

Letter: Businessman expresses views on Kerry

Publisher's note: *This letter was sent to South Lake Tahoe Mayor Wendy David and Lake Tahoe News.*

Dear Mayor David,

Hello, my name is Ted Kennedy. I am a partner in the following businesses in town:

Base Camp Pizza

Azul Latin kitchen

California Burger Co

Poke Rok

Outpost Brewery

Ten Crows BBQ

Lakeside Beach House

Social House Deli

Human Potential Speakeasy

Tahoe Stewards

I believe we've met briefly. And I heard you speak at the CEO meeting last month, very impressive. I don't want to stick my nose in where it doesn't belong and I certainly don't know all of the facts, but I'd like to humbly give you my 2 cents on the Nancy [Kerry] situation.

I've opened businesses in 20 different cities and towns in California in my previous life as director of real estate for Boston Market. The experience I've had dealing with Nancy and the government in general here in S. Tahoe – which at some level is a credit to her – is by far the best I've had. Proactive, positive, helpful and fair. I've been extremely impressed with the access and efficiency of Nancy and her staff and I do not believe that happens by accident.

There are always challenges and naysayers, but organizations

do not perform at this level by accident. Whatever Nancy's failings are, and we all have them, they certainly aren't reflected in the communication and services provided by the city that she's is the manager of.

Again, sorry if I am commenting where I shouldn't, but I thought it only fair that I let you know my thoughts.

Very, very respectfully,

Ted Kennedy

Opinion: How Kerry is being treated is horrific

By Tony O'Rourke

On Feb. 8, 2018, the *Tahoe Daily Tribune*, based on seven anonymous sources, destroyed City Manager Nancy Kerry's reputation. As the former city manager prior to Nancy Kerry, I know the challenges, rewards, and pitfalls of managing cities. Given the average tenure of a city manager is three to five years, it is not uncommon for city managers and city councils to amicably part ways.

What is not common is how Nancy Kerry has been treated or better yet, mistreated and personally defamed in an effort to summarily terminate her without due process and fair compensation as called for in her contract with the city.



Tony O'Rourke

First, when do seven anonymous people get to define Nancy Kerry? A fair and reasonable person would examine and weigh her exceptional 10-year tenure with the city; in particular the past 5.5 years as city manager. Nancy's annual evaluations during her tenure have all been outstanding. In her most recent June 2017 performance evaluation, conducted on behalf of the City Council by nationally recognized City Manager Ted Gaebler, Nancy was rated between outstanding and excellent. Mr. Gaebler personally stated in his review, "I rarely have seen this among city managers."

As a result of Nancy's June 2017 evaluation, then-Mayor Austin Sass and the City Council awarded Nancy a 5 percent pay raise and restored a \$600 monthly car allowance.

In October 2017, the City Council, covertly via the city attorney, hired Mary Egan of Municipal Resource Group, to conduct an organizational climate survey for \$10,000. Organizational climate surveys are an excellent method to identify organizational strengths, weaknesses, and opportunities for improvement. During my tenure with South Lake Tahoe we retained Bill Chiatt of the Alta Mesa Group to conduct two annual organizational assessments in 2010 and 2011. Unlike the current City Council's secretive Mary Egan study, the 2010 and 2011 organizational assessment reports were shared with the City Council, city employees, the public and media.

The organizational assessments were important because to eliminate a \$5.2 million deficit in 2010, as well as, a

projected five-year financial shortfall of \$25 million, I had to recommend the elimination of 25 percent of the city workforce, and 40 percent of its senior management. The City Council unanimously endorsed these "right sizing" initiatives to ensure the financial health and sustainability of the city. Four California municipalities; Stockton, Vallejo, San Bernardino and Mammoth Lakes all filed for bankruptcy during this time period.

As a result of these tough decisions, I was frequently a lightning rod for criticism. As a city manager you learn to accept this as an agent of change and progress. What you don't expect or accept are unfounded anonymous allegations that result in defamation and your dismissal. If someone has a valid complaint and evidence of wrong doing, they should publicly share it; for as Justice Louis Brandies so eloquently stated, "Sunlight is the best disinfectant."

The difference in my and Nancy's situation is the covert and anonymous character of her critics. She has been found guilty of creating a "toxic" work environment, in the absence of any due process or public evidence. She has been personally and professionally defamed based on mere allegations. What happened to the right to face your accusers? Where is there public evidence of these allegations? This matter is a political hatchet job perpetuated by a few.

Of the seven anonymous sources attacking Nancy, three are currently city employees. This represents 1.5 percent of all city employees. The other four are former city employees. Given there are hundreds of former city employees, they too represent a tiny fraction of former city employees.

In summary, Nancy Kerry has been unfairly criticized and defamed in a rush to judgment based on seven anonymous individuals in a city organization of 200 and a community of 21,000. She has not been afforded any due process, provided any evidence to support allegations against her or been

provided the right to face her accusers. Nancy's witch hunt and defamation is abhorrent to the America our constitutional and individual liberties are founded upon, and our military bravely defends and fights for. South Lake Tahoe needs to stand up to and defeat this modern day digital and covert McCarthyism, or others in the community will be next.

Tony O'Rourke was the city manager of South Lake Tahoe before Nancy Kerry.

Editorial: We all have a stake in saving the Sierra

Publisher's note: *This editorial is from the Feb. 5, 2018, Sacramento Bee.*

Given the huge sums California has spent staving off wildfires, curbing greenhouse gas and ensuring clean air and clean water, it is surprising that more attention hasn't been paid to the one factor those challenges have in common: trees.

California's forests, and in particular the massive forests of the Sierra Nevada, play a role that is as critical to California's environment as it is misunderstood and taken for granted.

Now a report issued Monday by the governmental watchdog Little Hoover Commission sounds the alarm on the state of the state's forests, noting something we have warned of before: The Sierra Nevada forests are being mismanaged in ways that affect every Californian. Our approach must change.

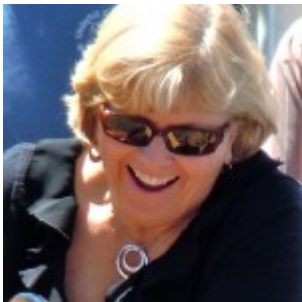
Read the whole story

Opinion: Wanting to converse

By Wendy David

First, a confession of weirdness. I love being a part of groups. I like the synergy of groups, how they work collaboratively, how the room sounds ... some listening, others talking.

I like the process of group decision-making, the back and forth, the quiet and noisy, the aha moments of clarity, that groups have goals and purpose. It may be quirky, but instead of being drained from being with and working in a group, I find it energizing.



So, with that confession, it is no surprise to hear that I really enjoyed the inaugural coffee and **conversation with the mayor** on Jan. 24 at Peet's Coffee inside Raley's.

I arrived a bit early, saw Mayor Pro Tem Tom Davis, whom I had invited to join me, bought my latte and sat down to wait. I had no idea what to expect, but was looking forward with anticipation to conversing with whomever joined me, hoping that they, too, were hungry for real conversation about our city issues as well. Back and forth, face to face, group listening, group talking.

First three people pulling around the small table, then 10. OK, I think, we will need three little tables to gather around. Then 20. Hmm, a few will need to stand. Then 30, standing, sitting, leaning. Some participants happened upon us by accident, first curious and then comfortable at joining

in.

It was an amazingly diverse group, new faces mixing with old acquaintances, many regular City Council attendees and a few community and public agency folks as well. Remember my weirdness confession earlier? I loved it.

I invited each person to give their name and state one topic that they were interested in having a conversation about. VHRs, SnowGlobe, cannabis, roads, the Echo Summit bridge replacement project, arts and culture in our city, loitering and vagrancy issues were all discussed. The respect and consideration for each speaker and for Davis and myself as the council members was appreciated. Divergent views made for an interesting and educational, open and varied hour with many topics and many opinions.

I need to have conversation with you. We, as a council need you. Our city has very big topics to discuss and debate and then culminating with big decisions to be made in 2018. We are your elected body. You are the electorate, the body we represent, the body of voters. Our community of voters is divided on many important issues that will continue to come before the council. On each topic, most of you have an opinion, a bias, a belief. The council must take in information, hear your opinions, study and become educated on all aspects of an issue and then vote in the best interests of the electorate as a whole and not the individual.

Good decisions require meeting and talking, conversing and debating, seeking to understand, even if we do not agree. I would argue that throwing out negative and personal barbs at each other through social media does not contribute to the process. I would venture that sitting in groups, discussing the positive and negatives of topics, the alternatives and options does help the process.

Come to the next coffee and conversation with the mayor on

Feb. 21 at the Senior Center from 9-10am. I'm pleased that Councilwoman Brooke Laine will be joining me that morning. Peet's was great, but it was suggested to seek a venue without the music and loudspeaker in the background. It did have its own ambiance for sure.

Come to our Cannabis workshop as well. It will be on Feb. 20 at 5pm, the location to still be determined. The council chambers have proven a bit tight for some of our community topics of late.

If you like being a groupie of sorts, like me, you are in for a fun year of learning, discussing, debating, disagreeing and even agreeing. Please join in.

See you for coffee, see you at the council meetings, see you for the cannabis workshop, all in February. Coffee and conversation with the Mayor will take place on the Wednesday morning after the second council meeting of the month through November.

It's OK to be a little weird about loving groups and having real conversation.

Wendy David is mayor of South Lake Tahoe.

Opinion: Sessions' war on pot could speed up legalization nationwide

By Paul Seaborn, The Conversation

Attorney General Jeff Sessions recently clarified how the

Trump administration intends to treat states that have legalized pot, which remains illegal on the federal level.

The Obama administration eventually took a relatively hands-off approach to this enforcement conundrum. But Sessions instructed all United States attorneys to treat cannabis-related activities like any suspected crime, instead of making them a low priority if they comply with state laws.

This bureaucratic salvo is stirring fears that the Trump administration could be on the verge of a crackdown that could potentially jeopardize the nation's growing number of legally operating pot businesses. However, based on my research and what I've learned while teaching the first U.S. college course on the marijuana business at the University of Denver, I see no reason for supporters of legalization to panic.

In fact, I believe that Sessions may have actually accelerated the process toward federal marijuana legalization.

First, a little history.

California became the first state to legalize medical marijuana in 1996. Alaska, Oregon and other states soon followed.

Since the federal government considers pot to be a Class 1 controlled substance and makes using and selling marijuana for any reason a crime, this put the authorities in an awkward position. Key members of the Clinton administration responded with harsh rhetoric. Gen. Barry McCaffrey, the drug czar, said at the time, "We should ask ourselves whether we really want Cheech and Chong logic to guide our thinking about medicine." Raids and high-profile indictments followed.

President George W. Bush's administration also expressed hostility toward medical marijuana, making its growing number of raids on legal dispensaries come as no great surprise. In 2005, as his second term began, the Supreme Court ruled that

federal powers trumped states' rights in this regard.

As a presidential candidate, Barack Obama suggested that he might not interfere with the power of what was by then about a dozen states to allow medicinal marijuana sales and use. In 2009, his deputy attorney general, David Ogden, released a memo that furthered this impression. It said that small-scale operators in states where medical marijuana was legal were a low enforcement priority.

But Obama's administration executed dozens of dispensary raids anyway, disappointing legalization proponents.

During Obama's second term, the number of states that had legalized medical marijuana climbed past the 20 mark. A handful, starting with Colorado and Washington, also legalized recreational weed. Meanwhile, support for legal pot continued to build in general.

Four years after the Ogden memo, James Cole, another deputy attorney general, issued a more comprehensive memo. It directed all U.S. attorneys to treat marijuana businesses operating "in clear and unambiguous compliance" with state marijuana laws as a low enforcement priority.

While still somewhat ambiguous and falling short of support for full federal legalization, Cole's guidance made cannabis businesses in states that had legalized the product feel less vulnerable.

Rather than fight for more protection against federal raids, marijuana entrepreneurs and social activists at that point instead generally chose to focus on compliance within state laws and continuing to increase public support.

The strategy seemed to pay off with additional states legalizing pot for medical and recreational purposes. While full legalization remained an appealing long-term goal for many Americans, the status quo during Obama's second term

seemed quite workable for states with legal markets. And it took away the impetus to push for more rapid federal change.

Trump takes over

As soon as President Trump named Sessions as his pick for attorney general, the Alabama Republican's long-held anti-pot views triggered speculation that the federal government would crack down in states where it was legal.

Instead, Sessions waited almost a full year to make a move. Meanwhile, legal cannabis businesses continued to generate tax revenue and create jobs. California launched its recreational marijuana market, the world's largest. And more and more Americans were exposed to the industry in their home states or while traveling.

Indeed, a Pew Research Center poll conducted in October found that 61 percent of Americans supported legalization – up from 57 percent a year earlier and nearly double the backing for legal pot in 2000. For the first time, Gallup polling determined, a majority of Republicans support legalization.

Even when Sessions finally acted, he took a relatively mild step. Rather than launching a more severe crackdown, such as immediately raiding marijuana businesses, he merely rescinded Cole's guidance.

Bigger coalition

The way state lawmakers, attorneys general, industry participants and other stakeholders reacted to even this small gesture demonstrated something that Sessions seems to have failed to consider – that the coalition in support of marijuana legalization had grown considerably.

State lawmakers in California, Colorado, Massachusetts and other states, and even some of the Republicans in Congress, objected. A group of 54 House and Senate Democrats sent Trump

a letter urging him to reverse course.

“This action has the potential to unravel efforts to build sensible drug policies that encourage economic development as we are finally moving away from antiquated practices that have hurt disadvantaged communities,” they wrote.

State attorneys general, who do not report to Sessions, such as those serving in Colorado, Washington, Pennsylvania and Michigan, have shown no interest in modifying their current practices.

And 19 of them urged Congress to change banking laws so that marijuana businesses in their states would no longer have to rely solely on cash to handle billions of dollars in legal pot transactions. That way, they wrote, their revenue could be fully tracked, aiding taxation and limiting criminal activity that targets cash-intensive businesses.

All in all, the fierce reaction across the political spectrum reaction shows two things: Sessions’ memo is an empty threat and pot’s days as an illegal drug are numbered.

To be sure, the Sessions memo does seem to have scared away some investors who were considering new pot investments. But by adding to the air of uncertainty around marijuana businesses, Sessions seems have only strengthened the resolve of pro-legalization forces.

I believe it will ultimately bring about federal legalization sooner rather than later.

Paul Seaborn is an assistant professor with the department of management of Daniels College of Business at the University of Denver.

Opinion: From a dog's perspective

By Reef

Hi, my name is Reef, and I'm one of Howie Nave's dogs who he adopted last summer from the Pet Network. I was asked to write a commentary from a dog's perspective.

Maybe you heard me mentioned as he talks about me frequently on his morning radio show and posts way too many pictures of me and his other, older dog Brody on social media.

Before he took the week off Howie asked if I would fill in for him and I said, sure why not? It's the least I could do considering I get complete run of the place and even have a doggie door for the backyard. He lets me and Brody sleep on the couch and when not around on his bed so why not write from a canine's point of view? I think this is a good opportunity for you humans out there to get an idea of what it's like from our perspective.

Oh, and I wanna thank the editor here since it's not easy being able to type given the limitations having paws.

By the way, why is it before giving us something to eat we have to sit and shake? Why must we give you our paw? It's a treat for crying out loud. How would you like it having to jump through hoops just for something to eat? What if, for example I insisted that you roll over for me before getting a piece of pizza? Just tossing it out there.

Being the latest addition to Howie's place is a sweet gig I'm finding out. He'll take us for long walks, sometimes off the beaten trail. And the best part is he'll stop to let me and Brody sniff a tree or a patch of snow where another dog peed for as long as we want. For those of you who don't do that

just walking with no pause (not paws) please let your dog set the pace and let him or her stop more frequently to sniff things out. Why? Well, think of our walk as reading a book and sometimes we need to take a little longer with some of the chapters so we can better know the characters in the story. It's the same with sniffing. This way we better understand the story by sniffing to find out who the characters are that came here before us and then we in turn leave a coda of sorts to let future dogs know that we too live in this neighborhood. I know, it's kind of complicated.

It's no surprise that this Lake Tahoe area that I call home is one of the dog friendliest places to live and not just because of all the trees either (although that is a big bonus for sure). As canines we're very practical to have given the environment where we both live. Since residing at Howie's place I have chased two bears away, one up a tree. I bet you didn't know we can be a good deterrent if a bear wants to check your place out, huh? That's not fake news either.

I was listening in when Howie had Ann Bryant (AKA the Bear Lady), executive director of the BEAR League based in Homewood on as his guest on his morning radio show. He'll sometimes leave the radio on at his place in Meyers (gateway to South Lake Tahoe) so we know where he is. He will sometimes play songs that have animal themes to them ("Werewolves of London" is a favorite).

This writing is kinda fun since I can't talk, so maybe I'll write more in the future so your species can get a different take from the viewpoint of a dog. It's a good life being a canine (given the right home) and would like to take this opportunity for those who don't have a dog to please consider adopting one. It's a proven fact that we're good for your health and relieve stress that this place tends to have at times. And, hey, maybe you're not a dog person and that's OK. I would then encourage you to adopt a cat if that makes you happier. I don't know why that would, but any pet in your life

is a good thing. We're just good for your soul. Thank you for your time and opportunity to communicate from a dog's perspective.

Reef is Howie's second dog who was adopted at The Pet Network in Incline and shares his home with Brody, Howie's other dog who's a senior citizen pushing 84 years of age.

Opinion: Have your funeral before you die

By Mary Elizabeth Williams, Salon

A few months ago, I attended one of the best memorials I've ever been to. It was a glorious, sunlit afternoon full of friends and music. It was just weeks after my friend Jessica's birthday. And a month before she died.

Life doesn't often give us the luxury of being able to ballpark our date of departure. When a male friend died suddenly last winter, I grieved not just for him but for all the things I hadn't said in our final conversation, a conversation that presumed there would be others to follow. But when a person is facing a certain fate, I wonder why more people don't throw a party like Jessica's.

We had met in a cancer support group when we were both in treatment. Last spring, six years after being diagnosed with ovarian cancer, her doctor said she presented no evidence of disease. We went out for a celebratory brunch, toasting the good fortune we shared. Six months later, she was gone.

[Read the whole story](#)

Letter: Suggestions for VHR problem

To the community,

I recently heard about a fire in a VHR on the North Shore. The eight adults, eight children and two dogs were able to escape. The cause of the fire at the vacation rental is under investigation. Here is a prime example of the complaints fielded by officials about crowded VHRs.

The vacation home rental issue is not just a local issue. People in tourist areas nationwide are dealing with the same problems. The subject has been looked at from many angles, without a solid acceptable solution.

At the core of the issue is zoning. Zoning, in its basic form, attempts to separate residential property use from commercial property use. We are experiencing incompatible uses. Houses are generally built for families and not typically built to be used as a business. It would seem these are in violation of county zoning ordinance at the very least.

Everywhere folks are complaining about the intrusions to their privacy and quiet enjoyment of their property. This is a main principle in real estate ownership. Enforcement has fallen on our city resources, taxing the citizens to respond to these intrusions. Cities may recover some costs via the permit fees, but those recurring costs often exceed the fees paid upon application.

I have heard from VHR owners that enforcing rules large and small on the vacationers often results in bad reviews on

social media and online reservations. This type of retaliation needs to be addressed by the online platforms publishing them. If it's on the internet, it must be true! We don't want to penalize owners that are trying to be compliant and good neighbors, but have the vacationers' cavalier behavior put them in a no-win spot.

I think the VHRs should be self-policing through a vacation homeowners association. Generally, any person who owns or wants to buy a VHR must be a member of a VHOA and therefore must obey the governing documents including articles of incorporation, CC&Rs (covenants, conditions and restrictions) and bylaws. Most homeowner associations are incorporated and are subject to state statutes that govern non-profit corporations and homeowner associations. California has a large body of HOA law.

The community benefits of establishing this method because the local police are not having to answer to every small problem, and the city does not have to hire additional personnel and bear the expenses of salary, benefits and retirement.

VHRs are an industry and we do not want to suppress commerce, but we must also protect the rights and liberties of our residents. These VHRs are commercial enterprises and should have their own zoning designation, being zoned in a separate area, close to the destinations and tourist attractions to reduce traffic congestion and pollution as it is such a commonly cited goal in the Tahoe basin.

Jeffrey Spencer, Meyers

Opinion: The big public land sell-out

By Jonathan Thompson, High Country News

This month, hundreds of corporate representatives will sit down at their computers, log into something called Energynet, and bid, eBay style, for more than 300,000 acres of federal land spread across five Western states. They will pay as little as \$2 per acre for control of parcels in southeastern Utah's canyon country, Wyoming sage grouse territory and Native American ancestral homelands in New Mexico.

Even as public land advocates scoff at the idea of broad transfers of federal land to states and private interests, this less-noticed conveyance continues unabated. It is a slightly less egregious version of the land transfers that state supremacists, Sagebrush Rebels and privatization advocates have pushed for since the 1970s.

It's called oil and gas leasing, conducted under the Mineral Leasing Act of 1920.

[Read the whole story](#)

Opinion: Why Mexico over the U.S. for Olympics

By Ailene Voisin, Sacramento Bee

Robby Franco thought about it long and hard, and as we have learned, these skiing/snowboarding acrobats have minds of

their own. So when he recovered from doing the splits – he had one ski in Mexico, one ski in America – the El Dorado High School graduate decided to take his talents south of the border.

The one-time Cougar speedster will be one of four skiers competing for Mexico in the PyeongChang Olympics.

While that sounds more than a little crazy, it also is a neighborly thing to do. One ski glove scratches the other, so to speak. After Franco failed to qualify for Team USA's 2014 squad in slopestyle, he went with the more favorable odds and turned his attention to the 2018 Games and growing the sport as a descendant of Mexican immigrants.

Read the whole story