

WESTERN REGIONAL WATER COMMISSION BOARD OF TRUSTEES MINUTES

Thursday, May 19, 2011

The regular meeting of the Western Regional Water Commission (WRWC) Board of Trustees was held on Thursday, May 19, 2011, at Sparks Council Chambers, 431 Prater Way, Sparks, Nevada.

- 1. Roll Call and Determination of presence of a Quorum** – Chairman Carrigan called the meeting to order at 9:00 a.m. There was a quorum present.

Commissioners Present:

Mike Carrigan, Chair
Bob Larkin, Vice-Chair (arrived at 9:03 a.m.)
Dave Aiazzi (arrived at 9:07 a.m.)
Steve Cohen
Geno Martini
Margaret Reinhardt
Ron Smith

Representing:

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

Commissioners Absent:

John Breternitz
Bob Cashell

Representing:

Washoe County
Truckee Meadows Water Authority

- 2. Pledge of Allegiance**

Chairman Carrigan asked Commissioner Smith to lead the Western Regional Water Commission in the Pledge of Allegiance.

- 3. Approval of Agenda**

Commissioner Martini made a motion to approve the May 19, 2011 WRWC agenda as posted. Commissioner Smith seconded the motion, which carried unanimously.

- 4. Public Comment**

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

- 5. Approval of the Minutes of the March 11, 2011 meeting.**

The minutes of the March 11, 2011 Western Regional Water Commission meeting were submitted for approval. Commissioner Smith made a motion to approve the minutes as submitted. Commissioner Martini seconded the motion, which carried unanimously.

Open Public Hearing – 9:02 a.m.

6. Public Hearing on the WRWC Tentative Budget for Fiscal Year 2011/2012; discussion and adoption of the WRWC Final Budget for Fiscal Year 2011/2012.

Chairman Carrigan invited Jim Smitherman to present this item. Mr. Smitherman reported that he provided a very detailed report on the WRWC Budget at the last meeting. He stated that the final budget is the same as the tentative budget; however, \$1.7 million set aside for possible water rights purchase was moved because it should not have been classified as “capital outlay”. He summarized that was the only change.

Chairman Carrigan called for comments for the public regarding the budget and hearing none, closed the Public Hearing at 9:05 a.m.

Close Public Hearing – 9:05 a.m.

Commissioner Martini made a motion to adopt and certify the WRWC final budget for fiscal year 2011/2012 and direct staff to transmit a copy of it to the Nevada Tax Commission, together with an affidavit of proof of publication of the notice of the public hearing in accordance with law. Commissioner Larkin seconded the motion, which carried unanimously.

7. Discussion and possible approval of a First Amended Cooperative Agreement with Washoe County to provide staff services for the WRWC and the Northern Nevada Water Planning Commission (NNWPC); and, if approved, authorize the Chairman to execute the Amendment.

Chairman Carrigan invited Mr. Smitherman to present this item. Mr. Smitherman referred to the staff report and stated that staff’s recommendation is to approve an amendment to the existing Agreement with one modification. He reported that the original Agreement assigns three full-time employees to the WRWC and NNWPC for three years. He stated that the existing Agreement expires June 30, 2011. He added that the Amendment would cover the next three years.

Mr. Smitherman stated that the Agreement also specifies that employees can perform work for Washoe County as necessary, as long as it does not conflict with duties for the WRWC or NNWPC.

Commissioner Smith made a motion to approve the First Amended Cooperative Agreement with Washoe County to provide staff services for the WRWC and the NNWPC, and authorize the WRWC Chairman to execute the Amendment. Commissioner Larkin seconded the motion, which carried unanimously.

8. Discussion and possible designation of Jim Smitherman as the WRWC agent authorized to advise and instruct the Washoe County Treasurer concerning matters of the Interlocal Agreement between the WRWC and Washoe County for pooling and investment of WRWC funds; and, if approved, authorize the Chairman to sign a letter advising the Treasurer of the designation.

Chairman Carrigan invited John Rhodes, Legal Counsel, to present this item. Mr. Rhodes stated that this item is simply a “housekeeping item” related to the Interlocal Agreement. He explained that the original agreement did not designate a “contract administrator”. He recommended that Jim Smitherman be designated for the position. He explained that Mr. Smitherman would not make investment decisions and his role would not change.

Commissioner Cohen made a motion to designate Jim Smitherman, WRWC Water Resources Program Manager, as the WRWC agent authorized to advise and instruct the Washoe County Treasurer concerning matters of the Interlocal Agreement between the WRWC and Washoe County for pooling and investment of WRWC funds, and authorize the Chairman to sign a letter advising the Treasurer of the designation. Commissioner Larkin seconded the motion, which carried unanimously.

9. Report on legislative activities, including Bill Draft Requests and Bills pending in the 2011 Nevada Legislature that may affect the WRWC; and, possible direction to staff.

Mr. Rhodes stated that the two bills supported by the WRWC presented by the Legislative Committee to Oversee the WRWC (LOC) were Assembly Bills (AB) 237 and 238. He explained that AB 237 would allow the issuance of bonds to assist those required to hook up to the municipal water or sewer systems; and AB 238 would allow issuance of County Bond Bank bonds for refinancing securities. He reported that AB 237 is scheduled to go to the Senate Committee for a vote today.

Mr. Rhodes reported that AB 238 met unexpected opposition after having first been amended to apply to Washoe County only but now is being directed to only apply to water projects.

Mr. Rhodes stated that other than support of the two above Assembly Bills, the WRWC would maintain a neutral position on all other bills, with the exception of AB 59, submitted by the Attorney General (AG), which makes various changes to the Open Meeting Law. The WRWC subcommittee closely watched the Bill because the last provision stated that, "Each member of a public body who attends a meeting of that public body where action is taken in any violation of provision of Open Meeting Law, *regardless of knowledge of the violation*, is subject to a civil penalty in an amount not to exceed \$500." The bill language was amended that the violator *must have knowledge* of the violation.

10. Discussion and possible direction to staff regarding agenda items for the June 10, 2011 meeting and future meetings.

Chairman Carrigan asked if pending items were scheduled for the June meeting. Mr. Smitherman stated yes and added that the June meeting would include extending interlocal agreements that will expire June 30, 2011, including the Stormwater Permit Coordinating Committee (\$262,500). He clarified that he will bring forward three Interlocal Agreements for extension.

11. Commission Comments

None

12. Staff Comments

None

13. Public Comment

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

14. Adjournment

With no further business, the meeting was adjourned at 9:12 a.m.

Respectfully submitted by,

Niki Linn, Recording Secretary

Approved by Commission in session on June 10, 2011.

Mike Carrigan, Chairman