

**WESTERN REGIONAL WATER COMMISSION
MINUTES**

Wednesday, March 16, 2022

The Western Regional Water Commission (WRWC) Board of Trustees held a regular meeting on Wednesday, March 16, 2022, at the Sparks Council Chambers, 745 4th Street, Sparks, Nevada, and conducted the following business.

1. Roll Call

Chair Hartung called the meeting to order at 9:01 a.m. There was a quorum present.

Commissioners Present:

Jenny Brekhus

Naomi Duerr (*Zoom - in person at 9:06*)

Vaughn Hartung

Alexis Hill (*Zoom - in person at 9:51*)

Bob Lucey (*Zoom*)

Appointed by:

TMWA (Reno)

City of Reno

Washoe County

TMWA (Washoe County)

TMWA (STMGID Successor)

Commissioners Absent:

Sandra Ainsworth

Paul Anderson

Kristopher Dahir

Bonnie Weber

Appointed by:

Sun Valley General Improvement District (SVGID)

Truckee Meadows Water Authority (TMWA) (Sparks)

City of Sparks

Truckee Meadows Water Reclamation Facility (TMWRF)

2. Public Comment

None

3. Approval of Agenda (For Possible Action)

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

4. Approval of the Minutes from the January 19, 2022, WRWC and Northern Nevada Water Planning Commission (NNWPC) Concurrent Meeting (For Possible Action)

Public Comment:

Michael DeMartini discussed a transcription he prepared for one of the agenda items and requested it be included in the minutes and available to the public.

Chair Hartung asked if the documents are available online.

Jennifer Purgitt confirmed they will be posted online once the minutes are approved.

COMMISSIONER BREKHUS MADE A MOTION TO APPROVE THE MEETING MINUTES, SECONDED BY COMMISSIONER DUERR. THE MOTION CARRIED UNANIMOUSLY WITH FIVE (5) COMMISSIONERS PRESENT.

5. Report on McDonald Carano staffing changes - Kim Rigdon, Water Resources Program Manager, and Lucas Foletta, Legal Counsel (For Possible Action)

Kim Rigdon, Water Resources Program Manager, presented the staff report. Michael Pagni has moved on to be the new Executive Vice President and General Counsel to the Di Loreto Companies and Lucas Foletta will be taking over as legal counsel for the NNWPC and WRWC.

Commissioner Brekhus asked if the contract contemplates upon Mr. Pagni's termination of services that the contract flows to the firm.

Ms. Rigdon stated the letter of engagement is with the firm and there is staff that has been designated that could take Mr. Pagni's place.

Commissioner Brekhus discussed the RFP process and stated she would like to see other applicants have a chance to be engaged by this body rather than passing it along in a large firm. This body does not need all the resources of a large firm. It is more of an individualized service of one individual. She stated she would like to see the RFP documents, the meeting minutes from that time, the letter of engagement, and staff's conflict of interest review for Mr. Foletta and his clients. Commissioner Brekhus stated this request is no slight to Mr. Foletta but a question of fairness and equity.

Ms. Rigdon confirmed she will get all those records together.

No action taken.

6. Action, discussion, and possible direction to staff regarding the reappointment of two voting members to the NNWPC for a term of three years (April 1, 2022, through March 31, 2025): Mickey Hazelwood, a public at large member to represent environmental, biological, conservation or public concerns; and Michael Widmer, a member to represent owners of domestic wells – Kim Rigdon (For Possible Action)

Ms. Rigdon presented the staff report. Both Mr. Widmer and Mr. Hazelwood have indicated to staff that they are willing and able to serve another term.

Ms. Rigdon confirmed for Commissioner Duerr that Mr. Widmer, as the representative for domestic well owners, does own a domestic well.

Public Comment:

Michael DeMartini spoke regarding an email he sent to the Commission through staff saying he is willing to serve as the domestic well representative or the other representative that is up for review, and he is also willing to serve in the vacant position as the public representative. Mr. DeMartini also stated that the process in the past has been that if there was anybody interested other than those up for reappointment, the Commission would go out to a recruitment and give the public a right to offer themselves for any of these positions.

Commissioner Duerr asked what our process is.

Ms. Rigdon stated that historically they have reappointed members if they were willing to continue to serve, and the WRWC Act allows for that. She also reviewed information included in the staff report regarding the recruitment process the WRWC directed staff to open in 2019

when Michael Widmer requested that he be considered for appointment to the NNWPC seat representing domestic well owners.

Commissioner Duerr discussed the continuous open enrolment application process used in the City of Reno for various boards, commissions and advisory groups. She suggested putting a similar process in place for the NNWPC.

Commissioner Brekhus expressed support for Commissioner Duerr's suggestion. She asked for clarification regarding Mr. Hazelwood's position.

Ms. Rigdon clarified that the public at large position filled by Mr. Hazelwood covers the environmental organization position.

Commissioner Brekhus stated she is comfortable reappointing Mr. Hazelwood and suggested looking into term limits.

Commissioner Brekhus asked about the third open position mentioned by Mr. DeMartini in his public comment.

Ms. Rigdon stated it is just these two positions that are open.

COMMISSIONER DUERR MADE A MOTION TO REAPPOINT BOTH MR. WIDMER AND MR. HAZELWOOD TO THEIR PRIOR POSITIONS, SECONDED BY COMMISSIONER HILL. THE MOTION CARRIED UNANIMOUSLY WITH FIVE (5) COMMISSIONERS PRESENT.

Commissioner Duerr suggested looking into assigning alternates for these positions as a best practice.

7. Action, discussion, and possible direction to staff for the approval of the WRWC tentative budget for Fiscal Year 2022-2023, and to schedule the time and place for a public hearing on the tentative budget – Kim Rigdon (For Possible Action)

Ms. Rigdon presented the staff report and answered questions from the Commission. The report includes a budget summary and worksheets showing details for professional services related to priority projects and routine operating expenses. The NNWPC reviewed and approved the draft budget on March 3, 2022, and made a recommendation to the WRWC for approval.

Commissioner Brekhus suggested additional columns for the table on page 2 to include project information regarding lead agencies, level of project management efforts, and status.

Commissioner Duerr recommended for next year's budget process to have a meeting prior to the March adoption to go through the budget in more depth.

Public Comment:

Michael DeMartini discussed the budget for professional legal representation. The amount budgeted is around \$50,000 less than what was spent in prior years for legal representation. The previous amount is still warranted, especially in light of the fact that the position should be filled by an independent representative. Having a firm that represents many of the large developers in the community also represent this Commission and TMWA presents an issue. This Commission

has utilized independent representative for the legal position in the past and that requires more funding.

COMMISSIONER BREKHUS MADE A MOTION TO APPROVE ADOPTION OF THE WRWC TENTATIVE BUDGET FOR FISCAL YEAR 2022 - 2023, DIRECT STAFF TO SUBMIT AND FILE THE TENTATIVE BUDGET AS REQUIRED BY STATUTE, AND PROVIDE NOTICE, AS REQUIRED BY LAW, FOR THE PUBLIC HEARING ON THE ADOPTION OF THE ANNUAL BUDGET TO BE HELD THURSDAY, MAY 19, 2022, AT 9:00 A.M., SECONDED BY COMMISSIONER HILL. THE MOTION CARRIED UNANIMOUSLY WITH FIVE (5) COMMISSIONERS PRESENT.

8. Action, discussion, and possible direction to staff regarding approval of funding in an amount not to exceed \$34,000 from the Regional Water Management Fund (RWMF) for a professional services agreement with AECOM for editing and formatting services required to package the 2021-2040 Comprehensive Regional Water Management Plan – Kim Rigdon (For Possible Action)

Ms. Rigdon presented the staff report. The Northern Nevada Water Planning Commission (NNWPC) is currently engaged in updating the 2021-2040 RWMP in accordance with the modified schedule accepted by the WRWC on January 19, 2022. The update schedule anticipates a complete draft will be developed by June 2022. There are multiple agencies and partners who contribute to, and co-author, the individual chapter and section updates. A complete review and formatting are needed to synthesize the chapters and format the document appropriately.

There was discussion regarding the formatting of the RWMP.

Commissioner Brekhus suggested including some type of a companion reader guide of the substantive changes for the public.

Chair Hartung expressed support for that idea.

Commissioner Duerr suggested enhancing and including more graphics and visuals. She also suggested staff talk with the Truckee Meadows Regional Planning Agency (TMRPA) staff to see some of the technology changes they have implemented with the Regional Plan.

Ms. Rigdon stated this contract will not allow the budget to make all of the suggested changes. Once this plan update is complete she plans to work towards those changes.

COMMISSIONER DUERR MADE A MOTION TO APPROVE FUNDING, NOT TO EXCEED \$34,000 FROM THE RWMF FOR FY 2021-2022 FOR A PROFESSIONAL SERVICES AGREEMENT WITH AECOM TO PACKAGE THE RWMP UPDATE AND AUTHORIZE THE CHAIR TO EXECUTE AN AGREEMENT WITH AECOM FOR THAT PURPOSE, SECONDED BY COMMISSIONER LUCEY. THE MOTION CARRIED UNANIMOUSLY WITH FIVE (5) COMMISSIONERS PRESENT.

9. Discussion and possible direction to staff regarding agenda items and dates for future WRWC meetings

None

10. Public Comment

John Enloe spoke regarding the National Water Reuse Conference he attended last week in Texas.

Michael DeMartini expressed support for reusing water and discussed the need to be realistic in how we reuse water and letting the public vote on how it is reused.

Mervin Wright discussed the importance of reusing water and expressed concern about impacts to our ecosystem. We have to share this resource and address common interests together.

11. Commission Comments

None

12. Staff Comments

None

13. Adjournment (For Possible Action)

The meeting was adjourned at 10:01 a.m.

Respectfully submitted by,
Christine Birmingham, Recording Secretary

Approved by Commission in session on May 19 2022.


Chair Vaughn Hartung