



REGIONAL PLANNING COMMISSION

MEMBERS

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

MINUTES

Regional Planning Commission (RPC) REGULAR MEETING WEDNESDAY, 6:30 P.M., August 25, 2004

The Regional Planning Commission met in regular session in the Regional Transportation Commission Board Room, 2050 Villanova Dr., Reno, Nevada and conducted the following business:

The meeting was called to order by Chair Frandsen at 6:30 p.m.

1. ROLL CALL

The clerk called the roll and the following Commissioners were present: Marge Frandsen, Randy Barton for Terry Herman, Marvin Moss, Jim Newberg, Steve Rogers, and Mark Sullivan. Commissioner Fred Lokken arrived at 6:37 p.m. Commissioners absent were: Terry Herman, Kendall Mattina and Oscar Sanders.

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

2. APPROVAL OF AGENDA

COMMISSIONER ROGERS MADE A MOTION TO APPROVE THE AUGUST 25, 2004, AGENDA, SECONDED BY COMMISSIONER MOSS. THE MOTION CARRIED WITH FIVE (5) IN FAVOR AND ONE (1) ABSTENTION BY COMMISSIONER BARTON.

3. APPROVAL OF MINUTES

A. July 28, 2004, regular meeting

COMMISSIONER MOSS MADE A MOTION TO APPROVE THE JULY 28, 2004, REGULAR MEETING MINUTES, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED WITH FOUR (4) IN FAVOR AND TWO (2) ABSTENTIONS BY COMMISSIONERS BARTON AND NEWBERG.

4. PUBLIC COMMENTS

None

5. BUSINESS OF THE DAY

- A. PUBLIC HEARING - Regional Plan Conformance Review - Sierra Pacific Power Company, Integrated Resource Plan 2004 (CR04-017) - review for conformance with the 2002 Regional Plan, pursuant to subsection 2 of NRS 278.0282 and Regional Plan Policy 4.1.2.

Randy Baxley, Senior Regional Planner, stated that the RPC is required to review the this Integrated Resource Plan (IRP) and offer suggestions to the agency or utility regarding the conformance of the plan with the Regional Plan. The IRP covers the 20-year period from 2005 through 2024 and is composed of six separate plans. Mr. Baxley stated that the IRP covers all of Sierra Pacific Power Company's (SPPCO) service area, which includes all of northern Nevada as well as the Lake Tahoe area of northeast California. The IRP does not utilize the Consensus Forecast since the Consensus Forecast is specific to Washoe County. Mr. Baxley stated that a comparison was done of projected growth rates and demand contained in the plan with the Consensus Forecast and the State Demographer Forecast. The Consensus Forecast and the State Demographer Projections both fall between SPPCO's low projection and base case. Mr. Baxley stated that the projections used are fairly consistent with the Consensus Forecast and do comply with the requirements of Regional Plan Policy 1.1.1.

[Commissioner Lokken arrived at 6:37 p.m.]

Mr. Baxley reviewed the list of four suggested coments in the staff report that the RPC may wish to consider making to SPPCO. Mr. Baxley stated that staff from SPPCO is available to answer questions.

Commissioner Sullivan referred to the requirements under Policy 2.5.2 regarding the prohibition of the use of diesel oil-fueled, internal combustion power generation units and asked if any of that is in the IRP. Mr. Baxley responded that he did not find any indication that there were any of that type of power generation units proposed for Washoe County.

Commissioner Moss stated that he did not find any way in which the effectiveness of the program will be measured. Jack McGinley, SPPCO, stated that SPPCO has adopted a total resource cost test which takes the impact of the company saving fuel and the customer saving kilowatt hours and there is a cost benefit ratio. There are 19 programs and there is a measurement plan in place for each individual program.

Commissioner Moss stated that there will be an overall evaluation of the 19 programs but that each program is not evaluated individually. Commissioner Moss stated that it sounds like SPPCO is working toward that direction. Mr. McGinley responded that SPPCO's full intent is to monitor the effectiveness of each individual program.

Commissioner Lokken asked how the IRP is in conformance based on Policy 1.1.1. Mr. Baxley stated that Policy 1.1.1 requires that to conform with the Regional Plan, the master plans, facility plans and other similar plans of local governments must utilize the Consensus Forecast as a primary factor for determining future regional population estimates. If local governments utilize additional or supplementary

population data, the source and methodology must be clearly described in master plans, facility plans and other similar plans. The reason SPPCO does not use the Consensus Forecast is that the IRP covers their entire service area of which Washoe County only covers a small portion of that service area. The Consensus Forecast is limited to Washoe County. Also, the SPPCO is not strictly projecting population in the plan, they are trying to project future demand load.

Commissioner Newberg asked what the response was for the first year of the EnergyStar appliance and fixture rebate program. Mr. McGinley responded that he does not have that data and will follow up with the director of his group at SPPCO.

Commissioner Newberg asked if there is a listing of the 60 appliance retailers that are participating in the appliance rebate promotion available to the public. Mr. McGinley responded that he does not have the specifics on that.

Commissioner Rogers asked Mr. Baxley to explain what is meant by internal combustion power generation in Policy 2.5.2. Mr. Baxley responded that the prohibition is against those type of units being used for primary power generation.

Mr. Ziegler also responded that at the time of the update California was coming out of their power crisis and Nevada was struggling with whether to regulate or deregulate the power industry. At that time there was a temptation on the part of large users to bring piston engine diesel generators in for a cheap source of dirty power. The Air Quality Management Division of the District Health Department asked for help to reinforce their desire not to have those type of generators inside the service area except for emergency use.

COMMISSIONER SULLIVAN MADE A MOTION TO OFFER THE SUGGESTIONS LISTED IN THE STAFF REPORT TO THE PUBLIC UTILITIES COMMISSION OF NEVADA (PUCN) AND SPPCO, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

- B. PUBLIC HEARING - To review the 2002 Regional Plan and receive requests for amendments to the Plan, pursuant to RPC Resolution 04-02 regarding procedures and schedule for consideration of proposed 2004 amendments.

Mr. Ziegler stated that the only communication he has received from any of the local governments on this topic is a letter from Mr. Whitney with Washoe County. The letter states that Washoe County does not wish to request any Regional Plan amendments at this time but they may have certain amendments to request at a later date.

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

[The public hearing was closed.]

Commissioner Lokken stated that one of the questions the RPC has to take up is when adjustments to the Truckee Meadows Service Area (TMSA) are appropriate. During the update dialogue that led to the current Regional Plan, the general thinking was that adjustments to the TMSA should only occur during the update cycle. The logic of that was from Washoe County which argued that they want predictability in the Regional Plan and that adjustments to line would take away that predictability.

Mr. Ziegler stated that Regional Planning staff reviewed the annual report to find any possible Regional Plan amendments that should be addressed at this time. One possible amendment could be made to Policy 1.1.13. This policy says that two years after the adoption of the 2002 Regional Plan, local government master plans must provide for the implementation of an inclusionary housing ordinances or other mechanisms to help meet the affordable housing needs of the region. It also says that those ordinances or mechanisms will be based on a regional model to be established by the Washoe County HOME Consortium. Mr. Ziegler stated that the time period of two years has past and the HOME Consortium has not completed the model. One possible recommendation is to direct Regional Planning staff to work with the HOME Consortium Technical Review Committee to establish a more realistic date that the model will be ready. Mr. Ziegler also reviewed a number of very minor technical changes that may warrant a plan amendment prior to a plan update.

Commissioner Lokken asked if there is anything in Policy 1.1.13 that requires periodic review after the model is in place. Mr. Ziegler stated that nothing in the policy directly speaks to that. Once the model is in place, the burden would be on the local governments to get their local maps and plans in conformance.

Commissioner Lokken stated that he thought a provision had been included that would allow for minor technical amendments. Mr. Ziegler stated that some Regional Planning Governing Board (RPGB) regulations on this topic of small changes to the Regional Plan were considered. The feeling was that it would be more straightforward and easier to bring forward a set of technical amendments once a year and make the changes quickly.

Chair Frandsen asked if a motion is required on this item or just direction to staff. Mr. Ziegler responded that he would be comfortable with a motion that the RPC directs staff to work with the HOME Consortium to explore the possibility of a date change in Policy 1.1.13 and to bring forward technical amendments.

COMMISSIONER LOKKEN MADE A MOTION TO DIRECT STAFF TO WORK WITH THE HOME CONSORTIUM TO EXPLORE THE POSSIBILITY OF A DATE CHANGE IN POLICY 1.1.13 AND TO BRING FORWARD TECHNICAL AMENDMENTS, SECONDED BY COMMISSIONER NEWBERG. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

6. DIRECTORS, MEMBERS, AND LEGAL COUNSEL INFORMATION ITEMS

A. Report on actions and agendas of the Regional Planning Governing Board.

Dave Ziegler, Director of Regional Planning, reviewed actions taken by the RPGB at their August 12, 2004, meeting. Mr. Ziegler reviewed the agenda items for the September 9, 2004, RPGB meeting.

B. Legal counsel's report - Status report and possible direction to staff on:

1. District Court orders and appearances regarding the Regional Plan settlement agreement (October 17, 2002) and related issues, including but not limited to the water purveyor issues in the Verdi area

Norm Azevedo, Legal Counsel, stated that no decision has been rendered by the court on this issue.

2. Washoe County and SVGID appeal to District Court in dispute resolution case DR03-001-RPGB, regarding cooperative planning criteria

Mr. Azevedo stated that a resolution is in process. There is a status conference set up for September.

3. Washoe County's petition for judicial review of the certification of Reno's annexation program as conforming with the Regional Plan

Mr. Azevedo stated that he is working on a draft responsive brief. Mr. Azevedo reviewed two legal issues in the brief.

4. Status report on Regional Planning Governing Board action regarding 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)

Mr. Azevedo stated that the notice of the RPGB's decision is the letter that starts the beginning of the appeal process for the party that feels aggrieved by the decision of the RPGB. There is no notice appeal time set forth in the settlement agreement. In the event that the County wishes additional time, Mr. Azevedo suggested an attempt to stipulate between the parties if they would like additional time to file their notice with the court.

- C. Report on meetings of interim legislative committees, legislative MOU, and conceptual legislation for 2005 session.

Patricia Rogers, Community Outreach Assistant, stated that the City of Reno is allowed four Bill Draft Requests (BDRs) and has presented an initial list. The cities of Reno and Sparks met jointly on August 18, 2004, and approved a BDR that would change the tier 2 tax distribution and align it more with the tier 1 distribution. Washoe County is allowed ten BDRs. Ms. Rogers reviewed four BDRs that have been approved by Washoe County.

Commissioner Moss asked if September 1 is the deadline for these to be submitted. Ms. Rogers responded that is correct.

7. REQUESTS FOR AND ACTION ON FUTURE AGENDA ITEMS

- A. Review of tentative agenda items for August and September 2004.
- B. Review of 12-month calendar of projected RPC actions.

Mr. Ziegler reviewed tentative agendas for the September RPC meetings.

Chair Frandsen asked if the Growth Management Task Force has named people to their committee. Mr. Ziegler responded that they have not named task force members. There is a candidate list of over 100 names and the main people involved in the task force have said that they want to keep expanding that candidate list. The next step would be to start narrowing that down.

Chair Frandsen asked if a decision has been made regarding elected officials being a part of the committee. Mr. Ziegler stated that is still being discussed. There have been opinions expressed both ways on that issue.

8. WRITTEN CORRESPONDENCE

Mr. Ziegler stated that the meeting packet includes a copy of a letter from Truckee Meadows Regional Planning Agency submitted to the Bureau of Land Management on August 16, 2004, providing comments on the final environmental impact statement for the Tracy-to-Silver Lake transmission line project. The comments are primarily procedural having to do with the Regional Utility Corridor Report.

9. PUBLIC COMMENT

None

10. ADJOURNMENT

Chair Frandsen adjourned the meeting at 7:30 p.m.

Respectfully submitted by Christine Birmingham.

Reviewed by:

Approved by:

Dave Ziegler, Director

Florence 'Marge' Frandsen, Chair

Truckee Meadows Regional Planning Agency

Regional Planning Commission

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