

# Opinion: Have parole agents learned from Garrido?

**Publisher's note:** *This editorial is from the July 16, 2011, Sacramento Bee.*

After far too long, the shocking details of how federal probation officers completely failed to supervise Phillip Garrido are coming to light.

The hard-to-believe mistakes and horrendous judgment are as bad as, if not worse than, those of California parole agents. Those who were supposed to protect society from the likes of Garrido let him keep Jaycee Lee Dugard prisoner for 18 years.

By stonewalling, the U.S. Parole Commission tried to escape being held to account. It failed in that, too.

This month, James Ware, the chief U.S. District Court judge for Northern California, took it upon himself to make public a confidential report issued in December by the Administrative Office of the U.S. Courts that is unsparing in its criticism of federal parole officers and their supervisors. "I believe that the strength of our public institutions is tied directly to their openness to public scrutiny," wrote Ware, who deserves full credit for releasing the report.

Then Monday, Garrido's 351-page federal parole file was released through a Freedom of Information request filed by The Bee in September 2009.

Together, they itemize an inexcusable record of ineptitude and leniency – "clearly substandard," the report concludes – during the nearly 11 years that Garrido was under federal parole supervision, from December 1988 until his early discharge in March 1999.

During all that time, officers made less than a dozen home visits. One of those rare checks came in June 1991, only nine days after Garrido snatched 11-year-old Jaycee near her home in South Lake Tahoe.

**Read the whole story**

---

## **Opinion: Use Measure S money to pay down debt**

**To the community,**

All of the fussing and feuding over S, B, and R reminds me of a family fighting over money that a rich uncle, who died, has left in a poorly written will. Who will get what?

The dead uncle is S and its off spring B. And of course the ice rink has failed as a revenue source for the city. And R has created more factions that we don't need.



**Bill Crawford**

In 2000 I wrote the ballot argument against S. I believed then that S was all about the rink. Seems I was right. There's just one S ball field and few "new" post S bike paths.

I think it's time to use the "surplus" tax money and pay down

the debt. That should stop the fussing and feuding. And it's time to admit that S is a failure.

**Bill Crawford, South Lake Tahoe**

---

## **Opinion: SB271 gives Nevada a greater say at Lake Tahoe**

**By Mike Young**

As a longtime resident and Realtor who enjoys living in the Lake Tahoe area, I've spent nearly 25 years dealing with friends, clients and colleagues who are frequently frustrated by regulations and red tape imposed by the Tahoe Regional Planning Agency.

Thanks to a new law signed last month by Gov. Brian Sandoval, things are about to get better.



Mike Young

Sandoval was wise to sign SB271, a bill passed in the waning moments of the Nevada Legislature that would enable Nevada to withdraw from the TRPA if the state's concerns with the agency are not addressed in the near future.

For years, California has dominated the bi-state regulatory

board, imposing confusing and onerous regulations that have done more to detract from the economy and quality of life at Lake Tahoe than they have to protect its crystal clear waters and unique environment.

The TRPA's heavy-handed approach has made even the most routine development or home improvement project at Lake Tahoe a challenge.

To compound matters, the TRPA's Regional Plan was last approved in 1987 and expired in 2007.

Nevada state Sens. John Lee and James Settelmeyer, who were key sponsors of SB271, said one of its primary goals is to push for an updated Regional Plan guiding development decisions around the lake.

Other highlights of the Nevada law include:

- If the TRPA does not adopt an updated regional plan for the Lake Tahoe area, and if amendments supported by Nevada are not approved by Oct. 1, 2015, Nevada can withdraw from the compact on that date, unless its governor issues a proclamation extending the deadline for withdrawal to Oct. 1, 2017.
- This bill does not automatically call for Nevada's withdrawal from TRPA, nor does it change the current structure of the agency. The only thing that would change is the voting structure if California and Congress adopt Nevada's amendments to the compact. Nevada and California will continue to have the same number of seats on the Governing Board that they have now.
- SB271 eliminates the TRPA's super majority voting procedures that currently require four affirmative votes from Nevada and four affirmative votes from California. TRPA's Governing Board has 14 voting members and one nonvoting member. Each state appoints seven members, with a nonvoting member appointed by the president.

- Under an amendment proposed by Nevada Secretary of State Ross Miller, TRPA rules would now require at least four affirmative votes from the state in which a project is located and nine affirmative votes total.

- The new law does not change Lake Tahoe water quality standards. The Nevada Division of Environmental Protection and the California Regional Water Quality Control Board, Lahontan Region, set the water quality standards at Lake Tahoe. This will not change.

Nevada can't act alone. If one state makes changes to the TRPA Compact, the other state's legislature has to adopt those changes. Once both states have adopted those changes, they have to be ratified by Congress. So, any change Nevada makes to the TRPA Compact must be approved by California and Congress.

Leaders on both sides of the lake still have a lot of work to do on this issue.

Sens. Lee and Settelmeyer deserve our thanks for having the courage, strength and conviction to bring forth this legislation. The discussion was necessary because for too long the frustrations of homeowners at Lake Tahoe were swept under the rug. SB271 brought those issues out in the open for all to consider.

Gov. Sandoval also deserves praise for his leadership on this issue. I personally know he was under tremendous pressure by those interested in the status quo to veto the bill. I know his love for the lake is strong, and like every Nevadan, that he does not want it harmed.

But at least this new law balances the scales and sends an important message to everyone – that Nevada's voice must be heard.

It tells our neighbors across the state line that we share

their love of the lake and their deep desire to protect the environment.

This is about what is right for Lake Tahoe and the property owners like myself who love Lake Tahoe.

*Mike Young, a longtime Realtor with Chase International in Incline Village, is the president of the Nevada Association of Realtors, a professional trade association with nearly 15,000 members.*

---

# **Opinion: Interior appropriations bill's extinction rider is bad**

**By Elly Pepper, Natural Resources Defense Council**

Have you ever tried to explain extinction to a kid? It's not easy. You'll inevitably get questions like: "There isn't even one?" "Couldn't they come back some day?" "So I won't ever get to see one?" They just can't fathom that something could be completely erased from nature.

I can see where they're coming from – the permanence of extinction is hard to wrap your head around. And it's what makes it so disturbing that the GOP is messing with a law that prevents extinction in a must-pass budget bill.

Indeed, the 2012 House Interior Appropriations bill contains a rider that would bar all new listings of endangered species and critical habitat designations (p. 8), but allow the delisting and downlisting of species. While Rep. Dicks, D-Wash., attempted to strike this harmful provision during the

Appropriations Committee markup yesterday, his amendment failed by a vote of 23-26 (notably, three Republicans – Reps. Charlie Dent of Pennsylvania, Rodney Frelinghuysen of New Jersey, and Frank Wolf of Virginia – crossed party lines to support endangered species).

Next stop: a vote by the full House.

In defending the extinction rider, Republicans claim that they're just trying to modify the Endangered Species Act to make it more effective and more manageable for the Fish and Wildlife Service to implement. Then why does the provision prevent any new species from being protected and prohibit the Fish and Wildlife Service from doing its job?

Call me crazy, but that sounds like an attempt to make the Act as ineffective as possible!

**Read the whole story**

---

## **Opinion: S. Tahoe Aspens project threatened by state**

**Publisher's note: *The following comments were read into the record at the July 12, 2011, South Lake Tahoe City Council meeting. They are reprinted with permission. The council could not comment because the issue was not on the agenda, but instead brought up under public comments.***

Honorable members of the City Council, members of the city staff,

My Name is Greg Whittaker and I am the owner of the property where the affordable housing project known as the Aspens has

been planned to be built.

The Aspens:

Has all financing in place.

Has all regulatory approvals in place and Construction could start in the middle of August.

It will create a lot of local jobs.

It will generate \$160,000 in property tax revenue annually.

Gov. [Jerry] Brown's decision to eliminate redevelopment agencies poses a legal issue that has threatened the project.

Without an execution of the loan agreement authorized in the Resolution and Commitment given by the City Council, the credits and bonds will have to be returned in 60 days and the project will be effectively ended.

The most important issue is the distinction of the word "new" in the legislation.

Is the loan agreement a new contract, or a new obligation, or is it a documentation of the terms, conditions and restrictions already specified, written out and agreed upon in the Resolution and Commitment?

The language of the resolution itself creates a commitment and an obligation with specific terms and conditions. It authorizes and directs the city manager to act on it.

The resolution says, "The city manager or his/her designee(s) are hereby authorized and directed, to execute, in the name of the applicant, the Loan Agreement, the Regulatory Agreement, and such other documentation reasonably necessary to document the loan between the Agency and Pacific West (PacWest) Communities, Inc."

---

# Opinion: Democrats are the real party of 'no'

By Tom DeL Beccaro

New York, New Jersey and California have a lot in common. They're populous states with Democratic legislative majorities, high taxes and big deficits. The difference, however, is that the New York and New Jersey Democrats have enacted reforms while California Democrats remain the Party of No.

Earlier this year, New Jersey's bond rating was downgraded by the S&P. New Jersey's debt level and poorly funded pension system was the reason. According to Moody's, New Jersey's combined pension and long-term debt liabilities are more than 222 percent of its yearly revenue. New Jersey also has the nation's highest tax rates. New York's combined pension and long-term debt liabilities are more than 101 percent of existing revenue. It had a \$10 billion deficit in 2011 and the second highest tax rates in the country. California's combined pension and long-term debt liabilities are more than 166 percent of its revenue. We face annual budget deficits in excess of \$15 billion and the highest tax rates in the West excluding Hawaii. One more thing in common: All three states have been dominated by Democrats for years.

Faced with dire balance sheets, Democrats in New York and New Jersey said yes to reform. New York Gov. Andrew Cuomo declared, "The old way of solving the problem was continuing to raise taxes on people. And we just can't do that anymore." The new way included reductions in state spending, salary freezes, cuts to education, reductions in state workers and,

yes, even income and property tax relief with the help of Democrat votes in the New York Legislature.

The story line from New Jersey was similar. New Jersey's Democrat-led Legislature required public workers to pay more for benefits. According to Democrat Louis Greenwald, a sponsor of the legislation, the bill brought "property tax relief," made "benefits sustainable for the working families who rely on them and preserve collective bargaining rights for future negotiations. This protects both taxpayers and worker rights."

*Tom Del Beccaro is chairman of the California Republican Party.*

**Read the whole story**

---

## **Opinion: Complaint against South Tahoe filed with grand jury**

**By Steve Kubby**

Recently, the South Lake Tahoe City Council boasted that it is going to spend \$4 million a year on roads for the next five years. Unfortunately, that \$4 million promise, which is probably only half of what needs to be spent to do the job properly, is just an empty promise that history tells us will soon be forgotten. The reality is the City Council has only budgeted a pathetic \$100,000 to fix our roads.

History also tells us there has been a clear pattern and practice of raiding funds from road repairs and maintenance in order to prop up redevelopment failures and to reward special

interest groups. These actions have been going on for 15 years and it has resulted in an enormous unfunded liability of somewhere between \$150 million and \$250 million in crumbling roads, broken drainage pipes and dangerous potholes. The only success in this area has been for a few individuals who reward their supporters with money and favors, so they can continue to get themselves re-elected to office.



Steve Kubby

Jim Marino, an engineer with the city, told the council in 2009 that it would take \$5.2 million a year for 25 to 30 years, just to get the streets back up to par. The City Council responded by doing nothing, resulting in more unfunded liabilities as well as ever more runoff polluting our beaches and creating further loss of lake clarity. Meanwhile, the city budget does not even recognize these unfunded liabilities.

On May 31, 2011, I sent a letter to the South Lake Tahoe City Attorney Patrick Enright to inform hi I had discovered that sometime around 2002, someone transferred \$7,007,000 from the general fund, without the knowledge or consent of the City Council. I explained that my research had indicated that those funds were deposited to the Redevelopment Agency, again without the knowledge or consent of the City Council. I then told the city attorney that it appears the purpose of this raid on the general fund was to cover the financial failures of the Redevelopment Agency and the Park Avenue development.

To my astonishment, the city attorney sent me a "loan agreement," dated March 16, 2004, which was about two years

after the unauthorized transfer of the \$7,007,000 from the general fund. This agreement, signed by then Mayor Tom Davis, asserts that the \$7,007,000 is a “loan” and that it is to be paid back with TOT funds. Since the TOT funds had already been allocated to the general fund, I could not understand how such a loan could be legal. It also struck me as suspicious that the city attorney would proffer this backdated document, especially since the El Dorado Grand Jury had previously admonished the City Council about backdated documents.

As a result of these disturbing findings, I have filed a formal complaint with the El Dorado County Grand Jury.

*Steve Kubby is a South Lake Tahoe resident.*

---

## **Opinion: Amtrak must know who is on its trains**

**Publisher's note: *This editorial is from the July 5, 2011, Reno Gazette-Journal.***

Amtrak officials are undoubtedly right that it would be impossible, as well as counterproductive, for them to know where every passenger is on a train at any given time, especially on long-distance trains like the California Zephyr involved in a fatal crossing accident on June 24.

A train is not a plane, after all, and it would be unreasonable to expect a passenger to stay tethered to a seat or compartment as they are in a modern airliner.

It is not unreasonable, however, for Amtrak, the quasi-government corporation that runs the nation's long-haul

trains, to know who's on board or, at the very least, how many people are riding the rails.

Almost 10 years after the Sept. 11, 2001, terrorist attacks on the World Trade Center in New York City and the Pentagon in Arlington, Va., it is shocking that Amtrak still has no system in place that would tell officials how many passengers are on a train.

**Read the whole story**

---

## **Opinion: Nevada needs to do something about rail, road safety**

**Publisher's note: *This editorial is from the July 4, 2011, Reno Gazette-Journal.***

As each day passes more revelations come to light about the deadly Amtrak train crash June 24 and alarming safety issues on Nevada's rails and roadways when it comes to trains and trucks.

These are issues that need immediate action and have implications for everyone counting on safety along Nevada's roads and tracks from train passengers and crews members to truck drivers.

As investigators continue their work on the truck-train crash that left six dead and dozens injured, information brought to light by the *Reno Gazette-Journal* reveals first-hand reports of trouble earlier at the same site. Nine months ago, a different truck almost crashed into another Amtrak passenger

train at the U.S. 95 site 70 miles east of Reno.

Now, stereotypical of government reacting after the fact, a Nevada agency is launching a statewide investigation into all Nevada roads with high speed limits and railroad crossings.

Also unacceptable for Nevada, is that trucker Lawrence Valli, who plowed into an Amtrak train, had two additional speeding violations besides the four reported by the state Department of Motor Vehicles. But the speeding citations – and Valli's other tickets for driving without insurance, without a seatbelt and talking on a cellphone – did not reach a level under Nevada law that would have allowed officials to suspend or revoke Valli's license.

Safely off the rails now, Ron Kaminkow, engineer on the Amtrak train that was hit by the truck late last month, told *Gazette-Journal* reporter Martha Bellisle that the U.S. 95 crash site is dangerous. He hopes changes are made so that crashes like the one he was in never occur again.

**Read the whole story**

---

## **Opinion: Thankful for help bringing arts to students**

**To the community,**

The Bringing Art to Schools (BATS) program would like to thank all the supporters and volunteers who contributed to a successful and stimulating art instruction program in all the South Lake Tahoe elementary schools this past school year.

We would like to thank the following organizations for their

financial support; Lake Tahoe Visitors Authority, Tahoe Art League, Soroptimist International South Lake Tahoe, Soroptimist International Tahoe Sierra, and El Dorado Community Foundation.

We would also like to give special recognition to our tireless lead volunteers at each elementary school: Joy Rogers (Bijou), Rachel Kallas (Sierra House), Linda Mueller/Amber Salmon (Magnet School), Kelly Pedigo/Alison Green (Tahoe Valley) and Becky Alcon (St. Theresa).

**Lynne Brosch, BATS assistant director**