

The Colorado River Commission of Nevada meeting was held at 1:30 p.m. on Tuesday, October 9, 2018 at the Grant Sawyer State Office Building, 555 East Washington Avenue, Suite 4412, Las Vegas, Nevada.

COMMISSIONERS IN ATTENDANCE

Chairwoman
Vice Chairwoman
Commissioner
Commissioner
Commissioner

Puoy Premsrirut
Kara J. Kelley
Steve Sisolak
Dan H. Stewart
Cody T. Winterton

COMMISSIONER(S) NOT IN ATTENDANCE

Commissioner
Commissioner

Marilyn Kirkpatrick
John F. Marz

DEPUTY ATTORNEY GENERAL

Special Counsel, Attorney General

Jennifer Crandell

COMMISSION STAFF IN ATTENDANCE

Deputy Executive Director
Chief of Finance and Administration
Assistant Director of Engineering and Operations
Assistant Director of Energy Services
Natural Resources Program Manager
Natural Resource Analyst
Senior Energy Accountant
Senior Energy Accountant
Assistant Director of Energy Information Systems
Administrative Assistant IV
Administrative Assistant IV
Administrative Assistant II

Eric Witkoski
Douglas N. Beatty
Robert D. Reese
Gail Bates
Angela K. Slaughter
Warren Turkett, Ph. D.
Gail L. Benton
Richard M. Sanders
Kaleb Hall
Katie Aguilar
Kira Bakke
Laterria Graves

OTHERS PRESENT; REPRESENTING

Fennemore Craig, PC
Self
Southern Nevada Water Authority

Carolyn Turner
Sara Price
Jordan Bunker

**COLORADO RIVER COMMISSION
OF NEVADA
MEETING OF OCTOBER 9, 2018**

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OF NEVADA
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The Colorado River Commission of Nevada meeting was called to order by Chairwoman Premsrirut at 1:30 p.m. followed by the pledge of allegiance.

A. Conformance to Open Meeting Law.

Deputy Executive Director Eric Witkoski confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.)

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. For Possible Action: Approval of minutes of the July 10, 2018 meeting.

Vice Chairwoman Kelley moved for approval of the minutes. The motion was seconded by Commissioner Winterton and approved by a unanimous vote.

D. For Possible Action: Consideration of and possible action on the process for recruitment of an Executive Director by the Commission.

Chief of Finance and Administration, Douglas Beatty gave a presentation on the background of the process for recruitment of an Executive Director by the Commission.

Nevada Revised Statutes 538.133 gives the Commission the authority to appoint the agency's Executive Director.

The Commission's Executive Director, Jayne Harkins, P.E., will resign from the Commission effective October 24, 2018, to become Commissioner of the United States Section of the International Boundary and Water Commission, United States and Mexico.

Staff recommended that the Commission conduct a process to recruit and appoint a new Executive Director.

Chairwoman Premsrirut asked about prior recruitment processes.

Mr. Beatty responded that the Commission had used advertisements through State personnel, trade journals, and American Public Power Association (APPA).

Mr. Beatty further added that a headhunter organization had been discussed previously.

Chairwoman Premsrirut asked if there were previous publications available.

Mr. Beatty confirmed that the previous publications were accessible.

Chairwoman Premsrut inquired about the distinction between a local and national applicant publication search.

Mr. Beatty confirmed that advertisements have been published in local and national publications and clarified that specifications for applicants with experience in western states can be identified in the advertisement.

Commissioner Stewart stated that the expense for a headhunter is not warranted, adding that the Commission should involve the customers in the process and seek to promote from within the Agency.

Commissioner Sisolak asked about the publication of the identities of candidates.

Special Counsel, Attorney General Jennifer Crandell responded that she was not aware of a legal requirement for publication of candidates prior to an Agendized meeting. When a candidate is selected, their name would be put on the Agenda and then brought before the Commission. It would also be dependent on the selection recruitment process.

Commissioner Sisolak clarified his question about the application process and what the rules are for confidentiality for applicants.

Ms. Crandell answered that a disclosure of information, such as candidates' names could be obtained through a public records request.

Chairwoman Premsrut echoed the confidentiality concern for the applicants and inquired about the benefits of a headhunter agency or search firm.

Commissioner Sisolak noted that when using a search firm only the selected candidates were made public as opposed to all applicants.

Chairwoman Premsrut asked about the potential cost for the use of a search firm.

Mr. Beatty answered that he was unaware of the potential cost.

Chairwoman Premsrut asked about the historical problem of anonymity of the potential candidates.

Mr. Beatty stated that there has never been a prior issue and further explained the difficulties with internet advertisements for applicants.

Ms. Crandell recounted that the prior recruitment of the current Executive Director consisted of a customer group and two Commissioners for the interview process and therefore the names did not need to be agendized and did not need to comply with the Open Meeting Law. The names of the candidates were kept confidential

and only upon selection or recommendation of a candidate, the name was then released.

Mr. Beatty reaffirmed Ms. Crandell's account and added that the names were available if a public records request had been received.

Commissioner Sisolak stated that any subcommittee would still be subjected to the Open Meeting Law and any document that comes before the Commission is available to the public.

Ms. Crandell agreed and added that no request had been received previously.

Chairwoman Premsrirut stated that as the process furthers, the determination for the confidentiality of the applicants will be established. Certain factors will have to be determined in order to begin the process and suggested a questionnaire for the Commission to fill out.

Commissioner Stewart asked how the process would move forward.

Chairwoman Premsrirut recommended the questionnaire in various formats would be the best way to move the process forward.

Commissioner Winterton asked about timing and when the current Executive Director would be resigning.

Chairwoman Premsrirut responded October 24, 2018.

Mr. Witkoski asked about revisiting the item at the November Commission Meeting.

Chairwoman Premsrirut answered that the item should be delayed until December before revisiting.

Commissioner Stewart asked about the formal process of establishing an acting Director.

Ms. Crandell responded that the Deputy Executive Director has the full authority to act on behalf of the Executive Director in the absence of the Executive Director.

This item was not voted on at the meeting.

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| <p>E. <i>For Information Only:</i> Notification of receipt of the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting for the Commission's annual financial report for the fiscal year ended June 30, 2017.</p> |
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Mr. Witkoski introduced the Certificate of Achievement.

Each year, the Commission submits its annual financial report to the Government Finance Officers Association (GFOA) for review and evaluation as part of the GFOA's achievement program. The report is subjected to a review by two Special Review Committee members. Both committee members must recommend award of the certificate. The review consists of evaluation in a number of categories including:

1. Reporting in conformity with General Accepted Accounting Principles.
2. Demonstration of compliance with finance-related legal and contractual provisions.
3. Completeness and clarity of a letter of transmittal and introductory section.
4. Inclusion of a complete and clear statistical section.
5. Use of standardized terminology and formatting conventions.
6. Disclosure thoroughness and detail sufficiency.
7. Minimization of ambiguities and potentials for misleading inference.
8. Cohesiveness and internal consistency.
9. Implementation of prior year comments and suggestions for improvement.
10. Readability.

Staff was pleased to inform the Commission's annual financial report again received a Certificate of Achievement.

In the words of GFOA, "The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management." The Commission has received the award for its financial report every year since 1977.

Chairwoman Premsrirut commended Douglas Beatty, Chief of Finance and Administration.

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| F. <i>For Information Only:</i> Update on the activities of the Financial and Audit Subcommittee. |
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Mr. Beatty provided an update on the responses to the request for proposals (RFP) that were sent out to seven firms. Six firms have declined the request, while one firm is still investigating participation.

Chairwoman Premsrirut asked for clarification that the RFP was to review the previous auditor's determination.

Mr. Beatty confirmed and provided an update on the current audit.

Chairwoman Premsrirut summarized that there are no current issues and that the audit is ahead of schedule.

Mr. Beatty confirmed.

Chairwoman Premsrirut thanked the Financial and Audit Subcommittee for their time.

G. For Information Only: Update on pending legal matters, including Federal Energy Regulatory Commission or Public Utilities Commission of Nevada filings.

There were no updates at the time.

H. For Information Only: Status update on the hydrologic conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, and other developments on the Colorado River. Comments and questions from the Commission members.

Natural Resources Analyst Dr. Warren Turkett delivered a status update on the hydrologic conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, and other developments on the Colorado River.

- Summary of Lake Powell, Lake Mead, and Nevada Water Supply
- Water Use in Southern Nevada
- Precipitation and Temperature
- Unregulated Inflow, Current and Projected Reservoir Status
- Lower Basin Conservation
- Las Vegas Ground Water Accounting

A copy of the report was attached and made a part of the minutes. See Attachment A.

I. Comments from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.)

Chairwoman Premsrirut asked if there were any comments from the public.

J. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from the Commissioners.

Chairwoman Premsrirut stated that the Southern Nevada Water Authority would be providing a presentation at the next meeting regarding the Drought Contingency Plan.

K. Selection of next possible meeting date

The next meeting is tentatively scheduled for 1:30 p.m. on Tuesday, November 13, 2018, Clark County Government Center in the Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada.

L. Adjournment.

The meeting was adjourned at 2:17 pm.



Eric Witkoski, Deputy Executive Director

APPROVED:



Puoy Premssirut, Chairwoman