NOTE: The Minutes represent a brief summary of the public communications, City Commission reports, staff reports, presentations and actions taken at the August 19, 2008, meeting. For more detail on agenda items, please review staff reports contained in the agenda packet which is kept on file in the City Clerk's department as permanent record or visit the City's website at www.cityofslt.us.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE TO THE FLAG:

At 9:20 a.m., Mayor Weber called the meeting to order and led the pledge of allegiance to the flag.

2. ROLL CALL:

Present were Mayor Weber, Mayor Pro Tem Birdwell and Councilmembers Crawford, Long and Lovell. Also present were City Manager Jinkens, City Attorney DiCamillo and City Clerk Alessi.

3. PUBLIC COMMUNICATIONS:

1. Danny Freeman, South Tahoe Chamber of Commerce (STCC) President, thanked the Council for their recent attention to the Green Cities initiative. He requested that the Council periodically invite the community to share the Green Cities related activities on which they were working and suggested a link on the City's website as a method for creating community inclusiveness and participation regarding Green Cities issues.

2. Larry Suydam spoke on the issue of corporate responsibility related to abandoned shopping carts within the City’s neighborhoods and the need to motivate these entities into addressing this problem. He noted that Safeway and Raley's had implemented an electronic shopping cart program that prevents the illegal removal of carts from their parking areas and stated that other corporate entities should be encouraged to do the same. Suydam commented that perhaps Clean Tahoe could collect the stray carts and then charge these entities a sufficient retrieval fee for that service, thus no costs would be incurred by Clean Tahoe or the public.

3. Ernie Claudio, South Tahoe Public Utilities District (STPUD) Board Member reported on a recent meeting he had attended of the El Dorado County (EDC) Water Board at which Fish and Game were present. He noted a discussion was conducted on invasive species in Lake Tahoe and that Steve Marino spoke on behalf of Fish and Game and Ted Thayer spoke on behalf of the TRPA. Claudio commented on the presence of Milfoil and Curly Leaf in the lake and the programs and methods being utilized toward their eradication; and the topics of Asian Clams, Quagga Muscles and New Zealand Mud Snails.

Mayor Weber suggested that Claudio attend the next Lahontan Board Meeting and provide his presentation to Mr. Harold Singer and the Lahontan Board.

4. Wilbur Twining, South Lake Tahoe resident, Vacation Home Rental owner and part-time debris remover, remarked that he had discovered numerous discarded receipts by a vacation home renter and noted their substantial dollar totals. He commented on the residual impacts to
3. PUBLIC COMMUNICATIONS: (Continued)

our community of the numerous dollars that had been spent by these particular renters and stated the importance of providing a welcoming tenor to visitors to our community.

4. CITY COMMISSION REPORTS (Oral Reports):

None.

5. ADOPTION OF REGULAR & CONSENT AGENDA:

Mayor Weber asked if any Councilmembers wished to pull forward any consent agenda item(s). No Councilmember made such request.

Mayor Weber asked if anyone in the audience wished to pull forward any consent agenda item(s). City Clerk Alessi reported that the following items(s) were pulled forward:

- Consent Agenda Item #2 Citizens Bob Henderson, Joshua Priou, John Spinola, and Carolyn Yarwasky submitted Speaker Forms to pull forward this item for comment and discussion.
- Consent Agenda Item #3 Citizens Cathy Andrew, Pamela Galadrial, Joyce Goethals, Gerry Goodman, Bob Henderson, Wayne Huber, Michael Keller, Sharon Kerrigan, Janet Villa Leman, Joshua Priou, Don Scott, John Spinola, and Carolyn Yarwasky submitted Speaker Forms to pull forward this item for comment and discussion.
- Consent Agenda Item #4 Citizen Scott Tilton submitted a Speaker Form to pull forward this item for comment and discussion.
- Consent Agenda Item #6 Citizen Nathan Miller submitted a Speaker Form to pull forward this item for comment and discussion.

IT WAS MOVED BY COUNCILMEMBER LONG, SECONDED BY COUNCILMEMBER LOVELL AND UNANIMOUSLY CARRIED TO ADOPT THE REGULAR AND CONSENT AGENDA AS AMENDED.

5. CONSENT AGENDA / 6. CONSENT FORWARD:

Item:

CC 1. Minutes:
   a) August 5, 2008, City Council/STRA Meeting

APPROVED AS SUBMITTED.

CC 2. Ordinance Amending South Lake Tahoe City Code Chapter 28A – Transient Lodging, Amending Sections 28A-73, 28A-78 and 28A-81 Regarding Permit Conditions and Violations and Penalties

1. John Spinola addressed the Council regarding the amendments to Chapter 28A and indicated that he believed this wording was vague and possessed some erroneous information. He remarked on Section 28A-73, Item A-3, regarding
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

2. Bob Henderson, Attorney, Tahoe Keys property owner, spoke on behalf of the VHR Industry and remarked that the appointed VHR Ordinance Working Group was tasked with resolving the conflicts related to VHRs and the concerns of the citizens. He stated that no one wants for loud, rude and inappropriate behaviors to take place at VHRs but noted that this town was in the rest and relaxation (R&R)/hospitality industry and that people visit our community for R&R purposes, spend their money here and contribute to our economy. Henderson commented that the Working Group came to consensus on most all topics and added that they did not believe it was necessary to employ a full-time Community Service Officer (CSO) with the expense of such being placed entirely on the VHR Industry. He indicated support of the VHR Industry paying their fair-share, pro-rata portion of expenses related to the staffing of a CSO position.

City Attorney DiCamillo informed Mr. Henderson that a full discussion on this topic along with possible direction/action would occur during the Unfinished Business Item 8(b) portion of the meeting and was separate from this Consent Agenda item.

3. Carolyn Yarwasky, property owner and manager of two (2) VHRs located in the Bijou Pines area, indicated that she'd had these VHRs for the past ten (10) years and that the City had never furnished her with a copy of the VHR Ordinance or of the rules and regulations related to VHRs. She added that it was difficult for owners/managers to enforce these regulations when they had not been notified what they were and she remarked that the only notifications she had ever received were for the VHR Renewal permits and for payment of quarterly TOT. Yarwasky further indicated that she did not think that VHR property owners or property managers should be required to pay fines related to VHRs in the event the Police were summoned to their VHR property and added that the individuals renting the VHR should be cited by the Police at the time of their call.

City Attorney DiCamillo stated that it was her understanding that the City’s finance staff through the VHR Permit Technician furnished a copy of the City’s VHR Ordinance to property owners as part of the VHR Permit Application Packet.

Accounting Manager Brand verified that VHR Permit Application Packets included a copy of the City’s ordinance and were attached to the VHR Permit Application form. She remarked that she was unfamiliar with Ms. Yarwasky’s properties or the circumstances regarding those permits but noted that she would be happy to provide the current information packet which the city presently distributes to all permit applicants.

Weber remarked that the City’s entire Code of Ordinances was available on the City’s website and that there was a direct link to the VHR Ordinance. He noted that he believed this to be an isolated incident and not a serious, ongoing issue.

Mayor Weber asked if anyone in the audience wished to provide comment.
5. CONSENT AGENDA

4. Cathy Andrew, long-time Tahoe Keys resident and retiree, provided personal and professional information regarding herself and she suggested that this City’s VHR Ordinance replicate the $5,000 fines existing in the Carmel, CA VHR ordinance, which she indicated had significant enforcement measures. She recognized the strong lobbying of the VHR industry in South Lake Tahoe but requested for the Council members to make their decisions on these matters based on their core values and not on the political and monetary pressures applied by those with a financial interest in this industry, most of whom were not this Council’s constituents.

5. Jerry Goodman, South Lake Tahoe resident remarked on the meeting to which Mr. Henderson, speaker #2, had referred regarding the Working Group’s consensus and indicated that there were no Council members present. He noted that attendees present at this meeting included six to eight Vacation Rental agency representatives and one to two resident attendees which did not make for a fair group and that there was not a consensus on the items at issue.

6. Dr. Steve Leman, Tahoe Keys resident, reported that the most recent noxious activities occurring at a nearby VHR had provoked his attendance at this Council meeting. He noted that he was not opposed to VHRs but added that not all renters were responsive to the surrounding neighbors and properties. Leman shared the unpleasant experiences related to a VHR renter and reported that the VHR Property Rental Agency was completely non-responsive to his reported complaints. He indicated that bad behavior and very noisy boats with illegal straight-pipes were becoming the trend in his own neighborhood and in others and he stated that VHR property rental agencies needed to accept more responsibility or there would be a popular uprising by local residents.

7. Jim Morris, owner of Lake Tahoe Accommodations, concurred with Dr. Leman’s comments regarding noisy boats with illegal straight-pipes and stated that he believed this should be regulated and that decibel levels should be applied and enforced. He requested Council consideration of an ordinance on this matter if there was not something already existing.

Mayor Weber closed the public comment period.

City Manager Jinkens remarked on the balance in a community between the activities of business and the serenity in neighborhoods. He reported on a 1991 case in California entitled Ewing v. Carmel-by-the-Sea which addressed a jurisdiction’s powers to regulate or even prohibit and he read the following:

“It stands to reason that the residential character of a neighborhood is threatened when a significant number of homes, at least 12% accordingly, (in the Carmel case) are occupied by non-permanent residents.”

Jinkens commented that this addressed maintaining the residential character of neighborhoods in R-1 areas and stated that the California State Court of Appeals had determined in the Carmel Case that operating business activities within R-1 areas was a privilege and was not a right. He added that people living in a
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

2. residential area within a community had rights and that jurisdictions also had the right to regulate the extent of business activities within those residential neighborhoods so as not to harm the peace of those living there. Jinkens noted that the Council had the right to adopt rules that were reasonable to ensure the sanctity of the residential neighborhoods.

IT WAS MOVED BY COUNCILMEMBER BIRDWELL AND SECONDED BY COUNCILMEMBER CRAWFORD TO ADOPT ORDINANCE NO. 991 AMENDING CHAPTER 28A – TRANSIENT LODGING OF THE SOUTH LAKE TAHOE CITY CODE, SECTIONS 28A-73, 28A-78 AND 28A-81, REGARDING PERMIT CONDITIONS AND VIOLATIONS AND PENALTIES.

Councilmember Long restated that he did not believe it was necessary to implement more rules but to better enforce the present rules and ordinances. He added that he thought §28A-73, Item A-3 should state the preclusion of "commercial activities" only and that the language "weddings, receptions and large parties" should be eliminated. Long noted that while he would vote to support this, he did not believe that VHRs were the only problem and that they should not become the local "whipping boy".

Weber remarked that he preferred the wording "any commercial activities" related to §28A-73, Item A-3; and he suggested that it could be beneficial to require a notification to nearby residents when a homeowner applies for a VHR Permit. He stated this was a complicated situation but added that he was not in favor of banning VHRs. Weber remarked that he thought it necessary to better identify habitual offenders then notify them that they had lost their VHR privilege and revoke their permit. He thanked the numerous community members that had contacted him and reminded the public to please leave a telephone number where he could return telephone calls. In conclusion, he stated that he believed this topic should not be discussed in the busy summer season and that it would be better to address these issues during slower periods thus making it more convenient for individuals to participate.

City Clerk Alessi announced that her office had received numerous letters and emails regarding all VHR related issues and that copies of most all had been forwarded to the Councilmembers for their review. She remarked that this correspondence had been made a part of the public record which was kept on file in the City Clerk's department as permanent record and indicated that it was at Council's discretion whether these letters and emails should be read aloud into the record.

Councilmembers conducted discussion and agreed that letters specifying that they be read aloud into the record would be addressed at a point later in the Council meeting and subsequent to all agenda items related to VHRs.

MAYOR WEBER CALLED FOR THE VOTE AND THE MOTION WAS UNANIMOUSLY CARRIED.

Note: Mayor Weber stated for the record and for the benefit of the public that it was anticipated that the discussions on Consent Agenda items should conclude by the lunch break and that subsequent agenda items would commence at 1:30 p.m.
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

3. Ordinance Amending South Lake Tahoe City Code Chapter 28A – Transient Lodging, Amending Sections 28A-3, Definitions, to Change “Overnight Stay” and “Parking Overnight” to 10:00 p.m. (from 12:00 a.m.) to 6:00 a.m.

Councilmember Crawford remarked that he found the language in this proposed ordinance confusing.

Councilmember Long requested clarification on this from the City Attorney.

City Attorney DiCamillo explained that between the proposed hours of 10:00 p.m. and 6:00 a.m., only the specified number of maximum occupants as posted on the VHR Permit were allowed in the VHR, and that only the specified number of maximum automobiles could be parked at the site during those proposed hours.

1. Michael Keller, Tahoe Keys Resort Property Manager, stated that he disagreed with a 10:00 p.m. definition of “Overnight Stay” and “Parking Overnight”. He noted that he did not think it unreasonable for a VHR renter to entertain dinner guests past 10:00 p.m. but agreed that entertaining should be concluded prior to or no later than 12:00 midnight. Keller further suggested the need for this amendment to specifically address issues related to legal parking during daytime hours along with what was enforceable.

2. Pamela Galadrial thanked the Council for their solution-seeking efforts regarding these difficult circumstances and reported that she was a homeowner and had rented her home as a VHR for ten (10) years. She remarked that while 10:00 p.m. may seem too early a time to define “Overnight Stay” and “Parking Overnight”, it was certainly a time to expect quiet and she added that she was most grateful for a 10:00 p.m. noise ordinance. Galadrial stated that she was extremely opposed to commercial events occurring at VHRs and concurred with Long’s and Weber’s suggestion that the wording related to §28A-73, Item A-3 should state “any commercial activities”. She remarked that she had previously contacted the City and Tahoe Keys authorities when excessive noise was emanating from nearby VHRs during the daytime and was informed that nothing could be done until the restriction cutoff time had been reached. Galadrial indicated that she would like that topic addressed by the Council and added that she thought a part-time CSO would be most beneficial.

DiCamillo stated that the City has an existing noise ordinance which was in effect 24 hours per day and that the City’s Police should respond to an excessive noise complaint at anytime during the day. She reminded the public of the need for the Police Department to always prioritize their calls but added that they would respond to noise complaints anytime of the day or night.

Weber reiterated as a point of edification for the public that the City’s Police would respond to an excessive noise complaint at anytime during the day or during the night.

3. Cathy Andrew, long-time Tahoe Keys resident and retiree, admitted that parking issues were a complex problem and noted that it would be difficult to fairly and effectively enforce this ordinance. She added there was a need for flexibility due to that circumstance.
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

3. 4. Bob Henderson, Attorney, Tahoe Keys property owner, spoke on behalf of the VHR Industry and remarked that the appointed VHR Ordinance Working Group collectively concluded that the parking restriction should be from 12:00 midnight to 6:00 a.m. He added that the Industry had initially advocated a parking restriction from 2:00 a.m. to 6:00 a.m. but had acquiesced to the 12:00 midnight to 6:00 a.m. restriction and reported that some residents/VHR neighbors had advocated the 10:00 p.m. to 6:00 a.m. restriction. Henderson stated that many businesses in our town operate 24 hours a day and that currently there were existing laws to address issues of excess noise and inappropriate behavior. He indicated that he and the Industry did not think it appropriate to focus on the guests of VHR renters and deny them the ability to park on public streets past 10:00 p.m. and referred to a 1990 California Attorney General opinion which he stated had unambiguously concluded that local government did not have the power to discriminate about what types of vehicles could or could not park on streets.

5. Carolyn Yarwasky, property owner and manager of two (2) VHRs located in the Bijou Pines area, remarked on the issue of an owners ability to enforce aspects of the VHR Ordinance. She noted that while she could advise her renters of these rules she personally had no method of actual enforcement. Yarwasky stated that should a renter violate a rule and the VHR be sited, she would not be advised of that circumstance until after refunding the renters deposit.

6. Joshua Priou, Lake Tahoe Accommodations property manager and member of the VHR Ordinance Working Group, spoke on his concerns regarding the Council's continuous efforts to question or amend this existing ordinance and stated that five (5) years prior, exhaustive hours had been spent by the Council, City staff and the original VHR Working Group in developing this Ordinance. He questioned whether the City had the legal right to prohibit overnight VHR visitor parking on public streets after 10:00 p.m. and noted that he believed this issue was in question due to possible over-occupancy and noise. Priou remarked on the difficulty of enforcing these amendments, stated his opposition to this ordinance amendment and endorsed a 2:00 a.m. to 6:00 a.m. "Overnight Stay" and "Parking Overnight" restriction.

7. Sharon Kerrigan, South Lake Tahoe resident, advised the Council that while she was an employee of the South Tahoe Association of Realtors she was not speaking on their behalf and was addressing the Council as a private citizen. She indicated that she was opposed to the requirement that individuals visiting the occupants of a VHR must depart by 10:00 p.m.; that the quiet enjoyment of one another's company should be allowed past that hour; that she believed this unreasonable in a 24/7 town; and that she thought this requirement was discriminatory against one type of occupant. Kerrigan shared that there were substantial noise and parking issues where she resides and noted that these all occurred from local or long-term tenants and not VHR renters. She provided 14 (fourteen) photographs and a CD Rom containing those photos to illustrate the parking situation at her residence and remarked that she would like more attention paid to circumstances such as that. (Copies of said photos and the CD-Rom were delivered at the Council meeting and have been made a part of the agenda packet which is kept on file in the City Clerk's department as permanent record.)

Mayor Weber called for a brief recess from 10:45 a.m. to 10:55 a.m.
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

3. Don Scott, South Lake Tahoe resident, shared that he and his wife had lost their home in the Angora Fire and had since been long-term renting a home that had previously been used as a VHR. He remarked that when the surrounding residents discovered that they would be long-term renters, he and his wife immediately became the “neighbors of the year” due to numerous incidents that had occurred previously at this house by VHR renters. Scott stated that he believed the common good should take precedent over any commercial interest.

9. Wayne Huber, EDC County resident addressed the Council on behalf of his elderly in-laws who reside in the Tahoe Keys. He stated his own and his in-laws support of the 10:00 p.m. “Overnight Stay” and “Parking Overnight” restriction but questioned whether rules related to VHRs were even enforceable. Huber remarked that when his in-laws had placed telephone calls regarding a VHR complaint that there was no real response. He added that VHRs in the Tahoe Keys had gotten out of control and stated that VHRs had diminished the quality of life in South Lake Tahoe.

10. Joyce Goethals, South Lake Tahoe property owner since 1975 and neighbor of Jerry Goodman, expressed her thanks and appreciation to Mr. Goodman for his tireless defense of their neighborhood. She stated that historically the VHR renters in their neighborhood had been extremely loud and that parking and trash were continuous problems. Goethals indicated her support of laws to protect the communities’ residents living with nearby VHRs and recommended their strong enforcement coupled with the issuance of citations for violators.

Mayor Weber asked if anyone in the audience wished to provide comment.

11. Dr. Ken Weitzman stated that he believed the City’s Police needed to begin taking stronger action when VHR renters violated any of the City’s laws and any Sections of the City Code Chapter 28A – VHR Ordinance. He suggested that the City Council strongly encourage the Police Chief to direct the City’s Police Officers to become more proactive in issuing citations and less active at issuing warnings. Weitzman remarked that residents of neighborhoods should not be subjected to excessive disruptions created by VHR renters.

12. Wilbur Twining reiterated his earlier comments from the Public Communications portion of the Council meeting regarding his discovery of numerous discarded receipts by a vacation home renter and the substantial dollar totals of those receipts. He restated the residual impacts to our community of the dollars spent here by VHR renters and repeated the importance of providing a welcoming tenor to these visitors to our community.

Mayor Weber closed the public comment period.

City Attorney DiCamillo addressed the subject of the City’s authority to regulate parking on its streets regarding this particular situation. She confirmed that the City does have the authority and stated that authority was contained in
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

3. Vehicle Code Section 22507 which had a general grant of authority to local authorities to regulate parking of vehicles on its streets or portions thereof during all or certain hours of the day. DiCamillo added there was another reference within the same Code Section to a grant of authority for cities to designate certain streets upon which preferential parking privileges would be given to residents. She indicated that this Ordinance was providing some preferential parking privilege to residents and limiting or restricting the parking of VHRs, and she assured the Council that they were well within their rights to do that.

IT WAS MOVED BY COUNCILMEMBER CRAWFORD AND SECONDED BY COUNCILMEMBER LOVELL TO ADOPT ORDINANCE NO. 992 AMENDING CHAPTER 28A – TRANSIENT LODGING OF THE SOUTH LAKE TAHOE CITY CODE, SECTION 28A-3, DEFINITIONS, TO CHANGE “OVERNIGHT STAY” AND “PARKING OVERNIGHT” FROM 12:00 A.M. TO 6:00 A.M., TO THE NEW TIME OF 10:00 P.M. TO 6:00 A.M.

Councilmember Long reiterated his earlier comment that he did not believe it was necessary to implement more rules but to better enforce the present rules and ordinances. He stated his disagreement with changing the definition from 12:00 a.m. to the new time of 10:00 p.m. and said he did not recognize the relevance of restricting visitors after 10:00 p.m. Long commented that he believed the solution to parking was issuing parking permits to VHRs for the number of vehicles allowed and said this would provide for a more practicable method of parking enforcement. He indicated that he could not support adoption of this ordinance.

Councilmember Crawford remarked that being a Councilmember made him part of a legislative body and that the burden of public policy was on the shoulders of the Councilmembers. He added that this City’s residential community deserved peace and quiet and that it was the Council’s responsibility to create an orderly society to protect the citizens who live in residential areas.

Weber remarked that this situation should not be an “either/or” circumstance and he added that balance was imperative. He concurred that better enforcement was needed and commented that the subject of enforcement was scheduled for discussion later in this agenda. Weber shared his own experience with a VHR he and his spouse own and noted that screening potential renters was the most important and time-consuming aspect of that endeavor. He stated that the public interest does take precedent but added that in South Lake Tahoe that also included the visiting public. Weber indicated that he believed there were many respectful and responsible people, who want to visit our city to relax, recreate and enjoy Tahoe and that these were the type of people our community should work to attract and welcome. He reiterated his earlier comment that the chronic, habitual violators needed to be identified and notified that if they do not modify their business practice their permit will be revoked and they will lose their VHR business, and then do exactly that if they refuse to come into compliance. Weber asked Police Chief Daniels’ opinion on whether utilizing parking permits was feasible or if the simplicity of this was too good to be true.
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

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<td>3.</td>
<td>Chief Daniels indicated that he believed this would be more complicated than initially thought but was something he would need to investigate further. He added that he did think this could be possible. Councilmembers conducted brief discussion.</td>
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<td>MAYOR WEBER CALLED FOR THE VOTE AND THE MOTION CARRIED AS FOLLOWS:</td>
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<td><strong>AYES:</strong> Birdwell, Crawford &amp; Lovell</td>
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<td><strong>ABSTAIN:</strong> Weber</td>
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<td>4.</td>
<td>An Ordinance of the City of South Lake Tahoe City Council Amending in Its Entirety the City of South Lake Tahoe City Code Chapter 22 – Purchasing</td>
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<td>1. Scott Tilton, an employee of Tahoe Asphalt Inc., a South Lake Tahoe, California located company, addressed the Council and remarked on the difficulty of competing in the Basin. He commented that in addition to all applicable Tahoe Regulations, as a California company it was necessary to comply with all State of California Environmental Regulations and noted that their nearby Nevada located competitors did not have those same state environmental regulations. Tilton stated support of the local business minimal good faith preference of 3-5% and noted that this would help make local companies more competitive.</td>
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<td>Mayor Weber asked if anyone in the audience wished to provide comment.</td>
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<td>2. Nathan Miller, Sales Manager from Playground and Recreation Sales of Gardnerville, Nevada, remarked that jurisdictions when requesting bids needed to receive as many bids as possible for competition purposes. He stated that in his experience jurisdictions that implement good faith preference to local businesses have had the amount of bids submitted to them decrease while the prices increase. He recommended against this protectionism.</td>
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<td>Mayor Weber closed the public comment period.</td>
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**IT WAS MOVED BY COUNCILMEMBER LOVELL AND SECONDED BY COUNCILMEMBER LONG TO ADOPT ORDINANCE NO. 993 AMENDING IN ITS ENTIRETY THE CITY OF SOUTH LAKE TAHOE CITY CODE CHAPTER 22 – PURCHASING.**

Councilmember Long commented that the City's Purchasing Department broadly communicates bid requests to ensure that everyone has an equal opportunity to participate in this process.

Weber remarked that he thought it useful to perform some tracking to ensure there would be no unintended consequences to the taxpayers.  

**MAYOR WEBER CALLED FOR THE VOTE AND THE MOTION WAS UNANIMOUSLY CARRIED.**
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

CC 1033 5. Resolution Authorizing Certification of Fiscal Year 2008/09 Direct Charge for Mello-Roos Special Tax Community Facilities District No. 1995-1

APPROVED AND ADOPTED RESOLUTION NO. 2008-56.

CC 1053 1240 6. Grant Funded Recycled Rubber Mulch for Playground at Parks and Recreation Center

1. Nathan Miller, Sales Manager from Playground and Recreation Sales of Gardnerville, Nevada, explained that they routinely work on this side of the hill and were presently doing a playground at Tahoe Valley Camp Ground. He commented that many of their employees live in South Lake Tahoe and that this company feels like they are a member of this community, much in the same sense as South Lake Tahoe residents shopping in nearby Nevada located stores. Miller acknowledged that an affiliate company had received this award on this consent calendar and he remarked that North State Playgrounds (NSP3) from Redding, CA was a competitor of theirs. He stated that he did not consider that company part of the community and noted disappointment that Playground and Recreation Sales was not given an opportunity to submit a bid for this item. Miller stated that he wanted to go on record that he believed the grant funds for this product were provided by the California Integrated Waste Management Board (CIWMB), whom he stated had strict regulations regarding the origination of the recycled materials in products being utilized. He also remarked on the "Sole Source Distributor" designation referenced in the staff recommendation; and he questioned the compliance to the CIWMB regulations should the PermaLife Recycled Rubber product be used. Miller suggested that this item be continued until this information could be researched by City staff.

Councilmember Crawford asked Mr. Miller whether he was directly saying that this was a false report and that somebody was committing fraud.

Miller said that he did not believe there was any fraud being committed in South Lake Tahoe but that other things had happened throughout the State which compelled him to speak.

Parks and Recreation Department Director Moore, speaking in lieu of Purchasing Manager Nancy Dawson who was unable to attend this meeting, first informed the Council and public that this product for the playground project was 100% grant funded. Moore then stated that to his knowledge and what the City had been told, North State Playgrounds had supplied many of these derived tire grants on this mulch throughout the state of California and that the product had been referred through the State of California and through North State Playgrounds as a certified State of California product in the requirements of the process in meeting what was being asked for within the grant. He said that North State Playgrounds provided a compliance of a tire derived certification of 100% of California waste tires to the City which met the City's requirement. Moore recommended that staff move forward with their research on PermaLife, and distributed by North State Playgrounds located in Redding, California.
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

CC 6. Weber asked Moore to discuss the issue of a Sole Source provider.

Moor stated that it was his understanding that North State Playground was the PermaLife provider within the area. He stated that the City's specs had this and that these were the individuals who were the Sole Source supplier of those specs.

Weber asked Moore whether the CiWMB was satisfied with North State Playground being the Sole Source Provider.

Moore replied that to his knowledge yes, they were satisfied.

Mayor Weber asked if anyone in the audience wished to provide comment. No one appeared in order to be heard and Mayor Weber closed the public comment period.

IT WAS MOVED BY COUNCILMEMBER CRAWFORD, SECONDED BY COUNCILMEMBER LOVELL AND UNANIMOUSLY CARRIED TO ACCEPT THE RECOMMENDATION TO GRANT FUNDED RECYCLED RUBBER MULCH FOR THE PLAYGROUND AT THE PARKS AND RECREATION CENTER, AND TO PROCLAIM NORTH STATE PLAYGROUNDS (NSP3) IN REDDING, CA AS SOLE SOURCE DISTRIBUTOR FOR PERMALIFE RECYCLED RUBBER PLAYGROUND MULCH; AND AWARD BID TO NORTH STATE PLAYGROUNDS IN THE AMOUNT OF $57,509.60.

CC 7. Resolution Requesting the State of California Department of Transportation (Caltrans) Consider the City's Request to Relocate the Existing Sacramento Directional Sign at the Intersection of US Highway 50 and US Highway 89 (South Y) and Consider the Installation of Way-Finding and Services Available Signs; PWC 2000-02

ADOPTED RESOLUTION NO. 2008-57.

CC 8. Formal Bid No. 0830160050-BN-1 for the Lake Tahoe Playing Field Snack Shack Foundation and Flat Work, PWC 08-30160050 (Paid for by Measure S Funds)

APPROVED AND AUTHORIZED THE MAYOR TO EXECUTE AGREEMENT NO. C-73-08; AND AWARD BID TO PLAYSCAPES CONSTRUCTION IN THE AMOUNT OF $44,875.

CC 9. Revised Project Scope and Amendment to the Professional Services Agreement between the City of South Lake Tahoe and Entrix, Inc. for Engineering Services for the Bijou Area Erosion Control Project, PWC 2005-04 ($219,200 – Fully Funded by the CTC and USFS)

APPROVED THE REVISED SCOPE, AND AUTHORIZED THE MAYOR TO EXECUTE AGREEMENT NO. C-74-08.
5. CONSENT AGENDA / 6. CONSENT FORWARD: (Continued)

Item:

CC 10. Amendment to Professional Services Agreement between the City of South Lake Tahoe and Wood Rodgers for Construction Inspection and Materials Testing Services for the Rocky Point Erosion Control Project, Phase 4, PWC 2002-14, and Other City Projects on an As-Needed Basis ($50,000) (Rocky Point ECP Fully Grant Funded by the CTC and USFS; As Needed Inspections Services Funded through Public Works Department-Engineering Budget)

APPROVED AND AUTHORIZED THE MAYOR TO EXECUTE AMENDMENT TO AGREEMENT NO. C-75-08.


ADOPTED STRA RESOLUTION NO. 2008-6.


RECEIVED AND FILED REPORT.

7. PRESENTATIONS:

(a) Presentation by the Lake Tahoe South Shore Chamber of Commerce Regarding Update on the Wayfinding Sign Program, and Results and Findings from the Test Sign located on Al Tahoe Boulevard

Nancy Kerry, Public Affairs Director for the Lake Tahoe South Shore Chamber of Commerce (LTSSCC) provided to the Council the Chamber’s third status report regarding the Wayfinding Sign Program. She furnished a PowerPoint presentation entitled “Wayfinding in South Lake Tahoe – Project Status Report Presented to City of South Lake Tahoe – August 19, 2008”, and provided narration of the following slides:

- Project Overview
- Project Goals & Objectives
- Activities Since Last Presentation
- Temporary “Test Sign”
- Neighborhood Designations
- Project Budget (R & E)
- Future Projected Expenses
- What’s Next
- Questions?

(A copy of said PowerPoint presentation was received and made a part of the agenda packet which is kept on file in the City Clerk’s department as permanent record.)

Kerry thanked City Manager Jinkens for his assistance in facilitating a meeting with Caltrans District 3 Director Jody Jones and reported that as a result of that meeting they had obtained clear guidelines from Caltrans regarding exact requirements. She added that Caltrans had
provided their approval for a two (2) color scheme signage- green and blue, and that they had approved embedding the national symbols into the signs which she indicated was a very significant concession from Caltrans. Kerry provided information on the community’s response to the temporary “Test Sign”, and stated there was continued interest in the neighborhood designation signs but reported that since they did not conform to Caltrans standards they were no longer a part of this project. She added that the City’s, County’s and TRPA’s codes could allow for this possibility, but these would need to be separate signs located on City and County roads. Kerry reported on the project expenses to date and the future projected expenses and noted that they had successfully kept their expenses down as directed by Council and said at this time it appeared they would remain on budget. She commented that there had been numerous in-kind contributions of staff hours from the Chamber, the City of South Lake Tahoe, EDC, the TRPA and Caltrans along with the Chamber’s Board, their general members and members of the community.

Councilmembers and staff conducted brief discussion.

Councilmembers expressed their thanks and appreciation for this report and congratulated Kerry on her successful work with Caltrans.

Mayor Weber called a lunch break from 12:15 p.m. to 1:30 p.m.

Note: By Council consensus the following item was heard out of agenda order.

9. NEW BUSINESS:

(b) Discussion and Possible Direction/Action Regarding Adoption of a Resolution of the South Lake Tahoe City Council Consenting to the Construction of New Measure S Ball Fields at the Existing Little League Park Site and Requesting that an Advisory Ballot Measure be Placed at the Next Feasible Date to Seek Public Opinion on this Matter.

City Manager Jinkens provided his staff report dated August 14, 2008. He noted that Councilmember Crawford was the Chair of the JPA Board which wished to see new fields constructed at the Little League Park site since it had been determined that the existing site located at the Lake Tahoe Community College was too small to accommodate multiple ball fields. Jinkens reported that all JPA participant policy bodies must adopt a resolution consenting to this move and that the matter of a new location must be approved by the voters. He added that City Attorney DiCamillo had prepared a Resolution to achieve this policy objective and indicated that both he and the Director of Parks and Recreation recommended that this action be taken to fulfill the promise to the community for multiple ball fields.

Councilmember Crawford provided information on the JPA and he comprehensively explained the circumstances and rationale for their request of this site location change.

Parks and Recreation Department Director Moore provided information on financial, funding and permit related issues along with a status report. He briefly provided a conceptual PowerPoint slide show which was compiled by Landscape Architect Steve Knoll, Principal of Design Workshop.

Mayor Weber asked if anyone in the audience wished to provide comment.

1. John Cefalu, long time South Lake Tahoe Resident, indicated that it had long been recognized that Measure S funding would be unable to pay for ball fields and that a group of community individuals had assembled to seek an alternative in an effort to make this happen.
9. NEW BUSINESS – Item (b): (Continued)

He added that it was expected that Measure S funds would contribute to this effort but acknowledged that the majority of the funding would come from private donors, and he stated that commitments had already been made by private donors and from service clubs. Cefalu commented that all groups having an interest in this endeavor, such as Little League and soccer, were very enthusiastic and committed and he stated that it was time to satisfy that segment of our community that had felt left out of Measure S. He remarked on the necessity of making this happen sooner rather than later so as to maintain this forward momentum and he encouraged the Council’s support on this matter.

Mayor Weber closed the public comment period.

Council member Long suggested that the Resolution language state “...SEEK PUBLIC APPROVAL ON THIS MATTER” rather than “…SEEK PUBLIC OPINION...”

IT WAS MOVED BY COUNCILMEMBER LOVELL AND SECONDED BY COUNCILMEMBER BIRDWELL TO APPROVE RESOLUTION NO. 2008-59, CONSENTING TO THE CONSTRUCTION OF THE NEW MEASURE S ATHLETIC FIELDS AT THE EXISTING LITTLE LEAGUE PARK SITE AND REQUESTING THAT AN ADVISORY MEASURE BE PLACED AT THE NEXT FEASIBLE DATE TO SEEK PUBLIC OPINION ON THIS MATTER

Crawford indicated that the cost of conducting the election would be borne by the JPA Board and that there would be no cost to the City or County. He stated as a cost saving effort, the Board would only entertain the election occurring in 2009 and in conjunction with a consolidated election. Crawford explained that what was needed now was the approval of this Resolution subsequent to which the other involved parties would follow suit.

Councilmember Birdwell inquired of Councilmember Lovell whether she was amenable to substituting the word “APPROVAL” for “OPINION” in her motion.

Lovell agreed to the substitution and to change the wording from “OPINION” to “APPROVAL”.

For the record, Weber asked Moore to confirm whether all Measure S funds not expended on the Ice Arena remained in a dedicated “Measure S” account along with all other accumulated Measure S funds, and if they were all accounted for and if any funds were missing.

Moore confirmed that according to the audit report, all Measure S funds were accounted for and none were missing.

MAYOR WEBER CALLED FOR THE VOTE AND THE MOTION WAS UNANIMOUSLY CARRIED AND INCLUDED THE SUBSTITUTE WORD “APPROVAL”

Weber thanked the private sector and all participating community members for their efforts toward making this happen.

7. PRESENTATIONS: (Continued)

(b) Presentation and Update on the 56 Acre Project; and Council Discussion/Action on Affirmation of the Project Name: Lakeview Commons

Community Development Director Jamin provided her staff report dated August 8, 2008. She commented there was a collective enthusiasm regarding the progression of this process and she noted that this area that would be the heart of our community was often discussed during General Plan updates. Jamin stated it had been suggested that the “56-Acre Project” as a project name was somewhat dull. She reported that the proposed new name for this site was “Lakeview Commons” and she provided information on the name’s derivation.
7. PRESENTATIONS - Item (b): (Continued)

Jamin introduced Project Manager Deb Vreeland to the Council who furnished a comprehensive PowerPoint presentation entitled "City Council/Board of Supervisors Update August 2008 - South Lake Tahoe 56 Acre Project."

Vreeland greeted the Council and stated her excitement about the project and the accomplishments of the past eight (8) months. She recapped that subsequent to the completion of a full year of work which had included 25 to 30 public meetings and forums, she had appeared in January and provided a conceptual design to the Council. Vreeland reported the following:

1. The California Tahoe Conservancy (CTC) had provided a second planning grant in March for support of the detailed design for the first-phase of the proposed construction of this project which was identified as the El Dorado Beach area.
2. The project kick-off meeting for this second phase of detail design for the beach took place on May 21st and was coordinated with the CTC and Caltrans.
3. The Technical Advisory Committee met in early June.
4. A meeting including the Steering Committee and public took place in late June to provide an update on the El Dorado Beach portion of the project.
5. The design took place during the month of July so as to meet the August 8th scheduled date for submittal of their application to the TRPA.
6. The designers and architects worked together and that a full, complete, accepted permit application had been at the TRPA offices for two weeks. She added that the TRPA has a 30-day review period and they would be meeting with them in the next few weeks to respond to any questions.
7. That throughout this entire process, the County, City and CTC had been seeking both public and private funding to help fund the construction of this project.
8. That the name "56-Acre Project" was not a good sell point when approaching funders thus the proposed new project name of "Lakeview Commons" was identified to describe this project which would be in the heart of South Lake Tahoe.

Vreeland provided narration of the following slides:

- Full Site
- Full Site Next Steps
- Waterfront (6 slides)
- Lake Overlook (14 slides)
- Lower Level Plan
- East-West Section Looking North (2 slides)
- Lake Overlook (6 slides)
- Seeking Highest Level of LEED Certification
- Next Steps

Vreeland commented that the City of South Lake Tahoe owns two parcels to the east of Rufus Allen. She remarked that Inn by the Lake had agreed to utilization of their waterfront piece so that those three (3) parcels could be annexed into this project area which would ensure for a beautiful lake waterfront beginning at Lakeview and would be consistently designed and built.

Vreeland indicated that they anticipated preparing their bid package and having that out for a January construction bid so as to utilize the attractive bid climate that was currently present. She reported that the project in its 30-percent design was presently with the estimators and that she did not have an estimate of construction costs at that time.
7. PRESENTATIONS – Item (b): (Continued)

Mayor Weber asked if anyone in the audience wished to provide comment.

1. Jim Morris, owner of Lake Tahoe Accommodations, commented that numerous individuals that were present to speak on Unfinished Business Items (a) and (b) were being inconvenienced and remarked that the Council was far from perfect. Morris stated that the launching ramp installed by El Dorado County was a disaster and that it should to be addressed in this project. He added that this ramp was poorly engineered and installed and shared his negative boat launching experience that occurred in May when he said there should certainly be reasonable water levels for boat launchings.

2. John Cefalu, local business owner and long-time resident remarked on the attractiveness of this project and stated that this would be a 1,000% improvement over what was currently there and noted that use of the reconstructed area should increase dramatically. He commented that most of the present beach users do not walk or ride bicycles to that area and queried where these additional people visiting the beach area would park. Cefalu remarked on issues related to the Harrison Avenue project with regard to this project and added that he was not fond of the name Lakeview Commons. He indicated that there should be a better method of labeling this project that would make it stand out and suggested involving the community in the process.

3. Cathy Andrew, long-time resident and retiree concurred with Cefalu that the project looked fantastic but that the name needed more work.

Mayor Weber closed the public comment period.

Weber asked Vreeland whether the public had input regarding the proposed name.

Vreeland explained that due to time constraints the name had been vetted among the members of the project management team. She reiterated Jamin’s comment that “Commons” was a ground where everyone could come and meet and that Lakeview of course was because of Lakeview Avenue and the lake’s view. Vreeland indicated that this had not been a formal process and that it was not brought before the Steering Committee for a vote.

Councilmember Lovell concurred with Vreeland regarding the time constraints for a less industrial project name and remarked that the name “56 Acre Project” had been likened to “Area 55” by some potential funders. She explained that it was necessary to have a name other than 56 Acre Project to place on materials that would be distributed to potential public and private funders and noted that this could be changed in the future.

IT WAS MOVED BY COUNCILMEMBER LOVELL AND SECONDED BY COUNCILMEMBER BIRDWELL TO AFFIRM THE NEW PROJECT NAME LAKEVIEW COMMONS.

Councilmembers conducted brief discussion.

MAYOR WEBER CALLED FOR THE VOTE AND THE MOTION WAS UNANIMOUSLY CARRIED.

Mayor Weber called for a brief recess from 2:55 p.m. to 3:00 p.m.

8. UNFINISHED BUSINESS:

(a) Discussion and Possible Direction/Action Regarding Posting of Exterior Signs on Vacation Home Rentals

Mayor Weber reminded all meeting participants that this agenda item was regarding signage and he requested that the discussion please remain on task.
8. UNFINISHED BUSINESS – Item (a): (Continued)

1. Carolyn Yarwasky, property owner and manager of two (2) VHRs located in the Bijou Pines area, stated her opposition to the posting of exterior signs on VHRs. She reported that she had experienced previous break-ins and added that this signage was an invitation to vandals and burglars.

2. Joshua Priou, Lake Tahoe Accommodations property manager and member of the VHR Ordinance Working Group, stated his opposition to the posting of exterior signs on VHRs. He concurred that this signage was an invitation to vandals, burglars and squatters and inquired whether the City would be responsible for lawsuits pertaining to that type of vandalism. Priou queried who would bear the burden of the signage cost: the City or the homeowner, and he indicated that this should be a homeowner’s choice and something for which they accept responsibility. He remarked on the efforts of local agencies toward maintaining the esthetics of our community and said that this type of signage would be extremely unattractive and would impair the appearance of South Lake Tahoe neighborhoods. In conclusion, he remarked that as a member of the VHR Ordinance Working Group he was entirely confused why this remained a consideration as that group had unanimously agreed that this was a bad idea and did not want it implemented.

3. Julie Lucksinger requested that the Council or City staff explain the actual benefit toward promoting a better neighborhood for the locals with regard to placement of this signage on VHRs. She asked that a discussion on that topic be conducted when Council executes their discussion on this matter.

Weber asked if anyone in the audience wished to provide comment.

4. Cathy Andrew inquired on the exact verbiage of the Ordinance pertaining to this issue.

City Attorney DiCamillo stated that the following verbiage pertaining to the posting of exterior signs on VHRs was introduced before the Council at the August 5th meeting, at which time the direction was to bring this back with some or any additional suggestions.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH LAKE TAHOE AMENDING CITY CODE CHAPTER 28A – TRANSIENT LODGING, 28A-74, SIGN AND NOTIFICATION REQUIREMENTS, BY ADDING SECTION 2, REQUIRING VACATION HOME RENTALS TO HAVE SIGN NOTIFICATION POSTED ON THE EXTERIOR OF EVERY VACATION HOME RENTAL

THE CITY COUNCIL OF THE CITY OF SOUTH LAKE TAHOE DOES HEREBY ORDAIN AS FOLLOWS:

Chapter 28A, Transient Lodging, is hereby amended as follows:

§28A-74. Sign and notification requirements.

2. Each vacation home rental shall have a clearly visible and legible exterior sign, not to exceed two (2) square feet, posted in a location which is clearly visible from the street, containing the following information:

A. The name of the managing agency, agent, property manager, local contact or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis.

B. The maximum number of occupants permitted to stay in the unit.

C. The maximum number of vehicles allowed to be parked onsite.

Andrew thanked DiCamillo for the clarification and stated that she supported this sign ordinance and that this was part of the cost of doing business as a commercial entity. She indicated that this would clearly identify who was accountable but commented that a two (2) foot sign was excessive and would be unattractive.
5. Wayne Huber addressed the Council and stated that he believed the exterior signage could serve as an educational element for the residents in the neighborhoods and he added that many elderly individuals were unable to utilize the internet to access VHR related information on a website. He indicated that he considered this signage a contract between the VHR owners/property managers and residents and a signal from the VHR owner/property manager that it was not their intent to sell out the neighborhood for their own monetary gain. Huber said this information would keep the neighbors apprised of what was and was not allowable at specific VHRs and remarked that good neighbors watch out for each other. He indicated that as a good neighbor he looks out for his neighbors’ property to help prevent them and ultimately himself from becoming the victim of a crime.

6. Jerry Goodman addressed the Council and stated his support of this exterior signage and concurred with Mr. Huber’s comments.

7. Michael Keller, Tahoe Keys Resort Property Manager, stated for the record that many VHR rental agencies support signage on the properties they manage. He noted his opposition to making this a requirement and remarked that the potential for crimes was frequently more prevalent in some neighborhoods versus others and he objected to what could be considered an advertisement that specific houses may frequently be vacant.

Councilmember Birdwell asked Keller if their website displayed photos of VHRs with information regarding the facilities or if they offer virtual tours of VHRs.

Keller replied that they did display photos and provide information which he stated was fairly commonplace. He added that they did not provide virtual tours but noted that many companies do utilize that feature.

Birdwell remarked that it would appear that this type of on-line advertising already provides potential criminals with information regarding the house and its contents. He added that a small exterior sign would provide educational information to the neighborhood which was substantially less than what was advertised on-line.

Keller remarked that the issue regarding exterior signage had more to do with the demographics of who may spontaneously break-in to vacant VHRs such as vagrants or youths seeking a place to congregate or party.

Councilmember Crawford inquired of Keller who he believed should be responsible for the security and integrity of a VHR when it sits empty.

Keller remarked that while he could not speak to who would have responsibility he believed that it would be the same as any other vacant house whether that is a VHR or a second home. He added that their company was available to address an issue but noted that they were not there to watch over a house 24/7.

Crawford inquired whether it was believed that placement of a VHR sign would make a home less secure.

Keller responded that he did not necessarily know about security but added that he did think it would make a home more of a potential target for the problems that had been seen in the past.

Crawford stated that information on the subject of VHRs presently possessing signage in our City did not support the diminished security theory and he added that he did not think a crime wave would be created in our City by requiring VHRs to have notification information posted on their exterior.

Weber remarked that it appeared that when it was convenient signs were posted and when it was inconvenient they were not. He asked if this was due to a property’s location and isolation.
8. UNFINISHED BUSINESS – Item (a): (Continued)

Keller stated yes, and explained that it was due to isolation and location and he reiterated his earlier comment that the potential for crimes was frequently more prevalent in some neighborhoods than in others. He restated his objection to the mandatory requirement of signage.

Mayor Weber closed the public comment period.

Birdwell asked the City Attorney whether there would be a posted contact telephone number on the notification signs for code compliance.

DiCamillo stated that there would and clarified that she did not bring this back to Council in the form of an ordinance because Council's prior direction was to review differing neighborhoods and areas. She said she had requested information that may identify certain neighborhoods as being more amenable to signs versus others but noted that she did not receive any written responses that would include or exclude certain neighborhoods. DiCamillo indicated that this was the opportunity for Council to give direction to any types of changes in that language should they be inclined to proceed with any type of a sign requirement.

Councilmember Lovell said that she had reviewed the video of the August 5th Council meeting to ensure clarity and that the motion was to bring back recommendations of inclusion and exclusion on the signs, and that it did not include specifically targeting certain areas.


Weber advised the Councilmembers that while he supported the intention of this he would not vote for it. He stated that he did not support placing information on the exterior of a house but advocated a procedure whereby neighbors of existing and new VHRs would receive a notification similar to those required with regard to easements, construction, etc., which would contain all pertinent information regarding the VHR. Weber also suggested something similar to a Planning Commission function where neighbors could bring their complaints and concerns which could then be reviewed and evaluated on a case by case basis.

Councilmember Long stated that all the report information presented to the Council had indicated that this was not recommended by the VHR Ordinance Working Group and that VHR property management firms opposed this. He remarked that he thought this may need further review and concurred with Weber that if the purpose was to provide information to the neighbors, it was a better method rather than posting exterior signs. Long said that he would not support this.

MAYOR WEBER CALLED FOR THE VOTE AND THE MOTION CARRIED AS FOLLOWS:

   AYES: Birdwell, Crawford & Lovell
   NOES: Long
   ABSTAIN: Weber
8. UNFINISHED BUSINESS – Item (a): (Continued)

IT WAS MOVED BY COUNCILMEMBER LOVELL AND SECONDED BY COUNCILMEMBER BIRDWELL THAT ALL CITY OF SOUTH LAKE TAHOE VACATION RENTAL PROPERTIES AND THEIR REQUIRED SIGNAGE INFORMATION BE LISTED ON A CITY WEBSITE, EITHER THE POLICE DEPARTMENT WEBSITE OR THE CITY OF SOUTH LAKE TAHOE WEBSITE.

Crawford suggested that issues related to VHR signage should be tracked and that the Council should review that information in six months. He added that should the contention prove accurate that the signage leads to increased crime, then the Council should reconsider this action.

Councilmembers concurred and recommended that VHR owners/managers/management firms collect and record data.

Mayor Weber asked if anyone in the audience wished to provide comment.

1. Jerry Goodman expressed his support of placing this information on a City website and of tracking this and revisiting that information in six-months.

2. Carolyn Yanwasky expressed approval of having her VHR information posted on a website but reiterated her opposition to exterior signage.

3. Cathy Andrew expressed her support of placing this information on a City website.

4. Jim Morris, owner of Lake Tahoe Accommodations, requested clarification on what VHR information would be placed on a City website.

Weber indicated that this would be the same verbiage that had been previously approved for placement on the one-foot by one-foot exterior sign. He requested for Councilmember Lovell to please repeat that information.

Lovell stated that the information on the exterior signage would include the maximum number of occupants allowed, the maximum number of vehicles allowed, the code compliance telephone number, the telephone number to the Police Department and the Police Department's email address.

Morris requested confirmation that there would be no information posted on the individual owner, the management company, their telephone numbers or anything of that nature.

Lovell verified that no, there would be no information included on the owner or on the management firm.

Weber inquired whether Morris would like to have more information included on the website.

Morris said that he may as well vent now and stated that the real agenda was now known: that Kathay Lovell had moved into the neighborhood where his company managed a VHR that had been in existence for ten-years prior to Lovell's residency and that this was her vendetta and that she had an issue.

Weber curtailed Morris' dialogue and indicated that he (Morris) was out of order.

Morris stated that he did not think he was out of order and that he wanted to state the motivations of what was occurring.

Weber remarked that he was the Chair and it was his determination as to whether someone was out of order. He said that in the interest of fair-play he wanted to remain on task and inquired whether Morris wanted to have the aforementioned information posted on a City
8. **UNFINISHED BUSINESS – Item (a): (Continued)**

Weber stated that if Morris wished to discuss something other than the issue at hand he would be happy to meet with him one on one. Morris told Weber not to censor him and he asserted his right of free speech.

Weber stated this was a meeting in public and not a public meeting and that he had determined as the Chair that Morris was out of order. He indicated that he would provide Morris with a recess.

Morris stated that he did not think he was out of order and continued his dialogue.

**Mayor Weber called a brief recess.**

**Mayor Weber reconvened the meeting.**

Weber said that based on the public’s input as related to the posted information, he would suggest that the motion remain as was stated to include the aforementioned verbiage and that should the VHR owner/manager/management firm desire that more information be posted they could make such request. He acknowledged that he did not support the first motion but noted that the Councilmembers were free to do whatever they wished.

Lovell explained that her preference was to have all VHR complaints, questions or concerns directed only through the Police Department so that accurate data could be assembled regarding VHRs. She added that she was not agreeable to amending her motion.

Councilmembers conducted discussion.

**AT THIS TIME THE VOTE WAS TAKEN AND THE MOTION CARRIED AS FOLLOWS:**

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1002/1005/1046

Police Chief Terry Daniels addressed the Council and stated for the record that the VHR to which Mr. Morris had made reference was the same VHR that Dr. Leman had discussed in his comments to the Council on Consent Agenda Item No. 2. He added that Mrs. Lovell did not call him regarding this VHR nor had she ever telephoned him to complain about that VHR. Daniels reported that Lovell had sent an email to City Manager Jinkens who then forwarded that email to him, subsequent to which he (Daniels) took the initiative to ride his bicycle to the VHR in question and that he had caused the Police report to be filed on that VHR and not Mrs. Lovell.

Councilmember Birdwell requested that Daniels’ comments be made a part of the public record.

**(b) Discussion and Possible Direction/Action Regarding Additional Staffing for Increased Enforcement of the Vacation Home Rental Ordinance; and Adoption of Resolution (Continued from the August 5, 2008, City Council Meeting)**

Police Chief Daniels provided to the Council his staff report dated August 11, 2008. Daniels remarked that this VHR issue had been very challenging for the Council and he shared that in his 25 years of attending City Council meetings he had seldom seen an issue vetted as thoroughly as this. He commented that this was a very emotional and passionate issue and that strong comments had been heard from individuals on each side along with sincere, heartfelt testimonials from locals who talk about literally leaving the community based on the activities of VHRs. Daniels indicated that while this was a polarizing issue, the one common denominator which was repeatedly stated by all sides was enforcement. He explained that the Police Department has had a limited role in the VHR Ordinance process since the inception of the program and that a common misconception among many of the City’s residents was that this program was run by the Police Department. Daniels stated that this program had
8. **UNFINISHED BUSINESS – Item (b): (Continued)**

traditionally been run through the Finance Department and he complimented the finance staff for their administration of the permitting process. He noted that what the program had lacked was a clear enforcement arm and he restated that code enforcement had not been involved in the VHR process since the inception of the program. Daniels recommended for that to be changed. He indicated that the recommendation before the Council was to increase the Code Enforcement Division by one (1) Community Service Officer (CSO) and he explained that this CSO would be assigned to the Police Department and would be in the field. He added that the field presence was very significant to this program and that he would like to have a seven (7) day per week operation and cross train the CSO’s so that when a complaint was made there would be an actual investigation: photographs would be taken, discussions would be conducted with the neighbors, reviews and assessments would be made regarding parking and trash issues, etc. Daniels stated that this was what had been lacking from this program. He discussed various items which were being worked on that should improve the situation and included the following:

- Hiring and training of a CSO and cross training of the entire CSO staff.
- Development of a strategy to improve the coordination between the Patrol Officers and the VHR CSO.
- Development of a tracking mechanism for problem VHRs.
- Improved accountability.
- Fine offenders.

Daniels stated that they were requesting a full-time equivalent which was one (1) person and repeated that cross training would occur to ensure good coverage seven days per week. He indicated that there would be a timely response to VHR complaints along with full documentation of all complaints. Daniels further noted the following:

1. That they would develop a VHR Ordinance Hotline so that all complaints would be directed to one point only and that accurate complaint data could be collected.
2. That he would also like an on-line complaint process developed through the Police Department’s website.
3. Improved education between VHR owners and neighbors which was very necessary.
4. Parking enforcement and an investigation of a parking permit program.

Daniels stated that the VHR program should be self-sufficient and that the issues generated from the program should not be a burden to the average taxpayer. He said that the additional expense to the VHR Program for fully funding this CSO position would require that the VHR fees be increased to the following amounts:

- New Permits: $205
- Permit Renewals: $140 per year

He indicated that these costs were modeled after their other programs such as the vehicle abatement program and the nuisance abatement program and he said this would be a very similar program to the Police Department and the CSO’s.

Mayor Weber asked if anyone in the audience wished to provide comment.

1. Jim Morris commented that we do have freedoms in this country and that he resented having his discussion terminated on the preceding VHR issue.

Morris indicated that he wanted to address this enlargement of government. He noted that Police Chief Daniels had done a great job and that what he’d suggested sounded like the answer, but he added that the same thing was believed five years ago about this VHR
8. UNFINISHED BUSINESS – Item (b): (Continued)

Ordinance. Morris said that the City's Management, Finance Department and the Police Department had never followed through with the intent of the original VHR Ordinance and he criticized the lack of communication and organization by and between those departments and individuals that he said should have been accountable. He stated that VHR management companies and VHR homeowners had always supported the Police performing their enforcement duties related to VHRs so as to protect the rights of the residents along with protecting the property of the VHR homeowners and stated that there were only 22 VHR complaints recorded for the prior year. Morris indicated that since the City had never fully followed through on the original Ordinance he was opposed to any fee increases and he suggested that the applicable departments first try working with the original Ordinance in a communicative and professional manner prior to imposing fee increases to VHR owners whom he said should not be liable for this problem.

Jerry Goodman queried why some VHR management agencies believe that it should be the responsibility of the local resident to be informed as to who the managing agency of a VHR is along with their contact information, and then make it a requirement of the resident to telephone the applicable agency when problems occur at VHRs. He stated that he thought Daniels' solution was very good, that this would be good for the community and he indicated his support of additional staffing for increased enforcement of VHRs and the VHR Ordinance.

Cathy Andrew expressed her thanks and appreciation to the Councilmembers for the exorbitant amount of time they expend on the City's behalf. She acknowledged that a VHR CSO was to be available seven (7) days per week but queried whether they would be available 24 hours per day. Andrew commented on the dollar amounts assigned to fines and said she thought they were low and should be increased and added that she believed the permitting fees were also somewhat low. She challenged the contention that there were only 22 VHR problem incidents during the prior year and stated that she believed that amount was understated and that problem incidents were underreported. Andrew questioned whether Councilmember Lovell resided at a specific address on Marconi or whether she lived nearby.

Councilmember Lovell said she did live nearby and had lived at that same residence for more than 18 years.

Wayne Huber remarked that it was the responsibility of VHR homeowners and VHR management agencies to educate their renters on the prevailing VHR rules and laws and that had they lived up to their obligation over the past five (5) years this situation would not have reached this point. He added that residents were now outraged and were demanding enforcement and he stated that he concurred with Daniels' solution; that he supported additional staffing for increased enforcement of VHRs and the VHR Ordinance; and that he did not believe the proposed fees were an excessive amount for VHR homeowners to pay to operate their commercial enterprise.

Julie Lucksinger queried whether there was sufficient data to support that the volume of calls to the Police Department was such that they were unable to respond to VHR complaints thus warranting the hiring of another officer. She remarked that VHR complaints had been directed to a wide variety of recipients and stated that she believed the problem was education and communication. Lucksinger indicated that residents needed to be educated to communicate their valid complaints to the Police Department so that accurate data could be recorded and tracked and she remarked that a community education meeting or series of meetings may be helpful. She suggested educating residents of the proper procedure for lodging a VHR complaint and also discussing methods for positively interacting with VHR renters who help provide financial support to our community by coming here. Lucksinger suggested that we all needed to be proactive citizens who behave as positive ambassadors of our City while at the same time going through the proper channels should it become necessary
8. **UNFINISHED BUSINESS – Item (b): (Continued)**

to submit a VHR complaint. She suggested that the current, well written Ordinance be given the opportunity to function as it was intended prior to expending a salary on an additional enforcement officer.

6. Carolyn Yarwasky stated that she concurred with Morris and Luckingsinger and remarked that in the event a violation did occur and a fine was levied, that the VHR homeowner should not be fined but rather the individual who violated the law.

Mayor Weber closed the public comment period.

**IT WAS MOVED BY COUNCILMEMBER BIRDWELL AND SECONDED BY COUNCILMEMBER CRAWFORD TO ADOPT RESOLUTION 2008-58, APPROVING THE ADDITIONAL STAFFING FOR INCREASED ENFORCEMENT OF THE VACATION HOME RENTAL ORDINANCE.**

Councilmember Long stated that he had always supported enforcement and remarked how successful code enforcement had been regarding other issues within the City such as those related to habitat ability and unlivable apartments and rentals. He added that he had not been under the impression that this position would be exclusively for VHR enforcement and that he thought they would be available for other types of enforcement as well. Long said that he supported handling noise, trash and parking problems universally and not differentiating those VHR related problems from the general public. He said that he wanted to support this position but did not want it earmarked specifically for VHRs only and suggested amending this so the position would be a CSO with universal noise, trash and parking complaint enforcement responsibilities and then the Police Department's appropriate management could delegate other necessary VHR authorities on an as needed basis.

Councilmember Birdwell remarked that he believed that the 22 VHR problem incident complaints that were reported during the prior year were complaints that had been made directly to the Police Department only and excluded the problem incidents that were reported directly to VHR management agencies, VHR owners or to private security, thus the actual amount of complaints was underreported. He added that at the onset of this Ordinance, the VHR management companies were to be contacted should there be a problem and that they were to handle those problems. Birdwell stated that the VHR management agencies had failed the community in that responsibility and as a result this entire topic was revisited. He concurred with Daniels that the common denominator throughout this entire process had been enforcement and added that the Council needed to take the necessary steps to create that enforcement. Birdwell indicated that all enforcement responsibility should be removed from the VHR management companies' purview and placed where it should always have been, with the Police Department. He said in so doing a code enforcement officer would need to be added to address all VHR problems and to accurately track all VHR related complaints.

Councilmember Lovell commented that the costs associated with a VHR CSO to address and enforce all VHR related issues was $95,583.50 and should be paid by VHR owners. She indicated that the Council had a responsibility to ensure the peace and quiet of our community's residents and added that tranquility was priceless. Lovell stated that she believed it necessary to have this mechanism in place and the tools to accomplish this and noted it was her hope that this would lead to better VHR renters and an improved quality of life for the citizens residing in South Lake Tahoe and near VHRs. She inquired of Chief Daniels whether a part of this CSO's responsibilities would include measures regarding illegal VHRs.

Daniels replied that yes, they would be tasked with that duty as part of their full enforcement responsibilities as related to the VHR Ordinance.
8. **UNFINISHED BUSINESS – Item (b): (Continued)**

Long stated that while he would support this, he believed it to be a "red herring". He stated that he wanted this reviewed in a few months for a realistic overview.

Weber requested confirmation that the Police Chief had stated that CSOs in the Police Department would be cross trained so that there would be more than one staff person to respond.

Daniels verified that yes, there would be cross training of the CSOs. He explained that this position was a “full-time equivalent” and that there may be situations when more than one or two CSO’s would be working on VHR program related issues and then there may be a period of time where VHR issues would be more quiet and the CSO’s could respond to other calls. Daniels said that he did not envision this as one-single person that performs only one function, but that this was an equivalent and that CSO cross training would take place which would provide expanded familiarity with the VHR program and that by having a team that could work on these issues, better service would be provided. He added that having a sworn peace officer perform the same function as a CSO regarding VHR related issues was more expensive and was not a good use of the City’s resources.

Councilmembers conducted brief discussion.

**MAYOR WEBER CALLED FOR THE VOTE AND THE MOTION WAS UNANIMOUSLY CARRIED.**

Mayor Weber thanked the public for their participation on these issues.

9. **NEW BUSINESS:**

(a) **2007/2008 Annual Report of the Tourism Improvement District; and Proposed Budget for Fiscal Year 2008/2009**

Accounting Manager Brand presented her staff report dated August 13, 2008, and provided a brief history of the South Lake Tahoe Tourism Improvement District (TID). She reported on pertinent financial information and stated that the finance department concurred with the projected revenues and that the proposed expenses were appropriate to the intended use of assessments levied for the purpose of the District as adopted by the City Council. Brand indicated that subsequent to Council’s approval of the proposed 2008/2009 TID budget, it would be included in the City’s annual budget process which would be brought to the Council for adoption in the near future. Brand introduced Jerry Bindel, President of the TID.

Bindel greeted the Council and thanked Brand for her overview report of the TID for the first two year period. He stated that the TID was now entering into their third year of this five-year commitment and he provided brief financial and operating information to the Council. Bindel indicated that the City’s finance staff had been extremely helpful in the communication and collection process through this District and he thanked them for their assistance.

Mayor Weber asked if anyone in the audience wished to provide comment. No one appeared in order to be heard and Mayor Weber closed the public comment period.

Councilmember Birdwell congratulated Bindel on the great job the TID was doing and encouraged continued good work.

**IT WAS MOVED BY COUNCILMEMBER CRAWFORD, SECONDED BY COUNCILMEMBER LONG AND UNANIMOUSLY CARRIED TO APPROVE THE PROPOSED BUDGET FOR FISCAL YEAR 2008/2009.**
9. NEW BUSINESS: (Continued)

Note: New Business Item (b) was heard out of agenda order and followed agenda item No. 7. – Presentations – Item (a).

(c) Resolution of the City Council of the City of South Lake Tahoe Amending the Financial Policies of the City of South Lake Tahoe

Finance Director Vuletich provided her staff report dated August 13, 2008. She stated that City of South Lake Tahoe in July 2005 adopted Financial Policies that were comprehensive in nature and that since 2005 the City Council had adopted necessary new financial policies, with the City Council adopting earlier in the meeting an update in its entirety of the City’s Purchasing Code. She added that it was prudent to periodically review and update the financial policies as necessary and stated that the proposed amendments were directed to the “Strengthening Financial Position” and “Productivity” policies and added that a new Cash Policy to cover petty cash, cash handling and bank deposits was also being proposed.

Mayor Weber asked if anyone in the audience wished to provide comment. No one appeared in order to be heard and Mayor Weber closed the public comment period.

IT WAS MOVED BY COUNCILMEMBER LOVELL, SECONDED BY COUNCILMEMBER LONG AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. 2008-60, APPROVING THE AMENDMENTS TO THE FINANCIAL POLICIES OF THE CITY OF SOUTH LAKE TAHOE.

(d) Discussion and Designation of City Council Voting Delegate and Alternate for the League of California Cities Annual Conference in Long Beach, CA – September 24-27, 2008

Councilmember Long suggested that Mayor Pro Tem Birdwell continue as the City Council’s voting delegate and that he would like to continue as the alternate.

City Clerk Alessi noted that included with this agenda item were the 2008 Annual Conference Resolutions for Council’s information.

Mayor Weber asked if anyone in the audience wished to provide comment. No one appeared in order to be heard and Mayor Weber closed the public comment period.

IT WAS MOVED BY MAYOR PRO TEM BIRDWELL, SECONDED BY COUNCILMEMBER LONG AND UNANIMOUSLY CARRIED TO DESIGNATE MAYOR PRO TEM BIRDWELL AS THE CITY COUNCIL’S VOTING DELEGATE AND TO DESIGNATE COUNCILMEMBER LONG AS THE ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE IN LONG BEACH – SEPTEMBER 24-27, 2008.

10. CITY STAFF ANNOUNCEMENTS / REPORTS / COMMENTS; AND CITY COUNCIL / CITY CLERK / CITY ATTORNEY / CITY MANAGER ANNOUNCEMENTS / COMMITTEE REPORTS / COUNCIL COMMENTS:

10(a). CITY STAFF ANNOUNCEMENTS/REPORTS/COMMENTS:

Mayor Weber asked if there were any City staff present who wished to provide announcements, reports or comments.

None.
(a) **City Clerk Alessi:**
- Reported that the next regularly scheduled City Council meeting was scheduled for Tuesday, September 9th.

(b) **City Attorney DiCamillo:**
- No report.

(c) **Councilmember Crawford:**
- Remarked on a one-page article in the most recent issue of Time Magazine which stated that research had indicated that for every email received in an office, the time required to get back on task was slightly over 13 minutes. He commented that the email communications sent to the City Clerk's office regarding issues related to VHRs were fairly overwhelming and he requested that the Council evaluate and set some type of policy on emails that go to the City Clerk's office specifying "read into the record" requests so that individuals with ulterior motives would be unable to overwhelm the service.
- He inquired on the status of a viewing date for the short film on the San Luis Obispo farmers market.
- City Manager Jinkens remarked that he did not have the film in his possession but noted that when located he would be pleased to place that item on the agenda.
- City Clerk Alessi stated that the film was in the custody of her office but noted that there had not been an actual consensus for viewing. She added that if Council provided consensus she would schedule the viewing at the nearest opportunity.
- Councilmembers provided consensus.

(d) **Councilmember Lovell:**
- Reported that during the prior week she was present at the well attended graduation of seven local high school students from a Forest Service program entitled "Generation Green", which she added was a great program. She provided information on the attendee selection process for the program along with the program's activities and remarked that some of the attendees were considering a career path with the Forest Service and had made some very positive life changes.
- Reported on the Waste Management JPA meeting at which the JPA Attorney announced that the Forest Service had decided that they would no longer engage in the transfer of land to El Dorado County.
- Reported that every attendee at the Environmental Summit had one of the City's stuffed "Green Bags" and that a Green Bag was seen in the trunk of the vehicle in which Senator Feinstein was traveling. She added that she had learned that Feinstein had a broken ankle and was in a great deal of pain when attending the Summit. She noted that Senator Feinstein was a tough lady for whom she had much respect.

(e) **Mayor Pro Tem Birdwell:**
- Extended his congratulations, admiration and thanks to everyone in the Parks and Recreation Department for the fantastic dog park.
(f) Councilmember Long:
- Concurred with Councilmember Birdwell on the dog park and reported that his dog Mollie gave it two barks and that it was a definite success.
- Reported that the Latino Affairs Commission met the prior day and noted that the City's Latino community was taking a lot of interest and responsibility in potential gang issues. He added that they would be hosting a music festival in September at which the PAL would participate and that they were hoping to present a boxing exhibition. He noted that there were at least three (3) former Golden Gloves fighters in our town and that boxing was something in which our young people were interested.
- Reported on a new program where a gentleman had created graffiti as art and invites youths to paint on sheets of plywood. He added that this seemed to be catching on and was becoming somewhat competitive with the kids. He noted the hope that these youth may see that this could be something more than a gang activity and added that this was something that perhaps could be incorporated into the Art League.
- Remarked on the topic of abandoned shopping carts scattered throughout the City and requested that staff gather information on how other communities address this problem. He agreed with Mr. Suydam that this was very unattractive.

(g) City Manager Jinkens:
- Reported that the RPF was out for the Productivity and Performance Measures and that eight (8) companies had requested information. He stated that Purchasing Manager Nancy Dawson was responding to those requests.
- Remarked on a rumor that there may be a compromise in the State budget but said that it was unclear on what. He commented that there may be a State-wide temporary sales tax and that there was also a rumor of structural reform. He stated that the message from the LOCC to Councils and communities was to communicate to Governor Arnold Schwarzenegger, State Senator David Cox and Assemblyman Ted Gaines that there should be no borrowing of local transportation funds that jurisdictions use to operate transit systems and that there be no taking of other locally generated funds such as RDA.

(h) Mayor Weber:
- Requested for City Clerk Alessi to furnish him with a replacement copy of the listing that states what items Councilmembers had requested to place on an agenda and those approved to move forward and those that had not been approved.
- Shared that he had read an article where a CEO of a high tech company had decided to ban email on one specific day of the week. He remarked that this supposedly worked so well that they expanded to two days a week with no email. He said that this was not a government entity so it may not be something feasible but added that he would locate the article and distribute it to staff and Council.
- Reported that the TRPA Governing Board meeting was scheduled for Wednesday, September 27th.
- Reported that the Annual Environmental Summit was well attended and sent a great message to the environmental community.
10(b). CITY COUNCIL / CITY CLERK / CITY ATTORNEY / CITY MANAGER
ANNOUNCEMENTS / COMMITTEE REPORTS / COUNCIL COMMENTS:

(h) Mayor Weber: (Continued)

✓ Stated that he was still pushing for a PAL midnight basketball league or maybe something at the skate park.
✓ Congratulated local Travis Cabral on his recent hiring at the City’s Police Department.

Mayor Weber adjourned the Regular Session at 5:13 p.m.

NOTE: DUE TO THE SIGNIFICANT AMOUNT OF CORRESPONDENCE RECEIVED BY THE CITY CLERK’S OFFICE REQUESTING TO BE READ INTO THE RECORD, IT WAS DETERMINED THAT IT WAS NOT PRACTIBLE TO ACCOMMODATE THOSE REQUESTERS. PLEASE NOTE THAT ALL CORRESPONDENCE RECEIVED HAS BEEN MADE A PART OF THE AGENDA PACKET WHICH IS KEPT ON FILE IN THE CITY’S CLERK’S DEPARTMENT AS PERMANENT RECORD.

11. CLOSED SESSION:

Mayor Weber convened the Closed Session at 5:20 p.m.

Present were Mayor Weber and Councilmembers Birdwell, Crawford, Long and Lovell. Also present were City Manager Jinkens, City Attorney DiCamillo and City Clerk Alessi. Please note that Mayor Weber had to depart from the Closed Session at 5:45 p.m.

Please note that the (b) anticipated litigation cases were heard prior (a) existing litigation.

(a) (CC) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:
Pursuant to Government Code Section 54956.9(a)
Kimberly Atangan v. City of South Lake Tahoe, El Dorado County Superior Court (Robert Zick)

City Attorney DiCamillo briefed the Council on the above existing litigation case.

City staff present were Finance Director Vuletich and Police Chief Daniels.

NO REPORTABLE ACTION WAS TAKEN.

(b) (CC) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
Pursuant to Government Code Section 54956.9(b)
Three (3) Cases

City Attorney DiCamillo briefed the Council on the three (3) anticipated litigation cases.

City Staff present for Case 1 were Assistant City Manager Angelocci, Finance Director Vuletich and Police Chief Daniels
11. CLOSED SESSION: (Continued)

City Staff present for Case 2 and 3 were Finance Director Vuletich, Accountant Mary Anne Brand and Police Chief Daniels.

NO REPORTABLE ACTION WAS TAKEN.

12. ADJOURNMENT:

Mayor Weber adjourned the Closed Session at 6:08 p.m.

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Mike Weber, Mayor

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Susan Alessi, City Clerk