

# PVP Watch Newsletter – July – 20 – 2017

## To Our Friends and Supporters

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RPV – Recently Ken DeLong / Editor of PVP Watch Newsletters received a *suggestion* that his *hideout*, fondly referred to as “*the office*” needed a good cleaning. The good news is that quite a bit of *excess* paper went to the blue recycle container. In doing so was reminded that there was almost ten (10) years of Newsletters posted on the PVP Watch website beginning in August 2008 and if anyone wishes to reminisce, the PVP Watch website is a good start. Also was reminded that Newsletters began in June 2006 and focused on the then proposed Storm Drain Tax. PVP Watch has long believed that the RPV Storm Drain Tax was unneeded and was instrumental in getting the ten (10) year sunset clause.

Last year the tax expired. During the 2005 / 2006 time period the then Council and senior staff wailed incessantly that RPV would go bankrupt without the tax with the same group refusing to recognize the benefits of building the Terranea resort. In review, the RPV’s General Fund now has over \$16 million or 24% in cash balance, and the Capital Improvement Projects (CIP) Fund has over \$27.7 million or a total of approximately \$43 million (41%) total in cash balances. Terranea is currently generating in excess of \$5 million to Capital Reserves annually. Not included are Terranea’s annual property taxes, sales taxes, utility taxes etc. What HAPPENED? Brian Campbell and Anthony Misetich were elected to the Council in 2009 and subsequently Jerry Duhovic and Ken Dyda were elected to the Council as well. These gentlemen had the business acumen to effectively manage a business enterprise and thus the significant improvements in RPV fiscal policies.

This year’s mayor Brian Campbell and past mayor Anthony Misetich will be “*termed out*” and PVP Watch wants to thank these two gentlemen for their eight years of service to our city.

The Cities of Rancho Palos Verdes and Rolling Hills Estates will hold their next General Elections on Tuesday November 7<sup>th</sup>. Those interested in running for a Council position, must be a registered voter and resident of their respective city. The nomination period opened July 17<sup>th</sup> and closes August 11th. Nomination papers may be obtained from the respective City Clerks.

### Portuguese Bend Landslide Area

For those who may be new to the Peninsula and may be unaware, the Portuguese Bend slide area is a potential crisis with the possibility of a major landslide occurring. Experts say that it is not “*if*” but “*when*.” Currently the land is moving very slowly but that could change at any time. The two metal pipes that run along PV Dr. South eastward from Abalone Cove carry sewage from that area

to the LA County Sanitation facility in Carson. Anyone care to speculate about what might occur if the two sewerage lines were to be broken? Or if the PV Dr. South roadway became impossible for vehicle traffic?

After years of procrastination and delay, recently the RPV Council formed a Council committee consisting of Councilmen Jerry Duhovic and Ken Dyda to provide purpose and direction to identifying the issues and building a plan to resolve this long standing dilemma. We support the selection of Councilmen Duhovic and Dyda as the two best qualified to take on this critical project.

It has been reported the PVPLC (Land Conservancy) has “blown the whistle” on the City for not obtaining the appropriate “wildlife” permits from the State and other agencies before they damaged the Habitat. What nonsense! Why do the Residents of RPV have to continue to tolerate the *inept* Palos Verdes Peninsula Land Conservancy as they bring nothing of substance to RPV other than projects such as the Alta Vicente Preserve? What is the Alta Vicente Preserve? This is the five acres or so below City Hall and across from the PVIC and the Coast Guard station. The PVPLC removed all of the non-native plants and replanted with “habitat” with five acres of sprinklers to assist the “habitat” to grow. Interesting is that RPV could not water Hesse Park because of drought restrictions but there is enough water for the “habitat.” Make sense to anyone?

### Automatic License Plate Readers – Camera Technology

ALPR camera technology was recently installed in the four (4) cities on the Palos Verdes Peninsula. The results have been astounding and following is a “piece” written by one of PVP Watch members who is a retired law enforcement officer. Hopefully readers will find this interesting.

The predecessor of the Automatic License Plate Reader (ALPR) was invented in England in 1976 and originally named Automatic Number Plate Recognition. This technology became more prevalent in the 1990s as the cost of the equipment became cheaper and about this time it began to appear in the United States. A 2014 RAND study indicates that in 2012 71 % of the law enforcement agencies surveyed in the United States had ALPRs and that 85% planned to acquire, or expand their use of them.

In 2007 the Los Angeles Sheriff's Department (LASD) began to utilize ALPRs and in 2016 the LASD brought this crime suppression tool to the Palos Verdes Peninsula. Sergeant John Gaw of the LASD Advanced Surveillance and Protection Unit advised that 39 cameras are now strategically placed at major intersections throughout the four cities on the Peninsula and that city officials determined these locations. A total of 45 fixed site cameras, which capture the rear license plate on vehicles entering and exiting the community, have been jointly purchased by the four cities and cost approximately \$15,000 each. He explained that as the plates are read by the cameras they are instantaneously compared to license plate numbers contained in “hot lists” compiled by federal, state and local law enforcement agencies throughout the country. Typically these are stolen vehicles, vehicles used in a serious crime, vehicles that might contain missing persons or vehicles utilized by fugitives or known terrorists. When a “hit” occurs the dispatcher at the LASD Lomita Station immediately informs a patrol officer in the vicinity and if the vehicle is located an appropriate stop, and possibly an apprehension is made.

Sgt. Gaw stated that the records of the license plates are retained in the LASD database for five years and then deleted, unless there is a significant reason for retention, such as evidence in a case being litigated. The only way to access the records is for legitimate law enforcement reasons and even then the only law enforcement agencies eligible to do that are ones that sign an agreement with the LASD to comply to its privacy rules and standards. This agreement contains in it, amongst other things, the requirement for audits to monitor who has been accessing the information. Some of the local law enforcement agencies who have signed the

agreement are the Palos Verdes Estates Police Department, the Torrance Police Department, and the Long Beach Police Department. This database is monitored and routinely audited by the LASD and is not only secure, but all the data maintained in it is encrypted. Sgt. Gaw pointed out that if there is a suspect vehicle involved in a crime and a witness is able to only recall a partial license plate number, or perhaps simply the make and color of the vehicle, this minimal amount of information can be run against the database for possible matches. Also, if there is a major crime or multiple burglaries in an area, or within a certain time period, suspicious vehicles that have transited key intersections can be identified to assist investigators in solving the crime. This can be an invaluable investigative tool.

LASD Captain Daniel Beringer, commanding officer of the Lomita Station, recently advised that since the ALPRs became active on August 25, 2016, at selected intersections on the Peninsula 3,500,000 vehicles have been scanned each month resulting in 4,000 hits each month. From these 49 arrests have been made and 30 stolen vehicles recovered. None of the arrests were of Peninsula citizens and many were made in the early morning hours of individuals with no legitimate excuse for being in the area. Based on this it is logical to assume these arrests thwarted serious criminal activity. At any given time there are six LASD deputies in the three cities on the Peninsula protecting and serving more than 50,000 citizens and visitors. These six men, and/or women separate civil society from possible chaos around the clock every day of the year. These ALPRs give these officers another tool to do their job more efficiently and safely.

For those interested, the LASD provides crime reports on LASD crime reports. Go to <http://www.Nixle.com>

### Ladera Linda – AYSO Soccer Fields

The Saga(s) continues..... It was April 27<sup>th</sup> 2016 when the DTSC and other state agencies raided the PVP Unified School District facilities. After a year of bureaucratic delay, May 30<sup>th</sup> 2017, the DTSC approved soil test process was conducted and hopefully test results will be posted soon. However, the DTSC has never posted the results of the soil samples gather on the April **2016** raid, so who knows??

DTSC website - [http://www.envirostor.dtsc.ca.gov/public/profile\\_report.asp?global\\_id=60002419](http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60002419)

### PVE – Update

**Panorama Parklands Case:** In 2015. CEPC (Citizens for Enforcement of Parkland Covenants) won its lawsuit against the Palos Verdes Homes Association (PVHA) and the City of PVE which compelled the PVHA to void its illegal sale of parklands to an encroaching resident. The City and PVHA appealed the case, and we are now 21 months into the appeal.

On November 9, 2016, the Defendants filed their Appellate Opening Brief (AOB) in their appeal of the ruling in the CEPC case to reverse the sale of the Panorama Parklands. On April 24, 2017, CEPC filed their response. CEPC also filed a Motion to Augment Record on Appeal which included 295 pages of documents related to the earlier 2010 case of Palos Verdes Peninsula Unified School District vs Palos Verdes Homes Association over Lots C & D; this allows the Judges to see the arguments that PVHA made in that case, and show that PVHA is contradicting themselves in the current CEPC Panorama Parklands case. For the briefs and all documents from both sides, see [www.pveopenspace.com](http://www.pveopenspace.com).

The next steps are one more cycle of briefs from each side, followed by the first Court appearance in front of the Appellate Judges which may occur in the fall. If that timing occurs, a decision by the Appeals Court would be rendered in early 2018. CEPC feels good

about our Brief and are confident that we should prevail, but if we don't, then the case goes to trial. If we win the appeal, the case is over (unless the Defendants take it to the State Supreme Court) which is unlikely.

New PVE City Councilmember Sandy Davidson proposed on April 25<sup>th</sup> that City Council drop the appeal on the Panorama Parkland ruling. Mayor Jim Vandever and Councilmember Jennifer King both pushed back and rejected the idea, Councilmember Betty Lin Peterson tried to change the subject, Councilmember Kenny Kao did not comment, and the matter was not brought to a vote.

**PVHA Election Lawsuit:** In May, ROBE (Residents for Open Board Elections) filed a lawsuit to compel PVHA to count January 2017 ballots, accept the result, and lower quorum in future elections. After trying for four months to convince the PVHA Directors to act responsibly and to extend the January election, ROBE drafted a petition in April to ask the court to lower the quorum and gave the petition to PVHA with the suggestion that they file the petition themselves; ROBE offered to contribute \$1500 to cover court filing fees. PVHA's attorney Sid Croft responded that they would not file a petition. Having exhausted the avenue of seeking PVHA's cooperation in the matter, and the PVHA Board voting to do nothing about the election and quorum, Ried Schott and ROBE (as named plaintiffs) have filed a lawsuit to compel the PVHA to:

Open the ballots, count them, and accept the top five candidates as Directors

Lower the quorum on future elections to 25% from 50%

Lower the quorum on changing the By-Laws from 67% to 40%

Require all candidates (including incumbents) to comply with the process for collecting nominating signatures

Require PVHA to do three mailings (unless a quorum has been reached with less than 3 mailings)

Allow for proxies, drop-off of ballots, and cumulative voting (which means if there are 5 positions, the voter can allocate 5 votes however the voter wants, such as one vote for each for 5 candidates or 5 votes for one candidate)

PVHA is now opposing making any changes, and the matter will be heard on August 31. For more information and all documents, see [www.pvegoodgov.org](http://www.pvegoodgov.org).

### *PVPUSD Schools*

School Superintendent Don Austin announced recently that the Palos Verdes Peninsula Unified School District will develop a [Facilities Master Plan](#) that will guide the district's plans for district-wide renovations and updates. Superintendent Austin reported that campuses across the district have aging buildings, cracked concrete and design issues. And while district staff has kept facilities running and fixed safety issues as they have arisen, there's a need for a plan to address short- and long-term issues on campuses around the Peninsula.

Most PVPUSD buildings were constructed prior to 1968. Since then, district staff has maintained the facilities, but after some 50 years (or more) are now confronted with the need of upgrading, repair and maintenance projects. The schools are no different than homeowners, without a plan in place for improving or replacing buildings how can priorities be established?

Although the naysayers will be critical, it seems to PVP Watch that Superintendent Austin and the PVPUSD Board of Trustees is making a smart business decision by working ahead of the curve to identify infrastructure problems and will have a plan to update facilities as needed.

### **PVP Watch Welcomes Subscriber Comments**

PVP Watch welcomes subscriber Comments. Please send comments to [info@pvpwatch.com](mailto:info@pvpwatch.com).

A current email issue is overactive “spam” detectors and we urge everyone to enter [info@pvpwatch.com](mailto:info@pvpwatch.com) and pvpwatch into their computer address books. This signals your ISP (Internet Service Provider) that you wish to receive PVP Watch newsletters.

Those who have topics of community interest are encouraged to bring those issues to [info@pvpwatch.com](mailto:info@pvpwatch.com) as well.

### **PVP Watch Welcomes Contributions**

PVP Watch appreciates the financial contributions of the many subscribers who have sent checks to PVP Watch as we remain on the financial support of our many subscribers. Those wishing to make a modest contribution, please send checks to PVP Watch / PO Box 2041 / Palos Verdes Peninsula, CA 90274

### **PVP Watch – Newsletter List**

A reminder to ALL PVP Watch subscribers, should you change your email address, don't forget to advise PVP Watch. For those who wished to be removed from the PVP Watch newsletter data base, please notify [info@pvpwatch.com](mailto:info@pvpwatch.com).