

**WESTERN REGIONAL WATER COMMISSION
MINUTES**

Wednesday, June 19, 2019

The Western Regional Water Commission (“WRWC”) Board of Trustees held a regular meeting on Wednesday, June 19, 2019, 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.

Commissioners Present:

Donald Abbott
 (“TMWRF”)
Sandra Ainsworth
Paul Anderson
Jenny Brekhus
Kristopher Dahir
Naomi Duerr
Vaughn Hartung
Jeanne Herman
Bob Lucey

Appointed by:

Truckee Meadows Water Reclamation Facility

Sun Valley General Improvement District (“SVGID”)
Truckee Meadows Water Authority (“TMWA”) (Sparks)
TMWA (Reno)
City of Sparks
City of Reno
Washoe County
TMWA (Washoe County)
TMWA (STMGID Successor)

Commissioners Absent:

None

Appointed by:

2. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. Hildebrand.

3. Public Comment

None

4. Approval of Agenda (For Possible Action)

COMMISSIONER DUERR MADE A MOTION TO APPROVE THE AGENDA, SECONDED BY COMMISSIONER DAHIR. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) COMMISSIONERS PRESENT.

5. Approval of the Minutes for the May 23, 2019, Meeting (For Possible Action)

COMMISSIONER DAHIR MADE A MOTION TO APPROVE THE MINUTES, SECONDED BY COMMISSIONER AINSWORTH. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) COMMISSIONERS PRESENT.

6. Review and discussion of responses to the Request for Proposals/Qualifications to provide legal services for the WRWC and the Northern Nevada Water Planning

Commission (“NNWPC”); appearances by respondents, possible selection of a firm or individual to provide legal services, and possible direction to staff – Jim Smitherman, WRWC Water Resources Program Manager. (For Possible Action)

Jim Smitherman, WRWC Water Resources Program Manager, presented information included in the staff report. The report includes a list of responses to the Notice to Attorneys concerning the Request for Qualifications (“RFQ”) and Proposals (“RFP”), and Legal Counsel Position Scope of Work received from law firms or individuals.

A brief presentation was made and questions were answered by each of the following applicants: Michael Pagni, McDonald Carano; Debbie Leonard, Leonard Law; Sev Carlson, Kaempfer Crowell; Jason Guinasso, Hutchison and Steffen; Ben Kennedy, Dickinson Wright; Gary Kvistad, Brownstein Hyatt Farber Schreck; and Kevin Benson, Benson Law.

Chair Hartung suggested each commissioner write their top two applicant selections down on paper to be tabulated so no commissioner ends up in the position of casting a tie-breaking vote.

Commissioner Brekhus suggested that each commissioner select their top three choices so that if a contract is not successfully negotiated with the first choice, contract negotiations can begin with the second choice without going through this selection process again.

(Chair Hartung called a five minute recess. Upon reconvening, Commissioner Duerr was absent.)

The ballots were read into the record, as follows:

Hermann - 1) McDonald Carano; 2) Kaempfer Crowell; and 3) Benson Law.

Lucy - 1) Mc Donald Carano; 2) Leonard Law; and 3) Dickinson Wright.

Hartung - 1) Mc Donald Carano; 2) Kaempfer Crowell; and 3) Leonard Law.

Duerr - 1) Leonard Law; Kaempfer Crowell; and 3) Mc Donald Carano.

Ainsworth – 1) Mc Donald Carano; 2) Kaempfer Crowell; and 3) Leonard Law.

Dahir – 1) Hutchison & Steffen; 2) Mc Donald Carano; and 3) Leonard Law.

Abbott – 1) Hutchison & Steffen; 2) Mc Donald Carano; and 3) Leonard Law.

Anderson - 1) Mc Donald Carano; 2) Leonard Law; and 3) Hutchison & Steffen.

Brekhus – 1) Leonard Law; 2) Brownstein Hyatt et al; and 3) Hutchison & Steffen.

Tabulation and ranking: 1) Mc Donald Carano; 2) Leonard Law; and 3) Kaempfer Crowell.

BASED UPON THE RESULTS OF THE VOTING BY ALL BOARD MEMBERS, IT WAS MOVED BY COMMISSIONER LUCEY TO RECOMMEND STAFF APPROVE THE PROPOSALS FROM THE FOLLOWING FIRMS IN ORDER: MCDONALD CARANO; LEONARD LAW; AND KAEMPFER CROWELL, TO PROVIDE LEGAL SERVICES FOR THE WRWC AND THE NNWPC AS SUBMITTED AND DIRECT STAFF TO NEGOTIATE A FINAL AGREEMENT WITH THE FIRMS IN THAT ORDER, AND IF THOSE FIRMS ARE UNABLE TO COME TO AN AGREEMENT THEN THE NEXT FIRM IN LINE WOULD BE ADDRESSED AND NEGOTIATED WITH, SECONDED BY COMMISSIONER

DAHIR. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) COMMISSIONERS PRESENT.

7. Report on legislative activities, including Bills passed in the 2019 session of the Nevada Legislature that may affect or are of interest to the WRWC / NNWPC; and possible direction to staff — John Rhodes, WRWC Legal Counsel. (For Possible Action)

Mr. Rhodes provided a staff report including a list summarizing Bills tracked by WRWC staff and the WRWC Legislative Subcommittee during the 2019 session of the Nevada Legislature. The final status of each Bill, and WRWC positions on Bills, other than “Neutral/Watch”, are highlighted in yellow.

No action was taken.

8. 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 held on October 16, 2019. The agenda will include a review of the audit report and approval of financial statements. Also, on Wednesday, June 26 at 10:00 a.m., commissioners are invited to a tour of the A+ treatment units at South Truckee Meadows Water Reclamation Facility (“STMWRF”).

(Commissioner Duerr present at 10:00 a.m.)

No action was taken.

9. Commission Comments

Commissioners expressed appreciation for the number and quality of the applicants to provide legal services for the WRWC/NNWPC.

10. Staff Comments

Mr. Rhodes confirmed that he will continue to provide services until a new contract is approved and ratified by the WRWC Board. He will pro rate his current flat fee monthly retainer as of the effective date of the new contract, and provide assistance after that, during the transition, without charge.

11. Public Comment


None

12. Adjournment (For Possible Action)

The meeting was adjourned at 10:06 a.m.

Respectfully submitted by,
Christine Birmingham, Recording Secretary

Approved by Commission in session on October 16 2019.


Chair Vaughn Hartung