Brown, Boxer keep California a blue state

By Stu Woo and Jim Carlton, Wall Street Journal

OAKLAND – California voters seemed to buck the national trend of anti-establishment anger on Tuesday by electing two Democratic stalwarts in the state's top-ticket races and adding to the state legislature's Democratic majority.

Former two-term Gov. Jerry Brown was projected to make a remarkable return to the governor's office, a post he first held 36 years ago. Mr. Brown was leading Republican Meg Whitman 50.9% to 44.3%.

Polls also indicated that Democratic Sen. Barbara Boxer, 69 years old, would well fend off a feisty challenge from Republican Carly Fiorina, 56. The liberal icon was leading 48.8% to 45.6%.

The twin wins could reinforce a broader Democratic dominance of the nation's most-populous state. With Mr. Brown's win, and with their candidates leading the races for lieutenant governor and insurance commissioner, the Democrats are positioned to claim every statewide office—as long they win a down-to-the-wire attorney-general race.

The Democrats' staying power may also extend to the state legislature, where the party is expected to retain or enlarge its already-dominant majority. Democratic lawmakers are also expected to win their holy grail: a ballot measure that would allow them to pass a budget with a 50% majority-which is to say, without any GOP support.

Read the whole story

Reid retains Senate seat

By Anjeanette Damon, Las Vegas Sun

Harry Reid has defeated Republican Sharron Angle in his bid for re-election, according to the Associated Press.

At the convention center on the Strip, the room burst into chants of “Harry! Harry! Harry!” and yelps of glee as MSNBC announced Reid as its projected winner of the night. Any tension that had been in the room melted into shouts and hugs.

Earlier in the day after casting her vote in Reno, Angle said she was “cautiously optimistic” about her chances this evening. But she added, when prompted by a reporter, that her campaign is prepared for a recount if that becomes necessary.



Harry Reid

“Whatever is necessary to do,” she said. “We have to be ready for any opportunity.”

In a reflection of the bitter destroy-the-opponent-at-all-costs ad war that characterized the Senate race, voters interviewed at polls across the state said they hated both of their choices.

Read the whole story

Sandoval next governor of Nevada

By David McGrath Schwartz, Las Vegas Sun

Republican Brian Sandoval was leading Democrat Rory Reid in Nevada's race for governor, on the verge of adding to his impressive resume in public office and continuing his rise in Nevada politics.

Sandoval was winning with 52 percent of the vote over Reid, the Clark County commissioner, with 44 percent of the vote. Sandoval, from Reno, beat Reid in Clark County early voting by 5,000 votes, a bad sign for the Democrat.



Brian Sandoval

Sandoval, 47, had a cagey, if cynical, campaign strategy regarding the state's budget crisis: He promised no new taxes, not to extend $1 billion in taxes set to sunset in June, and to veto any budget the Legislature passed with tax increases. But he refused to say what he'd cut. The state faces a budget deficit estimated as high as $3 billion.

He pivoted to his resume – assemblyman, gaming control board member, attorney general and federal judge – and a message of hope, with a campaign slogan "A Reason to Believe Again" and

telling voters in his closing ads “I’m optimistic.”

Read the whole story

Delay expected in Nevada election results

Per the Nevada Secretary of State:

There may be a delay in reporting early returns in all statewide Nevada races due to a power outage at a Clark County polling location. All voters in line at that site as of 7pm will be allowed to cast their votes. No results of any statewide races can be reported in any county until all polls across the state are closed. There is no estimate at this time of how long any delay might be.

Judge’s Lakeview Commons decision critical of South Tahoe

By Kathryn Reed

South Lake Tahoe officials and the City Council were given a written reprimand by the judge overseeing the Lakeview Commons contract dispute.

El Dorado County Superior Court Judge Steve Bailey issued his written opinion of the case Nov. 1. Though the outcome does not alter the decision rendered in court last month, the 30-page document explains why he sided with plaintiffs Clark & Sullivan.

The construction firm sued to have work at Lakeview Commons stopped under the belief the bid was unfairly awarded to Reeve-Knight Construction.



No one is smiling about Lakeview Commons today like ex-City Manager Dave Jinkens, center, and Councilmembers Bruce Grego and Kathay Lovell were in August. Photo/Kathryn Reed

The court document is a blow-by-blow recount of how city staff practically held Reeve-Knight's hand to get the documents in proper order. That isn't allowed. Despite much of this coming out during two summer City Council meetings, all but Councilman Jerry Birdwell agreed to go forward with awarding

RKC the bid.

The judge’s decision says, “The city acted arbitrarily and capriciously and abused its discretion by accepting a bid that was non-responsive on its face and that material and substantially deviated from the invitation for bids and bid documents. The city further abused its discretion by allowing RKC to revise its bid after the bids were opened; by assisting RKC in correcting the bid irregularity; by providing an opportunity for RKC to withdraw its bid without penalty; by designating specialty items after bid opening; and, by waiving a material element of the bid and awarding the contract to RKC.”

The court points out how allowing the contractor to change its bid violates Public Contract Code.

Now the city is essentially at square one, with the fall building season having been wasted. The original plan was for the foundation of the boathouse to be completed by Oct. 15 and framing to be done this winter. Construction was to be done in July. No date has been given for when Lakeview Commons might be something other than an unusable fenced off area.

RKC will only get paid for the cost of work done, no profit, per state law.

The judge’s decision can be appealed within 60 days of being issued.

The city’s options per court order are to either award the bid to Clark & Sullivan or start the bid process all over.

“From our perspective there is no urgency to the matter,” City Attorney Patrick Enright said when asked if the sitting council will make the decision or if the one sworn in Dec. 14 will pick up the pieces.

The current council meets again Nov. 16 and has a special

meeting set for Nov. 30. (The latter is to approve the reconfiguration of Redevelopment Area 2 per the city and county's negotiated deal.) Lakeview could be on one of those agendas.

Enright would not commit to which council is definitively going to handle the Lakeview mess.

With construction not able to resume until May per Tahoe Regional Planning Agency rules of not being able to move dirt in the basin between Oct. 15 and May 1, the bid process could resume after the start of the year on the multi-million dollar project to transform El Dorado Beach from a rundown area to a showcase for the city.

Click on decision to read the judge's response.

South Lake Tahoe hires police chief from outside department

Updated Nov. 2, 2010, 12:36pm.

By Kathryn Reed

The first police chief hired from outside the department was sworn in this morning at the South Lake Tahoe City Council meeting.

Brian Uhler becomes the eighth chief, taking over a department that has had a rocky time of it in recent years, especially under the leadership of former Chief Terry Daniels. Capt. Martin Hewlett has been the leader of the department since the start of the year after Daniels left.

Several members of the police department were on hand as Uhler was sworn-in and given his badge at the end of the Nov. 2 council meeting. He said a few perfunctory words before the meeting was adjourned.

Uhler, 49, most recently was a captain in the UC San Francisco police force. He was laid off in August after two years on the job. Before that he spent 25 years with the Corpus Christi, Texas, police department. He retired as a commander.

Uhler has a bachelor's degree in criminal justice and a master's degree in public administration, and is a graduate of the FBI Academy.



City Manager Tony O'Rourke, right, Nov. 2 gives South Tahoe Police Chief Brian Uhler his shield. Photo/Kathryn Reed

"He really understands the whole police operations," City Manager Tony O'Rourke told *Lake Tahoe News*. "He is very smart and strategic. He doesn't come across as a typical cop."

This is O'Rourke's first hire since coming on board in August. His next appointment, which could be before the end of the year, will be director of Parks and Recreation.

In the series of panel interviews, Uhler was the top candidate for the chiefs of police. O'Rourke sent most of the several dozen resumes to a police chief he knows in Florida who ranked Uhler as the top candidate on paper.

Uhler was one of three finalists. No local candidates made the final list.

Uhler called the five panels in one day an "endurance event."

Uhler has experience in all aspects of a police department, which appealed to O'Rourke.

"A lot of chiefs come from administration or the political side. This guy has proven himself on the street," O'Rourke said.

Another key for O'Rourke was to hire someone who could mentor the younger officers. Liking the outdoors was another selling point. Uhler is a hiker, skier and cyclist.

"You have to share the values of why people are here. He shares those values and embraces them," O'Rourke said.

On top of that, even though Uhler spent so many years in Texas, he is a Giants fan. He drove into town last night after the Giants were crowned World Champions after beating the Texas Rangers in Game 5 of the World Series.

Uhler has a little experience with snow. He spent some time in Mammoth – though it was as a youth. With his father in the aerospace industry, he moved around a bit as a kid. After high school he joined the Army, where he entered the military police. He went to the Corpus Christi department after being discharged.

Uhler is divorced with two children. His son is in college in North Carolina. His daughter will move to Tahoe this winter to attend Lake Tahoe Community College.

He will be making a base salary of $142,000, with a 1.5 percent longevity incentive boosting his pay to about $145,000 year.

Uhler’s first day on the job will be Nov. 8.

Barnes & Nobles’ troubles filtering to LTCC’s bookstore

By Kathryn Reed

With Barnes & Noble seeking a buyer, the future of Lake Tahoe Community College’s bookstore is a bit precarious.

The national book chain runs the bookstore and coffee cart at the South Lake Tahoe institution. The contract is for Barnes & Noble to pay a percentage of profits to LTCC. They are – it’s just always been the minimum.



The money is being kept in a reserve account in case the college needs to take the bookstore over again.

Hours of the coffee cart have been cut back and talk is it might stop operating completely.

As with most printed material, even textbooks are becoming obsolete. Bryan Swartout, student trustee on the college board, said he didn’t buy a textbook this quarter.

E-readers and discounted textbooks are two ways to avoid

purchasing new books. Barnes & Noble has the Nook, an e-reader that textbooks can be downloaded on.

The future of the mega-book chain could be known after the Nov. 17 shareholder meeting.

Additional campaign finance form

One campaign financial form was turned in today for the South Lake Tahoe City Council race. It is for Angela Swanson.

Placer County supes take action on slew of Tahoe issues

The Placer County Board of Supervisors met in Tahoe City at the Granlibakken Conference Center & Lodge on Oct. 19 and addressed numerous Tahoe issues that were on the meeting agenda.

Here is a summary of those actions:

* Renamed Gun Club Road to National Avenue, including the portion of North Avenue, north of National Avenue in the Tahoe Vista area;

* Amended the Alpine Meadows General Plan to change the land-use designation from community recreation, green belt, park and open space to single-family residential one dwelling unit per acre. The amendment applies to 1 acre of the 4.77-acre parcel to allow for the construction of one single-family dwelling;

* Approved a request from the Planning Services Division granting an automatic two-year time extension for certain land use entitlements including administrative review permits, use permits, design site review and variances that had not expired as of July 1, 2010. This action is designed to assist developers and land and business owners who face the prospect of having their land use entitlements expire before they can obtain financing or have their project constructed due to the current decline in the economy;

* OK’d spending up to $500,000 of budgeted infrastructure funds from the North Lake Tahoe Resort Association for the Northstar multipurpose trail environmental analysis;

* Amended the existing Waddle Ranch Grant Agreement with the Trust for Public Land (TPL) to provide $220,000 in advanced funding and reduce Placer County’s overall funding obligation by $440,000 contingent on an equal match of $220,000 from other funding sources to be secured by TPL. In May, 2007, supervisors approved a contribution to the TPL and Truckee Donner Land Trust towards purchase of Waddle Ranch in Martis Valley. Waddle Ranch is a 1,461-acre open space property, of which 595 acres is in Placer County;

* Approved a yearlong services agreement between the Office of Economic Development and the North Tahoe Business Association of $65,000 for marketing, special events and business support services. In addition, a similar agreement was made with the Tahoe City Downtown Association;

* Approved a loan purchase agreement with Central Pacific Bank

of $1.4 million plus closing costs not to exceed $10,000 on first mortgage loans on properties owned by BB, LLC,located at 8611 and 8623 North Lake Blvd. in Kings Beach for a proposed mixed-use development project fronting the north side of North Lake Boulevard, between Coon and Fox streets. BB, LLC owns most of the approximately 4-acre project site and the Placer County Redevelopment Agency owns one parcel on Salmon Avenue within the proposed project;

* Funded an agreement not to exceed $500,000 between the Redevelopment Agency and the North Tahoe Public Utility District for the development of the Tahoe Vista Recreation Area Project, including parking and a bus shelter;

* Directed staff to resubmit comments reflecting Placer County's position on the Tahoe Regional Planning Agency Regional Plan Update related to land use, transportation, noise, soil conservation, water quality and stream environment zone sub-element policies that were not fully vetted in the TRPA staff report to the Governing Board;

* Authorized the filing of a California Tahoe Conservancy planning grant application of $435,000 for the North Tahoe Bike Trail project. The 8-mile North Tahoe Bike Trail Project is located north of Highway 28 between Dollar Hill and Tahoe Vista in Placer County;

* Authorized the temporary borrowing of Treasury funds of approximately $2,000,000 for fiscal year 2010-11, by the North Tahoe Fire Protection District.

Scathing audit of South Shore transit system released

By Kathryn Reed

If the 2008-09 audit of South Tahoe Area Transit Authority's books had been completed before this fall, would it have meant avoiding bankruptcy?

Dan Garrison, treasurer of the board of the bankrupt agency since January 2010, doesn't think so. He says several factors contributed to the financial ruin of STATA.

Joe Harn, auditor-controller for El Dorado County, believes "this would have been really useful information to have in 2009."



A BlueGo bus parked illegally in front of a private residence in South Lake Tahoe. Photo/Kathryn Reed

"This is the worst (audit) I've ever seen for an organization this size. The weaknesses in internal control are the worst

I’ve ever seen,” Harn said. He’s been in the business since 1979.

Even the auditors aren’t happy with the cooperation it got from the STATA board. “We were unable to get written representations from management of STATA as required by auditing standards generally accepted in the United States of Americas (sic) and the standards applicable and to financial audits contained in Governmental Auditing Standards, issued by the Comptroller General of the United States.”

The audit was due last spring. C.G. Uhlenberg LLP out of Redwood City dated the report Oct. 1, 2010. The firm said it could not express an opinion on the financials because of the lack of information provided by STATA.

The firm goes on to say, “The audit we were engaged to perform was for the purpose of forming an opinion on the basic financial statements of STATA taken as a whole.”

Garrison, on behalf of the STATA board, accepted the report. It had been on a number of STATA agendas throughout the summer, but the Tahoe Regional Planning Agency wanted to give input and sought revises.

TRPA is involved because it’s the agency that hired John Andoh in May 2008 as transit administrator for BlueGo, the name of the Shore Shore buses. STATA oversees BlueGo and the seasonal trolleys.

At first Andoh reported to Nick Haven, TRPA transportation team leader. Haven was not available for comment. Andoh reported to the STATA board starting in July 2009. That board and Andoh subsequently parted ways.

“TRPA is reviewing the STATA audit and remains concerned about the difficulties facing the transit system,” TRPA spokeswoman Julie Regan said.

This audit is for the fiscal year when TRPA was in charge of Andoh. He was hired to run the buses. No one, apparently, was running the books.

“The fact is, Mr. Andoh was over his head and simply not qualified to properly control and maintain the responsibilities expected of him nor, in the end, was he able to perform to the level of experience he claimed he had during the hiring process,” Garrison said. “During the first quarter of 2010, STATA brought in an outside transit consulting firm to assist us in determining our actual operational and financial status. It had become somewhat obvious that the financial condition of STATA was not what we had been led to believe under Andoh’s watch. At the same time, with the ’09 audit running way behind, we secured a second accounting person to assist the STATA accountant in playing catch-up.”

The audit points out how grant reporting was abysmal.

As noted in the audit, STATA did not have an account just for its operations until June 2009.

The audit says, “… we identified certain deficiencies in internal control over financial reporting that we consider to be material weaknesses.” It goes on to say, “The results of our test disclosed instances of noncompliance or other matters that are required to be reported ….”

The audit includes information about Fairfield based MV Transportation, the firm now suing STATA, that had been operating BlueGo. It talks about repaying MV $825,000 at 8 percent interest through May 2014.

That isn’t going to happen now that STATA is in bankruptcy and MV has multiple lawsuits on the books. Knowing STATA has few assets except for the $677,000 in a bank account that MV got a judge to freeze and a few outstanding grants that are likely to trickle in, MV is contemplating suing the individual board members of STATA.

Those members represent public and private entities – South Lake Tahoe, El Dorado County, Douglas County, Harveys, Harrah's, Horizon, MontBleu, Lakeside Inn, Heavenly, Ridge Resorts, Tahoe Transportation District and TRPA.

Garrison said everyone has resigned from the STATA board. But they could still be sued.

The Tahoe Transportation District has been running the coordinated transit system for several weeks and is expected to officially take it over starting Nov. 1. STATA will likely dissolve through bankruptcy court.

"If there is to be a transit system going forward, it will be under the professional oversight of TTD," Garrison said.

El Dorado County has reached a settlement agreement with MV that is expected to be accepted by the bankruptcy court judge Dec. 1.

"The amount of the settlement is $160,000 for all litigation," Mike Applegarth, with the county's Chief Administrative Office, said.

At the last TTD meeting county transportation officials intimated they would be back on board if TTD were in charge. Applegarth told *Lake Tahoe News* that isn't true.

"The county is not contemplating a partnership or a participation agreement with TTD or any other party," Applegarth said. "If TTD does provide transit service in the basin on a prospective basis, in order to utilize the county's two Tahoe transit vehicles and transit funds, there would need to be further action by the Board of Supervisors and the TTD board of directors, and that could not take place until pending motions in the bankruptcy court on TTD's contract with STATA regarding transit service are heard."

The county has a seat on the TTD board per Article IX of the

TRPA Compact.

Carl Hasty, executive director of TTD, told *Lake Tahoe News* before the audit was released that he does not need to read it – his group is going forward with the intent to provide coordinated transit to the South Shore despite the poor prior fiscal management and dire financial conditions the system is in.