



# REGIONAL PLANNING GOVERNING BOARD

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

## MINUTES

### REGIONAL PLANNING GOVERNING BOARD Regular Meeting Thursday, September 21, 2006

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

The meeting was called to order by Chair Robert Larkin at 2:14 p.m.

#### 1. ROLL CALL

The clerk called the roll, and Regional Planning Governing Board members in attendance were: Robert Larkin, Geno Martini, Dave Aiazzi, Robert Cashell, Dwight Dortch, and Pierre Hascheff. Member Jim Galloway arrived at 2:25 p.m. Members absent were: Mike Carrigan, Ron Schmitt and Bonnie Weber.

Also present were: Rosanna Coombes, TMRPA Interim Director; Norman Azevedo, legal counsel; Connie Anderson, TMRPA; Patricia Rogers, TMRPA; and Joy Randall, TMRPA.

#### 2. APPROVAL OF AGENDA

Rosanna Coombes, Interim Director of Regional Planning, requested that agenda item 7.B regarding filling the Senior Regional Planner position be addressed following agenda item 5, Public Comment.

MEMBER DORTCH MADE A MOTION TO APPROVE THE SEPTEMBER 21, 2006, RPGB AGENDA AS AMENDED, SECONDED BY MEMBER AIAZZI. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

#### 3. SALUTE TO THE FLAG

Chair Larkin led the salute to the flag and the Pledge of Allegiance.

#### **4. APPROVAL OF MINUTES**

- A. July 27, 2006
- B. August 10, 2006

Member Hascheff stated that he was not present for the July 27, 2006, meeting and would need to abstain from voting on that item. *[Item continued to next RPGB meeting]*

MEMBER MARTINI MADE A MOTION TO APPROVE THE AUGUST 10, 2006, RPGB MEETING MINUTES, SECONDED BY MEMBER AIAZZI. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

#### **5. PUBLIC COMMENT**

None

#### **7. ADMINISTRATIVE ITEMS**

- B. Discussion and possible action regarding filling the Senior Regional Planner position.

Ms. Coombes stated that she has made a tentative offer to a very qualified candidate for this position and requested approval from the RPGB to finalize the offer.

Member Aiazzi asked who the candidate is. Ms. Coombes responded that the Regional Planning Agency (RPA) does not normally identify candidates.

Member Aiazzi asked if the RPGB has jurisdiction over who the Director of Regional Planning hires. Ms. Coombes responded that based on legal interpretation of the personnel policies and statute, the RPA gains budget approval from the RPGB for the overall budget for the organization. When there are vacancies that need to be filled, Legal Counsel has advised that the RPGB give final approval to utilize the budget allocation to fill the position.

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

#### **6. BUSINESS OF THE DAY**

- A. Status report on the legislative strategy including:
  - 1) Discussion and direction to staff on policies and procedures for the 2007 legislative session including, but not limited to, tracking of bill draft requests, staffing issues and possible future establishment of legislative subcommittee of the RPGB.
  - 2) Progress report on proposed changes to NRS 268.610 - 268.668 to allow annexation of non-contiguous territory by a city if that territory is included in the sphere of influence of that city.

Patricia Rogers, Community Outreach Assistant, requested direction from the RPGB regarding the options for staffing the 2007 legislative session.

Chair Larkin asked what was done for the last session and how it worked. Ms. Rogers responded that the RPGB chose to have Regional Planning staff attend the legislative session on a regular basis and address any issues that came forward that might have an impact on regional

planning. Ms. Rogers stated that it worked well and the RPGB seemed happy with the information that came back. It did take the Director and some of the staff away from the RPA for a portion of time. Ms. Rogers stated that a legislative subcommittee of the RPGB was also established.

Member Hascheff asked what it would cost and how many hours it takes for Regional Planning staff to do this. Member Hascheff also asked what it would cost to possibly piggyback on one of the other lobbyists for the Cities or County. Ms. Coombes responded that at the last session the Director of Regional Planning was at the legislature half days every day and that there were alternating Regional Planning staff members that covered the afternoons. Ms. Coombes stated that it was the equivalent of one full-time employee for the duration of the legislative session and that she does not have a dollar amount for that at this time. In the 2003 session a lobbyist was employed to represent the RPGB, that contract was around \$60,000.

Member Aiazzi expressed concern regarding the time Regional Planning staff will be required to work on the Regional Plan update, which was not a factor during the last legislative session.

*[Member Galloway arrived at 2:25 p.m.]*

Ms. Coombes stated that the work program has been organized around the understanding that Regional Planning staff may need to go to the legislature. Regional Planning staff is working very hard with the Technical Advisory Committee (TAC) to bring the 2007 Regional Plan update to the RPGB by February of 2007 so that staff will be available to be at the legislature.

Member Hascheff suggested authorizing Regional Planning staff proceed the same as last year and have the Director and staff attend the legislature. In the interim, the Director can make inquiries with respect to hiring a lobbyist or utilizing one of the entities lobbyists in case staff gets tied up on regional planning issues. Ms. Coombes stated that she can do that.

Member Dortch agreed with Member Hascheff and stated that he does not see any need to hire an outside lobbyist right now.

Chair Larkin asked Ms. Coombes if she would immediately bring it to the RPGB's attention if it gets burdensome when it comes to meeting the 2007 update deadline. Ms. Coombes responded yes.

Ms. Rogers stated that information regarding establishing a legislative subcommittee is on page 28 and 29 of the meeting packet. If the RPGB would like to use a subcommittee again, that should be formed by January.

There was some discussion regarding membership of a legislative subcommittee.

**MEMBER AIAZZI MADE A MOTION TO APPOINT A SUBCOMMITTEE COMPRISED OF THE RPGB CHAIR, VICE-CHAIR, AND MEMBER DORTCH.**

Member Galloway asked if the procedure is that if the subcommittee meets and all three members agree, then regional planning takes a position. If they don't all agree, then each entity takes its own position.

Member Hascheff asked how it has been done in the past. Ms. Coombes responded that past practice has been as Member Galloway represented. If all three entities agree, it would be represented by staff as a common approach of the RPGB. If there is a disagreement, staff would

not take forward a position of the RPGB to the legislature but may represent that there were different perspectives on behalf of each of the entities, and advise the entities' legislative staffs of the RPGB position.

Member Galloway stated that is essential because there are only three members of the subcommittee.

Chair Larkin asked if the maker of the motion is also including the procedure. Member Aiazzi responded yes.

THE MOTION WAS SECONDED BY MEMBER HASCHEFF.

Chair Larkin asked about the subcommittee being subject to the open meeting law. Norm Azevedo, Legal Counsel, stated that a subcommittee comprised of members of a public body that is funded through tax revenues by statute is subject to the open meeting law, specifically when the subcommittee does report back to the full body.

Member Dortch stated that in the past the subcommittee meeting was always noticed every week. If there were no items to discuss, the meeting would be canceled.

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

- B. Consideration of issues including, but not limited to, the role, structure, or function of the Truckee Meadows Regional Planning Agency related to regional planning in Washoe County and surrounding areas.

Ms. Coombes stated that the past practice of the organization is included in the meeting packet. Between the resignation of the second Director and the appointment of the third Director, Mr. Ziegler, the RPGB did have a similar dialogue. Ms. Coombes stated that in 2002 the RPGB met with the Regional Planning Commission (RPC) and asked for the participation of the City and County managers and other key professionals from around the region to participate in a workshop. The minutes from that workshop are included in the meeting packet. Also included in the staff report is the statutory framework on what the legislature has directed the program of regional planning to be in Washoe County. Ms. Coombes reviewed four possible options regarding how the RPGB can proceed on the discussion of the function, structure or role of the RPA.

Chair Larkin stated that he favored the last option to hold off on discussing the matter and to direct staff, in conjunction with the local planning directors, to prepare a discussion paper on what is working, what is not working, and possible solutions to any perceived or real problems. Chair Larkin stated that this option should also include a discussion about how well the legislative intent for regional planning was met or if the legislative intent needs to be changed.

Member Aiazzi stated that he also liked the last option. Member Aiazzi also stated that something that needs to be tweaked is the state law governing the relationship between the RPC and the RPGB. The state law specifically tells the RPC they have to do something and it does not let the RPGB direct them so there are non-elected people driving issues. Member Aiazzi mentioned the fact that when the RPC votes one way and the RPGB votes another way the same attorney represents them both. Member Aiazzi stated that he would prefer to see a model like the Cities and the County have. The RPGB could give the RPC the authority to do something but it would not be mandate by state law. It should be the mandate of the planning agency and

then the RPGB would determine how that gets done. Member Aiazzi stated that the past Director was sort of torn in two on a couple of issues.

Member Hascheff stated that he agreed that it should start with Regional Planning staff and the planning directors and they will come back to the RPGB and report on what they think works and does not work. Member Hascheff also suggested involving the RPC. Member Hascheff stated that he also agreed with Member Aiazzi. It would streamline the process to have the planning commission as an advisory body make recommendations that come to the RPGB for final decision.

MEMBER DORTCH MADE A MOTION TO ACCEPT THE LAST OPTION AS GIVEN BY STAFF WITH THE DIRECTION THAT WAS GIVEN HERE AT THE TABLE, SECONDED BY MEMBER CASHELL.

Chair Larkin asked Ms. Coombes if she got all the direction. Ms. Coombes responded yes.

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

*[Member Cashell left at 2:45 p.m.]*

## **7. ADMINISTRATIVE ITEMS**

- A. Consideration and possible acceptance of FY 06-07 budget and work program report including possible amendments.

Joy Randall, Administrative Services Manager, stated that several events during the first two months of the fiscal year have impacted the work program and budget. These impacts are outlined in the staff report included in the meeting packet. Based on some of the changes that are outlined in the report, the budget is projected to be over budget by \$107,923. Regional Planning staff recommended using a portion of the beginning fund balance to increase expenditures by \$107,923. This budget amendment would result in no increase to member government contributions.

Chair Larkin asked what that would take the fund balance down to. Ms. Randall responded that it takes the fund balance down to \$132,402, which is approximately eight percent of the working budget.

Chair Larkin asked if that is enough for the contingency. Ms. Randall responded yes.

Member Hascheff asked for an explanation of one of the outputs creation of a program to recognize best practices and innovative methods to implement the Regional Plan that has been deferred until FY 07-08. Ms. Coombes responded that the project was to look at ways in which the RPA and the RPGB could recognize things that were happening on the ground that we are effectively implementing in the Regional Plan. The idea was that the first half of the project would be to look at ways in which we could recognize good regional planning practice on the ground. The second half of the project was to then implement whatever it was that the RPGB wanted implemented in terms of a recognition program.

Member Hascheff asked if anything was being deferred that would affect the implementation of this Regional Plan update. Ms. Coombes responded no.

MEMBER DORTCH MADE A MOTION TO APPROVE, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

## **8. REPORTS**

### **A. Members' and Director's reports.**

- 1) Discussion and possible acceptance of the Regional Plan annual report summarizing individual 2005 reports submitted by local governments and affected entities pursuant to subsection 1 of NRS 278.0286

Ms. Rogers stated that the RPC accepted the annual report on August 23, 2006. Regional Planning staff is asking that the RPGB accept the report.

MEMBER HASCHEFF MADE A MOTION TO ACCEPT THE REPORT, SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

- 2) Consideration of annual requests, if any, for amendments to the Truckee Meadows Regional Plan, pursuant to subsection 7 of NRS 278.0272

Ms. Rogers stated that this is a call for Regional Plan amendments that the RPGB might possibly contemplate or need to see go forward. Ms. Rogers also reported that the individual property owner requests process is continuing.

Chair Larkin asked if the property owner requests process has to come back to the RPGB for approval if there are any changes. Ms. Coombes responded that the process was endorsed through a resolution of the RPC and they directed staff to work with the planning directors and set up a process so it would go back to the RPC.

Chair Larkin asked if the RPC is in control of that process right now. Ms. Rogers responded yes.

Member Martini asked about the process and why it will go to the RPC and not the RPGB. Ms. Coombes responded that there are several ways in which a Regional Plan amendment can occur. The statute calls out a requirement for the RPC to do a five-year update, which is the 2007 update process we are going through. There is another process outlined in statute that the RPC has to review the plan once per year and recommend amendments they feel are necessary. That is this call we are doing for the moment. It just happens to overlap with the five-year update in this particular cycle. There is also another provision in statute that allows ad hoc amendments. If the RPC can make a finding that it is in the best interest of the community or for the health and welfare of the community, an amendment can be brought forward at any time. All three methods are being used this year for amending the Regional Plan.

Ms. Rogers stated that Regional Planning staff is currently working with Sierra Pacific Power Company (SPPCO) on an ad hoc amendment to possibly amend the Regional Utility Corridor Report (RUCR).

Chair Larkin asked if the RUCR will come before the RPGB if there are changes. Ms. Coombes responded that the RUCR was adopted into the Regional Plan by reference. If the RUCR is changed, it constitutes a Regional Plan amendment and will come before the RPGB.

There were no suggestions for amendments from the RPGB at this time.

3) Status report from Washoe County regarding infill development

Adrian Freund, Washoe County Community Development, provided a brief status report on work in progress.

Member Aiazzi stated that when this was discussed earlier in the year there was talk about Washoe County budgeting some money for infill. Member Aiazzi asked Mr. Freund if there has been any money budgeted in the County redevelopment projects. Mr. Freund responded that there has not been a direct budgeting of money at this point in time. Mr. Freund stated that the County Board continues to discuss this matter.

Member Hascheff stated that there are County Commissioners at the table and there is an opportunity now to work things out. Member Hascheff mentioned in-kind contributions versus cash and stated that he envisions something in the way of in-kind contribution. Member Hascheff asked if this is something that the RPGB should just direct staff to work on with the County and bring back a laundry list of objectives and the RPGB can bring some consensus to it. Member Aiazzi responded that he believes something should be done to make this move forward. Member Aiazzi also stated that he never said that the County should give the entities cash but that they should budget something so they can figure out how to make things better. Member Aiazzi stated that he appreciates seeing some movement on it but there was a promise in January that there would be something budgeted for the County to work on infill and he has not seen that.

Member Hascheff suggested that one way to address it would be to direct staff to meet with the local Planning Directors and bring some kind of consensus document back to the RPGB in the next 60 days as to a work program that we can work towards. Member Hascheff stated that everybody agreed as part of the settlement that infill is important. How we get there may be problematic but it is a worthwhile goal.

Member Galloway asked if the County Manger, Katy Singlaub, would like to make some comments. Katy Singlaub, Washoe County Manger, stated that they have had meetings with City of Reno staff. A letter was sent to Mr. McNeely in late August summarizing the meeting. It was our perception from the meeting with Mr. McNeely and Mr. Graham from the Redevelopment Agency that there was a great deal of enthusiasm for our looking at the Pioneer site as being a focus of an effort that the City might be interested in. Ms. Singlaub stated that she is awaiting a response from Mr. McNeely to the letter that we sent from that meeting.

Chair Larkin asked if the County is beginning the 2007-2008 budget. Ms. Singlaub responded that they are beginning the planning process and that there was no commitment made by the County to budget some amount of money that was going to be transferred. That was not direction from the Board and was not done in this current year's budget. Ms. Singlaub stated that she understood there was an effort to find some sort of in-kind that was not going to end up reducing service resources throughout the County but create an added value for the City of Reno.

Member Galloway stated that there are projects that the Redevelopment Agency and Reno want to do that would have parking impacts. The County is building a parking structure for the Mills Lane Center and for future core expansion downtown because every effort has been made to keep the Courts downtown in order to not disrupt the economy of downtown Reno. Member Galloway asked Ms. Singlaub to elaborate on this topic. Ms. Singlaub responded that the City

has interest in the Pioneer site. It is undeveloped and unimproved. If the County and the City work together, we can create something that is of great value both to the City as well as the County. The first priority of the County Commission was a parking structure that is budgeted in the 2006-2007 budget. The County Commission did make a commitment to move forward on breaking ground this year on that parking structure. The County has been asked by City staff to work with them so that we don't build a parking structure that pre-determines what can be done with that site. Ms. Singlaub stated that parking is the highest priority and that potentially adding to the parking that the County would build might be one of the solutions.

Member Aiazzi stated that the parking garage was not part of infill development. It is part of the response to building the courtroom and it can't be used as two different things. Member Aiazzi referred to the comment that the City Manager was gone in August and stated that this was requested and voted on in December. This should have been happening in February and March and not in September and October. Member Aiazzi stated that there was a dollar figure that was tossed around that the County had offered at one time. Member Aiazzi stated that he tried to put it into the Regional Plan settlement and was told not to worry about it and that it would be taken care of. Member Aiazzi stated that it is a goal of regional planning to help out infill development and not the City of Reno or the City of Sparks. Ms. Singlaub stated that the notion was not to have the existing parking structure be a component of resolving the infill agreement. The idea was to add additional parking at the County's expense in response to downtown Reno planning. Ms. Singlaub also stated that there were many opportunities that should have been taken collectively along the way. Ms. Singlaub stated that she wants to have a great solution that adds value for everyone.

Chair Larkin asked Ms. Singlaub if Member Hascheff's idea is agreeable to have the Planning Directors come back to the RPGB in the next 60 days with something on paper that basically says here is the various jurisdictions' views of how we think we can get the infill development pursuant to the spirit of the settlement agreement. Ms. Singlaub responded that is fine and she will be happy to provide progress reports and keep the RPGB apprised.

Chair Larkin stated that Ms. Coombes will be charged with fielding that force and bringing that back to the RPGB in 60 days.

Member Hascheff asked if that is a reasonable time frame. Ms. Coombes responded that 60 days is reasonable to at least get on paper what the current thinking is. If there is an indication that there is going to be ongoing work, then we can add to that with progress reports.

**MEMBER HASCHEFF MADE A MOTION TO DIRECT STAFF TO COME BACK TO THE RPGB WITHIN THE NEXT SIXTY (60) DAYS WITH A CONSENSUS DOCUMENT THAT HAS BEEN REVIEWED AND APPROVED BY THE VARIOUS THREE (3) ENTITIES TO TRY TO COME UP WITH WHAT THEY PERCEIVE TO BE THE BEST WAY TO ATTACK THIS INFILL ATTEMPT, SECONDED BY CHAIR LARKIN.**

Member Aiazzi stated that he is not taking a City of Reno position but a regional approach and that it does not have to be in downtown Reno.

**THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) 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 he would address items 8.B.1 and 8.B.2 together. With respect to this particular litigation and settlement regarding Reno's annexation program, Mr. Azevedo filed a subsequent status report with Justice Hardesty which was to include both elements of the respective settlement.

*[Member Galloway left at 3:20 p.m.]*

Chair Larkin informed Mr. Azevedo that there is not a quorum present.

*[Member Galloway returned at 3:21 p.m.]*

Mr. Azevedo stated that Justice Hardesty also requested a copy of the order dismissing the voters for sensible growth action by Judge Kosach. Mr. Azevedo stated that Justice Hardesty's office made him aware that unless we hear from him again, there will be no further status reports or meetings with respect to that particular litigation.

Member Galloway asked if item 8.B.2 was addressed. Mr. Azevedo stated that he would be more specific as to item 8.B.2. It has been brought along with item 8.B.1 and the amendment the RPGB adopted in July were intended to address the roll back of the SOI in those areas. When this body adopted those amendments, that acted as a resolution of item 8.B.2.

Member Galloway asked for clarification that Mr. Azevedo is referring to the adoption of what he calls the big map. Mr. Azevedo responded yes. In this process he did request staff to prepare a map that would outline the roll back of the SOI as contemplated in the 2002 plan versus the amendments that were passed. Ms. Coombes distributed copies of the map and stated that it is a composite of the original settlement agreement adopted in October 2002, and the July '06 rollback. Ms. Coombes stated that it is the assumption of Regional Planning staff that it was a conscience decision of the entities to acknowledge that the request for the roll back that was made in July did not include what is marked on the map as parcels a, b, and c.

Member Galloway asked Mr. Freund if that was intended. Mr. Freund stated that parcels a, b, and c were worked out for specific reasons. Those are parcels related to the Redfield Regional Center and parcel (a) is related to the geothermal property. Mr. Freund stated that he and John Hester decided it was better to include the entire parcel there rather than to split the parcels.

- 3) Status report on the City of Sparks appeal of action taken by the Board of Washoe County Commissioners on June 27, 2006, to adopt amendments to the Spanish Springs Area Plan

Mr. Azevedo stated that the RPC did address this cooperative appeal and, based on a procedural defect, the appeal was untimely. The RPC did dismiss the appeal as being untimely. The City of Sparks has until October 3, 2006, to file an appeal with the RPGB.

#### **9. REQUESTS FOR FUTURE AGENDA ITEMS**

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

Ms. Coombes reviewed future agenda items for the RPGB.

Chair Larkin asked if there is an appetite for the RPGB to consider the appointment of the Director of Regional Planning in advance of discussions on the future of regional planning.

Member Aiazzi stated that if we are going to keep regional planning, we should not postpone doing the Director search.

#### **10. WRITTEN CORRESPONDENCE**

None

#### **11. ADJOURNMENT**

MEMBER AIAZZI MADE A MOTION TO ADJOURN AT 3:31 P.M., SECONDED BY MEMBER DORTCH. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

Respectfully submitted by Christine Birmingham.

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Rosanna Coombes, Interim Director  
Truckee Meadows Regional Planning Agency

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Robert Larkin, Chair  
Regional Planning Governing Board

**APPROVED BY THE REGIONAL PLANNING GOVERNING BOARD IN SESSION ON \_\_\_\_\_, 2006**