECAST, WITH A FINDING THAT THE FORECASTED POPULATION CAN BE SUPPORTED BY THE SUSTAINABLE WATER RESOURCES SET FORTH IN THE RWMP, TO RENO, SPARKS, WASHOE COUNTY, AND THE TRUCKEE MEADOWS REGIONAL PLANNING AGENCY

(“TMRPA”), SECONDED BY WRWC COMMISSIONER ABBOTT. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) WRWC COMMISSIONERS PRESENT.

**6. Discussion in workshop format on the functions, duties, and responsibilities of the WRWC; possible changes to or dissolution of the WRWC, including, but not limited to, transfer of WRWC functions, duties, and responsibilities to other local governmental entities, and possible resulting economic impacts; possible bill draft requests for the Nevada Legislature to amend or repeal the current WRWC Act; and, possible direction to staff - Jim Smitherman. (For Possible Action)**

Mr. Smitherman reviewed direction given to staff at the July 18, 2018 WRWC meeting and presented the following three areas staff identified where administrative cost reductions could be considered: staff; overhead; and legal. Mr. Smitherman discussed possible alternatives stating that the program could be administered by about 1.75 full-time equivalent employees. When administrative staff is reduced, more contracts need to go out for the actual planning work. Another possibility is reducing the number of WRWC meetings to two per year.

WRWC Chair Hartung stated that cost reductions are not the main meat of what they are looking at, it is the functionality of the WRWC and if there are other places those functionalities can land.

WRWC Commissioner Jardon stated she is not concerned with how often the WRWC meets but expressed concern that the meetings seem repetitious and not productive. If there are more precise and targeted objectives, the meeting frequency is fine.

WRWC Commissioner Lucey discussed the fact that a lot of what the WRWC and NNWPC were created to do has been accomplished. He agreed with WRWC Commissioner Jardon regarding the redundancy of the WRWC meetings and stated that we need to look at refocusing what the mission really is.

WRWC Commissioner Smith asked staff if the goals established by the legislature when the WRWC and NNWPC were created have been completed.

Mr. Smitherman replied that the statutory requirements of supporting the implementation of the Truckee River Operating Agreement (“TROA”), and studying the feasibility study for consolidation of public purveyors, including actual consolidation of TMWA and Washoe County water systems, have been done. Work on the remaining five or six goals is currently in progress.

WRWC Commissioner Smith asked if they are at the point where they can dissolve the WRWC.

Mr. Smitherman stated there is still work to be done in the areas of wastewater treatment capacity, upgrading water reclamation facilities, where wastewater flow will go, what to do with treated reclaimed water, and integration of the storm water quality program with a state sponsored integrated source water protection program. Those are all issues that are being worked on currently.

John Rhodes, Legal Counsel, addressed comments regarding frustration that the WRWC meetings seem repetitious and not productive. He explained that the way the statute is written, all technical and scientific planning type work is done at the level of NNWPC, which is made up of 12 experts and professionals. The NNWPC does the planning, and the WRWC approves the

budget and the contracts that implement that planning. If the WRWC wants to be more involved in the science and actual planning, that direction can be given.

WRWC Commissioner Duerr discussed the WRWC responsibilities listed in the staff report specifically focusing on the one that states the WRWC makes recommendations on the management or use of water to Reno, Sparks, County Boards and Planning Commissions; Regional Planning Governing Board (“RPGB”) and Regional Planning Commission (“RPC”); State Engineer; Federal Government; and other entities as deemed appropriate. She also discussed the fact that when TMWA and County (water systems) were consolidated, the water planning function was left hanging with nobody doing a regional, big picture look.

WRWC Commissioner Jardon stated she does not know if elimination of the WRWC is the answer and that she is not looking to get more into the technical work. Now that the merger and the creation of TROA are complete, is it time to better focus the role of the WRWC with more precise direction that could also lower the overhead costs.

Mr. Smitherman explained that the legal contract costs do not change based on the number of meetings held each month. In order for a reduction of public meetings to have an impact on overhead expenses, the legal contract would need to be renegotiated. He also explained that prioritizing fewer higher priority projects could create a savings by reducing the number of contracts.

WRWC Chair Hartung confirmed for WRWC Commissioner Duerr that he does see storm water as an area that would stay with the WRWC.

WRWC Commissioner Duerr reiterated her comments from the previous meeting that the WRWC gets to decide on priorities and can direct where the budget funds are spent without having to make any major changes.

Mr. Rhodes confirmed for WRWC Chair Hartung that the WRWC does have the power to make an amendment to the plan without waiting for a plan update and the budget follows that plan. The statutory restriction is that the money must go toward implementation of the plan.

WRWC Commissioner Lucey expressed frustration regarding the amount of money in the budget for professional administrative services. He also discussed options for the NNWPC to report to other agencies.

NNWPC Commissioner Solaro stated there is value in the NNWPC and a governing body over that. The scope of this body is broader than just TMWA or flood, and there is that missing storm water piece. The NNWPC needs to report to a regional agency that has a broad umbrella and if it is not going to be the WRWC it should be Regional Planning. The WRWC is one of the most influential bodies when it comes to all things water in our community. There is a lot of value for our community as a whole in having oversight over all the different entities that are working on pieces of regional water issues.

Kerri Lanza, City of Reno Public Works Engineering Manager, read a letter from NNWPC Commissioner Flansberg regarding why the WRWC is needed. The letter also stated that if the WRWC is dissolved, the NNWPC and staff should report to the RPGB.

NNWPC Commissioner Martini agreed with NNWPC Commissioner Flansberg that the NNWPC should fall under the RPGB if the WRWC is dissolved.

WRWC Chair Hartung stated that he does not want the WRWC budget to get absorbed by another agency and not be used for its intended purpose.

NNWPC Commissioner Drinkwater stated that the NNWPC has been a mechanism for breaking down silos. All the water components are connected through NNWPC.

WRWC Chair Hartung stated that he does not think there was ever a desire to dissolve the NNWPC. The intent was more of a distillation of what the WRWC does and if it could go to another agency.

Public Comment: Mr. Elliott, SVGID, stated that he likes the umbrella concept. If it is broken up into other agencies, they will have their own agendas. He also stated that administrative and legal costs should be trimmed down, possibly with less meetings, etc.

NNWPC Commissioner Enloe stated the umbrella is necessary and maintaining the funding source is important. There is an opportunity to narrow the focus, gain efficiency and be more strategic regarding the purview of the WRWC. One area of overlap is work by legal counsel during legislative sessions relating to the WRWC Legislative Subcommittee.

NNWPC Commissioner DeMartini stated that in 1995 there was a public outcry because there was a lack of regional water planning. An umbrella body was needed and created by the legislature (in the form of the original Regional Water Planning Commission). He spoke in support of the WRWC program continuing and not going back to what wasn't working in the past.

WRWC Commissioner Jardon discussed a possible motion to have staff come back with bullet points of newly defined strategic priorities for the WRWC, and ways to align those priorities with cost savings by possible reductions in administrative expenses.

Mr. Smitherman explained that the topic of priorities is something he would take to the NNWPC and suggested having that discussion at this workshop after the lunch break.

*(Lunch break from 11:45 a.m. to 12:14 p.m.)*

Additional discussion among WRWC Trustees and NNWPC Commissioners included holding a joint meeting at least annually, prior to the budget process; different options for the frequency of WRWC meetings; and a suggestion that the WRWC tour treatment plants.

**WRWC COMMISSIONER JARDON MADE A MOTION TO DIRECT STAFF TO WORK WITH THE NNWPC AND COME BACK TO THE WRWC WITH: PROPOSED STRATEGIC PRIORITIES; A NEW MEETING SCHEDULE FOR THE WRWC TO MEET QUARTERLY, OR AS NEEDED, WITH AN ANNUAL WORKSHOP WITH THE NNWPC PRIOR TO BUDGET HEARING; AND WAYS TO STREAMLINE THE BUDGET TO BE IN LINE WITH THE PRIORITIES, WITH THE GOAL OF REDUCING OVERHEAD, INCLUDING POSSIBLY RENEGOTIATING CONTRACTS WITH LEGAL AND OTHER CATEGORIES. SECONDED BY WRWC COMMISSIONER DUERR.**

WRWC Chair Hartung asked if the NNWPC had any comment on the direction.

A NNWPC Commissioner stated an opinion that it is unclear if the WRWC wants recommendations to trim overhead or recommendations on where budget dollars should be directed based on the priorities.

WRWC Commissioner Jardon clarified that they are asking staff to bring back contracts for consideration where there might be some savings.

WRWC Commissioner Duerr requested further clarification on contracts that would be considered for renegotiation and asked about the cloud seeding contract as an example.

WRWC Commissioner Jardon clarified that they are talking about administrative support.

Mr. Rhodes discussed background information regarding the legal contract and stated that the WRWC passed a motion, effective last November, to reinstate his initial salary that had been reduced since 2010. He asked for clarification regarding a comment by WRWC Chair Hartung as to whether the WRWC Chair wants to go out with an RFP for Legal Counsel, or to renegotiate his current contract.

WRWC Chair Hartung responded to Mr. Rhodes' question stating both.

WRWC Commissioner Jardon stated that if they are doing a reduction of meetings, the overhead expenses will be changing.

WRWC Commissioner Jardon restated her motion to have an annual workshop with the NNWPC prior to the budget setting period, with quarterly or as needed meetings of the WRWC, and for staff to work with the NNWPC to develop strategic priorities, and for staff to come back with this new scope of administrative contracts and overhead to streamline the budget.

Mr. Smitherman explained that the administrative contracts that could be reviewed are legal, the staff contract with Washoe County, and a small contract for the minutes taker. He asked if those are the contracts that staff is being directed in the motion to review.

WRWC Commissioner Jardon confirmed for Mr. Smitherman that those are the contracts.

WRWC Commissioner Lucey stated that they can't have the same operations construct if they are going to have a new format. Once they have that new construct based on the priorities from the NNWPC, they can discuss what would be needed to adequately support that.

THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) WRWC COMMISSIONERS PRESENT.

#### **7. Discussion and possible direction to staff regarding agenda items and dates for future WRWC or NNWPC meetings – Jim Smitherman. (For Possible Action)**

Mr. Smitherman stated there is no need for a WRWC meeting in September. Agenda items for a WRWC meeting on October 17 will include review of the audit report and approval of the financial statements to submit to the state. Staff will send out an Outlook invitation for a WRWC meeting on the third Wednesday of each month and those can be cancelled as needed.

WRWC Commissioner Dahir requested more information on storm water as a future agenda item.

WRWC Commissioner Duerr requested a meeting schedule for the year including possible dates for facility tours.

The September meeting for the NNWPC will include discussion regarding strategic prioritizing of projects as discussed today.

**8. Commission Comments**

None

**9. Staff Comments**

None

**10. Public Comment**

None

**11. Adjournment (For Possible Action)**

The meeting was adjourned at 1:06 p.m.

Respectfully submitted by,  
Christine Birmingham, Recording Secretary

Approved by the WRWC in session on \_\_\_\_\_ 2018.

Approved by the NNWPC in session on \_\_\_\_\_ 2018.

\_\_\_\_\_  
WRWC Chair Vaughn Hartung

\_\_\_\_\_  
NNWPC Chair Michael DiMartini



**WESTERN REGIONAL WATER COMMISSION  
BOARD OF TRUSTEES  
DRAFT MINUTES**

**Wednesday, July 18, 2018**

The regular meeting of the Western Regional Water Commission (“WRWC”) Board of Trustees was held on Wednesday, June 20, 2018, at Sparks Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada.

**1. Roll Call and Determination of Presence of a Quorum**

Chair Hartung called the meeting to order at 8:30 a.m. There was a quorum present.

Commissioners Present:

Vaughn Hartung

Ron Smith

Sandra Ainsworth

Donald Abbott

Kristopher Dahir

Naomi Duerr (*present at ~8:45*)

Jeanne Herman

Neoma Jardon (*present at ~8:45*)

Bob Lucey

Appointed by:

Washoe County

Truckee Meadows Water Authority (“TMWA”) (Sparks)

Sun Valley General Improvement District (“SVGID”)

TMWRF

City of Sparks

City of Reno

TMWA (Washoe County)

TMWA (Reno)

TMWA (STMGID Successor)

Commissioners Absent:

None

Appointed by:

**2. Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Abbott.

**3. Public Comment**

None

**4. Approval of Agenda (For Possible Action)**

A MOTION TO APPROVE THE AGENDA WAS DULY MADE AND SECONDED. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) COMMISSIONERS PRESENT.

**5. Approval of the Minutes of the June 20, 2018 Meeting (For Possible Action)**

COMMISSIONER DAHIR MADE A MOTION TO APPROVE THE JUNE 20, 2018 MINUTES AS AMENDED, SECONDED BY COMMISSIONER ABBOTT. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) COMMISSIONERS PRESENT.

**6. Report on the functions, duties, and responsibilities of the WRWC; discussion and possible direction to the Northern Nevada Water Planning Commission (“NNWPC”) to consider and make recommendations to the WRWC regarding possible changes to or**

**dissolution of the WRWC, including specifically, but not limited to, a possible request to the Nevada Legislature to change the WRWC into a regional storm water planning and management agency; and, possible direction to staff - Jim Smitherman, WRWC Water Resources Program Manager. (For Possible Action)**

*(Commissioners Duerr and Jardon present at ~8:45 a.m.)*

Jim Smitherman, WRWC Water Resources Program Manager, presented the staff report which includes a brief history of legislatively mandated regional water planning in Washoe County. The functions, duties and responsibilities of the WRWC were summarized. Among the WRWC's duties, the most complex involves the review and adoption of the Regional Water Management Plan ("RWMP"), upon recommendation of the NNWPC. The staff report includes a summary of the subjects required to be covered in the RWMP and details on the subjects that involve ongoing and evolving planning issues. Planning and implementation activities were also included in the staff report.

John Rhodes, Legal Counsel, confirmed for Commissioner Duerr that there is no legislation that directs how the commission allocates funds. Spending is within your discretion as long as there is a logical nexus to the purposes and goals of the RWMP.

Commissioner Dahir discussed the fact that WRWC is the only agency that really looks at the big picture with regard to water. There is value in having someone overseeing the bigger picture from beginning to end with regard to water.

Commissioner Duerr discussed the fact that the consolidation of water purveyors is not totally complete. The City of Reno still comes across more, smaller water purveyors.

Chair Hartung stated that the consolidation subject is really about the consolidation of the three major entities into a regional water purveyor. He also stated that storm water needs to be dealt with on a regional basis.

Mr. Smitherman noted that one area of authority that has not been used much is the facility plan conformance review. He also responded to Commissioner Duerr's comment regarding coming across new water purveyors and stated that one thing that has hindered us from getting involved earlier is that we can't get a look at them until there is actually a facility plan.

Mr. Rhodes explained for Commissioner Duerr that the WRWC does have the power to look into service territories and try to bring together a plan for the most effective and lowest possible cost delivery of retail water.

Commissioner Jardon asked if the WRWC has the right to transfer the authority to make decisions to another body.

Chair Hartung stated that we also have to give consideration to the NNWPC and how that agency will interact with a different agency. Also, how does Sun Valley GID have representation if the WRWC dissolves? He stated that this agenda item is for us to give direction to the NNWPC to give us possible solutions. Chair Hartung asked John Enloe with TMWA to comment on the interface with TMWA and if there are any gaps that may not be addressed by any of these groups.

Mr. Enloe stated the role of the WRWC is very important with respect to an entity that is looking at the big picture, coordinating the different activities of the different agencies, and really

looking at water from beginning to end. A lot of TMWA's work is rolled into the RWMP. The emphasis is shifting and a lot of our budgets are being spent on effluent management. The Regional Effluent Management Team has been a very effective group and is doing a good job looking at regional wastewater issues and how to work together to find the best solutions. The Regional Effluent Management Team is a good model. Mr. Enloe stated that a gap that exists now is a coordinated effort on storm water conveyance planning.

Chair Hartung asked Mr. Enloe what he sees as WRWC's role going forward.

Mr. Enloe responded stating having an entity looking out for the big picture and the coordination of all things water.

Chair Hartung stated that if the WRWC goes to some other agency, he wants to make sure the funding goes towards the WRWC's mission.

Commissioner Jardon discussed administration and legal costs and the need to eliminate duplicity.

Commissioner Dahir stated that we need to be careful with the presumed bias that could happen if TMWA is overseeing the WRWC. It is wiser to make sure there is a board set up that looks over the whole picture.

Commissioner Lucey stated that our current mission is a dated plan and we need to go back to the legislature and re-tool the plan. There is potential benefit to having the WRWC continue to serve in some sort of capacity but for the most part there is a lot of redundancy.

Commissioner Smith stated that part of the discussion needs to be which of the seven areas of responsibilities can be assign to other entities.

Mr. Enloe stated that TMWA does not have the staff to take this on now but with some financial assistance maybe there could be a staff person where it is their responsibility to reach out to all the others entities and consolidate the information that is developed by different groups. He suggested that maybe one of the things that we can look at is restructuring the comprehensive RWMP to make it more efficient and concise.

Commissioner Ainsworth stated that the WRWC has a broader view of all these things. Some of the responsibilities can probably fall under someone else but if we go away and restructure into something different, what happens to the NNWPC.

Commissioner Herman expressed concern that the SVGID would lose representation and be dropped out of the loop. If we do go this way, we need to be careful that we don't leave any of the important things out, such as effluent.

Commissioner Lucey stated that the members of TMWA could serve as the commissioners for WRWC with the same mission and intent and utilize the same staff member to start getting rid of some of the duplicity. What we are trying to do is get some efficiency here and save tax dollars. He also stated that Sun Valley does have constant representation and there are many GIDs that don't sit on this board.

Commissioner Ainsworth agreed that some things can be done by other groups but the reason the WRWC was established was to have a broader picture.

Chair Hartung asked if we have duplicate staff that could perform these same functions. TMWA said they are very tight but we also hire legal counsel. This is not a question of the functions themselves, we have established that the functions are necessary. He also stated that he believes TMWA should be the purveyor of all water regardless of the forms.

Commissioner Jardon suggested directing staff to explore ways in which we can reduce duplicity and increase efficiency while still maintaining the fiscal resource and input from those that fought hard to be on the WRWC.

Mr. Rhodes responded to the suggestions regarding looking at legal fees as a potential source of cost savings. When you have a multi-jurisdictional board you can't have one entity's attorney representing the board. In all likelihood, if TMWA were to sit as the WRWC they would need independent counsel. Objectively speaking, you will not find a lot of savings in legal fees.

Commissioner Smith stated that it would be better to discuss this issue in a workshop format and suggested scheduling a workshop for next month.

Commissioner Dahir asked that staff bring back information on the presumed cost savings that have been mentioned.

Commissioner Duerr stated that she would like to see some demonstration of the duplicity and potential cost savings that have been mentioned before making a decision. She also suggested inviting representatives, staff and boards that participate in these other functions being discussed.

Chair Hartung asked staff to conduct a survey to schedule a workshop. He also asked that staff from all the agencies be involved in the workshop.

Commissioner Jardon asked that staff get information from TMWA Legal Counsel on how they would handle a potential conflict.

Mr. Smitherman asked if they want to have the NNWPC provide recommendation.

Council Member Jardon stated that the NNWPC can provide input at the workshop.

COMMISSIONER JARDON MADE A MOTION TO PULL TOGETHER A WORKSHOP WITH ALL RELATED STAFF AND BOARD MEMBERS TO DISCUSS ISSUES SURROUNDING THE OBJECTIVES AND MISSIONS OF THIS BOARD AND HOW BEST TO POTENTIALLY REALIZE ADMINISTRATIVE COST SAVINGS WHILE STILL ACHIEVING THE GOALS OF THIS BOARD, AND TO INCLUDE THE NNWPC'S PARTICIPATION, SECONDED BY COMMISSIONER LUCEY.

Commissioner Smith stated that the entities that could potentially take on these items should also be at the workshop.

Chair Hartung suggested inviting the Water Innovation Campus.

Commissioner Duerr stated that Truckee Meadows Regional Planning Agency ("TMRPA") staff should also be included.

Commissioner Ainsworth stated that she thought they were going to go through each of the WRWC responsibilities listed in the report at this meeting.

Commissioner Duerr stated that we need to keep in mind that every time we meet, set a budget, and approve an expenditure, we are making a policy decision about what is important with

regard to water in Northern Nevada. She also noted that the WRWC can reallocate funds without going to the legislature. We can chose to fund the areas we feel are most important.

THE MOTION CARRIED WITH EIGHT (8) IN FAVOR AND ONE (1) OPPOSITION BY COMMISSIONER AINSWORTH.

**7. Discussion and possible direction to staff regarding agenda items and dates for future WRWC meetings – Jim Smitherman. (For Possible Action)**

Future agenda items will include: Analysis and recommendation from the NNWPC on whether or not the water resources are in balance with the consensus population forecast.

**8. Commission Comments**

None

**9. Staff Comments**

None

**10. Public Comment**

None

**11. Adjournment (For Possible Action)**

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

Respectfully submitted by,  
Christine Birmingham, Recording Secretary

Approved by Commission in session on \_\_\_\_\_ 2018.

\_\_\_\_\_  
Chair Vaughn Hartung



# Western Regional Water Commission

## STAFF REPORT

**DATE:** December 7, 2018  
**TO:** Chairman and Members, Western Regional Water Commission (“WRWC”)  
**FROM:** Jim Smitherman, Water Resources Program Manager  
**SUBJECT:** Presentation on Regional Effluent Management Planning and “OneWater Nevada”, a study to evaluate treatment technologies and determine if Category A+ reclaimed water can offer regional long-term benefits and opportunities to the Truckee Meadows water portfolio, and possible direction to staff.

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### **SUMMARY**

Planning for wastewater services and effluent management are among the top priorities identified by the Northern Nevada Water Planning Commission (“NNWPC”) and the WRWC. This presentation will provide the Board with a general level of knowledge on wastewater treatment facilities, service areas, and plans for facility expansions in response to anticipated population growth. In addition, the presentation will cover ongoing planning for effluent management, including a feasibility study to evaluate advanced water treatment technologies and determine if Category A+ reclaimed water would provide water management benefits for the Truckee Meadows community.

Rick Warner, P.E., Senior Engineer, Washoe County, and John Enloe, P.E., Natural Resources Director, Truckee Meadows Water Authority, will join staff in making the presentation.

### **BACKGROUND**

On August 14, 2018, at the concurrent meeting of the WRWC and the NNWPC, discussion included the possibility of staff arranging for informational items on the various subjects of the Regional Water Management Plan for presentation and discussion at future WRWC meetings.

### **FISCAL IMPACT**

None

### **RECOMMENDATION**

Staff recommends that the WRWC accept the report and provide direction to staff if desired.

### **POSSIBLE MOTION**

“Move to accept the report”.



# Western Regional Water Commission

## STAFF REPORT

**DATE:** December 7, 2018  
**TO:** Chairman and Members, Western Regional Water Commission (“WRWC”)  
**FROM:** Jim Smitherman, Water Resources Program Manager  
John Rhodes, WRWC Legal Counsel  
**SUBJECT:** Presentation, discussion, and possible approval of a scope of work for legal services for the WRWC and Northern Nevada Water Planning Commission (“NNWPC”), and possible direction to staff.

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### **SUMMARY**

On October 17, 2018, the WRWC directed staff to prepare a scope of work for legal services for the WRWC and the NNWPC, and to present the same at its next meeting. The attached scope of work has been developed in close coordination with current legal counsel for the Board’s review, discussion and possible approval, and possible direction to staff.

### **FISCAL IMPACT**

None

### **RECOMMENDATION**

Staff recommends that the WRWC review and discuss the scope of work and provide appropriate direction to staff.

### **POSSIBLE MOTION**

“Move to approve the scope of work for legal services (with or without revisions), and direct staff to [take action as desired by the Board]”.



**LEGAL COUNSEL POSITION**

**WESTERN REGIONAL WATER COMMISSION**

**QUALIFICATIONS**

Attorney must be licensed to practice law in the State of Nevada, and be a member in good standing of the State Bar of Nevada. Attorney should have knowledge and demonstrated substantial experience with codes, laws, rules, and legal procedures in the following areas: administrative law, state and local government law, water resource law, water resource planning law, the Nevada Open Meeting Law, the Nevada Public Records Law, and general civil law and procedure.

**SCOPE OF WORK**

Attorney must be able to work independently to identify and provide a broad range of legal services required by the Western Regional Water Commission (“WRWC”) and its advisory body, the Northern Nevada Water Planning Commission (“NNWPC”), including, but not limited to: working closely with staff to ensure that all meeting agendas and staff reports comply with Nevada Open Meeting Law and other legal requirements; providing legal representation at all public meetings of the WRWC, and its subcommittees, and the NNWPC; drafting legal documents such as interlocal agreements and contracts with planning consultants, other service providers, and independent contractors; confirming that consultants, other service providers, and independent contractors are adequately insured, and in compliance with state and local licensing and workers compensation requirements; addressing specific Open Meeting Law and other statutory compliance issues; evaluating the propriety of proposed expenditures from the Regional Water Management Fund; coordinating and collaborating with legal counsel and staff for the Truckee Meadows Regional Planning Agency (“TMRPA”) on legal issues involving both land use and water resource planning; coordinating and collaborating with legal counsel and staff for Reno, Sparks, Washoe County, and the Truckee Meadows Water Authority (“TMWA”) on legal issues involving water resource planning, and continuing required updates of the Regional Water Management Plan; assessing potential liability from a risk management perspective, and providing advice on and recommendations for risk reduction measures; advising/representing the WRWC and the NNWPC on federal, state, and local legislative issues; providing services as a registered lobbyist at the Nevada Legislature; tracking relevant pending bill draft requests and pending legislation during legislative sessions, and providing continuing updates on those matters to the WRWC and NNWPC; providing continuing statutory review to assure that both the WRWC and the NNWPC comply, at all times, with all mandates and provisions of the Western Regional Water Commission Act, Chapter 531, Statutes of Nevada 2007, and all other state and local laws and requirements; developing, preparing, and presenting legal issues that may require appearances before local governing bodies, and state administrative agencies; and, representing the WRWC in civil litigation, as directed by the WRWC Board of Trustees.



# Western Regional Water Commission

## STAFF REPORT

**DATE:** December 7, 2018  
**TO:** Chairman and Members, Western Regional Water Commission (“WRWC”)  
**FROM:** Jim Smitherman, Water Resources Program Manager  
**SUBJECT:** Discussion and possible establishment of the WRWC Legislative Subcommittee for the 2019 session of the Nevada Legislature, and possible direction to staff.

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### **SUMMARY**

Since the creation of the WRWC in 2008, the WRWC Board has established a Legislative Subcommittee, prior to each session of the Nevada Legislature, to track and possibly advance positions on pending legislation that may affect or be of interest to the WRWC/Northern Nevada Water Planning Commission (“NNWPC”). The Legislative Subcommittee, through legal counsel and staff, also provides regular reports to keep the full WRWC Board advised and informed on legislative activities. The WRWC formed the last Legislative Subcommittee in January 2017 and appointed Donald Abbott, Naomi Duerr and Secretary/Treasurer Ainsworth as members.

### **PREVIOUS ACTION**

On January 18, 2017, the WRWC formed a Legislative Subcommittee with membership consisting of Donald Abbott (City of Sparks), Naomi Duerr (City of Reno) and Secretary/Treasurer Ainsworth (SVGID).

On January 21, 2015, the WRWC formed a Legislative Subcommittee with membership consisting of Chairman Hartung (Washoe County), Vice Chair Duerr (Reno) and Secretary/Treasurer Ainsworth (SVGID).

On September 19, 2012, the WRWC formed a Legislative Subcommittee with membership consisting of Chairman Carrigan (TMWA), Vice Chairman Hartung (Washoe County) and Treasurer Cohen (STMGID).

On January 14, 2011, The WRWC formed a Legislative Subcommittee with membership consisting of Chairman Carrigan (TMWA), Commissioner Aiazzi (Reno) and Commissioner Cohen (STMGID).

On December 12, 2008, The WRWC formed a Legislative Subcommittee with membership consisting of the Chairman (Carrigan, TMWA), Vice Chairman (Aiazzi, Reno) and STMGID representative (Cohen).

### **FISCAL IMPACT**

None

**RECOMMENDATION**

Staff recommends that the WRWC establish a Legislative Subcommittee for the 2019 Legislative session.

**POSSIBLE MOTION**

“Move to establish a Legislative Subcommittee for the 2019 Legislative session to track and possibly advance positions on pending legislation that may affect or be of interest to the WRWC/NNWPC, to be comprised of the following members...”.