Appeals court denies parole to shooter of El Dorado County deputy

By Denny Walsh, Sacramento Bee

A state appellate court has blocked the release from prison of a man who pumped nine bullets into an El Dorado County sheriff's deputy more than two decades ago.

A three-justice panel of the 3rd District Court of Appeal in Sacramento reversed El Dorado Superior Court Judge Suzanne Kingsbury's ruling last year that denial of parole for Brian Keith Montgomery by the Board of Parole Hearings was not supported by the evidence.

Kingsbury threw out the September 2009 rejection of parole for Montgomery and sent the matter back to the board for a rehearing.

But the state appealed and the appellate panel said Thursday in a 26-page published opinion that there is ample evidence that Montgomery may still be dangerous enough to keep him locked up.

Read the whole story

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6 potential candidates for

South Tahoe council election

With one week left to file, only one of the six people who has pulled papers for the South Lake Tahoe City Council election has officially qualified for the Nov. 6 ballot.

That would be Austin Sass.

The people taking out papers are incumbents Hal Cole and Bruce Grego, and challengers Clinton Schue, JoAnn Conner and Stacey Wheeler.

The deadline to file is Aug. 10.

— Lake Tahoe News staff report

Halogen lights to illuminate Lake Tahoe Airport taxiway

South Lake Tahoe is in the process of acquiring approximately $25,000 worth of used halogen taxiway lights from Reno airport.

City employee Lee Brown was instrumental in obtaining the lights. Brown was borrowing stencils from Reno-Tahoe International Airport when officials offered the lights which had been marked to be disposed of as surplus materials.

The 280 gently used taxiway lights are halogen which are energy efficient and will help Lake Tahoe Airport save on electrical costs.

Brown explained that the couplers on the light fixtures commonly break during the snow removal.

Truckee plane crash victim was from Yreka

By KTVN-TV

The Nevada County coroner's office has identified the pilot killed in Thursday's plane crash in Truckee.

They say 66-year-old James Ungar – part of the Flying Doctors – was leaving for a humanitarian mission in Mexico when the plane crashed.

The Flying Doctors Facebook page says the Yreka man had two other volunteers onboard before the crash.

But when they were having trouble taking off, he had them get off the plane.

No one on the ground was hurt in the crash.

The National Transportation Safety Board is investigating exactly what caused the crash.

Report: Climate change threatens California electric supply

By Rory Carroll, Reuters

SAN FRANCISCO – California's electricity sector is more vulnerable to climate change than previously thought, as higher temperatures will impede the state's ability to generate and transmit power while demand for air conditioning rises, a report said Tuesday.

The data is part of the latest report released by the California Natural Resources Agency and the California Energy Commission, which are trying to help state and local leaders prepare for life in the hotter, drier California of the future.

Wildlife, agriculture and coastal communities are also at serious risk from climate change, the report said. Sea levels could rise by more than a foot by 2050, and more intense storms combined with less overall precipitation will present a host of challenges.

California is considered a national leader in setting policies to combat climate change, with a strong renewable electricity mandate in place and a carbon cap-and-trade program coming into force next year.

"We know that climate change will significantly affect the state's energy supply and demand," said Robert B. Weisenmiller, chair of the California Energy Commission.

"This groundbreaking research gives us the data and analytical tools we need to better plan, forecast and prepare to meet the state's energy needs as we face climate challenges," he said.

The warmer climate will decrease hydropower generation in the summer months when it is needed most, the report said. High-elevation hydropower plants, which supply about 75 percent of the state's hydropower, are especially at risk, since the small size of their reservoirs allows little flexibility to cope with reduced snowpack.

At the same time, higher temperatures alone will require the state to increase its electricity generating capacity 38 percent over current levels by 2100.

The report notes that renewable energy facilities, like wind and solar, are less threatened by climate change conditions, use less water, and produce none of the heat-trapping greenhouse gas emissions that come from natural gas-fired plants.

California has set a goal of cutting its output of greenhouse gas emissions to 1990 levels by 2020, the most ambitious target of any state.

The ability to move electricity from power plants to end users will also be threatened by climate change, since electrical transmission lines lose 7 to 8 percent of their transmitting capacity in high temperatures – just when demand for power rises.

Key transmission corridors are also vulnerable to more frequent and severe wildfires. The report said that the threat of wildfire to the transmission lines will increase by 40 percent.

Transmission lines with a high risk of wildfire interference include those that bring hydropower from the Pacific Northwest into California during peak demand periods as well as the lines bring power to the Los Angeles metropolitan area.

Those risks can be reduced by introducing more locally produced and distributed electricity, the report said.

Statewide average temperatures are expected to climb by 2.7 degrees above 2000 averages by 2050, according to climate scientists.

That will lead to an increase in mortality and health problems for at-risk populations, the report said.

The hotter climate will also mean that by the latter half of the century, dry water years are expected to increase by 8 percent in the Sacramento Valley and by 32 percent in the San Joaquin Valley, compared to the latter half of the 20th century.

The rise in sea level along California's coastline is also expected to accelerate, climbing 10 to 18 inches higher by 2050 and 31-55 inches higher by the end of this century. That creates the risk of saltwater intrusion into coastal groundwater supplies and into the Sacramento-San Joaquin Delta.

"These studies show that climate change is being felt in California now and will have more severe impacts in the future unless we plan ahead," said Susanne Moser, a Santa-Cruz based researcher who contributed to the assessment studies.

Pensions show how California cities courted ruin

By Alison Vekshin, James Nash and Rodney Yap, Bloomberg News

Stockton Police Chief Tom Morris was supposed to bring stability to law enforcement when he was appointed to the job four years ago.

He lasted eight months and left the now-bankrupt city at age 52 with an annual pension that pays more than $204,000 — the third of four chiefs who stayed in the position for less than three years and retired with an average of 92 percent of their final salaries.

Stockton, which filed for bankruptcy protection on June 28, is among California cities from the Mexican border to the San Francisco Bay confronting rising pension costs as they contend with growing unemployment and declining property- and sales-tax revenue. The pensions are the consequence of decisions made when stock markets were soaring, technology money flooded the state, and retirement funds were running surpluses.

“We didn’t have very many people looking out for the taxpayers when these deals were negotiated,” San Jose Mayor Chuck Reed, 63, said in a telephone interview. San Jose, the state’s third-largest city, approved a ballot measure in June to contain annual retirement costs that soared to $245 million from $73 million in the past decade.

Bloomberg News compiled data from the California Public Employees’ Retirement System for more than a dozen cities facing the financial strains of rising pension costs and declining revenue. The data show how local governments struggle to support six-figure lifetime benefits for some retirees even as they cut police and fire services for city residents.

Intractable costs

Many cities are hobbled by retiree obligations that consume 10 percent or more of revenue. And unlike other expenses, which can be cut or deferred, pension costs are intractable, said Eric Friedland, head of municipal-credit research for Schroder Investment Management North America.

"As their tax revenues go down, they're stuck with these fixed costs," Friedland said. "I see this as a major driver of fiscal stress."

City councils across the state, spurred by then-Gov. Gray Davis's move to enhance pensions for California Highway Patrol officers in 1999, sweetened retirement benefits for police, firefighters and other workers in the decade that followed. Public-safety employees could retire after working for 30 years, collect 90 percent of their top salaries and take jobs elsewhere while still in their 50s.

Younger retirement

San Bernardino, a city of 209,000, is typical of the phenomenon. Its City Council voted July 18 to approve an emergency bankruptcy filing, about six years after the panel unanimously lowered the retirement age for public-safety workers to 50 from 55.

The council acted in August 2006 even though Aon Plc, the city's risk-management consultant, had warned it that such a change would add millions of dollars to San Bernardino's long-term pension costs. In the fiscal year that ended in June, pensions consumed 13 percent of the city's general fund, up from 9 percent in fiscal 2007.

"I knew it was going to be costly in the long run," San Bernardino City Councilwoman Wendy McCammack said of the lower retirement age. "However, this city is one of the toughest to police. In order to attract and retain the kind of officers that it takes to police a city like this, that was a benefit that we had to negotiate."

Cities and counties began boosting pensions for police and firefighters after Davis signed the bill enhancing the benefit for state troopers. The Legislature enacted the measure in a year when CalPERS, the largest U.S. pension fund, had 138 percent of the assets needed to cover projected liabilities.

None understood

"It got out of control," said Jay Goldstone, who was Pasadena's finance director from 1996 to 2006 and now is chief operating officer of San Diego. "No one understood the potential impacts of what these increased benefits were and how they were being paid."

State Controller John Chiang said steps toward bankruptcy taken by Stockton, San Bernardino and Mammoth Lakes within weeks of each other shows the need for greater scrutiny of city finances and pensions.

"You want to have a sound, fair compensation package for your public servants," Chiang said. "You don't want them in a vulnerable position where they easily could be lost, but then you also have to make sure that you have a fair system that can make adjustments if a city's finances are tanking."

Pension liabilities

Pension liabilities in the cities of Fairfield, Inglewood, Pomona, San Bernardino, Stockton and Vallejo rose 6 percent to $4.3 billion for the year ending June 30, 2010, from $4.1 billion in 2009, according to the most recent data available from CalPERS. In the Northern California municipality of Fairfield, near the famed Napa Valley winegrowing region, 18 percent of the general-fund budget goes toward pension costs, up from 14 percent in fiscal 2008, said David White, the deputy city manager.

Fairfield, Inglewood, Pomona and other municipalities including Compton are on a list of cities "on the precipice" compiled by Matt Fabian, a managing director for Concord, Massachusetts-based Municipal Market Advisors, who cited news reports in identifying them in a July 23 research note.

Fairfield's White said the city isn't approaching bankruptcy because it doesn't have a lot of debt in its general fund. He said he expected pension costs to ease because benefits for new employees are less generous than before.

Six figures

Across the state, former city managers and public-safety employees are collecting six-digit annual pensions for life at taxpayers' expense as cities slash staff and basic services such as police and fire protection and library hours to keep up with the payments.

In San Bernardino, two former police chiefs are among those who receive six-figure pensions, according to Calpers. Keith Kilmer, who retired last year, gets a pension of $216,581, CalPERS said. He now serves as interim chief of the Seal Beach, California, Police Department. Michael Billdt, his predecessor, who receives $205,014 annually, took a medical retirement in 2009 after two no-confidence votes by officers.

Billdt, who had no college degree, was accused of trying to induce an officer to withdraw a union grievance in exchange for the department dropping an internal-affairs investigation into his conduct. Billdt didn't return a telephone call seeking comment, and Kilmer declined to comment.

Possible bankruptcy

In Compton, where the treasurer raised the possibility of bankruptcy at a July 17 meeting, former city managers Barbara Kilroy and Charles Evans were fired by their city councils, records show. Kilroy, who worked in government for more than 34 years, is collecting an annual pension of $172,917, while Evans receives $136,712 after almost 22 years in the public sector, according to CalPERS data.

Kilroy, 65, in a telephone interview, said she never received a definitive explanation for her firing. Her pension is fair, she said, adding that there is a property assessment in Compton that provides a dedicated revenue stream for pensions.

Evans didn’t return a phone call seeking comment.

On July 24, the new city manager of Compton, Harold Duffey, denied the municipality was considering a bankruptcy filing.

Amy Norris, a CalPERS spokeswoman, said the average pension of someone in the CalPERS system who retired in fiscal 2011 is $3,065 a month, or $36,780 annually.

“For most of our retirees, it’s a very modest retirement,” Norris said in a telephone interview. “People are giving their entire careers to public service.”

National average

Among California’s municipal police and fire workers, the average retirement age is 54 after 25 years of service with a monthly pension of $7,059 a month, or $84,708 a year, Norris said. The average retirement benefit for all public employees nationally is $22,600, according to the Denver-based National Conference of State Legislatures.

Municipalities are moving to counter earlier largesse by reducing pension benefits for new hires, according to a February survey by the League of California Cities. Most that allowed police and firefighters to retire at 50, and collect as much as 90 percent of active-duty income as pensions, have bumped the age back to 55, the survey showed.

Stockton, a city of about 292,000 residents, illustrates the array of benefits that can be combined to maximize employee compensation in retirement, Kathy Miller, the city’s vice mayor, said in a telephone interview.

“In Stockton, we took every bad practice and put it into place,” Miller said. “We have some safety retirees that are actually earning more in retirement than they earned when they were working because they were able to manipulate the system enough in that last year that they could crank that last year’s income and then get 3 percent times their 25 to 30 years.”

Revolving door

The revolving door of police-chief departures began after Edward Chavez retired in October 2003 with 30 years of service to become the city’s mayor. Mark Herder succeeded Chavez as chief, staying just over two years before retiring in March 2006. He collects a pension of $166,890, according to CalPERS.

Wayne Hose was in the process of retiring as an assistant chief in Stockton, then retracted the paperwork to apply for the chief’s position when Herder retired, Miller said. Hose stayed in the position for two years before retiring in March 2008 to collect a pension of $202,398, the second-highest in the city, according to CalPERS.

“The pensions are so fat that it doesn’t pay them almost to stay on the job,” Miller said. “It’s crazy. The system is just completely out of control.”

Highest pension

Morris, now 55, took the post in 2008 after Hose left. Morris collects the highest pension in Stockton. Four months after retiring, he took a job as an investigator at the San Joaquin County District Attorney’s Office, collecting an annual salary of $76,066 in addition to his six-figure Stockton pension. He since has left the district attorney’s office.

Next came Blair Ulring, who retired in September 2011 and stayed on the job until February of this year as interim chief. He collects an annual pension of $193,417, the third-highest in the city, and is one of four finalists for the police chief’s job in Omaha, Nebraska, according to Aida Amoura, a spokeswoman for the Omaha mayor’s office. He also applied for the police chief’s jobs in Spokane, Washington, and Flagstaff, Arizona, spokesmen for those cities said.

Herder, reached by telephone, declined to comment. Morris, Hose and Ulring didn't respond to requests for comment made through the Stockton police department.

Good faith

Stockton Councilmember Elbert Holman said public-safety employees negotiated in good faith for the benefits they received, and blamed city leaders who agreed to the pensions without making provisions for them.

"It's the people that were sitting in office who authorized those benefits but did not put the money away to pay for it," Holman said in a telephone interview.

Stockton's latest police chief, Eric Jones, is 40 years old and isn't eligible to retire for another 10 years.

"I would have never expected that I would get the job this early in my career," Jones, who became chief in March, said in a June interview in his office at the Stockton Police Department.

"What the department and the community and the city leaders wanted was some longevity and stability in this office," he said. "To build a solid plan and see the solid plan come to fruition, it takes somebody to be here for a little while."

Pilot dies taking off from Truckee airport

By KTVN-TV

A pilot was killed in a small plane crash in Truckee on

Thursday morning.

The Truckee-Tahoe Airport general manager says the crash happened as the plane was taking off about 8:15am.

He says he witnessed part of the crash and it seemed as if the plane was having difficulty climbing while taking.

Firefighters who responded say the single-engine plane actually crashed through the top of a hangar.

“The plane literally dropped in through the top of the hangar and a fatality is inside,” says Paul Spencer.

The pilot was the only person on board and died at the scene. His identity has not yet been released.

No one else as hurt.

Crews had to spend much of the day cleaning up a fuel spill caused by the crash.

National Transportation Safety Board is on the way to the crash site to take over the investigation.

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2 people face charges in Douglas County fire

Charges related to the Topaz Ranch Estates Fire have been filed against two Northern Nevadans.

Kim Carlin and Steven Cozad are scheduled to be arraigned Aug. 27 in the East Fork Township Justice Court on charges of willful or negligent failure to guard or extinguish a fire. The charges are misdemeanors.

Authorities believe the fire was started when an illegal controlled burn was not full extinguished and reignited with wind.

Both were arrested Aug. 2 and have posted bail.

The fire started May 22 in southern Douglas County. Two houses and 17 outbuildings burned in the 7,500 blaze.

— Lake Tahoe News staff report

Body found near where Carson City doctor went missing

By KOLO-TV

CARSON CITY — Sequoia King National Park officials in Inyo County are working to identify a body found during the search for a missing hiker from Carson City. That's according to an Inyo County spokeswoman.

The body was found during the search Wednesday night for doctor Gary Dankworth, who has been missing since Sunday, when he told friends he was planning on climbing a nearly-14,000-foot peak in the Sierra Nevada.

Though the body has not been confirmed as that of Dankworth, Carson-Tahoe Health issued this statement:

"The Carson Tahoe family is saddened by the news of Dr. Dankworth's death. The past several days have been difficult and we, like the rest of the community, have been hoping for the best. We are a small, close knit community and tragedies within our medical staff affect us all. Our hearts and prayers go out to his family and we will do all we can to support them during this very sad time," said Ed Epperson, President and CEO.

Dankworth, 60 left friends camped Saturday afternoon at Finger Lake in the John Muir Wilderness of Inyo National Forest to climb the 13,855-foot Norman Clyde peak, a difficult climb in the rugged Palisades section of the Sierra that contains four of California's highest peaks.

Climbers must scramble off trail over boulder fields, past glaciers and along a ridge with steep drops to reach the base of the steep mountain to begin the actual ascent.

When Dankworth failed to return by Sunday morning, his friends hiked out and called for help.

Frontier brings broadband to Alpine County residents

High speed Internet has finally come to Alpine County and parts of Douglas County outside of the Lake Tahoe Basin.

FCC Chairman Julius Genachowski was in the area June 30 to recognize Frontier Communications' efforts to expand broadband service to this sparsely populated area.

The cable company is partnering with NBCUniversal to broadcast the Olympics to mobile devices using broadband Internet.

Also on hand for the launch was Frontier Chairwoman Maggie Wilderotter.

The new service area is more than 700 square miles.