



REGIONAL PLANNING COMMISSION

MEMBERS

Terry K. Herman, Chair
Florence 'Marge' Frandsen, Vice-Chair
Fred Lokken
Kendall Mattina
Marvin Moss
Jim Newberg
Steve Rogers
Oscar Sanders
Mark Sullivan
Dave Ziegler, Director

MINUTES

Regional Planning Commission (RPC) SPECIAL MEETING WEDNESDAY, 8:30 P.M., March 24, 2004

The Regional Planning Commission met in special session in the Sierra Pacific Power Company, Main Auditorium, 6100 Neil Road, Reno, Nevada and conducted the following business:

The meeting was called to order by Chair Herman at 8:40 p.m.

1. ROLL CALL

The clerk called the roll and the following Commissioners were present: Terry Herman, Marge Frandsen, Fred Lokken, Kendall Mattina, Jackie Peterson for Marvin Moss, Jim Newberg, Steve Rogers, and Mark Sullivan. Commissioners absent were: Marvin Moss and Oscar Sanders.

Also present were: Dave Ziegler, TMRPA Director; Rosanna Coombes, TMRPA; Randy Baxley, TMRPA; Paige Menicucci, TMRPA; and Norman Azevedo, Legal Counsel.

2. APPROVAL OF AGENDA

COMMISSIONER MOSS MADE A MOTION TO APPROVE THE MARCH 24, 2004, RPC SPECIAL MEETING AGENDA, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

3. PUBLIC COMMENTS

None

4. **BUSINESS OF THE DAY:** Discussion and possible direction to staff on Washoe County and SVGID appeal to District Court in Dispute resolution case DR03-001-RPGB, regarding cooperative planning criteria.

Norm Azevedo, Legal Counsel, reviewed a draft brief that will be filed in response to Washoe County on the case regarding cooperative planning criteria. The first major part of the brief addresses whether or not the Settlement Agreement requires multiple sets of criteria. Mr. Azevedo stated that he does not believe the Settlement Agreement requires multiple sets of criteria. The RPC and the Regional Planning

Governing Board (RPGB) did not make findings in that regard. The second major part of the brief addresses specificity of the consensus criteria adopted by the City of Sparks and the City of Reno. The County is primarily arguing that the criteria that was approved by the RPGB is not specific enough. They feel that it is primarily a reiteration of the Regional Plan. Mr. Azevedo reviewed a document showing a side-by-side comparison of the Regional Plan policy, the consensus language and the language proposed by Washoe County. Mr. Azevedo stated that a lot of the additional language proposed by the County does not really address planning issues.

Mr. Azevedo stated that the brief is due before the next RPC meeting.

Commissioner Lokken asked if there will be an opportunity after this litigation to sue for recovering the Regional Planning Agency (RPA) costs from Sun Valley and Washoe County. Mr. Azevedo responded that this litigation is being pursued pursuant to Chapter 233B in the Supreme Court and the attorney fees are not recoverable.

Commissioner Lokken asked if it would be possible that there be an accounting by the parties involved related to all the staff and legal costs. Commissioner Lokken asked if that was possible and how that process would work. Commissioner Lokken also asked if the accounting of all the costs incurred since May of 2002 could be reported to the RPGB.

Commissioner Mattina asked for more information on Washoe County's position regarding specificity. Mr. Azevedo responded that the concern set forth by the County is regarding the increase of the SOI in the 1996 plan to the SOI in the 2002 plan and the absence of specific development standards for that area.

Commissioner Mattina asked for more information regarding specific planning criteria and what the County wants added. Mr. Azevedo responded that one addition is regarding earthquake fault areas. The County wants to add that development is not to occur within 50 feet of an earthquake fault.

Chair Herman stated that that kind of specificity should not be needed if building codes cover those kinds of issues.

Commissioner Lokken asked if this earthquake language was discussed through the cooperative planning process and rejected at the time or if it was an eleventh-hour addition. Mr. Ziegler responded that the planning commissions for the City of Sparks, the City of Reno and Washoe County all endorsed the consensus criteria. The County's proposed changes came at the Board of County Commissioners level.

5. DIRECTORS, MEMBERS, AND LEGAL COUNSEL INFORMATION ITEMS

None

6. REQUESTS FOR AND ACTION ON FUTURE AGENDA ITEMS

None

7. WRITTEN CORRESPONDENCE

None

8. PUBLIC COMMENT

None

9. ADJOURNMENT

Chair Herman adjourned the meeting at 9:10 p.m.

Respectfully submitted by Paige Menicucci and Christine Birmingham.

Reviewed by:

Approved by:

Dave Ziegler, Director

Truckee Meadows Regional Planning Agency

Terry K. Herman, Chair

Regional Planning Commission

**APPROVED BY THE REGIONAL PLANNING COMMISSION IN SESSION ON _____,
2004.**