

PVP Watch Newsletter – September 28, 2013

To Our Friends and Supporters

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November Elections

Tuesday November 5th is Election Day for both Rolling Hills Estates and Rancho Palos Verdes. Absentee voters will soon be receiving their mail in ballots and for those undecided as to whom to vote for, some recommendations from PVP Watch.

RHE – Rolling Hills Estates:

There are two open seats and PVP Watch endorses Clark Davis, a retired LA County Sheriff and political activist and Steve Zuckerman an incumbent RHE Council member.

RPV – Rancho Palos Verdes:

There are two open seats and PVP Watch endorses incumbent Brian Campbell and community activist Ken Dyda. Mr. Dyda has a long RPV history having been one of RPV's founders and he served two terms on previous RPV City Councils as Mayor and Council member.

PVP Watch supported Anthony Misetich when he ran four years ago but now believes that Messrs. Dyda and Campbell are better qualified to address the critical problems now confronting RPV.

A critical matter is that the Council MUST provide greater oversight of how the City Manager and senior staff perform their duties. The current Council majority of Brooks, Knight and Misetich has avoided this responsibility thus limiting "Checks and Balances." Residents are demanding change.

So far, there have been two RPV Council candidate sessions. The Palos Verdes Peninsula Republican Assembly on Tuesday September 24th; and after hearing from the three candidates, endorsed Brian Campbell and Ken Dyda. The Long Point Associates HOA candidate forum was held at the PVIC on Wednesday September 25th. Scheduled for October 2nd is the League of Women Voters debate at Hesse Park at 7 PM and Wednesday October 9th is the CHOA (Council of Home Owner Association) also at Hesse Park at 6:30 PM.

PVP Watch is unaware of any planned Council candidate forums for Rolling Hills Estates.

LA County Grand Jury Report: A recent development is the LA County Grand Jury Report which was on the RPV Council's September 17th meeting agenda. Although there were a multitude of categories, it seems to us that the "Governance and Financial Management Best Practices" section best describes how local government is working. The total cities in the analysis were 81 and the results are based on mathematical calculations of each city's responses to the LA County Grand Jury questionnaire. The questionnaire as well as the report are posted on the PVP Watch website. Go to the bottom of the Current Issues page. RPV's responses to the questionnaire are included.

Ratings for the four Peninsula and surrounding cities in this category were:

- Palos Verdes Estates – 65
- Rancho Palos Verdes – 65
- Rolling Hills – 50
- Rolling Hills Estates - 20
- Lomita – 65
- Redondo Beach – 1
- Torrance – 14

The Redondo Beach and Torrance responses were obviously more complete and speak for themselves. Rolling Hills Estates was in the top third, also a positive indicator of a well-run city. RPV and PVE are being addressed separately.

We urge all Peninsula residents to scrutinize the Grand Jury questionnaire and report.

(Editor) – *Lower numbers are better scores than higher numbers.* (sort of like golf)

RPV in Chaos...

The RPV staff responses to the LA County Grand Jury questions has too many unanswered questions and we urge that everyone read this data and make their respective decisions as to how

well RPV is being managed. Some time ago Council member Duhovic suggested that RPV engage a 3rd party, at relatively minimal expense, for the purpose of reporting fraud or abuse. The City Manager “pushed back” that the “3rd party” was not needed. According to the LA County Grand Jury a “3rd party” fraud and abuse capability is “good governance.” We understand that Council member Duhovic continues to pursue a “3rd party” fraud and abuse reporting capability. This is but one of other examples of the Grand Jury’s critique of RPV “Governance and Best Practices” procedures. It appears that RPV City Hall is run in a very lackadaisical manner.

That the report responses were prepared by staff and NOT reviewed by the Council before delivering to the LA County Grand Jury speaks volumes and makes evident a City Manager with poor judgment. City Manager Lehr’s employment agreement terminates June 30, 2014. A good question to ask Council candidates is whether or not he will let her contract terminate or will he vote in favor of retaining Ms. Lehr. Evasive answers like “we have procedures” is not a satisfactory response. In the view of many RPV residents, the City Manager MUST be replaced.

RPV – Capital Spending

In the August 28th Newsletter we reported on the “San Ramon” project and how this project has become a “\$18,000,000” project which, according to knowledgeable sources, could have cost substantially less perhaps a \$5,000,000 (or less) project. Although there is a state grant for \$9,400,000 in matching funds, RPV taxpayers are now “on the hook” for approximately \$9,000,000.

As we previously reported, LA County did not participate in the project because the San Ramon project “is too costly and less costly solutions were available.” When LAC declined to participate (LAC letter to RPV Interim Public Works Director James Hendrickson / October 11, 2012) did that not “ring any bells” at RPV City Hall? Anthony Misetich was Mayor and the Council committee members were Susan Brooks and Jim Knight, did they not discuss why LA County was declining any participation? Did anyone call Supervisor Knabe and ask “Why?”

Apparently there was no “Value Engineering” performed on the design while much *ado* was made by staff about “Value Engineering” when staff decided that another pipe would work as well as the pipe specified in the construction RFP. How many years has it been since RPV has had a full time engineering qualified Public Works Director? RPV hires HR managers, a Rec & Parks Director but continues to hire *retired public employees*, “Double Dippers,” as Interim Public Works Director. A Council is needed that provides greater oversight to City Manager decision

RPV – Financial Decisions

It is reported that staff, without Council knowledge or approval, has been busily building a plan for at least a \$100,000,000 bond program to support Staff's questionable CIP (Capital Improvement Program). How much time or expense without Council approval is unknown. Staff's CIP program has not been vetted by the FAC (Finance Advisory Committee) and we question why the Council did not do so. Furthermore, this is but another example of City Manager Lehr's lack of judgment by not keeping the Council advised of staff projects. Does anyone disagree on the need for the Council to have more oversight of City Manager decisions?

PVE

The PVE – Via Panorama Public Lands dispute is scheduled for a court hearing on October 25, 2013. As we understand the current situation, PVE is apparently taking the position that the parkland covenants are optional; that the city can choose to enforce them or not with impunity. The Court will decide at the October hearing whether the parkland covenants have legal force or not. Interesting.... that PVE's defense is that the Council can selectively decide which covenants to enforce. If this is true, why did the PVE Council not change the use of Lots "C & D" for PVPUSD?

Recently there has been some changes at PVE City Hall and unknown is whether or not these changes are related to a change in direction with the new City Manager or because of the implications of the Via Panorama Public Lands dispute. The new PVE City Manager Anton "Tony" Dahlerbruch is a Peninsula resident and was previously the Rolling Hills City Manager. Being "local" would certainly make Mr. Dahlerbruch an attractive candidate. However, some have mentioned that PVE and RH are represented by the same legal firm; Jenkins & Hogin with one partner Christi Hogin representing PVE and her partner / husband Michael Jenkins representing RH. While some may have concerns, we believe it quite usual for attorneys and others to assist clients in moving to more attractive positions.

Of significance is PVE's decision to terminate Planning Director Allen Rigg, a long time contract employee at PVE, with a permanent hire as a replacement. The Council is reducing its authority by giving more control to new City Manager Dahlerbruch. Some say Rigg disagreed with the Council's actions concerning the Via Panorama Public Lands matter and the reason for Rigg's termination. This may be merely speculation or may have some validity. Only time will tell.

Another "rhubarb" is Chief of Police Eberhard and his recent decision to retire. Eberhard has been PVE Police Chief for approximately one year which increased his pension about \$40,000 annually. While there are disclaimers that "spiking" Eberhard's pension was not a consideration when

appointing him Chief of Police, not many are buying that notion. Had the City Manager / Council provided an annual bonus equated to the differences in salaries between his previous position as Captain and Chief, the bonus could have been non pensionable thus saving taxpayers some \$40,000 annually for many years. Another example of disrespect for taxpayers.

Topping off this situation was testimony at a recent Council meeting that several PVE police officers had engaged in questionable witness testimony. At this point we do not know if this allegation has been validated and thus are not including any names. However, matters such as this require full investigation and possibly District Attorney assistance as well. Police officers using questionable evidence cannot be ignored. However, if the allegations are not substantiated, the police officers must receive appropriate public apologies as well.

Peninsula Seniors

For those who may have missed it, the Peninsula Seniors recently announced that they were purchasing a building in the center adjacent to the Peninsula Library (north side parking lot) and will be moving from the RPV City Hall campus. The new location is centrally located and something long desired.

The "Seniors" are soliciting contributions which should, for now, be sent to the current address 30928 Hawthorne Blvd. RPV 90275. Not only is this a good civic cause but contributions are also Tax Deductible.

The "Seniors" website is pvseniors.gov and email can be sent to – seniors@pvseniors.gov.

Folks, this is a good local cause....Please participate.

Reader responses to August 28th Newsletter

- Keep up the fine work in reporting. I may be "out of sight", but still have an interest in PV.
- After reading month after month of your very informative letter, I think top priority is getting rid of the City Manager.....I don't think she is qualified to be a manager, she runs rough shod over the budget hiring more employees to make her regime bigger and bigger. Let's get her out of there. We need someone like Sharon Yarber to sit on the council. Someone with ethics and a brain. Keep up your good reporting.
- Thank you PVP Watch

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The Editorial Committee
