



REGIONAL PLANNING GOVERNING BOARD

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MINUTES

REGIONAL PLANNING GOVERNING BOARD Legislative Subcommittee Meeting Wednesday, April 13, 2005

The Regional Planning Governing Board (RPGB) Legislative Subcommittee met in the Truckee Meadows Regional Planning Agency (TMRPA) Conference Room, One East First Street, Suite 1100, Reno, Nevada, and conducted the following business:

The meeting was called to order by Chair Mike Carrigan at 10:35 p.m.

1. ROLL CALL

The clerk called the roll, and Regional Planning Governing Board Members in attendance were: Mike Carrigan and Bonnie Weber. Members absent were: Dwight Dortch.

Also present were: Dave Ziegler, TMRPA Director; Norman Azevedo, Legal Counsel; Rosanna Coombes, and TMRPA; Patricia Rogers, TMRPA.

2. APPROVAL OF AGENDA

MEMBER WEBER MADE A MOTION TO APPROVE THE APRIL 13, 2005, AGENDA, SECONDED BY CHAIR CARRIGAN. THE MOTION CARRIED UNANIMOUSLY WITH TWO (2) MEMBERS PRESENT.

3. SALUTE TO THE FLAG

None

4. PUBLIC COMMENT

None

5. BUSINESS OF THE DAY

A. Discussion and possible direction to staff on pending legislation including:

1. Assembly Bill 231 (Atkinson et al., sidewalks)

Dave Ziegler, Director of Regional Planning, stated that AB 231 is a bill about sidewalks responding to a problem in Las Vegas. The bill would require local governments to construct and maintain sidewalks within a mile of any school. The fiscal impacts of the measure were

staggering. A compromise was reached and it has already passed out of committee. This is in the process of being converted to a resolution so it is non-binding. It urges the Truckee Meadows Regional Planning Agency (TMRPA) and the Southern Nevada Regional Planning Coalition to lead a discussion on this topic and come up with recommendations.

Member Weber and Chair Carrigan commented that the school districts or the developers should be responsible for this rather than the local governments.

There was some discussion regarding the problems this would cause for all the rural areas with no sidewalks.

Mr. Ziegler stated that based on a synopsis from Reno's Legislative staff, AB 231 is now a resolution that says that in counties over 100,000 the Regional Planning Commission (RPC) will work with the school districts to determine the need and make recommendations.

Chair Carrigan expressed concern regarding the number of bills that involve the state government legislating the local governments on how to do their business.

Mr. Ziegler suggested waiting to see the language of the resolution to discuss this further.

2. Assembly Bill 247 (Holcomb, regional plan and master plans)

Mr. Ziegler stated that there is a hearing on this measure tomorrow morning. Mr. Ziegler stated that he told Assemblyman Holcomb that he did not object to a hearing and that he could not speak for the RPGB. Mr. Ziegler stated that his concern is that in the Regional Plan Settlement Agreement there is a statement that the RPGB would amend the plan to make it resource constrained. The RPGB did amend the plan in early 2003 to satisfy that requirement. It does not make sense to pull one concept out of the settlement agreement and insert it into state law.

Norm Azevedo, Legal Counsel, stated that the plan has always been resource constrained. The plan can not make water exist that we do not have. Every plan that is subordinate to the Regional Plan comes in for a conformance review and there is always disagreement regarding the meaning of conformance. There is a potential problem regarding the definition of the terms "coordinate" and "recognize" which are included in this provision. If a private party comes forward and says that this agency did not coordinate and recognize the water plan to a sufficient degree, how can that be defended from a legal perspective.

There was some discussion regarding the proposed requirement in this bill versus what is already required in the settlement agreement. Chair Carrigan and Member Weber agreed with the thinking that if it is not broken, don't fix it. The subcommittee directed TMRPA staff to oppose this measure.

3. Assembly Bill 339 (Gansert, neighborhood gaming study)

Mr. Ziegler stated that this has not been scheduled for a hearing.

Chair Carrigan stated that Sparks has already taken a position that this has already been done locally. Sparks has no problem with setting up an advisory group. The problem is the make-up of the group. If

the make-up is changed to include two representatives from each entity, Sparks would have no problem with it. Member Weber agreed.

Mr. Ziegler stated that we could just take a pass on this one and say that the local governments have adequately expressed themselves on this matter. The subcommittee members agreed with this approach.

4. Assembly Bill 440 (Grady, Lyon/Washoe county boundary adjustment)

Mr. Ziegler stated that this was heard in committee and the testimony from the Lyon County side was that they want it as long as it is a clean, simple boundary adjustment. The County Commission had taken a position in which they had attached three conditions to their support for the measure. At the hearing, all the representatives said they were working among themselves to work out any problems and that they did not want to amend Mr. Grady's bill. This bill was then rescheduled and put back on the agenda and we heard that the Pyramid Lake Piute Tribe has some problems with it.

Chair Carrigan stated that he does not see how this is related to the RPGB.

Mr. Ziegler stated that none of the versions of the Regional Plan have addressed the Wadsworth area. They have all been focused on the Reno Sparks Metro area. Our view of this right now is that this is rural area. If this is still in the County as we go through the update of the Regional Plan, we would probably take a look at it and decide if it needs some other designation or set of policies in the Regional Plan. The subcommittee directed TMRPA staff to take no position on this measure noting it was a county to county matter.

5. Assembly Bill 425 (Giunchigliani et al., urban design, mixed use, etc.)

Mr. Ziegler reviewed the procedural history on this bill.

Member Weber stated that if this is applicable to Clark County, we could suggest changing the population requirement to 450,000 or more.

Chair Carrigan asked if this bill is saying we need to do something that we are not already doing. Mr. Ziegler reviewed the requirements in the bill and stated that we are already doing most of it.

Mr. Ziegler suggested taking the approach of confining comments to the two sections of the bill that affect us directly and take no position on the parts that do not affect us. Chair Carrigan and Member Weber agreed with this approach.

6. Other proposed legislation that may affect planning, zoning, natural resources, infrastructure, or the program of regional planning

None

B. Discussion and possible direction to staff on lobbying protocols.

Mr. Ziegler stated that he has been taking the position that without guidance from the RPGB, he is neutral on all legislation. Mr. Ziegler asked if there was an interest in him having authority from RPGB to express an opinion regarding legislation. Chair Carrigan and Member Weber agreed to bring this up at tomorrow's RPGB meeting.

Member Weber suggested that Mr. Ziegler inform the members of the RPGB Legislative Subcommittee when he does speak on something at the legislature.

Member Weber asked if there is a spreadsheet available with information on the bills that Regional Planning staff is tracking. Mr. Ziegler stated that Regional Planning staff will develop one.

Member Weber asked how the lobbying responsibilities are impacting Regional Planning staff. Mr. Ziegler responded that it does add some burden to the workload.

Member Weber expressed appreciation for the work Regional Planning staff is doing.

6. REQUESTS FOR FUTURE AGENDA ITEMS

Regional Planning staff will wait until after Friday to schedule the next RPGB Legislative Subcommittee meeting.

7. WRITTEN CORRESPONDENCE

None

8. ADJOURNMENT

The meeting was adjourned at 12:00 p.m.

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