

PVP Watch Newsletter – December 5, 2009

To Our Friends & Supporters

December 1st, new RPV Councilmen Anthony Misetich and Brian Campbell were "sworn in" replacing two term Councilman and 2009 Mayor Larry Clark and interim Councilman Ken Dyda. There was some optimism that incoming Mayor Steve Wolowicz would seize upon the opportunity to get the new Councilmen fully involved by being the 3rd vote electing Councilman Misetich Mayor Pro Tem. The optimism was quickly dispatched with Wolowicz voting for Tom Long to be the new Mayor Pro Tem. .

During last Tuesday's meeting, Doug Stern did comment that the political pundits (PVP Watch) were wrong when they reported about the recent election; "*What the current council has apparently not accepted is that lack of votes for the council backed candidates was also a repudiation of the Council's actions over the past several years*". We disagree with Councilman Stern's conclusions. Our observation is that while both Misetich (2,875 votes) & Campbell (2,354 votes) ran very strong, clean and aggressive campaigns, that the two candidates who received the Council endorsements lost by a wide margin (1,485 and 1,161 votes respectively). If the voting public was so pleased with current Council then why didn't they follow the overwhelming support from this Council for their two candidates and vote for them? It seems clear to PVP Watch that the Council member endorsements not only had no effect in helping their chosen candidates but likely cost them votes as well.

The December 1st Council meeting moved from the transitioning ceremonies to the new Council at approximately 9PM with few items on the agenda. The meeting went well past midnight with endless and mostly meaningless discourse. We would hope that Mayor Wolowicz would make an effort to restrict his and other councilmen's endless and noncontributing rhetoric. One must wonder what it costs for these late night meetings? While the Councilmen may have soft cushioned chairs, the public does not. That new Mayor Wolowicz, Mayor Pro Tem Long and Councilman Stern have been on the Council for six (6) years or more and all have previously been Mayor, one could presume they could conduct an efficient meeting that dealt squarely with pertinent issues in a timely manner. We are hopeful that Councilmen Campbell and Misetich do not follow this same pattern.

Some Agenda Items

Item 9 – Innovative Traffic Safety Technologies consumed over 45 minutes with inconsequential rhetoric that could have been better presented in a brief written report. The result was a "letter of support" to Assembly Members for Assembly Bill 987 which, if enacted, would allow photo tech-

nology for issuing citations for speeding etc. Our understanding is that, if enacted, this bill would violate both the California as well as the United States Constitution. What say Messrs. Long & Stern, both attorneys', concerning the Constitutionality of Assembly Bill 987 that they have endorsed?

Item 10 was approval of a 120-day agreement for interim Park Ranger services as we understand RPV intends to hire a full time Park Ranger employee.

Two new positions, Park Ranger and Open Space and Trails Manager have been added to the RPV payroll. Including benefits, payroll costs must be close to \$200,000 annually. In addition, RPV budget will likely increase, at least, another \$200,000 and probably more for operating the new Palos Verdes Nature Preserve a cost being borne by RPV residents.

Item 11 concerned City Council badges. Currently Councilmen are issued badges that resemble Sheriff's badges. After extended discussion, it was decided that in addition to Sheriff issued picture ID cards, new badges would be designed that were different from Sheriff law enforcement badges and perhaps have the RPV logo on them. Some Councilmen thought it important that they have a badge when responding to emergency situations such as the recent nature preserve fire. It would seem that a Sheriff issued ID card and badge differing from law enforcement badges should be sufficient.

Commentary – An issue of "misrepresentations" have been foisted on RPV residents for "Open Space" by Doug Stern, Tom Long and their fellow travelers, the Palos Verdes Peninsula Land Conservancy (PVPLC) concerning costs for managing what is now named the Palos Verdes Nature Preserve. Posted on the PVP Watch website / www.pvpwatch.com / Position Papers are several early documents written by Don Reeves questioning the financial data in the initial and subsequent NCCP documents for Sheriff' services and other management costs. Reeves and PVP Watch were disparaged then and subsequently for being against "Open Space." Time is proving Don Reeves and PVP Watch correct in that RPV taxpayers are now having to carry the ever-increasing costs of managing the preserve and RPV residents not getting the straight story on this issue.

RPV Trash Hauling - In response to comments in the last Newsletter Doug Stern responded "*I thought you might like to provide your readers some accurate information about the new trash contract, since your information in your November 14 e-mail was flawed.*" We disagree with Councilman Stern and believe that we are correct. Bottom line, RPV residents will get a minimal cost reduction while sacrificing trash hauling services.

In their rush to sign a new contract, it appears there are a number of unanswered issues that appear to be omitted from contract negotiations. The new plan has one pickup per week and no

longer is there unlimited trash and green waste pickups. There will be additional charges for additional trash containers and more than three green waste containers. Our observation is that green waste is not a static issue with every week being the same. Periodic shrub trimming can result in more than 3 containers thus increasing trash hauling pricing components.

Issues that require a bonafide agreement before a contract is delivered to the new carrier:

- The new service will be automated pickup and what happens when the truck cannot reach the trash bins because of parked cars or other obstructions?
- Will the drivers exit the trucks to position the bins?
- In some cities, if the trucks cannot reach the containers, the trucks go on by leaving the trash at the curb. Will this happen in RPV?
- Or, will RPV residents be restricted from parking in front of their own homes on trash pickup days?
- What if residents have odd sized or excessive trash that does not fit containers? What provisions are being made for occasional anomalies?

Proposed savings are questionable as it appears that savings calculations are based on one 35 gallon trash container and no additional (limit three) green waste containers. A more realistic comparison is a 64 gallon trash container and more than three green waste containers for many residents which adds up to \$25.44 per month (\$3 month for additional green waste containers) which results in a monthly savings of \$2.29 (\$27.48 annually) with a reduction from 2 pickups per week to once a week pickups as compared to today's costs. Residents should be concerned with apparent lo-ball bids to get the business as firms that do not make adequate profits do not provide sustainable services. Unfortunately, the RPV Council, without resident input, has altered a process that was serving residents well. Is this what RPV residents wanted? We also believe it unethical to have gone to bid without first having negotiations with a vendor who had long served RPV well.

Kudos to interim Councilman Ken Dyda for surfacing the neglect by the RPV Council for not addressing the Portuguese Bend / PV Drive South landslide problems. Unfortunately, the Council did its usual, giving the problem to the Staff to develop funding, a sure way to let this drift into oblivion. How can any funding be developed without a plan for what needs to be done. The right direction is for RPV to seek the capabilities of Dr. Robert Douglas, an eminent geologist, a resident of Portuguese Bend and President of the Abalone Cove Landslide Abatement District to organize a small task force to develop a "Scope" of what needs to be done and potential cost to solve this critical issue. With a viable work plan, assistance from LA County, State and Federal sources is possible. By the way, Doug Stern thought this effort foolish. Is Stern not the person that spearheaded the purchase of the landslide area (open space) which would seem to now make RPV responsible for polluting the ocean?

It is PVP Watch's opinion that the two most critical issues confronting this RPV Council are the Portuguese Bend / PV Drive South landslide and the Tarapaca Canyon potential landslide. Either of these situations has the potential to inflict horrendous consequences on our community with the possibility of severing PV Dr South and / or severing the switchbacks on PV Drive East. It is past time to put a plan in place that solves these two critical infrastructure situations.

We are wondering to what extent readers are aware of the potential severity of these two situations? PVP Watch also believes it critical that residents be kept aware of RPV's progress on these two important issues. No more of the suddenly emerging staff reports and Council decisions without public input.

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