

El Dorado County VHR issue getting political

By Kathryn Reed

A bit of political gamesmanship appears to be overshadowing the vacation home rental debate in El Dorado County.

Jan. 9 was the last agenda Supervisor Shiva Frentzen got to set as chair of the board because the annual reorganization occurred that day. (Supervisor Mike Ranalli is now chair and Supervisor Sue Novasel is vice chair.)

Frentzen put an urgency ordinance calling for a moratorium on VHRs in the unincorporated area of the Lake Tahoe Basin on the agenda.

Novasel said until she read her packet prior to Tuesday's meeting she had no knowledge the item was going to be on the Jan. 9 agenda.

This is significant because Novasel is the rep from the basin, and she along with Ranalli are the subcommittee dealing with VHRs.

"We didn't see it coming," Novasel said of the agenda item.

Frentzen told *Lake Tahoe News*, "The residents of South Lake Tahoe have been reaching out to my office to share their overwhelming concerns about VHRs in their neighborhoods. The BOS had a **meeting in South Lake Tahoe in October** and has formed a sub-committee to address this issue. The residents continue to voice their concerns with safety and quality of life in their communities that is caused by VHRs in the established residential neighborhoods."

What Novasel doesn't understand is why the subcommittee was not allowed to do its job before a vote was taken by the

board.

Frentzen's item, which required a super majority to pass, failed 3-1. She was the only yes vote.

Supervisor Brian Veerkamp proposed a motion to not adopt the urgency ordinance. That passed 3-1, again with Frentzen in the minority.

The reason all five members weren't voting is that Novasel had to recuse herself. That is because an anonymous complaint was filed with the Fair Political Practices Commission against her. The person alleged a conflict of interest with Novasel's husband potentially issuing loans to VHR owners and therefore the supervisor would financially benefit from keeping the short-term rentals.

A letter dated Jan. 3 from the FPPC to Novasel states, "After review of the complaint and additional information obtained, staff found that the complaint contained insufficient evidence of a conflict of interest violation of the Act; therefore, the Enforcement Division will not open an investigation into this matter."

However, the division suggested she get a ruling from the FPPC's Legal Division. She is awaiting their answer, which should be forthcoming this month.

It is because of the lingering uncertainty with the FPPC that Novasel opted to recuse herself Tuesday from the VHR discussion and vote.

It also means her status on the subcommittee is tenuous. And that is why instead of the subcommittee having a gathering in Tahoe on Feb. 1 to discuss VHRs, it will be the entire board. (That meeting is at 6pm at Lake Tahoe Airport.)

"I don't believe I have a conflict of interest. We don't own a VHR. We don't do direct service (with them)," Novasel said of

her husband's business, which she is not involved in. She equated it to a bank employee having a conflict if their institution gave a loan to the VHR owner – and that has never been deemed a conflict.

She pointed out that in a tourism-based economy many people have secondary ties to VHRs (snow removal, cleaners, etc.), which would make it difficult for anyone from this area to be elected without that potential dilemma.

With this being an election year, at the county level Novasel and Ranalli's seats are up. Both intend to run again. Painting one or both of them in a bad light regarding VHRs could taint people before the entire board even votes. Ranalli's district covers Apple Hill, which has its own rental issues.

"Because it was anonymous I have no idea who filed the complaint. It is political season and issues will come up that perhaps would not be an issue until it is political season," Novasel told *Lake Tahoe News*.

Filing the complaint could be an attempt to discredit Novasel's ability to represent the Meyers area in particular. She was disqualified from voting on the Meyers Area Plan because of owning property in the plan area.

Novasel wants the subcommittee process to have a chance to work; which means gathering more input from the public and working with staff. It's likely the tax collector will no longer have oversight of the issue and instead it will be code enforcement dealing with violations. There is also talk of bringing in a company like **Host Compliance**, which South Lake Tahoe recently did, to go after unpermitted properties and help with other issues.

The county only has VHR regulations in the basin. That is another task of the subcommittee – to make recommendations for the rest of the county.