

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

Thursday, December 13, 2018

The Western Regional Water Commission (“WRWC”) Board of Trustees held a regular meeting on Thursday, December 13, 2018, at the Sparks Council Chambers, Legislative Building, 745 Fourth St., Sparks, Nevada, and conducted the following business.

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	Sun Valley General Improvement District (“SVGID”)
Kristopher Dahir	City of Sparks
Naomi Duerr (<i>present at 8:35</i>)	City of Reno
Neoma Jardon	Truckee Meadows Water Authority (“TMWA”) (Reno)
Bob Lucey	TMWA (STMGID Successor)

<u>Commissioners Absent:</u>	<u>Appointed by:</u>
Jeanne Herman	TMWA (Washoe County)
Ron Smith	TMWA (Sparks)

2. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. John Martini.

3. Public Comment

None

4. Approval of Agenda (For Possible Action)

COMMISSIONER AINSWORTH MADE A MOTION TO APPROVE THE AGENDA, SECONDED BY COMMISSIONER LUCEY. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) COMMISSIONERS PRESENT.

5. Approval of the Minutes for Meetings of October 17, 2018, August 14, 2018, and July 18, 2018 (For Possible Action)

COMMISSIONER DAHIR MADE A MOTION TO APPROVE THE MINUTES, SECONDED BY COMMISSIONER ABBOTT. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) COMMISSIONERS PRESENT.

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)

(Commissioner Duerr present at 8:35 a.m.)

Mr. Smitherman began the presentation on regional effluent management planning. The presentation provided 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.

Mr. Warner and Mr. Enloe joined Mr. Smitherman in making the presentation focusing on 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.

Commissioner Duerr asked about next steps and Mr. Warner explained that they will focus on implementing the demonstration project.

Mr. Enloe further explained that they will know more about Bedell Flat funding needs after their discussion with BLM next week because it will probably be a four year permitting effort. There will be fairly significant expenses to prove up the potential at Bedell Flat. Mr. Enloe stated that he expects to see small incremental funding requests.

No action was taken.

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)

The scope of work included in the meeting packet has been developed in close coordination with current legal counsel for the Board's review, discussion and possible approval, and possible direction to staff.

Mr. Rhodes stated that he anticipates that the scope of work that is ultimately approved by the WRWC will be the basis for a RFQ/RFP (Request for Qualifications/Proposals) for legal services. Mr. Rhodes announced his plan to retire in the upcoming year, and stated that he will not be submitting a proposal to continue representation of this Board. Mr. Rhodes will provide full legal representation until new counsel is obtained, and will be available after that to assist, as needed, in the transition.

Several Commissioners suggested that some of the tasks listed in the scope of work should be combined to simplify and clean it up, before using it in an RFQ/RFP process.

Commissioner Lucey suggested directing Mr. Smitherman to work with the WRWC Chair and legal counsel to come up with a more compact scope of work.

Mr. Smitherman suggested that he also work on an estimate for the volume of work that goes along with each task in the scope of work.

Commissioner Duerr suggested including an explanation of what the WRWC is, and what it does, in the scope of work.

Mr. Rhodes confirmed for Commissioner Jardon that the current contract for legal services runs until the end of October 2020 and provides for a 30 day termination, following written notice by either legal counsel or the Board. Mr. Rhodes will write a letter to the WRWC Chairman, stating his intention to retire and giving notice of termination of the contract after 30 days, simultaneous with the WRWC obtaining new legal counsel, so the Board will not be left without legal representation at any time.

Commissioner Jardon suggested starting with a shorter term contract with some flexibility to let the new legal counsel determine the hours required to complete tasks in the scope of work. She added that she is unclear if the Board wants an hourly rate or a retainer rate, that there can be flexibility, and that the Board should allow applicants to be creative in their responses.

COMMISSIONER LUCEY MADE A MOTION TO DIRECT STAFF TO MEET WITH THE CHAIRMAN AND COUNSEL TO PROPOSE A MORE FOUNDATIONAL SCOPE OF WORK, BASED ON DIRECTION FROM CURRENT LEGAL COUNSEL AND STAFF AS PERTAINS TO AN RFQ PROCESS, AND POTENTIAL CONTRACT NEGOTIATIONS FOR OUR FUTURE COUNSEL, BY THE JANUARY 16, 2019, CONCURRENT MEETING, SECONDED BY COMMISSIONER JARDON. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) COMMISSIONERS PRESENT.

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)

Mr. Smitherman presented the staff report, which includes a history of WRWC Legislative Subcommittees. 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.

COMMISSIONER DAHIR MADE A MOTION TO APPOINT COMMISSIONERS LUCEY, DAHIR, AND DUERR TO THE WRWC LEGISLATIVE SUBCOMMITTEE, SECONDED BY COMMISSIONER ABBOTT. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) COMMISSIONERS PRESENT.

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

The next WRWC meeting will be a concurrent meeting with the NNWPC and will be held on January 16, 2019. The agenda will include the following: election of officers; priorities workshop; proposal from Nevada Water Innovations Institute; and the scope of work for legal counsel. Staff will inform the Board once a meeting location and time have been determined.

No action was taken.

10. Commission Comments

None

11. Staff Comments

None

12. Public Comment

None

13. Adjournment (For Possible Action)

The meeting was adjourned at 9:53 a.m.

Respectfully submitted by,
Christine Birmingham, Recording Secretary

Approved by Commission in session on _____ 2019.

Chair Vaughn Hartung