

# WESTERN REGIONAL WATER COMMISSION AGENDA

Wednesday, March 16, 2016  
8:00 a.m.

Sparks Council Chambers, Legislative Building  
745 Fourth St., Sparks, Nevada

## TRUSTEES

Vaughn Hartung, Chairman  
Naomi Duerr, Vice Chair  
Sandra Ainsworth, Secretary-  
Treasurer

Jenny Brekhus  
Jeanne Herman  
Geno Martini

Charlene Bybee  
Bob Lucey  
Ron Smith

NOTICE OF POSSIBLE QUORUM OF THE BOARD OF DIRECTORS OF THE TRUCKEE MEADOWS WATER  
AUTHORITY ("TMWA")

(See 'Notes')

**Notes: Because several of the Western Regional Water Commission ("WRWC") Trustees are also members of the Board of Directors of TMWA and/or the Board of County Commissioners ("BCC"), it is possible that a quorum of the TMWA Board and/or a quorum of the BCC may be present. Such members will not deliberate or take action at this meeting as members of the TMWA Board or the BCC, but may take action exclusively in their capacity as WRWC Trustees.**

1. Items on this agenda on which action may be taken are followed by the term "For Possible Action". Non-action items are followed by an asterisk (\*).
2. Public comment is limited to three minutes per speaker and is allowed during the public comment periods, and before action is taken on any action item. Comments are to be directed to the Commission as a whole. Persons may not allocate unused time to other speakers. The public may sign-up to speak during the public comment period or on a specific agenda item by completing a "Request to Speak" card and submitting it to the clerk.
3. Items on this agenda may be taken out of order, combined with other agenda items for consideration, removed from the agenda, or delayed for discussion at any time. Arrive at the meeting at the posted time to hear item(s) of interest.
4. Supporting material provided to the Commission for items on the agenda is available to members of the public at the Western Regional Water Commission ("WRWC") offices, 4930 Energy Way, Reno, NV, from June Davis, Administrative Secretary, (775) 954-4665, and on the WRWC website at <http://www.wrwc.us>
5. The Sparks Council Chambers are accessible to the disabled. We are pleased to make reasonable accommodations for persons who are disabled and wish to attend meetings. If you require special arrangements for the meeting, please call (775) 954-4665 no later than 24 hours prior to the meeting.
6. In accordance with NRS 241.020, this agenda has been posted at the following locations: Reno City Hall (1 East First Street), Sparks City Hall (431 Prater Way), Sparks Justice Court (1675 East Prater Way), Sun Valley GID (5000 Sun Valley Blvd.), TMWA (1355 Capital Blvd.), Washoe County Administration Building (1001 E. 9th Street), Second Judicial District Court/Courthouse (75 Court Street), Washoe County Central Library (301 South Center St.), Washoe County Community Services Department (4930 Energy Way), Galena Market (19990 Thomas Creek Rd.), Galena High School (3600 Butch Cassidy Way), South Valleys Library (15650A Wedge Parkway), the WRWC website: <http://www.wrwc.us> and the State of Nevada website at <https://notice.nv.gov>

1. Roll Call and Determination of presence of a Quorum. \*
2. Pledge of Allegiance. \*
3. Public Comment – limited to no more than three minutes per speaker. \*
4. Approval of Agenda. **(For Possible Action)**
5. Approval of the minutes of the January 20, 2016, meeting. **(For Possible Action)**
6. Discussion and possible approval of a request by The Nature Conservancy ("TNC") to revise the budget for the contract for "Optimizing Restoration Investments in the Truckee [River] Watershed", at no additional cost; and, if approved, authorize the

chairman to execute an amendment to the contract for that purpose – Jim Smitherman, WRWC Water Resources Program Manager. **(For Possible Action)**

7. Discussion and possible approval of a scope of work and funding request by TMWA in the amount of \$100,000 from the Regional Water Management Fund to continue the Water Usage Review Program for fiscal year 2016 – 2017; and, if approved, authorize the Chairman to execute an Interlocal Agreement with TMWA for that purpose – Jim Smitherman. **(For Possible Action)**
8. Review, discussion, and possible approval of the draft Western Regional Water Commission (“WRWC”) tentative budget for Fiscal Year 2016 -2017, and possible direction to staff regarding the time and place for a public hearing on the tentative budget – Jim Smitherman. **(For Possible Action)**
9. Report and discussion on the process and steps required to dissolve the WRWC; the duties and responsibilities of the WRWC; and possible options for entities to which the duties and responsibilities could be distributed; possible direction to staff – Jim Smitherman and John Rhodes, WRWC Legal counsel. **(For Possible Action)**
10. Direction to staff regarding agenda items for a possible April 20, 2016 meeting and other future meetings – Jim Smitherman. **(For Possible Action)**
11. Commission Comments \*
12. Staff Comments \*
13. Public comment – limited to no more than three minutes per speaker \*
14. Adjournment. **(For Possible Action)**

**WESTERN REGIONAL WATER COMMISSION  
BOARD OF TRUSTEES  
MINUTES**

**Wednesday, January 20, 2016**

The regular meeting of the Western Regional Water Commission (“WRWC”) Board of Trustees was held on Wednesday, January 20, 2016, at the Sparks Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada.

**1. Roll Call and Determination of Presence of a Quorum**

Chairman Hartung called the meeting to order at 9:00 a.m. There was a quorum present.

<u>Commissioners Present:</u>	<u>Appointed by:</u>
Vaughn Hartung	Washoe County
Naomi Duerr	City of Reno
Sandra Ainsworth	Sun Valley General Improvement District (“GID”)
Jeanne Herman	TMWA, Washoe County WRWC member
Jenny Brekhus	TMWA, City of Reno WRWC member
Charlene Bybee	TMWA, City of Sparks WRWC member
Geno Martini	Truckee Meadows Water Reclamation Facility (“TMWRF”)
Ron Smith	City of Sparks

<u>Commissioners Absent:</u>	<u>Appointed by:</u>
Bob Lucey	TMWA, successor to South Truckee Meadows GID

**2. Pledge of Allegiance**

Commissioner Martini led the WRWC in the Pledge of Allegiance.

**3. Public Comment**

None

**4. Approval of Agenda (For Possible Action)**

COMMISSIONER SMITH MADE A MOTION TO APPROVE THE AGENDA, SECONDED BY COMMISSIONER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

**5. Introduction of New WRWC Trustees**

Jim Smitherman, WRWC Water Resources Program Manager, introduced Jenny Brekhus and Charlene Bybee as new WRWC Trustees.

**6. Election of Chairman, Vice-Chairman, Secretary and Treasurer for the 2016 Calendar Year – Jim Smitherman. (For Possible Action)**

Jim Smitherman presented information included in the staff report regarding the election process.

COMMISSIONER SMITH MADE A MOTION TO RE-ELECT COMMISSIONER HARTUNG AS CHAIRMAN, COMMISSIONER DUERR AS VICE-CHAIR, AND COMMISSIONER AINSWORTH AS SECRETARY-TREASURER, SECONDED BY COMMISSIONER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

**7. Approval of the minutes of the November 18, 2015, meeting. (For Possible Action)**

COMMISSIONER MARTINI MADE A MOTION TO APPROVE THE NOVEMBER 18, 2015, MINUTES, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

**8. Report on the 2016 Comprehensive Regional Water Management Plan (“RWMP”) update, and possible direction to staff – Jim Smitherman. (For Possible Action)**

Jim Smitherman presented information included in the staff report regarding the update process and stated that staff is currently developing the update of the RWMP. A draft RWMP will be presented to the Northern Nevada Water Planning Commission (“NNWPC”) in July to begin the public process. The WRWC will hold a public hearing for adoption of the RWMP in September.

Commission Duerr discussed outreach efforts and suggested including a presentation of the overall RWMP along with the open house meeting.

Commissioner Duerr requested that staff include recommendations regarding how to better manage storm water.

Commissioner Brekhus agreed with the suggestion to include a presentation of the RWMP with the open house format.

Commissioner Brekhus asked about a current draft of the RWMP. Mr. Smitherman explained that the RWMP is currently being updated and that a draft is not ready to release at this time.

Commissioner Brekhus requested a copy of the WRWC’s Rules of Procedure and Operations and a copy of the interlocal (joint powers) agreement.

Commissioner Brekhus asked about the status of the septic study. Mr. Smitherman reported that staff just had a briefing on that project and a report will be ready in three months.

COMMISSIONER HERMAN MADE A MOTION TO ACCEPT THE REPORT WITH DIRECTION TO STAFF AS DISCUSSED, SECONDED BY COMMISSIONER DUERR. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

**9. Report on activities of the “Regional Effluent Management Team”, and possible direction to staff – Jim Smitherman. (For Possible Action)**

Mr. Smitherman presented information included in the staff report regarding the activities of the Regional Effluent Management Team and assured the WRWC that there is a team of their top staff engineers working on critical wastewater effluent management issues. A more thorough report will be prepared in a few months.

There was discussion regarding effluent, potable water, and sewer services. No direction was given.

COMMISSIONER MARTINI MADE A MOTION TO ACCEPT THE REPORT, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

**10. Direction to staff regarding agenda items for a possible February 17, 2016, meeting and other future meetings – Jim Smitherman. (For Possible Action)**

Commissioner Martini requested a report on the steps it would take to disband the WRWC.

Commissioner Duerr agreed with Commissioner Martini's request and requested that agenda item include information on how the WRWC responsibilities would be distributed.

Commissioner Brekhus requested that the NPO [non-profit organization] function be addressed as well.

Chairman Hartung stated that he will coordinate with Mr. Smitherman regarding the timing of the next WRWC meeting.

COMMISSIONER DUERR MADE A MOTION TO AGENDIZE A REPORT ON THE STEPS REQUIRED TO DISBAND THE WRWC, INCLUDING INFORMATION ON THE FUNCTIONS OF THE WRWC AND POTENTIAL HOME AGENCIES TO TAKE THEM OVER IF THAT IS THE DIRECTION THE WRWC IS INTERESTED IN PURSUING. THE MOTION WAS SECONDED, AND CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

**11. Commission Comments**

None

**12. Staff Comments**

None

**13. Public Comment**

None

**14. Adjournment (For Possible Action)**

The meeting was adjourned at 9:47 a.m.

Respectfully submitted by,  
Christine Birmingham, Recording Secretary

Approved by Commission in session on \_\_\_\_\_ 2016.

\_\_\_\_\_  
Chairman

# Western Regional Water Commission

## STAFF REPORT

**DATE:** March 10, 2016  
**TO:** Chairman and Members, Northern Nevada Water Planning Commission  
**FROM:** Jim Smitherman, Water Resources Program Manager,  
**SUBJECT:** Discussion and possible approval of a request by The Nature Conservancy (“TNC”) to revise the budget for the contract for “Optimizing Restoration Investments in the Truckee [River] Watershed”, at no additional cost; and, if approved, authorize the Chairman to execute an amendment to the contract for that purpose.

---

### **SUMMARY**

The Northern Nevada Water Planning Commission (“NNWPC”) at its March 2, 2016, meeting recommended, by unanimous vote, that the WRWC approve a request from TNC dated February 11, 2016, to revise the original project budget included in the contract with the WRWC. The requested change would move funding originally slated for *Personnel* and reallocate it to budget categories identified as *Consultants* and *Services and Supplies*. The reallocation shifts budget within the originally proposed budget categories and would not result in any additional cost.

### **BACKGROUND**

TNC successfully applied through the National Fish and Wildlife Foundation for a \$227,700 Desert Terminal Lakes Restoration Fund grant to fund a study entitled "Optimizing Restoration Investments in the Truckee Watershed" (the "Study"). TNC also received approval from the Truckee River Fund on August 7, 2014, for funds to cover 40 percent of an existing TNC Project Manager position over 2 years. Grants from the Truckee River Fund require matching funds which TNC secured from the Regional Water Management Fund ("RWMF") in the amount of \$57,787, through a contract with the WRWC.

### **FISCAL IMPACT**

There will be no fiscal impact to the RWMF, should this item be approved

### **RECOMMENDATION**

The NNWPC recommends that the WRWC approve the request by TNC.

### **POSSIBLE MOTION**

Should the Board agree with the NNWPC recommendation, a possible motion would be: “Move to approve the request and authorize the chairman to execute an amendment to the contract for that purpose”.

CW:jd

Attachment: Budget Revision Request



THE NATURE CONSERVANCY  
Northern Nevada Office      Southern Nevada Office  
One East First Street, #1007      915 E. Bonneville Avenue  
Reno, NV 89501      Las Vegas, NV 89101  
  
Tel 775-322-4990      Tel 702-737-8744  
Fax 775-322-5132      Fax 702-737-5787

February 11, 2016

Chris Wessel  
Water Management Planner  
Western Regional Water Commission  
1001 East Ninth Street  
Reno, NV 89512

**Budget Revision Request  
Agreement WRWC 14-07**

This is a request from The Nature Conservancy to revise the budget in funding agreement WRWC 14-07 ("Agreement") between the Western Regional Water Commission (the "Commission") and The Nature Conservancy ("TNC") effective October 1, 2014. This request is for budget revisions only and does not change the amount requested or the scope of work proposed under the Agreement.

The proposed budget revisions are due to changes in the way the project is being staffed, reducing estimated staff costs, and increases in contractual expenses beyond original estimates. These changes balance and do not affect the overall project budget.

Under the **Personnel** section of the budget, the costs for TNC staff to manage the project were reduced from the original budget. This reduction was due to the need to outsource additional work that we originally intended to manage internally, particularly GIS services. TNC outsourced this work under a contract with University of California at Santa Cruz, and under the **Consultants** section of the budget there is a new line item for GIS Consultant. Also under the **Consultants** section of the contract, the line item for Stakeholder Facilitation was increased due to a change in the scope of work for that contract, which is with the Truckee River Watershed Council. Under the **Supplies and Services** section of the contract, the line item for RIOS Training was deleted, as these services were rolled into the contract for RIOS software and development.

We also corrected an error in the original budget, where a formula was broken in the original spreadsheet. That change affects the total under the **TNC \$** column, but it does not affect the overall budget.

We appreciate your consideration of this request. Please let us know if you have questions.

Sincerely,

Mickey Hazelwood  
Truckee River Project Director, The Nature Conservancy

**Project Budget**  
**Optimizing Restoration Investments in the Truckee Watershed**

BUDGET ITEM DESCRIPTION	Est. Cost	TRF \$	TNC \$	NFWF \$	NNWPC/ WRWC \$	TOTAL \$	MATCH \$
<b>Personnel (2 years)</b>							
Truckee R. Project Dir. 40% FTE	\$83,500		\$44,250	\$39,250		\$83,500	
Project Manager 47.5% FTE	\$106,900		\$18,500	\$88,400		\$106,900	\$50,500
Hydrologist 25% FTE	\$62,500		\$7,400	\$55,100		\$62,500	
Forest Ecologist 10% FTE	\$30,000		\$30,000			\$30,000	
<b>Consultants</b>							
Stakeholder facilitation	\$17,000	\$10,000			\$7,000	\$17,000	
RIOS software develop & training	\$50,000	\$35,000		\$3,000	\$12,000	\$50,000	
GIS consultant	\$56,100			\$30,850	\$25,250	\$56,100	
<b>Supplies &amp; Services</b>							
Stakeholder meetings	\$3,000	\$3,000				\$3,000	
Data acquisition	\$2,500	\$2,500				\$2,500	
Travel	\$5,000				\$5,000	\$5,000	
Printing, postage, telecom	\$1,000				\$1,000	\$1,000	
<b>Total Direct Costs</b>	<b>\$417,500</b>	<b>\$50,500</b>	<b>\$100,150</b>	<b>\$216,600</b>	<b>\$50,250</b>	<b>\$417,500</b>	<b>\$50,500</b>
<b>Indirect Costs*</b>	<b>\$62,625</b>	<b>\$7,575</b>	<b>\$15,023</b>	<b>\$32,490</b>	<b>\$7,538</b>		<b>\$7,575</b>
<b>TOTAL</b>	<b>\$480,125</b>	<b>\$58,075</b>	<b>\$115,173</b>	<b>\$249,090</b>	<b>\$57,788</b>		<b>\$58,075</b>



# Western Regional Water Commission

## STAFF REPORT

**DATE:** March 10, 2016

**TO:** Chairman and Members, Western Regional Water Commission

**FROM:** Jim Smitherman, Water Resources Program Manager

**SUBJECT:** Discussion and possible approval of a scope of work and funding request by TMWA in the amount of \$100,000 from the Regional Water Management Fund (“RWMF”) to continue the Water Usage Review Program for fiscal year 2016 – 2017; and, if approved, authorize the Chairman to execute an Interlocal Agreement (“ILA”) with TMWA for that purpose.

---

### **SUMMARY**

The Northern Nevada Water Planning Commissions (“NNWPC”) at its March 2, 2016, meeting approved a motion to recommend that the WRWC approve a request by TMWA for funding from the RWMF, in an amount not to exceed \$100,000, for continuation of the Water Usage Review Program. In this program, TMWA staff works with customers at their homes and businesses to advise them how to manage indoor and outdoor water use based on their specific site characteristics. TMWA finds this form of customer education to be highly effective and considers the Water Usage Review Program a success.

### **BACKGROUND**

In 2013, the NNWPC recommended, and the WRWC approved, a two-year ILA with TMWA to provide \$65,558 per year, approximately 60 percent funding, for the Water Usage Review Program. In 2015, the ILA was amended for one year in an amount not to exceed \$100,000 to cover approximately 60 percent of TMWA’s expenses for an expanded program to cover the post-consolidation customer base. The NNWPC, and its predecessor entity, the Regional Water Planning Commission, have supported the Water Usage Review Program since the program's inception in 2003.

### **FISCAL IMPACT**

The fiscal impact to the RWMF, should this item be approved, will not exceed a total of \$100,000 from the RWMF in fiscal year 2016-2017. The fiscal year 2016-2017 draft tentative budget recommended by the NNWPC includes \$100,000 for this project. Budget authority is located in Fund Group 766, Fund 7066, Account Number 710100, Professional Services, Cost Object WP310101.

### **RECOMMENDATION**

The NNWPC recommends that the WRWC approve funding in an amount not to exceed \$100,000 from the RWMF in support the Water Usage Review Program for fiscal year 2016-2017, and authorize the Chairman to execute an ILA with TMWA for that purpose.

**POSSIBLE MOTION**

Should the Board agree with the NNWPC recommendation, a possible motion would be: "Move to approve the proposal from TMWA and funding in an amount not to exceed \$100,000 from the RWMF for the 2016-2017 Water Usage Review Program, and authorize the Chairman to execute an ILA with TMWA for that purpose."

JS:jd

# Western Regional Water Commission

## STAFF REPORT

**DATE:** March 10, 2015

**TO:** Chairman and Members, Western Regional Water Commission

**FROM:** Jim Smitherman, Water Resources Program Manager

**SUBJECT:** Review, discussion, and possible approval of the draft Western Regional Water Commission (“WRWC”) tentative budget for Fiscal Year 2016 - 2017, and possible direction to staff regarding the time and place for a public hearing on the tentative budget

---

### **SUMMARY**

Staff has developed a draft Fiscal Year 2016 - 2017 tentative budget for the WRWC including revenues and expenses for staff and non-staff professional services. The attached budget summary and worksheets show details for professional services related to priority projects and routine operating expenses. On February 2, 2016, the Northern Nevada Water Planning Commission (“NNWPC”) reviewed and approved the draft Fiscal Year 2015 - 2016 tentative budget and made a recommendation to the WRWC for approval.

### **BACKGROUND**

The WRWC is required to prepare and submit a tentative budget to the Nevada Department of Taxation on or before April 15, and to hold a public hearing on the tentative budget not sooner than the third Monday in May, and not later than the last day in May. [NRS 354.596(4), as amended by AB 19, Chapter 49, Statutes of Nevada 2015, page 223.] The attached tentative budget is provided for WRWC review, discussion, possible approval and possible direction to staff.

### **PREVIOUS ACTION**

None

### **FISCAL IMPACT**

The fiscal year 2016-2017 draft tentative budget projects \$1,484,933 in revenue, \$2,564,976 in expenses, and an ending cash balance of approximately \$470,026. Budget expenses include a maximum of \$1,836,976 for WRWC work plan activities, \$642,000 for three full time staff and legal services, and various routine operating expenses in the amount of \$86,000.

### **RECOMMENDATION**

Staff recommends that the WRWC approve the draft WRWC tentative budget for Fiscal Year 2016 - 2017, direct staff to submit the tentative budget to the Washoe County

auditor, file the tentative budget for public inspection with the Washoe County Clerk, and the Nevada Department of Taxation, and establish a time and date of 9:30 a.m. on Wednesday, May 18, 2016, or other appropriate time and date for the public hearing on the tentative budget.

**POSSIBLE MOTION**

"Move to approve the draft WRWC tentative budget for fiscal year 2016 - 2017, 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 tentative budget at 9:00 a.m. on May 18, 2016, or any other appropriate time and date."

JS:jd

Attachment: Draft WRWC Fiscal Year 2016 - 2017 Tentative Budget

**Tentative  
Western Regional Water Commission  
Fiscal Year July 1, 2016 - June 30, 2017  
Budget Summary Worksheet**

<b>3Budget Category</b>	<b>1.5% WMF</b>	<b>NOTE</b>	<b>Washoe County In-Kind</b>	<b>NOTE</b>	<b>TMWA In-Kind</b>	<b>NOTE</b>	<b>SVGID In-Kind</b>	<b>NOTE</b>
<b>REVENUE</b>	<b>Amount</b>		<b>Amount</b>		<b>Amount</b>		<b>Amount</b>	
Estimated Water Surcharge Revenues	1,416,677							
Grant and/or Other Revenue	40,000							
Estimated Interest Income	28,256							
<b>Total Revenue</b>	<b>1,484,933</b>		<b>0</b>		<b>0</b>		<b>0</b>	
<b>PROFESSIONAL SERVICES/SUPPLIES</b>	<b>Amount</b>		<b>Amount</b>		<b>Amount</b>		<b>Amount</b>	
Estimated Professional Services (Page 2)	1,836,976	1						
Staff Services (Page 3)	642,000	2,3	0				0	
Non-Staff Services (Page 3)	86,000							
<b>Total Professional Services/Supplies</b>	<b>2,564,976</b>		<b>0</b>				<b>0</b>	
<b>OTHER EXPENSES</b>	<b>Amount</b>		<b>Amount</b>		<b>Amount</b>		<b>Amount</b>	
Estimated Misc.			0					
<b>Total Other Expense</b>	<b>0</b>		<b>0</b>		<b>0</b>			
<b>Total Expenses</b>	<b>2,564,976</b>		<b>0</b>		<b>0</b>		<b>0</b>	

**Net Decrease in Cash Reserves (\$1,080,043)**

Cash Balance as of 7/1/15	\$1,545,846
Estimated 2015/2016 Revenue (Cash Flow)	1,485,453
Estimated 2015/2016 expenditure (Page 4)	(\$1,481,230)
Estimated cash balance as of 7/1/16	\$1,550,069
<b>Net Decrease in Cash Reserves for FY 2016-17</b>	<b>(\$1,080,043)</b>
Estimated cash balance as of 6/30/17	\$470,026

**NOTES:**

- Proposed budget provides legal spending authority for projects yet to be approved by the WRWC upon recommendations provided by the NNWPC. Specific per project scope and cost yet to be developed and approved by the WRWC.
- Proposed budget provides legal spending authority for contract staff services previously approved by the WRWC.
- Includes Washoe County estimate for overhead: 1.5% fund management, accounting, purchasing, human resources, information technology, office space, utilities, computer hardware, software, copier, supplies, routine/administrative and GIS/drafting services.

### Tentative Professional Services Budget Detail Fiscal Year 2016/2017

Professional Services Project Name	2016/2017 Budget Total	Expense Description/Example
-b-	-j-	-k-
<i>Climate Variability Data Assessment</i>	\$50,000	
<i>Precipitation Monitoring</i>	\$30,000	
<i>Restoration Investments in the Truckee Watershed</i>	\$29,050	Second year funding
<i>Highland Canal Water Quality Project</i>	\$250,000	
<i>TROA 6700 AF Water Rights Requirement</i>	\$100,000	Water rights acquisition for TROA 6700 AF requirement
<b>Regional Water Planning Projects</b>	<b>\$534,050</b>	
<i>Cloud Seeding Monitoring</i>	\$25,000	For precipitation monitoring and analysis
<i>Cloud Seeding</i>	\$100,000	ILA with DRI for cloud seeding operations
<i>Washoe ET Project</i>	\$10,000	ILA with DRI; annual monitoring weather station maintenance
<i>Water Usage Review Program</i>	\$100,000	
<i>Certified Landscape Technician Program</i>	\$12,500	ILA with NLA
<b>Regional Water Conservation</b>	<b>\$247,500</b>	
<i>Bedell Flat Infiltration</i>	\$100,000	Hydrologic Investigations
<i>Bedell Flat Infiltration Grant</i>	(\$40,000)	208 grant
<i>Integrated Wastewater and Reclaimed Water System Planning</i>	\$200,000	Indirect Potable Reuse/Effluent Management Planning
<b>Regional Reclaim Water Planning Projects</b>	<b>\$260,000</b>	
<i>Watershed Management Plan Update</i>	\$70,000	
<i>NPDES Storm Water Permit Update</i>	\$112,926	ILA with City of Reno
<i>NPDES Storm Water Quality Management Program</i>	\$262,500	ILA with City of Reno
<b>Regional Storm Water Planning Projects</b>	<b>\$445,426</b>	
<b>Regional Flood Control Planning Projects</b>	<b>\$0</b>	
<i>N &amp; P Reduction in watershed</i>	50,000	
<i>Water Quality Standards and TMDL Review, and Compliance</i>	150,000	ILA with City of Reno for LT1
<i>Septic System Mitigation Planning</i>	\$0	
<b>Regional Wastewater Planning Projects</b>	<b>\$200,000</b>	
<i>Water Management Plan Update</i>	\$150,000	WMP contracts.
<i>TMRPA GIS Population Model</i>	\$0	ILA with RPGB
<b>Comprehensive Plan</b>	<b>\$150,000</b>	
<b>Totals</b>	<b>\$1,836,976</b>	

**Western Regional Water Commission**  
**Tentative Routine Operation Budget Fiscal Year 2016/2017**

	2016/2017 Annual Routine Operating Budget Total	Expense Description/Example
<b>WRWC Employees</b>	\$380,000	Cost of <i>Support Staff</i> services as defined by employee services contract entered into between Washoe County and WRWC.
<b>Washoe County Overhead</b>	\$130,000	Based on analysis of fy13-14 actual general fund overhead and CSD fy14-15 projected apportioned overhead.
<b>Mileage Expenses</b>	\$2,400	Annual routine daily vehicle mileage expenses.
<b>Legal Services</b>	\$129,600	Cost of <i>Legal Counsel</i> services as defined by contract as entered into between Rhodes Law Office and WRWC
<b>Lobbying Registration</b>	\$0	Cost of registration for staff members as state lobbyists
<b>Staff Services Subtotal</b>	<b>\$642,000</b>	
<b>Minutes</b>	\$15,000	Annual service contract to provide for recording of meetings, transcription of minutes and document editing.
<b>Website</b>	\$33,000	Such as; website content and design services; annual website updating, maintenance, and hosting; specialized programming services; digital library development and updating; hosting, development and maintenance of databases; licensing fees, software and software updates, training/programming reference materials.
<b>Video Coverage</b>	\$5,000	Annual expense for video coverage of WRWC and NNWPC meetings.
<b>CAFR &amp; Audit</b>	\$10,000	Annual expense for CAFR development and financial audit.
<b>Regional Training</b>	\$1,000	Cost of training for staff members <i>not covered by in-kind services</i> including registration and other miscellaneous cost such as reference materials, field trips, etc.
<b>Regional Travel</b>	\$1,000	Cost of travel and training for staff members <i>not covered by in-kind services</i> including transportation services, mileage reimbursement, lodging, meals, and other miscellaneous cost such as parking, etc.
<b>Advertising</b>	\$1,000	Such as advertising and legal notices.
<b>Misc. Operating</b>	\$20,000	Such as: printing & reproduction, publications, and public notices, refreshments for volunteer boards/commissions, GIS and other in-house member agency support (not covered by in-kind services), equipment & supplies (i.e. computers, computer related supplies such as CDs, DVDs, etc.), projectors, printers, poster board, reproduction services, software licensing and fees, labels, business cards, periodicals, subscriptions, books, postage & mailing, promotion and public materials, misc. equipment rental, insurances, moving staff office location, and other expenses not included as part of overhead.
<b>Non-Staff Services Subtotal</b>	<b>\$86,000</b>	
<b>Totals</b>	<b>\$728,000</b>	

### Estimated Expenditures Fiscal Year 2015/2016

Quarter Ending	Total Estimated Fiscal 2015/2016 Expenditure as of 6/30/16
WRWC Employees	380,000
Mileage Expenses	2,400
WRWC Overhead	130,880
Legal Services	129,600
Lobbying Services	600
<b>Service Contract Subtotal</b>	<b>643,480</b>
Minutes	5,000
Website	7,500
Envision/G3	5,000
CAFR & Audit	8,700
Regional Training	0
Regional Travel	500
Advertising	1,000
Misc. Operating	10,000
<b>Non-Service Related Routine Operating Subtotal</b>	<b>37,700</b>
<b>Routine Operating Expense Subtotals</b>	<b>681,180</b>
<i>TROA 6700 AF Water Rights Requirement</i>	75,000
<i>Restoration Investments in the Truckee Watershed</i>	29,050
<i>STM Water Facility Plan Update</i>	0
<i>Highland Canal Water Quality Project</i>	0
<i>KTMB River Corridor Management Plan</i>	22,000
<i>208 Plan Review and Update</i>	0
<b>Regional Water Planning</b>	<b>126,050</b>
	0
<i>DRI Cloud Seeding</i>	125,000
<i>Washoe ET Project</i>	40,000
<i>Water Usage Review Program</i>	100,000
<i>Certified Landscape Technician Program</i>	12,500
<b>Conservation, Sustainability, Climate Change</b>	<b>277,500</b>
<i>Effluent Management Linear Programing</i>	22,000
<i>TMWRF - Huffaker Intertie Study</i>	20,000
<i>Waste Water Effluent Management</i>	23,500
<b>Regional Reclaimed Water Planning Projects</b>	<b>43,500</b>
	0
<i>NPDES Storm Water Quality Management Program</i>	262,500
<b>Regional Storm Water Planning Projects</b>	<b>262,500</b>
<b>Regional Flood Control Planning Projects</b>	<b>0</b>
	0
<i>Water Quality Standard and TMDL Review</i>	500
<i>TMWRF - Corrollo</i>	0
<i>Septic Alternatives Analysis</i>	20,000
<i>Federal 208 Pass through Gant for Septic Alternatives Analysis</i>	0
<b>Regional Wastewater Planning Projects</b>	<b>20,500</b>
<i>Plan Update (Cost-Finance and Water Balance Model Contract)</i>	50,000
<i>TMRPA GIS Population Model</i>	20,000
<i>DWR GIS Services</i>	0
<b>Water Management Plan</b>	<b>70,000</b>
<b>Project Subtotal</b>	<b>800,050</b>
<b>Totals</b>	<b>1,481,230</b>



# Western Regional Water Commission

## STAFF REPORT

DATE: March 10, 2016

TO: Chairman and Members, Western Regional Water Commission ("WRWC")

FROM: Jim Smitherman, Water Resources Program Manager

SUBJECT: Report and discussion on the process and steps required to dissolve the WRWC; the duties and responsibilities of the WRWC; and possible options for entities to which the duties and responsibilities could be distributed; and possible direction to staff

---

### **SUMMARY**

On January 20, 2016, the WRWC directed staff to prepare an item covering the process and steps required to dissolve the WRWC, a description of the duties and responsibilities of the WRWC, and possible options for entities to which the duties and responsibilities could be distributed.

### **I. Brief history of regional water planning in Washoe County**

Since 1983, the Nevada Legislature has directed, through a series of legislative enactments, the nature, scope and extent of regional water planning required by local government in the Truckee Meadows and southern Washoe County.

In 1983, the Nevada Legislature established the Regional Water Planning and Advisory Board ("RWPAB") of Washoe County. The enabling legislation's general mandate to the RWPAB was to develop a regional plan for present and future uses of water resources in the region, recognizing local governments' land use plans and coordinating the needs of incorporated areas with unincorporated areas. The RWPAB was also directed to identify "potential supplies of water" for the region. The Regional Water Resources Plan ("RWRP") was accepted by the RWPAB in March 1990 as a starting point for further planning efforts.

In 1988, the Legislature enacted NRS 278.026 - 029, amended in 1991, which mandated the development of a comprehensive land use plan for the region. The Truckee Meadows Regional Planning Governing Board ("RPGB"), established by this legislation, used an impartial fact finder to develop a coordinated approach to deal with providing wastewater and water services for the region. The fact finder, Kato & Warren Inc., completed its report in 1990 and recommended that a unified and coordinated approach, directed by one agency, be used to develop a plan to address wastewater treatment; water supply, flood control and storm water drainage; and Truckee River water quality.

From this recommendation, Washoe County funded the Regional Water Supply and Quality Study ("RWSQS"), which was completed in 1993 and presented to the Washoe County Board of Commissioners ("BCC").

In 1995, Washoe County, the City of Reno (“Reno”) and the City of Sparks (“Sparks”) worked with the Legislature to develop new legislation to further address regional water issues and required regional water resource planning. This legislation, NRS 540A.010 - 240, provided the basis and direction for the Regional Water Planning Commission (“RWPC”) and the Washoe County Comprehensive Regional Water Management Plan.

The RWPC developed, approved and recommended the *1995–2015 Washoe County Comprehensive Regional Water Management Plan* to the BCC in November 1996. The BCC adopted the Plan in January 1997 and it was found in conformance with the Regional Plan the following month. Later that month, the *Plan* was approved by the Reno City Council, the Sparks City Council and was accepted by the Nevada Legislature in June 1997. NRS 540A required that the RWPC review the initial Plan within five years of its adoption, and every three years thereafter. The *2004–2025 Washoe County Comprehensive Regional Water Management Plan* was prepared as a result of the RWPC’s five-year review, adopted in January 2005 and amended in 2006 and 2009.

In June 2007, the Legislature approved Senate Bill 487, a special Act, authorizing the creation of the Western Regional Water Commission (“WRWC”) and the Northern Nevada Water Planning Commission (“NNWPC”). Chapter 531, Statutes of Nevada 2007, the Western Regional Water Commission Act (the “Act”) repealed the sections of Chapter 540A, NRS dealing with the RWPC, but provided that “the provisions of the comprehensive plan developed and revised pursuant to the former provisions of NRS 540A.130 before April 1, 2008, remain in effect” until the WRWC adopts the initial comprehensive plan required by the Act, i.e., the *Regional Water Plan*.

## **II. Steps and process for dissolution of the WRWC**

Any complete or partial dissolution of the WRWC will require a repeal or amendment, as appropriate, of the Act **and** a rescission or amendment, as appropriate, of the Amended and Restated Joint Powers Agreement (the “JPA”) entered into among the Cities of Reno and Sparks, the South Truckee Meadows General Improvement District, the Sun Valley General Improvement District, the Truckee Meadows Water Authority (“TMWA”), and Washoe County. Rescission of the JPA requires a written agreement of termination executed by all WRWC members. Upon termination of the WRWC by legislative act, the JPA requires the obligations of the WRWC to be paid, and its assets to be distributed as provided in the termination agreement.

The process for repeal or amendment of the Act, must begin with a Bill Draft Request (“BDR”) to the 2017 Nevada Legislature. The Cities of Reno and Sparks, and Washoe County, are each allocated a certain number of BDRs in each legislative session. One possible approach is for the WRWC Board to request one of those local governments to submit a BDR seeking repeal or amendment of the Act, as desired. Staff has been advised by Legislative Counsel Bureau staff that BDRs proposed by local governments must be submitted by September 2, 2016 for the 2017 session.

Additionally, each member of the Nevada Legislature is allocated a certain number of BDRs. BDRs submitted by legislators are not subject to the September 2 deadline. Another possible

approach is for the WRWC Board to request an individual legislator to submit the desired BDR. This could be done by directing WRWC staff to work with lobbyists from its member entities to coordinate the submission of such a request. The purpose and details of any BDR must come from direction provided by the WRWC Board.

### **III. Powers, Duties and Responsibilities of the WRWC**

A number of Sections in the Act and provisions of the JPA set forth the WRWC's Powers, Duties and Responsibilities, which are summarized below. Following that is a brief discussion on the revenue, expenditures and activities of the WRWC program.

#### a. Powers

- The WRWC may exercise powers of any of its member entities, as authorized by a cooperative agreement (Sec. 24).
- The WRWC may do all things necessary to accomplish the purposes of the Act;
- Sue and be sued;
- Enter into agreements with local governments and any public purveyor;
- Prepare, adopt, update and oversee implementation of the Plan, upon recommendation of the NNWPC;
- Plan for the implementation of a mechanism for:
  - i. Scheduling delivery of water held by public purveyors
  - ii. Maximizing conjunctive use by public purveyors;
- Prepare, adopt, and update a water conservation plan for M&I uses;
- Make recommendations for water conservation agreements among local governments and purveyors;
- Study and recommend to local government boards water conservation ordinances;
- Contract with public purveyors or any public entity for services;
- Employ or contract with professional or specialized personnel;
- Seek, apply for and receive contributions, gifts, grants;
- Adopt rules for the conduct of the WRWC;
- Perform other functions conferred by the Act (Sec. 30).
- Develop a plan for the establishment of service territories of public purveyors (Sec. 31).
- Exercise all rights and powers necessary or incidental to or implied from the specific powers granted by the Act (Sec. 32).
- Upon recommendation of the NNWPC:
  - i. Adopt and revise the Plan;
  - ii. Make recommendations about conserving water consistent with other plans required by law;

- iii. Make recommendations about collecting and treating sewage to protect and conserve water supplies;
- iv. Provide information to the public about present or potential uses of water;
- v. Make recommendations about management or use of water to
  1. Reno, Sparks, County Boards and Planning Commissions;
  2. Regional Planning Governing Board and Regional Planning Commission;
  3. State Engineer;
  4. Federal Government;
  5. Other entities deemed appropriate (Sec. 34).

- Impose a fee not to exceed 1.5 percent otherwise billed, to be collected by public purveyors from customers (Sec. 35).

b. Duties and Responsibilities

- The WRWC must be directed and governed by a nine-member Board of Trustees appointed as follows:
  - i. One from the Reno City Council;
  - ii. One from the Sparks City Council;
  - iii. One from the Washoe County Board of Commissioners;
  - iv. One representing TMWRF or its successor;
  - v. One from STMGID or its successor (now TMWA);
  - vi. One from SVGID or its successor;
  - vii. Three from the TMWA Board, one each from the Reno City Council, Sparks City Council and Washoe County Board, which must be different than those in i, ii and iii, above (Sec. 25).
- The WRWC shall elect one member as Chair, one as Vice Chair, and shall elect a Secretary and Treasurer, which may be members and may be the same person. Terms expire December 31 each year;
- The Secretary shall keep audio recordings and various records;
- The Treasurer shall keep permanent, strict and accurate accounts of money received and dispersed (Sec. 27).
- The WRWC shall meet regularly at a designated time and place and provide for special meetings;
- A majority of the members is a quorum at any meeting, except as provided otherwise in the Act, and motions and resolutions must be approved by at least a majority of the members present (Sec. 28).
- The duties of the WRWC before taking action on the Plan:
  - i. An attested copy of the Plan or Amendment must be submitted by the NNWPC,
  - ii. The WRWC shall convene a public hearing,
  - iii. 30 days before the hearing the Plan or Amendment must be placed at the County Clerk for public inspection

- iv. Notice of the hearing must be published 10 days prior in a newspaper of general circulation, and must be a display ad at least 3X5 inches in size (Sec. 46).
- The duties of the WRWC regarding changes/additions to the Plan:
    - i. The WRWC must not change the Plan or Amendment except by submitting proposed changes in writing to the NNWPC;
    - ii. The NNWPC may agree or disagree, but must respond in writing within 40 days;
    - iii. If there is no resolution, the NNWPC shall revise the Plan or Amendment and include the change proposed by the WRWC (Sec. 47)
  - The Plan must be reviewed by the NNWPC on a schedule established by the WRWC, at least every five years (Sec. 50).
  - Except to meet an emergency, no facility intended to provide a service relating to a subject of the Plan may be constructed, if the facility is of such a kind or size as to affect the working of the Plan as distinct from providing normal service to customers, unless it is included in the Plan or has been reviewed by the NNWPC for conformance with the Plan, recommended to, and approved by the WRWC;
  - The WRWC shall consider the recommendation of the NNWPC and approve or disapprove the proposal as conforming to the Plan. Any disapproval must be accompanied by recommended actions to be taken to make the proposal conform to the Plan;
  - The NNWPC and the WRWC shall limit their review to the substance and content of the Plan and shall not consider the merits or deficiencies of a proposal in a manner other than is necessary to enable them to make a determination concerning conformance with the Plan.
  - The WRWC shall provide, by resolution after holding a hearing, for the NNWPC or its staff to make final decisions concerning the conformance of classes of proposed facilities to the Plan. A resolution adopted pursuant to this section must provide an opportunity for the applicant or a protestant to appeal from a decision of the NNWPC or its staff to the WRWC (Sec. 51).
  - In addition to the responsibilities set forth in the Act, The RPGB has identified the WRWC as the entity to (voluntarily) determine the population that can be supported by the water resources identified in the RWMP, compare it with Consensus Forecast every 2 years and determine whether identified water resources are adequate (RPGB Regulations on Procedure).

c. Activities funded by RWMF and staff involvement

The Act and the JPA provide for the WRWC to impose a fee adopted by resolution, not to exceed 1.5 percent of the amount otherwise billed, to be collected by each public purveyor and supplier of water resources from customers within the planning area, to fund planning, administration and implementation of the Plan. Table 1 shows water purveyors that charge

customers 1.5 percent on billings, and their contributions to the Regional Water Management Fund (the “Fund”).

**Table 1. Water Management Fund Contribution by Entity**

Contributing Utility	Total to Date	Percent Contribution (Pre-Merger)	Percent Contribution (Post-Merger)
<b>TMWA</b>	\$7,954,252	79.28%	95.64%
<b>Washoe County</b>	\$1,416,192	14.11%	
<b>STMGID</b>	\$225,756	2.25%	
<b>Sun Valley GID</b>	\$298,021	2.97%	2.97%
<b>Water Service Corp</b>	\$96,904	0.97%	0.97%
<b>Sky Ranch</b>	\$28,519	0.28%	0.28%
<b>Silver Knolls</b>	\$6,911	0.07%	0.07%
<b>Steamboat Springs</b>	\$7,026	0.07%	0.07%
<b>Total (since 2008)</b>	<b>\$10,034,066</b>	<b>100.00%</b>	<b>100.00%</b>

Each fiscal year the WRWC approves in its budget various planning and implementation projects, which are carried out by way of contracts and interlocal agreements managed by staff. Projects that appear in the budget are categorized according to the major subjects of the Plan. Table 2 shows total project expenditures by category and the approximate benefit to the WRWC member entities.

**Table 2. Water Management Fund Benefit by Entity**

Planning Discipline	Total	Reno	Sparks	Washoe County	TMWA
<b>Regional Water Planning Projects</b>	\$4,301,936	\$932,590	\$932,590	\$1,272,100	\$1,164,656
<b>Regional Water Conservation</b>	\$1,249,306	\$312,013	\$262,347	\$289,563	\$385,383
<b>Regional Reclaim Water Planning Projects</b>	\$330,743	\$110,248	\$110,248	\$110,248	\$0
<b>Regional Storm Water Planning Projects</b>	\$1,235,920	\$419,890	\$408,015	\$408,015	\$0
<b>Regional Flood Control Planning Projects</b>	\$139,112	\$89,830	\$17,779	\$31,504	\$0
<b>Regional Wastewater Planning Projects</b>	\$1,245,651	\$399,397	\$399,397	\$446,856	\$0
<b>Comprehensive Plan</b>	\$590,130	\$196,710	\$196,710	\$196,710	\$0
<b>Total Funds</b>	<b>\$9,092,798</b>	<b>\$2,460,678</b>	<b>\$2,327,086</b>	<b>\$2,754,995</b>	<b>\$1,550,038</b>
<b>Percent of Total</b>	<b>100%</b>	<b>27.1%</b>	<b>25.6%</b>	<b>30.3%</b>	<b>17.0%</b>

**IV. Options for entities to which the duties and responsibilities could be distributed, in whole or in part, should the WRWC decide to pursue dissolution or disaggregation of the WRWC**

- a. TMWA
- b. RPGB
- c. Local Governments: Washoe County, City of Reno, City of Sparks
- d. Truckee River Flood Management Authority
- e. Washoe County Health District

**PREVIOUS ACTION**

No previous action

**FISCAL IMPACT**

No fiscal impact

**RECOMMENDATION**

Staff requests further direction from the WRWC Board, as decided by the Board.

JS:jd