

EDC in quagmire over development fees

By Dawn Hodson, Mountain Democrat

El Dorado Hills property owners who paid the Public Safety Development Impact Fee will have to wait a bit longer for promised refunds.

At Tuesday's El Dorado County Board of Supervisors meeting Chief Administrative Officer Don Ashton and County Counsel Mike Ciccozzi told the board refunds will be delayed as the county recently received a claim for payment from an attorney who's representing an El Dorado Hills couple that sued the county and several special districts, alleging that the entities were in violation of the California Mitigation Fee Act.

Ashton and Ciccozzi said they need time to evaluate the claim before making further recommendations.

El Dorado County Auditor Joe Harn said, "We wouldn't have to pay any attorney's fee if we had just followed the law."

Read the whole story

USFS may rent out remote lookout

The U.S. Forest Service wants to know the public's opinion about charging a fee for the rental of Sardine Lookout in the Tahoe National Forest.

Sardine Lookout would be the second lookout available for the public to rent, the first being Calpine Lookout, which is also on the Sierraville Ranger District. The proposed nightly fee is \$45.

The Sardine Fire Lookout was built in 1935 and is eligible for listing on the National Register of Historic Places. The Lookout has two twin beds, a table and fire finder pedestal, styled after originals from the Calpine Fire Lookout. There is a fire pit, picnic table and vault toilet. The area is very remote, with tremendous views and solitude.

Comments regarding this fee proposal should be sent to Quentin Youngblood at qyoungblood@fs.fed.us by Feb. 7.

Tahoe works to consolidate environmental ed

By Kathryn Reed

Lake Tahoe is one step closer to improving environmental education in the basin for locals and visitors.

It all started about **a year ago** when the California Tahoe Conservancy gave the Tahoe Fund an \$85,000 grant to delve into

what visitors' centers should look like in the future.

For Amy Berry, executive director of the Tahoe Fund, it was about "how to move the needle of environmental stewardship in the basin."

She gave an update to the CTC board on Dec. 8 about where things stand today. With her was Devin Middlebrook with the Tahoe Regional Planning Agency. The bi-state regulatory agency is now an active participant in the project and will coordinate the group going forward.

Under Berry's leadership various entities in the basin that have some sort of education component came up with a mission, vision and target audience:

- The purpose of this initiative is to connect people with the basin to nurture a culture of stewardship and sustainability.
- The basin is an environmental success story and global role model for sustainability.
- People who visit more than once a year or live in the basin and have the desire and ability to learn more about the basin.

They worked with Global Studios, the consulting arm of the San Francisco Exploratorium, to come up with ideas and potential solutions to better coordinate the basin's message.

It was determined that a new paradigm is needed to create "a unified community mission that acts as an anchor for a larger network of educational and environmental organization across the region."

Going forward a website will be created to be a one-stop shop, a 12-month working plan will be developed. A formal name beyond the working names of Tahoe Basin Project and One Tahoe will be developed.

A more long-term goal would be creating an education center that all the agencies – from TRPA, to the U.S. Forest Service, state parks, CTC, resort associations, TERC and others – could be part of. A floating observatory is what is being envisioned. It could be built on a barge – perhaps the fire damaged Tahoe Queen.

CTC Chair Larry Sevinson said it should have a glass bottom. The Queen used to have one.

It would have the ability to travel between marinas, as well as be docked and have people come aboard to see the educational exhibits. This in turn would be an economic driver.

Opinion: EDC's top lawyer got it wrong

By Larry Weitzman

El Dorado County officers are sworn to uphold the law, which includes following the federal and state Constitutions, the statutory and codified laws of the federal government and state of California and the various rules and regulations promulgated thereunder and the laws, regulations and ordinances of our local jurisdictions when and as they perform their specified job. County counsel has a slightly different job. He is an advocate as well as an advisor.

An advocate is one who supports by argument and logic a position, in this case public policy or a legal position. But as a lawyer, a person must also advise his client as to all sides of an issue and argument, the current law with respect

to policy and the pitfalls with respect to taking certain positions. Is our county counsel advising accordingly? When it comes to the law, politics are supposed to be removed from the equation.



Larry Weitzman

Through the California Public Records Act, several documents were acquired including the response letter from our newly appointed county counsel, Mike Ciccozzi, to an inquiry from CalPERS questioning the contract of then interim Chief Administrator Officer Larry Combs as to whether the contract was in compliance with the California laws against double dipping, specifically code sections 21221(h) and 21224.

These code sections create two issues for the Combs contract that was prepared by the county counsel. First, was it executed without an open recruitment for a new permanent CAO being under way and did the contract have a specific end date?

Ciccozzi's six-page letter to CalPERS dated March 1, 2016, admits that the law specifies that a recruitment (for a new, permanent CAO) needs to have begun before the Combs contract was signed, although in an article published in the *Mountain Democrat* on Feb. 5, 2016, Ciccozzi said that a more recent CalPERS document "does not require that the employment requirements of a retired annuitant include a specific end date or that the appointment be during an open recruitment." In that letter to CalPERS just three weeks later, he admits that a recruitment must be ongoing. In his March 1 letter, Ciccozzi spends four pages describing how a recruitment was

ongoing since November 2014 that was also evidenced by the former CAO Terry Daly's transition agreement and release of claims. Ciccozzi then describes meetings discussing EDC's plans to hire a new CAO, researching executive search teams and BOS discussions about "recruiting" a new permanent CAO.

Ciccozzi claims to CalPERS that all of these machinations of internal discussions and talking to search firms satisfies the requirement of a recruitment as per Section 21221 (h). Funny, when just three weeks before Ciccozzi said in the newspaper that having a recruitment ongoing before hiring a retired annuitant as an interim CAO wasn't the law. Some lawyer.

But Ciccozzi has another impediment in the form of the published El Dorado County Personnel Rules adopted on May 7, 2013, by Resolution 048-2013 and revised as of March 4, 2014, by Resolution 015-2014. This revised resolution, which has the force of law, is titled of all things "recruitment" and defines what recruitment is and what is required for the county to do a recruitment and it isn't anything like what Ciccozzi claims was an EDC recruitment which was nothing more than a series of meetings and a bunch of talk. In fact, a recruitment firm wasn't even hired by EDC until six months after Combs was hired. Even more interesting is that the eventual new CAO came from in house, Don Ashton, who was EDC's head of Health and Human Services. All that talk from Ciccozzi was nothing more than bovine.

According to the law in EDC, to have a valid recruitment, "The Human Resources Department shall make public announcements of all recruitments. ... All recruitment announcements will be posted on the county's website and other appropriate locations..." The resolution goes on to describe what the announcements shall include. None of that was done for at least six months after Combs contract was executed and he started work. According to our own county laws, Ciccozzi's description of a recruitment wasn't according to the laws of his own employer and Ciccozzi's ignorance of the law,

especially EDC rules, regulations and laws is not an excuse.

County counsel's attempt to bull his way through this problem (as in a China shop) should not work and the responsibility falls directly on the county counsel for not knowing and following the law that more than likely was written and reviewed by guess who? That's[^{lw1}] right, county counsel. The result of this failure is a potential huge liability for EDC and hopefully a windfall for CalPERS which has nearly a trillion dollars of unfunded liability as it can recover from Combs the \$200,000 they paid him during his EDC employment as pension benefits because the contract did not conform to state and county law making him a double dipper and CalPERS can demand he return his pension benefits because of his double dipping. On top of that CalPERS can also demand pension benefits be paid by EDC on the salary they paid Combs as well (about another \$30,000). Want more salt, we pay this county counsel over \$196,000 a year plus benefits and retirement which totaled more than \$54,000 for 2015. This year (2016) it will be higher.

But there are more potential mistakes made by Ciccozzi and that goes back to a BOS meeting that occurred on Nov. 17, 2015, and involves his flawed analysis of the Walker v. San Clemente case regarding EDC's compliance with the Mitigation Fee Act. More to come.

Larry Weitzman is a resident of Rescue.

Penalty enacted to combat CEO-worker income inequality

By Hayley Miller, *Huffington Post*

In an effort to combat income inequality, Portland on Thursday became the first jurisdiction to adopt a tax penalty on companies with excessive CEO-worker pay gaps.

Under the new law, companies doing enough business in Portland to pay the city's business fee will be taxed an additional 10 percent if their CEO makes 100 times what median workers earn – and an additional 25 percent if they make 250 times more.

"This is meant to be a signal that these kinds of ridiculous [pay] ratios are unacceptable," Portland's city commissioner Steve Novick told the *Huffington Post*. "You do not do better as a company because you decide to pay outrageous salaries to your CEOs."

[Read the whole story](#)

Reno's Guldemon**d** barely misses Dew Tour podium

By USSA

BRECKENRIDGE, Colo. – Chas Guldemon**d** (Reno) earned a hard-fought fourth-place finish at the Winter Dew Tour on Saturday. Guldemon**d**, who landed his first triple cork in competition in

the big air section on Friday, finished seventh in the rail portion on Saturday, for a combined score that placed him just off the podium.

The podium was a Canadian sweep: Mark McMorris won the jump section and was fifth in the rail section to take the win, Max Parrot had a standout rail section to put him in second and Sebastien Toutant rode well in both sections to earn the third overall spot.

The Dew Tour competition format was completely reinvented for 2016. Slopestyle athletes competed in two separate contests – a big air event on Friday, which combined the best two scores of four, and a rail section on Saturday, which took the best score of three. The scores were then combined to determine the overall winner, the greatest possible score being 200. Though there was apprehension going into the event, riders seemed to enjoy the format, saying that it gave them a chance to focus on individual obstacles vs. an overall slopestyle run.

Brandon Davis (Mammoth Lakes) had one of the best rail runs on Saturday, placing him in third place for the day. Unfortunately, Davis wasn't able to land a solid trick in Friday's snowy big air event and his combined score of 121.66 placed him in 11th overall.

Eric Willett (Breckenridge, Colo.) had a strong showing in the big air competition on Friday, landing a huge frontside 1440 and a switch backside 1260. Willett was fourth in big air but struggled in the rail section. He had a stellar third run going but couldn't complete the rotation off his final rail and went down in the end corral. Willett's combined score of 110.65 put him 13th overall.

Brock Crouch (Mammoth Lakes) was eighth with a combined score of 135.99; Eric Beauchemin (Grand Blanc, Mich.) was ninth with a combined score of 128.66; Kyle Mack (West Bloomfield, Mich.) was 14th with a combined score of 105.32; Red Gerard

(Silverthorne, Colo.) was 16th with a combined score of 95.66.

Casino industry adding more people to Black Book

By Nicole Raz, Las Vegas Review-Journal

Nevada casinos are kicking out and banning more people from their floors than possibly ever before.

“Definitely in the last four years we’ve seen what I would consider a bit of an uptick in individuals that we put on the Excluded Persons List (commonly referred to as the Black Book),” Gaming Control Board Chairman A.G. Burnett said. “We’ve probably included 25 percent more individuals on the Excluded Person List in the last four years than in the last 12.”

A report on the U.S. gaming industry found the industry as a whole is banning more individual bad actors from casino floors.

[Read the whole story](#)

Skier missing from closed

section of Mt. Rose

Updated 4:56pm:

By Kathryn Reed

A skier who went into closed terrain at Mt. Rose ski resort Saturday has not been heard from since about 10:15am.

A pair of 60-something year old men hiked up to the chutes area of the resort on Dec. 10. One friend saw the other disappear into what he told authorities was an avalanche. He called 911 and the search began.

This is the most difficult terrain at Mt. Rose and had not opened for the season, so what the duo was doing was illegal. Plus, they had to hike to access this virgin snow because the Northwest chairlift that reaches this area was not operating Saturday.

At the time the pair was on the mountain a foot of fresh snow had fallen. But 4pm another foot had accumulated.

Rescue teams had to stop the search to do avalanche control.

Bob Harmon with Washoe County Sheriff's Office told Lake Tahoe New at 4:55pm that the search has been called for the night. At about 4pm a team with dogs went in, with no luck in finding the 64-year-old man. The search will resume Sunday morning.

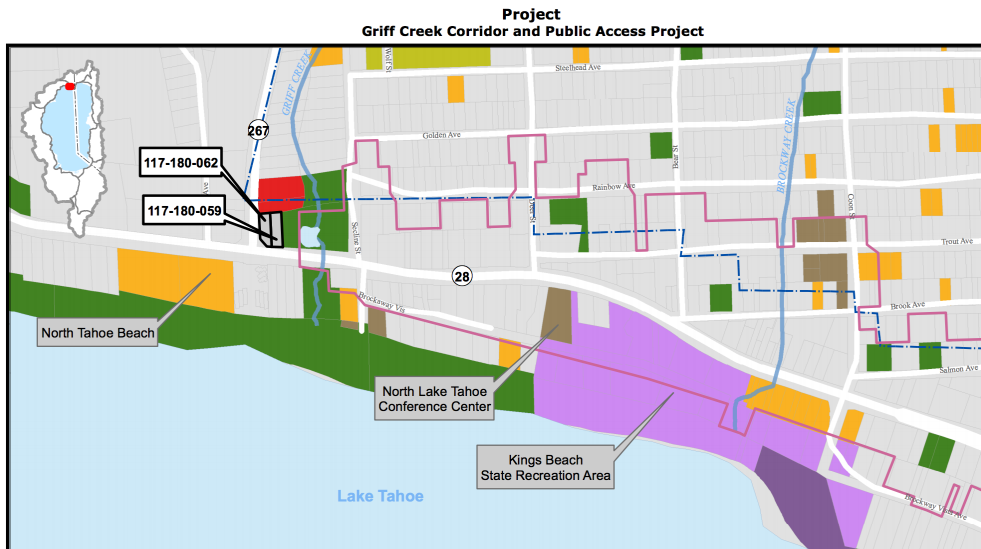
In addition to the resort's ski patrol, teams from Washoe County search and rescue, REMSA, North Tahoe and Truckee Meadows fire departments, and Squaw Valley are helping.

"They were not wearing any backcountry gear, so no beacons, probes or shovels,"Mike Pierce, spokesman for the resort, told *Lake Tahoe News*.

Snippets about Lake Tahoe

- South Lake Tahoe Fire and Rescue is collecting coats for kids from Dec. 15-Jan. 31. Drop off a gently used or new coats at Station No. 3, 2101 Lake Tahoe Blvd.
- Tahoe Donner downhill ski area is now open.
- The South Lake Tahoe warm room will open Dec. 15 at 7pm at 2179 Lake Tahoe Blvd.
- Grade school students can make holiday slime at the Minden Library on Dec. 21 from 4-5pm. All slime materials will be provided. For more information, call 775.782.9841.
- Nevada Humanities is accepting nominations for the 2017 Nevada Humanities Awards for outstanding achievement in and contributions to the humanities. Every other year, the statewide organization presents four awards recognizing individuals and organizations that foster cultural enrichment and deepen our understanding of the human experience by facilitating opportunities for Nevadans to engage with the humanities. Nomination instructions are available **online**.

Land acquisition could beautify Kings Beach



Updated Dec. 12:

By Kathryn Reed

One of the eyesores entering Kings Beach will be gone by this time in 2018, according to the CTC.

Placer County with state funds funneled to it via the California Tahoe Conservancy is planning to purchase two parcels on the corner of highways 28 and 267. An automotive shop currently operates there.

Both boards this week took action to solidify the deal. Placer County supervisors at their Dec. 6 meeting in Kings Beach approved the Griff Creek project, as well as the negative declaration. The CTC board on Dec. 8 allocated the \$1.2 million in Proposition 1 funds to purchase the properties. The Conservancy will retain the right to the coverage – a commodity the Tahoe Regional Planning Agency has created.

While the CTC staff made it seem like this was all a done deal, Placer County officials after the meeting told *LTN* not so fast.

“We now have to move into negotiations with the sellers of the properties – and so it is not a done deal, yet. And while it will be nice to have a more attractive entrance to Kings Beach, the goal of the agencies is to restore the environment in a stream environment zone – an area that we probably

shouldn't have allowed development on in the first place, but we are much smarter about those things now than we were back in the day. So we need to restore the area to its natural habitat... everything else is an added bonus," DeDe Cordell with the county told *Lake Tahoe News*.

The goal is for the 4,300-square-foot auto shop to be removed, along with 11,000-square-feet of impervious surface. This acreage is considered 100 percent stream environment; 97 percent of the property is covered. Griff Creek borders the property.

According to the Placer County staff report, "Once the properties are acquired and site demolition and stabilization activities are complete, future improvements on the private properties will be planned and designed with further community input."

CTC would like to turn this into a gateway for Kings Beach that is more welcoming.

The tenant will receive \$70,000 to relocate. Relocation should occur by fall 2017, with the project being done by the end of 2018.

Placer County will be responsible for cleaning up the site, if need be. In the past it has been operated as a gas station.