

## PVP Watch Newsletter – September 13, 2016

### To Our Friends and Supporters

In this Newsletter:

- \* November 8<sup>th</sup> - General Election
- \* Alleged Toxic “Dirt” at Ladera Linda Soccer Fields
- \* RPV – City Governance
- \* RPV - Portuguese Bend Slide Area
- \* RPV – Airbnb
- \* Sacramento

### **November 8<sup>th</sup> - General Election**

The Peninsula’s current Assembly Member is David Hadley. Assembly Member Hadley, a Republican was elected two years ago and has an outstanding record of accomplishment in the Democratic controlled California State Government. Mr. Hadley is an ardent supporter of Prop 13 and is endorsed by the Howard Jarvis Taxpayers Association. PVP Watch supports a vote FOR David Hadley for the 66<sup>th</sup> AD.

We encourage all to visit Hadley’s website - <https://ad66.asmc.org/>. While you are there suggest you sign up for his newsletter for current information from Sacramento.

Hadley’s competition is Al Muratsuchi a union sponsored Democrat and the person Hadley replaced two years ago. Muratsuchi would vote against continuing Prop 13. If Prop 13 is meaningful to you, vote for David Hadley.

Mr. Wright is not as well known on the Peninsula and he will have a tough race with the 33<sup>RD</sup> Congressional District being overly loaded with Democrats. However he deserves our votes.

***Vote for David Hadley for 66<sup>th</sup> Assembly District on November 8th.***

***Vote for Kenneth Wright for 33<sup>rd</sup> Congressional District on November 8<sup>th</sup>.***

### **Alleged Toxic “Dirt” at Ladera Linda Soccer Fields**

Folks, unfortunately there is nothing positive to report about the ***Alleged*** toxic dirt matter at the Ladera Linda Soccer fields.

The current issue is the disgusting, bureaucratic fools running the DTSC (California Department of Toxic Substances) who refuse, after over four (4) months of delay, to release any data supporting their predetermined conclusions that there must be toxic dirt at the AYSO soccer fields at Ladera Linda. As we understand the current situation, AYSO will only use the lower fields at Ladera Linda and some 400 Peninsula

kids will be playing AYSO soccer this season at Torrance fields. In view of the DTSC uncertainty, AYSO decided to stay off the upper fields rather than risk a DTSC restraining order in mid-season. Included in the DTSC raid on PVPUSD offices on April 27<sup>th</sup> was a collection of soil samples of the "Dirt" at the Ladera Linda soccer fields. It seems logical that if DTSC soil tests had revealed any evidence of toxic materials at Ladera Linda, the DTSC would have reported these findings.

That the DTSC has made no reports and will NOT provide any information leads to a conclusion that DTSC DID NOT FIND ANY TOXIC MATERIALS IN THE LADERA LINDA SOIL SAMPLES. Why else would the DTSC not respond?

Assemblyman David Hadley has attempted to meet with the DTSC and the DTSC refused to discuss the matter with him, as the DTSC states they have a pending Criminal Investigation on this matter. **Can you believe it, a pending Criminal Investigation?** How bizarre.....

If there was toxic material in the imported soil, everyone would be anxious to have the soil cleaned or whatever they do with proven unhealthy soil. Last fall, two private laboratories made tests that did **NOT** find any soil that exceeded minimum test parameters. Nevertheless a small group of agitators continue to send false data to the DTSC clearly an obstructionist effort to curtail AYSO soccer programs. Just watch RPV Council meetings and you will know who they are.

What is pathetic and beyond comprehension is that RPV City Manager Willmore has been supporting the Anti AYSO Soccer activists and has been more a part of the problem rather than participating in seeking a solution. Mr. Willmore seems to get more satisfaction attempting to harass PVPUSD Superintendent Don Austin and AYSO Director Brent Daniel rather than working for RPV residents to develop a viable solution to the soccer field dilemma. In fact as an apparent act of contrariness, Willmore turned off the water at Hesse Park making the ballfield unusable for team sports. We encourage residents to stop by Hesse Park and look at this disgrace. There has been a lot of tax money put into that field in the past five (5) years or so which Willmore has now wasted.

A Public Records Request has been filed with the city to get copies of City Manager Willmore and other staff correspondence relative to the AYSO and *Alleged Toxic "Dirt" at Ladera Linda Soccer Fields*.

Recently AYSO supporters became exasperated with the RPV "slow walk" routine and a number of residents (voters) expressed their dissatisfaction with City Hall with a letter writing effort. PVP Watch has seen many of these coherent letters and residents have well-articulated themselves.

Included in the July 27<sup>th</sup> PVP Watch newsletter was a link to the PVPUSD website for current detailed information. Many found that report interesting and we are posting again for those who may not have seen it. [http://www.pvpusd.net/apps/pages/index.jsp?uREC\\_ID=361563&type=d&pREC\\_ID=973136](http://www.pvpusd.net/apps/pages/index.jsp?uREC_ID=361563&type=d&pREC_ID=973136)

PVP Watch will continue to post on this very important matter.

## **RPV – City Governance**

An issue long confronting RPV residents is the lack of Council oversight of the City Manager and his staff. Procedures and Policies as well as MC (Municipal Code) 2.08 (job description) for the City Manager were written in 1974 and need updating. Probably if RPV had a competent City Manager then common sense and judgment would likely prevail. PVP Watch is aware that the Council is addressing this matter but we encourage the Council to make it *sooner rather than later*.

“We The People” expect our City government to work in harmony with the PVP School District as well as other agencies. City Manager Willmore’s propensity to abuse others such as PVP School Superintendent Don Austin is intolerable and it is past time for the RPV Council to “corral” Mr. Willmore. That Willmore would approve submitting a Public Records Request to the PVPUSD when Willmore could have either called or emailed Dr. Austin demonstrates Wilmore’s failure to be a “problem solver.”

The RPV Council should also accept that the anti AYSO dissidents are small in number with most residents taking a mature wait and see attitude.

## **RPV – Portuguese Bend Slide Area**

At its August 16<sup>th</sup> meeting the Council approved staff’s request for “Approval of a Strategic Planning Process to Address Infrastructure Issues Related to the Portuguese Bend Slide Area.” Purpose; to Review and approve a process to develop a strategic plan that addresses the impacts of the Portuguese Bend landslide on public infrastructure and open space. Editor; what does that hyperbole mean?

Some time ago the Council authorized Staff to proceed with drilling several “dewatering” wells with the target of finding the upper limits of underground water basin. We have seen several photos of a drilling rig in the area but no reports on what drilling has found. The Portuguese Bend slide is a very serious situation with no apparent solution in sight other than staff’s proposal to create a Master Plan. What information will creating a Master Plan provide that we do not already know?

## **Airbnb**

A developing issue on the Peninsula is short term home / room rentals. This matter was on the RPV Planning Commission on the August 23 meeting agenda. Details can be seen by watching the video of that meeting. Needless to report discussion was vigorous and heated.

There is little doubt that our “*people universe*” has changed with the perspective of *driverless auto*’s and many other technologies that have been developed. Some concepts of traveling such as “Bed & Breakfast” housing has been with us since almost the beginning of time. Since the Mayflower Pilgrims landed at Plymouth Rock home owners have invited travelers, often strangers, to have a meal and spend the night.

More recently the added functionality of travel has expanded with rentals of a home or individual rooms have changed with technology, websites such as Airbnb wherein accommodations for homes or rooms are listed for

short term rentals. Some have taken exceptions to this concept and perceive that neighboring properties that are open to short term rentals i.e. Airbnb are degrading neighborhoods and perhaps this is true perhaps more so if “party houses” become the attraction.

Conversely many report that short term room rentals provide an income that allows for some residents to maintain their properties.

One RPV resident, Michael Huang, wrote a very thoughtful letter on short term rentals using the fact that his neighbor had converted a property to a hotel including excessive noise and lack of courtesies. Mr. Huang is strongly opposed to short term rentals and desires an absolute ban on short term rentals. Mr. Huang also well-articulated “How do you control this process?” Answer, short term rentals cannot be controlled as there is too much money to be had. Some mortgages depend on short term rental income.

Mr. Huang opined about contacting the following cities for their positions on short term rentals; Rolling Hills Estates, Palos Verdes Estates, Manhattan Beach, Redondo Beach. Each had an ordinance prohibiting short term rentals. Google Airbnb and you will find rental listings for each of these cities. So much for prohibition.

Currently there are 88 RPV homes listed on the Airbnb website and another 13 or so in PVE, RHE and RH. It is understandable as to why there are more listings in RPV than the other Peninsula cities.

The staff report for the August 23 Planning Commission meeting contained the following statistics: The City's Code Enforcement Division receives complaints related to short-term rentals. Over the past year, there has been a noticeable uptick in complaints reported to the Code Enforcement Division representing an increase from one or two annual complaints to one or two complaints per month. The nature of the complaints include excessive noise, trash, and parking issues associated with parties held at a property, as well as perceived safety concerns with the high turn-over of occupants. The Code Enforcement Division reports that the complaints received typically involve three properties located in the City along:

- Hightide Drive;
- Sunnyside Ridge Road
- Avenida Altisima

The Los Angeles County Sheriff's Department found that at Sunnyside Ridge Road received 8 calls for service from May 2015 to May 2016. The Hightide and Avenida Altisima properties were evidentially less.

So.... what is the answer? Prohibition will not work. Creating an Ordinance that Ban's short term rentals is nothing more than a feel good exercise. How can a Ban be enforced? Perhaps an ordinance establishing nuisance limits and giving the Sheriff tools that work. Other concepts are undoubtedly worth discussing as well. This matter will soon come before the Council and what is needed is a thought out process that will lead to a meaningful conclusion for everyone. This matter is on the September 20<sup>th</sup> Council agenda as Item 1.

## **Sacramento**

**September 7, 2016**

### **Legislative Session Ends, Taxpayers to Pay Even More as Usual Allies Vote for Tax Hikes**

By Jon Coupal

*President of the Howard Jarvis Taxpayers Association*

As the final day of the legislative session dawned last week, taxpayers were cautiously optimistic. After all, we had already stopped the most direct threats to Proposition 13. Those included Senate Constitutional Amendment 5, which would have weakened the rules regarding how some properties are valued for tax purposes and Assembly Constitutional Amendment 8, lowering the two thirds vote at the local level for taxes and bonds. Another success was notched by derailing an eleventh hour effort to make it much easier to raise property fees by broadly redefining sewer service to include storm water runoff programs. While seemingly arcane, this would have exposed California homeowners to billions of dollars in new property levies without direct approval.

As for more debt, taxpayers should be pleased that two multi-billion dollar bond packages, on parks and affordable housing, failed to clear the Legislature.

Now for the bad news. On the last day of session, our tax-and-spend legislature hit California consumers with a new tax on car batteries by passing AB 2153. This \$1 tax on consumers will be paid at the point of sale, as will a \$1 tax on manufacturers to be passed onto consumers. After 2022, the \$1 tax on manufacturers is added to the consumer total increasing it to \$2, and the tax is made permanent. While the revenue generated purports to deal with legitimate environmental issues regarding battery recycling facilities, thanks to AB 2153 receiving a two-thirds vote, the money can simply go into the General Fund and be used for any purpose.

Under the category of illegal as well as foolish, the Legislature authorized local municipalities to spend public money for political campaigns. Beyond the obvious argument that taxpayers should not be forced to finance campaigns with which they might disagree, Senate Bill 1107 is also in direct violation of the Political Reform Act which expressly prohibits such financing. To avoid costly litigation over the validity of SB 1107, Governor Brown could do taxpayers a favor by vetoing this bill.

Speaking of illegal, Assembly Bill 1889 seeks to spend hundreds of millions of taxpayer dollars on California's showcase boondoggle, the High Speed Rail project. The legal problem is that access to the bond proceeds is conditioned on several requirements, including partial funding from federal and private sources, speed requirements and no public subsidies for operating expenses, none of which the High Speed Rail Authority can possibly meet. Again, in the absence of Governor Brown's veto, litigation over

sale of the bonds is a certainty.

From the perspective of fiscal sanity, it is a shame that every two year legislative session in California is an exercise in trying to prevent damage to taxpayers and the economy. Rarely is there anything remotely worthwhile in the hundreds of bills passed by our esteemed political leadership: No pension reform, no education reform, no civil justice reform or tax reform. While other states run clean, effective and efficient governments, the California Legislature resembles a three ring circus more times than not.

Unfortunately, it is not getting better. In the session that just ended, even some of our allies (or so we thought) cast horrible votes in favor of tax increases. As bad as things are, this November's election could spell disaster for California's beleaguered taxpayers. Tax hikes at the state level require a two-thirds vote of each house and we now know that a legislator's proclivity to raise taxes does not necessarily depend on party affiliation. For taxpayer advocates, this is going to make our job of defending ordinary citizens in the Capitol much, much harder.

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

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

We recognize that many PVP Watch newsletter subscribers use mobile devices to read newsletters. However, mobile devices do not always provide acknowledgement that a newsletter has been opened and read.. We ask that those who do read newsletters from mobile devices also open the newsletter at their primary computer before deleting.

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

PVP Watch welcomes all input and awaits subscriber feedback on the new newsletter format and postings.

### **PVP Watch – Welcomes Contributions**

**PVP Watch is appreciates the contributions of the many subscribers who have sent checks to PVP Watch and is dependent on the financial support of our many subscribers. 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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**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 also suggest that [info@pvpwatch.com](mailto:info@pvpwatch.com) be added to your computer Contacts Directory to assure delivery of PVP Watch Newsletters.

### **Subscribers**

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

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