

## **PVP Watch Newsletter – July 18, 2010**

To Our Friends & Supporters

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### **PVPUSD Construction Bonds Citizen's Oversight Committee**

*This report concerning the PVPUSD oversight committee was prepared by Don Reeves, one of the principals of PVP Watch:*

Having served 4-years on the PVPUSD Citizen's Oversight Committee (COC) for the Measures R & S Construction Bonds it seems appropriate to provide the taxpayers with an assessment of the program. The bonds total was \$40 Million with additional funding from other state sources of approximately \$26 Million. The total available funding was thus \$66 Million including contingencies for over 120 projects.

First and foremost I must congratulate the PVPUSD staff for their dedication to the managing of the projects as approved by the school board. That does not mean there were not problems and thus the following addresses some of those issues remembering that a preponderance of projects were completed on time and within budget.

Perhaps the most challenging was the 17 classroom project for PV Peninsula HS where the budget increased from \$8.9 Million to \$11.6 Million due to changes in design requirements with a delay in opening of about 2 years; the latter was primarily due to the contractor's bankruptcy and a significant construction problem. The final result, however, was a much needed new facility.

One issue of which I was in the minority was the approval of an upgrade of the proposed practice gym at PV Peninsula HS to a full gym at an estimated cost of \$1 Million. My argument was that with insufficient funds to complete all of the projects it did not seem appropriate to provide a second full gym. The board agreed with the argument that it would be a community resource and approved the expenditure. Subsequently, with creative design and the suffering economy, the

budget for the gym, a second 12 classroom building and the band room is now less than the original budget. I estimate that the full gym will probably cost about \$0.5 Million more rather than the approved \$1 Million for the "practice" gym.

Tracking the available funds is not easy for the staff and harder for the oversight committee to follow. It appears that the firm available funds are now \$75.9 Million (note that the original total funding was \$66 Million) with another \$8+ Million possibly available at some future time for a total of about \$84 Million; with the state in a financial crisis, that \$8+ Million remains highly questionable. The board has been very conscientious in only approving projects where funding is firm and thus has approved almost 100 projects based on their priorities totaling the \$75.9 Million. The issue that I have pursued is to let the taxpayers know what the projected cost of the total program would be as there are over 30 projects left to be addressed. At one time when costs were escalating, a very rough and conservative estimate of almost \$100 Million was made by the construction management company. Although their team was considered to be dedicated there were issues of subcontract and architect management problems that the COC addressed. The school district has been reluctant to talk about this but my best estimate is that the total cost of all promised projects will be about \$90 Million and would thus exceed the perhaps promised \$84 Million. This is an observation rather than a criticism but the PVPUSD should be more forthcoming with the taxpayers.

A related issue is the current controversy over Lots C & D. The district claims that the \$2- 4 Million in their sale would help address my "projected" shortfall of \$6-14 Million depending upon how you do the math. The issue resolves around whether or not the PVE Homes Association deed restrictions still apply. Although there is more detail the PVPUSD argument centers on the following statement: "The Homes Association deeded Lots C & D to the District's predecessor in 1938 with a restriction that the land be used only for "public schools, parks, playgrounds, and/or recreation areas." The 1938 deed contains a provision purporting to require that the land revert to the Association should the use restriction be violated. However, because a notice of extension was never filed, the right of reverted or termination expired 30 years ago in accordance with Civil Code Section 885.030." A recent demurrer filed by the Home Association was denied by a judge in late June so this issue will be taken up by the court in the near future.

In summary, it is fair to say that the construction program was much needed and was supported by PVP Watch. There were some problems and one can draw one's own conclusions about cost growth but the staff is to be complimented on their dedication to the PVPUSD.

Don Reeves

## RPV

*Next, 50 ways to leave your trash can was submitted by an RPV resident who asked to remain anonymous..*

### “FIFTY WAYS TO LEAVE YOUR TRASH CAN (IN THE FRONT YARD)”

Attached PDF contains about 50 “front yard” (*PVP Watch did attach photos as it reported that similar circumstances exist in many sections of RPV*) views (from a sample of 100 homes) in our area. If this trend carries forward to the rest of the 12,000+ homes in RPV we can rest comfortably in that RPV (with the help of EDCO and the RPV council members that voted the new trash collection contract) is rapidly obtaining its deserved 3<sup>rd</sup> World Image.

First, I have no complaint with my neighbors for what is transpiring – many owners find the trash containers too heavy to move when filled, too large to enter the gates to their rear yard, and or have other restrictions such as inclines, landscape obstructions, etc. I have talked with many neighbors that are as upset as I am with the new collection system. I have not met one owner of the approximately 25 I talked with that is in favor of the new system. Owners are also upset about the once a week service and expect a fly problem during hot weather. A few have commented that the new trash vehicles are larger in size (and probable gross vehicle weight) and wonder if the new vehicles will accelerate the physical damage of our streets.

Also note in the images that some residents are apparently giving up on moving the containers and are leaving them in the street permanently. My views were taken from the public street on a Monday – collection day is Wednesday. Also, Wednesday is street sweeper day – guess how that worked out last week with thousands of 96 gallon containers located in the street? Recall that with the last collection system residents kept containers on the small green way belt between the sidewalk and the street. New collection policy demands the containers be in the street.

Second, perhaps we can ask the RPV council the following:

1. Did the \$160,000 city council expert consider the possible damage the increased sized trash vehicles may cause our streets?
2. Did the \$160,000 city council expert consider RPV demographics wherein RPV has a large senior population and would likely find use of large containers physically difficult if not impossible to use?
3. Did the \$160,000 city council expert ever survey residents what their weekly collection preferences were for “Trash” pickup before deciding the current atrocity? I do not think so.
4. Doubtful that RPV council is willing to admit it really badly screwed up trash collection

5. Note: I have not met or talked with any homeowner that was not willing to have the collection expense increase if that what was required to keep the former system.  
(end of resident letter)

Those with over or under sized containers can request different containers by calling EDCO at 310 540-2977. Apparently EDCO has a substantial number of change requests because containers have been sitting at curbside for at least 3 / 4 weeks awaiting delivery of different size containers. Perhaps City Hall can speed up this process and we can get all of the large trash containers off our streets.

By the way, on June 29th the esteemed Council adopted Ordinance No. 511 which modifies RPV municipal code to include "*The storage of trash, garbage or refuse cans, bins, boxes or other such containers in front or side yards, which are not substantially screened from view from the public right-of-way, except when placed for collection pursuant to the provisions of this code:*" Note this is ambiguous and does not state what should occur. Presuming intent is "out of sight" and some believe City Hall is the solution rather than the problem.

Those Seniors who have not yet submitted their application for a Senior discount, the application form is posted at [www.pvpwatch.com](http://www.pvpwatch.com). Go to the top of the Current Issues page. The form can be downloaded / printed from there.

### **RPV Storm Drains**

As expected, the RPV Council voted to extend the Storm Drain User Fee (Tax) for FY / Fiscal Year 2010 / 2011. We do commend Council members Campbell & Missetich for voting against the approximate \$2.00 per property increase. While the effort was merely symbolic, supposed conservative Wolowicz and never miss a *tax or fee opportunity* Long & Stern supported the increase that will result is some \$15,000 or so annually.

The real issue here is why are TOT funds (Terranea Occupancy Tax) not being used for Storm Drain repairs? As PVP Watch has previously reported, **\$1,000,000 of TOT funds** have been budgeted for FY 2010 / 2011 for planning the proposed new City Hall and the **\$2,000,000 TOT received the past year** are budgeted towards proposed expansions of Hesse and Grandview parks. Did not then Council candidates Long, Stern & Wolowicz during the 2007 election process, then commit that they would use Terranea TOT funds for Storm Drain when they became available? It appears that priorities **DID NOT** get properly ranked when the budget was being prepared. Three years ago, storm drain maintenance and repair was "Job 1." How did a new city Hall gain so much "want"? The City staff has not presented any compelling arguments demonstrating "Need" for a new City Hall. Of course those three are now "Lame Ducks" not running again for the RPV Council

so why would they care? Anyone else thinking *Initiative* to restrict TOT funds to Storm Drains and other limited infrastructure uses might be appropriate? Seems the only way to get sanity at RPV City Hall is to do an *Initiative*.

### **RPV & Marymount – The Continuing Saga**

Some have asked, "why is PVP Watch supporting Marymount and the Marymount Plan Initiative?" Simply stated, and should not be a surprise to those who have been a PVP Watch Newsletter subscriber, we believe in integrity and transparency in government which is something in short supply in RPV. For those who have had dealings with the RPV Planning Dept now known as Community Planning and managed by Joel Rojas can relate to the delays to Marymount project by Rojas and staff.

In so far as the Initiative is concerned, the Initiative began in a February 2010 timeframe after another unneeded and costly EIR report ordered by the RPV Council in response to Marymount seeking accreditation for a 4-year Bachelor program was reported to the Council that the program would have no effect on the community what so ever. The anti-Marymount group CCC/ME then again appealed that action.

Over the next months there were a number of extended Council sessions with more Marymount hearings. While this was occurring Marymount was gathering resident signatures in support of the Marymount Initiative. That the Initiative process was underway was well known to the Council, but the hearings and uncertainty continued. Early June it seemed obvious Marymount had collected the necessary signatures to place the Initiative on the November ballot, the RPV Council then approved most of the Marymount Plan. Interesting..... the Council finally approved most of the Marymount plan after it seemed obvious the Initiative had sufficient qualified signatures.

Undoubtedly, Tom Long & Doug Stern were also concerned that another lawsuit was probable. For those who question why Marymount continues with the Initiative process after the RPV Council had approved most of what Marymount requested, what guarantees have been presented by RPV that there would be no further onerous regulations imposed on Marymount by RPV?

Clearly, according to Marymount opponents, *Armageddon* has descended on RPV and the anti Marymount organizations; CCC/ME along with their accomplices CHOA (Council of Home Owner Associations) and COCIII (Save Our City) with long ago ex RPV Mayor Ken Dyda in charge are in full panic.

Several excerpts from a recent letter sent to RPV HOA's (Home Owner Associations).

- **The quality of life in Rancho Palos Verdes is in jeopardy and we need your help!**
- **Which new or existing controversial development project will try to use this *special district* next?** Oh please.... Let's get real. The real issues are EGOS and that some want

unbridled control over people and their property. SOC's statement that "*creation of Special Districts as a way to approve high-density development projects in our City*" is ludicrous.

SOC's recent letter to HOA's seeking funding support is posted at [www.pvpwatch.com](http://www.pvpwatch.com). Go to the Current Issues page and it is labeled "The Sky is Falling." Having previously listened to Mr. Dyda's presentation, PVP Watch found his arguments hyperbolic and un-persuasive which was not surprising given his position on the Initiative issue.

### **Abalone Cove**

A new group, Save Our Shoreline, has initiated a campaign to prevent the City of Rancho Palos Verdes from plunking a large building down in the middle of Abalone Cove Shoreline Park (across from Wayfarers' Chapel) A petition is being circulated but the Save Our Coastline group does not yet have an online website. It is anticipated that will happen soon.

#### **Why do they object?**

It is **COSTLY**: Rather than following guidelines already approved by the City (with considerable public input) to improving trails, plantings and signs (all of which could be accomplished for a fraction of the cost of the current proposal) RPV has applied for a state grant to build a nature education center that would occupy 5900 square feet and cost \$7,000,000 in bond funds from the state plus incur operating and maintenance costs **approximating \$100,000 annually** being added to the General Fund budget.

#### **We should be putting money and resources into improving what we have.**

It is REDUNDANT: It would become the 6th such center on a 9 mile stretch of coastline: We already have Point Vicente Interpretive Center, Ladera Linda Nature Center, White Point Nature Center, Deane Dana Friendship Park Nature Center, and Cabrillo Marine Aquarium, plus George F. Canyon Nature Center a few miles inland.

We can learn about nature by experiencing it directly in addition to visiting existing nearby nature education facilities. We don't need another building in the coastal zone. PVP Watch will keep readers informed on this important matter.

### **What Does this Mean?**

It is an interesting paradox that Doug Stern and his various cronies and surrogates, oppose the Marymount initiative supposedly because Marymount, according to SOC III will bring on Armageddon if the Initiative is approved by RPV voters while at the same time vigorously supporting a **GIVE-AWAY** of public land to the Annenberg's and simultaneously seeking to build another nature center at Abalone Cove. Readers should also read the response from a reader who recently happened to be sitting close to Doug Stern in a local restaurant. Form your own opinions concerning

the veracity of Doug Stern and his cronies and surrogates rhetoric and then vote accordingly in November.

### **Permanent Absentee Ballot**

For those who might prefer to vote and mail in their ballot, the Permanent Absentee Voter application is also posted at [www.pvpwatch.com](http://www.pvpwatch.com). For those that might have difficulties getting to the polls on Election Day, an absentee ballot does simplify the process.

### **Newsletter Responses**

Reader comments are welcomed and should be sent to [info@pvpwatch.com](mailto:info@pvpwatch.com). Newsletter responses are posted with names removed and no editing other than obvious grammatical changes. These are subscriber thoughts and opinions and PVP Watch does not vouch for those opinions.

We have been reminded that not ALL subscribers are aware of the PVP Watch website; [www.pvpwatch.com](http://www.pvpwatch.com). Lots of good info posted here.

### **Reader Responses To July 1st Newsletter**

Did I miss the city fathers asking me if I wanted a new trash company? We had wonderful twice a week service, now once a week but we only have trash trucks three runs a week instead of four by WM. Hum...Our neighborhood looks awful with huge trash containers all over the place mainly because they can't find room for them. Oh yes, I am only 75 but I have one heck of a time maneuvering that filled green waste container up my small incline. So much for unasked progress.

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Ok, we have a new trash collection company and they charge \$1 less than waste management. They come only once per week and won't take anything that doesn't fit in the trashcans provided. Who on the city council is related or has an interest in the new company?

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Recently while eating a meal at a RPV restaurant, RPV Councilman Doug Stern was sitting / eating nearby. I, as well as anyone else sitting within 15 feet of him, got to hear his rants and raves including first and last names of many local residents that he had issues / disagreements with. He dragged PVP Watch thru the mud as well so I thought I would let you guys know that I really appreciate the job you are doing by bringing us the truth. How many more months do we have to put up with big-mouth Stern, the self-appointed Czar?

## **PVP Watch – Newsletter List**

A reminder to ALL PVP Watch supporters, should you change your e-mail address don't forget to advise PVP Watch of your new address. We suggest that pvpwatch.com be added to your computer address book to assure delivery of PVP Watch Newsletters.

## **PVP Watch – Contributions**

PVP Watch thanks the many subscribers who have contributed to PVP Watch. Those desiring to make a modest contribution, please send checks to PVP Watch PO Box 7000-22 Palos Verdes Peninsula, CA 90274

## **Subscribers**

The PVP Watch e-mail list continues to grow. For those who wish their addresses removed, please send notice to [info@pvpwatch.com](mailto:info@pvpwatch.com). Those who have topics of community interest are encouraged to bring those issues to PVP Watch.

The Editorial Committee