

Measure T's future not decided

By Kathryn Reed

A decision about whether Measure T will stand will not be decided until the end of January at the earliest.

A hearing on Dec. 5 in Placerville before El Dorado County Superior Court Judge Jim Wagoner lasted about 15 minutes. He set a briefing schedule for the parties and agreed to let Bruce Grego file a motion to intervene.

The case was brought this summer by Jason Collin, who will take the oath of office to be on South Lake Tahoe City Council in eight days, to stop Measure T from getting on the November ballot. He lost that attempt, but the judge said he would determine the validity of the measure if it passed. It did pass.

What proponents of Measure T were seeking was the ability down the road to have the right to vote on a preferred route for the loop road and not leave it up to the City Council. The loop road would reroute Highway 50 behind Harrah's and MontBleu and turn the current highway into a city-county street.

Since the election Collin's attorney has dropped everyone from the lawsuit except the city.

Grego with Laurel Ames and the late Bill Crawford were the trio who got Measure T on the ballot.

"I said from what I hear and see the city of South Lake Tahoe will not defend this. This is why we need to intervene; it's why we need someone to champion this on behalf of the public," Grego told *Lake Tahoe News*. If the judge does not grant his

motion to intervene, Grego will not have a right to voice his opinion at future hearings.

City Attorney Tom Watson said there is a state Supreme Court case that says at this juncture, because the voters have spoken, there are no individual rights. He believes that the case now being *Collin v. South Lake Tahoe* is how it should be.

The City Council at its Dec. 13 meeting will have a closed session item about this lawsuit. At that time Watson will be seeking direction from the four who can partake in the discussion.

"I need the judge to say what the initiative means and stay out of trouble," Watson told *Lake Tahoe News*. "I could see someone claiming that 'you approved a low income housing project and in doing so you supported the loop road because you supported low income housing.' I don't want the council to be in that position."

Collin's attorney at the Monday hearing made a motion for a preliminary injunction of the enforcement of Measure T. The judge said to file a brief.

Collin did not return a phone call.

The next hearing is set for Jan. 27.