

PVP Watch Newsletter – January 15, 2015

To Our Friends and Supporters

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It's 2015 and We Wish a Happy and Prosperous New Year to All!

2014 was an interesting year and again we congratulate David Hadley for being elected as representative to the California State Assembly 66th District which includes the Palos Verdes Peninsula. Final tally was conducted on November 24th and Mr. Hadley won by 706 votes. A hard fought campaign with a successful conclusion. In addition to Mr. Hadley, a sufficient number of Republicans were elected to break the Democratic super majority grip on the California Legislature. A more meaningful consideration is that breaking the Democratic super majority grip on the California Legislature means that the effort to decimate Prop 13 has been stopped, at least for the next several years.

In RPV Jerry Duhovic completed a successful term as RPV mayor. Duhovic leaves a standard that will likely be difficult for his successors to emulate. In fact it appears with Jim Knight as mayor and Susan Brooks as mayor pro tem, RPV has taken two steps backward. Next election for the RPV Council will be November 2015. Those whose terms will end and it is presumed that Brooks, Duhovic and Knight will stand for reelection.

At RHE, John Addleman is the mayor for 2015 with Steve Zuckerman the mayor pro tem. Both of these gentlemen have considerable Council experience and we are unaware of any significant issues that will be confronting the RHE Council in 2015. RHE will also have council elections in November 2015.

PVE elections were scheduled for March 2015. Three existing Council members; Ellen Perkins, Rosemary Humphrey and John Rea did not stand for reelection and three candidates; Jennifer L. King, Betty Lin Peterson and James D. Vandever filed for those positions. The result is that since there are no contested seats, the election has been cancelled and King, Peterson and Vandever will be appointed to the three Council positions.

RH will also be having Council elections on March 3, 2015. There are three positions open with one incumbent Councilman Jim Black standing for reelection. The seven new candidates are; James Aichele, Arun Bhumitra, Spencer Karpf, Leah Mirsch, Clint Patterson, Terry Reiter and Patrick Wilson. Should be an interesting election as recent history has limited applicants for these positions.

PVE – Via Panorama

Following are the highlights of a report posted by Renata Harbison. Further detail is posted at www.pveopenspace.com. Please note that some of the files are large and it may take some time to load when you access the PVE Open Space website.

On November 5, Judge Barbara Meiers denied the City's' latest motions to dismiss the case. On December 5, the Citizens for Enforcement of Parkland Covenants filed a motion for summary judgment. The purpose of the motion is to ask Judge Meiers to rule on the central legal question of the lawsuit: does the Palos Verdes Estates Homes Association/City of Palos Verdes Estates have the power to sell public parkland to a private party? The motion is scheduled to be heard February 25th.

Apparently the defense strategy is to delay and attempt to obfuscate the situation with legal maneuvering. Judge Meiers hearing on February 25th will be important to both parties. For further information contact Renata Harbison at Renata_Harbison@yahoo.com or 310.373.2349.

RPV - Issues

Looking back at 2014 one of the more significant failures of the RPV Council was that the majority (Brooks, Knight, Misetich) opposed Mayor Jerry Duhovic's proposal for the Council to discuss updating Municipal Codes 2.04 & 2.08 which define the responsibilities of the Council and the City Manager. The MC's were written in 1974 and have not significantly changed since then and are outdated. PVP Watch supported Duhovic's efforts then and continues to believe that the Council majority of Brooks, Knight and Misetich screwed up big time for not updating these two MC's to reflect current needs.

Council oversight of the City Manager is one of the issues. The current majority (Brooks, Knight, Misetich) reportedly subscribe to a questionable philosophy that the Council is merely a Board of Directors that sets policy and has very limited influence on City Manager / Staff actions and decisions. This is also a viewpoint expressed by some past councilmen including Tom Long, Larry Clark, Stephen Wolowicz et al. Any knowledgeable person observing RPV City Hall management "in action" quickly realizes that management practices now in place do not serve the best interests of RPV residents. Councilmen / Councilwomen are elected to ensure that the public interests are protected with appropriate oversight. However, current operating procedures prevent the Council from achieving these objectives. Some perceive that Council oversight is Councilmantic interference. A paradox is that while Council member Susan Brooks is against oversight, she has an office at City Hall and apparently is at City Hall several days each week for considerable periods of time. Is this not a contradiction? We welcome public comments on what residents believe Council "oversight" of City Manager / Staff actions and decisions should be. Please send comments to info@pvpwatch.com.

RPV – Utility Users Tax

PVP Watch has posted previously concerning the UUT and the City's improper (illegal) collection of the telecommunications portion of the UUT. Not to regurgitate this lengthy matter but to focus on the disgusting behavior and lack of judgment by the City Attorney and RPV Staff. Highlighting the matter is that City Attorney Lynch was unquestioningly well aware of the probable legal action against RPV by what had been occurring with other cities who were clients of Lynch's law firm (Richards, Watson & Gershon) and were collecting similar UUT taxes as RPV. In this instance a Public Records Request was filed with RPV on or about May 28th 2014. The Council was not informed by either City Attorney Lynch or acting City Manager Petru until a special meeting on July 4th with Staff's cockamamie scheme for a Special Election to obtain voter approval of the UUT tax that RPV had been illegally collecting for many years. What is even a greater issue is that some of the Council (Brooks, Knight, Misetich) voted in favor of having a special election so that RPV could continue collecting the UUT. Fortunately two Councilman, Campbell and Duhovic saw thru staff's subterfuge and opposed the Special Election. Partial refunds to RPV residents are forthcoming and a lawsuit against the City has been filed.

RPV - Green Hills

An ongoing melodrama is the Green Hills Cemetery with the current debate over the location of the Pacific Terrace Mausoleum; this matter is scheduled for the January 20th Council meeting. The staff reports and related materials are now posted on the RPV website, January 20th agenda items. The files are voluminous with many attorney and other correspondence. Unfortunately, it seems that this matter will have significant legal liabilities (legal costs) and it is difficult to perceive that since RPV staff approved the project how RPV can escape from liability in this matter.

A matter that should be of concern to RPV residents is the lack of Council oversight of this very serious situation and the potential financial penalties that RPV may incur. Apparently, and because of a resident's letter questioning staff's actions, mid-August 2014 Acting City Manager Petru / City Attorney Lynch initiated a supposedly unbiased 3rd party to investigate and to report back as to what was found relative to whatever the unbiased 3rd party was directed to investigate. As of now, neither the Planning Commission nor the Council are privy to what the unbiased 3rd party is doing nor what the investigation is costing. Hopefully RPV residents are feeling "warm and comfy" that RPV City Hall is representing us well. Perhaps if Council members Brooks, Knight, Misetich had greater interest in Council oversight of the Staff, this matter would not be spinning out of control.

RPV - City Manager

Likely, many are aware of the new City Manager brouhaha wherein after months of surveys, public hearings, interviews etc. the Council made a decision on their 1st choice candidate (December 16th Council meeting) for the City Manager position. Within a few days the deal fell apart primarily due to differences as to when the candidate (Bill Widmer) would be on the job in RPV. Our observation is that the process was likely the culprit as time went on focusing on contract details with little communications between both parties. One report is that

staff was not enthused with the Council's selection as Mr. Widmer would bring "change" which is not what the staff desired. Of course we are already aware that the Council majority does not desire oversight.

RPV – Parklands

For those unaware, RPV is currently engaged in an Update of the Parks Master Plan. RPV is overly subscribed to passive recreation such as the nature preserve / hiking trails etc. While hiking trails are good, active recreation in RPV has been seriously neglected for many years. Interesting is that the Parks Master Plan which is now being updated was prepared in 1989 and many of the deficiencies then remain deficiencies today. Go to www.palosverdes.com/rpv/parksmasterplan to learn about the project or to take an online survey. This is an opportunity to make your concerns about RPV parklands known.

One of the concerns shared by the RPV community is RPV's relationship with the PVPLC (PVP Land Conservancy). The PVP Watch position is that RPV should have primary management responsibility for managing RPV's parklands rather than the land conservancy. Costs for the PVPLC are excessive and the PVPLC has demonstrated a lack of parklands management expertise.

Crime on the Peninsula

Going forward into 2015 one of the more significant issues confronting life on the Peninsula is the increase in "professional" thief's. Reports are that the thief's have increased their "professionalism" by casing neighborhoods, taking pictures and gathering data such as when people are home etc. Topping this off is that the thief's are often using late model hi-end autos with paper (no license) plates thus outsmarting surveillance cameras. Residents need to be aware of their respective neighborhoods and watchful for unusual circumstances. When neighbors report strange / unusual situations to the Sheriff's office in a timely manner, the Sheriffs can promptly respond and have made some good arrests. To protect residents, the Sheriff's need actionable information. We commend Captain Bolin and the Lomita Sheriff's for the many good arrests they have made.

PVP Watch

PVP Watch welcomes reader comments. Please send comments to info@pvpwatch.com

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One of the current email issues is overactive "spam" detectors and we urge everyone to enter info@pvpwatch.com and PVP Watch into their computer address book

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