



# 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, September 9, 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 Geno Martini at 2:03 p.m.

#### 1. ROLL CALL

The clerk called the roll, and Regional Planning Governing Board Members in attendance were: Jim Galloway, Pierre Hascheff, Geno Martini, Ron Schmitt, Jim Shaw, and Bonnie Weber. Member David Aiazzi arrived at 2:05. Member Sharon Zadra for Dwight Dortch arrived at 2:06. Member Toni Harsh arrived at 2:07. Members absent were: Mike Carrigan and Dwight Dortch.

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

#### 2. SALUTE TO THE FLAG

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

#### 3. APPROVAL OF AGENDA

Member Weber requested that agenda item 7.B.1 be addressed before agenda item 5.A.

MEMBER WEBER MADE A MOTION TO APPROVE THE SEPTEMBER 9, 2004, AGENDA AS AMENDED, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH SIX (6) MEMBERS PRESENT.

*[Member Aiazzi arrived at 2:05 p.m.]*

#### 4. PUBLIC COMMENT

None

#### 7. REPORTS

B. Legal counsel's report

- 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.

Norm Azevedo, Legal Counsel, stated that this issue is currently pending before Judge Hardesty and reported that the Judge has not yet rendered a decision.

*[Member Zadra arrived at 2:06 p.m.]*

Member Galloway asked Mr. Azevedo if he has any knowledge of anyone who has attempted to sign agreements with a water purveyor other than Washoe County. Mr. Azevedo responded no.

**5. BUSINESS OF THE DAY**

- A. WORKSHOP - Regional annual report summarizing individual annual reports submitted by local governments and affected entities pursuant to subsection 1 of NRS 278.0286.

*[Member Harsh arrived at 2:07 p.m.]*

Rosanna Coombes, Long-Range and Community Relations Planner, thanked the staffs of the local entities that contributed to this process. Ms. Coombes stated that there are three aims for this workshop. The first is to officially submit the annual report to the RPGB to satisfy the statutory requirements for annual reporting. The second is to highlight a few key elements of the report. The third is to outline how the annual report may be used in the future in the regional planning process.

Member Weber asked Ms. Coombes if this report is provided to all of the planning commissions. Ms. Coombes responded that it will be distributed to all of the planning commissioners within the region.

Member Weber stated that she would like to see it made available to the Citizen Advisory Boards and the Neighborhood Advisory Boards. Ms. Coombes responded that she would be happy to set that up.

Member Aiazzi asked if it is possible to include approved but not built projects in next year's report. Member Aiazzi also asked who made the statement that infill development is predominantly the role of the cities on page 4 of the annual report. Ms. Coombes responded that is an editorial observation added by the Regional Planning Agency (RPA) in terms of the actual approvals of development within the infill area. Infill area as it is defined in terms of McCarran is not within the planning jurisdiction of the County.

Member Aiazzi stated that there are certainly things the County can do to promote infill. This statement in the annual report would lead people to believe that the County really has no basis to worry about infill development. Member Aiazzi referred to page 17 of the annual report which states that the County has a different philosophy to comprehensively address issues associated with transition of urban development and in general this has not occurred. Member Aiazzi asked for clarification regarding what it is that has not occurred. Dave Ziegler, Director of Regional Planning, responded that this statement is an edited version of what Washoe County submitted in their annual report. The statement in question is a re-statement of one of the issues that the County has stated in the District Court that they had understood cooperative planning to be more of an area by area process. The different parties took

away different interpretations from the settlement agreement in the Fall of 2002. This is a re-statement of that position.

Member Aiazzi stated that it is not clear what has been produced by the RPA and what has been produced by the entities in the annual report. Ms. Coombes responded that the background sections of the annual report were written by Regional Planning staff. What is written under the entities is either verbatim or as accurate a summary as possible without changing the intent of the author of the document. Ms. Coombes stated that the annual report was given back to the parties for review.

Member Aiazzi asked for clarification that this annual report is a condensed version of all three entities' reports and does not reflect the views of the RPA. Ms. Coombes responded that is correct, except where there is background information provided. Text that is not under the heading of an entity was produced by the RPA.

Member Galloway complimented Regional Planning staff on their work on the annual report. Member Galloway expressed concern accepting this report unless it is accepted as a summary of the individual reports.

Member Shaw stated that input was received from the School District in this report.

Member Hascheff referred to page 24 of the annual report regarding the slope issue and stated that he does not see a statement regarding the hillside ordinance in its revised form as of today. Ms. Coombes stated that the report reflects the fact that the hillside ordinance was being revisited by the City of Reno at the time the report was produced.

Member Hascheff stated that the report is a calendar year report. Ms. Coombes responded that is correct.

Member Hascheff stated that this report is inaccurate as of today even though it may have been accurate as of December 31, 2003. Ms. Coombes responded that is correct. The requirement in the statute is that local governments report to the RPA by April 1 what occurred in the previous calendar year. Ms. Coombes stated that it is made very clear in the front of the annual report that it only reflects what has been done in the calendar year 2003.

Member Hascheff suggested including an addendum stating the current status of projects in the annual report. Ms. Coombes responded that the RPA can look into that for next year's report.

**MEMBER GALLOWAY MADE A MOTION TO ACCEPT THE ANNUAL REPORT AS A SUMMARY OF THE INDIVIDUAL ANNUAL REPORTS FROM 2003, SECONDED BY MEMBER SHAW. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.**

- B. Discussion and direction to staff on tentative scope of work for updating the Water Quality Management Plan ("208 plan") for Washoe County.

Mr. Ziegler reviewed the tentative scope of work for updating the 208 plan. Mr. Ziegler also reviewed the budget and schedule for completing the scope of work.

Member Galloway stated that there has already been public participation and asked if that will be duplicated. Mr. Ziegler stated that based on his experience with 208 planning, the Nevada Division of Environmental Protection (NDEP) would take into account the public participation that has already occurred. Mr. Ziegler stated that he would try to arrange as streamlined a public participation process as possible.

Member Aiazzi asked if Truckee Meadows Water Authority (TMWA) fits into this process anywhere. Mr. Ziegler responded that TMWA is primarily a water supply entity and this plan is not a water supply plan.

Member Aiazzi stated that TMWA is responsible for how much water comes down the river and that the majority of the people in the community get their water from TMWA. It seems that there could be a combination of forces that would help out with the water quality and management program with TMWA. Mr. Ziegler agreed that TMWA would be involved because of their ownership of some of the reservoirs. Mr. Ziegler stated that he would look into this issue further.

Member Aiazzi stated that TMWA also makes decisions as to when to pump from wells and when to get surface water. If the concern is what happens outside this community and what happens downstream, it is understandable that TMWA does not play a big role. If the concern is in the management of the water system as a whole in this area, TMWA would play a key roll. Mr. Ziegler stated that TMWA enters in in terms of the dilution that is available in the Truckee River which gets into an area that is primarily managed by NDEP and not the 208 agencies.

Member Aiazzi asked if these agencies do not have anything to do with well levels. Mr. Ziegler responded that is correct, only to the extent that the 208 plan would have to demonstrate that water quality standards can be attained and maintained.

Member Hascheff asked if there would be a consolidated report so the 504 report is the exact same thing as the 208 report. Mr. Ziegler stated that the best course of action is to have identical provisions in both plans. It is possible that there could be differences in the two plans. If that happens, NDEP might want to provide some direction.

Chair Martini asked if a motion is needed. Mr. Ziegler responded that either a motion or direction is needed. Mr. Ziegler stated that if the RPGB approved of this scope of work, he would like to talk with NDEP to see if they approve of the scope of work.

Chair Martini asked if any of the RPGB members have any questions or comments regarding the scope of work. There were no comments.

Chair Martini asked if anyone from NDEP would like to comment.

Tom Porter, NDEP, stated that the 208 plan is a local planning process for wastewater. NDEP is just trying to help out so there is no snag at the state level when it comes to permitting or expansion of wastewater treatment facilities.

## **6. ADMINISTRATIVE ITEMS**

- A. Consideration and possible acceptance of FY 2003-2004 final budget report and report on accomplishments on program of work.

Mary Kuechler, Administrative Services Manager, stated that the budget ended in the black for FY 03-04. A portion of the FY 03-04 savings were used on FY 04-05, resulting in a reduction of contribution by the member governments.

Mr. Ziegler stated that a summary of accomplishments is included in the staff report.

Chair Martini stated that there were quite a few accomplishments and complimented Mr. Ziegler on his work.

MEMBER AIAZZI MADE A MOTION TO ACCEPT THE FY 03-04 FINAL BUDGET REPORT, SECONDED BY MEMBER HASCHEFF. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

## 7. REPORTS

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

#### 1) Report on proposed Growth Management Task Force/Community Partnership

Mr. Ziegler stated that the people interested in the growth management task force are continuing to meet. Mr. Ziegler reported that there is beginning to be some agreement on a mission and structure for the task force. The structure that the community partnership has been talking about is a small core group of 15 to 25 citizen members. Various staff members from the jurisdictions and various technical experts from around the region would make themselves available to that core group as resource people.

Member Shaw asked if a more focused mission statement was discussed at the task force meeting this morning. Mr. Ziegler responded that it was discussed this morning.

Member Hascheff asked if a facilitator will be included in the task force. Mr. Ziegler stated that arrangements have been made to keep a facilitator on board through the Sierra Business Council Conference and for one meeting after that conference.

Member Hascheff asked if Mr. Ziegler will keep the RPGB updated. Mr. Ziegler responded yes.

### B. Legal counsel's report

#### 2) Discussion and possible action to ratify agreement resolving 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.

*[Member Schmitt left at 3:07 p.m.]*

Mr. Azevedo recommended that if the local governments do approve the cooperative planning criteria, that this body approve the draft regulation included in the staff report. That would result in dismissal of the underlying litigation.

Member Hascheff asked if that is mandatory that it goes to District Court. Mr. Azevedo responded that they always have the option to work it out.

Member Hascheff asked if for those that are automatically going to court, there could be language that says unless otherwise agreed to by the parties. Mr. Azevedo responded that he can modify the regulation to address that.

*[Member Schmitt returned at 3:12 p.m.]*

MEMBER HASCHEFF MADE A MOTION TO ALLOW MR. AZEVEDO TO MOVE FORWARD WITH THE REGULATION WITH THE UNDERSTANDING THAT HE PROVIDE SOME LANGUAGE THAT HE RUNS BY ALL THREE JURISDICTIONS THAT WOULD GIVE THE ENTITIES THE OPTION TO WORK IT OUT BEFORE IT AUTOMATICALLY IS SENT TO DEPARTMENT NINE (9), SECONDED BY MEMBER HARSH. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- 3) 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 this litigation has been briefed and he is waiting for a final brief from the County.

Chair Martini asked if action is required on this item. Mr. Azevedo responded no action is needed.

- 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 action letter required by statute was forwarded on August 27, 2004. Mr. Azevedo stated that he has not been served with a notice of appeal filed in District Court.

- C. Report on discussions with landlord (City of Reno) regarding possible relocation of TMRPA offices to 1 East First Street, 11th floor.

Mr. Ziegler stated that the City of Reno staff has given notice that the Truckee Meadows Regional Planning Agency (TMRPA) needs to be ready to move on or about November 1, 2004. Mr. Ziegler reviewed some possible incidental costs involved with moving.

*[Member Weber left at 3:15 p.m.]*

Chair Martini asked if action is needed on this item. Mr. Ziegler responded no action is needed.

- D. Legislative reports

- 1) Meetings of interim legislative committees, progress of legislative MOU, and conceptual legislation for 2005 session.

Patricia Rogers, Community Outreach Assistant, stated that Regional Planning staff is reviewing over 500 Bill Draft Requests (BDRs). Copies of an updated list on the local government BDRs was

distributed to the RPGB members. The MOU has been amended to include the Washoe County District Health Department (WCDHD) and TMWA where appropriate. Regional Planning staff recommends that the RPGB adopt the legislative 2004-2005 MOU.

Member Aiazzi asked if the County was looking at a BDR that addresses unincorporated towns. Ms. Rogers responded that is not included on their official list.

Member Aiazzi asked for confirmation that there are three (3) BDRs that the County did not use. Ms. Rogers responded that the County did forfeit three (3) BDRs.

- 2) Discussion and possible action to authorize the Chair to sign legislative MOU as amended.

Mr. Ziegler stated that action is needed today to authorize the RPGB Chair to sign the MOU with the understanding that some of the people have already signed it and may have to go back to their boards for approval on the addition of WCDHD and TMWA.

**MEMBER AIAZZI MADE A MOTION TO AUTHORIZE THE RPGB CHAIR TO SIGN THE MOU WITH OR WITHOUT THE ADDITION OF WCDHD AND TMWA, SECONDED BY MEMBER HARSH. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.**

- E. Report on regional capital improvements summary report.

Connie Anderson, Regional Planner, stated that the Regional Capital Improvements Program Summary Report was acknowledged by the Regional Planning Commission (RPC) on July 14, 2004. The RPC directed staff to bring forward an amendment to incorporate this report into Appendix 1 of the 2002 Regional Plan. Ms. Anderson stated that this report takes information from the Capital Improvement Programs (CIPs) from Reno, Sparks, Washoe County, Regional Transportation Commission (RTC), Washoe County School District, and Truckee Meadows Water Authority and aggregates the cost from each of those entities into the nine project categories developed in the Summary Report. Ms. Anderson stated that the RPA is currently in the process of collecting the newly approved CIPs from entities for the next summary report.

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

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

Mr. Ziegler reviewed possible RPGB agenda items for the October and November RPGB meetings.

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

Member Aiazzi asked Mr. Ziegler to keep in mind that there are seven (7) people on the RPGB who are up for re-election in November.

## **9. WRITTEN CORRESPONDENCE**

- A. Quote and proposal from State insurance pool regarding decrease from projected premium.

- B. Consideration and possible acceptance of individual annual report submitted by Washoe County District Health Department, Air Quality Management Division pursuant to subsection 1 of NRS 278.0286.
- C. Letter from Director to Bureau of Land Management regarding FEIS for Tracy-Silver Lake project of Sierra Pacific Power Co.
- D. Letter from Director to Paul Dugan, Interim Superintendent, Washoe County School District.

Mr. Ziegler asked that action be taken to accept the report under item 9.B.

Member Aiazzi asked for clarification regarding artificially generated electrical current listed on page 77 of the meeting packet. Mr. Ziegler responded that he will look into that.

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

MEMBER AIAZZI MADE A MOTION TO ACCEPT THE ANNUAL REPORT SUBMITTED BY WASHOE COUNTY DISTRICT HEALTH DEPARTMENT, AIR QUALITY MANAGEMENT DIVISION, SECONDED BY MEMBER SHAW. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

#### **10. ADJOURNMENT**

MEMBER AIAZZI MADE A MOTION TO ADJOURN AT 3:36 P.M., SECONDED BY MEMBER SHAW. THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

Respectfully submitted by Christine Birmingham.

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David S. Ziegler, Director  
Truckee Meadows Regional Planning Agency

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Mike Carrigan, Chair  
Regional Planning Governing Board

**APPROVED BY THE REGIONAL PLANNING GOVERNING BOARD IN SESSION ON**  
**\_\_\_\_\_, 2004**