

TMWA Committee Members:

- Chair Kristopher Dahir
- Vice Chair Jenny Brekhus
- Vaughn Hartung



WRWC Committee Members:

- Chair Kristopher Dahir
- Vice Chair Naomi Duerr
- Bob Lucey

**CONCURRENT MEETING OF THE
Legislative Subcommittee of the Truckee Meadows Water Authority (TMWA)
And
Legislative Subcommittee of the Western Regional Water Commission (WRWC)
Friday, April 5, 2019 at 1:30 p.m.
TMWA, Independence Conference Room
1355 Capital Blvd., Reno, NV**

- 1) Roll call*
- 2) Public comment (limited to no more than three minutes per speaker)*
- 3) Approval of agenda (**For Possible Action**)
- 4) Approval of the TMWA and WRWC concurrent minutes of March 26, 2019 (**For Possible Action**)
- 5) Approval of the WRWC minutes of March 15, 2019 (**For Possible Action**)
- 6) Presentation of status report on legislation of interest to TMWA and possible direction regarding TMWA's Legislative Subcommittee's position on legislation (**For Possible Action**)
- 7) Presentation of status report on legislation of interest to WRWC and possible direction regarding WRWC Legislative Subcommittee's position on legislation. This Item may be combined with Item 6 (**For Possible Action**)
- 8) Committee comments*
- 9) Staff comments*
- 10) Public comment (limited to no more than three minutes per speaker)*
- 11) Adjournment (**For Possible Action**)

Notes:

1. Public comment will be taken on agenda items upon request by submittal of a Speaker Information Card. There is a three-minute time limit per person.
2. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear. The WRWC may take action on any of the action items listed.
3. Facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language interpreters or assisted listening devices) at the meeting should notify TMWA at 775-834-8002 at least 24 hours prior to the meeting.
4. 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 E. Prater Way), TMWA (1355 Capital Blvd.), Washoe County Administration Building (1001 E. 9th Street), Washoe County Courthouse (Court and Virginia Streets), Washoe County Central Library (301 South Center St.), Galena Market (19990 Thomas Creek Rd.), Galena High School (3600 Butch Cassidy Way), South Valleys Library (15650A Wedge Parkway), Sun Valley GID (5000 Sun Valley Blvd.), Washoe County Department of Water Resources (4930 Energy Way), the TMWA website: <http://tmwa.com> and State of Nevada Public Notice Website, <https://notice.nv.gov/> and the WRWC website: <http://www.wrwc.us>
5. Notice is hereby given that a quorum of the Truckee Meadows Water Authority may be present at the meeting in so much as some members of the WRWC legislative subcommittee are members of the TMWA Board of Directors. Although members constituting a quorum of the Truckee Meadows Water Authority Board may be in attendance at the meeting while serving in different capacities as representative members of different governing bodies (TMWA and WRWC), no deliberations or actions on any matter over which TMWA has supervision or control will be taken within the definition of a "meeting" under NRS 241.015 by persons constituting a quorum of the TMWA Board and acting in their capacity as members of the TMWA Board. This notice is provided in excess of caution given the potential of a quorum to be present at this meeting.

**DRAFT MINUTES OF THE MARCH 26, 2019
CONCURRENT MEETING OF THE LEGISLATIVE SUBCOMMITTEE OF
THE TRUCKEE MEADOWS WATER AUTHORITY AND
THE LEGISLATIVE SUBCOMMITTEE OF
THE WESTERN REGIONAL WATER COMMISSION**

The meeting of the Concurrent Legislative Subcommittees of the Truckee Meadows Water Authority (TMWA) and Western Regional Water Commission (WRWC) at TMWA, 1355 Capital Blvd., Reno, Nevada in the Independence Conference Room. Chair Dahir called the meeting to order at 10:12 a.m.

1. ROLL CALL

TMWA Members Present: Jenny Brekhus*, Vaughn Hartung* and Kristopher Dahir

TMWA Legal Counsel Present: Michael Pagni

TMWA Staff Present: Mark Foree, Laura Rader, John Zimmerman, and Steve Walker (Walker & Associates)

A quorum of the TMWA Legislative Subcommittee was present.

WRWC Members Present: Kristopher Dahir and Naomi Duerr*

WRWC Members Absent: Bob Lucey

WRWC Legal Counsel: John Rhodes*

WRWC Staff Present: Jim Smitherman

**Members Brekhus, Duerr and Hartung and WRWC Legal Counsel were present via phone.*

2. PUBLIC COMMENT

There was no public comment.

3. APPROVAL OF THE AGENDA

**Upon motion duly made and seconded, and carried unanimously, the
TMWA Subcommittee approved the agenda.**

4. APPROVAL OF THE MINUTES OF MARCH 18, 2019

**Upon motion duly made and seconded, and carried unanimously,
the TMWA Subcommittee approved the minutes of March 18,
2019.**

5. APPROVAL OF THE WRWC MINUTES OF MARCH 15, 2019

Jim Smitherman, WRWC Program Director, informed the subcommittee the minutes were unavailable at this time.

6. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE SCHEDULING OF CONCURRENT MEETINGS OF TMWA AND WRWC LEGISLATIVE SUBCOMMITTEES

Steve Walker, TMWA Lobbyist, informed the subcommittees Friday afternoons are most convenient and since most bills have been introduced, they would only need to meet a few more times.

Upon motion duly made and seconded, and carried unanimously, the TMWA Subcommittee approved to hold concurrent TMWA and WRWC Legislative Subcommittee meetings on Friday, April 5 and 12, 2019 at 1:30 pm.

Upon motion duly made and seconded, and carried unanimously, the WRWC Subcommittee approved to hold concurrent TMWA and WRWC Legislative Subcommittee meetings on Friday, April 5 and 12, 2019 at 1:30 pm.

7. PRESENTATION OF STATUS REPORT ON LEGISLATION OF INTEREST TO TMWA AND POSSIBLE DIRECTION REGARDING TMWA'S POSITION ON LEGISLATION

Steve Walker, TMWA Lobbyist, updated the subcommittee on the amendment to SB250 and that Senator Settelmeyer agreed which has moved TMWA's position to support. Member Brekhus stated she would prefer to stay neutral and watch the bill.

Upon motion duly made and seconded, and carried two to one with Member Brekhus dissenting, the TMWA Subcommittee approved staff recommendation to support SB250 once amended.

Mr. Walker referred to the table of new bills (Attachment 1) that required action on positions recommended by staff. Bills with positions other than watch were discussed: AB371, oppose (eliminate common law exceptions which provide protections to public records requests); SB280, oppose (revises definition of navigable streams, to include rivers); SB334, oppose (prohibits government entities from entering into broadband contracts); SB340, oppose (expand prevailing wages); and all other bills have a position of watch.

Upon motion duly made and seconded, and carried unanimously, the TMWA Subcommittee approved staff recommendations to oppose, AB371, SB280, SB334 SB340, and watch on all other bills.

8. PRESENTATION OF STATUS REPORT ON LEGISLATION OF INTEREST TO WRWC AND POSSIBLE DIRECTION REGARDING WRWC LEGISLATIVE SUBCOMMITTEE'S POSITION ON LEGISLATION. THIS ITEM MAY BE COMBINED WITH ITEM 7

Upon motion duly made and seconded, and carried unanimously, the WRWC Subcommittee approved staff recommendations on all bills: to oppose AB371 and to add SB280 to their list.

9. COMMITTEE COMMENTS

Vice Chair Duerr requested staff to confirm Member Lucey would be at the next concurrent legislative subcommittee meeting to ensure a quorum as she would be absent.

10. STAFF COMMENTS

There were no staff comments.

11. PUBLIC COMMENT

There was no public comment.

12. ADJOURNMENT

With no further business, to discuss, Chair Dahir adjourned the meeting at 8:39 a.m.

Approved by the Legislative Subcommittee of the Truckee Meadows Water Authority on
_____.

Approved by the Legislative Subcommittee of the Western Regional Water Commission on
_____.

Submitted by,

Sonia Folsom, Recording Secretary

**WESTERN REGIONAL WATER COMMISSION
LEGISLATIVE SUBCOMMITTEE
DRAFT MINUTES**

Friday, March 15, 2019

The Legislative Subcommittee meeting of the Western Regional Water Commission (“WRWC”) was held on Friday, March 15, 2019, at the Washoe County Department of Community Services, Building A, 1001 East Ninth Street, Reno, Nevada.

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

The meeting was called to order at 12:05 p.m. There was a quorum present.

<u>Commissioners Present:</u>	<u>Appointed by:</u>
Kristopher Dahir	City of Sparks
Naomi Duerr	City of Reno
Bob Lucey (by phone)	TMWA (STMGID Successor)

<u>Commissioners Absent:</u>	<u>Appointed by:</u>
None	

2. Public Comment.

None

3. Approval of Agenda. (For Possible Action)

COMMISSIONER LUCEY MADE A MOTION TO APPROVE THE AGENDA, SECONDED BY COMMISSIONER DUERR. THE MOTION CARRIED UNANIMOUSLY WITH THREE (3) COMMISSIONERS PRESENT.

4. Approval of the Minutes for Meetings of March 31, 2017 and May 5, 2017. (For Possible Action)

COMMISSIONER DUERR MADE A MOTION TO APPROVE THE MINUTES, SECONDED BY COMMISSIONER LUCEY. THE MOTION CARRIED UNANIMOUSLY WITH THREE (3) COMMISSIONERS PRESENT.

5. Nomination and election of Chair and Vice Chair of the Legislative Subcommittee of the WRWC. (For Possible Action)

COMMISSIONER DUERR MADE A MOTION TO ELECT COMMISSIONER DAHIR AS CHAIR OF THE WRWC LEGISLATIVE SUBCOMMITTEE, SECONDED BY COMMISSIONER LUCEY. THE MOTION CARRIED UNANIMOUSLY WITH THREE (3) COMMISSIONERS PRESENT.

COMMISSIONER LUCEY MADE A MOTION TO ELECT COMMISSIONER DUERR AS VICE CHAIR OF THE WRWC LEGISLATIVE SUBCOMMITTEE, SECONDED BY

COMMISSIONER DAHIR. THE MOTION CARRIED UNANIMOUSLY WITH THREE (3) COMMISSIONERS PRESENT.

6. Discussion and possible direction to staff regarding agenda items and scheduling of meetings of the WRWC Legislative Subcommittee - Jim Smitherman, WRWC Water Resources Program Manager. (For Possible Action)

Jim Smitherman, WRWC Water Resources Program Manager, reported that the plan is to have concurrent Legislative Subcommittee meetings with Truckee Meadows Water Authority (“TMWA”) Legislative Subcommittee. Mr. Smitherman stated that he will contact the members of the WRWC Legislative Subcommittee if TMWA cancels their Legislative Subcommittee meeting.

John Rhodes, WRWC Legal Counsel, stated an issue to be discussed is whether or not the WRWC Legislative Subcommittee still wants to meet if the TMWA Legislative Subcommittee meeting is cancelled.

Chair Dahir stated that as of now he has Friday’s at noon set aside for TMWA Legislative Subcommittee meetings. Today’s meeting will serve as the WRWC Legislative Subcommittee meeting for this week and next week and will not meet again until Friday, March 29.

Commissioner Lucey stated he only sees the need for the WRWC Subcommittee to meet when necessary based on interaction with staff if there has been some kind of dramatic change. Having a standing Friday meeting might be a waste of staff time and money unless it is determined to be necessary.

Commissioner Duerr stated she will add the meeting to her calendar for every Friday at noon and asked that staff let them know if the meeting is cancelled. She also noted that she will be out of the country for the March 29, April 5 and April 12 meetings but can call in to participate by phone if there will be a meeting.

Commissioner Lucey stated that if staff lets him know by Wednesday if a Friday meeting is cancelled that would be helpful.

Chair Dahir noted that meeting notices will be posted on Mondays for Friday meetings so we will know in plenty of time.

No action was taken.

7. Report on legislative activities, including Bill Draft Requests and Bills pending in the 2019 session of the Nevada Legislature that may affect or are of interest to the WRWC – John Rhodes, WRWC Legal Counsel. (For Possible Action)

Mr. Rhodes presented his staff report. There are approximately 32 Bills that he is tracking at this point. There are a lot of water Bills this year. None of them directly affect the WRWC but in the long run they affect water supply, water conservation, and water quality. The report includes staff recommendations for positions on Bills. Historically the WRWC has not taken strong positions in favor of or opposed to most of the legislation that we track. Most of the staff recommended positions are neutral / watch. Recommendations for support are identified in areas where some type of funding is proposed that may be a benefit to us.

Commissioner Lucey stated he does not think there is a need to review all of the Bills being tracked in detail unless there is an absolute need for us to testify.

Mr. Rhodes confirmed for Chair Dahir that the report does not include anything that is not on TMWA's radar.

Mr. Rhodes briefly reviewed the following Bills with a staff recommendation of support: AB84 for bonding to protect and preserve natural resources possibly including the lower Truckee River; AB220 for bonding for environmental improvement projects at Tahoe Basin; SB96 a bill that would create a program for grants to local governments for matching funds to secure federal grants for projects relating to public lands.

Mr. Rhodes briefly reviewed the following Bills with a staff recommendation of neutral watch: SB140 that would require the State Engineer to reserve ten percent of any unappropriated water for temporary use in emergencies; SB224 that would keep the names of individuals receiving PERS benefits confidential; three Bills related to the Open Meeting Law that would have a direct effect on our meetings.

Mr. Rhodes asked Commissioner Lucey what the County's position is on SB129 regarding ethics issues.

Commissioner Lucey stated they are watching for the amendments to SB129.

Mr. Rhodes stated he is also tracking four BDRs related to public records issues that don't have language yet.

COMMISSIONER LUCEY MADE A MOTION TO APPROVE STAFF'S RECOMMENDATIONS TO THE WRWC BOARD, SECONDED BY COMMISSIONER DUERR. THE MOTION CARRIED UNANIMOUSLY WITH THREE (3) COMMISSIONERS PRESENT.

8. Committee Comments

None

9. Staff Comments

Mr. Rhodes stated he will post the BDR tracking list on the WRWC website.

10. Public Comment

None

11. Adjournment (For Possible Action)

The meeting was adjourned at 12:28 p.m.

Respectfully submitted by,
Christine Birmingham, Recording Secretary

Approved by Commission in session on _____ 2019.

Chair Kristopher Dahir

DRAFT



STAFF REPORT

TO: Chairman and Committee Members
FROM: John Zimmerman, Water Resources Manager
DATE: April 1, 2019
SUBJECT: **Presentation of status report on legislation of interest to TMWA and possible direction regarding TMWA's position on legislation**

At the meeting, staff will provide a list of all new bills introduced since the date of the last TMWA Legislative Subcommittee report. Staff, TMWA lobbyist Steve Walker, and General Counsel Michael Pagni will review all new bills and recommended positions and answer any questions from the Subcommittee on those bills and positions. Mr. Walker will also update the Subcommittee on the progress of any bills the Board or Subcommittee has already taken a position on and answer any questions regarding the session.

Key 2019 Legislative Deadlines:

February 4-----Session Begins
February 11----Legislators' BDR Requests
March 18-----Legislators' Bill Introductions
March 25-----Committees' Bill Introductions
April 12-----Committee Passage (1st House)
April 23-----First House Passage
May 17-----Committee Passage (2nd House)
May 24-----Second House Passage
June 3-----Session Ends

WESTERN REGIONAL WATER COMMISSION
STAFF REPORT

DATE: April 1, 2019
TO: Legislative Subcommittee, Western Regional Water Commission (“WRWC”)
FROM: John B. Rhodes, Legal Counsel
SUBJECT: Report on legislative activities, including Bill Draft Requests (“BDRs”) and Bills pending in the 2019 session of the Nevada Legislature that may affect or are of interest to the WRWC and the Northern Nevada Water Planning Commission (“NNWPC”).

WRWC Legal Counsel will present a verbal report, and submit a written staff report that lists BDRs and Bills pending in the 2019 Nevada Legislature, as of April 4, 2019, that may affect or are of interest to the WRWC and the NNWPC. The WRWC Legislative Subcommittee will have an opportunity to take a position on Bills not previously considered, or revise any recommendations previously made.