

TRUCKEE MEADOWS WATER AUTHORITY  
MINUTES OF THE JUNE 21, 2023  
MEETING OF THE BOARD OF DIRECTORS

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The Board of Directors met on Wednesday, June 21, 2023 at Sparks Council Chambers. Vice Chair Dahir called the meeting to order at 10:35 a.m.

**1. ROLL CALL**

**Directors Present:** Paul Anderson, Jenny Brekhus, Kristopher Dahir, Naomi Duerr, Alexis Hill, Devon Reese, and Alternate Mariluz Garcia.

**Directors Absent:** Clara Andriola

A quorum was present.

**2. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Alternate Garcia.

**3. PUBLIC COMMENT**

There was no public comment.

**4. POSSIBLE BOARD COMMENTS OR ACKNOWLEDGEMENTS**

Vice Chair Dahir welcomed TMWA's new Board Counsel, Justina Caviglia from Parsons, Behle & Latimer.

**5. APPROVAL OF THE AGENDA**

**Upon motion by Director Anderson, second by Director Duerr, which motion duly carried by unanimous consent of the Directors present, the Board approved the agenda.**

**6. APPROVAL OF THE MINUTES OF THE MAY 18 2023 MEETING**

**Upon motion by Director Anderson, second by Director Duerr, which motion duly carried by unanimous consent of the Directors present, the Board approved the May 18, 2023 minutes.**

## 7. RECOGNITION AND MEMORIAM OF GENO MARTINI, FORMER CHAIR OF THE TMWA BOARD OF DIRECTORS

Andy Gebhardt, TMWA Director of Distribution, remembered Geno Martini, a friend, who was on the TMWA Board between 2005-2018, his commitment to the community, and support of TMWA and staff.

Vice Chair Dahir thanked Mr. Gebhardt for his comments and noted there is a service this Saturday at the Rock Church in Sparks which is open to the public.

Director Hill agreed that Mayor Martini will be remembered for how unique he made people feel and was a great mentor to her.

Director Duerr added that he was a great force in the community and on the boards he served.

## 8. PRESENTATION BY THE NATURE CONSERVANCY

Kara Steeland, TMWA Senior Hydrologist & Watershed Coordinator, introduced Mauricia Baca, State Director, Chris Segal, Stewardship Manager, and Heather Giger, Director for Protection and Stewardship Strategies, from The Nature Conservancy (TNC). TNC protects the Truckee River watershed, own and manage the land around Independence Lake, and is one of our co-partners in the newly formed middle Truckee River watershed forest health partnership.

Ms. Baca, Mr. Segal, and Ms. Giger presented on TNC's programs in the Truckee River watershed and collaboration with TMWA related to Independence Lake and forest management.

Members of the Board inquired if there was any more they could do to support their efforts (for the Board to continue supporting staff efforts is greatly appreciated), if TNC knew of the Truckee Meadows Regional Planning Agency's (TMRPA's) drafting of a conservation plan and recommendation for the two agencies to connect (Ms. Baca replied she was not aware of the plan and would be willing to share their science and work with partner agencies), if Independence Lake would be open to the public this summer (yes, the watercraft program will open by July 4<sup>th</sup> and the preserve and trails are always open), and requested if there was an opportunity to visit Independence Lake, or other projects, to let them know.

## 9. DISCUSSION AND POSSIBLE APPROVAL OF CHANGES TO TMWA BOARD BYLAWS

John Zimmerman, TMWA General Manager, presented the amended TMWA Board Bylaws, requested by the Board at the May meeting, for their review and approval.

Discussion followed regarding keeping the meeting time general (so long as the time is noted on the agenda) and alternating the chair and vice chair on an annual basis rather than every two years.

**Upon motion by Director Reese, second by Director Duerr, which motion duly carried by unanimous consent of the Directors present, the Board approved staff recommended amendments to the bylaws and added the ability for the Board to meet monthly and flexibility and require an annual rotation of the chair and vice chair, effective immediately.**

10. DISCUSSION AND ACTION ON NOMINATION AND ELECTION OF CHAIR AND VICE CHAIR AND REQUEST FOR BOARD ADOPTION OF RESOLUTION NO. 317 APPOINTING A CHAIR AND VICE CHAIR FOR FISCAL YEAR 2024

Mr. Zimmerman presented the staff report for Board consideration.

Director Brekhus stated she could not support the motion and suggested she be in the line of succession for Chair.

Vice Chair Dahir said he supported the nomination and appreciated Director Brekhus' comments.

**Upon motion by Director Hill, second by Alternate Garcia, which motion duly carried six to one with Director Brekhus dissenting, the Board adopted Resolution No. 317: A resolution appointing Kristopher Dahir as Chair for Fiscal Year 2024.**

**Upon motion by Director Hill, second by Alternate Garcia, which motion duly carried six to one with Director Brekhus dissenting, the Board adopted Resolution No. 317: A resolution appointing Naomi Duerr as Vice Chair for Fiscal Year 2024.**

11. DISCUSSION AND ACTION CONFIRMING GENERAL MANAGER'S APPOINTMENT OF PETER PRIBYL AS TRUSTEE TO FILL THE REMAINING TERM OF RICHARD MERRIGAN TO THE §501-C-9 POST-RETIREMENT MEDICAL PLAN & TRUST ENDING ON DECEMBER 31, 2024

Jessica Atkinson, TMWA Human Resources Director, presented the staff report.

**Upon motion by Director Reese, second by Director Anderson, which motion duly carried by unanimous consent of the Directors present, the Board approved the General Manager's Appointment of Peter Pribyl as trustee to fill the remaining term of Richard Merrigan to the §501-c-9 Post-Retirement Medical Plan & Trust ending on December 31, 2024.**

12. PRESENTATION OF RESULTS OF 2023 LEGISLATIVE ACTIVITIES AND BILLS

Stefanie Morris and Leo Drozdoff updated the Board on the legislative session, status of bills (passed and failed to pass): tracked 120 Bill Draft Requests (BDRs), 89 of which became bills, 40 died, and 11 vetoed.

Discussion followed regarding key bills: AB 261 (maximize efficient use of water resources and encourage conservation) has been signed by the Governor is law; AB 387 (groundwater conjunctive management proposed by the State Engineer) staff worked with the bill sponsor in amending the language, but it did not pass; and SB 11 (regarding the purchase and use of drones) passed as amended and since TMWA uses drones for some their projects, staff will be tracking the regulation.

120 BDRs and 89 became bills: 40 died, 11 vetoed one was pending AB261 but now signed by Gov and is law; 39 passed. SB11 regarding use of drones, TMWA uses drones for some of their projects, and will be

tracking the regulation. AB387, groundwater conjunctive management proposed by the SE, staff worked with amending the language, but did not pass.

Mr. Drozdoff added 75 bills were vetoed by the Governor, which is a record, and in regards to AB 387, staff will have opportunities to participate in discussions as it pertains to conjunctive management.

Ms. Morris thanked the chair and board members for their support during the session.

Vice Chair Duerr thanked Ms. Morris and Mr. Drozdoff for their expertise and enjoyed working with them, and asked for a summary of water bills passed. Ms. Morris replied she can provide a summary of all key bills to the Board.

### 13. PRESENTATION OF Q3 FINANCIALS FOR FISCAL YEAR 2023

Matt Bowman, TMWA Chief Financial Officer, presented the Q3 financials for fiscal year 2023: the change in net position was \$26.3m (45%) lower than budget which was driven by lower operating revenues and lower connection fees; operating revenue was \$2.0m (2%) lower than budget which was driven by lower water sales; operating expenses were \$2.1m (2%) lower than the augmented budget; nonoperating expenses were \$0.7m (10%) lower than budgeted related to loss on disposal of assets; and capital contributions were \$27.0m (45%) lower than budget driven by lower contributions from connection fees and other governments related to the American Flat Advanced Purified Water project.

Director Brekhus asked about the rate hike schedule, slow down of capital contributions and rethinking of the related position addons, and OneWater commitments and breakdown. Mr. Bowman replied the last of five scheduled rate increases happened this month, and staff is currently in the process of developing a rate plan, as for staffing, they did add a construction engineer manager, but deferred a planning engineer, the OneWater commitments are included in the CIP and the project will be funded by connection fees, water resource stability fund, and future water rights sales and modeling is flexible.

Chair Dahir asked about the rate stabilization fund. Mr. Bowman replied the definition and requirements of use set by the Board allows for flexibility of use and as staff develops the rate plan they will consider use of the fund for periods of lower revenues to level out the rate plan over the years.

### 14. DISCUSSION AND POSSIBLE AUTHORIZATION FOR GENERAL MANAGER TO SIGN A CONTRACT BETWEEN TMWA AND WASHOE COUNTY REGARDING PUBLIC FIRE HYDRANT MAINTENANCE

Mr. Gebhardt presented the staff report and agreement for Board approval.

Director Duerr asked how many additional employees will be added. Mr. Gebhardt replied four additional employees bringing it to 16 employees for the entire fire hydrant maintenance program.

Director Hill expressed she was pleased with the agreement and noted the Washoe Board of County Commissioners also approved the agreement at their meeting yesterday.

**Upon motion by Director Hill, second by Alternate Garcia, which motion duly carried by unanimous consent of the Directors present, the Board approved the authorization for General Manager to sign a contract between TMWA and Washoe County regarding public fire hydrant maintenance.**

#### 15. GENERAL MANAGER'S REPORT

Mr. Zimmerman noted that Lake Tahoe is about one foot from maximum capacity, recommended keeping the July meeting on calendar for now, but that it would most likely be canceled, and invited the Board to TMWA's annual picnic on Saturday, August 12<sup>th</sup> from 11am to 3pm at Verdi Hydro Park. He also thanked The Nature Conservancy for their presentation and recognized Kara Steeland who has assumed the role of watershed coordinator.

Chair Dahir noted he will be traveling over the July Board meeting date and highly encouraged Board Members to attend the picnic, which is a great event, and show support to employees. He also suggested they take a Board photo around 12pm.

Director Brekhus inquired about Fish Springs and change of ownership if there was any change in the status of annexation. Mr. Zimmerman replied no, they have not seen much change in operations.

#### 16. PUBLIC COMMENT

There was no public comment.

#### 17. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

There were no Board comments.

#### 18. ADJOURNMENT

With no further discussion, Chair Dahir adjourned the meeting at 12:04 p.m.

Approved by the TMWA Board of Directors in session on August 16, 2023.

Sonia Folsom, Board Clerk.