

Tentative paid parking compromise for S. Tahoe

By Kathryn Reed

If the South Lake Tahoe City Council rescinds the paid parking ordinance, the Tahoe 4 Tahoe group is likely to back off from going forward with its initiative.

While much of the Feb. 4 council meeting centered on the paid parking controversy, the discussion did not end there. That night Bruce Grego, representing Tahoe 4 Tahoe, and Hal Cole and Brooke Laine from the council met to see if they could come to an agreement.

During the public meeting Laine's solution to the paid parking strife was for the city to put a legally solid question on the ballot for South Lake Tahoe residents to choose if they want paid parking or not.

There are some in the group who agree something like that could work.

"There is a win-win out there. It is up to the city reps and committee to see if they can reach that agreement to start over," Dave Jinkens, who has been working with the anti-paid parking advocates, told *Lake Tahoe News*.

The proposal that came out of Tuesday night's powwow is largely what Laine proposed at the council meeting. If the Tahoe 4 Tahoe group agrees to this idea, it could come back to the council on the Feb. 10 agenda when the electeds meet to discuss fiscal matters. Grego told *Lake Tahoe News* it's possible the current parking ordinance could be turned into the ballot question.

The negotiators now must seek approval from the larger bodies

they represent.

Legal questions

At issue is the Tahoe 4 Tahoe group has an initiative that qualifies for the ballot. The problem is case law and the state Vehicle Code say the referendum process, not initiative is the way to deal with parking meters.

Even though the courts and California Vehicle Code have stated the initiative process cannot change parking meter law, the Tahoe 4 Tahoe group wants a judge to tell them that and not rely on what is already written. They believe if they don't exhaust all of their options, they will have let down the 1,422 people who signed the petition to get the question on the ballot.

The city's hands are somewhat tied in that it must follow the law even if this initiative could be legally challenged. It is most apt to be challenged once it is on the ballot or if voters approve it.

And while both sides profess to want to compromise, a lack of trust may prevent that from happening. Plus, there has been no vote by the council to scrap the ordinance.

Financial conundrum

Per Elections Code, the council had to act Tuesday on receiving the certificate that states enough valid signatures were gathered for the initiative to move forward. The law states the council must do so at the first regular meeting after the county certifies the signatures.

This then triggered another Elections Code rule where the council had three options:

- Adopt the initiative as is to be the new city code;
- Put the initiative on the ballot;

- Order a fiscal report.

The council unanimously agreed to the last option. The contract with Urban Futures Inc. out of Walnut Creek is based on the number of hours the consultants work, not a flat fee. The amount is to not exceed \$25,000. They have 30 days per Elections Code to complete the report.

But it's possible if a compromise were reached in the next week, the fiscal report could be scrapped. In turn, this means not much money would have been spent by the city. This is because the city will be tasked with gathering the documents requested by Urban Futures, so it's city time that will have been wasted, not money spent. Urban Futures earns the bulk of its money from its analysis and final report.

The report is designed to show voters the financial impacts if they approve the initiative. It's written in such a manner that it would tie the city's hands when it comes to parking rules elsewhere, including at Campground by the Lake; it would also mean money from parking kiosks that is designated for maintenance would be missing from the city budget.

The Feb. 4 City Council meeting was dominated by paid parking. It's going to take up the bulk of the Feb. 18 meeting too, which is going to consist of a morning and evening session involving the topic. At those sessions the current parking program will be discussed and likely revised.

In other action:

- The fire department's new ladder truck should arrive Feb. 15. The old one has already been taken out of commission.
- The fiscal workshop on Feb. 10 has been moved to 3pm.
- The council refused to write a blank check for council members to travel as was requested by Councilwoman Angela Swanson. She is on a couple committees for the League of

California Cities. But those are optional beyond regular council assignments. Instead of having to get each item approved the compromise was for her to bring back projected expenses for the remainder of her tenure, which expires when her term is up in December.