

Tahoe Tails – Adoptable Pets in South Lake Tahoe



Holton

Holton is one of several beautiful big cats at the shelter right now, and the only one who isn't orange.

His owner died. Holton was living outside for a while until he was brought to the shelter, so he had to have some matted fur clipped – but it will grow back very nicely.

Holton is a little shy right now, but very sweet, and he loves to be petted and scratched.

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

Go online 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.

Tahoe Paradise park fights to stay independent



A walking path goes along the edge of Lake Baron at Tahoe Paradise park.
Photos/Kathryn Reed

By Kathryn Reed

TAHOE PARADISE – *“Tahoe Paradise Park is currently operated by the Tahoe Paradise Resort Improvement District, and at some point in the future, El Dorado County is scheduled to take over operations. This change in management should increase options for re-development and management.”*

Those sentences come directly from the draft of the South Lake Tahoe-El Dorado County Recreation Master Plan. The draft is expected to be released to the public Aug. 8.

However, no one is publicly taking ownership for putting those

lines into the document. And it wasn't until this last week that the bulk of the TPRID board even knew the language was in the document.

El Dorado County Supervisor Norma Santiago is on that board and has been instrumental in the recreation master plan. By the end of the meeting she was visibly upset because another one of her ideas had backfired and came to light before she wanted it to.



The board wants to put in more permanent bathrooms this summer.

Santiago never brought up the language in the draft master plan to the TPRID. Board members found out about it elsewhere.

"When it says we are being taken over in the future by El Dorado County, that is a concern of the board, members of the community and the district," board member Judy Clot said.

Clot brought up the fact that the TPRID was initially invited to participate in the rec master plan, but then the process went forward without them.

At the meeting it was decided the board would write a letter requesting the language quoted above not be included in any future recreation master plan versions.

This is not the first time the park has been left out of a conversation. It was brought up at the board meeting and the next night at the Meyers Area Plan meeting that the TPRID

board has not been consulted about plans to extend the greater Meyers trail network into the park, which would bring more users.

Vickie Sanders, county parks manager, was at the June 25 TPRID board meeting at the request of Santiago.

Sanders later told *Lake Tahoe News*, "I was always told we were supposed to take over that park, but I've never seen proof of that."

Tahoe Paradise RID was created in 1965. It includes 2,200 residences, 4,400 parcels and is 10 square miles. The park gets its money from renting the facility – mostly for weddings, grants and \$50,000 a year from Measure S/R. Steve Dunn, who is the park manager, lives on site; with the free rent being part of his compensation package.

Keeping the park looking presentable has been an issue for eons. Driving in, Dunn's residence is on the right, and then it looks like a maintenance yard and not a park. To the left are three tennis courts, with the fence on the first one being mangled and that court unplayable. The clubhouse looks nice from the outside. It backs to open space and Lake Baron.

Money has always been issue and will become greater once Measure R sunsets in 2030. Another issue facing the district is the state and others want to do away with resort improvement districts.

"What the Legislature said a few years ago is let's convert them to a more modern version of local government so they have more modern laws and modern tools," Jose Enriquez, executive director of El Dorado County Local Area Formation Commission, told *Lake Tahoe News*. He used the analogy of going from a 1988 Yugo to a 2014 Camry. "It does the same things, but it's more modern."



Day use area at the park.

He believes Tahoe Paradise's best option would be converting to a parks and recreation district. Having to adhere to the Brown Act – the open meetings law, and coming under Proposition 13 are some of the changes that would occur.

It's up to the TPRID board to ask for the conversion.

Senate Bill 1023 was passed in 2010, revised in 2011 to allow for the conversion to go forward faster. Enriquez said all Tahoe Paradise would gain by doing this before the bill expires in 2018 is cutting off about three months of the process.

Bill Cherry, who is on the TPRID board, said LAFCo has spoken to the board and the board said no to the conversion.

"LAFCo said an advantage of a park and recreation district is that it would be easier for the county to take it over," Cherry told *Lake Tahoe News*.

Opinion: Is a coup taking

place in El Dorado County?

By Larry Weitzman

There is a movement in the county that could be called a coup d'county, a takeover of county government under the absolute rule of the county chief administrative officer. And it looks like this movement is lead by the county CAO, Terri Daly, her followers and minions. Maybe EDC executives will become like those executives in Bell. Only recently (July 2013) did Terri Daly seek from the BOS and receive an annual salary increase for the HR director of \$33,000, an increase of 22 percent.

Here's what going on. In order to create a furor in the county, the CAO's office using the law firm of Van Dermynen Maddux and our \$140,000 created a now questionable survey that claims that the county employees live within a "culture of fear" with the chief culprit being the county auditor, Joe Harn, alleged to be a "mean bully" who won't cave to other people's pressure when they want to use county money, perhaps improperly. Of course what was claimed about the auditor wasn't true, as the survey showed the real problem in the county was in the department headed by Kim Kerr, the Community Development Agency which according to the survey had a satisfaction rating of 22 percent. What was the employee satisfaction rating of the auditor's department you ask, about the highest in the county at 92 percent, the same as the county library.



Larry Weitzman

But it was the beginning of a campaign to rid the county of its long time auditor, an auditor who won't let anyone in the county waste the people's money or use it incorrectly. Harn has saved the county tens of millions of dollars over his tenure (Harn has taken the county from a \$20 million deficit to a \$54 million surplus). The real bully in the CAO's office from the Van Dermiden survey data is the assistant CAO, Kerr. It was hoped that all this notoriety plus a lot of advertising by the opponent would cause Harn to be defeated in the June election.

Well, that didn't work as most people in the county are aware of Harn's excellent work and work ethic and he won the last election by a landslide, by 11-12 percentage points, similar to the two Ronald Reagan landslides over Carter and Mondale. So the next move by the coup was to nullify the elections of elected county officers, the auditor-controller, tax collector-treasurer, surveyor and county recorder clerk.

The method by which the Board of Supervisors and CAO would achieve this was through the El Dorado County Grand Jury and then implementing their recommendations via a Charter Review Committee to reform the County Charter (its main governing document) to eliminate the aforementioned elected department heads and make them appointed. Appointed by guess who? That's right Daly, the CAO.

When studying the grand jury report, it can be seen that the grand jury did not study the Van Dermiden Maddux report and it admits it did not investigate allegations made against the auditor-controller but did take unsubstantiated "testimony" from obviously biased "witnesses" without any cross examination. This GJ just went through motions because the results of the report were pre-ordained from the beginning. Sounds like another Daly kangaroo court. And that becomes more evident when reading the report's findings and recommendations which do not appear to have the underlying facts to back them up. Such a situation would and should invalidate the report.

But that doesn't stop this repetition of Jan. 30, 1933. Just take a look at the GJ proposed rewrite of the EDC Charter which was forwarded to the Charter Review Committee.

Amending the Constitution of the United States normally takes years just to get a proposed amendment through Congress before ratification which can take even more years, but with respect to the foundational document to the EDC Charter the attempted coup is happening in weeks . The Charter Review Committee is required to meet only twice with only one meeting of substance and it might be the last meeting, although there could be one more. That's a lot riding on one or two meetings with limited time for the public to speak. But that goes with the territory here, as the proposed Charter changes are the elimination of democracy within the county, as the changes would give effectively complete control of the county to the CAO. After a recent short discussion with the Charter Review Committee Chairman Kris Payne, I have some hope his apparent lack of bias and common sense will prevail and the coup will be stopped in its tracks.

A summary of the changes to the charter as proposed by the GJ would do the following. All hiring and firing within the county would now belong to the CAO at her complete discretion pursuant to the GJ's proposed charter change of Section 401. Currently department heads are now hired and fired by the BOS. So if the auditor were to say no to the CAO or one of her minions, and with the CAO's new power to hire and fire (they will all eventually be minions as all department heads will serve at the pleasure of the CAO), bye bye auditor. The auditor who is supposed to protect the taxpayer's money will no longer be a junkyard dog; he/she will be a basset hound (no offense to the breed). It would become a true spoils system, a real crony county. Daly has already hired several of her friends, giving them fat raises, like Pam Knorr, the HR Director, and Kerr.

Perhaps the CAO would appoint an unqualified or worst yet

scheming tax collector-treasurer. Maybe the new tax collector-treasurer would make investments using a political insider's investment broker or worse sell off the delinquent tax rolls as one of our outgoing supervisors perhaps wanted to do. Maybe that outgoing supervisor plans on getting that job by appointment. His lack of qualifications and a one-year wait as required by the current county Charter may prevent that.

In another power grab by the CAO, is a proposed language change in Section 304 (a) of the Charter. It was only one word by it's a powerful word. Instead of reading "304 (a) Coordinate the work of all offices and departments, both elective and appointive, and devise ways and means to achieve efficiency and economy in all counties operations," the word "coordinate" was changed to "Direct." That would give complete control of the entire county to the CAO even over the district attorney, the sheriff and the assessor. The CAO would already have complete control of the auditor-controller, the tax collector-treasurer, recorder-clerk (maybe the CAO could force the back dating of recorded documents or allow an unqualified candidate on the ballot) if those offices were to become non-elective and appointed by the CAO. The proposed GJ Charter change Section 401 would have already removed from the BOS the hiring and firing of department heads and given that power and pleasure to the CAO.

Additionally, the GJ's proposed Charter change Section 404 would allow sole discretion as to what is a department head to the CAO. Proposed Section 404 clearly states, "The position of department head shall be designated by the CAO."

You will hear the concept of these changes turning a CAO into a county executive officer like a strong mayor concept. But even in Placer County where they have a CEO instead of a CAO, there are the same elected officials that we now have in EDC. Placer citizens elect the auditor-controller, the treasurer-tax collector and the recorder-clerk, registrar. According to the Placer County organizational chart, the BOS along with the

CEO under them is just one of the seven equal spokes of government responsible to and elected by the citizens.

What is proposed here reminds me of a coup, similar to the coup that took place on January 30, 1933. That's what happens when people cede too much power to one person.

Larry Weitzman is a resident of Rescue.

Expect delays on Highway 89 near Meyers

Caltrans is going to begin a paving project on Highway 89 in Meyers on Monday.

About 8.6 miles will be microsurfaced and then restriped from the intersection of highways 89 and 50 south to the El Dorado/Alpine county line. Microsurfacing involves applying a cement-mixed slurry seal to the pavement. Intermountain Slurry Seal Inc. was awarded the construction contract for \$821,821.

Expect one-way traffic control on weekdays from 6:30am-5pm. There will be no work on weekends and on July 4. The project is scheduled to be completed by Aug. 8.

Minor fire chars part of Rabe

Meadow

About one-half acre of U.S. Forest Service land burned Sunday on the South Shore.

The fire started about 10am June 29 at Rabe Meadow in Stateline.

The cause is under investigation.

Forest Service and Tahoe Douglas fire crews put out the fire.

– Lake Tahoe News staff report

Snippets about Lake Tahoe



- On July 8 from 10am-noon, the South Tahoe Garden Club will give free 30-minute walks through the gardens at the Pope Estate on the Tallac Historic Site. Park at the USFS Historic Site lot and gather at the Baldwin Museum.
- The 34th annual Death Ride – cycling over five Sierra passes – is July 12.
- Author Lin Wilder will sign copies of her book “The Fragrance Shed by a Violet” on July 11 from 6-7pm at 88 Cups Coffee & Tea, 1663 Lucerne St., Minden.
- Sierra Nevada Ballet presents “Swan Lake” as a part of the Lake Tahoe Shakespeare Festival on July 28 at 7:30pm. Buy tickets online.

- James Garner's Tribute to Johnny Cash scheduled for July 5 at the Boathouse Theater on the South Shore has been canceled because of illness.
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Dissecting Nevada's statute of limitations

By Ana Ley, Las Vegas Sun

Among the more surprising ways Nevada's two-year statute of limitations protects defendants from excessive litigation is by actually dissuading potential plaintiffs by giving them ample time to think about filing suit.

"Strangely, and somewhat perversely," shorter time limits – like that of Kentucky, Louisiana and Tennessee, which span one year – tend to backfire because people often feel rushed into taking legal action after perceived wrongdoing, says UNLV law professor Thomas Main, who specializes in civil procedure.

In a conversation with the *Sun*, Main dissected Nevada's statute of limitations in cases involving personal injury and death:

How exactly can a longer statute of limitations subdue litigation?

Those statute of limitations periods – one way of thinking about them is that they give a person who would file a lawsuit a chance to see whether or not they need to file a lawsuit. If a statute were only 30 days or 60 days, everybody would have to hurry and find a lawyer and file a lawsuit before they

really found out whether or not they needed to.

That is one often-overlooked thing – the virtue that, in a sense, it can discourage lawsuits because you can wait and see if you need to file one.

Over the course of years, a person can look back and realize an injury was just a bad weekend and one missed day of work.

Read the whole story

Kahle hosting soccer camp for kids

Douglas County Parks and Recreation and Steve Maltase of Whittell High School are hosting a youth soccer camp July 7-10 at Kahle Community Park in Stateline.

The camp is open to children ages 4-14, with the Lil-Kicks (ages 4-6) having their camp from 10am-1pm and the older kids camp runs 10am-3pm.

Every camper needs to bring a lunch and water bottle, have soccer cleats, shin guards and sunscreen.

The cost for the camp is \$125 for ages 4-6 and \$145 for ages 7 and older.

For more information and to register, call 775.586.7271.

Free park entrance with Tahoe plate

The Tahoe Fund is partnering with Nevada State Parks to offer free access to Sand Harbor, Cave Rock and Spooner Lake on July 12 to current owners of Lake Tahoe license plates.

The event is meant as a thank you to those who support Lake Tahoe with the purchase of Tahoe license plates.

Funds generated through the sale of Tahoe license plates support projects that help to preserve and restore the natural environment of the Lake Tahoe Basin.

Entrance is free for Nevada and California plates.

Brown reshaping California's Supreme court

By Paul Elias, AP

SAN FRANCISCO — If Gov. Jerry Brown wins re-election in November, he will be given an unprecedented opportunity to overhaul the California Supreme Court.

Voters in 1987 rejected Brown's first makeover when they removed Chief Justice Rose Bird and two other of his appointees from the high court because of their refusal to enforce the death penalty and consistently liberal rulings.

Three decades later, Brown could be presented another chance

to shape one of the most influential courts in the country. Justice Marvin Baxter, a reliably conservative member of the court, announced last week that he will retire in January, which would give Brown his third vacancy to fill on the seven-member court if re-elected.



Gov. Jerry Brown is likely to have a lasting impact on the California Supreme Court. Photo/LTN

In 2011, he filled a vacancy by appointing University of California Boalt Hall School of Law professor Goodwin Liu to the state's highest court after Senate Republicans blocked his nomination to the 9th U.S. Circuit Court of Appeals. The second opening he has to fill was created by the retirement of Justice Joyce Kennard, 78, in April, and the third opening will be created in January when Baxter retires.

While nobody wants to predict precisely who the independent-minded Brown will nominate to fill those two slots, it's expected he will appoint more mainstream candidates than he did during his first eight years as governor.

"I would not expect Gov. Brown to appoint another Rose Bird," said Jon Eisenberg, a lawyer who has appeared in the state Supreme Court numerous times. "He's older and more mature."

Since leaving the governor's office in 1983, Brown, 76, has served as mayor of Oakland and as California attorney general.

In both positions, Brown was a proponent of tough policing policies. As attorney general, he said he would “follow the law” and not oppose capital punishment, a departure from his outspoken anti-death penalty position during his first stint of governor and the reason for appointing Bird and other justices to the Supreme Court.

“The Rose Bird court has to be at least in the back of his mind,” said appellate specialist Curt Cutting, who has appeared before the state Supreme Court. “But it’s still going to be a less conservative court. There are going to be big changes.”

It’s widely expected the decades-long era of a moderate Republican court that was friendly to corporate interests and dominated by appointees of governors George Deukmejian and Pete Wilson is about to end.

Brown will have been responsible for filling at least three vacancies – and likely five – on the seven-member court if he is re-elected to another four-year term in November.

The governor has not said when he will fill the current vacancy caused by Kennard’s retirement and hasn’t disclosed a short list of candidates. Nor has he said what he wants the Supreme Court to look like during his second term.

“We’re moving expeditiously to fill these vacancies and remain focused on appointing the best possible judges from a broad, diverse and experienced pool of candidates,” governor’s spokesman Evan Westrup said.

In appointing Liu, 43, Brown resisted pressure from minority groups to nominate a Latino or black candidate to replace Justice Carlos Moreno, who is now U.S. Ambassador to Belize. Brown said at the 2011 news conference announcing the appointment that the high-profile failure of Liu’s nomination to federal court propelled him to the top of Brown’s list for the California Supreme Court vacancy.

“It is hard to tell with Brown,” Cutting said. “But what we have seen so far is that he more interested in finding someone who is going to be a really smart contributor to the court for a long time as opposed to pandering to a particular constituency.”

At the Liu news conference, the governor said he has no litmus test for judicial appointments and didn’t ask Liu about his positions on the death penalty, gay marriage or other hot-button social issues. Instead, he asked Liu for his “theory of the law.”

“That was a game changer,” said Gerald Uelmen, a Santa Clara University law school professor who studies the Supreme Court.

Uelmen said he expects the court to move left politically when Brown fills the current vacancy and the opening created by Baxter’s retirement, predicting that the two new Brown appointees would team up with Liu and Justice Kathryn Werdegar to form a majority liberal bloc.

Uelmen said that’s a dramatic departure from a court that was – until Liu’s appointment – unanimously Republican and reliably conservative on most issues, with a few notable exceptions that include the 4-3 vote to strike down California’s same-sex marriage ban.

Appellate specialist Jon Eisenberg said filling Baxter’s vacancy will put the Supreme Court on a far different course than charted by Chief Justice Ron George, who led a Republican majority for 15 years before his retirement in January 2011.

“Jerry Brown has the opportunity to appoint a member very different than Justice Baxter,” Eisenberg said.

Brown is under pressure again to appoint a Latino and black to a bench lacking both, he said.

Eisenberg speculates that the next two vacancies will be

filled by minorities.

"After that, he will have the political freedom to pick whoever he wants," Eisenberg said. "That's when it will get really interesting."