

**Carson City
Agenda Report**

Date Submitted: January 8, 2013

Agenda Date Requested: January 17, 2013

Time Requested: 30 minutes

To: Mayor and Supervisors

From: Larry Werner, City Manager

Subject Title: For Possible Action: To appoint members of the Board of Supervisors to various Boards, Committees and Commissions.

Staff Summary: Board members serve on various Boards, Committees and Commissions. Each January appointments are made for the upcoming calendar year.

Type of Action Requested: (check one)

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does this action require a Business Impact Statement: () Yes (X) No

Recommended Board Action:

I move to appoint –

_____ as Mayor Pro-Tem for a ___ year term expiring _____
(term served is determined by the Board);

_____ to the Regional Transportation Commission and the Carson Area
Metropolitan Planning Organization for a two year term expiring December 31, 2014;

_____ to the Debt Management Commission for a two year term expiring
December 31, 2014;

_____ to the Parks and Recreation Commission to fill the four year
unexpired term expiring December 31, 2015;

_____ to the Audit Committee for a one year term expiring December 31,
2013 *(appointed each January);*

_____ to Cultural Commission for a two year term expiring December 31,
2014 *(no provision requiring Board member be appointed);*

_____ to the Carson City Convention & Visitor's Bureau for a
coterminous term of office expiring _____;

_____ to the Nevada Association of Counties (*appointed each January*);
 _____ to the NV Commission for the Reconstruction of the V&T Railway
 to fill a four year term expiring December 31, 2016;
 _____ to the Western Nevada Legislative Coalition for a ___ year term
 expiring _____; and
 _____ to the Tahoe Regional Planning Agency for a ___ year term
 expiring _____ (*term served is at the Board's pleasure, but shall be
 reviewed no less often than every four years*).

Explanation for Recommended Board Action: See staff summary.

Applicable Statute, Code, Policy, Rule or Regulation: Various

Fiscal Impact: None



Explanation of Impact: N/A

Funding Source: N/A

Alternatives: N/A

Supporting Material: List of 2012 BCC Appointments, Carson City Charter Article 3.015, CCMC 11.20.030-11.20.035, NRS 350.011-350.0115, CCMC 2.16.010-2.16.030, CCMC.14.030, CCMC 2.14.040, excerpt from NRS 244A, letter from CWSD, excerpt from NACo Bylaws, Chapter 566 Statutes of Nevada 1993, excerpt from TRPA Compact, and letter from TRPA.

Prepared By: Janet Busse, Office Supervisor

Reviewed By:  _____ Date: 1/8/13
 (City Manager)
 _____ Date: 1/8/13
 (District Attorney)
 _____ Date: 1/8/13
 (Finance Director)

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
 2) _____ _____

(Vote Recorded By)

**Board Appointments
Held by Carson City Board of Supervisors**

(January 19, 2012 BOS Meeting)

(February 2, 2012 BOS Meeting-changed dates of terms for RA Chair & Vice Chair)

	BCC	Term	Term Ends	Notes
Mayor Crowell	NV Com for the Reconstruction of the V&T Railway	4 years	12/31/2012	No provision requiring Board member be appointed.
	Cultural Commission	2 years	12/31/2012	
Karen Abowd	Redevelopment Authority - Vice Chair	1 year	1/7/2013	RDA appointed
	Carson Water Subconservancy District	4 years	12/31/2014	
	Nevada Association of Counties (NACo)	1 year	12/31/2012	
	Mayor Pro Tem	1 year	1/7/2013	BOS determines the term
Shelly Aldean	Tahoe Regional Planning Agency (TRPA)	4 years (max)	1/7/2013	Appointments shall be reviewed no less than every 4 years
	Redevelopment Authority - Chair	1 year	1/7/2013	RDA appointed
	Regional Transportation Commission (RTC/CAMPO)	2 years	12/31/2012	
	Audit Committee	1 year	1/2013	
John McKenna	Regional Transportation Commission (RTC/CAMPO)	2 years	12/31/2013	
	Debt Management Commission	2 years	1/2013	Term begins in odd years
	Carson Water Subconservancy District	4 years	12/31/2012	Filled Livermore's unexpired term
	NACo Board of Directors	1 year	12/31/2012	Elected officer
Molly Walt	Parks and Recreation Commission	4 years	12/31/15	
	Carson City Convention & Visitors Bureau		12/2012	Coterminous with term of office
	Western Nevada Legislative Coalition			

State Land Use Planning Advisory Council (SLUPAC) - Board appointment or representative.
Airport Authority ("City Official") - Board appointment or staff member.

Sec. 3.015 - Mayor pro tempore: Selection; duties.

The board shall elect one of its members, for such term as the board determines, to be mayor pro tempore. He shall:

1. Hold the office and title at all times during the term for which he was elected without additional compensation.
2. Perform the duties of mayor during the absence or disability of the mayor.

(Added Ch. 690. Stats. 1979 p. 1858. A-Ch. 58. Stats. 1981 p. 150)

11.20.030 - Creation and organization of regional street and highway commission.

1. The board does hereby create the regional street and highway commission of Carson City, state of Nevada.
2. The commission shall be composed of representatives to be selected as follows by the board:
 - a. Two (2) members of the board of supervisors one of whom must be designated by the commission to serve as chairman of the commission;
 - b. Three representatives of the city at large.

(Ord. 1999-18 § 2, 1999).

11.20.035 - Terms and regulations of commission.

1. One representative of the commission who is a member of the board of supervisors and one representative of the commission who is a representative of the city at large must serve until the next ensuing December 31 or an even numbered year; and
2. One representative of the commission who is a member of the board of supervisors and two (2) representatives of the commission who are representatives of the city at large must serve until the next ensuing December 31 of an odd-numbered year.
3. Commission members shall serve terms of two (2) years and any vacancies shall be filled for the unexpired term.
4. The commission shall adopt such rules and regulations as are not in conflict with this chapter, Chapter 373 of the 1966 Statutes of Nevada, or any other law of the state of Nevada for the organization of the commission and the conduct of its business.

DEBT MANAGEMENT COMMISSION

NRS 350.011 Definitions. As used in NRS 350.011 to 350.0165, inclusive, unless the context otherwise requires:

1. "Commission" means a debt management commission created pursuant to NRS 350.0115.
2. "Special elective tax" means a tax imposed pursuant to NRS 354.59817, 354.5982, 387.197, 387.3285 or 387.3287.
(Added to NRS by 1965, 1433; A 1993, 2655; 1995, 369, 765, 774, 1811; 1997, 550; 1999, 275, 2541; 2001, 880, 2304)—
(Substituted in revision for NRS 350.001)

NRS 350.0115 Creation; composition; selection and terms of members; interest in securities issued by State or political subdivision prohibited; vacancies.

1. There is hereby created in each county whose population is 400,000 or more a debt management commission, to be composed of:

- (a) Three representatives of the board of county commissioners from its membership;
- (b) One representative of each governing body of the five largest incorporated cities in the county from its membership;
- (c) One representative of the board of trustees of the county school district from its membership; and
- (d) Two representatives of the public at large.

2. There is hereby created in each county whose population is less than 400,000 a debt management commission, to be composed of one representative of the county, one representative of the school district and the following additional representatives:

- (a) In each such county which contains more than one incorporated city:
 - (1) One representative of the city in which the county seat is located;
 - (2) One representative of the other incorporated cities jointly; and
 - (3) One representative of the public at large.
- (b) In each such county which contains one incorporated city:
 - (1) One representative of the incorporated city; and
 - (2) Two representatives of the public at large.
- (c) In each such county which contains no incorporated city, one representative of the public at large.
- (d) In each such county which contains one or more general improvement districts, one representative of the district or districts jointly and one additional representative of the public at large.

3. In Carson City, there is hereby created a debt management commission, to be composed of one representative of the Board of Supervisors, one representative of the school district and three representatives of the public at large. The representative of the Board of Supervisors and the representative of the school district shall select the representatives of the public at large and, for that purpose only, constitute a quorum of the debt management commission. Members of the commission serve for a term of 2 years beginning on January 1, or until their successors are chosen.

4. Except as otherwise provided in subsection 1, each representative of a single local government must be chosen by its governing body. Each representative of two or more local governments must be chosen by their governing bodies jointly, each governing body having one vote. Each representative of the general improvement districts must be chosen by their governing bodies jointly, each governing body having one vote. Each representative of the public at large must be chosen by the other members of the commission from residents of the county, or Carson City, as the case may be, who have a knowledge of its financial structure. A tie vote must be resolved by lot.

5. A person appointed as a member of the commission in a county whose population is 100,000 or more who is not an elected officer or a person appointed to an elective office for an unexpired term must have at least 5 years of experience in the field of public administration, public accounting or banking.

6. A person appointed as a member of the commission shall not have a substantial financial interest in the ownership or negotiation of securities issued by this State or any of its political subdivisions.

7. Except as otherwise provided in this subsection, members of the commission or their successors must be chosen in January of each odd-numbered year and hold office for a term of 2 years beginning January 1. The representatives of incorporated cities must be chosen after elections are held in the cities, but before the annual meeting of the commission in August. The term of a representative who serves pursuant to paragraph (a), (b) or (c) of subsection 1 is coterminous with the term of his elected office, unless the public entity that appointed him revokes his appointment.

8. Any vacancy must be filled in the same manner as the original choice was made for the remainder of the unexpired term.
(Added to NRS by 1965, 1433; A 1969, 332; 1971, 222, 943; 1977, 537; 1987, 1719; 1993, 2239; 1995, 765; 1999, 2528, 2541; 2001, 188, 1978; 2005, 123)

2.16.010 - Organization.

1. There is hereby established pursuant to NRS 244.3071 et seq. a commission to be known as the Carson City parks and recreation commission.
2. This commission shall consist of nine members who shall be appointed by the board.
3. The commission shall be composed of one member who shall be a member of the Board of Supervisors, and one member who shall be a member of the Board of Trustees of the Carson City School District. The remaining members shall be qualified electors of Carson City and appointed, where possible, from a diverse cross-section of the community. That cross-section should consist of but not be limited to: service groups, professional parks or maintenance groups, adult sports groups, youth sports or service groups, environmental interest, and general public.

(Ord. 2005-17 § 1, 2005 Ord. 1991-56 § 1, 1991 Ord. 1981-15 § 1, 1981 Ord. 1974-10 § 1, 1974).

2.16.020 - Membership requirements.

Members of the Carson City parks and recreation commission shall be qualified electors of Carson City.

(Ord. 1981-15 § 2, 1981).

2.16.030 - Term of office.

1. All terms will be for four (4) years except the term of the student shall be for one year.
2. Members whose terms have expired shall continue to serve until their successors have been appointed.
3. Terms of office shall commence and end on January 1st.

(Ord. 1991-56 § 2, 1991 Ord. 1985-36 § 1, 1985 Ord. 1985-28 § 1, 1985).

2.14.030 - Composition of the Carson City audit committee.

1. The Carson City audit committee will be independent and objective in its collective mindset individually and as a group. The committee will reflect the following attributes:
 - a. Excellent communication skills with each other and with others;
 - b. A willingness to fully participate in complex and sensitive matters that require resolution;
 - c. Public accounting, governmental accounting and auditing experience.
2. The Carson City audit committee shall be comprised of five (5) members; one (1) member from the board of supervisors and four (4) members from the public at-large.
 - a. One (1) member of the Carson City audit committee will be selected from the board of supervisors. The board member shall be selected each January when the board of supervisors addresses board and commission assignments.
 - b. The four (4) members at-large of the Carson City audit committee will be interviewed and selected by the board of supervisors. These members should have experience in financial services, public accounting, and/or governmental auditing, and current knowledge of public laws and regulations governing an audit committee. The terms shall be for staggered two (2) years; expiring on each alternate year.
 - c. The members at-large shall not accept any consulting, advisory, or other compensatory fees from the city and may not be an affiliated person with the city or any subsidiary thereof.
3. Should a vacancy occur in any position on the Carson City audit committee, the board of supervisors must follow the procedure set forth above to select a new member for the committee. The selection must occur within one (1) month of the vacancy occurring.
4. When deemed necessary, the Carson City audit committee may request that the city manager and other management employees attend a Carson City audit committee meeting in an advisory capacity. This individual may be requested to provide necessary information relative to internal controls, data, and analysis related to the specific objectives of the Carson City audit committee.

(Ord. 2008-10 § 5, 2008)

(Ord. No. 2009-24, § 1, 10-1-2009)

Cultural Commission

2.41.040 - Membership and terms of office of the Carson City cultural commission.

1. The Carson City cultural commission shall consist of seven members appointed by the board of supervisors.
2. Except as otherwise provided in this subsection, members shall be appointed for a term of 3 years which commence and end on January 1st and may serve for unlimited consecutive terms. For the initial terms of the members of the commission, 2 members shall be appointed to serve a term beginning on the date of appointment and ending on January 1, 2009; 3 members shall be appointed to serve a term beginning on the date of appointment and ending on January 1, 2010 and 2 members shall be appointed to serve a term beginning on the date of appointment and ending on January 1, 2011.
3. A member shall continue in office for the term for which that member was appointed or until a successor is appointed.
4. If a member has three unexcused absences from regularly scheduled meetings of the Carson City cultural commission in a single calendar year, the office of the member shall be declared vacant. Carson City staff assigned to assist the commission shall advise the Carson City board of supervisors of any member with 3 absences from regular meetings. Attendance at meetings called outside the regular schedule, are not subject to absence quotas.
5. The board of supervisors may remove any member of the commission for cause.
6. Vacancies, whether scheduled or unscheduled, shall be filled, by appointment by the board of supervisors.

(Ord. 2008-4 § 5, 2008).

CCCVB

NRS 244A.599 County fair and recreation boards: Creation; number, appointment and terms of members in county whose population is less than 100,000.

1. Whenever the board of county commissioners of any county or the Board of Supervisors of Carson City desires the powers granted in NRS 244A.597 to 244A.655, inclusive, to be exercised, it shall, by resolution, determine that the interest of the county and the public interest, necessity or desirability require the exercise of those powers and the creation of a county fair and recreation board therefor, pursuant to the provisions of NRS 244A.597 to 244A.655, inclusive. After approval of the resolution, the county or city clerk shall:

(a) Cause a copy of the resolution to be published promptly once in a newspaper published in and of general circulation in the county or city; and

(b) In the case of a county, cause a certified copy of the resolution to be mailed by registered or certified mail to the mayor or other chief executive officer of each incorporated city within the county.

2. In counties whose population is 100,000 or more, the county fair and recreation board must be selected as provided in NRS 244A.601 or 244A.603.

3. In counties whose population is less than 100,000, and in which there are more than two incorporated cities, each incorporated city, except an incorporated city which is the county seat, must be represented by one member and any incorporated city which is the county seat must be represented by four members. Within 30 days after the day of publication of the resolution or the day on which the last of the copies of the resolution was mailed, whichever day is later, the mayor or other chief executive officer shall, with the approval of the legislative body of the city, appoint a member or members of the city council or board of trustees to serve on the board for the remainder of his, her or their terms of office. The clerk or secretary of the city shall promptly certify the appointment by registered or certified mail to the county clerk.

4. In counties whose population is less than 100,000, and in which there are only two incorporated cities, each incorporated city must be represented by one member who must be appointed and certified as provided in subsection 3, and the board of county commissioners shall appoint four representatives as follows:

(a) Two members to represent the hotel or motel operators in the county.

(b) One member to represent the other commercial interests in the county.

(c) One member to represent the county at large.

5. In counties whose population is less than 100,000, and in which there are fewer than two incorporated cities, any incorporated city which is the county seat must be represented by one member, who must be appointed and certified as provided in subsection 3, and the board of county commissioners shall appoint three representatives as follows:

(a) One member to represent the motel operators in the county.

(b) One member to represent the hotel operators in the county.

(c) One member to represent the other commercial interests in the county.

6. In all counties whose population is less than 100,000, one member of the board of county commissioners must be appointed by the county commissioners to serve on the board for the remainder of his or her term of office.

7. In all counties whose population is less than 100,000, and in which there is no incorporated city, the board of county commissioners shall appoint one member to represent the county at large.

8. In Carson City the Board of Supervisors shall appoint five representatives to the fair and recreation board established as provided in subsection 1 as follows:

(a) Two members to represent the hotel and motel operators in the city.

(b) One member to represent the other commercial interests in the city.

(c) One member who is a member of the Board of Supervisors.

(d) One member to represent the city at large.

9. Members who are not elected officials shall serve for 2-year terms.

10. The terms of all elected officials are coterminous with their terms of office. Any such member may succeed himself or herself.

[2:383:1955]—(NRS A 1961, 300, 453; 1963, 100, 791; 1965, 10; 1967, 1377; 1969, 95, 322, 1535; 1971, 337; 1977, 819; 1979, 515; 1991, 60; 2001, 484; 2003, 2263)

NRS 244A.605 Vacancies; reorganization of board.

1. Whenever a vacancy occurs among the members of any county fair and recreation board by reason of resignation, death, expiration of a member's elected term of office, an increase in population, or otherwise, the vacancy must be filled by the board of county commissioners, in case of county members, and by the chief executive with the approval of the legislative body of the city, in case of city members.

2. Except as otherwise provided in subsection 3, during January of each odd-numbered year, each county fair and recreation board in this State shall reorganize by electing the officers designated in subsection 1 of NRS 244A.611.

3. During July of each even-numbered year, each county fair and recreation board in any county whose population is 100,000 or more, but less than 400,000, shall reorganize by electing the officers designated in subsection 1 of NRS 244A.611.

4. The officers elected pursuant to subsections 2 and 3 hold office for the ensuing biennium, or until their successors are elected and qualified. Any vacancy among such officers occurring between biennial elections must be filled by the county fair and recreation board to serve out the unexpired term of his or her predecessor.

[3:383:1955]—(NRS A 1957, 365; 1987, 943; 1989, 1904)

CARSON WATER SUBCONSERVANCY DISTRICT

**777 East William Street, Suite 110A
Carson City, NV 89701
775/887-7450, fax 775/887-7457**

RECEIVED

September 27, 2012

OCT 01 2012

CARSON CITY
EXECUTIVE OFFICES

*Put on
the agenda
Me*

Robert Crowell, Carson City Mayor
City Hall Complex
201 N. Carson St.
Carson City, NV 89701

Re: 2013-16 Appointment of Carson Water Subconservancy District
Board Member from Carson City

Dear Mr. Crowell:

Please be advised that the following seat to the Carson Water Subconservancy District (CWSD) Board is due for appointment or reappointment for a four (4) year term from January 2013 through December 2016. We would appreciate that the appointment be made prior to our January 16, 2013, meeting. The seat up for appointment is:

CWSD SEAT NO: 6
INCUMBENT: John McKenna

It should be noted that Mr. McKenna has served the last two years of the Pete Livermore's term of appointment to this Board. The coming appointment should be for the full four year term. If you have any questions, please contact me.

Sincerely,



Toni Leffler
Administrative Assistant

cc: Larry Werner, City Manager

ARTICLE IV

BOARD OF DIRECTORS

SECTION 1. GENERAL POWERS. The Board shall have all powers necessary to carry out effectively the management, business and affairs of the Association and such other powers as are necessary and incidental to the performance of the Association's purposes as specified in Article II, Section 2, of these By-laws.

SECTION 2. BOARD OF DIRECTORS. There shall be organized a Board of Directors composed of the following:

Sub. 1. County Directors. One (1) commissioner from each member county of the Association appointed by their respective governing board. Another commissioner from the same county may serve as an alternate.

Sub. 2. NACo Director. Any county commissioner who has been elected to the Board of Directors of the National Association of Counties.

Sub. 3. WIR-NACo Director. Any county commissioner who has been elected to the Western Interstate Region-NACo Board of Directors

Sub. 4. Association Officers. Any county commissioner who has been elected to the Office of the President, President Elect, or Vice President of the Association. The immediate past president shall also serve as an Association officer.

Sub. 5. Affiliate Director. One official from any organization who has been granted affiliate status of the Association's Board of Directors.

Sub.6. At Large member of the Executive Committee. Any commissioner who is chosen by a majority of the Board of Directors to serve on the Executive Committee pursuant to Section 3 of ARTICLE V of the NACO By-Laws.

SECTION 3. TERM OF OFFICE. The term of office for each member of the Board of Directors shall be as follows:

Sub. 1. The term of office for County directors and Association officers will begin on the first day of January of each year and shall end on December 31 of each year.

Sub. 2. The Term of office for NACo Directors shall run for two consecutive years. Each year shall run concurrently with their term of office as appointed by the National Association of Counties Board of Directors.

Sub. 3. The Term of office for WIR-NACo Directors shall run concurrently with their term of office as appointed by the National Association of Counties Western Interstate Region Board of Directors.

Sub. 4. Affiliate Directors shall serve for a period of one year or until a successor is appointed by the affiliate organization.

SECTION 4. DIRECTORSHIP VACANCIES. If for any reason, a vacancy occurs in any directorship, that directorship will remain vacant until such time as filled by the appointing authority.

RAILROADS

NEVADA COMMISSION FOR THE RECONSTRUCTION OF THE V & T RAILWAY ACT OF 1993

CHAPTER 566, STATUTES OF NEVADA 1993

AN ACT creating the Tricounty Railway Commission of Carson City and Lyon and Storey counties; providing for the appointment, number, terms, reimbursement, powers and duties of the commissioners; specifying the powers of the commission; and providing other matters properly relating thereto.

[Approved: July 12, 1993]

(Leadlines for sections have been supplied by the Legislative Counsel of the State of Nevada)

WHEREAS, On February 19, 1869, ground was broken for the Virginia and Truckee Railroad and 8 months later it was doing business between Virginia City and Carson City, a distance of 21 miles; and

WHEREAS, The 13-mile portion of the track between Virginia City and the Carson River is a continuous incline that has caused the Virginia and Truckee Railroad to be called the "crookedest" railway in the United States because the total of the curves in the track are equal to going 17 times around a circle; and

WHEREAS, Running from 30 to 45 trains per day, the Virginia and Truckee Railroad carried supplies of all kinds, including heavy machinery for the mines and goods and merchandise for the towns of Virginia City and Gold Hill and returned with ore from the mines for the mills on the Carson River, carrying from 500 to 800 tons of ore daily out of the Comstock Lode; and

WHEREAS, The Virginia and Truckee Railroad has been recognized nationally as one of the greatest engineering feats of the 1800s; and

WHEREAS, The Nevada Legislature hereby finds and declares that a general law cannot be made applicable because of the unique nature of the opportunity to restore this "iron horse" of the past and the variety of local governments that must be involved in the restoration; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Section 1. Definitions. As used in this act, unless the context otherwise requires:

1. "Commission" means the Nevada Commission for the Reconstruction of the V & T Railway created pursuant to section 2 of this act.

2. "Commissioner" means a person appointed to serve on the Commission pursuant to section 3 of this act.

3. "County" includes Carson City.

4. "Governing bodies" means the Board of Supervisors of Carson City and the Boards of County Commissioners of Douglas, Lyon, Storey and Washoe counties.

(Ch. 566, Stats. 1993 p. 2326; A—Ch. 42, Stats. 2001 p. 400)

Sec. 2. Creation; exemption from taxation; geographical jurisdiction; construction of act.

1. The Nevada Commission for the Reconstruction of the V & T Railway of Carson City and Douglas, Lyon, Storey and Washoe counties is hereby created.

2. The property and revenues of the Commission, and any interest therein, are exempt from all state and local taxation.

3. The Commission is a body corporate and politic, the geographical jurisdiction of which is Carson City and Douglas, Lyon, Storey and Washoe counties.

4. The provisions of this act must be broadly construed to accomplish its purposes.

(Ch. 566, Stats. 1993 p. 2326; A—Ch. 42, Stats. 2001 p. 400)

Sec. 3. Composition; appointment and terms of members; vacancies.

1. The Commission must be composed of nine Commissioners appointed as follows:

(a) One member who is a member of the Board of Supervisors of Carson City appointed by the Board of Supervisors of Carson City;

(b) One member appointed by the Board of County Commissioners of Douglas County from among its members;

(c) One member appointed by the Board of County Commissioners of Lyon County from among its members;

(d) One member appointed by the Board of County Commissioners of Storey County from among its members;

(e) One member appointed by the Board of County Commissioners of Washoe County from among its members;

(f) One member appointed by the Virginia and Truckee Historical Railroad Society from among its members;

(g) One member appointed by the Speaker of the Assembly;

(h) One member appointed by the Senate Majority Leader; and

(i) One member appointed by the Governor.

2. If the Virginia and Truckee Historical Railroad Society ceases to exist but is replaced by an entity which is organized for the same purposes, that entity is entitled to appoint the member pursuant to paragraph (f) of subsection 1. If the society ceases to exist and

is not replaced, the number of commissioners is reduced to eight and no member may be appointed pursuant to paragraph (f) of subsection 1.

3. The terms of the two members serving on the Commission pursuant to paragraph (a) of subsection 1 on July 1, 2001, expire on that date. As soon as practicable after July 1, 2001, the appointing authorities shall make any appointments required by subsection 1. All of the appointments must be for initial terms of 1, 2 or 3 years to ensure staggered terms. After the initial terms, the term of office of each commissioner is 4 years. A member is eligible for reappointment.

4. The office of a member who is required as a qualification for appointment to be a member of the body appointing the member becomes vacant on the date he or she ceases to be a member of that appointing body.

5. Each commissioner serves at the pleasure of his or her appointing authority, and all vacancies must be filled for the unexpired term in the same manner as the original appointment.

(Ch. 566, Stats. 1993 p. 2326; A—Ch. 42, Stats. 2001 p. 400)

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(h) "Project" means an activity undertaken by any person, including any public agency, if the activity may substantially affect the land, water, air, space or any other natural resources of the region.

(i) "Environmental threshold carrying capacity" means an environmental standard necessary to maintain a significant scenic, recreational, educational, scientific or natural value of the region or to maintain public health and safety within the region. Such standards shall include but not be limited to standards for air quality, water quality, soil conservation, vegetation preservation and noise.

(j) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

(k) "Areas open to public use" means all of the areas within a structure housing gaming under a nonrestricted license except areas devoted to the private use of guests.

(l) "Areas devoted to private use of guests" means hotel rooms and hallways to serve hotel room areas, and any parking areas. A hallway serves hotel room areas if more than 50 percent of the areas on each side of the hallway are hotel rooms.

(m) "Nonrestricted license" means a gaming license which is not a restricted gaming license.

ARTICLE III. – ORGANIZATION

(a) There is created the Tahoe Regional Planning Agency as a separate legal entity.

Establishment

The governing body of the agency shall be constituted as follows:

(1) California delegation:

California
delegation
membership

(A) One member appointed by each of the county boards of supervisors of the counties of El Dorado and Placer and one member appointed by the city council of the city of South Lake Tahoe. Any such member may be a member of the county board of supervisors or city council, respectively, and shall reside in the territorial jurisdiction of the governmental body making the appointment.

(B) Two members appointed by the Governor of California, one member appointed by the speaker of the assembly of California and one member appointed by the senate rules committee of the State of California. The members appointed pursuant to this subparagraph shall not be residents of the region and shall represent the public at large within the State of California.

(2) Nevada delegation:

Nevada
delegation
membership

(A) One member appointed by each of the boards of county commissioners of Douglas and Washoe Counties and one member appointed by the board of supervisors of Carson City. Any such member may be a member of the board of county commissioners or board of supervisors, respectively, and shall reside in the territorial jurisdiction of the governmental body making the appointment.

(B) One member appointed by the Governor of Nevada, the secretary of State of Nevada or his designee, and the director of the State department of conservation and natural resources of Nevada or his designee. Except for the secretary of State and the

TRPA

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director of the State department of conservation and natural resources, the members or designees appointed pursuant to this subparagraph shall not be residents of the region. All member appointed pursuant to this subparagraph shall represent the public at large within the State of Nevada.

94 STAT. 3236

(C) One member appointed for a 1-year term by the six other members of the Nevada delegation. If at least four members of the Nevada delegation are unable to agree upon the selection of a seventh member within 60 days after the effective date of the amendments to this compact or the occurrence of a vacancy on the governing body for that State the Governor of the State of Nevada shall make such an appointment. The member appointed pursuant tot his subparagraph may, but it is not required to, be a resident of the region within the State of Nevada.

(3) If any appointing authority under paragraph (1)(A), (1)(B), (2)(A) or (2)(B) fails to make such an appointment within 60 days after the effective date of the amendments to this compact or the occurrence of a vacancy on the governing body, the Governor of the State in which the appointing authority is located shall make the appointment. The term of any member so appointed shall be 1 year.

Term

(4) The position of any member of the governing body shall be deemed vacant if such a member is absent from three consecutive meetings of the governing body in any calendar year.

Vacancies

(5) Each member and employee of the agency shall disclose his economic interests in the region within 10 days after taking his seat on the governing board or being employed by the agency and shall thereafter disclose any further economic interest which he acquires, as soon as feasible after he acquires it. As used in this paragraph, "economic interests" means:

"Economic Interests"

(A) Any business entity operating in the region in which the member or employee has a direct or indirect investment worth more than \$1,000.

(B) Any real property located in the region in which the member or employee has a direct or indirect interest worth more than \$1,000.

(C) Any source of income attributable to activities in the region, other than loans by or deposits with a commercial lending institution in the regular course of business, aggregating \$250 or more in value received by or promised to the member within the preceding 12 months; or

(D) Any business entity operating in the region which the member or employee is a director, officer, partner, trustee, employee or holds any position of management.

No member or employee of the agency shall make, or attempt to influence, an agency decision in which he knows or has reason to know he has an economic interest. Members and employees of the agency must disqualify themselves from making or participating in the making of the agency when it is reasonably foreseeable that the decision with have a material financial effect, distinguishable from its effect on the public generally, on the economic interests of the member or employee.

(b) The members of the agency shall serve without compensation, but the expenses of each member shall be met by the body which he represents in accordance with the law of that body. All other expenses incurred by the governing body in the course of exercising the powers conferred upon it by this

Expenses

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compact unless met in some other manner specifically provided, shall be paid by the agency out of its own funds.

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(c) Except for the secretary of State and the director of the department of conservation and natural resources of Nevada and the member appointed pursuant to subdivision (a)(2)(C), the members of the governing body serve at the pleasure of the appointing authority in each case, but each appointment shall be reviewed no less often than every 4 years. Members may be reappointed.

(d) The governing body of the agency shall meet at least monthly. All meetings shall be open to the public to the extent required by the law of the State of California or the State of Nevada, whichever imposes the greater requirement, applicable to local governments at the time such meeting is held. The governing body shall fix a date for its regular monthly meetings in such terms as "the first Monday of each month," and shall not change such a date more often than once in any calendar year. Notice of the date so fixed shall be given by publication at least once in a newspaper or combination of newspapers whose circulation is general throughout the region and in each county a portion of whose territory lies within the region. Notice of any special meeting, except an emergency meeting, shall be given by so publishing the date and place and posting an agenda at least 5 days prior to the meeting.

Monthly Meetings

(e) The position of a member of the governing body shall be considered vacant upon his loss of any of the qualifications required for his appointment and in such event the appointing authority shall appoint a successor.

Vacancies

(f) The governing body shall elect from its own members a chairman and vice chairman, whose terms of office shall be 2 years, and who may be reelected. If a vacancy occurs in either office, the governing body may fill such a vacancy for the unexpired term.

Chairman

(g) 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 procedures shall be as follows:

Voting Procedures

(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 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 of 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.



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November 30, 2012

Carson City Board of Supervisors
201 N. Carson Street, Suite 2
Carson City, NV 89701

Dear Honorable Chair and Members of the Board:

The purpose of this letter is to appeal to the Board of Supervisors to have Shelly Aldean continue her long-standing tenure on the Governing Board of the Tahoe Regional Planning Agency. As the incoming Chair of the Board, Shelly's role on the board in 2013 is vital. She has served with me in a leadership role over the last two years and her experience is valued by our entire Board.

Shelly's extensive knowledge of complex Tahoe issues is critical to the Tahoe Basin's future. Her work with us over the last several years on the Regional Plan Update is also crucial to the successful implementation of the plan going forward.

While we recognize the makeup of the Board of Supervisors is changing, we hope you will give serious consideration to appointing Shelly to continue representing Carson City on the Governing Board. If you'd like to discuss this matter by phone, please don't hesitate to call me at 530.621.6577 or email me at norma.santiago@edcgov.us.

Sincerely,

Norma Santiago,
Chair, TRPA Governing Board

cc: Mayor Crowell, Supervisors McKenna, Bonkowski, Abowd, and Shirk

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