

## Grahame Ross

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**From:** Jacob F. Getz  
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**To:** Grahame Ross  
**Subject:** FW: Public Comment [NTRPA—Wednesday, Dec 13, 2023, 12:15 p.m.]  
**Attachments:** Feldman on Ice\_Big Hole.pdf; Feldman on Ice\_Edgewood.pdf; DAE INC\_CA.pdf; DAE INC\_NV.pdf; Carol Chaplin 1-13-2020.pdf; Tahoe Prosperity Center-10 15 2019.pdf; Stern\_5\_11\_2020.pdf; Rhamey\_.pdf; Rhamey\_Tahoe Beach Club Owners Association.jpg; Janvrin\_SF\_1\_14\_2020.pdf; Orr\_01.pdf; TC-LTVA-TPC.pdf; Heidi Hill-Drum—Loop Road.pdf; Loop Road\_Teshara.pdf; Loop ney.pdf; Heidi Hill-Drum—TBC\_letter.pdf; Cayley v. Nunn, 190 Cal. App. 3d 300 (1987).pdf; Publishing Co. v. Superior Court, 97 Cal. App. 3d 49 (1979).pdf; TTD Loop Road OPED.pdf



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### Jacob Getz

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**Sent:** Monday, December 11, 2023 4:39 PM  
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**Subject:** Public Comment [NTRPA—Wednesday, Dec 13, 2023, 12:15 p.m.]

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George B. Shaw

## Cayley v. Nunn

### Copy Citation

Court of Appeal of California, Second Appellate District, Division Four

March 17, 1987

No. B015207

#### Reporter

190 Cal. App. 3d 300 | 235 Cal. Rptr. 385 | 1987 Cal. App. LEXIS 1502

PAUL W. CAYLEY et al., Plaintiffs and Appellants, v. JOHN H. NUNN, et al., Defendants and Respondents

**Subsequent History:** A petition for a rehearing was denied March 30, 1987.

**Prior History:** Superior Court of Los Angeles County, No. C419099, Norman L. Epstein, Judge.

#### ▼ Headnotes/Summary

##### Headnotes

##### CALIFORNIA OFFICIAL REPORTS HEADNOTES

Classified to California Digest of Official Reports, 3d Series

**CA(1) (1) Libel and Slander § 18—Absolute Privilege—Legislative and Judicial Proceedings—Malice.**

--The privilege of Civ. Code, § 47, subd. 2 (communications pertaining to legislative and judicial

proceedings) is unaffected by malice.

**CA(2a) (2a) CA(2b) (2b) CA(2c) (2c) Libel and Slander § 18 —Absolute Privilege  
—Legislative and Judicial Proceedings—City Council Proceedings—Remarks Made Prior  
to City Council Meeting.**

--The absolute privilege of Civ. Code, § 47, subd. 2, applied to an allegedly slanderous remark made by property owners to potential petition signers, where the remarks were made while the owners were circulating a petition to be given to a city council, where the purpose of the petition was to support a request for a height variance, and where the remarks could not be considered irrelevant to those proceedings.

**CA(3) (3) Libel and Slander § 18—Absolute Privilege—Legislative and Judicial  
Proceedings—City Council Proceedings—City Planning Commission Proceedings.**

--The privilege of Civ. Code, § 47, subd. 2, applies to local city council proceedings and to proceedings before a city planning commission.

**CA(4) (4) Libel and Slander § 19—Absolute Privilege—Legislative and Judicial  
Proceedings—Relevancy of Defamatory Matter.**

--Pursuant to Civ. Code, § 47, subd. 2, communications made prior to a legal action itself are privileged if they have some logical connection to the suit and are made to achieve the objects of the litigation. It is unnecessary that the defamatory matter be relevant or material to the issue before the tribunal, but need only have some proper connection or relation to the proceedings. The privilege applies even where made outside the court room and no function of the court or its officers is involved. The privilege is denied to any participant in legal proceedings only when the matter is so palpably irrelevant to the subject matter that no reasonable person can doubt its irrelevancy and impropriety.

**CA(5) (5) Summary Judgment § 3—Propriety—Slander Actions—Privileged  
Communication—Relation Between Communication and Judicial or Legislative  
Proceeding.**

--The trial court properly determined by summary judgment the question of whether there was a sufficient connection or relation between allegedly slanderous remarks and city council proceedings for purposes of determining the applicability of the absolute privilege provided by Civ. Code, § 47, subd. 2, where the complaint showed on its face the connection or relation between the remark and the proceedings.

**CA(6) (6) Summary Judgment § 10—Affidavits—Reliance on Pleadings.**



--On a summary judgment motion, a plaintiff cannot rely on the complaint, and a defendant cannot rely on the answer, but either party can rely on the adverse party's pleading. Therefore, where defendants in a slander action brought a motion for summary judgment based on the absolute privilege provided by Civ. Code, § 47, subd. 2, relating to legislative and judicial proceedings, defendants could rely on plaintiff's allegations in their complaint to show a connection between the allegedly slanderous remarks and privileged city council proceedings.

**Counsel:** David S. Kirbach for Plaintiffs and Appellants.

Michael C. Donaldson for Defendants and Respondents.

**Judges:** Opinion by Kingsley, Acting P. J., with McClosky and Arguelles, JJ., concurring.

**Opinion by:** KINGSLEY

## Opinion

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The Nunns and Cayleys were neighbors in Rancho Palos Verdes. The Nunns applied for a height variance to add a bedroom over their garage. The Cayleys opposed the construction, claiming the addition would block their scenic view. The planning commission denied the variance. The Nunns appealed to the city council, and in preparation for the hearing, they circulated a petition to evidence neighborhood support for their position. At the city council hearing the Nunns presented expert and lay testimony, and they presented their petition. The city council approved the height variance and the Cayleys brought suit against the city of Rancho Palos Verdes, and the Nunns as real parties in interest. The Cayleys' writ was denied, the Cayleys appealed, and the writ was denied by the Court of Appeal. The Cayleys then sued the Nunns for a permanent injunction, damages and legal fees for failure to follow the covenants and restrictions. The Nunns obtained a summary judgment, the Cayleys appealed, and the judgment was affirmed.

Appellants herein, Cayleys, then sued for denial of their constitutional rights and slander. The Cayleys allege that the Nunns made certain slanderous comments. The Cayleys claim that "John Nunn said that the telephone people came to the Cayley house and found his telephone line in the Cayley's house and that the Cayleys had connected illegal wires to a listening device, and that is how they tapped his phone."

Defendants Nunns were granted summary judgment on the grounds that the alleged slander is absolutely privileged under Civil Code section 47.

Civil Code section 47 reads in pertinent part as follows: "A privileged publication or broadcast is one made --

". . . .

"2. In any (1) legislative or (2) judicial proceeding, or (3) in any other official proceeding authorized by law, or (4) in the initiation or course of any other proceeding authorized by law and reviewable pursuant to Chapter 2 (commencing with Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure; . . ."

The privilege of Civil Code section 47, subdivision 2 is unaffected by malice. ( *Tiedmann v. Superior Court* (1978) 83 Cal.App.3d 918, 924 [148 Cal.Rptr. 242].) The absolute privilege of Civil Code section 47, subdivision 2, has been held to apply when (1) the publication is made in a judicial proceeding, (2) has some logical relation to the action, (3) was made to achieve objects of the litigation, and (4) involved litigants or other participants authorized by law. ( *Bradley v. Hartford Acc. & Indem. Co.* (1973) 30 Cal.App.3d 818 [106 Cal.Rptr. 718].)

Therefore, the question before the court is whether the absolute privilege of Civil Code section 47, subdivision 2 applies to the above alleged slanderous remarks made by defendants to potential

petition signers, where the remarks were made while defendants were circulating a petition to be given to the city council, and where the purpose of the petition was to support defendants' request for a height variance. In order to determine these questions we must first determine whether the privilege attaches to city council proceedings. Secondly, if the privilege of Civil Code section 47, subdivision 2 attaches to city council proceedings, we must determine whether the privilege will be extended to alleged slanderous remarks where the remarks were made to the neighbors by defendants, while defendants were circulating a petition that defendants were planning to use to support their request for a height variance at a city council meeting.



First, the privilege of Civil Code section 47, subdivision 2 applies to local city council proceedings. ( *Scott v. McDonnell Douglas Corp.* (1974) 37 Cal.App.3d 277, 280, 285, 286 [112 Cal.Rptr. 609].) The privilege which applies to city council proceedings also applies to those before a city planning commission where certain property owners filed a written protest before the city planning commission against the plaintiffs' application for a use variance. ( *Whelan v. Wolford* (1958) 164 Cal.App.2d 689 [331 P.2d 86].)

Second, communications made prior to a legal action itself are privileged if they have some logical connection to the suit and are made to achieve the objects of the litigation. ( *Lerette v. Dean Witter Organizations, Inc.* (1976) 60 Cal.App. 3d 573 [131 Cal.Rptr. 592].) It is unnecessary that the defamatory matter be relevant or material to the issue before the tribunal but need only have some proper connection or relation to the proceedings. ( *Ascherman v. Natanson* (1972) 23 Cal.App.3d 861, 865 [100 Cal.Rptr 656].) The privilege applies even where made outside the courtroom and no function of the court or its officers is involved. ( *Ascherman v. Natanson, supra*, 23 Cal.App.3d 861, 865.) The privilege embraces preliminary conversations attendant upon such proceeding so long as they are in some way related to or connected to the pending or contemplated action. ( *Tiedmann v. Superior Court*, (1978) 83 Cal.App.3d 918, 925 [148 Cal.Rptr. 242].) As the court said in *Brody v. Montalbano* (1978) 87 Cal.App.3d 725 at page 734 [151 Cal.Rptr. 206] quoting from *Pettitt v. Levy* (1972) 28 Cal.App.3d 484, 490, 491 [104 Cal.Rptr. 650]: "'To accomplish the purpose of judicial or quasi-judicial proceedings, it is obvious that the parties or persons interested must confer and must marshal their evidence for presentation at the hearing. The right of private parties to combine and make presentations to an official meeting and, as a necessary incident thereto, to prepare materials to be presented is a fundamental adjunct to the right of access to judicial and quasi-judicial proceedings. To make such preparations and presentations effective, there must be an open channel of communication between the persons interested and the forum, unchilled by the thought of subsequent judicial action against such participants; provided always, of course, that such preliminary meetings, conduct and activities are directed toward the achievement of the objects of the litigation or other proceedings. . . .'"


To partake in the privilege a publication need not be pertinent, relevant or material in a technical sense to any issue in the proceedings. ( *Thornton v. Rhoden* (1966) 245 Cal.App.2d 80, 90 [53 Cal.Rptr. 706, 23 A.L.R.3d 1152], *Brody v. Montalbano, supra*, 87 Cal.App.3d 725.) The privilege is denied to any participant in legal proceedings only when the matter is so palpably irrelevant to the subject matter that no reasonable man can doubt its irrelevancy and impropriety. ( *Profile Structures, Inc. v. Long Beach Bldg. Material Co.* (1986) 181 Cal.App.3d 437, 443 [226 Cal.Rptr. 192].)

In the case at bench it is clear that the alleged slanderous statements were made during preliminary conversations while defendants were marshalling evidence and preparing for their presentation at the city council meeting. Therefore, defendants' statements cannot be considered irrelevant to the proceedings and they were directed toward the achievement of the objects of the proceeding.

A question remains as to whether the connection or relation to the proceeding can be determined on a motion for summary judgment.

Although a case has language to suggest that it is a jury question as to whether there was a logical connection between the defamatory statement and the objective of the meeting  (see *Frisk v. Merrihew* (1974) 42 Cal.App.3d 319 at p. 325 [116 Cal.Rptr. 781, 85 A.L.R.3d 1128]), in the case at bench appellants Cayleys alleged the relation or connection between the defamatory statement and the objective of the meeting in the complaint itself. In *Profile Structures, Inc. v. Long Beach Bldg. Material Co.* , *supra*, 181 Cal.App.3d 437, 441-443, the appellate court found a sufficient connection or relation to the proceedings from the complaint where a demurrer had been sustained without leave to amend by the lower court and the action had been dismissed. The appellate court said (at p. 443), "[If] the complaint herein shows on its face that the privilege was applicable, the demurrer was properly sustained."

In the case at bench the complaint showed on its face the connection or relation between the alleged defamatory remark and the city council proceeding to consider a height variance. The complaint reads

in pertinent part: 

"17. The defendants Nunn did communicate to numerous persons, including neighbors and members of the Rancho Palos Verdes City Council, general allegations of criminal and moral improper acts by the plaintiffs Cayley. Specifically, the plaintiffs Cayley, on information and belief, allege that the defendants Nunn stated to the persons aforesaid that the Cayleys placed and maintained an illegal 'wire-tap' on the Nunns household phone. Said statement is defamatory *per se* because it accuses the plaintiffs Cayley of (1) a felonious criminal act and (2) morally reprehensible conduct which would hold that the plaintiffs Cayley up to public contempt, obloquy and ridicule in the community.

"18. The immediate purpose of such slander was to expose the plaintiffs, and each of them, to hatred, contempt, embarrassment [*sic*], ridicule and obloquy, and to injure plaintiffs, and each of them, in their respective professions, so as to impair their individual and collective reputations and standing in the community and public and thereby to encourage the aforesaid neighbors to sign the Nunns petition to the Rancho Palos Verdes City Council for approval of Height Variance No. 170 and, if applicable, to repudiate prior support of the plaintiffs Cayley in their efforts to lawfully prevent construction of the proposed Nunn addition.

"19. The defendants Nunn, and each of them, similarly and unlawfully, attempted and succeeded in their attempt to influence the outcome of the City Council vote on the Nunn Height Variance No. 170 appeal, by using the petition so garnered with signatures obtained by the aforesaid slander and by informally and directly communicating the aforesaid slander and defamation to members of the Rancho Palos Verdes City Council.

"20. As a result of said slander and other wrongful conduct of defendants, the Rancho Palos Verdes City Council reversed the prior decision of the Rancho Palos Verdes Planning Commission."

We also note that in ruling on a summary judgment, a plaintiff cannot rely on the complaint, and a defendant cannot rely on the answer, but either party can rely on the other's pleading. (*Joslin v. Marin Mun. Water Dist.* (1967) 67 Cal.2d 132, 147, 148 [60 Cal.Rptr. 377, 429 P.2d 889].) Therefore, defendants here can rely on plaintiffs' allegations in their complaint to show a connection between the remarks and the privileged proceeding, in determining the propriety of a summary judgment. And, as we said before, by plaintiffs' own admission in their complaint, the Cayleys' statements on wiretapping were made to "encourage the neighbors to sign the Nunns' petition" and to "attempt to influence the outcome of the city council vote." Therefore, plaintiffs themselves have alleged the relation and connection between the alleged slander and the privileged judicial or legislative proceeding. Since there was a logical connection or relatedness between defendants' remarks and the city council proceedings, and the remarks were made while marshalling support of their position, defendants' remarks had the benefit of the absolute privilege of Civil Code section 47, subdivision 2, and the summary judgment is affirmed.

We do not agree that this is a frivolous appeal. Whether or not there was sufficient relation or connection between the alleged slanderous remarks made while circulating the petition and the privileged proceeding and whether or not this could be determined on a summary judgment and without a trial, were legitimate questions and not merely delaying tactics.

The judgment is affirmed.

## Footnotes

 17

*Frisk* reads in pertinent part (at pp. 324-325): "In an attempt to justify his intervention and the defamatory statement made therein, respondent produced evidence at the trial that the meeting was chaired by Dr. Johnson, the vice president of the board, who was inexperienced as a chairman and was unable to control the meeting. Sensing a lack of firmness on the part of the chairman, appellant had risen on several occasions to speak. The meeting became increasingly boisterous and respondent, as secretary of the board, felt compelled to take control of the meeting and restore order. [para. ] Although respondent's showing of justification displays a noticeable infirmity upon its face, we express no opinion on whether the evidence produced by respondent would have been sufficient for the jury to find

the requisite logical connection between the defamation and the objective of the meeting. In the instant case we are not invited to pass upon the sufficiency of evidence supporting a jury verdict but merely to determine whether in the situation here presented the trial court was justified in directing a verdict in favor of respondent. For the reasons which follow we are impelled to conclude that under the circumstances of the present case the direction of a verdict for respondent was erroneous and the judgment entered thereon cannot stand."

**27**

*Profile Structures*, an abuse of process case, pointed out that the privilege of Civil Code section 47, subdivision 2, applies to several tort decisions, including abuse of process.

**37**

We take judicial notice of the complaint. (Evid. Code, § 352.)

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## Desert Sun Publishing Co. v. Superior Court

### Copy Citation

Court of Appeal of California, Fourth Appellate District, Division Two

September 19, 1979

Civ. No. 21044

### Reporter

97 Cal. App. 3d 49 | 158 Cal. Rptr. 519 | 1979 Cal. App. LEXIS 2149 | 5 Media L. Rep. 1881

DESERT SUN PUBLISHING COMPANY, Petitioner, v. THE SUPERIOR COURT OF RIVERSIDE COUNTY, Respondent; CHARLES R. BLOCK, Real Party in Interest

### ▼ Headnotes/Summary

#### Headnotes

#### CALIFORNIA OFFICIAL REPORTS HEADNOTES

Classified to California Digest of Official Reports, 3d Series

#### **CA(1)** (1) Libel and Slander § 10—Actionable Words—As to Public Officers and Candidates.

--For purposes of determining libel, a political publication may not be dissected and judged word for word or phrase by phrase; rather, the entire publication must be examined. A publication claimed to be defamatory must be read and construed in the sense in which the reader to whom it is addressed would ordinarily understand it.

**CA(2) (2) Libel and Slander § 10—Actionable Words—As to Public Officers and Candidates—Fact and Opinion.**

--That which might be a statement of fact under other circumstances may become a statement of opinion when uttered in a political context.

**CA(3) (3) Libel and Slander § 49—Actions—Summary Judgment.**

--A motion for summary judgment in libel actions involving First Amendment rights is an approved procedure, because unnecessarily protracted litigation would have a chilling effect on the exercise of First Amendment rights.

**CA(4) (4) Libel and Slander § 10—Actionable Words—As to Public Officers and Candidates—First Amendment.**

--A letter to the editor published in a newspaper charging a candidate for election to the board of directors of a hospital with political chicanery could not be made the basis for a libel action, and the trial court should have granted the publisher's motion for a summary judgment, where the letter did not impute crime or dishonesty to the candidate, and where the content of the letter expressed the opinion of the writer that the candidate was a political huckster, and as such was a statement of opinion, not fact. Accordingly, the letter fell within the protection of U.S. Const., First Amend., as an expression of political comment.

**Counsel:** Best, Best & Krieger, Barton C. Gaut and Meredith A. Jury for Petitioner.

No appearance for Respondent.

Rodney Robertson for Real Party in Interest.

**Judges:** Opinion by Gardner, P. J., with Tamura and Morris, JJ., concurring.

**Opinion by:** GARDNER

## Opinion


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In this case we hold that the publication of a letter, which, in substance, charges a candidate for public office with engaging in political chicanery is protected by the First Amendment.


In *New York Times Co. v. Sullivan*, 376 U.S. 254 at page 270 [11 L.Ed.2d 686 at page 701, 84 S.Ct. 710, 95 A.L.R.2d 1412], the Supreme Court observed that this country has "a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials."

This "profound national commitment" encompasses the constitutionally protected right not only to



make responsible, but also to make irresponsible charges against those in or seeking public office. It is an essential part of our national heritage that an irresponsible slob can stand on a street corner and, with impunity, heap invective on all of us in public office. At such times the line between liberty and license blurs. However, our dedication to basic principles of liberty and freedom of expression will tolerate nothing less. The alternative is censorship and tyranny. 

Our political history reeks of unfair, intemperate, scurrilous and irresponsible charges against those in or seeking public office. Washington was called a murderer, Jefferson a blackguard, a knave and insane (Mad Tom), Henry Clay a pimp, Andrew Jackson a murderer and an adulterer, and Andrew Johnson and Ulysses Grant drunkards. Lincoln was called a half-witted usurper, a baboon, a gorilla, a ghoul. Theodore Roosevelt was castigated as a traitor to his class, and Franklin Delano Roosevelt as a traitor to his country. Dwight D. Eisenhower was charged with being a conscious agent of the Communist Conspiracy.

Perhaps the low point in irresponsible political vilification occurred in the Cleveland-Blaine contest where an entire presidential campaign was waged on two deathless bits of doggerel based on allegations that Mr. Blaine was dishonest, and Mr. Cleveland had sired an illegitimate child -- "Blaine, Blaine, James G. Blaine, the continental liar from the State of Maine," versus "Ma, Ma, where's my Pa? Gone to the White House. Ha! Ha! Ha!" 

Obviously, no rational person can approve any of the above. We merely note them as an unpleasant fact of our political background -- a history of rough, crude, brawling, mudslinging, muck-raking, name-calling attacks upon those in or seeking political office. In America, one who seeks or holds public office may not be thin of skin. One planning to engage in politics, American style, should remember the words credited to Harry S. Truman -- "If you can't stand the heat, get out of the kitchen."

From this "profound national commitment" to "uninhibited, robust, and wide-open" political comment has evolved some rather well established standards for judging allegedly defamatory publications on the political scene.

1. Since the essence of liberty is freedom of expression in the political arena, the law recognizes the reality of intemperate, ill-considered and rash attacks upon all of us in or seeking public office. Those engaged in political debate often engage in the use of "epithets, fiery rhetoric or hyperbole." ( [Gregory v. McDonnell Douglas Corp.](#), 17 Cal.3d 596, 601 [131 Cal.Rptr. 641, 552 P.2d 425].)
2. The right to criticize involves not only the right to criticize responsibly but to do so irresponsibly. Thus, those engaged in political debate are entitled not only to speak responsibly but to ". . . speak foolishly and without moderation." ( [Baumgartner v. United States](#), 322 U.S. 665, 674 [88 L.Ed. 1525, 1531, 64 S.Ct. 1240].)
3. A political publication may not be dissected and judged word for word or phrase by phrase. The entire publication must be examined. "A publication claimed to be defamatory must be read and construed in the sense in which the readers to whom it is addressed would ordinarily understand it." ( [Washington Post Co. v. Chaloner](#), 250 U.S. 290, 293 [63 L.Ed. 987, 989, 39 S.Ct. 448].)
4. That which might be a statement of fact under other circumstances may become a statement of opinion when uttered in the political context. "An allegedly defamatory statement may constitute a fact in one context but an opinion in another, depending upon the nature and content of the communication taken as a whole." ( [Good Government Group of Seal Beach, Inc. v. Superior Court](#), 22 Cal.3d 672, 680 [150 Cal.Rptr. 258, 586 P.2d 572].)

We turn to the instant case.

Petitioner newspaper (hereafter Sun) printed a letter authored by codefendant Bogert (not a party to these proceedings) which accused the real party in interest (hereafter Block) of political chicanery. (A copy of the letter is attached as an appendix.) Block was a candidate for office as a member of the board of directors of the Desert Hospital in Palm Springs. Block sued for libel, Sun filed a motion for summary judgment which was denied. This petition followed.

A motion for summary judgment in libel actions involving First Amendment rights is an approved procedure. ". . . because unnecessarily protracted litigation would have a chilling effect upon the exercise of First Amendment rights, speedy resolution of cases involving free speech is desirable." ( [Good Government Group of Seal Beach, Inc. v. Superior Court](#), *supra*, 22 Cal.3d 672, 685.) It takes no citation of authority to point out that a motion for summary judgment should not be granted if any triable issue of fact exists.

The letter in this case cannot be made the basis for a libel action. It does not impute crime or dishonesty to the defendant. It is the type of a letter of the "kind typically generated in a spirited dispute in which the loyalties and subjective motives of rivals are attacked and defended." ( *Good Government Group of Seal Beach, Inc. v. Superior Court*, *supra*, 22 Cal.3d 672, 681.)

As indicated, Block was a candidate for election to the board of directors of Desert Hospital. The newspaper and the writer of the letter were supporting a rival candidate. The portions of the letter to which Block objects accused him of "contrived public opinion polls, unfounded statements, emphatic denials, committees no one ever heard of, attacks on straw men and a lot of slick, big-time, expensive political public relations." It also charged Block with an "amateurish job of chicanery." It refers to Block as being a "Desert Dirty Trickster," says he used "touched-up photographs," and presented the "same ol' formula politics-as-usual techniques of the L.A. research and political packaging agency crowd" and refers to his "fancy L.A. political counsellor-pollster-manipulator."

It appears to us that, distasteful as this letter may have been to Block, it sounds remarkably similar to the usual and ordinary kind of political rhetoric which is all too often composed of equal parts of bombast, hyperbole, and billingsgate.

A reader of this letter could come to no other conclusion but that the writer has accused Block of being a city slicker who is trying to bamboozle the good citizens of Palm Springs with the old snake-oil routine. That is the content of the letter -- the opinion of the writer that Block is a political huckster. As such, it is a statement of opinion, not fact. It may not be the basis for a libel suit.

Once an individual decides to enter the political wars, he subjects himself to this kind of treatment. As we have pointed out, deeply ingrained in our political history is a tradition of free-wheeling, irresponsible, bare knuckled, Pier 6, political brawls. Perhaps political campaigns should be conducted under some kind of Marquis of Queensberry rules. Unhappily, they are not, and recent efforts to change this tradition have met with resounding failure.

This letter, distasteful, offensive and unpleasant though it may be to Block, clearly falls within the protected opinion type of political comment.

Let a writ of mandate issue directing respondent court to grant petitioner's motion for summary judgment.

#### Appendix

"Editor, Desert Sun:

"It seems as if we're having a Desert Dirty Trickster experience during the Desert Hospital board of directors election campaign. The candidacy of Dr. Block has contrived public opinion polls, unfounded statements, emphatic denials, committees no one ever heard of, attacks on straw men and a lot of slick, big-time, expensive political public relations. But, what an amateurish job of chicanery.

"Poor ol' evil Howard Wiefels, the 7-year Mayor of Palm Springs, is being portrayed as a Boris Karloff with his hearse parked out back of the Hospital, waiting to profit from his service on the Hospital Board. The ol' boys at the local luncheon club are painted as a circle of establishment powerbrokers cuttin' up the political pies. Meanwhile, young Dr. Block, dressed in white in the best media candidate tradition, coat over shoulder, in touched-up photographs in newspaper ads, peers into the future of Desert Hospital and promises us a 'simple and easily implemented plan which will raise millions of dollars yearly . . . (and) cost no one a dime.'

"The good doctor has not offered one substantive program, has given not one positive suggestion, made not one public appearance where he can be questioned. All we have are the same ol' formula politics-as-usual techniques of the L.A. research and political packaging agency crowd.

"Good Doctor, you insult my intelligence. Didn't your fancy L.A. political counsellor-pollster-manipulator tell you, you can't insult the voter and expect to get elected?

"Frank Bogert

"Palm Springs"

#### Footnotes

**17** We must not forget the infamous alien and sedition laws of 1798 under which a semiliterate Revolutionary veteran named David Brown, who had criticized the Federalists as tyrants seeking to enslave the people, was kept in jail for two years, being unable to pay a fine of \$ 400 and costs.

**27** All of which prompted George W. Curtis of civil service reform fame to observe, "We are told that Mr. Blaine has been delinquent in office but blameless in private life whereas Mr. Cleveland has been a model of official integrity, but culpable in his personal relations. We should therefore elect Mr. Cleveland to the public office which he is so well qualified to fill and remand Mr. Blaine to the private status which he is admirably fitted to adorn."

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**From:** Heidi Hill Drum <heidi@tahoeprosperty.org>  
**Sent:** Monday, June 8, 2020 5:35 PM  
**To:** Sue Blankenship  
**Cc:** Joseph Irvin; codybass@cityofslt.us; Brooke Laine; Tamara Wallace; Devin Middlebrook; Jason Collin  
**Subject:** Comment on Item #11

Dear City Council members,

I applaud City Attorney Heather Stroud on the descriptive analysis of agenda item #11 for your review. **The Tahoe Prosperity Center does not support an advisory ballot measure** for the following reasons.

- You all were elected by the voters to make decisions on behalf of the entire community. Placing an advisory vote on the ballot for **the Highway 50 project** furthers the argument that your decisions and votes on issues don't really matter. We strongly believe that the current recall attempt by a small minority of voters against two council members and **this Highway 50 advisory vote** fall into the exact same bucket - simply nonsensical. Of course there will be those who disagree with your decisions. These voters will have their turn to elect new Council members in November - just as our democracy envisioned.
- It is a misuse of City funds in a time when every dollar should matter to you. What a waste of resources for the City to spend \$11,000 at a minimum (and up to \$33,000 if conducted as a special election) that could be better used to support the budget deficit facing the City due to Covid-19. To put it in context, \$11,000 would contribute 440 more \$25 restaurant vouchers back into local residents hands and into the revenue of our local businesses. \$33,000 allows our community arts program to continue (an important component to a thriving community) and provide 520 restaurant vouchers to local residents.

You all have so many more important things to do and we hope you choose not to place an advisory vote on the ballot.

Thank you.

Heidi Hill Drum  
CEO, Tahoe Prosperity Center

Take care,

Heidi Hill Drum  
CEO, Tahoe Prosperity Center  
Uniting Tahoe's Communities to Strengthen Regional Prosperity  
p: 775-298-0265 m: 530-545-9095  
w: [www.tahoeprosperty.org](http://www.tahoeprosperty.org) e: [heidi@tahoeprosperty.org](mailto:heidi@tahoeprosperty.org)

Watch my TEDx Talk: Transforming Communities: <https://youtu.be/jHEhAm8kE14>



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**From:** Heidi Hill Drum <[heidi@tahoeprosperity.org](mailto:heidi@tahoeprosperity.org)>

**Sent:** Thursday, March 11, 2021 9:01:56 PM

**To:** Lauren Thomaselli <[lthomaselli@cityofslt.us](mailto:lthomaselli@cityofslt.us)>; Joseph Irvin <[jirvin@cityofslt.us](mailto:jirvin@cityofslt.us)>

**Cc:** Tamara Wallace <[twallace@cityofslt.us](mailto:twallace@cityofslt.us)>; Cristi Creegan <[ccreegan@cityofslt.us](mailto:ccreegan@cityofslt.us)>; Devin Middlebrook <[dmiddlebrook@cityofslt.us](mailto:dmiddlebrook@cityofslt.us)>; Cody Bass <[cbass@cityofslt.us](mailto:cbass@cityofslt.us)>; John Friedrich <[jfriedrich@cityofslt.us](mailto:jfriedrich@cityofslt.us)>

**Subject:** Boating and docks input - please take off consent and delay approval

Hi Lauren and Joe, I finally got through the Strategic Plan and watched some of last week's meeting. Joe, Council members and management - great job on the Strategic Plan. TPC looks forward to helping the City reach these goals!

Lauren, you know I love you, but I feel as though some of your comments on the boating and docks presentation were a bit one sided. Specifically you note early on that the goal is to "eliminate private



companies from using the public dock for business use.” Given that compromises with these companies hasn’t been discussed, I hope you’ll reconsider.

As the regional economic development organization here to support all types of businesses in our community, we definitely take exception to completely eliminating the option for them to launch at the City boat dock. We propose some compromise options below and hope you’ll discuss them with the companies directly. We feel these compromises give the City continued revenue and ensure more visitors can be out safely on the water, without changing the business model of these companies.

Some compromise options to consider include:

1) Requiring the private boat rental companies to pay a higher boat dock fee instead of the general public fee of \$40 to help cover associated costs and/or improved marketing and education.

*FYI -My friends at Tahoe Wakebusters met every one of the added Douglas County requirements last summer, at their own expense, without any incidents and still Cave Rock is now closed to them as an option. Going through the Tahoe Keys Marian would change their business model and mean that when John and I want to rent one of their boats (which we do each summer) we now have to have one of their “captains” on the boat with us. I grew up driving boats in Florida, so I want to drive the boat myself! I don’t want Bobby to have to drive it for me.*

2) Restricting the hours for private companies to certain days and/or times of days. For example, early in the morning for launches and later in the day for exits, while allowing the recreational boater to launch the rest of the day.

3) Putting back in the floating boat dock and having the paddle board rentals use that and not the boat launch area to reduce potential for foot traffic slowing down boat launches.

I know my friends at Tahoe Wakebusters (and the Tiki Boat guy and others) would love to share their ideas with you directly about compromise options that will ensure continued revenue to the City and reduce conflicts at the boat launch this summer. I am happy to put you in touch with them directly and hope that this policy can be reconsidered before banning this as an option completely.

Thank you - Heidi

**Heidi Hill Drum • CEO**



**TAHOE PROSPERITY CENTER**  
**Tahoe Prosperity Center**

Phone: [530-208-5570](tel:530-208-5570) - [please note new number](#)

Website: [tahoeprosperity.org](http://tahoeprosperity.org)

Email: [heidi@tahoeprosperity.org](mailto:heidi@tahoeprosperity.org)



[COVID-19 Resources](#)



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**From:** Patrick Rhamey

**Sent:** Saturday, January 30, 2021 1:33 PM

**To:** Tamara Wallace; Devin Middlebrook; Cody Bass; John Friedrich; Cristi Creegan

**Subject:** Resolution regarding the Loop Road Alignment under Consideration

Dear Council Members,

I understand that at your meeting on Tuesday, February 2, you will consider a resolution that supports an alternate alignment for the US Highway 50 South Shore Community Revitalization Project (SSCRP) using "existing roads."

As the so-called "Loop Road" has evolved and developed over nearly three decades, more than two dozen US 50 routing alternatives have been considered, including variations of the alternative now being proposed in the staff report for this item. The variations of the alternative the council intends to consider were NOT included in the final set of five alternatives formally analyzed in the 2018 Final EIR/EIS/EIS unanimously approved by the TRPA, Tahoe Transportation District, the record of decision made by the Federal Highway Administration, and supported by Caltrans and the Nevada Department of Transportation.

In short, there is no engineering study, environmental analysis, nor any package of mitigation measures that have been prepared for the alternative to be considered by the City Council. Nor is it likely the alternative alignment under consideration would meet the geometrics and other design standards required of a US highway.

Please do not support the resolution under consideration.

Best Regards,

Patrick Rhamey  
CEO



Beach Club Development, LLC  
Tahoe Beach Club, LLC  
[prhamey@tbcdevelopment.com](mailto:prhamey@tbcdevelopment.com)  
[www.thetahoebeachclub.com](http://www.thetahoebeachclub.com)



## **Tahoe Chamber**

Date: January 31, 2021

To: Mayor Tamara Wallace  
and members of the South Lake Tahoe City Council  
Mayor Pro Tem Devin Middlebrook  
Council Member Cody Bass  
Council Member John Friedrich  
Council Member Cristi Creegan

cc: Mr. Joe Irvin, City Manager  
Ms. Heather Stroud, City Attorney

Fr: Tahoe Chamber  
Bob Anderson, Board Chair  
Steve Teshara, CEO

We have reviewed the materials in the Council packet prepared for Item 14 under Regular-Unfinished Business, “Alternative Alignment of US 50 South Shore Community Revitalization Project” and have the following observations and questions:

- The wording of item number 2 in the draft Resolution is unclear. It should be clarified that the so-called “Loop” using existing City streets, as shown on the conceptual plan attached to the proposed Resolution as Exhibit “A” is not an alignment approved by TRPA in 2018. It is not one of the five alternatives studied in the EIR/EIS/EIS for the US 50 South Shore Community Revitalization Project, a document unanimously certified by TRPA and TTD and supported by the Federal Highway Administration, Caltrans, NDOT and other project partners.

- In fact, as the staff report for this item more accurately states, “It appears likely that additional engineering and environmental review would be required to determine the feasibility, environmental impacts, and mitigation required for this concept...”
- The City Council has previously directed, in Resolution No. 2019-022, the Council’s intention not to spend any general City revenues on the Highway 50 project otherwise available for core City services, such as Police, Fire, street maintenance and snow removal.
- Perhaps the Council is now willing to reverse its prior direction and spend significant City funds to study the concept roughly sketched in Exhibit “A.” However, before proceeding with such a decision, here is some food for thought:
- The City’s conceptual alignment is not likely suitable, geometrically or otherwise, to function as the alignment for a United States highway. It is not likely to produce the environmental benefits associated with the approved US 50 SSCR project alignment.
- The City’s proposal may not be consistent with environmental goals requiring a reduction in Greenhouse Gas Emissions, Vehicle Miles Traveled, and the streetscape, pedestrian, bicycle and other amenities designed into the approved US 50 SSCR project.
- The City’s proposal would eliminate the full range of community, pedestrian and cyclist safety, and economic benefits of the proposed Mainstreet Management Plan and design which many throughout the South Shore have said they strongly support, including members of the City Council.
- A concept similar to the City’s proposed approach was among a series of alternatives previously examined in concept, but set aside as infeasible for a variety of reasons, including a failure to meet the geometric and other design

standards required for a US highway and lack of ability to create significant environmental improvements and community economic benefits. Geometrics and design standards include, but are not limited to, turning radius requirements and the reduction of ingress and egress points along the highway route (e.g., driveways).

- The separated one-way traffic flow as described in the City's draft Resolution would complicate, at a minimum, the ingress and egress needed to receive vital supplies deliveries as well as customers guests.

### **Some Sample Questions**

- What public outreach has the City done or plan to do for its proposed alignment as this alternative would affect an entire new group of property owners, businesses and residents?
- In particular, has the City consulted with the business and property owners along its proposed alternate route – Heavenly Village Way, Lake Parkway, Pine Boulevard and Park Avenue?
- Is this the only meeting the City Council plans to hold before deciding on its proposed "Loop Road" alternative?
- Traffic flow is important for this busy commercial district of the South Shore. How will the City's proposed alignment accommodate through traffic that is not intending to stop anywhere in the Stateline commercial area? The re-routing of heavy truck and other traffic simply passing through on US 50 was one of the key purposes of the US 50 SSCR as proposed and unanimously approved by all the agencies with approval jurisdiction, including those with City voting representation.
- The City's proposed Resolution also states the City will not support the use of Eminent Domain to acquire property whatever highway realignment is used.

What happens if Caltrans, NDOT and Federal Highways come back to say the City's proposed alignment might work, but would require that the existing streets must be modified, made bigger, or intersections enlarged and property must be acquired to do so. Would the City be willing to use Eminent Domain at that time?

- Does the City believe this approach would eliminate cut-through traffic in the Rocky Point neighborhood? If so, why does the City believe that?
- If the "main street" through the California-Nevada Stateline core remains open, why would a motorist travel the east or west loop around the core? How would the City's proposed alternative reduce traffic congestion or provide an incentive to divert traffic from the traditional route straight through the South Shore's downtown district?

**From:** [Jamie Orr](#)  
**To:** [Sue Blankenship](#)  
**Subject:** RE: City Council Agenda Item 15 - Verizon Special Use Permit  
**Date:** Monday, January 13, 2020 3:32:29 PM

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Mayor Collin & Council Members Laine, Middlebrook, Wallace, & Bass:

As a former member of the City of South Lake Tahoe Planning Commission, I am writing to strongly recommend that you uphold the decision of the Planning Commission regarding the cell tower on Ski Run Blvd. I apologize for not delivering this comment in person, as I do believe it is an important issue for our community.

Having reviewed all documentation associated with this appeal, I agree with the Planning Commission's approval of the Special Use Permit for the Verizon Wireless Monopine and strongly support it.

As a business owner in South Lake Tahoe that depends heavily on connectivity, we need to make measurable progress on infrastructure improvements in our community. This tower is one small step in doing so, but one that has already taken too long to see completion.

Located at this site, this tower will improve coverage, is not injurious to the neighborhood, and is consistent with permitted uses in the plan area. It is clear from the report that Planning Commission reviewed this application thoroughly, completely, and conscientiously, and made the correct decision for the community at large. I once again urge you to uphold that decision.

Regards,  
Jamie Orr

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Jamie Orr, Ph.D.  
Founder, [Cowork Tahoe](#)



Founder, [Jellyswitch](#)







# TAHOE PROSPERITY CENTER

Type of Meeting: Board of Directors Meeting

Date/Time: March 23, 2018  
9am to 11:00am

Location: South Shore  
Tahoe Chamber/LTVA  
Join from PC, Mac, Linux, iOS or  
Android:  
<https://zoom.us/j/654131552>  
US: +1 646 876 9923  
Meeting ID: 654 131 552

Time	Agenda Topic	Who
9am	Welcome	Walker
9:05	<p>Announcement:</p> <ul style="list-style-type: none"> <li>New Board member– Darcie Collins</li> </ul> <p>Consent Item:</p> <ul style="list-style-type: none"> <li>January Draft Board Meeting minutes</li> </ul> <p>Discussion Items:</p> <ul style="list-style-type: none"> <li>February 2018 Financials</li> <li>Board Survey Results</li> <li>Board Development – Engaging all Board members in TPC work – Board member’s commitment to TPC committees, attendance, fundraising, recruitment, etc. How to ensure that the Board is maximizing its strengths, talents and relationships to further TPC’s mission and goals.</li> </ul>	<p>Walker</p> <p>Lind</p> <p>Hogan Lind Walker</p>
10:00	<p>Committee Reports (In packet – Q&amp;A)</p> <ul style="list-style-type: none"> <li>Indicators – review final report, provide input on highlights and messaging and discussion</li> <li>Workforce Housing</li> </ul>	Walker Hill Drum
10:45	Board Member Announcements	All
10:55	Meeting Review and Staff Direction	Hill Drum
11:00	Closed Session (If necessary/reconvene to Open Session) or Adjourn	Lind

**Mission: Uniting Tahoe’s Communities to Strengthen Regional Prosperity**



## TAHOE PROSPERITY CENTER

Board Retreat – July 13, 2018  
Draft Internal Planning Agenda

**Tahoe Chamber Conference Room, 169 Highway 50, Stateline, NV**

### AGENDA

#### Goals:

- Develop specific goals and targets for program areas for 2018 and 2019
- Compare organizational goals, needs and the skills, interest and experience of board members
- Energize the board and staff to make great gains in 2018-2019!

#	Time	Topic + Objectives	Roles + Materials
1	8:30	Welcome, introductions and agenda review <ul style="list-style-type: none"><li>• Introduce Darcie Goodman Collins</li></ul>	Facilitator
2	8:35	Administration <ul style="list-style-type: none"><li>• Approve previous meeting notes</li><li>• Review financials</li></ul>	Jesse Walker, Board Chair
3	8:50	Setting the stage: Overview of the Tahoe Prosperity Center accomplishments 2012-2017	Jesse Walker, Board Chair
4	9:00	Goals and targets for key indicators Setting targets for: <ul style="list-style-type: none"><li>• Housing Tahoe</li><li>• Workforce Tahoe</li><li>• Invest in Tahoe</li><li>• Tahoe Economic Summit</li></ul>	Group  Results from Board questionnaires
5	9:45	Thinking big: what can we do with more resources? <ul style="list-style-type: none"><li>• What do we need in terms of staff, infrastructure, funding or other resources?</li><li>• What are reasonable estimates of fundraising capacity?</li></ul>	Facilitator and Heidi Hill Drum present summary of questionnaires  Group brainstorming exercise
6	10:15	Break	
7	10:30	Making the most of the board <ul style="list-style-type: none"><li>• Exercise: mapping board skills, experience and interests versus TPC needs, goals and opportunities</li></ul>	Facilitator and Heidi Hill Drum present summary of questionnaires  Group exercise
8	12:00	Next steps: action items, roles and timelines <ul style="list-style-type: none"><li>• Review/adjust subgroups and chairs</li><li>• Identify tasks and deadlines</li><li>• Commitments</li></ul>	Action item list
9	12:20	Plan for next Board meeting	
10	12:30	Walk to lunch: <ul style="list-style-type: none"><li>• Walk down to Tahoe Beach Club (highlights of some of the potential homes/lots for Tiny Home conversion)</li></ul>	
11	1:00	Lunch Tahoe Beach Club	Thank you Bob!!!

**Mission: Uniting Tahoe's Communities to Strengthen Regional Prosperity**

11 Pathway to cyber security: The Morgan Family Foundation has a link to a company in the Bay Area and we have recently begun facilitating a conversation for a pathway with LTCC's new Cyber program. Retention of the students in this program is important for our community, so we'll ensure the pathway keeps workers here.

Meeting adjourned at approximately 12:10



## TAHOE PROSPERITY CENTER

Board Retreat – July 13, 2018

Draft Meeting Summary

Tahoe Chamber Conference Room, 169 Highway 50, Stateline, NV

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### DRAFT SUMMARY

#### Action Items

- Lead a special initiative to recruit a specific economic sector: white hat hackers and other hi-tech digital nomads (B. Stern)
- Next steps for board structure and management (Hill Drum with Executive Committee)
  - Identify a chair for each board subcommittee/working group and establish a schedule of meetings
  - Develop simple draft work plans for 2019 for board review in fall 2018
- Schedule an additional board workshop to focus on board structure, roles, responsibility and participation (Hill Drum and J. Walker)
- The Housing Tahoe subcommittee will meet to finalize next steps on Housing Tahoe (B. Roby)
- Collect and collate housing and workforce assessments, including recent TRPA and other reports (Hill Drum)

#### Overview

The board met with the following goals for the meeting:

- Develop specific goals for program areas for 2018 and 2019
- Compare organizational goals, needs and the skills, interest and experience of board members
- Energize the board and staff to make great gains in 2018-2019!

The majority of the workshop focused on identifying goals for 2018-2019 for housing, workforce, fundraising and the Economic Summit. Broad goals were identified for each category, along with some specific next steps, though additional work is needed to develop measurable objectives and a work plan. Key goals for the next year included:

- Housing: Conduct/complete an assessment of housing needs in the South Shore
- Workforce: Assess north shore workforce needs; convene Tahoe area colleges to coordinate on training programs and regional resources
- Fundraising: Work toward 100% board participation in fundraising
- Economic Summit: Become revenue generator for TPC

The group began discussion of board roles and board development but this discussion was abbreviated due to lack of time. The goals for next discussions with the board are to:

- Develop a strategy for board participation in fundraising
- Match board member interests, experience, and capacity to TPC needs
- Update membership, roles and work plans for working groups/subcommittees





## TAHOE PROSPERITY CENTER

Type of Meeting: Board of Directors Meeting

Date/Time: November 16, 2018  
9am to 11:00am

Location: South Shore  
**Tahoe Chamber/LTVA**  
<https://zoom.us/j/654131552>  
Or Telephone  
US: +1 646 376 9923  
Meeting ID: 654 131 552

Time	Agenda Topic	Who
9am	Welcome	Walker
9:05	Announcement: <ul style="list-style-type: none"><li>Board member application – Frank Gerdeman</li></ul> Consent Item: <ul style="list-style-type: none"><li>Draft July and September Board Meeting minutes</li></ul> Discussion Items: <ul style="list-style-type: none"><li>October 2018 Financials</li><li>2019 Budget</li><li>End of Year Funding – Board Giving and Year-end</li><li>Economic Summit Debrief/Surveys</li><li>Proposed 2019 Board Calendar</li></ul>	Walker  Lind  Hogan Hogan Walker/Stern Hill Drum Walker
10:30	Board Member Announcements	All
10:45	Meeting Review and Staff Direction	Hill Drum
10:50	Closed Session (If necessary/reconvene to Open Session) or Adjourn	

**Board of Directors Meeting**  
**December 13, 2019, LTVA/Tahoe Chamber**

Meeting started at 9:36 AM

**Board members present:** Frank Gerdeman, Lisa Granahan, Michelle Risdon, Brian Hogan, Roger Kahn, Rick Link, Joanne Marchetta, Jesse Walker, Bill Kelly, Roger Rempfer, Bob Grant

**Board members on phone:** Bill Roby, Robert Stern

**Staff Present:** Heidi Hill Drum, Chase Janvrin, Erin Jones, Shelby Cook

Rick Lind welcomed the board:

- We're the strongest we have ever been financially.
- This year we had a comprehensive management consultant, B, evaluate the CEO and board and we have received helpful feedback.
  - Will begin implementing the recommendations in the next few months.

Group introduced themselves to new Board Member Bill Kelly.

**Action Item: Bill Kelly Board membership**

*Brian Hogan motions, Roger Kahn seconds, board unanimously approves.*

**Action Item: To approve board members leaving:**

Andy Chapman, Cindy Gustafson, Jane Layton and Bob Mecay

*Roger Rempfer moves, Bob Stern seconds, board unanimously approves.*

**Consent Agenda to approve new officers, board terms, financials and meeting minutes:**

*Roger Rempfer moves, Frank Gerdeman seconds, board unanimously approves.*

**Brain Hogan & Heidi Hill Drum lead 2020 Budget:**

- *Bill Kelly moved, Jesse Walker seconds, board unanimously approved 2020 budget.*

**Board and Committee Meeting Changes:**

Shift from fourth Friday mornings, to **first Wednesday afternoons from 3-5 PM** at various businesses around the lake and then follow it with a happy hour.

Moving forward:

- Get agendas out to committees prior to meetings so they can gauge what their involvement needs to be/prepare.
- We should bring in not only community members, but people who can come in and present on their accomplishments in the fields that we're working on to make this a learning experience.
- TPC to be clearer about dates and times for committee meetings.
- Committee chairs and TPC to set meetings for when they make sense.

*2020 board calendar: Joanne Marchetta moved, Roger Rempfer seconds, board unanimously approves.*

**Action Items:**

- Make an updated organization chart (*Heidi*)
- Keep reminding and getting on the board to engage for the Summit. (*Roger Rempfer*)
- Send updated calendar invites for next year. (*Shelby*)
- Send out an ask to the board about what committees they want to be on. (*Shelby*)
- Consider a possible new committee: to discuss with workforce at their meeting and bring back to board next meeting. (*Workforce and Executive Committees*)

Meeting ended at approximately 11:24 AM

## Board Retreat - July 26, 2019

Edgewood Tahoe

Stateline, NV 89449

**Board Members Present:** Andy Chapman, Darcie Collins, Lew Feldman, Lisa Granahan, Roger Kahn, Jane Layton, Rick Lind, Joanne Marchetta, Jennifer Merchant, Devin Middlebrook, Sue Novasel, Roger Rempfer, Patrick Rhamey, Michelle Risdon, Bill Roby, Robert Stern, Jesse Walker and Frank Gerdeman.

**Staff Present:** Heidi Hill Drum, Erin Jones, Shelby Cook

**Facilitator:** Tawni Janvrin

### Meeting began at 8:38am.

Chair Bill Roby welcomed the board:

"When it comes to people and individual's desire for the Lake Tahoe area, there is always one word: thrive. That is the purpose of our work here today - guiding this organization so that we can build a community that thrives."

Heidi led a high-level overview of what TPC has accomplished over the past five years. She also shared an overview of the 2018-2020 Strategic Plan, the 2019 Workplan and Q2 updates.

Specific Strategic Plan accomplishments at the halfway point of the three-year plan:

There are 28 objectives set by the board.

- 12 (43%) are completed.
- 5 of the 28 are halfway toward completion.
- 6 are ongoing.
- 3 are being led by others.
- 2 have yet to begin.

We're on track to complete most of the original Strategic Plan objectives by the end of 2020.

Heidi then introduced Tawni Janvrin, our facilitator for the day. She shared that she has excellent facilitation and corporate retreat experience and is helping with planning for the Tahoe Economic Summit.

Evolutionary Stage of a Board of Directors - this section was led by Bill Roby

How a board evolves affects how an organization evolves.

Growth/evolution usually happen due to a catalyst which pushes a board out of their comfort zone. There are four types of boards: Working, Governance, Strategic, and Visionary

- TPC tends to bounce around between each of these, the two most prominent being Working and Governance.

There are visionary aspects in each step of the board evolution; we can't be in a visionary stage yet as we're still reaching toward our original vision.

- The board at this point in development needs to be strategic and focused on accomplishing particular goals.





## TAHOE PROSPERITY CENTER

tahoeprosperity.org

### Board of Directors Meeting

December 13, 2019

9:30 AM - 11:30 AM

Tahoe Chamber/LTVA

169 US Highway 50

Conference Call-in Number:

**1-609-475-6006**

Access Code 6064452#

- |          |   |
|----------|---|
| 9:30 AM  | 1. Welcome/Call to Order  |
| 9:35 AM  | 2. New Board Member – Bill Kelly <ul style="list-style-type: none"><li>a. Introductions</li><li>b. Approve appointment of Bill Kelly</li><li>c. Approve resignation of Andy Chapman and Cindy Gustafson</li></ul> |
| 9:45 AM  | 3. Consent Agenda <ul style="list-style-type: none"><li>a. Board Retreat Minutes</li><li>b. Quarterly Financials</li><li>c. 2020 Board Officers and Terms</li></ul>   |
| 9:50 AM  | 4. Discussion Items <ul style="list-style-type: none"><li>a. 2020 Budget</li><li>b. 2020 Board Meeting schedule</li><li>c. Workplan Update and ideas for 2020</li></ul>   |
| 11:00 AM | 5. Meeting Review and Staff Direction   |
| 11:15 AM | 6. Board Announcements  |
| 11:30 AM | 7. Adjourn  |



TAHOE PROSPERITY CENTER  
tahoeprosperity.org

**TPC Board Retreat Agenda**  
**July 26<sup>th</sup>, 2019**  
**8:30 AM - 1:30 PM**

Location: **Edgewood** – South Room – in original Country Club Building

*The purpose of this retreat is to **unify** and **inspire**. Our agenda has been strategically planned to ensure our retreat purpose is served.*

Time	Topic	Led By:
8:30 AM	Welcome	Heidi
8:35 AM	Retreat Purpose: to create consensus & inspire	
8:40 AM	Introductions: Tawni Janvrin, Faciliator & new Program Manager	
8:45 AM	Strategic Plan Accomplishment to Date	
9:10 AM	Strategic Plan Update	
9:30 AM	Role of the Board	Bill
9:35 AM	Working Board → Strategic Board Definition of a strategic board	
10:00 AM	Break	
10:15 AM	Small group breakout to answer the following Strategic Focus Area questions: a. What does success look like for <your strategic focus area>? b. What does TPC's effort in <your strategic focus area> better than anyone else? c. What are we going to accomplish in the next 18 – 24 months in <your strategic focus area>?	<i>Select a secretary &amp; presenter within your group of leaders</i>
11:00 AM	Small Group Recap of questions answered	Tawni
11:30 AM	TPC's Story	Heidi
11:45	Did we achieve the purpose of today's meeting?	Tawni
12:00 PM	Call To Action: Be an Ambassador for the organization Fundraise	Bill
12:15 PM	Eat and Collaborate. Consent Agenda (Board packet)	All



## TAHOE PROSPERITY CENTER

Type of Meeting: Board of Directors Meeting

Date/Time: January 25, 2019  
9:30am to 1:00pm

Location: South Shore  
**Tahoe Chamber/LTVA**  
Zoom info:  
Join from PC, Mac, or Android  
<https://zoom.us/j/654131552>  
US: +1 646 876 9923  
Meeting ID: 654 131 552

Time	Agenda Topic	Who
9:30am	Welcome/Call to Order	Walker
9:35	Consent Agenda: a) Draft November Board Meeting minutes b) 2018 Financials c) Committee Reports  Action Items: a) Approval of 2019 Officers b) Approval of New Board Terms c) Board member changes	Walker Roby
10:00	Discussion Items: • 2019 Cash Flow, Reserve and Endowment • Board Annual Self-Evaluation Survey • 2019 Draft TPC Workplan o Tahoe Prosperity Center History o 2018 Accomplishments	Hogan/Roby Roby  Tom Greene Hill Drum
10:45	Break	All
11:00	Discussion Items continued: • 2019 Draft TPC Workplan o 2018-2020 Strategic Plan Review o 2019 Workplan Goals for General Operating and Program Areas o Board Role in accomplishing 2019 Workplan	All
12:00	Meeting Review and Staff Direction	Hill Drum
12:15	Board Announcements	All
12:30	Lunch provided	
1:00	Closed Session (If necessary/reconvene to Open Session) or Adjourn	Roby

**Mission: Uniting Tahoe's Communities to Strengthen Regional Prosperity**



## The low road to a new 'Loop Road'

**Scott Ramirez**  
Guest Column

There is a new campaign on public media spreading misinformation and unsupported claims regarding the Loop Road Project sponsored by the Tahoe Chamber and others.

The so called "High Road" advertisements claim that by redirecting traffic around it's intended destination, lengthening the distance and reducing parking that this will somehow improve the environment.

One can marvel at how the wholesale upheaval of the entire southern side of Stateline on the mountain side to relocate and lengthen the existing highway will somehow be the environmental miracle of the century.

Never mind that both the Tahoe Regional Planning Agency and the transportation district have already admitted that the adopted plan will increase driving distance, reduce lanes in the most congested portions of Stateline and reduce available parking (these outcomes are clearly identified in their own reports on the project), I can only wonder as to how these projected outcomes were arrived at.

This propaganda suggests that the majority of traffic passes through Stateline. What is not stated is that these views are based on the average of traffic and not the traffic seen on busy weekends and holidays.

During the middle of the week and at slow times, the problems this project seeks to solve don't exist as there is less traffic and less foot traffic. On busy weekends, the opposite is the case: The majority of traffic is headed to Stateline as the destination and this is also the time of most foot traffic. Plainly, if there are fewer parking spaces people will have to drive further to find a rare available parking spot. Meanwhile, with more people on foot crossing roads with fewer lanes of traffic, the result will be a quagmire of

people and cars.

The promotion goes on to say that a new Loop Road will improve traffic conditions in the Rocky Point neighborhood but conveniently forgets that this is done by removing the residents.

No residents mean no danger of being hit by cars that could easily be blocked by simply closing the pass through into the neighborhood. A pair of sawhorses and a sign closing the route into this neighborhood would seem a much more sensible and less costly solution than the hundreds of millions they are proposing to spend on this fiasco.

It is also suggested that those being removed will be accommodated by new housing but neglect to say that 75 units of new housing rented at market rate will cost more than their current housing, not allow the multigenerational use that is currently in place and is insufficient to provide for the already identified nearly 100 school age families and the many other not yet identified residents that will lose their homes. Plainly the required 75 units will not accommodate more than 100 families. Our schools will be heavily impacted and the costs for housing will increase as a result.

Recently we saw the need to bypass traffic through Stateline to allow for repairs in the casino corridor. What route was used to redirect traffic? The Existing Loop Road.

Imagine if the existing roads were used? Two lanes of westbound traffic on one side and two lanes of eastbound traffic on the other. Few if any homes or businesses would need to be removed and the planned low-income housing to supplement our low-income housing needs rather than attempt to backfill them.

**During the middle of the week and at slow times, the problems this project seeks to solve don't exist as there is less traffic and less foot traffic. On busy weekends, the opposite is the case: The majority of traffic is headed to Stateline as the destination and this is also the time of most foot traffic. Plainly, if there are fewer parking spaces people will have to drive further to find a rare available parking spot.**

Only the heart of Stateline would be bypassed, and the majority of traffic delivered to their destination on the busiest days.

There could still be reduced lanes in the core of Stateline with improved walking around Heavenly Village but not at the expense of residents and local small businesses at the end of Pioneer Trail. Construction time and the impact to businesses and the cost of the entire project would be greatly reduced along with the impact to the environment.

This option was not selected by those running the show and the city should demand this option be used. We can only surmise that costs, the routing of traffic away from a golf course and removing low income, primarily Hispanic residents held higher priority.

Certainly, protecting the environment was, at best, an afterthought from these supposedly environmentally driven organizations.

**Tahoe Daily Tribune**

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### Letters to the editor policy

The Tahoe Daily Tribune welcomes your thoughts and opinions in our opinion section. Email editor@tahoedailytribune.com and include the author's name, hometown and phone number for verification.

- Anonymous submissions will not be published.
- Form letters, libelous letters or letters in poor taste will be rejected.
- We reserve the right to edit all letters and columns.
- Letters must be 300 words or less. Guest columns must be 750 words or less.

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January 13, 2020

To: South Lake Tahoe City Council Members

Fr: Carol Chaplin

Re: Cell Tower

This letter is to support the development of a telecommunications facility (cell tower) which is necessary for our residents and visitors to have the advantage of current technology for the following reasons:

- The proposed tower offers emergency and safety benefits to residents and visitors.
- The existing cell service capacity is embarrassingly inadequate in every way.
- The existing service discourages local business development. Remote workers need reliable service and speeds.
- The environmental and health risks are unfounded and erroneous.

There are many more benefits to the proposed cell tower, which I am sure you will hear others espouse. We encourage the Council to consider all of the reasons to approve the project and ultimately find that the community will be positively impacted.

**TahoeSouth.com**

Nevada Office | PO Box 5878 | 169 Hwy 50 | Stateline, NV 89449 | (775) 588-5900  
California Office | 3066 Lake Tahoe Blvd | South Lake Tahoe, CA 96150 | (530) 544-5050



4579916



**Secretary of State**  
**Statement and Designation by**  
**Foreign Corporation**

S&amp;DC-S/N

**IMPORTANT — Read Instructions before completing this form.**

Must be submitted with a current **Certificate of Good Standing** issued by the government agency where the corporation was formed. See Instructions.

**Filing Fee** — \$100.00 (for a foreign stock corporation) or  
 \$30.00 (for a foreign nonprofit corporation)

**Copy Fees** — First page \$1.00; each attachment page \$0.50;  
 Certification Fee — \$5.00

Note: Corporations may have to pay minimum \$800 tax to the California Franchise Tax Board each year. For more information, go to [www.ftb.ca.gov](http://www.ftb.ca.gov).

**FILED** DL B/TAW  
**Secretary of State**  
**State of California**  
**MAR 18 2020**

(PC) This Space For Office Use Only

**1. Corporate Name** (Go to [www.sos.ca.gov/business/be/name-availability](http://www.sos.ca.gov/business/be/name-availability) for general corporate name requirements and restrictions.)

**2. Jurisdiction** (State, foreign country or place where this corporation is formed - must match the Certificate of Good Standing provided.)

DAE & COMPANY, INC.

Nevada

**3. Business Addresses** (Enter the complete business addresses. Items 3a and 3b cannot be a P.O. Box or "in care of" an individual or entity.)

a. Initial Street Address of Principal Executive Office - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
3079 Harrison Avenue, Suite 24	South Lake Tahoe	CA	96150
b. Street Address of Principal Office in California, if any - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
3079 Harrison Avenue, Suite 24	South Lake Tahoe	CA	96150
c. Mailing Address of Principal Executive Office, if different than item 3a	City (no abbreviations)	State	Zip Code

**4. Service of Process** (Must provide either Individual OR Corporation.)

**INDIVIDUAL** — Complete Items 4a and 4b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
Cristi		Creegan	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
3025 Argonaut Avenue	South Lake Tahoe	CA	96150

**CORPORATION** — Complete Item 4c. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 4a or 4b

**5. Read and Sign Below** (See Instructions. Office or title not required.)

I am a corporate officer and am authorized to sign on behalf of the foreign corporation.

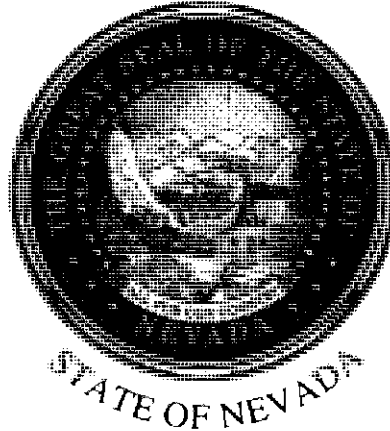
Signature

Diana A. Evans

Type or Print Name

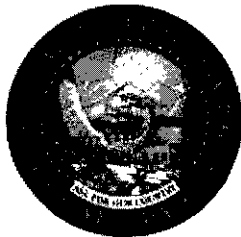


## SECRETARY OF STATE

**CERTIFICATE OF EXISTENCE  
WITH STATUS IN GOOD STANDING**

I, Barbara K. Cegavske, the duly qualified and elected Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporations sole, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **DAE & COMPANY, INC.**, as a DOMESTIC CORPORATION (78) duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since 11/09/2018, and is in good standing in this state.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on 03/18/2020.

A handwritten signature in cursive script that reads "Barbara K. Cegavske".

BARBARA K. CEGAVSKE  
Secretary of State

Certificate Number: B20200318671705

You may verify this certificate  
online at <http://www.nvsos.gov>

## ENTITY INFORMATION

Entity Name: D&amp;B COMPANY, INC.

Entity Number: 000100000-0

Entity Type: Domestic Corporation (C)

Entity Status: Active

Formation Date: 11/01/2010

NY Business ID: NY0000000001

Formation State: Perpetual

Annual Report Due Date: 11/01/2012

## REGISTERED AGENT INFORMATION

Name of Individual or Legal Entity: JAMES E. McLENNAN

Status: Active

CRA Agent Entity Type:

Registered Agent Type: Non-Commercial Registered Agent

NY Business ID:

Office or Practice:

Jurisdiction:

Street Address: 275 US HIGHWAY, STE B-1008, 229TH COVE, NY, 09440, USA

Mailing Address: P O BOX 1008, 229TH COVE, NY, 09440 - 7401

Individual with Authority to Act:

Full Street, Mailing or Domain Name:

## OFFICER INFORMATION

 VIEW HISTORICAL DATA

Title	Name	Address	Last Updated	Status
President	Diana Evans	1075 Harrison Avenue - Ste 24, South Lake Tahoe, CA, 96150, USA	10/01/2008	Active
Secretary	Cathy Davis	1075 Harrison Avenue - Ste 24, South Lake Tahoe, CA, 96150, USA	10/01/2008	Active
Treasurer	Donald Evans	1075 Harrison Avenue - Ste 24, South Lake Tahoe, CA, 96150, USA	10/01/2008	Active
Director	Diana Evans	1075 Harrison Avenue - Ste 24, South Lake Tahoe, CA, 96150, USA	10/01/2008	Active



FELDMAN PRESENTS:  
***Gotham City's "Big Hole"***

**~~BANKRUPT~~**  
**~~CANCELLED~~**



**NBC SPORTS**



FELDMAN PRESENTS:  
THE ***Riddler on Ice***  
***Strikes Again!***



TAHOE BEACH CLUB

Tahoe EVENTS  
South CENTER





# City of South Lake Tahoe City Council Meeting

## Speaker Form

If you wish to speak under Public Communications or under any other Agenda Item, please complete this form and provide it to the City Clerk. Providing this form is voluntary and all persons wishing to provide public comment will be given opportunity to speak. Persons providing this form will be called upon in the order received by the City Clerk. At the conclusion of submitted forms, the Mayor will call upon any other individuals wishing to provide public comment.

The purpose of this form is to provide the Mayor with the number of persons requesting to speak on a specific agenda item. It is also used to accurately spell the names of speakers in the Official Minutes.

**Comment Cards** (Use Speaker Forms) - Members of the public who do not wish to or cannot verbally address the Council during a meeting may use a Speaker Form. A person may indicate their comments and their opposition or support for an agenda item on a comment card.

**Four (4) minutes are provided to each speaker on each non-agenda item.  
All other agenda items are allowed three (3) minutes.**

Meeting Date: Jan 14, 2020

Agenda Item:

*(Please check box of agenda item you wish to provide public comment)*

<input type="checkbox"/> Public Communications	<input type="checkbox"/> Consent Agenda #_____	<input type="checkbox"/> Public Hearing #_____
<input type="checkbox"/> Unfinished Business #_____	<input type="checkbox"/> New Business #_____	<input checked="" type="checkbox"/> Appeal

Name: Chase Janvrik  
Email Address: chasejanvrik@gmail.com  
Comments: Jim For the tower

Please note: Speaker Forms, and distributed materials, will become part of the public record.

Thank you for your participation in local government.

*Susan Blankenship, Elected City Clerk*



**From:** [Patrick Rhamey](#)  
**To:** [PublicComment](#)  
**Subject:** Support for Agenda Item #12  
**Date:** Monday, May 11, 2020 6:51:50 PM

---

Please vote yes on Agenda Item #12, cell tower ordinance.

It is important for the safety of our residents, visitors, and first responders that they have reliable cell service.

# TAHOE BEACH CLUB OWNERS ASSOCIATION

NONPROFIT

**Company Number** E0392372016-8

**Native Company Number** [E0392372016-8](#)

**Status** Active

**Incorporation Date** 6 September 2016 (over 3 years ago)

**Company Type** Domestic Non-Profit Corporation

**Jurisdiction** [Nevada \(US\)](#)

**Agent Name** LEWIS S FELDMAN

**Agent Address** 178 US HWY 50 STE B, ZEPHYR COVE, NV, 89448

**Directors / Officers** [BOBBIE MECAY](#), secretary  
[CHARLES BERGIN](#), president  
[CHARLES BERGIN](#), director  
[JOSEPH MCDANIEL](#), secretary  
[JOSEPH MCDANIEL](#), treasurer  
[JOSEPH MCDANIEL](#), director  
[LEWIS S FELDMAN](#), agent  
[PATRICK RHAMEY](#), president  
[PATRICK RHAMEY](#), director  
[THOMAS CASTANEDA](#), treasurer  
[THOMAS CASTANEDA](#), director

**From:** [Robert Stern](#)  
**To:** [PublicComment](#)  
**Subject:** We support item 12 on the agenda  
**Date:** Monday, May 11, 2020 12:04:00 PM

---

My name is Bob Stern and I am the Chairman of The Tahoe Prosperity Center. We support item 12 because simply put our cellular infrastructure is terrible.

Best Regards,  
Bob Stern

Bob Stern  
Bob@rstern.com  
+1 408-234 6000



October 14, 2019

Dear Mayor and City Council Members,

As you know, the Lake Tahoe Basin Prosperity Plan, completed in 2010, created the Tahoe Prosperity Center and was focused on ways to improve the local community and economy. The top two issues in the original Lake Tahoe Basin Prosperity Plan that would improve prosperity in our community were:

1. Certainty in the marketplace and
2. Broadband and cell phone connectivity.

You have an opportunity to do both in the case of the cell tower located at 1360 Ski Run Boulevard and begin that process of improving prosperity. As stated in our previous email of August 5, 2019 the Tahoe Prosperity Center is very concerned about the public safety ramifications (and negative consequences) of reversing the approval of a previously approved cell tower that is desperately needed.

LIE

We are also concerned about the misinformation being shared about potential negative impacts from cell towers and about the process they believe you should follow as you make a determination. We address each of those below using the “quoted language” of those who have not been named, but list themselves as “Concerned Citizens of South Lake Tahoe” as they have been emailing me.

- 1) **“We already get good coverage here.”** Public safety is our number one priority. Provider maps have two primary levels of service and while coverage maps do show much of this region as “covered” that is simply one level of service. My house in Meyers is “covered” on both the Verizon and AT&T maps. However, I have to stand in my driveway to get one bar of service, and generally only mid-week on clear, sunny days. I am not able to use my phone inside my house or even outside on my back deck, so I have a land-line. In the Ski Run area, you can stand out on the sidewalk and probably get a bar or two of service, but in-building service is not consistent in much of the area this new cell tower will serve. Having service both inside and outside of buildings is needed for emergencies.

LIE

- 2) **“You are complicit in ‘harming our children’.”** As you will recall from the expert scientific testimony on April 2, 2019, there are no negative long-term health impacts related to cell towers and the radio frequencies they utilize. The American Cancer Society, World Health Organization and the Federal Drug Administration concur. Most of us drink coffee every day. Coffee and cell phones/towers are both listed as a “possible” 2b carcinogen according to the International Agency for Research on Cancer (IARC). In addition, baby monitors, WiFi routers and other electronic devices in our homes use the same radiofrequency waves. We are not suggesting banning coffee, baby monitors or Wifi, yet this group asks you to ban cell towers.

LIE

F.U.

- 3) **“Just put them on public lands.”** Some have suggested that cell towers can “easily be relocated to public lands” in the Tahoe Basin. That is simply untrue. Our Connected Tahoe project mapped all of the public land in the Tahoe Basin and the towers that are able to be placed on those lands have been evaluated. The few sites identified for public lands are moving forward through the normal permit processes, but one of those has been in process for nine years! Yes – nine years of permitting. Our evaluation found only a handful of sites determined as viable on public lands. We recognized that private property, such as the land at 1360 Ski Run Boulevard is a better solution for improving public safety and cell service and it will be co-located with multiple carriers.

LIE

Heavenly  
DAS  
used  
ski resort  
special  
use permit



4) **"This is not proper planning."** It has also been suggested that these sites are being proposed without thoughtful consideration and that providers should give up their "master plans" publicly. Not only does this fly in the face of "business competitive advantage", it is also factually incorrect. Tahoe Prosperity Center did map proposed cell tower sites in the region and this location is a priority site. Additionally, a significant amount of research, engineering, design and thought goes into the siting of a proposed cell tower. Each one of these proposed towers goes through an extensive (some might say exhaustive) permit process with the local jurisdiction and the Tahoe Regional Planning Agency. The Planning Commission did its thorough review and approved this site and we believe you should uphold their decision. The TRPA will also do its thorough review.

5) **"Just create a new ordinance for cell towers."** Regarding certainty in the marketplace, Tahoe is already well-known as a place that is challenging to do business. We struggle with bringing private investment to our region due to the level of uncertainty in the market – whether for a cell tower, a housing development or retail and business opportunities. This exact site was approved six years ago for a mono-pine for AT&T, who chose to re-direct their investment into CAF-II (Connect America Funding) instead. Their approved permit expired as they redirected into CAF-II. It should be noted, there was no opposition by neighbors to the exact same location at that time. Verizon decided to apply for the same site and the City's Planning Commission unanimously approved it. While we agree a clear and concise City telecommunications policy makes sense, changing the rules halfway through a permit does not. We applaud the effort of the City Manager to try and find a suitable alternate location for this tower as a win-win solution, however, that effort is costing Verizon and the City - in terms of staff time, re-design studies and engineering. It should be fully accounted for and factored into any future permitting costs to Verizon.

6) **"We don't really need another tower."** Another critical issue is capacity. Without adding some large co-located towers such as this one, along with small cell towers on utility or light poles, we run the risk of not being able to send texts or make calls in an emergency situation. Given our heavy population increases during holiday periods, as well as our winter and summer visitation seasons, we must add cell service capacity in order to serve both our residents who live here full-time, and our visitors when our population swells. We can see up to 250,000 visitors in busy holiday weekends, so both large and small cell towers are needed to cover that many people. You simply cannot protect the community with the existing cell tower infrastructure. Even your Police and Fire departments rely on cell phones to communicate – something that could greatly impact their ability to respond in emergencies without improved coverage.

I would argue that those who oppose this cell tower would still like to see improved cell service, but just not in "their neighborhood." As stated earlier, these towers can't simply be located on US Forest Service (USFS) public lands. USFS lands have already been evaluated and the minimum number of sites that were determined feasible are moving forward, but those few sites will not be enough to improve coverage for all our residents, businesses and visitors in the community.

We hope that you support the City Planning Commission and the previous approval of the cell tower at 1360 Ski Run Blvd – for the safety of all the residents of the City of South Lake Tahoe.

Thank you,



Heidi Hill Drum  
CEO, Tahoe Prosperity Center

Lie