MEETING MINUTES

Chairman Drake DeLanoy called the February 9, 1998, meeting of the Governing Board of the Tahoe Regional Planning Agency to order at 5:20 p.m.

Members Present:  Mr. DeLanoy, Mr. Waldie, Dr. Miner, Mr. Sevison, Mr. Heller (present at 5:40 p.m.) Mr. Westergard, Ms. Neft, Mr. Harper (present by phone for Washoe County), Mr. Wynn (present by phone), Ms. Bresnick, Mr. Upton

Members Absent:  Mr. Neumann, Mr. Cole, Ms. Bennett, Mr. Cronk

1. Public Interest Comments - None

2. Interviews of Outside Counsel Candidates

Chairman DeLanoy explained that the legal firms would be interviewed one at a time with 10-15 minutes being given to each, followed by a 15 minute question and answer session.

The first firm that was interviewed was McDonough, Holland & Allen, out of Sacramento, with Mark A. Wasser being the primary spokesperson and lead attorney. Also in attendance from the firm was Virginia Cahill. Mr. Wasser presented the range of legal expertise and capabilities provided by his firm, and he and Ms. Cahill (who was head of the environmental section) responded to questions about previous litigation experience, current and past clients, knowledge of the Tahoe Basin, knowledge of the Suitum case, the motorized watercraft case, legal work in Las Vegas and elsewhere.

The interview concluded at 6:00 p.m.

The next firm that was interviewed was Shute, Mihaly, and Weinberger, a San Francisco firm, with E. Clement Shute being the primary spokesperson. Also in attendance were Ellison Folk and Rod Kerr. Mr. Shute explained his firm’s familiarity with TRPA and Tahoe, the Suitum and Barbiori cases, his client list, his expertise in takings and inverse condemnation cases, billing procedures, and how he would manage the relationship with TRPA if his firm was selected. Mr. Kerr described his background, experience and past clients.

The interview concluded at 6:30 p.m. The Board took a short break.

The next firm to be interviewed was Remy, Thomas and Moose out of Sacramento. Mr. Remy was the primary spokesperson, with Ms. Andrea Miller and Mr. Steven Belzer being available for questions as well. Mr. Remy described his firm’s experience and background, his proposed management of the arrangement and billings should his firm be selected. Ms. Miller and Mr. Belzer responded to questions on past legal experience.
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The interview concluded at 7:30 p.m.

2. Selection of Outside Counsel

The Board members discussed the various qualifications of the interviewed firms and their representatives, their knowledge of cases referenced by the candidates, the importance of settlement discussions in litigation, the current status of the Suitum and Barbieri cases, and the pros and cons of hiring two different firms instead of one.

Agency Special Projects Attorney Susan Scholley and Agency Counsel Rachelle Nicolle advised the Board on their feelings about the candidates and the suggestion that two firms and not one be hired.

MOTION by Waldie to hire the Remy firm to handle the Suitum and Barbieri cases. The motion carried with Bresnick abstaining in the vote.

MOTION by Waldie to hire the Shute firm to handle the Tahoe Sierra Preservation Council case. The motion carried with Upton voting in opposition.

The Board agreed that no firm at this time would be hired to take on the motorized watercraft case. A decision on this matter would be made at a later date.

3. Member Comments - none

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

[Signature]

Julie D. Frame
Clerk to the Board

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call for an appointment at (702) 588-4547. In addition, written materials submitted at the meeting are available for review at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada.