2 ex-Calif. governors come out against teacher tenure

By Bob Egelko, San Francisco Chronicle

Former Govs. Pete Wilson and Arnold Schwarzenegger and constitutional scholar Laurence Tribe joined the legal attack on California's teacher tenure laws, telling a state appeals court the job-security and seniority statutes leave some of the state's neediest students in the hands of incompetent teachers.

It is "nearly impossible to remove ineffective teachers from classrooms" because of the state laws, lawyers for Wilson and Schwarzenegger said in a filing to the Second District Court of Appeal in Los Angeles. After 15 years of legislative inaction and an unsuccessful 2005 ballot measure backed by Schwarzenegger to change the tenure law, it is time for the courts to act, they said.

No other state allows "such lopsided school laws which favor teacher interests over the rights of students," said a second brief coauthored by Tribe, a Harvard law professor with liberal leanings whose students have included future PresidentBarack Obama and U.S. Chief Justice John Roberts. Other academics who signed the brief included Rachel Moran, a UCLA law school professor and former dean.

Read the whole story

Bijou Bike Park set to transform SLT cycling



Matt Stuck works to get Bijou Bike Park in South Lake Tahoe ready to open Sept. 19. Photos/Kathryn Reed

By Kathryn Reed

To the uninitiated, Bijou Bike Park doesn't look like it's anywhere near finished. And, yet, it's opening today in South Lake Tahoe.

To the cyclist who is well versed in these types of things, the park looks phenomenal. Some of those riders have been testing the various features.

Matt Stuck, a volunteer with Bijou Bike Park Association, was reshaping one of the jumps earlier this week because on a test run the land was "heavy on the feet." The solution – make it steeper.

He expected the landing to be 8½-feet-tall, with a 6-foot-tall

lip by the time he was done. Cyclists will come off the wood 6-footer, turn about 40 degrees in midair to land on the dirt embankment.



Ben Fish demonstrates the teeter-totter.

If that sounds too gnarly, there are tamer routes to take. This particular feature is on the big line. There are small and medium lines, as well.

Stuck on Sept. 16 gave the group attending the Tahoe Talk a preview of the route. With ease he flew through the air, scooted along the dirt, and played on the cedar obstacles. One is called the Hammock – but this 36-foot structure is no place to be dozing off.

“It’s like a roller coaster,” Stuck told *Lake Tahoe News* of the route.

Pete Fink, a member of the city’s Parks and Recreation Commission, said kids are building more dangerous things in the woods. The park brings a more controlled environment to this type of fun.

The features have a metal frame with cedar on the top and anchors into the soil. Most of the landings are hard, compacted dirt.

Ben Fish since 2011 has been the driving force behind the park. He is president of Tahoe Area Mountain Biking Association as well as the nonprofit Bijou Bike Park Association. It is members of the latter who worked with the city of South Lake Tahoe to bring the nearly 5-acre park to fruition at a cost of about $200,000.



Riders will enter the Hammock from the feature on the right.

The contractor is the same group that has built the last three Olympic BMX tracks – including the one in Brazil.

“The city stepped up and took a chance,” Fish said. When the process started there were 35 such parks in the country, now there are about 100.

But it wasn’t easy. Often times cycling is seen as a second-class sport in Lake Tahoe compared to ball fields. Those get built at a cost $1 million, and hundreds of thousands of dollars have regularly been going into field improvements.

The bike park has a trail around the outside that is one-third of a mile. Near the entrance is a small pump track, with the larger one to the left in the trees. The intent of a pump track is that you don’t need to pedal.

The three slopestyle routes are similar to the concept of slopestyle on snow where riders will go over a slew of features.

The BMX track is 1,000-feet long – a couple hundred feet longer than the current one near South Tahoe Middle School that will be coming out this fall. The Bijou track has a slurry seal on it.

All of the attractions are free and open during the hours of the larger park. Everyone, no matter one’s age, must wear a helmet.

Fish anticipates daily maintenance will be required. His association is looking for volunteers.

The park opens today after the 50th anniversary parade that starts at 10am at the Y and finishes at Bijou Community Park.

Scorching year continues with hottest summer on record

By Tom Randall Brian K Sullivan, Bloomberg

This is what global warming feels like.

Last month was the hottest August on record, topping out the hottest summer on record, according to data released on Thursday by the National Oceanic and Atmospheric Administration. It was the sixth month this year to set a new record: February, March, May, June, July, and August. This has been the hottest start to a year on record and the hottest 12 months on record. It follows the hottest calendar year (2014), and the hottest decade.

In 136 years of global temperature data, we are in uncharted territory. And this year's extremes are likely to continue as a strong El Niño weather pattern in the Pacific Ocean continues to rip more heat into the atmosphere. There's now a 97 percent chance that 2015 will set yet another record, according to NOAA.

Read the whole story

Mourning the dead in California's wildfires

By Frank Shyong, Hailey Branson-Potts and Paige St. John, Los Angeles Times

As firefighters continued to make progress on two deadly wildfires in Northern California, there was mourning for those who could not outrun the flames and were killed.

Citing the five deaths in the Lake and Butte fires, officials urged people to heed evacuation orders.

Capt. Buck Condit, a spokesman for CalFire, said there's

little firefighters can do to help people who don’t leave.

Two of those killed in the Butte fire – 82-year-old Owen Goldsmith and 66-year-old Mark McCloud of Mountain Ranch – “were in the evacuation areas and did not heed those warnings,” CalFire spokesman Daniel Berlant said.

The other three known deaths resulted from the Valley Fire.

Read the whole story

Millions being spent to reinvigorate Kings Beach



A new water filtration system has been installed near the obsolete pier that State Parks wants to replace in Kings Beach. Photos/Kathryn Reed

By Kathryn Reed

KINGS BEACH – Millions of dollars in state money has been funneled into Kings Beach to improve aesthetics, keep sediment out of Lake Tahoe and upgrade the infrastructure. Even more work is planned for the area, which in large part will be designed to upgrade the recreation opportunities.

The California Tahoe Conservancy board and others on Sept. 17 went on a tour to see sites that are done, ones that are a work in progress and what is planned.

Standing on the pier that only covers sand, Steve Muillami with State Parks in Sacramento told the group that when the general plan process starts next month for the Kings Beach State Recreation Area it begins an in depth analysis of what should be done with the 12½ acre site. Also included in the planning will be the plaza area.

“The difference with this plan is that it goes beyond what we typically do,” Muillami said. “This plan will be much more detailed. We will be looking at how elements fit together. Environmental documents will look at the project level.”

The general plan is expected to be completed in December 2017. One of the main things to be looked at is replacing the pier. The goal is to build one that can be used more than a few months a year, if not year-round. The drought has made it useless 12 months a year.

Today the boat ramp ends at sand, not water. That too will be addressed in the general plan. With Boating and Waterways now being part of State Parks instead of a standalone agency, the ramp will seamlessly be incorporated into the general plan.



The community voted on design features of road improvements like colored pavers.

The last time this area had a general plan written was in 1980. The new document is expected to have a 20-year lifespan.

An environmental impact report and environmental impact study will be done to satisfy state and Tahoe Regional Planning Agency mandates.

How best to incorporate special events at the property while also allowing visitors to use the area will be studied. Events like this weekend's Lake Tahoe Ironman and last weekend's Bike Big Blue bike ride use the Kings Beach State Recreation Area annually. It's the start site for the triathlon swim and a major stop for the biannual bike rides put on by Curtis Fong.

Property ownership in the area is a mishmash including State Parks, CTC, Placer County, North Tahoe Public Utility District and private entities. It makes putting together a cohesive plan difficult at times. The beaches the CTC owns are now managed by State Parks.

The goal is to make things seamless for the public so there is no obvious property boundary – at least among the public parcels.

State Parks is working with Placer County to make the gateways

on either ends of its property blend, which will be a future project.

Dan LaPlante, an engineer with the county, pointed out some of the more than $51 million worth of work that is being done in town. Some of that funding came from the CTC – so the board and staff were able to see how that money has been spent.

Near the start of the pier is a redesigned outfall that uses new technology, along with planting native plants. Rock is at the end of the pipe. Today it looks like stormwater will just run onto the beach. When the lake returns to a more normal level, that water will flow into it.

Stormwater vaults have been installed to the right of the events center. This is where filters called jellyfish have been placed to capture the fine sediment before the water flows under the paving stones of the walkway and into the lake via the new outfall.

This is one of seven treatment systems in Kings Beach.



Highway 28 went from four lanes to three through Kings Beach.

Besides water quality, the goals of the improvements throughout the core area were to improve the look of the town,

and increase the walkable-bikeable options.

With Highway 28 being decreased from four lanes to three, the county also initiated traffic control plans in neighborhoods.

The current phase of the project is slated to be done by Nov. 1, with overall completion at the end of the next building season.

CTC is the agency that started the funding for this work.

Because a county snowplow driver was injured and the rig damaged last year going through one of the roundabouts, all of them have been altered this summer. The curbs were flattened two weeks ago to solve the problem.

Another component of the project is the development of six community parking lots. Two are being built now. The county accomplished this by purchasing lots in the last 10 years. The money to do so came from the former Redevelopment Agency and North Lake Tahoe Resort Association.

A benefits assessment district was voted into place by the property owners to pay for the maintenance of the sidewalks and other public places through town. Placer County will be responsible for doing the actual work.

Great Basin National Park – an intergalactic planetarium



Great Basin National Park in Nevada is known for its dark skies. Photo/National Park Service

By Kyle Roerink, Las Vegas Sun

GREAT BASIN NATIONAL PARK — The 60-foot laser beam streaked like a lightsaber across the night sky, playing connect-the-dots with constellations in the plane of the Milky Way.

On a hillside 300 miles northeast of Las Vegas in the Great Basin National Park, Derek Demeter controlled the light with shifts of his wrist. Each movement sent the laser on a light-years' long course.

It was 10pm on a recent weekend and 300 park guests craned their necks toward the heavens. Some peered through telescopes and others followed the vivid path of Demeter's wand. Faces weren't visible, but the stars, the Milky Way and distant galaxies were.

Read the whole story

Drought changing fire behavior



Tinder dry terrain in California is causing explosive fires. Photo/CalFire

By Julia Prodis Sulek, San Jose Mercury News

LAKE PORT – CalFire Capt. Scott Rohrs and his three crewmen were racing to the scene of the Valley fire when the foreboding news crackled over radio dispatch: four elite firefighters had been overrun by flames, suffering serious second-degree burns.

The fire was barely an hour old, but driven by fierce winds and the most intense, dry conditions of California's four-year drought, those men had been forced to deploy their zip-up shelter bags, survival gear of last resort.

"This is what we're getting into," Rohrs told his men from the Cloverdale Station on Saturday afternoon as they headed toward the darkening plume of smoke. "This is going to be a career fire, one of the worst ones we ever encounter."

Firefighters throughout California are encountering the unforgettable in 2015 – an epic fire season fueled by a record

drought that has turned much of the Golden State's forests into a matchbox of more than 12 million dead trees. And with global temperatures rising and the Sierra Nevada snowpack at its lowest level in five centuries, concern is growing that the unpredictable ferocity of the Valley Fire could become a new reality for the men and women who battle the blazes.

What's been so stunning to firefighters this year is the swiftness of the flames. July's Rocky Fire, about 10 miles east of the Valley fire, devoured 20,000 acres in just five hours. The Valley Fire grew to 40,000 acres in 10 hours last weekend, cracking the list of the top 10 most destructive fires in California history.

Read the whole story

McClintock fed up with talk of shutdown



Rep. Tom McClintock, R-Granite Bay, represents the California side of Lake Tahoe. Photo/Kathryn Reed

By Mike DeBonis, Washington Post

A challenge from hard-line conservatives in the House Republican caucus has Speaker John A. Boehner, R-Ohio, wondering how he might pass a bill to fund the government ahead of the Sept. 30 deadline.

But one of those conservatives said Wednesday that he's had enough of the shutdown talk and resigned his membership in a prominent hard-liner group, calling their tactics "counterproductive."

Rep. Tom McClintock, R-Granite Bay, told the leader of the House Freedom Caucus, which formed in January as a home for about three dozen of the most conservative Republican members, that he had "fervently hoped that it would provide responsible and effective leadership to advance conservative principles in the House of Representatives."

McClintock cited several points of frustration over instances where Freedom Caucus members broke with GOP leadership on tactics, if not ideology: a late February standoff over funding the Department of Homeland Security, May votes on advancing fast-track trade authority, and last week's handling of a resolution disapproving of the nuclear deal with Iran.

Read the whole story

Sports books see double standard in fantasy leagues

By Associated Press

Think wagering $20 to win $1 million by picking a winning combination of NFL players for a fantasy team on Sunday is

gambling? The league says it isn’t.

So do fast-growing daily fantasy sports companies like DraftKings and FanDuel that offer the games and advertise with the long gambling-averse pro football organization.

But as the lucrative NFL betting season ramps up and advertisements from DraftKings and FanDuel are as hard to miss as an extra point, Las Vegas casinos and sports books are feeling like they’re on the wrong end of a double standard. Traditional sports betting is barred outside a handful of states, but daily fantasy sports are allowed in most of the United States.

Seizing on the disparity, traditional casino operators and sports books are calling for traditional sports betting to be given the same respect. “Let’s just call it what it is. Americans love to bet on sports,” said Joe Asher, chief executive of sports book William Hill’s U.S. operations. “They both drive interest in the games and they both should be legal and taxed and regulated.”

The fantasy industry says it’s already legal and has no interest in being regulated if it comes with a “gambling” label. Even the traditional casino companies and regulators have eschewed the word “gambling” until recently, opting for the more antiseptic “gaming” instead to describe what they do.

Daily fantasy sports and their defenders point to a 2006 law, the Unlawful Internet Gambling Enforcement Act, which carved out an exemption for “fantasy sports” well before the concept of daily games, versus week-long or season-long, were contemplated. Before the rise of daily fantasy sports, the exception was mostly used by season-long fantasy operators like Yahoo and CBS Sports.

“Thanks to fantasy sports being specifically excluded from laws affecting online sports betting, FanDuel is not illegal in any way. Trust us, our lawyers drive very nice cars so that

we can keep it that way," FanDuel says on its website as its short answer for the frequently asked question, "Is FanDuel Legal?"

FanDuel's long answer is more complicated, noting it doesn't operate in several states where its legality is not as clear.

Some regulators and legal analysts have been skeptical of that reasoning because of state laws governing gambling. That has left casinos on the sideline, wanting to get involved or support fantasy sports but unwilling to invest or risk billions in revenues that come with highly-regulated casino-resorts. New Jersey regulators even gave the go-ahead to licensed casinos to operate their own daily fantasy sports games two years ago, but no one has done it.

"The exception doesn't necessarily get (fantasy sports companies) to where they say it does," said A.G. Burnett, Nevada's top gambling regulator, who is working with the state's attorney general to weigh the industry's legality.

The federal law applies to processing payments for online gambling to curb online sports betting and, to that end, allows fantasy sports companies to process transactions. But Burnett said it doesn't pre-empt other laws.

"If a state says fantasy sports is illegal … the fantasy companies cannot use (the act) as a get out of jail card because it quite simply doesn't apply," he said.

So far, there have been no prosecutions challenging the sites' abilities to legally operate.

FanDuel and DraftKings responded in a joint statement Saturday affirming their belief that they don't offer "gambling."

"We are speaking with gaming industry representatives to educate them on the fantasy sports industry as our products are games of skill; fundamentally separate from, and not

competitive with casinos and gaming businesses," the statement said.

John McManus, general counsel for MGM Resorts International, said the company that owns several casinos on the Las Vegas Strip has a similar position on fantasy sports as it does with all forms of gambling.

"It is not in the interests of consumers that established gaming companies, which are fully licensed and regulated, are the only market participants that cannot engage in the business," he said.

No one wants daily fantasy to be shut down akin to prohibition or the likes of Internet poker several years ago, said Daniel Wallach, a gambling and sports attorney based in Florida.

"This is something that everybody partakes in," said Wallach, a sports betting panelist at the upcoming Global Gaming Expo convention in Las Vegas, the top yearly casino industry conference. "It would not be a popular thing to prosecute."

Traditional gambling companies, though, don't want to risk lucrative gambling licenses by dipping their toes in the fantasy pool, Wallach said.

The debate about "gambling" versus "gaming" often centers on chance versus skill.

"It's more skill than luck," said Peter Schoenke, chairman of the Fantasy Sports Trade Association and founder of Rotowire.com, a fantasy sports news website. "You win by making good decisions about players. You have to do a whole bunch of work to play the game, let alone win."

The NFL has agreed. "Daily fantasy is considered a game of skill and not gambling," said Brian McCarthy, an NFL spokesman.

"What we're doing is a game of skill, too," said Johnny

Avello, the longtime sports book director at the Wynn Las Vegas. “So why not just legalize it all,” he said.

S. Tahoe council backs prosperity center

By Kathryn Reed

Money was the dominant subject at Tuesday’s South Lake Tahoe City Council meeting.

After multiple attempts by the Tahoe Prosperity Center to get $10,000 from the city, the council said yes on a 4-1 vote on Sept. 15. Councilwoman JoAnn Conner was the dissenting member. Conner is against giving any nonprofit taxpayer money.

Mayor Hal Cole noted the city is a voting member on the TPC board and that it is not a traditional nonprofit because of the public input, and that it is a regional body that can do things the city alone cannot do.

Councilman Tom Davis reluctantly voted to spend the money, but said without proven deliverables in the next year, he won’t do so again.

While at previous meetings the council had talked about designating what the money would be earmarked for, this was not the ultimate decision.

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Resident Jerry Goodman brought forward a desire to institute parking permits for his neighborhood near Heavenly Mountain Resort to deal with vacation home rentals taking over city

streets.

Councilman Tom Davis recused himself because his company has rentals in the area.

The vote was 2-2, and therefore died. Cole and Councilwoman Wendy David opposed the permits, while Conner and Councilman Austin Sass were for them.

“I don’t think this is the right solution for vacation home rental problems,” Cole said.

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Jerry Bindel, chairman of the Tourism Improvement District, and Carol Chaplin, executive director of the Lake Tahoe Visitors Authority, gave a tourism report. TID collects transient occupancy tax on top of what the city mandates.

Bindel is expecting a 2 percent increase in 2016 in hotel taxes collected; this is on top of the 2 percent that has been accrued to date this year.

Cycling is likely to become a bigger piece of the marketing story, including the bike park at Bijou Community Park that opens Saturday.

The Tahoe South ad campaign is being re-thought.

Much of what Chaplin said had been covered in that day’s ***Lake Tahoe News*** **story**.

In other action:

· Mark Carlson, who is in charge of the city’s finance department, is now also the assistant city manager. He will receive a 5 percent boost in pay.

· The council approved the **budget** for fiscal year 2015-16.

· The Oct. 6 council meeting has been canceled so most of the council may attend the League of California Cities conference.

· The council approved the agreement with Lake Tahoe Unified School District regarding **ball fields**.