

TAHOE REGIONAL PLANNING AGENCY
LEGAL COMMITTEE

TRPA Offices
Zoom

September 25, 2024

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Williamson called the meeting to order at 8:30 a.m. on September 25, 2024.

Members present: Ms. Aldean, Ms. Faustinos, Ms. Williamson, and Mr. Kieckhefer. Ms. Leumer arrived at 8:41 a.m.

Members absent: None.

I. APPROVAL OF AGENDA

TRPA Associate Attorney Graham St. Michel stated that there were no changes to the agenda.

Chair Williamson deemed the agenda approved as posted.

II. APPROVAL OF MINUTES

Ms. Aldean made a motion to approve the August 28, 2024 Legal Committee meeting minutes as presented.

Motion carried by voice vote.

III. INFORMATIONAL UPDATE ON APPEAL OF DENIAL OF SINGLE-PARCEL PIER APPLICATION, 3180 EDGEWATER DRIVE, PLACER COUNTY, CA, ASSESSOR'S PARCEL NUMBER 093-072-041, TRPA FILE NO. ERSP2022-0021, APPEAL FILE NO. ADMIN2024-0006

TRPA Associate Attorney Marsha Burch provided an informational update to the Legal Committee. Ms. Burch explained that she began gathering information to respond to the committee's questions and worked collaboratively with another party to ensure they both had a complete set of information for the next hearing. They acknowledged the large volume of information they were reviewing and discussed potential pathways for resolving the issue, including whether the parcel in question was eligible for a multi-parcel pier. Since further input from staff was needed to explore these possibilities, they agreed that a continuance would be beneficial. The matter will return at the next meeting, either with a proposed resolution or answers to the committee's questions for further discussion.

Shelly Aldean asked whether they had reached a conclusion regarding whether the DPA (Dollar Point Association) board had ever denied an application for membership. She sought clarification on this specific point.

Marsha Burch responded that it appears the DPA board has not denied an application for membership, but she avoided delving too deeply into the issue during this discussion. She

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clarified that this meeting was intended to provide an informational update. Ms. Burch mentioned that further conversations with the appellant's counsel would take place, as the parties have been working well together and will continue to discuss the matter.

IV. DISCUSSION AND POSSIBLE RECOMMENDATION FOR APPROVAL OF INTERNAL RECRUITMENT TO FACILITATE TRANSITION OF GENERAL COUNSEL

Angela Aatchley, TRPA Chief of Human Resources and Organizational Development Director discussed the recruitment efforts for additional staff, emphasizing that last year's extensive recruitment process was thorough and successful. She expressed confidence in an internal candidate who would be a perfect fit for the position. Additionally, Ms. Aatchley noted that TRPA does not currently have the budget for an external recruitment for a general position, which is also an important consideration in this matter.

Chairwoman Williamson thanked Angela and noted that the committee had already discussed this topic at the previous meeting, where they unanimously agreed that moving forward with the internal candidate was a good approach. She acknowledged the feedback shared during the previous discussion, affirming that the reasoning presented aligned with the committee's thoughts. Ms. Williamson opened the floor for any questions or comments from the committee members and invited Executive Director Julie Regan to contribute if she had anything to add.

Julie Regan, Executive Director of TRPA, followed up on the committee's discussion from the previous month, offering the committee an opportunity to further vet and discuss the internal recruitment process for the staff attorney position. She noted that a member of the public had requested to pull the item from the consent agenda, and the board would decide how to handle that. Regan emphasized that public comments would be taken, but the proposal was to proceed with an internal recruitment. She reiterated that significant research had been conducted with succession planning in mind and that building a strong legal team was a board-approved priority in the budget. Regan invited any questions or comments from committee members.

Member Kieckhefer inquired as to whether the Associate Attorney position would be backfilled if there was an internal promotion to General Counsel.

Ms. Aatchley confirmed that there would not be any backfill but that was accounted for in the hiring as part of the succession planning. The original plan was for John Marshall to stay on temporarily to assist with the transition of new lawyers. Initially, the legal team consisted of John Marshall and Katherine [Huston, Paralegal], but now they have added Marsha, Graham, and Jack to the staff, significantly expanding the team in the past year. The plan had always anticipated John Marshall's eventual transition out, which aligns with the ongoing succession planning efforts.

Julie Regan highlighted that they received excellent applicants during the recruitment process, despite not initially budgeting for Jack's position or the additional staff attorney. Marsha agreed to become a permanent employee rather than a contractor, which was part of a creative approach to succession planning aimed at retaining John Marshall's institutional knowledge for as long as possible. Ms. Regan clarified that if the board decides to promote internally, they would not backfill the position. She emphasized that the legal team is now more robust than it has been in many years, which is crucial given the increased enforcement needs and litigation in the region. Ms. Regan expressed confidence that this approach strengthens the legal team.

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Ms. Williamson acknowledged that the succession plan for the legal team was well thought out. She humorously agreed with the idea that more lawyers are always needed and emphasized the importance of ensuring that the new general counsel has full support from the committee.

Public Comment

None.

Member Kieckhefer made the motion to recommend Governing Board approval of internal recruitment to facilitate the transition of General Counsel.

Ayes: Ms. Aldean, Ms. Faustinos, Ms. Williamson, Mr. Kieckhefer, and Ms. Leumer.

Nays: None.

Motion carried.

V. [APPEAL OF DENIAL OF APPLICATION TO RE-EVALUATE IPES SCORE, 1341 TATA LANE, SOUTH LAKE TAHOE, CA, ASSESSOR'S PARCEL NUMBER 032-261-002, TRPA FILE NO. ERSP2023-0033, APPEAL FILE NO. ADMIN2024-0011](#)

Marsha Burch, TRPA Associate Attorney, presented the staff's position to deny the appeal concerning the reevaluation of a parcel's IPES (Individual Parcel Evaluation System) score. She explained that the issue on appeal was whether the parcel could be reevaluated under specific code provisions. Burch highlighted that reevaluation is only permissible if new information, unknown at the time of the original assessment, is provided, and emphasized that challenges based on the application of IPES criteria are not grounds for reevaluation. She detailed the history and structure of the land capability classification system, which balances development with environmental protection. The IPES system, developed in 1987, evaluates parcels' environmental suitability for building, with scores determining eligibility for development permits. Burch noted that the appellant's parcel was scored as entirely Stream Environment Zone (SEZ), making it unbuildable, and no appeal was filed within the allowed period after the original assessment. Addressing the appellant's claims, Burch argued that a new survey suggesting prior grading does not constitute new information and that challenging the initial IPES team's application of criteria is not valid for reevaluation. She concluded by stressing the importance of maintaining the integrity of the IPES system, which balances growth with environmental quality and has been upheld by courts despite strict limits on development.

Mike Dill, representing the appellant Mr. Wendell, argued that new topographic survey information should prompt a reevaluation of the parcel's IPES score. He emphasized that the current survey technology was unavailable in 1987, and the original evaluation was based on outdated tools, such as low-resolution assessor maps. Mr. Dill pointed out that the soil pit used by the original field crew to classify the parcel as Stream Environment Zone (SEZ) was located in an unusual area, near the setback line, rather than where a house would typically be built. He argued that the soil sample depth, which led to the SEZ classification, was inaccurate due to a significant cut in the land, which was not accounted for. By adding the depth of the cut, the actual distance from the surface to the modeled soils would exceed the threshold for SEZ classification, making the land buildable. Mr. Dill clarified that this request was not an appeal but a reevaluation based on new information—the topographic survey—which would lead to a different classification had it been available during the original evaluation. He concluded by reiterating that the survey provided critical new data, supporting the need for reevaluation.

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Joe Pepe, who was involved with the IPES system from 1989 to 2000, supported the appeal by highlighting that if more detailed site information, such as the current survey, had been available during the original evaluation, the outcome might have been different. He agreed with Mike Dill that the soil pit should have been placed more centrally in the parcel, rather than near the cut area. Mr. Pepe acknowledged that the IPES team likely worked with the available information to evaluate the site quickly but suggested that the grading on the parcel, which had existed since the 1950s, may have impacted the score. He stated that based on his knowledge and experience, he would not have assigned a score of zero to the parcel, as it lacked the required three secondary indicators to qualify as a Stream Environment Zone (SEZ). Mr. Pepe concluded that had this information been available at the time, the parcel likely would not have been scored as SEZ.

Ted Wendell, the appellant, emphasized that the parcel in question was always intended to be built upon by its previous owner, Earl Mattress, and this was evident from the existing grading on the lot. Mr. Wendell argued that the new topographic survey provided information that was not available during the original 1987 evaluation and would have led to different calculations and a different IPES score. He explained that his intent has always been to build on the lot, and now, as he approaches retirement, he is pursuing the reevaluation based on this new survey. Wendell, who has expertise in BMP (Best Management Practices) implementation, expressed his understanding of soil and grading classifications and reiterated that mistakes were made during the original assessment. He highlighted the detailed and costly survey conducted by Jeff Turner, which shows that the lot is buildable. Wendell believes the new information justifies a reevaluation and requested that the committee consider it in the decision. He concluded by noting the improvements he has made to the property over his 34 years of ownership, including BMPs and water mitigation measures, which further support the buildability of the lot.

In her rebuttal, Marsha Burch emphasized the importance of finality in the IPES scoring system and its judicial validation. She clarified that while new information can be considered for a reevaluation, it cannot pertain to whether the IPES criteria were applied correctly, which would require an appeal rather than a reevaluation. Ms. Burch acknowledged that new technology and environmental changes occur, but reiterated that reevaluation cannot question the initial application of the IPES criteria, including the location of soil pits or conclusions drawn about the soils. She pointed out that the original owner had opportunities to appeal the score in both 1987 and 1990 but did not. Addressing the claim about the placement of the soil pit, Ms. Burch noted that many pits were located at the edges of parcels, which was not unusual, and there was no evidence suggesting the original evaluation team was unaware of the natural grade. She also highlighted that other parcels in the area had received zero scores, and that the lot was purchased at a price reflective of its zero-score classification, further supporting the argument that no error had been made in the original assessment.

Committee Discussion

Member Shelly Aldean raised the point that IPES scores can change not only through appeals but also due to improvements in water quality or erosion control projects in the area. She referenced a 1989 letter from Bill Morgan, which mentioned that ongoing water quality monitoring or local government projects reducing runoff and erosion could lead to changes in a parcel's score. Ms. Aldean noted that adjacent properties to the appellant's parcel may not have been deemed unbuildable and inquired whether any improvements in the subdivision could potentially elevate the IPES score, thereby making the parcel developable. While acknowledging that Marsha Burch might not be familiar with the specific neighborhood, Ms. Aldean

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emphasized that water quality improvement projects are a factor in the evaluation of whether the IPES line should be adjusted, potentially offering a path forward for the appellant.

In her response, Marsha Burch explained that while it is possible for TRPA to adjust IPES scores in response to water quality improvement projects, this is an agency-driven process and not something that has occurred in this case. She clarified that the 1989 letter mentions the possibility of reevaluation if such projects are undertaken, but no such projects have led the agency to reconsider IPES scores for the appellant's parcel or in that area. Ms. Burch reiterated that the focus of the current discussion is the application of the code as it stands today, and based on the current circumstances, she did not believe the parcel qualifies for reevaluation at this time. She concluded by stating that while future agency initiatives could potentially prompt a reevaluation, no such actions have been taken yet.

Belinda Faustinos asked a follow-up question regarding what would need to occur to trigger a reevaluation of IPES scores. She inquired whether this process would involve identifying multiple parcels that could be reconsidered, or if there are specific factors that would prompt such a reevaluation. She sought clarification on what causes a reevaluation of the system itself and what circumstances might lead to it.

Marsha Burch explained that a reevaluation of the IPES system would require a significant shift, such as widespread environmental changes like alterations to the water table or climate effects that impact wetland areas. She noted that while these changes could theoretically prompt a reevaluation, it would involve a comprehensive reassessment of the entire IPES system, which is based on sensitive lot ratios and the balance between developed and retired lots. The need for finality in these scores is crucial to maintaining the system's functionality. Burch acknowledged that while there may be a future need to revisit the system, this is a much larger question beyond the scope of the current discussion.

Ms. Aldean suggested that while TRPA might not necessarily initiate a reevaluation, the applicant could consult with El Dorado County to see if any upcoming water improvement projects are planned for the area. Such projects could potentially improve the buildability of the lot by positively affecting its IPES score.

In her response, Marsha Burch clarified that a parcel with a zero score, particularly one classified as Stream Environment Zone (SEZ), is unbuildable under current regulations. This applies regardless of potential changes to the IPES line or other improvements. While there are narrow exceptions, such as for shoreline erosion control, they are limited. Even if the IPES line were adjusted, a lot with a zero score would not become buildable.

Ms. Aldean noted that even though a lot may be influenced by a Stream Environment Zone (SEZ), there are provisions allowing development in specific cases, such as when the only reasonable access to a buildable site crosses an SEZ. She acknowledged that while the IPES system and safeguards are in place, there could still be a potential way forward for the property owner. Ms. Aldean suggested that the property owner should take the initiative to explore whether water quality improvement projects have been implemented or are planned in the area, which could positively impact the parcel's score. She referenced the Burton-Santini Act, which acquired many undevelopable lots, and noted that some of these may benefit from such improvement projects. While recognizing the need to maintain consistent controls, Ms. Aldean expressed that changing environmental conditions, as highlighted in the 1989 letter from Bill Morgan, could provide a basis for reevaluation, though this was not something that could be resolved immediately.

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In her response, Marsha Burch reiterated that the current code governing reevaluation is quite limited and does not allow for reevaluation if it concerns the application of IPES criteria. She clarified that while the 1989 letter from Bill Morgan mentioned reevaluation, it likely used the term in a broader sense, not aligned with the specific provisions outlined in the code today.

Ms. Aldean pointed out that improvements, such as water quality projects, can help raise IPES scores for lots that were previously deemed undevelopable, and this is a process already built into the code. She emphasized that this concept is not contradictory to the existing rules and noted that people were led to believe, based on past correspondence with the executive director, that improvements could make a difference. Aldean encouraged the applicant to explore this possibility as a potential way forward.

Public Comment

During the public comment, the first speaker raised two main concerns. First, they questioned why new information about the elevation difference between the soil pit and the natural grade wasn't considered valid for reevaluation, especially since it was unclear what the original field crew was thinking during their assessment. Second, they pointed out that this particular lot is the only undeveloped one along a stretch of road where every other lot has been built upon. They expressed confusion about how this single lot, in an otherwise fully developed area, could be the only one with a zero IPES score, despite a nearby lot recently being developed for a significant sum. The speaker felt that the legal evaluation was too rigid and not open to considering this new information.

TRPA Associate Attorney, Graham St. Michel, responded by explaining that many properties in the area were developed before the IPES system was established, meaning they were "grandfathered" in and exempt from the current regulations. This is a common situation throughout the basin. He noted that the pricing of such properties reflects their IPES scores, acknowledging that investment expectations are built into these evaluations. Regarding the claim of new information, Mr. St. Michel argued that creating a new survey does not necessarily constitute new information about the land itself, as the land hasn't changed. He emphasized that the argument being made is essentially that the original evaluation was wrong, which would fall under an appeal process, a window that has long since passed.

Ms. Aldean emphasized her earlier point, questioning whether any recent improvements or projects, such as water quality enhancements, near the newly developed house close to the appellant's lot might help raise the IPES score for the undeveloped lot. She suggested that the applicant investigate this possibility with the county, encouraging him to explore whether such improvements could positively impact the score.

Ms. Burch clarified that there are several other nearby lots with zero IPES scores, including one on the same street, 1340 Tata Lane. She emphasized that while there are zero-score lots in the area, it is possible that some may have been appealed. However, the existence of other lots with zero scores suggests that the classification of the appellant's lot as unbuildable is not an anomaly. Therefore, she argued, it is plausible that the score is accurate given that other nearby lots also received the same score.

Alan Miller, a civil engineer and former employee of the California Water Board, expressed strong frustration with the discussion regarding the appellant's lot. Having visited the site, Mr. Miller criticized TRPA's handling of the case, accusing the agency of abusing its discretion and standing on narrow legal grounds to deny the property owner's request. He referenced past

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experiences, including his own lawsuit against TRPA, and condemned the agency for refusing to admit mistakes. Mr. Miller argued that the lot should not be classified as a Stream Environment Zone (SEZ) and that the original evaluation was flawed due to a grading issue. He concluded by urging TRPA to properly score the lot and allow the owner to build a house, expressing his hope for more litigation against the agency if necessary.

Mr. Wendell responded briefly, stating that he does not know Alan Miller or his specific interest in the case. He clarified that he did not seek Mr. Miller's support, but also mentioned that he does not entirely disagree with some of the points Mr. Miller raised.

Final Committee Discussion

Ben Kieckhefer acknowledged that the appellant made a compelling case that certain factors could influence the designation of the lot as a Stream Environment Zone (SEZ). However, he expressed concern about deviating from the established process, emphasizing the importance of maintaining the integrity of the IPES system, which has been in place for decades. Mr. Kieckhefer worried that allowing a new survey to count as new information could set a precedent, enabling anyone with a zero score to conduct a new survey and seek reevaluation, potentially undermining the broader system across the basin.

Ms. Williamson expressed concern about setting a dangerous precedent by allowing new surveys to influence reevaluation, acknowledging that the grading likely played a role in the lot's designation. However, she emphasized the importance of adhering to the strictness of the code and the specific language within it. While she shared a sense of frustration over the situation, she also recognized the need to maintain the integrity of the process.

Ms. Aldean suggested that the property owner request a continuation of the case to explore whether any water quality improvements in the area may have made the lot more buildable. These improvements could potentially lead to an increase in the IPES score, providing a path forward for the property owner to build on the lot.

Mr. Wendell agreed with the suggestion to explore water quality improvements in the area and added that aside from the detailed topographic survey, he and Mike [Dill] had personally dug four soil pits on the property. In the areas where a house would be built, they found no evidence of the criteria typically associated with SEZ, such as soil bleaching, even after digging deeper than TRPA's usual depth. Mr. Wendell acknowledged that potential SEZ indicators existed near the street at the front of the lot, but as they moved further up the property, there were no such signs. He explained that the previous owner, Mr. Natchris, intended to build on the lot under the Bailey system but abandoned the project due to changing circumstances. Mr. Natchris, who was an out-of-state owner, was unaware of the IPES system and its appeal process, which Mr. Wendell believes he would have pursued had he known about it.

Ms. Williamson expressed concern about holding the appeal open if a vote is taken to deny it today. She worried that treating the current information as "new information" might complicate the process. Her concern was that if genuinely new information arises in the future, it should be addressed properly, and not confuse the current circumstances.

Ms. Aldean clarified that she does not consider the current information as "new information" in the formal sense. Instead, she highlighted that IPES scores can rise over time due to public works projects near the property. She suggested giving the property owner the opportunity to

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explore this option, rather than simply denying the appeal, which could lead to potential legal challenges. This would provide the owner with an additional avenue to pursue.

Ms. Williamson expressed concern about holding the appeal open, as she doesn't consider the current information to be "new information" and worries that doing so could set a precedent. She wondered if the property owner could still explore the suggested avenues even if a vote were taken now to deny the appeal, emphasizing that any truly new information should be addressed separately in the future.

Ms. Aldean responded by pointing out that the case was continued from last month at the applicant's request, and no specific basis for the continuation was stated. She suggested that this precedent had already been set, as the appeal had been extended without a detailed reason, implying that allowing further exploration now wouldn't be inconsistent with past actions.

Mike Dill explained that the reason for requesting the continuation was due to the short notice they received about being on the agenda. He mentioned that they were informed that 14 days is the typical notice period, but they were only given four days, with just two working days to prepare. They received the staff summary on Monday, prompting their request for the continuation.

TRPA Paralegal Katherine Huston stated this was an inaccurate characterization and the appellants were given the required notice.

Graham St. Michel recommended moving forward with a vote on the current appeal, emphasizing that this would not close other potential avenues for the applicant, such as exploring public works projects. He acknowledged the value in addressing the appeal and moving past it while leaving the door open for the applicant to pursue alternative options if they wish. Mr. St. Michel reiterated that the current discussion is focused on the location of the soil pit, and he supported Marsha Burch's position that this issue is better suited for an appeal rather than a reevaluation. He continued by acknowledging that the applicant may face additional costs in reinitiating the appeal, as there are likely fees involved. However, he clarified that receiving a denial on the current appeal wouldn't prevent the applicant from reapplying or exploring other avenues with TRPA, such as discussing public works projects. While this doesn't guarantee a different outcome, he emphasized that the option to pursue further efforts remains open, even if it leads back to the same position.

Ms. Burch clarified that the core issue at hand is whether the applicant's request for a reevaluation, based on new information, complies with the code. She reiterated that the key question is whether the new information challenges the application of the IPES criteria. If the new information does not challenge those criteria, the reevaluation can proceed. However, if it does, the appeal should be denied. She emphasized that any other potential avenues, such as public works projects, fall outside the scope of the current appeal and are irrelevant to the decision that needs to be made today. The decision should focus solely on whether the application was appropriately denied based on the new survey and the IPES criteria.

Mr. Kieckhefer acknowledged that, based on the discussion, there may be agreement that the IPES criteria might not have been applied correctly in the past. He expressed concern about the fairness of denying an appeal simply because the original property owner didn't file for one 30 years ago, despite recognizing legal statutes of limitations. However, he also emphasized the

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importance of maintaining the integrity of the current system, suggesting that while past errors may have occurred, it's crucial to uphold the existing process for now.

Ms. Aldean sought clarification, asking if the only new information being considered is the survey, and not the new test pits, as the results of those test pits have not yet been disclosed to the agency.

Ms. Burch confirmed that the only new information under consideration is the survey, not the new test pits. She explained that if a reevaluation had been granted, the lot would be rescored. Ms. Burch reiterated the importance of finality in the IPES scoring system, noting that the initial 180-day appeal period, along with a second opportunity in 1990, was designed to ensure that scores were final and not subject to continual reevaluation.

Ms. Aldean asked if a reevaluation would be appropriate if new information, such as the discovery that the grading had actually been done on a neighboring lot, indicated that the original IPES score was incorrect. She clarified that if a reevaluation were to occur, the results from the new test pits would become relevant because a new score would be assigned. Aldean further inquired if the existence of grading, not previously indicated by the 1987 scoring team but later revealed by a new survey, would qualify as new information for reevaluation.

Ms. Burch responded by explaining that staff did not evaluate the grading issue as new information because the field notes from the original IPES evaluation clearly indicated that the grading was known at the time. She acknowledged that while there is uncertainty about whether the test pit was in the graded area and if the IPES team took that into account, it's impossible to know their exact thought process. Ms. Burch noted that the appeal process existed for addressing potential errors, and there were even informal reevaluations shortly after some of the scores were issued, providing landowners opportunities to question their lot's score.

Ms. Aldean expressed concern about the fairness of denying the applicant's request if a mistake had been made in the original evaluation. She likened the situation to someone wrongfully convicted of a crime, later exonerated by new evidence, emphasizing the importance of equity and doing what's right. While she acknowledged the need to balance development with environmental concerns, she felt that if a clear mistake was demonstrated, the property owner should not bear the consequences of the agency's past errors. Ms. Aldean recognized that the original evaluators were likely doing their best under challenging circumstances but struggled with the idea of closing off a potential remedy for the applicant.

Mr. Kieckhefer expressed that while he didn't necessarily disagree with Ms. Aldean, he questioned whether a new survey should be considered new information. He suggested that the test pits might actually provide more useful evidence, particularly in showing that the area may no longer be water-influenced. He concluded by suggesting that this might be a conversation for another time.

Ms. Burch acknowledged the understandable concerns about the situation, given that 30 years have passed since the original evaluation. She agreed that these broader conversations about revisiting the policy may be needed, but emphasized that, for now, they must adhere to the current code and process, which has been consistently applied. Revisiting the policy is a separate matter that is not within the scope of the current discussion.

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Ms. Faustinos made a motion to recommend denial of the appeal.

Ayes: Ms. Aldean, Ms. Faustinos, Ms. Williamson, and Mr. Kieckhefer.

Nays: None.

Ms. Leumer was not present for the vote.

Motion carried.

Ms. Williamson reminded the group that the appeal would next go before the governing board, where they could continue this discussion at the full board level. She noted that the committee's decision to pass the appeal forward doesn't conclude the matter, as they would have the opportunity to revisit it during the governing board meeting shortly.

VI. CLOSED SESSION WITH COUNSEL TO DISCUSS EXISTING AND POTENTIAL LITIGATION

Ms. Aldean made a motion to move into closed session. The legal committee was in closed session for approximately 20 minutes.

Ms. Aldean made a motion to move back to Open session.

VII. POTENTIAL DIRECTION REGARDING AGENDA ITEM NO. 6

None.

VIII. COMMITTEE MEMBER COMMENTS

None.

IX. PUBLIC INTEREST COMMENTS

Ellie Waller, Douglas County resident, thanked Ms. Huston for her assistance and explained that, due to being on a fixed income, she could not afford the costs associated with her [public records] requests. She raised concerns about the South Shore Area Plan process, particularly the lack of clarity between Douglas County's role as the lead and TRPA's role in addressing Phase 2 of affordable housing. Ms. Waller described public confusion about where to report potential violations, such as a sign on the Barton property (formerly Lakeside), for which she couldn't find a permit. She mentioned that she had inquired with both Douglas County and TRPA but was still waiting for answers. Ms. Waller also highlighted concerns about scenic evaluations being conducted, mentioning that she had seen a crane on-site and was unclear who was responsible for the evaluation. She expressed frustration with the process's transparency and the need for better public understanding of where to address potential violations. Lastly, she discussed the lack of a new draft for the area plan and her request to the Douglas County Board of Commissioners to separate hospital-related issues from the area plan.

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IX. ADJOURNMENT

Ms. Aldean moved to adjourn.

Meeting adjourned at 10:11 a.m.

Respectfully Submitted,



Katherine Huston
Paralegal

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.