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STAFF REPORT

Date: August 18, 2021
To: TRPA Governing Board
From: TRPA Staff
Subject: General Counsel Performance Review and Compensation

Summary and Staff Recommendation:

This year, the performance review process for the Agency's General Counsel is focused on the time frame including Fiscal Year 2021 and consists of two components: a summary of Agency accomplishments and a brief performance self-assessment.

Staff requests consideration and direction on the amount of incentive pay and possible base pay adjustment for the General Counsel based on performance through this time period.

Required Motions:

In order to approve this motion, the Board must make the following motion, based on the staff report:

- 1) A motion to award John Marshall incentive pay of \$7000 and increase his base pay to \$186,755.00 per year.

In order for motion to pass, an affirmative vote of any eight Board members is required.

Background:

Accomplishments for Fiscal years 2020 and 2021 include approval of the 2020 Regional Transportation Plan, adoption of the first Transportation and Sustainable Communities threshold standard, launching new affordable housing initiatives, identifying climate action as the overarching EIP framework, getting the Tahoe South Events Center project and the Washoe County Area Plan approved, delivering the first fully on-line Threshold Evaluation, and many more stellar results.

Due to budget constraints last fiscal year, there were no fiscal year end incentive payments or base pay adjustments for any TRPA staff members in fall of 2020. In addition, as of August this year, TRPA pay ranges are being adjusted upward to reflect changing market conditions since those ranges were first constructed in early 2017. All of the TRPA executive pay ranges are being adjusted upward by the same amount, 8.8%, based on data received reflecting pay growth among public sector executives in the western region.

Contact Information:

For questions regarding this agenda item, please contact Susan Strating, Human Resources Director, at at (775) 589-5238 or sstrating@trpa.gov.

Attachment:

- A. Exhibit 1 to Attachment A: Memorandum 2020/2021 Accomplishments Summary

Exhibit 1 to Attachment A:
Memorandum 2020/2021 Accomplishments Summary



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MEMORANDUM

Date: August 9, 2021

To: Governing Board

From: Joanne Marchetta, Executive Director
John Marshall, General Counsel

Subject: 2020/21 Accomplishments Summary

The Executive Director and General Counsel are directly accountable to the Governing Board for accomplishing the strategic objectives and core activities of TRPA. Fiscal year 2020 was like no other, dominated by the global COVID-19 pandemic, work from home quarantine, and social, economic, and environmental disruptions that generated new levels of accompanying ambiguity, uncertainty, and change. Our team here at TRPA remained cohesive through it all. We turned on a dime wherever and whenever circumstances called, rose to all challenges, and demonstrated impeccable determination, initiative, and resilience. Despite the emotional and physical hardships, we recorded a record year in many ways.

Highlights of notable accomplishments during 2020/21

Transportation & Threshold Update Initiatives:

In both **transportation and sustainable communities**, we are making progress implementing our transformative Regional Plan. It was transportation's year for our Long Range Planning team. The team delivered a trifecta of transformative transportation policy and practice changes.

- The fully **updated 2020 Regional Transportation Plan approved in March 2021** sets out new visions for how to move our growing tourist populations as well as our workforce commuters.
- **Adoption of the first ever Transportation and Sustainable Communities threshold standard**, replacing an outdated 40 year old air quality nitrogen threshold standard achieved long ago, means we are paying attention now in transportation to what really matters – everyone driving a little less and using other modes to get around. This is the first major substantive update in the larger ongoing Threshold Update Initiative. Changing the 40-year-old VMT threshold standard required an exceptionally heavy lift by many staff, including executive staff (in particular John Marshall's engagement with the CA Attorney General's Office and other key stakeholders).
- We streamlined our project review by aligning California's updated standards with our own through **Code changes based on VMT for project traffic analysis**.

- We completed or advanced four **Transportation Corridor plans**, collaborating with Placer County on release of the **Resort Triangle Transportation Plan** connecting north Tahoe with Truckee and the I-80 basin entry, TRPA approval of the **Main Street Management Plan** in November as a condition of the South Shore Revitalization project approved in 2018, and approval of the **Hwy 89 Transportation Corridor Plan** in 2020, including parking, transit, and other visitor management strategies designed to implement the RTP and reduce use of the private auto for some of the most heavily visited recreation sites in the Tahoe Region. TRPA has recently begun work on the **NV Hwy 50 Corridor Plan** to advance essential safety improvements around Zephyr Cove and Roundhill Pines recreation areas.
- TRPA **reconvened the Bi-State Consultation on Transportation** to drive consensus on regionally significant transportation infrastructure investments, transit funding needs, and sources of new regional revenue needed to fund at least \$20M annually in RTP implementation.

Housing Initiative:

The Long Range Team also launched a new Strategic Initiative to contribute to regional **solutions for Tahoe's affordable housing crisis**.

- As a step toward implementing both the Regional Plan and the South Shore Housing Action Plan, TRPA **convened the Tahoe Living Work Group as a chartered group of the APC** to make progress on Tahoe's affordable and workforce housing supply **and completed the first set of Code amendments for affordable housing incentives** last month.
- With the availability of an undeveloped 10-acre parcel of CA Conservancy land at the Wye, the **Sugar Pine Village Affordable Housing and City of South Lake Tahoe Area Plan Amendments**, **approved** unanimously and in record time, will add 240 new units of local resident affordable housing within the City's Tahoe Valley Area Plan close to transit, services, and community amenities.
- We **partnered with the Tahoe Coalition for the Homeless to transform old hotels into transitional rental housing** before winter set in last year.

Sustainable Recreation:

- The Team leaned into TRPA's partnership building role by rapidly forming and **leading the Tahoe-Truckee Sustainable Recreation COVID Response group** that coordinated a regional response to the sudden increase in visitation and outdoor recreation pressures related to litter, crowding, waste, safety, and public messaging due to COVID. The group remains active coordinating basin-wide on recreation management issues.
- That group is also now evolving with **TRPA's convening of a much-needed recreation and tourism management public-private partnership** to set sustainable recreation strategy and an action plan for Tahoe addressing growing outdoor visitation pressures.

- With partners, TRPA convened a process to complete a **comprehensive Tahoe Trails Master Plan** to incorporate a natural trails network into the RTP's Active Transportation Plan.
- TRPA **joined both national and international networks on the Future of Tourism to glean best practices** from other parts of the world facing similar destination visitation pressures.

Environmental Improvement Initiative:

Despite COVID obstacles, the Environmental Improvement Division too kept up the pace on EIP restoration work.

- The TIESC partnership, chaired by TRPA with the USFS, adopted an **update to the Lake Tahoe EIP program framework making climate action the overarching EIP organizing frame** and the main principle for project prioritization within EIP program categories.
- Aquatic weeds in the **Tahoe Keys lagoons are the highest priority AIS control threat in the Region**. TRPA is putting together a strategy with agency partners and the Keys Property Owners Association, starting with a **control methods test**, for beating back the infestation of aquatic weeds at the epicenter before they get away and infest Lake Tahoe. The collaborative partnership **released the Draft EIS/EIR last summer** for hearings, public review, and a series of public workshops throughout the fall and early winter. The Lahontan Water Board is now preparing regulatory documents for public release ahead of final decision hearings by early 2022.
- TRPA staff led partners in the AIS boat inspection program for prevention of new invasive species to develop **completely redesigned AIS station services for COVID safety** and started a **successful reservation system, that continued this year**.
- Our Water Quality Team issued **361 new best management practice certificates** to Lake Tahoe property owners during the year of COVID quarantines.
- In forest health, we advanced the **scientific review that will support the treatment of 60,000 acres of overstocked forest on the lake's west shore** for forest health resiliency and fire fuels reduction. In addition, we **amended TRPA's forest health code** to support prescribed burning, add best practices for over the snow mechanical treatment, and streamline large scale fuel reduction projects.
- Through the EIP partnership, we **secured new funding to keep EIP projects moving** -- more than **\$16 million in federal funds** for EIP projects, and awarded **\$2.4 million to local governments** for environmental improvements.
- All of that was happening while we **approved the Spooner Front Country Improvement Project**, completed more water quality retrofit projects, forest health and fuels projects, and started work on the massive **Upper Truckee River Marsh Restoration** and the **Taylor and Tallac Creek Marsh Restoration AIS Control Project**, among others.

Current Planning:

- Just two weeks after we went into lockdown, Current Planning team pushed the \$100M **Tahoe South Events Center project** over the finish line, which includes added transit and parking management for the South Shore business core to reduce traffic congestion.
- Within only weeks of the start of work from home, we **converted nearly all of our applications to on-line processing**, a long-standing goal that we accelerated to completion far ahead of the planned timeline for this customer serving project.
- To ease community hardships during the pandemic, the Team crafted **emergency guidance for outdoor dining** and site inspections to help keep key Tahoe businesses moving.
- Lockdown somewhat unintuitively generated **unprecedented levels of permitting activity**. Planners rose to the challenge and issued a **record number of permit reviews** that generated unusually robust application revenues to support our budget.
- And the **Shoreline Plan is well into its implementation**, with review and registration of over 80 percent of existing moorings complete, new mooring permitting recently begun, and the first round of 2019 pier allocations and permitting now complete.
- The boat crew together with our communications team proactively engaged **education and outreach on no wake zone rules** throughout the 2020 and now 2021 boating season promoting TRPA's boating app.

Long-Range Planning:

TRPA partnered with local governments to complete or update key Area Plans:

- **Placer County Area Plan amendments** to allow more diverse types of workforce housing and **Washoe County Area Plan approval**.
- **Updated the Tahoe Region's basin-wide Greenhouse Gas Emissions Inventory**, allowing us to track progress toward reducing regional emissions and, for the first time, provide an inventory of the carbon sequestration potential of Tahoe's natural environment.

Research & Analysis:

- In Research & Analysis, the team delivered the **first fully on-line Threshold Evaluation**, realizing the long-term goal of making our data analysis and reporting fully transparent, publicly accessible, and nearly real-time.
- Our GIS team is becoming best in class for Tahoe, developing innovative content and tools to bring the **Threshold Dashboard** to life and enhancing **TRPA's Tahoe Boating mobile app**.

Communications and Public Outreach:

- Although COVID cramped our plans for in person engagements, External Affairs ran an incredibly rich **50th Anniversary campaign** capped off with the **award-winning Tahoe Commemorative Coin project** that raised more than \$100,000 for environmental education projects.
- The Communications team took on the daunting task of launching a **new TRPA website** to vastly improve our web security, led us into **more bi-lingual communications**, and helped organize the **first ever virtual Lake Tahoe Summit**.

Compliance, Enforcement, and Litigation:

- Notwithstanding Covid restrictions, we continued to conduct **onsite inspections** (over 1500) while incorporating staff and public safety measures and technological advances.
- Resolved over 225 **compliance investigations**, including multiple negotiated settlements (e.g., Edgewood, Hyatt pier/Action Water Sports, and Beach Club Development). Successfully narrowed and continued to prosecute the TRPA v. Mountain Addiction litigation.
- Continued vigorous defense of **cell tower litigation** in the Garmong v. TRPA and Eisenstecken v. TRPA without cost to agency. Achieved **dismissal** of the Gonowabie litigation.

Human Resources & Finance:

- **TRPA was among the top 3 in the regional "Best Places To Work" Survey** through the Nevada Human Resources association in the medium size employer category, revealing positive employee relations, a committed workforce, and high morale despite COVID hardships.
- **Refinanced TRPA's long-term debt**, freeing \$500,000 for a self-help funding strategy to complete long-deferred office building maintenance and necessary repairs.

Conclusion:

Making these significant and well-integrated accomplishments happen during COVID challenges is extraordinary and is a testament to the quality and dedication of staff to adjust to adversity, work as a well-coordinated agile team, and commit wholeheartedly to the mission. We couldn't do it without practicing our core values of great connection and epic collaboration. With those as our north star for how we engage both internally and externally, we moved the needle during the hardest of times on the Compact's mission and on the partnerships that make progress toward that shared mission possible.