



Date: September 12, 2023

Honorable Mayor and Council Members:

Author and title: Dan Wilkins, Public Works Director/Town Engineer

Title: **Response to the Donner Lake: A Pearl in Peril Nevada County Grand Jury Report**

Jen Callaway, Town Manager

Recommended Action: Authorize the Mayor to sign the attached letter response to the May 16, 2023 Nevada County Grand Jury Report regarding Donner Lake.

Discussion: On June 21, 2023, the Nevada County Grand Jury released report titled “Donner Lake: A Pearl in Peril” (provided in **Attachment A**). The Grand Jury is requiring responses from the Town of Truckee on several of the report Findings and Recommendations (Findings 1 through 11 and Recommendations 1 through 3). Per the letter in **Attachment A**, the response is due by September 14, 2023.

Penal Code section 933.05 establishes a specific format for agencies to respond to Grand jury reports, including specific language for responses to findings (agrees, disagrees wholly, or partially disagrees), and recommendations (recommendation has been implemented; recommendation has not yet been implemented, but will be; recommendation requires further analysis; recommendation will not be implemented because it is not warranted or is not reasonable). **Attachment B** provides the draft response to the Grand Jury report.

As summarized in the response, the primary focus of the report was on the portion of the Donner Lake Watershed that is upgradient and downgradient of West Reed Avenue. On December 10, 2019, the Town Council reviewed a “Petition to the Truckee Town Council Regarding Drainage in the Green Point Subdivision,” which is the subdivision that West Reed Avenue provides access to. The agenda item clarified the status of West Reed Avenue as a non-Town maintained public right-of-way, and reaffirmed the Town’s commitment to provide technical assistance should the West Reed property owners be interested in creating some form of a neighborhood-generated road maintenance funding source. The staff report and meeting minutes from that agenda item is available at the following links:

- December 10, 2019, Town Council Staff Report – December 10, 2019:
<https://portal.laserfiche.com/Portal/DocView.aspx?id=59421057&repo=r-6a91ddbc>
- December 10, 2019 Truckee Town Council Minutes:
<https://portal.laserfiche.com/Portal/DocView.aspx?id=59426579&repo=r-6a91ddbc>

Town staff would note that since that time a group of residents has formed a homeowners association whose purpose is to fund road maintenance on West Reed Avenue.

Staff recommends that the Council authorize the mayor to execute the attached letter (**Attachment B**) for transmittal to the Grand Jury by September 14, 2023. Staff also recommends that the Council authorize the Town Manager and Town Attorney to make minor, non-substantive changes to the letter prior to its execution if deemed necessary.

Priority:

<input checked="" type="checkbox"/>	Enhanced Communication	<input type="checkbox"/>	Climate and Greenhouse Gas Reduction	<input type="checkbox"/>	Housing
<input type="checkbox"/>	Infrastructure Investment	<input type="checkbox"/>	Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/>	Core Service

Fiscal Impact: There is no fiscal impact associated with the submittal of the proposed response to the Grand Jury report.

Public Communication: None beyond this staff report.

Attachments:

Attachment A: Nevada County Grand Jury Response Request and “Donner Lake: A Pearl in Peril” Nevada County Grand Jury Report

Attachment B: Draft Town of Truckee Response to Nevada County Grand Jury Report