

Lawsuit could prevent loop road ballot question

By Kathryn Reed

A lawsuit has been filed to stop the loop road from ever going on the ballot.

Jason Collin, director of Home Health & Hospice for Barton Health and likely candidate for South Lake Tahoe City Council, filed the lawsuit last week. The city of South Lake Tahoe received notice late July 18; with council members then being notified.

Also named in the suit are Bill Crawford, Bruce Grego (also a presumptive council candidate), Laurel Ames and John Cefalu. Those four are the leaders of a movement to get an initiative on the Nov. 8 ballot regarding the loop road.

Today is the deadline for the council to decide whether to approve the ballot measure. The discussion will not begin until at least 2pm at Lake Tahoe Airport.

The council today will not be able to discuss the lawsuit because it is not on the agenda. A special meeting could be called, but that takes 24 hours' notice at a minimum. Today the electeds have the choice to approve the language as is and adopt it as policy, request a financial study or place it on the ballot. Insiders say the latter is most likely to happen – despite the lawsuit.

It will then be up to a judge to decide if the question ever sees the light of day in November.

The four individuals and the city have 30 days from July 14 to respond to the suit.

Collin could not be reached late Monday, nor could City

Attorney Tom Watson.

There had been speculation all along that the measure would face a legal change, though many figured it would not occur until after the vote had been taken.

At issue is whether any entity can prevent the council from doing its job.

The question **loop road opponents** want voters to decide is whether the council should be able to take action on the project without constituents first voting on a preferred alignment.

The loop road project would realign Highway 50 near the state line so it goes behind Harrah's-MontBleu, starting at about Pioneer Trail. The current highway through the casino corridor would then become a city-Douglas County road.

Ultimately, the opponents want to derail the project.

It is Tahoe Transportation District that is spearheading the highway reconfiguration.

The suit calls the defendants' initiative "flawed", says it would "violate state law", is "unconstitutionally vague" and that it would "strip the duly elected South Lake Tahoe City Council of its authority to take action, even administrative action, with respect to certain land use matters."

There is also the question of whether the initiative by the four individuals violates the state Streets and Highways Code.

The suit goes on to say, "It would impermissibly hold hostage the city on all matters related to the loop road – binding the city's hands until and unless the votes approve a General Plan amendment."