

**TRPA
GOVERNING BOARD
PACKETS**

**NOVEMBER
2001**

November 2001
SB packet

**TAHOE REGIONAL PLANNING AGENCY (TRPA)
AND TRPA COMMITTEE MEETINGS**

NOTICE IS HEREBY GIVEN that on Wednesday, November 28, 2001, commencing at 9:30 a.m., the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The meeting will take place at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The agenda is attached hereto and made a part of this notice.

Governing Board Committee items are action items unless otherwise noted

NOTICE IS FURTHER GIVEN that on Wednesday, November 28, 2001, commencing at 8:30 a.m., at the same location, the TRPA Finance Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) monthly statement; 3) approval of closeout and transfer of Bitterbrush funds; 4) approval for the release of \$35,000 from the shorezone mitigation fund for the completion of the shorezone EIS and shorezone Ordinances; 5) authorize use of State of California, Proposition 13 Grant for nonpoint source pollution prevention; 6) third quarter investment report; and, 7) member comments. (Committee: Slaven, Heller, Galloway, Solaro, Plank)

NOTICE IS FURTHER GIVEN that on Wednesday, November 28, 2001, commencing at 8:30 a.m., at the same location, the TRPA Legal Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) performance evaluation of Agency Counsel (closed session); 3) resolution of enforcement action Edwin & Grace Butler, 1219 Tokochi Street, El Dorado County, California, Assessor's Parcel Number 033-643-23; and, 4) member comments. (Committee: Waldie, DeLanoy, Miner, Derringer)

NOTICE IS HEREBY GIVEN that on Wednesday, November 28, 2001, commencing at Noon, at the same location, the Environmental Improvement Program Implementation Committee (EIPIC) will meet. The agenda will be as follows: 1) public interest comments (no action); 2) approval of minutes; 3) report on federal appropriations earmarked for the Basin; 4) presentation and discussion on EIP Program Management report; 5) report and discussion on Tahoe Integrated Information Management System; and, 6) member comments. (Committee: Waldie, Sevison, Miner, Cole, DeLanoy, Perock)

November 19, 2001



Juan Palma
Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

North Tahoe Conference Center
8318 North Lake Boulevard
Kings Beach, California

November 28, 2001
9:30 a.m.

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear. For agenda management purposes, approximate time limits have been assigned to each agenda item. All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated.

AGENDA

- I. PLEDGE OF ALLEGIANCE (5 minutes)
- II. ROLL CALL AND DETERMINATION OF QUORUM (5 minutes)
- III. PUBLIC INTEREST COMMENTS - **All comments are to be limited to no more than five minutes per person.**

Any member of the public wishing to address the Governing Board on any agenda item not listed as a Project Review, Public Hearing, TMPO, Appeal, or Planning Matter item may do so at this time. However, public comment on Project Review, Public Hearing, Appeal, and Planning Matter items will be taken at the time those agenda items are heard. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

- IV. APPROVAL OF AGENDA (5 minutes)
- V. APPROVAL OF MINUTES (5 minutes)
- VI. CONSENT CALENDAR (see agenda pg. 3 for specific items) (5 minutes)
- VII. ADMINISTRATIVE MATTERS

- A. Resolution for Former Governing Board Member Brian Sandoval

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VIII. REPORTS

- A. Executive Director Status Report (20 minutes)
 - 1. Monthly Status Report on Project Activities
 - 2. Report on Response to September Public Comments from Father John Bain, Our Lady of Tahoe Catholic Church
- B. Legal Division Monthly Status Report (5 minutes)

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IX. PLANNING MATTERS

- A. Approval of a Resolution Authorizing Submittal of a Funding Request for Fanny Bridge Environmental Analysis

Pg. 27

as Part of the 2002 Regional Transportation Improvement Program (RTIP)

- B. Adoption of 2002 Regional Transportation Improvement Program

X. PROJECT REVIEW

- A. Ray, Expansion of an Existing Pier and New Boatlift and Catwalk, 690 Lakeview Boulevard, Douglas County, Assessor's Parcel Number 05-090-06, TRPA File No. 200119
- B. Landen, Rebuild and Expansion of An Existing Pier, 3021 Jameson Beach, El Dorado County, APN 32-110-04, File No. 200823
- C. Timberlake Pier Relocation and Expansion, 1380 North Lake Boulevard, Placer County, Assessor's Parcel Number 094-520-01, TRPA File No. 200491
- D. Miller, New Pier, 3356 Edgewater Drive, Dollar Hill, Placer County, Assessor's Parcel Number 93-083-41, TRPA File No. 200744
- E. Ruvo/Whittemore/Carano, New Multiple-Use and SEZ Restoration Project, 1960, 2055, 1949, and 1963 Glenbrook Inn Road, Glenbrook, Nevada, Assessor's Parcel Numbers 01-070-20, etc., TRPA File No. 990108
- F. Garrett, Public Service Building Addition, 2501 Lake Tahoe Boulevard, City of South Lake Tahoe, Assessor's Parcel Number 031-290-36, TRPA File Number 210176

XI. PUBLIC HEARING

- A. Annual Adjustment to Chapter 95, Rental Car Mitigation Fee Program
- B. Amend Bijou/Al Tahoe Community Plan (PAS 098) to Add "Participant Sports Facilities" as a Permissible Use and other Matters Properly Related Thereto
- C. Amendment of PAS 008 to Add Existing Development to TDR Description for Special Area #1 Only
- D. Amendment of PAS 030, Mt. Rose, and PAS 040, Incline Village #1, Boundary Line to Incorporate Portions of Washoe County APN 125-211-01 into PAS 040 and Removal of Washoe County APN 125-211-02 from PAS 040 and Incorporated into PAS 030
- E. Amendment of Plan Area Statement 058, Glenbrook, to Add Special Area #1 Where the Construction of New Piers will be Prohibited

Continued

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee (5 minutes)

1. Monthly Statement
2. Third Quarter Investment Report Pg.179
3. Approval for the Release of \$35,000 from The Shorezone Mitigation Fund for the Completion of the Shorezone EIS and Shorezone Ordinances Pg.183

B. Legal Committee (10 minutes)

XIII. REPORTS

A. Governing Board Members (5 minutes)

XIV. ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. October 2001 Financial Statement	Receipt	
2. State of California, Proposition 13 Grant for Nonpoint Source Pollution Prevention	Approval	<u>Pg.1</u>
3. Closeout and Transfer of Bitterbrush Funds	Approval	<u>Pg.5</u>
4. Resolution of Enforcement Action Edwin & Grace Butler, 1219 Tokochi Street, El Dorado County, California, Assessor's Parcel Number 033-643-23	Approval with Conditions	<u>Pg.11</u>

Land Capability Challenges:

5. Judith Buckingham and Mary Kay Fry, Land Capability Challenge, 1635 Pine Cone Circle, Incline Village, Nevada, Washoe County, Assessor's Parcel Number 130-241-53, 54	Approval	<u>Pg.15</u>
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The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category.

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

- (1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.
- (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.
- (3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III(g) Public Law 96-551

Tahoe Regional Planning Agency Governing Board Members:

Chairman Dean Heller, Nevada Secretary of State	Hal Cole, South Lake Tahoe
Wayne Perock, Nev. Dept. of Conservation	Vacant, Calif. Gov. Appointee
Appointee	Larry Sevison, Placer County
Vice-Chairman Dave Solaro, El Dorado County	Ronald Slaven, Calif. Gov. Appointee
Drake DeLanoy, Nevada Gov. Appointee	Paul Morgan, Nevada At-Large Member
Jon Plank, Carson City	Vacant, Presidential Appointee
Jerry Waldie, Calif. Senate Rules Com. Appointee	Don Miner, Douglas County
Jim Galloway, Washoe County	
Catherine J. Derringer, Calif. Assembly Spkr.	
Appointee	

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

Horizon Casino
U.S. Highway 50
Stateline, Nevada

October 24, 2001

REGULAR MEETING MINUTES

I. ROLL CALL AND DETERMINATION OF QUORUM

Vice-Chairperson David Solaro called the October 24, 2001, Tahoe Regional Planning Agency (TRPA) Governing Board meeting to order at 9:30 a.m.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Solaro led the Board in the Pledge of Allegiance to the Flag.

Members Present: Ms. Moss, Mr. Waldie, Mr. DeLanoy, Mr. Solaro, Ms. Morandi,
Mr. Davis (in the morning), Mr. Cole (in the afternoon),
Mr. Herrington, Mr. Slaven, Mr. Perock, Mr. Morgan,
Mr. Galloway, Ms. Derringer, Mr. Sevison
Members Absent: California Governor Appointee Vacant, Presidential Appointee Vacant

Executive Director Juan Palma introduced Mr. Paul Morgan, who would be the interim Nevada At-Large member for the next three months.

Vice-Chairperson Solaro stated that in addition, we have several people filling in for others: Mr. Tom Davis is sitting in for Mr. Hal Cole; Ms. Susan Morandi is sitting in for Mr. Dean Heller; Mr. Phil Herrington is sitting in for Mr. Jon Plank; and, Ms. Mimi Moss is sitting in for Dr. Don Miner.

III. PUBLIC INTEREST COMMENTS - None

IV. APPROVAL OF AGENDA

Deputy Director Carl Hasty stated that there were no changes to the agenda.

MOTION by Mr. Perock, with a second by Mr. Davis, to approve the agenda as presented.

V. APPROVAL OF MINUTES

Mr. Drake commented that "DeLanoy" should be added after "Drake" on page 7, paragraph 2 of the minutes.

MOTION by Mr. Sevison to approve the September 26, 2001, Governing Board minutes as amended. The motion carried unanimously.

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VI. CONSENT CALENDAR

Mr. Waldie stated that the Legal Committee approved Consent Calendar Items Nos. 2 and 3. Mr. Galloway stated that Consent Calendar Items Nos. 1, 4, 5, and 6 were approved by the Finance Committee. Mr. Davis abstained from voting on Consent Calendar Item 3.

MOTION by Mr. Davis to approve Consent Calendar Items Nos. 1, 2, 3, 4, 5, 6, 7 and 8. The motion carried unanimously.

(adjourn the TRPA, convene the TMPO)

VII. MEETING OF THE TAHOE METROPOLITAN PLANNING ORGANIZATION

A. PUBLIC INTEREST COMMENTS – None

B. Consent Calendar

1. Report on Tahoe Transportation District/Commission Agenda From October 12, 2001
2. Adoption of Tahoe Metropolitan Planning Organization's Lake Tahoe Basin American's with Disabilities Act Compliance Plan

Chief of Transportation Richard Wiggins presented the staff summary adopting the Tahoe Metropolitan Planning Organization's Lake Tahoe Basin American's with Disabilities Act Compliance Plan.

MOTION by Mr. Davis, with a second by Mr. DeLanoy, to recommend adoption of the Tahoe Metropolitan Planning Organization's Lake Tahoe Basin American's with Disabilities Act Compliance Plan. The motion carried unanimously.

C. Review and Recommendation of TMPO of 2001 Federal Transportation Improvement Program, Adoption of Resolution

Chief of Transportation Richard Wiggins presented the review and recommendation of TMPO of 2001 Federal Transportation Improvement Program, Adoption of Resolution. He apologized to the Board that only a couple of the pages of the excel document were included in the packet because he didn't let Sue know of all the pages that were supposed to be included in the document. Mr. Wiggins subsequently handed out the pages that were inadvertently left out for the Board's review.

Mr. DeLanoy questioned if the 64-acre site was still going forward to be completed in 2002. Mr. Wiggins stated that we are moving forward with the project. The TTD is working with Placer County to look at ways that we can support each other in that project. Placer County continued the approval of that project until there was additional assessment of the alternative sites. Technically, it is not moving forward until Placer County's staff and Board of Supervisors come back and evaluate staff's input to alternative sites.

Mr. DeLanoy stated that along those lines, what scientific information was given to the supervisors prior to that meeting that the 64-acres would enhance the water and air quality at Lake Tahoe. Mr. Wiggins replied that there was an EIS completed for the project. Mr. DeLanoy

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questioned how that was done. Mr. Wiggins commented that TRPA took the lead on it, and it was also an EIS for the Forest Service, and an EIR for Placer County. TRPA certified the EIS; the Forest Service certified the EIS at the NEPA level, and it is Placer County that has continued the certification of the EIR. Mr. DeLanoy questioned if we have a staff member at the meetings giving a scientific background, and Mr. Wiggins responded that this is basically coming out of Placer County's staff.

Mr. Hasty responded that we do not have a staff scientist participating in those meetings talking about the specific benefits in terms of the big picture, with the exception of it fitting into transit and getting folks out of their cars and reducing VMTs. Mr. DeLanoy believed that we would eventually have to have some scientific background as to how it is going to affect the Lake, and justify spending all of this money.

Mr. Sevison commented that the project itself is not the issue. There are other political issues that are surrounding the project. The TTD has decided to step in and take over the project. Somehow, TRPA needs to address those kinds of issues as it relates to the EIP program in general so we don't get into this trap in the future because every time we try to do a project, we can't get kicked in the face when we are trying to do the right thing. This needs to be corrected.

Vice-Chairperson Solaro opened the meeting up for a public hearing. Since no one wished to comment, Vice-Chairperson Solaro closed the public hearing.

MOTION by Mr. Sevison, with a second by Mr. Solaro, to recommend approval of TMPO of 2001 Federal Transportation Improvement Program, Adoption of Resolution. The motion carried unanimously.

(adjourn the TMPO, convene the TRPA)

VIII. ADMINISTRATIVE MATTERS

A. Presentation of the Best of the Basin Award

Public Affairs Coordinator Pam Drum presented the Best of the Basin Awards. Ms. Drum acknowledged Tiffany Hayes and Linda Allen from the TRPA staff for their help in coordinating the Best of the Basin presentation, along with Jill Keller, who would be taking pictures of the winners today.

(Break taken at 10:25 a.m.)

(Reconvened at 10:35 a.m.)

IX. PLANNING MATTERS

A. Workshop on Thresholds

1. Recreation

Chief of Long Range Planning Gabby Barrett introduced the workshop on thresholds.

Mr. Peter Eichar, Recreation Program Manager at TRPA, presented the recreation program threshold. Mr. Slaven questioned where the regional recreation plan was right now. Mr. Eichar

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answered that it was not yet completed. We are trying to get our hands around the exact information we are going to need to develop that kind of plan. We are running into the 2004 new thresholds being established, and the new regional plan. We are trying to fold all of these things together so they go hand-in-hand. By the time the new regional plan comes about, that will be an integral part to the new thresholds.

2. Fisheries

Mr. Shane Romsos, the Wildlife and Fisheries Program Manager, presented the threshold on fisheries. Mr. Galloway stated that he hoped that the Fisheries Technical Advisory Committee would study a mechanism to provide movement of fisheries into the Lake Tahoe Basin from Fanny Bridge.

Mr. Morgan commented that Mr. Romsos had stated that both the Lake Habitat and Stream Habit monitoring were a major problem, and it took the Forest Service over six years to complete; is this a budgetary problem? Mr. Romsos stated he has only been the Program Manager on Fisheries since March, but he is assuming that it may have had a lot to do with the amount of time and effort that it takes to do the stream work. Mr. Hasty commented that budgetary concerns are a major part of the reasons; not only with this but also with other monitoring that takes place. For example, what we have proposed for the next fiscal year is now threatened due to the fiscal situation in the State of California. So, those funds that we were looking forward to, we will not have. That has been a constant challenge. To take on large inventories and monitoring efforts such as this on a regular basis are expensive and staff intensive. That is difficult for any organization to accomplish.

Mr. Romsos commented that it might require TRPA to take another look at how we do our monitoring, where we set up a sampling frame of different streams and then randomly select a stream each year where we have a more manageable number or length of stream that we can actually measure. When we start saying we need to measure 50 streams, that is a considerable undertaking in terms of staffing, costs and lake habitat.

3. Vegetation

Mr. Jerry Dion, Vegetation Program Manager, presented the vegetation threshold. Mr. Dion stated that there are four vegetation thresholds at the moment: 1) common vegetation; 2) uncommon plant communities; 3) sensitive plants; and, 4) late seral/old growth.

Mr. Perock questioned if any attempts were made to introduce Tahoe Yellow Cress in other areas, and Mr. Dion stated yes. We collected 4,000 Tahoe Yellow Cress seeds this year, with the permission of both States and Fish and Wildlife Service. We will be growing as many as we can this year in green houses. We plan to out plant these plants in a rigorous manner to both increase the population and also to learn as much as we can. For example, we might plant on an elevation gradient to see what the ideal elevation is. The restoration and out planting will be just as much an experiment to learn to be able to manage the plant, as it will be to increase the population. In those experiments, one of the things we will be doing is coming up with key management questions, and all the research will be focused primarily on key management questions as well. Mr. Dion will be discussing more of them when we come forward with the conservation strategy.

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4. Air Quality

Ms. Jennifer Quashnick, Air Quality Program Manager, presented the air quality threshold. Ms. Quashnick stated that this evaluation was also done with the assistance of Mr. Alfred Knotts and Ms. Bridget Cornell from the Transportation Division.

(Mr. Solaro left the meeting at 11:50 a.m.)

(Mr. Severson took over as Chairperson.)

Mr. Davis questioned that in terms of the CTS, what is her prediction of VMTs in the model, particularly in the South Shore.

Ms. Bridget Cornell, with the Transportation Division, apologized that she did not have those exact numbers in front of her. There was an analysis that was done for the CTS program that modeled what the trip reduction, VMT reduction, would be as a result of that. But she didn't have that documentation with her today. Mr. Davis questioned if it does get closer to the threshold attainment, and Ms. Cornell replied yes; not only towards threshold attainment, but to help mitigate the projects that are participating in CTS.

Mr. Davis questioned if an assessment of public vehicles had ever been done in the Basin, and hoped that TRPA would mandate that all public vehicles be CNG vehicles within the Basin; that includes public utilities, such as the power and gas companies. Ms. Bridget stated that as far as she knew, an assessment had not been done specifically on certain fleets of vehicles. We have emission rates for all vehicles in the Basin. Regarding the CNG mandate, once we have the fueling facilities in place, we have plans to implement programs that will initially encourage certain fleet managers to turn those fleets over to CNG vehicles, and then hopefully, get stronger and stronger and start to mandate some of those vehicles be alternative fuels. Mr. Davis hoped that TRPA would make this a part of a three to five year attainment, requiring that all government entities in the Basin use CNG vehicles; we have to set an example in the Basin.

Mr. Morgan questioned if there was any attempt to differentiate between smoke from forest fires and controlled burns smoke in the Basin. Ms. Quashnick stated that we have filters that have been collected that we can look back at times when there was a fire in the Basin. There is a possibility of doing that if we can find the resources available.

Mr. Slaven questioned what the MTBE factor was from cars coming up from California, and Ms. Quashnick responded that she didn't believe that had been addressed, but from what she understands, even if we take out all of the MTBE, we would still meet all of the state standards anyways. She hasn't seen whether or not that will affect the Tahoe area.

Mr. Hasty commented that we have a lot of cooperation now with California Air Resources Board, as well as EPA, and it is going well beyond our wildest imagination in terms of the participation in addressing all of these issues and looking at bringing in a lot of scientific help. For example, there is a study going on down in the Central Valley of California because they have such an ozone problem, and we know we have transport. Originally, Tahoe was not going to be considered as being a problem because our standards are stricter than the states. They say we have met the states so we don't have to worry about that. Fortunately, we have been able to have that now included in the study, not only within Tahoe but 50 miles east of Tahoe. Those are areas where we will be able to address a lot of these questions. and if we cannot answer them right now, certainly in the future we will be able to.

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(Break taken for lunch at 12:00 p.m.)

(Tom Davis left the meeting at 12:00 p.m.)

(Hal Cole arrived at 12:25 p.m.)

(Board reconvened into closed session at 1:00 p.m.)

(Conrad Montgomery sat in for Dave Solaro.)

(Board convened into open session at 3:00 p.m.)

XI. APPEAL

- A. Appeal of Executive Director's Personnel Decision (time certain 1:00 p.m.)
(including closed session without action)

MOTION by Mr. Galloway that based on due consideration of the information presented to the Governing Board, the Board denies the appeal of Kim Johnson because we find that the allegations of the appeal, including the allegations specific to Section 4.3 – and there are six of them – are unsubstantiated, and that includes the allegation of retaliation and harassment. The Board has done this on the basis of the record, excluding the independent study that was asked for by TRPA management. The Board also affirms the statement in the evaluation that it is considered a Step 2 written notice in accordance with Policy 4.1. So that the employee, if she returns to this or any other job in the Agency, has the opportunity to correct any deficiencies or unacceptable performance identified by management. The Board ask that there be another evaluation conducted after a reasonable time, which should be approximately 90 days from the day of the effective return to regular duties. The motion carried unanimously.

Mr. Sevison asked that Mr. Palma relay the motion to Ms. Johnson by phone.

Mr. Cole commented that we have a Project Review item on the agenda, Redevelopment Project 3 Permit Renewal, and the proponents have come a long way, and their attorney is here and he has another appointment. He asked if the Board could hear this item prior to continuing with the workshop on thresholds. Mr. Sevison stated that he talked to Mr. Palma and Agenda Items 5 and 6 would be postponed.

X. PROJECT REVIEW

- A. Redevelopment Project 3 Permit Renewal, Assessor's Parcel Number 800-101-97, File No. 970448

Chief of Operations Rick Angelocci presented the staff summary on the Redevelopment Project 3 Permit Renewal, Assessor's Parcel Number 800-101-97.

Chairperson Sevison opened the meeting up for a public hearing.

Mr. Lew Feldman, the project proponent, explained the project in greater detail.

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Mr. Slaven questioned when, realistically, the Redevelopment Project would be moving forward, and Mr. Feldman replied that because the Park Avenue Project is so demanding on the City's time and in terms of resources, the probable start date is 2004.

Mr. Angelocci commented that TRPA had received two opposition letters on the project. The first letter is from Lakeside Lodge, and the rest of the letter is on paragraph 2. Ms. Foster, the Owner, claims she had spoken to a member of the Redevelopment staff, and that the proposed retention basin was no longer going to be a part of the Phase 3 project, and she purchased the hotel which happens to be right where the currently proposed basin is. Earlier today she was here, and Mr. Angelocci and Ms. Foster talked this over with Jaye Von Klug, the Redevelopment Manager, and Lew Feldman, and right now, their commitment is to reassess this over the next few months to a year in terms of the location of the drainage basin. The understanding is there are a number of motels in the immediate area where the drainage basin is going which have been recently bought and starting to be upgraded, which has caused perhaps a second thought amongst the City, and perhaps they will realign or relocate the drainage basin. In addition, the work that they did on Pine Avenue there in terms of the drainage facilities could possibly handle the Park Avenue facilities. Ms. Foster was satisfied that they would take another look at this to see if this could be solved.

Mr. Angelocci further commented that the second letter received was from the owners of the Driftwood Lodge, LaBaer Inn and Rainbow Lodge, which had three issues that they asked to be address: 1) I cannot improve my property; 2) I cannot convert my property to its highest use; and 3) I cannot sell my property because the rights to my property were given to someone else. On the first issue, Mr. Angelocci stated that he couldn't think of a reason he can't come to TRPA and apply to improve his property or why we would not permit that. He is not sure of the basis for this claim. On the second issue, Mr. Angelocci believed what the owner was referring to is he had previously applied for a conversion to timeshare, and the TRPA Governing Board denied it. On the third issue, Mr. Angelocci was not sure what he was referring to because TRPA has not given the rights to his property to anyone else.

Mr. Cole commented that he wanted to make sure that Mr. Feldman does represent what is now Harrah's because the application says Harvey's; his concern is he wants to make sure that Harrah's is committed to doing the project. Mr. Feldman replied that is correct; Harrah's is committed to completing the project.

Ms. Von Klug, the South Lake Tahoe Redevelopment Manager, stated that the City of South Lake Tahoe has an ordinance that prohibits the conversion of existing motels to timeshares.

Mr. Cole stated for the record, for any redevelopment project, people own these properties; they are encouraged to keep them up and put money into them because when and if the time comes that we do acquire these properties and consolidate, the value is appraised at the time they are acquired. Any improvements that they do on the property come back to the owners ten fold. People who own these properties should not sit in limbo for a number of years; people know how long these projects take, and they are always encouraged to keep their property in good condition and keep their business running because that is how the value of their property is determined. The City never discourages people from doing any improvements on their properties.

Ms. Von Klug commented that in addition to the timeshare conversion, the owner of the Driftwood wanted to take that, the LaBaer and the Rainbow Lodge and tear them all down; rebuild them as one facility, with the street being vacated. Unless this was in the context of a