El Dorado County sheriff's detectives unhappily reassigned to patrol

By Peter Hecht, Sacramento Bee

Five veteran El Dorado County sheriff's investigators, including a detective who worked on the Jaycee Lee Dugard kidnapping case and the teen lovers' murder saga of Steven Colver and Tylar Witt, have been reassigned to patrol units.

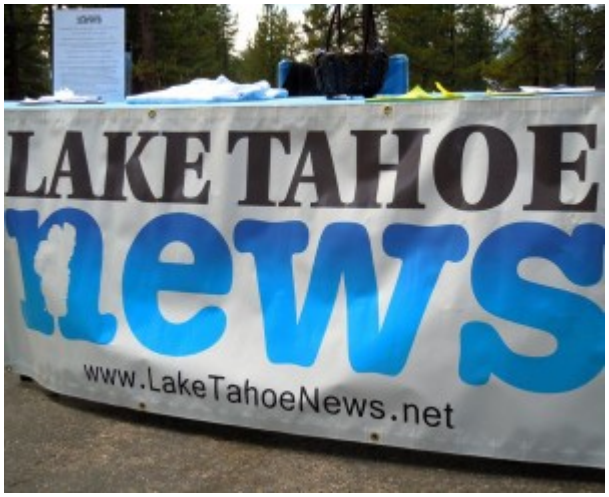
The reassignment of nearly half of the sheriff's detective division has triggered the filing of a contract grievance by the deputy sheriffs' association. And it fueled a media event Tuesday, in which union representatives and some advocates for crime victims blasted El Dorado County Sheriff John D'Agostini as undermining public safety by rotating undertrained officers into the coveted detective positions.

Among those sent to patrol was Detective Rick Fitzgerald, whose 18-year-tenure included the Dugard and Colver/Witt investigations and the cold case of Philip Arthur Thompson, who was convicted in 2008 in the killing of Elizabeth Marie "Betty" Cloe, a 22-year-old Oregon woman whose shot and bludgeoned body was found in Cameron Park in 1971.

Also reassigned was the entire five-member property crimes unit, with four going to patrol. A fifth member was reassigned within the investigative division, the deputy sheriffs' association said.

Read the whole story

LTN tidbit 16: Do you have your Lake Tahoe News T-shirt?



May is 31 tidbits about Lake Tahoe News month.

LTN tidbit No. 16:

It’s T-shirt weather in Tahoe. Do you have your *Lake Tahoe News* T-shirt?

We are giving them away to the first 50 paid subscribers. However, some of those subscribers either already have a shirt or they are not the T-shirt type, which means we have changed things a bit. We are giving away 50 shirts – no matter what subscriber number you are.

If you don’t get one with your paid subscription, they cost $15. Or maybe you want to buy one for someone else. Or maybe you want one for each day of the week. We will accommodate you.

Just mail a check for $15 per shirt made out to *Lake Tahoe News*, tell us what size you want and give us your mailing address.

Here is information about becoming a paid subscriber.

South Lake Tahoe beach concessionaire deal hits snag

By Kathryn Reed

Another South Lake Tahoe City Council meeting, another questionable bid and contract.

With summer having arrived unusually early in Lake Tahoe, people are at the beaches. And these people are hungry. But there is no vendor at El Dorado or Regan beaches because the city again can’t get its act together.



Danny Chavez will know May 18 if he will be the concessionaire for Lakeview Commons and

Regan Beach. Photo/LTN file

The number of irregular bids is beginning to mount – from the contractor for Lakeview Commons to the bear box issue that was resolved earlier this month to the current concessionaire for the city owned beaches.

City Attorney Patrick Enright wanted to bring the bid back to the council June 5, but the electeds said no way, this needs to be resolved immediately. Staff has until 3pm Friday to get all of its ducks in a row because that is when a special council meeting has been set to deal with just this issue. (Mayor Claire Fortier will be absent because her son is graduating from college.)

Enright on May 15 told the council he heard from the county Health Department late Monday with issues involving the applicant who staff had recommended the bid be awarded to. He also has issues with the bid saying the venues will be open five days a week, when in fact the city wants them open seven days.

Cronyism was the charge leveled against staff's recommendation to award the contract to Danny Chavez of Lake Taco Catering. While that word was used, the people who spoke at Tuesday's council meeting presented no evidence of cronyism.

Ryan Payne, who owns Energy Drink Outlet in South Lake Tahoe, was the first public speaker. He said on Monday he filed a formal protest against Lake Taco getting the concessionaire because according to a survey he took "the community is not behind this". He questioned how the contract is different than what is in the proposal – saying cronyism was at play.

Jeff Sparrow of Lake Tahoe Catering Company, who was one of the five bidders for the concessionaire, said he believes the process is whom you know, not what you know.

Three South Lake Tahoe employees, including Community Services Director Stan Sherer, evaluated the applications and interviewed the five candidates. All were graded on five criteria:

• Experience, background and qualifications – 20 points

• Proposed concession plan – 50 points

• Compensation schedule – 30 points

• Financial capability – pass/fail

• Completeness and comprehensiveness of proposal – pass/fail.

Sherer said Chavez with Lake Taco was the No. 1 choice of the panel.

“He knows what it takes to provide for a lot of people,” Sherer told the council. “We feel he can increase gross revenue more than all the other respondents. Ultimately he will provide more revenue for the city.”

Sanchez has been operating the Regan Beach concessionaire for a handful of years. This will be the first year for Lakeview Commons to have a vendor now that the boathouse is complete.

Sherer said he did go over financials with Chavez – which is common in a bid like this when the lowest responsible bidder is not the main, overriding criterion.

While Chavez’s bid says he will work five days a week, he told the council that was a typo. He said seven days is what it should say with no changes to any other numbers.

Rick Meyer, El Dorado County public defender, and Delicia Spees, executive director of Lake Tahoe Family Resource Center, were two people who sang Chavez’s praises.

Chavez countered Payne’s allegations that he was irresponsible and left things outside that shouldn’t be by saying he was

remodeling the Regan Beach facility so things had to be placed outside while work was done inside.

Others applying for the concessionaire were Crepes on the Lake and Commons Cafe, Beach Hut Deli, and Bijou Snack Shack.

The contract is slated to be for five years, with the city receiving 10 percent of gross sales in the first year, 11 percent in year two and 12 percent for the remaining years.

In other council action:

• Councilman Tom Davis reported Go Ape would not be building a ropes course this summer at Lake Tahoe Airport. He said the FAA is the hang up, with the hopes those issues will be resolved in the coming weeks.

• The city will be looking for a commercial real estate agent to help get rid of properties once owned by the Redevelopment Agency that are now under the purview of the successor agency since the state dissolved all redevelopment agencies.

• Signs will be put up at Lakeview Commons prohibiting people from using the built environment for use by snowboarders and skateboarders – and others – who want to do tricks and not just pass through the area.

• On a 3-2 vote, with Councilwoman Angela Swanson and Fortier voting no, the majority wants owners of historic signs to be able appeal any Planning Commission decision to the council.

• Swanson and Councilman Bruce Grego were appointed to an ad hoc committed to deal with the Lakeview Commons lease with El Dorado County.

Snippets about Lake Tahoe



• Relay for Life, a fundraiser for the American Cancer Society, is returning to Kahle Community Park in Stateline on Aug. 11. Volunteers are needed. Contact Maryon Tilley at (775) 586.8330 or Gary Newman at (775) 379.5297.

• Placer County Auditor-Controller Katherine Martinis has resigned. Assistant Auditor-Controller Andrew C. Sisk was appointed by supervisors to replace her.

• The North Lake Tahoe Business Expo is June 21, 5-7:30pm at the North Tahoe Event Center, 8318 North Tahoe Blvd. in Kings Beach.

• A neighborhood meeting for the South Y Industrial, Bonanza, Barton, Winnemucca and Airport areas is set for May 23 at 6pm at Lake Tahoe Airport. South Lake Tahoe will also hosting a meeting for the Highland Woods and Sierra Tract on May 17 at 6pm at Parks and Recreation Center.

• Bill Boosman and Paul Sciuto have joined the Tahoe Resource Conservation District board of directors.

It’s barbecue season. What’s on your grill?

Opinion: Is sustainability collaborative in Lake Tahoe?

By Garry Bowen

In our most recent Monthly Message from the Mayor, Her Honor Claire Fortier made a serious point for all of us with regards to TRPA’s hallowed threshold program. As TRPA has relied upon those thresholds as justification for so long they are known as sacred cow’ to some of the very people who oversee them, it was refreshing to have someone at a certain level admit that there may be a “fundamental flaw” in basing basin planning on them.

I thank Claire for this brave acknowledgment.

Her preceding sentence, just before the comma sharing that enlightened thought, was this: “thresholds were never intended to include humans in the mix”, bringing the long-term stresses into perspective as we enter the era of the Sustainability Collaborative. There were quite a number of people who showed up at the first Sustainability Collaborative meeting at Lake Tahoe Community College on Monday: from South Shore, Incline Village, and as far as Truckee – but was sparsely attended by anyone from other North Shore places, nor any from ethnic communities.



Garry Bowen

That, in facilitator Michael Ward's view, needs to be rectified in the near future.

In being thankful to Claire for her clarity with regards to her view of the threshold issue, I have to say that that view substantiates something that has been ever-present in my rear-view mirror for awhile now, a focused personal mantra for Tahoe's future: "policies equal to the scenery".

That phrase has captivated me since I read "Community and the Politics of Place", (University of Oklahoma Press, 1990) by the renowned former mayor of Missoula, Mont., Daniel Kemmis. With all the strife represented by the "knock down, drag-out" nature of fighting over Lake Tahoe's beauty and ownership, we still don't have those – but hopefully they may finally be on the horizon.

Is sustainability going to provide policies equal to the scenery? Given the fragmented nature of the numerous other agency silos here, the brilliance of Claire's comment resides in the fact that one must be aware of the problem to do anything about it, and she has in fact isolated it: if thresholds were never intended for humans to be "included in the mix", then that might lead to a simple, fundamental comprehension of sustainability's role – it is essentially about human behavior and its impact, ironically the same rationale for TRPA's very existence, although its focus has morphed a bit to claim ownership for Tahoe's clarity.

That all other agencies focus on that, too, to mollify

stepping on toes is in itself mystifying. What fell through the cracks over the years is the populace's own awareness of their surroundings, as they've been preoccupied with relying on their taxes to pay the agencies to take care of "those things" for them.

As sustainability is about human behavior and its impact, it is, and should be, a short but simple step to: if we change the behavior, we lessen the impact – conversely, if we don't change, the impacts will continue (to our continued detriment). This thought necessarily includes human wellbeing, as well as those of other species, so change should be a clear choice, but of what? Water, air, nutrition, ecosystems and habitats, the increasing need for pharmaceutical solutions, and overall human equity issues are all sustainability concerns, but here are mostly couched as merely about a better economy, as if that in itself will solve all those other things right along with it. This should not be thought of in such limited terms, as it is a much more rewarding and fun challenge to oneself to learn in what ways man has outdone himself, and in discovering simple solutions, all based on what nature has already been providing us.

That TRPA is considered the "villain-in-the-piece" can now be considered irrelevant, as it can be much more rewarding to understand and take responsibility for one's own choices of behavior and their impact (in fact the only real way to impact the impact). Sustainable ways are truly very important.

The Sustainability Collaborative takes on the mantle of savior of a lackluster, in the doldrums, long-in-the-tooth community structure hoping to revive our fortunes towards some sort of future we won't otherwise have – a noble and worthwhile endeavor if ever there was one.

Will this collaborative succeed, when others have dwindled or themselves become irrelevant: will its' grasp equal its' reach?

Former Sacramento Mayor Heather Fargo made an interesting kick-off speaker, as she is now the executive director of California's new Strategic Growth Council, the agency purportedly responsible for executing the principles inherent in AB32, California's now-famous climate change Initiative, and SB375, the so-called Sustainable Community Strategy. That sustainability might be about significantly more than reducing automobile usage (think air quality along with reducing emissions) means the idea is given short shrift, given how many cars are actually in California, and given the sheer number of people who will need to change behavior. There is much more to human behavior than just driving – that idea alone might be a lot to absorb, given how much time Californians devote to it each day, of delight to OPEC, and their minions.

In her new role, Ms. Fargo spoke of communities needing to have design professionals who "understand what smart growth is", and that she expected Tahoe to perform (sort of in a "policies equal to the scenery" way) in "so significant" a fashion that they might be eligible for an "international award".

She herself was refreshing, as she faced the attendees in a relaxed, conversational way – one particularly interesting point was about all the Federal government ownership here: "you needn't feel any guilt about approaching them for funds", as a number like 85 percent means that, with so much of the land agency-owned, they don't contribute to the local tax revenues anyway.

Interesting thought, lost on most here – due to the constant drumbeat as to how important they all are.

Patrick Wright, executive director of the California Tahoe Conservancy, was quite eloquent in following Ms. Fargo, as he envisioned a Tahoe much more than what it is today, and asked attendees about "re-thinking community", to assist in re-

energizing Tahoe's potential, which to my biased mind sounded like a plea, once again, for "policies equal to the scenery".

No mention was made of his co-creation of the Tahoe Fund, apparently created to attract the now ubiquitous idea of public-private partnerships, as if the corporate world will supplant the funds now diminishing from the sale of Federal land in Las Vegas, and we will be all the better for it if they do.

So far, I have seen no recognition that vitality will require other than agency thinking, as most answer to someone elsewhere. The most prominent examples of public-private partnerships here are in the ski industry, so with the nascent Olympic effort (aborted now three times, starting with 2014, to 2018 upon the award to Whistler (2010), to the current 2022 idea, given the Olympic Committee goings-on) the fact that the ski industry is exceedingly well represented on the Tahoe Fund board in itself gives short-shrift to any seasonal direction other than winter. This makes any sustainable effort accountable for all seasons, as it should be, but the lack of vitality vision puts strong responsibility on this volunteer effort, however well intended.

Apparently, the fact that the collaborative has now received almost $2 million in funding for the next few years is calming any fear of failure, as Tahoe is now so well known for, along with, and due to, its pattern of strife and inappropriate inaction. As this is to be a volunteer effort, what does that pay for?

The very real current challenge is on the malfunctioning status quo to brave some of their own demons in abandoning a hold on the "way we do things around here", as it will require more than a few hundred people participating in a Sustainability Collaborative to mitigate impact enough to satisfy agency goals.

This is true also because the agencies represented in the supposed Partnership for Sustainable Communities have all been given more-or-less a “right of first refusal” to anything brought forth by the collaborative, as they themselves are not participating in the collaborative in any meaningful way, other than to field the ideas generated by the community volunteers for their use. That may not be sustainable, nor will it garner the innovative qualities necessary for transformation – a term now lost in the shuffle of agency survival. The concept of the wolf guarding the henhouse unfortunately comes to mind, as does the phrase “good enough for government”.

This column started with the mayor, and will end with the mayor, as she herself was the first chair of the city’s own Sustainability Commission, created after the adoption of the Sustainable Action Plan in 2008, now approaching the type of time span that got TRPA in such hot water, not completing their 20-year Regional Plan update in 20 years, by being almost six years late? S.A.P. – 4 years?

Would a Sustainability Collaborative even have been necessary had a stronger stance been taken to encourage success for South Lake Tahoe’s own – and set standards high enough for anyone to emulate?

The answer to that is pure sustainability: nature has for millions of years operated in complexity (a tree, a bird, a snake, water, soil, photosynthesis, a wolf, a butterfly – all somehow end up working together; man, however, complicates himself, so much around him, so many other species, the air currents, the ocean currents – that Tahoe can indeed play a role in transformation that others can emulate, be a much better place to be, in becoming a model – but of what?

Sustainability can be a joyous antidote to our complications, as the best forms handle nature’s complexity in a simple, elegant, and profound way, without complication; Lake Tahoe

and folks who choose to live here deserve no less, so that others will enjoy joining us, at no additional cost but much considerable benefit. That is in the true spirit of collaboration.

Garry Bowen has a 50-year connection to the South Shore, with an immediate past devoted to global sustainability, on most of its current fronts: green building, energy and water efficiencies, and public health. He may be reached at tahoefuture@gmail.com or (775) 690.6900.

Meyers pizza joint helping futbol club

Bob Dog Pizza in Meyers is having a fundraiser for the South Tahoe Futbol Club, a competitive youth soccer team for ages 10-19.

It will be May 16 from 11am-9pm.

Twenty-five percent of profits will be donated to the club when people mention the promotion at the time of ordering food on Wednesday.

This is good for eat-in, pick up, take-n-bake and delivery.

State approves use of pesticides in Lake Tahoe

Pesticides will be allowed to be used in Lake Tahoe.

That was the decision the state Water Resources Control Board made May 15.

While plenty of hoops are in place for anyone wanting to do so, the ruling it ground breaking.

The Lahontan Regional Board in December approved the application of pesticides and herbicides in select circumstances. On Tuesday, this is also what the state board agreed to.

Environmental groups and some water purveyors had asked the state to consider a five-year moratorium on pesticide applications.

Lahontan wants the leeway to approve the use to help eradicate various aquatic invasive species in the lake.

– Lake Tahoe News staff report

Descendant of John Muir to give talk in South Lake

Robert Hanna, great-great-grandson of John Muir, will give a presentation May 19 from 7-9pm at Unity at the Lake, 1195 Rufus Allen Blvd., South Lake Tahoe.

Lake of the Sky Outfitters and Range of Light are sponsoring the event.

Free tickets are available at Lake of the Sky Outfitters at the Y in South Lake Tahoe. A ticket is required for entry.

South Lake Tahoe council praises Kerry, but wants full search for next city manager

By Kathryn Reed

Spending more than $20,000 to find a city manager is clearly what the South Lake Tahoe City Council wants to do, even though the electeds agree an internal candidate is more than qualified to do the job.

The five sent conflicting messages to the public during the Tuesday afternoon presentation by four individuals who represent companies that could be hired as the headhunter to find the permanent replacement for Tony O'Rourke. (O'Rourke told the council he will be around for the two June meetings. Then he is off to do the same job in Yakima, Wash., having fulfilled less than two years of his three-year contract in

South Lake Tahoe.)



The South Lake Tahoe City Council on May 15 appointed Nancy Kerry to be interim city manager when Tony O'Rourke leaves in a month. Photo/LTN

The mixed message is how they praised the internal candidate, saying how strong and qualified she is; then saying they want to look elsewhere – just in case someone better is out there. This all came after a presentation on the five-year budget that included how horrible the local economy is and how revenues for the city are stagnant at best.

Where the money will come from to pay the headhunter was not discussed.

The council is slated to pick one of the firms at a special May 29 5pm council meeting

The council on May 15 agreed to appoint Nancy Kerry interim city manager effective July 1. With the appointment comes a $2,000 month raise, which brings her annual salary to $141,240. Police-Fire Chief Brian Uhler, who will report to Kerry, makes a few thousand dollars more than her per year.

O’Rourke makes $175,000 a year.

In the contract with Kerry, the council agreed if the electeds pick someone else for the job, she would return to the assistant city manager position with a contract of at least one year.

Kerry told *Lake Tahoe News* she definitely intends to apply for the city manager position.

When it came to the headhunters, all were asked how the process would go with an internal candidate in the mix who is respected and that day was appointed to be interim city manager.

First up was Bob Murray of Bob Murray & Associates. He is the man who recruited the last three city managers.

Second was Phil McKenny of Peckham & McKenney.

“If you have a strong internal candidate, hire her,” McKenney advised the council. “If it doesn’t work, call me in six months.”

Bob Neher, with Neher & Associates, told the council that while most searches take three to four months, he would strive to do it sooner so there was not much lag time between O’Rourke’s departure and the hiring of the next city manager.

Heather Renschler of Ralph Andersen & Associates said having a strong internal candidate “could change the composition of the pool.”

No matter who is hired as city manager, that person will not be hiring the finance director. O’Rourke is expected to choose one of the two out-of-town finalists before he leaves. That person will replace Christine Vuletich, who left earlier this year for Douglas County.