

CARSON TRUCKEE WATER CONSERVANCY DISTRICT

Regular Meeting

March 14, 2023

DIRECTORS:

Todd Westergard
John Capurro
Tyler Henderson
John Enloe
Ty Minor (Zoom)
Pete Olsen (Zoom)
Mike Nevin
Ernie Schank
Karen Baggett (Zoom)
Ed James

ABSENT:

None

Staff

Mary Pat Eymann

GUESTS:

Kayla Dowty, Engineer
Ron Penrose, Superintendent
Leo Bergin, Attorney
Chad Blanchard, FWM

OTHER GUESTS:

Judi Tortelli, RTC
Rich Wilkinson, CVCD (Zoom)
Rob Holley, DVCD (Zoom)
Catie Harrison, City of Reno (Zoom)
Jonathan Smith, City of Reno (Zoom)
Iris Peppart, 1 Truckee River (Zoom)
Mandy Bengston, 1 Truckee River (Zoom)

1. CALL REGULAR MEETING TO ORDER -

President Westergard called the meeting to order.

2. PUBLIC COMMENT – None

3. APPROVE AGENDA –

❖ Director Enloe made a motion to accept agenda as posted; seconded by Director Capurro; motion carried.

4. APPROVE MINUTES FOR February 14, 2023, FINANCIAL STATEMENTS AND CHECKS WRITTEN AS SUBMITTED –

❖ Director Capurro made a motion to approve the and financials as submitted; seconded by Director Nevin; motion carried.

5. WATER MASTERS REPORT AND DISCUSSION – Chad Blanchard

A complete copy of the Water Report is available at District Offices or on the internet at troa.net and the SNOTEL report at wcc.sc.egov.usda.gov/reports/SelectUpdateReport.html

6. DISCUSSION AND POSSIBLE ACTION FOR GRANTS AWARDED BY THE DISTRICT – Director Westergard

Applications and supplemental grant information from each of the requesting entities was presented to the Board and is available at District offices.

The preliminary budget projections allow for \$150,000 for grants for FY2023-2024. The Amount requested by the applicants is: City of Reno - \$89,850, One Truckee River \$20,551, Carson Valley Conservation District (CVCD) - \$50,000 and Dayton Valley Conservation District (DVCD) - \$30,000 for a total of \$190,401. Representatives from each of the requesting agencies were present. Director Schank asked that each applicant state if they are not given the entire grant request money how would this affect the project.

Questions:

1. City of Reno – This project does have scalability if the full amount requested is not received. Engineer Dowty advised that NO 408 permit would be required as this would be considered maintenance under the Martis Creek Agreement.
2. One Truckee River – Engineer Dowty asked when the actual “boots on the ground” portion of the project is estimated to begin -possible in a couple of years.
3. CVCD - no questions
4. DVCD – no questions

Discussion:

Director Westergard – reminded the Board that the vast majority of the funding the District receives comes from Washoe County

Director Schank – how much of the One Truckee River request is going to be for a study – all of it.

Director Enloe – spent a lot of time looking into the One Truckee River project, Director Enloe is a big supporter of One Truckee River, however, this particular project he feels there is a disconnect between the level of effort being applied on the engineering, planning and permitting side of things compared to the construction. Director Enloe stated that it seems the project is out of whack at this time. Feels there is a significant need to regroup and reevaluate because the benefits do not justify the costs. Director Enloe recommends that at this time CTWCD does NOT fund the any portion of the project. Need to make sure the funding is being spent appropriately. One Truckee River was aware that this was going to be Mr. Enloe’s recommendation at this time.

Director Schank – would rather see the money go to boots on the ground than a study.

- ❖ Director Enloe made a motion to NOT fund the One Truckee River project at this time; seconded by Director Schank; motion carried unanimously.

Discussion:

After taking the One Truckee Rivier request out of the requested funding the new total requested amount is \$169,985 which is still \$20,000 over the amount budgeted. The recommendation is to only use the projected amount at this time for grants with the possibility of increasing at the next meeting the amount based on any revised budget figures. Reduce the amount of each application to make up for the difference.

- ❖ Director Enloe made a motion to approve funding in the total amount of \$149,850 to be split as follows: City of Reno to receive \$79,850, CVCD to receive \$45,000 and DVCD to receive \$25,000; seconded by Director Nevin; motion carried unanimously.

7. REVIEW, DISCUSSION AND POSSIBLE CHANGES TO DISTRICT BY-LAWS – Director Westergard

A copy of the By-Laws was provided and is available at District offices.

Various language suggested changes -

Director Schank – Board of Directors section add at the end of No. 3 each of the subdistricts Board of Directors shall nominate one person to be approved by the Governor’s office.

Director James – clarification of when the Public Hearing on the Tentative Budget occurs.

Director Capurro – revise the terminology of his/hers.

8. DESIGNATE AUDITOR FY FY2022-2023, OF BARNARD VOGLER & COMPANY - Staff

- ❖ Director Capurro made a motion designating Barnard Vogler as the auditor for the FY2022-2023; seconded by Director Minor; motion carried unanimously.

9. DISCUSSION AND POSSIBLE BOARD DIRECTION REGARDING ENCROACHMENT PERMITS AND REQUESTS – Kayla Dowty

See Engineer’s Report

Existing applications

1. City of Reno Booth Street Sewer Siphon project
2. Geotechnical Exploration for Arlington Bridge replacement project

New applications for consideration

1. Arlington Avenue Bridges Replacement (overall) recommend approval of permit and letter of no objection.
 - ❖ Director James made a motion to approve the application as presented; seconded by Director Enloe; motion carried unanimously.
2. Uprise Fiber crossing at Sutro Bridge – There are no permanent impacts to the channel capacity, in addition at Sutro 14,000 stays in the banks. This project would require a 408 permit, however, because it does not have any permanent impacts it does not require any other Federal permitting and the existing bridge is already there. Question for Attorney Bergin is if there is a situation like this where we can feel comfortable that there is no permanent impact to the channel does the District have the ability to issue an encroachment permit (because the actual encroachment does come from the District) essentially siting that we know there is no water on the bridge at 14,000 cfs, we know it does not have permanent impacts to the channel and we know it is following an existing path that was already encroached by the City of Reno. Do we have the ability to issue an encroachment permit to a different entity. Attorney Bergin advised that you may have to get the City to have them increase their encroachment. This item will be reviewed and discussed at the next meeting.

10. DISCUSSION AND POSSIBLE ACTION OF THE AMBROSE PARK DIVERSION AND POSSIBLE INVOLVEMENT OF THE DISTRICT – Kayla Dowty

See Engineer's Report

11. DISCUSSION AND POSSIBLE BOARD DIRECTION REGARDING MAINTENANCE DEBRIS REMOVAL WORK, EMERGENCY DEBRIS/DEPOSIT REMOVAL WORK AND AUTHORIZATION FOR EXPENDITURES FOR SUCH WORK – Kayla Dowty

See Engineer's Report

12. DISCUSSION AND POTENTIAL ACTION REGARDING ISSUES THAT MAY ARISE DURING THE 2023 REGULAR SESSION OF THE NEVADA LEGISLATURE WHICH COULD POTENTIALLY IMPACT CONSERVANCY DISTRICTS, GENERALLY – Directors Baggett and James

Director James advised that there are quite a few water bills however do not involve the District.

13. ENGINEER/CONSULTANT REPORT –Kayla Dowty

See Engineer's Report

14. DISCUSSION AND POSSIBLE ACTION REGARDING PROFESSIONAL ENGINEERING SERVICES FOR THE DISTRICT – Chairman Westergard and Attorney Bergin

Ms. Dowty has left Tri Sage Engineering the report submitted for this meeting was her last with Tri Sage

Chairman Westergard advised that he had talked with Karen Schlichting owner of Tri Sage which has now merged with Qualus LLC. Ms. Schlichting was very supportive of Kayla and hat the District may want to stay with Kayla. Chairman Westergard has spoken with Ms. Dowty who is with a new company and has worked it out with them so that she can continue to represent the District on her own. Ms. Dowty has secured the necessary legal LLC documents. Mr. Westergard did advise Ms. Schlichting that he was going to recommend that the District continue to use Ms. Dowty as the engineering professional for the District based on her performance and knowledge, Ms. Schlichting was invited to attend the meeting but if she chose not to it would not be reflective of any interest of representation.

Director Capurro asked about if Ms. Dowty had to sign a non-compete clause and what is the process with the contract.

Attorney Bergin advised that at this time the District has no contract with anyone, no new documents had been signed when Tri Sage changed ownership, therefore there is no contract at this time. Ms. Dowty will be coming as an independent contract.

- ❖ Director Enloe made a motion to pursue potentially entering into a contract with the entity (5 Peaks) Ms. Dowty is forming and to determine the rates she will charge; seconded by Director Minor; motion carried unanimously.

15. SUPERINTENDENT REPORT – Ron Penrose

See Superintendent Report

16. LEGAL COUNSEL REPORT – Leo Bergin

Nothing to report.

17. SECRETARY/TREASURER REPORT – Mary Pat Eymann

Nothing to report.

18. PUBLIC COMMENT - None

19. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS:

Future Agenda Item Requests:

1. Update on Engineering professional services contract/rates.
2. Riverside Drive issue.
3. Uprise Fiber Encroachment

Board Comments: None

20. ADJOURNMENT -

There being no further business Director Baggett made a motion to adjourn the meeting; seconded by Director Capurro; motion carried meeting adjourned.

****The next meeting will be the April 11, 2023, at 10:00 a.m.****

Todd Westergard,
President

Mary Pat Eymann,
Secretary/Treasurer