



## **TMWA Board Meeting**

**Wednesday, November 16, 2016**

### **Press Clippings**

**October 13, 2016 – November 9, 2016**





# League to Save Lake Tahoe drumming support for federal preservation act



Courtesy / Rachid Dahnoun |

In September, the U.S. Senate passed the \$10-billion Water Resources Development Act, which included the Lake Tahoe Restoration Act but the House version did not.

**SOUTH LAKE TAHOE, Calif.** — League to Save Lake Tahoe is calling for public support to help secure federal funds for the preservation and restoration of Lake Tahoe.

On Sept. 15, the U.S. Senate passed the \$10-billion Water Resources Development Act, which included the Lake Tahoe Restoration Act.

The restoration act authorized \$415 million over 10 years for forest management, environmental and watershed restoration, storm water management and other environmental projects in Lake Tahoe. Soon after its passage in the Senate, the House of Representative passed its version of the Water Resources Development Act — but it did not include the measures related to Lake Tahoe.

“Before Congress went on recess, the House did pass a version of the Water Resources Development Act, but it did not include the Lake Tahoe Restoration Act,” said Darcie Goodman Collins, executive director of League to Save Lake Tahoe.

“In the Senate version there were four areas of restoration, including Lake Tahoe. The Great Lakes was the only one of the four that made it into the House version, but that allows us an opening to get Lake Tahoe into the final version of the legislation.”

Before the legislation advances for consideration by the White House, the Senate and House will convene to iron out the differences in the two bills.

Until then, said Goodman Collins, lobbyists in Washington D.C. will continue to push for the inclusion of all restorative measures from the Senate bill to be included in the final legislation.

Congress is slated to return on Monday, Nov. 14.

“Supporters and anyone interested in pushing along the Lake Tahoe Restoration Act are encouraged to contact their representatives to push for the inclusion of the Lake Tahoe measure,” she added.

Goodman Collins recommends contacting Senators James M. Inhofe or Barbara Boxer, chairman and ranking member, respectively, of the U.S. Senate Committee on Environment and Public Works; or Representatives Bill Shuster and Peter DeFazio, chairman and ranking member of the House Transportation and Infrastructure Committee.

“This is the farthest we’ve gotten along in process, and I’m optimistic that we will get this passed,” said Goodman Collins.

The Lake Tahoe Restoration Act was sponsored by Nevada Senators Harry Reid and Dean Heller alongside California Senators Dianne Feinstein and Barbara Boxer.

# TMWA Hosts Free Winterization Workshops

OCTOBER 13, 2016 BY [THISISRENO LEAVE A COMMENT](#)



Photo: Scott Akerman/Flickr

The [Truckee Meadows Water Authority](#) (TMWA) is offering four winterization workshops to help customers prepare their homes for upcoming freezing temperatures.

Homeowners will be instructed on how to turn off sprinkler systems and protect water systems, as well as how to avoid the expense and inconvenience of frozen water pipes.

The workshops are at 5:30 p.m. on Wednesday, Oct. 12; Tuesday, Oct. 18; Tuesday, Oct. 25; and Wednesday, Nov. 2. Each workshop will consist of an hour-long presentation given by TMWA's conservation staff. They will be located at TMWA's main office in Reno at 1355 Capital Blvd.

For tips and how-to videos on [winterization](#), visit the "conservation" section of [www.tmwa.com](http://www.tmwa.com). To RSVP to the winterization workshops, e-mail [conservation@tmwa.com](mailto:conservation@tmwa.com) or call 775- 834-8005.

[TMWA Hosts Free Winterization Workshops Throught Nov. 2 to Prepare for Freezing Temps](#)

## Survey finds many fish survived drought

Survey finds many fish survived drought

Share Video

Posted: Fri 7:32 AM, Oct 28, 2016 |

Updated: Fri 8:19 AM, Oct 28, 2016



**VERDI, Nev. (KOLO)** -- Armed with fishing nets and a generator, an NDOW team October 28, 2016 was trying to count how many fish are in a section of the Truckee River near Verdi.



"We're electrofishing the river and trying to get an idea of exactly what we have got in our transects," said Travis Hawkes, a Fisheries Biologist with the Nevada Department of Wildlife.

When biologists put a pulse of electricity into the water, the fish are temporarily stunned and float to the top of the water.

"It allows us to net them, put them in an oxygenated live well. They'll recover and once they have recovered we'll measure them, weigh them and take fin samples if we need to and then release them," said Hawkes.

The anticipation is that there won't be many fish. At time in 2015 the river had no flow at all and actually dried up in some locations.

"Anytime you have a situation like that you are going to lose a lot of fish," said Kim Tisdale, a Fisheries Biologist with NDOW.

Biologists, however, can't confirm the numbers of fish in the river until they get them out of the river. After electrofishing for an hour and covering 600 feet of river, the survey finds positive results.

"Overall it is positive. There is a really good crop of young fish coming up right now after last year's successful spawning, so overall it is better than what we had expected," said Hawkes.

In addition to young fish, a good number of large, seven- or eight-year-old fish were found to have made it through the drought. Still, though, there is room for improvement.

"The fishery always rebuilds itself. It just needs a few good years of water in the river. They always bounce back," said Tisdale.

Biologists say it will take five or six years until the river is back to what it once was.

## Brekhus, Salcido vie for Ward 1 seat on the Reno City Council

[Anjeanette Damon](#), adamon@rgj.com 11:15 p.m. PDT October 14, 2016



Reno Councilwoman Jenny Brekhus and immigration lawyer Victor Salcido are running for Ward 1 on the Reno City Council. (Photo: Handouts)

Often, Councilwoman Jenny Brekhus is a lone voice for precision in policy on the Reno City Council.

And it doesn't necessarily win her friends.

Take a recent debate over whether the city of Reno should grant sewer fee deferrals for an indeterminate amount of time to affordable housing developers.

While affordable housing is a pressing need in Reno, Brekhus wanted to know how the program would work. How long would the developer go before paying the fee? Who would be eligible for the deferral and who wouldn't be? What's the criteria? Do other cities do something similar? Shouldn't the city write a policy for it first?

"This makes me concerned from an equity perspective," Brekhus said. "The blight fund shows what happens when we have a pot of money, or an incentive program, without having a lot of rules."

She was referencing multiple demands on the city's \$1 million blight fund from private interests in the absence of detailed criteria for who would be eligible for the money.

Finally, a frustrated Mayor Hillary Schieve erupted in the middle of Brekhus's questions: "You do want affordable housing right? Just, I want to know."

Brekhus has established herself on the council as the member who constantly references policy—or the city's lack thereof—when making decisions. She pushes for a more analytical approach and often criticizes the comprehensiveness of the staff reports written to help council members make their decisions.

Her colleagues on the council often become visibly irritated as they want to take quick action to address issues.

But Brekhus brushes it off.

Asked recently if she sometimes feels like she is banging her head against the wall, she says somewhat pensively, "No."

“It’s a big ship to turn from where we were,” she said about the city’s lumbering shift from recessionary cuts to managing the booming growth ushered in by the recovering economy.

Brekhus’s approach, however, is what prompted her opponent, immigration lawyer and lobbyist Victor Salcido to challenge her for the Ward 1 seat.

Salcido sees Brekhus as an obstructionist on a council that is already beset with cohesion issues.

“This is why I’m running for council,” Salcido said on a recent afternoon while knocking on voters’ doors in south Reno. “It’s this issue of effectiveness. In many ways you can substitute this word ‘ineffective’ for ‘dysfunctional.’ It comes down to people not having a clear idea of what their role is.”

Salcido, 33, has never run for office before. He owns his own law practice, does contract lobbying for a local firm and has experience working for the Legislative Counsel Bureau.

He says he has the temperament to build consensus on the council and has a clear idea of what the council’s job should be.

“If you’re serving as a board of directors, you’re not micromanaging,” he said. “You’re setting the vision and the long-term plans and ensuring accountability. I think my opponent is the worst when it comes to micromanagement, but it is a council-wide issue.”

Brekhus disputes that. She is fond of saying that it’s not council’s job to “be in the weeds, but to know what’s lurking in the weeds.”

“I don’t know if he has any facts that he could attest to, that would be good if he could,” Brekhus said, adding that her professional experience as a city planner means she understand such issues in detail. “I can dialogue at a very technical level.”

Not all voters object to Brekhus’s approach on the council.

“There are only a couple council members with any sense, and you’re one of them,” one voter told her when she visited his northwest Reno house on a recent afternoon.

Salcido acknowledges he has an uphill battle taking on Brekhus, who is running for a second term.

He’s up against her strengths as an incumbent, including her name recognition and strong fundraising power. He said that puts him at a disadvantage running citywide in the Nov. 8 election, compared to when the two ran only in Ward 1 during the primary.

Brekhus won that race with 54 percent of the vote.

But as a challenger, Salcido can capitalize on dissatisfaction among some voters over the handling of the investigation into misconduct allegations against former Andrew Clinger and other issues raised recently by consultants.

“I’m just sick of all this litigation,” one voter complained to Salcido.

Here’s a closer look at the two candidates’ biographies and where they stand on the issues:

## Jenny Brekhus



(Photo: Jenny Brekhus)

**Age:** 49

**Experience:** Three years on city Council, 17-year career working for three different city governments.

**Occupation:** Former city planner. Now a mother and councilwoman.

**Education:** Two masters' degrees.

**Family:** Married with one daughter.

**Party Affiliation:** Democrat

**Why are you running:** With her time on the Council, two degrees in city management and 17 years working as a city planner, Brekhus says she has the experience necessary to help lead the city through a period of growth.

"A lot of that is guided by my top priority (in 2011) to put the city on better financial footing. We've done that. We've reduced debt by \$110 million. Going forward we will be answering this question of what do we want to be."

**What will you be looking for in a new city manager:** "We need a seasoned municipal executive, preferably one who has served as a city manager before. This is a very complex job. We'll be tackling the new masterplan and the downtown template. This is someone who will have their fingerprints on Reno for a long time."

**How do you think the city handled the situation with Andrew Clinger, who was terminated amid a misconduct investigation:** "I didn't even know about it until the investigation was well underway and it took a while for it to sink in about how much it was affecting the daily work of the city. I made a concerted call to put him on leave and ultimately he agreed with me and put himself on leave."

**What needs to happen to address the dysfunction noted by the Olive Grove report and other consultants:** Brekhus said the council has a rules and procedures committee that should be getting to work on how the group can work more cohesively. She disputed Salcido's claim that she micromanages, saying she has always respected the chain of command. She also said that some of the dysfunction could be tied back to a "lack of follow through and implementation by Mr. Clinger."

**Recently the city approved zoning for up to 2,000 single family homes in Cold Springs, an area with no sewer, no water line and no city police or fire service. Is this in keeping with good planning practices:** Brekhus voted against the zoning change say it is ridiculous to approve zoning for a "mid-sized Nevada city" that it can't serve with water, sewer, police and fire. She said the approval flies in the face of the new master plan that is still in the works. She said growth should not be developer-driven, it should be driven by the community and the council.

**What is your vision for downtown:** Brekhus says she would promote a walkable, mixed-use, residential downtown. She sees more condo conversions and wants to work to bring more retail downtown.

"They provide a tremendous opportunity for almost instantaneous urbanism," she said of the conversions. "Americans have rediscovered urbanism. We want to be in mixed-use, walkable urban neighborhoods."

**How should the homeless issue be addressed:** Brekhus said she would support leveraging city-own land for more affordable housing developments, as well as finding ways to bring residential projects into areas not typically thought of as residential.

"I find homelessness and maintaining affordable housing for your population two of the great challenges that cities have not found good answers to."

## Victor Salcido



(Photo: Provided to the RGJ)

**Age:** 33

**Experience:** First-time candidate. Three years owning his own law practice. Also worked as a lawyer for the legislative counsel bureau.

**Occupation:** Lawyer and lobbyist.

**Education:** Law degree.

**Family:** Married with one son.

**Party Affiliation:** Republican

**Why are you running:** Salcido says he has both the experience and temperament to work well with city staff, other council members and the Washoe County commissioners and Sparks council. That collaboration, he said, is needed to meet challenges that "don't recognize jurisdictional boundaries."

**What will you be looking for in a new city manager:** “I think one of the qualities that is most important right now is assertiveness. I think a lot of the issues with dysfunction can be traced back to confusion over roles. I hope the next person is someone with more confidence and is a little more assertive in their leadership. Someone with executive experience of some level.”

**How do you think the city handled the situation with Andrew Clinger, who was terminated amid a misconduct investigation:** “It seems it could have been handled better from the get go. If they didn’t have the policies in place because they could never foresee something like this happening with a city manager, that’s absurd. To have a second investigation is admitting your own first investigation was fatally flawed. You need to have a process in place and then trust it.”

**What needs to happen to address the dysfunction noted by the Olive Grove report and other consultants:** “The buck stops at the council. They, hopefully we, will have to answer for those issues. It comes down to people not having a clear idea of their role and I think there’s a mix of personalities that magnified their faults. And I don’t think the Nevada Supreme Court decision (on the role of the mayor as equal to a council member) helped the matter. You might as well say you have seven mayors.”

**Recently the city approved zoning for up to 2,000 single family homes in Cold Springs, an area with no sewer, no water line and no city police or fire service. Is this in keeping with good planning practices:** “It’s a balancing act. Clearly one of the biggest issues we have is housing, at every level. The inventory is not keeping up with demand. Clearly we need to take steps to catch up. That said, the number one question you have to ask when it comes to development is, as a council, do we feel confident that we can provide the services required at these developments. If the answer is no, then (don’t approve it.)”

**What is your vision for downtown:** "We need to encourage development again. (Downtown) needs to be our crowning jewel. In terms of development I see a lot more retail space and walkability. A grocery store. Things that increase livability. None of that can happen if public safety isn't addressed.

**How should the homeless issue be addressed:** "Homelessness is one of those issues that does not recognize jurisdictional boundaries. The way I would tackle it would be trying to find a regional solution."

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## 11 Billion Gallons of Water Added to Lake Tahoe, CA During Weekend's Atmospheric River Storm

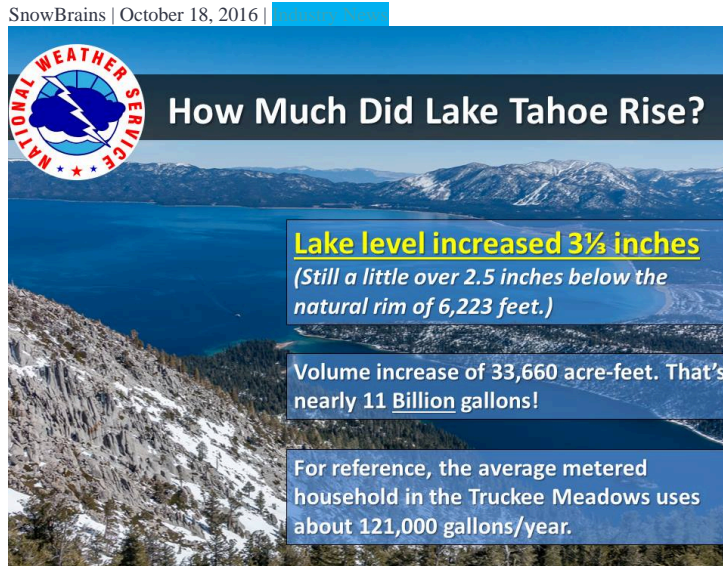


image: noaa, today

**The Atmospheric River storm that barged through Lake Tahoe, CA/NV this past weekend put 11 billion gallons of water into Lake Tahoe and raised the lake by 3.33".**

**Wow.**

**Despite all this new water, Lake Tahoe still remains 2.5" below it's natural rim meaning that the Truckee River isn't flowing in Tahoe City, CA.**

**"The very wet atmospheric river storms we received over the weekend provided much needed heavy rainfall to the region. Yesterday we published the storm total rainfall amounts around the region. but how much did Lake Tahoe rise as a result of all that rain?"**

**Overall, the rain resulted in about a 3½ inch rise in the lake level with the vast majority coming from direct rainfall on the lake versus runoff input to the lake. However, we still remain a little over 2.5 inches below the natural rim level of 6,223 feet.**

**In terms of volume, that rainfall translates to an increase of about 33,600 acre-feet, or an increase of about 11 billion gallons!**

**For reference, that's roughly equivalent to the average total consumptive water use in a year from the Truckee River by the Truckee Meadows Water Authority. The average metered household in the Truckee Meadows uses about 121,000 gallons a year."**

– NOAA Reno, NV today



Lake Tahoe, CA

## Turmoil continues at city hall in wake of Clinger's departure

[Anjeanette Damon](#), [adamon@rgj.com](mailto:adamon@rgj.com) 1:50 p.m. PDT October 19, 2016



(Photo: RGJ File)

### STORY HIGHLIGHTS

- In 2015, the city had a \$10.9 million surplus, which council earmarked for certain projects.
- By this May, not all of that money had been spent yet on those projects.
- So staff used the money to balance this year's budget, taking it away from the approved projects.
- Council didn't know that had been done. Chisel said that's Clinger's fault. Clinger blamed Chisel.

The Reno City Council's first budget hearing Tuesday opened up another round of caustic finger pointing over last year's budget machinations and raised a glaring question: Just how much did the council actually know about the budget they approved in May.

The hearing on Tuesday was meant to help the city turn the page as it emerges from the tumultuous end of former City Manager Andrew Clinger's reign. Reno has never started its public budget process so early with a hearing to update council on the progress of the current budget and elicit priority-setting guidelines from which staff can work to craft next year's budget.

Instead, it exposed cracks that remain among the city's executive staff and revealed the council didn't understand all that it was approving when it took its budget vote last year. Most of the hearing comprised of the typical department heads touting their accomplishments, the assistant police chief describing the critical need for more officers and the fire chief expressing concern about the city's aging fire engines.

#### [RENO GAZETTE JOURNAL](#)

Dysfunction, leadership gap preceded complaint against city manager

But at a key moment, Finance Director Robert Chisel reported to the council that budget staff had found enough money to replenish \$800,000 in funds that had been set aside from the 2015 surplus to do such things as help build a new police station, [fix city hall's problematic elevators](#), relocate a downtown fire station and install a new security system.

The reaction from council was surprise.

Essentially city staff had "swept" the money set aside from the surplus to make the current budget pencil. The problem is, the council apparently didn't know that had been done when they voted to approve the current budget. For instance, instead of having \$1.5 million set aside for the police station, the city only has \$1.2 million in the hopper. That situation should be rectified by January because of improving revenue.

"So if we as a council put aside priorities and say certain funds need to be spent for certain things, you're saying you can move that as needed?" Councilman Oscar Delgado asked, incredulous that such a "sweep" wouldn't need council approval.

"We were directed by the manager to sweep those funds to balance the budget," Chisel answered. "Those budgets were swept and obviously we realized in finance that the council had not been made aware of that so that is why we worked to replenish it."

And that's where the finger pointing begins.

Reached by an RGJ reporter shortly after the meeting, Clinger said he never gave the budget staff direction to sweep the funds, saying that Chisel acted unilaterally when he built the sweeps into the budget.

"I would absolutely never tell staff to do something and hide it from council," Clinger said.

#### [RENO GAZETTE JOURNAL](#)

Reno surplus decided: What's in, what's out

Clinger was terminated by the Reno City Council last month amid an ongoing investigation into misconduct allegations involving sexual harassment complaints.

Council members had also expressed concern that Clinger didn't communicate enough with them.

After Chisel told council that Clinger gave the direction to sweep the funds, several staff members that worked on the budget said privately that wasn't the case. They did not want to go on the record for fear of retribution.

But Chisel was adamant that Clinger had given him that direction during budget talks in May. Other budget personnel corroborated his account.

Chisel said he came up with the idea of using the \$800,000 in unused surplus funds to balance this year's budget and presented it to Clinger as an option after checking with each department to see how much surplus money was still available. He said Clinger picked that as an option rather than cut from other areas of the budget to make sure it balanced. Chisel said Clinger gave the direction verbally in a meeting with budget staff and not in writing.

Chisel said it was Clinger's responsibility to inform the council of that decision. Chisel was audibly upset that Clinger denied giving the direction.

"He didn't tell council," Chisel said. "He said he did, but he didn't."

"When he did his briefings with Council, he did them one-on-one and finance staff wasn't invited," Chisel added, saying he didn't know what Clinger had told council and what he hadn't.

To be clear, no actual money was transferred between accounts. The "sweep" occurred on paper, Chisel said. But whenever the topic came up, council seemed to think the city

still had \$1.5 million set aside for the police station, when it really only had \$1.2 million. Indeed, a memo on the status of the surplus money written in July-- two months after the budget had been approved-- did not mention the money had been swept.

Still, council members were upset that the move hadn't been communicated to them.

"If you are going to sweep from fund to fund, to me you don't do that," Councilwoman Naomi Duerr said. "You would need to bring that back to council."

Delgado was disturbed.

"It's concerning to me that the finance department re-appropriated surplus funds without the approval of city council," Delgado said. "It's important that these reallocations be discussed in public to maintain transparency and public trust."

Chisel responded to Delgado's concern: "It concerns us, too."

While council did approve the budget, Chisel acknowledged that the fund sweeps were not put in the PowerPoint presentation that was discussed the public budget hearings in May.

Asked about it after the meeting, Reno Mayor Hillary Schieve said it's an example of what needs to change under the new city manager.

"I think it speaks to maneuvers to keep a budget driven by staff priorities and not by council priorities," Schieve said. "I did state this in the last budget talks that budget needs to be driven by the council."

And that's exactly what Tuesday's meeting was meant to do-- change the way the city does its budgeting. Indeed, Schieve and other council members thanked Chisel and Acting City Manager Bill Thomas for holding such an early hearing to get council input before the frantic budget adoption process in May.

"This was so helpful to do at this point," Duerr said. "What a change in dynamic."

# Clinger misconduct probe taking longer than expected

Anjeanette Damon, [adamon@rgj.com](mailto:adamon@rgj.com) 4:18 p.m. PDT October 17, 2016



**Buy Photo**  
(Photo: Jason Bean/RGJ)

An independent investigation into misconduct allegations against former City Manager Andrew Clinger is again taking longer than originally thought.

Reno City Attorney Karl Hall said last month that he expected the investigation to be complete by mid-October. He also promised to make the results of the investigation public.

Hall said last week that the report hasn't been submitted. On Monday, Reno Mayor Hillary Schieve said the investigator, former Clark County Judge David Wall, hasn't completed his interviews yet.

The city is paying Wall up to \$50,000 to re-investigate sexual harassment claims by three women against Clinger and to conduct a new investigation into claims of retaliation by the women for having submitted the original complaints. Hall said last week he doesn't expect to make details of the investigation public until the mid- to late November.

## [RENO GAZETTE JOURNAL](#)

Dysfunction, leadership gap preceded complaint against city manager

The original complaints were filed June 29, meaning the investigation will stretch for more than four months. Under city policy, the city has 60 days to complete an investigation into harassment complaints. That policy allows the time limit to be extended for "equitable considerations and the rule of reason."

"We are pretty much on Judge Wall's time schedule and he's working from Vegas," Hall said. "I'm sure he is working as diligently and quickly as he can. He's knows this is time sensitive and we'd certainly like to get that completed."

Hall said he hasn't been given notice that the investigation will cost more than the \$50,000 approved by the council. Any cost increase would have to be approved by council.

Clinger's last official day with the city was Oct. 9, after the council voted to terminate him.

He was awarded a \$227,000 severance package and agreed not to sue the city.

Hall said the investigation timing has nothing to do with the upcoming Nov. 8 election.

Council members Jenny Brekhus and David Bobzien face opponents, while Council members Neoma Jardon and Oscar Delgado are running unopposed.

## TMWA's Annual Customer Satisfaction Survey Released

OCTOBER 19, 2016 BY [CARLA O'DAY LEAVE A COMMENT](#)



By Carla O'Day

Truckee Meadows Water Authority's (TMWA) annual customer satisfaction survey shows the public is pleased, but the utility could do a better job educating people when it comes things such as assigned watering days.

InfoSearch International conducted 7- to 10-minute telephone interviews with 400 random residential customers and 100 random commercial customers in the past year with a 4.4 percent margin of error. Results were discussed during a TMWA board meeting Tuesday.

The survey showed 93 percent of customers viewed the utility favorably, a figure that's held steady the past four years. That number was in the high 80s the previous five years, up from a low of 73 percent in 2006. Six percent had somewhat favorable opinions and one percent had unfavorable opinions.

Eighty-six percent of respondents said water quality was excellent or good, which is similar to recent years but up from 74 percent in 2002. Ninety-one percent said there's no difference in water quality compared to the prior year.

Andy Gebhardt, TMWA customer relations director, said those who've complained about things such as poor pressure or foul smells are contacted and crews are dispatched to analyze problems and fix them, if possible. Such response might be why satisfaction is up, he said.

InfoSearch research director Sara Hart said people who picked up their phones were happy to take the survey when they found out it was about TMWA and not the upcoming election.



Bottled water usage was at 54 percent, up from 50 percent the previous year but down from 66 percent in 2007.

“While the main reason for drinking bottled water continued to be convenience (51 percent), respondents who drank bottled water provided lower ratings for water quality than those who did not drink bottled water,” survey results said.

Board member and Reno Councilwoman Naomi Duerr said she drinks bottled water for convenience and suggested bottled water use might be up because there’s less publicity than a few years ago about dangers in plastic.

“There may be other factors not as obvious to us right here right now,” Duerr said.

Drought was the biggest concern among customers, the survey found.

Hart said TMWA could better educate the public about paying bills online and inform people of assigned watering days, no matter how many times messages have been dispensed.

“You can’t educate people too much, just like you can’t reassure people too much,” Hart said. “It’s OK to say it over and over again because people want to be reassured.”

## Weather service: Lake Tahoe rose three plus inches in storms

Benjamin Spillman , bspillman@rgj.com , KXTV 1:57 PM. PDT October 18, 2016



(Photo: Reno Gazette Journal)

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A series of storms that ripped through the region last weekend did more than coat the Sierra Nevada with a thin layer of snow.

They also sent an estimated 11 billion gallons of water into Lake Tahoe, according to a [Facebook post Tuesday from the National Weather Service in Reno](#)

That's enough water to raise the lake level by more than three inches, according to the weather service.

"For reference, that's roughly equivalent to the average total consumptive water use in a year from the Truckee River by the Truckee Meadows Water Authority," the weather service reported.

Despite the boost the lake remains more than two inches below the natural rim which means it's still not spilling over into the Truckee River, which flows from Tahoe, through Reno and to Pyramid Lake.



**Claire Cudahy**  
[ccudahy@tahoedailytribune.com](mailto:ccudahy@tahoedailytribune.com)

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October 21, 2016  
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## Storms dump 11 billion gallons of water in Lake Tahoe



Claire Cudahy / Tahoe Daily Tribune |

Lake Tahoe rose over 3 inches from rainfall last weekend.

**SOUTH LAKE TAHOE** — Lake Tahoe rose 3 inches thanks to a generous dumping of rain last weekend.

Six inches of rain fell in South Lake Tahoe, reported US National Weather Service in Reno, translating to a deposit of roughly 33,660 acre-feet of water, or 11 billion gallons, to Lake Tahoe.

“For reference, that’s roughly equivalent to the average total consumptive water use in a year from the Truckee River by the **Truckee Meadows Water Authority**,” the agency wrote on Facebook.

“The average metered household in the Truckee Meadows uses about 121,000 gallons a year.”

The majority of the water came from direct rainfall on the lake versus runoff input to the lake.

Despite the much-needed rainfall, the lake level still remains around 2.5 inches below the natural rim of 6,223 feet.

US National Weather Service forecasts a mostly sunny weekend, but predicts a slight chance of showers for early next week.

## Grand Sierra Employees volunteer to clean up Truckee River

Posted: Tue 5:13 PM, Oct 25, 2016 |

Updated: Wed 8:52 AM, Oct 26, 2016



**RENO, Nev. (KOLO)** Workers at the Grand Sierra Resort picked up enough trash by the Truckee River to fill 34 garbage bags Tuesday.



Thirty-one workers spent about three hours cleaning up about a half mile of the river, east of the casino. The Grand Sierra teamed up with Keep Truckee Meadows Beautiful to do the cleanup. The workers volunteered and said coordinated cleanups like this one are important to maintain the beauty of the area.

"There are numerous corporations throughout the Truckee Meadows that border the Truckee River," said Kent Vaughan, Senior Vice President of Hotel Operations at the Grand Sierra Resort. "And hopefully, this will just be the impetus to get others to jump on board."

This was just the first cleanup of several that the Grand Sierra workers plan to do

# Las Vegas water utility issues warning about impostors



image

By RACHEL HERSHKOVITZ  
LAS VEGAS REVIEW-JOURNAL

The Las Vegas Valley Water District has issued a warning about people posing as employees of the public utility.

People claiming to represent the water district have been going door to door asking to enter homes to acquire water samples or test the tap water, the utility said

“LVVWD employees will NEVER request access to customer homes,” the district said in a statement.

All official vehicles have the water district’s blue and yellow logo, and all water district employees have badges with the same logo, their employee number and photo. Typically the shirts of employees are bright green or orange, but sometimes they wear blue work shirts with the district’s logo.

Employees never collect payments at the homes of customers, the district said.

Those who are concerned about someone who has approached or called their home may call 702-870-4194 during regular business hours. After hours, they may call the water district’s emergency number at 702-258-3150.

Contact Rachel Hershkovitz at [rhershkovitz@reviewjournal.com](mailto:rhershkovitz@reviewjournal.com) or 702-383-0381. Follow [@rzhershkovitz](https://twitter.com/rzhershkovitz) on Twitter

# Salcido stretches the truth in campaign attack ads

Anjeanette Damon , [adamon@rgj.com](mailto:adamon@rgj.com) 8:50 a.m. PDT October 26, 2016



*(Photo: Handouts)*

Reno lawyer Victor Salcido has launched an onslaught of negative campaign advertisements against his opponent, Reno City Councilwoman Jenny Brekhus.

The centerpiece of the campaign is a series of well-produced cartoon videos that highlight some of Brekhus' more controversial votes.

Brekhus is known as being a contrarian voice on the council, often voting no on specific proposals she feels haven't been adequately researched and pushing the council to establish better policy.

Salcido argues this tendency is obstructionist and has led to the dysfunction at city hall. His ad campaign, which includes more traditional television ads and glossy mailers, is anchored by the tagline: "Don't let Brekhus break us."

The Reno Gazette-Journal decided to fact-check seven of the claims in these ads. We found two to be true, one to be partially true, one to be mostly false and three to be not true.

In an interview with the RGJ, Salcido said he stands by each of the claims in his ads.

Here's a look at [Salcido's claims](#) and how well they are backed up:

**1. Claim:** “Council member Brekhus wanted to close (Sky Tavern). She doesn’t think Sky Tavern is worth the investment.”

**Context:** At a Dec. 2, 2015, council meeting, Brekhus [raised the question of whether the city should continue to fund the Sky Tavern ski hill](#) used by the Junior Ski Program to teach legions of local youth how to ski and snowboard.

“We need to start looking at Sky Tavern in the context of is this a property we need to continue to own and operate?” Brekhus said. “We are very much hurting.”

Brekhus said the ski hill should be looked at in context of a parks budget that had been slashed since the recession, noting the city was barely able to maintain its existing parks, and is in need of a swimming pool and tennis courts.

Ultimately, however, Brekhus voted in favor of the city’s new lease with Sky Tavern.

**Verdict:** Partially true. While Brekhus did question the investment, she ultimately voted in favor of continuing the program.

**Salcido's response:** Salcido said it was only after public pressure that Brekhus voted to keep the program.

**2. Claim:** “In 2014, firefighters were laid off and stations were closed. Meanwhile, Council member Brekhus took a pay raise.”

**Context:** The problem here is that [Reno City Council members get automatic pay raises](#). The last council voted to automatically increase council salaries by the rate of inflation every year.

Brekhus objected to the automatic pay boost and asked her colleagues to consider repealing it. She also made a motion to cut council salaries by 7.5 percent. The council refused.

Instead, individual council members voluntarily decide whether to return some of their pay to the city. In 2014, Brekhus initially said she wouldn't do so as a form of protest to what she sees as an uneven system.

Ultimately, however, Brekhus gave back \$2,051 in fiscal year 2014-15, which is almost double the salary increase council received. She also gave back \$5,749 in 2015-16. The first two years of her term, however, she gave back no pay.

Another important point: No firefighters were actually laid off. While the council voted to eliminate 35 positions after the city lost a federal grant paying for their salaries, the firefighters sued and a judge halted the layoffs.

Financial conditions improved and the city ultimately preserved and then added firefighting positions.

No firefighters lost their job in 2014.

**Verdict:** Not true.

**Salcido:** Salcido maintains his claim is true because Brekhus and the rest of council did receive a pay raise the same year they voted to lay off firefighters. Brekhus gave back money from her car allowance, he argues, not from her salary.

**3. Claim:** “Jenny Brekhus voted no on blight reduction.”

**Context:** Salcido's campaign is basing this claim on a vote Brekhus took against a tool the city wanted to use to help the new owner of the Kings Inn rehabilitate the property.

On Aug. 20, 2014, Brekhus voted against a measure that would change the way the King's Inn owner paid his impact fees.

Brekhus objected to creating a new program for a single property. She said the city should develop a new policy that would apply to all new projects. She also floated the idea of eliminating impact fees altogether.

The city's largest blight initiative, however, was a \$1 million fund created from the city's 2015 surplus. Brekhus voted in favor of creating that fund.

**Verdict:** Not true. Brekhus voted in favor of spending \$1 million on blight reduction.

**Salcido's response:** Salcido said most people recognized the city's assistance with the King's Inn as a form of blight reduction. Brekhus did vote no.

**4. Claim: Brekhus “voted no on helping pregnancy counseling center and violence against women program.”**

**Context:** There’s not much to quibble with here. Brekhus did vote no on both of those grants.

On May 8, 2013, Brekhus voted against a \$2,465 city grant to the Pregnancy Counseling Center for building repairs. Brekhus said staff was unable to answer her questions about the grant in a satisfactory manner.

On Jan. 29, 2014, Brekhus voted no against accepting a grant to help fund a victim response coordinator for the Reno Police Department. Brekhus disagreed with departments using grants to create new positions outside of the budget process. When grants end, the city is faced with the decision of paying for the position or laying off the employee.

**Verdict:** True: Brekhus had her reasons, but she definitely voted no on those two issues.

**5. Claim: Brekhus “voted no on affordable housing development incentives.”**

**Context:** Brekhus [objected to the council passing a new ordinance](#) that would allow builders to delay paying their sewer connection fees until the project was finished. Under the program, affordable housing developers could indefinitely postpone paying those fees.

Brekhus said the plan wasn’t well researched and staff could not explain who would be eligible for the incentives and who wouldn’t.

Without concrete guidelines, Brekhus felt the program could be abused. She voted no.

**Verdict:** True, but attack lacked context.

**6. Claim: “While the rest of the city council is working to shape Reno’s future, Council member Jenny Brekhus is holding up progress with constant micromanagement.”**

**Context:** To back up this claim, Salcido linked to a story in the [Reno Gazette-Journal on a recent report](#) from the Urban Land Institute.

The consulting team of municipal experts brought in to look at how Reno could revitalize the Virginia Street corridor had some strong words for how the council was conducting business.

"This is a hard conversation to have, but you are not aligned to succeed right now," former Pittsburgh Mayor Tom Murphy told the council. "You are focused on today and you're micromanaging and you are paralyzing yourself with indecision."

Neither Murphy nor the Urban Land Institute named Brekhus as the cause of the problem, however. They addressed their remarks to council as a whole.

A [second consultant report](#) by Olive Grove Consulting also found a fair amount of dysfunction caused by the council. Again, that report did not say that Brekhus was responsible.

**Verdict:** It's false to imply the Urban Land Institute said Brekhus is holding up progress.

**Salcido's response:** Salcido acknowledged the specific reports did not name Brekhus, but said it is his opinion, and that of others, that Brekhus is responsible for the micromanagement.

**7. Claim: "Council member Brekhus has been bragging about refinancing and lowering city of Reno debt. But city records show she voted no on the debt lowering program. At least the records don't lie."**

**Context:** Salcido is using a 2013 vote Brekhus made against a bond refinancing program to back up his claim that Brekhus is lying about her record lowering the city debt.

Bond refinancing in 2013 freed up about \$1.4 million a year for the city, but it actually increased the city's debt by \$925,000 to fund a new fire station. Brekhus voted against it because she didn't want to take on more debt.

Indeed, Brekhus has voted against other measures to reduce the debt for various reasons. But she has also voted in favor of debt reduction programs, including refinancing some of the train trench debt, special assessment loans and a streets bond.

**Verdict:** Mostly false.

**Salcido's response:** Salcido says he stands by the claim because Brekhus did vote no on the specific measure that saved the city money on its debt payments.

*Editor's note: This story was edited Tuesday morning with additional information concerning Brekhus' pay during her first two years in office.*

# Amid tough re-election fight, Brekhus prods consultant to alter report

Anjeanette Damon , [adamon@rgj.com](mailto:adamon@rgj.com) 5:45 p.m. PDT October 26, 2016



[Buy Photo](#)

*(Photo: Andy Barron/RGJ)*

Amid an increasingly caustic re-election campaign, Councilwoman Jenny Brekhus wrote to a city consultant asking him to redact critical remarks about the council and instead shift blame to former City Manager Andrew Clinger.

In an email exchange obtained by the Reno Gazette-Journal, Brekhus asked former Pittsburgh Mayor Tom Murphy of the Urban Land Institute to reconsider his remarks that the Reno City Council was guilty of micromanagement and paralyzed by indecision. Those comments are being used in an ad campaign by her opponent, Reno lawyer Victor Salcido.

"As you can see, my opponent has used your comments as fodder," Brekhus wrote, before launching into a lengthy explanation of the turmoil created by the sexual harassment charges against Clinger.

In the email, Brekhus then accused Clinger of unduly influencing the report in an effort to save his job.



In an interview with the RGJ, Brekhus defended her attempt to revise the consultant's report, saying she wanted to make sure that the Urban Land Institute was aware of the dysfunction that came to light in the wake of Clinger's termination from the city.

"I was not aware if he was aware that Mr. Clinger had departed and so just wanted to give an opportunity for him to retract some of those condemnations of the council that are really outside of the scope of a ULI report," she said. "I thought it was misplaced, misdirected criticism of the council."

Brekhus said what is being described as micromanagement is really council frustration at Clinger's lack of follow through. She gave an example of the recently completed audit of Waste Management's franchise agreement that did not include much of what council had asked to be investigated.

Brekhus said she didn't think it was inappropriate to reach out to the consultant.

"If I had told staff I wanted to see a review draft and that I wanted changes, that would be crossing bounds," Brekhus said.

The council accepted the final Urban Land Institute report at a meeting Wednesday. The report described problems at both the executive staff and council level.

"The mayor and city council are the elected officials who should act as the board of directors for the city of Reno," the report read. "The essential tasks for this group are to set a vision and provide the necessary resources, services, and leadership while hiring a competent and ethical staff. As previously highlighted, Reno's leadership has hired and established a dedicated and competent staff, but now leadership must enable them to perform their duties of running the city without facing undue scrutiny as they currently do."

During the council discussion, Councilwoman Neoma Jardon made pointed comments about accepting responsibility for the problems hindering city hall.

"I think if you don't own the part in which you played in the report, you are not a leader and you are not taking ownership of your actions," Jardon said. "A trait of a true leader is to own the way you have acted and to change that behavior."

Earlier in the day, Jardon publicly endorsed Salcido.

"Leadership that is welcoming and open to new ideas not mired in petty squabbling and personal agendas or simply saying, "no" to everything. This is why I am proud to endorse Victor Salcido for the Reno City Council," she wrote in her endorsement.

Salcido said he hadn't seen the email, but was disturbed by what he's heard about it.

"It's alarming that an official running for re-election would try to get an independent report changed for what I would imagine is political purposes," he said.

Clinger wasn't immediately available for comment.

*Editor's note: This story has been edited to fix the time that Brekhus sent the email. The email obtained by the RGJ had an East Coast time stamp.*

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## **\$415 million for environmental restoration projects at Lake Tahoe in jeopardy**

Submitted by paula on Sun, 10/30/2016 - 12:25am



Senators Diane Feinstein and Dean Heller at 2015 Lake Tahoe Summit.

Paula Peterson

There was great news from Washington D.C. back on September 14 when the [U.S. Senate passed their \\$415 million version of 2015's Lake Tahoe Restoration Act](#) by a vote of 95-3. It was part of the \$10 billion Water Resources Development Act of 2016.

[President Obama was in town on August 31, 2016 for the 20th annual Lake Tahoe Summit](#) He was here to talk about the preservation of the national treasure, Lake Tahoe, along with Nevada's Senator Harry Reid and California's Senators Dianne Feinstein and Barbara Boxer. Even though the other Nevada Senator Dean Heller wasn't there, the Lake Tahoe Restoration Act had his full support as well.

Now the House of Representatives has passed its own version of the Water Resources Development Act, but theirs did not contain the measures related to Lake Tahoe.

The differences were evident even back in [2015 during the last Lake Tahoe Summit](#). At that time, California Congressman Tom McClintock and Nevada Congressman Mark Amodei spoke of the House Lake Tahoe Restoration Act which spent a lot less money than the Senate version but was concentrated on fuels reduction and not protecting the lake.

Before the bills make it to the White House for the President to sign, both chambers of congress will be meeting to hash out the details and iron out their differences, and the public can help in this process by letting their representatives know how they feel about Lake Tahoe.

"Bipartisan federal legislation to protect Lake Tahoe is almost through Congress, but is wavering on the brink," said Dr. Darcie Goodman Collins, the Executive Director of League to Save Lake Tahoe. "Right now, you can help by contacting your Congressional leaders and urging them to ensure the reauthorization of the Lake Tahoe Restoration Act moves forward."

The public is encouraged to contact their elected representatives and the League to Save Lake Tahoe has gathered all the information needed to do so:

Send your message to the leaders of the U.S. Senate Committee on Environment and Public Works and the House Transportation and Infrastructure Committee:

Senator James M. Inhofe - [contact form](#)

Chairman, U.S. Senate Committee on Environment and Public Works

Senator Barbara Boxer - [contact form](#)

Ranking Member, U.S. Senate Committee on Environment and Public Works

Representative Bill Shuster, Chairman, House Transportation and Infrastructure Committee and Representative Peter DeFazio, Ranking Member, House Transportation and Infrastructure Committee via email: [jack.meehan@mail.house.gov](mailto:jack.meehan@mail.house.gov)

(Please address your letter to Representatives Shuster and DeFazio; Jack Meehan is a congressional staffer handling delivery of correspondence related to this legislation.)

Comments to consider including in your letter to Congress:

Lake Tahoe is a national treasure and a major economic driver for California and Nevada. Protecting and restoring the Lake Tahoe Basin is critical to the region's economic vitality, and essential if we are to protect Lake Tahoe for this and future generations.

The Lake Tahoe Restoration Act would provide a comprehensive approach to protecting and sustaining the environment and economy of the Tahoe region by restoring forests and protecting against invasive species.

Nevada and California have committed to spending hundreds of millions in the coming years to improve and protect the Lake Tahoe basin. The Lake Tahoe Restoration Act would be a key way the federal government, which owns the majority of the land in the Tahoe basin, can partner in these efforts.

Please do all you can to ensure the Lake Tahoe Restoration Act makes it into the final version of the Water Resources Defense

# Headway made in fight against aquatic invasive plants

By **Tahoe Resource Conservation District** -  
October 31, 2016, 10:06:52 AM



Post-treatment (Fall 2016) at Crystal Shores East marina. Photo by Tahoe Resource Conservation District

Lake Tahoe, Calif. October 31, 2016 – In 2010, the Tahoe Resource Conservation District (Tahoe RCD), in collaboration with the Lake Tahoe Aquatic Invasive Species Program, began treatment of approximately six acres of aquatic invasive plants in the nearshore by Vikingsholm in the iconic Emerald Bay. The control methods included bottom barriers, which kill plants by eliminating light, and diver-assisted suction removal, which physically removes plants and roots. After four years of comprehensive treatment, Emerald Bay remains free of aquatic invasive plants.

Using this integrated approach, other locations around the Lake Tahoe Basin are being addressed. An *Implementation Plan for the Control of Aquatic Invasive Species within Lake Tahoe* developed by University of Nevada Reno in 2015 is guiding the way. The Implementation Plan uses an ecological and scientifically-based framework to determine site prioritization, which calls for controlling satellite populations in an effort to achieve containment. In 2016 Tahoe RCD

treated 4.5 acres at Lakeside Marina and Beach, Crystal Shores marinas, Fleur du Lac's outer harbor and in the Truckee River. This winter a new infestation at the Tahoe Vista boat launch will be tackled. Treatment of Eurasian watermilfoil is important for water quality because the invasive plant raises pH, decreases oxygen, and increases water temperature, all of which alter the ecosystem and negatively impact recreation and public safety.

"From our efforts in Emerald Bay, we know that invasive plant populations can be reduced, and with continued treatments, we will be able to better manage populations around the lake in the future," said Tahoe RCD District Manager Kim Boyd.

Tahoe RCD anticipates the continuation of aquatic plant control efforts in Lake Tahoe and the Truckee River for years to come. While bottom barriers and diver-assisted suction removal have proven to be successful, there is a need to identify other techniques that could help us get ahead of the battle, particularly with persistent plant species such as curlyleaf pondweed. The potential to use ultra-violet light will increase the effective techniques available to Tahoe RCD especially in low water years and in tight spaces within marinas. Ultra-violet light has proven in lab studies and small field tests to damage the DNA and cellular structure of aquatic plants causing it to die back. Tahoe RCD will continue to work with partners this winter to finalize environmental documentation and permitting so UV light can be tested in Lake Tahoe in 2017.

"We are excited about working with our partners to explore new technology that can be added to the toolbox," said Boyd, "A project using UV light to reduce aquatic plant infestations is being developed and is expected to launch in spring 2017."

Funding for these projects has been provided by the Truckee River Fund, the Tahoe Fund, the Rotary Club of Tahoe City, California Tahoe Conservancy, and Nevada Division of State Lands.

### **About the Tahoe Resource Conservation District**

*Tahoe Resource Conservation District's mission is to promote conservation, stewardship and knowledge of the Lake Tahoe Region's natural resources by providing leadership and innovative environmental services to all stakeholders. The Tahoe RCD is a non-regulatory, grant-funded, public agency that works with partner agencies to implement projects, programs and outreach which currently focus on stormwater management, aquatic invasive species prevention and control, conservation landscaping and restoration.*

# Atmospheric River event drops record rain for Reno

By Meteorologist Cassie Wilson Monday, October 17th 2016

RENO, Nev. (News 4 & Fox 11) — The Truckee River isn't the only important component of our water supply for Northern Nevada, Atmospheric Rivers (ARs) play a vital role.

When an Atmospheric Rivers set ups, we can receive a good fraction of our yearly water totals. On average, about 30-50% of annual precipitation for the west coast occurs in just a few AR events. And that is exactly what happened over the past 3 days.

Not only did Reno smash a rain record, but some Sierra locations received close to 12 inches of rain.

What exactly is an Atmospheric River (AR)? ARs are the water-vapor rich portion of a storm, they are relatively narrow and can stretch hundreds of miles, as well as sometimes contain winds that exceed hurricane strength. A strong AR can transport up to 15 times the average flow of water at the mouth of the Mississippi River.

Now this AR wasn't that strong, but it did bring immense moisture to our region. The Sierra saw rain from Friday morning all the way into Monday morning, and the valley saw nearly 12 hours of straight rainfall. Sometime we haven't seen in a very long time.

Wind reports ranged from 65 miles per hour to nearly 100 miles per hour.

# Appeals court upholds Lake Tahoe Regional Plan Update

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STATELINE, Nev. — A federal appeals judge on Wednesday ruled that the Tahoe Regional Planning Agency's 2012 Regional Plan Update — which charts a new path for future Lake Tahoe development — adequately addressed concerns about the lake's water quality.

The 9th U.S. Circuit Court of Appeals on Wednesday upheld the plan, according to a press release from TRPA, saying its drafters reasonably concluded that it would not have a significant effect on the lake's water given expected improvements in pollution management around the lake.

"Today's ruling by the Ninth Circuit Court of Appeals is yet another strong affirmation of the widely-supported 2012 Regional Plan," Joanne S. Marchetta, executive director of TRPA, said in a statement. "The plan is based on sound science, planning, and analysis and represents the best path forward for TRPA and its many partners to restore Lake Tahoe's treasured environment and revitalize our communities."

The ruling comes in a lawsuit, filed by environmental groups Sierra Club and Friends of the West Shore, that sought to block implementation of the 2012 plan.

The plan generally restricts future development to areas that are already developed, while encouraging redevelopment into town centers around the lake.

The groups said it would pose a threat to the lake's ecosystem. Lawyers for the groups did not immediately have comment, according to the Associated Press.

"Today's decision is good news for Lake Tahoe. We chose to support the Regional Plan Update, following years of negotiations, because it provides safeguards to protect the Lake, while requiring that any new redevelopment is concentrated in town centers and comes with environmental benefits for Lake Tahoe," Darcie Goodman Collins, executive director for the League to Save Lake Tahoe, said in a statement. "Proper implementation and strong enforcement of the regional plan policies are the next steps to ensure Lake Tahoe is protected. The League to Save Lake Tahoe is committed to collaborating with the TRPA and other stakeholders to see that this is achieved."

# Discord at City Hall Noted in Consultant Reports, Emails

NOVEMBER 1, 2016 BY [BOB CONRAD](#) [LEAVE A COMMENT](#)



A report by the Urban Land Institute (ULI) discussed at last week's Reno City Council meeting noted, from the group's April visit to Reno, the discord at City Hall that gradually came to light this year.

The Institute indicated that it "learned executive-level staff routinely and directly participates in daily operations, which represents an organizational or cultural breakdown. Such a practice is unsustainable and inhibits executive decision makers from focusing on big ideas for the city.

"To make major decisions, the city manager and his executive-level staff need to function at a policy, not operational level."

The ULI report drew an email from Councilwoman Jenny Brekhus on to the Institute's Tom Murphy, asking to reconsider some of the statements made in the report prior to last week's meeting.



Councilwoman Jenny Brekhus

Brekhus wrote:

Your panel in Reno last spring marked the onset of a difficult period for our organization and, because I have the most contested race (I like to think because I pose a forward thinking vision of Reno's future that has ruffled some status quo feathers), for me as an elected official. As you can see, my opponent has used your comments as fodder. Coincidentally, we have your report on our agenda Wednesday morning.

“At the time, I believed that our City Manager, who had the most access to (ULI) panelists, may have unduly biased the panel against the Council and led you to assert that there is ‘micromanagement.’ While he may not have pushed this theme directly, it may be a narrative that he relayed to others. I believe that he knew his job was at risk because of unsatisfactory job performance and used the panel to point the blame at the Council.

“In July, after receiving a 1 year contract extension from the Council, 3 women made claims of sexual harassment against Mr. Clinger and he resigned under duress. While the claims are still under investigation, there is substantial evidence that Mr. Clinger’s management style fostered a highly disharmonious and unprofessional work environment among the City’s senior staff.”

ULI’s Murphy disputed Brekhus’ characterization of what happened with the ULI panel.

“The panel’s recommendations came from the panelists’ personal and past experiences, and from interviews of over 80 stakeholders within Reno,” Murphy replied. “The recommendations were not solely influenced by the City Manager as you have portrayed.”

The theme of discord at City Hall had also been confirmed by consultants Olive Grove, which had been retained “to assess and identify areas where the Mayor and City Councilmembers can enhance their working partnership with the City Council and City Manager, as well as the City Manager’s executive staff.”

Olive Grove noted in July that “direct communication with staff, as well as ongoing staff challenges with implementation, have led to uneven communications between the City Council and the City Manager.”

It also said that the Nevada open meeting law prohibits discussion outside of meetings, “which limits the ability of the Council to have non-public meetings to understand perspectives on a given issue prior to a Council meeting. This leads to communication and decision-making challenges during meetings.”

Those comments were submitted to councilmembers prior to the widely publicized **resignation of City Manager Andrew Clinger**.

Allegations against Clinger are still being investigated, even though City Attorney Karl Hall **said the investigation would be completed by mid-October**. The RGJ reported that Clinger’s complainants won’t be interviewed by the investigator.

“(The complainant’s attorney) put conditions on the interview that aren’t acceptable,” **Hall said, according to the RGJ**.

Friction between council and city staff appears ongoing, such as at last week’s meeting when the mayor and councilmembers expressed disappointment over a **financial audit of Waste Management**, which councilmembers said did not address issues they requested be examined.

Olive Grove said that recession effects are still lingering downtown and that “staff are overwhelmed and struggle with prioritization, which diminishes the Council’s trust in staff.”

# NWS: 2016 brought wettest October on record for Lake Tahoe

BY NEWS 4-FOX 11 DIGITAL STAFF THURSDAY, NOVEMBER 3RD 2016



North shore of Lake Tahoe, Nevada (Sinclair Broadcast Group)

TAHOE CITY, Calif. (News 4 & Fox 11) — This year saw the wettest October on record at Tahoe City, according to the National Weather Service in Reno.

The agency recorded 9.04 inches at Tahoe City, California, for October 2016.

The average for October from 1981 to 2010 was 2.07 inches, meaning this October's rainfall was more than four times the average precipitation rate.

The Weather Service has kept records of rainfall at Tahoe City since 1910.

Officials expect a dry couple of weeks to start November.

# Clinger threatens to sue Brekhus for 'defamatory comments'

[Anjeanette Damon](mailto:adamon@rgj.com), adamon@rgj.com 5:06 p.m. PDT November 3, 2016



Buy Photo

Reno council member Jenny Brekhus is the chairwoman of the Regional Planning Governing Board.(Photo: Andy Barron/RGJ)Buy Photo

Former City Manager Andrew Clinger's lawyer has issued a cease-and-desist letter to Councilwoman Jenny Brekhus demanding she stop making comments implying Clinger is guilty of sexual harassment.

The letter is in response to an email Brekhus sent to a consultant, Tom Murphy, who had written a report criticizing the council for micromanagement. Brekhus asked the consultant to reconsider his criticism in light of the investigation into sexual harassment claims against Clinger.

“The statements made in your e-mail to Mr. Murphy are false and are made for the express purpose of giving Mr. Murphy the impression that you are aware of ‘substantial evidence’ to support the allegations of sexual harassment against Mr. Clinger,” wrote Clinger’s lawyer, John Gallagher. “You made these statements with full knowledge that the initial investigation, although not made public found that Mr. Clinger did not violate any city policies concerning sexual harassment.

“These statements, whether intentional or reckless, have damaged the professional reputation, character and integrity of Mr. Clinger.”



[SCRIBD](https://www.scribd.com/document/102716/Brekhus-Ltr-10-27-16)  
Brekhus.Ltr.10.27.16

Brekhus, who is in the middle of a tough re-election campaign, believed the criticism of the council levied by the consultant was unfounded and sought to shift blame to Clinger.

[RENO GAZETTE JOURNAL](#)

[Amid tough re-election fight, Brekhus prods consultant to alter report](#)

“While the claims are still under investigation, there is substantial evidence that Mr. Clinger’s management style fostered a highly disharmonious and unprofessional work environment among the city’s senior staff,” Brekhus wrote to Murphy, the former mayor of Pittsburgh and a consultant with the Urban Land Institute.

Clinger was terminated by the council in September and paid a \$227,000 severance. In his separation agreement, Clinger agreed not to sue the city for anything relating to the investigation.

An initial investigation into sexual harassment claims filed by three women found Clinger did not violate the city’s harassment policy.

But the women raised concerns about how that investigation was conducted and the Reno City Council decided to hire a new law firm and investigator to conduct a second investigation. Clinger has always maintained his innocence.

The full report from the initial investigation has not been released. The second investigation is ongoing.

[RENO GAZETTE JOURNAL](#)

[Bills for Clinger investigation exceed \\$150,000 approved by council](#)

Gallagher demanded Brekhus retract her statement to Murphy and threatened to sue her for her “intentional, malicious conduct” if she doesn’t comply.

“In the event you fail to retract the statements made to Mr. Murphy, and/or continue making defamatory statements about Mr. Clinger, our client has instructed us to seek all necessary and appropriate legal remedies against you,” Gallagher wrote.

Brekhus was not immediately available for comment.

# 9th Circ. Nixes Sierra Club Suit Against Tahoe Development

By [Melissa Daniels](#)

Law360, Los Angeles (November 2, 2016, 4:21 PM EDT) -- The [Sierra Club](#) lost its bid to prevent future development on more than 300 acres of land near Lake Tahoe at the Ninth Circuit on Wednesday when a panel found that the Tahoe Regional Planning Agency's environmental impact statement complied with relevant law.

The Sierra Club and a local environmental group began fighting an update to a TRPA regional plan in February 2013, saying the agency was opening up the land as a result of political pressure for more development and ignoring the requirements of the Regional Planning Compact between California and Nevada.

After a federal judge tossed the suit, the Sierra Club and Friends of the West Shore took their case to the Ninth Circuit.

In an opinion written by U.S. Circuit Judge Mary M. Schroeder, the Ninth Circuit said TRPA had properly complied with the compact's requirements and adequately addressed the localized environmental effects from potential new development.

"Contrary to plaintiffs' contention, the draft [environmental impact statement] addressed cumulative effects on biological resources," the panel said. "TRPA was not required to conduct additional scientific studies to determine an environmental threshold for conservation of soil at a local or watershed level before analyzing the impacts of regionwide coverage changes."

The panel also upheld the lower court's award of costs to TRPA.

The Sierra Club and Friends of the West Shore sued in [February 2013](#), arguing the environmental impact statement for TRPA's regional plan update did not comply with the requirements of the 1968 Regional Planning Compact between California and Nevada. The compact was designed to protect natural resources and control development in the Lake Tahoe Basin.

The update, approved in December 2012, opened up more than 300 acres in the area to

"resort recreation" development, allowed up to 3,200 new residential units and created up to 200,000 additional feet of commercial floor space, the groups claimed in their suit.

The Sierra Club and Friends of West Shore had asked for an injunction setting aside TRPA's approval of the plan update and a temporary restraining order preventing the agency from implementing any aspect of the new framework.

But TRPA blasted the **environmental groups' claim**, saying the changes in its update would provide Lake Tahoe communities with opportunities for orderly growth and needed investment in environmental upgrades consistent with the compact.

U.S. District Judge John A. Mendez tossed the suit in April 2014, but the environmental groups **appealed to the Ninth Circuit**, pledging to fight to protect the land from the "misguided actions" of TRPA.

Oral arguments were held in April. In Wednesday's opinion, the court said the environmental impact statement's analysis was not arbitrary, capricious or in violation of the compact.

The panel also shot down an argument from the environmental groups that TRPA has a poor track record of enforcing best management practices and wrongfully relied on them in the plan update to ensure water quality protection.

The court, however, said that TRPA's regional plan update created redevelopment incentives that will push projects into requiring best management practices plans and maintenance logs.

"TRPA reasonably relied on data in the record in concluding that despite the agency's imperfect past enforcement of [best management practices] maintenance, the [regional plan update] would have a less-than-significant effect on water quality," the court said.

TRPA general counsel John Marshall said in a news release that the regional plan regvanized the commitments of California and Nevada to conserve and restore the region.

"We're grateful to both states for their strong support and to our many community partners whose engagement has allowed this landmark plan to go forward," Marshall's statement

said.

The ongoing litigation didn't freeze development plans in the area. Since the regional plan was adopted, some local plans have since been approved and adopted, a TRPA spokesman said.

Representatives for the Sierra Club didn't immediately respond to requests for comment on Wednesday.

U.S. Circuit Judges Mary M. Schroeder, J. Clifford Wallace and N. Randy Smith sat on the panel for the Ninth Circuit.

The Sierra Club is represented by Trent Orr and Wendy Park of [Earthjustice](#).

TRPA is represented by its general counsel John Marshall, and Whitman F. Manley and Howard F. Wilkins III of [Remy Moose Manley LLP](#).

The case is Sierra Club et al. v. Tahoe Regional Planning Agency, case number [14-15998](#), in the U.S. Court of Appeals for the Ninth Circuit.

--Additional reporting by Zachary Zagger and Linda Chiem. Editing by Catherine Sum.

## **Ninth Circuit Approves Plans for Lake Tahoe**

By REBEKAH KEARN

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SAN FRANCISCO (CN) — The Ninth Circuit ruled Wednesday that the Tahoe Regional Planning Agency's new rules include enough protections against water pollution caused by concentrated development.



Famous for its crystal clear waters and the surrounding panorama of snowcapped mountains, Lake Tahoe is a freshwater lake that straddles the California-Nevada border. At 191 square miles it is the largest alpine lake in North America, and the sixth-largest lake by volume in the United States.

Lake Tahoe is a major tourist destination, attracting skiers in the winter and swimmers, hikers, boating enthusiasts, and fishermen in the warmer months. The Nevada side hosts large casinos.

But Tahoe's signature clear waters are becoming more opaque due to increased nitrogen and nutrient levels, reduced phosphorus levels, and contamination from fine sediment due to urban stormwater runoff.

Congress in 1980 tasked the Tahoe Regional Planning Agency with adopting a regional plan to limit development and establish plans for land use, transportation, conservation and recreation.

In 2012, the planning agency updated the plan, concentrating new development into "community centers," and putting development and environmental protection largely into the hands of local government, through establishment of area plans. Included in the update was a total maximum daily load model, to reduce water contamination by certain pollutants.

The Sierra Club and Friends of the West Shore [challenged](#) the update, claiming the new rules would open hundreds of acres of undeveloped land to construction. They also claimed the environmental impact statement did not address the effects of runoff from increased development or do enough to protect the area's soils, streams, vegetation, fisheries, and sensitive wildlife habitat.

Though the planning agency defended its environmental studies, it prepared a stormwater modeling simulation to estimate the effects of concentrated development on Lake Tahoe and added more scenic protections and limits on expansion of community centers.

U.S. District Judge John Mendez sided with the planning agency in April, finding that the impact statement was adequate and that the agency's confidence that best management practices would keep water quality impacts to a minimum was justified by substantial evidence.

A Ninth Circuit panel affirmed that ruling on Wednesday.

U.S. Circuit Judge Mary Schroeder wrote for the panel that though the environmentalists had standing to sue, they did not prove the planning agency had acted arbitrarily and capriciously.

The groups said the environmental impact statement should have analyzed the cumulative effects of concentrated development on local watersheds in community centers rather than taking a regionwide approach.

But the inclusion of the stormwater model in the final draft of the environmental impact statement did address localized effects on the lake near community centers, Schroeder wrote. It relied on data about land use types, roads, and estimates about fine sediment, nitrogen, phosphorous loading and stormwater runoff to minimize contamination

and prevent concentrated runoff.

The panel also upheld the planning agency's soil conservation analysis, noting that the agency was not required to do site-specific analysis for soil conservation until development was proposed.

Schroeder rejected arguments that the environmental studies did not adequately address cumulative impacts to biological resources, noting that the agency's selected alternative included mitigation measures to reduce runoff and improve water quality, soil conditions, and habitat availability, all backed by scientific evidence.

Contentions that best management practices would not protect the lake from contamination because of the planning agency's poor history of enforcing such practices met a similar fate. Among other things, the planning agency received grant funds for enforcing and improving its best management practices. The update also requires new developments to undergo mandatory best management practices inspections and establish maintenance plans before obtaining permits, which substantial scientific evidence indicates will help reduce water quality impacts.

Finally, the court upheld the award of costs in favor of the planning agency and denied the request for judicial notice as moot.

U.S. Circuit Judges J. Clifford Wallace and N. Randy Smith joined Schroeder on the panel.

Trent Orr with the San Francisco office of Earthjustice argued for the environmentalists.

Whitman Manley with Remy Moose Manley of Sacramento represented the planning agency.

Neither could be immediately reached Thursday evening for comment. 

## Chances for wet winter stands 50 percent, October triumphs as wettest month

- Article
- Comments ()

The last couple of weeks were rainy, but the month of October was probably the wettest month the area will experience for the rest of the year.

That's according to Climatologist Dan McEvoy at the Western Regional Climate Center in Reno. Although October is known to be the first water month of the year in the West, it isn't going to fully mend the drought.

However, the rain put many positive impacts on the area, McEvoy said.

"The soil is moistening in high elevation before snowfall hits," he said. "We also had snow accumulation start early in those higher elevations, like at Mount Rose."

Another relief McEvoy mentioned is fire season is over. Although November is normally not a month for fires, the rain reassured Carson Valley nature by adding moisture to dry and dead vegetation.

On top of that, more water has been added to the reservoirs, such as Lake Tahoe and in the Great Basin. McEvoy said last month was at 200 to 300 percent for normal precipitation levels. The storm that occurred the weekend of Oct. 21 dropped 11 billion gallons, roughly 33,660 acre-feet of water — or 3 inches into Lake Tahoe.

"For reference, that's roughly equivalent to the average total consumptive water use in a year from the Truckee River by the Truckee Meadows Water Authority," the agency wrote on Facebook.

Despite the much-needed rainfall, the lake level still remains more than 2 inches below the natural rim of 6,223 feet.

However, the area is pretty lucky compared to those in the southern domain, McEvoy said.

"Regionally, we had a great rainfall," he said. "But as for Southern Nevada and California, they were dry for an October."

It's believed when there's a wet fall, there's a wet winter. But McEvoy said don't keep hopes up, as there could be no relationship between October's rain and the winter.

"The recent rainfall doesn't indicate a wet winter," he said. "It could be dry but that's up in the air right now."

In other words, the region is considered to be neutral; there's no La Niña or El Niño, but there's an equal chance for a wet or dry winter.

So what to expect in the next two to three weeks? As far as predictions go, McEvoy said we could see a dry pattern. The winter also might bring a weak La Niña.

"We also could have light precipitation," he said. "But there's no chance of a major storm during that timeline."

It may be a while until the area experiences similar weather again but the rain was essential to the region overall. According to the Reno-Tahoe International Airport, October was the second wettest month it's seen since the early 1900s. As for Lake Tahoe, October ranks as one of the top months in its record as the wettest fall month experienced.



## LOCKWOOD

# WATER WOES DIVIDE TOWN

Homeowners want to know why their tap water is brown

**ANJEANETTE DAMON** [ADAMON@RGJ.COM](mailto:adamon@rgj.com)

Lisa Lee won't drink the water that comes out of the tap in her Rainbow Bend home, a house she bought in 2007.

The water smells bad. It stains her laundry. It leaves brown rings in her sinks and toilets.

"I've worried about contaminants from time to time," she said. "A lot of people have water filters and all that. But most recently, the water started coming out brown. Sometimes it's tea-colored. Sometimes it's coffee-colored."

Lee is one of many homeowners in the tiny riverside community just east of Sparks who began to see brown water gush from their taps in June.

The brown water comes and goes, she said.

And, technically, according to somewhat arcane EPA rules, the water is safe to drink.

That incongruity — being told rust-colored water is just fine to drink — is fueling an increasingly bitter division in the tight-knit hamlet known for its Christmas caroling, parades and hayrides.

Lockwood, which includes the Rainbow Bend subdivision and Lockwood Community Corp. mobile home park, is situated on the bank of the Truckee River. It's sandwiched between Interstate 80 on the north and the region's landfill on the south. To the community's east is an industrial park that's home to a cluster of manufacturing plants.

It's home to many elderly and low-income families. A small elementary school serves 49 students. A general store provides groceries.

The community's water system is operated by the Canyon General Improvement District, run by an elected board. It serves about 500 households from two wells pumping groundwater that's laden with typical minerals and heavy metals found in Nevada soil.

It can be a challenge to treat that water, as evidenced by a lengthy history of clean drinking water violations that date back to 2001.

The most common culprits in the water are iron and manganese — both heavy metals that occur in the soil naturally. Arsenic also tends to seep into the water from time to time.

The EPA has determined that iron and manganese don't pose a significant health threat in drinking water. Instead, their presence creates "aesthetically unpleasing" water that looks, tastes and smells unpalatable.

But the EPA also recognizes that manganese in high concentrations can cause neurological problems, particularly in children and the elderly.

Water testing from the GID and the state have found manganese levels to be mostly within acceptable limits. But one homeowner sent his tap water to a lab on his own and found manganese at 40 times the EPA standard.

That's what worries residents, even as state and local water authorities repeat that the water is safe to drink.

### **Homeowners vs. Canyon GID**

That percolating conflict between homeowners and the water company came to a head at a GID board meeting last month when a group of residents began demanding answers from the board.

"This is the bath I run for my son," Rainbow Bend resident Michele McCall told the board, holding up a picture of a bathtub full of murky brown water at the meeting.

"My son has lived here for eight years and we've been drinking this water for eight years," McCall continued as board members tried to assure her the water was safe and her pipes simply needed flushing.

That's when board member Linda Dennis broke in.

"Is he retarded now?" Dennis asked.

Members of the audience gasped in disbelief.

"Oh wow," McCall said. "Is my son retarded?"

"I'm asking you," Dennis continued. "You've been drinking the water you say causes learning disabilities. Is he having a problem?"

As the discussion devolved to shouting, the chairman hammered his gavel and tried to calm the room.

In an interview with the Reno Gazette- Journal, Dennis apologized for her language. She said she didn't mean to offend or disparage anyone. She wanted to know if McCall's child was suffering any disabilities and "that was the first word that popped into my head."

“I was not diplomatic,” she said. “I was just trying to ask a question and I asked it wrong.”

But Dennis, 68, said the exchange was emblematic of the rift developing in the community over the water problems.

“Oh my God,” Dennis said. “Good thing she didn’t have a gun. She would’ve shot me right there on the spot.”

Dennis has lived in Rainbow Bend for 27 years. Her 12-year term on the board is coming to an end. She acknowledges the water comes out brown sometimes in the community. When it happens at her house, she just flushes her pipes and moves on with her day. She doesn’t avoid drinking the water and she doesn’t filter it.

“Every few years, you get some band of people who want to come in and create all manner of problems,” she said. “You can talk to them until you’re blue in the face and they don’t want to understand.”

Those experiencing bad water, however, describe the board as reacting cavalierly and even combatively to their concerns.

Lee wasn’t at the meeting, but saw the video of the comment.

“After seeing that video, I just feel betrayed almost,” Lee said. “I don’t feel that is acceptable to downplay residents’ concerns about their water supply and use that kind of language to attack people.”

McCall said she doesn’t really know how to react anymore. She’s worried her son has been drinking bad water, which she used to mix his formula when he was a baby, since his birth.

“I’m so mad,” McCall said in a recent interview. “I just don’t know how to feel anymore about this. You would think your own water GID and the board would want to work with their consumers. But they don’t.”

### **What is safe water?**

The constant refrain from GID officials is that the water is safe to drink. Historically, the water was tested quarterly and the results reported to the state.

Past violations have involved iron and manganese, which the EPA regulate as secondary contaminants with little associated health risk.

“We are in compliance with everything,” said Mitch Andreini, the GID’s general manager. “If there was an issue, they would be making us boil our water.”

The recent brown water episodes, however, have prompted the Nevada Environmental Protection Division to begin investigating the GID’s water quality. At the request of the homeowners, Storey County officials also have agreed to test the water and provide recommendations.

State water regulators have ordered monthly, rather than quarterly, testing of the water for iron and manganese because of a high reading in July.

The most recent test conducted by the GID at four locations in the community on Oct. 27 found no detectable manganese.

But homeowner Larry Huddleson tested the water from his tap on June 29, about the time the brown water issues started, and found manganese at 4.4 milligrams per liter. The EPA standard is 0.1 milligrams per liter.

“I am just flat tired of it,” Huddleson said. “All I want is good water. I want an acknowledgement there’s a problem and I want them to bring someone in who can fix it.”

Huddleson has emerged as the homeowners’ de facto leader. He was elected to the GID board in 2012, but served just about a year before resigning amid a dispute about stray horses. He’s currently running for a seat on the Storey County School Board.

But his past experience on the board has led GID board members to see him as a disgruntled resident.

“He was a very good board member until (he resigned),” Andreini said. “But ever since then — and this is just my opinion — he’s been on a personal mission to find anything he can get the board in trouble or the current employees in trouble. We’re not trying to hide anything.”

“Bottom line: The water is safe to drink,” Andreini said.

But for residents confronted with bathtubs full of rust-colored water, that’s a difficult claim to believe.

Andreini says he gets it.

“I’ve said that all along, I wouldn’t want to drink it either,” he said. “But you run your water, you flush the pipes and it’s fine.”

### **Moving forward**

State testing has found the water system to be in compliance despite a high reading in July.

Even though that single manganese reading was five times the clean drinking water standard, the other monthly tests conducted brought the average level down below the standard.

“It’s just a couple of homes experiencing the brown water, but technically it is in compliance,” said Jo Ann Kittrell, spokeswoman for the Nevada Division of Environmental Protection.

Still, Kittrell said the state is continuing to monitor the situation.

“We are investigating all of these elevated readings to determine the cause of episodic brown water and are working with the GID to get answers,” she said.

In addition to ordering monthly tests, the state recommended the GID flush all of the pipes in the system to rid it of accumulated minerals and said the GID needs to come up with a better emergency response plan, going door to door to distribute bottled water and assess the extent of problems.

The state also ordered the GID to ensure a certified water operator is available 24 hours a day. On one holiday weekend, the water plant's certified operator couldn't be reached when the water turned brown at a handful of houses in the community.

Andreini said the GID is committed to providing clean water and has complied with everything the state has asked.

"We are a tiny, tiny water system and this is costing us a lot of money," Andreini said.



## **RTC Washoe explains how it became victim to \$1.4 million email fraud**

RENO, Nev. (News 4) — Crooks stole \$1.4 million from the Regional Transportation Commission of Washoe County. The FBI, Secret Service, Wells Fargo Bank and RTC are now investigating exactly how it happened.

RTC's Executive Director Lee Gibson said he found out about the scheme last Friday.

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"I was angry, I'm shocked, I was outraged," he said.

Gibson said RTC received emails from what they thought was Granite Construction, which is overhauling the area around Pyramid Highway and McCarran Boulevard.

"You have emails that look like Granite, taste like Granite," Gibson said. "We went through and validated the invoice and then paid it to the bank."

RTC sent a single payment for \$1.4 million. It thought it was sending it to Granite, but the money actually went into the criminal's account.

Gibson said the crooks did their research. They knew about local events, RTC, Granite Construction and were very sophisticated. Investigators told Gibson there are other victims and this might be a global scheme.

"This is a unique criminal approach. It's called social engineering. It's my understanding in the quick research I've done, it's one of the most successful criminal approaches to defraud money out of people that exists," Gibson said.

When RTC tried to recover the money, they were told there was only \$350,000 remaining in the fraudulent account. Gibson said members of the FBI and U.S. Secret Service are trying to track down the money and find out who is responsible.

The FBI would not comment for this story. Granite Construction did not return News 4's requests for comment.

Gibson said the scheme has not jeopardized the Pyramid/McCarran construction project, nor has it affected RTC's operations.

"I'm an aggressive individual sometimes, and I'm going to pursue all avenues we have through law enforcement and the banking institutions to recover the money," Gibson said.