

California Tahoe Conservancy
Agenda Item 2
September 15, 2011

BOARD MEETING MINUTES

July 21, 2011

The California Tahoe Conservancy (Conservancy) Board convened at the Lake Tahoe Community College in South Lake Tahoe. Chairman Larry Sevison called the meeting to order at 9:40 a.m.

1. Roll Call

Diane Niland of the Staff called the roll. Chairman Larry Sevison, Vice-Chairman John Hooper, and members Norma Santiago, Angela Swanson and Lynn Suter were present. Todd Ferrara was present as designee for the Natural Resources Agency, and Pedro Reyes was present as designee for the Department of Finance.

2. Approval of Minutes

The Board approved the minutes of the meeting of May 19, 2011 on a voice vote.

3. Chairman's Report

Mr. Sevison invited Ryan Davis of the Staff to address the Board. Mr. Davis introduced himself and greeted the Board, indicating that the Board had in front of them a resolution of appreciation for Staff Counsel John Gussman. Mr. Davis voiced his appreciation for Mr. Gussman's assistance over the years, placing particular emphasis on the role that Mr. Gussman played in key acquisitions and litigation settlements. On behalf of the Conservancy and all of the Staff, Mr. Davis thanked Mr. Gussman for his support, his work and his dedication to the agency.

Mr. Gussman thanked Mr. Davis and the Board, stating his appreciation for the opportunity to be associated with the Conservancy. Mr. Sevison thanked Mr. Gussman.

Mr. Sevison noted that the planning workshop scheduled for the afternoon had not been noticed and asked Ms. Moe how to proceed. Ms. Moe indicated that the strategic planning workshop planned for the afternoon was not on the agenda, a requirement of the Bagley-Keene Act. For the Board's edification, she explained that, under the Bagley-

Keene Act, if something is not properly noticed someone could challenge it and try to set aside any action that the Board took without such notice. Ms. Moe further explained that, since the afternoon's session was a workshop and the Board would not be asked to take any action, the risk was small. She indicated that, based on that information, the Board should make a decision as to whether they would like to proceed.

Mr. Sevison suggested that, considering that the Board would not take any formal action, moving forward would be the proper thing to do.

Mr. Lacey added that this topic would be agendized at the next two meetings, providing opportunity for public comment. Mr. Sevison invited the Deputy Attorney General's Report.

4. Deputy Attorney General's Report

Ms. Moe announced that the Board would have a closed session pursuant to Government Code section 11126, subsection (e) at the close of the meeting. Mr. Sevison requested the Executive Director's Report.

5. Executive Director's Report and Major Projects Update

Mr. Wright explained that he would keep his comments brief, in order to accommodate the afternoon's strategic planning workshop. He further noted that some topics typically covered in his report would be covered during the afternoon session. He explained that there is a tremendous amount of preparation for the annual Tahoe Summit, hosted by Senator Feinstein on August 16th, adding that for the first time since 1997 both Governors would attend and noting that their attendance has raised expectations that this will be Summit full of deliverables. Mr. Wright explained that Senator Feinstein is trying to get the agencies on the same page and that the Tahoe Fund, our new sister non-profit, is having a major fundraising gala event the night before, as they did last year. He further stated that this Summit would be used as a springboard for resolving some of the key issues in the Basin.

Mr. Wright indicated that he also wanted to take this opportunity to introduce Board members to the new website. Dana Dapolito of the Staff introduced herself to the Board and provided a brief overview of the website. She encouraged the Board to explore the site and contact Staff with any questions.

Mr. Lacey added that the agency was very excited to see the new site operational, noting that it is in large part a result of Board encouragement to increase the visibility

and profile of the Conservancy. He explained that the public regularly uses the contact form and that the site will ultimately produce increased efficiencies here. He, too, encouraged the Board to visit the site and provide Staff with feedback.

Mr. Sevison agreed that the site offers the public a means to achieve a deeper understanding of the agency.

Mr. Sevison inquired whether there were any questions for Mr. Wright. Seeing none, he invited public comment.

6. Public Comment

There was no public comment.

7. Consent Items

Mr. Sevison stated that Consent Items were next on the agenda. The two items passed on a voice vote.

8. Administrative Items

Mr. Sevison invited presentation of the Annual Planning Authorization.

Mr. Lacey of the Staff presented the Annual Planning Authorization, including the recommendation to approve Resolution 11-07-03, and stated he would be happy to answer any questions.

Mr. Ferrara noted that Mr. Lacey indicated this year's amount was substantially less than in past years. He asked how substantially, and what was last year's authorization.

Mr. Lacey answered that he did not have last year's figures, but that the annual amount had been as high as \$3.25 million.

Ms. Suter asked what percentage of the license plate revenues come to the Conservancy.

Mr. Lacey clarified that the Tahoe Plate revenues come solely to the Conservancy. He further explained that the Environmental License Plate Fund is a statewide program which many environmental agencies use as a funding resource. He reiterated that all Tahoe Plate monies come strictly to the Tahoe Conservancy.

Ms. Suter indicated that she thought we shared Tahoe License Plate monies, suggesting that it was good that it is otherwise.

Mr. Lacey confirmed that this is money the agency can count on as a reliable revenue stream.

Mr. Wright elaborated that the ELPF program is based on statewide sales of personalized license plates and that a number of agencies share the funds derived from the program. He pointed out that the data indicates that a large percentage of Tahoe Plate purchases are personalized, resulting in a double benefit. Mr. Wright explained that, given the agency's fiscal situation, ramping up sales of the Tahoe Plate is a high priority.

Mr. Sevison noted that the Conservancy would get money not only from the initial sales but also from the annual renewal.

Ms. Swanson asked how monies approved under the Planning Authorization might be used to prioritize, develop and advance EIP projects.

Mr. Lacey answered the monies in the Planning Authorization fund a position dedicated to EIP coordination. He added, however, that Ms. Swanson's question about prioritization would likely be discussed in greater detail during the afternoon's workshop.

Ms. Swanson noted that she was happy to see climate change included in the Planning Authorization and asked for clarification on how those monies might be used.

Mr. Wright answered that it was similar to the EIP item discussed previously. He explained that the Conservancy had partnered with the TMPO, a branch of TRPA responsible for meeting the requirements of SB375. He went on to say that the Conservancy coordinated a successful million dollar grant through this partnership with Tahoe Metropolitan Planning Organization and local agencies, including the City and the County. Mr. Wright explained that the funds being recommended at this time fund, in part, the Conservancy's role in this partnership. He stated that this topic might be discussed later in the afternoon.

The Board approved Resolution 11-07-03 on a unanimous voice vote.

9. Property Management

Mr. Sevison invited the Annual Property Management Authorization. Shawn Butler of the Staff presented the Annual Property Management Authorization and Ward Creek Restoration Project, including the recommendation to approve Resolution 11-07-04.

With regard to Ward Creek, Mr. Sevison asked what percentage of the valley floor is Conservancy-owned.

Program Manager Bruce Eisner explained that the Conservancy probably owns less than five percent of the valley floor, with the USFS owning the majority of land that isn't subdivided and privately owned.

Mr. Sevison noted that an area of the valley was being used as a corporation yard and inquired whether this was Forest Service land.

Mr. Eisner answered affirmatively.

Mr. Sevison thanked Mr. Eisner and asked if there were any other questions.

Mr. Hooper inquired whether the agency was beginning to identify and consider parcels that might be suitable for sale.

Mr. Wright again noted that this might be a topic for the afternoon's workshop, adding that questions regarding the various categories of land owned by the Conservancy and the sale potential associated with such categories are very relevant to the strategic planning conversation.

Ms. Swanson noted that concerns regarding potential fire hazards from grasses on Conservancy small lots within the City had been brought to her attention. She also noted increased vector control concerns due to the unusually wet spring and summer, and inquired about how the Conservancy addresses the issues.

Mr. Butler replied that the Conservancy deals with grasses on a case-by-case basis, typically with mechanical treatment by crews. He explained that the agency discourages neighbors from mowing Conservancy parcels, given that such activity generally leads to a situation where private lawns encroach on State property. Mr. Butler further explained that the preference is to wait until the fall when grasses have gone to seed, mow the grasses to a different height allowing for delineation between the properties. He encouraged Ms. Swanson to have her constituents contact

the Conservancy and noted that lot inspectors will pay closer attention to the grass issue.

Lastly, Ms. Swanson inquired as to the adequacy of funding, given recent court decisions regarding permitting processes, and whether the court rulings would affect our ability to do fuels reduction and forestry work on Conservancy lands.

Mr. Wright explained that Ms. Swanson was referring to an effort born out of the Angora Fire Commission which had recommended streamlining fuels management permitting. He added that, while the issue remains in the courts under appeal, we do not anticipate any major impediments to our program.

Mr. Sevison asked if there were any more questions and thanked Mr. Butler. He asked if anyone in the audience would care to comment.

Nick Exline came forward and identified himself as a property owner in the Al Tahoe neighborhood, very nearly abutting the wetland. He stated that he heard some discussion of changing from a seasonal closure to a year-round closure and, as a property owner who used to enjoy responsibly walking his dog there every morning, was curious as to what the discussion was.

Mr. Sevison thanked Mr. Exline for his comment. The Board approved Resolution 11-07-04 with a unanimous voice vote.

10. Land Bank

Mr. Eisner presented two items, the South Tahoe Public Utility District's Grizzly Mountain Booster Station project and the Sawmill Road Access and Angora Creek Bridge Project, including the recommendation to approve Resolutions 11-07-05 and 11-07-06. He stated that he would be happy to answer any questions.

Ms. Suter inquired whether this was two items in one recommendation.

Mr. Eisner stated that there was one staff recommendation, with two separate resolutions. He explained that the motion should be to adopt each resolution.

Mr. Sevison asked if there were any other questions for Mr. Eisner. Seeing none, he asked if anyone else would care to comment on this item.

Mr. Exline announced that he was present, on behalf of Gary Midkiff and the applicant, to answer any questions.

Resolution 11-07-05 passed on a voice vote.

Resolution 11-07-06 passed on a voice vote, with Ms. Suter abstaining.

11. Public Comment

Mr. Sevison invited public comment, of which there was none.

12. Closed Session

Ms. Moe stated that the Board would meet in closed session to consider and discuss pending litigation pursuant to Section 11126, subsection (e) of the Government Code.

13. Open Session Reconvened

The Board reconvened in open session. Ms. Moe stated that the Board took no action during the closed session.

14. Board Member Comment

There were no Board member comments.

15. Strategic Plan Workshop

Lauren O'Brien of Streamline, Inc. conducted a Strategic Planning Workshop with the Board. The workshop covered: an organizational review, including accomplishments, emerging roles and a SWOT analysis; a summary of market dynamics; a visioning session; and a discussion of the Agency's financial outlook and considerations. A Draft Strategic Plan is expected in September 2011.

16. Adjournment

The meeting adjourned at 4:45 p.m.