

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

Wednesday, July 18, 2018

The regular meeting of the Western Regional Water Commission (“WRWC”) Board of Trustees was held on Wednesday, June 20, 2018, at Sparks Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada.

1. Roll Call and Determination of Presence of a Quorum

Chair Hartung called the meeting to order at 8:30 a.m. There was a quorum present.

Commissioners Present:

Vaughn Hartung

Ron Smith

Sandra Ainsworth

Donald Abbott

Kristopher Dahir

Naomi Duerr (*present at ~8:45*)

Jeanne Herman

Neoma Jardon (*present at ~8:45*)

Bob Lucey

Appointed by:

Washoe County

Truckee Meadows Water Authority (“TMWA”) (Sparks)

Sun Valley General Improvement District (“SVGID”)

TMWRF

City of Sparks

City of Reno

TMWA (Washoe County)

TMWA (Reno)

TMWA (STMGID Successor)

Commissioners Absent:

None

Appointed by:

2. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Abbott.

3. Public Comment

None

4. Approval of Agenda (For Possible Action)

A MOTION TO APPROVE THE AGENDA WAS DULY MADE AND SECONDED. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) COMMISSIONERS PRESENT.

5. Approval of the Minutes of the June 20, 2018 Meeting (For Possible Action)

COMMISSIONER DAHIR MADE A MOTION TO APPROVE THE JUNE 20, 2018 MINUTES AS AMENDED, SECONDED BY COMMISSIONER ABBOTT. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) COMMISSIONERS PRESENT.

6. Report on the functions, duties, and responsibilities of the WRWC; discussion and possible direction to the Northern Nevada Water Planning Commission (“NNWPC”) to consider and make recommendations to the WRWC regarding possible changes to or

dissolution of the WRWC, including specifically, but not limited to, a possible request to the Nevada Legislature to change the WRWC into a regional storm water planning and management agency; and, possible direction to staff - Jim Smitherman, WRWC Water Resources Program Manager. (For Possible Action)

(Commissioners Duerr and Jardon present at ~8:45 a.m.)

Jim Smitherman, WRWC Water Resources Program Manager, presented the staff report which includes a brief history of legislatively mandated regional water planning in Washoe County. The functions, duties and responsibilities of the WRWC were summarized. Among the WRWC's duties, the most complex involves the review and adoption of the Regional Water Management Plan ("RWMP"), upon recommendation of the NNWPC. The staff report includes a summary of the subjects required to be covered in the RWMP and details on the subjects that involve ongoing and evolving planning issues. Planning and implementation activities were also included in the staff report.

John Rhodes, Legal Counsel, confirmed for Commissioner Duerr that there is no legislation that directs how the commission allocates funds. Spending is within your discretion as long as there is a logical nexus to the purposes and goals of the RWMP.

Commissioner Dahir discussed the fact that WRWC is the only agency that really looks at the big picture with regard to water. There is value in having someone overseeing the bigger picture from beginning to end with regard to water.

Commissioner Duerr discussed the fact that the consolidation of water purveyors is not totally complete. The City of Reno still comes across more, smaller water purveyors.

Chair Hartung stated that the consolidation subject is really about the consolidation of the three major entities into a regional water purveyor. He also stated that storm water needs to be dealt with on a regional basis.

Mr. Smitherman noted that one area of authority that has not been used much is the facility plan conformance review. He also responded to Commissioner Duerr's comment regarding coming across new water purveyors and stated that one thing that has hindered us from getting involved earlier is that we can't get a look at them until there is actually a facility plan.

Mr. Rhodes explained for Commissioner Duerr that the WRWC does have the power to look into service territories and try to bring together a plan for the most effective and lowest possible cost delivery of retail water.

Commissioner Jardon asked if the WRWC has the right to transfer the authority to make decisions to another body.

Chair Hartung stated that we also have to give consideration to the NNWPC and how that agency will interact with a different agency. Also, how does Sun Valley GID have representation if the WRWC dissolves? He stated that this agenda item is for us to give direction to the NNWPC to give us possible solutions. Chair Hartung asked John Enloe with TMWA to comment on the interface with TMWA and if there are any gaps that may not be addressed by any of these groups.

Mr. Enloe stated the role of the WRWC is very important with respect to an entity that is looking at the big picture, coordinating the different activities of the different agencies, and really

looking at water from beginning to end. A lot of TMWA's work is rolled into the RWMP. The emphasis is shifting and a lot of our budgets are being spent on effluent management. The Regional Effluent Management Team has been a very effective group and is doing a good job looking at regional wastewater issues and how to work together to find the best solutions. The Regional Effluent Management Team is a good model. Mr. Enloe stated that a gap that exists now is a coordinated effort on storm water conveyance planning.

Chair Hartung asked Mr. Enloe what he sees as WRWC's role going forward.

Mr. Enloe responded stating having an entity looking out for the big picture and the coordination of all things water.

Chair Hartung stated that if the WRWC goes to some other agency, he wants to make sure the funding goes towards the WRWC's mission.

Commissioner Jardon discussed administration and legal costs and the need to eliminate duplicity.

Commissioner Dahir stated that we need to be careful with the presumed bias that could happen if TMWA is overseeing the WRWC. It is wiser to make sure there is a board set up that looks over the whole picture.

Commissioner Lucey stated that our current mission is a dated plan and we need to go back to the legislature and re-tool the plan. There is potential benefit to having the WRWC continue to serve in some sort of capacity but for the most part there is a lot of redundancy.

Commissioner Smith stated that part of the discussion needs to be which of the seven areas of responsibilities can be assign to other entities.

Mr. Enloe stated that TMWA does not have the staff to take this on now but with some financial assistance maybe there could be a staff person where it is their responsibility to reach out to all the others entities and consolidate the information that is developed by different groups. He suggested that maybe one of the things that we can look at is restructuring the comprehensive RWMP to make it more efficient and concise.

Commissioner Ainsworth stated that the WRWC has a broader view of all these things. Some of the responsibilities can probably fall under someone else but if we go away and restructure into something different, what happens to the NNWPC.

Commissioner Herman expressed concern that the SVGID would lose representation and be dropped out of the loop. If we do go this way, we need to be careful that we don't leave any of the important things out, such as effluent.

Commissioner Lucey stated that the members of TMWA could serve as the commissioners for WRWC with the same mission and intent and utilize the same staff member to start getting rid of some of the duplicity. What we are trying to do is get some efficiency here and save tax dollars. He also stated that Sun Valley does have constant representation and there are many GIDs that don't sit on this board.

Commissioner Ainsworth agreed that some things can be done by other groups but the reason the WRWC was established was to have a broader picture.

Chair Hartung asked if we have duplicate staff that could perform these same functions. TMWA said they are very tight but we also hire legal counsel. This is not a question of the functions themselves, we have established that the functions are necessary. He also stated that he believes TMWA should be the purveyor of all water regardless of the forms.

Commissioner Jardon suggested directing staff to explore ways in which we can reduce duplicity and increase efficiency while still maintaining the fiscal resource and input from those that fought hard to be on the WRWC.

Mr. Rhodes responded to the suggestions regarding looking at legal fees as a potential source of cost savings. When you have a multi-jurisdictional board you can't have one entity's attorney representing the board. In all likelihood, if TMWA were to sit as the WRWC they would need independent counsel. Objectively speaking, you will not find a lot of savings in legal fees.

Commissioner Smith stated that it would be better to discuss this issue in a workshop format and suggested scheduling a workshop for next month.

Commissioner Dahir asked that staff bring back information on the presumed cost savings that have been mentioned.

Commissioner Duerr stated that she would like to see some demonstration of the duplicity and potential cost savings that have been mentioned before making a decision. She also suggested inviting representatives, staff and boards that participate in these other functions being discussed.

Chair Hartung asked staff to conduct a survey to schedule a workshop. He also asked that staff from all the agencies be involved in the workshop.

Commissioner Jardon asked that staff get information from TMWA Legal Counsel on how they would handle a potential conflict.

Mr. Smitherman asked if they want to have the NNWPC provide recommendation.

Council Member Jardon stated that the NNWPC can provide input at the workshop.

COMMISSIONER JARDON MADE A MOTION TO PULL TOGETHER A WORKSHOP WITH ALL RELATED STAFF AND BOARD MEMBERS TO DISCUSS ISSUES SURROUNDING THE OBJECTIVES AND MISSIONS OF THIS BOARD AND HOW BEST TO POTENTIALLY REALIZE ADMINISTRATIVE COST SAVINGS WHILE STILL ACHIEVING THE GOALS OF THIS BOARD, AND TO INCLUDE THE NNWPC'S PARTICIPATION, SECONDED BY COMMISSIONER LUCEY.

Commissioner Smith stated that the entities that could potentially take on these items should also be at the workshop.

Chair Hartung suggested inviting the Water Innovation Campus.

Commissioner Duerr stated that Truckee Meadows Regional Planning Agency ("TMRPA") staff should also be included.

Commissioner Ainsworth stated that she thought they were going to go through each of the WRWC responsibilities listed in the report at this meeting.

Commissioner Duerr stated that we need to keep in mind that every time we meet, set a budget, and approve an expenditure, we are making a policy decision about what is important with

regard to water in Northern Nevada. She also noted that the WRWC can reallocate funds without going to the legislature. We can chose to fund the areas we feel are most important.

THE MOTION CARRIED WITH EIGHT (8) IN FAVOR AND ONE (1) OPPOSITION BY COMMISSIONER AINSWORTH.

7. Discussion and possible direction to staff regarding agenda items and dates for future WRWC meetings – Jim Smitherman. (For Possible Action)

Future agenda items will include: Analysis and recommendation from the NNWPC on whether or not the water resources are in balance with the consensus population forecast.

8. Commission Comments

None

9. Staff Comments

None

10. Public Comment

None

11. Adjournment (For Possible Action)

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

Respectfully submitted by,
Christine Birmingham, Recording Secretary

Approved by Commission in session on _____ 2018.

Chair Vaughn Hartung