

California Tahoe Conservancy
Agenda Item 2
June 20, 2013

**BOARD MEETING MINUTES
March 21, 2013**

The Board convened at Lake Tahoe Community College in South Lake Tahoe, California. Vice Chairman John Hooper called the meeting to order at 9:37 a.m.

1. Roll Call

Sue Ewbank of the staff called the roll. Vice Chairman John Hooper and Board members Lynn Suter, Nancy Gibson, Norma Santiago, and Tom Davis were present. Todd Ferrara, designee for Natural Resources Agency, and Karen Finn designee for Department of Finance were also present. Chairman Larry Sevison was absent.

Vice Chairman Hooper welcomed new Board member Tom Davis from the City of South Lake Tahoe. Mr. Davis was sworn in by Deputy Attorney General Marian Moe prior to the meeting.

2. Approval of Minutes

The minutes of the December 14, 2012 Board meeting were approved on a voice vote.

3. Chairman's Report

Vice Chairman Hooper presented the Chairman's Report. He reminded the Board of the proposed site visit following today's lunch recess. Adjournment of today's meeting will follow the site visit.

Mr. Hooper acknowledged former Board member Angela Swanson for her two years of service on the Conservancy Board. Ms. Swanson was presented with a commemorative photo and plaque. She expressed her appreciation.

Mr. Hooper also commended staff member Amy Cecchetti. On behalf of the Board, he expressed appreciation for her exceptional work efforts, dedication and

professionalism. She was presented with an award for her service. Ms. Cecchetti thanked the Board.

4. Deputy Attorney General's Report

Deputy Attorney General Marian Moe announced the Board will meet in Closed Session toward the end of today's meeting, pursuant to Government Code section 11126 (e)(1).

5. Executive Director's Report and Major Projects Update

Executive Director Patrick Wright reminded the Board that staff is continuing to work toward aligning the agency with the new strategic plan. He expressed hope that through today's staff presentations, the Board would gain a better understanding of the challenging fiscal climate the agency is currently facing. The Conservancy continues to work well collaboratively with our Basin partners during these difficult times. He gave a brief overview of the agenda items and emphasized the upcoming Upper Truckee River Workshop. He introduced new employee Victoria Ortiz who is working in the area of communications and outreach.

Mr. Hooper mentioned that group and individual Board photos would be taken prior to Closed Session today.

6. Public Comment

Mr. Hooper asked for public comment on items not on the agenda.

North Tahoe Public Utility District (NTPUD) Park and Recreation Manager Kathy Long thanked the Conservancy for the excellent working relationship between the two agencies. She thanked Conservancy staff and expressed her appreciation of their knowledge, courtesy, and helpful cooperation. She also thanked the agency for its involvement in the completion of the Tahoe Vista Recreation Area parking project. The project was completed in fall of 2012.

Lauren Tomaselli with the City of South Lake Tahoe (City) Community Services Department shared the award received by the City for Lakeview Commons. The California Parks and Recreation Society (CPRS) recognized the City's outstanding achievement in community improvements. Ms. Tomaselli submitted an application to

CPRS in the area of Park Planning and Design for the Lakeview Commons project. It was selected as one of the Best of the Best in this category. She explained the criteria and expressed her appreciation to the Conservancy for its contribution of funding resources.

She stated that Lakeview Commons is officially an award winning asset of the community. On behalf of the City, Ms. Tomaselli extended her heartfelt gratitude to the Conservancy for their efforts with this project. She informed everyone that they can view the plaque at the recreation complex on Rufus Allen Blvd. in South Lake Tahoe. She also informed the Board that a similar honor was awarded for the Lakeside Trail Project in Tahoe City. Mr. Hooper thanked Ms. Tomaselli and acknowledged the agency's pleasure working with the City.

7. Administration

7a. Fiscal Year 2014 Support and Capital Outlay Budget and Work Program

Projections: Kevin Prior presented and led the discussion on the projected Fiscal and Work Program changes to the Support and Capital Outlay Budgets for Fiscal Years 2012/13, 13/14, and 14/15, including proposed investment priorities and strategies to increase revenue and decrease expenses during this period.

Todd Ferrara asked what the spike in the FY 2013/14 Capital Budget reflects. Mr. Prior responded that it reflects high priority investments such as Acquisitions, Land Bank, and Recreation and Access programs. Executive Director Patrick Wright explained that the spike is not a conscious decision to spend more during one year or another. It varies depending upon project completion dates and other factors.

Patrick Wright reiterated the purpose of the presentation was to provide a context in terms of making investments, knowing funding sources, and understanding the challenges before the Board over the next few years. The two main support goals are to keep staff employed and to manage our lands. On the capital side, emphasis is on the highest priority projects. The challenge is determining how to go beyond the basics, provide grants to locals, and ensure maintenance of our own lands. To date, the Conservancy has not been able to count on Water Bond funding and resource projects are not a top priority for Cap and Trade funding. It is anticipated that legislative support for the agency will produce a funding source that maintains its viability with both the support and capital budgets by 2016.

Tom Davis noted that the Tahoe License Plate Fund remains an immediate opportunity for funding. Mr. Wright elaborated on the new campaign strategies and the agency's ranking among all California specialty plates. Deputy Director Ray Lacey recommended greater effort to provide information to the public regarding the use of these funds. It may encourage additional sales. Tom Davis commended the Conservancy for the tremendous efforts in support of the Tahoe Basin's environment. Mr. Wright informed the Board of methods to educate the public on our environmental accomplishments. Lynn Suter expressed her support and asked what activities might assist the agency in obtaining funding. Todd Ferrara suggested a marketing insert be included with license plate renewal forms. In the interest of time, Mr. Wright recommended discussion on the matter at a later date.

Karen Finn applauded and encouraged the agency's efforts. She stated the Conservancy is doing a great job. She clarified that other State conservancies also have land management cost struggles.

Norma Santiago questioned the timeframes referenced for acquisitions. Mr. Prior encouraged viewing them in a total three year period. With regard to the high priority investments from FY 12/13 – 14/15, Mr. Wright explained that rather than approach the projects separately, we can better summarize what we get by doing them all together. Ms. Santiago stated further that what results from this can be used for Cap and Trade. She commended the creative approach and emphasized the importance of presenting the Basin's efforts in a unified approach before the State legislature.

Tom Davis recommended environmental fees be charged for boat registration. Mr. Wright agreed that this could have revenue potential; however, Tahoe Regional Planning Agency may be better positioned to implement this idea. Tom expanded his suggestion to encompass all of California. Ms. Santiago agreed that this may be a good way to fund a program from which the Basin would receive a portion of the proceeds.

Karen Finn inquired about continuing oversight of grantees. Mr. Prior stated that reporting requirements are included in all grant agreements. Mr. Wright affirmed the agency's oversight of grantee projects.

There was no public comment on this item. This was a discussion item only. The Board took no action.

7b. Special Use Guidelines and Fees: Sue Ewbank and Kevin Prior presented this item for possible adoption of changes to the Conservancy's Special Use Guidelines, including revisions to Fee Schedules and implementation of a Non-refundable Application Fee.

Tom Davis expressed concern for marketing and the potential to price ourselves out of the market. Mr. Prior stated that the agency was cautious in developing the structured fee. The focus is on cost recovery.

Ms. Ewbank elaborated on commercial filming opportunities on Conservancy lands. Ms. Santiago suggested that she contact Catherine Dodd, El Dorado County Film Commissioner.

Ms. Finn stated Proposition 26 redefined how the locals and the State charge fees. She asked for an explanation of how charging a percentage of gross entry receipts calculates back to cost recovery. She accentuated the fact that cost recovery is all that can be charged at the State level. Ms. Moe defended the method of cost recovery presented by staff. Ms. Finn and Mr. Prior discussed costs. Ms. Finn asked whether the Conservancy is regulated by the Office of Administrative Law. Ms. Moe responded negatively and stated she would be happy to come back to Ms. Finn with more detail. Ms. Moe agreed to work with staff to assure compliance with Proposition 26.

Ms. Finn questioned the Conservancy's coordination with the California Film Commission (CFC). Staff Counsel Ryan Davis stated the agency is required to provide a one-stop permitting process and agreed to confer with CFC.

Mr. Ferrara stated that this sort of activity is supported by Natural Resources. He also pointed out that the statutory authority is listed on page 7 of the Board packet. Ms. Santiago asked what the administrative costs include and how the costs may be minimized. Mr. Prior explained the process used to reach the administrative fee.

Mr. Wright suggested deferring action on this item to the June 20, 2013 Board meeting. Tom Davis expressed concern about the time lapse between meetings. Mr. Wright preferred to complete the research and present the appropriate information prior to Board action. Ms. Finn asked, and Mr. Prior confirmed that these funds go into the Special Use Fund.

The Board took no action on this item.

At 11:20 a.m. Vice Chairman Hooper called for a brief break. The Board reconvened at 11:32 a.m.

8. Land Bank

Kings Beach Housing NOW, Site #2 Trout Street Project, Transfer of Coverage:

Mr. Lacey introduced this item as a routine coverage transaction. He informed the Board that due to the inclusion of a Negative Declaration, this action must come before them in order to adopt the environmental document. For clarity, he also alerted the Board to the difference between the name of the project (Trout Street) and its actual location on Trout Avenue.

Amy Cecchettini presented this item for consideration of the Mitigated Negative Declaration for the Kings Beach Housing NOW, Site #2 Trout Street Project (Placer County Assessor Parcel Number 90-122-039) and possible authorization to transfer 3,358 square feet of potential coverage.

Mr. Hooper called for public comment. Hearing none, he asked for Board action. The motion was carried by voice vote.

9. Information Items

Upper Truckee River Workshop: Stuart Roll of the staff provided an update on the Upper Truckee River Restoration Workshop scheduled for May 1 – 3, 2013 in South Lake Tahoe. Mr. Roll thanked Conservancy staff and agency partners for their assistance in the development of the workshop. He emphasized the importance of focus groups, outreach, and benefits of the event. He reviewed each reach of the river, and identified the project lead and the anticipated benefits.

Mr. Roll noted that Johnson Meadows Reach remains under private ownership. Efforts are underway to acquire the property to facilitate restoration. He emphasized that restoration is not possible until acquisition is complete. Mr. Roll added that an appraisal of the property has not been completed. Ms. Santiago asked how much funding would be needed to acquire this property. Nancy Gibson explained that the acquisition must, and does, meet the requirements of conservation land in order for the U.S. Forest Service, Lake Tahoe Basin Management Unit (LTBMU) to acquire it. Ms. Gibson stated that it is possible LTBMU will contribute funds to the acquisition. She agreed with Mr. Roll; it is the acquisition process that is causing the delay.

Mr. Hooper thanked Penny Stewart and staff members for their involvement in the workshop.

Tom Davis encouraged Board participation in the May 1st site tour as it is critical to the workshop. Ms. Moe alerted the Board of the agency's intent to publicly notice the workshop in order to facilitate dialogue during the event.

Ms. Santiago thanked the staff for following through on this much-needed, educational event. She encouraged all Board members to attend.

This was an information item only. No action was taken.

Vice Chairman Hooper asked for public comment on the item. He recognized Lynne Paulson from the Washoe Meadows Community. Ms. Paulson expressed her appreciation for the workshop and commented on the importance of the panelists' breadth of knowledge. She also expressed interest in the focus of the questions, particularly Question Six: How should new scientific information and technical advice that is obtained as part of program or project development be incorporated to improve and expand the river-wide restoration strategy?

10. Public Comment

Mr. Hooper called for public comment on items not on the agenda. There was no public comment.

Deputy Director Ray Lacey explained, for purposes of the Conservancy website, that photos would be taken of the Board prior to Closed Session. He also informed the Board of the Executive Performance Survey that is underway pursuant to Board requests at the December 14, 2012 meeting.

Ms. Moe announced that the Conservancy Board would meet in Closed Session to consider and discuss matters pursuant to Government Code section 11126(e) (1) following the Board photo session.

Board photos were taken.

11. Closed Session

The Conservancy Board met in closed session to consider and discuss the following matters pursuant to Government Code section 11126(e) (1):

- a. El Dorado County Superior Court Case No. SC20110231
(filed November 7, 2011)
- b. Placer County Superior Court Case No. TCV0001864
(filed January 22, 2013)

12. Board Member Comment

Mr. Hooper reconvened the public portion of the meeting. Mr. Lacey informed everyone that the site visit would commence at 2:00 p.m. from the California Tahoe Conservancy offices on Third Street following the lunch break. The Board recessed at 1:00 p.m.

13. Site Visit

The meeting reconvened at 2:00 p.m. for a site visit to the Upper Truckee River.

14. Adjournment

At the conclusion of the site visit, the meeting adjourned at 5:40 p.m.

California Tahoe Conservancy
Minutes
March 21, 2013
Adopted: June 20, 2013

APPROVAL OF MINUTES

I hereby certify that the foregoing is a true and correct copy of the minutes of the July 18, 2008 meeting of the California Tahoe Conservancy adopted on June 20, 2013.

IN WITNESS THEREOF, I have hereunto set my hand this 20th day of June, 2013.

Patrick Wright
Executive Director