

Measure T deemed invalid, unconstitutional

By Kathryn Reed

South Lake Tahoe's Measure T is not valid.

That was the decision today by El Dorado County Superior Court Judge Jim Wagoner.

He ruled that the measure was unconstitutional, unenforceable and fundamentally flawed. These are the same arguments the city said from the get-go.

Measure T was put before the voters in November asking them to decide if they should have a say via the ballot process on the loop road. (The proposed loop road would realign Highway 50 in the state line area.) The question, though, was not that straightforward. It would have prevented the City Council from being able to do its job; one of the reasons it was ruled unconstitutional.

Jason Collin before he got elected to the council last fall filed a lawsuit challenging the measure. His goal was to have the court decide before the election. Wagoner said he'd decide after the election. That decision came Jan. 27.

Collin was not able to attend the Friday hearing in Placerville because he is out of town at a conference. By phone he told *Lake Tahoe News* he is happy with the outcome.

"I hope we solve issues like this farther upstream in the future," Collin said. "It's not a good use of time and resources for anyone."

The city was the defendant because it is the entity that put the measure on the ballot at the request of the Measure T proponents.

"It is as done as it possibly can be because the only people who could possibly appeal is the city and we are not going to," City Attorney Tom Watson told *Lake Tahoe News*.

The proponents have no recourse. Bruce Grego, who was one of the Measure T backers, had not read the decision and therefore could not comment.