



TO: Chairman and Board Members
FROM: Mark Foree, General Manager
DATE: June 30, 2011
SUBJECT: **General Manager's Report**

Attached please find the written reports from the Management team including the Operations Report (*Attachment A*), the Customer Service Report (*Attachment B*), the Water Resource and the Annexation Activity Report (*Attachment C*), the web usage reports for May, 2011 (*Attachment D*), the final Legislative Activity Report for 2011 (*Attachment E*), and Tell the Board Submission (*Attachment F*).

Also included in your agenda packet are press clippings from May 11, 2011 through June 30, 2011.



STAFF REPORT

TO: Board of Directors
THRU: Mark Foree, General Manager
FROM: Scott Estes, Director of Engineering
DATE: June 28, 2011
SUBJECT: **Operations Report for 7/7/11 Board Meeting**

Water Supply

Truckee River Flows - As of this report date Truckee River flows at the CA/NV state line were about 2,300 cubic feet per second (cfs). The required Floriston Rate for this time of the year is 500 cfs.

Reservoir Storage - Currently, the elevation of Lake Tahoe is 6227.81' (4.81' above the rim) which equates to a storage volume of approximately 586,000 acre-feet (AF) or 79% of maximum capacity. Lake Tahoe is now within about 1.29 feet of its maximum level and since the last Board Report, Lake Tahoe has gained an additional 194,000 AF of water in storage behind the dam at Tahoe City. All other reservoirs on the Truckee system are essentially full. The storage that TMWA had between Boca and Stampede reservoirs under the terms of the Interim Storage Contract has spilled and has flowed to Pyramid Lake.

Supply Outlook – The region's current water supply outlook is very good. Under current conditions, Lake Tahoe might come very close to reaching its maximum storage capacity of 744,000 acre-feet. Releases from Lake Tahoe are being limited to about 70 cfs and as a result, the lake is currently gaining between 4,000-5,000 AF of storage per day. River flows currently consist of about 700 cfs being released from Stampede and Boca and an additional 260 cfs released from Independence and Donner. These releases are necessary to maintain full, but safe reservoir levels. Truckee River flows at Farad averaged over 2,200 cfs for the entire month of May and will be slightly higher for the month of June. The peak average flow recorded at Farad thus far was 3,152 cfs on June 23rd.

Water Production - Water demands have increased in response to recent warmer temperatures, reaching an average of 98 MGD last week. The peak day of consumption thus far was recorded on June 26th at 106.6 MGD. The Glendale Plant was brought back into service last week in response to the rise in demand. Consumption is currently only about 92% as compared to the same time in 2010, but we experienced a very cool start to the month of June and demand is entirely controlled by temperature and irrigation demand this time of year.

Hydro Production - Average Truckee River flows at Farad were 2,213 cubic feet per second in May, which led to another great month of generation. Total hydro revenue for the month of May was \$314,197 or an average of \$10,473/day. Generation at the individual hydro plants averaged \$3,715/day at Fleish, \$3,434/day at Verdi and \$2,986/day at Washoe. The generation outlook for the remainder of this year is extremely good. This will be the first fall in five years where full hydro production will be possible. In addition, this will be the first fiscal year where revenue from hydro production will exceed \$3,000,000 since 2008.



TO: Chairman and Board Members
THRU: Mark Foree, General Manager
FROM: Kim Mazeres, Customer Relations Director
DATE: June 26, 2011
SUBJECT: **Customer Service Update**

The following bullet points are a summary of activity since the May Board meeting; however, please be aware that June's numbers were not yet in when this report was submitted.

Ombudsman

There were 5 calls to the Ombudsman in May, including: a customer that had been cut-out-for-non-payment that wanted to make a deal; a customer complaining about water waste that turned out to be in the Washoe County Department of Water Resources service area; a customer who had set up a cut-in-landlord agreement with us but forgotten to remove the agreement when he sold the house (and thus received a recent bill); a customer that had been handled by the time Joanne called her back; and, a customer with an explained high bill. All customer calls were returned and handled.

Communications

Since the May board meeting there were media articles and stories on: the grand opening of the Hug High School garden; the Poster Art Contest and its winners; our participation in the school district's "Touchin' Trucks" event; our participation in the latest Prescription Drug Round-Up; a 9-year old student who met with staff regarding a water saving idea / science project; snowpack and water supply; assigned day watering and responsible water use; our Water Efficient Landscape Tour; our Water Efficient Landscape awards; water main work in the streets; and, the discovery of quagga mussels at several Nevada reservoirs.

Staff gave multiple presentations and tours, including: our Landscape Awards Tour and Tree Workshops; one to the Sparks Sertoma club on water supply and conservation; one to NV Energy personnel on TMWA's solar installation; and, one to the Silver Lake Property Owner's Association on domestic and municipal wells.

Staff also participated in several events, including: the Great Truckee Meadows Community Cleanup project at the Hunter Creek reservoir, where more than 20 volunteers pulled 54 55-gallon garbage bags of weeds; and, assisting a UNR grad student with a project on PCE.

Conservation

There were 91 watering day variances issued in May (48 in Reno and 43 in Sparks). Total variances issued year-to-date is 113 with 107 of these still active.

Customer Calls – May

- 8,257 phone calls handled
- Average handling time of 4 minutes, 32 seconds a call
- Average speed of answer – 26 seconds

Billing – May

- 93,990 bills issued
- 241 (.3%) corrected bills

Service Orders – May

- 6,664 service orders taken
- 3,741 (56%) move-ins / move-outs
- 508 (8%) new meter sets and meter/register/ERT exchanges and equipment checks
- 499 (8%) cut-out-for-non-payment and cut-in after receiving payments, including deposits and checks for tamper
- 488 (7%) re-read meters
- 477 (7%) zero consumption meter checks
- 280 (4%) problems / emergencies, including cut-out for customer repairs, dirty water, no water, leaks, pressure complaints, safety issues, etc.
- 155 (2%) high-bill complaints / audit and water usage review requests
- 119 (2%) various collection actions, including hanging 48-hour notices for elderly and disabled customers, returned mail and/or unpaid deposits, and handling of additional deposits
- 117 (2%) meter retrofit, including billing and non-billing meter sets, requests to go to the metered rate and mandatory conversions to the metered rate for new tenants

Remittance – May

- 36,036 mail-in payments
- 16,216 electronically via Check-Free
- 11,805 payments via RapidPay (EFT)
- 7,238 one-time bank account payments
- 4,817 store payments
- 3,623 payments via drop box or at front desk
- 1,202 credit card payments

Collections – May

- 12,798 accounts received a late charge
- Mailed 5,297 10-day delinquent notices, 5.7% of accounts
- Mailed 914 48-hour delinquent notices, 1.0% of accounts
- 101 accounts eligible for disconnect

- 94 accounts actually disconnected (includes accounts that were re-disconnected after paying with a bad check)
- .72% write-off to revenue

New business / New Construction – May

- 34 active jobs currently in process
- Nearly \$82,000 (\$81,984.60) in new business fees/facility charges collected

Meter Statistics – 2011 Fiscal Year

- 226 meter retrofits completed
- 116 meter exchanges completed
- 263 new business meter sets completed
- 93,314 total meters installed (billing and non-billing)
- 6,405 total non-billing meters currently installed
- 435 meters yet to be installed on flat-rate accounts



STAFF REPORT

TO: Chairman and Board Members
THRU: Mark Foree, General Manager
FROM: John Erwin, Dir. Natural Resources-Planning & Management
DATE: 1 July 2011
SUBJECT: **Report Water Resource and Annexation Activity**

RULE 7

Rule 7 water resource purchases and will-serve commitment sales against purchased water resources through this reporting period:

Beginning Balance		5,906.71 AF
Purchases of water rights	0.00 AF	
Refunds	0.00 AF	
Sales	0.00 AF	
Adjustment ¹	236.61 AF	
Ending Balance		6,143.32 AF
Price per acre foot at report date:		\$9,600

ANNEXATIONS

No annexations in the reporting period.

¹ Beginning Spring 2005, the price of water rights escalated from about \$5,000/acre foot to over \$30,000/acre foot by year-end. At its May 2005 meeting, the Board discussed several ideas in response to the rapidly changing price of water rights. The Board directed staff to continue to actively acquire water rights for sale of will-serve commitments. It was also recommended at the meeting for staff to complete filing with the State Engineer applications to clean-up about 4,400 acre feet of water rights previously dedicated to the utility but not permitted. It was anticipated, however, that errors in ownership (title), use, or yield problems would result in reduction of TMWA water rights. To compensate for this possibility, TMWA relied on its uncommitted resources to back-up the 4,400 acre feet in the event of faulty deeds or State Engineer reductions in acre feet through the permit process. That process is complete allowing this last adjustment to release into the Rule 7 inventory.

STAFF REPORT

TO: Chairman and Board Members
THRU: Mark Foree, General Manager
FROM: Donna Rennea Smit
DATE: June 2, 2011, 2011
SUBJECT: May 2011 Web Report-www.tmwa.com

The TMWA Web Team is continuing to focus its efforts in 2011 on the user interface, navigation, and ways to help customers access the most accurate information. This includes reducing costs and finding better efficiencies that utilize the website for day-to-day activities.

The performance measures listed below estimate approximately 20,010 visits to the website in May 2011.

Major initiatives the TMWA Web Team updated in May 2011 are as follows:

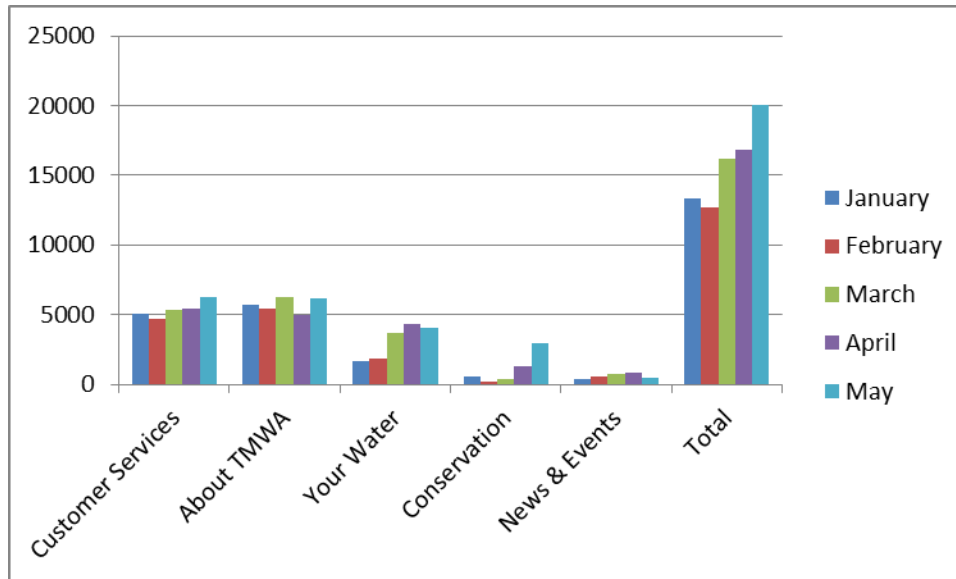
- The TMWA Customer and Community newsletter was distributed to 35,000 customers with links back to events and news located within www.tmwa.com.
- The *Quality. Delivered.* Newsletter (which is the monthly bill insert sent in the mail to all TMWA customers) was visited 75 times. By using the website to reuse TMWA collateral, the reduction of mailing and printing fees results in cost savings.
- TMWA service territory mapped was visited over 200 times.
- TMWA has 326 Twitter followers and 134 Facebook fans. Link statistics indicate 12 hits on the Lawn Care Guide, 5 hits on the RGJ article about Assigned-Day Watering, 5 hits on EPA Water Sense and additional hits on Green Projects, and Conservation.

	Web Site Section	May 2011 Visits	Comments
1	Customer Services About TMWA	6300	Includes traffic to My Account
2	About TMWA	6200	Includes Meeting Center activity

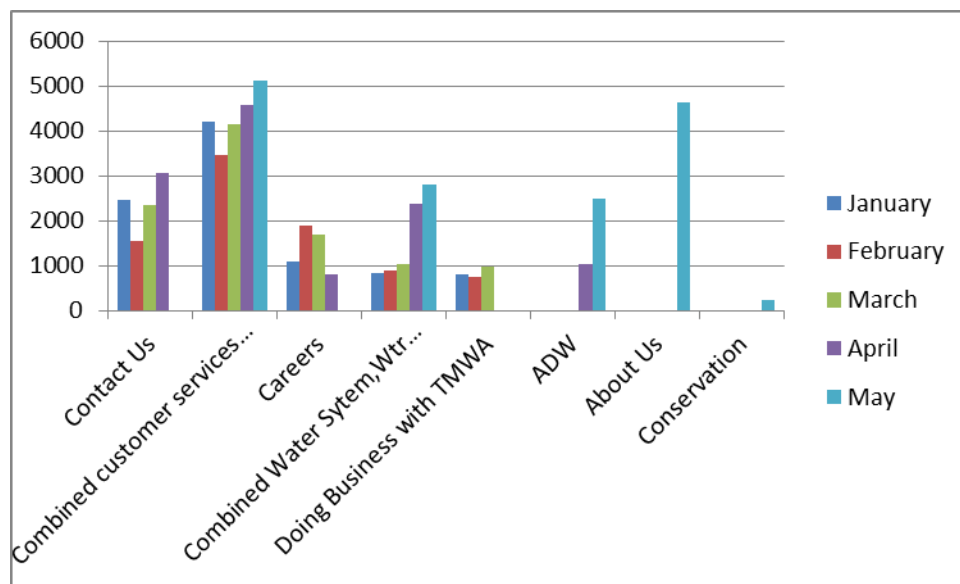


Quality. Delivered.

3	Your Water	4050	Includes Water Resource Plan information and download
4	Conservation	2990	Includes calendar, public meetings. Includes report water waste form
5	News & Events	470	Includes calendar, public meetings, <i>quality delivered</i> newsletter



	Web Page	May 2011 Visits	Comments
1	Combined Customer Services and Residential Customers landing pages	5130	Includes new construction, rules and rates, terminating service, meters and conversion, winterization, access your account, construction standards, Includes traffic to My Account, payment options, paperless billing, bill store payment locations, bill info
2	About Us	4630	Employment, FAQ's, Doing Business with TMWA, meter center, Contacts
3	Combined Water system, Water Quality/River Flows	2800	Includes Lake Tahoe levels, Treatment, Distribution and related topics, downloadable river map, Water Quality Assigned Day watering pages
4	Assigned Day Watering	2490	Assigned Day watering pages
5	Conservation	240	Conservation pages





TO: Chairman and Board Members
THRU: Mark Foree, General Manager
FROM: John Erwin, Dir. Natural Resources-Planning & Development
DATE: 21 June 2011
SUBJECT: **2011 Legislative Update Report**

The attached table presents the final outcome for the various bills that the Board and staff were tracking during the 2011 Legislative Session. Highlighted in “yellow” are those bills that either died or were vetoed. In total, there were 1,088 bills introduced this session: 582 Assembly and 506 Senate. Totals bills made into law were 293 Assembly with 289 died (19 vetoed) and 264 Senate with 242 died (9 vetoed).

				ASSEMBLY BILLS								
Bill No.				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Uknwn	COMMENTS	
				F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation			S- Support SA- Support if amended N-Neutral NS- Not support W-Watch		G-DePaoli M-MacDonald W-Walker			
1	AB	10	O	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB10.pdf GENERAL TOPIC: Revises provisions governing certain funds and the destruction of public records.	Effective July 1, 2011	2/25/11	N	N	M	N		
2	AB	44	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB44.pdf GENERAL TOPIC: Revises warranty period on construction of improvements on public works projects.	Died	2/25/11	NS;SA	NS;SA	W	?		
3	AB	46	O	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB46.pdf GENERAL TOPIC: Revises assessments relating to water resources. Existing law requires a partial abatement of property taxes. (NRS 361.4722, 361.4723, 361.4724) Under existing law, a board of county commissioners is required to cause certain assessments relating to water resources to be levied on real property, including the court costs which may be assessed against the participants in certain proceedings for the adjudication of water rights, the budgetary expenses of certain stream systems or water districts which may be assessed against the property served, and the salaries of well supervisors and other assistants employed by the State Engineer which may be assessed against the property in certain groundwater basins. (NRS 533.190, 533.285, 534.040) This bill clarifies that the assessments relating to water resources are not and have never been subject to those partial abatements of property taxes.	Effective May 24, 2011	2/25/11	N	N	W	N		
4	AB	59	O	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB59.pdf GENERAL TOPIC: Revises Open Meeting Law. AN ACT relating to the Open Meeting Law; requiring a public body to take certain actions if the Attorney General finds that the public body has violated the Open Meeting Law; authorizing the Attorney General to issue subpoenas during investigations of such violations; revising the definition of "public body" for the purposes of the Open Meeting Law; requiring a public body to include certain notifications on an agenda for a public meeting; making members of a public body subject to a civil penalty for violations; providing a penalty; and providing other matters properly relating thereto.	Effective July 1, 2011	2/25/11	W	W	M	N		
5	AB	60	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB60.pdf GENERAL TOPIC: Revises preferential bidding.	Died	2/25/11	N	N	M	N		
6	AB	68	L	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB68.pdf GENERAL TOPIC: Revises disposition of real properties by local governments. AN ACT relating to cities; exempting certain leases of real property from requirements relating to appraisal and auction; reducing the number of independent appraisals of fair market value required in certain circumstances for the sale or lease of real property by cities; and providing other matters properly relating thereto	Effective May 24, 2011	2/25/11	S	S	M	N		
7	AB	73	WR	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB73.pdf GENERAL TOPIC: Allows State Engineer to enter water right lands to carry out duties; revises noticing of water rights. AN ACT relating to water; authorizing the State Engineer or any assistant or authorized agent of the State Engineer to enter certain premises to investigate and carry out the duties of the State Engineer; requiring the State Engineer to cancel a permit to appropriate water for a beneficial use if the holder of the permit fails to file certain information within a certain period after the date of the notice to file that information; revising provisions relating to the forfeiture of certain water rights; removing provisions requiring the State Engineer to adopt regulations establishing a program to allow a public water system to receive a credit for adding a new customer to the system; authorizing a public water system to receive such a credit under certain circumstances; and providing other matters properly relating thereto.	Effective May 24, 2011	2/25/11	NS;SA	NS;SA	W	Y	TMWA submitted amendments; bill likely to pass Assembly	

ASSEMBLY BILLS				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Uknown	COMMENTS
Bill No.											
				F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation							
8	AB	76	PE	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB76.pdf GENERAL TOPIC: Revises PERS provisions. AN ACT relating to the Public Employees' Benefits Program; revising provisions concerning reinstatement of insurance under the Program; authorizing the Board of the Program and certain advisory committees to meet in closed session under certain circumstances; and providing other matters properly relating thereto.	Effective October 1, 2011	2/25/11	W	W	M	N	
9	AB	80	PE	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB80.pdf GENERAL TOPIC: Revises PERS provisions. AN ACT relating to the Public Employees' Benefits Program; making various changes relating to the Program; and providing other matters properly relating thereto.	Effective July 1, 2011	2/25/11	W	W	M	N	
10	AB	90	HR	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB90.pdf GENERAL TOPIC: Revises employment practices to reduce workplace discrimination.	Died	2/25/11	W	W	M	N	
11	AB	101	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB101.pdf GENERAL TOPIC: For Clark County, authorizes formation of improvement district for electric utility installations.	Died	2/25/11	W	W	M	N	
12	AB	102	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB102.pdf GENERAL TOPIC: Revises professional engineer and land surveyor licensure requirements.	Effective July 1, 2011	2/25/11	W	W	M	N	
13	AB	105	PE	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB105.pdf GENERAL TOPIC: Revises State Engineer fees.	Died	2/25/11	N	N	M	N	
14	AB	114	WR	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB114.pdf GENERAL TOPIC: Revises State Engineer fees. AN ACT relating to water; revising the amount of the fee for issuing and recording a permit to change the point of diversion or place of use only of an existing water right for irrigational purposes; and providing other matters properly relating thereto.	Effective July 1, 2011	2/25/11	N	N	W	N	
15	AB	115	WR	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB115.pdf GENERAL TOPIC: Revises State Engineer noticing practises. AN ACT relating to water; revising provisions governing the approval or rejection by the State Engineer of an application to appropriate water for beneficial use; and providing other matters properly relating thereto.	Effective July 1, 2011	2/25/11	SA	SA	W/GP	Y	TMWA submitted well received amendments
16	AB	144	PW	http://www.leg.state.nv.us/Session/76th2011/Bills/AB/AB144.pdf GENERAL TOPIC: Preference bidding rules. AN ACT relating to public works; revising provisions relating to preferences in bidding for contracts for certain public works projects; requiring the inclusion in a contract for a public work of certain conditions that must be satisfied to obtain such a preference in bidding; providing for the investigation of a failure to satisfy the conditions for such a preference in bidding; providing for the recovery of damages for a failure to satisfy the provisions in a contract relating to preferences in bidding; prohibiting the use of a certificate of eligibility to receive a preference in bidding in certain circumstances; prohibiting a person from bidding on a public work in certain circumstances; revising provisions relating to the keeping, by certain persons, of records relating to public works; and providing other matters properly relating thereto.	Effective April 27, 2011	2/25/11	W	W	M	?	Gives preference to Nevada bidders requiring 50% of labor and 25% materials to be Nevada based. What are utility compliance requirements and activities?

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Bill No.				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Uknwn	COMMENTS
				F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation			S- Support SA- Support if amended N-Neutral NS- Not support W-Watch		G-DePaoli M-MacDonald W-Walker		
17	AB	218	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB218.pdf GENERAL TOPIC: Makes bottled water taxable.	Died	3/16/11	W	W	M	N	
18	AB	228	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB228.pdf GENERAL TOPIC: Requires use of standardized construction contract.	Effective July 1, 2011	3/25/11	No further action required				
19	AB	237	F	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB237.pdf GENERAL TOPIC: Authorizes and broadens use of County Bond bank. Existing law authorizes the board of county commissioners of a county whose population is 100,000 or more but less than 400,000 (currently Washoe County) to establish a program to provide financial assistance to persons to connect to the county's public water or sewer system. (NRS 244.3651) Sections 1, 4 and 5 of this bill authorize the board to issue bonds and other securities under the County Bond Law to finance the county's program of financial assistance as part of a sewerage or water project. Section 2 of this bill authorizes the board of county commissioners of a county to issue special obligation bonds under the County Bond Law to defray the costs of a sewerage or water project. Under existing law, the interest rate on securities issued by a political subdivision of this State, with certain exceptions, is not authorized to exceed by more than 3 percent certain published interest rates. (NRS 350.2011) Section 6 of this bill increases that limitation on interest rates by an additional 2 percent, for a total limitation of not more than 5 percent over certain published interest rates, on securities issued in whole or in part to finance a program to provide financial assistance to persons to connect to a public water or sewer system.	Effective May 29, 2011	3/25/11	S	S	W	N	
20	AB	238	F	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB238.pdf GENERAL TOPIC: Eliminates some limitations on County Bond bank. Since October 1, 1999, a county has been authorized, as part of a lending project under the County Bond Law, to acquire securities issued by a municipality located wholly or partially within the county: (1) to undertake one or more infrastructure projects; or (2) to refund those securities. In the latter case, a county's authority is limited to acquiring only those securities issued to refund municipal securities for infrastructure projects that were previously acquired by the county. (NRS 244A.0343, 244A.064) This bill eliminates this limitation on a county's authority and thereby allows a county to acquire securities that were issued by a municipality to refund municipal securities issued previously for infrastructure projects regardless of whether those securities are held by the county or another entity. However, the county may only acquire those municipal securities issued for purposes of refunding if the initial securities for the infrastructure projects were issued by the municipality on or after October 1, 1999.	Effective June 4, 2011	3/25/11	S	S	W	N	
21	AB	253	PE	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB253.pdf GENERAL TOPIC: Expands investigative ability of Division of Occupational Safety with respect to alleged violations.	VETOED	3/25/11	NS;SA	NS;SA	W	N	
22	AB	254	PE	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB254.pdf GENERAL TOPIC: Expands investigative ability of Division of Occupational Safety with respect to alleged violations.	VETOED	3/25/11	NS;SA	NS;SA	W	N	

ASSEMBLY BILLS				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Uknwn	COMMENTS
Bill No.											
				<p>F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation</p>							
23	AB	255	PE	<p>http://leg.state.nv.us/Session/76th2011/Bills/AB/AB255.pdf GENERAL TOPIC: Expands investigative ability of Division of Occupational Safety with respect to accidents resulting in death or injury of employee. Existing law requires the Division to investigate certain accidents that result in the death or injury of employees. (NRS 618.378) Section 1 of this bill requires the Division, after an accident which results in the death or injury of an employee, to provide to the injured employees, the immediate families of the injured or deceased employees and the representatives of the injured or deceased employees a written description of their rights regarding an investigation of the accident. Section 1 also requires the Division to provide such persons with notice of certain events related to an investigation of the accident or proceedings concerning the accident. With regard to an accident which results in the death of an employee, existing law requires the Division and the Occupational Safety and Health Review Board to provide specified information and notifications to, and under certain circumstances to enter into discussions with, the immediate family of the deceased employee after a citation is issued regarding the accident. (NRS 618.480, 618.605) Section 3 of this bill requires the Division to interview the immediate family of the deceased employee during an investigation of the fatal accident to obtain information relevant to the investigation. Section 3 also requires the Division to allow the immediate family of the deceased employee to participate in certain meetings related to the accident.</p>	Effective January 1, 2012	3/25/11	NS;SA	NS;SA	W	N	
24	AB	256	PE	<p>http://leg.state.nv.us/Session/76th2011/Bills/AB/AB256.pdf GENERAL TOPIC: Disclosure of public records including privatization contracts.</p>	Died	3/25/11	W	W	M	N	
25	AB	257	O	<p>http://leg.state.nv.us/Session/76th2011/Bills/AB/AB257.pdf GENERAL TOPIC: Requires public comment period for agenda action items. The Open Meeting Law requires that meetings of public bodies be open to the public, with limited exceptions. Under the Open Meeting Law, a public body is required to provide written notice of all such meetings, which must include an agenda with a period devoted to comments by the general public and discussion of those comments. However, a public body is prohibited from taking action upon a matter that is raised during such a period for public comment until the matter has been specifically included on an agenda and is denoted to be an item upon which the public body may take action. (NRS 241.020) This bill requires the public body, before taking action on an agenda item that is denoted as an item on which the public body may take action, to provide a period devoted to public comment on the agenda item. The public body is also required to provide one additional period for public comment immediately before the adjournment of the meeting.</p>	Effective July 1, 2011	3/25/11	W;N	W;N	M	N	
26	AB	312	PE	<p>http://leg.state.nv.us/Session/76th2011/Bills/AB/AB312.pdf GENERAL TOPIC: Revising provisions relating to prevailing wages.</p>	Died	3/25/11	S	N	M	N	

ASSEMBLY BILLS				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Ukwnw	COMMENTS
Bill No.											
				F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation							
27	AB	330	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB330.pdf GENERAL TOPIC: Disclosure of public records including privatization contracts. Under existing law, all public books and records of a governmental entity, the contents of which are not otherwise declared by law to be confidential or which the governmental entity determines pursuant to a balancing test must not be disclosed, must be open at all times during office hours for inspection and copying. (NRS 239.010) Section 2 of this bill declares to be a public record any privatization contract, defined as a contract executed by or on behalf of a governmental entity which authorizes a private entity to provide public services that are substantially similar to and in lieu of services otherwise required to be provided by the governmental entity. Section 8 of this bill requires a local government to disclose privatization contracts together with information regarding the duration and number of such contracts, as well as an analysis of the privatization contracts which includes a comparison of the use of the persons employed under the privatization contracts with the costs if the services were provided by regular full-time employees of the department, institution or agency while preparing a tentative budget, and to make such information open to public inspection. Section 9-15 also requires the disclosure pursuant to Section 8 regarding contracts a government agency has entered into to be provided while preparing a tentative budget by the following entities: (1) transportation districts; (2) districts for the support of public parks; (3) consolidated, district or town libraries; (4) county hospital districts; and (5) county fire protection districts.	Effective July 1, 2011	4/1/11	W	W	M	N	
28	AB	338	PE	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB338.pdf GENERAL TOPIC: Expands investigative requirements before actions can be taken against an employee.	Died	4/1/11	N	N	W	N	
29	AB	342	G	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB342.pdf GENERAL TOPIC: Allows use of web sites from public notifications.	Died	4/1/11	W	W	W	N	
30	AB	361	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB361.pdf GENERAL TOPIC: Expands reporting requirements for public agencies and contractors on public works contracts.	Died	3/25/11	NS; SA	NS; SA	M	N	
31	AB	387	WR	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB387.pdf GENERAL TOPIC: Adds "conservation domestic well" with 0.5 afa duty.	Died	3/25/11	NS; SA	NS; SA	W	N	
32	AB	389	G	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB389.pdf GENERAL TOPIC: Expands public comment time; adds common interest communities as public bodies.	Died	3/25/11	N	N	M	M	

ASSEMBLY BILLS				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Uknwn	COMMENTS
Bill No.											
				F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation							
33	AB	410	WR	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB410.pdf GENERAL TOPIC: Filing of protests by governing bodies must be signed by head of the body. Under existing law, any interested person, including a governmental entity, is authorized to file a written protest with the State Engineer against the granting of an application for a permit to appropriate water or to change the place of diversion, the manner of use or the place of use of water already appropriated. (NRS 533.010, 533.325, 533.365) In addition, any person, including a governmental entity, who may be adversely affected by a project for the recharge, storage and recovery of water is authorized under existing law to file a written protest with the State Engineer against the granting of an application for a permit to operate the project. (NRS 534.014, 534.250, 534.270) This bill requires that any protest which is filed by a government, governmental agency or political subdivision against the granting of an application for a permit to change the place of diversion, the manner of use or the place of use of water already appropriated within the same basin or for a permit to operate a project for the recharge, storage and recovery of water be verified or signed by the director, administrator, chief, head or other person in charge of that government, governmental agency or political subdivision. However, this bill does not change the requirements under existing law for a protest by a government, governmental agency or political subdivision against the granting of an application for a permit to appropriate water or an application that involves an interbasin transfer of groundwater. (NRS 533.365).	Effective July 1, 2011	3/25/11	NS	NS	W	N	
34	AB	413	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB413.pdf GENERAL TOPIC: Reduces retainage of progress payments from 10 to 5 percent. Existing law requires a public body to withhold as retainage at least 10 percent of the progress payments owed to a contractor on a public works project during the first half of the project. (NRS 338.515) Similarly, contractors and subcontractors may withhold as retainage not more than 10 percent of progress payments to their subcontractors and suppliers during the first half of the public works project. (NRS 338.555, 338.595) Sections 1, 3 and 5 of this bill revise the maximum amount of retainage that may be withheld during the first half of the project to 5 percent of the progress payment. Sections 1, 3 and 5 also provide that, except under limited circumstances, the amount of retainage may not exceed 2.5 percent of progress payments during the second half of a public works project.	Effective October 1, 2011 and expires by limitation on July 1, 2015	3/25/11	NS	NS	W	N	
35	AB	419	WR	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB419.pdf GENERAL TOPIC: Allows State Engineer to designate critical management areas of groundwater basins. Under existing law, the State Engineer has various powers and duties with respect to regulating the groundwater in this State. (Chapter 534 of NRS) Section 3 of this bill requires the State Engineer to designate as a critical management area any basin in which withdrawals of groundwater consistently exceed the perennial yield of the basin. If a basin is so designated for at least 10 consecutive years, section 3 requires the State Engineer to order that withdrawals of groundwater be restricted in the basin to conform to priority rights, unless a groundwater management plan has been approved for the basin. Section 1 of this bill prescribes the procedure for the proposal, approval and revision of such a plan. . Section 2 of this bill includes the existence of a groundwater management plan in a basin as a consideration for the State Engineer in determining whether to grant a request for an extension of the time necessary to work a forfeiture of water in such a basin.	Effective July 1, 2011	3/25/11	W	W	W	N	

				ASSEMBLY BILLS							
Bill No.				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Uknwn	COMMENTS
				F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation			S- Support SA- Support if amended N-Neutral NS- Not support W-Watch		G-DePaoli M-MacDonald W-Walker		
36	AB	422	WR	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB422.pdf GENERAL TOPIC: Public body leasing of water rights. This bill specifically authorizes a public body to lease a water right owned by the public body to an owner or holder of a water right who the State Engineer determines is exceeding the amount of water to which the owner or holder is entitled.	Effective July 1, 2011	3/25/11	NS	NS	W	N	
37	AB	457	F	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB457.pdf GENERAL TOPIC: Allows PUCN to double mil assessments.	Died	4/1/11	N	N	W	N	
38	AB	466	WR	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB466.pdf GENERAL TOPIC: Seeks definition of "environmentally sound" as it relates to interbasin transfers.	Died	4/1/11	N	N	W	N	
39	AB	469	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB469.pdf GENERAL TOPIC: Allows local governments to mutual bid to achieve best value/lowest cost.	Died on Chief Clerk's desk at end of session 6/6	4/1/11	N;SA	N;SA	M	N	
40	AB	470	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB470.pdf GENERAL TOPIC: Use by public agency of construction manager at risk	Died	4/1/11	N	N	M	N	
41	AB	471	F	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB471.pdf GENERAL TOPIC: Prohibits local governments for loaning or transferring monies from enterprise funds. The Local Government Budget and Finance Act authorizes the governing body of a local government to establish certain funds, including an enterprise fund to account for operations which are financed and conducted in a manner similar to the operations of a private business, where the intent of the governing body is to have the expenses of providing goods or services to the general public financed through charges imposed on users. (NRS 354.470-354.626) Section 1 of this bill prohibits a governing body of a local government from loaning or transferring any money from an enterprise fund, any money collected from fees imposed for the purpose for which an enterprise fund was created or any income or interest earned on money in an enterprise fund to: (1) any fund that is unrelated to the purpose for which the enterprise fund was created; or (2) the general fund of a local government. Section 9 of this bill provides that any officer or employee of a local government who violates section 1 is guilty of a misdemeanor and upon conviction ceases to hold his or her office or employment.	Effective July 1, 2011 for all Sections except Section 10 which is effective July 1, 2021	4/1/11	N	N	M	N	
42	AB	574	PW	http://leg.state.nv.us/Session/76th2011/Bills/AB/AB574.pdf Bill amended recently enacted AB144 of the 2011 Legislative Session. Section 1 of this bill provides that the public body is entitled to liquidated damages in the amount of 10 percent of the contract or subcontract for the public work entered into by the party that caused a failure to comply with any of the five specified conditions or \$50,000, whichever is less. Section 1 also allows the public body to recover the damages directly from the party that caused a failure to comply with any of the five specified conditions. Finally, section 1 provides that the condition which requires that at least 25 percent of the suppliers of materials for the public work be located in this State does not apply when the public body requires the acquisition of materials or equipment that cannot be obtained from a supplier located in this State. Section 3 of this bill requires the Legislative Commission to appoint a committee to study the availability of sureties for parties entering into contracts governed by section 2 of Assembly Bill No. 144 of the 2011 Legislative Session. Section 2 of this bill appropriates \$10,000 for a consultant for this study.	Effective June 15, 2011						

SENATE BILLS				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Uknwn	COMMENTS
Bill No.	TOPIC										
		F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation									
1	SB 41	F	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB41.pdf	Eliminates collective bargaining for local governments.	Died	2/25/11	W	W	M	?	
2	SB 60	PW	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB60.pdf	Revises use of Fund for Renewable Energy. AN ACT relating to energy; revising certain provisions governing the administration of the Fund for Renewable Energy, Energy Efficiency and Energy Conservation Loans; authorizing the Director of the Office of Energy to make loans from the Fund to qualified applicants for the construction of an energy efficiency project or an energy conservation project or the construction, expansion or operation of a renewable energy system; and providing other matters properly relating thereto.	Effective July 1, 2011	2/25/11	S	S	W	N	Amendment was minor; TMWA supported
3	SB 68	WR	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB68.pdf	Expands participation in water appropriation studies.	Died	2/25/11	N	N	W	N	
4	SB 76	PE	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB76.pdf	Prohibits use of cellular phones in vehicles.	Died	2/25/11	W	W	W	N	
5	SB 78	F	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB78.pdf	Revises local government collective bargaining.	Died	2/25/11	W	W	M	N	
6	SB 100	PW	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB100.pdf	Revises improvement district modificaitons. AN ACT relating to local improvement districts; authorizing certain modifications after a local improvement project has begun and assessments have been levied; and providing other matters properly relating thereto.	Died	2/25/11	W	W	M	N	
7	SB 147	PE	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB147.pdf	Revises civil penalties if person knowingly misrepresents the classification or duties of an employee.	Died	3/25/11	W	W	W	N	
8	SB 148	PE	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB148.pdf	Revises employee rights if person knowingly misrepresents the classification or duties of an employee.	Died	3/25/11	NS	NS	W	N	
9	SB 153	WR	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB153.pdf	Revises determination of beneficial use of municipalities' water rights.	Died	2/25/11	SA	SA	W	JAE	
10	SB 192	PW	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB192.pdf	Imposes limitations on when government can self perform public work.	Died	2/25/11	NS	NS	M	?	
11	SB 207	PE	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB207.pdf	Enables Labor Commission to impose penalties on employers that misclassify an employee as independent contractor.	VETOED 6/13	3/25/11	NS	NS	W	N	
12	SB 208	PE	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB208.pdf	Expands rules on misclassifying an employee as independent contractor.	VETOED 6/14	3/25/11	NS	NS	W	N	

SENATE BILLS				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Uknwn	COMMENTS
Bill No.	TOPIC										
				F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation							
20	SB	361	WR	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB361.pdf GENERAL TOPIC: Authorizes temporary use of water for wildfire restoration. Section 1 of this bill authorizes a person to apply to the State Engineer for the issuance of a temporary permit to appropriate water to establish vegetative cover that is resistant to fire in an area that has been burned by a wildfire or to prevent or reduce the impact of a wildfire in an area. Unless extended by the State Engineer, the duration of such a temporary permit is limited to one growing season of the vegetative cover. Section 2 of this bill declares the use of water to prevent or reduce the impact of wildfires or to rehabilitate areas burned by wildfires as a policy of the State. Sections 3-7 of this bill exempt an application for such a temporary permit from several requirements in existing law for applications for permits concerning water rights, including publication of notice of the application in a newspaper and authorization for the filing of protests against the granting of the application. This expedited process is similar to the process for the issuance of environmental permits by the State Engineer. (NRS 533.437-533.4377) Section 8 of this bill requires the State Forester Firewarden, upon the request of the State Engineer, to review the plan for establishing the vegetative cover that is required to be submitted by the applicant for the temporary permit.	Effective June 10, 2011	3/25/11	W/N	W/N	W	N	
21	SB	362	WR	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB362.pdf GENERAL TOPIC: Requires State Engineer to designate critical management areas in a basin.	Died	3/25/11	W/N	W/N	W	N	
22	SB	363	WR	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB361.pdf GENERAL TOPIC: Revised State Engineer noticing requirements.	Died	3/25/11	NS	NS	W	N	
23	SB	377	PW	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB377.pdf GENERAL TOPIC: Makes provision for public-private partnerships for public works projects.	Died	3/25/11	NS	NS	M	N	
24	SB	385	G	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB385.pdf GENERAL TOPIC: Grants limited home rule powers for local governments.	Died	4/1/11	S	S	M	N	
25	SB	391	G	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB391.pdf GENERAL TOPIC: Revised ethics provisions.	Died	4/1/11	N; subject to chair direction	N	M	N	
26	SB	401	PW	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB401.pdf GENERAL TOPIC: Award public works contracts based on "best value".	Died	4/1/11	W/N	W/N	M	N	

SENATE BILLS				SUMMARY	BILL STATUS	Date Last Board Action	Board Position	Initial Position	Lead Lobbyist	Testify: N-no ?-Uknwn	COMMENTS
Bill No.	TOPIC										
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27	SB	432	F	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB432.pdf GENERAL TOPIC: Extend payment periods for bonds issued by Washoe and Clark Counties. AN ACT relating to governmental financing; authorizing regional transportation commissions in certain counties (population>100,000) to issue revenue bonds and other securities to finance certain projects under certain circumstances; deleting certain limitations on the issuance of such bonds and other securities by certain counties under certain circumstances; extending the period within which the repayment of certain bonds or other securities must commence; extending the period within which certain general obligation bonds issued for a water facility or wastewater facility must mature; and providing other matters properly relating thereto.	Effective July 1, 2011	4/1/11	W	W	M	N	
28	SB	487	PW	http://leg.state.nv.us/Session/76th2011/Bills/SB/SB487.pdf GENERAL TOPIC: Revises contract awards to specialty contractors.	Died	4/1/11	W/N	W/N	M	N	

7-7-11 BOARD Agenda Item 11 Attachment F

Subject: FW: Fwd: Tell the Board Submission

From: Henry Winig
Sent: Sunday, May 22, 2011 11:27 PM
To: Mazer, Kim
Subject: Re: Fwd: Tell the Board Submission

Yes it has convinced me that you are truly trying to help. I apologize for my bad rap I may have placed on you. And i thank you for taking time to enplane this to me. Have a wonderful life.

From: "Mazer, Kim" <kmazer@tmwa.net>
To:
Cc: Marlene Olsen <marlene@goodstandingoutreach.com>
Sent: Sun, May 22, 2011 9:57:55 AM
Subject: RE: Fwd: Tell the Board Submission
Mr. Winig –

Marlene forwarded your email to me, as she knew I would want to assure you that we do go above-and-beyond for customers who are late in paying their water bills. While the notices are computer-generated, when customers then call us to make payment arrangements, whether when they receive the notice or simply when they know they cannot pay the bill by the past due date, I have directed my staff to bend over backwards during these economic times to helps our customers / our neighbors. Unless a customer has broken multiple previous arrangements or wants a very long time to pay their past due balance (i.e., over 3 months), my Call Center representatives are empowered to work with customers based on their individual circumstances.

If a customer does need an even longer time to pay or has broken multiple previous arrangements, depending on the situation my representatives will proactively escalate the problem to one of their supervisors (including me) to see if we cannot go even further than they are empowered to do for the customer. If the customer still does not get satisfaction, they can ask to talk to the supervisor, and can keep escalating the call until it gets to me or even my boss, TMWA's General Manager. Most calls do not ever get that far because the representatives answering the phones are caring and compassionate, and truly want to help customers.

I hope this eases your mind regarding our willingness to work with folks here in the Truckee Meadows while we all struggle during these tough times. I promise you I care deeply about you and each-and-everyone of our customers. Please let me know if I can answer any further questions.

Regards – your neighbor,

Kim Mazer
Director, Customer Relations
Truckee Meadows Water Authority
775.834.8032

Begin forwarded message:

From: Henry Winig
Date: May 22, 2011 12:12:27 AM PDT
To: Marlene Olsen <marlene@goodstandingoutreach.com>
Subject: Re: Tell the Board Submission

I am not seeking for me alone but for all your customers .I just ask you to be a little less on your scare tactics. We are all suffering some more than others in these times. But we all feel it. Please have a little compaction for your community your neighbors your friends. Without each other we are all alone. Thank You for you swift reply. Your neighbor.
Henry A. Winig

----- Original Message -----

From: Marlene Olsen <marlene@goodstandingoutreach.com>
To: Henry Winig
Sent: Thu, May 19, 2011 7:30:08 PM
Subject: FW: Tell the Board Submission

Mr Winig:

I am trying again to contact you. We would be like to help you. Can you either give us your address and phone number so we can access your account and help you directly. Or, please call 834-8080, option 2.

Marlene Olsen
TMWA Communications

On May 16, 2011, at 8:54 PM, "Tell the Board" <hanknreno@yahoo.com> wrote:

Name: henry winig
Comments: I can not believe you people sending a 48 hour turn off for a \$64.00 payment due. Like people aren't having a hard enough time with being unemployed with no help in site and you want to turn there water off? Well all I have to say is I hope you are just kidding.This water account has been active for over 50 years. \$88.00 a month before on a mentor. Every one is having a hard time these days we need solutions not more threats for a \$64.00 bill. Your neighbor