

WESTERN REGIONAL WATER COMMISSION MINUTES

Friday, April 11, 2008

The regular meeting of the Western Regional Water Commission (WRWC) was held on Friday, April 11, 2008, at 1:30 p.m., at Washoe County Department of Water Resources, 4930 Energy Way, Reno, Nevada.

1. Roll Call and Determination of presence of a Quorum – Chairman Carrigan called the meeting to order at 1:32 p.m. There was a quorum present.

Commissioners Present:

Mike Carrigan, Chair
Dave Aiuzzi, Vice-Chair (arrived at 1:35 p.m.)
Jim Ainsworth
Bob Cashell
Steve Cohen
Bob Larkin
Geno Martini
Ron Smith
Bonnie Weber

Representing:

Truckee Meadows Water Authority (TMWA)
City of Reno
Sun Valley General Improvement District (SVGID)
Truckee Meadows Water Authority (TMWA)
South Truckee Meadows General Improvement District (STMGID)
Truckee Meadows Water Authority (TMWA)
Truckee Meadows Water Reclamation Facility (TMWRF)
City of Sparks
Washoe County

Commissioners Absent:

None

Representing:

Staff Members Present:

John Bronder
Greg Dennis
Mark Foree
Sylvia Harrison
Ben Hutchins
Neil Mann
Rosemary Menard
Darrin Price
Jeanne Ruefer
Wayne Seidel
Pete Simeoni
Jim Smitherman
Stewart White
Lori Williams

South Truckee Meadows General Improvement District (STMGID)
City of Reno Public Works
Truckee Meadows Water Authority (TMWA)
TMWA / McDonald Carano Wilson
Washoe County Department of Water Resources
City of Reno Public Works
Washoe County Department of Water Resources
Sun Valley General Improvement District (SVGID)
Washoe County Department of Water Resources
City of Sparks Public Works
Washoe County District Attorney's Office
Regional Water Planning Commission (RWPC)
Sun Valley General Improvement District (SVGID)
Truckee Meadows Water Authority (TMWA)

2. Public Comment

Chairman Carrigan called for public comments. Stuart MacKie stated that he appreciated what this Board tried to do; however, "We're still going to have to take you to court. We appreciate what you tried. We'll work with you as much as we possibly can. Some of you are making it impossible to work." Commissioner Cashell asked to whom "we" refers. Mr. MacKie stated, "I must be bothering you if you are making comments. This is my time to speak. Thank you for your time."

Chairman Carrigan called for further public comment and hearing none, closed the public comment period.

3. Approval of Agenda

Commissioner Larkin made a motion to approve the April 11, 2008 WRWC agenda as posted. Commissioner Cashell seconded the motion, which carried unanimously.

4. Approval of the Minutes of the February 8, 2008 meeting of the Interim Western Regional Water Commission.

The minutes of the February 8, 2008 Interim Western Regional Water Commission meeting were submitted for approval. Chairman Carrigan stated that Mr. MacKie had requested to speak regarding the minutes.

Mr. MacKie referred to page 2 of 11 and his public comment. He stated that the minutes did not reflect what he actually said. Chairman Carrigan thanked him for his comment.

Commissioner Larkin made a motion to approve the minutes as submitted. Commissioner Smith seconded the motion, which carried unanimously.

5. Oath of Office for Western Regional Water Commissioners.

Chairman Carrigan introduced Amy Harvey, Washoe County Clerk. Ms. Harvey obtained signatures from all Commissioners for their Oath of Office. She administered the Oath, which members took verbally.

6. Election of a Chairman, Vice-Chairman, Secretary and Treasurer of the Western Regional Water Commission (WRWC).

Chairman Carrigan welcomed nominations. Commissioner Cashell nominated Mr. Carrigan as Chairman. Commissioner Larkin seconded the motion, which carried unanimously. Commissioner Cashell nominated Mr. Aiuzzi as Vice-Chairman. Commissioner Martini seconded the motion, which carried unanimously.

Commissioner Larkin nominated Commissioner Jim Ainsworth as Secretary and Darrin Price as Treasurer. Vice-chairman Aiuzzi seconded the motion. Chairman Carrigan asked if there were any further nominations. Staff clarified that the Secretary and Treasurer do not have to be Board members.

Rosemary Menard suggested other possibilities including Ben Hutchins as Treasurer and Jim Smitherman as Secretary. Mr. Price stated that Commissioner Steve Cohen expressed interest in serving as Treasurer.

Commissioner Larkin revised his motion to nominate Commissioner Jim Ainsworth as Secretary. Commissioner Bonnie Weber seconded the motion, which carried unanimously. Commissioner Larkin nominated Commissioner Steve Cohen as Treasurer. Commissioner Bonnie Weber seconded the motion, which carried unanimously.

7. Discussion and possible Commission action regarding adoption of Governing Rules and Regulations for the Western Regional Water Commission.

Chairman Carrigan invited Sylvia Harrison to speak on this item. Ms. Harrison stated that the Governing Rules were largely adapted from the TMWA Governing Rules that pertain primarily to the conduct of the WRWC meetings. She referred to Section 3 and explained that in discussions with staff it was agreed that it would be prudent to state that the Board would comply with Nevada Revised Statute (NRS) 241.0355,

which specifies that a Board comprised of elected officials take action by a vote of the majority of the members of that Board.

Commissioner Larkin asked if other than the Open Meeting Law, there were deviations from the Joint Powers Agreement (JPA) or legislation. Ms. Harrison stated there were not.

Vice-chairman Aiazzi referred to "Teleconference Attendance" and the statement that a Trustee participating telephonically may not be considered in establishing a quorum, nor can he/she vote. Ms. Harrison stated she thought it would be advantageous to prohibit voting telephonically or counting toward a quorum because the legislation refers to the "presence of members". She added that her intention was to avoid controversy about what the "presence of a member" means. She stated that it also makes it tricky to do the math if a member is allowed to vote telephonically while not being recognized in the quorum. Commissioner Smith made a motion to accept the Governing Rules with the exception that members telephonically participating may vote, although they would not be counted as a part of the quorum. Commissioner Jim Ainsworth seconded the motion, which carried unanimously. Ms. Harrison agreed to make the revision and redistribute the Governing Rules to members.

8. Discussion and possible action to recommend to the Commission Members' Governing Boards the amendment to the Joint Powers Agreement.

Chairman Carrigan invited Rosemary Menard and Lori Williams to speak on this item. Ms. Williams stated that the JPA was distributed to members with some amendments proposed by the Legislative Counsel Bureau (LCB). She explained that LCB's proposed amendments are shown in red and staff's recommended amendments are highlighted in yellow. She added that staff does not believe any of the amendments impact the operability of this Commission in a substantive way. She added that staff recommends moving forward with the amendments as proposed.

Chairman Carrigan referred to page 4 and asked for clarification on the "Planning Area" as set forth in *Section 22 of the Act* (rather than Article 2, section 2.3). He next referred to page 8, whereby all of Section 3.3 was deleted. He added that the Commission followed the Act to the letter regarding memberships and now it is all being thrown out. Ms. Menard stated that as she understands it, the LCB's counsel removed content that they believe was duplicative of contents within the Act, making it unnecessary in the JPA.

Vice-chairman Aiazzi asked where it is indicated that a member of the TMWA Board shall serve on the WRWC. Ms. Williams stated that TMWA Board representation, as well as City of Reno and City of Sparks, is called out in the Act.

Chairman Carrigan stated the JPA was in effect prior to the law going into effect and asked if we are now splitting the JPA with the intent of the law. He added that it should still be part of the JPA. Ms. Williams stated as proposed in the amended JPA, the legislation would have to be referenced for review of membership of the Board. Chairman Carrigan asked why the JPA was even needed. Commissioner Cashell agreed.

Ms. Harrison stated that a number of significant modifications were made at the last minute to the legislation pertaining to the scope of the WRWC. She added that it is a philosophical difference among attorneys regarding how best to operate. She clarified that functionally there really is not a difference. She added that this group believed the JPA should be a stand-alone document; however, some believed that would be confusing.

Chairman Carrigan asked for clarification of whether or not this Board was established by way of a JPA, and stated if not, members should tell their respective governing boards that this commission was

established by law. Ms. Menard stated that could be done with little impact; however, having the JPA in place provides more opportunity to grow this commission in the way that members wish. Chairman Carrigan stated his understanding was that the JPA was in force so the Board could operate as they wished, which was legal per the legislation. Vice-Chairman Aiazzi stated that there were parts of law, which had to be abided by when forming a JPA and he believed that was done. He agreed that he did not understand why the revisions were necessary.

Neil Mann stated that if or when the State Law changes, the JPA would not have to change to keep up with the legislature. He stated that he agreed with Ms. Menard that there is a long-term value to keeping the JPA. He added that the Legislative Oversight Committee has been very supportive of the progress this Board has made.

Mayor Martini stated that his opinion is that if staff thinks the JPA is good and useable, members should go through the amendments and decide which ones are acceptable. Ms. Menard stated that the reason for staff's recommended approach is that the message they received from the LCB was "this is it; take it or leave it". She added that staff's view is that it is important enough to have the option over the long haul of having a JPA, to accept the revisions and "live to play it another day". She stated that many staff members feel the same way as Commissioners.

Commissioner Bonnie Weber referred to meetings that Chairman Carrigan and Vice-Chairman Aiazzi have attended with the Legislative Oversight Committee (LOC) and asked if the LCB overrides the LOC. Ms. Menard reported that Senator Amodei requested that the LCB review the JPA for consistency with the legislative act.

Chairman Carrigan asked Ms. Menard to clarify her statement that the LCB said to take it or leave it. Ms. Menard referred to a letter stating if this document was not amended by April 1, 2008, it is null and void. She added that legislators stated that if the WRWC took steps to address the issues raised by the LCB at this meeting, they would allow deletion of the "null and void" statement.

Vice-Chairman Aiazzi stated that his assumption is that the Attorney General approved the JPA so it is not null and void. He stated that he does not mind making a couple of the proposed changes and added that he had spoken with some legislators. He stated that a specific request was to delete Section 3.8, which refers to appointment of alternates. He suggested deleting "Interim" when referring to the WRWC and removing Section 3.8 and leaving the remainder as is. Chairman Carrigan agreed with Vice-Chairman Aiazzi.

Commissioner Cashell asked Ms. Harrison if she reviewed the revisions with the LCB counsel. Ms. Harrison stated she did review their comments. Commissioner Cashell suggested that WRWC members, with their legal counsel, meet with the LCB to negotiate.

Chairman Carrigan stated he had a speaker information card regarding this item and invited Rosanna Coombes to speak. Ms. Coombes, Director of Regional Planning, referred to the JPA, page 16, Section 7.2 regarding the Water Planning Commission's Comprehensive Plan and the statement, "and to ensure the consistency between the Comprehensive Plan and Comprehensive Regional Plan" and asked whose job it is to ensure the consistency. She asked if the intention of the WRWC is to review the Plans for consistency or to oversee the submission to the Regional Planning Commission (RPC). Chairman Carrigan agreed that is a good question. Vice-chairman Aiazzi stated he believed that the intention was that the RPC would review the plans for consistency. Ms. Harrison agreed and added that the language was chosen so there would be more integration of the reviews but not with the intention to deprive the RPC of its authority. Vice-chairman Aiazzi suggested removing the wording, "and to ensure the consistency between the Comprehensive Plan and Comprehensive Regional Plan".

Ms. Harrison agreed with Vice-chairman Aiazzi that some legislators were in opposition to alternates being appointed. She stated that substantively she did not think there was much at issue with the proposed revisions. She added that if members would prefer to keep Section 3.3, she believed it would be acceptable. She reported that staff highly recommends approval of the revisions and to work closely with the legislators. She stated that further changes are anticipated down the road.

Commissioner Larkin stated that Ms. Harrison had indicated there was no substantive change in terms of operations and asked if Ms. Menard and Ms. Williams agreed, to which both did agree. Commissioner Larkin made a motion to accept the staff report and execute the changes to the JPA as enumerated in the staff report. Commissioner Cashell seconded the motion for discussion. He stated he would like to see some of the items from Section 3 put back into the JPA.

Vice-chairman Aiazzi stated he would not support the motion. He stated that the negotiations were made between staff and staff, not the legislators. He added that if the LCB says we have no JPA, then we do not have one. He stated that this Board did everything right and he reiterated that the Attorney General had approved the JPA. He stated that he thinks a dangerous precedent would be set by allowing the LCB to determine what should be included in the JPA.

Chairman Carrigan stated that the two main issues with the LCB are the appointment of alternates and the quorum, which is set forth in State Law.

Commissioner Bonnie Weber stated that she would not support the motion. She added that under principle, the WRWC underwent the process and worked as directed. She agreed it would be a mistake to allow the changes.

Chairman Carrigan called for a vote on the motion, which failed with one in favor and eight opposed.

Vice-chairman Aiazzi made a motion approve staff's recommendations on pages 2, 3, 4, Sections 1.1.1, in Article 2 to change the wording to "Effective Date of this Agreement", keep in the JPA Sections 2.1, 2.2, 2.3, change 2.4 as submitted, change to reflect the strikeouts to the bottom of page 6, keep Section 2.5, change the title of Article 3, keep Section 3.1, 3.3, 3.4, 3.5, 3.6 and 3.7, delete Section 3.8 or accept staff's recommendation, keep in 3.9 through 3.17, adjust the numbering as correct, accept the change to page 14, keep Section 6.6, change Section 7.2 to delete "and to ensure the consistency between the Comprehensive Plan and Comprehensive Regional Plan", accept the changes to Sections 8.3, 8.5, 8.6 and page 18 as recommended. Commissioner Jim Ainsworth seconded the motion, which carried unanimously.

9. Discussion and possible Commission action to accept the recommendation of the Washoe County Risk Manager to meet the NRS 531 Section 26 requirement for purchase of a Corporate Surety Bond for the Western Regional Water Commissioners by depositing \$45,000 with the Nevada State Treasurer, as provided for in NRS 100.065, in lieu of purchasing individual surety bonds for each commissioner.

Ms. Menard stated that a provision of Section 26 of the Act requires a corporate surety bond for each of the Commissioners. She stated that one way to meet that requirement is to purchase individual bonds for each member; however, another way is to take advantage of NRS 100.065, which allows a deposit for a total amount in lieu of purchasing individual bonds. She reported that staff's recommendation is to take advantage of NRS 100.065. Commissioner Cashell made a motion to accept staff's recommendation. Commissioner Jim Ainsworth seconded the motion, which carried unanimously.

10. Appointment of members to the Northern Nevada Water Planning Commission (NNWPC) and acknowledgement of NNWPC prescribed membership.

Jim Smitherman reported that in February the IWRWC directed staff to inquire of Michael Cameron and Michael DeMartini as to whether they wish to serve on the Northern Nevada Water Planning Commission (NNWPC) in the capacity they served on the Regional Water Planning Commission. He reported that both agreed to serve on the NNWPC.

Mr. Smitherman reported that as directed, he contacted Washoe County Water Conservation District, who sent a letter recommending continued representation by George Ball on the NNWPC. He stated he also sent a letter as directed to the Pyramid Lake Tribal Council to appoint a representative, although he had not heard back from the Tribal Council to date. He added that he provided a revised list of NNWPC members because the list distributed in the agenda packet erroneously shows Steve Cohen as the STMGID appointee. The revised list shows Jerry Schumacher in that position.

Commissioner Larkin made a motion to accept staff's recommendation to appoint members as discussed, including the corrections made to the distributed list. Commissioner Martini seconded the motion, which carried unanimously.

11. Report and possible direction to staff regarding the NNWPC meeting schedule, and possible direction to the NNWPC to review the Proposed Work Plan and Budget and provide input to the WRWC.

Mr. Smitherman reported that the first meeting of the NNWPC is scheduled for Wednesday, April 30, 2008 at 1:30 p.m. The meeting will be held at Washoe County Department of Water Resources. He recommended that the ongoing schedule for meetings be the first Wednesday of each month, commencing June 4th. He reported that there would be time for staff to develop recommendations based on the outcome of the April 30th meeting to present to the WRWC on May 16th.

Mr. Smitherman referred to the Draft Agenda item to possibly approve and provide input to the WRWC concerning the proposed WRWC Work Plan and Budget.

Commissioner Martini made a motion to direct staff to present the proposed Work Plan and Budget to the NNWPC for review and possible input and approval. Commissioner Cashell seconded the motion, which carried unanimously.

Chairman Carrigan requested that meetings be scheduled to provide staff time to present information to the WRWC.

12. Informational item on the schedule for the public hearing for approval of: a) the budget and b) the continuation of the Water Management Fund.

Ms. Williams reported that a meeting is scheduled for Friday, May 16th at 1:30 p.m. at Department of Water Resources. She reported that the proposed items for that meeting include a public hearing for approval of the budget. She added that currently staff is awaiting clarification from the State based on dialogue that the WRWC does not fall under the statute that requires a budget filing. She reported that the public hearing would also include the continuation of the Water Management Fund, as well as possible adoption of the Amendment to the Regional Water Plan.

13. Presentation and request for approval of the WRWC budget for 4th Quarter Fiscal Year 2008 and the tentative budget for Fiscal Year 2009 to be submitted to the Department of Taxation.

Ben Hutchins referred to the budget items included in the agenda packets. He reported that he is seeking approval of the ongoing services for which contracts are in place as approved by the RWPC and the Board of County Commissioners. He also requested approval of the budget for next fiscal year. He reviewed the revisions made to the budget, which were basically accounting classification changes. He stated that if approved today and required by the State, the budget numbers presented are what would be provided to the State. He added that he directed staff to hold off on payments to vendors until budget authority is received.

Mr. Hutchins explained how the numbers were derived. He added that although a net loss is shown, it does not reflect the cash balance. He explained that the estimate of \$1.6 million for professional services is based on items listed in the Work Plan; however, it is a maximum amount that has not been approved for expenditure.

Chairman Carrigan stated that he would rather the budget reflect the cash balance, rather than showing a net loss. Mr. Hutchins stated that those numbers would be included in the budget if required to be submitted to the State.

Vice-chairman Aiuzzi asked why the WRWC was being asked to approve the budget today and then again on May 16, to which Chairman Carrigan replied that on May 16 the budget would be approved under a public hearing. Ms. Menard added that the public hearing would also include transferring the budget to the WRWC's purview.

Commissioner Jim Ainsworth made a motion to approve the budget as presented. Commissioner Bonnie Weber seconded the motion, which carried unanimously.

14. Briefing on the Comprehensive Regional Water Management Plan 2008 Amendment; discussion and possible direction to staff regarding adoption of the Regional Water Management Plan in May.

Mr. Smitherman gave a brief PowerPoint presentation showing what the Amendment to the Regional Water Management Plan includes. He reported that the major components of the Water Plan include:

- Current and future water supplies
- Water quality
- Wastewater facilities
- Flood control and storm water drainage
- Water conservation

Mr. Smitherman gave a brief background on the history of the Water Plan, which was originally developed in 1995-96 and adopted in 1997. The law required an initial review after 5 years and every 3 years thereafter. He stated that the 2004-2025 Update was adopted by the County in January 2005 and was found to conform to the Regional Plan in March 2005.

Mr. Smitherman reported that the basis of the 2008 Amendment was based on a review of the 2004-2025 Water Plan. He read from the Water Plan Table of Contents, which includes the following chapters:

1. Water Planning Policies and Criteria
2. Water Resources
3. Water Quality and Wastewater

4. Flood Control / Storm Drainage
5. Watershed Management
6. Projections of Population, Water Demand and Wastewater Flow
7. Legal and Regulatory Constraints
8. Water Conservation
9. Issues and Proposed Alternatives
10. Integrated Planning / Financial Summary
11. Action Plan

Mr. Smitherman reported that the 2008 Amendment incorporates plans and other materials completed since the last amendment in 2006. He added that it is not intended to be a re-write of the Plan but is intended to provide a current foundation for the WRWC. He reported that if adopted, the amended plan will remain in effect until the WRWC adopts a new or updated plan on or before January 1, 2011.

Mr. Smitherman referred to the components of the Amendment, which include:

- Updated Policy 4.1.a, related to Conformance with Regional Water Plan
- Inclusion of the Conceptual Level Facility Plans for Reno, Sparks and Washoe County to 2030
- Inclusion of Sun Valley General Improvement District's Water System Master Plan Update

Mr. Smitherman referred to the summary tables provided by the consultant. Commissioner Larkin requested that the units be consistent, i.e. acre-feet (AF) versus million gallons per day (MGD). Chairman Carrigan stated that the numbers reflected in these tables are what causes a stir with the public because the numbers are based on every parcel being built out, even if the build out is not possible (i.e. slopes greater than 30%, etc.). Members discussed ways to make the public more aware of the actual water and wastewater demands. One suggestion was to move explanations from footnotes into the body of the table. Other suggestions included specifying that the estimated costs do not include the potential reuse of reclaimed water, who pays for the water and wastewater, and a note that the dollars reflected are "current year" dollars. Mr. Smitherman agreed to implement the edits to the tables per direction. Chairman Carrigan stated that it needs to be clarified that even if zoning allows for development, if there is not sufficient water, a project would not be approved.

Mr. Smitherman referred to the updated water resources per hydrobasin, which will be included in the Amendment. He added that also included in the Amendment will be a complete revision of Chapter 8 – Water Conservation, which could serve as a stand-alone document. He reported that a list of Truckee River Action (TRACTION) projects for the Truckee Meadows Flood Project would be included. He stated that the updated Washoe County 208 Water Quality Management Plan would be included in the Amendment, as will a section on Reclaimed Water Programs. Chairman Carrigan asked if the Conservation Chapter says how conserved water can be used, i.e. not for new development but rather for upstream storage. Mr. Smitherman stated that it does state how the water may be used.

Mr. Smitherman agreed to bring back the requested revisions to the May 16 meeting. He welcomed further questions from Commissioners. He added that all the documents are on file with the County Clerk's office for review.

Commissioner Larkin made a motion to accept staff's request to bring the Amendment with the requested edits to the WRWC Public Hearing on May 16. Commissioner Cashell seconded the motion, which carried unanimously.

15. Discussion and possible Commission action regarding the pending contracts with: a) Kennedy Jenks for a river restoration permitting handbook, and b) the City of Reno to implement a community outreach and education program on raising the base flood elevation at Silver Lake playa with a Letter of Map Revision.

Mr. Smitherman reported that the RWPC had recommended BCC approval of two contracts; however, the BCC deferred approval to the WRWC. He stated that the first contract is with Kennedy Jenks for a river restoration permitting handbook, which would provide a roadmap for the permitting and environmental process when working within the river. He explained that the project is consistent with the RWPC's Work Plan. He stated that the budget request is \$54,325. He added that Candace Siwarga and Tom Swan from Kennedy Jenks were present to answer questions.

Vice-chairman Aiazzi questioned the cost of producing the draft and final BMP Handbooks. Commissioners requested PDF copies of the handbooks rather than printed. Greg Dennis stated that the budget could probably be reduced to \$50,000 with handbooks provided in PDF format.

Commissioner Larkin made a motion to approve staff's recommendation for approval. Commissioner Cashell seconded the motion, which carried unanimously.

Mr. Smitherman reported the other proposal is for City of Reno (via Interlocal Agreement) to implement a community outreach and education program on raising the base flood elevation at Silver Lake playa with a Letter of Map Revision. He reported the contractor, Michael Baker, Jr., would work in conjunction with Kerrie Williams-Lanza, City of Reno. He added that the project cost is not to exceed \$77,072. He read some of the major components from the scope of work.

Vice-chairman Aiazzi made a motion to approve funding in the amount of \$77,072 as requested by staff. Commissioner Larkin seconded the motion, which carried unanimously.

16. Discussion and possible Commission approval of: a) an interlocal agreement with Truckee Meadows Water Authority for Administrative services; and b) an interlocal agreement with Washoe County for Administrative services, including relevant purchasing and contracting policy.

Vice-chairman Aiazzi made a motion to approve staff's recommendation. Commissioner Larkin asked whether amendments would be necessary to the Interlocal Agreement. Ms. Menard stated that the numbering would be updated as needed. Commissioner Larkin seconded the motion, which carried unanimously.

17. Discussion and possible Commission direction and approval of a methodology and process for the recruitment and selection of Legal Counsel for the WRWC and possible contract for part-time transitional legal services.

Darrin Price stated that at the last meeting there was a question regarding a potential conflict of interest by having an Interlocal Agreement between the WRWC and SVGID to provide legal services. He explained that Stewart White, SVGID Attorney, wrote a letter to the State Bar of Nevada to ask about the ethics of doing so. He reported that verbal responses were received from Phil Pattee, Attorney with the State Bar, which addressed the concerns.

Mr. Price stated that the staff working group discussed the matter and a suggestion was made to hire John Rhodes as a part-time attorney in the interim until a full-time attorney could be hired. Mr. Price stated that Mr. Rhodes expressed an interest in the part-time position. He reported that staff's recommendation

is to hire Mr. Rhodes and evaluate the workload and to re-evaluate at a later date the need for a full-time attorney. He added that there is a budgeted amount for the full-time position, which would cover the part-time position in the interim.

Chairman Carrigan asked the attorneys who were present if they intended to continue to attend WRWC meetings, which most stated they did. Vice-chairman Aiazzi asked why there were so many attorneys present. Ms. Williams stated for instance there would be times when TMWA would want their attorney to be present specific to items concerning TMWA.

Mr. Price added that Mr. Rhodes previously served as legal counsel for the RWPC until his recent retirement so he is knowledgeable in water issues.

Mr. Rhodes clarified the reference to a salary not to exceed \$11,000 per year in the staff report, which was actually incorrect and he could receive a salary up to \$22,000 and not affect his retirement benefits. Mr. Price clarified that Mr. Rhodes would not be an employee of SVGID; he would be contracted directly with the WRWC.

Vice-chairman Aiazzi made a motion to hire Mr. Rhodes for six months. Commissioner Jim Ainsworth seconded the motion. Chairman Carrigan asked what the compensation would be. Mr. Rhodes stated that compensation could be negotiated. Staff said they will negotiate with Mr. Rhodes and bring this back to the Commission next month for approval. He added that his clients would be only the WRWC and the NNWPC.

Chairman Carrigan called for a vote on the motion, which carried unanimously.

18. Discussion and possible Commission action regarding coverage of Commission meetings by SNCAT.

Wayne Seidel reported that he solicited quotes for televising future meetings and received the following:

- Three-person mobile crew = \$170 per hour or per quarter would be \$1,200 for unlimited hours
- Live streaming video with the mobile crew would require an encoder (\$20,000) and a 3 megabyte DSL line, with a mobile crew (approximately \$25,000 per year)
- Use of existing facilities, i.e. Washoe County Chambers, City of Reno Chambers or City of Sparks Chambers = \$85 per hour if the facility is already set up for recording

Mr. Seidel stated he is seeking direction from Commissioners. Chairman Carrigan stated it would probably be easiest to schedule meetings in existing facilities with live airing of the meetings. Vice-chairman Aiazzi agreed the recording of meetings at the facilities works best performance-wise. Commissioner Martini requested that staff examine the availability of the three chambers and bring back a recommendation. Mr. Seidel agreed to do so.

19. Commission Comments

None

20. Staff Comments

None

21. Public Comment

Chairman Carrigan called for additional public comments and hearing none, closed the Public Comment period.

22. Adjournment

With no further business, the meeting was adjourned at 3:37 p.m.

Respectfully submitted by,

Niki Linn, Recording Secretary

Approved by Commission in session on May 16, 2008.

Mike Carrigan, Chairman