

**Carson City
Agenda Report**

Date Submitted: October 28, 2014
Time Requested: 10 mins

Agenda Date Requested: November 6, 2014

To: Mayor and Board of Supervisors

From: Nick Marano, City Manager

Subject Title: For Possible Action: To submit the nomination of Paul Esswein to the Tahoe Regional Planning Agency (TRPA) for appointment to serve as Carson City's lay member of the Advisory Planning Commission.

Staff Summary: Robert Jepsen, who has served for many years as Carson City's lay appointee to the Advisory Planning Commission (APC), resigned in October. Planning Commission member Paul Esswein has agreed to serve. The TRPA makes the appointments to the APC.

Type of Action Requested: (check one)
 Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to submit the nomination of Paul Esswein to the Tahoe Regional Planning Agency for appointment to serve as Carson City's lay member of the Advisory Planning Commission.

Explanation for Recommended Board Action: See Staff Summary.

Applicable Statute, Code, Policy, Rule or Regulation: TRPA Compact Article III(h)

Fiscal Impact: None

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: Do not make nomination.

Supporting Material: TRPA Compact Article III(h)

Prepared By: Janet Busse, Department Business Manager

Reviewed By: Nicholas Mariano
(City Manager)

Date: 10/28/14

Mark Smith
(Finance Director)

Date: 10/28/14

Samy M...
(District Attorney)

Date: 10/28/14

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

WHEREAS, under the provisions of this compact or any ordinance, rule, regulation or policy adopted pursuant thereto, the agency is required to review or approve any project, public or private, the agency shall take final action by vote, where to approve, to require modification or to reject such project, within 180 days after the application for such project is accepted as complete by the agency in compliance with the agency's rules and regulations governing such delivery unless the applicant has agreed to an extension of this time limit. If a final action by vote does not take place within 180 days, the applicant may bring an action in court of competent jurisdiction to compel a vote unless he has agreed to an extension. This provision does not limit the right of any person to obtain judicial review of agency action under subdivision (h) of Article VI. The vote of each member of the governing body shall be individually recorded. The governing body shall adopt its own rules, regulations and procedures.

(h) An advisory planning commission shall be appointed by the agency. The commission shall include: The chief planning officers of Placer County, El Dorado County, and the city of South Lake Tahoe in California and of Douglas County, Washoe County and Carson City in Nevada, the executive officer of the Lahontan Regional Water Quality Control Board of the State of California, the executive officer of the Air Resources Board of the State of California, the director of the State department of conservation and natural resources of the State of Nevada, the administrator of the division of environmental protection in the State department of conservation and natural resources of the State of Nevada, the administrator of the Lake Tahoe Management Unit of the United States Forest Service, and at least four lay members with an equal number from each State, at least half of whom shall be residents of the region. Any official member may designate and alternate.

Advisory Planning Commission

The term of office of each lay member of the advisory planning commission shall be 2 years. Members may be reappointed.

Term

The position of each member of the advisory planning commission shall be considered vacated upon loss of any of the qualifications required for appointments, and in such an event the appointing authority shall appoint a successor.

Vacancy

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

Chairman and vice chairman, terms

A majority of the members of the advisory planning commission constitutes a quorum for the transaction of the business of the commission. A majority vote of the quorum present shall be required to take action with respect to any matter.

(i) The agency shall establish and maintain an office within the region, and for this purpose the agency may rent or own property and equipment. Every plan, ordinance and other record of the agency which is of such nature as to constitute a public record under the law of either the State of California or the State of Nevada shall be open to inspection and copying during regular office hours.

(j) Each authority charged under this compact or by the law of either State with the duty of appointing a member of the governing body of the agency shall by certified copy of its resolution or other action notify the Secretary of its own State of the action taken.

ARTICLE IV. – PERSONNEL

(a) The governing body shall determine the qualification of, and it shall appoint and fix the salary of, the executive officer of the agency, and shall employ such other staff and legal counsel as may be necessary to execute the powers and functions provided for under this compact or in accordance with any intergovernmental contracts or agreements the agency may be responsible for administering.

(b) Agency personnel standards and regulations shall conform insofar as possible to the regulations and procedures of the civil service of the State of California or the State of Nevada, as may be

Janet Busse

From: Nick Marano
Sent: Friday, October 03, 2014 10:39 AM
To: 'Robert Crowell'
Cc: Janet Busse; Rachael Porcari
Subject: RE: Carson City's Lay Appointee to the Advisory Planning Commission to TRPA

We'll look to put it on the 11/4 agenda.

From: Robert Crowell [<mailto:RCrowell@kcnvlaw.com>]
Sent: Friday, October 03, 2014 9:13 AM
To: Nick Marano
Cc: Janet Busse; Rachael Porcari
Subject: Carson City's Lay Appointee to the Advisory Planning Commission to TRPA

Nick,
As you can from Shelly Aldean's message, there will be an opportunity to nominate a replacement to Bob Jepsen on the TRPA Advisory Planning Commission. Bob is retiring this month from that committee. The Board representative and chairman of the TRPA, Shelly Aldean, suggests Paul Esswein of our own Planning Commission. She has talked with him and he is agreeable to serving. Could we see if we can get this on the November agenda to consider and nominate Paul to take Jepsen's place? The link to the Advisory Planning Commission make-up etc. is: <http://www.trpa.org/about-trpa/advisory-planning-commission/>

Bob

KAEMPFER

CROWELL

Robert L. Crowell
Kaempfer Crowell
510 West Fourth Street
Carson City, Nevada 89703
Tel: (775) 884-8300
Fax: (775) 882-0257
Email: rcrowell@kcnvlaw.com

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From: Shelly Aldean [<mailto:shelly@tristatecommercial.com>]

Sent: Wednesday, September 24, 2014 6:14 PM

To: Robert Crowell

Subject: Carson City's Lay Appointee to the Advisory Planning Commission to TRPA

Hi Bob. Bob Jepson, who has served for many years as Carson City's lay appointee to the APC, is resigning in October. If memory serves me correctly, he was appointed when Jon Plank was the City's representative on the Governing Board. I would like to approach Paul Esswein about replacing Bob. Given Paul's planning background and pragmatic approach to solving problems I think he would be an excellent fit. If he accepts the invitation, the BOS would have to nominate him formally in order for the Governing Board to appoint him to the Commission. With your permission, I would like to approach Paul about serving as Bob's replacement. Please let me know your thoughts. Thanks.

Shelly