



**Truckee River
Flood Control
Project Needs
Committee**

Reference Book

FCPNC Reference Book

	Member	Representing		Member	Representing
1.	Jay Aldean	TRFMA	9.	Rod Young	NV AFL-CIO
2.	Julia Ratti	State Senate	10.		Governor
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
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

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Danielle Henderson, Natural Resource Manager	775-850-7461
Eric Scheetz, Engineer	775-850-7473
Lori Williams, Sr. Financial Analyst	775-850-7471



Truckee River Flood Control Project Needs Committee

Summary of A.B. 375

Section 1.1: The governing body of a flood management authority may, by resolution, create a flood control project needs committee (FCPNC) to recommend the imposition of one or more taxes, fees, rates or charges to fund the construction of an approved flood control project. The members of the FCPNC are:

	Title	Representing		Title	Representing
1.	Jay Aldean	TRFMA	9.	Rod Young	NV AFL-CIO
2.	Julia Ratti	State Senate	10.		Governor
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

Section 1.2: Members appointed under paragraphs (f), (g) and (i) to (o) must be residents of Washoe County.

Section 1.3: In case of a vacancy, an appointing entity shall have 30 days to name a replacement.

Section 1.4: The first meeting is to be called by the TRFMA Executive Director. At the first meeting the FRNCP must elect a Chair.

Section 1.5: A majority of the voting members (8 of 14 members) constitute a quorum. A majority of members present at any meeting is sufficient for official action.

Section 1.6: The TRFMA Executive Director shall provide administrative support for the FCPNC.

Section 2.1: Before April 1, 2018 the FCPNC shall:

(a) Prepare recommendations regarding taxes, fees, rates, or any combination thereof to provide funding to the flood management authority for an approved flood management project.

(1) The FCPNC must include a proposal for the imposition of a fee, rate or charge that the governing body of the flood authority is authorized to impose.

(2) The FCPNC may include a proposal for imposition of one or more of the taxes or fees listed in AB 375

(3) The FCPNC must specify the proposed rate or rates for any recommended taxes or fees, and may specify the period during which those may be imposed.

(b) Submit the recommendations to the TRFMA Board of Directors and to the Washoe County Board of County Commissioners.

Section 2.2: If the FCPNC is unable to develop a recommendation because of a lack of documentation or technical information the committee may dissolve itself without submitting recommendations.

Section 2.3:

- (a) If a fee is recommended, the TRFMA Board of Directors shall impose the fee at the rates and for the periods recommended.
- (b) If a tax is recommended, the Board of County Commissioners shall submit a question to the voters at the general election of 2018 asking whether any of the proposed taxes should be imposed. The question must identify the rate of the proposed tax and its duration if recommended.

Section 2.4: If the voters approve a tax or taxes proposed pursuant to Section 2.3(b),

- (a) The Board of County Commissioners must impose the recommended tax
- (b) If the approved tax is a property tax, it is not subject to partial abatement or the property tax cap.

Section 2.5: Taxes imposed pursuant to Section 2 are not subject to limitations placed on similar taxes elsewhere in statute.

Section 3: Taxes that may be considered by the FCPNC include:

- 1. Room tax
- 2. Supplemental government services tax (vehicle privilege tax)
- 3. Real property transfer tax
- 4. Property tax
- 5. Any other tax that the county is authorized to impose under State law.

Section 4: Proceeds of any tax or fee:

- 1. Must be deposited in TRFMA's flood management project fund and be used to pay the costs of approved flood management projects.
- 2. May be pledged to the payment of principle and interest on bonds issued for approved flood management projects.

Section 5.1: No later than 18 months from its first meeting the FCPNC shall:

- (a) Conduct meetings and receive information concerning flooding in areas not covered by TRFMA's flood protection plan
- (b) Submit a report to the Governor, the Director of the Legislative Counsel Bureau, the Regional Planning Commission, the Board of County Commissioners, the city councils of Reno and Sparks, and the TRFMA Board of Directors. The report must contain:
 - (1) A summary of existing flood management plans adopted by the County, Reno, and Sparks, including capital improvement recommendations
 - (2) Description of areas most affected by flooding that are not covered by the TRFMA flood protection plan
 - (3) Descriptions of the sources of flooding
 - (4) A compilation of projects suggested in existing community planning documents that would address known areas of flooding
 - (5) Recommendations for flood protection measures for known sources of flooding
 - (6) Recommendations of issues that need further study and modeling.

Section 5.2: "Flood Management Authority" has meaning ascribed to it in NRS 244A.0293.

Section 6: AB 375 became effective on approval.

CHAPTER.....

AN ACT relating to taxation; authorizing the governing body of a flood management authority under specified circumstances to adopt a resolution establishing a flood control project needs committee to recommend the imposition of certain taxes, fees, rates, charges, levies or assessments to fund the approved flood management projects of the flood management authority; providing that if such a committee is established and submits its recommendations to the governing body of the flood management authority and the board of county commissioners within the time prescribed, the governing body of the flood management authority is required to impose certain recommended fees, rates or charges and the board of county commissioners is required to submit a question to the voters at the 2018 General Election asking whether the other recommended taxes, fees, levies or assessments should be imposed in the county; requiring the board of county commissioners to adopt an ordinance imposing any such taxes, fees, levies or assessments that are approved by the voters; providing for the use of the proceeds of such taxes, fees, rates, charges, levies or assessments for approved flood management projects; providing that if a flood control project needs committee is established, the committee is required to obtain information and submit a report concerning certain flooding issues in the county; providing for the prospective expiration of the authority of a governing body to establish such a committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill authorizes the governing body of a flood management authority to establish by resolution a flood control project needs committee to recommend the imposition of certain: (1) flood management fees, rates, charges, levies or assessments; or (2) taxes for consideration by the voters at the 2018 General Election to fund the approved flood management projects of the flood management authority.

Sections 2 and 3 of this bill provide that if such a committee is established, the committee: (1) must recommend the imposition of certain flood management fees, rates, charges, levies or assessments; and (2) may recommend the imposition of one or more other taxes. The taxes which may be recommended for imposition are: (1) an additional tax on the gross receipts from the rental of transient lodging in the county; (2) a supplemental governmental services tax for the privilege of operating a vehicle upon the public streets, roads and highways of the county; (3) an additional tax on the transfer of real property in the county; (4) an additional



property tax in the county; and (5) any other tax, fee, levy or assessment the county is authorized under the law of this State to impose. The recommendations of the committee must specify the rate or rates for each of the recommended taxes, fees, rates, charges, levies or assessments and may specify the period during which the recommended taxes, fees, rates, charges, levies or assessments will be imposed. The committee may dissolve itself without making recommendations if the committee is unable to develop recommendations because of a lack of sufficient documentation or technical information necessary to make such recommendations. However, if the committee submits its recommendations to the governing body of the flood management authority and the board of county commissioners on or before April 2, 2018: (1) the governing body of the flood management authority is required to impose the recommended flood management fees, rates or charges; and (2) the board of county commissioners is required to submit a question to the voters at the November 6, 2018, General Election asking whether any of the other taxes, fees, levies or assessments recommended by the committee should be imposed in the county. If a majority of the voters approve the question, the board of county commissioners is required to impose the approved taxes, fees, levies and assessments at the rate or rates specified in the question submitted to the voters. If a majority of the voters approve the imposition of an additional property tax, the additional rate is exempt from the partial abatement of property taxes on certain property and the requirement that taxes ad valorem not exceed \$3.64 on each \$100 of assessed valuation.

Section 4 of this bill provides that the proceeds resulting from the imposition of such taxes, fees, rates, charges, levies and assessments: (1) must be deposited in the fund for flood management projects of the flood management authority; and (2) may be pledged to the payment of the principal and interest on bonds or other obligations issued for approved flood management projects.

Section 5 of this bill provides that if a flood control project needs committee is established, the committee must conduct meetings to receive information and evidence about flooding issues in the county and provide a report to the Governor, the Legislature, the regional planning commission, the board of county commissioners, the city council or other governing body of each city in the county and the governing body of the flood management authority of the county.

Section 6 of this bill provides that the provisions of this bill authorizing the governing body of a flood management authority to establish such a flood control project needs committee expire by limitation on April 2, 2018.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. The governing body of a flood management authority may, by resolution, establish a flood control project needs committee to recommend the imposition of one or more of the taxes, fees, rates, charges, levies or assessments described in sections 2 and 3 of this act to fund the approved flood management projects of the flood management authority. If such a resolution is adopted, the committee must be appointed consisting of:



(a) The chief executive officer of the flood management authority, who serves ex officio, or his or her designee.

(b) One Senator whose legislative district includes all or part of the flood management authority. If the legislative district of more than one Senator includes the flood management authority, those Senators shall jointly appoint the member to serve.

(c) One member of the Assembly whose legislative district includes all or part of the flood management authority. If the legislative district of more than one member of the Assembly includes the flood management authority, those members of the Assembly shall jointly appoint the member to serve.

(d) One member who is a representative of the Nevada Association of Realtors, or its successor, appointed by that Association.

(e) One member who is a representative of the Retail Association of Nevada, or its successor, appointed by that Association.

(f) One member appointed by the board of county commissioners.

(g) If the county includes one or more cities, the mayor of each such city shall appoint a member to serve.

(h) One member who is a representative of a labor organization, appointed by the State of Nevada AFL-CIO, or its successor.

(i) One member of the general public, appointed by the Governor of the State of Nevada.

(j) One member who represents economic development in the county, appointed by the regional development authority, as defined in NRS 231.009, for that county.

(k) One member who represents gaming, appointed by the gaming association with the largest membership in the county or, if there are no members of a gaming association in the county, the governing body of the flood management authority.

(l) One member who represents business or commercial interests, other than gaming, appointed by the local chamber of commerce with the largest membership in the county or, if there is no local chamber of commerce in the county, the governing body of the flood management authority.

(m) One member who represents homebuilders in the county, appointed by the association of homebuilders with the largest membership in the county or, if there are no members of an association of homebuilders in the county, the governing body of the flood management authority.



(n) One member who represents the largest airport in the county, if any, appointed by that airport's governing board as a nonvoting member of the committee.

(o) One member representing commercial developers in the county, appointed by the Northern Nevada Chapter of NAIOP Commercial Real Estate Development Association, or its successor.

2. The members appointed pursuant to paragraphs (f), (g) and (i) to (o), inclusive, of subsection 1 must be residents of the county.

3. Any vacancy occurring in the appointed membership of a committee established pursuant to subsection 1 must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4. If a committee is established pursuant to subsection 1, the committee shall hold its first meeting upon the call of the chief executive officer of the flood management authority as soon as practicable after the appointments are made pursuant to subsection 1. At the first meeting of the committee, the members of the committee shall elect a Chair.

5. A majority of the voting members of a committee established pursuant to subsection 1 constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the committee.

6. If a committee is established pursuant to subsection 1, the chief executive officer of the flood management authority shall provide administrative support to the committee.

7. As used in this section, "flood management authority" has the meaning ascribed to it in NRS 244A.0293.

Sec. 2. 1. Except as otherwise provided in subsection 2, if a flood control project needs committee is established pursuant to subsection 1 of section 1 of this act, the committee shall, on or before April 2, 2018:

(a) Prepare recommendations for the imposition of one or more of the taxes, fees, rates, charges, levies or assessments described in this section and section 3 of this act, or any combination thereof, in the county to provide funding to the flood management authority for one or more approved flood management projects, as defined in NRS 244A.0297. The recommendations:

(1) Must include a proposal for the imposition of a fee, rate or charge that the governing body of a flood management authority is authorized to impose for services or facilities rendered by the flood management project pursuant to NRS 244A.063 and 268.738



and any interlocal agreement entered into pursuant to chapter 277 of NRS;

(2) May include a proposal for the imposition of one or more of the taxes, fees, levies or assessments described in section 3 of this act in the county; and

(3) Must specify the proposed rate or rates for each of the recommended taxes, fees, rates, charges, levies or assessments and may specify the period during which one or more of the recommended taxes, fees, rates, charges, levies or assessments will be imposed.

(b) Submit the recommendations to the governing body of the flood management authority and the board of county commissioners.

2. If a flood control project needs committee is established pursuant to subsection 1 of section 1 of this act and the committee is unable to develop the recommendations required by subsection 1 because of a lack of sufficient documentation or technical information necessary to develop such recommendations, the committee may dissolve itself without submitting the recommendations required by subsection 1. If the committee dissolves itself pursuant to this subsection, the committee must submit the report required by paragraph (b) of subsection 1 of section 5 of this act and include in the report a summary of the meetings conducted by the committee and the reason that the committee was unable to develop the recommendations required by subsection 1.

3. Upon the receipt of recommendations pursuant to subsection 1:

(a) The governing body of a flood management authority shall impose the fee, rate or charge recommended pursuant to subparagraph (1) of paragraph (a) of subsection 1 at the rate or rates and for the period or periods specified in the recommendations submitted pursuant subsection 1, if the period was specified in those recommendations. The fee, rate or charge must be administered and enforced in the same manner as similar fees, rates or charges imposed pursuant to NRS 244A.063 and 268.738 and any interlocal agreement entered into pursuant to chapter 277 of NRS.

(b) The board of county commissioners shall, at the General Election on November 6, 2018, submit a question to the voters of the county asking whether any of the taxes, fees, levies or assessments recommended pursuant to subparagraph (2) of paragraph (a) of subsection 1 should be imposed in the county. The question submitted to the voters of the county must specify the



proposed rate or rates for each of the recommended taxes, fees, levies or assessments and the period during which each of the recommended taxes, fees, levies or assessments will be imposed, if the period was specified in the recommendations submitted pursuant to subsection 1. If the question submitted to the voters pursuant to this subsection asks the voters of the county whether to impose the tax described in subsection 4 of section 3 of this act or any other property tax, the question must state that any such tax imposed is exempt from each partial abatement from taxation provided pursuant to NRS 361.4722, 361.4723 and 361.4724.

4. If a majority of the voters voting on the question submitted to the voters pursuant to paragraph (b) of subsection 3 vote affirmatively on the question:

(a) The board of county commissioners shall impose the recommended taxes, fees, levies or assessments in accordance with the provisions of section 3 of this act and at the rate or rates specified in the question submitted to the voters pursuant to paragraph (b) of subsection 3.

(b) If the question recommended the imposition of the tax described in subsection 4 of section 3 of this act or any other property tax:

(1) Any such tax imposed is exempt from each partial abatement from taxation provided pursuant to NRS 361.4722, 361.4723 and 361.4724.

(2) The provisions of NRS 361.453 do not apply to any such tax imposed.

5. The taxes, fees, rates, charges, levies and assessments imposed pursuant to this section must be imposed notwithstanding the provisions of any specific statute to the contrary and, except as otherwise specifically provided in sections 1 to 4, inclusive, of this act, such taxes, fees, rates, charges, levies and assessments are not subject to any limitations set forth in any statute which authorizes the board of county commissioners to impose such taxes, fees, rates, charges, levies and assessments, including, without limitation, any limitations on the maximum rate or rates which may be imposed or the duration of the period during which such taxes, fees, rates, charges, levies and assessments may be imposed.

Sec. 3. 1. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending the imposition of a tax on the gross receipts from the rental of transient lodging, in addition to all other taxes imposed on the revenue from the rental of transient lodging, the board of county commissioners shall impose a tax on the gross



receipts from the rental of transient lodging at the rate specified in the question presented to the voters pursuant to section 2 of this act. The tax must be imposed throughout the county, including its incorporated cities, upon all persons in the business of providing transient lodging. The tax must be administered and enforced in the same manner as similar taxes imposed pursuant to chapter 244 of NRS on the revenue from the rental of transient lodging are administered and enforced.

2. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending the imposition of a supplemental governmental services tax for the privilege of operating a vehicle upon the public streets, roads and highways of the county, the board of county commissioners shall, in addition to any supplemental governmental services tax imposed pursuant to NRS 371.043 or 371.045, impose a supplemental governmental services tax at the rate specified in the question presented to the voters pursuant to section 2 of this act on each vehicle based in the county except:

(a) A vehicle exempt from the governmental services tax pursuant to chapter 371 of NRS; or

(b) A vehicle subject to NRS 706.011 to 706.861, inclusive, which is engaged in interstate or intercounty operations.

↳ The tax must be administered and enforced in the same manner as the taxes imposed pursuant to NRS 371.043 and 371.045 are administered and enforced.

3. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending the imposition of a tax on transfers of real property, in addition to all other taxes imposed on transfers of real property pursuant to chapter 375 of NRS, the board of county commissioners shall impose a tax at the rate specified in the question presented to the voters pursuant to section 2 of this act on each deed by which any lands, tenements or other realty is granted, assigned, transferred or otherwise conveyed to, or vested in, another person, or land sale installment contract, if the consideration or value of the interest or property conveyed exceeds \$100. The amount of the tax must be computed on the basis of the value of the real property that is the subject of the transfer or land sale installment contract as declared pursuant to NRS 375.060. The county recorder shall collect the tax in the manner provided in NRS 375.030.

4. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending an increase in the rate of the tax levied in accordance



with NRS 361.460, the board of county commissioners shall, in addition to any tax levied in accordance with NRS 361.460, levy a tax on the assessed valuation of taxable property within the county in the amount described in the question presented to the voters pursuant to section 2 of this act. The tax must be administered and enforced in the same manner as the tax imposed pursuant to NRS 361.460 is administered and enforced.

5. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending the imposition of any other tax, fee, levy or assessment not described in subsections 1 to 4, inclusive, that the county is authorized under the law of this State to impose, the board of county commissioners shall levy or otherwise impose such a tax, fee, levy or assessment at the rate or rates specified in the question presented to the voters pursuant to section 2 of this act. Each tax, fee, levy or assessment must be administered and enforced as provided for under the laws of this State.

Sec. 4. The proceeds of any taxes, fees, rates, charges, levies and assessments imposed pursuant to sections 2 and 3 of this act:

1. Must be deposited in the flood management authority's fund for flood management projects to be held and, except as otherwise provided in subsection 2, expended to pay the costs of one or more of the approved flood management projects set forth in NRS 244A.0297.

2. May be pledged to the payment of principal and interest on bonds or other obligations issued for one or more of the approved flood management projects set forth in NRS 244A.0297. The proceeds of such taxes, fees, rates, charges, levies and assessments so pledged may be treated as pledged revenues for the purposes of subsection 3 of NRS 350.020, and the governing body of the flood management authority may issue bonds for those purposes in accordance with the provisions of chapter 350 of NRS.

Sec. 5. 1. If a flood control project needs committee is established pursuant to subsection 1 of section 1 of this act, the committee shall, not later than 18 months after the date of the first meeting of the committee:

(a) Conduct meetings at which the committee receives information and evidence concerning the issue of flooding in areas of the county not covered by a plan for protection against floods which is adopted by the flood management authority of the county, regardless of the source or cause of such flooding; and

(b) Submit a report to the Governor, the Director of the Legislative Counsel Bureau for transmission to the next session of



the Legislature, the regional planning commission in the jurisdiction of the flood management authority, the board of county commissioners, the city council or other governing body of each incorporated city in the county and the governing body of the flood management authority. The report must contain:

(1) A summary of any existing flood management plans adopted by the county or an incorporated city located within the county, including, without limitation, any policy or capital improvement recommendations included in such plans;

(2) A description of the areas of the county which are most affected by flooding and which are not covered by the plan for protection against floods which is adopted by the flood management authority of the county;

(3) A description of the source of flooding in the areas of the county described pursuant to subparagraph (2);

(4) A compilation of projects suggested in existing community planning documents that would address known areas of flooding in the county;

(5) Recommendations for flood protection or mitigation measures for known sources of flooding and sources of flooding identified during the course of the meetings conducted pursuant to paragraph (a); and

(6) Recommendations of issues that need further study and modeling.

2. As used in this section, "flood management authority" has the meaning ascribed to it in NRS 244A.0293.

Sec. 6. 1. This act becomes effective upon passage and approval.

2. Section 1 of this act expires by limitation on April 2, 2018.



TRUCKEE RIVER FLOOD MANAGEMENT AUTHORITY

RESOLUTION 2017- 8

A RESOLUTION ESTABLISHING THE TRUCKEE RIVER FLOOD CONTROL PROJECT NEEDS COMMITTEE PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 375, 79TH SESSION OF THE NEVADA LEGISLATURE (2017).

WHEREAS:

A. Significant flooding of the Truckee River and its key tributaries occurs at least once every ten years and inflicts catastrophic (i) loss of life and property; (ii) disruption of commerce, transportation, communication and essential services which not only impair the ability to provide public safety and health services but also have adverse economic impacts; (iii) waste of and reduction in the quality of water; and (iv) deterioration of public health and safety.

B. Since 1986 Washoe County, the City of Reno, and the City of Sparks have been working with community coalition citizen groups, working groups, local agencies, and the United States Army Corps of Engineers to develop a plan with a series of coordinated flood control facilities along the Truckee River which would reduce or mitigate flood damage.

C. In order to further efforts to develop a flood control project, Washoe County, the City of Reno, and the City of Sparks created the Truckee River Flood Management Authority (TRFMA) by Interlocal Cooperative Agreement dated March 11, 2011. Washoe County, the City of Reno, and the City of Sparks conferred and delegated such powers and authority to TRFMA as are needed to allow TRFMA to plan, construct, manage, and operate a Truckee River flood control project.

D. On December 13, 2013 the TRFMA Board of Directors approved the elements of the TRFMA Flood Protection Plan.

E. On June 12, 2017, the Governor of the State of Nevada approved Assembly Bill 375, 79th Session of the Nevada Legislature (2017)(Assembly Bill 375). That statute provides that a flood management authority may, by resolution, establish a flood control project needs committee to recommend the imposition of one or more of the taxes, fees, rates, charges, levies or assessments described in the statute to fund approved flood management projects.

F. TRFMA constitutes a flood management authority for purposes of Assembly Bill 375, and TRFMA's Chapter 377B Plan and December 13, 2013 Flood Protection Plan constitute approved flood management projects for purposes of Assembly Bill 375.


G. Development and construction of the TRFMA Flood Protection Plan is critical to Washoe County, the City of Reno, and the City of Sparks in that it will prevent the loss of life and property, prevent the disruption of commerce, transportation, communication and essential services, prevent the waste of water resulting from floods, provide for the conservation, development, use and disposal of water and improved quality of water, provide for ecosystem restoration and enhanced recreational facilities, and provide for the safeguarding of the public health.

H. Additional funding is necessary in order to design and construct the TRFMA Flood Protection Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the Truckee River Flood Management Authority Board of Directors hereby establishes the Truckee River Flood Control Project Needs Committee pursuant Section 1 of Assembly Bill 375;

BE IT FURTHER RESOLVED that the Truckee River Flood Management Authority shall provide administrative support to the Truckee River Flood Control Project Needs Committee, and will provide any information and access that the committee requires to fulfill its mission;

ADOPTED this 20th day of June 2017 by a unanimous vote of all the Directors present at the meeting.



Ron Smith, Chairman of the Board



TRUCKEE RIVER FLOOD MANAGEMENT AUTHORITY

BACKGROUND

INFRASTRUCTURE AND FUNDING

There is an interlocal agreement with Washoe County, the City of Reno and the City of Sparks

- 6-member board, 2 from each member
- All decisions must be unanimous

The sales tax funding comes from the 1998 Washoe County Commission approved 1/4 cent

- TRFMA receives a portion of the 1/8 cent dedicated to public safety and the flood project
- Yields ~\$8 million; \$5 to \$6 million after debt service

CAPITAL PROJECTS COMPLETED BY THE TRFMA

- New Virginia Street Bridge – \$12.2 M
- Reno-Sparks Indian Colony Floodwall and Levee – \$1.8 M
- Hidden Valley Engineering Study & Pilot Home Elevation Project – \$680,000
- Restoration Projects: 102 Ranch, Lockwood, Lower Mustang Ranch, Tracy Power Plant – \$6.5 M
- North Truckee Drain – \$5 M
- Property Purchases, Relocations, Demolitions – \$48 M

TRFMA - Statement of Purpose

Significant flooding of the Truckee River and its Key Tributaries occurs at least once every ten years and inflicts catastrophic (i) loss of life and property; (ii) disruption of commerce, transportation, communication and essential services which not only impair the ability to provide public safety and health services but also have adverse economic impacts; (iii) waste of and reduction in the quality of water; and (iv) deterioration of public health and safety; The Members share a common and compelling interest in jointly regulating and controlling waters of the Truckee River and its Key Tributaries that flow through their territories to reduce or mitigate such damages or losses.

THE TRUCKEE RIVER FLOOD PROJECT UPDATE

- Recommended as a 100-yr local plan – The TRFMA board approved the 100-yr plan to send to the Army Corps of Engineers, designed using their criteria
- Project Cost:
 - Originally started < \$300 million (1996); escalated to \$1.6 billion (2010)
 - Through planning and engineering, the cost is now ~\$400 million
- ASAP Construction Scenario
 - Earliest finish date is ~2032

FUNDING

- Portion of current 1/8 cent sales tax
- TRFMA Direct Benefit Fee
 - The Authority may impose a flood fee
 - For planning purposes, the board considered \$8/1000 SF of developed commercial space in the Direct Benefit Area
- Other Funding Sources
 - The Truckee River Flood Control Project Needs Committee has been formed in accordance with AB 375 to consider other funding sources
- Federal Contribution
 - ~\$180 million
 - We must negotiate a partnership agreement with the Corps by ~2021
 - Requires successful vote in 2018 or Federal funding will be lost, never to return

APPROVED LEGISLATION – AB 375

- Signed into law June 12, 2017
- Modeled after the Washoe County School District SB 411 Committee
- 16-person committee formed, comprised of elected officials, private citizens and community groups

NEXT STEPS FOR THE FLOOD CONTROL PROJECT NEEDS COMMITTEE (FCPNC)

- Before April 2, 2018, the FCPNC will prepare recommendations regarding taxes, fees, rates or any combination to provide funding
 - Any funding proposal must include a proposal for the imposition of a fee, rate or charge
 - A funding proposal may include a proposal for the imposition of one or more taxes
- Under AB 375, the taxes that may be considered include: room tax, supplemental government services tax (vehicle privilege tax), real property transfer tax, property tax or any other tax the county is authorized to impose
- Sales tax may not be considered
- Committee to submit a question for the 2018 general election ballot asking if proposed taxes should be imposed
- The FCPNC will have 18 months to submit a report concerning the issue of the regional flooding in areas of Reno, Sparks and Washoe County not covered by a flood protection plan, including street storm drains and tributaries

BENEFITS

- The 100-year plan provides protection for residents, businesses, flood-prone properties and the community as a whole
- The project will help avoid the life-threatening and economic impacts that a major flood event in the future could do
- Flood safety is a top regional priority for this community-wide effort
- The funding will close the financial gap currently needed to complete the project that addresses flooding threats in the event another large-scale flood, such as the 1997 event, occurs in the community
- The best solution with moving the project forward is the continuation of the joint partnership between the cities of Reno and Sparks, Washoe County and the Army Corps of Engineers

COMMUNICATIONS CONTACT:

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Truckee River Flood Management Authority

Milestone Accomplishments March 2011 thru July 2017

On-Going		
	North Truckee Drain (NTD)	Provided funding and technical support for the NTD construction. Sparks Public Works is management lead. (Phase I & II complete for \$9.2 million, planning for Phase III ongoing). \$5.02 million from TRFMA.
	Regional Flood Warning	Responsible agency for operation and maintenance of the regional Flood Warning network of river and meteorological gages. 38 locations maintained directly by staff. Lead agency for operating the Truckee River Flood Warning Plan used to provide notification of potential flooding and provide up to 5-7 days of advance warning prior to occurrence. Plan activation assists regional municipalities and agencies in EOC activation and start of flood protection strategies. Technical staff support provided to Washoe County REOC during heavy rain events.
	Fiscal Accountability	Operating Expenditures (non-capital expenditures) have decreased by \$525K (23%) over the last five years. (Breakdown: <i>Personnel</i> decreased by \$430,157 (32%) and <i>Other</i> decreased by \$93,165 (6%).)
	Home Elevation	Applying for \$1.75 million FEMA Home Elevation Grant.
	Agency Coordination	Coordinate on technical issues with TMWA, RTC, RPC, REOC/NWS and the cities of Reno and Sparks and Washoe County on FEMA issues.
	Property Management	Coordinate with local law enforcement and safety agencies for use of TRFMA properties for their training purposes. Coordinate with other agencies/entities as appropriate on legal, fiduciary, maintenance, grant acquisition, and code issues. Currently managing the \$200K+ FEMA grant for demolition of Excel Building. Applying for additional demolition grant for former Bristlecone property.
	RSIC Levee Landscaping	Continue establishment of pilot project vegetation/bank stabilization which will be used for rest of project. Received \$200K grant for pathway extension and coordinating with RTC for design of pathway extension.
	Lower Truckee River Ecosystem Restoration Efforts	TRFMA has partnered with numerous local, state, and federal agencies and non-profit organizations to restore the lower Truckee River (from Vista to Pyramid Lake). TRFMA has contributed about \$2.1 million in sales tax funds for land acquisition, planning, and construction to restore almost 8 miles and create more than 450 acres of habitat along the lower Truckee River. An estimated 216 Full-Time Equivalent (FTEs) jobs were created as a result of this work. TRFMA contributed an additional \$4.775 million in grant funds via Assembly Bill No. 5 (AB-5), passed by the Nevada State Legislature in 2007.
	Nevada Flood Awareness	TRFMA is part of an interagency campaign to raise public awareness of flooding in Nevada and to help businesses and residents better prepare for flood emergencies. More information available at NevadaFloods.org .
2017		
July	Excel Building	Demolition of the former Excel Building begins.
June	Corps Review	USACE completes initial review of LDP.
June	AB 375	Nevada Legislature passes AB375 authorizing creation of the Truckee River Flood Control Project Needs Committee (FCPNC).
June	Website	Redesign of website to make it easier for public to quickly find important information about the project and upcoming meetings.

January	2-D Hydraulic Model	The regional hydraulic model using latest modeling software created flood simulation maps for the emergency managers during the winter flood events. Also using this modeling software to refine designs.
2016		
September	Project Comparison Agree. with USACE	Entered into an agreement with USACE for review of TRFMA's Locally Developed Plan. TRFMA initially contributed \$100,000 to this effort.
April	Virginia Street Bridge (VSB)	Provided funding and technical support for the VSB construction. Reno Public Works is management lead. \$12.3 million from TRFMA. Also provided \$645,000 for the purchase of right-of-way on the Old U.S. Post Office parcel which will be used for the construction of the VSB.
February	Home Elevation	Managed grant and facilitated the home elevation at 2005 Parkway Dr.
2015		
December	Public Outreach to Sparks Industrial Area	Had meetings with over twenty property owners and tenants in the Sparks Industrial Area to gather information and opinions regarding flood protection fee.
October 9	Fee Structure Analysis	Director Hartung moved to direct staff to stop efforts to finalize the fee structure analysis as currently constructed, direct staff to research and report on alternative funding sources, and direct staff to begin public outreach on funding.
Fall	Fee Structure Analysis	Completed draft funding study and draft fee amount to present to the Board of Directors.
June 12	Home Elevation Grant	TRFMA Board approved the Grant Commitment and Agreement in an amount not-to-exceed \$179,740 and the associated Declaration of Covenants, Restrictions and Easements so that the first home elevation could begin.
May	Emergency Management Accreditation	Emergency Management Accreditation Program for Washoe County. FEMA required Hazard Specific Annexes for regional disasters with staff reviewing/revising the Flood Annex. TRFMA was a recognized, participating agency in the accreditation process.
April	Record of Decision	The USACE Record of Decision was signed by the Assistant Secretary of the Army making the Corps' 50-year plan official; TRFMA can now issue a supplemental to the document to build the 100-year plan.
Revegetation Phase Ongoing (Construction Completed 2013)	Tracy Power Plant Ecosystem Restoration Project	This project restored about 2.5 miles of river channel. The project also created 114.8 acres of native habitat. Total Cost: approx. \$4.1 million. Land Easement Value: approx. \$5.6 million (contributed in-kind by NV Energy). TRFMA Contribution: \$1.75 million in 1/8-cent sales tax funds for project planning, design and construction. Jobs Created: 53.3 estimated Full-Time Equivalents
2014		
November	FEMA Exercise	Regional leadership training for 5 days at FEMA facilities in Emmitsburg, MD to conduct a team-building earthquake preparedness exercise.
Fall	LiDAR Survey	The first LiDAR survey of the Truckee River from the state line to Wadsworth was performed. \$72,000
October (Thru Summer 2015)	Washoe County Regional Hazard Mitigation Plan	Regional Hazard Mitigation Plan development in cooperation with the local jurisdictions. A FEMA requirement of future assistance is having a plan in place that identifies natural hazards and provides mitigation planning to increase disaster resistance in the region. TRFMA is a participating agency.

August	Sponsorship of Restoration Projects	USACE Sacramento District Commander Col. Farrell asked TRFMA to sponsor restoration projects in the river. TRFMA agreed and is awaiting further information and direction.
May 2014	Congressional Authorization of the Truckee Meadows Flood Control Project, Nevada (WRRDA 2014)	The Truckee River Flood Project was successfully included in the 2014 Water Resources Reform and Development Act (WRRDA) approved by Congress. Senator Reid and staff worked to insert an amendment in Section 1036 of the WRDDA bill to allow TRFMA to issue a supplement to the Record of Decision that ultimately could permit the construction of TRFMA's 100-year plan. This is a major milestone for the project as work on this began in 1988.
March 14	NNWPC	TRFMA Board authorized the Executive Director to request that the Western Regional Water Commission create an additional voting position on the Northern Nevada Water Planning Commission for a TRFMA representative.
March	ArkStorm REOC Exercise	Regional exercise of potential catastrophic flooding in region based on 1862 CA/NV historic rainfall and flooding. Staff participation in exercise planning and facilitation.
February 14	Strategic Timeline for 2014 – 2017	The Executive Director presented the TRFMA Project Planning Strategy Timeline for 2014 – 2017 developed by staff to the Board of Directors.
January 10	Sale and Lease of Property to NDOT for Easement and Right-of-Way	TRFMA Board approved the sale and lease of sections of property to the Nevada Department of Transportation for a permanent easement and right-of-way, and a temporary construction easement for the construction related to the Southeast McCarran Boulevard Project. Permanent easement sold for \$73,970/temporary construction easement lease \$12,141 for two years, with option for one additional year at \$6,071 for a total of \$86,111 with possible additional \$6,071.
2013		
December 16 – 18	Civil Works Review Board	The Executive Director and Director Delgado met with the Civil Works Review Board (CWRB) in Washington DC. The CWRB voted unanimously to continue the work that guarantees a Chief's report.
December 13	Local Rate Plan (LRP)	TRFMA Board approved the LRP as presented to be used for flood fee justification and rate determination.
Fall	Local Rate Plan (LRP) Developed	TRFMA reduced the scope and cost of the project while maintaining 100-year flood protection for the Truckee Meadows. TRFMA worked with its consultants and numerous stakeholders to revise the original plan developed by the Community Coalition, which was estimated to cost \$1.6 billion. Through reducing the number of project elements and in-depth Value Engineering, the overall Flood Project cost was reduced to just \$446 million. This represents roughly 72% in cost savings to the communities of Reno, Sparks, and Washoe County.
Fall	Regional Resiliency Preparedness Study	A cooperative effort between Reno, Sparks and Washoe County agencies to identify and reduce our vulnerability to climate variability and build local resilience against weather related impacts. The region conducted the study to better understand how the impacts of local climate changes will directly affect operations of the regional partners.
April 12	Local Interest Plan (LIP)	The Truckee River Flood Project Local Interest Plan was approved by the Board of Directors for submission to the USACE for federal authorization in the Water Resources Reform and Development Act (WRRDA).
Spring	1725 S. McCarran Property	The tenants at the 1725 S McCarran property (aka Bristlecone) were successfully relocated and the property is now vacant.
Spring	Local Interest Plan	Completed identification of project elements for LIP for federal funding.

2012		
August 28	General Reevaluation Report (GRR)	TRFMA contracted with and funded the USACE's completion of the GRR for the Truckee River Flood Project. \$1.4 million
Summer	Building Demolition	Through FEMA grant funding complete utility and low water use landscaping/dust management installed for building pads at Edison.
May 1	Transfer of Assets from Washoe County to TRFMA	With the transfer of over \$73 million in assets, TRFMA withdrew from Washoe County as a department and successfully established itself as a stand-alone governmental agency. A complete cadre of board business policies were developed and approved; business procedures were developed and issued by the Executive Director; an automated financial system was purchased, set up and tested so that all financial activities are now transacted and recorded internally by staff; insurance coverage for all TRFMA operational risks was sought and procured; and the agency's first (and all subsequent) independent annual audits concluded with unqualified opinions and no findings.
Spring	Locally Preferred Plan (LPP) re-analysis	Through HDR contract (\$5 Million), reformulate and reanalyze the General Reevaluation Report (GRR) so that the Corps may re-accept the project and submit to Congress.
March	DHD Exercise	Washoe County Health District and other jurisdictional staff participated in a scenario based exercises that focus on resource management and contaminant issues during a flood event. TRFMA assisted in exercise development and training.
Revegetation Phase from 2010-2012 (Construction Completed in 2009)	Lockwood Ecosystem Restoration and Recreational Trailhead Project	This project restored 0.6 miles of river channel. The project also created 36.6 acres of native habitat. Total Cost: approx. \$3.8 million (including recreational trailhead construction). TRFMA Contribution: \$392,000 in 1/8-cent sales tax funds to purchase the Monday Property and demolish existing structures located in the floodplain. Jobs Created: 37.4 estimated Full-Time Equivalents
Revegetation Phase from 2010-2012 (Constructed in 2009)	Lower Mustang Ranch Ecosystem Restoration Project	This project restored 2.5 miles of river channel. The project also created 186.9 acres of native habitat. Total Cost: approx. \$7.9 million. TRFMA Contribution: \$1.675 million in AB-5 grant funds for project construction (no sales tax used). Jobs Created: 78.5 estimated Full-Time Equivalents
2011		
May-Dec	Building Demolition	Through FEMA grant funding (\$311,490), removal of 6 buildings (125,832 SF) in the flood way/plain at Edison.
Revegetation Phase 2009-2011 (Constructed in 2008)	102 Ranch Ecosystem Restoration Project	This project restored 2.0 miles of river channel. The project also created 113.9 acres of native habitat. Total Cost: approx. \$5.6 million. TRFMA Contribution: \$3.1 million in AB-5 grant funds for project construction (no sales tax used). Jobs Created: 47.1 estimated Full-Time Equivalents
June	Bureau of Reclamation (BOR) Stampede Exercise	Regional exercise sponsored by BOR concerning potential flood of record created by Stampede Dam operations during a flood event. Staff participated in exercise technical design/development.
March 11	Authority Created	Interlocal Cooperative Agreement signed by cities of Reno and Sparks and Washoe County forming the Truckee River Flood Management Authority, a Joint Powers Agency.