



REGIONAL PLANNING GOVERNING BOARD

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Jim Galloway
Pierre Hascheff
Geno Martini
Ron Schmitt
Bonnie Weber
Dave Ziegler, Director

MINUTES Regional Planning Governing Board (RPGB) REGULAR MEETING Wednesday, June 8, 2006

The Regional Planning Governing Board met in regular session and conducted the following business:

The meeting was called to order by Chair Dortch at 2:04 p.m.

1. ROLL CALL

The clerk called roll and the following board members were present: Dwight Dortch, Robert Larkin, David Aiazzi, Robert Cashell, Jim Galloway, Dan Gustin for Pierre Hascheff, Geno Martini, Bonnie Weber, and Judy Moss, for Ron Schmitt.

Also present were: Dave Ziegler, TMRPA Director; Randy Baxley, TMRPA; Rosanna Coombes, TMRPA; Patricia Rogers, TMRPA, and Joy Randall, TMRPA

[Member Weber arrived]

2. APPROVAL OF AGENDA

APPROVAL OF THE AGENDA

3. SALUTE TO THE FLAG*

4. APPROVAL OF MINUTES

- A. March 16, 2006
- B. April 13, 2006

MEMBER LARKIN MOVED TO APPROVE THE MINUTES OF MARCH 16, 2006 AND APRIL 13, 2006, SECOND BY MEMBER MARTINI. MEMBERS GUSTIN AND MOSS ABSTAINED.

5. PUBLIC COMMENT* (See note #5)

None

Chair Dortch stated item 6. B. will be moved up for discussion immediately.

BUSINESS OF THE DAY

- B. PUBLIC HEARING -- Regional Plan conformance review -- consideration and final action on appeal submitted by the City of Reno pursuant to the subsection 5 of NRS 278.0282 on the Regional Planning Commission's determination of non-conformance (May 10, 2006) regarding proposed Reno master plan amendments, Butler Ranch North (CR06-002), changing the master plan land use from single family residential and mixed residential to special planning area. The +393-acre site is located south of Mira Loma Drive and east of Rio Poco Road.

Mr. Baxley reported on January 6, 2006, the City of Reno submitted to the Regional Planning Agency a request for conformance review of a proposed master plan amendment and project of regional significance for the Butler Ranch North development. The proposed amendment would change the master plan land use designation from single family residential and mixed residential to special planning area of a 393 acre site located south of Mira Loma drive and East of Rio Poco road. Proposed development would allow for construction of approximately 1,550 residential units which qualifies as a project of regional significance.

On February 22, 2006, the RPC voted 5-4 to find the proposed master plan amendment in conformance with the adopted Regional Plan. Six favorable votes are required to find the plan in conformance with the Regional Plan. The result of the vote was a technical non-conformance.

On May 10, 2006, the RPC held another hearing to consider the City of Reno's objection to its February 22, 2006, determination. At that meeting the Regional Planning Commission (RPC) again voted 5-4 to find the proposed master plan amendment in conformance with the Regional Plan. The reasons stated by the commissioners voting against a conformance were outlined in the agency action letter dated May 22, 2006, (found on page 169 of packet).

On May 24 the City of Reno filed a letter of appeal to the RPC's final determination on the proposed master plan amendment.

[2:12 Member Larkin left]

Chad Wilkinson, City of Reno, stated the City Council has directed staff to file an appeal of the RPC's determination of non-conformance. The City of Reno offered responses to the RPC's reasons for denial. (See letter of appeal dated April 3, 2006.)

[2:14 Member Larkin returned]

[Public hearing was opened]

Jean Walker stated the development will contribute to extreme flood problems. There has been extensive flooding in this area, and congestion in this area will also be a problem. She stated the board has a duty to protect the people in this area as well.

Martha Roybal stated her comment had been covered.

Santina Casey stated her comment had been covered.

Susie Jensen's comment card stated her opposition to the Butler Ranch development due to flooding and

density problems.

Sylvia Roybal stated her comment had been covered.

Valeria Anderson read from a September 24, 2003, article in the Reno-Gazette Journal stating the area now being considered for development was actually a part of the Truckee Meadows Flood Control Project. There has been interest in this property for development purposes, but the 1,550 residential homes should be the limit to help preserve the property. There is consistent evidence of flood and traffic problems in the area.

Col. Richard Horne stated his objection of the notion this is a "development". The term promotes confusion in the community, which is already a beautiful development. The development will be larger than many towns in northern Nevada if the development project is approved. On December 31 the audience was screaming at the Reno City Council because they were not listening to the homeowners and their preferences.

Jean Beaton stated her concern that the development will increase flooding and traffic.

Ken Morgan reported his property has been flooded three times, and would like to know why permits for building keep being issued, and yet the current residents are not receiving help for their flood circumstances. The current residents must be protected.

Dimitri Hallenbach stated residents are concerned at the Board's lack of concern for the impending flood damages and congestion issues if this project is approved. He stated the City of Reno could use some of the money being used to build this new development to help protect the current residents in the area from further flood damage. It is irresponsible to develop with such impending problems.

C. Neil Upchurch stated the total number of residential units being proposed for the new development is more than any of the other community housing developments combined. Its placement is not only irresponsible, but absurd. New homeowners will have major flooding as well as huge congestion problems. No one knows the full extent of the problems that will occur.

Frank Morreale stated his comment had been covered.

Frances Morreale stated her comment had been covered.

Dennis Foster stated his comment had been covered.

John Phillips stated a petition was sent to the Corps of Engineers for flood problems under a public notice and it was processed (enclosed in packet pages 95-130). Phillips read an e-mail from Richard Gebhardt addressing the Truckee River Flood Project. Working with the Truckee River Flood Project has shown they are going back and reviewing 57 projects that have been approved and implemented in the flood plain and looking at the displaced flood volume.

Cliff Heinemeyer stated his comment had been covered.

Anna Brown stated her comment had been covered.

Don Pollock stated his comment had been covered.

Louise Heinemeyer stated her comment had been covered.

Hope Vinci stated the concerns and the issues and the rebuttals have been heard for many months now. She asked if the issues, which are being discussed right now, would actually happen if this project is approved, if so what happens then? The small problems like a signal at Mira Loma aren't even being addressed let alone the soup bowl that residents are living in.

Paula Guinan stated the Board is not hearing the citizens speaking against the trend of development in the outlining areas. The Board has been elected by the citizens of Reno, and should be influenced by their desires and their preferences. Public meetings held at 2:00 in the afternoon are not convenient for many citizens who are out working and can not possibly attend. Please represent your citizens. Homes will sink; neighborhoods will flood; the catch basin will fill from underneath. The water has nowhere to go.

Gary Grunwell stated prior to the City Council approving the road through Hidden Valley, there was a large traffic problem. With this development approved, there will be no remedy for this problem - it will simply increase. There are small children that have school bus stops on Mira Loma and those children will be in extreme danger with added traffic.

Jerry Blanton stated his main concern is traffic.

Carol Engels stated the Butler Ranch property is extremely breathtaking. Any development there will take away from a large area of one of the most beautiful views of natural land and wildlife left in the Reno area.

Allen Willard stated it seems to most community members that speaking at these meetings is almost pointless; the wishes of the community are not being heard. The community is opposed to the development and flooding is not an insignificant issue. The people do not wish to have the Butler Ranch area developed.

Vera Turpon stated governments make mistakes, and many mistakes in regional planning have been made. This development will be another mistake if it is approved.

J. Bailey stated she has been fighting for two years with the Reno Police Department to handle some of the transportation and traffic nightmares. Children and residents are in danger on a daily basis due to the nature of this problem. She stated if this development is approved, she will be leaving due to extreme congestion and poor planning.

Laura Ramirez stated she is the mother of two boys who ride bikes and walk to Mira Loma Park. Her family feels safe right now, but if 11,000 more car trips are going through the area on a daily basis, the lifestyle and lives of the people in the area will be in jeopardy. She encouraged the Board to oppose the Butler Ranch Project.

Chair Dortch stated the following people submitted cards in opposition to the development, but do not wish to speak: Robert Berrington; Janet Pederson; Steve Pederson; Lois Brown; Nancy Barnhart; Helen Sasser; Don Lamers; Martha Roybal; Helene DeCoulet; Joan Varley; Joan Boetcherz; Terry Gough; Shelby Willard; Larry Ramirez; Lori Canepa; Marie Wolf; James Wolf; Eleanor Hage; George Hage; Joyce Campbell; Janice Corbell; Barbara Dunbar; Ken Dunbar; Denise Hallerbach; Ben Bay; Susan Bay; Gene Morello; Floy Basham; Lila Burns; Jewel Wells; and Gloria Morey.

Chair Dortch stated Gary Duhan would like to speak in favor of the project.

Mr. Duhan inquired if he would be allowed to have twelve minutes for a PowerPoint presentation.

Chair Dortch replied each person receives only three minutes for public comment.

Mr. Duhan stated under the current master plan, 1,767 homes have been approved. This number has been reduced to 1,550 homes. In regard to flood concerns, the flood designs have been designed by Washoe County, Reno/Sparks staff and the Corps of Engineers over many years. The flood plan has been approved by the Reno Planning Commission after extensive study. The developer voluntarily went to Washoe County and asked Paul Urban to have his managers review it; they also approved it. The plan for this development is not yet complete; it needs approval from FEMA, US Army Corps of Engineers and the City of Reno as well as many other agencies throughout the process. The project directors have received the confidence of Washoe County staff, and the RPC.

Sylvian Roybal stated he would like to live in a smaller city and moved here for that reason. The wildlife and the community are great. With this development word of mouth will spread, and people will be displeased with this area because of the Butler Ranch development. Eventually people will be disappointed and won't want to move there. Negative word of mouth advertising is not needed nor desired by current home owners in the area.

Janet Patterson stated she has appeared before the Reno City Council and Planning Commission many times. She recently attended the Flood Planning Commission meeting. They spoke of spending \$891 million on a flood plan. Part of the funding will come from the Army Corps of Engineers and part from local funding. Putting a plan for development right in the middle of the flood plain is absurd and is not good planning. This plan will undermine what the Flood Planning Commission is trying to remedy.

Jan Campbell stated she has been a volunteer for disaster relief in the American Red Cross for eleven years. On December 21, 2005, a call went out for volunteers for the flooding in the Butler Ranch area. The flooding in Mira Loma and S. McCarran Blvd. prevented her from even getting to the office.

[The Public hearing was closed]

Member Aiazzi asked Carol Engels to state her comment. Mrs. Engels stated regardless of a Flood Plan, Mother Nature will do as she pleases.

Member Aiazzi inquired what FEMA conditions are required for future approval of this project. Mr. Wilkinson replied there is a small section of the development area that would not require any of those approvals. The remaining area of the project is required to have the FEMA approval prior to proceeding.

Member Aiazzi asked how many homes could be built without FEMA approval. Mr. Wilkinson said 245 could be built outside of the FEMA approval area.

Member Aiazzi inquired if a letter from Paul Urban was actually sent in approval for this project. Mr. Wilkinson stated the letter is dated December 26, 2005, and is included in the staff report. As far as he is aware, nothing has changed since then.

Member Aiazzi asked for an explanation of the RPC's two different rejections of the project, and why each time there were different reasons given. He asked why different findings were presented each time. Mr. Zeigler stated he can not speak for the RPC, but the Commission did state its reasons for denial and that is all that is required of them.

Member Larkin asked Mr. Zeigler why RPC staff originally recommended a finding of conformance, and asked Mr. Zeigler to explain the thought process of the RPC staff and how they came to this conclusion.

Mr. Zeigler stated staff reviewed the plan carefully, and the conformance review is limited to the goals and policies of the Regional Plan. Without a nexus or policy to the Regional Plan, the staff does not formulate reasons. The operative policy in this plan is the Regional Water Management Plan. It is a requirement of the plan to have no increase in flood volume in the critical flood plain. The letter is on record from the flood program manager of the Washoe County Department of Water Resources saying the channel excavation in this plan is greater than the 100 year flood plain storage volume displaced by the proposed fill for the project. That was the basis of staff's recommendation.

Member Larkin stated item 6. B provided five specific reasons for voting against a determination of conformance. City of Reno planning staff provided a response to these, but there doesn't seem to be any more information from the RPC as to where these five statements came from. Member Larkin asked how the RPC arrived at these statements. He asked legal counsel to provide a bridge for the policy previously listed and these five statements.

Norm Azevedo stated the RPC's job was to make a determination as to whether the particular proposed plan amendment conforms to the comprehensive Regional Plan. If any of their findings are not inference of that then it wouldn't be a proper exercise of their decision process.

Member Larkin asked if Mr. Azevedo believes this was a proper exercise of the RPC's decision process in response to the project. Mr. Azevedo replied as a matter of law, prior to the staff report being submitted to the RPC, he read the staff report and he felt it was supportive without any further suspect findings on the prior decisions on the findings of the RPC.

Member Larkin corrected a statement of someone who spoke in the public hearing, that the RPC did not reject the plan, but the amendment failed to pass. He stated there is a substantial legal difference in that it requires a two thirds vote of the RPC and in fact it received a 5-4 vote for the conformance, less than a two thirds vote, so it failed.

Mr. Azevedo stated the vote is considered "technical denial".

Member Aiuzzi stated it did receive the majority of the vote, but because of the technicality, was not passed.

Member Gustin stated a section 404 permit will be required from the Corps of Engineers and inquired if anyone from the core would be able to speak to where they are in this process.

Kevin Rookey, ACE, stated any impact resulting from the project that would impact any of the delineated wetlands or active channels would require a permit. As part of the review process, the Corps requires a section 404 B1 alternative analysis. The previous application that the developers sent in did not abide by the process. In discussions, it was pointed out and the developer has hired a consultant to do a cumulative study of all projects that have had impact in the South Meadows to determine what the flood storage conditions potential is. The Corps' normal process covers a publication's review and there are eighteen specific items, of which floodplain management and flooding are two of them. Those items are weighted, based on the concern and magnitude of that commission.

Member Gustin inquired if the Corps will be taking the findings of the new consultants and make a

determination. Mr. Rookey replied yes. They must address all issues and if they do not, a negotiation will be entered into. Planning in the district office is being coordinated to address what impacts this project will have.

Member Gustin asked if the Corps is waiting for the submission of information from the consultants and what period of time this will be done in. He also asked if any preliminary thoughts are available right now to help the Board in its decision.

Mr. Rookey replied, until the analysis is completed and all issues have been addressed, no decisions will be made whether the project is approved or denied. The consultants are anticipating a three-month time frame to gather information and prepare the report. The Corps' review will take at least an additional thirty days and possibly longer if during the review there is other information that needs to be satisfied. The permit process could take from 120 days to four years.

Member Gustin asked if everything is done and the problems, stated earlier by the public, actually happen, what could be done.

Mr. Rookey stated an approval process is being planned. If the Corps decision is that Lannar homes is not meeting all standards and their proposal is not for the betterment of the community and the area as a whole, the Corps will have justification to deny the permit without prejudice. They then could come in, re-modify the project, meet the concerns and have the permit be issued. If everything goes smoothly, after the final decision is made, the process should take six to nine months.

Chair Dortch asked for clarification of the statement that the engineering process would not change with the RPGB approval or with the prior land use designation that was currently in place. Mr. Rookey replied yes. Although if all requirements are not met, the developer may have to reconfigure the proposal for a different site and/or reduce the number of units being built in the area.

Chair Dortch stated then it doesn't matter what the land use is since it has to go through the process anyway, whether it is the existing land use designated allowed homes or what is being proposed. Mr. Rookey stated the number of roadways being built for such a substantial amount of units being proposed is what draws the project into the Corps' jurisdiction for the environmental impact. He also added the amount of money that will go into the Flood Plan will be dependent upon the level of money the developer foresees making on the project.

Member Galloway inquired whether the Army Corps of Engineers (ACE) will be denying or approving the project based on whether it would eliminate a detention basin that the ACE could have otherwise built. Mr. Rookey replied the engineering and planning department would make that decision, but the ACE does not want to compound the problems already happening.

Member Galloway inquired if a policy on public safety is included in the Regional Plan. Mr. Zeigler replied staff has carefully reviewed all policies of the plan and the operative policy is a policy of the Regional Water Management Plan.

Member Galloway asked Norm Azevedo if state law says public safety must be maintained in order to improve development.

Mr. Azevedo asked for a few minutes to review the law.

[A five minute recess was called at 3:37 for Azevedo to review the policy.]

[The meeting reconvened at 3:44.]

Mr. Azevedo responded by reading *NRS 278.0261*, subsection four. *NRS 278.0274* is an applicable statute that governs the contents of the Regional Plan amendment in question. He referenced the settlement agreement, addressed at length with Judge Hardesty, regarding flood and water issues stating the RPGB has remained consistent in adhering to the policies delineated by the Regional Water Planning Commission. He stated staff properly articulated the applicable plan policies.

Mr. Azevedo told Member Galloway there is a possibility of amending the plan in 2007 to do different things the RPGB and Planning Commission deem appropriate under subsection two and subsection five.

Chair Dortch inquired if the change in the master plan which, allowed 1700 homes to be built on this property, is what triggered this conformance review. Mr. Zeigler said yes. He added it also exceeds one or more of the thresholds for a Project of Regional Significance.

Chair Dortch asked what exactly triggered the review. Mr. Zeigler replied what triggered the review was a change in master plan land use designation from single family and mixed residential to special planning area, and it exceeds the thresholds for a Project of Regional Significance. It triggers a review because it has more than 625 dwelling units, as well as excessive sewer usage and traffic concerns.

Chair Dortch clarified that there was a master plan amendment to reduce the allowed number of homes on the property and that is what the Board is here today to review. He stated the only thing being reviewed is a master plan amendment.

Member Aiazzi suggested having Chad Wilkinson clarify that for the Board. Mr. Wilkinson stated the current master plan designations of mixed residential and single family residential would allow up to 1767 units currently. The master plan amendment is before the Board today.

Chair Dortch asked how many homes are being requested in the plan. Mr. Wilkinson replied 1550 homes. Chair Dortch stated that the issue before the Board is the change from 1767 units to 1550 in a special planning area.

Member Moss asked what impact it would have on flooding if nothing is done with this property at all. Curt Baron stated the ordinance put in place in the Corps reflects the policy referred to earlier by Mr. Zeigler, 3.1B. There are no net differences with development or without.

Member Gustin asked if by channeling the water, there is an increase in retention of the water, or is the same thing happening as on December 31, 2005. Mr. Baron said no.

Member Gustin stated the channeling and retention ponds would actually help mitigate additional water in a larger event.

Member Moss stated one comment made from the audience was that this project would undermine the current flood project in process. She asked if the company would be willing to negotiate around the current plan already in place.

Mr. Duhan replied the area being looked at in this master plan amendment is not suggested as flood retention. The area south of Huffaker Hills has been identified as a very important area in the flood project. The owner has been in discussions with the company purchasing a middle area of that land for

retention purposes. The retention plan complies with increased standards required of any developer per the City of Reno code requiring no decrease in flood water storage and no increase in site flows.

Member Moss stated there are wetland and marsh areas included in the areas under review. She asked what space will be left open if the amendment is approved. Mr. Duhan replied over 165 acres of the park's development space will be left open, which greatly exceeds requirements at 42% of the project. Over 6,000 feet of public trail will be put in to allow the community to access the beautiful natural habitats around the Steamboat Creek area as well.

Member Larkin asked what the outcome would be for developers if the Board chose not to reverse the decision of the RPC. Mr. Wilkinson replied if the RPC decision is not reversed, the current Master Plan will still allow up to 1767 homes to be built on the property.

Member Larkin stated the proposal offsets any loss of volume retention or storage that was there prior to the project plan and asked for Mr. Rookey to confirm his interpretation of the language on the document in hand. Mr. Rookey stated it is in accordance with what the County has. How it will impact any future projects would be handled by the district office.

Member Larkin stated the flood control project is an issue. He asked the nexus of the 404 permitting process and flood control. Mr. Rookey replied the impact to any other projects in the area is a big concern, so coordination with the planning and engineering division to make sure what is being proposed by the applicant does not have a negative impact on the project.

Mr. Duhan confirmed for Member Larkin he will be forming stepladder effects to decrease detention in the water areas.

Member Larkin asked if a bridge would be built across Steamboat Creek so no fill would be in the flood plain. Mr. Duhan deferred the question to his engineering staff. Mr. Duhan replied there will be refinements to the channel and its flow, but staff will continue to work with the City and other parties to ensure the flood volume is maintained.

Member Larkin added any obstructions to the plain must be taken care of immediately if found, and if approved, all downstream residents will not have a greater level of difficulty because of the project.

Member Larkin asked for a verbal guarantee that if approved, the engineers and staff will continue to work with Mr. Urban and the City to make sure if any compromise occurs with the flood planning committee project, they will work diligently to mitigate the situation. Mr. Duhan responded yes.

[Member Larkin left at 4:05]

Member Galloway inquired how much more acreage will be obtained for the project than originally intended. Mr. Duhan said he does not have the total number, but it will be slightly more than the total volume in the current flood plain. The retention basins are holding a volume equal to three times the difference in runoff from the property with the pre-imposed project conditions.

Member Galloway inquired if the roads will be raised above the FEMA flood level. Mr. Duhan responded yes, a greater level of protection for those roads will be offered with new technology, as well.

[Member Larkin returned 4:06]

Member Galloway was told the FEMA maps being used for the project have not been updated since the 1997 flood. He asked what measures could be taken to prevent catastrophe. Mr. Rookey said FEMA is in the process of revising the maps based on the 1997 event, but they have not been completed.

Member Aiazzi inquired if the City of Reno ordinance of one to one is based on the 1997 flood. Mr. Baron said yes, but the water was 1.3 feet higher than FEMA allowed for.

Member Aiazzi stated 30.3 is the number for the 100 year flood plain. Mr. Baron added the FEMA maps were last updated in 1994, and they are now in the process of updating them. Currently staff is working on a digital map conversion of the changes, and the anticipated delivery date is next fall.

Member Galloway stated the 1997 flood was a river flood, not a creek flood. Mr. Baron stated the analysis staff reviewed looked at both models.

Chair Dortch asked for a motion after no interest was shown in further discussion.

MEMBER AIAZZI MOVED TO REVERSE THE DETERMINATION OF THE REGIONAL PLANNING COMMISSION AND FIND IT CONFORMS AND PROMOTES AND DOES NOT CONFLICT WITH THE GOALS AND POLICIES OF THE 2002 REGIONAL PLAN. MEMBER CASHELL SECONDED THE MOTION.

Member Galloway stated he is not in favor of the motion. He added if the flood project were in place and the detention area were built, he would feel better about approving the reversal, but they are not. From a safety standpoint the master plan approved a large number of homes for the area around 1980, but with current information, it does not seem a wise plan to build such a large number of homes on the property.

Member Larkin stated his concern was with the RPC's performance. Five denials and a staff report that lists the denials instead of what actually transpired, which was a fail or pass of conformance rather than a denial of the conformance. The denial was technical, but based on other issues. The majority of the RPC commissioners were silent on the issue and yet it was denied five times. With the information provided, the reasonable option is to reverse the RPC's vote on grounds of credible denial instead of technical denial. Conformance with the Regional Plan is the issue to be voted on, and there is nothing in the project that precludes a vote of conformance.

Member Aiazzi stated the ACE has a lot of public support, but staff engineers also have an extensive knowledge of the area. He stated people on the Board also have had a chance to buy the property over the last 10 years, and if public safety is a huge issue, the land could have been purchased by a Board member.

Member Gustin stated his questions today are similar to those he asked on December 31, 2005, and explain his vote, but this issue is far from completed. There are many more channels and levels for this issue to go through. People must be protected to make sure the flooding does not go any further. Mr. Butler does have a right to develop his land as long as it does not affect the people already in residence.

Member Gustin stated he is willing to move forward to find out if this project is actually in the public's best interest as it is being presented. He added he is thankful the community showed up to give input in the project.

Member Moss stated this project should be given a chance to prove if it is a project of worth. A vote of conformance today would ensure the lesser amount of homes going into the area as well, and that is a benefit.

Member Weber stated she came to the meeting with an open mind, and will be supporting the motion because it does need to go forward to the entities that are qualified to make those decisions. Staff and many qualified persons have already recommended approval.

MOTION CARRIED WITH EIGHT MEMBERS IN FAVOR AND MEMBER GALLOWAY OPPOSITION

[A one minute recess was called at 4:27]

[The meeting reconvened at 4:28]

[Member Aiazzi left]

[Member Cashell left]

- A. Status report regarding deliberations of the Regional Planning Commission (RPC) on proposed amendments to the 2002 Truckee Meadows Regional Plan, including amendments submitted jointly by Reno, Sparks, and Washoe County pursuant to the settlement agreement in the Reno annexation matter (August 23, 2005)

Mr. Zeigler read the staff report on page 26 of the Board Packet (on file).

Member Galloway asked about the concurrency Judge Hardesty asked to be included. Mr. Zeigler replied it is included. A letter dated April 10 was received recommending certain amendments including a concurrency policy, and they are incorporated in the RPC's motion.

- C. Discussion and possible approval of proposed revisions to memorandum of legislative cooperation, including possible inclusion of representative of Nevada System of Higher Education among signatories.

Patricia Rogers reported staff has spoken with the signatories for the 2005 Legislative session's MOU and there was one suggestion to add the Nevada System of Higher Education (NSHE). Staff would like direction. Mr. Zeigler clarified the question is whether the RPGGB is comfortable having the NSHE participate in the MOU.

Member Gustin asked if the addition of the NSHE would present complications. Chair Dortch replied as long as the entities are separate it should be fine.

Member Galloway stated differences of opinion are allowed, and even if an opinion is made it is possible to retract and vote a different way after discussion on a motion or issue.

CHAIR DORTCH MOVED TO DIRECT STAFF TO PROCEED WITH THIS AGREEMENT. MEMBER GUSTIN SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY WITH SEVEN MEMBERS PRESENT.

7. A. Consideration and possible acceptance of draft final work program for FY 06-07

MEMBER WEBER MOVED TO APPROVE THE FINAL DRAFT OF THE WORK PROGRAM. MEMBER MARTINI SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY WITH SEVEN MEMBERS PRESENT.

- B. Consideration and possible notice to director of regional planning regarding extension of contract, pursuant to paragraph 5.6 of employment agreement dated February 10, 2006.
(continued from May 11, 2006)

Member Cashell asked Mr. Azevedo to give a general explanation of the contract for the Board's information. Mr. Azevedo reported from the contract on page 250 of the Board packet. It is a contract for a term of four years. The term expires in December of this year. The contract specifies Mr. Zeigler has served as an employee of the agency subject to the agency. The contract required at least a four month action before December of this year or the contract would go into a one year extension.

Member Cashell asked if a 30 day continuation would be within grounds. Mr. Azevedo replied it would be.

MEMBER CASHELL MOVED TO CONTINUE THIS ITEM TO NEXT MONTH. MEMBER LARKIN SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY WITH SEVEN MEMBERS PRESENT

- D. Consideration and possible approval of job descriptions for Assistant Director of Regional Planning and Planning Analyst II.

Mr. Zeigler read from the staff report on page 223. He stated his past request for the two job descriptions listed, and stated his intent to announce them as internal job promotions if approved. This is simply a request to approve the two new job descriptions.

MEMBER AIAZZI MOVED THIS ITEM TO THE AUGUST MEETING. MEMBER CASHELL SECONDED THE MOTION. MOTION APPROVED UNANIMOUSLY WITH NINE MEMBERS PRESENT.

8. REPORTS

- A. Members' and Director's reports
No action.

- B. Report on Truckee Meadows Growth Task Force*
No action.

- C. Legal counsel's report
 1. Status report and possible direction to staff on Washoe County's petition for judicial review of the certification of Reno's annexation program as conforming with the regional plan including, without limitation, schedule for considering possible regional plan amendments affecting the Truckee Meadows Service Areas (TMSA) pursuant to settlement agreement (August 23, 2005)
 2. Discussion and possible direction to staff in response to Washoe County's request to initiate a possible amendment of the Truckee Meadows Regional Plan pursuant to paragraph a.1 of the settlement agreement (October 17, 2002) to roll back Reno's sphere of influence in the vicinity of St. James's resort and Pleasant Valley
 3. Status report on Voters For Sensible Growth, Et Al. Vs. RRGB Et Al., amended

petition for writ of prohibition or, alternatively, mandamus

Mr. Azevedo gave a report of all items listed in the staff report.

- D. Consideration and possible acceptance of individual annual reports submitted by local governments and affected entities pursuant to subsection 1 of NRS 278.0286.

Mr. Ziegler gave a brief introduction.

BONNIE WEBER MADE A MOTION TO ACCEPT INDIVIDUAL ANNUAL REPORTS SUBMITTED SECOND BY MEMBER CASHELL.

9. REQUESTS FOR FUTURE AGENDA ITEMS

- A. CONSIDERATION AND POSSIBLE ACTION ON CALENDAR OF AGENDA ITEMS
- B. MEMBERS' AND DIRECTOR'S REQUESTS FOR FUTURE AGENDA ITEMS

Mr. Zeigler read from the staff report. All items requested will be prepared for the August meeting.

10. WRITTEN CORRESPONDENCE*

11. ADJOURNMENT

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

Respectfully submitted by: Hope L. Hepner

Reviewed by:

Approved by:

Rosanna Coombes, Interim Director
Truckee Meadows Regional Planning Agency

Robert Larkin, Chairperson
Regional Planning Governing Board

APPROVED BY THE REGIONAL PLANNING GOVERNING BOARD IN SESSION ON _____, 2007