



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

STAFF REPORT

Date: March 18, 2020
To: TRPA Governing Board
From: TRPA Staff
Subject: Deviation from Governing Board Teleconferencing Procedures to Enable Virtual Meetings During COVID-19 Outbreak

Summary and Staff Recommendation:

The COVID19 virus has been declared a pandemic and public health authorities are issuing daily guidance and directives requiring the control of community spread of the virus. Both Nevada and California have issued guidance saying stay home, practice physical distancing and precautionary hygiene, and conduct only essential services. The Agency is currently operating on an official work from home status and performing essential services remotely and electronically. Governing Board meetings are mission critical to achieve the business of the Agency, and these meetings can be conducted by other means than in person proceedings.

In accordance with public health best practice recommendations during the COVID-19 outbreak, TRPA has deemed it necessary to conduct its Governing Board meetings virtually; i.e., by electronic meeting without Governing Board members or the public physically present in the same location(s). TRPA Rules of Procedure Section 2.16, currently allows Governing Board to conduct its regular meetings only when a quorum of members participate in-person and in one location with all locations accessible by the public, and with other restrictive requirements. Rules of Procedure Section 2.4.4.D allows the Governing Board to deviate from these requirements (with 5 affirmative votes from each state) effectively suspending the rule when circumstances warrant. TRPA staff therefore recommends that the Governing Board suspend the following rules in order to hold entirely virtual meetings consistent with public health directives.

Section 2.13.3 – requirement to have a quorum of participating Governing Board members physically present in one location in the Tahoe Basin.

Action: The suspension will allow virtual participation by members shall count towards all quorum requirements

Section 2.16.4 – requirement that all locations of Governing Board members participating remotely be open to the public.

Action: No remote location shall be open to the public. Instead the public shall be able to participate remotely via individual connection to the virtual meeting (assuming TRPA can hold a public meeting consistent with public health direction then in effect).

Section 2.16.5 – requirement that members of the public physically present in the Governing Board members' remote locations be allowed to present public comment.

Action: No remote physical location will be open to the public.

Section 2.16.6 – requirement that meeting materials be available to the public at locations where Governing Board members are participating remotely.

Action: All meeting materials will be available online from TRPA’s website (www.trpa.org) and staff presentations will be viewable and posted online.

TRPA staff also recommends that the Governing Board authorize the Executive Director to adjust these deviations and make any other further adjustments as necessary to promote public health and participation in consultation with the Governing Board Chair and the Agency’s legal counsel.

Required Motion:

In order to deviate from TRPA’s Rules of Procedure Section 2.16 to facilitate virtual Governing Board meetings, the Board must make the following motion, based on the staff report:

- 1) A motion to deviate from Rules of Procedure Section 2.16 as set forth in the staff report to facilitate virtual Governing Board meetings during the COVID-19 outbreak and authorizing the Executive Director in consultation with Governing Board Chair and the Agency’s legal counsel to adjust these deviations as necessary to promote public health and meeting participation.

In order for motion to pass, an affirmative vote of five Board members from each state is required.

Contact Information:

For questions regarding this agenda item, please contact John Marshall, at (775) 303-4882 or jmarshall@trpa.org.