

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA/Zoom
Wylder Resort

May 25, 2022
May 26, 2022

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Bruce called the meeting to order at 11:42 a.m. on May 25, 2022

Members present: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Mr. Hicks, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

II. PLEDGE OF ALLEGIANCE

Mrs. Cegavske led the pledge.

III. APPROVAL OF AGENDA

Mr. Bruce deemed the agenda approved as posted.

IV. APPROVAL OF MINUTES

Ms. Aldean said she will provide Ms. Ambler her non-substantive edits.

Ms. Aldean moved approval of the April 27, 2022 minutes as amended.

Motion passed.

V. TRPA CONSENT CALENDAR

1. April Financials
2. Oak Angel LLC proposed new warehouse/office space building, which includes the allocation and transfer of Commercial Floor Area (CFA), at 1054 Tahoe Boulevard, Incline Village, Washoe County, Nevada, APN 130-152-08/ ERSP2022-0028

Ms. Aldean said the Operations and Governance Committee recommended approval of item one. Highlights of the financials are that we're still having a problem filling the Data Analyst position. The Committee also discussed the upcoming budget, and how they can address some of these vacancies as they relate to compensation issues. Labor costs are on track and cash flow remains strong due primarily to high planning fees.

Consent Calendar Item No. 2 was not heard by any committee.

Board Comments & Questions

Mr. Lawrence understands that this is on a scenic corridor that's out of attainment. The statement under project description states that the proposed building design and new gate and wall will help to move the area towards attainment. That strikes him as a conclusionary statement, how did staff come to that conclusion that it will move it towards attainment? He wants to ensure that the findings are solid.

Ms. McMahon, TRPA Local Government Coordinator said the existing site it's the old Spitsen Lumber site. There's a number of older rundown buildings on that site. This project will demolish the older buildings and replace them with a new warehouse/office building in its place, and install a wall, gate, landscaping, and Best Management Practices (BMP). It will reduce land coverage and restore the back portion of the site. Based on those site improvements, the overall projects has both scenic and water quality benefits.

Mr. Lawrence said he assumes that there will be more screening of the buildings than existing screening and that sometimes newer construction looks better than older construction but shouldn't be sole thing for a finding. He's comfortable that there is going to be more screening than is existing on the property in order to protect that scenic corridor.

Public Comments & Questions

Carole Black, Incline Village resident said she also submitted written comments. This is a fairly significant transfer of coverage units, a substantial portion under again a greener sustainability criteria. She questioned whether the balance in terms of what was going to be placed there and the scenic implications were appropriate. She also flagged the fuel pump and steel storage that's appears to currently be there according to the plans and will be maintained. Since this is a warehouse for private vehicles, presumably it's a non-essential function for the proposed use and is likely non- scenic and potentially an environmental risk.

Philip GilanFarr, GilanFarr Architecture said he wanted to address some of the comments from Ms. Black. One was regarding the ownership confusion. Oak Angle was typed as Oak Angel and was corrected in all the documentation. There was a comment about the plan area, which is the Ponderosa Ranch regulatory zone, and is designated as industrial even though it is in a scenic area. They are looking at doing a substantial number of items which he helped write those design guidelines with TRPA a number of years ago, and now has helped to refine them. They are looking at meeting and exceeding this site and building design, setback of structures, parking, loading and circulation, snow storage, and enhancing the landscaping substantially through that entire region. They're working with the Nevada Department of Transportation at the entrance off the road and upgrading all the lighting to meet TRPA standards along with substantial sign reduction with only one sign addressing the property. The other comment that came up was that they were not awarded any land coverage, they were awarded Commercial Floor Area (CFA) and came in three parts. There was the part that was existing, part was what they purchased, and then a small amount of 5,226 square feet came from the Washoe County pool, which they were awarded after a full review of the project and it's merit. They are proposing to reduce greenhouse gas emissions and is in the application and packet. They believe that the scenic quality will be substantially increased and will help the

GOVERNING BOARD

May 25-26, 2022

attainment, and that the CFA was awarded based on the greenhouse gas emission reduction. The other item that came up was a discussion about a small fuel pump and storage facility that is exist today. They plan to keep that, and is covered by TRPA, the Nevada Environmental Protection Agency, North Lake Tahoe Fire Protection District, and Washoe County and is an approved structure.

Ms. McMahon did a thorough review of the proposed project. She's been overwhelmed with a lot of work like other staff members and she's done an excellent job and hopes she sticks around as she's an excellent asset to TRPA.

Board Comments & Questions

Ms. Hill moved to approve the TRPA Consent Calendar.

Ayes: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

Motion passed.

Ms. Gustafson moved to adjourn as the TRPA and convene as the TMPO.

Motion passed.

VI. TAHOE METROPOLITAN PLANNING ORGANIZATION CONSENT CALENDAR

1. FY 23 Lake Tahoe Transportation Planning Overall Work Program
2. Adoption of the 2023 Active Transportation Program (ATP) Metropolitan Planning Organization (MPO) Guidelines

Ms. Aldean said the Operations and Governance Committee recommended approval of items one and two. The Lake Tahoe Overall Work Program changes incorporated comments made by the Nevada Department of Transportation, Steve Teshara representing the South Shore Transportation Management Association, and Principal of Sustainable Community Advocates. Those changes were embedded in a link of the staff packet. Those changes were mostly in budgetary and available funding amounts. The second item had to with the adoption of the 2023 Active Transportation Program Metropolitan Planning Organization Guidelines. This was precipitated by the fact that the State of California recently updated its Active Transportation Program funding guidelines which made this update of the TMPO guidelines necessary.

Board Comments & Questions

None.

Public Comments & Questions.

None.

Board Comments & Questions

GOVERNING BOARD

May 25-26, 2022

Mr. Lawrence moved to approve the TMPO Consent Calendar.

Ayes: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

Motion passed.

Ms. Aldean moved to adjourn as the TMPO and reconvene as the TRPA.

Motion passed.

VII. PLANNING MATTERS

- A. Resolution in support of the Lake Tahoe Wildfire Awareness Campaign, May – October, 2022
Mr. Cowen, TRPA staff and member of the Tahoe Fire and Fuels Public Information presented this item.

Mr. Cowen said every year the Tahoe Fire and Fuels Team (TFFT) puts out a wildfire awareness campaign of to encourage more property owners to take it upon themselves to prepare for wildfire, whether it be through evacuation preparedness, or through creating more defensible space. This year the theme of the of the wildfire awareness campaign is about ember awareness and evacuation preparedness. Included in the staff packet is a proclamation in support of that and the TFFT's projects.

Board Comments & Questions

Mr. Hicks said this all relates back to the terrible Angora Fire in 2007 which wasn't the first fire in the Sierras but it was certainly the one that rang the bell the loudest in the Tahoe Basin. It was his privilege to serve on that Bi-State Commission and one of the very positive things that came from that was the coordination of TRPA and the Tahoe Fire and Fuels Team and all of the fire and governmental agencies in the basin. They've done amazing work since then. People suffered tremendously with the Caldor Fire, but it did have a silver lining and that was that it validated the need to thin the forest, to create defensible space, to harden homes, to be prepared for wildfire, and continue it because it is not a one-time event. Had the agencies back in 2007 and 2008 just say, okay we'll do this once, and we're safe. They didn't do that, they recognized this is an ongoing task of educating the public and keeping it in front of the public. This is a wonderful thing that the Tahoe Fire and Fuels Team does every year and needs to continue to do it and they need to support them in any way they possibly can.

Mr. Bruce said the learning experience and the great guidance that the Blue Ribbon Commission provided, gave them a lot of what they needed in order to protect ourselves.

Public Comments & Questions

None.

Board Comments & Questions

Mr. Friedrich made a motion to Adopt Resolution 2022-___, a Resolution in Support of Lake Tahoe

Wildfire Awareness Campaign, May – October 2022.

Ayes: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

Motion passed.

- B. Update on the Chile-Tahoe Partnership: Status report from Chile Lagos Limpios including lake modeling and how Tahoe is a global model for sustainable development

TRPA staff Mr. Middlebrook and Mr. Coz, Executive Director of Chile Lagos Limpios provided the presentation.

Mr. Middlebrook said our issues and challenges, especially when it comes to climate change and the health of Lake Tahoe go well beyond our boundaries, and our actions have impacts globally. Tahoe has long been a leader for sustainability, environment, development and transportation. The things they do here, teach lessons across the globe and bring more sustainable practices to other regions. It's important to keep in mind as they are developing programs that people are watching and following what Tahoe does. The Chile Tahoe partnership is one of those international partnerships that has grown in the last several years. Some might also be familiar with older partnerships, such as the Tahoe-Baikal Institute and newer partnerships around the topic of sustainable recreation where TRPA was an initial signatory to the future of tourism coalition.

(Slide 2) Is a map showing locations of the different countries that international visitors have come from to visit Tahoe, and specifically to visit with TRPA staff to learn about a variety of topics from water quality, transportation, land use, and forest health. The Chile Tahoe Partnership or the organization as it's known as Chile Lagos Limpios started as one of these international visits in 2017 when a couple folks from Chile came to Tahoe. They knew about Tahoe as an international case study on managing the environment of lakes. Since 2017, it has grown into an international Non-Governmental Organization (NGO) that has accomplished quite a bit in its short lifespan. There's 23 lakes in the region of Northern Patagonia in Chile that are similar to Tahoe in terms of their history, their development patterns, and the challenges they're facing into the future. Not only are the lakes and Chile learning from Tahoe, but Tahoe is building their knowledge of what's happening in other lakes in order to bring some of those best practices to Tahoe.

(Slide 4) Board of Directors for Chile Lagos Limpios includes three folks from Tahoe; Geoffrey Schladow, University of California, Davis, Tahoe Environmental Research Center, Jesse Patterson, League to Save Lake Tahoe, and Devin Middlebrook, TRPA. Science, policy, and advocacy are all represented.

Presentation continued:

Mr. Coz said TRPA has been contributing to their program for the past 3.5 to 4 years and is proud of what they've accomplished in the challenge of their mission.

They have a district of 23 lakes and lagoons in the south of Chile which are called the Northern Patagonia Lakes and represent 30 percent of Chile's fresh water. It's not only a natural beauty similar

to Tahoe but it's also a natural freshwater reserve which is going to be key for their future development and resilience to climate change.

(Slide 7) Lake Villarrica is similar to Lake Tahoe and this image is showing algae blooms on any given day in October. This is due to agriculture production, urban centers without proper sanitary systems, motor boats, septic tanks, etc. It's also due to development which has grown rapidly over the last 30 to 35 years with lots of holiday homes and agricultural development but there's no specific and strategic plan behind it. The result is that they have a saturated lake where property prices are going down, people don't want to spend time at their holiday homes and it's become a problem for the government and the private sector.

They've learned from Tahoe and Lake Villarrica that once a lake gets contaminated, it's very complicated and expensive to revert this process and do things right. They have the opportunity in Chile with this district of lakes which most of them are still pristine to develop a planning framework, a new culture based on science and a dramatic cultural change to be able to balance economic development given by tourism, agriculture, and real estate development, but maintaining the health of the lake and ecosystems, in the center of the decision making.

The situation in Chile is a bit different from Tahoe. Besides Chile being a district of lakes of different sizes of watersheds, volume of water and landscape, that there's many more economic activities that coexist there. They have agriculture, aquaculture, tourism, energy production and real estate development. It's a mix of economic activities which make the situation a bit different than the case of Tahoe.

They is a world example of lake conservation and climate change resilience. This knowledge can later be exported to other places in Latin America.

They established this partnership with Tahoe because they have 60 years of experience. They can go back in time and bring those lessons and knowledge of hard work and money invested and adapt to Chile and not make the same mistakes while saving a lot of money and effort to provide a sustainable future for this beautiful landscape. Southern Chile has similar landscapes in terms of their forest, water, and prairies. Also, similar challenges such as fires and climate change.

They have three work areas and this is the lines of work that they've been pushing forward based on what they've learned from Tahoe on adapting to it in Chile. Science and research is key and without proper data that is scientifically backed, that can help them make decisions they could be all over the place and defining things that later on will not be pursued. They're working in collaboration with the UC Davis, Tahoe Environmental Research Center, Geoff Schladow and his team to implement a top class monitoring and modeling program in one of the most important lakes in Chile. It's to develop a public use scientific tool that will allow them on one side to identify what land use changes will impact the quality of the water of the lake and provide guidelines to the private sector with what they can do and where they can do it, and with what standards. Secondly, provide guidelines and work with the government, the district environment, the municipalities, and other relevant government agencies to design laws and regulatory framework that can guide development in this water ship. Lake Llanquihue which has the same volume of water as Tahoe and similar size watershed for urban centers. Being similar to Lake Tahoe is why they are using this Lake Llanquihue for their pilot program in terms of science. They are working in collaboration with some local universities and expect at the end of this year to have the preliminary results of this interaction between land use change and lake water,

quality.

Second, cultural transformation is important and this is an area that's in the center of their work model which has to do with how they can change the culture and behavior of holiday homeowners, year round residents, companies, and non-governmental organizations on how they use, enjoy, and work around these lakes. Some of the impacts that they see in the lakes doesn't have to do with people being evil, but more people having no clue of the impacts that their common day actions can have. This is why in this area they are working in different streams and environmental education campaigns, seminars, and webinars. They are strongly positioned in the press and do international missions to Lake Tahoe and elsewhere. The idea is to provide a cultural change and identify the challenges and start doing work in collaboration with other agencies in order to transform the culture of the people that live around these lakes. They need for this work to become mandatory and for public policies to be established and implemented in this Lake district. Nowadays, their regulatory framework is lacking sound and intelligent policy to regulate the economic activities in these lakes. They're working in collaboration with the ministry of environment and some of the municipalities in order to start working on those norms. They know from Tahoe that it's mandatory to establish those binding agreements.

(Slide 16) Achievements of the past three years. They've raised money to operate and monitor programs in three lakes. They've grown their international and national stakeholders network and held nine international seminars and have partners like the US Embassy, local NGO's, local agriculture, real estate development, and sanitary companies. They've been able to engage decision makers and both publicly and private partners.

He just came from a meeting with Mayor from Llanquihue and he asked about the partnership. Chile Lagos Limpios is looking at establishing a formal partnership between the City of South Lake Tahoe and the cities in Lake Llanquihue. This can strengthen the partnership of Northern Patagonia and Lake Tahoe.

(Slide 18) Seven modeling and monitoring stations that are measuring both temperature and dissolved oxygen in Lake Llanquihue. This information is feeding a hydrodynamic model that was developed by UC Davis and now understand how contaminants move during different times of the year. In the second stage they are going to develop a watershed model to connect these models to get an idea of how land use interacts with lake water quality. They hope to have that ready at the end of this year or beginning of next year.

They're working with a communications and advertising agency on how to do this cultural change besides the seminars and the workshops. How do they impact people that want to change their behaviors? They've done some creative campaigns with one of them called "Don't Become The Lake Monster." This is a social media campaign through Facebook, Instagram, Twitter, and LinkedIn where they define certain best practices or macro topics, where they want to change the behavior of people which are the protection of wetlands, native species, water contamination, and waste and residues. They developed some good practice tips of things to do, and not to do and have been moving that through their social media with this Don't Become The Lake Monster campaign. This was launched during the summer and is going to stay live and through this year. They are also raising the funds to do a movie on this campaign. The first trailer is going to be filmed Chile and the second trailer will be filmed in Lake Tahoe.

GOVERNING BOARD

May 25-26, 2022

The challenge is massive but are very encouraged with this. They're happy working with TRPA, League to Save Lake Tahoe, and UC Davis staff.

Presentation continued:

Mr. Middlebrook said in February 2022, he and Geoff Schladow with UC Davis were able to visit Chile with a delegation that was funded by the US Embassy.

(Slides 27-31) They visited in February which is high summer season for the lakes of Northern Patagonia. There is traffic, parking, litter issues, and crowding on the beach. It's many of the same things that they have here. Tahoe has the Take Care campaign using those bright, colorful messages to spread the word. One thing that Tahoe can learn from Chile is their public transportation and bus system. You can get a bus pretty much anytime anywhere across the country and it really does help interconnect that country, reduce vehicle trips, and plane flights. They're also dealing with shoreline development. The delegation took a helicopter tour of some of the lakes and a lot of that development that is right up to the shoreline and is something they have challenges with. But they also have great public access to their lakes in the region and there is definitely an emphasis on public access to the lakes in the region.

They are also dealing with stormwater and sewage, a lot of what Tahoe dealt with in the past. When they have rains, the stormwater with all of those pollutants, goes into the lake and also gets into the sewer system which causes overflows and sewage going directly into the lakes. That is one of the main things that Chile Lagos Limpios is working on. Similar to Tahoe, Lake Llanquihue has four main jurisdictions so it's very much like Lake Tahoe's mishmash of jurisdictional boundaries in the Tahoe Region. It takes that collaboration across those jurisdictions to get things done, and that is one of the big messages they bring from Tahoe to this region. Each one of these municipal mayors meet regularly in a jurisdictional partnership in order to address their shared challenges.

A shout out to the US Embassy, who is celebrating 200 years of partnership with Chile, and without them none of these visits and seminars would be possible. The highlight of the February trip was a public seminar where UC Davis brought their science and their initial results of their lake modeling to the public.

They have modeling at Lake Tahoe and a long history with Charles Goldberg starting UC Davis' Environmental Research Center, but it helps to monitor more than one lake. If they know what climate change and environmental factors are doing in more lakes around the world, it can better inform the models for Tahoe and the actions that they take at Tahoe. While Chile is learning a lot from us, they are also learning a lot from them.

Presentation:

[Agenda Item No. VII.A Chile Tahoe](#)

Board Comments & Questions

Ms. Conrad-Saydah said it's excellent to hear how this bi-lateral coordination is improving science and outcomes and community engagement in both places. She learned about the Tahoe-Baikal Institute years ago, and it seems like that this expanded capacity to learn from others and other lakes is really helping TRPA and folks living in the basin.

GOVERNING BOARD

May 25-26, 2022

Mr. Friedrich asked if the public access is true for all lakes in Northern Patagonia and is that the high water mark and all around every lake.

Mr. Coz, Executive Director of Chile Lagos Limpios said in Chile both in the ocean and the freshwater, eight meters above the high water, high tide level is public. From then onwards can be private if it's owned by someone or by the State. There's no law that makes every private owner to provide access and has become a huge issue on the beach, in freshwater, and the salt water. Because there's some massive portions of a lake which are only accessible by water, because there's no private access and land is owned by a farmer or whoever. That has become a problem, and that sets up the discussion about the water of the lake that's a public and is administrated by the Navy and everyone should be able to use it and enjoy it, but what about access? Many are not public and only private.

Mr. Friedrich said then it can be accessed laterally or from a boat, but it's just getting through a private property is the issue that they are working through.

Ms. Aldean asked how many irrigated acres are there adjacent to these lakes. In the past, there was cattle grazing in the Tahoe Basin and the associated impacts to water clarity. It appears from the photos that they quite a few acres of irrigated land. Her second question is if there an effort underway to incentivize the relocation of these agricultural operations away from the shoreline of these lakes?

Mr. Coz, Executive Director of Chile Lagos Limpios said he doesn't have the number of how many irrigated prairies they are. Recently, they are getting more irrigation because historically, it's become much drier in the south of Chile with the effects of climate change. Some agriculture farms are irrigating now. Regarding, Ms. Aldean's second question about any efforts underway to incentivize the relocation of these agricultural operations away from the shoreline of these lakes. The answer is no, there are farms that you see cows grazing all the way to the water. There's currently no problem with that. At an industry level, there's effort to start moving away from agriculture farms, feed lots, or dairy farms away from the lakes. One of the things that they want to do is start working with dairy farms and the Dairy Farms Association on standards in their production facilities. Possibly establish certain areas where they should graze, the ratios of nitrogen and phosphorus that should be applied to the prairies in order to the productivity they want but not damage the health of Lake. Agriculture is a big economic activity in Chile and these lakes have dealt historically with agriculture and are very proud of it.

Mr. Bruce said he would love to take a trip to Chile. When you think of Patagonia, you just think of absolute beauty and natural resources, and something that's extraordinary worthy of protection.

Mr. Middlebrook said he's always looking for time to return to Chile. It's also important for the Chileans to come to Tahoe. They recently submitted another grant to the US Embassy with a climate focus that includes both a Chilean delegation trip to Tahoe and a Tahoe delegation trip to Tahoe.

Public Comments & Questions

None.

VIII. PUBLIC HEARINGS

- A. Shoreline code language regarding sections 84.3.3.E.3 and 2.2.2.F.2, the authorization of existing buoy fields and administrative approval for new mooring buoys on eligible private, single-family littoral parcels

TRPA staff Mr. Stock provided the presentation.

Mr. Stock said the proposed amendments to Chapters 84 and 2 of the Code of Ordinances are related to the authorization and approval of mooring buoys.

The Governing Board adopted the Shoreline Plan in 2018. The plan is intended to support boating, paddling, swimming, and other water based recreation while also ensuring effective natural resource management and achievement of the Tahoe Regions environmental goals. Also in 2018, regulations were added to the Code of Ordinances which were intended to implement the Shoreline Plan. After being in effect for a few years, TRPA staff identified the need for some minor adjustments to the implementing regulations of the Shoreline Plan. There's a history of these of minor amendments such as the Board approval to authorize public buoy fields in December 2019. In January 2022, the Shoreline Steering Committee recommended approval of these proposed amendments. In April 2022, the Regional Plan Implementation Committee unanimously recommended approval and earlier this month, the Advisory Planning Commission recommended Governing Board adoption with all affirmative votes, except one abstention. Some of the comments received from the Advisory Planning Commission members are included in today's presentation There were no comments from the public at either of these hearings. Staff received a letter of support from the Tahoe Lakefront Owners Association prior to today's meeting.

These amendments are technical and not substantive in nature they won't change the Agency's approach to regulating the impacts of mooring buoys and shoreline structures. The Initial Environmental Checklist is included as Attachment C of the packet and shows that the amendments are not anticipated to have any significant effect on the environment. The proposed amendment to Chapter 84 just briefly recognizes the need to establish existing buoy fields and the amendment in 2019 created a path for existing public buoy fields and this amendment creates the same path for buoy fields not associated with lake fronting parcels to prove up. The technical term for that is non-littoral HOA buoy fields.

The proposed amendment to Chapter 2 allows for staff level permitting of new single-use mooring buoys. These buoys currently require Hearings Officer review and approval. However, staff believes that a public hearing is unnecessary for private buoys and is shown to place a significant burden on the Hearings Officer, therefore, staff is recommending that that these private buoy applications be processed at the staff level.

Chapter 84: The 2018 Shoreline Plan prohibited new buoy fields on Lake Tahoe. However, the Code does provide a path for authorizing existing buoy fields associated with lake fronting (littoral) parcels. This path was not provided for buoy fields associated with properties that do not have lake frontage, these non-littoral associated buoy fields. To date, staff has received seven applications to authorize buoy fields on the lake owned by homeowners' associations with without lake frontage. All these applications are in the State of California. These applications demonstrate that it's necessary to create a path for HOA's without lake frontage to prove up and authorize their buoy fields. This amendment

GOVERNING BOARD

May 25-26, 2022

is intended to create that path which will be the same for non-littoral HOA buoy fields as it is for littoral HOA buoy fields. The HOA's will be asked to provide a valid permit from a Federal or State agency issued prior to the adoption of the Shoreline Plan on September 1, 2018. A valid permit would have to had been issued before that date.

(Slide 5) Is an example of a littoral HOA buoy field. This is the buoy field owned by the Dollar Point HOA as shown with the blue dots circled in orange. The highlighted parcels above to the north on the lakeshore is the Dollar Point Tennis and Beach Club parcels. These are lake fronting properties owned by the Dollar Point HOA and is associated with the littoral HOA. It is considered a littoral HOA buoy field and the Code currently provides a path for buoy fields such as this one to be authorized.

(Slide 6) Is an example of a non-littoral HOA buoy field. The Lake Forest Pier Owners Association is the buoy field that is circled with blue dots. In this case, there's no highlighted parcel because this pier owners association does not have a lake fronting parcel. It does have a buoy field, and they have provided staff with a valid state permit from California State lands. They have the authorization to have these buoys in a field without TRPA authorization. This amendment is intended to remedy this and allow them a path to authorize their buoy field.

During the Advisory Planning Commission May 11, 2022 meeting, the Commission member from the Nevada Division of State Lands expressed some concern that authorizing non-littoral HOA buoy fields might limit a littoral property owners ability to place buoys lakeward of their property. If development standards are met, the Code authorizes new private buoys regardless of pre-existing buoys. Authorizing these existing buoy fields does not directly limit littoral parcel owners ability to place private buoys.

The original amendment language that was brought to the Advisory Planning Commission and the Regional Plan Implementation Committee implied that non-littoral HOA buoy fields could not expand beyond what was authorized, but it never stated this explicitly, and staff believed that it was necessary to state it more explicitly in the Code and was added to the language in Exhibit 1 in the staff packet.

Chapter 2: The Code requires Hearings Officer and Governing Board approval for all structures in the shorezone. Through implementation staff have found that all structures include private mooring buoys and these buoys are relatively routine approvals. Because of this, the TRPA Hearings Officer has been bogged down by the volume of private buoy applications that have gone before them. This was an unintended consequence of the 2018 Code language. TRPA staff has in-house expertise in buoy regulations and believe that these permits would be appropriate for staff level review and approval. For example, staff already review and approve existing mooring buoys and the process for new private mooring buoys is essentially no different.

The proposed amendment to Section 2.2.2 will allow for staff level review and approval of private mooring buoys. The same Current Planning staff who make recommendations to the Hearings Officer and review authorization of existing buoys would now process permits for new buoys. This amendment would not change the conformance requirements for mooring buoys and doesn't impact any other structures in the shorezone such as piers. It will still be the same review process for pier and other structures. The amendment reserves the option for an applicant to appeal any permit decision to the Governing Board.

Presentation:

[Agenda Item No. VIII.A Shoreline Amendments](#)

Board Comments & Questions

Mrs. Cegavske asked how many buoys are allowed on the California side. There's kind of a mixed bag of what she's got for Nevada, but is that for both, that you gave me, Mr. Marshall?

Mr. Marshall said yes, it's for both. Remember, this amendment is only for existing buoys and not any new buoys.

Mrs. Cegavske asked how many total buoys is California allowed to have. That's what she was asking about Nevada.

Mr. Marshall said he'll have to get the figure for the total number of buoys. Usually, they number this in moorings, but it's around 1,400 new moorings, and those are distributed around the Lake. There will be new moorings on the Nevada side but because there aren't any non-littoral existing buoy fields in Nevada that they're aware of, they don't think this will have an impact in Nevada.

Mrs. Cegavske was curious about how many additional applications could be submitted. She's concerned about this because they look terrible. She's seen the hotels or restaurants that have these buoys out there and doesn't agree with it and it's taken away from the look of Lake Tahoe.

Ms. Aldean appreciated the clarification about the ability of a littoral property owner who may own a piece of property where a buoy field that is controlled by a non-littoral property owner is off of his or her littoral parcel. What are the rules and regulations with respect to where that person's buoy would need to be placed? Would it need to be integrated into the association of the HOA buoy field which is off of their property or would that be handled on a case by case basis with respect to placement?

Mr. Stock said with respect to the area requirements for buoy placement. A new private buoy would need to be placed 50 feet from an existing buoy. If there's an existing buoy from a buoy field within the projection lines of that parcel then new private buoy would have to be 50 feet away from one of those and it also needs to be 20 feet set back from the projection lines of the property going into the Lake.

Mr. Miller, Senior Environmental Specialist with TRPA working the shoreline implementation. Mr. Stock covered it pretty well. There are additional criteria for how far out buoys can be. The buoy does not have to be in line with the field, it could be placed in the space available as long as it meets that 50-foot setback and the setback from the parcel line projections. The area in front of the property beyond low water does not belong to the property owner, it belongs to the State of California and Nevada. The placement of the buoys would have to conform with what they have already permitted, which would be those existing buoy fields. It would have to work around those but in most cases that's very easy to do.

Ms. Aldean said they've had conversations in the past about trying to consolidate these buoy fields, and rather than having an outlier, and it may not be based on these restrictions in terms of setbacks and maximum depth. It might be a challenge, but theoretically, that littoral property owner must have

GOVERNING BOARD

May 25-26, 2022

given that association authorization to locate that buoy lakeward of their property. She's anticipating it could be an issue in the future. She appreciated that they provided that as an option. Lastly, she suggested an edit to the new language on page 241 that perhaps is consistent with what was proposed originally in the staff report. The last line would read "Buoy fields associated with a non-littoral homeowner's Association may not expand beyond what was previously approved." Rather than stating previously permitted amount in that amount can mean a variety of things such as the number of buoys or the area encompassed by the buoy field. It's cleaner if the language consistent with what was in the staff report.

Mr. Marshall said that's fine.

Mr. Friedrich said as of a couple years ago, the Shoreline Plan identified 2,116 additional moorings after determining the status of existing moorings. Presumably there's a total cap anticipated in the Shoreline Plan, How were these accounted for when the additional moorings were allocated, and because these weren't in a sense accounted for in the past, will the total, including the new mooring applications, exceed what was anticipated in the Shoreline Plan environmental documents.

Mr. Marshall said they're part of the existing count. They're already accounted for in the disclosure, particularly the environmental document. They go in that pool and are already allocated to part of those existing numbers that they were aware of but we didn't have a route to provide authorization for them and is what this corrects.

Mr. Friedrich said then it doesn't change the total number out there. These were counted in in terms of the new allocation baseline but they weren't officially permitted.

Mr. Marshall said correct.

Mr. Friedrich asked if they were assumed to be connected to a littoral parcel, but as part of this cleanup they were counted, but yet they weren't officially recognized.

Mr. Marshall said they were part of the original baseline count, that count didn't necessarily finely divide where all those buoys belong. It was going to be done through the permitting process. If a littoral HOA comes in, they need to ensure that they have a TRPA permit if they don't have one already, then there's six or seven, or so, buoy fields that they've discovered that are non-littoral that right now they don't have a way to gain a TRPA permit even though they have a State Lands permit and is what this amendment is about. They didn't go through that exercise back in 2018 to definitively assign all existing buoys to one category or another. They were counted but didn't do that determination on whether these buoys were assigned to a littoral or non-littoral buoy field.

Mr. Friedrich said to follow up on "Only authorized new moorings after determining the status of existing moorings." Weren't the 2,116 for the next 20 years established before these were determined? Or are you saying they were assumed to be legal under some definition?

Mr. Marshall said no, they assumed that there will be some that are legal and some that will not be able to prove up. That number will be fixed when they get through the permitting process, and then go through the enforcement process of getting the remaining illegal buoys off the Lake. But at the same time they're authorizing new buoys that will have the TRPA permit and appropriate stickers and licenses.

GOVERNING BOARD

May 25-26, 2022

Mr. Hoenigman said he belongs to an HOA that has a non-littoral buoy field. He appreciated this amendment because it allows more people greater access to the Lake instead of just the people who live on the lake. The people in their HOA who have had these buoys for generations don't live on the Lake, they don't have those resources but they have greater access to the Lake as a result of having a mooring on the Lake. These associations are pretty common around the West Shore but is unsure which ones will be affected by this. There are a lot of properties inland that benefit from having these. It's great to give slightly improved access to the Lake. He's always conscious of the statewide goals of giving more access to these beaches and lakefronts.

Mrs. Cegavske asked whether this amendment doesn't add or adds additional buoys.

Mr. Marshall said it's not adding more buoys to what's existing on the Lake now.

Mrs. Cegavske said what they voted on in the past, that number still exists and they are not adding Anymore?

Mr. Marshall said correct.

Mr. Lawrence said this was recommended at the Regional Plan Implementation Committee and also at the Advisory Planning Commission with some questions from the Nevada Division of State Lands. He appreciated Mr. Marshall and staff working with the Nevada Division of State Lands to clarify the questions that they had. Mr. Lawrence spoke with them last night and they're comfortable with these amendments. The non-littoral is largely a California issue but they are concerned about how this might have impacts on the Nevada side. They're comfortable that this is within the cap and isn't adding any development potential. Things were just spinning and grinding away for so many years as they tried to get a Shoreline Plan at Tahoe and this is just trying to get everything cleaned up and permitted. He is very supportive of these amendments.

Mrs. Cegavske said in the presentation materials it states that over the 20 year life of the Shoreline Plan up to 2,116 additional moorings could be distributed to the following pools. That sounds like more are being added and will be based on how she votes.

Mr. Marshall said there are two things to distinguish between. The existing program that the Board voted on does allow new buoys added to the total number of existing buoys on the Lake. This amendment doesn't address any of those new buoys added to the Lake. This amendment only addresses existing buoys that happened to be owned and controlled by non-littoral as opposed to littoral HOA's.

Mrs. Cegavske asked then do they need to change the wording because it says "additional."

Mr. Marshall said there will be additional buoys on the Lake. The number 2,116 is additional moorings and accounts for piers, boatlifts, slips, and buoys. There will be additional buoys on the Lake which was approved by the Governing Board as part of this package. This amendment again is just for those buoys that have been in existence that have a State Lands lease or permit that now will also be able to get a TRPA permit.

Ms. Gustafson said today's action isn't increasing anything. It was the previous action that validated the shorezone work.

GOVERNING BOARD

May 25-26, 2022

Mr. Marshall said correct, that set those additional buoys into the various pools which are marinas, expansions of existing littoral buoy fields, additional new buoys for individual private single-parcel moorings.

Mrs. Cegavske asked if it were correct that this Board could again, if somebody came in and said they wanted another 2,000 could approve another 2,000 buoys, piers, and other moorings.

Mr. Marshall said yes, the Board has discretion to allow more buoys if they could make all the findings, including all the environmental findings about scenic quality, water quality, etc.

Mr. Friedrich said the 2,116 additional was based on a total build out of whatever that number was. He's trying to determine if these non-littoral ones were not approved, would that require them to be removed in order for more headroom for additional new ones? Trying to ensure that the new ones that are permitted, which seem to be based on what's existing are not affected by this decision one way or another. They were accounted for as what's existing and then going through the permitting process. If they were to say they can't be permitted because they were not littoral, would that affect the future new ones? Or is there zero relationship between these two actions?

Mr. Marshall said there is some relationship to the number of existing when they go through the process of first permitting everything that can be permitted, and then removing all the illegal buoys that have not come into compliance, he believes there is some additional headroom associated for new buoys.

Mr. Miller said yes, the number of existing buoys identified in the Environmental Impact Statement is about 4,200. To date, they've had quite a few less than that permitted and registered with TRPA. There are still permits and applications that staff is working through. The number for additional moorings is completely separate from that 4,200. The 2,116 additional moorings that are allowed under the Code that was previously adopted by the Board. Those are two separate existing amounts in what was identified under the EIS and the amount new while related, they are not based off of each other.

Mr. Marshall clarified his previous statement. He said there's no relationship. It doesn't matter the cap on new buoys, as TRPA would refer to that as additional moorings, is set at that 2,260, whatever that number is.

Mr. Bruce said would it be fair to say that the buoys that they're talking about today, are in existence in the eyes of other agencies. TRPA is just changing their rules to make to make it possible for TRPA to also approve them.

Mr. Marshall said that is correct. Mr. Friedrich is asking another related question which if there's not a path to approve these, and they have to be removed, does that mean they're freeing up more space for additional buoys?

Mr. Friedrich said or conversely if the 2,116 was based on the idea that these were not permitted and more were given out than would have been otherwise given out.

Mr. Marshall said these particular buoys that they're talking about today, the buoys and buoy fields were counted and was part of what was presumed to be in existence and the vast majority being

subject to permitting.

Mr. Bruce said there was just a little wrinkle in the rules that didn't allow the non-littoral to get to those buoys and now they're fixing that.

Mr. Marshall said it's the existing non-littoral buoy fields to come into compliance with the TRPA processes.

Public Comments & Questions

None.

Board Comments & Questions

Ms. Aldean made a motion to approve the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinances amendments as described in the staff summary.

Ayes: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

Motion passed.

Ms. Aldean made a motion to adopt Ordinance 2022-___, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A.

Ayes: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

Motion passed.

IX. REPORTS

A. Executive Director Status Report

1) Transition of Executive Director to Emeritus Status and Delegation to Chair to Negotiate Terms

Mr. Bruce said they recently received some unfortunate news in the Tahoe Basin. Our extraordinary leader and the face of TRPA for the last 13 years is stepping down. Ms. Marchetta has served TRPA and Tahoe, brilliantly, tirelessly, and strategically, and he's had the honor for ten years of serving with her. He's served on many corporate boards, nonprofits, government boards, and has never worked with such a talented and committed leader in an organization.

Ms. Marchetta is going to speak to us about her decision and situation, and then the Board will have an opportunity to talk about retaining her expertise during the transition to the new executive director.

GOVERNING BOARD

May 25-26, 2022

Ms. Marchetta said it's an emotional day for her. She's spoken with each of you and all of you about her hearing impairment, and it's realities. It is a hugely daunting life experience to lose one of your five senses entirely. The good news for me was it was replaced imperfectly, but it was miraculously replaced by modern electronics. I can still function but not quite effectively. But the day to day realities of this that I have to contend with. Navigating different hearing environments and listening environments that come with the responsibilities of the full time job. You have no idea, some people have great audio and some don't, big rooms, small rooms. It leaves me spent and to physically fatigued to do this job, 8, 10, 12, hours per day, 24/7. That reality led me to the decision to step down effective close of business on June 30, 2022. I'm doing what I have to do to contend with a physical disability. While it's a loss to her, see this in the larger perspective. I've had a long, positive, productive tenure and I'm handing off to you a healthy and robust organization and staff.

When I stepped in at best, it was uncertain and unstable. Coming off of the Angora Fire, the recession, deep divides, and deep budget cuts. Today, by contrast, we're financially healthy, we're clear, capable on our core purpose and our priorities. We have a really excellent and passionate and committed staff. We have an extraordinarily positive and supported organizational culture. We're literally a designated employer of choice in this region, and all of those strengths have racked up record accomplishments over a decade. I know I've provided the agency some stability and continuity and consistency. There's been nine board leadership changes. I've led TRPA as the backbone of a partnership, we've shifted the culture here basin wide, we were the Agency to hate. Today, we're seen a coherent, cohesive supportive multi sector partnership. I have made partnership collaboration epic. Collaboration, our mantra, is the secret sauce of our success. They're national practitioners, networks, and large landscape conservation that I'm heavily engaged with view Tahoe as a national class successful cross sector partnership. They look to us for how to collaborate well.

I'm handing this foundation off to all of you to continue that good progress and that legacy is now yours. My decision is especially melancholy because I'm leaving for a physical impairment. Regardless of that, now, is absolutely the right time. I've accomplished all that I need to and now it's time for all of you to come together and give it your best. I've served TRPA for 17 years. First as General Counsel for 4 years, then as the Executive Director for over 13 years. That executive director run was one quarter of TRPA's history. It was 8 years longer than any past executive director. But for my hearing impairment I may not have headed to retirement this early, but I am. As a transition into that permanent retirement I've proposed this emeritus status with TRPA. It would be a very limited role where I want to focus on working with Human Resources and possibly the new executive director exclusively on skill development of interested staff. I'll convert to part time in a new role. I'll draw on my 40 years of work experience, the lessons of partnership over two decades, and my work with the state and national landscape collaboratives to help teach the special skill sets that come with collaborative leadership.

The work we do at TRPA is beyond the ordinary. It takes these really special competencies to build the kinds of partnerships that we build for the trusting relationships and to work in the kind of teamwork that's needed here for success. None of what you're going to need is going to be accomplished without good staff, and I'm at a point in my career where I can give a bit of focus on that core skill development to the people who are sacrificing themselves every day or Tahoe. This is effectively a different kind of accommodation for my hearing impairment. I've proposed to the Chair, Vice Chair, and each of you, in individual conversations to move to this transition role, as I wind down to my full retirement. It can be called many things, I called it emeritus, you can call it something else. It would be effective the start of the new fiscal year.

GOVERNING BOARD

May 25-26, 2022

As you think about the interim executive director, you have both John Hester and Julie Regan who are both extraordinary and well prepared, either can step in as an interim Executive Director while you search for a successor. I'll accept a significantly reduced salary with benefits and would focus exclusively on staff's collaborative leadership development for those who are interested. For those who might think that this is my chance to run the Agency from back of house, I can assure you that I'm finished with that. In the event that some newly selected Executive Director is unwilling or unable to work with me in this limited role, I'll terminate my employment and would be subject to an agreed upon set of close out terms with the Agency. I have been deeply honored and privileged to serve Tahoe and TRPA and so many individual Governing Board members. I'm deeply proud of what we all accomplished together. I hope everyone of you keep the momentum going. I would greatly appreciate your support for the proposed transition.

Mr. Bruce provided a number of considerations many that were mentioned by Ms. Marchetta to provide a backdrop to this idea of this transition. First, Ms. Marchetta would have a change in role. She would focus on consulting with middle and upper management regarding collaboration and development leadership of staff. Second, she would answer to the new Executive Director. Third, her position would be part time with a reduced salary. Fourth, they would negotiate a package with Ms. Marchetta, where either the new Executive Director or Ms. Marchetta could decide that if it's not working, Ms. Marchetta would receive whatever terms of that package was and no longer serve TRPA. Additionally, he's taken it upon himself, and believe Ms. Gustafson was also a part of that review of the financial considerations relating to the part time position. It appears that the net increase to the budget with everything being taken into consideration on this transition, would not be significant. Mr. Keillor will be able to assist the group with that.

He suggested that the Board delegate the negotiations for the term of Ms. Marchetta's transition to himself with the assistance of John Marshall, and then Mr. Keillor to assist in the financial pieces of that. In June, Mr. Marshall, Mr. Keillor, and Mr. Bruce will report back to the Operations and Governance Committee with the proposal for consideration and recommendation to the Governing Board.

Board Comments & Questions

Mr. Lawrence said this is tough for him, too. The first time he and Ms. Marchetta worked together, she was General Counsel and he was running the Nevada Division of State Lands and it was on a previous version of the Shoreline Plan. The Nevada State Parks had some issues with the plan in which they worked through and he got a flavor of how she collaborated and how she tried to achieve consensus. That was small potatoes compared to what came next. When the Nevada Legislature introduced Senate Bill 271 in 2011, that bill had Nevada pulling out of the Compact and gave all the planning things to him at the Nevada Division of State Lands. When that bill was introduced, he thinks the prevailing wisdom was that it was just another one of those bills just to make a point and would never get a committee hearing. More and more conversations, he got dragged into talking about the bill, it was real.

He can't imagine a different Executive Director negotiating that minefield and being able to get that bill into a place to satisfy all of the parties. It still passed but at least there was some milestones that if we achieved them, Nevada would stay in the Compact, which was then the next part. All of those Bi-State consultations to get the Regional Plan Update across the finish line. He could go on and on. He's just grateful. He moved here in 1991 to work for this Agency. He strongly believes that Lake Tahoe is

GOVERNING BOARD

May 25-26, 2022

better off having a regional planning agency and knows how perilous it was and how perilous it can easily become. He thanked Ms. Marchetta and supported the concept of the transition because it's important. The term emeritus confuses the public. He understands the intent but is a confusing term so, if we move forward in this path, he suggested to think about what it's called. He liked the idea of taking something to the Operations and Governance Committee. He knows that there is some concern that it's maybe a back of the house move. He doesn't believe it is but as part of Operations review if that's the path they take, it's very important to spell out the scope, terms, and reporting authorities.

Mrs. Cegavske said thanked Ms. Marchetta. The Secretary has been a part of this group for all almost eight years. She and her husband and bought a condominium in Tahoe when their children who are now in their forties, were in elementary school and had it for 24 years. She knew a lot about Lake Tahoe and about the controversies. She remembers the 2011 session and the legislators that were fed up with Lake Tahoe and the shenanigans that were going on. She and her husband first belonged to a group, and then they got away from it because we thought it was too radical. Then they came back because of Ms. Marchetta and the reason they did was because she turned things around and made this something that was respected. She can't say enough about what her leadership has done for this recognition of the entire TRPA.

She supported the terms that Ms. Marchetta laid out, and what she and Mr. Bruce have said today. She'll support Ms. Marchetta and whatever is decided and is glad she wants to stay on in any capacity. She's thankful for the years Ms. Marchetta put in and what she's done to turn around TRPA, because it has made a difference. Lake Tahoe will always be something that's in her heart, even though she doesn't have any property up here anymore. She had a great time here without buoys!

Ms. Aldean said she always told Ms. Marchetta that she would follow her out the door, maybe she'll be the next person to tender her resignation. Ms. Marchetta is not leaving today and is still with them and will be even past the end of her current employment date. For those of you who have been to Ms. Aldean's office knows that it's not real tidy and that's because she learned long ago to save every piece of paper, because invariably, the minute you throw something away somebody is knocking on your door asking for the information and, therefore, her office looks like the National Archives. As a result of that, she found a memo that Allen Biaggi, created when he was the Chairman for the Agency and the head of the Department of Conservation and Natural Resources when Ms. Marchetta was selected to replace John Singlaub. In this memo to the Board, he put together a search group consisting of himself, Ms. Aldean, and Board members, Ms. Bresnick, Ms. McDermid, Mr. Merrill, Ms. Santiago, and Mr. Yount. After their deliberations they elected not to search even regionally for a new Executive Director, and the reason for that is summarized and his concluding paragraph that states: "Finally, the group recognized the tremendous asset the Agency has in Ms. Marchetta and her character, leadership, knowledge, dedication, and ability to solve problems and achieve solutions. As TRPA's Legal Counsel, Ms. Marchetta has excessive knowledge of the inner workings of the Agency's goals and objectives and the various environmental and economic interests inside and outside of the Lake Tahoe Basin. Ms. Marchetta recognizes the direction of TRPA that it must take to achieve its environmental objectives and to address Lake Tahoe's economic development and fiscal challenges.

Based on the groups recommendation and the Board concurred, it was a seamless transition between Mr. Singlaub and Ms. Marchetta, and that is one of the best decisions that this Agency has ever made. This proposed is a very elegant solution, and if they find an Executive Director who finds this arrangement to burdensome, she's not sure she would want to hire him or her. Ms. Marchetta has a wealth of knowledge, she's a sort of person who is very sensitive to boundaries and has so much

GOVERNING BOARD

May 25-26, 2022

invested in this Agency, the last thing she would do is try to sabotage the success of the new Executive Director. Ms. Aldean is not concerned about that, regardless of what the public perception might be. This proposal is appropriate; however, her new status is described. She welcomed her continued involvement with open arms.

Mr. Hoenigman said although new to the Governing Board, he's been in Tahoe for almost 30 years. He knows in the last number of years, TRPA has gone from a four letter word to a four letter acronym, and that's a pretty amazing transition. He wishes she could be making this decision to retire based on what's best for her happiness instead of something she feels that she has to do. He can't imagine how frustrating that is. He's been involved in a lot of transitions of nonprofit and corporate boards and this role could be really helpful, especially in this organization, which is such a complex creature with the Bi-State and Federal Government involvement. There's an incredible amount of politics and the number of partners and players in the area. Having her stay on to help through this transition could be incredibly helpful. For some who are wondering about it, he's done some research and found some articles and studies that he shared with a few board members and am happy to share with others as well. Mr. Hoenigman and Ms. Conrad-Saydah have been instructed by the State of California that they would like to have a seat at the table through this transition period from the discussion and selecting a new executive director. He and Ms. Conrad-Saydah discussed and felt the Mr. Hoenigman had more experience to be part of the group that works on this.

Ms. Conrad-Saydah said she's disappointed to not be able to work with Ms. Marchetta longer. She appreciated her offer to stick around and offer her support. Everyone's comments have been great about how to manage this process and there is confusion over the emeritus term. If Mr. Hoenigman could join Mr. Bruce, Mr. Keillor, and Mr. Marshall on the negotiating the terms of these next steps would be helpful just from California's interest. It would be really useful for someone coming into the new position to receive Ms. Marchetta's guidance. The one thing she noted in Mr. Bruce's comments, was potentially having the new Executive Director make the decision about whether Ms. Marchetta stays on in that emeritus role, and she wouldn't want the new Executive Director to have to make that decision as a first decision. Maybe that could be set up so the new Executive Director is free of that and doesn't feel like they're potentially angering the staff in a first decision.

Mr. Yeates agreed with other commenters and all that Ms. Marchetta has done for the Agency. Mr. Lawrence talked about a long history with this Agency but before Mr. Yeates joined this Board, he actually sued Ms. Marchetta when she was General Counsel over a project in North Lake Tahoe. Then Senate members and Senate staff, Byron Sher who has served on the Board through the Regional Plan Update left and is when he received the call about joining the Governing Board. Mr. Sher had a tough time with some of this difficulty that Mr. Lawrence described between Nevada and California and whether they would get a Regional Plan approved or not. For him, that was the direction he got from his appointing authority was to try and break the tension. Let's not have it be one state telling the other state how to do certain things. The advantage he had is that he had worked for the California Coastal Commission as their lobbyist in Sacramento and fought really hard for the jurisdiction of that Agency when it was basically sometimes thought by the Legislature to be a little out of control. But it was at local coastal planning process that he understood why Regional Plans were done the way they were. Here was an opportunity at ground level to start with this new updated Regional Plan.

He found all of his colleagues very receptive to rolling up their sleeves to figure out the best way to do this. He remembers meeting with Ms. Aldean and she told him the Lakes not going to turn green, and he kind of agreed with that. The first time he met Ms. McDermid, he immediately recognized her

GOVERNING BOARD

May 25-26, 2022

wonderful West Texas accent. Mr. Yeates is from Phillips, Texas, and as Ms. McDermid said that's "Smack dab in the middle of the Panhandle." After the Board approved the Douglas County Area Plan, she took him around Douglas County. In that cooperative way, they did a lot of things that initially, Ms. Aldean and Ms. Marchetta told him, you just don't understand how difficult it can be, for example, Shorezone. They did get that plan through and turned it over to a group of interested stakeholders which Ms. Marchetta put together and they produced something that reached a consensus. He agreed with Mrs. Cegavske that sometimes he's not crazy about all the boats in the Lake, but there had to be a consensus reached on this particular issue, and they also had to retain their jurisdiction over the shorezone. They did and no one sued us. It took us to go through a lawsuit on the Regional Plan but what decisions were made were upheld. Then they did some modifications to the commodity program to make development rights easier for a land use agency to figure out how to move what they used to call these tourist accommodation units to one side of Lake to the other, or who should make the trades. It was our jurisdiction and we should be the ones that implement our plan and make sure it's being carried out.

And they've done that in a really positive way. It's not surprising to those that have worked with Ms. Marchetta and respect her but he and Ms. Marchetta didn't always get along on certain issues. They had those wonderful meetings and arguments, and she convinced him of the wisdom of her management style, but even she conceded on things like Shorezone and that maybe there's a better way to do some of these other things. But it was that kind of good relationship and the amazing talent of staff, which made his job easy as they transitioned to virtual meetings.

He's not crazy about term emeritus. It's not an honor that we're bestowing on you, there's a key role here. It's been about ten years since the 12.12.12 Regional Plan was approved and there are things ahead which they'll talk about some of those priorities at the Retreat tomorrow and where they think they should go. That Regional Plan just like they amended Shorezone to address the non-littoral buoys, maybe should be updated. What a great opportunity to have the person that helped get that through the first time, to have the time to talk with staff, the Board, and others about what is good, what is bad, and what is ugly, and what needs to be changed. This type of stuff could be presented to them at an upcoming retreat.

They might want to deal with their priorities in a way that the whole Board can come together and talk about those things. He wants to work well with the two gubernatorial appointees, he doesn't know that this is a situation where the State of California necessarily feels like they have to have a seat in order to make this decision. He feels that those of them that have worked with Ms. Marchetta and spent a lot of time with her, now thinking about how they deal with this transition means that all 15 of them, even the non-voting member, should have an opportunity to say how they should handle this issue. And going through Operations and Governance and back to the full Board seems to be an appropriate way to deal with that issue. He was supportive and grateful of Mr. Bruce's heartfelt comments.

Ms. Faustinos said Ms. Marchetta is a leader from behind. The fact that the staff is so good is a reflection on the way that you do work. That's why this new role will be fabulous because she will help to develop those staffing skills in others and that's what makes an organization great is the leadership that you're developing to take things over and to implement vision.

Mr. Friedrich said he was thinking about one of the first times they spoke after Ms. Marchetta started at TRPA and he was with the League to Save Lake Tahoe, he was holding his daughter, Rosie as a small

GOVERNING BOARD

May 25-26, 2022

child and maybe discussing the Shorezone Plan. His daughter is now about to get her driver's license, time goes by! He thanked her for all of her commitment, eight years longer than anyone else is an amazing accomplishment in itself. Throughout Covid, she supported staff, and some of the messages were very touching, heartfelt and compassionate towards what staff was going through. She kept the team cohesive throughout the challenges of the Covid era. He certainly sees the wisdom of her heartfelt desire to mentor staff and build that leadership.

His thoughts about this are not about her, the person, but just the precedent or the policy and the principle of this. Mr. Lawrence raised some questions about the reporting structure. It's not hard to imagine working through the transition period until the point of a new director. But the question is at the that crossover point, if it's opt-in or opt-out and would that be awkward? Ms. Marchetta has a very important role in the basin and he has concern about the new director, whether it's internal or external, comes on, and how we're thinking about that. Mr. Bruce mentioned negotiating a package if her term were discontinued and has questions on what that would look like. Is it opt-in, opt-out, renew, end, etc.

And in the future, would a past or current Executive Director also be eligible for this kind of a role. He asked if this could be brought back with some of these details on reporting structures, especially the point beyond the new director. Could it look like a consultancy arrangement during the transition up until a renewal point with the new director. Sometimes new directors have new ideas as good as the groundwork that's been laid.

Mr. Bruce said the understanding is that this will all go back to the Operations and Governance Committee next month for detail. The committee would then review it and make a recommendation to the Governing Board, and then the Board would make a final decision. There's plenty of filter with public notice and two meetings next month. Hopefully, his concerns will be covered by that.

Mr. Friedrich said today is then for the Board to share their perspectives and direction. He's very comfortable in the transition that Ms. Marchetta laid out. Consultancy and Emeritus also doesn't quite seem like the right to title for this this role. Also, easing that moment with the new director, so that they don't have to make a hard decision on day one or just clarifying if maybe it's a renewal or something.

Ms. Novasel said it's been an incredible honor working with Ms. Marchetta. She was also concerned with the term emeritus. Whatever they call it, there is a very important role and agreed with Mr. Yeates that there is a pretty good process already aligned with going to the Operations and Governance Committee then to the Governing Board is a good process moving forward.

Mr. Hicks said they have an expert in collaboration in this room and it's an expert that taught all of them. That changed the image of this organization from a four letter word to simply a respected TRPA. Over the years, he's had situations in his own businesses and clients, where they were happy to see a changeover in the Chief Operating Officer for different reasons. They're not happy to see this because of Ms. Marchetta's talents. She taught everyone here in the basin about how important it is to get different groups talking to each other in collaboration. As he understands this, Ms. Marchetta is willing to collaborate with them while they work their way through this mess of trying to replace her. He accepts her offer in his non-voting capacity, and if he could vote; it would be that she can't leave. Let's take advantage of the collaborative skills of Ms. Marchetta and what she has taught all of them. Mr. Bruce's suggestion is good. He understands the members from California and Nevada, everyone wants

GOVERNING BOARD

May 25-26, 2022

to have a voice, but thinks it can be a productive exercise. Let's work with Ms. Marchetta to find a collaborative resolution of this and not get hung up on a word; emeritus. They need to figure out an approach, a temporary solution, and then a long term solution. It may be the temporary solution becomes the long term solution. It's fine, if any of the other members of the Board wish to be a part of that initial discussion before it comes to the Operations and Governance Committee.

Mr. Rice said he was taken back when Ms. Marchetta contacted him about her decision. He confided in her a few thoughts he had about TRPA then and now. When he first moved here 31 years ago, TRPA was known as the Tahoe Regional Pain.....The thought of being part of this group was beyond a abhorrent. Ms. Marchetta took over and it all changed. He's very proud to be part of this and they'll work through this and she's not getting rid of them that easy.

Ms. Williamson thanked everyone for their eloquent comments, particularly Mr. Hicks. All of them collaborating on this together is the right answer. In the spirit of that, the two States working together and transitioning together. Thank you to Ms. Marchetta for her service, and for being willing to help them transition. Thank you to Mr. Bruce and Mr. Hoenigman for bringing the expertise, the more expertise the better. She doesn't have the expertise in transitioning a board but is willing to listen to anyone that does. It's important for the phenomenal staff at TRPA to have some insight into what their future and leadership looks like. That's why she's thankful for this process and that they know the road the Agency is heading with timelines and transitions. It's important for staff to know what's happening and they do with this process. The more collaboration, the better and having it go through the Operations and Governance Committee is great, too.

Ms. Conrad-Saydah said there's no problem in having a California and Nevada member on this negotiating team and then going to the Operations and Governance Committee. Her and Mr. Hoenigman spoke to their leadership and that was part of the request, and just wants to make sure that it's reflected.

Mr. Bruce said he's okay with Vince doing it.

Ms. Gustafson said her years on the Board have been very short but her years, knowing Ms. Marchetta have been much longer and today isn't goodbye. In addition to the leadership, wisdom, commitment, and dedication to Lake Tahoe, Ms. Marchetta's mentorship, wisdom, and willingness to share with those of them that weren't in positions of as much stature as hers. She recognized that early on and the confidence she had in Ms. Gustafson, and the candor she shared, are appreciated.

The art form that she has found with TRPA are the committees and that they are so balanced. There's been thought to who serves on committees and making sure both States, local governments, and everybody has a seat at the table through the existing processes. She doesn't have any problems with the proposed structure because Mr. Hoenigman is on Operations and Governance as well, and he can work with Mr. Bruce on this. There's the State of Nevada and local government represented on that committee as well. In addition to this Board being artfully put together, each of the committees is well balanced and they'll have quite a bit of discussion next month on this. This is one step and they have two more discussion points today. When they get to the selection of Ms. Marchetta's successor than that is really going to require a dancing act with both States, local government, and potential outside advisors as well. They can name this next role a lot of different things but they know what her intent is and she honors that. She's always been that to her personally and sees that in the staff and in the comments they've heard today.

GOVERNING BOARD

May 25-26, 2022

Public Comments & Questions

None.

Board Comments & Questions

Mr. Yeates made a motion to move the transition of the Executive Director to Emeritus status (to be discussed) and delegate that to the Chair to negotiate.

Mr. Bruce said he trust Mr. Hoenigman and his experience and would like him to be a part of it. He appreciated all the kind words and trusts this process. If Mr. Hoenigman wants to do it, he trust him, even without him. That's what we need here. This is a great opportunity to get closer to Mr. Hoenigman, and for that reason, he would like to a part of it.

Mr. Bruce suggested the motion be a motion to direct the Chair and Mr. Hoenigman to negotiate a proposal with the Executive Director with the assistance of Mr. Marshall and Mr. Keillor along the lines of the discussion that they've had today.

Mr. Friedrich said is it correct that they are not voting on the word "Emeritus." The vote is on the process.

Mr. Bruce said correct.

Mrs. Cegavske wanted to clarify that the motion includes this going to the Operations and Governance Committee and then to the full Board.

Mr. Bruce said correct, along the lines of all the discussion today.

Ayes: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

Motion passed.

2) Appointment of Interim Executive Director as of July 1, 2022

Mr. Bruce said given that Ms. Marchetta is stepping down, and the need to search for a new executive director, they'll need an interim Executive Director. The interim ED will need to serve from July 1, 2022 until the new position is filled by the Governing Board. They currently have two deputy Executive Directors, Ms. Reagan and Mr. Hester. It's his understanding is that Ms. Regan will be a candidate for the permanent position. Because of that, he recommended to keep the process clean that they ask Mr. Hester to serve as Executive Director. He's spoken with Mr. Hester and he's graciously indicated his willingness to serve. He proposed that the appointment would come with a salary adjustment that will be brought back Operations and Governance Committee and then to the full Board next month.

Board Comments & Questions

Ms. Novasel asked if that meant that Mr. Hester is not going to be running for the office.

GOVERNING BOARD

May 25-26, 2022

Mr. Hester said yes, that is correct.

Ms. Gustafson said that is a great solution. Ms. Regan aptly served in the role when Ms. Marchetta was out. She understands her interest and respects the process and this is an elegant solution.

Mr. Lawrence said he has tremendous faith in both. He agreed that the process is always cleaner and smoother if the interim is not someone who is interested in it full time. He agreed that Mr. Hester should be compensated as if he's in the position permanently.

Public Comments & Questions

None.

Board Comments & Questions

Ms. Gustafson made a motion to appoint Mr. Hester as the Interim Executive Director, effective July 1, 2022.

Mr. Bruce requested that the motion be amended with "The compensation will go to the Operations and Governance Committee and then will be confirmed by the full Board next month."

Ayes: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

Motion passed.

3) Designation of Process for Selection of a Permanent Executive Director

Mr. Bruce said after significant thought, and consultation, his thought is that we have an executive director search that is open. It would be inclusive of both internal candidates and external candidates. He suggested that they retain a search firm instead of using the TRPA Human Resources Department. It could be a regional search focused primarily on the West, with focus on Nevada and California. He proposed the Governing Board members recommend names of search firms that they've had success with in the past. He proposed that the Governing Board direct staff to issue a Request for Proposal in early June, after receiving and researching those firm names. He proposed that they bring to the Operations and Governance Committee and the full Board next month a recommendation for selection of a search firm. He also proposed in June that they agenize an action item for how the Governing Board will interact with subsequent selection processes, e.g., whether it will be an ad hoc committee, the Regional Plan Implementation Committee, the Operations and Governance Committee, or no committee doing the review.

Board Comments & Questions

Mrs. Cegavske said if they're talking about what's been mentioned, they want to make sure that they do the processes correctly. She'd like to know how Ms. Marchetta was selected and if that's something that they're looking at.

GOVERNING BOARD

May 25-26, 2022

Mr. Bruce said they can outline answers to some of those questions. Please provide your questions and they'll put together an outline.

Mr. Marshall said he wasn't with the Agency at the time Ms. Marchetta was appointed Executive Director. Parties involved made more of a determination that they didn't need to go external and asked Ms. Marchetta to interview for the job, and apparently, they were happy with the interview.

Mr. Bruce said they requested Ms. Marchetta to make a presentation at the Governing Board, and she knocked their socks off.

Ms. Faustinos said it may behoove them to keep it as open as possible and look at national candidates too. There's a tremendous amount of talent in California and In Nevada. There are highly qualified people in other places.

Mr. Bruce said they can do the Western United States and national. Sometimes it's a little bit easier if there's focus on the Western United States perhaps but he's open.

Mr. Marshall said they are not seeking to limit geographically where candidates are coming from. It's more of a cost item on where they want a search firm to recruit from. There would be no suggestion to limit this to California and Nevada residents.

Ms. Gustafson said it's coming back to the Operations and Governance Committee with the firms and they could ask them to propose what those costs differentials might be. She's comfortable with the Western United States but she understands the need to at least see what with those costs differentials would be for those firms.

Mr. Lawrence liked what Mr. Bruce laid out and it's a good plan forward. It's a little difficult for him, because he's been working with TRPA for a long time and he has so much respect and faith in the staff that he has no doubt that TRPA talent could step into this. This is an important agency, and he's biased but this is a very high profile, agency and it's extremely important to at least go outside. With that said, he has tremendous faith in the staff and also feels that time is a consideration. They've got a lot of momentum and everyone has talked about how they're in a better place than they were 10 to 12 years ago. His experience is the longer that these searches go the more at risk of things are. It's going to help with Ms. Marchetta being on during the transition. When it goes to the Operations and Governance Committee, he would like to see some consideration if they do go outside and search to make sure that it can be done in a timely manner, and it's not a long protractive process, because time is of the essence.

Mrs. Cegavske said she wants someone that knows Tahoe. That's very important to this this committee and both States. If they bring in somebody new in that they have to educate, she's not sure about that. She sees some of the other agencies that have hired outside and they haven't done so well. She is concerned about going national. She doesn't particularly have a preference for the Western but she wants somebody that knows that knows Tahoe.

Ms. Novasel said she'll provide the name of the firm that they're using for the California Tahoe Conservancy. She agreed with Mrs. Cegavske in that it's important for someone to know Tahoe.

Mr. Yeates said this is where he thought Mr. Hoenigman was going to be participating because he had

GOVERNING BOARD

May 25-26, 2022

some ideas. That's key because he had some good ideas. National isn't necessarily scary but feels Ms. Marchetta has created quite an Agency and a reputation. Others have seen what they do and there might be some people out there that maybe don't know exactly where Dollar Point is, or stuff like that. But with staff and the Board they could get up to speed rather quickly if they had great management collaborative strengths. He believes that they have an excellent internal candidate that they all should consider because of what she's done and the fact that she's done a lot of stuff representing the Agency in Washington, D.C.

Mr. Friedrich appreciated Mr. Bruce laying out a very logical process for going about this decision. The one question he has relates to timing. They have a solid transition team and plan with knowledge. In a sense, he feels comfortable in this moment. If they take it that a person needs to have a lot of Tahoe knowledge in this very specialized position, will they necessarily find that person through that firm that they wouldn't find on their own. Is there a pathway where they try it internally first, and if they're not satisfied with the candidate pool then bring in the consultant firm? They need to keep an eye on the budget. He's been involved other efforts with a search firm and it was a big chunk of change spent and the person was right out the back door. If everyone thinks they need a search firm, that's fine, but would there be a huge risk to trying it internally, first saving the money and then using a search firm if that's not producing the desired results.

Mr. Bruce said if they come to that conclusion and his inclination is that they will not come to that conclusion but if they do, they have the Operations and Governance Committee next month in order to make that decision.

Ms. Aldean said she agreed with Mr. Marshall's comments. Part of her wants to preserve Ms. Marchetta's legacy. As they've all stated, she's been an exceptionally effective ED and would like her on the selection committee because it's important to maintain the momentum, and that's why they decided when they put together the search group in 2009 to limit the search to Ms. Marchetta who was then serving as General Counsel.

She feels that it needs to be Tahoe centric, this is a highly complex Agency. This is a power cade, and is ready to explode at any moment, unless they do what is necessary to contain it. Mrs. Cegavske was alluding to the search for the Carson City School District. They found somebody who was eminently qualified in New Hampshire, brought him out for an interview then they failed to negotiate a contract with him because he was insisting on more than a one-year contract because he was relocating his family from back East and the Local School Board declined to accommodate him. It's also important this process to be very specific about what we are offering. Obviously, they serve at the discretion of the Board but if they're going to relocate somebody from out of state, especially from back East, they're going to want that sort of assurance. There's a lot of work that needs to be done between now and the next meeting, including as a number of the other Board members have alluded to the cost of retaining a search consultant and the cost of potentially having to relocate somebody. Let's see what they can find within their own list of contacts. She would like to keep this as close to the Agency as possible.

Ms. Hill said she's honored to serve on the Operations and Governance Committee with Ms. Aldean as the Chair. They should have this discussion and give a recommendation to the Board. They can vet these ideas of both a national or internal search with the pros and cons of what that would look like, and hearing from the experts. They could look at those options in a more detailed discussion at their next meeting because they would have more information and have a better dialogue about it and

GOVERNING BOARD

May 25-26, 2022

feels there's pros and cons to both.

Mr. Hoenigman said the first step is to get a job description for them to start reaching out and will also be the first thing that a search firm will need. The stakes are very high and it makes him feel better knowing that Ms. Marchetta will be around to help in the transition.

Mr. Bruce said he's spoken with the Human Resources Director and she is working with Ms. Marchetta on that job description.

Ms. Faustinos asked if there's going to be a special Operations and Governance Committee. This might be too much to try to get this done the morning of a board meeting and then have a report out. This is serious stuff and recommended that there be at least two weeks before that committee meeting and the Governing Board meeting.

Mr. Bruce said he'll have to defer to TRPA staff on that. The thought was that they would be doing a lot of interim work and be preparing a packet that would contain all of the information and that everybody at the Operations and Governance Committee and the Governing Board would all be looking at the same information. Perhaps, they calendar it for next month and if they need a little bit more time to make a decision, they could bump it.

Mr. Marshall suggested that staff take all these comments in and come back to the Board and Operations and Governance Chair with a proposed schedule. Ms. Faustinos point is well taken, this is a chunk of work, and it may need a special meeting but don't need to decide that right now. Staff will put all the pieces together and sketch out how much time they think it's going to take.

Mr. Keillor said if they make the decision to go with a search firm it's probably going to take them most of the month to come up with a good set of candidates for that search firm. He appreciated the concern and there may need to be special meetings of the committees for several months.

Mr. Marshall said Mr. Bruce proposed that staff put out a Request for Proposal as soon as possible to be able to bring to the Board a proposal that was planned for a recommendation, but maybe it's the top three at the June meeting for both the Operations and Governance Committee and the full Board to decide on selection of a search firm or saying that they don't need it at this time, or ever. To do that, they need to get a Request for Proposal out basically next week, then have it run for a couple of weeks and then do a very quick run through on this.

Ms. Aldean said she's a little confused by this sense of urgency. They just appointed an interim director who's perfectly capable of taking the reins after Ms. Marchetta steps down at the end of June. They shouldn't rush this process; it needs to be very deliberate. They could take a look at some of the recommended search consultants at the next meeting of the Operations and Governance Committee, and can make a recommendation based on cost, reputation in the industry, etc. They could make a recommendation whether or not to pursue a contract with a search consultant, or to proceed without one. They need to do this in a very organized and consistent manner, and not rush to the finish line. There is no desperate need to do all of this by June 30. From a budgetary standpoint, they could put in a placeholder and Mr. Keillor could estimate what he thinks it might cost and they could augment the budget after the budget is approved. She's concerned about this need to get all of this done within one month's time. It's too important.

GOVERNING BOARD

May 25-26, 2022

Mr. Bruce said he doesn't disagree with Ms. Aldean, it's very good point. The only thing that they were looking at doing was getting meetings going within a month but they're not trying to make a decision within a month.

Ms. Aldean feels the Board would like to see the Request for Proposal. It's appropriate for the Operations and Governance Committee to review it before it's published.

Mr. Keillor asked if staff should wait a month to issue the Request for Proposal.

Mr. Bruce said yes, that's the proposal.

Mr. Keillor said staff has a list of firms that specialize in this type of search and will be interesting to see if the California Tahoe Conservancy is using one of those.

Mr. Bruce said the proposal from Ms. Aldean is that the Operations and Governance Committee and the Board look at the Request for Proposal.

Mr. Lawrence said he doesn't have any problem with the Operations and Governance Committee or the Board looking at the Request for Proposal. He's seen enough RFP's for search firms that he's pretty confident that it could just go out. He doesn't want to rush it but his experience working with Federal, local, and state agencies when there's an interim for a long period of time, things can unravel. When he made the mention of let's be mindful of time, he's not necessarily saying they have to get this done in a month but doesn't want it to be a prolonged search to find a perfect unicorn, either. They need to find that middle ground. He likes what Mr. Bruce laid out. What he's hearing is staff would issue Request for Proposal, those responses would go to the Operations and Governance Committee, the Committee would go through the decision making process of whether they want to select one of those search firms or through our own channels and Human Resources Department at least open it up to outside of the Agency. He likes all of that. He's unsure where they landed to go outside of the Agency, or just go with an internal candidate. He has tremendous faith in the internal candidate and is what makes this less agonizing, they're in good shape, either way. But he does have a lot of respect for the public and the public process. It's always good to open it up to an external candidate, it doesn't have to be across the country, but have some process where other folks can compete because there's a lot of talent in the basin. Not just at TRPA, but TRPA is the best. In the meantime, Mr. Hester will be a great interim.

Mr. Bruce agreed with all of that plus they'll also come back and talk about the process, and whether it will be the Regional Plan Implementation Committee or Operations and Governance Committee. Also, it will be determined who is actually going to be on the selection committee. Those are the two things that will happen in June.

Mr. Rice said he's been involved in public organizations since he was 19 years old. It's been his experience that every organization he's been a member of has its own culture and they would do well to look inside of our own organization due to that culture that is developed over the last 15 years or so. Although, Ms. Marchetta has made it a decision to step down, she should have a very strong voice in who replaces her. He doesn't want to see somebody from the outside come in and do what he's seen happen in other organizations when they came in and had no clue what was going on in the organization.

GOVERNING BOARD

May 25-26, 2022

Mr. Hoenigman said they don't want to rush this by any means but they don't want to drag it out either, because even in good circumstances these searches take 6 months, maybe longer. They need to have something between board meetings, the Board will need to delegate responsibility to one committee or group, it might be an existing committee, or it might be an Ad Hoc committee just for this search, then that committee will need to meet more frequently than once a month, or this will take two years. They'll need to figure out what that group is going to do these interim steps and the communication can be going out to the Board in the meantime for comments and suggestions. If they wait to meet once per month with all the different steps in sequence, it'll take a long time.

Ms. Hill said it's important that the Operations and Governance Committee looks at a schedule and vet all these options, including the search firm and what an internal search would look like if they did that. Hopefully, staff can pull all that together in a staff report for them. She's sure that they can get this done and on schedule with a cohesive plan, and have it vetted by the Operations and Governance Committee.

Ms. Conrad-Saydah said it would be helpful if the Operations and Governance Committee and Board could get a short memo on any legal implications associated with the Bi-State Compact. The rules have to be from the more stringent to the two States and is not sure if California or Nevada have rules about external searches versus internal searches. Just anything they need to know so that they're staying well within the boundaries.

Mr. Marshall said the one key direction that staff needs from the Board is on whether or not they want staff to issue a Request for Proposal in time to bring the Board back potential search firm candidates to consider at next month meeting.

Ms. Faustinos said she would definitely support that as long as staff included the Request for Proposal estimated costs, and they know what the differences would be between a local more regional search versus a national search. She suggested that information be a part of the Request for Proposal.

Ms. Novasel said it will be important to include the timeline as a part of the Request for Proposal.

Ms. Faustinos said maybe the other component is to get an estimate of what it would be to just do the internal process.

Public Comments & Questions

None.

Board Comments & Questions

Mr. Lawrence made a motion for the Agency to go out with a Request for Proposal to get responses for the Operations and Governance Committee in June. That RFP would talk about the cost and the time for a search. At the June Operations and Governance Committee they'll discuss whether they will be utilizing a search firm or the costs associated with doing the internal process. Then the Operations and Governance Committee will make the recommendation to the full Board, as well as the process for the search. Whether it's using a search firm or doing the internal process and then that would have to be defined.

GOVERNING BOARD

May 25-26, 2022

Mr. Bruce asked which body it would be, for example, the Regional Plan Implementation Committee, Operations and Governance, etc.

Mr. Lawrence added to the motion that it would be the internal process to the Governing Board of which committee(s) it will be going through.

Ms. Aldean asked for a clarification in the last statement of the motion. What about the interview process? Once candidates are identified would that be discussed at the Operations and Governance Committee as well?

Mr. Bruce said they're just talking about the body.

Mr. Marshall said Ms. Aldean is asking for clarification about the addition to the motion of which committee is going to take the lead going forward, whether it be the Operations and Governance Committee, the Regional Plan Implementation Committee, or an Ad Hoc committee. That would probably be the committee that would conduct any preliminary interviews and move forward whatever number candidates they feel appropriate. Does that clarify Ms. Aldean's question?

Ms. Aldean asked if that is a recommendation that the Chair will make or is it the full Board.

Mr. Bruce said it will be the Operations and Governance Committee making that recommendation to the full Board and then the Board will make a decision.

Mr. Marshall said correct.

Ms. Aldean said the Operations and Governance Committee is probably a little conflicted if it's between Operations and Governance Committee and the Regional Plan Implementation Committee.

Mr. Bruce said they recognize that conflict, the Board will make a decision.

Ms. Aldean said she understands that, but in terms of narrowing the field, will either the Operations and Governance Committee or the Regional Plan Implementation Committee be narrowing the field of candidates to advance to the Board.

Mr. Lawrence said he was thinking of the context of their decision making this afternoon of how they are doing the search for a candidate but not necessarily nailing down the entire interview committee process and who is going to be involved. He didn't think they were there yet, and the motion didn't really contemplate that.

Ms. Aldean said thank you for clarifying that it was not included.

Ayes: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

Motion passed.

GOVERNING BOARD

May 25-26, 2022

B. General Counsel Status Report

No report.

X. GOVERNING BOARD MEMBER REPORTS

Mr. Lawrence reported that Mr. Crowell, Director of the Nevada Department of Natural Resources and Conservation has been nominated to be on the Nuclear Regulatory Commission. He still needs to go through the confirmation process. It's quite an honor and a feather in the cap for Nevada to have somebody on that on that Commission. He's very pleased for him but is a sad loss in Nevada and their department.

Ms. Conrad-Saydah said today as they've taken on these really important topics, she been distracted with the news coming out of Texas. Given that they are a public board, she wanted to acknowledge the fear, loss, and heartache in Texas right now and to have TRPA stand in solidarity with everyone confronting violence and dealing with loss today.

Mr. Bruce said they do important work here at the Agency, and they also owe the communities, states, and the world perspective on other really important issues.

Mr. Friedrich thanked Ms. Conrad-Saydah for bringing that up. As a father of a child in school, it's a heartbreaking incident that's totally unacceptable and hopefully, we as a country can change that. He also wanted to thank Mr. Bass for filling in for him for the last two Governing Board meetings while he handled work responsibilities. It was an interesting discussion around the cell tower, and the idea of a communication infrastructure plan. He knows they have a lot of competing priorities, but that's something that he would be in agreement with as well the point he raised about taking another look at the Tourist Accommodation Units for vacation rentals. He mentions these as examples and supports looking at those things, and as they go into their retreat tomorrow that they think about the next phase with leadership here. There's a lot of weighty issues out there to wrestle with as the Board and looking for staff leadership at the director level to help them move through those and other issues.

XI. COMMITTEE REPORTS

A. Local Government & Housing Committee

Ms. Novasel said there were two staff recommendation items. First, one was about nine policy level options on coverage, height, density, and a pilot programs to facilitate development of workforce housing. Staff did an amazing job. If you have any questions, please contact Ms. Fink. The second one was the Code Amendments related to updates to the achievable housing definition and the deed restriction compliance program. They came up with some direction and will advance them to the Regional Plan Implementation Committee.

B. Legal Committee

None.

C. Operations & Governance Committee

GOVERNING BOARD

May 25-26, 2022

Ms. Aldean said she'll have an offline conversation with Mr. Keillor to plan next month's committee meeting.

D. Environmental Improvement, Transportation, & Public Outreach Committee

None.

E. Forest Health and Wildfire Committee

None.

F. Regional Plan Implementation Committee

None.

XII. PUBLIC INTEREST COMMENTS

Mr. Kasman, Division Manager, Research and Analysis at TRPA. On behalf of staff, thank you for your deliberations today, and the discussions about Ms. Marchetta's possible future position. They're very excited at the prospect of continuing to learn from her as they all have for so many years. He admired her and her leadership and wanted to express that thanks from the staff perspective. He appreciated and echoed the comments about the Agency's culture and ensuring that the next Executive Director fits within the culture that has been created over the years.

XIII. ADJOURNMENT

Ms. Aldean moved to recess the meeting on May 25, 2022 at 3:20 p.m.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD RETREAT

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Bruce called the meeting to order at 9:00 a.m. on May 26, 2022

Members present: Ms. Aldean, Mr. Bruce, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Mr. Hicks, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Rice Ms. Williamson, Mr. Yeates

II. RETREAT SUMMARY

Tahoe Regional Planning Agency
Governing Board – Strategic Planning Retreat
Caelan McGee – Facilitator
May 26, 2022

Overview

The Governing Board met for a day in public session in Hope Valley, CA to continue discussions on lessons from the last decade of TRPA work, strategic priorities for the Tahoe region and best practices for board communication and deliberation.

Lessons Learned from last 20 years of TRPA

Joanne Marchetta, Executive Director led a discussion on challenges, successes and the evolution of TRPA in the last 10-20 years.

Challenges included:

- Multiple hearings for small, site-specific and “one-off” decisions
- Frequent litigation and challenges to TRPA decisions
- Delays and backlogs in permitting, resulting in real and substantial costs to landowners and operators
- Adversarial or uncomfortable communications between TRPA board and staff members
- General disdain and resentment for the organization as a whole
- State leadership in Nevada and California questioning the role and existence of the organization
- Effective methods for resolving or harmonizing widely disparate points of view among Board, stakeholders, and public

Successes included:

- Improving agency systems and processes to become much more user and consumer friendly
- Building strong relationships among board members and with executive staff
- Strengthening the structure and function of the board, including the increased use of subcommittees to build common understanding of projects and key issues
- Adopting a role of collaborative leadership throughout the basin and Tahoe region

GOVERNING BOARD

May 25-26, 2022

- Cultivating and demonstrating unanimous and unified decision making, particularly for controversial issues
- As a result of these procedural changes, progress was achieved for many key policy and management issues including: updating standards for Vehicle Miles Traveled, adoption of the Shoreline Plan, refined system for development rights, approval and breaking ground for the Tahoe Events Center, methods test to control invasive weeds in the Tahoe Keys, recent advancements in coordinated response to wildfire, newly formed partnerships for transportation funding and sustainable tourism, “Welcome Mat” permit streamlining and LTInfo shared reporting platform, award winning Sustainability Action Plan for climate action, and an AIS national class prevention and control program.

As she transitions from her role as Executive Director, Joanne Marchetta challenged the group to maintain consensus-seeking culture, continue to focus on strong relationships among board members, and to embrace the approach of epic collaboration and shared leadership for solving the Region’s most intractable challenges.

Strategic Priorities for TRPA and Tahoe Region

John Hester led a discussion with an overview of TRPA strategic initiatives and other key programs. This served as an initial discussion, with several board members requesting to co-develop with staff methods to stay abreast of programs and projects, and how to engage at the subcommittee level.

Many issues were discussed, however, board members requested additional information in the near term on two topics: a workshop or event focused on housing which includes an overview of the biggest challenges and opportunities for problem solving; and, a primer on enforcement.

The board requested that the chart developed as an overview of initiatives be updated to include staff lead and the senior leadership sponsor.

Board communication, learning and deliberation

All board members reflected on their motivation for service as a Governing Board member. All expressed strong commitment to TRPA and its role in environmental and community health in the Tahoe Region.

The board also generated a short list of potential procedural adjustments to board meetings and hearings to adapt to current work life which includes remote meetings. No decisions were made, but options for consideration include:

- Find ways to have face-to-face communication, at least once a quarter. This can be accomplished through in-person hearings, strategic retreats, personal communications, or a combination of these.
- Projections of key issues to be considered quarterly or monthly, and broadcasting these to board members and public. The expectation should be set that these will frequently change but offer lead-time for preparation and education.
- Design hearing agendas such that there is allocated time for staff presentation and allocated time for deliberation and discussion
- Re-order hearings to have action items first and information items to follow

GOVERNING BOARD

May 25-26, 2022

- Expand the use of subcommittees for board learning and in-depth discussions on strategic initiatives
- For the “hardest” issues, such as those surrounding affordable housing and sustainable transportation, prepare for in-depth discussions on challenges, opportunities and tradeoffs outside of and in advance of specific project decisions.

III. PUBLIC INTEREST COMMENTS

Darcie Goodman Collins, CEO, League to Save Lake Tahoe said she just celebrated her ten year anniversary with the League. It was right after the Compact was threatened and during the phase of TRPA’s rebranding. She had an opportunity to bond with many here during that time.

Today, she would like to provide some insight from the League perspective on what the Board will be discussing today. The League is committed to working together in a stakeholder processes moving forward. Her team has formed many good relationships with staff, and they don’t always agree but they have a great working relationship to work through the issues not only with TRPA but other stakeholders. The Event Center is a good example of the collaboration because it’s a project that is already showing success its early stages. Something for the Board to think about as they discuss priorities is that these last ten years working the TRPA and stakeholder groups on some contentious items such as the Shoreline Plan and the Regional Plan, for example. Ms. Marchetta did a great job of convening everyone together to bring projects and plans forward. Even though they may not agree with all of them they know that there are safeguards in place and the Lake will be protected. She looks forward to this next phase where they get to focus on implementation and enforcement.

IV. ADJOURNMENT

Mr. Bruce adjourned the meeting at 3:10 p.m. May 26, 2022.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting 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.