

Opinion: Nevada's solar bait-and-switch

By Jacques Leslie, New York Times

When President Obama proclaimed in his State of the Union address last month that “solar is saving Americans tens of millions of dollars a year on their energy bills,” he clearly wasn’t talking about Nevada.

In late December, the state’s Public Utilities Commission, which regulates Nevada’s energy market, announced a rate change drastic enough to kill Nevada’s booming rooftop solar market and drive providers out of the state. Effective Jan. 1, the new tariffs will gradually increase until they triple monthly fees that solar users pay to use the electric grid and cut by three-quarters users’ reimbursements for feeding electricity into it.

More startlingly, the commission made its decision retroactive. That means that the 17,000 Nevada residents who were lured into solar purchases by state-mandated one-time rebates of up to \$23,000 suddenly discovered that they were victims of a bait-and-switch.

[Read the whole story](#)

Opinion: Tahoe needs to find its authentic self



It's easy to walk up and down Main Street in Park City.
Photos/Kathryn Reed

Publisher's note: *This is one in a series of stories about Park City, Utah.*

By Kathryn Reed

For years people have been saying Lake Tahoe – the South Shore in particular – is at a crossroads, at a tipping point. Many have predicted this region's demise if change did not come – and come dramatically and quickly.

And, yet, here we are, still plugging along as the wheels of change turn slowly.

In many ways Mother Nature is as big a player in our future as anything we mortals might do.

Hotels are full this winter because there is plenty of snow to ski on. That is the key difference between today and a year ago today.



Park City's sprawl is evident from the slopes.

But what is different this season compared to winter's past is more people are coming on the weekends and fewer are here midweek. The traffic boondoggle last weekend involving people heading west on Highway 50 having to sit for hours just in the basin, let alone being able to inch their way over Echo Summit, is testament to an increase in vehicles on the roads. They all leave at the same time, but don't all arrive at the same time – thus the reason there is chaos only upon departure.

We are not alone in having to balance the needs of locals and visitors. Congestion isn't unique to Tahoe. But that doesn't mean we should not be striving to find palatable solutions.

Some people are satisfied with the status quo. That's too bad. I think we can do better – throughout the basin, but especially on the South Shore.



Park City understands the importance of having a true city hall as well as public art.

We can build pretty commercial structures, reroute highways and create environmental improvements to keep the lake clear. But can we provide jobs that pay enough for people to continue to live in the Lake Tahoe Basin and not have to drive over a mountain pass to get here? Can we give visitors an experience that has them immediately making their friends jealous with photos and descriptions on social media?

I'm fortunate that I get to live and work in the same town. I don't commute. Sure, there are meetings and events to attend elsewhere, but that is the norm for most jobs, especially being a journalist.

People talk about affordable housing. I believe that is the wrong discussion. The topics should be jobs that pay enough to live here and employers paying a livable wage. The two are

different issues.

Talking with people in Park City, Utah, last month it was hard to find anyone who lives in the city limits. They commute from 30 to 60 minutes away. Many don't even come into town to shop or eat. It would be sad if Tahoe ever became like that.



Park City embraces its mining past, including a tour on the mountain about its history.

Park City government officials declined to answer these questions:

- What percentage of Park City workers lives in town?
- Where do most live?
- And how far away is that?

Park City has a cute, walkable downtown. There is a mix of

shops and restaurants. Then there is sprawl. But it's a much smaller town than South Lake Tahoe, let alone comparing it to the entire basin.

In 2013, there were almost 40,000 people in Summit County, in which Park City resides. In 2000, there were 30,000 people. Park City in 2013 had nearly 4,000 residents, which since 2000 has stayed fairly steady. By contrast, South Lake Tahoe's population peaked in 2009 at 23,567, and in 2013 was at 21,387.

South Lake Tahoe will never truly be walkable – sections, yes, but never the entire city. Tahoe City, Kings Beach and Truckee are more do-able *sans* vehicle. That is why it's imperative the South Shore create districts. Creative names – maybe something other than a street (think Ski Run and Harrison) – would be a start to getting people to gravitate to those areas. Obviously they need a mix of interesting things to attract people – a name alone won't do it. Think about the Gaslamp District in San Diego or Rockridge in Oakland or Noe Valley in San Francisco. The changes South Lake Tahoe wants to make at the Y – and making a concerted effort to call it Tahoe Valley – gives me hope we are on the right path. And it's even better that it is on the other side of town from where for many years the focus of progress has been concentrated.



No need for money when riding the bus in Park City.

A great thing about Park City is the free bus service. The city operates the bus system, with Summit County contracting with Park City to operate the county portion of the bus service.

Sales tax dollars pay for the bulk of the system. Park City collects a 0.30 percent transit sales tax on all taxable goods and services, excluding unprepared food, as well as a 1.1 percent resort communities sales tax on all taxable goods and services, excluding unprepared food. One-quarter of the 1.1 percent goes to the bus system. Also contributing to the bus service is a portion of business license fees.

“The transit portion of sales tax collected covers more than 74 percent of the operating expenses of the bus system and business licenses make up 17.5 percent of the bus system expenses. The transit system also receives federal capital and operating assistance from the [Federal Trade Administration],” Nate Rockwood, Park City capital budget, debt, and grants manager, told *Lake Tahoe News*.

Park City voters have agreed to tax themselves in other ways as well.

There is a 1 percent tax on prepared food, also known as the restaurant tax. It brings in about \$2.3 million a year. A committee decides how to allocate those funds based on tourism components, the ability to leverage more dollars, whether the application is promotion or an asset, and whether the application is a new or developing program.

“Lift ticket sales are considered taxable in Utah and fall under the state’s sales and use tax laws,” Rockwood explained. “Therefore, lift ticks are taxed at the sales tax rate in the sales district which they are located.”

Clearly, it takes taxes on what locals and visitors use to be able to provide certain amenities in Park City. Tahoe residents need to decide what they want and then how to pay

for it. I'm all for user fees, that's why I liked the paid parking concept. Only people parking there paid for it. I want a decent return on investment for whatever I'm paying, for the money to go for something tangible and for it not to go to any entity's general fund. And it's time to stop, at least for a few years, initiatives that raise property taxes.

Douglas County commissioners in December passed a gas tax that will in part fund improvements related to the loop road if that project goes forward. South Lake Tahoe is contemplating multiple taxes – hotel, sales, amusement – that could be put before voters in November. Recreation and roads are two of the likely beneficiaries of those dollars.



The U.S. Ski Team practices at Deer Valley in advance of this weekend's freestyle competition.

Park City is also able to draw a large number of people through events. Tahoe knows this is also a way to drive heads into beds, but doesn't capitalize on this in the winter in a significant way. Park City has global events in the winter.

The biggest stop on the World Cup tour, the Visa Freestyle International was at Deer Valley for the last three days and the U.S. Grand Prix was at Park City ski resort. Utah will host the 2019 World Championships in freestyle, freeskiing and snowboarding, which are expected to bring more than 500 athletes from more than 50 nations to Park City and Deer Valley ski resorts. The Sundance Film Festival is an 11-day event that takes over Park City in late January.

Of course Park City was also darn near a co-host city in 2002 for the Salt Lake City Olympics. That is something people need to remember when comparing Park City to Lake Tahoe. Yes, Squaw Valley had the Games in 1960, but that was such a different time. Park City was able to benefit from an infusion of federal and international dollars to improve infrastructure that to this day is paying dividends.

It's unfortunate the ski cross and snowboardcross World Cup events set for Squaw Valley last March had to be canceled because of lack of snow. Hopefully, the powers that be will recognize Tahoe is World Cup worthy again. Heavenly's run – World Cup – hasn't had such an event in decades.

Another major difference between Park City and Tahoe is the quality of lodging. It runs the gamut there, with no visible evidence of one star or less hotels on any of the main roads. The Park City Marriott was equivalent to South Lake Tahoe's Lake Tahoe Resort Hotel. It was nice to have a mountain feel walking in and a certain coziness not often associated with a Marriott property. The shuttle service at the hotel was excellent, as were other guest services.

Stein Erikson Lodge and Goldener Hirsch are high-end properties. The level of service at these two, which are right at Deer Valley, outshine anything in the Tahoe area, even the Lake Tahoe Ritz-Carlton. The Ritz and Resort at Squaw Creek are the two real high-end properties in the area and neither is actually in the Lake Tahoe Basin. Time will tell if the

Lodge at Edgewood will live up to the hype of being the high-class lodging that has always been lacking on the South Shore.

What I was left with after a week in Park City was that it is friendlier than Tahoe. Guest service was off the charts no matter the caliber of restaurant, no matter where we were. It made me want to go back just for that vibe, that positive energy – and it felt authentic. If Tahoe were to emulate Park City at all, it should be to capture that attitude. Maybe from there we could solve some of our other issues.

Opinion: LTCC spending Measure F dollars

By Diane Lewis

With the support of South Lake Tahoe's voters, Lake Tahoe Community College successfully passed a \$55 million bond measure in November 2014. Called Measure F, the bond will make it possible for the college to upgrade and modernize its technology, make necessary repairs to aging facilities and systems, and improve educational programs and students' learning environment.

The first set of bonds was sold in July 2015 for \$19 million, or 35 percent of the \$55 million voters approved. With that funding in place, LTCC was able to complete several projects in the second half of 2015, and began planning projects slated for 2016 and beyond.

In January, the college's network and wireless system was upgraded to make Internet service more effective throughout campus. Students are also feeling the benefits from three new

boilers installed in fall 2015, which are bringing clean and efficient heat to LTCC's main building. Another major project completed last summer that is improving students' experience is the One Stop office in the main building. This space brings together a wide array of services into one convenient location, making it easier for students to apply, register, make payments, get transcripts, meet with academic counselors, and perform other basic college functions.

"We intentionally chose this as our first bond-funded project," said Sue Gochis, LTCC's executive dean of Student and Academic Support Services. "The experience students have when they first start college can have a huge impact on their chances of success. The easier it is for them to apply, meet with a counselor, and get registered, the more likely they are to stick with their academic plans and see them through."

Enrollment and Student Support Coordinator Danny Masellones, who works one-on-one with students in the One Stop office, said, "This space and the way it runs creates a much better first impression. Now you get personalized service from a single staff member. It makes starting college a lot less daunting, which is really important for new students and older adults who are returning to college after a long break. It eases them in."

Upgrades are under way in LTCC's physical education building as well, where several projects that began in Summer 2015 will be completed at the end of this coming summer. New climate system controls were installed, which are delivering more consistent and controllable heat to the building. New bleachers and a new gym floor are all coming prior to the start of the fall quarter. There may be some inconvenience to gym users during this work, but the result will be a much nicer facility.

Another major project that will begin in 2016 involves the main parking lot on the south side of campus, which will be

completely renovated. Construction on the lot itself begins in early May and is expected to be completed in October. In addition to resurfacing the entire lot, heated walkways will be constructed and a new path that will run through the entire lot will be added, providing quicker and safer building access during winter months. An outdoor plaza will also be constructed in front of the Roberta Mason Library, along with a new bicycle path that will eventually connect to other campus-dedicated bike trails and to South Lake Tahoe's future bicycle trail expansion.

LTCC Vice President of Administrative Services Jeff DeFranco said, "We are creating new entry points on campus that are inviting to both students and the community, to encourage interactions in an outdoor setting and improve student life. The plaza will provide outside learning space, allowing for learning to happen organically outside of the classroom."

This project will impact parking access on campus. Students and visitors should watch for signs pointing to alternate parking, and should consider using public transportation or pedal power to visit campus during this time.

The college's soccer field will also get a major overhaul. Work begins in May and will be completed in fall. The old synthetic field will be replaced, and a new scoreboard, bleachers, and pathways will be added, providing easier access to the field year-round. These improvements will not only benefit LTCC's collegiate soccer program and physical educational offerings, but will also be a boon to the many club and youth soccer teams that use the field.

"We researched a number of Division I schools and some of the bigger community college athletic programs in the state to see what the best colleges were incorporating into their playfields," said DeFranco. "The result will be a world-class soccer pitch that meets the needs of our athletic and educational programs, as well as community users."

The first in a series of annual reports outlining all of the college's bond-funded projects and associated financial information is being produced by the college and will be available soon. Information about the Measure F bond and the Citizens' Oversight Committee (COC) charged with overseeing its expenditures can be found **online**. The COC is an accountability requirement for schools and colleges with bonds governed by California Prop 39. LTCC is currently seeking a volunteer for the COC who is an active member in a bona fide taxpayers' organization. For more information or to apply for this position, send an email to shaferl@ltcc.edu.

Diane Lewis works for Lake Tahoe Community College.

Opinion: Looking to Park City for inspiration



Park City is now the largest ski resort in the United States. Photo/Kathryn Reed

Planning a trip to Lake Tahoe is not as easy as going to Park City, Utah, or Vail, Colo.

There are more than a dozen downhill ski resorts in the greater Lake Tahoe area that are geographically spread out, so the visitor better do her homework. In Park City there are now two resorts; there were three until Park City and Canyons became one. Vail has Vail, though Beaver Creek is just down the road.

There are plenty of similarities and differences to distinguish these three areas.

A big difference is that for Lake Tahoe summer is the busiest season. The other two barely register with non-skiers.

A major similarity is the presence of Vail Resorts. The Broomfield, Colo.-based company owns Heavenly, Northstar and Kirkwood in the Tahoe area, Vail and Beaver Creek in Colorado (among others), and Park City in Utah.

Lake Tahoe News spent a week in January exploring Park City. We met with city officials, toured 2002 Olympic venues, stayed at three hotels to get a feel for lodging options, wandered through downtown, ate and drank at a variety of establishments, and skied those famous Wasatch mountains. Every Sunday in February we will be bringing you stories about our experience in Park City.

From there we hope it might spark some debate about where we go as a region and as smaller locales around the lake. By no means are we saying we want Tahoe to be Park City or Vail, but it is pretty clear Lake Tahoe has an identity issue outside of being able to point to that big body of water. Change is inevitable. Are we going to be active participants or let others make the change for us?

Enjoy the series.

Opinion: Redefining the Millennial generation

By Troy Matthews

How would you describe Millennials? Until recently I found myself apologizing for my generation as if I were ashamed to be part of the group of people that grew up with the Internet, cell phones, electric toothbrushes, and CGI, and therefore didn't know what it meant to struggle. But I've come to realize that perhaps this isn't true.

I read once about the attitudes of the various generations of the 20th century. The Greatest Generation tended to be "civic minded." They grew up with the great depression and therefore felt a sense of community and drive to serve. This attitude allowed them to bring this county out of the depression and through World War II because they cooperated first before they argued.

Now the Millennial's attitudes have come full circle once again to a "civic minded" generation. Perhaps it was growing up in the shadow of 9/11; two wars, one of which that lasted longer than Vietnam; the Great Recession; the disappearing middle class; crippling student debt; stagnant wages; healthcare costs at criminal levels; and a world more connected than at any time in history, for better and worse. For the first time in history, we won't be better off than our parents.

But difficult times can bring out the best in us. The first

thought of my generation is to cooperate. To think "civic." To serve. To blur the lines regardless of race, gender, politics, sexual orientation, religion, and, dare I say, nationality. Where we can come together and move things forward regardless of the old biases and good ol' boys clubs of the past. Where we can stop fighting with each other and start listening to one another. I am blessed to be part of two local organizations that want to move things forward, Tahoe Regional Young Professionals and Leadership Lake Tahoe. In each you will find the greatest minds in Tahoe of my generation who are thinking of nothing but how to make Tahoe work for all of us, for our generation and those before us and those to come. I belong to a great generation. Not because of our music, or technology, or lifestyle, but because we genuinely care about each other and care about this community.

The greatest thing about this attitude of cooperation and service is that once it takes root it will spread regardless of age. We are leaders who are connecting this city and this basin in a way that it has never been before. We are working to retain young professional talent who want to live and work here, not leave. We are networking, and pushing for new ideas, and lending each other a helping hand. We are striving for redevelopment of old systems. We can protect the beauty of this place and grow the economy. We can make Tahoe work by working in Tahoe. Service is an attitude not an age. Come join us. They say Tahoe is a great place to visit, but not a great place to live. We can change that. We can change the world. Please attend the Make Tahoe Work Leadership Summit in May to see the greatest Tahoe minds of this generation at work.

Troy Matthews is a grant writer for Tahoe Youth & Family Services.

Opinion: U.S. no longer shy about gun control

By Adam Winkler

When President Obama announced he would not endorse any candidate who doesn't support stricter gun laws, it was another marker in a sea change in the discourse over guns in America.

Even in the absence of significant new federal legislation, the gun debate has been transformed since Newtown—and Aurora. And Tucson. And San Bernardino. And . . . the list goes on, tragically. Mass shootings have brought so much public attention to gun violence that the conversation has changed radically.

How? For many years before the Newtown shooting in December 2012, Democrats avoided talking about new restrictions on guns for fear of losing votes. As a candidate Obama downplayed gun control and emphasized his support of the Second Amendment. Now the Democratic presidential contenders are making gun control central to their platforms.

But does this new conversation mean that we are on the verge of meaningful change in America's approach to guns?

There are hopeful signs. The gun control movement has been reinvigorated. Although Congress is stalled (on guns, along with a lot else), a significant percentage of the population lives in states that have enacted restrictive new gun laws: Colorado, Washington, Oregon, Maryland, California, Connecticut, Delaware, New Jersey, and New York among them. While the National Rifle Association has dominated campaign spending on gun issues for decades, there's a more level playing field now largely due to former New York Mayor Michael Bloomberg's money and former Rep. Gabrielle Giffords' Super

PAC. Polling shows widespread support, even among gun owners and NRA members, for reforms like universal background checks and banning people on terrorist watch lists from buying guns.

The country's growing diversity is a challenge for the NRA. Gun ownership remains disproportionately concentrated among America's declining demographics: white, rural, non-college educated. The country is becoming more urbanized and college-educated—groups strongly supportive of gun control.

Ironically, the gun control's movement's gains have come on the heels of its most devastating loss: the 2008 U.S. Supreme Court decision announcing that, as the NRA claimed, the Second Amendment guarantees an individual right to bear arms. The decision sparked hundreds of legal challenges to gun control laws. Yet the lower courts have upheld all but a handful of gun laws and the Supreme Court has shown little interest since *Newtown* in deciding another Second Amendment case. This term, the justices agreed to hear a case involving a gun law—and specifically directed the advocates not to argue about the Second Amendment.

But for all the momentum, gun control has political and public relations problems. The NRA still has a very strong hold on Congress. Support for the idea of gun control generally is at historic lows (even as support for specific proposals is high). And so as many states have loosened their gun laws since *Newtown* as have strengthened them. Many of these laws are minor, but that's only because the NRA has been so successful that pro-gun advocates are left to push for guns in the few remaining places they aren't allowed: college campuses, bars, and kindergarten classrooms.

Besides the NRA, control advocates are often their own worst enemies. There are effective gun reforms worth adopting: universal background checks, better reporting of criminal and mental health data into the federal background check database, cracking down on rogue gun dealers. Yet advocates also push

for predictably ineffective laws like bans on military-style rifles, which, contrary to common belief, are not machine guns and are rarely used in crime.

The 2016 elections could be pivotal for gun control. With more mass shootings undoubtedly to come, don't be surprised if the election turns out to be a referendum on guns. If Democrats lose the White House, in an election they are widely predicted to win, gun control will be blamed and likely become once again the hidden stepchild of the Democratic Party platform. A Republican president, by contrast, could enact new—and looser—gun laws, like national legislation broadening the right to carry guns in public.

Gun control advocates have hope and significant political momentum. But they have much, much more to lose this election than they can hope to gain.

Adam Winkler is a professor at UCLA School of Law and the author of "Gunfight: The Battle over the Right to Bear Arms in America". He wrote this for Zocalo Public Square.

Letter: Kirkwood gives back at Bread & Broth

To the community,

For over 26 years, Bread & Broth has been serving the community by providing free meals to those who struggle to put food on their tables and provide just the basic needs for daily living. As a nonprofit that is staffed by an all-volunteer crew, B&B relies on our very generous community donors to provide the funds needed to cover the costs

associated with providing the dinners.

On Jan. 25, Kirkwood Mountain Resort was the Adopt-A-Day sponsor, which donated \$250 for the meal's costs and provided a group of sponsor volunteers that wanted to help their fellow community members in need.

Arriving at 3pm and ready to help were members of Kirkwood's hospitality team Robert Shaffer, entry houseman; Ben Hutchinson, front office manager; Sam Rudman, front desk supervisor; Julia White, front desk agent; and Frank Dixon, financial analyst.

After an hour helping with the dinner's setup and packing the giveaway bags, the sponsor crew served first and second servings of chicken, potatoes and salad to the dinner guests, packaged to go containers and finished up their volunteer evening helping with the cleanup.

"I enjoyed serving food to people in my community," wrote Rudman of her time at B&B's dinner. "It is so great to give something back."

There is really something very satisfying in participating in a B&B meal and seeing the impact a nutritious, full course meal has on the diners. Bread & Broth would like to salute Kirkwood Mountain Resort and their sponsor crew for making a difference in the lives of others.

Carol Gerard, Bread & Broth

Opinion: El Dorado County on

a path of success

By Sue Novasel

El Dorado County and its Board of Supervisors have been in full stride throughout the last year solving critical issues, making important changes to protect tax dollars and providing expanded services to the public.

I am proud that in my first year in office on the Board of Supervisors we have become a well-working board, formulating a new strategic plan for our communities based on public input. My four colleagues and I represent more than 180,000 residents and oversee a budget of over \$500 million. El Dorado County District V reaches from the shores of the South Shore, past Emerald Bay to Tahoma and down to Pollock Pines.



Sue Novasel

El Dorado County employs over 1,800 employees, working in more than 100 divisions from animal services, child protection and probation to the department of transportation. We operate public services such as snow removal, elections, land use planning, and libraries while taking care of our most vulnerable populations and ensuring proper child and health care. One of our most important services is public safety. Our sheriff's office works mostly behind the scenes to create a safe environment, which provides peace in our neighborhoods by protecting the lives of our citizens.

On the day I took office in January 2015, our county faced a

\$19 million budget deficit. A delicate balance between maintaining critical services and balancing the budget was a top priority for our board. I am happy to report that the county diligently delivered a balanced budget by June, allowing for improved reserves while adding oversight on expenditures. And 2016 looks to be another year of improving revenues and services to our county residents.

As your District V supervisor, I am appointed to critical local boards such as the Tahoe Regional Planning Agency, California Tahoe Conservancy, Tahoe Transportation District, county Mental Health Commission, First 5 El Dorado, South Lake Tahoe Recreation Facilities Joint Powers Authority, South Lake Tahoe Solid Waste Management Authority, South Lake Tahoe Redevelopment Oversight and the Tahoe Paradise Resort Improvement District. With these additional job assignments, come many local projects and goals.

My focus in representing you has been and will continue to be facilitating projects that benefit the lake, the county and our communities, such as:

- Planning and completing projects that improve our communities and provide better recreation. Biking and hiking promotes clean air and good health. Community connectivity is vital to our communities as well as stimulating economic vitality. In 2015, our county completed the Sawmill Bike Path, connecting Meyers to South Lake Tahoe.
- Improving the permit process by working with local agencies and listening to consumers to better streamline administration to create greater efficiencies.
- Supporting boat inspections to prevent invasive species. Boat inspections needs to continue as we strive to keep Lake Tahoe clear of invasive species that could devastate ecosystems.
- Assuring that the Meyers community planning process is

in good hands by attending community meetings, speaking with the business owners and residents to hear their concerns, and encouraging community advisory groups formed by locals who are concerned about how their community works and grows together.

- Clearing the way for improvement projects that are ready to launch as funding becomes available, such as recreation and road improvements, erosion control projects, library hubs and small business expansion.

Another important priority to me is bridging communications between the West Slope and Lake Tahoe. Collaboration between agencies such as the city of South Lake Tahoe, Caltrans, USFS, and TRPA are not only important – they are vital to coordinating environmental and community projects. Agencies that work together accomplish more. I look forward to great things happening by increased collaboration on future projects.

As the Mental Health Commission representative, I am pleased to report that a hard working team of staff and volunteers has secured transitional housing for our mental health clients, expanded therapies and services, and improved communications and coordination with Barton Hospital and law enforcement. How to care for our homeless and our residents with mental health challenges will always be difficult but progress is being made by a collaboration of public and private citizens clearing the way for this vulnerable population to be better housed, fed and understood.

My pride and joy project has been the Tahoe Paradise Resort Improvement District, also known as Tahoe Paradise Park. I took the reins as president of the board of directors this year and thanks to the work of our board and many hard working volunteers of the Meyers community, we have:

- cleaned up the park
- brought in new events, concerts and activities

- coordinated a community election for the first time in over 10 years
- aligned the budget with new priorities, which has set an exciting course to revitalize our local community park.

Tahoe Paradise Park has been a special place for my family and me, and it's inspiring to see the young families coming back to enjoy it as we always have.

South Lake Tahoe seniors are among the hardest working volunteers, contributors, networkers and solution-oriented community groups. When they speak, I listen. And they gave me an ear full this year that made sense. I am taking steps to deliver the South Lake Tahoe Senior Center to the city of South Lake Tahoe and get it into the hands of the correct operators – the seniors and the city. While communications toward solutions can sometimes be a bumpy road, I will never take my eye off the goal and we are now within reach of creating a new road for a more vibrant senior facility.

Finally, I am very proud of our residents of my district, our employees, our businesses, and the people and places we share with our visitors. This last year has been a year of hard work and I'm looking forward to working with you in 2016 to bring about even greater solutions to create the legacy our community deserves. Thank you for allowing me to serve you as your local representative. Please call my Tahoe office if you ever have any concerns or questions at 530.573,7918.

Sue Novasel is the District 5 rep on the El Dorado County Board of Supervisors.

Opinion: EDC CAO contract may be illegal

By Larry Weitzman

Some habits are hard to change as El Dorado County government has the habit of appearing to violate the law. One of the most recent transgressions was what appears to be the illegal hiring of interim CAO Larry T. Combs.

Combs is a CalPERS annuitant, meaning he has retired from a government job which has its pension system run by CalPERS and from whom Combs receives 93 percent of his retirement pay which approaches \$196,000 annually just from CalPERS. Combs also receives \$14,000 annually from a non-CalPERS source related to a two-year stint as Merced County CAO.



Larry Weitzman

As a result of a recent campaign against double dipping, a practice where a government employee would retire, collect his/her generous pension and then hire on to another high paying government job, collecting a \$150K from their retirement and then another \$200K from their new salary. If that were still allowed, a CAO like Combs would be making \$400K.

Over the last several years the Legislature and governor have modified and passed new legislation to prevent double dipping by making the hiring of retired CalPERS “annuitants” into new

jobs while collecting their pensions a no-no by making such a move a "reinstatement" which stops their current pension and requires a repayment from the annuitant and also requires their new employer make CalPERS retirement contributions on their new job. However, the legislation made a few exceptions, where annuitants such as Combs could work for a public agency and still collect his pensions under very strict conditions and rules mostly set forth in two Government Code sections, 21221 (h) and 21224. And this is where it gets sticky, mostly for Combs, but for the county as well.

It appears the county and Combs failed to follow the law and regulations in hiring Combs. Perhaps they didn't know the law, but in my research of this matter, I found legal memos, published papers and articles by law firm after law firm explaining the rules, including a law firm that the county has hired many times in employment issues and has paid tens of thousands of dollars, Liebert Cassidy Whitmore. All of these firms specialize in government matters and would be considered experts as our county believes of Liebert Cassidy and Whitmore.

There are at least two significant legal violations regarding the Combs contract, either of which would require Combs to return to CalPERS all pension money paid to Combs which by this month will amount to about \$120,000 because CalPERS would cause Combs to be reinstated as of the date of the contract which in this case is June 29, 2015. Additionally, EDC would be required to make pension contributions as a result of Combs' employment.

Government Code Section 21221 (h) sub paragraph 2) says that before EDC can hire an interim CAO who is a CalPERS annuitant (retired, collecting a CalPERS pension), an open recruitment for a permanent replacement must have been initiated prior to hiring the interim employee (Combs). CalPERS even provides sample resolutions for use by CalPERS members (EDC) to use when hiring CalPERS annuitants containing the following

language "Whereas, an appointment under Government Code section 21221 (h) requires an active, publically posted recruitment for a permanent replacement:" It's a requirement to prevent double dipping. And this is where it gets disgusting.

EDC did not have such of a recruitment going on at the time Combs' contract became effective. In fact, it wasn't until Dec. 15, 2015, nearly six months after Combs started working for EDC, that the BOS authorized Combs to enter into a contract with a recruitment firm for a permanent CAO. (Item 49, Legistar No. 15-1450). The legistar number reflects this was the first attempt at a recruitment for a permanent CAO.

Code section 21221(h) also requires the contract to be on an interim basis and must have an end date. CalPERS in its Circular Letter 200-002-14 writes as to the mandated limited duration appointment (such as Combs): "A retiree can be appointed only once to the position, thus the employment terms must specify an end date and cannot be amended to extend the appointment term." In the Legislative Counsel's Digest for these legislative bills it was deemed such appointments were "to be of a limited duration." Unfortunately for the county and Combs the executed contract does not have an end date. While it claims to be terminable at will, there is no end date, therefore making the contract indefinite and not even close to a limited duration contract as required by the code. A second clear violation.

Pursuant to the code sections designed to prevent double dipping, Combs should be reinstated and a demand should be made by CalPERS for the return of all pension dollars paid by CalPERS to Combs from Combs. On top of that CalPERS should and most likely will demand from our county a CalPERS contribution because of the salary paid to Combs.

Our former county counsel demonstrated time and again her incompetence with this contract. The specific terms and

conditions of what's required for an employment contract with a CalPERS annuitant to not be considered double dipping is well known. There are over a half a dozen public law firms that have recently published papers on this subject. Furthermore, Combs after being in government for 30 years or more, mostly at high levels, should have known the rules like he knows his birth date.

A CalPERS investigation has been commenced.

"In a government of laws, the existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for the law; it invites every man to become a law unto himself; it invites anarchy." – Supreme Court Justice Louis Brandeis, 1916-39.

Larry Weitzman is a resident of Rescue.

Letter: Remembering Tahoe's past

To the community,

When I was the first elected city clerk at South Lake Tahoe years ago, Marjorie Springmeyer was one of my best friends. Thank you for the notifying me of her passing. The article by Kathryn Reed is absolutely true. Marjorie was a brilliant woman with a kind and gentle heart who was a victim of local political decisions.

Marjorie was also the canary in the mine. She knew that former city manager's poor advice encouraged many of the major financial and environmental problems for South Lake Tahoe over the years. It was City Manager Richard Milbrought who believed and stated, "The city is just a second hand rose and we can't afford to build a new City Hall" even on donated land – and so it became accepted.

It was City Manager Gary Chase who pushed so hard for creating an artificial park at what had been a pristine beach in Al Tahoe – to be named Regan Beach which many think is for President Reagan, not for the local bank executive – by dumping dirt onto it and creating a swell of green water around it to this day.

The Al Tahoe Campground would have been a failed convention center today but for local activists Mr. and Mrs. Barney Mossbacher who fought the city to save it for local use.

And whose idea was it for the current environmental disaster massive hole in the ground at Stateline that sits as silent testimony to another failed political decision?

I was indeed heartened to read that the current city manager has suggested a review of current city policies – an excellent idea. Marjorie would have been very pleased to know of that, I'm sure.

Sincerely,

Evelyn Roberson, former city clerk of South Lake Tahoe