Snippets about Lake Tahoe

· Meyers tree lighting and the arrival of Santa via Calstar will be Dec. 1, 5-7pm in the Divided Sky/Downtown Café parking lot.

· The North Lake Tahoe-Truckee Leadership Program is accepting applications for the 2018 program through Dec. 1. Applications are available **online**.

· Bijou Bike Park in South Lake Tahoe is closed for the season.

· Tahoe Institute for Natural Science we will be hosting another birding big year in 2018. **Registration** opens Dec. 1.

· Barton Foundation's inaugural volunteer of the year award went to Marsha Ticas. She has volunteered hundreds of hours and was instrumental in implementing the mental health kiosks in key South Lake Tahoe locations that provide education and resources to people in need of services.

Messy locals, tourists keep Clean Tahoe in business

By Kathryn Reed

People still don't understand the concept of picking up after themselves. Annual statistics from Clean Tahoe underscore this notion.

This organization that has been around for nearly 20 years operates in South Lake Tahoe and on the South Shore of El

Dorado County. Today it is a nonprofit.

In the last fiscal year, which ended Sept. 30, there were 173 illegal dump incidents in the city that Clean Tahoe dealt with.

“That number has increased every year since 2013,” Catherine Cecchi, executive director of Clean Tahoe, told the City Council last week. Between 15 and 20 new dump locations sprout up each year.



Abandoned, destroyed sleds are the newest item Clean Tahoe has been dealing with. Photo/Clean Tahoe

People have other options to get rid of their crap. Annually, in June, Clean Tahoe partners with South Tahoe Refuse to offer the $5 dump day. A record was set in 2017 with 556,000 pounds of waste collected.

Clean Tahoe, for a fee, will also pick people’s unwanted items up and dispose of them properly. Seniors and disabled residents can get a reduced fee or have it waived. The person still has to pay the garbage company’s fee.

Of the 436 animal in trash incidents in the city last year, 51 were at a vacation rental. Code enforcement is notified of all tourist issues. For locals, they are referred to code

enforcement on the second infraction. Multi-family residential units are the most challenging with the shared dumpsters.

Cecchi said the number of bear-trash encounters in the county have been decreasing because that jurisdiction has stricter rules when it comes to mandating bear boxes.

“We have far fewer repeat incidents in the county than the city,” Cecchi said.

She added that the Be Bear Aware campaign and STR’s loan program for bear boxes are proactive approaches to the problem, which also help to educate homeowners.

One of the more challenging tasks is cleaning up after homeless camps. This is done after the people have left and police say it’s safe to go in. There were 28 camps last year; a figure that keeps going up.

In total, Clean Tahoe picked up 484 cubic yards of litter in the last year.

Clean Tahoe operates on a $234,000 annual budget. Two-thirds of the money is collected from residents via their STR bill. That fee has not been raised since 1999. Cecchi said talks are under way to up it, but a dollar amount has not been disclosed.

Opinion: The cost of incompetence in EDC

By Larry Weitzman

In the case of Austin v. El Dorado Hills County Water District

which is commonly known as EDH Fire, the El Dorado County Superior Court issued a tentative ruling on Nov. 3 as to their demurrer to the Austin complaint, trying to knock the case out on a significant technicality known as the statute of limitations (SOL), claiming in their demurrer that their (the Austin's) complaint was not timely filed as it was filed beyond the SOL.


Larry Weitzman

EDH Fire said the law is that the lawsuit must be filed within in one year or at best within three years of the date that the Nexus study was required to be filed pursuant to the Mitigation Fee Act. It was basically the same demurrer the court ruled against the county and EDHCSD on Oct. 20, but being a separate defendant, EDH Fire gets its own shot at the apple.

However, in a much shorter ruling (11 pages), the court tentatively ruled again as it did before, that the one-year and the three-year SOL does not apply. It's clear, concise reasoning, besides distinguishing the one- and three-year SOL as to its specific applicability in the case here, said that on page 7 of its ruling "Section 66001(d)(2) mandates the governmental agency to refund all funds held in an account or impact mitigation fund where the local agency fails to meet its mandatory duty to make findings every five years. That duty to refund is not limited to money on deposit in the account or fund as of the date of default in making the required five-year findings. Therefore, it is reasonable to construe that statute as imposing a continuing requirement to

refund all funds collected after that date until the required findings are made. Such a construction would provide the local agency with a continuing incentive to make the findings despite the passage of the date to make such findings and support the legislative intent to impose the five-year findings requirement to prevent a local agency from collecting and holding a development fee for an extended period without a clear and demonstrable plan to use the fee for the purpose it was imposed. The appellate court in Walker, supra, touched on the issue in its discussion of the Legislature's intent relating to the refund requirement. "The five-year findings requirement establishes a mechanism … to guard against unjustified fee retention" by a local agency (Home Builders, supra, 185 Cal.App.4th at p. 565, 112 Cal.Rptr.3d 7; see Garrick, supra, 3 Cal.App.4th at p. 332, 4 Cal.Rptr.2d 897)."

In other words, this "Nexus" study reporting mandate required every five years was a safeguard to prevent retention of unneeded money by the government and that was the intent of the legislation and that's why the reporting requirement was inserted into the legislation, to prevent exactly what is happening here, the continued collection of money with impunity. That would fly in the face of the MFA legislation. If after one year of a failure to file a demonstration of the need to collect these fees, by the operation of the one-year SOL, the local agency would be relieved of this requirement? No local agency would ever file a "Nexus" because as after a year they would be relieved of that responsibility. Such illogic would be the antithesis of the heart and intent of the MFA.

It is basic contract law (and the MFA is a contract of sorts, mutual promises given for a local agency to collect money from property owners who wish to build) that every time a statement is sent of a debtor or every time a payment is made, it re-starts the SOL. Every time the local agency collects money under the MFA without meeting the five-year Nexus study

requirement it has an immediate duty to refund that money collected. If it spends money after the five-year date without a Nexus study, it is in violation of the MFA and that money is required to be refunded pursuant to the MFA. A new SOL arises on each illegal act by the violating agency. That is what the court said.

Mike Ciccozzi keeps telling the Board of Supervisors that the county will win on appeal. He is advising the county to spend hundreds of thousands and maybe millions of dollars to fight a losing battle as this case will have to be first tried on the facts, with county documents as evidence that admit the failure to file the five-year Nexus studies. Only then can the county appeal. The county now has a big problem. It appears to have no defense. In the Walker case as cited by the court, the city of San Clemente said in its pleadings that if they lose, it would be effectively a feeding frenzy for lawyers. That's a poor excuse for not following the law, and in fact using the law is a way to make sure government bureaucrats do their jobs.

If the county loses this case – and it doesn't look too good for them – Ciccozzi says they should appeal even though their chance on appeal is slim to none. What does he care? It's not his millions of dollars, it's yours and bureaucrats love to spend your money in wasteful ways. So, what's new? Delay just costs the county, meaning your money, but he doesn't want anything bad to happen before this Austin case gets to the point where the county (you) must pay the piper and he gets a four-year contract extension.

Any board member, especially Mike Ranalli and Sue Novasel who are up for re-election, that votes to rehire Ciccozzi, needs to be fired. I spoke before the BOS in February 2015 and told the board, including Novasel, that this was going to happen, and he did nothing. I wrote about it the next month. Still nothing. Novasel and the rest of the BOS are mimicking Capt. Edward Smith of the Titanic.

The board should first read the tentative ruling carefully (its written in very plain English; google El Dorado Superior Court Dept. 9 and look for the tentative rulings from Oct. 20 and Nov. 3) and understand why the county has almost no chance of success, zero, zip, nada. Get an independent outside opinion. Ciccozzi's opinion is worthless because of his huge and obvious self-interest. Then find a real lawyer for county Counsel, maybe a Lou Green clone, but anybody other than Robyn Drivon and Michael Ciccozzi.

Larry Weitzman is a resident of Rescue.

Power, consent and sexual harassment in public eye

By James Doubek, NPR

Women around the country have been speaking out in what seems like a deluge of sexual harassment and sexual assault allegations against men in positions of power.

The floodgates opened with a *New York Times* story about sexual harassment accusations against movie mogul Harvey Weinstein, who has since been accused of raping multiple women and is now being investigated by multiple police agencies.

A national conversation has begun about sexual harassment. But there are times when some people disagree about what that phrase means.

Read the whole story

Letter: Casino crew helps at Bread & Broth

To the community,

HEROs, the employee organization at Harrah’s/Harveys casino resorts, hosted Bread & Broth’s Monday meal on Oct. 30 through their sponsorship of an Adopt A Day of Nourishment.

B&B’s Adopt A Day program provides individuals, businesses and organizations the opportunity to participate in hosting a hot and filling meal which provides nourishment and a welcoming and safe environment to any community member who attends a Monday meal at St. Theresa Grace Hall.

The HEROs are a familiar sponsor organization; hosting two Adopt A Days annually, and always sending a sponsor crew that is thoroughly professional, compassionate and a pleasure to work with.

At the Oct. 30meal, the HEROs were represented by returning volunteers Jackie Andrews, Jeff Colamecu and Darlene Winkelman. The newbie volunteer for the HEROs was Brad Budd and he jumped right in just like an experienced volunteer.

“It is far more rewarding to serve those in need directly,” commented Budd. “In the past we have donated items or funds, however, working with the Bread & Broth team as well as helping our community is very impactful.”

B&B would like to thank the Harrah’s/Harveys HEROs for their generous donation of $250 and partnering with us in volunteering their time and energy to bring food and fellowship to our community members in need.

Carol Gerard, Bread & Broth

Prescribed fire planned for much of Tahoe

Lake Valley, North Lake Tahoe and Tahoe Douglas fire protection districts, California State Parks, California Tahoe Conservancy and the U.S. Forest Service will continue Lake Tahoe Basin prescribed fire operations over the next several weeks, weather permitting.

Operations are scheduled to take place at or near D.L. Bliss State Park, Carnelian Bay, Kings Beach, Incline Village, Diamond Peak Ski Resort area, Glenbrook, Upper and Lower Kingsbury Grade and south and east of the Lake Tahoe Airport.

Agencies coordinate closely with local county and state air pollution control districts and monitor weather conditions carefully prior to prescribed fire ignitions.

Smoke from prescribed fire operations is normal and may continue for several days after an ignition depending on the project size and environmental conditions.

Tahoe/Truckee’s mono-economy

getting stronger

By Sage Sauerbrey, Moonshine Ink

From timber to tourism, Tahoe/Truckee has always had a mono-economy. Other industries can and have thrived – construction had a heyday following the Olympics, and the last decade has marked the success of more than a handful of local technology businesses and start-ups, but in spite of opportunities for growth in other sectors this area is actually more dependent on tourism than it was 10 years ago.

When the recession hit in 2008, tourism accounted for 42 percent of the regional economy in the Tahoe Basin, but by 2015 that ratio had grown to 62 percent, according to data compiled by the Tahoe Prosperity Center. The center's CEO, Heidi Hill Drum, said that these numbers likely run parallel to data describing Truckee as well.

Diversity is the word of the day. Not only is there a pronounced industrial imbalance regionally, but that imbalance favors a volatile and fluctuating market. Data compiled in the 2016 Regional Housing Study shows that the number of local jobs in the arts, entertainment, recreation, accommodation, and food service sectors plummeted from 8,078 in January 2014 (peak season) to 4,709 in May 2014 (shoulder season).

Read the whole story

Placer County looking to

redevelop Tahoe City land

Placer County is ready to reinvent the Tahoe City firehouse properties near Commons Beach.

The county is looking for a mixed-use development firm or other interested parties to enter a long-term lease and redevelopment the properties.

The county-owned Tahoe City firehouse properties include three buildings: the former North Tahoe Fire Station 51, Tahoe Community Center building and the former visitor center building.

Through a series of community workshops earlier this year, county staff and stakeholders developed a list of guiding principles to be used as the basis for the development of any project. Some of these principles include: creating a new space for bringing people together; providing economic return to the community and county; improving water quality and scenic conditions; being financially sustainable and providing flexible space allowing a variety of uses depending on time of year or day.

Suspicious phone calls claiming to be from WCSO

The Washoe County Sheriff’s Office started receiving reports from the public this week about phone calls from a male identifying himself as a “Detective Phillips from the Washoe County Sheriff’s Office” and asking for personal information.

In one instance, the caller was described as becoming aggressive and angry when information was refused.

Although the motive of these calls is unclear at this time, the sheriff's office reminds the public to be wary of providing any information to strangers without verifying the credibility of their identity.

If you are uncomfortable with a phone call, gather whatever information you can then hang up, do not give any information out. If you are concerned that the Washoe County Sheriff's Office may be legitimately attempting to reach you, call the department.

Whittell was the Floyd Mayweather of yesteryear

By AutoWeek

George Whittell Jr. was the scion of an immense gilded age fortune, amassed by his grandfathers through banking, transportation, real estate and utility ownership in San Francisco, then consolidated by the marriage of his parents in 1879. He grew up in a mansion on Nob Hill, the toniest address in the city at the time. His father was a member of the most prestigious clubs and social circles. Whittell never sought to follow in his family's ambitious, entrepreneurial footsteps, though. His goal was to live a sybaritic life, one founded on adventure, unconventionality and, most of all, speed.

"George Whittell liked all things fast," says Brad Carter, operations director at Whittell's Thunderbird Lodge, the private estate the playboy built on Lake Tahoe. "Cars, planes,

boats and women.”

Whittell began his oppositional antics at quite an early age, running away with the Barnum & Bailey circus after high school rather than attending college, eloping with a chorus girl rather than marrying the society bride his parents had selected for him and buying himself a position in the Italian Army rather than waiting for the U.S. to join World War I.

Read the whole story