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South Lake Tahoe City Council
April 1, 2025

Item. 2 Measure T

1. As a proponent of Measure T, Scott Robbins should be recused from participating in proceedings related to it due to a conflict of interests.
2. For Non-Chartered cities like South Lake Tahoe, the California Constitution requires that an initiative apply uniformly to the entire city. “A city or county initiative measure may not include or exclude any part of the city or county from the application or effect of its provisions”. (ARTICLE II VOTING, INITIATIVE AND REFERENDUM, AND RECALL [SECTION 1 - SEC. 20] SEC. 11. (a)) I

Because Measure T specifically excludes areas of the city, it violates the California Constitution restriction on the powers of the initiative process and it is statutorily not a valid legislative act.

3. Measure T only passed by 58 votes, however, 1,400 VHR owners who would have voted against it were unlawfully prohibited from exercising their legal right to vote at their SLT residences by the Registrar of Voters.

Under both State of California and Federal law, second homeowners were legally entitled to vote at their second residences since the passage of The Help America Vote Act signed into law by President George W. Bush On October 29, 2002, 16 years before the 2018 Measure T vote.

It was not until August 8, 2024 El Dorado District Attorney's office acknowledged that voters with more than one residence who wish to register to vote at their South Lake Tahoe residence could legally do so, however this was 6 years after the damage done to the Measure T vote.

Deputy District Attorney Miles B. Perry's letter provides a correction the letter only states that “a voter who has more than one residence must choose the residence for which they claim a property tax exemption on their taxes (if any) as their primary residence for purposes of voting in an election. The election law further states that the primary residence is determined by the address used for your driver's license and vehicle registration.”

Measure T would have failed except that 1,400 residents were illegally denied the right to vote - and all of those were VHR owners

John Messina

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