

TRUCKEE MEADOWS WATER AUTHORITY
MINUTES OF THE JANUARY 18, 2017
MEETING OF THE BOARD OF DIRECTORS

The Board of Directors met on Wednesday, January 18, 2017, at Washoe County Commission Chambers, 1001 E. Ninth Street, Reno, Nevada. Vice Chair Hartung called the meeting to order at 10:00 a.m.

1. ROLL CALL

Members Present: Jenny Brekhus, Alternate Member Kristopher Dahir, Naomi Duerr, Vaughn Hartung, Jeanne Herman, Neoma Jardon, and Ron Smith.

Member Absent: Geno Martini

A quorum was present.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alternate Member Dahir.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF THE AGENDA

Upon motion by Member Smith, second by Member Jardon, which motion duly carried by unanimous consent of the members present, the Board approved the agenda.

5. APPROVAL OF THE MINUTES OF THE DECEMBER 21, 2016 MINUTES

Upon motion by Member Brekhus, second by Member Smith, which motion duly carried by unanimous consent of the members present, the Board approved the December 21, 2016 minutes.

6. WATER SUPPLY UPDATE

Member Hartung praised Mr. Hauck and thanked him for all his work and efforts during the flood on behalf of TMWA and the community.

Bill Hauck, TMWA Senior Hydrologist, reported the recent storms are one of the best starts to the water year in recent history. Mr. Hauck stated the snowpack levels are measured at almost 200% of the average, Lake Tahoe is almost 2 feet above the natural rim and is projected to peak at about 4 feet above the rim, all other reservoirs on the Truckee River system are expected to fill and spill, and normal river flows are projected through 2018.

7. PRESENTATION ON THE STATE OF NEVADA'S INTEGRATED SOURCE WATER PROTECTION PROGRAM, DISCUSSION AND POSSIBLE ACTION, APPROVAL OF STAFF RECOMMENDATION TO SUBMIT LETTER REQUESTING TO PARTICIPATE IN THE STATE OF NEVADA'S INTEGRATED SOURCE WATER PROTECTION PROGRAM WITH CONCURRENT UPDATE AND DEVELOPMENT OF A TRUCKEE RIVER WATERSHED MANAGEMENT PLAN

John Enloe, TMWA Director of Natural Resources, introduced Kim Borgzinner and Birgit Henson from the Nevada Division of Environmental Protection (NDEP).

Ms. Borgzinner presented on the Integrated Source Water Protection Program (ISWPP) and how successful the program, which is completely voluntary, has been in other communities since its inception in 2012. The success can be attributed to stakeholder input and community collaboration in other counties creating specific programs to meet the needs at the local level.

Ms. Henson presented on how the Non-Point Source (NPS) program funds projects to mitigate or reduce NPS pollution. She noted the plan is to create a group of watershed stakeholders, and with TMWA being one stakeholder, they can then utilize state funds to create and implement a watershed management plan.

Member Duerr asked if funding has been procured. Ms. Henson replied not yet, today they are asking for approval to have TMWA participate in the program to develop the plan in order to obtain future funding.

Alternate Member Dahir inquired if there is any accountability. Ms. Henson replied that it is a voluntary program with no regulatory oversight and the state provides funding.

Upon motion by Member Smith, second by Alternate Member Dahir, which motion duly carried by unanimous consent of the members present, the Board approved the staff recommendation to submit a letter requesting to participate in the State of Nevada's Integrated Source Water Protection Program with concurrent update and development of a Truckee River Watershed Management Plan.

8. PRESENTATION ON PROPOSED BILLS FOR THE 2017 LEGISLATIVE SESSION AND DISCUSSION AND POSSIBLE ACTION ON TMWA LEGISLATIVE POSITION RECOMMENDATIONS

John Zimmerman, TMWA Water Resources Manager, informed the Board that the TMWA Legislative Subcommittee met on January 13 to review the staff recommendations on positions on proposed bills. The legislative subcommittee approved all but one recommended position. The exception was AB 72, which

proposes changes to how plumbing code changes are administered by governments; staff's recommendation is "Watch, Oppose", but the legislative subcommittee approved "Watch" only. Staff is continuing to track bill draft requests (BDRs) as they become bills and will continue to update both the TMWA legislative subcommittee and Board.

Mr. Zimmerman requested the Board appoint a board member who would be the point person and speak on behalf of TMWA, alongside Mr. Pagni and Mr. Walker, at the Legislature.

Vice Chair Hartung asked Michael Pagni, TMWA General Counsel, if the Board can choose a member today. Mr. Pagni replied, the agenda as it is written does not allow for such an action, but the legislative subcommittee can decide at their next meeting.

Member Brekhus expressed her position in support of AB 72.

Steve Walker, TMWA lobbyist, provided an overview of water-related bills introduced thus far and the position the TMWA Legislative Subcommittee decided to recommend; discussion followed.

Vice Chair Hartung excused himself to attend the ribbon cutting ceremony for the new Washoe County Medical Examiner's building. He asked Member Jardon to continue as acting chair. With no further questions or discussion Member Jardon continued the meeting as acting chair.

**Vice Chair Hartung departed at 10:52 a.m.*

Alternate Member Dahir inquired about TMWA's opposition to AB 48. Mr. Pagni replied the bill would prohibit a municipal utility from charging different rates to customers who live within the city from those who live outside of the city. TMWA's position to oppose is because the bill does not explain what a municipal utility is and TMWA's connection fees are based on the pipes needed to serve the area and not based on political lines.

Member Brekhus asked if it was connection fees or monthly user charges. Mr. Pagni replied it is different rate or fee, the language is broad.

Member Brekhus commented that this bill goes against good land-use planning measures and does not agree with the State preempting local government agencies since it does not provide funding. Mr. Walker added the bill is sponsored by Clark County and the majority of the statute being amended is specific to using the population delimiter of (greater than) 700,000.

Mr. Pagni continued with AB 8 (Support) which would expand the law, which allows a governing body of a city to collect delinquent sewer charges, to expand to any utility service charges. The Joint Powers Agreement (JPA) provides TMWA some conferred powers. If it passes, it may allow TMWA another avenue to collect delinquent charges; AB 71 (Watch; Neutral) establishes a hybrid retirement program; staff is still analyzing the impacts on our collective bargaining agreement.

Member Brekhus inquired if the Governor's budget included water related line items. Mr. Walker replied there has been a request to include sponsorship of cloud seeding program, but nothing as of today.

Upon motion by Member Duerr, second by Member Herman, which motion duly carried by unanimous consent of the members present, the Board approved to accept the TMWA legislative subcommittee's position recommendations.

9. DISCUSSION AND POSSIBLE ACTION, APPROVAL OF STAFF RECOMMENDATION FOR AN INTERIM OMBUDSMAN AND DIRECTION TO STAFF TO SEND OUT A REQUEST FOR QUOTE (RFQ) TO RECRUIT A NEW OMBUDSMAN

Andy Gebhardt, TMWA Director of Operations & Water Quality, reported that TMWA's Ombudsman, Joanne Stralla, passed away at the end of November and staff is requesting Board approval to contract with Tammy Fruhwirth as an interim ombudsman and for staff to send out a request for qualifications (RFQ) for filling the vacancy. Ms. Fruhwirth has a very strong customer service background.

Member Smith inquired if Ms. Fruhwirth is interested in becoming TMWA's permanent Ombudsman. Mr. Gebhardt replied yes, Ms. Fruhwirth is agreeable to becoming TMWA's permanent ombudsman.

Member Brekhus noted that the amount TMWA has paid the ombudsman in the past is not a large amount, but it still may be prudent to go through the RFQ process to show that there is a vetting process, however she deferred to the Board.

Mr. Gebhardt mentioned staff has enjoyed working with Ms. Fruhwirth during this interim period and it would be difficult to find someone locally with her experience and strong utility customer service background.

Upon motion by Member Smith, second by Member Herman, which motion duly carried by unanimous consent of the members present, the Board approved staff to hire Tammy Fruhwirth as the permanent ombudsman.

10. PRESENTATION OF PUBLIC OPEN HOUSE SCHEDULE FOR PROPOSED RATE ADJUSTMENT AND DISCUSSION AND POSSIBLE DIRECTION TO STAFF ON OPEN HOUSE AND PUBLIC NOTIFICATIONS OF PROPOSED RATE ADJUSTMENT

Mr. Gebhardt presented the schedule for the four public open houses for the proposed rate adjustment; the information was sent out in January bill inserts, and will be publicly noticed.

Upon motion by Member Duerr, second by Member Hartung, which motion duly carried by unanimous consent of the members present, the Board approved the public open house schedule and public notifications for proposed rate adjustment.

11. PRESENTATION OF TRUCKEE RIVER FUND ACTIVITIES FOR CALENDAR YEAR 2016

Mr. Enloe reported since the inception of the Truckee River Fund (TRF) in 2005, the TMWA Board of Directors has approved funding for 138 projects, approximately \$11.4 million. Mr. Enloe further stated the total funding match is almost double at \$20.3 million, which is extremely impressive and speaks to

the support the community has shown over the years with regards to how the money is leveraged and alternate funding sources are gained to ensure the TRF's mission to safeguard the Truckee River watershed, protect water quality and educate the community are fulfilled.

Mr. Enloe highlighted a few projects such as the City of Reno approving the *Highland Canal Stormwater Improvement* project, which will reduce non-point source pollution to the canal and construction will begin within the next few months. He noted Chalk Bluff continued to treat water during the flood event but they had to take water from the river rather than the canal because of the storm drainage entering the canal; the Nature Conservancy's project, *Optimizing Restoration Investments in the Truckee Watershed*, which has been successful by focusing on restoring old logging roads which were the highest source contributing sediment to the river; Keep Truckee Meadows Beautiful, Truckee River Clean-Up, which has grown in support; and the Sierra Nevada Journey's Watershed Education Initiative, an education effort for students in the Washoe County School District.

12. GENERAL MANAGER'S REPORT

Mr. Foree reported TMWA's settlement with the Public Utilities Commission (PUC) has been resolved and TMWA received a \$1,000 fine due to instances where an NV Energy natural gas service line was damaged. He reported staff has completed two trainings and pertinent staff will continue to be trained to prevent further damages; one such practice is to increase the distance from excavation near the on-the-ground markings.

Mr. Foree commended TMWA staff in their efforts to prevent flooding to TMWA's infrastructure, and protecting the hydro facilities and buildings. He noted that the only significant damage TMWA sustained (still relatively minor in cost) was to a pump station vault on West Huffaker Lane due to the overflow of the Lake ditch; no customers went without water, but 12 customers had low water pressure for a few days. Also, with the heavy rains/snow, the Donner Lake outlet was clogged with wooden debris and there was potential for flooding properties around the lake. TMWA contacted the Truckee-Donner Public Utility District (PUD) who referred staff to a contractor that could clear the debris, avoiding any flooding from occurring. He commended staff and the contractor for working late into the early morning in a very difficult situation with high winds, deep snow and trees falling in the area.

Lastly, TMWA was contacted by NvWarn (a Nevada water/wastewater mutual aid network) and the Washoe County District Health Department (WCDHD) to assist the Sutcliffe community (225 customers) in repairing their water system and reestablishing water service. The community, part of the Pyramid Lake Paiute Tribe (PLPT), had been without water for about six days because a water main washed out, which completely drained their entire system. TMWA crews and staff did an excellent job working with the WCDHD, PLPT's representatives and other agencies and reestablished water service within about 24 hours; water samples have been taken and preliminary results are good. TMWA's efforts included repairing water main breaks/leaks, building a road so that Lyon County Utility's potable water trucks (filled from TMWA's system in Spanish Springs) could get to the water storage tank site, providing a pump and generator to pump water from the tankers into the water storage tank, flushing mains and taking bacteriological samples.

Member Brekhus asked if Washoe County (the County) declared an emergency and TMWA will be reimbursed. Mr. Foree replied the PLPT will go through the County and State of Nevada for reimbursement for TMWA's costs, which are approximately \$30,000. Jack Byrom, TMWA EOC, added both the County and State declared emergencies and PLPT would need to apply for funding to either entity to reimburse TMWA.

Member Brekhus inquired what it cost to assist the River Belle mobile home park in Verdi in 2016. Mr. Foree replied it was a very minor cost, a few thousand dollars.

13. PUBLIC COMMENT

There was no public comment.

14. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

Member Smith commended the community and how everyone stepped up and supported each other during the flooding of the previous week; particularly CB Concrete Company who showed up at Cottonwood Park with a cement truck full of sand and helped fill sandbags in record time.

15. ADJOURNMENT

With no further discussion, Acting Chair Jardon adjourned the meeting at 11:21 a.m.

Approved by the TMWA Board of Directors in session on February 15, 2017.

Sonia Folsom, Recording Secretary

**Vice Chair Hartung was present for agenda items 1 through 8*