

Opinion: South Lake Tahoe mayor's DA investigation request may be just another violation of the law

By Kathryn Reed

Naiveté, ignorance, secretiveness, vindictiveness and complacency have no place in government. Not if the work of the people is going to be accomplished in a transparent, thorough, well thought out manner.

The South Lake Tahoe City Council appears to have hit an all-time low. Lower than the Kathay Lovell-Bill Crawford juvenile behavior, lower than Bruce Grego having to defend himself at the podium as Jerry Birdwell verbally accosted him, lower even than the JoAnn Conner censure.

Mayor Wendy David is duplicitous in her comments that she is shocked by what **Councilwoman Brooke Laine had to say in her column** on *Lake Tahoe News*. In my **March 27 column** Laine said she was “discouraged by the lack of transparency.” *Lake Tahoe News* has repeatedly cited times when the Brown Act has been violated.

David in her rebuttal column to Laine took issue that her colleague had not warned the other four about the column. But then David did the same; just sent her response to the media.

Knowing Laine, one can be assured she first took her concerns to David privately before addressing the public. But why shouldn't Laine go to the public? It is the public who she works for, not any other elected official, not any staff member of the city. She – and all elected officials – should be talking to the public.

Councilman Tom Davis told *Lake Tahoe News*, "I stand behind Brooke and her letter."

The other two guys on the council had nothing to say. Maybe they will Tuesday when the council has its regular meeting at Lake Tahoe Airport starting at 9am.

While David wants credit for initiating an investigation into the council's alleged wrong-doings, *Lake Tahoe News* reached out to El Dorado County District Attorney Vern Pierson earlier this spring about the perceived Brown Act violations.

David in her column said she is recommending the police chief contact the DA. On the one hand, great, on the other this is so incredibly wrong. No council member individually has the power to direct any staff member to do anything. Collectively, the council may tell only the city manager or city attorney what to do. There has been no discussion by the council to initiate such an investigation.

The only power the mayor has over another council member is the ability to call a special meeting.

One of the reasons former Councilwoman Conner was censured is because she was telling code enforcement what to do. One has to wonder if there might be a case building to censure David; after all, she is telling staff what to do and far exceeding her job. The mayor is a title with the same power as any council member.

David met with acting City Manager Jeff Meston on April 16 to discuss opening an investigation.

Meston told *LTN*, "I had been thinking for a while this needs to go to the grand jury or at least the district attorney. There is no way we cannot not investigate." He further said, "In my discussion with the mayor she recommended that we need to take some form of action. I agreed with her and said I would direct the police chief to get in contact with the

district attorney.”

Police Chief Brian Uhler spent the day gathering information for the DA based on Laine’s comments. Here is **the letter** he sent to the DA.

The letter, instead of just providing facts, is full of Uhler’s opinion; he essentially admonished Laine for going to the public and not to law enforcement with her concerns. Then he left out the most important part for the DA, which is the Mary Egan contract that to this day has not been brought out in the open. It is an illegal contract that is a misuse of public funds that interim City Attorney Nira Doherty condoned.

Misuse of public funds could be a felony. Laine brought that whole contract up in her public column, but Uhler ignored this alleged crime in his letter.

Laine and Davis prior to seeing Uhler’s letter said they support the investigation.

“The only way we will find out is with an outside independent investigation,” Davis told *LTN*. “I don’t see why the council would not want to seek the truth.”

Laine told *LTN*, “I am thrilled that the city is taking my claims seriously. I do not make those assertions lightly. I look forward to a thorough and independent investigation.”

David also sent out a statement April 16 via Tracy Sheldon, the city’s public information officer. Both were asked who reviewed the letter before it was sent. Sheldon was asked more than once, and then got snippy and unprofessional with her reply to *LTN*. Neither answered the question.

Meston told *Lake Tahoe News* he had seen it before it was sent.

The release said, “Because of the gravity of Ms. Laine’s allegations, I, as mayor, believe I have a duty to ensure that the claims that the City Council, city clerk, previous city

manager, acting city manager, previous city attorney, interim city attorney, and indeed any city employee has violated the law are fully and adequately investigated.”

It’s ironic she is asserting this authority when she repeatedly was critical when Austin Sass as mayor tried to claim power that he didn’t have. Now David seems to think by holding the gavel she has special powers. She doesn’t. No one does. South Lake Tahoe is not a strong mayor form of government.

Then the fact she lists people, at least by position, that Laine never mentioned is suspect. It also could get the city into a world of hurt because the settlement agreement between the former city manager and the council states that neither can say anything against the other. David is walking a precarious legal line that could open the city up to potential litigation.

Opinion: Taking issue with council colleague’s accusations

By Wendy David

The last few months have been some of the most difficult for our City Council, for our city and for our community. Similar to the national conversation, with immediate access to social media in many forms, controversial opinion pieces go immediately out to the public, even before the accused have an opportunity to hear the allegations. Soon after, public comment and “opinion” on the opinion begins with little

interest in whether there is truth.



Wendy David

I have very seldom felt the need to respond publicly, but Ms. [Brooke] Laine invites and demands this public response by making her concerns and opinion very public, while stating that she is providing information. I would like to respond to a few of her opinions, accusations and allegations.

I would like to address the truth in reference to the minutes that were approved at the April 3 meeting. Ms. Laine was absent. Very often the minutes of a meeting have corrections made to them after review by council, the city manager or department heads, before they are formally adopted by the council. In this case, Ms. Laine noticed a transcription error in a motion that had been made which added additional language that was not part of the motion. She contacted our city clerk the day before our meeting, who then took action and publicly amended the minutes during the public meeting before they were adopted. She gave credit to Ms. Laine for advising her of the error. It is common to have the minutes corrected, often in public. I have done it myself on a few occasions.

I take great exception to the comment of secrecy taking place in local government. Ms. Laine states, "If one councilmember is not privy to the same information as other councilmembers the question is why?" All information is equally available to every councilmember. Calls to the acting city manager, interim city attorney, city clerk, and city staff do not go unanswered. The mayor and the mayor pro tem do meet and confer

on the proposed agenda one week before the meeting, but these meetings in no way preclude any councilmember from being provided the same information.

Surprisingly, although Ms. Laine alleges that transparency is lacking, in a stunningly secretive display, she let no one know in advance of her decision to publicly accuse her fellow council members, her acting city manager, city clerk and interim city attorney of breaking the law.

Her accusation of decision-making taking place outside of the public's view could not be further from the truth. As a council, we very publicly discuss, deliberate and reach decisions at our meetings in front of the public. For anyone that has attended a meeting, this should be obvious as you watch the council debate, sometimes vigorously and with passion our most controversial topics. We have tough decisions that take many meetings of discussion to thoroughly and thoughtfully vet through all of the options. This can be frustrating for the public and for the council, but is an integral part of public government. I am offended and devastated to learn that this is Ms. Laine's belief.

Ms. Laine further accuses the council of engaging in a power struggle, one that is for personal gain and is selfish, creates hostility and purposely keeps many in the dark. I do not know who she is referring to, but her statement is false and unfounded. She speaks against our city's public servants that step up and out to serve the public in today's polarized culture. For me, this elected position certainly is not one that has provided any personal gain. In fact, quite the opposite is true. The sleepless nights, the huge weight of knowing that I must always act in the best interests of the entire city's community, not just one person or one opinion, before supporting any action, the lack of being at liberty legally to comment on any item that is confidential and restricted to closed session all take a considerable toll for any responsible and professional person.

Because of the gravity of Ms. Laine's false accusations, as mayor, I have made a recommendation to our chief of police to initiate conversation with the El Dorado County district attorney to investigate Ms. Laine's numerous allegations that "multiple violations of the law have occurred."

I am saddened and disappointed that Ms. Laine has taken this path and holds these damaging opinions. I hope that we can find a path back and provide the community, the City Council, city staff and other elected and appointed officials facts and truth as opposed to opinion and biased conjecture. I believe a thorough and independent investigation will provide this.

Wendy David is mayor of South Lake Tahoe.

Sierra snow drought endures despite March moisture

By Benjamin Spillman, Reno Gazette-Journal

The series of March storms that slammed the Sierra Nevada made skiers and snowboarders rejoice and provided a much-needed boost to water storage reservoirs in California and Nevada.

But even a one-month snow total that rivaled the "Miracle March" of 1991 isn't enough to erase the snow drought that lingered through winter 2017-18.

"The takeaway is we had another snow drought year," said Dan McEvoy, regional climatologist for the Western Regional Climate Center in Reno. "We are still below average this year and we are going to lose our snowpack earlier than average."

Read the whole story

S. Tahoe house fire contained to bedroom

A candle tipping over is being blamed for a structure fire in South Lake Tahoe on Monday morning.

The owner of the home on Rubicon Trail had her hair slighted burned and was taken to Barton Memorial Hospital for smoke inhalation. She is expected to be released soon.

Everyone else in the house, including a cat, were able to get out without injury. The call came in at 8:33am April 16.

“(There) was a candle on a nightstand. The owner had fallen asleep on the bed, knocked the pillow over and it caught on fire,” Battalion Chief Tim Spencer told *Lake Tahoe News*.

The house, except for the bedroom, is livable. The fire was contained to that one room. There is potential smoke damage, though, in other parts of the house.

– *Lake Tahoe News staff report*

Napa man rescued after falling near Kyburz

By Emily Zentner, Sacramento Bee

California Highway Patrol rescuers hoisted a hiker out of a

remote location in Kyburz after the hiker fell 30 feet from a rock formation and caught the episode on camera..

The hiker, a 52-year-old Napa resident, was rescued by a CHP helicopter and sustained major injuries in the fall on Friday, according to a CHP Facebook post.

Read the whole story

Letter: S. Lake Tahoe needs to alter pensions

To the community,

In November, after Measure C failed to pass, I did research regarding pension reform in California. I found that the California courts were ruling in favor of reducing pensions. There were precedents in the courts that allowed municipalities to reduce pensions.

I then proposed to our City Council here in South Lake Tahoe that we need to reduce the pensions of city employees. I did this in writing at the last City Council meeting in November of 2017, and I followed that up with an oral explanation why this must be done. With use of tax increases, the problem will return in the near future and once again overwhelm our city budget. The City Council ignored me.

Today, I once again see in your news report that city of Santa Cruz is near bankruptcy .

Nancy Kerry understood that I was correct and began by removing the retirement benefit of paid medical expenses for retirees, beginning January 2019. Subsequently, Nancy Kerry

was forced out of her city manager job.

People need to start listening to me or we're headed for bankruptcy.

The solution is reduce city employee pensions to a reasonable and sustainable level. This is exactly how the courts in California have ruled. I know that the issue is pending in the California Supreme Court. But as we wait for that decision, we are losing millions of dollars, perhaps \$3 million to \$5 million per year that is not recoverable. This needs to be done.

There is no avoiding this with new taxes.

Daniel Harvey, South Lake Tahoe

Tour of Carson City bike event set for May

Bike Habitat 's 11th anniversary of the Tour of Carson City Bike Ride and lunch will be May 6.

The ride will start and finish at Fuji Park in Carson. It starts at 9am.

The 30-mile ride is free. It will go around the perimeter of Carson City. It will be moderately paced.

For more info, call Denis at 775.267.5053.

Tahoe Tails – Adoptable Pets in South Lake Tahoe



Rhomi

Rhomi is back as our featured pet at the animal shelter in Meyers. She was adopted, but returned because the fence at the house was not strong enough for her.

She is a very nice 3-year-old girl who loves to play at the dog park and go for hikes. She has lived with children and is very affectionate, and is house trained and crate trained.

Her photo shows her modeling her Gentle Leader walking collar. With it she does not pull on the leash and shows she is very trainable. Rhomi cannot go home with cats.

Rhomi is spayed, microchipped, tested for heart worm, and vaccinated. She is at the El Dorado County Animal Services shelter in Meyers, along with other dogs and cats who are waiting for their new homes.

Go to the Tahoe animal shelter's Facebook page to see photos and descriptions of all pets at the shelter.

Call 530.573.7925 for directions, hours, and other information on adopting a pet.

For spay-neuter assistance for South Tahoe residents, go **online**.

– Karen Kuentz

Travel conference redefines South Shore's image

By Terra Breeden

Glasses of bacon bloody Mary's and craft beers clanged together in salutations while a disc jockey spun pop hits over a booming sound system. Guests shook their tail feathers on the dance floor and enjoyed a vast buffet of pork belly sliders, veggie platters, and pizza slices. Needless to say, it was a party. But this wasn't your everyday Heavenly fiesta, this was the 2018 Mountain Travel Symposium, the largest ski business conference in the world and the meeting ground for many of the industry's top leaders.

This year, Lake Tahoe Visitors Authority hosted the Mountain Travel Symposium; a gathering of professionals from ski resorts and mountain towns across the globe. Ski business-people representing more than 35 countries met with vacation home suppliers, buyers and vendors to boost the mountain-travel economy and create lasting connections within the industry. More than 1,000 people attended the event from April 8-14, which was at Harrah's Lake Tahoe, Lake Tahoe Resort Hotel and Heavenly Mountain Resort.

“It’s all the people involved in the mountain and winter agencies from all over the world who sell winter vacations to clients,” LTVA Vice President of Tourism Development Tony Lyle told *Lake Tahoe News*.

The Mountain Travel Symposium is hosted by a different resort town each year.

To host the event, LTVA successfully placed a bid with a destination marketing organization in 2015. LTVA then partnered with Heavenly, Harrah’s, and Lake Tahoe Resort Hotel to provide the conference center, mountain activities, and accommodations for attendees. LTVA’s goal was to unite the worldwide ski industry and grow the local economy by bringing new businesses and clients to the South Shore.

“We are a tourist destination and LTVA is bringing the mountain business here,” Lyle said. “We did a lot of outreach and this event is good for everybody, from banquet servers to hotel owners.”



Travel conference attendees are treated to skiing and dining at Heavenly. Photo/Terra Breedon

Additionally, LTVA is focused on producing more business on the South Shore by inspiring ski clubs and councils who attend the symposium to plan their annual winter vacations at the ski resorts and hotels in this area. Many of the clients who came to the event were impressed by the transformation of the area since the Great Recession, especially in areas like the Heavenly Village.

“A lot of people have been blown away by the village, the mountain, and the beauty of the lake,” Lyle said. “These people had preconceived notions from 10-15 years ago, but there is new business being booked already during this conference.”

At the weeklong Mountain Travel Symposium, a wide range of networking opportunities, activities, and business

presentations were offered each day. Attendees learned how to grow their companies with social media marketing tactics and vacation home rental schemes during the popular breakout sessions on Wednesday and Thursday. And over the weekend, attendees met with other like-minded professionals to discuss business strategies and network in speed-dating-style, one-on-one meetings and group assemblies.

"This is a great place to meet with current clients and develop new relationships because the sharing of information and networking is critically important. Everybody is an expert here when it comes to the ski and snowboard industry. It is a great venue and event," Janet Janssen, director of property management at Travel Guard International in Stevens Point, Wis., told *Lake Tahoe News*.

Janssen, who has been attending the Mountain Travel Symposium for eight years, said that the symposium has been growing in popularity with more international companies joining this conference than in earlier years. Attendees wore name tags emblazoned with their home countries and hailed from places such as Spain, France, the Netherlands, Italy, and Belgium.

"The international companies bring a new perspective. Their mountains and customers are different from the U.S.," Janssen said. "Everyone gains a better insight on how to run their business. They learn about marketing and gain more knowledge about the industry as a whole."

Although most of the conference days were spent within the confines of Harrah's, this rowdy bunch of professional outdoor enthusiasts were more likely to form meaningful business relationships in skis and snow boots than they were in suits and heels. Heavenly was awash in ski-industry professionals conducting impromptu meetings on the chairlifts before hitting the slopes with their newfound business partners.

Skiing conditions were warm and sunny during the event and

Heavenly was relatively quiet; winding down during the last couple weeks of operation. The Mountain Travel Symposium guests virtually had the mountain to themselves. Multiple languages and accents could be heard as symposium attendees skied together in small groups and explored the mountain.

“This place is magical. I can’t believe how great the spring skiing is,” Herman Buchan, symposium attendee and manager of Hotel Castor, a luxury resort in Champoluc, Italy, said.

Next year, the Mountain Travel Symposium is scheduled in Whistler, British Columbia. The event returns to the Lake Tahoe area in 2020 and will be at Squaw Valley.

Editorial: Sandoval’s voice of moderation is appreciated

Publisher’s note: *This editorial is from the April 11, 2017, Las Vegas Sun.*

For opting not to heed President Donald Trump’s call to send National Guard troops to the U.S.-Mexico border, Nevada Gov. Brian Sandoval deserves a hand.

The Republican governor was absolutely right in saying that the border assignment wouldn’t be an appropriate use of the state National Guard, which has more important duties here at home and doesn’t need to be put in harm’s way hundreds of miles south.

Besides that, the fact is that troops aren’t needed from any state.

Read the whole story