

# WESTERN REGIONAL WATER COMMISSION MINUTES

**Friday, June 13, 2008**

The regular meeting of the Western Regional Water Commission (WRWC) was held on Friday, June 13, 2008, at City of Sparks Legislative Council Chambers, 745 Fourth Street, Sparks, Nevada.

- 1. Roll Call and Determination of presence of a Quorum** – In Chairman Carrigan's absence, Vice-Chairman Aiazzi called the meeting to order at 1:55 p.m. There was a quorum present.

Commissioners Present:

Dave Aiazzi, Vice-Chair  
Bob Cashell  
Bob Larkin  
Geno Martini  
Ron Smith  
Bonnie Weber (arrived at 1:57 p.m. – between items 6 and 7)

Representing:

City of Reno  
Truckee Meadows Water Authority (TMWA)  
Truckee Meadows Water Authority (TMWA)  
Truckee Meadows Water Reclamation Facility (TMWRF)  
City of Sparks  
Washoe County

Commissioners Absent:

Mike Carrigan, Chair  
Jim Ainsworth  
Steve Cohen

Representing:

Truckee Meadows Water Authority (TMWA)  
Sun Valley General Improvement District (SVGID)  
South Truckee Meadows General Improvement District (STMGID)

**Staff Members Present:**

John Bronder  
Mark Foree  
Sylvia Harrison  
Ben Hutchins  
Rosemary Menard  
Darrin Price  
Jeanne Ruefer  
Fred Schmidt  
Wayne Seidel  
Pete Simeoni  
Jim Smitherman  
Lori Williams

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

**2. Public Comment**

Vice-Chairman Aiazzi called for public comments and hearing none, closed the public comment period.

**3. Approval of Agenda**

Commissioner Martini made a motion to approve the June 13, 2008 WRWC agenda as posted. Commissioner Smith seconded the motion, which carried unanimously.

**4. Approval of the Minutes of the May 16, 2008 meeting.**

The minutes of the May 16, 2008 Western Regional Water Commission meeting were submitted for approval. Commissioner Cashell made a motion to approve the minutes as submitted. Commissioner Smith seconded the motion, which carried unanimously.

**5. Request for WRWC approval of the funding recommendation from the NNWPC for \$172,448 for the North Valleys Integrated Plan.**

Vice-Chairman Aiazzi asked if commissioners would like to hear a presentation on this item, which was declined. Commissioner Martini made a motion to approve the recommendation from the Northern Nevada Water Planning Commission (NNWPC). Commissioner Smith seconded the motion, which carried unanimously.

**6. Request for WRWC approval of the funding recommendation from the NNWPC for an initial amount not to exceed \$340,000 for the initial research and stakeholder involvement and education phase of a Truckee River Watershed-Based Water Quality and Third-Party Total Maximum Daily Load planning process.**

Vice-Chairman Aiazzi asked if commissioners would like to hear a presentation on this item, which was declined. Commissioner Martini made a motion to approve the recommendation from the NNWPC. Commissioner Cashell seconded the motion, which carried unanimously.

**7. Request for WRWC input and direction to staff regarding issues to be communicated to the Legislative Oversight Committee for possible inclusion in committee developed/recommended legislation related to water issues and authorization for the WRWC Chairman to sign letter conveying WRWC's input.**

Lori Williams stated that the Legislative Oversight Committee (LOC) would hold their next meeting on August 11, 2008 providing an opportunity for the WRWC to provide input related to proposed legislation. She added that the issue could be further discussed at the July WRWC meeting. She reported that items for possible discussion with the LOC include:

- Technical wording that possibly needs revision, such as:
  - Enabling the Mayor of Sparks to sit in any Sparks or TMWRF seat
  - Clarification of the planning area related to exclusion of the Tribal lands
  - Washoe-Storey Conservation District should be Washoe County Water Conservation District

Ms. Menard stated that she and Ms. Williams spoke with the LOC regarding the requirement in the legislation for the NNWPC to perform a consolidation study, as well as the LOC to perform such a study. She reported that they recommended that the LOC develop a bill draft request (BDR) for funding for one study in conjunction with the NNWPC. She added that the LOC requested further information at the August 11 meeting regarding an approach and cost estimate.

Ms. Menard stated that additional issues raised by staff and some raised by the LOC include:

- Discussion of the Regional Water Management Fund (RWMF), which is currently funded by the 1.5% water user fee, to which developers do not contribute but possibly should
- Possible enabling legislation and strategies for the use of reclaimed water in a regulatory framework

- Related to the Central Truckee Meadows Remediation District, language for putting a cost recovery mechanism in place for polluters
- Possible enabling legislation to help fund the Spanish Springs septic to sewer conversion

Ms. Williams summarized that the LOC ended their meeting with a list of four items, which include:

- Consolidation Study – A suggestion was made to possibly fund a joint study or to change the legislation requiring a consolidation study.
- Joint Powers Agreement (JPA) “fix” – Ms. Williams reported that the Legislative Counsel Bureau (LCB)’s counsel stood by their position that if the JPA was not amended by April 1, 2008 consistent with their definition of consistent, that the JPA is not in place. She added that there was some discussion by the oversight committee to possibly amend the legislation.
- Possible legislation related to water quality monitoring points on the Truckee River – Ms. Williams stated that staff would examine this issue further and suggested that the WRWC might wish to consider water quality issues.
- Flood Plan – Ms. Williams reported that Naomi Duerr, Director of the Flood Project, presented an update to the LOC. She reported that a possible BDR for funding might be considered.

Ms. Williams welcomed input from commissioners.

Vice-Chairman Aiazzi gave a brief report on the meeting, based on his presence at the meeting. He reiterated that from the LCB’s point of view there is not a JPA, although from the viewpoint of the WRWC the JPA was in place when approved and signed by the Attorney General. He stated that he needs to review the tape but thought he heard an opinion stated that the LCB has jurisdiction. He summarized that he does not believe a JPA “fix” is needed because he thinks that we either have a JPA or we do not and it was signed before April 1, 2008. He stated that he understood that the WRWC would move forward assuming a JPA is in place, which is why changes were proposed to be made to it previously.

Vice-Chairman Aiazzi reported that the LCB also requested a matrix of the differences in the JPA adopted by the WRWC and what was requested by the LCB. He added that along with the matrix, a rationale of why the WRWC did or did not follow the LCB’s advice was requested. Ms. Williams reported that staff is currently working with John Rhodes, WRWC’s legal counsel, on the issue.

Vice-Chairman Aiazzi requested placing this item on the next agenda for an update. He requested that commissioners send any further requests to Ms. Williams for inclusion. Ms. Williams agreed and added that staff would continue to flesh out some of the items to a greater extent and provide a list at the next meeting.

#### **8. Request for WRWC approval of Agreement for the Investment of Regional Water Management Funds in the Washoe County Investment Pool.**

Ben Hutchins, Finance Customer Service Manager for Washoe County Department of Water Resources, reported that the County has had authority and obligation to provide accounting services for the RWMF for the WRWC. He requested approval of a contract to place the funds into the investment pool with the other County funds. He stated that the funds would be invested in accordance with Washoe County policy, which means that they would share the gains, losses, and interest earning on a pro rata basis. He added that in addition, all third-party expenses would be shared on a pro rata basis.

Vice-Chairman Aiazzi called for any questions. Commissioner Cashell asked who sits on the Investment Pool committee. Mr. Hutchins stated he was unsure of some of the names but stated that the County Treasurer, Bill Berrum serves.

Commissioner Cashell stated that reluctantly he would make a motion to approve the Agreement; subject to finding out who would oversee the fund. Commissioner Smith seconded the motion. Commissioner Weber commended Mr. Hutchins and stated that she supports the motion.

Mr. Hutchins stated that in light of the circumstances, "As you can see, the scrutiny is going to be somewhat significant and if I were in your position, being that we will be evaluated to a pretty strict standard, we are probably the safest place to put your money."

Commissioner Larkin reported that the Investment Pool Advisory Committee includes Bill Berrum, Katy Singlaub, John Sherman, Commissioner Jim Galloway, himself and the investment advisors. He reiterated Commissioner Cashell's request to provide that information more formally, with which Mr. Hutchins agreed.

Vice-Chairman Aiazzi stated that "Crooks are crooks and none of us are immune". He added there is a motion on the floor and called for the vote, which carried unanimously.

**9. Verbal information regarding the schedule for local governing board actions on the WRWC approved amendments to the WRWC Joint Powers Agreement (JPA).**

Ms. Menard reported that the schedule for local governing board action on the JPA is as follows:

- TMWA Board – June 18
- SVGID Board – June 17
- Washoe County and STMGID Board of Trustees – June 24
- Sparks – July 14
- Reno – June 18

Ms. Williams commented that staff will continue moving forward with presentation of the amended JPA to the local governing boards as previously directed by the WRWC.

**10. Discussion and possible direction to staff regarding agenda items for the July 11, 2008 WRWC meeting.**

Commissioner Larkin asked what items are slated for the July agenda. Ms. Menard reported that the agenda would include:

- Discussion of a BDR as discussed earlier
- Possible approval of an interlocal agreement with Washoe County for employees
- Possible approval of an interlocal agreement with Washoe County for administrative services
- Presentation and possible approval of an interlocal agreement with the City of Reno for the work by the Center for Collaborative Policy (CCP) and Limnotech.

Ms. Menard stated that future agenda items include:

- Updated work plan
- Water quality discussion
- North Valleys Initiative update

Commissioner Larkin reported that the Regional Planning Commission approved the population forecast and the Regional Planning Governing Board heard the information. He asked when Mr. Smitherman would incorporate that information into the update. Mr. Smitherman reported he is currently working on that process. Commissioner Larkin stated that the population consensus forecast is estimated at 620,000 in 2030. Vice-Chairman Aiazzi requested adding an agenda item for an update on the process, with which Mr. Smitherman agreed.

Ms. Williams reminded commissioners that there is no meeting scheduled for August.

**11. Commission Comments**

None

**12. Staff Comments**

None

**13. Public Comment**

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

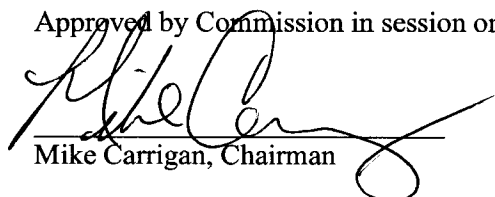
**14. Adjournment**

With no further business, the meeting was adjourned at 2:15 p.m.

Respectfully submitted by,

Niki Linn, Recording Secretary

Approved by Commission in session on July 11, 2008.



Mike Carrigan, Chairman