

# S. Tahoe may pay to maintain private property improvements

By Kathryn Reed

Maintaining improvements made to private properties that were paid for with public money is creating a conundrum for the South Lake Tahoe City Council.

While the work has yet to be done in the Bijou area along Highway 50, the wheels are in motion for the erosion control project to be a reality. At issue is who pays for the maintenance.



A stormwater drain near the Bijou Center in April 2011.  
Photo/LTN

Right now the annual cost estimate is \$115,000 a year to maintain the future improvements. The city would like the property owners to share those costs. But there is little way to ensure that happens.

At the Oct. 4 council meeting the five had a workshop about the stormwater maintenance funding.

The work will be paid for by a variety of sources. The sticking point is the U.S. Forest Service grant requires

acceptance of the money now and for the project to go forward before the maintenance issue is resolved.

Worst-case scenario is the city picks up the entire maintenance cost. What pot of money that comes from was not discussed Tuesday. Nor was it discussed why the private property owners were not brought into the discussion sooner.

As outlined this week, the project will go forward to reduce a significant amount of runoff that now goes directly into Lake Tahoe. To accomplish this goal improvements will be made at the Bijou Center and other entities along Highway 50 owned by private individuals.

These property owners are under no obligation to pay for this or the maintenance. What the council discussed was holding hostage the best management practice certificate from the Tahoe Regional Planning Agency if they don't pay at least half the maintenance costs.

Whether this is legal was not addressed.

Remodels are not allowed without doing BMPs. But the council discussion was about who paid for the BMPs, not that they are completed. But the BMP certificate is a TRPA issue and no one from that agency was at the meeting. The council, though, believes it can get TRPA to go along with this scenario.

Pablo Perez, the consult from NBS in Southern California working for the city on the issue, said creating this community facilities district would be a voluntary opt-in, but once in, the property owners could not opt out. Plus, the maintenance fee would be in perpetuity and adjusted for inflation.

Another option as the city tries to fix the decades-old problem of gunk going into the lake is to create similar assessment districts throughout the city or have one overall stormwater tax to deal with the problem.

Because this was a work session no action was taken. It will be brought back to the council at a later date for a vote as to how to proceed.