TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

South Lake Tahoe City Council Chambers
South Lake Tahoe, California

December 17, 1997

REGULAR MEETING MINUTES

I. PLEDGE OF ALLEGIANCE

Chairman Drake DeLanoy called the regular December 17, 1997, meeting of the Governing Board of the Tahoe Regional Planning Agency to order at 9:45 a.m. and asked Vice Chairman Sevison to lead in the Pledge of Allegiance to the Flag. He noted that Ray Nutting would be sitting in for John Upton of El Dorado County.

II. ROLL CALL AND DETERMINATION OF QUORUM

Members Present: Mr. DeLanoy, Mr. Waldie, Mr. Sevison, Mr. Heller (present at 12:00), Mr. Cole, Ms. Bennett, Ms. Cronk, Mr. Westergard, Mr. Galloway, Ms. Bresnick, Mr. Wynn, Mr. Nutting

Members Absent: Dr. Miner, Ms. Neft, Mr. Neumann

Mr. DeLanoy thanked those in attendance for their thoughts at the time of the recent death in his family and thanked Vice Chairman Sevison for chairing the November Board meeting.

I. PUBLIC INTEREST COMMENTS – none

II. APPROVAL OF MINUTES

MOTION by Mr. Sevison to approve the November 19, 1997, regular meeting minutes as presented. The motion carried unanimously.

III. APPROVAL OF AGENDA

Deputy Director Jerry Wells noted that Discussion and Policy Direction to Staff Regarding Modifications to New and Existing Shoreline Protective Structures (Item X.B.) was to be continued.

MOTION by Mr. Galloway to approve the agenda as modified. The motion carried unanimously.

IV. CONSENT CALENDAR

Mr. Wells noted that the applicant for item 7 (Falcon Capital land capability challenge) had requested a continuance. Item 3 (Dauenhauer/Heck resolution of enforcement) was to be pulled off the calendar and acted on separately at the request of an affected property owner.
Legal Committee Chairman Waldie advised that items 1, 2, and 3 were recommended for approval by the Committee.

MOTION by Mr. Sevison to approve items 1, 2, 4, 5, and 6 on the consent calendar. The motion carried with Mr. Nutting abstaining.


V. PROJECT REVIEW

A. Elk Point Country Club, Plan Revision to Existing Water Tank Facility, Elks Avenue Common Area, Douglas County APN 05-242-61

Senior Planner Paul Pettersen noted this application requested a plan revision to increase capacity of a water tank from 124,000 gallons to 264,000 gallons. The project was before the Board in August, but the Board could not make the special use findings. In September the Board voted to reconsider the project at such time as there were approvals from Douglas County and the Nevada Division of Environmental Health and the special use findings could be made. The current proposal recessed the tank nine feet into the ground; a landscape plan proposed a berm to surround the tank; the tank would be a dark green color; and noise attenuation devices would be installed in the pump structure. Staff felt mitigation measures had been incorporated into the project so that the Board could make the special use findings, and staff recommended approval.

Mr. Marty Bibb, member of the Elk Point Homeowners Association, thanked Agency Special Projects Attorney Susan Scholley and Mr. Pettersen for their work on the project and commented on the Health Department and Douglas County approvals, benefits of the expanded tank, and on project modifications. He urged the Board’s approval.

Mr. Mark Hughes, attorney for Ralph and Jean Hoyt and Marilyn Thompson, objected to the project because the alternatives had not been adequately addressed and the findings could not be made to locate it at the proposed site.

Mr. Gary Midkiff, on behalf of the Hoyts and Ms. Thompson, questioned whether the State Health Department had adequate information on which to base its approval; suggested the homeowners' approval was not unanimous, and that all issues had not been resolved. He suggested the Board hold off on acting on the proposal until the Round Hill GID had completed modeling of its system to determine if it had sufficient capacity to service this area. He responded to Board member questions.

Mr. Cronk noted that the Board had been dragged into what appeared to be a neighborhood difference of opinion. Since no one would be able to build for five or six months, in any case, he suggested the Board wait until more definitive information was available on the tank.
Ms. Bennett suggested TRPA should not second guess the decision of the State Health Division. The efforts to mitigate the issues had been strong and well thought out. She urged approval.

Ms. Scholley advised the Board that nothing in the special use findings required a look at alternatives. A majority of the homeowners had decided to maintain their own water system, and the tank was a minimum size to meet state requirements. The earlier-approved tank was not of sufficient size to meet state requirements. The critical issue for staff to address was the adjoining homes, which were next to already existing tanks.

Ms. Deborah Palmer, attorney for the Homeowners Association, explained that the 126,000 tank was not sufficient to meet state regulations. The proposed tank for 264,000 was approved for construction by the State. The Douglas County Planning Commission had found that all impacts had been mitigated. The neighbors had chosen the site for the pump station; they chose the color of the tank, and they increased the height of the berm an additional two feet over what the Homeowners proposed. They proposed the hiring of a landscape architect, and the Homeowners Association had committed to putting in thousands of dollars in landscaping. The proponent had done everything required in the TRPA Code.

MOTION by Mr. Wynn to make the required findings to approve the plan revision for the Elks Point water tank plan revision. The motion carried with Mr. Cronk voting in opposition.

MOTION by Ms. Bennett to approve the project based on the staff summary and subject to the conditions. The motion carried unanimously.

Ms. Scholley thanked Mr. Pettersen for the extensive work he had put into the project and options for mitigating impacts.

Dauenhauer/Heck, Resolution of Enforcement, Placer County APN 83-172-04,
consent calendar item 3

Mr. Steve Chilton, Chief of Environmental Compliance, advised that the Legal Committee had taken this matter up earlier in the day.

Legal Committee Chairman Waldie explained the unanimous vote from the Committee on this matter and addressed his concern with an applicant’s use of the qualified exempt provisions of the Code to accomplish a project and thereby avoiding the more strict requirements and conditions of a regular permit. Use of this procedure could allow for completion of a total renovation of a pier over a period of years without application of TRPA conditions for a reconstruction permit. In this case, the Legal Committee concluded that all of the legal restraints within the Code were met. There were six years of qualified exempt permits in this case that resulted, ultimately, in the completion of a pier. Had the applicant initially sought reconstruction of the pier, there would have been some material conditions involving the nonconforming status. In this case, the Committee recommended Board approval of the violation resolution and approval of the project with findings and conditions as outlined in the packet.

In summarizing the project, Mr. Chilton explained that reconstruction of the existing boathouse was taken off the consent calendar at the request of Mr. Cook, the property owner to the north. The project was intended to resolve two outstanding issues: 1) a qualified exempt activity violation;
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and 2) resolution of a long-standing neighbor dispute. Staff felt that the boathouse was rebuilt in violation of the qualified exempt criteria; specifically, the structural cost of the rebuild exceeded what was allowed by the Code. Technically, the pier had been expanded due to conversion of a ladder to a stairway to access an existing sundeck above the boathouse and the addition of a flagpole. Mr. Heck and Mr. Cook, the neighboring property owner to the north, had a long-standing dispute regarding a number of issues, some of which were not applicable at this time. The proposal before the Board attempted to resolve some of the issues between the neighbors and would bring the boathouse more into conformance with TRPA’s pier construction standards. Project mitigation would relocate most of the boating activity from the north side (Mr. Cook’s side) to the south side of the pier by inserting a landing catwalk on the north side of the pier and removing boatlift mechanisms from the north side of the pier. The boathouse and primary landing area would be on the south side of the pier, causing most of the boating activity to be on the south side of the pier. The project as presented complied with the Code, and findings could be made. Mr. Chilton presented more information on the disagreement between the neighbors and the status and history of structures on the site.

The Board members discussed Code provisions relating to structure conformance, boathouse structures, and the need to close the loophole relative to repeated application for qualified exempt activities.

Mr. Robert Cook distributed a copy of a December 17, 1997, letter from him to the Board outlining the history of the enforcement issues between him and adjacent property owner and used a wall display to describe the history of activities on the site, the physical layout of the structures, and his objections to the proposal and use of the exempt activity provisions of the Code. He responded to Board member questions about the configuration of the structures and the hazard to swimmers created by boats circling near his beach in order to offload passengers on the north side of the Heck pier. He indicated he would be willing to share the cost of moving the loading area to the south side of the pier.

The Board members discussed the configuration of shoreline structures in the area, docking procedures, the extent of the earlier Legal Committee discussion, and past activity on the sites.

Mr. Jeffrey Speich, attorney for Ms. Florene Heck, addressed the shoreline construction on both sites dating back to 1966, when Ms. Heck purchased the property, past qualified exempt activities dating back to 1990, and the litigation filed by Mr. Cook. Ms. Jan Briscoe, for Ms. Heck, used the wall display to show property lines and the loading and unloading location for boaters.

The Board discussed options for loading on the other side of the Heck pier, the extent of property lines, pier configuration.

**MOTION** by Mr. Nutting to make the findings in the Heck matter as proposed by staff. The motion failed on the following vote:

Ayes: Mr. Cole, Mr. Sevison, Mr. Galloway, Mr. Waldie, Mr. Cronk, Ms. Bresnick, Mr. Nutting, Mr. DeLanoy

Nays: Mr. Westergard, Mr. Wynn, Ms. Bennett

Abstain: None

Absent: Ms. Neft, Mr. Heller, Dr. Miner
Mr. Nutting suggested that the Board reconsider the matter in a month's time if the neighbors could not resolve the situation.

Agency Counsel Rachelle Nicolle suggested that, if the Board wished to take this matter up again, the Board should make a motion to reconsider. Under the Agency's rules, any Board member could make such a motion.

MOTION by Mr. Nutting to reconsider the Heck matter. The motion carried unanimously.

Several Board members noted that they wanted the neighbors to work out the differences and look at other options.

VIII. PUBLIC HEARING

A. Amendment of Chapter 4, Project Review and Exempt Activities, to Amend Existing Sign MOU With Placer County

Senior Planner Andrew Strain explained the proposed amendments followed on December's action and would amend the existing MOU with Placer County for the purpose of implementing and enforcing sign regulations in Placer County. The current regulations allowed Placer County to adopt and enforce sign regulations only in the adopted Community Plan areas. This proposal would expand that to the entire portion of the county in the Tahoe Region.

No one wished to testify during the public hearing.

MOTION by Ms. Bennett to make the findings required to amend Chapter 4 as described. The motion carried unanimously.

MOTION by Mr. Wynn to adopt Ordinance No. 97-18. The motion carried unanimously.

Chairman DeLanoy read the ordinance by title:

An Ordinance Amending Ordinance No. 87-9, as Amended, of the Tahoe Regional Planning Agency, by Amending Chapter 4 of the Code of Ordinances Relating to Exempt Activities; Amending a Memorandum of Understanding With Placer County to Exempt Certain Sign Activities from TRPA Review; and Providing for Other Matters Properly Relating Thereto

A. Amendment of Map Showing Need for Water Quality Improvements Pursuant to Requirements of Chapter 37, Individual Parcel Evaluation System, Section 37.10.A, Installation of Water Quality Improvements in Vicinity of Parcels

Senior Planner Joe Pepi presented a brief staff summary, noting that, of the 1150 possible overall points on a vacant parcel, the water quality score comprised up to 50 points. The description of the possible points was in the packet material. When the scores were initially set in 1987, points were deducted from a neighborhood based on the need for water quality improvements. All lots started with 50 points; that number was reduced based on an analysis of needed improvements. Sixty-one lots were affected by this amendment.
No one wished to speak in the public hearing.

**MOTION** by Mr. Galloway to make the findings necessary to amend the maps as proposed. The motion carried unanimously.

**MOTION** by Mr. Galloway to adopt Ordinance No. 97-19. The motion carried unanimously.

Chairman DeLanoy read the ordinance by title:

> An Ordinance Amending Ordinance No. 87-9, as Amended, by Amending the Reference Map for the Individual Parcel Evaluation System Relating to the Need for Water Quality Improvements; and Providing for Other Matters Properly Related Thereto.

**IX. SHOW CAUSE HEARING**

A. Executive Director Determination to Use Project Security, Tahoe Mariner, Litigation Settlement, Washoe County APNs 123-055-01, 123-062-01, and 123-071-24

Agency Special Projects Attorney Susan Scholley reported to the Board that the first phase of demolition of the Tahoe Mariner was completed on time, and staff had resolutions of appreciation for action later in the agenda for those who made this happen. The second phase of demolition would take place in the spring, and staff was continuing to work with the property owners to get the contractors paid.

**X. PLANNING MATTERS**

A. Discussion on Streamlining Agency Programs and Activities

Mr. Rick Angelocci, Chief of Project Review, presented a summary of his meetings with local governments to provide for regulatory streamlining and delegation of certain permit activities through additional delegation MOLs and a hearing officer approach to permit approval. Some of the permit areas being analyzed included signs, temporary activities, grading, verifications, transfers of existing development, and tank removal and replacement.

Mr. Hal Cole, of the City, complimented Rick for his enthusiasm and his concern for the customer at the counter. The City of South Lake Tahoe took a big step yesterday by adopting TRPA’s Plan Area Statements to reflect land uses within the City boundaries. The City was looking at having more autonomy in the future to resolve local issues, thus avoiding coming to TRPA for action. Most local governments likely had the same goal.

Mr. Wynn asked staff to evaluate and comment at a later time on how this procedure would be affected by major Governing Board environmental policy decisions or directions, such as the one on personal watercraft. The Board should have an automatic ability to count on local governments to pass ordinances implementing Board direction without a whole new
set of hearings. The local governments should respect and acknowledge major policy decisions made by TRPA as required under the Compact.

Mr. Nutting spoke in favor of open communication on the MOUs but noted that local jurisdictions would like appropriate funding to carry out the MOUs.

Ms. Bennett commented that TRPA's decisions carried a great deal of weight in the recommendation for passage of local ordinances, but local governments still had a deliberative process to follow.

Mr. Angelucci continued with his presentation on the proposed hearing officer process, reorganization of staff resources, fees to local governments, administrative fees for MOU oversight, the concept of self-funding for the local assistance program, and partnerships with local governments and other entities.

Ms. Bennett asked that the TTD be considered for a partnership effort and that staff provide an update of all the existing MOUs.

The meeting recessed for a lunch break from 12 noon to 1:45. Chairman DeLanoy noted the Rules Committee would be meeting during the noon recess and the Nevada Tahoe Regional Planning Agency would meet at 1:15 p.m.

(Members present immediately after lunch break: Cronk, Waldie, Bennett, Nutting, DeLanoy, Sevison, Westergard, Cole, Galloway)

C. Finding That the City of South Lake Tahoe, El Dorado County, Placer County, Carson City, Washoe County and Douglas County have Demonstrated a Commitment to Assume Their Fair Share Responsibility to Provide Low and Very Low Income Housing

Mr. Gordon Barrett, Chief of Long Range Planning, advised that staff's review of documentation submitted by each local jurisdiction found that all were making progress in this area. Jurisdictions like South Lake Tahoe were ahead of the others, but all were taking a step forward. He distributed a copy of additional information for Washoe County which would warrant the progress finding.

Ms. Bennett noted she would vote in opposition to the finding. While she felt some progress had been made, she did not feel that sufficient progress had been made to warrant the finding.

Mr. Nutting asked if the Meyers Community Round Table group had had an opportunity to review the statement in staff's summary to the effect that the Meyers area had been targeted as an area for affordable housing programs.

Mr. Barrett responded that this could be a controversial subject with the Meyers group. In order to make the finding, staff had sent a letter to each local jurisdiction planning and/or housing department asking for a response on what progress had been achieved. What was in the staff summary was the response from the counties; this particular statement was in last year's documentation. The underlined wording was to substantiate the current finding.
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MOTION by Mr. Galloway to make a finding that each of the local governments had demonstrated a commitment to assume its fair share responsibility to provide low and very low income housing. The motion carried on the following vote:

Ayes: Mr. Sevison, Mr. Galloway, Mr. Walde, Mr. Cronk, Mr. Nutting, Mr. Westergard, Mr. Cole, Mr. DeLanoy
Nays: Ms. Bennett
Abstain: None
Absent: Ms. Neft, Ms. Bresnick, Mr. Heller, Mr. Wynn, Dr. Miner

Ms. Bennett commented that a requirement for low cost housing would not go away in the Tahoe Basin. There was a continuing shift outside of the Basin for the supply of affordable housing, and this would continue to be a problem in the future, particularly with expanded recreational pressures, employee housing, and transit needs. There needed to be a recognition of the need to rehabilitate existing housing stock.

(Mr. Heller came into the meeting at 1:55 p.m.)

E. Approval of Performance Review Committee Recommendations on 1998 Residential Allocations

Mr. Gordon Barrett, Chief of Long Range Planning, asked the Board to approve a resolution setting forth residential allocations for 1998. In preparing its recommendation, staff had started with the base allocations, which had been in use for the last five years, and created a Performance Review Committee to review criteria relating to performance by local governments on EIP projects. The criteria were in the staff packet materials. The Committee, which was made up of the local jurisdiction building and planning staffs, had reviewed the criteria and was making the recommendation on the specific allocation numbers. The Committee had met approximately 20 times working on these matters. Recommendations were as follows: 38 for South Lake Tahoe, 22 for Douglas County, 92 for El Dorado County, 84 for Placer County, and 59 for Washoe County. Mr. Barrett presented more information on how and why these numbers were different from the preceding year.

Mr. Sevison asked that staff set up workshops in the next three months with Placer County Supervisors so that they would understand the process and how important it was that they follow through on implementation of EIP projects. The Supervisors met in the Tahoe Basin quarterly.

(Ms. Bresnick came into the meeting at 2 p.m.)

More discussion followed among the Board members on the status of the allocations, the process for distribution, the incentives built into the performance-based system to retire sensitive lots and to get performance on the EIP, and the pooling of unused allocations.

No one wished to comment in the public hearing.
MOTION by Mr. Cole to make the findings to approve the 1998 residential allocation recommendation. The motion carried unanimously. (Members present: Sevison, Galloway, Bennett, Waldie, Heller, Cronk, Bresnick, Nutting, Westergard, Cole, DeLanoy)

MOTION by Mr. Cole to adopt Resolution No. 97-18 setting the number of 1998 residential allocations. The motion carried unanimously.

F. Status Report on Water Supply for Washoe County Portion of the Tahoe Basin

Associate Planner Jon Paul Kiel noted this was not an action item; the purpose of the presentation was to update the Board on water rights and usage in the area served by the Incline Village General Improvement District (IVGID). Staff had reviewed the IVGID’s documentation and had determined that, based on that information, there was adequate water supply for the 1998 residential allocations. Capacity for residential development resulted from implementation of IVGID’s water management plan, particularly reduction in water use for snowmaking and a leak detection program. Implementation of these measures resulted in a drop in demand during the 1996 water year of approximately 328 acre feet, of which only 30 would be needed for the 1998 residential allocations. Larger projects would still require the commitment of water rights transferable to IVGID in the amount of projected demand.

Mr. Dan St. John, IVGID Director of Engineering, advised that the District had just completed its water audit for 1997, and it appeared that leakage had dropped since 1993 from 30 percent to below ten percent. Results looked very promising. In addition to continued work in this area, the District was also looking at ways to expand its water rights.

Mr. Galloway asked that TRPA send a letter back to the District and to Washoe County summarizing the Agency’s current position on the adequacy of water in the Incline Village GID area. This would be beneficial not only to IVGID but to Washoe County for tracking purposes.

D. Status Report on Audit of Residential Delegation MOUs

Associate Planner Melissa Joyce noted that overall the audit was very positive, and there had been good performance from all jurisdictions. There was room for improvement in the area of permit tracking and getting improved communication between local staffs and Project Review.

Senior Planner Mike Solt commented on the compliance portion of the audit, noting there was good performance on routine implementation. He reviewed the on-the-ground aspects of the MOUs and the three phases of construction, from start-up to final inspections. The audit did serve to identify those areas where improvement was needed. The two areas where work was needed were in documentation of inspections for purposes of required findings to lower the IPES line and in violation resolution. Staff would work diligently in the next few months with local building officials to get MOUs more clearly defined.

Executive Director Jim Baetge reminded the Board that the California State Audit of TRPA’s operation strongly encouraged TRPA in this auditing effort. The excellent working
relationship with the counties had been established in large part through Melissa Joyce’s efforts. Melissa was leaving the Agency at the end of the year to move to Minnesota, where her husband had accepted a position with the University of Minnesota.

The Board thanked Melissa for all of her efforts and asked Mr. Baetge to draft a letter to Melissa expressing appreciation for her work at TRPA.

XI. MEETING OF THE REGIONAL TRANSPORTATION PLANNING AGENCY (RTPA)

A. Resolution Approving the Social Services Transportation Updated Action Plan and Progress Report for the Tahoe Region (December 1997)

Associate Planner Bridget Cornell advised that the Action Plan had been distributed to the Board members earlier in the meeting. The plan contained background information, status of the previous action plan and recommendations. Staff recommended Board acceptance of the plan and adoption of the packet resolution. TRPA, as the RTPA, was required to submit this action plan to the State of California. Ms. Cornell responded to questions on the TTD’s role in this and further recommendations relating to transit and transportation planning tasks.

MOTION by Ms. Bennett to recommend adoption of RTPA Resolution No. 97-17. The motion carried unanimously.

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

C. Legal Committee Report

1. Rafton, Extension of Statute of Limitations, Placer County APN 117-072-08

Agency Counsel Rachelle Nicolle explained that the proposal in this case was to look at a project solution instead of litigation. The Raftons had asked for an extension of the statute of limitations so that a project could be submitted. The material for the application was delayed for computer reasons, and the Board was asked to approve a third extension until February 28. The Legal Committee recommended approval of the extension.

MOTION by Mr. Sevison to approve the recommendation of the Legal Committee to extend the statute of limitations in the Rafton matter. The motion carried unanimously.

D. Rules Committee

Rules Committee Chairman Jim Galloway advised that the Committee recommended that the Board not proceed with the rule change requested by Douglas County Planner John Doughty, which would have required that motions to reconsider a Board action be made by a member on the prevailing side and that such motions only be made in the presence of substantial new evidence.
A. Finance Committee Report

1. Policy Discussion Regarding Use of Water and Air Quality Mitigation Fund Interest

2. Direction to Staff Regarding Pursuit of Administrative Fee for Mitigation Fund Management

(These two agenda items were taken up concurrently.)

EIP Coordinator Carl Hasty noted that the Finance Committee at its morning meeting discussed policy criteria and requirements for use of water quality mitigation fund interest. Staff would be bringing back clarifications in January, along with proposals for ordinance amendments which would allow use of interest from the other mitigation funds. If any Board members had comments on the policy in the packet, they should get in touch with him.

Chairman Bennett addressed the Finance Committee’s earlier discussion on this agenda item. The Committee was in favor of staff’s proposal with some changes and continued the matter for 30 days. Staff had provided the Committee with a breakdown of the actual costs for administering the accounts.

Deputy Director Jerry Wells explained that the proposal was for staff to charge a fee equal to up to five percent of the interest to administer the funds. An ordinance amendment was required before this fee could be collected.

Mr. Westergard commented that implementation of such a fee relieved the pressure to get funding from other sources. He did not want to forego use of the funds for mitigation when, in fact, TRPA should be asking the legislatures or others for more money to pay the administrative costs.

Deputy Director Jerry Wells commented that the staff would come back at a later meeting with Code amendments for an administrative fee.

B. Environmental Improvement Program Implementation Committee

1. Discussion on the EIP, the 1998 Legislative Packet, and Scoping of the Regional Revenue Source Request for Proposals (RFP)

EIP Coordinator Carl Hasty brought the Board up to date on the status of funding for capital improvements and the letter from the Tahoe Water and Transportation Coalition sent to the Administration outlining the needs for Federal funding. The letter reinforced the Presidential Forum deliverables booklet and what was needed as a base from Federal agencies working in the Basin in FY 99. The $9 million was added to the $30 million capital request. Areas where this could be put to use were acquisition, erosion control programs (Santini-Burton or other), transportation funds for replacement of rolling stock, and other items. The grand total was almost $37 million. The Coalition letter would serve as the framework for the next legislative packet.
Executive Director Jim Baetge noted that there was potentially a funding source from the California Department of Business, Transportation, and Housing for the update of the McDonald Smart report done in 1974. California would come up with 80 percent if the additional 20 percent could be raised locally. The $80,000 must be spent before June of 1998. The Coalition felt this money could be raised. He would be finalizing and distributing the RFP in the next few weeks and would have it on the January agenda for Board approval.

Mr. Hasty advised that TRPA had also put together a letter outlining California costs to pay for the first year of Caltrans and State Parks water quality improvements. This was submitted to the California Department of Finance. Staff was also working closely with Nevada agencies in preparing their requests for the Nevada Legislative Oversight Committee.

Ms. Bennett asked that the TTD be given a role in these efforts and letters and that staff come to the next TTD meeting to make a presentation for review and comment. In the next year, TRPA should revisit the role of the TTD with regard to TRPA.

XIII. RESOLUTIONS

A. Resolutions of Commendation for Assistance in *Suitum v. TRPA* for Amici and for Richard J. Lazarus

B. Resolution Commending Accomplishments of Tahoe Mariner Demolition

Agency Special Projects Attorney Susan Schollely distributed and briefly discussed draft resolutions for agenda items A. and B. She urged the Board to adopt them.

*MOTION* by Ms. Bresnick to adopt Resolution Nos. 97-15 (Suitum amici), 97-16 (Lazarus), and 97-17 (Tahoe Mariner). The motion carried unanimously.

XIV. REPORTS

A. Executive Director Monthly Status Report


2. Status on Metropolitan Planning Organization Designation

Mr. Baetge explained there was general agreement on going after the MPO designation for the Tahoe Basin. This would be included in the legislative packet, and the TTD would be advised of this as well. The intent was that the boundary of the MPO designation be consistent with the Tahoe Basin boundary. There would be coordination where areas of interest and geographic areas overlapped.

B. Legal Division Monthly Status Report

Agency Legal Counsel Rachelle Nicolle noted there were six active litigation cases, the most recent being filed by the National Marine Watercraft Association on December 5. An answer was