

CARSON WATER SUBCONSERVANCY DISTRICT

Administrative Committee

NOTICE OF PUBLIC MEETING

DATE: December 5, 2022
TIME: 10 am
LOCATION: CWSD Conference Room or via Zoom
777 E. William Street, Ste. 209
Carson City, NV 89701

If attending remotely, this [Zoom Link](#) or call (669)900-9128. ID: 879 3454 0348; Passcode: 639720

AGENDA

Please Note: The Carson Water Subconservancy District (CWSD) Board may: 1) take agenda items out of order; 2) combine two or more items for consideration; and/or 3) remove an item from the agenda or delay discussion related to an item at any time. All votes will be conducted by CWSD Board of Directors. Reasonable efforts will be made to assist and accommodate individuals with limited ability to speak, write, or understand English and/or to those with disabilities who wish to join the meeting. Please contact Catrina Schambra at (775)887-7450 or email: catrina@cwsd.org at least 3 business days in advance so that arrangements can be made.

1. Call to Order the CWSD Administrative Committee
2. Roll Call
3. For Discussion Only: Public Comment - Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later meeting.
4. For Possible Action: Approval of Agenda
5. For Possible Action: Approval of the Administrative Committee June 1, 2022, Meeting Minutes
6. For Possible Action: Review Nominations and Recommend Andy Aldax Award Winner
7. For Possible Action: Update the CWSD Personnel Policy Manual – Section 5.1 Holidays to include Juneteenth – June 19
8. For Possible Action: Adopt Social Media Use Policy
9. For Possible Action: Approve the updated Nondiscrimination Program & Policy
10. For Possible Action: Approve the Grant Management Policy
11. For Possible Action: Revision to Alpine County Joint Powers Agreement
12. For Possible Action: Pursuing grant funding in California
13. For Possible Action: Revision to General Manager Annual Review Form
14. For Discussion Only: Public Comment - Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later meeting.

Supporting material for this meeting may be requested from Catrina Schambra at 775-887-7450 (catrina@cwsd.org) and is available on the CWSD website at www.cwsd.org.

In accordance with NRS 241.020, this notice and agenda has been posted at the following locations:

Dayton Utilities Complex
34 Lakes Blvd
Dayton, NV

Minden Inn Office Complex
1594 Esmeralda Avenue
Minden, NV

Lyon County Administrative Building
27 S. Main St.
Yerington, NV

Churchill County Administrative Complex
155 N Taylor St.
Fallon, NV

Carson City Hall
201 N. Carson St.
Carson City, NV

Carson Water Subconservancy District Office
777 E. William St., #110A
Carson City, NV

Alpine County Administrative Building -
99 Water St.
Markleeville, CA

CWSD website:
<https://www.cwsd.org>
State public meetings website:
<http://notice.nv.gov>

AFFIDAVIT OF POSTING

The undersigned affirms that on or before 9:00 am on November 29, 2022, he/she posted a copy of the *Notice of Public Meeting and Agenda* for the December 5, 2022, regular meeting of the CWSD Administrative Committee, in accordance with NRS 241.020; said agenda was posted at the following location:

SIGNATURE

Name: _____

Title: _____

Date & Time of Posting: _____

AGENDA ITEM #5

**MINUTES OF LAST
BOARD MEETING**

CARSON WATER SUBCONSERVANCY DISTRICT

Administrative Committee

June 1, 2022, 10 am

Minutes

NOTE: The CWSD Administrative Committee meeting was held via Zoom and in-person in the CWSD Conference room at 777 E. William Street, Suite 110A, Carson City, NV.

Committee Members Present:

Stacey Giomi (via Zoom)
Ken Gray (in-person)
David Griffith (in-person)
Dave Nelson (in-person)
Pete Olsen (via Zoom)
Cassi Uhart (via Zoom)

CWSD Staff Present:

Ed James (in person)
Catrina Schambra (via Zoom)

Chairman Giomi called the meeting of the CWSD Administrative Committee to order at 10:03 am. Roll call determined a quorum of the committee was present.

Item #3 – Discussion Only: Public Comment - None

Item #4 - For Possible Action: Approval of Agenda

There being no objections, Chairman Giomi declared Administrative Committee Agenda approved as posted.

Item #5 - For Possible Action: Approval of the Administrative Committee Minutes of November 30, 2021

Committee Member Griffith made a motion to approve the Administrative Committee Minutes from November 30, 2021, with correction to spelling error caught in Item #6. The motion was seconded by Director Gray and was approved by the Administrative Committee 5-0-1. Chairman Giomi abstained.

Item #6 - For Possible Action: General Manager Annual Review

Mr. James shared the General Manager Review responses that have been submitted to date, which are only 6 total. Mr. James stated that it is hard to get responses, but he had started the process later than usual this year in meeting with all the Board Members and he apologized for that. Mr. James asked if there are goals the committee wanted to set for the General Manager.

Director Gray apologized as he did not get his review submitted, but he thinks Mr. James does an excellent job! His suggestion of goals should be in alignment with the Strategic Planning goals. Committee Member Griffith agrees with both the caliber of the job performance and using the Strategic Planning goals as a focus for the coming year.

Mr. James stated the responses to the Strategic Planning Session priorities survey would be included in the June Board package. He also included his response to each category and how he proposes staff will pursue the goal. This way the Board can review the suggestions prior to the meeting.

Several committee members agreed that they may have been too generous in their priorities because of the extensive list of goals. Director Giomi suggested the Board can streamline the Strategic Plan at the June meeting. As far as Mr. James' job performance, he believes one of his biggest functions is communicating with Board members and he does a great job!

Director Gray's only concern is a succession plan. It is something he feels we need to address sooner rather than later because the time will come when we need to replace Mr. James. It would be ideal that we have someone that was mentored by him and was able to work alongside him prior to taking over his position. He asked Mr. James if he has been thinking about how long he is planning to work before retirement. Mr. James stated that it would be at least four more years as he has several projects, including the 30-year Regional Water Resource Plan, that he wants to bring into fruition before retiring. Mr. James agrees that within a year of his retirement it would be a goal to bring in a replacement to be trained and mentored by him before departing. Afterwards he could be available as a consultant on an as needed basis. Director Gray suggests that we have an Ad Hoc Committee on this subject so we will be prepared when the time comes. Mr. James said that would be a good idea as the position needs to be reviewed and determined how we want it filled. For instance, the way the job description is written right now, no one in-house would qualify. Committee Member Griffith agrees it is important that we investigate this so CWSD will not be caught in the lurch unprepared.

Chairman Giomi stated that we are getting a bit off topic and asked Mr. James to state the purpose of this agenda item. Mr. James stated per CWSD policy, to receive a merit increase he needs a satisfactory annual review. The committee makes a recommendation to the full Board for approval.

Committee Member Griffith made a motion to recommend approval of the General Manager Annual Review and resulting July 1, 2022, merit increase to the full Board at the June 15, 2022, meeting. The motion was seconded by Director Gray and unanimously approved by the Administrative Committee.

Item #7 - For Possible Action: CWSD Staffing Requirements

Mr. James reported that the extra staff person that had been hired in November had found a better position and resigned. We learned that the position of part-time with no benefits and only 16 hours a week did not work for us or the employee. It did not offer the flexibility we needed. The staff is working at capacity and needs another employee to help with the workload. Staff would like to propose hiring a Water Resource Specialist I. This would be a 35–40-hour position with benefits. We are working on the job description, but it would be in the \$55,000- \$75,000 salary range. Because we had budgeted for Holly's position already the impact to FY 2022-23 would be about \$50,000, including benefits costs. Implementation of the Strategic Planning goals and taking on more grants would require another employee.

Committee member Griffith thinks this request is justified due to the ever-increasing workload.

Director Uhart asks where the money would come from for budget planning. Mr. James responded that the expense would be covered by Ad Valorem Taxes and grant funds. CWSD has a low overhead. Our budget is roughly 30 % administration costs and 70% projects. Director Gray suggests we make it a temporary position due to concerns with the economy. Director Olsen agrees and suggests a temporary one-year position, subject to future funding. Chairman Giomi suggest not making it temporary but stressing to applicant that this position is subject to available funding. Mr. James says that grant funding covers about half our salaries. To call it a temporary job might dilute the applicant pool.

Chairman Giomi asks why not increase hours for our current staff? Mr. James explains that all three of our employees working less 40 hours enjoy the flexibility of a 30–40-hour workweek. It is a benefit they do not want to change. Committee Member Griffith suggests making it a temporary position will make it hard to attract quality applicants.

Mr. James says that when the economy goes south our partners will need our help. Committee Member Griffith asks about any the lag in taxes and the economy. Mr. James says that there is no bottom in our Ad Valorem taxes, but increases are capped at 3%. It is slower to go up and faster going down.

Chairman Giomi made a motion to recommend support for the new position, but concern with future funding being available. The funding must be established for future years. The motion was seconded by Director Gray and unanimously approved by the Administrative Committee.

Item # 8 – Discussion Only: Public Comment - None

There being no further business to come before the Administrative Committee, Chairman Giomi adjourned the meeting at 10:45 am.

Respectfully submitted,

Catrina Schambra

Secretary to the Board

AGENDA ITEM #6

CARSON WATER SUBCONSERVANCY DISTRICT

Administrative Committee

TO: Administrative Committee Members

FROM: Edwin James

DATE: December 5, 2022

SUBJECT: Agenda Item #6 – For Possible Action: Review Nominations and Recommend Andy Aldax Award Winner

DISCUSSION: The Andy Aldax Carson River Watershed Award was created in 2007 to honor Andy Aldax, a CWSD Director from CWSD's inception in 1959 until 2012. The award recognizes individuals and organizations for significant contributions in promoting and achieving the Carson River Watershed Vision Statement.

The criteria for consideration of this award is that the nominee:

1. has demonstrated a commitment to Carson River Watershed conservation activities for 10 years or more; and,
2. has produced accomplishments toward the goals outlined in the Carson River Watershed Vision Statement; and
3. can be an organization, landowner, community member, or employee of a federal, state or local entity.

Nominees for the 2023 Andy Aldax Award are:

- Robb Fellows, Senior Project Manager – Stormwater, Carson City

STAFF RECOMMENDATION: Recommend Andy Aldax Award 2023 winner.

Andy Aldax Award Nomination - Robert (Robb) Fellows, PE, Carson City Chief Stormwater Engineer, CRS, Floodplain & NPDES Manager

Nominated by: Mark Gookin, PE, CFM; Randy Rice, MSc, PE; Dan Stucky, PE; Brianna Greenlaw, PE, CFM

Robert Fellows has spent nearly his entire 30+year career living in, recreating, and protecting the Carson River watershed. As a young engineer, Mr. Fellows worked with Vasey Engineering, in Minden, Nevada with a focus on efforts which enhanced the Carson River watershed. Robb's work included the design of erosion-resistant trail systems including the Faye-Luther trail network as well as flood protection efforts and Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMRs) to more accurately depict flood hazards on the Carson River tributaries in the area.

In 2001, Robb joined Carson City Public Works as part of the Development Engineering team. His responsibilities steadily advanced and changed to include managing floodplain and mapping efforts as well as stormwater quality aspects for Carson City. As Chief Stormwater Engineer, CRS, Floodplain & NPDES Manager, Robb oversees the management of the 18 watersheds affecting the community and has been a consistent supporter of efforts to manage the Carson River Watershed Floodplain Management Plan (Plan). Through Robb's guidance and participation in the Carson River Coalition, Carson City has been a key player in the implementation of the regional Plan. Robb's commitment to the Plan's "living river" concept is exemplified by his actions as Floodplain Manager, enabling 71% of the Special Flood Hazard Area in Carson City to reside in open space. In addition to his role in stormwater and floodplain management, Robb is a strong advocator for trail and multi-use path connections throughout the City, supporting opportunities to increase the quality of life of the community.

Working with CWSD as a Cooperating Technical Partner, Robb has managed nearly \$1.5M in flood insurance rate map (FIRM) updates which more accurately inform the public of flood hazards in the area. Significant watershed remapping efforts have included Eagle Valley, Goni Wash, Voltaire Canyon, and Clear Creek.

In addition to more accurate FEMA mapping, Robb has overseen the preparation of Area Drainage Master Plans for the City which identify improvements to more effectively protect the community from flooding while incorporating stormwater quality features to help preserve the beneficial uses of the Carson River. Included within plans for North, West, East (in-progress), and Southeast (in-progress) areas of the City are both conveyance features, as well as detention basins serving to capture excess sediment, provide biofiltration and nutrient uptake, and infiltrate stormwater runoff affected by contributions from disturbed and urban areas. Consistent with Robb's efforts to interweave water quality with stormwater infrastructure and flood protection improvements, Robb oversaw the development of the City's Low Impact Development (LID) manual adopted in 2021.

Robb has also been instrumental in managing stormwater infrastructure projects throughout the City. He spearheaded a \$4.5M investment to incorporate storm water improvements along South Carson Street to help alleviate flooding along the corridor during significant storm events. Another important mitigation effort led by Robb was the necessary expansion of the Carson City Vicee Basin following the Waterfall Fire.

Mr. Fellow's efforts have also included active community education and outreach efforts including overseeing the High-Water Mark mural project as part of the FEMA High Water Mark Initiative. As the technical lead, Robb concluded the project with an unveiling festival to promote how floodplains and open space work together - providing animal habitats, flood protection, groundwater recharge, and water quality benefits for the community.

Robb's consistent work in the Carson River watershed has served to advance the guiding principles of the Carson River Watershed Vision Statement including escalating the quality of life, protecting private and public properties, enhancing water quality, preserving open space, managing growth, collaborating with stakeholders, and promoting watershed education.

AGENDA ITEM #7

CARSON WATER SUBCONSERVANCY DISTRICT

Administrative Committee

TO: Administrative Committee Members

FROM: Edwin James

DATE: December 5, 2022

SUBJECT: Agenda Item #7 – For Possible Action: Update the CWSD Personnel Policy Manual – Section 5.1 Holidays to include Juneteenth – June 19

DISCUSSION: Juneteenth became a Federal Holiday in 2021 that is to be observed on June 19 each year unless it falls on a weekend, then it'll be observed on the closest working weekday. CWSD observes the same holidays as Carson City and therefore the CWSD Personnel Policy Manual Section 5.1 shall be updated as follows:

5. → **BENEFITS**

5.1. → **Holidays**

The following holidays are recognized by CWSD:

New Year's Day – January 1
Martin Luther King, Jr.'s Birthday – Third Monday in January
President's Day – Third Monday in February
Memorial Day – Last Monday in May
Juneteenth Day – June 19
Independence Day – July 4
Labor Day – First Monday in September
Nevada Day – Last Friday in October
Veterans Day – November 11
Thanksgiving Day – Fourth Thursday in November
Family Day – Friday following the fourth Thursday in November
Christmas Day – December 25

Any day declared a legal holiday by the President of the United States and/or the Governor of the State of Nevada will be observed in accordance with the presidential or gubernatorial proclamation. CWSD will honor Federal and State Holidays declared with 30 days' notice prior to the day of the holiday and that is recognized by Carson City for Carson City employees.

If a holiday falls on a Saturday, the Friday preceding will be observed as the holiday. If a holiday falls on a Sunday, the Monday following will be observed as the holiday. If a holiday falls during an employee's paid leave, it will not be charged as leave. In order to be paid for a holiday, an employee must be in paid status the day before and the day after the holiday. All regular employees are entitled to holiday pay. All regular part-time employees are entitled to a pro-rated holiday pay based on their budgeted time requirement for that fiscal year. For example, if an employee is budgeted to work three quarters (3/4) time for a given fiscal year, the employee would receive three-quarters (3/4) of eight (8) hours pay for any given holiday.

Designated holidays are typically non-workdays. A non-exempt employee who actually works on a designated holiday will be compensated at one and one-half (1 1/2) times his/her regular rate of pay for the hours worked on the holiday in addition to receiving holiday pay.

STAFF RECOMMENDATION: Approve update to CWSD Personnel Policy Manual to include new federal holiday.

AGENDA ITEM #8

CARSON WATER SUBCONSERVANCY DISTRICT
Administrative Committee

TO: Administrative Committee Members

FROM: Edwin James

DATE: December 5, 2022

SUBJECT: Agenda Item #8 – For Possible Action: Adopt Social Media Use Policy

DISCUSSION: It was brought to the attention of staff that CWSD needs to have a specific Social Media Use Policy linked on our Facebook and Instagram sites as a public notice. Attached is a draft CWSD policy based on the Carson City posted policy.

STAFF RECOMMENDATION: Recommend approval of Social Media Use Policy to the Board of Directors as presented.

Carson Water Subconservancy District

Social Media Use Policy

A comment posted by a member of the public on this page is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, CWSD, nor do such comments necessarily reflect the opinions or policies of CWSD. CWSD disclaims any and all responsibility and liability for any materials that CWSD deems inappropriate for posting which cannot be removed in an expeditious or otherwise timely manner. CWSD reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law. Any articles, messages, posts, comments, images, video or other content containing any of the following shall not be allowed and may be removed as soon as possible:

1. Comments not topically related to the particular article or post being commented on;
2. Comments in support of or opposition to political campaigns or ballot measures;
3. Profane language or content;
4. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
5. Sexual content or links to sexual content;
6. Solicitations of commerce;
7. Conduct or encouragement of illegal activity;
8. Information that may tend to compromise the safety or security of the public or public systems; and
9. Bullying or intimidating comments.

AGENDA ITEM #9

CARSON WATER SUBCONSERVANCY DISTRICT

Administrative Committee

TO: Administrative Committee Members

FROM: Edwin James

DATE: December 5, 2022

SUBJECT: Agenda Item #9 – For Possible Action: Approve updated Nondiscrimination Program & Policy

DISCUSSION: The Department of Homeland Security Federal Civil Rights regulations require that CWSD update its Nondiscrimination Program & Policy to include specific protocol for arranging accommodations for Limited English Proficient (LEP) individuals who do not speak English as their primary language and who have limited ability to read, write, speak, or understand English. The following updates have been made in the attached draft:

Added Policy language:

CWSD will provide meaningful access to individuals with limited ability to speak, write, or understand English (LED). The latest available data ([July 1, 2021, US Census](#)) for Carson City, Nevada shows 22.9% of the population use a language at home other than English. CWSD will use the [I Speak...Language Identification Guide](#) to assist literate individuals who are not proficient in English to identify a preferred language and procure the necessary assistance needed. CWSD will use the [Northern Nevada International Center Language Bank](#) resources to accommodate LED individuals when needed. Available languages for translation & Interpretation:

- | | | |
|-------------|-------------|------------------|
| • Amharic | • Hindi | • Polish |
| • Arabic | • Hmong | • Portuguese |
| • Basque | • Italian | • Punjabi |
| • Bengali | • Japanese | • Romanian |
| • Bulgarian | • Kashmir | • Russian |
| • Cantonese | • Khek | • Serbian |
| • Cebuano | • Korean | • Serbo-Croatian |
| • Dutch | • Kyrgyz | • Spanish |
| • Farsi | • Malaysian | • Tagalog |
| • French | • Mandarin | • Thai |
| • German | • Mongolian | • Ukrainian |
| • Greek | • Nepali | • Urdu |
| • Gujarati | • Norwegian | • Uzbek |
| • Harari | • Oromo | • Vietnamese |
| • Hebrew | • Persian | |

Procedures (B) Public Notice/Meeting Planning

CWSD's public notices will include the following text:

"Reasonable efforts will be made to assist and accommodate individuals with limited ability to speak, write, or understand English and/or to those with disabilities who wish to join the meeting. Please contact Catrina Schambra at (775)887-7450 (catrina@cwsd.org), at least 3 business days in advance so that arrangements can be made."

Attached is the updated Nondiscrimination Program & Policy with changes highlight in red for your review.

STAFF RECOMMENDATION: Recommend approval of the updated Nondiscrimination Program & Policy to the Board of Directors.



Carson Water Subconservancy District

NONDISCRIMINATION PROGRAM

Carson Water Subconservancy District complies with Federal civil rights laws and is committed to providing its programs and services without discrimination in accordance with:

- *Title VI of the Civil Rights Act of 1964*, which prohibits discrimination based on **race, color, or national origin** (including **language**).
- *Section 504 of the Rehabilitation Act of 1973*, which prohibits discrimination based on **disability**.
- *Title IX of the Educations Amendments Act of 1972*, which prohibits discrimination based on **sex** in education programs or activities.
- *Age Discrimination Act of 1975*, which prohibits discrimination based on **age**.
- *U.S. Department of Homeland Security regulation 6 C.F.R. Part 19*, which prohibits discrimination based on **religion** in social service programs.

Definitions

A. Disability – A hearing, vision, cognitive, ambulatory, self-care, and/or independent living difficulty.

B. Limited English Proficient (LEP) Person – Individuals who do not speak English as their primary language and who have limited ability to read, write, speak, or understand English.

C. Nondiscrimination Program Coordinator – CWSD representative who ensures compliance with federal nondiscrimination statutes.

Policy

CWSD is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program, activity, or service that it provides. CWSD will not tolerate intimidation, threats, coercion, or discrimination against any individual or group.

Title VI of the Civil Rights Act of 1964 is the overarching civil rights law that prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.” Nondiscrimination prohibitions have been further broadened and supplemented by related statutes, regulations and executive orders.

CWSD will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under any of its

programs, regardless of the funding source for the program. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin.

CWSD will provide meaningful access to individuals with limited ability to speak, write, or understand English (LED). The latest available data ([July 1, 2021, US Census](#)) for Carson City, Nevada shows 22.9% of the population use a language at home other than English. CWSD will use the [I Speak...Language Identification Guide](#) to assist literate individuals who are not proficient in English to identify a preferred language and procure the necessary assistance needed. CWSD will use the [Northern Nevada International Center Language Bank](#) resources to accommodate LED individuals when needed. Available languages for translation & Interpretation:

- | | | |
|-------------|-------------|------------------|
| • Amharic | • Hindi | • Polish |
| • Arabic | • Hmong | • Portuguese |
| • Basque | • Italian | • Punjabi |
| • Bengal | • Japanese | • Romanian |
| • Bulgarian | • Kashmir | • Russian |
| • Cantonese | • Khek | • Serbian |
| • Cebuano | • Korean | • Serbo-Croatian |
| • Dutch | • Kyrgyz | • Spanish |
| • Farsi | • Malaysian | • Tagalog |
| • French | • Mandarin | • Thai |
| • German | • Mongolian | • Ukrainian |
| • Greek | • Nepali | • Urdu |
| • Gujarati | • Norwegian | • Uzbek |
| • Harari | • Oromo | • Vietnamese |
| • Hebrew | • Persian | |

CWSD will not tolerate intimidation, threats, coercion, or discrimination against any individual or group, either (1) for the purpose of interfering with any right or privilege guaranteed under law or regulations or (2) because the individual has filed a complaint or has testified, assisted or participated in any way in an investigation, proceeding or hearing or has opposed any CWSD action or decision.

Procedures

A. Public Notice of the CWSD's Nondiscrimination Program: Public notice of CWSD's Nondiscrimination Program will be prominently posted:

1. In CWSD's offices; and
2. On CWSD's website.

B. Public Notice / Meeting Planning:

CWSD's public notices will include the following text:

"Reasonable efforts will be made to assist and accommodate individuals with limited ability to speak, write, or understand English and/or to those with disabilities who wish to join the meeting. Please contact Catrina Schambra at (775)887-7450 (catrina@cwsd.org), at least 3 business days in advance so that arrangements can be made."

C. The Nondiscrimination Program Coordinator:

1. Ensures information regarding CWSD's Nondiscrimination Program is internally and externally available;
2. Posts and maintains public notice of, and procedures for receipt and processing of complaints;
3. Tracks and reviews complaints received;
4. Trains department staff on CWSD's Nondiscrimination Program and procedures;
5. Provides written updates to complainants on the progress of investigations; and
6. Periodically reviews the efficacy of CWSD's Nondiscrimination Program.

D. Grievance Procedures:

If someone believes they have suffered from discrimination under an CWSD program, they may contact the CWSD Nondiscrimination Program Coordinator to seek informal resolution. If the matter cannot be resolved informally, the following steps will be followed:

1. Within 180 days of the alleged discrimination, complainants may submit a written or verbal complaint to the Nondiscrimination Program Coordinator. Complaints must include the complainant's name, the nature of the complaint, the dates of the alleged discrimination, requested action, and contact information.
2. The Nondiscrimination Program Coordinator will review the complaint and may solicit additional information from the complainant as needed. If additional information is requested and not received, the case may be closed. The case may also be closed if the complainant no longer wishes to pursue their case.
3. A complaint log will be kept by CWSD containing the name and address of the complainant, nature of the complaint, date of submission and results of the investigation.
4. If the complaint is outside the jurisdiction of CWSD, the complainant will be notified of the name and contact information for the appropriate agency with jurisdiction, if known.

E. Complaint Processing:

If the complaint is within the jurisdiction of CWSD, or informal resolution was not possible, it will be promptly investigated. CWSD's goal is to address complaints within 60 days of receipt, though the time to carefully investigate complaints may be longer depending on the nature of the complaint and complexity of the issue.

F. Preliminary Inquiry:

CWSD will conduct a preliminary inquiry to determine the need for further investigation.

1. CWSD will notify the complainant in writing that a preliminary inquiry is underway to determine the need for further investigation.
2. If the preliminary inquiry by CWSD indicates that an investigation is warranted, the complainant will be notified in writing and an interview will be scheduled.
3. If the preliminary inquiry indicates an investigation is not warranted, the complainant will be notified in writing of the reasons why and factors considered.

G. Complaint Investigation:

1. Complaints warranting further investigation will be promptly processed by the CWSD Nondiscrimination Program Coordinator. The preponderance of evidence standard will be applied to all complaint investigations. The results of the investigation will be provided to the CWSD Board of Directors for review.
2. The complainant will be notified in writing of the results of the investigation and what actions will be/have been taken in response and a timeline to request review.
3. Records and investigative files will be kept for a minimum of three years.

AGENDA ITEM #10

CARSON WATER SUBCONSERVANCY DISTRICT
Administrative Committee

TO: Administrative Committee Members

FROM: Edwin James

DATE: December 5, 2022

SUBJECT: Agenda Item #10 – For Possible Action: Grant Management Policy

DISCUSSION: Staff discovered a formal Grant Management Policy is now required for certain grant funding opportunities. Attached is a draft Grant Management Policy.

STAFF RECOMMENDATION: Recommend adoption of CWSD Grant Management Policy to the Board of Directors.

Carson Water Subconservancy District

GRANTS MANAGEMENT POLICY

It is the policy of Carson Water Subconservancy District (hereafter CWSD) that all CWSD funds managed by the Board follow the procedure described below when applying for and using grant funds:

A. Submitting Requests for Grant Funds:

1. Requests for grant monies must be approved by the CWSD Board of Directors.
2. The Board will determine if the request for monies is necessary to the goals of the CWSD, and, if any match funds are required, that they are available. Funding from CWSD budgets may be considered for match purposes.
3. If the request meets the criteria as described in item 2, the Board may approve submission of a grant application and encumber the matching funds as appropriate. The General Manager will then submit the application to the granting agency. If the granting agency denies the application, the General Manager will notify the Board and the match funds will be released for other purposes.
4. If the application does not meet the criteria as described in item 2, the Board may deny the request.

B. The General Manager will manage all grant funds that are processed CWSD:

1. When a grant award is received, it must be given to the Administrative Assistant for proper processing. The Administrative Assistant will create an account in CWSD Financials. The Administrator will maintain all financial records, contracts, bid documents, reports, and other documents relating to the grant in the CWSD office. All contracts relating to a grant must be signed by the Board Chairman except where a specified the General Manager signature is required.
2. The General Manager will be required to furnish to the Administrative Assistant all documents necessary to meet bookkeeping and audit requirements for each grant account. Requests for reimbursement will be submitted to the granting agency as soon as possible and copied to the Administrative Assistant. Payment of grant related expenditures will be processed by the Administrative Assistant.
3. All granting agencies will transmit funds to the CWSD General Fund by Electronic Funds Transfer when possible.

AGENDA ITEM #11

CARSON WATER SUBCONSERVANCY DISTRICT
Administrative Committee

TO: Administrative Committee Members

FROM: Edwin James

DATE: December 5, 2022

SUBJECT: Agenda Item #11– For Possible Action: Revision to Carson Water Subconservancy District/Alpine County Joint Powers Agreement

DISCUSSION: The Carson Water Subconservancy District/Alpine County Joint Powers Agreement was originally adopted in 2001. The information in the document needs to be updated. Attached is a draft revision to Carson Water Subconservancy District/Alpine County Joint Powers Agreement for your review.

STAFF RECOMMENDATION: Recommend the Board of Directors approval of Revised Carson Water Subconservancy District/Alpine County Joint Powers Agreement.

JOINT POWERS AGREEMENT
BETWEEN THE CARSON WATER SUBCONSERVANCY DISTRICT, NEVADA

SUBCONSERVANCY DISTRICT, NEVADA AND
AND ALPINE COUNTY, CALIFORNIA

THIS AGREEMENT, made and entered into on the date set forth herein, is done pursuant to the Joint Exercise of Powers Act (California Government Code § 6500 *et seq.*) and the Interlocal Cooperation Act (Nevada Revised Statutes § 277.080-277.180) by and between Alpine County, California and the Carson Water Subconservancy District, Nevada.

WHEREAS, the legislature of the State of Nevada has provided certain enumerated powers to the Water Conservation Districts pursuant to NRS Chapter 541; and

WHEREAS, the legislature of the State of Nevada has recognized the specific needs of the Carson River basin and has established and empowered the Carson Water Subconservancy District to meet those needs; and

WHEREAS, Carson Water Subconservancy District was expanded in 1999 to include all most of the Carson River watershed located in the State of Nevada; and

WHEREAS, the headwaters of the Carson River and a portion of the Carson River watershed are located in Alpine County, California; and

WHEREAS, the Board of Supervisors of Alpine County and the Board of Directors of the Carson Water Subconservancy District have both recognized that joint and cooperative action on issues of mutual concern affecting the Carson River and its watershed would be productive and beneficial; and

WHEREAS, the Board of Supervisors and of Alpine County wish to create a Joint Powers Authority meeting the requirements of Nevada and California law for purposes of undertaking mutually acceptable projects and addressing issues of mutual concern;

NOW THEREFORE, for and in consideration of the mutual promises herein exchanges, the parties agree as follows:

ARTICLE I
(Establishment of Joint Powers Authority)

Section 1. A Joint Powers Authority is hereby established, consisting of the Carson Water Subconservancy District, a political subdivision of the State of Nevada; and Alpine County, a county of the State of California.

Section 2. The Joint Powers Authority shall be named and operate as the Carson River/Alpine County/Carson Water Subconservancy District, a bi-state Joint Powers Authority. [Possible name change]

Section 3. The Joint Powers Authority established shall be governed and operated by the terms and provisions of Nevada Revised Statutes (NRS) Chapter 241, this Joint Powers Agreement, and by such Articles, By-laws, and/or Rules and Regulations as may be jointly agreed upon and adopted by the two members. Any such documents shall conform to the applicable laws of the States of Nevada and California. Alpine County shall file the notices required by California Government Code Section 6503.5.

ARTICLE II (Composition and Powers of the Board)

Section 1. The Joint Powers Authority shall consist of the Carson Water Subconservancy District, ~~and Alpine County, California.~~ The Joint Powers Authority shall have and be governed by the Board of Directors ~~containing thirteen (13 members), as follows: nine (9) members representing the governmental jurisdictions comprising of the the Carson Water Subconservancy District, being three (3) from Douglas, and two (2) each from Carson City, Lyon County and Churchill County; two (2) members representing the Douglas County agricultural community; and two (2) members representing Alpine County. [One (1) of the members who represent each governmental jurisdiction must be an elected official of the governing board of such jurisdiction.]~~

Section 2. The Joint Powers Authority shall have the power to act on matters within the common powers of either Alpine County or the Carson Water Subconservancy District, which affect and pertain to matters relating to the Carson River and within the Carson River watershed.

Section 3. In exercising its power, the Board of the Joint Powers ~~authority~~ **Authority** shall not take any action affecting any constituent governmental jurisdiction, or the lands contained within it, ~~or requiring the expenditure of any funds by it,~~ without the consent and affirmative vote of all representatives from such affected governmental jurisdiction. Any such action shall be consistent with the provisions of the Alpine Decree.

Section 4. The Joint Powers Authority agrees that it will consider and, ~~if affirmatively approved,~~ proceed with watershed goals the projects set forth in Exhibit A to this agreement. The Board of the Joint Powers Authority may amend Exhibit A without action by the member entities, so long as they are in compliance with the procedures set forth in Section 3 ~~are complied with.~~

ARTICLE III (Hold Harmless, Defense, and Immunities)

Section 1. The parties shall jointly defend any action brought by any third party, whether in law or equity, which arises from this agreement. Each party shall bear its own wages, disability payments, pension payments, and workers compensation costs for any personnel utilized for the provision of services under this agreement. The parties shall retain in full any and all immunities they possess under California and/or Nevada law. Such immunities shall not

be deemed or construed to be modified by entry into this agreement or any performance hereunder.

Section 2. The Board of Directors of the Carson Water Subconservancy District and the Board of Supervisors of Alpine County, and any necessary employees thereof, shall cooperate in such actions as-, in their sole discretion, may be reasonably required to carry out the purpose and intent of this agreement. This shall include the execution of any necessary documents and the granting of any necessary or required consents. The parties shall place their respective insurance companies, pools, or authorities on notice of the services to be provided hereunder. ~~Any agreement creating debts, liability, and obligations of the Agency shall be exclusively those of the Agency and not those of any member jurisdiction.~~

ARTICLE IV (Miscellaneous Provisions)

Section 1. This agreement shall be effective on the date it has received all legally required approvals. The agreement shall run for five (5) years from and after the last of such approvals, and shall continue to run for five (5) year periods thereafter, unless terminated with the giving of 90 days notice as set forth below.

Section 2. It is not intended or contemplated that, in the performance of this agreement; funds will be received, transferred or otherwise disbursed directly to or by the Joint Powers Authority. Each entity shall establish a procedure to separately account for all funds and costs related to the Joint Powers Authority. Each entity shall be accountable for all funds and reporting of all receipts and disbursements in accordance with the laws of their respective states.

Section 3. Except as otherwise provided herein, this agreement may not be amended, assigned, or delegated, without the express written consent of the governing boards of both parties. This agreement shall inure to the benefit of, and be binding upon, the successors and assigns of the parties; provided, however, that this agreement may be terminated, with or without cause, by either party upon the giving of ninety days written notice to the other party. Any notice required under this agreement shall be deemed given when personally serviced or when sent by registered or certified mail, return receipt requested, and such receipt is received by the canceling party.

~~Section 4. The County Auditor of Alpine County shall serve, should such service be required, as the Auditor of the Joint Powers Authority pursuant to California Government Code Section 6505 and shall fulfill the responsibilities set forth in California Government Code Section 6505.5 if required.~~

~~Section 5. Any property acquired by the Joint Powers Authority shall upon termination of this agreement, be divided or disposed of by mutual agreement.~~

—Section ~~6~~4. This agreement shall consist of the original and any counterparts created for purposes of signature.

Section ~~7~~5. This document contains the entire agreement with regard to the matters contained herein and supercedes all previous discussion, representations, and communications between the parties with regard to these matters. Both parties to this agreement having been represented by Counsel, no presumption shall arise ~~from~~ the identity of the drafter.

Date: _____ Date: _____

R. Stacie Giomi
Chairperson, Board of Directors
Carson Water Subconservancy District

David Griffith
Chairperson, Board of Supervisors
Alpine County

Attest: Catrina Schambra
Secretary to the Board
Carson Water Subconservancy District

Attest: Teola Tremayne
County Clerk
Alpine County

Patrick King, General Counsel
Carson Water Subconservancy District

Margaret Long, County Counsel
County Counsel, Alpine County

JOINT POWERS AGREEMENT
BETWEEN THE CARSON WATER SUBCONSERVANCY DISTRICT, NEVADA
AND ALPINE COUNTY, CALIFORNIA

Exhibit A

The following is a list of potential projects the Joint Power Authority (Authority) will be pursuing:

- ~~Work with the Lahontan Water Quality Control Board on the setting and implementation of Total Maximum Daily Loads (TMDL) for Indian Creek Reservoir. The TMDL procedure identifies two primary implementation strategies, control of internal and external loadings which will require BMPs for phosphorous control on public and private lands within the watershed.~~
- ~~Work with the US Forest Service on public land management issues such as: abandon mines, proposed Wild & Scenic destination, recreation opportunities, noxious weed control and watershed enhancement projects.~~
- ~~Assist in securing funding for streambank stabilization and restoration projects along the East and West Forks of the Carson River.~~
- ~~Provide local match funding to the Alpine Chapter of the Upper Carson River CRMP.~~

The following is a list of watershed goals that the Joint Power Authority (Authority) will be pursue:

1. Manage the water's resources for economic sustainability, quality of life, and protection of private and public property rights.
2. Acknowledge and respect the watershed's natural processes in land use decisions.
3. Maintain or improve the quality of the water to support a variety of beneficial uses.
4. Protect the headwaters region as the system's principal water source.
5. Recognize and respect the interests of all stakeholders upstream and downstream by fostering collaborative and mutually respectful relationships.
6. Maintain the riverine and alluvial fan floodplains of the Carson River Watershed to accommodate flood events.

7. Protect and manage uplands, mountain ranges, wetlands, and riparian areas to enhance the quality of surface flow, groundwater recharge, and wildlife habitat.
8. Promote conservation of water from all sectors of the community's water users for the benefit of municipal, industrial, agricultural, domestic, recreational, and natural resources.
9. Encourage management of growth that considers water quality and quantity, open space preservation, and maintenance of agriculture in floodplains.
10. Protect and support opportunities for public recreational access to natural areas throughout the watershed – including the river corridor – where appropriate.
11. Promote understanding and awareness of watershed resources and issues through cooperative education efforts throughout the watershed.

AGENDA ITEM #12

CARSON WATER SUBCONSERVANCY DISTRICT

Administrative Committee

TO: Administrative Committee Members

FROM: Edwin James

DATE: December 5, 2022

SUBJECT: Agenda Item #12 – For Possible Action: Pursuing grant funding in California

DISCUSSION: When CWSD staff was meeting with Alpine County and Arthur J. Wylene, General Counsel for Rural County Representatives of California (RCRC), to discuss Alpine County becoming a recognized member of CWSD, there was also discussion on the possibility of CWSD pursuing California grants on behalf of Alpine County. In 2019, Alpine County had asked CWSD if we would be willing to receive funding from California on behalf of Alpine County. The CWSD Board agreed to do so; however, later it was discovered that since CWSD is not a California entity we could not receive the funds. Mr. Wylene suggested that if there is a need for CWSD to pursue a California grant on behalf of Alpine County the best way to do this is to form a Joint Power Agreement (JPA). This could be a new JPA between CWSD and Alpine County or funding language could be added to the existing JPA. If CWSD is interested in assisting Alpine County with California funding, this item will need to be brought forth to Alpine County to see if this is something they would want CWSD to pursue.

STAFF RECOMMENDATION: Recommend authorizing CWSD to meet with Alpine County to discuss the possibility of developing a JPA to pursue grant funding in California.

AGENDA ITEM #13

CARSON WATER SUBCONSERVANCY DISTRICT
Administrative Committee

TO: Administrative Committee Members

FROM: Edwin James

DATE: December 5, 2022

SUBJECT: Agenda Item #13 – For Possible Action: Revision to General Manager Annual Review Form

DISCUSSION: During the last annual review for the General Manager, Committee Member Griffith asked if the review form could be updated to expand the 1-3 scale to a 1-5 scale for performance criteria. The current scale is below. (See attached form.)

PERFORMANCE CRITERIA:

3 = Commendable
2 = Adequate
1 = Needs improvement

A possible 1-5 scale could be:

5 = Outstanding
4 = Exceeds Expectations
3 = Meets Expectations
2 = Below Expectations
1 = Unsatisfactory

STAFF RECOMMENDATION: Recommend revising the General Manager Annual Review Form to broaden the performance criteria to the Board of Directors.

**CARSON WATER SUBCONSERVANCY DISTRICT
PERFORMANCE REVIEW – GENERAL MANAGER**

For performance period of _____ through _____

Rater _____

Please assign a Performance Criteria value, as described below, to each review topic bulleted.

PERFORMANCE CRITERIA:

3 = Commendable

2 = Adequate

1 = Needs improvement

ORGANIZATIONAL SKILLS (ability to evaluate proposed projects):

- Decision quality
- Presentation skills

OPERATING STYLE (ability to manage workload):

- Communication
- Delegation of work to be done

PERSONAL/INTERPERSONAL SKILLS (ability to manage diverse relationships and to work with varying groups):

- Being open and receptive
- Demonstrates flexibility to work with varying groups

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TOTAL PERFORMANCE POINTS

GENERAL COMMENTS:

GOALS YOU WOULD LIKE TO SEE ACCOMPLISHED BY CWSD IN FY 2021-22: