

**MINUTES OF THE MARCH 26, 2021  
CONCURRENT MEETING OF THE LEGISLATIVE SUBCOMMITTEE OF  
THE TRUCKEE MEADOWS WATER AUTHORITY AND  
THE LEGISLATIVE SUBCOMMITTEE OF  
THE WESTERN REGIONAL WATER COMMISSION**

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The meeting of the Concurrent Legislative Subcommittees of the Truckee Meadows Water Authority (TMWA) and Western Regional Water Commission (WRWC) was held via Teleconference. Chair Dahir called the meeting to order at 9:03 a.m.

**1. ROLL CALL**

TMWA Members Present: Kristopher Dahir, Naomi Duerr and \*Alternate Paul Anderson

TMWA Members Absent: Alexis Hill

TMWA Legal Counsel: Michael Pagni

TMWA Staff Present: Mark Foree, Pat Nielson, Laura Rader, Danny Rotter, John Zimmerman, and Leo Drozdoff (TMWA Lobbyist)

A quorum of the TMWA Legislative Subcommittee was present.

*\*Member Anderson left at 9:52 a.m.*

WRWC Members Present: Kristopher Dahir and Naomi Duerr

WRWC Members Absent: Alexis Hill and Alternate Jenny Brekhus

WRWC Legal Counsel: Michael Pagni

WRWC Staff Present: Chris Wessel

A quorum of the WRWC Legislative Subcommittee was present.

**2. PUBLIC COMMENT**

There was no public comment.

**3. APPROVAL OF THE AGENDA**

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

**Upon motion duly made by Member Duerr and seconded by Member Dahir, and carried unanimously, the WRWC Subcommittee approved the agenda.**

**4. APPROVAL OF THE WRWC LEGISLATIVE SUBCOMMITTEE MINUTES OF APRIL 5, 2019 AND APRIL 12, 2019**

**Upon motion duly made by Member Duerr and seconded by Member Dahir, and carried unanimously, the WRWC Subcommittee approved the minutes of April 5, 2019 and April 12, 2019 meetings.**

5. APPROVAL OF THE TMWA LEGISLATIVE SUBCOMMITTEE MINUTES OF FEBRUARY 26, 2021

**Upon motion duly made by Member Anderson and seconded by Member Duerr, and carried unanimously, the TMWA Subcommittee approved the minutes of February 26, 2021 meeting.**

6. NOMINATION AND ELECTION OF CHAIR AND VICE CHAIR OF THE LEGISLATIVE SUBCOMMITTEE OF THE WESTERN REGIONAL WATER COMMISSION

**Upon motion duly made by Member Dahir and seconded by Member Duerr, and carried unanimously, the WRWC Subcommittee approved Member Duerr as chair of the WRWC Legislative Subcommittee.**

**Upon motion duly made by Member Duerr and seconded by Member Dahir, and carried unanimously, the WRWC Subcommittee approved Member Dahir as vice chair of the WRWC Legislative Subcommittee.**

Chair Dahir recommended to review agenda items #7 & #8 concurrently.

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

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

John Zimmerman, TMWA Water Resources Manager, informed the TMWA Legislative Subcommittee since their last meeting on February 26, almost 500 new bills have been introduced and there are about 848 bills staff has reviewed. Mr. Zimmerman, Leo Drozdoff, TMWA Lobbyist, and Michael Pagni, TMWA General Counsel, reviewed significant bills pertaining to TMWA and WRWC.

Staff reported on new bills: AB183 (revises provisions governing collective bargaining), recommend monitor; AB246 (requires employers to notify employees and contractors if there has been a COVID-19 exposure), staff concerns with this bill are related to how broadly it is written, which may cause increased administrative burden to provide notifications, recommend oppose unless amended; AB325 (allows for electronic recording of documents) makes electronic recording of documents easier, support; AB333 (revises provisions related to land use planning) proposes adding another exemption for obtaining a water right if a city or county requires stormwater detention/retention basins, monitor; AB356 (relates to water conservation) allows an irrigator or farmer to improve their irrigation practices and if it leads to water conservation of sorts, it would allow them to file an application on that conserved water, where 25% would go back to the basin of origin and 75% can be held in perpetuity, monitor; AB354 (allows for the creation of statutory or contract water banks) allows someone who has conserved water can put their water in the statutory water banks and lease that water annually to different parties who want to lease the water, monitor; AB385 (related to compensation received by public officers and employees) would prohibit severance pay to public employees once their employment has been

terminated as well as put a cap on public salaries not to exceed 150% of the governor's salary, monitor; SB150 (requires local governments to allow tiny homes in all single family residential zoning districts), monitor; SB155 (relates to qualifications of the State Engineer) during the 2020 interim session there was sufficient interest to increase the pool of candidates that could be eligible to be a state engineer, monitor; SB197 (relating to renewable energy) requires electric utilities to track and report the renewable energy that they purchase from third parties, monitor; SB216 (related to community water systems) exempts agencies that have a federal requirement, to have an emergency response plan, from the State requirement and to only submit an assessment and emergency response plan to the State, support; SB238 (relates to public water systems) would require cities and counties to take over a public water system if it becomes nonoperational and so long as the public water system has adequate water rights (determined by the state engineer), then the Cities of Reno and Sparks and Washoe County cannot refuse to take over the system, monitor; SB294 (related to collective bargaining by local government employers) would mandate disputes be submitted to fact finder panel or resolution, monitor; and SB351 (put a charge on anybody who generates renewable energy), monitor.

Staff reported on existing bills: AB87 (proposes to streamline the process by which certain easements of cities and counties can be vacated and abandoned without a hearing), staff worked with the bill sponsor and they provided an amendment stating local governments could choose to have a simplified procedure for vacating easements, still opposed but if the amendment is introduced the position will change to monitor; AB97 (revises provisions governing toxic chemicals), staff is working with Assemblyman Watts other ways to address both his and TMWA's concerns, and an amendment is being drafted, monitor; AB146 (to address various requirements to control water pollution) sponsored by Assemblywoman Sarah Peters, staff have spoken with her to understand the bills' intent, they received a conceptual amendment (appears to improve on the clarity and intent, and addresses the fiscal note), and are in the process of reviewing it; SB67 (increases the threshold by which an agency can self-perform capital projects from \$100k to \$250k), TMWA submitted an amendment so that the \$250k exemption would only apply to agencies that have a State approved apprenticeship program like TMWA; and SB149 (two counties can create a groundwater board in a basin that has not been designated by the State Engineer), it is important to note all of TMWAs basins have been designated, and this proposed bill would allow two counties to create a joint groundwater board if they share a groundwater basin. An amendment is circulating by some rural counties and stakeholders who would want to change the bill to bypass state engineer approval, monitor.

**Upon motion duly made by Member Duerr and seconded by Member Dahir, and carried unanimously, the TMWA Subcommittee accepted the report and staff recommendations on new bills.**

**Upon motion duly made by Member Duerr and seconded by Member Dahir, and carried unanimously, the WRWC Subcommittee accepted the report and staff recommendations on new bills.**

Mr. Pagni introduced two bills for consideration to the WRWC Legislative Subcommittee: SB77 (revises provisions relating to public bodies) makes pre-deliberative information exempt from open meeting law and confidential for purposes of public record, monitor; and SB138 (related to planned development) modifies the procedures for creating planned unit developments, monitor.

**Upon motion duly made by Member Dahir and seconded by Member Duerr, and carried unanimously, the WRWC Subcommittee accepted the report and staff recommendations on SB77 and SB138.**

**9. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING SCHEDULING OF FUTURE CONCURRENT MEETINGS OF TMWA AND WRWC LEGISLATIVE SUBCOMMITTEES.**

Mr. Zimmerman recommended the next concurrent meeting be scheduled the week of April 12<sup>th</sup>, ahead of the TMWA Board meeting on April 21<sup>st</sup>.

**Upon motion duly made by Member Duerr and seconded by Member Dahir, and carried unanimously, the next concurrent meeting of the TMWA and WRWC Legislative Subcommittee is scheduled for Friday, April 16<sup>th</sup> at 9a.m.**

**Upon motion duly made by Member Duerr and seconded by Member Dahir, and carried unanimously, the next concurrent meeting of the WRWC and TMWA Legislative Subcommittee is scheduled for Friday, April 16<sup>th</sup> at 9a.m.**

**10. COMMITTEE COMMENTS**

There were no committee comments.

**11. STAFF COMMENTS**

There were no staff comments.

**12. PUBLIC COMMENT**

There was no public comment.

**13. ADJOURNMENT**

With no further business, to discuss, Chair Dahir adjourned the meeting at 10:27 a.m.

*Approved by the Legislative Subcommittee of the Truckee Meadows Water Authority on April 16, 2021.*

With no further business, to discuss, Chair Duerr adjourned the meeting at 10:27 a.m.

*Approved by the Legislative Subcommittee of the Western Regional Water Commission on April 16, 2021.*

Submitted by,

Sonia Folsom, Recording Clerk

***\*Member Anderson was present for agenda items 1 thru 6 and partially for agenda item 7.***