

Supreme Court refines rules governing police conduct

By Ari Melber, MSNBC

While the public debate over American policing has been roiling for months, a quieter debate has been playing out at the Supreme Court, which is now refining some of the rules that govern police conduct across the country.

During the court's current term, which concludes at the end of June, the justices have already ruled on three cases regarding controversial police conduct. The court often sides with police, and frequently at the behest of the Obama Justice Department.

One of the recurring criticisms of aggressive or "zero tolerance" policing is that some officers stop people for little to no reason. The court recently weighed in on part of that controversy, taking a case about a traffic stop in North Carolina. An officer said he had a good reason for the stop – a broken brake light – and then he searched the car and found cocaine. But it is perfectly legal to drive with one brake light under state law, so a lower court threw out the cocaine evidence, reasoning it was discovered through an unjustified stop.

The Supreme Court reversed, however, ruling that officers can be mistaken about the law and still perform a valid search.

Read the whole story

Minor power outage in South Lake Tahoe

Some residents in the Sierra Tract neighborhood of South Lake Tahoe are currently experiencing a power outage.

Liberty Utility expects to correct the problem by noon June 18.

– Lake Tahoe News staff report

EDC Grand Jury blasts 2 elected officials

By Kathryn Reed

The El Dorado County Grand Jury raked Auditor-Controller Joe Harn and Supervisor Ron Mikulaco over the coals in separate reports that were released this week.

Neither of the elected officials believes there is much truth to the reports, with Mikulaco saying it is politically motivated.

Harn said it's hard to defend accusations when no examples of wrongdoing were presented.

Mikulaco, who is in his first term, represents the first district on the western edge of the county. He said he was never interviewed by the grand jury regarding the allegations made against him, which is a Penal Code violation.

"I'm not a good ol' boy. There is a cost to not towing the

line," Mikulaco told *Lake Tahoe News*.

In the future he believes there needs to be better screening of the grand jury members so no one with blatant political connections and therefore perceived biases serves.

Brian Veerkamp, chair of the board, did not return a call. His secretary told *LTN*, "I doubt he will be able to comment, but I will give him your message."

In addition to the reports on the two elected officials, the grand jury also believes the El Dorado County Charter should be repealed and county government structured as a general law county.

This civil grand jury claims Harn cost the county more than \$1 million because he allegedly did not send a complete cost allocation plan to the state.

"The bottom line is they don't understand the cost allocation plan. It didn't cost us anything," Harn told *Lake Tahoe News*.

In a prepared statement he further stated, "The state controller found no fault with the plan prepared by my office. The state controller found that the IT billings prepared by IT were not supported. IT didn't maintain the records needed to substantiate the billings. My office is not responsible for the IT billings. The IT billings were done correctly for a decade prior to the former CAO's reorganization of the management of IT."

Since that time CAO Terri Daly was shown the door and the person who had always done IT's billings for the cost allocation plan left the county.



Joe Harn

The findings against Harn include:

- **Report:** Harn delayed or refused to make payments for reasons of personal and political motivation.

Harn's response: He has to pay the bills, so this isn't possible

- **Report:** The Board of Supervisors has not ensured the independence of the outside audit of the county's financial statements.

Harn's response: An outside audit is done every year. It's likely a new auditor will be hired this year because the same CPA firm has been used for the last seven years. He welcomes the board to have an audit committee.

- **Report:** He is not complying with two ordinances – sections 3.16.130 and 3.16.140.

Harn's response: The 1958 ordinance saying the Board of Supervisors approves bills for payment has been replaced by a 1978 resolution saying this is the auditor-controller's responsibility. (There is likely to be an agenda item June 23 repealing the 1958 ordinance so there is no confusion.)

- **Report:** He allows personal relationships to interfere with his management of his staff.

Harn's response: "I like and respect my staff, and they like and respect me."

· **Report:** The auditor-controller is guilty of harassment and disrespectful conduct toward employees of both the county and other entities.

Harn's response: "If they brought up specific examples, I might be able to say I should have been nicer. Earlier they say I'm a bully, but don't say who I bullied."



Ron
Mikulaco

As for Mikulaco, the report says, "District One Supervisor Ron Mikulaco lacks comprehensive awareness of his position as a county supervisor and fails to follow basic and generally accepted principles of good governance. Equally alarming, he is abrasive, combative and insulting to others, and refuses to follow the protocols and processes expected of any elected official, especially an El Dorado County supervisor."

The supervisor told *Lake Tahoe News*, "It was pretty brutal. I was a little caught off guard. They never talked to me about any of the items in there. They never interviewed me."

The report accuses him of using taxpayer money for a satellite office in El Dorado Hills that the jury says is not necessary. (The district five supe has an office in South Lake Tahoe and Placerville.) Mikulaco said he furnished the office and pays for it out of the allowance he is given each year.

Each supervisor has \$250,000 to spend – this includes the salary for their assistant and then other items related to their job. Mikulaco said he has given money back to the county because he has not spent it all.

He said the training he received that the jury took issue with is no different than what others are offered.

As for his personality, Mikulaco said, “I agree I can be abrasive when people lie to me.”

Marijuana growers’ pesticide use a concern

By Luke Runyun, NPR

The marijuana industry has a pesticide problem. Many commercial cannabis growers use chemicals to control bugs and mold. But the plant’s legal status is unresolved.

The grow room at Medical MJ Supply in Fort Collins, Colo., has all the trappings of a modern marijuana cultivation facility: glowing yellow lights, plastic irrigation tubes, and rows of knee-high cannabis plants.

“We’re seeing a crop that’s probably in it third or fourth week,” says Nick Dice, the owner.

The plants are vibrantly green, happy and healthy. And Dice says that’s because the company’s taken a hard line on cleanliness.

Read the whole story

SLT vacation ordinance faces court challenge

Updated June 17 11:10pm:

Jim Morris, owner of Lake Tahoe Accommodations, is suing the city of South Lake Tahoe in regards to the existing vacation home rental ordinance.

“We are fairly sure they violated the law in how they passed the ordinance,” Morris told *Lake Tahoe News*. “And they didn’t justify the money and how it is generated. We want to see them back off.”

The city this spring adjusted its master fee schedule to better reflect what it costs to do business.

Many people are upset with the vacation home rental fees, saying money has been banked so there is no need to raise rates. The city maintains it is merely charging what it costs for people to do their jobs.

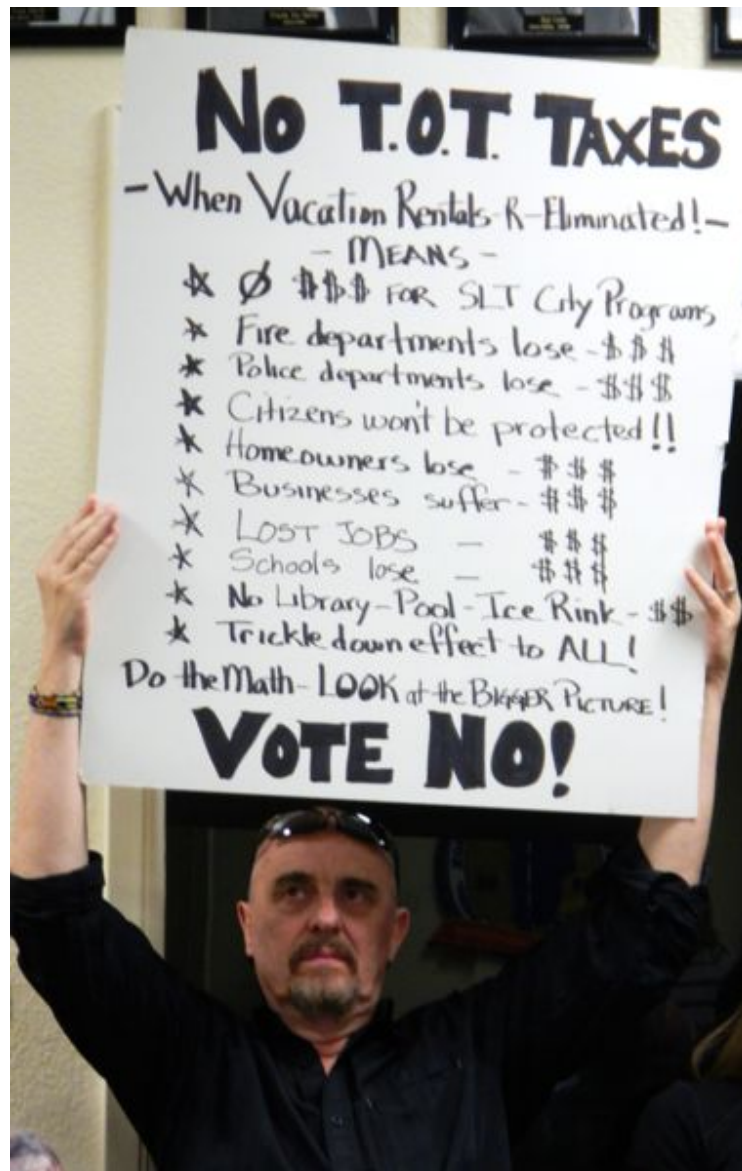
The lawsuit seeks to stop the fee increases that were approved by the council this spring. An injunction has been requested until the court decides the matter. That could be decided at the July hearing.

The city late June 16 received a copy of the lawsuit that had been filed June 5. On the City Council agenda for Tuesday was the claim related to this matter. In closed session the council rejected it.

Lake Tahoe Accommodations manages 230 properties around the lake.

– *Lake Tahoe News staff report*

No resolution to SLT vacation rental policy



Real estate agent Stan Freeman let's people know his view on vacation homes. Photos/Kathryn Reed

By Kathryn Reed

With two-thirds of the vacation rentals in South Lake Tahoe

being in residential neighborhoods, it is big business. It also means non-traditional neighborhoods are being created.

Those are the overriding issues when it comes to vacation home rentals – economics vs. locals not wanting residences used as a business.

Since the City Council has been toying with tweaking the VHR ordinance the number of VHR permits has gone from about 1,600 to 1,800.

Before Tuesday's City Council meeting the real estate community mailed material from its viewpoint in regards to property values and private property rights if the proposed ordinance became law. Then they and other advocates filled council chambers and the lobby June 16 to make their case.

City staff at the meeting stressed that private property rights don't allow people to essentially run a business from their home without oversight. The city's perspective is that vacation home rentals are a land use issue.

Those in support of the city's proposed ordinance were in the minority by a long shot. But if they don't ultimately get their way, there is talk of asking the voters to be the ultimate decision makers. This is much like when people didn't want parking meters; a ballot measure ended that practice. This means VHRs could also be cast aside by voters.



Police Chief Brian Uhler
escorts Jim Morris away from
the podium.

Advocates for this type of lodging point to how this is the way of the future and that VHRs are growing. They also say even the threat of drastic changes is getting home buyers to rethink purchasing in the city limits.

Repeatedly most of the 27 people who spoke Tuesday said enforce the rules on the books so it can be determined if a problem really exists, then address problems at that point.

The city is also doing a “holistic evaluation of VHRs from quality of life issues to zoning, real estate values, residential impacts” and more. This should be finished in spring 2016. There were multiple requests to wait to see what that study produces before changing anything.

Ultimately, after three hours of testimony and deliberations by the four council members it was decided that Wendy David and Austin Sass would form a subcommittee to further look at the issue. (Tom Davis recused himself because of his interest in Tahoe Keys Resort.) David is a supporter of VHRs, saying she lives among them and uses them when she travels. Sass is the most vocally opposed councilmember, repeatedly asking that there be a maximum number of VHRs. However, the only types of businesses the council has restricted are medical marijuana, and the sale of puppies and kittens.

The duo will decide if workshops will be conducted or if stakeholders will be part of the committee or some other scenario is created with the ultimate goal of reaching consensus so the entire council then votes on something.

The electeds did agree the subcommittee is to work on a permit procedure that goes beyond today’s administrative process, to not mandate ADA requirements beyond state and federal rules,

to allow residential input but not allow neighbors to have veto power, and to not force those with hot tubs to meet the same guidelines as hotels.

The meeting was conducted in a civil manner except for when Jim Morris with Lake Tahoe Accommodations verbally attacked the council, the city manager and city attorney, wouldn't leave the podium and had to be escorted away by the police chief. He also nearly got in a fight at a previous meeting with someone who had an opposing view. And he has filed a lawsuit against the city.

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In other action:

- The council passed the single residency hotel ordinance on a 4-1 vote. Councilman Tom Davis wanted more time to discuss the issue with those who will be affected.

Half in U.S. close to retirement haven't saved for it

By Lane Anderson, Deseret News

As baby boomers roll toward retirement, half of them don't have retirement savings, according to a new report from the U.S. Government Accountability Office.

Fifty-two percent of households 55 and older haven't saved a

dollar for retirement, according to the study, although half of those do have a pension. Among the 48 percent that report some retirement savings, the median amount is \$104,000 for households age 55-64, or about \$310 a month.

Older households, age 65-74, have higher savings at \$148,000 or \$649 a month, which still offers little on which to live.

Read the whole story

12-year sentence in DUI manslaughter case

A South Lake Tahoe woman is going to prison for 12 years for the deaths of a Dixon couple.

Megan Hickel, 28, was sentenced June 15 in El Dorado County Superior Court for two counts of gross vehicular manslaughter while intoxicated.

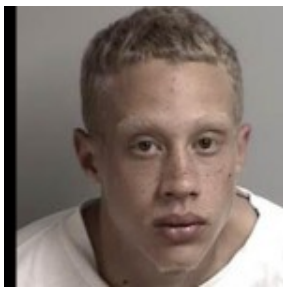
After watching fireworks on the South Shore, Richard and Kelly Schwab were returning home July 4, 2014, to Dixon on Highway 50 near Twin Bridges when their motorcycle was struck head-on by a vehicle driven by Hickel. The Schwabs were killed instantly.

– Lake Tahoe News staff report

Man killed by SLT officer didn't have weapon

Updated June 16, 4:30pm:

A man with a history of drug arrests was the victim of Monday's shooting in South Lake Tahoe.



Kris Jackson

A single bullet fired by a South Lake Tahoe police officer in the early morning hours of June 15 killed Kris Jackson, 22, of Sacramento. Jackson was trying to flee out of a window at the Tahoe Hacienda Inn when fired upon. Jackson died at Barton Memorial Hospital a few hours after being shot.

"The involved officer's statement explains he perceived a deadly threat from Kris Jackson. After interviews and a search of the crime scene, no firearm or other weapon was located," the police department said in a statement Tuesday afternoon.

This is the time line of events as released by the department from dispatch records:

- 2:40:21am – Call into dispatch received and the caller reports a female crying and screaming.
- 2:41:27am – Two officers were dispatched.
- 2:47:28am – Officers arrive on scene.
- 2:49:39am – The involved officer reports on the radio that someone is going out the back window.

- 2:49:57am – The involved officer reports the shooting to dispatch.
- 2:50:13am – An ambulance is requested.
- 2:56:46am – The ambulance arrived on scene.

The officer's name still has not been released. This is the first officer involved shooting in the city in more than 10 years.

Jackson was on criminal probation. He goes by Jaz Ben Slidin on Facebook.

On June 1, Jackson was arrested by South Lake Tahoe police officers for allegedly possessing several baggies of cocaine, scales and packaging materials. On May 21 he had been arrested by local officers on a Sacramento failure to appear warrant related to a drug possession charge.

Officers were called the hotel on Highway 50 because of screams and a woman crying. The woman was not the victim of physical abuse, according to authorities.

– Lake Tahoe News staff report

Section of wild grass burns near LTCC



Land near LTCC was burned
June 14 in a suspicious
fire. Photo/Diana Hamilton

A Sunday afternoon fire that burned a small swath of land between Lake Tahoe Community College and the U.S. Forest Service is still under investigation, though it is believed to be human caused.

A large plume of smoke could be seen June 14 coming from the meadow area behind those entities to make people believe a structure was on fire. No buildings were ever threatened.

The fire consumed a 100-foot by 150-foot area. This is the first fire like this in South Lake Tahoe this season.

"We want to remind people though we got quite a bit of rain in the last several weeks all that will do is for the light grassy fuels to grow better," Fire Chief Jeff Meston told Lake Tahoe News.

He said the rains put the fire season off a couple weeks, but also will help create more flammable vegetation, especially as things dry out.

Lake Valley and Forest Service crews assisted South Lake Tahoe to douse the flames.

– *Lake Tahoe News staff report*