

PVP Watch Newsletter – July 26, 2013

To Our Friends and Supporters

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RPV in Chaos...

The several months saga regarding the Change Order that resulted in changing the type of pipe for the San Ramon Flood Control project was pretty much concluded at a special Council meeting on July 2nd. Past PVP Watch Newsletters has provided detail of resident concerns. Although the Council concluded that staff acted appropriately, residents happily observed City Manager Lehr's announcement at the Council's July 16th meeting that the following actions were underway; (1) purchase of a new time clock with synchronization capabilities that will hereafter be checked for accuracy when Bid Proposals are anticipated. (2) Council hereafter will be advised whenever any Bid Proposal is being contested. (3) A better bid appeal process will be developed. (4) Will clarify authority for approving change orders. These four actions are appropriate and should improve the process.

RPV residents will recall that one bidder's response was not accepted as it was purportedly a minute late but it was then reported at the July 2nd by the winning contractor L.H. Woods that they had observed the time clock to be two minutes fast. The reasons for concern were that the rejected proposal would have saved RPV some \$1,600,000 and that the Council had not been made aware that the rejected contractor had contested the decision of the Public Works Director.

Another needed action is better writing of RFP's (Requests for Proposals) for clarity of requirements. The San Ramon RFP stated that pipe was to be "*Permalok or a pre-approved exact equal*". California Public Code Sec. 3400 mandates that when a brand name (e.g. Permalok) is specified the RFP MUST also include the words "or equal" (not EXACT equal). Had the RFP not included the word "exact" and had the RFP encouraged bidders to include alternative designs in addition to the Permalok proposal the

taxpayers would likely have received the total cost benefit of the welded pipe design that was ultimately accepted.

Hopefully, it is becoming clear to RPV City Hall that residents are watching and will challenge issues that seem to lack clarity and appropriate use of public funds.

Of concern is how RPV City Hall responds to resident inquiries. That Sharon Yarber was besmirched by City Manager Lehr and current Mayor Brooks for making Public Records requests and asking questions of staff is intolerable and unacceptable. That is how the system works; We the People have the right to question City Hall actions and decisions. The term Transparency comes to mind.

Being RPV Mayor gives no singular duties greater than fellow Council members other than presiding over Council meetings. Ms. Brooks, as Mayor, wrote to many RPV residents who had made their concerns known about the San Ramon change order matter. In most instances, as Mayor, Ms. Brooks questioned their intent and demonstrated a bias. Ms. Brooks, as Mayor, did not ask a single question in public, indicating that her questions had been answered thus the presumption that if any questions were asked, it must have been behind closed doors. And this is what she believes is Transparency?

That the Council recently allowed City Manager Lehr to add “staff” with the apparent justification that the positions were “in the budget” is more than disappointing. The size of the staff relative to the number of residents, and given the extent to which the City is already established and developed, is disproportionately large. Meanwhile, we the taxpayers, have unfunded pension liabilities of an indeterminate amount, estimated at anywhere between \$3+ million and \$30+ million. All employees should be treated fairly but perhaps if employees are in distress over salaries and benefits they might want to check around with other nearby cities and private industry. If they can do better....

It seems appropriate to periodically remind those at City Hall that you work for the taxpayers / residents and should be constantly mindful of taxpayers / residents best interests. Unfortunately it sometimes seems that those at City Hall perceive that the opposite is true and that taxpayer / residents are merely necessary to fund and support what staff perceives of interest or necessary. The City Manager should be mindful that she was hired by the taxpayers / residents to represent their best interests not be the head employee cheerleader.

RPV – Kudos to “Water Quality” Committee Chair Lowell Wedemeyer.

At the RPV Council meeting on July 16th, Mr. Wedemeyer made a recommendation to the Council that the Council create a committee to prioritize RPV Capital Improvement Program (CIP) projects. We

agree with Mr. Wedemeyers' suggestion that a citizens committee could provide some oversight of CIP planning. We have previously expressed our concerns about how CIP projects are compiled and managed. This topic is further discussed below – Budgeted Projects.

However, PVP Watch believes the Council may find the FAC (Finance Advisory Committee) an appropriate group for assessing / evaluating / prioritizing CIP plans. A caveat, the committee MUST be given authority to gather needed data from whatever sources the Committee deems necessary. It should be anticipated that Staff will attempt to “slow walk” this proposal.

Now posted on the PVP Watch website / Current Issues page are the current CIP, FY 2013 / 2014 Budget and the May 2013 Cash Balance Reports. We encourage everyone to look at these documents and decide for yourselves how well RPV finances and infrastructure are being managed.

RPV – Budgeted Projects

Several budgeted Capital Projects that taxpayers may find interesting.

Traffic Signal Synchronization - Staff apparently has the perception that if traffic signals were to be *synchronized* along Hawthorne Blvd. that “cables” would have to be placed in the roadway to connect the signals and once the roadway was *trenched* the City could then include pathways for fiber optic cables to connect various city properties to City Hall. The plan includes PV Drive South as well. First of all, trenching Hawthorne Blvd for traffic signal synchronization is an unnecessary expenditure of taxpayer money and that the Public Works Director would consider such a folly is beyond belief. The proposed cost of the Fiber Optic cables is projected at almost \$2,000,000 (\$1,920,000) over the next five years and it is not known what this includes. Furthermore, has the City done any cost / benefit analysis of alternative options or operational benefits?

ADA (American Disability Act) compliance by installing curb cuts and bus stop covers. Projected cost for the next five years is \$1,300,000 for ADA compliance. Some bus stop covers and some curb cuts are undoubtedly appropriate; however the range / cost of the plan seems questionable. Why not focus on resident needs such as when RPV recently responded to a resident request for better access at Blackhawk and Hawthorne Blvd. Not all agree that ADA compliance is an unfunded mandate that must be accomplished. However, compliance does create staff jobs.

PV Drive South / Portuguese Bend - Two year budget for almost \$4,000,000 (\$3,755,000) to realign the roadway and make other repairs in the landslide area. Would it not be better to spend these funds

for dewatering wells attempting to slow down the ongoing landslide? Until the landslide is at least slowed down or curtailed, any realignment will likely soon be lost.

One of the issues confronting residents is once something is identified on a budget it seldom goes away whether or not the project is necessary.

Posted on the PVP Watch website / Current Issues page are the current CIP, FY 2013 / 2014 Budget and the May 2013 Cash Balance Reports. We encourage everyone to look at these documents and decide for yourselves how well RPV finances and infrastructure are being managed. Send comments to info@pvpwatch.com.

RPV Budget / Five year Plan

The RPV FY 2013 / 2014 Budget as well as the current Five Year CIP (Capital Improvement Plan) is posted at www.pvpwatch.com. Also posted is the May 2013 Cash Balance report. Go to the bottom of the Current Issues page.

We urge all to go and browse around to see how staff plans to spend the resident's money. Our view of the CIP is that there is lots of **wants** rather than **needs**.

Our view is that the manner in which RPV operates is broken. Usually, the Agenda is completed on Thursday prior to the next Tuesday's Council meeting. Usually the agenda and staff reports are delivered to the Council on Thursday evening and posted on the RPV website as well. The City deals in volumes of paper which makes a formidable task to go through and understand the issues. While the staff has had virtually unlimited time to create the paper, the Council and interested residents have but a few days to review the materials and gather necessary information. The process must be amended to give the Council as well as residents time to review Council Agenda materials before they are discussed in public.

Western Avenue Corridor

At its July 16th meeting the RPV Council was presented with the Draft of the Western Avenue Corridor "Vision Plan." Some might report the plan as *illusionary*, an overly ambitious plan without identifiable funding. Fortunately the Council rejected the proposal and directed that staff return with something more realistic. The "*Vision Plan*" perceived Western Avenue to be a **Destination** while residents are

simply seeking some beautification enhancements and community improvement where appropriate. Generally, the Council wanted to see medians with trees and flowers. Perhaps bike lanes along Western as long as auto traffic lanes were maintained or improved. There has long been a neighborhood desire to improve (fence quality / eye appeal) along Western Avenue. In our opinion, this is a City matter and not a responsibility of property owners adjoining Western Avenue or other arterial roads. It is time for City Hall to get creative and find a viable solution. For example, how about the City obtaining easements for properties bordering certain arterial roads for fences, beautification etc.

Peninsula Elections – Public Announcement

Elections for the Peninsula Library Board of Trustees, Palos Verdes Peninsula Unified Schools Board of Trustees, Rolling Hills Estates City Council and Rancho Palos Verdes City Council are currently scheduled for November 2013.

Current incumbents whose current terms are ending are:

Peninsula Library – Constance Davenport and Diane Robinson.

PVP Unified – Anthony Collatos, Barbara Lucky and Malcolm Sharp

RHE – Susan Seamans and Steve Zuckerman.

RPV – Brian Campbell and Anthony Misetich.

PVP Unified Trustees; Collatos, Lucky and Sharp have announced their intent to seek reelection.

RPV, both Campbell and Misetich have also announced their intent to seek reelection.

At this time we are unaware of candidate plans for either the Library district or RHE.

The fact that incumbents have filed for reelection does NOT preclude interested citizens from seeking these positions. The filing period is now open and interested citizens have until August 9th to submit their candidacy forms and pay the filing fees. Should any incumbent not file for reelection, then that particular filing period is extended to August 14th.

These positions do not require any past governmental experience but rather a focus of civility, sound business logic and a desire to continue the Peninsula image of being a good place to live and raise children.

PVP Watch stands ready to advise anyone so interested in what is needed to seek a Council / Trustee position. For those wanting to “Become Involved” here is your opportunity.

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 2041 / Palos Verdes Peninsula, CA 90274

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

The Editorial Committee
