



REGIONAL PLANNING GOVERNING BOARD

MEMBERS
Mike Carrigan, Chair
Dwight Dortch, Vice-Chair
David Aiazzi
Jim Galloway
Toni Harsh
Pierre Hascheff
Geno Martini
Ron Schmitt
Jim Shaw
Bonnie Weber
Dave Ziegler, Director

MINUTES

REGIONAL PLANNING GOVERNING BOARD Regular Meeting Thursday, November 18, 2004

The Regional Planning Governing Board (RPGB) 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 2:13 p.m.

1. ROLL CALL

The clerk called the roll, and Regional Planning Governing Board Members in attendance were: Mike Carrigan, Bob Cashell, Sharon Zadra for Dwight Dortch, Jim Galloway, Pierre Hascheff, Geno Martini, and Bonnie Weber. Member David Aiazzi arrived at 2:18. Members absent were: Dwight Dortch, Ron Schmitt, and Jim Shaw.

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

2. SALUTE TO THE FLAG

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

3. APPROVAL OF AGENDA

MEMBER MARTINI MADE A MOTION TO APPROVE THE NOVEMBER 18, 2004, AGENDA, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

4. APPROVAL OF MINUTES

- A. August 12, 2004, regular meeting
- B. September 9, 2004, regular meeting
- C. September 30, 2004 special meeting

MEMBER MARTINI MADE A MOTION TO APPROVE THE RPGB MINUTES FOR AUGUST 12, 2004, SEPTEMBER 9, 2004, AND SEPTEMBER 30, 2004, SECONDED BY MEMBER WEBER. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT. MEMBER HASCHEFF ABSTAINED FOR THE AUGUST 12, 2004, RPGB MINUTES.

5. PUBLIC COMMENT

None

6. BUSINESS OF THE DAY

- A. Consideration and possible acceptance of FY 04-05 first quarterly budget and work program report and possible budget amendment.

Dave Ziegler, Director of Regional Planning, recommended acceptance of the report and approval of a budget amendment transferring money between two account groups. Mr. Ziegler stated that as of the end of the first quarter, the projected year-end revenues are higher than budgeted and the projected year-end expenses are within budget.

Member Hascheff asked if there is enough money in the training budget for staff. Mr. Ziegler responded that there is enough money in the training budget to do the basics. Mr. Ziegler stated that he has considered the need for a broader training program bringing in some speakers on planning principles and to possibly get the Regional Planning Commission (RPC) and the RPGB involved in some workshops and training. Mr. Ziegler asked if there is a desire to take a look at that and see if money can be shifted into training. Member Hascheff responded that he would like to see staff look into that and bring some options back to the RPGB.

[Member Aiazzi arrived at 2:18.]

MEMBER GALLOWAY MADE A MOTION TO APPROVE THE BUDGET AND WORK PROGRAM REPORT AND TO AUTHORIZE THE BUDGET TRANSFER AS DESCRIBED IN THE STAFF REPORT, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

- B. Status report and possible direction to staff on development of coordination agreement with Washoe County School District.

Mr. Ziegler stated that he has met with the President of the Board of Trustees and the Interim Superintendent of the School District. There has been a lot of staff level coordination and work has begun on the written coordination agreement.

Jonnie Pullman, Washoe County School District, thanked Mr. Ziegler and Regional Planning staff for their involvement in the school board meetings.

- C. Status report by representatives of Washoe County School District regarding rollover bond program.

Ken Green, Superintendent of Bond Operations, introduced Mark Stanton, Bond Director, and Tim Dafoe with America Schoolhouse Council (ASC). Mr. Green stated that they hope to be invited back to the RPGB meetings on a quarterly basis.

Mr. Stanton presented an overview of the bond program. Mr. Stanton stated that he would like to come back to the RPGB meetings on a quarterly basis to provide more specific information as it becomes available.

Chair Carrigan asked about the capacity of the rollover. Mr. Stanton responded that a financial analyst provided a scenario of a high growth rate which averaged about eight percent a year in assessed value. This resulted in about 700 million dollars over a period of ten years.

Chair Carrigan asked when improvements will be made to the older schools. Mr. Stanton responded that they are in the process now of commissioning a capacity study that will allow them to see the capacities of the schools. Mr. Stanton stated that they are also in the process of developing a recommendation to the Board of Trustees on how the renewal money will be spent in the schools. Educational specifications for new schools will be used as a benchmark for improvement to the old schools. The educational specifications are in the process of being redesigned and the renewal program will not start until they have been finalized, around April 2005.

Member Aiazzi asked about money for the McQueen expansion. Mr. Stanton responded that thirteen million dollars was appropriated for the McQueen addition. With the recognition that the McQueen addition would not be moving forward yet, the recommendation was made to the Board of Trustees that three million dollars of that money be reallocated to move forward with the North Valleys and Spanish Springs additions because those areas are growing much more rapidly. The remaining ten million dollars will still be used for the McQueen addition.

Member Aiazzi stated that any changes in money allocation would have had to go to the debt oversight committee. Mr. Stanton responded that legal counsel indicated that if the money was going to be used for anything different than what it was originally appropriated for, the oversight committee would have to provide authorization for that recommendation. In this case, the money is still being used for high school additions.

Member Aiazzi stated that the money the bond oversight committee voted on was specific to each school. Mr. Stanton responded that this issue will be addressed at the next committee meeting as an informational item.

Ms. Pullman stated that one of the reasons for this decision is that construction costs have increased thirty percent since the time the plans were drawn for these projects. The decision was made, based on the information that was there and the money that was available, to move ahead with the projects that could be completed before the costs go up another thirty percent. Ms. Pullman stated that the Board of Trustees made a legal and appropriate decision in this case to go forward.

Member Hascheff asked when the rezoning effort will take place. Mr. Stanton responded that the study is in initial phases of development. The plan is to have a recommendation ready for the board in November of 2005.

Member Hascheff asked if a public process would be used if the recommendation is to rezone. Ms. Pullman responded that the board has committed to use a public process.

Member Hascheff asked what documents were used in determining that the growth in Spanish Springs was much greater than in the McQueen area. Mr. Stanton responded that the historical growth rate for the last five years was used.

Member Hascheff asked if it was assumed that the five-year growth rate would apply for the next five years. Mr. Stanton responded that the growth rate was projected out to the next three years.

Member Hascheff asked if that was compared with the existing planning documents that Washoe County has which make adjustments to limit the amount of growth occurring in that area. Mr. Stanton responded that he can not answer that question.

Member Weber asked how to go about getting money for a middle school in the Sun Valley area. Ms. Pullman responded that to get any funding for a middle school in Sun Valley would require documentation of a need over and above anyone else in the County. Ms. Pullman talked about the process the Board of Trustees uses when making decisions on how to spend bond money. If there is documentation of a need that would require an adjustment to the ten-year plan, that need would also be put up against renewal of older schools and other needs.

Chair Carrigan asked if houses already approved were considered when looking at growth. Mr. Stanton responded yes.

Member Zadra asked if expansions going up instead of out are being considered in order to avoid looking for greater land masses. Mr. Stanton responded that there is no limit to what can be considered. Mr. Stanton mentioned that there has been almost a tripling of land costs for schools.

Mitch Mitchell, Washoe County School District Trustee, spoke about the work being done by ASC for the Washoe County School District. More information and answers to questions will be available by the middle of next Spring.

Chair Carrigan asked if the ASC is also looking into impact fees and other ways to pay for infrastructure and building schools. Mr. Mitchell responded that is out of their realm. Chair Carrigan asked if the school district is looking into that. Mr. Mitchell responded yes. Mr. Mitchell mentioned a land use issue regarding the amount of money being charged by developers for land to build schools in their developments.

Ms. Pullman stated that the board is evaluating opportunities for funding through bill drafts. Evaluating how to get money for schools through the Nevada tax structure should be done locally and not through an outside consultant.

Tim Dafoe, America Schoolhouse Council, stated that the ASC is a consortium of seven planning and design firms from around the Country. ASC brings the resources of that group of people to communities like Washoe County. ASC's role here has been to help the district develop a planning process that would provide a more comprehensive approach to the development of new schools and the redevelopment of old schools within the district. Mr. Dafoe described the process being used by ASC.

Member Hascheff stated that the principle ASC is trying to achieve is the delivery of an efficient educational system that would increase student achievement. Member Hascheff asked if this includes looking at the location of schools and issues of overcrowding. Mr. Dafoe responded that is correct.

Member Hascheff asked how that is married with the land use issue mentioned earlier by Mr. Mitchell. Member Hascheff asked Mr. Dafoe what he has seen in other jurisdictions to try to address that issue.

Mr. Dafoe responded that some of the options he has seen used in other areas for addressing that issue include different delivery structures that are not traditional comprehensive high schools.

Member Aiazzi asked if an additional model can be provided for schools inside the urban core. Mr. Dafoe responded that is a good summary of what will probably come from this process. There needs to be a variety of solutions.

Member Weber suggested having a staff member from the school district attend the RPGB meetings as well as a school board member.

Chair Carrigan stated that is a good idea and asked Ms. Pullman to bring that suggestion to the school board. Ms. Pullman stated that the school board does want to participate in the RPGB meetings and suggested using a portion of the meetings to discuss policies and planning models.

Chair Carrigan stated that having the school board representatives attend once a quarter is a good idea.

- D. Discussion and possible direction to staff on new Regional Planning Governing Board (RPGB) member orientation.

Mr. Ziegler proposed that each new RPGB member be given a packet of written materials and be invited to the Regional Planning Agency (RPA) offices to meet the staff, have informal discussions with the Director, and view a slide show on the Regional Plan.

Member Zadra suggested that the orientation be expanded to the liaisons as well. Members Martini and Weber agreed.

Member Aiazzi suggested including RPGB meeting minutes for the past year in the written materials.

Chair Carrigan suggested including a quick brief of legal issues in the written materials.

- E. Discussion and possible approval of notice of intent to amend the RPGB bylaws to:
 1. Conform the bylaws of the RPGB to the express requirements of the Nevada Open Meeting Law
 2. Remove reference in the bylaws to *Mason's Manual of Legislative Procedure* to make the RPC and RPGB bylaws consistent

MEMBER AIAZZI MADE A MOTION TO APPROVE THE NOTICE OF INTENT TO AMEND THE RPGB BYLAWS, SECONDED BY MEMBER HASCHEFF.

Mr. Ziegler stated that if this motion passes, the next step will be to include it on the agenda for the next RPGB meeting.

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

- F. Consideration of and possible action on advance schedule of meeting dates for calendar year 2005.

MEMBER MARTINI MADE A MOTION TO APPROVE THE SCHEDULE OF MEETING DATES FOR CALENDAR YEAR 2005, SECONDED BY MEMBER HASCHEFF.

Member Aiazzi asked if a strategic planning session is included in the schedule. Mr. Ziegler responded that the planning session will be included within the normal meeting window in January or February. Chair Carrigan stated that there will not be an extra meeting scheduled for the planning session.

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

7. ADMINISTRATIVE ITEMS

A. Discussion and possible action regarding filling vacant Policy Analyst position.

Mr. Ziegler requested authorization to fill the vacant Policy Analyst position. This position was included in the 04-05 budget and is a temporary position.

There was some discussion regarding the identity of a candidate. Mr. Ziegler stated that for privacy considerations, the name of the candidate will not be involved at this stage. Action of the RPGB on this item is not in the nature of selecting a candidate but it is an administrative budget item.

Member Hascheff asked about the next step. Mr. Ziegler responded that if authorization is granted to make the offer, the offer will be made tomorrow. If the offer is accepted, that person will be introduced to the RPGB at a future meeting.

Member Galloway stated that in most organizations, the boards would not even be consulted on this. Member Galloway expressed appreciation that the Director has kept the RPGB advised.

MEMBER GALLOWAY MADE A MOTION TO AUTHORIZE FILLING THE POLICY ANALYST POSITION, SECONDED BY MEMBER AIAZZI. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

8. REPORTS

A. Members' and Director's reports.

1. Reports on process for conducting the update of the Regional Plan and on Growth Management Task Force/Community Partnership

Mr. Ziegler stated that an interim subcommittee of the RPC has met one time and will meet again in advance of the December RPC meeting. The interim subcommittee is starting to work on process options for the next update.

Mr. Ziegler stated that the formation group for the Growth Management Task Force continues to meet and is now in the recruiting stage. The formation group would be happy to appear and present a more detailed status report to the RPGB, if desired.

Chair Carrigan expressed concern regarding current law suits and suggested that they should be settled before working on the update. Norm Azevedo, Legal Counsel, responded that the update process is statutory. Mr. Azevedo stated that he understands the concerns and is hoping that the litigations may become moot by nature of the update.

Member Aiazzi asked for clarification that the update process is run by the RPC not the RPGB. Mr. Azevedo responded that is correct. The process begins at the RPC level.

Member Hascheff mentioned the aspect of the last update that included workshops with the RPC and all of the policy makers of this board. Mr. Ziegler stated that based on the process discussions so far, we are looking for is a consensus plan. The RPC does want to keep the RPGB informed and involved along the way.

2. Report by Regional Planning staff on development of land use model

Randy Baxley, Senior Regional Planner, stated that the regional land use model was developed using an established methodology and known data to produce realistic projections of residential and non-residential development population and employment growth for the region. Mr. Baxley presented detailed information on this regional land use model.

Chair Carrigan stated that this model should make the update a little easier.

Member Aiazzi asked if the data used regarding project applications in the County included Reno and Sparks applications. Mr. Baxley responded that it does include applications from the Cities and the County.

Member Aiazzi asked if the population figures were based on projections from the 2000 census. Mr. Baxley responded that we are bound by the Regional Plan to use the consensus forecast projections of employment and population when preparing the ten and twenty year projections. Mr. Baxley explained the procedure that was used for preparing projections.

Member Hascheff asked if a map is developed that shows priority areas where we want to direct growth. Mr. Baxley responded that there are several things that can be produced right now and more that can hopefully be produced in the future.

Member Hascheff asked if this will help provide enough information for the entities to sit down and come up with a consensus on an annexation program. Mr. Baxley responded that the available information can be supplied.

Member Hascheff mentioned an earlier presentation that does not use the Tishler model. Mr. Baxley responded that only part of the Tishler model was used. Mr. Baxley also stated that he compared what was in the Tishler model with the similar factors that were developed by EPS in their model. The models matched up well.

Member Galloway mentioned the difference between projected growth based on the consensus forecast and based on actual growth. Member Galloway asked if projections can be made using actual growth in addition to the consensus forecast. Mr. Baxley responded that he is looking at providing different scenarios. One set of scenarios will be based on the consensus forecast. Another set of scenarios will be based on a continuation of the existing development trends.

Mr. Ziegler stated that the model is fully documented so that information on any of the assumptions is available.

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.

Mr. Azevedo stated that no decision has come from the Court. Judge Hardesty indicated on Monday that a decision will be forthcoming within four to six days. That decision will also address the motions that are currently pending on that item.

2. Washoe County and SVGID appeal to District Court in dispute resolution case DR03-001-RPGB, regarding cooperative planning criteria, including:
 - a. Amendments to cooperative planning criteria;
 - b. Amendments to settlement agreement regarding expedited dispute resolution.

Mr. Azevedo stated that he will be working with staff to prepare the revised regulations on procedures to address topics discussed at the last RPGB special meeting.

3. Washoe County's petition for judicial review of the certification of Reno's annexation program as conforming with the Regional Plan including, without limitation.
 - a. Appointment of RPGB representative to participate in Court-supervised settlement process

Mr. Azevedo stated that there is a settlement conference set for December 3 before Judge Hardesty. A representative from the RPGB will need to participate in this settlement process with Mr. Ziegler. The parties to that proceeding have requested that the representative from the RPGB be from the City of Sparks.

Chair Carrigan volunteered to be the RPGB representative from Sparks participating in the settlement process.

MEMBER GALLOWAY MADE A MOTION TO APPOINT CHAIR CARRIGAN TO PARTICIPATE IN THE SETTLEMENT PROCESS, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

4. Washoe County's appeal of the Regional Planning Commission's determination of conformance with the provisions of the Regional Plan and the settlement agreement in District Court Case No. CV02-03469 for City of Reno zoning map amendments and Mortensen/Garson Development Standards Handbook (CR04-007).

Mr. Azevedo stated that the record on appeal has been filed on this matter. Mr. Azevedo anticipates that the briefing and hearing on this matter will occur before the end of the year so that Judge Hardesty will hear it before going to the Supreme Court.

5. Nevada Supreme Court Order requiring either the filing of an updated status report describing the settlement of the underlying litigation or requesting an oral argument before the Nevada Supreme Court (Supreme Court Case No. 37947, Bushey/Busi).

Mr. Azevedo stated that the parties have requested that this matter be set for oral argument. Mr. Azevedo stated that he can not get consensus from Washoe County or the City of Reno. Based on the failure to get consensus, Mr. Azevedo recommended setting this matter for oral argument before the Supreme Court.

Member Weber asked for clarification that Washoe County and the City of Reno could not agree on this. Mr. Azevedo responded yes.

MEMBER AIAZZI MADE A MOTION TO PROCEED WITH ORAL ARGUMENTS, SECONDED BY MEMBER HASCHEFF.

Member Weber stated that she does not understand this decision because the property owners wanted this to go through.

Member Galloway explained that although an agreement has been reached on this case, there is concern that the same instance could come up again. The parties involved feel that a clarification of the law is needed for the future.

Member Weber asked if this means that we will have to go to court every time we come to a new event with the Regional Plan. Member Galloway responded that it is only for every time the law is vague or uncertain in an area.

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

C. Legislative reports

1. Report on legislative MOU and conceptual legislation for 2005 session.

Rosanna Coombes, Senior Planner, stated that all of the parties have now approved the MOU. As soon as the document has all the required signatures, copies will be mailed to the RPGB members.

Ms. Coombes stated that Regional Planning staff has included a tracking sheet for BDRs in the meeting packet and will keep it updated.

Member Hascheff referred to an item listed regarding infrastructure services and asked if that needed to be tracked. Ms. Coombes responded that anything that might have an impact somewhere down the road on regional planning is being tracked at this time. Once the language is available we will know whether it is relevant or not.

2. Discussion and possible action regarding formation of a legislative committee of the RPGB for the 2005 session of Nevada's legislature.

Ms. Coombes stated that the RPGB established a subcommittee of three members during the last session. Ms. Coombes recommend something similar for this time around.

Chair Carrigan stated that he would like to go back to the City of Sparks council before taking action on this item.

Member Aiazzi stated that this would be an action of the RPGB not the City of Sparks.

Member Galloway stated that this is not an urgent situation and suggested asking each entity to say which of its members to this board they would prefer to have on the subcommittee.

Chair Carrigan stated that there is time for each entity to address this before the legislature begins.

9. REQUESTS FOR FUTURE AGENDA ITEMS

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

Mr. Ziegler reviewed agenda items for the December RPGB meeting.

MEMBER WEBER MADE A MOTION TO APPROVE THE FUTURE AGENDA ITEMS, SECONDED BY MEMBER GALLOWAY. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

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

None

10. WRITTEN CORRESPONDENCE

None

11. ADJOURNMENT

MEMBER AIAZZI MADE A MOTION TO ADJOURN AT 4:06 P.M., SECONDED BY MEMBER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) 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