



REGIONAL PLANNING GOVERNING BOARD

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Mike Carrigan, Chair
Dwight Dortch, Vice-Chair
David Aiazzi
Robert A. Cashell
Jim Galloway
Pierre Hascheff
Robert Larkin
Geno Martini
Ron Schmitt
Bonnie Weber
Dave Ziegler, Director

MINUTES

REGIONAL PLANNING GOVERNING BOARD Regular Meeting Thursday, June 9, 2005

The Regional Planning Governing Board (RPGGB) 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 Mike Carrigan at 2:10 p.m.

1. ROLL CALL

The clerk called the roll, and Regional Planning Governing Board Members in attendance were: Mike Carrigan, Dave Aiazzi, Bob Cashell, Jim Galloway, Geno Martini, and Ron Schmitt. Member Pierre Hascheff arrived at 2:15 p.m. Members absent were: Dwight Dortch, Robert Larkin, and Bonnie Weber.

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

2. APPROVAL OF AGENDA

MEMBER AIAZZI MADE A MOTION TO APPROVE THE JUNE 9, 2005, RPGGB AGENDA, SECONDED BY MEMBER CASHELL. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

3. SALUTE TO THE FLAG

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

4. APPROVAL OF MINUTES

A. April 14, 2005, regular meeting

MEMBER AIAZZI MADE A MOTION TO APPROVE THE APRIL 14, 2005, RPGGB MINUTES, SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

5. PUBLIC COMMENT

None

6. BUSINESS OF THE DAY

- A. Consideration and possible adoption of the 2005-2009 Consolidated Plan prepared by the Washoe County HOME Consortium for submittal to the U.S. Department of Housing and Urban Development (HUD) pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990.

The City of Sparks and the City of Reno have previously seen the presentation of this plan. Hillary Lopez, Washoe County HOME Consortium (WCHC), stated that she is available to answer any questions. There were no questions.

MEMBER MARTINI MADE A MOTION TO APPROVE THE 2005-2009 CONSOLIDATED PLAN PREPARED BY THE WASHOE COUNTY HOME CONSORTIUM, SECONDED BY MEMBER AIAZZI. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

- B. Consideration and possible ratification of intergovernmental agreement renewing the Washoe County HOME Consortium (WCHC).

Randy Baxley, Senior Planner, stated that Truckee Meadows Regional Planning Agency (TMRPA) legal staff reviewed the proposed intergovernmental agreement and has identified several areas which should be discussed by the RPGB.

[Member Hascheff arrived at 2:15 p.m.]

Norm Azevedo, Legal Counsel, stated that a memo dated June 7, 2005, was distributed to the RPGB members regarding his concerns. This agreement provides for the retention of outside counsel in the case of a lawsuit adverse to the WCHC. In the event that there was a lawsuit, the RPGB would not have the protections afforded by this agreement. Mr. Azevedo stated that Tim Hay, Representative of the City of Reno, concurred. There is a desire to amend the agreement through either a separate agreement or to amend this specific agreement to protect the RPGB. There is at least a 30-day window to facilitate this. Mr. Azevedo stated that if those provisions are brought into the agreement, it would be his recommendation that this agreement go forward. That would then allow the WCHC to meet its funding deadline with the federal government.

Mr. Hay stated that his intent is to come up with language that will satisfy this concern.

Chair Carrigan asked Mr. Azevedo if he would like this item continued until the language is changed. Mr. Azevedo responded that his recommendation is that the RPGB approve the agreement and that it be submitted to HUD with the understanding that a side agreement will be entered into based on the terms that he and Mr. Hay agreed on that will give the RPGB protection, subsequent to the approval of the agreement by the office of the attorney general.

MEMBER CASHELL MADE A MOTION TO APPROVE MR. AZEVEDO'S RECOMMENDATION, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

7. ADMINISTRATIVE ITEMS

- A. Consideration and possible acceptance of the final work program for FY 05-06.

Mr. Ziegler reviewed two proposals for the training and education initiative. One proposal is from the Urban Land Institute (ULI) and one is a Regional Planning staff proposal.

Member Hascheff stated that the Regional Planning staff proposal seems to be a better fit for the Regional Plan update and asked if staff has a preference for one proposal over the other. Mr. Ziegler agreed that the staff proposal would be a better fit with the update. The ULI proposal is also sound. Mr. Ziegler stated that he is willing to absorb the administrative burden if the RPGB selects the staff proposal for the training and education initiative.

Member Aiazzi asked if it would be beneficial to do a two year work program. Member Aiazzi suggested the possibility of using the staff proposal first then bringing in ULI in the next fiscal year.

Member Galloway stated that the main advantage of ULI is that they are independent experts. Member Galloway suggested going with the staff proposal and getting ULI comments on the structure of the plan so far and recommendations for changes without spending another \$50,000.

Member Schmitt stated that the amount of money spent in two years of litigation is probably a hundred times the \$50,000 for the ULI proposal. Member Schmitt stated that we need to have an outside opinion regarding the Regional Plan.

Member Hascheff asked Mr. Ziegler if comments from Member Galloway and Member Aiazzi can be used together. Member Hascheff suggested bringing ULI at the beginning of the next fiscal year to go over what is done under the staff proposal. Mr. Ziegler responded that might make sense. We could use the upcoming fiscal year to build a working relationship with ULI and then bring them in early during the next fiscal year.

Member Hascheff stated that he would hate to bring ULI in too late in the process. Member Hascheff stated that he would be willing to adjust the budget to get ULI in before the next fiscal year if necessary. Mr. Ziegler responded that since Sparks is the TMRPA accounts manager, we would have to make sure that they are on board with the idea of mid-course corrections to the budget.

MEMBER HASCHEFF MADE A MOTION TO DIRECT STAFF TO INITIALLY IMPLEMENT THE STAFF PROPOSAL AND THEN REPORT BACK TO THE RPGB IN SIX MONTHS ALLOWING SOME KIND OF ULI REVIEW, SECONDED BY MEMBER AIAZZI. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

Mr. Ziegler reviewed a proposal for the procurement of services to support an information repository in FY 05-06. Mr. Ziegler stated that he has looked into whether we could combine our resources with other agencies and other entities. Mr. Ziegler has spoken with staff at the Regional Transportation Commission (RTC) and the Regional Water Planning Commission (RWPC) and it does seem that there are a lot of good opportunities for coordination and synergy.

Member Aiazzi stated that he thought the RTC approved a budget item for \$70,000 to go to Regional Planning. Member Aiazzi stated that he will follow up to see if it actually got funded. Member Aiazzi stated that he also thought that as a repository, Regional Planning would be the one point where people could get planning information and that the RTC and the RWPC would give Regional Planning information on the studies they are doing. Member Aiazzi stated that he has met with the state demographer about Regional Planning being the one entity that makes population forecasts and estimates in concert with the state demographer to avoid inconsistencies among entities. Mr. Ziegler stated that Mr. Morse said that the RTC has budgeted money for a

regional conflict avoidance system. It may be wise to take this one under advisement and continue to work it up with your comments.

Member Hascheff asked about the timing for the repository proposal.

[Member Aiazzi left at 2:45 p.m.]

Mr. Ziegler stated that the timing of these outputs is really critical. The update process needs to move on a pretty set schedule. Regional Planning staff has discussed the coordination of this process with the update process and recognizes the point that timing is everything.

Member Hascheff asked what is stopping the RPGB from approving this today and allowing Regional Planning staff to contact other agencies to see if there is any funding available. Mr. Ziegler responded that if the RPGB wants to approve this in concept today, Regional Planning staff can keep the RPGB up-to-date on details.

MEMBER HASCHEFF MADE A MOTION TO ACCEPT REGIONAL PLANNING STAFF'S RECOMMENDATION, SECONDED BY MEMBER CASHELL.

Member Galloway asked if the TMRPA will go ahead and spend the money if it is not funded by any other agencies. Mr. Ziegler responded yes and made a commitment to keep the RPGB informed.

THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

- B. Consideration of and possible authorization to fill part-time policy analyst and temporary minute taker positions.

Mr. Ziegler stated that it has been the practice of the TMRPA not to fill positions without permission from the RPGB. Mr. Ziegler stated that he is seeking authorization from the RPGB now to fill these positions.

MEMBER MARTINI MADE A MOTION TO APPROVE AUTHORIZATION TO FILL THE REQUESTED POSITIONS, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

- C. Consideration and possible approval of an interlocal memorandum of understanding (MOU) and contract with the State of Nevada regarding the update of the water quality management plan (208 plan).

Rosanna Coombes, Senior Planner, stated that the Nevada Division of Environmental Protection (NDEP) has offered to provide funding in the amount of \$140,000 to help with this project as long as matching local funds were also provided. In order to make this happen, there are two separate agreements we need to bring to you today for approval. The first is a contract between the state and the RPGB to receive or to acquire the \$140,000. The second is the interlocal agreement among all of the local participating entities.

[Member Aiazzi returned at 2:52 p.m.]

Ms. Coombes stated that Regional Planning staff recommend that the RPGB authorize the RPGB Chair to sign the contract between the RPGB and the NDEP. This recommendation is contingent upon making sure that the interlocal agreement makes it through all of the local entities and that there is matching funding in place. Regional Planning staff also recommend that the RPGB

authorize the RPGB Chair to sign the interlocal agreement between Washoe County and the cities of Reno and Sparks to provide matching funds for the update of the 208 Plan.

Chair Carrigan stated that the proposed funding split is not proportional and asked why the Regional Water Planning Commission (RWPC) should not fund it all since every water bill pays some money to that. Ms. Coombes responded stating that the NDEP felt strongly about making sure that the governing entities that have responsibility for the implementation of the plan have a contribution both through technical support and through financial support.

Chair Carrigan stated that the enterprise fund comes from the sewer rates and the RWPC comes from a small amount of money off of every water bill. Chair Carrigan stated that he feels this should be paid for entirely by the RWPC rather than coming from the enterprise fund.

Member Aiazzi agreed with Chair Carrigan and stated that the purpose of the Regional Water Management fund is to do studies like this.

Member Hascheff stated that those that impact water quality should be paying proportionately and that may not be 1/3, 1/3, and 1/3 as proposed. Mr. Ziegler responded that if there is a desire to look again at the split and look at a more sophisticated way of allocating these contributions, he would request a one-minute recess to consult with Ms. Coombes about the schedule.

Member Martini asked why \$68,000 was chosen for the RWPC's contribution. Ms. Coombes responded that the local government staffs came up with that figure.

Member Galloway suggested that if the split is to be reexamined, direction should also be given to look into whether the Truckee Meadows Water Authority (TMWA) and the Department of Water Resources should also contribute.

Member Aiazzi stated that the split percentage should be based on how many gallons each entity puts in.

MEMBER AIAZZI MADE A MOTION TO AUTHORIZE THE RPGB CHAIR TO SIGN THE INTERLOCAL AGREEMENT BETWEEN WASHOE COUNTY AND THE CITIES OF RENO AND SPARKS TO PROVIDE FUNDS FOR THE UPDATE OF THE 208 PLAN AND TO BASE THE PERCENTAGE OF THE CONTRIBUTIONS ON THE TOTAL NUMBER OF GALLONS THAT EACH ENTITY HAD TREATED IN THE LAST FISCAL YEAR. THE MOTION WAS SECONDED BY MEMBER HASCHEFF.

Chair Carrigan stated that he would support the motion even though he feels that the RWPC should pay for it all.

Member Galloway stated that he would support the motion because it would get done today.

THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

MEMBER HASCHEFF MADE A MOTION TO AUTHORIZE THE RPGB CHAIR TO SIGN THE CONTRACT WITH NDEP TO SECURE \$140,000 FROM STATE FUNDS FOR THE UPDATE OF THE 208 PLAN, CONTINGENT UPON SATISFACTORY RESOLUTION OF NDEP'S CONCERNS, AND THE APPROVAL OF THE INTERLOCAL AGREEMENT BY ALL THE LOCAL ENTITIES, SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

- D. Consideration and possible approval of an interlocal cooperation agreement with the Nevada Public Agency Insurance Pool authorizing membership for insurance benefits.

MEMBER AIAZZI MADE A MOTION TO APPROVE THE INTERLOCAL COOPERATION AGREEMENT WITH THE NEVADA PUBLIC AGENCY INSURANCE POOL AUTHORIZING MEMBERSHIP FOR INSURANCE BENEFITS, SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

8. REPORTS

- A. Members' and Director's reports.

- 1) Briefing from representatives of BRI Energy regarding potential production of electricity and ethanol from organic waste streams.

Jim Stewart, BRI Energy, gave a presentation on the potential production of electricity and ethanol from organic waste streams.

Chair Carrigan asked how much it costs to build a plant. Mr. Stewart responded that a single module would range between 23 and 30 million dollars. The plant would pay for itself in 2 ½ to 4 years.

Member Aiazzi asked if the 23 million dollar figure is after federal subsidies. Mr. Stewart responded that is construction costs. There are no federal subsidies involved in this. The 51 cent subsidy goes to the refinery.

[Member Schmitt left at 3:35 p.m.]

Member Aiazzi asked about the process. Mr. Stewart responded that we can take existing waste streams into our system and it disappears. After we can get control of our existing waste streams, we can go back and mine the existing land fills and recover that material and use it as a fuel.

Member Aiazzi stated that in the next 3 to 4 years our contract with Waste Management will expire. Mr. Stewart responded that there are substantial economic opportunities for the waste management companies to share on a joint venture basis in the building of plants and the production of energy.

Member Galloway asked if there is not a subsidy but a loan to build a plant. Mr. Stewart responded that in the federal energy bill, there are both provisions.

Member Galloway asked about the cost of ethanol. Mr. Stewart responded that it has varied from \$1.22 to \$1.86 per gallon.

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

- 1) 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 will prepare a brief describing the operation and the amendment process of the TMSA and submit it to the Court as requested.

- 2) Nevada Supreme Court Case No. 37947.

Mr. Azevedo stated that the Nevada Supreme Court has rendered a decision on this matter.

- 3) City of Sparks appeal to the Regional Planning Governing Board regarding Washoe County's adoption of the updated Spanish Springs Area Plan.

Mr. Azevedo stated that no action has been taken on this item since the last meeting.

Member Aiazzi asked for information on the cost for the Nevada Supreme Court Case. Mr. Azevedo responded that he could prepare a report on the cost of this case. Ms. Kuechler stated that the expenses for this case were covered by insurance and have been reimbursed.

Member Hascheff asked if that is based on an old policy. Ms. Kuechler responded that is based on an old policy and that sort of item would no longer be covered on the new policy.

- C. Legislative end-of-session report.

Mr. Ziegler reviewed measures that would affect regional planning directly.

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

Member Aiazzi stated that item requiring that a study be conducted on walkways within one mile of all schools does not talk about cost sharing with the school district and other local governments to conduct the study. Mr. Ziegler responded that is correct. We will have to develop a work program with all the parties that keeps the cost to a minimum. Sparks and their public works department has already studied this to some level. Sparks also has a program that they work with the school district on safe routes to school and that could be a model that is expanded and used throughout the region.

[Member Martini returned at 3:50 p.m.]

Member Hascheff asked if Mr. Ziegler will come back to the RPGB with an analysis on the eminent domain policy. Mr. Ziegler responded yes.

- D. Report on Truckee Meadows Growth Task Force.

Mr. Ziegler stated that he continues to attend the Task Force meetings.

Member Aiazzi asked Mr. Ziegler if he would email the minutes from the Task Force meetings to the RPGB members when they have them. Mr. Ziegler responded yes.

Chair Carrigan stated that Sparks voted not to fund it until there is a budget from the Task Force.

Member Cashell asked Mr. Ziegler if he would also report back to the RPGB on attendance at the Task Force meetings. Mr. Ziegler responded yes.

9. REQUESTS FOR FUTURE AGENDA ITEMS

- A. Consideration and possible action on calendar of agenda items.

Mr. Ziegler reviewed tentative agenda items for the July and August RPGB meetings.

- B. Members' and director's requests for agenda items.

None

10. WRITTEN CORRESPONDENCE

None

Chair Carrigan stated that this is his last meeting as Chair and thanked everyone for their support during his assignment.

11. ADJOURNMENT

MEMBER AIAZZI MADE A MOTION TO ADJOURN AT 3:55 P.M., SECONDED BY MEMBER CASHELL. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) 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
_____, 2005**