



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: July 25, 2017

DATE: June 30, 2017

TO: Board of County Commissioners

FROM: Clara Lawson, PE, PTOE, Licensed Engineer,
Community Services Department, 328-3603, clawson@washoecounty.us

THROUGH: Dwayne Smith, P.E., Division Director, Engineering & Capital Projects,
Community Services Department, 328-2043, desmith@washoecounty.us

SUBJECT: Approval of appointment of Michael W. Lawson as the Washoe County Planning Commission member to serve on the Regional Road Impact Fee (RRIF)--a regionally adopted NRS chapter 278B impact fee imposed on certain new construction and used for regional roads in Washoe County-- Technical Advisory Committee (TAC) with a term beginning on the date of appointment (July 25, 2017) and ending on June 30, 2019, or until such time as Mr. Lawson no longer serves on the Planning Commission or until a successor is appointed, whichever occurs first. (All Commission Districts.)

SUMMARY

To appoint Michael W. Lawson as the Washoe County Planning Commission member to serve on the RRIF TAC. If appointed, the term will begin on July 25, 2017 and end on June 30, 2019, or until such time as a successor is appointed.

PREVIOUS ACTION

On October 28, 2014, the Board of County Commissioners (Board) approved an Interlocal Agreement Regarding Regional Road Impact Fees Pursuant to NRS Chapter 277 and Chapter 278B between Washoe County, the Cities of Reno and Sparks and the Regional Transportation Commission (RTC) for the continuation of the Regional Road Impact Fee Program.

On January 13, 2015, the Board approved the land use assumptions and adopted the Regional Road Impact Fee Capital Improvements Plan as required by NRS 278B.190 and NRS 278B.210. On the same date, the Board introduced and held a first reading of an ordinance to adopt regional road impact fees for unincorporated Washoe County, as described in the Regional Road Capital Improvement Plan and Impact Fee Methodology dated September 19, 2014.

On January 27, 2015, the Board adopted a resolution amending the Regional Road Impact Fee System General Administrative Manual (GAM) 5th Edition dated September 19, 2014 and Amendment #1.

AGENDA ITEM # _____

On April 26, 2016, the Board approved a resolution amending the Regional Road Impact Fee System General Administrative Manual (GAM) 5th Edition with the First Amendment to Regional Road Impact Fee System General Administrative Manual as authorized within Washoe County Development Code, Article 706 Impact Fees Section 110,7606,05 (d) Adoption and Amendment of the Regional Road Impact Fee System General Administrative Manual.

BACKGROUND

The purpose of the Regional Road Impact Fee (RRIF) Technical Advisory Committee (TAC) is to review and recommend any modifications, additions, or updates to be made to the RRIF General Administration Manual (GAM) and Capital Improvements Plan (CIP). The RRIF TAC is also part of the appeal process as outlined in the RRIF GAM. The RRIF GAM states that a fee payer or applicant affected by an administrative decision of the RTC RRIF Administrator or Local Administrator may appeal such decision to the RRIF TAC.

As noted above, the RRIF TAC is regulated by the RRIF GAM, which is adopted by the Board. The specific section of the GAM which addresses appeals to the RRIF TAC appears below:

GAM Section XII. Appeals

C. Review by the Regional Road Impact Fee Technical Advisory Committee (RRIF TAC).

1. If the RTC RRIF Administrator affirms the decision of the Local RRIF Administrator, the applicant may appeal the decision to the RRIF TAC within ten days of the RTC RRIF Administrator's decision, by filing a notice of appeal with the RTC RRIF Administrator. The RTC RRIF Administrator shall place the appeal on the Regional Road Impact Fee Technical Advisory Committee agenda for the next scheduled meeting.
2. The RRIF TAC shall consist of the RTC RRIF Administrator, Community Development Directors and Public Works Directors from the Cities of Reno and Sparks and Washoe County or their designees, a Planning Commission Member for the City of Reno, Washoe County and the City of Sparks, one RTC staff member appointed by the Executive Director of the RTC and four private sector members appointed by the Chairman of the RTC. The RTC RRIF Administrator shall chair the RRIF TAC.
3. The RRIF TAC, after a public hearing, shall have the power to affirm or reverse the decision of the RTC RRIF Administrator. In making its decision, the RRIF TAC shall make written findings and apply the standards of this Manual. If the RRIF TAC reverses the decision of the RTC RRIF Administrator, the RTC RRIF Administrator shall recalculate the fee, CCFEA Credit, RRIF Waiver, or refund in accordance with the RRIF TAC's findings, in no case shall the RRIF TAC have the authority to negotiate the amount of the fee, CFEA Credit or RRIF Waiver, or refund.

D. Review by RTC Board

1. If the RRIF TAC affirms the decision of the RTC RRIF Administrator, the applicant may appeal the decision to the RTC Board within ten days of the RRIF TAC's decision, by filing a notice of appeal with the RTC RRIF Administrator.

2. The RTC RRIF Administrator shall place the appeal on the RTC Board's agenda for the next regularly scheduled meeting occurring at least 21 days thereafter.
3. The RTC Board, after a public hearing, shall affirm or reverse the decision of the RRIF TAC based on the standards in this Manual. If the RTC Board reverses the decision, the RTC RRIF Administrator shall recalculate the fee, CCFEA Credit, RRIF Waiver, or refund in accordance with the RTC Board's findings. In no case shall the RTC Board have the authority to negotiate the amount of the fee, CCFEA Credit, RRIF Waiver, or refund.

Additionally, the GAM and the CIP are reviewed at least once every two years. The review is conducted by the RTC RRIF Administrator and submitted for review and approval to the RTC Board and to the Governing Bodies of each of the Participating Local Governments. Prior to this final review and approval, the RTC RRIF Administrator utilizes the RRIF TAC to review, evaluate, and comment on the revised GAM and CIP. This additional function for the RRIF TAC is reflected in the and the GAM, the RTC RRIF Administrator has increased the duties of the RRIF TAC by publishing a Statement of Purpose, Objectives, and Procedures, (Attachment 1), which appears below:

Statement of Purpose:

The purpose of the RRIF TAC is to review and recommend any modifications, additions, or updates to be made to the RRIF General Administration Manual (GAM) and Capital Improvements Plan (CIP). The RRIF TAC is also part of the appeal process as outlined in the RRIF GAM. The RRIF GAM states that a fee payer or applicant affected by an administrative decision of the RTC RRIF Administrator or Local Administrator may appeal such decision to the RTC Regional Road Impact Fee Technical Advisory Committee.

FISCAL IMPACT

No Fiscal Impact.

RECOMMENDATION

It is recommended that the Board appoint Michael W. Lawson as the Washoe County Planning Commission member to serve on the Regional Road Impact Fee (RRIF) Technical Advisory Committee (TAC) with a term beginning on the date of appointment (July 25, 2017) and ending on June 30, 2019, or until such time as Mr. Lawson no longer serves on the Planning Commission or until a successor is appointed, whichever occurs first.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "I move to appoint Michael W. Lawson as the Washoe County Planning Commission member to serve on the RRIF TAC with a term beginning on the date of appointment (July 25, 2017) and ending on June 30, 2019, or until such time as Mr. Lawson no longer serves on the Planning Commission or until a successor is appointed, whichever occurs first."

Attachment 1 - RRIF TAC Statement of Purpose, Objectives, and Procedures