



REGIONAL PLANNING GOVERNING BOARD

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

MINUTES

REGIONAL PLANNING GOVERNING BOARD

Regular Meeting

Thursday, February 9, 2006

The Regional Planning Governing Board (RPGB) met in regular session in the Reno City Hall Chambers, One East First Street, Reno, Nevada, and conducted the following business:

The meeting was called to order by Chair Dwight Dortch at 2:12 p.m.

1. ROLL CALL

The clerk called the roll, and Regional Planning Governing Board Members in attendance were: Dwight Dortch, Robert Larkin, Dave Aiazzi, Jim Galloway, Pierre Hascheff, and Geno Martini. Member Bonnie Weber arrived at 2:15 p.m. Member Robert Cashell arrived at 3:30 p.m. Members absent were: Mike Carrigan and Ron Schmitt.

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

2. APPROVAL OF AGENDA

MEMBER HASCHEFF MADE A MOTION TO APPROVE THE FEBRUARY 9, 2006, RPGB AGENDA, SECONDED BY MEMBER LARKIN. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

3. SALUTE TO THE FLAG

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

4. PRESENTATION

A. "Best development practices: exemplary communities," by Reid Ewing

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

Reid Ewing is Associate and Research Professor at the National Center for Smart Growth, University of Maryland. Mr. Ewing gave a presentation on best development practices and provided examples of exemplary communities utilizing some of these development practices.

5. PUBLIC COMMENT

Trent Averett, President of Peavine Pines, stated that his company owns approximately 1,300 acres on the south base of Peavine and asked that it be included in the TMSA boundary. This property is within eight miles of the downtown center.

Member Aiazzi asked Mr. Averett what the average slope is of the property. Mr. Averett responded that the slope ranges between 15 and 30 percent. Analysis has not yet been completed to determine an average slope.

Dr. Amy Khan announced that the American College of Preventive Medicine is sponsoring a community forum on Friday, February 24, 2006, at John Ascuaga's Nugget. There will be open discussion about key community development issues affecting health, affordable and accessible housing, and the environment.

Chris Lippman stated that he has approximately 640 acres adjacent to Mr. Averett's property and requested that it also be included in the TMSA boundary.

6. ANNUAL PERFORMANCE APPRAISAL OF THE DIRECTOR OF REGIONAL PLANNING

- A. Discussion and possible action on performance appraisal
- B. Discussion and possible action on adjustments, if any, to compensation

Joy Randall, Administrative Services Manager, stated that some supplemental materials were received by mail as well as what is in the meeting packet.

Member Hascheff asked Dave Ziegler, Director of Regional Planning, if he receives at least the same benefits that the other employees at the Regional Planning Agency receive. Mr. Ziegler responded that in past evaluations it has been standard that he request to be treated somewhat the same as the other employees at the Agency who typically receive a 5% merit increases and two 2% COLAs during the course of a year.

Member Hascheff stated that Mr. Ziegler was given very high marks from Marge Frandsen and Fred Lokken in the comments that were included in the meeting packet. Last year the RPGB discussed trying to at least keep Mr. Ziegler's salary competitive, based on his performance which has always been excellent. Member Aiazzi stated that he agrees.

Member Martini stated that Mr. Ziegler has always been very good and up front and agreed with the previous comments as well.

Member Weber stated that she appreciates the hard work and excellence of the whole department. Member Weber expressed concern regarding basing this discussion on the results of only two evaluations that have been included in the meeting packet.

Ms. Randall stated that the two evaluations are all that were received as of February 6. Evaluation forms were sent to all of the Managers, RPGB members, Regional Planning Commission (RPC) members, and the Planning Directors.

Member Martini stated that he completed an evaluation and thought it had been submitted. Ms. Randall responded that it has not been received.

Member Larkin stated that since this evaluation is a full public disclosure this year, he elected not to fill out the evaluation form. Member Larkin complimented Mr. Ziegler on his efforts to bring in outside talent to speak on various planning issues. Member Larkin expressed concern that there has yet to be a concrete plan brought back to the RPGB to address the request that the Regional Planning body be the repository of information for the region in terms of GIS and those kinds of things. Member Larkin stated that he would like to see a higher profile of the Regional Planning Director in the community and expressed concern regarding a lack of inter-governmental relationship and getting around to all the bodies. Member Larkin stated that Mr. Ziegler's communications skills are excellent and his managerial skills are relative to the parameters of an executive of this caliber.

Member Galloway apologized that it was past the deadline by the time he noticed that he had the evaluation form. Member Galloway stated that he has seen Mr. Ziegler interacting with other bodies at a number of meetings and that the perception mentioned by Member Larkin may be less than the reality. Member Galloway stated that he is concerned that he does not really know where to place compensation in terms of total workload in comparison to a County or City Manager versus the head of a Planning Department. Member Galloway stated that he would like to be conservative because he has no way to compare the workload.

Member Hascheff stated that due to the fact that this evaluation is in a public setting, his evaluation is here for the public. Adding that on to the two that were submitted, Mr. Ziegler averaged 9 and 10. That is basically almost 100% approval rating, based on the skills in the evaluation form. Member Hascheff stated that the GIS is still a work in progress and is part of the work program. Member Hascheff also stated that the Agency has traditionally been under-funded. There is a lot to do and there is just not enough money to do it. Member Hascheff stated that he looks at the approval ratings of 1 to 10 as percentage points in determining a percentage increase. Member Hascheff stated that he is looking in the range of a 7% to 10% increase.

Chair Dortch stated that the communication between he and Mr. Ziegler has been tremendous and stated that he agrees with Member Hascheff.

Member Galloway complimented Mr. Ziegler on what he did when the RPGB considered the Bill Pierce issue and the TOD findings. Mr. Ziegler's recommendation was not the recommendation the RPGB ultimately took. Member Galloway stated that he has the highest respect for Mr. Ziegler in taking that position because it forced the RPGB to find a work around to solve the problem without giving up the future of the TOD corridor.

Member Aiazzi asked if anyone knows what the salary is for the new Flood Coordinator. Member Larkin responded that is an Assistant County Manager Level and is around \$110,000 to \$120,000.

Member Aiazzi asked if that position covers four employees right now. Member Larkin responded that is correct.

Member Aiazzi stated he is trying to put it in context with the workload. Member Larkin stated that as we go across the board of different models we are working with, he is not sure they are all

comparable. Member Aiazzi stated that is the comment he is trying to make. This is a regional department head with different skill sets than a City or County Manager.

Member Hascheff stated that he feels comfortable with anywhere from a 7% to 10% increase.

MEMBER MARTINI MADE A MOTION TO APPROVE A SEVEN PERCENT INCREASE OF THE EXISTING SALARY, SECONDED BY MEMBER GALLOWAY.

Chair Dortch asked if the other compensations need to be addressed.

Member Hascheff asked if part of that motion is that the Director also be entitled to his 2% COLA. Member Martini stated that 7% is the total increase including the 2% COLA.

Member Hascheff asked about Mr. Ziegler's car allowance. Mr. Ziegler responded that his car allowance is \$450 a month and cell phone allowance is \$100 a month. Mr. Ziegler stated that he is not unhappy with either of those.

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

7. BUSINESS OF THE DAY

- A. Discussion and possible adoption of proposed amendments to the RPGB's Regulations on Procedure regarding conformance review procedures, provision of notice on matters subject to appeal, and miscellaneous technical items.

Mr. Ziegler stated that one of the purposes of these proposed amendments is to make sure that there is authority for Regional Planning staff to participate in the conformance review process prior to the actual submittal of master plan amendments. Another purpose of these amendments is to clarify the required time period for action when a decision of the RPC is subject to appeal. Mr. Ziegler reviewed the language for the terms recommended by Norm Azevedo, Legal Counsel, to address this issue. Mr. Ziegler also reviewed proposed amendments under the Annexation Programs section.

Member Aiazzi asked if an annexation program that is part of the settlement is appealable. Mr. Azevedo responded that the parties to the settlement agreement are bound by the terms of that settlement agreement. Those parties' rights as far as appealing or not appealing are governed by that agreement.

Member Aiazzi stated that the intent was that there would be no law suits or anything else as long as the parties conformed to the existing map but this policy would allow an entity to still appeal that and drag that through the process. Mr. Azevedo stated that if there was an issue there, his recommendation to the RPGB would be to go back to the Judge to address that particular right. One of the issues that has surfaced is what happens if the RPC makes a finding of non-conformance and it dies. Generally that ends the process at that juncture.

Member Aiazzi asked if the RPGB can amend these rules anytime we chose. Mr. Azevedo responded yes.

Member Aiazzi stated that he would like to look at including some wording regarding the concept of the settlement into the RPGB rules and regulations so that the RPGB does not have to keep going back to the Judge on the settlement. Mr. Azevedo responded that if that is the desire of the board, additional language can be added for the next meeting to incorporate herein.

Member Weber asked if the Judge stated that the Regional Plan supersedes the RGPB rules and procedures with regard to the annexation program.

Member Galloway stated that the Judge said that the 2002 Regional Plan settlement is the master settlement and everyone stipulated that except where it specifically agreed otherwise in the annexation settlement agreement, that the general provisions of the 2002 Regional Plan would apply. With regard to anticipating a problem, Member Galloway stated that his interpretation is that we all agreed to advocate for the actual plan settlement. Were something to happen that is not consistent with what we agreed to advocate for, then there should be the right to appeal that to the RPGB.

Member Hascheff asked about the issue regarding an item dying if the RPC does not find it in conformance. Mr. Azevedo responded that in the event that process would lead to a result in what was otherwise contemplated in the settlement agreement, the planning commission must take its action and discharge its statutory function. If there was something inconsistent with the settlement agreement that either the Director saw or Legal Counsel saw, it would be my recommendation to the Director to bring it to this body because this body has the authority to take it to the Judge or not take it to the Judge. It could be brought to the RPGB as an administrative item, not as an appeal so it can be addressed in the due course.

Member Hascheff asked what the options would be if it was brought to the RPGB as an administrative item. Mr. Azevedo responded that the RPGB would have the authority to take it to the Judge. Any other options would depend on what occurred at the lower level.

Member Ziegler stated that there was a situation where the question came up regarding the County having the right to appeal. Under the statute they do have the right to appeal and the regulations say otherwise. This proposal would change the regulations to conform with practice and with Legal Counsel's interpretation of the statute.

MEMBER AIAZZI MADE A MOTION TO APPROVE THE CHANGES AND ASK STAFF THAT ONCE A FINAL DETERMINATION BY THE RPC COMES FORWARD THE RPGB MIGHT WANT TO LOOK AT THESE AGAIN, SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

- B. PUBLIC HEARING - Consideration and possible adoption of RPGB resolution 06-01, adopting a Regional Plan Amendment (RPA 06-001) that would add the location of the proposed Fort Sage electrical substation, located on APN 074-040-26, to Exhibit 1 (Regional Utility Corridor Map) of the Regional Utility Corridor Report.

Randy Baxley, Senior Planner, stated that on January 25, 2006, the RPC held a public hearing on this item and unanimously adopted Resolution 06-02 recommending to the RPGB approval of the requested amendment.

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

Member Hascheff asked Mr. Baxley if he sees any down-side to this and if it is consistent with the prior regional utility corridor planning document. Mr. Baxley responded that based on Regional Planning staff analysis, it is consistent. The primary items had to do with the visual

impact of the facility and exposure to certain properties. Because this is located in such a remote site, it was determined that there is no visual impact of the site.

Member Aiazzi asked if the lines will be required to be underground. Mr. Baxley responded that the substation is located right next to the existing Alturas powerline. The distribution lines fall below the threshold for review under the RUCR. This substation was part of the overall approval Washoe County did for the water project and they did look at that issue and because of the remoteness of this site and no adjacent development, undergrounding of those distribution lines was not required.

Member Weber asked about public input. Mr. Baxley responded that the Washoe County Planning Commission did hold a public hearing on this and notices were sent out to property owners.

[Member Cashell arrived at 3:30 p.m.]

Member Galloway stated that generally Washoe County's actions for undergrounding are in response to complaints from parties who feel they are adversely affected by above ground transmission lines. If there had been such parties, they probably would have appealed.

MEMBER MARTINI MADE A MOTION TO APPROVE, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

8. ADMINISTRATIVE ITEMS

- A. Consideration and possible acceptance of FY 05-06 second quarterly budget and work program report.

Mr. Ziegler stated that a year-end savings of a little over \$12,000 is projected. The Agency has been offered a \$5,000 grant from the Charles Schwab Bank. If the RPGB authorizes acceptance of the grant, Mr. Ziegler recommended a budget amendment to increase both revenues and expenditures by \$5,000. There is a report on the work program in the meeting packet beginning on page 56.

Member Larkin asked if the packet production in digital format is available on the website. Mr. Ziegler responded that it is not. The money to support that move has been requested in next year's budget.

Member Larkin asked about the GIS warehousing project. Mr. Ziegler responded that some time might need to be set aside to discuss this topic in more detail. In general, there are two basic approaches that can be pursued. One is basically a de-centralized cooperative approach on data and the other is more of a centralized data repository. Regional Planning staff has basically pursued a de-centralized approach that emphasizes working together with all the entities that manage and analyze data. A truly centralized repository has both administrative and political issues involved in it and it also has money and staffing issues involved.

Member Larkin asked if there is one place that an individual can go and either click on a website or call a number and get information in a timely manner. Mr. Ziegler responded that to the degree possible, Regional Planning staff does serve in that function now on a case by case basis.

Member Larkin stated that we need to present a professional world class front and part of that is data.

MEMBER HASCHEFF MADE A MOTION TO ACCEPT THE REPORT INCLUDING THE \$5,000 GRANT, SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- B. Discussion and possible direction to staff on proposed Urban Land Institute (ULI) advisory panel to evaluate the Regional Plan update and implementation issues.

Mr. Ziegler stated that if the RPGB wishes to continue to pursue the ULI advisory panel, September would be a good time in terms of the timing of the Regional Plan update. Mr. Ziegler stated that could be done either by amending this year's budget or by planning to incorporate it into next year's budget. This year's beginning fund balance could be used without requiring the local governments to make an additional contribution.

MEMBER AIAZZI MADE A MOTION TO BRING IN ULI USING THIS YEAR'S BUDGET, SECONDED BY MEMBER HASCHEFF.

Member Hascheff asked if ULI would be scheduled to come in September of 2006. Mr. Ziegler responded that he will work with ULI to firm up the arrangements and will bring the RPGB a formal budget amendment for adoption.

Member Hascheff asked if Mr. Ziegler would be able to get a scope of work from ULI. Mr. Ziegler responded yes.

THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- C. Discussion and possible direction to staff on goals for the program of regional planning, for inclusion in the Agency's strategic plan and FY 06-07 program of work.

Mr. Ziegler asked for feedback on the three-year goals.

MEMBER LARKIN MADE A MOTION TO REAFFIRM THE GOALS FOR THE PROGRAM OF WORK FOR REGIONAL PLANNING, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- D. Discussion and possible direction to staff on FY 06-07 preliminary budget and work program.

Mr. Ziegler stated that no action is required of the RPGB on this item at this time. The intent is to bring the RPGB a budget for approval next month. In terms of baseline, there is an estimated 7.8% increase over the current fiscal year.

[Member Aiazzi left at 3:53 p.m.]

Member Weber asked about funding for the 2007 legislative session. Mr. Ziegler responded that Regional Planning staff will handle that that same as the 2005 session.

Member Larkin asked if he would be bringing back something on the information repository at the March meeting. Mr. Ziegler responded yes.

Member Galloway the amount requested is reasonable but the wording in the report may need to be changed to reflect the priority Member Larkin mentioned. Mr. Ziegler agreed that the wording on page 109 of the meeting packet does not reflect today's discussion.

9. REPORTS

A. Members' and Director's reports.

1) Report on Truckee Meadows Growth Task Force

Mr. Ziegler reported on Task Force activities.

Member Galloway asked about getting information regarding how many people participated in the meetings of the Task Force. Stacey Crowley, Task Force Vice-Chair, stated that she will get an attendance spreadsheet to Mr. Ziegler.

2) Status report and possible direction to staff on plans for joint meeting of RPGB and Washoe County School District's Board of Trustees

Mr. Ziegler stated that he is waiting for feedback from the School District regarding a joint meeting in April. If that does not work with their schedule, we might be looking at June.

3) Report on offer of community development capacity-building initiative grant from Charles Schwab Bank to support research and education on affordable housing

MEMBER MARTINI MADE A MOTION TO ACCEPT THE GRANT, SECONDED BY MEMBER WEBER. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

B. 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

Mr. Azevedo stated that the court has set a follow-up status hearing for these items on March 30 at 4:00 p.m.

3) Status report regarding procedural matters in dispute resolution case #DR 05-001-RPC: Citizens Against Casinos in Neighborhoods adv. City of Reno regarding adoption of the Redfield Regional Center Plan by the Reno City Council on December 1, 2005

Mr. Azevedo stated that this item represents the first time that a non-governmental entity is attempting to exert rights under the cooperative planning process. The RPC found that the group of individuals who pursued that did not have standing.

- 4) Status report regarding case #APP-05-001, appeal filed by Mr. George Postrozny pursuant to subsection 4 of NRS 278.02788, appealing the determination of the Reno City Council concerning the use of land within the sphere of influence, specifically, the master plan amendment for gaming locations (LDC06-00066)

Mr. Azevedo stated that this item is a specific type of appeal regarding statute NRS 278.02788. This is the second time in the history of the Agency that a non-governmental entity has attempted to pursue a remedy under that particular statute.

10. REQUESTS FOR FUTURE AGENDA ITEMS

- A. Consideration and possible action on calendar of agenda items.
- B. Members' and director's requests for agenda items.

None

11. WRITTEN CORRESPONDENCE

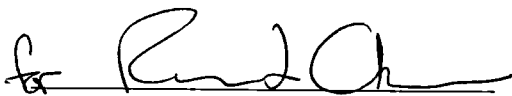
None

[Member Martini left at 4:09 p.m.]


12. ADJOURNMENT

MEMBER AIAZZI MADE A MOTION TO ADJOURN AT 4:10 P.M., SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

Respectfully submitted by Christine Birmingham.



David S. Ziegler, Director
Truckee Meadows Regional Planning Agency



Dwight Dortch, Chair
Regional Planning Governing Board

APPROVED BY THE REGIONAL PLANNING GOVERNING BOARD IN SESSION ON
9/11, 2008