

**NORTHERN NEVADA WATER PLANNING COMMISSION  
MINUTES**

**Wednesday, September 2, 2009**

The regular meeting of the Northern Nevada Water Planning Commission (NNWPC) was held on Wednesday, September 2, 2009 in the Reno City Council Chambers, One East First Street, Reno, Nevada.

- 1. Roll Call and determination of presence of a quorum** – Chairman Seidel called the meeting to order at 1:32 p.m. There was a quorum present.

Voting Members Present:

Wayne Seidel, Chairman  
George W. Ball, Jr., Vice-Chairman  
Michael Cameron  
Michael J. DeMartini  
John Erwin  
John Jackson  
Neil Mann  
Rosemary Menard  
Darrin Price  
Jerry Schumacher  
Stan Shumaker

Voting Members Absent:

Non-Voting Members Present:

John Bird  
Jon Palm

Non-Voting Members Absent:

Harry Fahnestock  
Kelvin Hickenbottom  
David Noble

Staff Members Present:

Jim Smitherman  
Chris Wessel  
June Davis  
John Rhodes, Legal Counsel

**2. Approval of the agenda.**

Chairman Seidel suggested postponing Item 6 to the October meeting since Greg Dennis could not be present at today's meeting. Commissioner Menard made a motion to approve the September 2, 2009 NNWPC agenda as amended. Commissioner Mann seconded the motion, which carried unanimously.

**3. Approval of the minutes from the June 3, 2009 meeting.**

The minutes of the June 3, 2009 NNWPC meeting were submitted for approval. Commissioner Mann made a motion to approve the minutes as submitted. Commissioner Ball seconded the motion, which carried unanimously. Commissioners Price, Cameron and Shumaker abstained from voting due to absence from the June meeting.

**4. Public Comments.**

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

**5. Introduction of Stan Shumaker, the newly appointed Truckee Meadows Water Reclamation Facility representative to the Northern Nevada Water Planning Commission (NNWPC).**

Chairman Seidel introduced Stan Shumaker, City of Reno. He reported that Mr. Shumaker would serve as the new Truckee Meadows Water Reclamation Facility (TMWRF) representative to the NNWPC.

Mr. Shumaker thanked the NNWPC for the opportunity to serve on the Commission.

**6. Presentation of Resolution of Appreciation to Greg Dennis in recognition of his exemplary service to the NNWPC.**

As requested by Chairman Seidel, this item was postponed to the October 7, 2009 NNWPC meeting.

**7. Presentation of Resolution of Appreciation to Michael Cameron in recognition of his exemplary service to the NNWPC.**

Chairman Seidel read a Resolution of Appreciation and presented it to Michael Cameron to thank him for his years of service to the NNWPC and RWPC. Members applauded Commissioner Cameron.

Commissioner Cameron thanked the Commissioners. He stated that he admires the work of the NNWPC and has learned a lot over the years. He commended the NNWPC for the great job of coordinating the actions of all the different agencies in setting water policy for the region. He summarized that it was his pleasure to serve as a Commissioner.

**8. Discussion and possible recommendation to the Western Regional Water Commission (WRWC) to appoint a replacement for Michael Cameron as the Voting Public At Large Member of the NNWPC, to represent environmental, biological, conservation or public concerns, and possible direction to staff.**

Mr. Smitherman reported that based on Michael Cameron's retirement from serving on the NNWPC, a new Voting Public At Large representative needs to be appointed. He reported that interest in the position was solicited via advertisements in the local newspapers and an email to local boards, commissions and committees. He provided a brief background on the appointment process and reported that applications were received from six individuals, all of whom are qualified for the position. The applicants include:

- David Bruketta
- Ray Davis
- Mickey Hazelwood
- James Litchfield
- Trina Magoon
- Hugh Ricci

Mr. Smitherman stated that the NNWPC could choose to recommend to the Western Regional Water Commission (WRWC) one of the applicants immediately or provide an opportunity for the applicants to introduce themselves. Chairman Seidel asked Commissioners what their pleasure is on whether to hear from the applicants who were present for a brief introduction or to wait until the October meeting. Commissioners agreed to hear from the three applicants who were present.

Hugh Ricci reported that he has worked with many of the NNWPC Commissioners in the past and served on the Regional Water Planning Commission (RWPC) and its predecessor (clarified by Commissioner Erwin to be the Regional Water Planning and Advisory Board of Washoe County). He stated that he served as State Engineer from 2000 to 2006 when he retired. After retiring, he did some consulting work for Pahrump, Nevada until the economy began declining and the land development project was terminated.

Mr. Ricci provided background on his efforts related to planning for the future, which include working for the Nevada Highway Department. He stated at that time planning for Las Vegas routes seemed oversized, which turned out not to be the case due to growth of the area.

Chairman Seidel called for questions or comments from Commissioners. Commissioner Menard thanked Mr. Ricci for his interest and asked what he thinks will be the key two to three issues in future planning.

Mr. Ricci stated that based on his experience working for the Nevada Division of Water Resources, he believes the major issue will be how to stretch water, which is a limited resource. He stated that Reno has a water rights dedication policy, whereas Las Vegas did not. He stated that when the economy recovers, people will come to this area and the resources will be needed. He mentioned that water resources in the region have been stretched due to public education and conservation. He thanked Commissioners and stated he would be happy to serve on the NNWPC.

Chairman Seidel next invited Trina Magoon to speak. Ms. Magoon reported that she works as a Civil Engineer for Stantec Consulting, specializing in water resources. She thanked Commissioners for the opportunity to apply for the position and added that she has made a number of presentations to the NNWPC in the past. She reported that she understands the region and the associated planning issues. She stated that she was recently appointed to the American Society of Civil Engineers (ASCE) Board.

Commissioner Menard thanked Ms. Magoon for her interest and asked what she thinks will be the key two to three issues in future planning. Ms. Magoon agreed that obviously limited water resources, which are finite, will be a major issue that needs to be balanced with development. She stated that another key issue is the aging infrastructure locally and added that as a Civil Engineer, she understands the technical aspects and challenges.

Chairman Seidel introduced David Bruketta. Mr. Bruketta reported that he has spent the past twenty years as a water chemist in the technical field. He stated that in working in the wastewater industry he sees a great need for water resource planning. He reported that he currently serves as a supervisor at the Truckee Meadows Water Reclamation Facility (TMWRF). He added that he has provided presentations to the Water Environment Federation, as well as other groups. He also serves as the Chair of Public Education for the Nevada Water Environment Association.

Commissioner Menard thanked Mr. Bruketta for his interest and asked what he thinks will be the key two to three issues in future planning. Mr. Bruketta agreed that the huge issues will be water resources and aging water and wastewater infrastructure, where his technical background from a chemistry perspective would be helpful.

Chairman Seidel thanked all applicants for their interest and presentation. He reported that the other three applicants would be invited to speak at the next NNWPC meeting on October 7, 2009.

**9. Discussion and possible recommendation to the WRWC to approve an Agreement for Legal Services for the WRWC and the NNWPC with Rhodes Law Offices, Ltd. for the period November 1, 2009 through October 31, 2011.**

Mr. Smitherman referred to the staff report, which outlines the proposed renewal of an Agreement for Legal Services for the Western Regional Water Commission ("WRWC") and the NNWPC with Rhodes Law Offices, Ltd. for the period November 1, 2009 through October 31, 2011. He reported that the current Agreement expires November 1, 2009. He added that Mr. Rhodes has a wealth of experience in working with the NNWPC and WRWC. He stated that the new Agreement differs from the previous Agreement in that it covers a two-year term (as opposed to one) and Mr. Rhodes offered to retroactively decrease his fee consistent with the decrease in Washoe County employee's salaries.

Mr. Rhodes agreed that those mentioned by Mr. Smitherman were the only differences in the Agreements. He clarified that as previously, the Agreement can be terminated by either party upon thirty-day notice.

Commissioner Price made a motion to recommend that the WRWC approve the Agreement for Legal Services with Rhodes Law Offices, Ltd. Commissioner Ball seconded the motion.

Chairman Seidel mentioned that the previous budget amount for legal services in the Regional Water Management Fund was \$170,000 and commended Mr. Rhodes for coming in under budget.

Commissioner Mann mentioned that Mr. Rhodes is always accessible and very responsive. He stated he too supports the recommendation to the WRWC to continue the relationship.

Commissioner Price stated that Mr. Rhodes has appeared before the legislature in the past and asked if he plans to continue in that role and whether the issue is addressed in the Agreement. Mr. Rhodes stated that the Agreement is broad enough to cover such tasks and added that he performs duties as directed by the Commissions.

Chairman Seidel called for additional questions or comments and hearing none, called for the vote on the motion, which carried unanimously.

#### **10. Status report on possible integration/consolidation of the Washoe County Department of Water Resources and the Truckee Meadows Water Authority.**

Chairman Seidel invited Mr. Smitherman to provide an update on the possible integration/consolidation of the Washoe County Department of Water Resources (DWR) and the Truckee Meadows Water Authority (TMWA). Mr. Smitherman referred to the staff report, which included all the background information on the integration/consolidation study. He reported that the WRWC recommended that the TMWA Board and Washoe Board of County Commissioners (BCC) proceed with development of an Interlocal Agreement to implement the integration/consolidation of functions of TMWA and DWR.

Mr. Smitherman clarified that the WRWC's recommendation only applies to water (not sewer, reclaimed water or remediation). He reported that the recommendation also includes replacing the rotating at-large position on the TMWA Board with a permanent County representative.

Mr. Smitherman reported that a Joint Meeting of the TMWA Board and BCC is scheduled for Tuesday, September 8, 2009 at 8:00 a.m. at the Washoe County Caucus Room. He stated that the agenda, which is available online includes:

- Consideration of a recommendation from the Western Regional Water Commission regarding consolidation of Truckee Meadows Water Authority and Washoe County Department of Water Resources functions, and possible direction to staff.
- Discussion regarding the outline of a proposed interlocal agreement between Truckee Meadows Water Authority and Washoe County governing consolidation of the Department of Water Resources Water Utility into TMWA, and possible direction to staff.
- Consideration of recommendation from the Western Regional Water Commission regarding amendment of the Truckee Meadows Water Authority Cooperative Agreement (the "Joint Powers Agreement" or "JPA") to modify governance structure, consideration of staff's recommendation to request the TMWA Technical Advisory Committee to review the JPA and make other recommendations for possible amendment, and possible direction to staff.

Chairman Seidel called for any questions or comments, of which there were none.

#### **11. Program Manager's Report**

Mr. Smitherman reported that he included updates on the following topics as requested or that he thought would be of interest to Commissioners. He stated that the purpose of this agenda item is for Commissioners to review the information included in the agenda packets and feel free to ask questions, make comments, or request additional information.

##### **a. Status Report of Projects and Work Plan supported by the Regional Water Management Fund**

The updated Status Report of Projects was provided in the agenda packets.

##### **b. Financial report on the Regional Water Management Fund**

The updated Status Report of Projects was provided in the agenda packets. Mr. Smitherman

reported that the update includes the close of Fiscal Year 2008/09.

**c. Truckee River Flood Management Project status report**

Mr. Smitherman reported that a status update on the Truckee River Flood Project was included as an informational item.

**d. Informational report from the NNWPC representative on the Truckee Meadows Water Authority Standing Advisory Committee**

Barry Winzeler, NNWPC representative on the Truckee Meadows Water Authority (TMWA) Standing Advisory Committee (SAC) reported that the Committee met September 1. He stated that the SAC was in total agreement that any proposed integration/consolidation must not adversely impact customers.

Mr. Winzeler stated that Commissioner Erwin provided a presentation on conservation that was related to customer reactions to the current watering requirement of twice per week. He stated that in summary some customers water every day, some twice per week and some 3 to 4 times per week. It was also noted that those who water only twice per week have a tendency to flood their lawns.

Commissioner Price asked what prompted the SAC's comment on integration. Mr. Winzeler stated that members report to the populations they represent and agreed that the integration must benefit water customers.

Chairman Seidel thanked Mr. Winzeler for his update.

**12. Discussion and possible direction to staff regarding agenda items for the October 7, 2009, Commission meeting and future meetings.**

Mr. Smitherman referred to the list of agenda items for the October 7, 2009 NNWPC Agenda that was included in commissioner's packets. The potential items include:

1. Resolution of Appreciation for Greg Dennis (postponed from today's meeting)
2. NNWPC Public at Large applicant introductions (continued from today's meeting)
3. Status report on the Groundwater Satellite Imagery project by Michael Widmer
4. Outline of the Water Plan update, which will be presented in a "table of contents" format with timelines to compile the update (approximately one year for development). Commissioner Ball asked about the deadline for the update, which Mr. Smitherman reported is January 2011. Mr. Smitherman added that in order to meet that deadline, the update will need to be submitted to the WRWC by September 2010. He added that the item would also include possible needed consultant contracts.
5. Program Manager's Report:
  - a. Status Report of Projects and Work Plan supported by the Regional Water Management Fund
  - b. Financial report on the Regional Water Management Fund
  - c. Truckee River Flood Management Project status report
  - d. Informational report from the NNWPC representative on the Truckee Meadows Water Authority Standing Advisory Committee – Barry Winzeler
6. Other Informational Items

**13. Commission Comments.**

None

**14. Staff Comments.**

Mr. Smitherman referred to informational items that were included in the packets. He reported that the Silver Lake Interlocal Agreement with City of Reno is considered complete. He added that the application for the Letter of Map Revision (LOMR) was submitted for review but no decision has been received yet.

Mr. Smitherman reported that the October 7 NNWPC meeting will be held in the County Commissioners Chambers.

**15. Public Comments.**

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

**16. Adjournment.**

With no further business, the meeting was adjourned at 2:13 p.m.

Respectfully submitted by,

Niki Linn, Recording Secretary

Approved by Commission in session on \_\_\_\_\_ 2009.

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Wayne Seidel, Chairman