



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) REGULAR MEETING WEDNESDAY, 6:30 P.M., June 23, 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 Herman at 6:35 p.m.

1. ROLL CALL

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

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

2. APPROVAL OF AGENDA

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE JUNE 23, 2004, AGENDA, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

3. APPROVAL OF MINUTES

A. May 26, 2004, regular meeting

Chair Herman stated that he has two minor corrections for the minutes.

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE MAY 26, 2004, REGULAR MEETING MINUTES, SECONDED BY COMMISSIONER NEWBERG, WITH CORRECTIONS.

Chair Herman noted the corrections to be made to page 2 and page 10 of the minutes.

THE MOTION CARRIED WITH EIGHT (8) IN FAVOR AND ONE (1) ABSTENTION BY COMMISSIONER WEBER.

4. PUBLIC COMMENTS

None

5. BUSINESS OF THE DAY

- A. PUBLIC HEARING - Regional Plan Conformance Review - City of Sparks Master Plan amendment, Upper Highlands at Cimarron East (CR04-004), changing the land use designation from Open Space/Rural to Estates Density Residential on a ±297 acre site generally located east of the Highlands at Cimarron East development and southeast of the current terminus of La Posada Drive.
1. Possible reconsideration of this matter previously heard by the RPC.
 2. Possible consideration of an objection filed on this matter by the City of Sparks pursuant to NRS 278.0282(5).

Chair Herman stated that this item should be approached as being the contested approach as contrasted with reconsideration.

Norm Azevedo, Legal Counsel, stated that he has spoken with the Sparks representatives and stated that it should be made clear for the record that items 5.A.1 and 2 at the same time with the same presentation. Once you have heard their respective positions, you can determine an approach.

Chair Herman stated that is fine. Chair Herman stated that he recommended the objection approach, but if you want to talk about reconsiderations, as long as it does not get into the bylaws of the RPC.

Randy Baxley, Senior Regional Planner reviewed the background of this item and stated that Regional Planning staff is continuing with the recommendation for a determination of conformance.

Chair Herman asked if the City of Sparks representative had any comments.

Rob Joiner, City of Sparks Advanced Planning Manager, summarized a letter from Margaret Powell regarding the action taken on May 12, 2004, on pages 55-58 in the meeting packet.

[The public hearing was opened.]

Bill Brown expressed concern regarding traffic issues at La Posada and Pyramid Hwy. Mr. Brown also expressed concern regarding the capacity of the elementary schools.

[The public hearing was closed.]

Commissioner Rogers asked Chris Lewis, Regional Transportation Commission (RTC), where the funds for this project would come from if it is not completed by the 2005 deadline. Mr. Lewis responded that the design is fully funded to be completed by the end of this year. Mr. Lewis stated that he is going through a process right now to update the impact fee program of projects. Part of the process is anticipating revenues for the next two years. With those anticipated revenues, there is enough to complete this project.

Commissioner Lokken asked Mr. Lewis if La Posada is a City of Sparks street. Mr. Lewis responded yes.

COMMISSIONER MATTINA MADE A MOTION TO FIND THE UPPER HIGHLANDS AT CIMARRON EAST SPARKS MASTER PLAN AMENDMENT IN CONFORMANCE WITH

THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MOSS.

Chair Herman asked if the motion is relative to the objection procedure. Commissioner Mattina responded yes to the objection procedure.

Commissioner Mattina stated that she is making this motion because while the Regional Plan supports and encourages, it does not forbid the expansion into the City's SOI. The owner of the property has requested that it be annexed in. We can not base all of our development on concurrence of infrastructure. We can not stop because schools are not picking up. As far as the employment center, what better place to have a development go in so that there is employment out there along Pyramid Hwy. rather than everybody trying to drive back down into Sparks or downtown Reno.

Commissioner Lokken asked for clarification that the motion is on the Sparks appeal. Commissioner Mattina responded that she was looking at the reconsideration.

Chair Herman stated that there was a combined presentation for items 5.A.1 and 5.A.2. Chair Herman asked that the motion be phrased as to reconsideration or to formal procedure for the objection.

COMMISSIONER MATTINA REPHRASED THE MOTION TO RECONSIDER THIS MATTER AND FIND IT IN CONFORMANCE WITH THE REGIONAL PLAN.

Chair Herman stated that there is now an issue of asking who voted against this item to make this motion to reconsider. Chair Herman suggested rephrasing the motion using the objection approach.

Dave Ziegler, Director of Regional Planning, stated that the RPC already voted to reconsider this matter. Chair Herman stated that the RPC only voted to place this matter on the agenda.

Chair Herman asked Mr. Azevedo to help clarify this matter.

Mr. Azevedo reviewed information in the bylaws regarding motions to reconsider and stated that the RPC is free to make a motion on reconsideration. A motion can then be make on the objection.

Chair Herman stated that there was a motion to put the reconsideration on the agenda for tonight June 23, 2004. Chair Herman suggested that the motion maker follow the rule for the appeal which is the objection.

Commissioner Mattina withdrew the motion.

COMMISSIONER MATTINA MADE A MOTION TO REVERSE THE RPC'S MAY 12, 2004, DETERMINATION OF NON-CONFORMANCE AND TO FIND THE UPPER HIGHLANDS AT CIMARRON EAST AMENDMENT TO THE SPARKS MASTER PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MOSS.

Commissioner Frandsen stated that she will vote in favor of the motion. Commissioner Frandsen also commented that there is a serious problem with the impacts of this development added to other developments with regard to traffic.

Commissioner Rogers stated that he will vote in favor of the motion. Commissioner Rogers also stated that the infrastructure is not fit for the project and should be addressed before construction begins.

THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

[Commissioner Sanders left at 7:10 p.m.]

- B. Discussion and possible action regarding proposed schedule of 2004 Regional Plan amendments.

Patricia Rogers, Community Outreach Assistant, reviewed the proposed schedule for amendments to the Regional Plan on page 87 of meeting packet.

Chair Herman asked if there has been any response or requests for action from the players regarding the Regional Utility Corridor Report (RUCR). Mr. Ziegler responded that the Regional Planning Agency (RPA) has received a proposed list of amendments to the RUCR from Sierra Pacific Power Company. Mr. Ziegler stated that staff is ready to begin the subcommittee meetings so that if there are going to be any amendments, they can be brought forward in the October/November time frame.

- C. Informational presentation on activities of the Regional Water Planning Commission's Flood Storage Volume Mitigation Committee (FSVMC) by MIG Consultants and Nimbus Engineering.

Elisa Maser, MIG Consulting, gave a presentation on the activities of the Regional Water Planning Commission's FSVMC. Ms. Maser reviewed the issue the FSVMC is working to address and mitigation options recommended by the committee.

Commissioner Frandsen thanked Ms. Maser for giving this presentation to the RPC. Commissioner Frandsen asked about the progress being made since Senator Reed's presentation. Ms. Maser responded that Senator Reed has been very helpful and has been tracking what the core is doing.

Peggy Bowker, Nimbus Engineering, stated that one of the early start things we could do locally is to purchase the flood sensitive properties that are common to all of the alternatives. Ms. Bowker stated that is going on now and progress is being made. Ms. Bowker stated that she spent some time with the Corps last week in one of their design briefings. It should be possible to get them up here soon to look at the results.

Commissioner Frandsen stated that it is hopeful that there will be some sort of project in the works before the next flood event. Ms. Maser stated that we do not know when there will be another flood, we just know there will be one. This policy work is moving ahead and is being put into place. Locally we are doing the things we need to do to make sure we are ready to go once that flood project starts happening.

Ms. Bowker stated that she and Ms. Maser are grateful that both the City of Sparks and the City of Reno have stepped up and recognized the problem and the mitigation options.

6. DIRECTORS, MEMBERS, AND LEGAL COUNSEL INFORMATION ITEMS

- A. Report on actions and agendas of the Regional Planning Governing Board (RPGB).

Mr. Ziegler reviewed actions taken by the RPGB at their June 10 meeting. Mr. Ziegler stated that the RPGB will meet on July 8 only if necessary and reviewed their future agenda items.

- 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;

None

- 2. Washoe County and SVGID appeal to District Court in dispute resolution case DR03-001-RPGB, regarding cooperative planning criteria (hearing date set for June 26, 2004); and

Mr. Azevedo reviewed the issues that will be addressed in Judge Hardesty's courtroom on Saturday.

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

None

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

Ms. Rogers stated that the legislative committee on public lands and the committee on the senate concurrent resolution SCR-31 have both produced a work session document which provides their draft recommendations for the upcoming legislative session. Ms. Rogers stated that the Washoe County District Health Department requested to be included as a party to the legislative MOU.

7. REQUESTS FOR AND ACTION ON FUTURE AGENDA ITEMS

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

Mr. Ziegler reviewed agenda items for the July RPC meetings. There will be election of the Chair and Vice-Chair to a one-year term at the July 14 meeting. The new officers will take office at the next regular meeting after July 14.

Mr. Ziegler stated that the Chair had asked Regional Planning staff to work on a workshop on the conformance review process and to also start getting a process going on the next update of the Regional Plan. Regional Planning staff feels the next step is to discuss this with the Chair and Vice-Chair and bring it back to the RPC as soon as it is ready.

8. WRITTEN CORRESPONDENCE

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

1. Washoe County District Health Department, Air Quality Management Division.

Ms. Rogers stated that the RPA has received the last annual report. The annual reports will be used to prepare a regional annual report. A tentative timeline is provided on page 107 of the meeting packet.

COMMISSIONER LOKKEN MADE A MOTION THAT THE RPC ACCEPT THE REPORT, SECONDED BY COMMISSIONER NEWBERG. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

9. PUBLIC COMMENT

None

10. ADJOURNMENT

Chair Herman adjourned the meeting at 7:45 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.**