

PVP Watch Newsletter – April 14, 2012

To Our Friends and Supporters

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A good decision by the RPV Council

Kudos to the Council for rejecting staff's recommendation to allow ancillary resident use of certain commercial properties in the City. This was the right decision and we support it.

We are disturbed, however, by the fact that staff pursued this flawed effort, which was unanimously rejected previously by the Planning Commission, in an effort to accommodate the request of only one commercial property owner in the City,

RPV in Crisis..... Still

The "Rules and Regulations" saga continues on... Why does the majority, comprised of Mayor Misetich, Council members Susan Brooks and Jim Knight, view "Rules and Regulations" as critical and more important than addressing the many substantive matters confronting RPV City Hall? The same majority also wants to adopt a new Council, Commission and Committee "Protocol" initiated by Ms. Brooks which would have the effect of limiting the freedom of speech of these volunteers to conform to a vague and undefined set of "standards."

The proposed revised "Rules and Regulations" and proposed Protocols are prompting serious discussion by residents due to their being poorly written and giving unprecedented powers to the City Manager. So far, only Section 5 concerning "Order and Preparation of Agenda" has been enacted and is the cause, so far, of the community consternation with the council majority; Mayor Anthony Misetich, Council members Susan Brooks and Jim Knight. As some report, yes it has been the long standing procedure that the City Manager prepared the Council meeting agendas. However, it is only recently, as residents are aware, that the City Manager has attempted to deny some Council requests to place items on the agenda. On March 20th when

the revised Section 5 was adopted Mayor Misetich proposed the change as a way to *manage* requests for placing new items on the Council agenda. The new procedure is that agenda items can be requested of either the Mayor or the City Manager but if those requests are not honored, the requesting Council member may make a request at the council dais, but it requires a majority vote of three (3) Council members to approve the request. This is a drastic change from the past and is actually calculated to stifle dissent, which is a concern to many. The April 12th PV News contained a letter submitted by Mayor Misetich extolling the benefits of the newly enacted "Order and Preparation of Agenda" but he failed to mention that it would take a three (3) member majority to overcome a Mayor and City Manager rejection. Mr. Mayor, we suggest you revisit who is being disingenuous.

The new "Protocol" being driven principally by Council member Brooks is overreaching and reported by knowledgeable attorneys to be a violation of citizens Constitutional rights. The current version is posted at www.pvpwatch.com for all to examine. That Mayor Misetich would agree with Ms. Brooks's efforts to exert dubious control efforts over Council members, Committees and Commissions volunteers seems to imply a problem where no problem is apparent.

Some excerpts from the new proposed "Protocol";

7. Refrain from abusive conduct, personal charges or verbal attacks upon the character; motives, ethics or morals of other members of the Council, Commissions, Committee Members, City Staff or the public, or from making other personal comments that are not germane to the issues before the Council (or City Commission or Committee).

The irony here is that Council member Brooks is the biggest offender of *abusive conduct* towards others. One example is her criticism of RPV resident Sharon Yarber during the April 3rd Council meeting when Brooks declared that "*Yarber was wasting public funds by making Public Records requests.*" Perhaps if Brooks had adhered to some of her campaign promises e.g. Openness, Accountability and Transparency, to name a few, it would not be necessary for residents to make Public Record requests to obtain data, for example city employee pay, from City Manager Lehr.

8. Listen carefully....avoid interrupting other speakers... those who attend / watch RPV Council meetings will surely observe that Ms. Brooks regularly interrupts other Council members and speakers making unnecessary comments. We urge Council member Brooks to share her views publicly when it is her turn to speak.

Unfortunately for RPV residents, Susan Brooks campaigned on "being part of the solution when in fact, so far, she has been a significant contributor to the problem."

In all there are currently over 20 conditions written into Ms. Brooks "Protocols", which if enacted, would apply to Council members, and local volunteers that serve on RPV's Committees and Commissions. What is really needed is a Code of Conduct for all City employees but apparently that will not happen in the near future if Missetich, Brooks and Knight prevail. Unfortunately, they appear to be focused on muzzling volunteers and those with different points of view from those of the council majority.

Council member Brooks took exception to comments in the March 17th newsletter and has been invited to the PVP Watch May 2nd meeting to discuss her positions.

The proposed "Protocol" is posted at www.pvpwatch.com. Comments are welcomed at info@pvpwatch.com

RPV – Information Technology (IT)

PVP Watch has long been reporting on the *close relationship* between RPV Finance Director McLean and PV Net principal Ted Vegvari. All of RPV's IT requirements have long been directed to PV Net without going to bid or seeking other vendor options. During 2010 RPV paid PV Net over \$500,000 and in 2011 paid PV Net in excess of \$400,000. PV Net has free space at RPV City Hall and is filed with the IRS as a "not for profit" organization and does not pay any taxes on these revenues.

Public Records requests to RPV obtained billing records that, at best, suggest that there has been poor oversight of PV Net billing invoices by Finance Director McLean. Undoubtedly as a result of the Public Records requests, the past Council in their last meeting on November 15th approved Finance Director McLean's proposal to change PV Net billing to fixed monthly fees that now cost RPV taxpayers some \$25,000 per month / \$300,000 annually. McLean reported that this maneuver would save RPV \$30,000 annually. What was not mentioned by McLean was that PV Net billing history was questionable with, in some instances, invoices of \$15,000 or more being submitted some 3 to 6 months after the work period. Does that not raise an issue as to how closely PV Net invoices were being audited by Finance Director McLean? This matter has been discussed with Mayor Missetich and City Attorney Lynch with the result that IT services should be put out to bid. Finance Director McLean has recently issued a Request for

Qualifications (“RFQ”) for the purpose of selecting yet another consultant to assist the staff in preparing a Request for Proposal (a “RFP”) from IT providers so that a long overdue competitive bidding process can occur. Prospective consultants from whom RFQs were requested were given less than 2 weeks to submit their qualifications. Why such a ridiculously short period of time, especially after so many years without any scrutiny whatsoever? And why does staff need a consultant to submit RFPs to IT providers? Do they not know what services are being provided already so that they can ask for a bid for like services?

On April 12th Finance Director McLean announced that only two responses had been received of the 15 or so invitations for the "RFQ." Curious, was lack of response due to short interval to respond or to the voluminous amount of information desired? First impression is that the RFQ is very onerous for an initial qualifying submission. The staff, on advice of the City Attorney, has since extended the deadline for RFQ submissions. Further consideration is that the Council should independently task the Finance Advisory Committee to evaluate and confirm that current and Staff favored IT provider, PV Net meets the criteria now being demanded by Finance Director McLean.

PVP Watch has posted the "RFQ at www.pvpwatch.com, go to the Current Issues page. We would welcome comments from "IT" professionals concerning the RPV RFQ package. Please send comments to info@pvpwatch.com

RPV – Traffic PV Drive East

At the April 3rd Council meeting Item 4 was to approve a change of traffic speed zones on PV Drive East. Heretofore, there was a mixture of 30 MPH and 35 MPH zones between Ganado Drive and the northern RPV boundary on PV Drive East. The new zoning makes it a uniform 35 MPH between those two locations. What had occurred is that the varying speed zones had become a "Speed Trap" and local residents were targets. One RPV resident, not getting satisfaction from City Hall, took it upon herself to study California traffic laws and determined that the last speed zone traffic analysis in 2007 was improperly done which made the current speed zones legally unenforceable. Armed with that information, those being cited for infractions were successfully contesting those citations in Traffic Court decisions.

Very basically, California law assumes that 85% of drivers operate their vehicles in a safe manner and when traffic surveys find that a specific number of drivers are traveling certain speeds, then speed limit zoning must be adjusted accordingly. In actuality the formulas are more complex but this does, hopefully, provide a simple overview. Bottom line was that a new traffic analysis was required and the change in speed zones was the result.

Concern was expressed by some regarding the speed zone adjacent to Miraleste Elementary and Intermediate Schools. California law is 25 MPH by schools when children are present. Currently there are signs so noting on both sides of PV Dr East with yellow flashing lights approaching the school zone. A problem is that the light flashes continuously (24X7) and as a result many have become oblivious to them. An opinion is that safety would be better achieved with warning lights that are timed to operate only when children are present. We also suggest that staff make an analysis to ensure that all safety issues along PV Drive East are properly identified with caution signs.

RPV – Dog Beach

The "Dog Beach" program was on the April 3rd agenda and resulted in being a virtual replay of the February 21st Council meeting when the "Dog Beach" *trial* program was approved. This time the discussion consumed approximately 90 minutes. During this brief period the unleashed dog beach attracted many visitors, allegedly resulting in too many cars (parking), people and unleashed dogs in the upper Trump / Founders Park area. The bottom line is there was a perception that the dog related visitors overwhelmed the facilities and obstructed those wanting to visit Trump National amenities for golfing and restaurants.

Is it too bad for those who have long enjoyed "Dog Beach" that this project was not given time to work thru the issues but when it received TV exposure it was doomed to failure.

Peninsula - Sheriff

PVP Watch was pleased to have outgoing Lomita Sheriff Commander Anda and her replacement Captain Blaine Bolin at the PVP Watch meeting on March 21st. Discussions were interesting and productive. Captain Bolin reported that the Sheriff's office is striving to add technology to crime protection and reported that a second "ALPR" unit, a patrol car with cameras that checks auto license plates had been deployed on the Peninsula. Captain Bolin expressed his as well as the Sheriff's Department appreciation of Peninsula residents paying for the added technology that costs \$32,742 for each unit.

ALPR (Automated License Plate Recognition) is a computer-based system that utilizes special cameras to capture a color image, as well as an infrared image, of the license plate of a passing vehicle. The infrared image is converted into a text file utilizing Optical Character Recognition (OCR) technology. The text file is automatically compared against an "informational data file" containing information on stolen or wanted vehicles as well as vehicles associated with AMBER

alerts, warrant subjects or other criteria. If a match is found, the deputy is notified of the vehicle "hit" by an audible alert and an associated notation on the deputy's computer screen.

ALPR cameras can photograph thousands of plates in a shift. All plate scan data collected from the ALPR cameras is transmitted to an ALPR server that resides within the Sheriff's Data Network. In addition to software applications that are used to run the ALPR server, the ALPR server also houses the "informational data file" containing wanted, stolen, or vehicles of interest, as well as all the plate scans captured by the ALPR cameras.

Captain Bolin encourages residents who encounter possible criminal activities to promptly call "911" and let the professionals sort it out. Something one might observe may be tied to another circumstance that may already be known to the Sheriff. Along that line, a website – <http://lacrimestoppers.com> is highly recommended by Captain Bolin. Apparently no piece of information is too small for this website which sorts and delivers data to various police agencies. A small piece of data about someone unknown knocking on your door may relate to something that occurred a few blocks away.

Again we wish to remind everyone to: be vigilant, make other neighbors aware when you are away and don't leave newspapers lying on lawns, driveways etc. AND DO NOT LEAVE VALUABLES IN PLAIN SIGHT IN AUTOS locked or unlocked. AND when something unusual or out of the ordinary occurs, call 911 immediately.

PVP Schools

Here we go again... Peninsula residents approved extending the Parcel Tax and the teachers union is expressing their appreciation by demanding a raise.

For the past two school years the PVPUSD school calendar has included 6 furlough days, which has enabled the school district to avoid extensive layoffs and devastating program cuts. For the upcoming school year the teachers' union is demanding that these days be added back onto the calendar despite the fact that the state's budget is still uncertain. Under present conditions PVPUSD would have to use reserves to fund additional days. Using reserve funds, one time money, to pay salary increases, an ongoing expense, is NOT a prudent financial decision and the Board of Trustees is resisting union demands as each day added would increase the budget by approximately \$300,000 annually.

One might presume that if the teachers were truly concerned about education that they would volunteer to provide these days for free... don't hold your breath. What teachers are being

encouraged to do by the union is not update the Edline system. For those not familiar with school operations, the Edline system is an online grading, homework and general communication program that enables parents, and especially students, to stay on top of their progress in particular classes. Students in the intermediate and high schools have come to rely on Edline as an important component in their success and independence, The problem is that updating Edline is not strictly part of the teachers' contract. As such, the teachers union is urging teachers to cease updating in an effort to put pressure on the students, parents and district administration to accede to their demands. Instead of coming to board meetings to voice their opinions, they have chosen to use students as leverage in their negotiations. We wonder, is this a vocal minority of union activists, or is the majority of the teachers subscribing to an *activist* position? It seems that some teachers want to be regarded as "*professionals*" but act as strident "union workers" like the SEIU (Service Employees International Union) or Teamsters Union.

Newsletter Responses

We have been reminded that not ALL subscribers are aware of the PVP Watch website; **www.pvpwatch.com**. Lots of good info posted there.

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 7000-22 Palos Verdes Peninsula, CA 90274

Subscribers

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 PVP Watch.

The Editorial Committee