



**Truckee River
Flood Control
Project Needs
Committee
(FCPNC)**

***Meeting Packet
September 6, 2017***

TRUCKEE RIVER FLOOD MANAGEMENT AUTHORITY

COMMONLY USED ACRONYMS

AASHTO	American Association of State Highway Officials
ACOE/COE	Army Corps of Engineers
AF or AC-FT	Acre Feet
AIA	American Institute of Architects
ASA	Assistant Secretary of the Army
ATR	Agency Technical Review
BCC	Board of County Commissioners
BFE	Base Flood Elevation
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFS	Cubic Feet Per Second
CORPS/USACE	U.S. Army Corps of Engineers
CRA	Continuing Resolution Authority
CY	Cubic Yards
EIS	Environmental Impact Statement
ETR	External Technical Review
FCPNC	Flood Control Project Needs Committee
FCSA	Feasibility Cost Sharing Agreement
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FMA	Flood Management Authority
FPCC	Flood Project Coordinating Committee
FRM	Flood Risk Management
GIS	Geographical Information System
GRR	General Reevaluation Report
HEC-RAS	Hydrologic Engineering Center - River Analysis System (the River Hydraulic Model)
HEC-1	Hydrologic Engineering Center - 1 (the Hydrologic Model)
HTRW	Hazardous, Toxic, and Radioactive Wastes
ICA	Interlocal Cooperative Agreement
IDIQ	Indefinite Delivery, Indefinite Quantity - used by USACE for "on-call" contracts
ILA	Interlocal Agreement
JPA	Joint Powers Authority
LERRD	Lands, Easements, and Rights-of-Way, Relocations and Disposal Areas
LID	Low Impact Development
LID	Local Improvement District
LIP	Local Interest Plan
LPP	Locally Preferred Plan
MCACES	Micro-Computer Aided Cost Estimating System - used by USACE for project cost estimates
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding

TRUCKEE RIVER FLOOD MANAGEMENT AUTHORITY

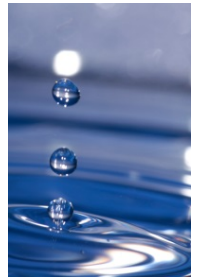
COMMONLY USED ACRONYMS

NDEP	Nevada Division of Environmental Protection
NDOT	Nevada Department of Transportation
NED	National Economic Development Plan
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NRS	Nevada Revised Statutes
NWRA	Nevada Water Resources Association
PDT	Project Delivery Team
PED	Planning, Engineering and Design
PMP	Project Management Plan
PMT	Project Management Team
PPA	Project Partnership Agreement with the USACE
R&U	Risk and Uncertainty
REDM	Real Estate Design Memorandum
REP	Real Estate Plan
RFP	Request for Proposals
RFQ	Request for Qualifications
ROD	Record of Decision
RSIC	Reno Sparks Indian Colony
RTAA	Reno Tahoe Airport Authority
RTC	Regional Transportation Commission
SHPO	State Historic Preservation Office
SNPLMA	Southern Nevada Public Land Management Act
TAC	Technical Advisory Committee
TRFMA	Truckee River Flood Management Authority
TMWA	Truckee Meadows Water Authority
TMSA	Truckee Meadows Service Area
TMWRF	Truckee Meadows Water Reclamation Facility
TNC	The Nature Conservancy
TRFP	Truckee River Flood Project
TROA	Truckee River Operating Agreement
URA	Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act
WG	Working Group
WRDA/WRRDA	Water Resources Development Act/Water Resources Reform & Development Act
WRWC	Western Regional Water Commission
WSEL	Water Surface Elevations

Notice of Committee Meeting and Agenda

Wednesday, September 6, 2017 at 9 am

**TMWA Conference Rooms
1355 Capital Blvd, Reno, NV**



- Members**
 Bob LaRiviere, Chair
 Tray Abney, Vice Chair
 Dave Aiazzi
 Jay Aldean
 Andrew Diss
 Matthew Duplantis
 Marge Frandsen
 Mike Kazmierski
 Dick Mills
 Julia Ratti
 George Robison
 Dean Schultz
 Scott Smith
 Mike Sprinkle
 Lea Tauchen
 Rod Young

	Name	Representing		Name	Representing
1.	Jay Aldean	TRFMA	9.	Rod Young	NV AFL-CIO
2.	Julia Ratti	State Senate	10.	George Robison	Governor Sandoval
3.	Mike Sprinkle	State Assembly	11.	Mike Kazmierski	EDAWN
4.	Marge Frandsen	NV Assoc. of Realtors	12.	Andrew Diss	Resort Association
5.	Lea Tauchen	Retail Assoc. of NV	13.	Tray Abney	Chamber of Commerce
6.	Scott Smith	Washoe County	14.	Bob LaRiviere	BANN
7.	Dave Aiazzi	City of Reno	15.	Dean Schultz	RTAA
8.	Dick Mills	City of Sparks	16.	Matthew Duplantis	NAIOP

Pursuant to NRS 241.020, this notice has been posted at the following locations:

Washoe County Administration, 1001 East Ninth Street, Reno, Nevada
 Sparks City Hall, City Clerk, 431 Prater Way, Sparks, Nevada
 Reno City Hall, City Clerk, One East First Street, Reno, Nevada
 TRFMA Office, 9635 Gateway Drive, Ste A, Reno, Nevada and Website: <http://trfma.org/events/>
 Nevada Public Notice Website: <https://notice.nv.gov>

Possible Changes to Agenda Order and Timing: Discussion may be delayed on any item on this agenda and items on this agenda may be taken out of order, combined with other items and discussed or voted on as a block, removed from the agenda, moved to the agenda of another later meeting, or moved to or from the consent section. Items designated for a specified time will not be heard before that time, but may be delayed beyond the specified time.

Supporting Documents: Persons wanting a copy of any supporting materials may contact Laura Bayer at 775-850-7477 or obtain at TRFMA’s offices at 9635 Gateway Drive, Suite A, Reno, NV or on the website at: <http://trfma.org/events/>

Public Comment; Disruption of Meeting: During the “Public Comment” periods listed below, anyone may speak pertaining to any matter that is not on the agenda. Additionally, during agenda items, public comment will be heard on that particular item after it is opened and before any action is taken. In either event, each speaker must fill out a “Request to Speak” form and/or submit comments for the record to the recording secretary. Public comment and comment on any agenda item is limited to three minutes per person unless extended by questions or action of the Board. Comments are to be directed to the Board as a whole and not to one individual. The presiding officer may (with or without advance warning) order the removal of a person whose conduct willfully disrupts the meeting to the extent that its orderly conduct is made impractical.

Special Accommodations: The meeting facility is accessible to the disabled; if special accommodations are required for the meeting, call Laura Bayer at 775-850-7477 at least 48 hours before the meeting.

1. **Call to Order**
 - A. Roll Call and Establishment of Quorum
 - B. **Public Comment** - During this comment period, any person is invited to speak on any topic that is not listed on this agenda. Each speaker must fill out a Request to Speak card and must limit comments to three minutes. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on a future agenda. Those who wish to comment on an item that has been listed on this agenda may comment when that item has been opened for consideration by the Board and before action is taken.
 - C. Approval of Agenda for September 6, 2017 (*For Possible Action*)
 - D. Approval of Draft Minutes of August 17, 2017 Meeting (*For Possible Action*)
 - E. Announcements
2. **Presentation and discussion of past flooding on the Truckee River, the amount of damage caused by those flooding events, the history of the development of the Truckee River Flood Protection Plan and the TRFMA, and the history of interactions with the United States Army Corps of Engineers. *By Jay Aldean, TRFMA Executive Director***
3. **Presentation and discussion of the Truckee River Flood Protection Plan elements and project flood plains. *By Jay Aldean, TRFMA Executive Director***
4. **Presentation and discussion of the estimated cost to design and construct the Truckee River Flood Protection Plan and the anticipated project phasing. *By Jay Aldean, TRFMA Executive Director***
5. **Committee Member Comments, Requests, and Future Agenda Items**
6. **Public Comment** - During this comment period, any person is invited to speak on any topic that is not listed as an action item on this agenda. Each speaker must fill out a Request to Speak card and must limit comments to three minutes. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on a future agenda.
7. **Adjournment (For Possible Action)**



Roll Call For September 6, 2017

Voting Members (Quorum = Eight):

- ___ Tray Abney (*Chamber of Commerce*)
- ___ Dave Aiazzi (*City of Reno*)
- ___ Andrew Diss (*Resort Association*)
- ___ Matthew Duplantis (*NAIOP*)
- ___ Marge Frandsen (*NV Assoc. of Realtors*)
- ___ Mike Kazmierski (*EDAWN*)
- ___ Bob LaRiviere (*BANN*)
- ___ Dick Mills (*City of Sparks*)
- ___ Julia Ratti (*State Senate*)
- ___ George Robison (*Governor*)
- ___ Scott Smith (*Washoe County*)
- ___ Mike Sprinkle (*State Assembly*)
- ___ Lea Tauchen (*Retail Assoc. of NV*)
- ___ Rod Young (*NV AFL-CIO*)

Non-Voting Members

- ___ Jay Aldean (*TRFMA*)
- ___ Dean Schultz (*RTAA*)

Members

- Tray Abney
- Dave Aiazzi
- Jay Aldean
- Andrew Diss
- Matthew Duplantis
- Marge Frandsen
- Mike Kazmierski
- Bob LaRiviere
- Dick Mills
- Julia Ratti
- George Robison
- Dean Schultz
- Scott Smith
- Mike Sprinkle
- Lea Tauchen
- Rod Young

Meeting Date: September 6, 2017

Item #18: Public Comment

The following email addressed to the FCPNC members was received by staff after the first committee meeting on August 17, 2017.

From: Lorna Hoff [redacted] Sent: Thu 8/17/2017 9:55 AM
To: Bayer, Laura
Cc: [redacted]
Subject: Flood Board

Members,

Reno and Washoe County are burdened with excessive taxes. Not only do we want no more, we want the ones we have reduced.
Your board is another taxing district and should be disbanded. If anyone is foolish enough to buy or build in a flood area, they alone should bear the cost for any damage.

Regards,
Lorna Hoff
Reno



- Members**
Bob LaRiviere, Chair
Tray Abney, Vice Chair
Dave Aiazzi
Jay Aldean
Andrew Diss
Matthew Duplantis
Marge Frandsen
Mike Kazmierski
Dick Mills
Julia Ratti
George Robison
Dean Schultz
Scott Smith
Mike Sprinkle
Lea Tauchen
Rod Young

Truckee River Flood Control Project Needs Committee

DRAFT Committee Meeting Minutes

Thursday, August 17, 2017 at 9:30 am

TMWA Conference Rooms
1355 Capital Blvd, Reno, NV

FCPNC



Members

Tray Abney
Dave Aiazzi
Jay Aldean
Andrew Diss
Matthew Duplantis
Marge Frandsen
Mike Kazmierski
Bob LaRiviere
Dick Mills
Julia Ratti
Dean Schultz
Scott Smith
Mike Sprinkle
Lea Tauchen
Rod Young

1. Call to Order

- A. Roll Call, Establishment of Quorum, and Pledge of Allegiance – Jay Aldean, Executive Director of TRFMA called the meeting to order at 9:30 am. A quorum was established with voting members: Tray Abney, Andrew Diss, Matthew Duplantis, Marge Frandsen, Mike Kazmierski (arrived at 10:10 am), Bob LaRiviere, Dick Mills, Julia Ratti, Scott Smith, Mike Sprinkle, Lea Tauchen, and Rod Young. Non-Voting Members Jay Aldean and Dean Schultz were also present. Member Dave Aiazzi was absent; Governor Sandoval's appointment to the Committee had not been made as of the meeting date.

TRFMA staff present: Laura Bayer, Danielle Henderson, Ed Evans, Eric Scheetz, Lori Williams, and Michael Wolz.

- B. Public Comment – TRFMA Executive Director Jay Aldean called for Public Comment and hearing none, he closed this item.

- C. Approval of Agenda for August 17, 2017 (*For Possible Action*)
Motion 2017.8.17.1C to approve the agenda for August 17, 2017.
Moved: Member Ratti Secoded: Member LaRiviere
All Present Were In Favor: Tray Abney, Andrew Diss, Matthew Duplantis, Marge Frandsen, Bob LaRiviere, Dick Mills, Julia Ratti, Scott Smith, Mike Sprinkle, Lea Tauchen, and Rod Young.

- D. Announcements - Jay Aldean asked that all members identify themselves for the record prior to speaking since this meeting is only audio recorded.

2. Introduction of Committee Members -

Tray Abney, Chamber of Commerce, stated he is heavily involved in flood issues and tax issues. The Chamber supported this bill in the legislature. He recognizes the need for an in depth discussion about this.

Andrew Diss, GSR, representing the Nevada Resort Association wants to make sure to come up with a good plan. GSR's close proximity to the river is a key concern.

Matthew Duplantis, NAIOP is representing developers and industrial property owners' best interests.

Marge Frandsen, NV Association of Realtors is a member of the TRFMA Working Group and has been involved with the flood project since 1997. Looking to come up with an equitable way to fund the project.

Bob LaRiviere, BANN, as a true Rotarian, he likes to give back. He is prepared to listen to everything.

Dick Mills, representing the City of Sparks, owns properties affected by floods and is currently a member of the TRFMA Working Group.

Julia Ratti, State Senator, represents District 13, the urban core of Sparks. She noted the public expects government to get public safety right and this is a critical decision juncture; time to lift above jurisdictional issues.

Scott Smith, representing Washoe County, is a retired engineer who has experienced the 1986 and 1997 floods first hand. Interested in seeing an equitable approach to a serious problem.

Lea Tauchen, Retail Assoc. of NV is concerned about taxes affecting retailers. Looking for a fair and equitable approach to this issue.

Rod Young, representing the NV AFL-CIO is representing labor's concerns and appreciates being invited to the table.

Mike Sprinkle, State Assemblyman who represents Sparks, stated we need to come up with the dollars to see this project to fruition.

Dean Schultz, COO for RTAA which is a large land owner in the affected parts of the valley. Jay Aldean added that the Reno-Tahoe Airport Authority chose a non-voting status to avoid any kind of conflict of interest.

Jay Aldean, Executive Director of TRFMA is here to provide information and a smiling face. Aldean introduced Michael Wolz, General Counsel for TRFMA Board.

3. **Presentation and discussion of the provisions of Assembly Bill 375, 79th Session of the Nevada Legislature (2017), and the tasks, duties, and powers of the Truckee River Flood Control Project Needs Committee (FCPNC).**

Public Comment: Jeff Church – Reno Tax Revolt.com – distributed a handout for the record and stated we already pay sales tax for flood control; let those who built in the flood plain pay their own way. This will be fought vigorously. He feels this committee is contrary to law.

Michael Wolz, TRFMA General Counsel, stated he will be acting as the Committee's attorney for the duration of these meetings. Wolz explained that there are 16 members of the committee, two are non-voting, and eight members equal a quorum. Voting only requires a majority of the members present at the meeting.

Wolz explained the tasks the committee is responsible for accomplishing. He explained the difference between fee and tax. The committee must recommend a fee; cannot recommend a tax without a fee. Those who receive a direct benefit from the flood project must pay a fee. The recommended fee, in the amount established by this committee, will be sent to the TRFMA Board who will hold public hearings. The fee does not go to the voters.

A tax recommendation goes to the WC Commission to be placed on the November 2018 ballot. The voters get to approve that. Wolz discussed the types of taxes

available for committee consideration, noting that staff is looking into the “other taxes” stated in AB375. Wolz confirmed that this committee can do one of three things: impose a tax (other than sales tax) and a fee, impose a fee only, or do nothing.

Wolz explained the Direct Benefit Area (DBA). Jay Aldean said there is a secondary benefit of flooding or not flooding per FEMA. A property owner could build up their property out of the benefit area.

Dean Schulz stated the existing TRFMA has the authority to assess a fee. Is that boundary limited to that DBA or can it be applied to anyone? Wolz replied there are no legal limitations on who can be charged a fee, but the benefit ratio does provide some limitations. This is the interpretation of a common law, not a statutory definition. Wolz will look into whether the fee is contingent on the recommended tax passing or not.

Wolz noted there is a drop dead date for federal funds. TRFMA needs to have a funding mechanism in place to be able to sign the Corps partnership agreement.

Bob LaRiviere asked if TRFMA will have groups that put up the funding similar to the WC1 campaign had. Wolz indicated someone would have to step forward to form that coalition; TRFMA cannot be involved.

4. Brief overview of early flood protection efforts in Washoe County.

Jay Aldean, TRFMA Executive Director presented a PowerPoint presentation (copy on file). Andrew Diss asked about the \$180 million Former Senator Reid set aside: does TRFMA only get that when construction begins? Aldean replied that TRFMA can develop a common features project that is in both the 50 and 100 year plans. If staff can find one, TRFMA could start on that or sign a partnership agreement with the Corps which TRFMA can't do until a funding source secured. Aldean confirmed that the \$180 million is part of the Federal budget and can be doled out as they see fit.

Aldean also confirmed that no inflation is included; every year that goes by, the \$180 million is losing purchasing power. He did speak to both Nevada Senators and they are behind this project.

5. Discussion and possible action to: elect the Truckee River Flood Control Project Needs Committee Chair, elect a Vice Chair, and establish rules of procedure for future meetings. (For Possible Action)

Public Comment: Jeff Church cautioned the Committee to pay close attention to the Open Meeting Law as well as other ethics and rules of order. He would like to be considered as an alternate on the committee should an opening arise.

Motion 2017.8.17.5a to elect Bob LaRiviere as Committee Chair.

Moved: Member Abney Seconded: Member Smith

All Present Were In Favor: Tray Abney, Andrew Diss, Matthew Duplantis, Marge Frandsen, Mike Kazmierski, Bob LaRiviere, Dick Mills, Julia Ratti, Scott Smith, Mike Sprinkle, Lea Tauchen, and Rod Young.

Motion 2017.8.17.5b to elect Tray Abney as Committee Vice Chair.

Moved: Member Diss Seconded: Member Ratti

All Present Were In Favor

General Counsel Wolz explained the proposed procedures and rules of order for future meetings as outlined in handout.

Motion 2017.8.17.5c to approve proposed rules of procedure for future meetings with the caveat that if anyone has any changes they would like to suggest, they bring it forward to the next meeting.

Moved: Member Ratti Seconded: Member Sprinkle

All Present Were In Favor

- 6. Presentation and discussion of topics and issues that may need to be considered and addressed by the FCPNC at future meetings to accomplish the tasks established by Assembly Bill 375, 79th Session of the Nevada Legislature (2017). Possible action to identify topics and issues for presentation and consideration at future meetings and to establish the order of presentation. (For Possible Action)**

Jay Aldean discussed the list of proposed meeting topics as well as the map and map book included in the Committee Members' reference binder.

Andrew Diss asked to have the list of the "other taxes" to be imposed by the next meeting so Committee Members can prepare for meeting #5 new revenue sources. Chair LaRiviere stated that any Committee Member who would like to add an item to a future agenda should email him, Vice Chair Abney, or Jay Aldean.

Dean Schulz asked that the Committee receive all pertinent information prior to each meeting.

- 7. Discussion of schedule of future meetings and possible action to set dates, times and venue for future meetings. (For Possible Action)**

The Committee agreed to the proposed meeting schedule in the Committee Packet: meeting from 9 to 11 am on the first and third Thursdays of each month with the following exceptions:

- Thursday, 9/7 will be moved to Wednesday, 9/6
- Thursday, 9/21 will be moved to Friday, 9/22

- 8. Public Comment** – Chair LaRiviere called for Public Comment and hearing none, he closed this item.

- 9. Adjournment (For Possible Action)**

Motion 2017.8.17.9 to adjourn at 11 a.m.

Moved: Member Diss Seconded: Member Smith

All Present Were In Favor

Respectfully submitted,
Laura Bayer, Recording Secretary
Approved in Session on _____.