Bluth, Douglas County parking lot battle escalates

By Kathryn Reed

It appears Douglas County's elected officials and staff are not communicating well.

Commissioners Nancy McDermid and Greg Lynn met Friday morning with Chuck Bluth at his Glenbrook residence to discuss the disputed parking lot of the Nugget Building in Stateline. (This is where Sushi Pier and other businesses are.) Commissioners then went on to view the site for themselves.



This section of parking lot at the Nugget Building is being disputed. Photo/Kathryn Reed

Commissioners had been told by staff and the District Attorney's Office to let them handle the situation and not engage Bluth in conversation.

After the July 2 meeting, Bluth told *Lake Tahoe News*, "I think Nancy came up with some very good ideas and concepts and they will take it back and discuss it with the other

commissioners.” He didn’t want to divulge specifics.

McDermid did not return a call.

When contacted Friday afternoon by *Lake Tahoe News*, the county manager’s office quickly came up with a press release. (It was originally Steve Mokrohisky, assistant county manager, who contacted *LTN* in May about the issue. Click here for that story and background.)

The two-page press release outlines a back-and-forth dialogue between the county and Bluth about a lease price, length of contract and improvements to be made. The last sentence says, “The county continues to hope that we can come to an agreement and is ready and open to resume discussion with Bluth Enterprises.”

Apparently, County Manager Michael Brown doesn’t know two of his bosses have already resumed discussions.

Because some of what has allegedly been agreed to was done verbally, the situation has escalated in writing between Bluth and the county to where each is accusing the other of changing the parameters to an unacceptable outcome.

Perhaps the commissioners can resolve the issue. For now, the lot is open.

Snippets about Lake Tahoe

• Bijou Bash is returning to South Lake Tahoe at the park by the same name on Sept. 11 from 11-4pm.



Miss Marcia's dancers perform at the 2009 Bijou Bash. Photo/Kathryn Reed

• In January 1936, *Nevada Highways and Parks*, known today as *Nevada* magazine, was introduced to travelers. In 2011, it will celebrate 75 years with a special issue. Visit nevadamagazine.com or call (775) 687. 0603 to order a limited-edition copy.

• Tani Pettit of North Tahoe High School in Tahoe City is the first place winner of Safeway's "Taste of Moo-sic" art contest. She wins $5,000 for her school's art department, plus $2,500 each for herself and her art teacher.

• Boreal Ski Resort's Shred Fest is July 10 at 10am and July 11 at 2pm.

• Explore Tahoe in South Lake Tahoe is having a week of wildfire films starting July 5. Click on wildfire for more information.

• Jim EnEarl, who was first elected in 1994 to be justice of the peace for the East Fork Justice Court in Douglas County, is resigning effective Aug. 6.

South Lake Tahoe council hires city manager

By Kathryn Reed

South Lake Tahoe's next city manager has read the grand jury report, he knows the disconnect between the government and the people it is supposed to serve, he knows about shoveling snow, he knows about the economic rollercoaster ride of a tourism based economy – and still Tony O'Rourke accepted the job.

O'Rourke's experience in the private and public sector led the City Council on Thursday night to vote 4-0 to select him over the three other candidates they interviewed. Councilman Bill Crawford has chosen to stay out of the interview and selection process.



Tony O'Rourke will replace Dave Jinkens as city manager of South Lake Tahoe. Photo/Austin Fay

“I think it’s a great community and a great opportunity for progress. I know there are some real challenges,” O’Rourke told *Lake Tahoe News* shortly after he was offered the job July 1. “It’s an opportunity to respond to the needs of the community and produce a government that works better.”

Lake Tahoe News did not post this story earlier because the final details of O’Rourke’s contract as well as final documents involving the background check did not come until today. A verbal agreement was given, but the contract has not been signed and all the particulars are still being worked out.

O’Rourke will be making in the ballpark of $169,502 – what current City Manager Dave Jinkens is earning per year. The contract will probably be for three years, also what Jinkens started with. Other benefits beyond the standard health and retirement are being worked on. It is not known if these would include moving costs, paying for temporary housing, a housing allotment, car or something else. His first day on the job should be right around when Jinkens leaves Aug. 7.

The council is expected to ratify the contract at the July 13 meeting.

“It is going to be a whole paradigm shift in style,” Mayor Kathay Lovell said of going from Jinkens to O’Rourke. “(O’Rourke) is very refreshing. He has great people skills, great communication skills. I think he is really strong.”

The four council members who voted all favored O’Rourke. However, Councilman Bruce Grego, who again did not return phone calls, has been lobbying to keep Jinkens on longer.

Councilman Hal Cole was not available for comment.

O’Rourke, 55, this morning let his bosses at the Beaver Creek Resort Company in Colorado know he is leaving. He has been their executive director since 1996.

According to the company's website, it is "a very special hybrid, combining a homeowners' association, a resort association, with some municipal services added. The Resort Company, a Colorado nonprofit corporation incorporated on April 30, 1979, was designed to help Beaver Creek become and remain a unique resort community."

It does have ties to Vail Resorts, which owns Heavenly Mountain Resort.

"I think that he is strong enough he will be independent and he will not be tied to Vail Resorts," Councilman Jerry Birdwell said. The hiring of a city manager has not gotten Birdwell off the fence in deciding if he will seek a second term in November, nor will he give a date for when he expects to announce a decision.

Birdwell went on to say, "I think he was the best qualified person who applied for the position and he will be a great asset to this community."

O'Rourke's familiarity with airports was another positive, Birdwell said.

"He comes in understanding a mountain resort and tourism," Lovell said. "In the capacity he currently has, even though it is not an incorporated city, it's like it. They have an elected board, they have similar utilities, they have police and fire."

One difference is the average daily room rate in Beaver Creek is about $500, while it is $120 in the redevelopment area of South Lake Tahoe and much less in the rest of town.

O'Rourke sees his blend of private and public experience as a bonus. He thinks one of the problems with cities is having leaders with only government experience.

Before joining Beaver Creek Resort Company, O'Rourke was

assistant city manager in Tallahassee for a year; city manager of Coral Springs, Fla., from 1992-95 and assistant city manager from 1989-92; assistant city manger of Richardson, Texas, from 1983-85. He has also worked in Dallas, Ithaca, N.Y., Boulder, and was community development director of Isla Vista in California from 1977-79.

Lovell admitted his lack of experience in California was a strike against him when it came to her vote, but she said all the other aspects of his career and experience swayed her to put him at the top of her list – the same place the other council members put O'Rourke.

O'Rourke will be moving to the area with his wife and 16-year-old son. They have two other children who are in college. He is a skier, but prefers to snowshoe with his dog.

O'Rourke plans to engage the public as soon as he arrives.

"I want a laundry list of names of a cross-section of the community to see what the issues are," O'Rourke said. "We will quickly develop a strategic plan of action to address the most significant issues."

O'Rourke said change is definitely needed in the city and that "it's not a painless process and not without a lot of blood, sweat and tears."

He added, "Talk is cheap. We have to produce results. What attracted me to this (job) is that it is a great opportunity to produce great results. I'm not naïve. I know the difficulties of the past. We have to be above that."

Douglas County takes no-tolerance approach on July 4

To the community,

With the 4th of July quickly approaching, Sheriff Ron Pierini and members of the Douglas County Sheriff's Office wish to take a moment to remind and educate our residents and guests that the possession and or discharge of fireworks in Douglas County is unlawful and will not be tolerated.

Persons found in violation of the fireworks ordinance face criminal penalties, including fines of up to $1,000 and/or confinement in the county jail for a period of up to six months.

Please, do not risk life or property by the personal use or display of fireworks. There are many community firework displays planned in our area in which you can take part without risk of criminal or civil penalties.

Additionally, as is the case each year, the possession and/or consumption of alcoholic beverages on Nevada Beach on the 4th of July is unlawful per Douglas County Code 9.28.010. This ordinance came about to reduce the many acts of drunkenness and violence associated with alcohol consumption that were experienced on the beach in previous years. Douglas County Ordinance 9.28.060 deems any violation of this provision an infraction, punishable by a fine up to $1,000.

Signs pertaining to the ordinance will be posted at the entrance to Nevada Beach on the 4th of July. The entrance, as well as the beach itself, will have a heavy presence of law enforcement personnel. Any cooler, backpack, bag, purse or other container that reasonably could carry a vessel containing an alcoholic beverage is subject to inspection and or seizure anywhere inside Nevada Beach Park.

Elks Point Road will be closed at the intersection of U.S. Highway 50 no later than 4:30pm. At that time, no vehicles will be allowed to enter lower Elks Point Road unless proof of residency or proof of campsite occupancy is established. Elks Point Road will remain closed until the completion of the fireworks display.

Heavy congestion in the areas of Nevada Beach, Round Hill, Zephyr Cove, Lower Kingsbury Grade and the Stateline casino core are expected. Lower Lake Parkway may be closed to ingress traffic after the fireworks display should the volume of traffic dictate the need for such a closure. Motorists are cautioned to anticipate delays while traveling in these areas.

The U.S. Forest Service will be enforcing a “No Alcohol” policy on the 4th of July, between the hours of 10am and midnight in the Zephyr Cove Beach Resort and Campground. Designated areas for the possession and or consumption of alcoholic beverages shall be established at specific locations at or near the resort. Anyone found in possession of or consuming alcoholic beverages outside of these established areas on federal lands shall be subject to a fine not to exceed $5,000.

Law enforcement has adopted a zero tolerance enforcement approach for those individuals who choose to disrupt the festivities by drunkenness, quarreling, fighting or the possession or discharge of fireworks. A heavy law enforcement presence will be monitoring the celebrations throughout the Stateline casino area, on Nevada Beach, and around the Zephyr Cove Resort areas.

Criminal offenses that will be strictly enforced include:

9.24.010 Disturbing the peace.

It is unlawful for any person to maliciously and willfully disturb the peace of any neighborhood, person, or family by loud or unusual noises or by tumultuous and offensive conduct,

threatening, traducing, quarreling, challenging to fight, or fighting.

9.24.020 Provoking commission of breach of peace.

It is unlawful for any person to willfully provoke, or attempt to provoke, by word, sign or gesture, another person to commit a breach of peace.

9.24.030 Disorderly conduct.

It is unlawful for any person to lie or sleep on any of the sidewalks, streets, alleys or in public places within Douglas County; or to disturb the peace and quiet of any person, family or neighborhood by drunkenness, or by making loud or unusual noises, or by loud, violent, or offensive language, or by boisterous, tumultuous, or offensive conduct, or by threatening, traducing, quarreling, or offering or challenging to fight, in any other way or manner whatsoever.

8.16.10 Discharge, possession, storage or sale of fireworks.

It is unlawful for any person, persons, firm, company or association, within the limits of Douglas County, to possess, store, sell, discharge or set off any rocket, squib, firecracker, or other fireworks of any kind or description.

9.24.040 Penalty for Violations.

Any violation of these provisions constitutes a misdemeanor and shall be punishable by no more than six months of confinement in the county jail and or by a fine not to exceed $1,000.

Douglas County Sheriff’s Office

Hands-on children's activities at Valhalla

Families looking for an outdoor educational experience can head to the Valhalla Grand Hall located at the Tahoe Tallac Historic Site on Highway 89 on the South Shore. From July 5-9, children ages 4-15 are invited to discover their power to create in a series of Expression Painting Classes. Created by Gina Stowell, the classes are designed to help children develop and discover the excitement of painting.

Stowell's Expression Painting sessions share art history and painting techniques followed by a free painting session encouraging creativity and self-expression. Students should wear sunscreen and a hat plus bring a healthy snack. The cost is $150 per child for the week including materials. The three-hour sessions are limited to 10 children and they're filling up fast. Sessions are from 9:30am-1:30pm. Sign up by calling (530) 541.4975.

On July 7, the whole family can head to the "In the Meadow Sing-a-Long" at the historic Boathouse Theatre. Starting at 10am, children ages pre-school though 12 can participate in an interactive nature and music presentation learning about bears, coyotes and geese in their natural habitat. It's a free event and parental supervision is necessary.

For event and site visit parking, there is two-hour free parking to tour and/or buy tickets (excluding July 4 when there is no parking available). The parking lot is open daily from 11am to 3pm, as are the Valhalla Grand Hall and Boathouse Theatre.

Homeowners rally to fight Homewood development

By Austin Fay

HOMEWOOD – Something has to be done in regards to the proposed Homewood Mountain Resort development. That was the overriding sentiment of Friday's meeting of the Friends of the West Shore, a nonprofit organization aiming to provide a community voice to Homewood's development plans.

Water usage, the height of the new lodge (which will almost be twice as high as the 32-foot-high existing north lodge), traffic and whether or not the new Homewood development fits into everyone's view of the West Shore were issues that brought people to the edge of their seats.



A rendering of what Homewood's owners would like to build.

This group of homeowners aims to incorporate environment, community and economic sustainability into what JMA Ventures of San Francisco wants to do. JMA bought the resort a few years ago and also now owns Alpine Meadows Ski Resort.

Currently, Homewood's population is just less than 370 full-time residents, with about 1,000 second homeowners. The

expansion proposal would almost double the town's population. The mountain is about 1,100 acres, including the base area.

The large elements of the 316 mixed-unit proposed plan will consist of a 75-room five-star boutique hotel, 40 condominium residences in the north base, 99 condominiums at the south base, 13 on-site residences for staff, 30 penthouse units, 36 residential condominiums with 20 lock-out units so the condo owner can rent the space, 16 townhomes, grocery store, a full-service restaurant, spa, fitness facility and up to 25,000 square feet of retail space.

Gold-level LEED certification will be sought from the U.S. Green Building Council.

Also, the Madden and Ellis chairlifts will be replaced with high-speed quads, but the total skiable terrain of Homewood will remain unchanged.

Also, the Madden and Ellis chairlifts will be replaced with high-speed quads. The total skiable terrain of Homewood will remain unchanged.

Homewood Mountain Resort's master plan is here.

Thirty community members gathered at the Rideout Community Center on the West Shore on July 2 to talk about what the developer wants to do. According to the group's handouts, Friends of the West Shore's goal "is to have the Homewood Mountain Resort development reflect and enhance the rustic quality and scale of surrounding community, historical buildings both past and present, and protect our natural resources."

The group also believes the developer's plans are too big and "the current HMR proposal will negatively change the character of the West Shore forever."

When asked by Roger Kahn, a small business owner, how many

were year-round West Shore residents, nine of the 30 raised a hand.

When asked if their financial wellbeing was dependent on the West Shore, five people raised a hand, including David Tirman, executive vice president with JMA Ventures. Tirman was there to field questions about the proposed development.

“Currently, the revenues are not covering the costs of (Homewood’s) operation,” Tirman said of the reason for the development.

But that isn’t good enough for some of the residents.

“We need to be alert on this issue, we can’t just close our eyes and say, ‘we can remain fine on this issue because Dave’s (Tirman) such a great guy and wouldn’t do anything wrong’,” Susan Gearhart, president of FOWS said. “But every issue on deck is a viable issue, the economics are a viable issue, the community is a very viable issue.”

Tom Rosenberg, a homeowner on the West Shore for 25 years, is writing an opinion piece for the July 4 *Sacramento Bee* discussing how “the leadership of the TRPA has lost its sense of direction … and the way the Homewood project has been presented is very questionable.”

These are sentiments the group shares. Rosenberg is a writer who has taken an interest in FOWS, but is not a member.

“We’re not a five-star mountain, we’re never going to be a five-star mountain,” Claudia Williams, a Homewood resident, said after the meeting.

Rob Weston, a small business owner on the West Shore, put an emphasis on economic sustainability at the meeting.

“We have to remember what’s being proposed is a year-round resort – 100 year-round jobs on the West Shore,” Weston said.

He said most of the people at the meeting were NIMBYs (not in my backyard) and CAVE (citizens against virtually everything) because they are against development in Lake Tahoe.

The environmental impact report for the project is expected sometime in September. The public will have a chance to formally comment at that time.

The project is subject to Tahoe Regional Planning Agency and Placer County oversight. Tirman expects to break ground in 2012 if permits are in hand, building ordinances are complied with, there's a buoyant economy, and no unforeseen obstacles.

The next meeting of Friends of the West Shore is at 10am July 24 at Tahoe City Public Utility District building at 330 Fairway Drive in Tahoe City. Residents of the West Shore will be able to ask questions and speak directly with TRPA representatives.

Truckee River level leaves rafters dry in Tahoe City

By Kara Lapoint, Reno Gazette-Journal

Blue rafts from two commercial rafting companies typically pack the stretch of the Truckee River between Tahoe City and Alpine Meadows this time of year.

But don't look for them this Fourth of July weekend, one of the busiest of the year.

Low water levels have left Truckee River Raft Co. and Tahoe Truckee River Rafting unable to open for the summer. The federal water master's office says a long-standing federal

rule will not allow it to release more water into the Truckee from Lake Tahoe.

Read the whole story

Bear killed after attacking camper in Eldorado National Forest



By KCRA

A bear that attacked a camper near Union Valley Reservoir in Eldorado National Forest going into the holiday weekend was shot and killed by wardens Friday evening.

The attack occurred at about 2 a.m. at the Yellowjacket Campground, located at the Sierra reservoir.

Kirsten Macintyre with the California Department of Fish and Game said a husband and wife heard a noise outside their tent and saw a bear rummaging through a cooler.

Read the whole story

Guilty verdict in ’08 South Tahoe kidnapping, torture case

It took an El Dorado County Superior Court jury about a day to convict Joshua Barber of kidnapping, infliction of torture, aggravated assault and terrorist threats.

Co-defendant Amanda Johnson entered a plea agreement to which she was sentenced to 11 years in state prison in return for truthful testimony against Barber.

The two were involved in a prostitution business when on Nov. 22, 2008, they attacked and severely beat a South Lake Tahoe woman. The incident started in the parking lot of a South Tahoe motel, which several people witnessed.

They forced the victim into a vehicle, while continuing to beat her and threatening to kill her. They took her to the Camp Richardson area, where she was stripped of most of her clothing and left in the snow.

The victim heard traffic, was able to move toward the sound and was found by a Caltrans snowplow driver. He called for assistance.

Barber will be sentenced at the South Lake Tahoe courthouse on July 23. He faces life in prison for the torture conviction as well a number of years in prison for the other counts, including a special finding that he inflicted great bodily injury.

South Tahoe fighting to retain its fair share of TOT

Publisher's note: ***The following is a letter South Lake Tahoe City Manager Dave Jinkens sent to Tahoe's congressman on July 2, 2010.***

Dear Representative (Tom) McClintock,

I am writing to express the concern of the mayor and council of South Lake Tahoe of any federal legislation that would undermine the ability of our city to fully collect local transient occupancy tax (TOT) from online sales. The City Council already has adopted policy to ensure that business operators are treated fairly and equitably in the collection of TOT and that all TOT owed the city is collected. We are seeking a level playing field in the application of this important local revenue source.

Online travel companies such as Expedia, Hotels.com, Travelocity and others collect TOT on the price the customer pays for the room but only remit the tax to the city based on the discounted wholesale room rate the online travel company pays to the hotelier. These online travel companies retain a portion of the tax they collect in the city's name, claiming that it's part of the fees they collect on their sale of the hotel room.

I am advised by the League of California Cities that in their latest attempt to avoid paying cities the full amount of TOT owed, the corporate association of online travel companies launched a misleading website www.travelersfirst.org, which encourages travelers to take action against proposed increases

on fees and taxes. The website misleads travelers into believing that local governments are attempting to levy additional taxes on travelers and encourages them to send a form to their senator. In reality, the online hotel companies are retaining tax dollars that are owed to local agencies, and are lobbying hard to get pre-emptive legislation to protect themselves against ongoing lawsuits.

The city of South Lake Tahoe receives approximately $11 million annually from TOT with approximately $5.6 million going to the general fund. The remainder of TOT revenue collected by the city is pledged revenue to debt retirement. These funds are very important to our community and support vital local services. In these challenging budget times, these revenues are even more critical.

Our city government is fiscally prudent, has strong financial policies in place, has a 25 percent general fund unallocated reserve, but it also has had to make indicant reductions in expenditures due to a poor economy and state takeaways. The city has successfully negotiated compensation and benefit reductions from employee groups and more reductions are underway. The city needs general fund revenues to support the provision of essential public safety services. I respectfully ask for your strong opposition to any effort by special interest groups to undermine our local revenues by legislative action. The legal dispute over the duty of online companies to remit the full amount of TOT owed to local agencies is already in the courts. That is where the issue should remain.

Thank you for your attention to this important matter.

Sincerely,

Dave Jinkens, South Lake Tahoe City Manager