



REGIONAL PLANNING GOVERNING BOARD

MEMBERS
Mike Carrigan, Chair
Dwight Dortch, Vice-Chair
David Aiazzi
Jim Galloway
Toni Harsh
Pierre Hascheff
Geno Martini
Ron Schmitt
Jim Shaw
Bonnie Weber
Dave Ziegler, Director

MINUTES

REGIONAL PLANNING GOVERNING BOARD Regular Meeting Thursday, August 12, 2004

The Regional Planning Governing Board (RPGB) met in regular session in the Washoe County Commission Chambers, 1001 E. Ninth Street, Reno, Nevada, and conducted the following business:

The meeting was called to order by Chair Bonnie Weber at 2:00 p.m.

1. ROLL CALL

The clerk called the roll, and Regional Planning Governing Board Members in attendance were: Bonnie Weber, Mike Carrigan, Dave Aiazzi, Dwight Dortch, Jim Galloway, Geno Martini, Ron Schmitt, and Jim Shaw. Member Sharon Zadra for Toni Harsh arrived at 2:27 p.m. Members absent were: Toni Harsh and Pierre Hascheff.

Also present were: Dave Ziegler, TMRPA Director; Norman Azevedo, Legal Counsel; Randy Baxley, TMRPA; Rosanna Coombes, TMRPA; Patricia Rogers, TMRPA; Mary Kuechler, TMRPA; and Lora Richards, TMRPA.

2. SALUTE TO THE FLAG

Member Carrigan led the salute to the flag and the Pledge of Allegiance.

3. APPROVAL OF AGENDA

MEMBER AIAZZI MADE A MOTION TO APPROVE THE AUGUST 12, 2004, AGENDA, SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

4. ELECTION OF OFFICERS

A. Election of Chair (City of Sparks member)

MEMBER MARTINI NOMINATED MEMBER CARRIGAN AS CHAIR OF THE RPGB, SECONDED BY MEMBER SCHMITT. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

B. Election of Vice-Chair (City of Reno member)

MEMBER AIAZZI NOMINATED MEMBER DORTCH AS VICE-CHAIR OF THE RPGB, SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

5. APPROVAL OF MINUTES, JUNE 10, 2004, REGULAR MEETING

MEMBER MARTINI MADE A MOTION TO APPROVE THE JUNE 10, 2004, MINUTES, SECONDED BY MEMBER WEBER. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

6. PUBLIC COMMENT

None

7. BUSINESS OF THE DAY

- A. PUBLIC HEARING - Washoe County's appeal of the Regional Planning Commission's determination of conformance with the provisions of the Regional Plan and the settlement agreement in District Court Case No. CV02-03469 for City of Reno zoning map amendments and Mortensen/Garson Development Standards Handbook (CR04-007), including: (1) a zoning map amendment from SPD (specific plan district) and HC (hotel casino) to HC, IC (industrial commercial), AC (arterial commercial), NC (neighborhood commercial), PF (public facility), LLR-1 (large lot residential - 1 acre), SF-15 (single family residential - 15,000 square feet), SF-9 (single family residential - 9,000 square feet), SF-6 (single family residential - 6,000 square feet), MF-14 (multi-family - 14 units/acre), and OS (open space); (2) an amendment to the Reno zoning code creating a new overlay district entitled "Mortensen/Garson Overlay District"; and (3) approval of the Mortensen/Garson Development Standards Handbook. The ±2,724 acre site is located on the north and south sides of Interstate 80 between the Garson Road and Verdi interchanges. The proposed development of this site is a project of regional significance.

Member Dortch asked if the appeal was based on the issues of traffic and water. Member Dortch asked Mr. Azevedo if those are the only issues that can be discussed. Norm Azevedo, Legal Counsel, stated that those are the two issues brought forward by the County in this appeal.

Randy Baxley, Senior Regional Planner, reviewed background information on this case.

Adrian Freund, Washoe County, stated that there are two major issues upon which the County based this appeal of the decision of the Regional Planning Commission (RPC). Those issues are water and traffic. The water issue is centered on the impact of development on existing wells. Mr. Freund stated that Mike Widmer will discuss the recharge issue as part of this presentation today.

Mike Widmer, Washoe County Department of Water Resources, stated that Washoe County's concern is that the areas slated for development are areas that have been mapped as natural ground

water recharge areas. This type of development has the potential to pave 50 to 60 percent of the ground. That means that 50 to 60 percent of the recharge in that area would go away.

Member Schmitt asked Mr. Widmer when the recharge area maps he is referring to were done. Mr. Widmer responded that they were finalized in the year 2000.

Member Schmitt asked Mr. Widmer when this project was submitted. Mr. Widmer responded that he is not familiar with that date.

Mr. Freund stated that another concern regarding water is the potential impact of pumping 880 acre feet of groundwater out of Boomtown. Pumping more than 200 acre feet has never been done on a sustained basis. According to the property owner's engineer, even the current level of pumping is having an impact on groundwater in the Verdi area. The County feels that due consideration was not given to the impacts of this pumping on existing wells in the area and that the property owners' studies are devoid of data to allow analysis on what potential impacts the pumping of 880 acre feet might be. Without this analysis and consideration, a case can not be made that the property owners' plan has been fully justified. The property owners' recent response has not addressed the County's issues but has just pointed to facilities plans and engineering reports. Mr. Freund stated that the property owners' engineer hints that many issues are required to be further studied and that this lays the groundwork for that analysis. Further, there is not a concise analysis of the impact of infrastructure service or the way to provide infrastructure service to the existing residents in the communities in Verdi. Mr. Freund stated that John Collins will address the issue of facilities plans.

Chair Carrigan asked Mr. Azevedo for clarification that the issue before the RPGB today is whether or not to uphold the RPC's decision that this project is in conformance with the Regional Plan. Mr. Azevedo responded that the RPGB is looking at a decision of whether the RPC's decision should be upheld.

Chair Carrigan stated that according to some of the options, we should look at conformance to the 2002 Regional Plan; whether Reno's zoning action is supported by the record; and, the determination of whether the Development Standards Handbook (DSH) was carried out. Chair Carrigan asked Mr. Azevedo if this is correct. Mr. Azevedo responded yes.

Chair Carrigan asked that those addressing the RPGB on this issue let the RPGB know what part of this they are addressing. Mr. Freund stated that he is addressing whether the requirements of the settlement agreement were addressed by the DSH and whether those items required by the settlement agreement were properly considered by the RPC.

Member Galloway stated that the agenda says that this is an appeal of the determination of conformance with the provisions of the Regional Plan and the settlement agreement.

John Collins, Washoe County Department of Water Resources, stated that the water facilities plan submitted by the applicant was represented to be a plan for all of the Verdi area. Mr. Collins stated that Washoe County is contending that the plan does not cover all of Verdi and does not include all of the elements that are necessary for an appropriate facilities plan.

Chair Carrigan asked Mr. Collins if he is saying that because of that, they are not in conformance with the settlement agreement. Mr. Collins stated that the document given to the RPGB as a water facilities plan does not address the issues that should be addressed under this appeal.

Member Galloway asked Mr. Collins if he is saying that if recharge areas are being paved over, then there should be something in the facilities plan to address that in the event that it cuts off the water service to the existing residents. Mr. Collins responded that an appropriate facilities plan would address all of those impacts.

Member Aiazzi asked Mr. Collins if he can point to where it says in the settlement agreement that the applicant has to do a water resources plan for the entire Verdi area. Mr. Collins responded that he can not point to that. Mr. Collins stated that he is testifying that the document they are saying answers the impacts of water and is a facilities plan for all of the area, does not do that.

Member Aiazzi stated that Mr. Collins is saying that the applicant should be required to go outside of the property they own when the settlement agreement does not require that. Mr. Collins stated that the DSH was supposed to address concerns of the existing Verdi areas. One of the questions raised by some of the existing Verdi areas was the impact that this project would have on groundwater.

[Member Zadra arrived at 2:27 p.m.]

Member Aiazzi asked if he was missing something in the settlement agreement that would require the applicant to do a water resources plan for the entire Verdi area.

Chair Carrigan asked if someone would answer that question for Member Aiazzi.

Madelyn Shipman, Assistant District Attorney, stated that page 5 of the settlement agreement addresses the criteria to be used in determining appropriate density distribution. Ms. Shipman agreed that the applicant was not required to do a facilities plan for all of Verdi. That was the way the applicant chose to respond to the concern about the impacts of pumping 880 acre feet of water without reviewing how it would impact existing Verdi communities. The issue really is in determining the densities that might be appropriate to the area, the water issue should be taken into consideration.

Member Aiazzi stated that the settlement agreement specifically identifies any impacts on traffic level of service and level of congestion on the existing Verdi community. Member Aiazzi asked why that was not exclusively stated for water. Ms. Shipman responded that in the heat of all these various settlement agreements that have gone through, people were not splitting infinitives. The bottom line is that water has always been one of the primary issues that has been addressed in all of the public hearings. The language regarding the impact of future development and the requested densities on adjacent communities is a criteria that applies to whether you can support the existing communities on wells before the densities being requested are approved as part of this project.

Member Aiazzi asked if one of the conditions the City of Reno placed on this is that they use surface water and not groundwater for this project. Ms. Shipman responded that the facilities plan shows that they fully intend to use groundwater as part of the plan for the project.

Member Aiazzi stated that may be in their facilities plan but a condition of the DSH that the Reno City Council approved was that they would use surface water and only use groundwater in the event of a drought. Member Aiazzi asked if the County's concerns would be alleviated if that was taken through into the DSH. Ms. Shipman stated that she would have to refer to the water people. Ms. Shipman stated that she was not aware that was one of the conditions of the Reno City Council's approval.

Member Galloway referred to page 5 of the settlement agreement regarding the use of generally accepted planning and engineering standards when determining appropriate density and distribution. Member Galloway asked Mr. Freund if he is contending that those standards basically are not and if you are going to pump water or pave over recharge areas or anything that might impact adjacent properties that you do these densities and distribution in such a way as to not unduly negatively impact those properties. Mr. Freund responded that he would anticipate that the section of the settlement agreement that refers to generally accepted planning and engineering standards would be done comprehensively and that would be a comprehensive analysis of all those factors that might impact any of the bullet points that are listed in the settlement agreement. Part of the concern is that the comprehensive analysis does not seem to have been done. The analysis related solely to the new properties and not the impacts on existing communities.

Member Galloway stated that the RPGB is being asked to not rule on anything but the DSH and the documents presented by the developers and not a motion on a condition that may or may not be put on there by Reno. Even if the DSH had said surface water only, there would still be the recharge question. Mr. Freund responded that there would still be the recharge question. Mr. Freund also stated that there is no indication anywhere that Boomtown intends to stop using its wells and stop pumping. Mr. Freund stated that the criteria listed in the settlement agreement to be used in determining appropriate density and density distribution includes the delivery of services and how the provision of services impacts existing and neighboring communities.

Member Weber asked if Mr. Collins' statement was that the DSH claims that the facilities plan was done for the entire area. If it was not, that needs to be clarified. Mr. Freund stated that the property owner's response poses this facilities plan as an all encompassing facilities plan that covers the entire area.

Mr. Collins referred to a letter dated July 14, 2004, that was sent to the RPGB by Mr. Mollath. The letter states that the appeal by Washoe County and water completely ignores the implementation of the plan and the fact that the development of the Verdi area under the DSH, all of Verdi can be connected to the Truckee Meadows Water Authority (TMWA) municipal water. Mr. Collins stated that is what he was testifying to.

Mr. Freund stated that the traffic issue centers on the County's belief that the requirement to consider the full impact of newly generated impact on the existing Verdi community was not fulfilled. The County is concerned that the impacts of development on U.S. 40 and I-80 were not fully considered and addressed. The Verdi property owners have indicated that including impacts to federal roads would not be consistent with past practice and would be a violation of the settlement agreement. The County is concerned since only an off-roader can access Verdi without traveling on I-80. The difference of opinion derives from different interpretations of the language in the settlement agreement that states that the DSH will be addressed in accordance with generally accepted planning and engineering standards. The property owners interpret that to mean that only past practices in this region can be required. Washoe County staff believes that since I-80 is the only roadway in and out of this community, it is only reasonable to address the impacts of growth on that road regardless of how improvements might be funded. Mr. Freund stated that he does not believe that there has ever been a development project of this scope and scale that has had a direct major impact on I-80. Mr. Freund asked Ms. Shipman to address the property owners' comments about the impact fee process.

Ms. Shipman stated that the settlement agreement makes reference to the fact that in determining the appropriate densities and intensities of uses in the area, you are to consider the impacts of traffic. You need to look at what kind of impacts this will have on the highway that is the only entrance way into and out of the existing Verdi area. Ms. Shipman stated that impact fees are only there to prohibit you from exacting as a condition of a permit approval for construction of a capacity improvement to serve a development if in fact impact fees are being paid for that.

Member Aiazzi stated that the City did turn down the Wal-Mart project based on traffic and was told that because they paid an impact fee, that project could not be turned down. Ms. Shipman responded that was because the capacity improvements from McCarran Blvd. were on the 5 to 10 year Capital Improvement Plan (CIP) list of the Regional Transportation Commission (RTC). If a developer is going to be required to pay impact fees for a capacity improvement that is on the 5 to 10 year CIP list, it can not be denied on that basis alone.

Member Aiazzi stated that the interchange at Boomtown is on the CIP list for RTC. Ms. Shipman asked if there has been any data presented and modeled in terms of what it would do to relieve impacts on the existing Verdi community or I-80.

Member Aiazzi referred to Ms. Shipman's statement that if a project is paying impact fees and the program is on the 5 to 10 year CIP list, it can not be turned down based on traffic. Ms. Shipman stated that assuming this was a project that came before you at the City Council and not as a project that is tied to a settlement agreement, you would not be able to turn it down for the sole reason of traffic if the impacts were solely related to a capacity improvement that was on the 5 year CIP list. Ms. Shipman stated that she does not believe any I-80 improvements are on the RTC CIP list.

Mr. Freund stated that there are mainline I-80 impacts identified in the traffic study for which there is not a funding or corrective actions identified. There is a difference of interpretation of the requirements of the settlement agreement in regard to some of these traffic issues. The property owners have not addressed the major County concern which is the use of two entirely different sets of assumptions to support the fiscal analysis and the traffic study. That leads to the conclusion that either the traffic impacts have been significantly underestimated or the positive fiscal impact has been significantly overestimated. Mr. Freund stated that the County's sole question here is which is it and what are the baseline assumptions to be used. Mr. Freund stated that the County assumes that Mr. Solaegui's traffic study is technically sound based on the assumptions incorporated into this analysis. Such assumptions do not include the intensity of development assumed in the fiscal analysis.

John Hester, Community Development Director for the City of Reno, stated that he is available to answer any questions and that Mr. Mollath and Mr. Thomas will be presenting information on behalf of the applicant.

Stephen Mollath, Attorney for Verdi property owners, stated that the settlement agreement and the DSH were based upon existing rules and regulations. The settlement agreement also addresses the appeal process. According to the settlement agreement, the burden is on the appellant to show by clear and satisfactory evidence that the decision that was made by the RPC was not in accordance with the facts as contained in the record. They have not shown that from a factual standpoint. The arguments that have been made on this appeal on I-80 traffic and water are arguments that do not have a basis in existing rules, regulations and policies. The I-80 traffic is something that the County has brought up that

has no basis in law to formulate a denial of this project or a determination that the RPC was wrong. The facilities plan for this project is a facilities plan for the entire area of Verdi. The County can say it does not constitute a plan for the entire area but the fact remains that the developers in this situation have said that they will take care of the entire area in their plan. Verdi at the present time has no sewer and it has no community water. With this project, it will have sewer and community water and that is a benefit to the community no matter how the County characterizes this plan.

Bill Thomas, Summit Engineering, reviewed background information on how the plan was developed. As a result of meeting with some of the property owners in Belli Ranch and Blue Herron, the applicant is willing to change the 26-acre piece of property south of Steamboat Ditch and adjacent to Blue Herron from SF-15 to LLR-1. This means that 40 acres will be developed with 1-acre lots for a total of 40 lots.

Mr. Thomas stated that he has never seen a development project evaluated for traffic capacity or impact on I-80. Even though it is not required, a 14-mile analysis of I-80 was done from the spaghetti bowl all the way to Verdi. That study showed that the level of service on I-80, with this project and the known growth and expansion of the community, will be within the accepted level of service.

Mr. Thomas stated that there was a question raised about the validity of the traffic study and the dispute between the fiscal impact and the traffic study. The only thing required in the settlement agreement is the traffic study. Mr. Thomas reviewed the process used to develop the traffic study and stated that it is sound.

Mr. Thomas stated that the Regional Water Management Plan (RWMP), which is the basis for the County's comments regarding recharge, was only recently adopted. The administrative draft of the RWMP is dated March 2004. The DSH was turned in and this public hearing process was started in October 2003. Mr. Thomas agreed with earlier statements that new requirements can not be added to this project. Mr. Thomas stated that the conclusion for the recharge studies being done is that the community should develop a new set of development standards called low impact development. There is a specific reference to low impact development standards in the DSH that are being applied to this project. State-of-the-art standards that had not even been adopted yet are being used on this development.

Mr. Thomas addressed the issue of groundwater and stated that the 880 acre feet of water in Boomtown is recognized by the State Engineer. Mr. Thomas stated that there was a specific requirement in the approval process with the City Council process that the primary source of water would be surface water. The groundwater would only be used in peak times. If this project does not use Boomtown's 880 acre feet of water, that is a resource that could be sold to someone else with no obligation to connect to the surface water system. This project will be preserving much of that 880 acre feet of water to be used only when it is needed during peak times. This request is a re-zoning, which is equivalent to a comprehensive plan amendment in Washoe County. There is a requirement in the County Code to show that there is a source of water available before re-zoning can be approved. At a minimum, this project should be held to the same standard applied through the comprehensive plan amendment and not a new standard that goes well above what has been done anywhere else in the Truckee Meadows.

Member Weber stated that she will ask Washoe County staff to state that they do recognize the 880 acre feet of water available in Boomtown. Member Weber asked Mr. Thomas what the current water usage is for Boomtown. Mr. Thomas responded that it is around 300 acre feet. Mr. Thomas asked Member Weber to also ask Washoe County staff in what situation with a land use change have they required someone to do a full blown test on water rights they might use.

Mr. Thomas stated that a well mitigation standard has been included in the DSH. That says that as part of the zoning approval, whoever the water purveyor is would be willing to accept the well mitigation program that Washoe County developed.

Member Shaw stated that it seems that some of the things being discussed today should have been resolved during the many meetings with Verdi residents, staff and property owners. Mr. Thomas stated that part of what could have helped would have been the opportunity to talk to the County Commission before the appeal.

[Member Schmitt left at 3:18 p.m.]

Member Galloway stated that County staff is under the impression that there is only 200 acre feet of water certificated and asked Mr. Thomas if he has a disagreement with County staff on this. Mr. Thomas stated that Boomtown has a total 880 acre feet of water.

Member Galloway asked if that was certificated. Mr. Thomas responded that it is permitted.

Member Galloway stated that Mr. Thomas said that the normal standard is that someone has to bring is certificated water rights. Mr. Thomas responded that he said certificated or permitted.

Member Galloway asked Mr. Thomas if he is willing to include in the document a statement that this will operate on surface water and only use groundwater as a backup. Mr. Thomas responded that it is already in the document that groundwater will only be used during peak times.

Member Galloway referred to the earlier comment that the water impact will be taken care of by requiring a water provider to do a mitigation program. Member Galloway stated that the job of good planning is to prevent that in the first place. Mr. Thomas stated that if the only way to truly answer a question of groundwater is to pump it, the new standard would be that before anyone could be considered for re-zoning, they need to go pump the water.

[Member Schmitt returned at 3:23 p.m.] [Member Martini left at 3:25 p.m.]

Member Galloway asked that the letter of disagreement from the Verdi Action Committee be entered into the record. Member Galloway stated that the analysis on I-80 was done on one level of development and that is not the level of development that was used to do the economic analysis. It is not a matter of whether it was done but on what basis it was done. Member Galloway asked Mr. Thomas to address that. Mr. Thomas stated that the question that has been raised by staff and this appeal is whether or not the traffic study is valid. The traffic study was checked with the RTC model. The traffic study actually showed more traffic from the project than the RTC model. That is a good confirmation that this study is valid.

Member Galloway stated that the question is how one level of build-out can be assumed for economic purposes and a lower level of build-out assumed for the traffic study. Mr. Thomas stated that what he

said was that the traffic study was the one that was questioned. We have shown factually that the traffic study is valid.

Member Galloway asked if less development is assumed than there really will be, how can it be valid. Mr. Thomas stated that there were two different numbers because they were done by two different people at two different times. In hindsight, they should have matched up. The question now is what do we do with it. The fact that the traffic study had different numbers than the fiscal study does not mean the traffic study is invalid. The traffic study has been substantiated. The fiscal study was not even required and is not part of the settlement agreement.

[Member Schmitt returned at 3:28 p.m.]

Member Aiazzi asked Mr. Thomas if his clients came forward with this level of development based on what was already approved by Washoe County for the Boomtown development and decided to take those impacts and instead of one project, spread those same impacts out over a wider area. Mr. Thomas stated that is one reason in conjunction with the overriding policy in Verdi which is one acre.

Member Aiazzi asked how many acre feet of water was anticipated would be pumped out of the ground with that project that was previously approved. Mr. Thomas responded that it would be a minimum of 880 acre feet of water.

Member Aiazzi stated that this project is no different for groundwater than what was already approved. Mr. Thomas stated that the hotel project did contemplate extending water service. No matter how you look at it, those 880 acre feet of groundwater are going to disappear.

Member Aiazzi asked if the decision to actually pump water in a peak demand or an emergency would fall back on the water purveyor, not the developer of the project. Mr. Thomas responded that is correct. However, the average daily use of this development will be met by the surface water.

Member Aiazzi referred to Mr. Mollath's statement that this project has to be done in accordance with current practices at the time of the agreement. Member Aiazzi stated that in accordance with applicable practice could be interpreted to mean that if the City or County had changed the regulations in the interim, applicable would be current as of today. Mr. Mollath stated that whatever rules and regulations were applicable to this type of application would have to be followed. Member Aiazzi asked for confirmation that he means applicable as of this date. Mr. Mollath responded that is correct.

Member Aiazzi stated that he will ask the County if they have made any changes to the laws of the applications from the time of signing the settlement agreement to today.

Chair Carrigan stated for clarification to the public that the purview of this board is to determine whether to uphold or not uphold the RPC's decision. The board's decision has nothing to do with the roads or number of houses.

[The public hearing was opened.]

M.L. Belli thanked the developers for agreeing to change the zoning to 1 acre and putting it on the record here tonight. Mr. Belli expressed concern regarding possible water issues and dangerous traffic areas.

Patrick McLaughlin stated that he moved to Verdi because he liked the Verdi Citizens Advisory Board's long-range plan for the community. Mr. McLaughlin asked the RPGB to please stick with the planned growth set forth by the community.

Cheryl Maher stated that all of the local meetings about this development have dealt with many different issues regarding whether or not this development aesthetically fits in the community of Verdi. Now the focus is only on traffic and water issues. The RPGB, as elected officials, needs to help the public and look beyond just what is written in black and white.

Dee Ann Radcliff expressed concerns regarding development traffic on U.S. 40, I-80 and the Garson Road interchange. Ms. Radcliff stated that she supports the County's position that the DSH is not in conformance with the Regional Plan and the settlement agreement.

Brian McCormack stated that a key element of Judge Hardesty's agreement was that the proposed development should not significantly disrupt the quality of life of the citizens of Verdi. Mr. McCormack expressed concerns that the proposed density of development will disrupt the quality of life.

Diane McCormack expressed concern regarding water issues and spoke about the importance of good planning.

[Member Galloway left at 3:45 p.m.]

Vee Ann Friedrich expressed concern regarding the availability of water. Ms. Friedrich stated that she is not opposed to expansion but the proposed project is over-expansion.

[Member Galloway returned at 3:48 p.m.]

Chair Carrigan read written comments submitted by Susan Lisagor stating that she wishes the RPGB to overturn the RPC's decision.

Brian Kelly stated that according to the settlement agreement, the developer has to objectively justify this change in zoning. Mr. Kelly stated that the developer has not justified the zoning change, water issues, or traffic issues. The major problems with the development using groundwater during peak times is that it will not recharge the area and it will be used during the summer months when it is needed by the existing Verdi residents.

Gene Gardella expressed concerns regarding traffic safety issues. Mr. Gardella stated that some of these major issues were not on the agenda for discussion between the community and the property owners. Mr. Gardella stated that he was disappointed that they were not able to discuss those issue and find solutions that the community and property owners could accept.

Craig Carter stated that the facilities plan does not cover all of Verdi. Bringing water and sewer is not an advantage to current residents using wells and septic. There are safety issues with the I-80 Boomtown on and off ramps. Having high-density housing close to a city center and low-density housing further away makes sense.

Chair Carrigan read written comments submitted by Nancy Jackson stating that she wants the RPGB to uphold the appeal and reverse the RPC's decision.

[The public hearing was closed.]

Chair Carrigan stated that Washoe County will now make their closing remarks.

Mr. Freund stated that we are not talking here about a determination that there was an abuse of the discretion of the RPC. We are talking about paragraph 7 of the settlement agreement that states that the decision of the RPC may be appealed by the Verdi property owners to the RPGB if it is their belief that the RPC failed to adequately consider the matter. There have been suggestions that this project is just a redistribution of what the County already approved. Mr. Freund stated that it is not a redistribution.

Mr. Freund stated that the County has not asked that the property owners improve I-80. The County has only asked that the requirements of the settlement agreement be followed and that the density and density distribution be objectively justified and determined based on the DSH and other requirements in the settlement agreement. Mr. Freund stated that the County has made no new rules.

Mr. Freund stated that the County has not attacked the traffic analysis and assumes that it is technically sound. The County has said that there is an apparent difference between the fiscal analysis data and the traffic analysis data. Mr. Freund suggested going back and aligning the fiscal analysis with the traffic analysis to see what the fiscal impacts would be at that point. Mr. Freund stated that he does appreciate the fact that the traffic study did look at the impacts of development on I-80. Mr. Freund mentioned several areas where the level of service will drop in the future with this project. The requirement of the settlement agreement is that the development density and intensity be reconfigured to address these sorts of constraints in infrastructure.

Mr. Freund stated that the recharge study map has been available since the year 2000 even though the Regional Water Plan in its entirety was not prepared or ready until the year 2004. Mr. Freund expressed concern regarding the lack of recharge in the DSH. There is one goal policy objective in the DSH that relates to recharge areas. There is no specificity there to model where the development is proposed and what impacts that will have on recharge. Mr. Freund stated that the County is not suggesting that it is necessary to pump at 880 acre feet of water on a sustained basis to demonstrate the impact that would have on regional groundwater levels and neighboring wells.

Mr. Freund stated that since his opening statement, he has identified the fact that the Boomtown interchange was recommended as an amendment to the Regional Transportation Improvement Program in April of this year.

Mr. Freund stated that the settlement agreement clearly states that the failure to consider certain facts and appropriate matters is a basis for appeal and can be a basis for the RPGB's decision. Mr. Freund stated that the basis for this appeal is that the County believes that justification that this development density can be supported by the infrastructure and the natural resource constraints that exist has fallen short.

Chair Carrigan asked Mr. Freund if he is saying that the RPC failed to adequately consider traffic and water or that they did consider it and found that it was appropriate the way the owners brought it forward. Mr. Freund responded that the RPC failed to adequately and fully consider the issues.

Chair Carrigan asked Mr. Freund if the RPC just ignored it and would not take any of the County's input. Mr. Freund responded that the RPC did not have all of the relevant facts before them.

Chair Carrigan asked if the RPC did not have all the adequate information for them to make a decision. Mr. Freund responded that the County does not think that the RPC had all the information. Mr. Freund stated that new information was brought forward today.

Chair Carrigan asked why that information was not brought forward to the RPC. Mr. Freund responded that it was there.

Chair Carrigan stated that he is trying to determine if the RPC adequately considered water and traffic. Mr. Freund stated that the County does not feel that the RPC gave adequate and due consideration to the constraints and issues that have been mentioned today.

Chair Carrigan stated that if the RPC had the same information that the RPGB has and they looked at that information and made a decision, then they did adequately consider the matters. Chair Carrigan stated that the County just did not like the decision the RPC made. Mr. Freund stated that in RPC's decision, the County does not believe they adequately considered the issues and constraints that have been addressed today.

Chair Carrigan asked if the basis for that statement is that the RPC would not talk about traffic or water at all. Mr. Freund stated that with regard to traffic, the RPC did not believe that a threshold was reached at which this development was too dense.

Chair Carrigan stated that the County is not really appealing this because the RPC did not consider it but because the RPC drew a different conclusion than the County wanted them to draw from the information. Mr. Freund stated that the County is not constrained under the settlement agreement to agree or disagree with the RPC's conclusion. Mr. Freund stated that the County disagrees with the RPC's conclusion in this case.

Chair Carrigan asked if the RPC even talked about water or traffic during their decision-making process. Mr. Freund stated that he assumes they did. Many issues were brought to their attention but not considered.

Member Schmitt asked for clarification that there is no additional information in the RPGB packets that was not in the packets provided to the RPC. Mr. Baxley stated that the first binder, Volume 1, sent to the RPGB members contains all of the information that was provided to the RPC at their various meetings. The second binder, Volume 2, the RPGB received contains the response of the property owner's attorney to the issues raised by Washoe County's appeal. Mr. Baxley stated that the RPGB did not receive anything from Regional Planning staff that was not available to the RPC.

Member Schmitt asked if the issues that were brought up today by the County in their appeal were discussed during the RPC meeting. Mr. Baxley stated that traffic was discussed at some length. Mr. Baxley stated that he would have to refer to the minutes of the three RPC meetings dated 4/28/04, 5/26/04 and 6/9/04 to determine the exact issues that were discussed. The meetings went on for quite a while and there were a wide variety of issues that were brought up.

Member Schmitt asked if Washoe County or the applicant addressed these issues during the RPC meeting. Mr. Freund stated that there is additional information. The RPC did not hear the response of the property owners or the County's response as appellants. Mr. Freund stated that if all that was required was for the RPC to consider the body of evidence before them, a basis would never arise for an appeal. Clearly the settlement agreement never contemplated that.

Member Schmitt stated that Mr. Freund said that the traffic report was invalid. Mr. Freund stated that he never said the traffic report was invalid. Mr. Freund restated that the County assumes that the traffic analysis is technically sound, based on the assumptions incorporated.

Member Schmitt asked if the County's statement regarding a difference between two reports came out at the RPC meeting. Mr. Freund stated that Regional Planning staff identified the issue that the traffic study and the fiscal impact analysis used different base assumptions.

Member Schmitt asked if the arguments the County brought up today were brought up to the RPC. Mr. Freund stated that he did not personally bring any arguments to the RPC because they had not made a decision at that point.

Member Schmitt stated that it is the County's burden of proof to demonstrate to the RPGB that this has not been adequately addressed. Member Schmitt asked how he is to make a judgment that the RPC did not adequately address the issues if the County did not give the RPC the same information they gave the RPGB today. Mr. Freund stated that it is the burden of the RPGB to look at the record and make a decision on this. The County believes it has shown that the RPC did not adequately consider the constraints that were presented to them.

Member Galloway asked if it was fair to say that the basis for the County's appeal is a matter of things that were not considered due to omission. Member Galloway stated that the County pointed out things like the fact that there was no modeling done for what happens if you pump 880 acre feet of water. It was the developer that should have brought that information to the RPC in the DSH. Mr. Freund stated that the issue gaps and omissions is one that was raised today. It may be that some of gaps and omissions is information that the RPC did not have before. That is one way to look at it. The other fact is that if all that we have to do as a standard is prove that they had a body of information before them, then there would never be any circumstances that arise to appeal.

Member Galloway stated that the basis for the appeal is that the RPC did not demand information that they really needed to make that decision in order to have adequately considered all the things that are required by the settlement agreement. Mr. Freund stated that important information was overlooked in the decision.

Mr. Azevedo stated that he would like to weigh in on the standard of review before going into deliberations.

Member Weber stated that the Board of County Commissioners asked for this appeal, not County staff. Member Weber stated that the RPC was torn on this issue. The vote was 5 to 4. Member Weber stated that there are facts to uphold the appeal. Member Weber asked if the RPGB members would consider the opportunity of trying to work this out before it goes to Judge Hardesty.

Chair Carrigan asked Mr. Azevedo if it is correct that if this board does not make a decision today, the RPC's decision stands. Mr. Azevedo requested a recess to verify that statement.

[Chair Carrigan called a recess at 4:26 p.m.]

Chair Carrigan called the meeting back to order at 4:28 p.m.

Mr. Azevedo stated that in order to continue this item, you would have to have consensus of all of the parties. Mr. Azevedo recommended asking each of the parties' representatives whether they are willing to continue.

Member Aiazzi asked if there have been any changes in policies, laws or rules in the County between the time of signing the settlement agreement and today. Mr. Freund stated that the concern he has is whether what is on page 9 even applies to what we have been discussing.

Member Aiazzi asked if there has been any rules or policies adopted by the Board of County Commissioners that would have an impact on what happens today as opposed to what happened at the signing of this document. Mr. Freund stated that they have not. The cities adopted a whole set of amendments related to development standards for cooperative planning criteria.

Member Aiazzi asked if there is anything in this DSH that does not apply with the idea and the purpose of those cooperative planning areas. Is there anything in conflict between what is in the DSH and what has been approved. Mr. Freund responded there is not.

Member Aiazzi asked if this DSH is up to current policies and procedures of Washoe County and the City of Reno. Mr. Freund responded that it is with the exception that the DSH is a broad general framework, a guidance document. It does not represent a project application.

Member Aiazzi asked if this DSH is ever going to be modified or changed so that you can come back and tweak some of the problems. Mr. Freund stated that it can be amended from time to time.

Member Aiazzi stated that if there is ever a problem in the future, we can come back and modify the DSH. Mr. Freund responded yes.

Member Aiazzi stated that Mr. Freund has said regarding Cold Springs that 2 to 3 units per acre is an approvable development density in unincorporated Washoe County. Mr. Freund stated that it is if demonstrated water is available.

Member Aiazzi asked if that density is allowable when water is not an issue. Mr. Freund stated that the maximum density allowed in the County under the Regional Plan is 3 units per acre. It is not appropriate everywhere in the County.

Member Aiazzi stated that we keep hearing about 6 or 7 units per acre. Mr. Freund stated that the references to 6 or 7 units per acre would be to the fact that portions of this area might be zoned SF-6 or SF-9 with 6,000 or 9,000 square foot lots. Averaged over the entire area, the average density is 1 lot per acre.

Member Aiazzi asked if that is a reasonable density for unincorporated Washoe County if it can be demonstrated that the water is there. Mr. Freund stated that there are a lot of other thresholds and infrastructure that needs to be addressed other than water.

Member Aiazzi asked if the County has approved development standards handbooks in the past. Mr. Freund responded that they have approved development agreements and development standards handbooks.

Member Aiazzi asked if it is normal to have all of these issues decided right now, or if it usually happen when they come in for the project review. Mr. Freund agreed that there is a provision of detail and

infrastructure over a period of time. The County's concern here is that there are total voids in addressing how the existing community of Verdi would be addressed. Those voids should be filled at this preliminary planning and development stage.

Member Aiazzi asked if there is a Verdi Area Plan in place. Mr. Freund stated that the Verdi Area Plan was adopted and has been in place for many years and it is referred to in the settlement agreement.

Member Aiazzi asked if this is in conflict with the Verdi Area Plan. Mr. Freund responded that it is in conflict because of the densities that were proposed.

Member Galloway stated that one of the voids that has been brought up is if the RPC considered whether the I-80 interchange would be improved. At the time the RPC made its decision, that improvement was not on any RTIP so there is no way they could have considered it.

Chair Carrigan said that the statement was made that the RPC had everything that we have here.

Member Galloway stated that without knowing about that interchange, they could not have adequately considered the DSH. Mr. Freund stated that the RTC said that the improvement was recommended as an amendment to the RTIP on April 2004.

Chair Carrigan asked if that was before the RPC looked at it. Mr. Freund stated that maybe Regional Planning staff can address whether the RPC knew that at the time that they considered it.

Member Galloway stated that the other void is the one on the recharge areas.

Chair Carrigan asked the three entities' representatives if they are willing to continue this item to try to work it out.

Member Aiazzi stated that it would take an action of the City Council to defer this. Chair Carrigan stated that we can not continue this today then.

Mr. Thomas stated that he has already committed to going back to the DSH to make a change specifically asked for by the residents. Mr. Thomas suggested that a list of changes that have been discussed up to this point be put into that mix.

Chair Carrigan stated that Member Aiazzi made a good point that it would be the City Council's decision to defer.

Chair Carrigan asked the applicant if they would like to present a reply.

Mr. Thomas stated that the interchange improvements are included in the DSH so it was on the table for the RPC and the City Council.

Mr. Mollath stated that there is a transcript contained in the record that references all the information that was before the RPC. All the information concerning I-80 and water was delivered to Mr. Azevedo, the RPC and Regional Planning staff. This issue was discussed and all the issues were on the table.

Mr. Freund stated that Washoe County would be pleased to participate in any process that would help move this toward a resolution.

Chair Carrigan asked Mr. Azevedo to address the standard of review.

Mr. Azevedo stated that Washoe County's burden is to establish and show that the RPC failed to adequately consider the matter as set forth in paragraph 4 of the settlement agreement. Based on the appeal document filed by Washoe County, they said the issues of traffic and water were not adequately considered. It is the duty and obligation of this board to see if those items were adequately considered. There has been discussion about new evidence. The settlement agreement is silent as to whether this particular review is on the record or additional evidence could be considered. It is my recommendation to you that today you heard testimony from planners, County and the applicant and I submit to you that testimony is relevant for your consideration. The settlement agreement does not limit it to strictly an appellant argument. Those items will be part of the record for Judge Hardesty's review. The question is were those two items adequately considered.

Chair Carrigan asked if the vote should be done according to the three different categories listed in the staff report. Mr. Azevedo recommended following the options contained in the staff report.

Member Galloway stated that the motion options go way beyond whether or not the RPC adequately considered it, they go right into whether or not we agree with what the RPC determined.

Chair Carrigan stated that if you are going to disapprove of any of them, you would list the reasons.

Member Schmitt stated that adequately is a relative term. We are on a dangerous path here if all of the documentation before us was also provided to the RPC and we determine that they did not adequately address it.

Member Weber stated that although we have documents in front of us, we have to take the comments today into consideration. We have moved past the level of what the RPC has done.

Chair Carrigan stated that the settlement agreement does put it in the lap of the RPGB to determine if the RPC did adequately consider the matters. Chair Carrigan asked Mr. Azevedo if the RPGB can determine if the matters were adequately considered or not, would we still need to break it down to the three motions listed in the staff report. Mr. Azevedo stated that it is not legally necessary to break it down. These were the decisions that the RPC made. If you make a finding that the RPC did adequately consider the matters, then you are affirming their decision. If you make a finding that they did not, then you would be either reversing or modifying their decision.

MEMBER GALLOWAY MADE A MOTION TO FIND THAT THE RPC DID NOT ADEQUATELY CONSIDER THE MATTERS AND TO REMAND IT TO THE RPC FOR FURTHER CONSIDERATION OF THE MATTERS, SECONDED BY MEMBER WEBER.

Member Aiazzi stated that he will not support the motion because what happened was the County misinterpreted what was there when the County did not know that the interchange was not on the RTIP agenda. When I asked about the primary source of water being surface water, they were told they did not know about that but it is in page 3.7 of the DSH agreement. The appeal was correct but on incorrect grounds because the County Commission did not get adequate information when they filed the appeal, not that the RPC did not do their job. The County Commissioners did not understand what was in the DSH.

Member Weber asked Member Aiazzi if that means that because someone might have made a mistake, he would not consider what was heard today.

Member Aiazzi said no, that is on the other two issues. This motion is, did they do their job. Member Aiazzi stated that he believes they did their job and they looked at these issues and read the DSH. Member Aiazzi stated that he does not believe that the County Commissioners read the DSH to see if the issues were adequately addressed before they decided to make the appeal.

Member Shaw stated that he will support the motion because he was not convinced this afternoon that all the information was available to the RPC.

Chair Carrigan stated that the RPGB considered it and that the RPC also considered what was in front of them.

THE MOTION FAILED WITH THREE (3) IN FAVOR AND SIX (6) OPPOSITIONS BY MEMBERS CARRIGAN, AIAZZI, DORTCH, ZADRA, MARTINI, AND SCHMITT.

MEMBER AIAZZI MADE A MOTION TO UPHOLD THE DETERMINATION OF THE RPC THAT THE DSH CONTAINS THE STANDARD SET FORTH IN THE VERDI PROPERTY SETTLEMENT AGREEMENT, SECONDED BY MEMBER DORTCH.

Member Weber stated that there has been some new evidence today. Member Weber stated that she is assuming some of the RPGB members are not going to consider all the residents of Verdi and the information they have asked us to consider as well. Member Weber stated that there are some safety issues and that she does care about the residents that are there today as well as the residents that will be there in the future.

Chair Carrigan stated that is not in front of this board today. The issue is whether the RPC adequately considered the matter.

Member Aiazzi asked if someone could delineate what the new information is that the RPC did not hear.

Member Weber stated that she believes that there are many residents that spoke tonight that did not bring their comments forward at the RPC meeting.

Member Aiazzi asked if there was different information. Member Weber stated that our staff provided different information today.

Member Aiazzi asked what that information was. Member Weber stated that not all Verdi areas were included in the facilities water plan. Member Aiazzi stated that information was before the RPC. Member Weber stated that detailed comprehensive analysis was not provided regarding pumping groundwater during peak times. Member Aiazzi stated that the RPC heard that. It is not new information. Member Weber asked if that is documented. Member Aiazzi stated that it is in the DSH.

Chair Carrigan reminded everybody that the question was asked and answered that there was nothing new that the RPGB has that the RPC did not see.

Member Weber stated that Mr. Freund said that there was new information. Member Weber stated that she would like to have seen what Members Dortch and Aiazzi both claim that I-80 is on the CIP list. Member Aiazzi stated that is the County's job to prove.

Mr. Freund clarified that volume 2 has information that is dated after the date of the RPC decision.

Member Galloway stated that this is irrelevant discussion for this motion. This is not a matter of what they knew, it is a matter of whether they used proper judgment.

Chair Carrigan asked Mr. Azevedo if all three of the motions are still needed. Mr. Azevedo stated that it is inherent in the process that you have that you are going to receive some new evidence. All the public testimony heard is part of this process and there is no way to avoid that part. The question is did they adequately consider. Mr. Azevedo stated that all three motions have to be made.

THE MOTION CARRIED WITH SIX (6) IN FAVOR AND THREE (3) OPPOSITIONS BY MEMBERS GALLOWAY, SHAW AND WEBER.

MEMBER AIAZZI MADE A MOTION TO UPHOLD THE DETERMINATION OF THE REGIONAL PLANNING COMMISSION THAT THE PROPOSAL PROMOTES AND DOES NOT CONFLICT WITH THE GOALS AND POLICIES OF THE 2002 REGIONAL PLAN, AND ITS ANTICIPATED EFFECTS WILL BE CONSISTENT WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS RELATING TO NATURAL RESOURCE MANAGEMENT, SECONDED BY MEMBER DORCH. THE MOTION CARRIED WITH SIX (6) IN FAVOR AND THREE (3) OPPOSITIONS BY MEMBERS GALLOWAY, SHAW AND WEBER.

MEMBER AIAZZI MADE A MOTION TO UPHOLD THE DETERMINATION OF THE REGIONAL PLANNING COMMISSION THAT, WITH RESPECT TO WHETHER THE PROPOSED DENSITY AND DENSITY DISTRIBUTION OF THE PROJECT WAS DETERMINED BASED ON A SUFFICIENT EVALUATION OF THE SEVEN CRITERIA SPECIFIED IN THE VERDI PROPERTIES SETTLEMENT AGREEMENT AND GENERALLY ACCEPTED PLANNING AND ENGINEERING STANDARDS, THE DECISION OF THE CITY OF RENO IN APPROVING THE PROPOSED DENSITY AND DENSITY DISTRIBUTION IS SUPPORTED BY THE RECORD AND THE TERMS OF THE SETTLEMENT AGREEMENT, SECONDED BY MEMBER DORCH. THE MOTION CARRIED WITH SIX (6) IN FAVOR AND THREE (3) OPPOSITIONS BY MEMBERS GALLOWAY, SHAW AND WEBER.

Chair Carrigan opened discussion on remaining agenda items that need to be addressed today.

- B. PUBLIC HEARING - Consideration and possible adoption of RPGB Resolution 04-06, adopting proposed amendments to the 2002 Regional Plan, regarding policy and map amendments on resort services areas.

[The public hearing was opened.] There were no requests to speak.

[The public hearing was closed.]

MEMBER AIAZZI MADE A MOTION TO APPROVE RPGB RESOLUTION 04-06, ADOPTING PROPOSED AMENDMENTS TO THE 2002 REGIONAL PLAN, REGARDING POLICY AND MAP AMENDMENTS ON RESORT SERVICES AREAS, SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

8. ADMINISTRATIVE ITEMS

- A. Consideration and possible action on RPGB Resolution 04-05, resolution of appreciation for the service of Bonnie Weber as Chair of the Regional Planning Governing Board.

Mr. Ziegler stated that Regional Planning staff would like to express their appreciation to Bonnie Weber for her service as Chair of the RPGB. Mr. Ziegler read RPGB Resolution 04-05 on page 47 of the meeting packet.

Chair Carrigan stated that he appreciates all of Bonnie's hard work.

MEMBER GALLOWAY MADE A MOTION TO ADOPT RPGB RESOLUTION 04-05, SECONDED BY MEMBER SHAW. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

9. REPORTS

- B. Legal counsel's report
 - 2) Discussion and possible action to ratify agreement resolving Washoe County and SVGID appeal to District Court in dispute resolution case DR03-001-RPGB, regarding cooperative planning criteria, including:
 - a) Amendments to cooperative planning criteria;
 - b) Amendments to settlement agreement regarding expedited dispute resolution.

Mr. Azevedo stated that there are some revised cooperative planning criteria in the meeting packet. If there ever was a dispute resolution case before you again, those criteria would be the standard by which you would measure that particular project. In addition, there is an agreement among the parties that the criteria applicable into each perspective area will not cross over. There is some proposed regulation that will significantly alter the dispute resolution process. It would be highly unlikely that you would ever see an administrative dispute again coming from the cooperative planning areas. Those regulations could be adopted at your next regular meeting. If you decide to go forward in that regard, the RPC agreed last night to the suggested settlement. However, they did request that Mr. Ziegler convey their concerns with respect to the modification to the dispute resolution process.

Mr. Ziegler stated that the RPC voted to support the proposed work out on the consolidated dispute resolution case. There were four (4) votes in opposition to the motion. They asked me to convey to you their concern that the expedited dispute resolution process does tend to put the resolution of planning matters into the judicial system and take it away from the planning commissions and professional planners.

8. ADMINISTRATIVE ITEMS

- C. Consideration and possible action on required program of training for members of the Regional Planning Commission.

Mr. Ziegler stated that Commissioner Jim Newberg, RPC, is required to complete 12 hours of training during his first year on the Commission. Commissioner Newberg did attend ethics, due process and open meeting training sponsored by the Northern Nevada Section of the American Planning

Association. Commissioner Newberg also attended the Rocky Mountain Land Use Institute's 13th annual 2-day Land Use Conference. Regional Planning staffs recommendation is that this constitutes Commissioner Newberg's 12 hours of required training. Mr. Ziegler asked for a motion if the RPGB agrees.

MEMBER ZADRA MADE A MOTION TO APPROVE, SECONDED BY MEMBER WEBER. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

7. BUSINESS OF THE DAY

- D. Discussion and possible action regarding the proposed regional task force on managed growth.

Mr. Ziegler stated that Regional Planning staff is invited to meetings from time to time to discuss the growth management task force and we are asked our opinion. We have told people so far that we don't have any direction from the RPGB at this time. Mr. Ziegler asked if the RPGB would like to authorize the staff to participate in these discussions and report back at the next RPGB meeting. Mr. Ziegler asked that they also be authorized to work with the members of the community partnership.

Member Galloway stated that at the last County Commission meeting there were some concerns that there should be no officials on this.

MEMBER GALLOWAY MADE A MOTION TO DIRECT REGIONAL PLANNING STAFF TO PARTICIPATE IN DISCUSSIONS WITHOUT HOLDING THE RPGB TO VARIOUS ALTERNATIVES.

Member Aiuzzi asked if the motion is just to be part of it. Chair Carrigan stated that the motion is to allow staff to interact.

SECONDED BY MEMBER AIAZZI. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

9. REPORTS

- C. Report on liaison arrangements with Washoe County School District.

Mr. Ziegler stated that after reviewing the last 10 years of RPGB agendas and minutes, he found that this issue comes up every two years. Mr. Ziegler stated that he has suggested to the school district that a more long-lasting liaison or coordination relationship with the school district is needed. Mr. Ziegler stated that he told the interim superintendent of schools this morning that he would be suggesting to the RPGB the possibly of entering into discussions with him, his staff and the board of trustees as to a written coordination. The interim superintendent told Mr. Ziegler that he would be happy to participate in that.

Chair Carrigan stated that the school district is talking about a new elementary school in Sparks that will be put on a four lane road. They never came to the RPGB to find out what we have going on around it. Chair Carrigan stated that he would not have any problem with a written agreement.

Member Weber asked if it would be better to have a staff member from the school district here. Chair Carrigan stated that he would rather see the assistant superintendent for facilities here. Member Weber stated that was her thought.

Member Martini asked if that was up to the school district to decide and suggested leaving it up to Mr. Ziegler to talk to them to see if they can get the facilities person to do this.

Member Aiazzi stated that the school district does not feel that they are part of the planning. The reason they are not a member of this board is because they don't have to pay one-tenth of the cost of regional planning. Member Aiazzi suggested allowing a school board representative here without paying that share. It would not cost us any more than it does now and a school board member could be sitting here making decisions. That would give us 11 members instead of 10.

Member Martini asked if we can make that decision to change the RPGB membership to 11 people. Mr. Ziegler stated that would involve a legislative change. The idea of a written agreement is open. There is a broad authority for bodies such as this body and the school district to enter into agreements as to how to share authority and coordinate things. Mr. Ziegler stated that it has been suggested that the coordination might better occur at the RPC level where the more detailed planning issues are often discussed

Member Zadra stated that she is in support of having a school district staff member attend the RPGB meetings. The elected members of the school board have turn-over and you would have more consistency with a staff member. The idea of the written agreement is the confidence to the community that we frequently hear we don't consider the impact on the school District.

Chair Carrigan asked Mr. Ziegler if this is enough direction. Mr. Ziegler responded yes.

12. ADJOURNMENT

MEMBER AIAZZI MADE A MOTION TO ADJOURN AT 5:30 P.M., SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

Respectfully submitted by Christine Birmingham.

David S. Ziegler, Director
Truckee Meadows Regional Planning Agency

Mike Carrigan, Chair
Regional Planning Governing Board

APPROVED BY THE REGIONAL PLANNING GOVERNING BOARD IN SESSION ON _____, 2004