



STATE OF NEVADA

Nevada Tahoe Regional Planning Agency

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MINUTES

DATE/TIME: Friday, December 4, 2020 – 9:00 am

PLACE: **Virtual Meeting.** This meeting was held virtually pursuant to NRS 241.023 and State of Nevada Declaration of Emergency Directive 006.

MEMBERS PRESENT: Marsha Berkbigler – Chair; Shelly Aldean; Mark Bruce; Jim Lawrence, Tim Cashman and Mark Wlaschin (Alternate).

MEMBERS ABSENT: Barbara Cegavske – Vice Chair and Wesley Rice.

OTHERS PRESENT: Charles Donohue – NTRPA Executive Officer; Scott Carey – State Lands; Tori Sundheim – Office of the Attorney General; Gary Midkiff – Midkiff & Associates; D. Scott Tate – Northern Nevada Comstock Investments; Kate Dargan-Marquis; Peter Gower; Haley Williamson; Debra Dudley; Ben Johnson; Kyle Davis – Davis Strategies; and Darcie Collins – League to Save Lake Tahoe.

1. **CALL TO ORDER** – Chair Berkbigler called the meeting to order at 9:01 am.
 - a. Roll Call – Scott Carey took roll and a quorum was established.
 - b. Approval of Agenda – Member Bruce moved to approve the agenda as submitted. The motion was seconded by Member Cashman. The motion was passed unanimously. ***ACTION**
 - c. Approval of Minutes of the July 23, 2020 Meeting – Member Bruce made a motion to approve the meeting minutes of July 23, 2020 as submitted. The motion was seconded by Member Lawrence. The motion was passed unanimously. ***ACTION**
2. **PUBLIC COMMENTS** – Chair Berkbigler called for public comment. Scott Carey stated that the meeting notice included instructions for how to submit a public comment before the meeting. As of the deadline of December 3, 2020 at 5:00 PM staff had not received any public comments. Chair Berkbigler called for any additional public comment. There was no public comment.
3. **INTERVIEWS OF NEVADA MEMBER AT LARGE CANDIDATES** – Scott Carey with the Division of State Lands presented a [staff report](#) which was included as pages 9-11 of the meeting packet to the Governing Board. The staff report outlined the recruitment and interview process for the Governing Board's appointment of the Nevada Member at Large position. Mr. Carey stated that

in September the agency was notified by Member Cashman that he planned to step aside from the Nevada Member at Large position at the end of his term on December 31, 2020. Per Nevada Revised Statutes (NRS) 278.792, the Governing Board shall make an appointment of the Nevada Member at Large position. The Governing Board's appointment would fill the Nevada Member at Large position for the following year starting January 1, 2021 to December 31, 2021. In accordance with this statute, the outgoing Nevada Member at Large may not vote on the appointment.

Mr. Carey stated that in October the agency conducted a recruitment for the Nevada Member at Large Position. The recruitment was posted on the NTRPA and Department of Conservation and Natural Resources (DCNR) websites. Additionally, DNCR sent out a press release announcing the vacancy. Upon the conclusion of the recruitment, the agency received [nine letters of interest and resumes](#) from the following qualified individuals: Tom Clark, Kate Dargan-Marquis, Debra Dudley, Peter Gower, Michael Harper, Ben Johnson, John Krompotic, Stallar Lufrano-Jardine, and Haley Williamson. On behalf of the NTRPA staff, Mr. Carey expressed his appreciation to the nine applicants who submitted letters of interest and resumes for the Nevada Member at Large Position.

Mr. Carey stated that after the letters of interest and resumes were received and vetted by the agency, the candidates were forwarded to the voting Governing Board members for review. The Governing Board members were individually asked to submit to agency staff two candidates to interview at the Governing Board meeting. Based on the response, a total of five candidates were identified to interview at the meeting. Listed in alphabetical order, they were Kate Dargan-Marquis, Debra Dudley, Peter Gower, Ben Johnson, and Haley Williamson.

Mr. Carey outlined the interview process for the five candidates at the Governing Board meeting. He stated the Governing Board would hear a 5-minute presentation from each of the candidates selected for interview. Mr. Carey also stated that the order of the presentations would be in alphabetical order, and that after each candidate had made their presentation, the Governing Board would then have an opportunity to ask questions of any of the candidates.

Member Lawrence asked for clarification as to when the Governing Board would have an opportunity to ask the candidates questions. Mr. Carey stated that the Governing Board would have an opportunity to ask questions after all five of the candidates had made their presentations.

Member Bruce asked about the majority requirement needed for the Governing Board to make the Nevada Member at Large appointment given the absence of some Board Members. Tori Sundheim stated that NRS 278.805 addresses the quorum and voting for the Governing Board. She specified that a majority of the five voting members present at the meeting would be required to make the appointment.

The Governing Board heard presentations from the candidates for the Nevada Member at Large position in the following order: Kate Dargan-Marquis, Debra Dudley, Peter Gower, Ben Johnson, and Haley Williamson.

Chair Berkbigler thanked all of the applicants for their interest in the Nevada Member at Large position and expressed her appreciation to the candidates who interviewed at the Governing Board meeting.

Chair Berkbigler asked Peter Gower if there would be a conflict with him serving on both the TRPA and NTRPA Governing Boards while also serving as a member of the City of Reno Planning Commission. Mr. Gower stated that it was his understanding that there would not be a conflict of interest because there is no overlapping jurisdiction between the City of Reno and the NTRPA or TRPA. Tori Sundheim suggested that if Governing Board members were curious about an ethical conflict of interest, they could review NRS 281A or reach out the Nevada Commission on Ethics for additional information.

Member Cashman stated that prior to his service on the TRPA Governing Board he served as Chairman of the Nevada Commission on Ethics. Member Cashman recalled there was a restriction in the TRPA Governing Board or the Nevada Commission on Ethics regulations that a person could only serve on one public body. Member Bruce stated that it was his understanding that a person could be appointed to two public bodies but only serve on one public body. Tori Sundheim stated she did not know the answer to this question but that she could conduct additional research and investigate decisions issued by the Nevada Commission on Ethics.

Member Lawrence stated it was his understanding from changes made by the Legislature about four sessions ago that you cannot be appointed by the Governor to two separate Governor appointed Boards & Commissions. Member Lawrence added that the NTRPA with the exception of Member Bruce is not a Governor-appointed body and that it is his interpretation of the statute that this is not an issue for the Nevada Member at Large appointment.

Chair Berkbigler stated that she agreed with Member Lawrence's interpretation of the statute. Tori Sunheim, with the Office of the Attorney General stated that her initial review of NRS 281A is that there are not any apparent restrictions on members being appointed to multiple public bodies. Ms. Sundheim added that she may need to review opinions issued by the Nevada Commission on Ethics to confirm any additional restrictions.

Member Aldean stated that she echoed Chair Berkbigler's appreciation for all of the candidates for the Nevada Member at Large position and stated that she felt all the candidates were well qualified.

Member Aldean asked Kate Dargan-Marquis about her statement that she works in a consensus approach as a default but is willing to take a confrontational position if needed. Ms Dargan-Marquis provided an overview of her approach to analyzing an issue and how she goes about understanding different perspectives and drivers behind an issue. Ms Dargan-Marquis stated that

it sometimes takes leadership to get difficult issues through the public process and that she is able to make a difficult decision on a confrontational issue.

Member Aldean asked Kate Dargan-Marquis whether, if appointed, she would be willing to commit to standing for reappointment after the completion of the first term. Kate Dargan-Marquis stated that she would be willing to be reappointed.

Member Aldean asked Debra Dudley what she thought about the Main Street Management Plan. Ms. Dudley stated the plan has been a great collaboration so far and that its only weakness is that most people in the community don't understand how the plan has gotten to this point. Ms. Dudley stated that one of the challenges facing the TRPA is getting the community to understand how the agency arrived at the decisions it has made and the ordinances it has implemented. Ms. Dudley stated that it's important for the community to be able to resonate with the plans that are adopted by the agency, so the community understands the importance of adhering to the plans.

Member Aldean asked Ms. Dudley whether, if appointed, she would be willing to commit to standing for reappointment after the completion of the first term. Ms. Dudley stated that she would be willing to be reappointed.

Member Aldean asked Peter Gower what bias, if any, he thinks he would bring to his role as a Member of the Governing Board. Mr. Gower stated that his background is in environmental planning and that he has both professional and personal planning experience. Mr. Gower stated that as a decision maker he comes into this role as someone who looks at the facts and tries to be as objective as possible to staff, the applicant, and the public to make an informed decision. Mr. Gower stated that at the end of the day the role of any board member is to make the best and most informed decision that you can regardless of any bias of background.

Member Aldean asked Mr. Gower whether, if appointed, he would be willing to commit to standing for reappointment after the completion of the first term. Mr. Gower stated that he would be willing to be reappointed.

Member Aldean asked Ben Johnson for his opinion on the TRPA's efforts to involve local residents in its decision making and what he thought could be improved. Mr. Johnson stated that that TRPA over the last 10 years has done a lot better job delegating authority and decision making to local decision makers. Mr. Johnson stated that he thinks communication is important and that the TRPA Governing Board needs to reach out directly to visitors and residents.

Member Aldean asked Mr. Johnson whether, if appointed, he would be willing to commit to standing for reappointment after the completion of the first term. Mr. Johnson stated that he would be willing to be reappointed.

Member Aldean asked Haley Williamson how she would balance the need to protect the environment with the need to ensure a healthy economy, workforce opportunities and respect

for the rights of individual property owners within the Lake Tahoe Basin. Ms. Williamson stated that in her current role as Chair of the Public Utilities Commission that she must take into account all different perspectives and make decisions between the shareholders of a utility and the public interest. Ms. Williamson stated that she has a lot of experience discerning different viewpoints particularly with balancing economic and environmental interests. Ms. Williamson stated that with the COVID-19 pandemic the region needs to talk about the economy and that the fragile economy must be balanced with the environment and protecting Lake Tahoe.

Member Aldean asked Ms. Williamson whether, if appointed, she would be willing to commit to standing for reappointment after the completion of the first term. Ms. Williamson stated that she would be willing to be reappointed.

Member Lawrence thanked everyone who applied for the Nevada Member at Large position and expressed his difficulty in selecting his top two candidates to interview today because of the high quality of applicants for this position.

Member Lawrence asked Kate Dargan-Marquis what her thoughts were with balancing sustainable recreation, the economy, and the environment. Member Lawrence further asked what role she thought the TRPA should play with regards to increased tourism in the Lake Tahoe Basin. Ms. Dargan-Marquis stated that she felt TRPA's evolving leadership with incentive-based guidance has been working. Ms. Dargan-Marquis stated that over the past 10-15 years the agency has done a good job transitioning from a regulatory top-down perspective to one that develops specific criteria for conditions to create and develop mechanisms to achieve those criteria. Ms. Dargan-Marquis stated that there will one day be a conversation about what the carrying capacity of the Lake Tahoe Basin is in terms of visitation. Ms. Dargan-Marquis stated that she thinks the answer to carrying capacity issue is likely going to come from an incentive and very small community-based plan around the lake and some hard discussions about how to balance load with the environment.

Member Lawrence asked Ms. Dargan-Marquis what her thoughts are on the role of the TRPA in addressing climate issues at the regional level. Ms. Dargan-Marquis stated that the first and best role of TRPA is to define how severe the problem is and how soon the area will reach that threshold of severity. Ms. Dargan-Marquis stated that with respect to wildfire, when she was State Fire Marshall, she did not see climate change happening as soon as it has. Ms. Dargan-Marquis stated that the role of TRPA should be to get a handle on the scope of climate change and communicate the severity of the issue with the public.

Member Lawrence asked Debra Dudley what her thoughts are with balancing sustainable recreation, the economy, and the environment. Member Lawrence further asked what role she thought the TRPA should play with regards to increased tourism in the Lake Tahoe Basin. Ms. Dudley stated that this is not an issue that is unique to Lake Tahoe and that she has worked on sustainable recreation issues in Yosemite, Death Valley, and the Black Rock Desert. Ms. Dudley stated that people are retreating from cities and want to visit beautiful environments. Ms. Dudley further stated that this challenge is likely to continue as more people can work from anywhere

and meet via virtual meeting platforms. Ms. Dudley stated that the region should look at other areas that are impacted with tourism challenges as models and to look at other measures that have been implemented to ensure tourism is sustainable at Lake Tahoe.

Member Lawrence asked Peter Gower what his thoughts are with balancing sustainable recreation, the economy, and the environment. Member Lawrence further asked what role he thought the TRPA should play with regards to increased tourism in the Lake Tahoe Basin. Mr. Gower stated that sustainable tourism is something he tackles in his day job and that he has developed carrying capacity analyses for the Bureau of Land Management and has also worked with the US Forest Service, State, and Local agencies on this issue. Mr. Gower stated that the tricky thing with recreation is that it's an outcome-focused industry and that people are expecting certain settings. Mr. Gower stated that within the Lake Tahoe Basin, the recreation setting and the quality of that setting is based on the environment such as the clarity of the lake, the vitality of the forest, and the clarity of the skies. Mr. Gower stated that the role of the TRPA as a planning organization should be to gather information, analyze that information, communicate that information through a planning process and a plan, and then successfully implement that plan through collaboration with stakeholders and the public. Mr. Gower stated that the effects of climate change are happening now, and the region is feeling the effects through the impacts of wildfires, prolonged droughts, and the seasonality of snow fall which all impact tourism at Lake Tahoe.

Member Lawrence asked Ben Johnson what his thoughts are with balancing sustainable recreation, the economy, and the environment. Member Lawrence further asked what role he thought the TRPA should play with regards to increased tourism in the Lake Tahoe Basin. Mr. Johnson stated the challenge he sees is how to connect and communicate in a way that connects with people. Mr. Johnson asked once people are in the region how does the agency communicate with and motivate them and get them to understand how their actions impact Lake Tahoe. Mr. Johnson stated that a mobile application for a cell phone that informed visitors of parking availability and messages about wildfire could help motivate visitors and make them feel part of creating sustainable recreation.

Member Lawrence asked Haley Williamson what her thoughts were on balancing sustainable recreation and the economy at Lake Tahoe and the TRPA's role in addressing climate issues. Ms. Williamson stated that one of the most exciting components of the Nevada Climate Strategy is transportation. Ms. Williamson stated that transportation is now the single largest emitter of carbon, and that transportation is something the TRPA is focused on. Ms. Williamson stated that the transportation sector is going to be a key piece in advancing sustainable recreation and climate initiatives for the Lake Tahoe Basin. Ms. Williamson stated that another component of the Nevada Climate Strategy that TRPA may be able to advance is building codes and redeveloping sensitive areas with greener and smarter buildings. Ms. Williamson stated that it is fundamentally important that the TRPA keep climate change as a driving focus and factor.

Member Bruce thanked all the applicants for the Nevada Member at Large position and expressed his appreciation to all the candidates who interviewed with the Governing Board.

Member Wlaschin stated that Vice Chair Cegavske expressed to him her appreciation to all the candidates who applied for the Nevada Member at Large Position.

Member Cashman asked all the candidates to provide an overview of any affiliations or membership in organizations within the Lake Tahoe Basin and if there are any potential conflicts of interest in serving on the Governing Board.

Kate Dargan-Marquis stated that she does not have any conflicts of interest with any organizations and that she does not have any direct business within the Lake Tahoe Basin. Ms. Dargan-Marquis stated in her five years living in Incline Village that she has been involved with recreation groups and with fire department activities but does not have any membership affiliations.

Debra Dudley stated that she is semi-retired and mostly does project work but not with anyone who would pose a conflict of interest with TRPA. Ms. Dudley stated that her only affiliation within the basin is with the Nevada State School Association and that she works with Clark County promoting the wedding industry.

Ben Johnson stated that his only affiliation is with the Tahoe Citizens Committee and that he does not view this as a conflict of interest.

Haley Williamson stated that she does not have any memberships. Ms. Williamson further stated that she discussed any potential conflicts with the Public Utilities Commission's General Counsel's office, and they did not foresee any conflicts of interest. Ms. Williamson stated that if there was a direct overlap between a TRPA and Public Utilities Commission issue, she would consult with legal counsel and make any necessary disclosures or recusals.

Peter Gower stated that there would not be any conflicts of interest with any of the Boards and Commissions that he serves on within the Truckee Meadows. Mr. Gower stated that he occasionally will work on projects within the Lake Tahoe Basin but that he does not foresee any conflicts of interest related to those projects in the future. Mr. Gower stated that if there are any conflicts of interest or perceived conflicts of interest on projects that he is involved in that he would consult with legal counsel and make any necessary disclosures or recusals.

4. **DISCUSSION AND SELECTION OF NEVADA MEMBER AT LARGE** – Scott Carey provided an overview of the Nevada Member at Large appointment process outlined in NRS 278.792 section 2(c). Mr. Carey reminded the Governing Board that that Member Cashman as the current Nevada Member at Large may not vote on this appointment. Mr. Carey stated that a majority of the Governing Board members present and eligible to vote on this appointment is needed to make the appointment of the Nevada Member at Large. Mr. Carey stated that if the Board is unable to get to a majority vote needed to make the appointment pursuant to NRS 278.792 section 3, the Governor can make the appointment of the Nevada Member at Large within 30 days of its vacancy.

Member Aldean made a motion to appoint Debra Dudley as the Nevada Member at Large. The motion was seconded by Member Wlaschin. Chair Berkbigler called for any discussion on the motion.

Member Lawrence stated that he was pleased with all the applicants and answers to his sustainable recreation question during the interview session. Member Lawrence stated that he was particularly impressed with Haley Williamson and her knowledge of transportation issues within the Lake Tahoe Basin and of the TRPA in general.

Member Bruce stated that he agreed with Member Lawrence. Member Bruce stated that he felt that Ms. Williamson's background and interest in Lake Tahoe was balanced and that she would be a valuable member on the Governing Board.

Member Aldean stated that she was impressed with all of the applicants and felt that all who applied were well qualified. Member Aldean stated that she was impressed with Debra Dudley's holistic approach to issues and her strong ability to communicate with the public. Member Aldean stated that she believes Ms. Dudley would do an exceptional job as a member of the Governing Board.

Chair Berkbigler stated that she was very impressed with the five candidates who interviewed with the Governing Board today. Chair Berkbigler stated that she has worked with Peter Gower in the past on environmental and growth issues within the Truckee Meadows and that he would do a good job on the Governing Board. Chair Berkbigler stated that she was impressed with Kate Dargan-Marquis and felt that she had a good understanding of issues within the Lake Tahoe Basin. Chair Berkbigler stated that she believes Debra Dudley is very bright, and that Ben Johnson is capable and could serve on the Governing Board. Chair Berkbigler stated that her top choice is Haley Williamson because she is young, she is very involved within the State of Nevada, and has a deep understanding and interest of issues on the Nevada side of Lake Tahoe.

There were no other Governing Board Member comments. Chair Berkbigler called for a roll call vote on the motion to appoint Debra Dudley as the Nevada Member at Large. ***ACTION**

AYES: Member Wlaschin, and Member Aldean.

NAYS: Chair Berkbigler, Member Bruce, and Member Lawrence.

ABSTAINERS: None

ABSENT: Member Rice

Member Lawrence made a motion to appoint Haley Williamson as the Nevada Member at Large. The motion was seconded by Member Bruce. Chair Berkbigler called for any discussion on the motion.

Member Lawrence stated that his experience on the Governing Board has shown that it is important to be able to communicate, collaborate, and look at the big picture. Member Lawrence stated that that he believed that Haley Williamson’s experience with the Nevada Public Utilities Commission, her passion for Lake Tahoe, and her understanding of recreation and climate change would be valuable as a member of the Governing Board.

Chair Berkbigler called for any public comment on this agenda item. Scott Carey stated that as of the public comment deadline for this meeting on December 3, 2020 at 5:00 PM, staff did not receive any public comments. Chair Berkbigler called for any additional public comment. There was no public comment.

There were no other Governing Board Member comments. Chair Berkbigler called for a roll call vote on the motion to appoint Haley Williamson as the Nevada Member at Large. ***ACTION**

AYES: Chair Berkbigler, Member Aldean, Member Bruce, and Member Lawrence.

NAYS: Member Wlaschin.

ABSTAINERS: None

ABSENT: Member Rice

After the vote, Member Aldean stated that there was an enormous amount of talent amongst all the candidates who applied for the Nevada Member at Large position. Member Aldean stated that there are many opportunities for all the applicants to participate in NTRPA and TRPA planning processes. Member Aldean stated that she hoped to see these applicants at future meetings and encouraged them to express their concerns and provide their input on issues considered by the Governing Board.

Member Bruce echoed Member Aldean’s comments and stated that today’s decision was difficult because of the high quality of the applicants for the Nevada Member at Large position.

Haley Williamson thanked the Governing Board for the opportunity to serve as the Nevada Member at Large. Ms. Williamson stated that it was humbling to be selected for this position given the high quality of candidates who applied.

Debra Dudley expressed her congratulations to Haley Williamson on her appointment as the Nevada Member at Large by the Governing Board. Ms. Dudley stated that she strongly endorses the decision of the Governing Board to appoint Ms. Williamson and is thrilled that she will serve on the Governing Board.

5. **REQUEST FOR EXTENSION OF TIME FOR CONDITION #1 FOR THE DETERMINATION OF CERTIFICATION OF THE GAMING FLOOR AREA FOR THE TAHOE NUGGET IN STATELINE** – Scott

Carey presented the [staff report](#) which was included as pages 12-17 of the meeting packet to the Governing Board. Mr. Carey stated at the July 23rd Board meeting, the Board found that the certified base data for the Tahoe Nugget site was valid and eligible to be used on the site subject to one condition of approval. The condition of approval required that the applicant submit to the NTRPA detailed architectural floor plans and base data calculations within 6 months after purchasing the property.

Mr. Carey stated that there were some minor discrepancies with the square footages and cubic volume indicated on the exhibits reviewed by the agency and Governing Board when compared to the certified base data on file for the site. Mr. Carey stated that the discrepancies are indicated in the staff report. Mr. Carey stated that the intent of Condition #1 as approved by the Governing Board was to clean up the certified base data that the agency has on file for the Tahoe Nugget site. At the time of the original request in July, the applicant did not own the building and did not have access needed to conduct detailed measurements and develop more accurate floor plans.

Mr. Carey stated that according to records from Douglas County, Northern Nevada Comstock Investments closed on the purchase of the Tahoe Nugget building on August 19, 2020. In September, agency staff notified the applicant that they had until February 19, 2021, to satisfy the requirements of Condition #1. Mr. Carey stated that in the months since the applicant has owned the building, they have come across many unexpected issues within the building. According to the applicant these issues make it difficult to submit the detailed architectural floor plans and base data calculations before the February 19, 2021 deadline.

Mr. Carey stated that the applicant is expecting the overall project to be completed in multiple phases but likely three phases. Mr. Carey stated that the updated data and plans will allow the agency to make an accurate determination on whether a recertification request to the NTRPA Board will be warranted when reviewing future phases of the project.

Mr. Carey stated that staff is recommending an amendment to Condition #1 to allow additional time for the applicant to submit detailed architectural floor plans and base data calculations for the first phase and for subsequent future phases of the project. For the first phase of the project, staff is proposing that the condition of approval be amended to allow the applicant until December 31, 2021 to submit the detailed architectural floor plans and base data calculations to the agency. For future phases of the project, staff is proposing that the condition of approval be amended to allow the applicant to submit detailed architectural floor plans and base data calculations six months after commencing each future phase.

Member Aldean asked for clarification on the wording of the proposed amendment to Condition #1. Member Aldean stated that she believes the term “commencement” needs to be defined as it relates to future phases of the project. Member Aldean suggested the following language to the amendment Condition #1 at the end of the last sentence, “under no circumstances shall construction begin on any subsequent phases until said floor plans and base data calculations have been submitted and approved by the NTRPA”.

Mr. Carey expressed his appreciation to Member Aldean for providing those comments on the record and for clarifying the term “commencement”. He stated that this definition will be important for the agency to have when reviewing future phases of this project, detailed floor plans and base data calculations. He stated that the intent of the amended condition of approval is to make sure that that analysis of the base data calculations is completed and approved by the agency prior to construction beginning on any future phase of the project.

Chair Berkbigler called for any public comment on this agenda item. There was no public comment.

Gary Midkiff, with Midkiff & Associates, expressed his appreciation to the NTRPA and staff for entertaining this request. Mr. Midkiff stated that the applicant, Northern Nevada Comstock Investments, needs adequate time to develop the detailed floor plans and base data calculations as portions of the building change from restaurant to gaming use as existing leases expire. He stated that they expect the deadline and time frames within the amended condition of approval to be adequate. He cautioned that there are currently many unknowns with the COVID-19 pandemic and the applicant may need to request an additional extension of time on this condition of approval in the future.

D. Scott Tate with Northern Nevada Comstock Investments stated that they have completed projects within the Lake Tahoe Basin before. Mr. Tate stated that they would never commence construction on project unless it was approved by the appropriate governmental authorities.

Chair Berkbigler stated that she believes that Gary Midkiff and D. Scott Tate would not start construction on a project without approval by the agency. Chair Berkbigler cautioned the Governing Board that with the COVID-19 pandemic there may be additional delays in this project and urged the Governing Board to work with the applicants in the future on another extension if necessary.

Member Aldean stated that she was not recommending the additional language within the amendment to Condition of Approval #1 because of Mr. Midkiff or Mr. Tate, but because she wanted to further clarify the condition of approval’s intent on the record.

There were no other Governing Board Member comments.

Member Aldean made a motion approve the amendment to Condition 1 associated with the previously approved certified base data determination for the Tahoe Nugget site, Douglas County APN 1318-23-401-049, as outlined in the staff report and as amended on the record during the Governing Board Meeting. The motioned was seconded by Member Bruce. The motion was passed unanimously. ***ACTION**

AYES: Chair Berkbigler, Member Aldean, Member Bruce, Member Wlaschin. and Member Lawrence.

NAYS: None

ABSTAINERS: None

ABSENT: Member Rice

6. **REPORT OF THE EXECUTIVE OFFICER ON ACTIVITIES OF THE AGENCY: JULY 2020–DECEMBER**

2020 – Executive Officer Donohue provided the Governing Board with an update on the activities of the NTRPA. Mr. Donohue offered his congratulations to the Governing Board on making the selection of a new Nevada Member at Large and stated that he felt all the applicants for the position were well qualified. Mr. Donohue stated that the agency will remain engaged with the Tahoe Nugget project and reminded the Governing Board that the Douglas County Community Development Department has the NTRPA on its building permit checklist.

Mr. Donohue provided the Governing Board with an update on the Tahoe Biltmore project. Mr. Donohue stated that he was informed by the owners of the project that all the condos have been sold as part of the Boulder Bay redevelopment project. Mr. Donohue stated that the owners are working closely with Washoe County to obtain permits and that they expect to start the second phase of the project next construction season. Mr. Donohue stated that the owners expect to complete full build out of the project within four years.

Mr. Donohue provided an update on the Cal-Neva project. Mr. Donohue stated that he was informed by the project’s representative that the project is currently on hold due to the COVID-19 pandemic. Mr. Donohue stated that the owners are looking to see how the tourism market rebounds after the pandemic and plan to take advantage of the 1-year permit extension on all permits issued by the TRPA.

Mr. Donohue stated that the agency has received two requests since the Governing Board meeting for certified base data. Mr. Donohue stated that both requests were associated with the Lakeside Casino. Mr. Donohue stated that he expects the facility to be sold soon and that the agency is unaware of what the future owners intend to do with the facility. Mr. Donohue stated that the Governing Board may have an agenda item or two at a future meeting related to the Lakeside Casino.

7. **RECOGNITION OF SERVICE TO NTRPA FOR COMMISSIONER MARSHA BERKBIGLER** – Scott Carey presented the Board with a [resolution](#) outlining the contributions of Chair Berkbigler to the NTRPA. Mr. Carey stated that the resolution does not require Board approval. He stated that after the resolution was read into the record the Board would have an opportunity to say some words about Chair Berkbigler.

After the resolution was read, each of the Governing Board Members expressed their appreciation to Chair Berkbigler for her service to the NTRPA and TRPA.

8. **RECOGNITION OF SERVICE TO NTRPA FOR TIM CASHMAN** – Scott Carey presented the Board with a [resolution](#) outlining the contributions of Member Cashman to the NTRPA. Mr. Carey

stated that the resolution does not require Board approval. He stated that after the resolution was read into the record the Board would have an opportunity to say some words about Member Cashman.

After the resolution was read, each of the Governing Board Members expressed their appreciation to Member Cashman for his service to the NTRPA and TRPA.

9. **BOARD MEMBER COMMENTS** – There were no Board Member Comments.
10. **PUBLIC COMMENTS** – Chair Berkbigler called for public comment. Scott Carey stated that the meeting notice included instructions for how to submit a public comment before the meeting. As of the public comment deadline of December 3, 2020 at 5:00 PM, staff had not receive any public comments. Chair Berkbigler called for any additional public comment. There was no public comment.
11. **ADJOURN** – Chair Berkbigler adjourned the meeting. The meeting was adjourned at 11:25 AM.
***ACTION**

Note: These minutes should be considered draft minutes pending their approval at a future meeting of the Nevada Tahoe Regional Planning Agency Governing Board. Corrections and additions could be made prior to approval.