

## **PVP Watch Newsletter – June 6, 2010**

### To Our Friends & Supporters

#### In this Newsletter:

- Terranea
- Marymount College plans move forward
- New City Hall for RPV
- RPV Spending Priorities
- Proposed Nature Education Center at Abalone Cove

### **Terranea**

Terranea will soon be celebrating its first anniversary and what a year it has been. The resort is a wonderful venue and a tremendous asset to RPV and the entire South Bay. PVP Watch thanks Bob Lowe, the Lowe Enterprises organization and Terranea Managing Director Terri Haack for their success in creating a 5 star facility in RPV. That it took 10 years for RPV City Hall to approve Terranea plans is another story. The Transient Occupancy Tax (TOT) (~\$2,000,000 this fiscal year) wisely restricted to 10% by the voters and never included in previous RPV plans is testament to the value of this resort.

It should also be noted that Terranea strives to buy products and services locally that create revenues and jobs at local businesses. Revenues to RPV as well as South Bay business' serving Terranea and the job opportunities for local residents has made Terranea a critical economic machine to the entire community.

The past year and the financial crisis impacting the USA and the rest of the world has had it's impacts on Lowe's and their efforts to move Terranea from construction to long term financing. Hopefully those issues will soon be successfully resolved.

The recent "All Things Digital" conference with business leaders like Microsoft's CEO Steve Ballmer and Apples CEO Steve Jobs in attendance was held at Terranea. The conference filled the hotel which is an optimistic sign for the future.

### **Trump National**

It is not our intention to ignore Trump National while we make commentary about Terranea as Trump National is another wonderful venue. Trump contributes much, financially and otherwise to the Peninsula. It was a year ago, June 2009, when the \$4,000,000 purchase agreement with PVP Unified came due and Trump promptly opened escrow and paid the note in full. Trump also

provides jobs for the community and is active in Peninsula affairs. RPV revenue from Trump National is estimated to be about \$500,000 per year.

### **Marymount College**

Not unlike Terranea and Trump National, Marymount College has long suffered under the RPV bureaucratic process in attempting to modernize college facilities. We again saw Doug Stern's disturbing behavior at the conclusion of the Public Hearing on the Marymount matter during the June 1st Council meeting. Some Council members apparently perceive themselves as being anointed to be the "*Great Poombah*" rulers of all in RPV which results in paralysis by analysis. To be specific: August 12, 2009 the RPV Planning Commission finally approved the Marymount project. That decision was quickly appealed by the Concerned Citizens group (CCC/ME), a small group of NIMBY's, resulted in a special Council meeting on September 12th 2009. Shortly before that date, Marymount informed RPV that Marymount had applied for four-year accreditation in three (3) disciplines. The September 12th meeting almost immediately became a frenzy with the Council in a tumultuous dither accusing Marymount of misrepresenting what they perceived Marymount had hidden for some time. The true facts are that Marymount announced the matter as soon as the application was submitted.

The Council then decided that another EIR (Environmental Impact Report) was required. The EIR cost Marymount about another \$100,000 and consumed another 4 or 5 months. Although the Council states otherwise, they had the authority, had they so decided, to declare a "Mitigated Negative Declaration" which would have allowed the project to proceed without further ado.

Marymount was again on the Council agenda on February 16th, March 30th, April 6th, May 4th, May 18th and finally project approval on June 1st. At the February 16th meeting, the EIR was presented and would you believe, it was reported out that the four-year bachelor programs would have no impact (positive or negative) on Marymount plans, exactly what persons with common sense and judgment had perceived. Included in all of this was the location of the athletic fields, which was also resolved and placed where Marymount had first positioned.

In early April, Marymount decided that the Council was failing to uphold its responsibilities and it was time to place the "plan" before fellow residents. The Initiative procedure is a process wherein those disagreeing with governmental actions can take a cause directly to the citizens. The Initiative process is authorized by California law wherein signatures are gathered and with sufficient validated signatures the matter is placed on a forthcoming ballot for the residents to either approve or disapprove. An Initiative is Democracy in action when governmental bodies fail to do their job.

Marymount followed the process by collecting and submitting 4,874 RPV resident signatures for approval. June 2nd the LA County Registrar of Voters notified RPV City Hall that there were sufficient "qualified" signatures (4,094) to place the Marymount Plan Initiative on the November 2010 Ballot.

The RPV Council subsequently approved much of the "Marymount Plan" on June 1st causing some to question why Marymount is proceeding with the Initiative process. The Council only decided against the ongoing CCC/ME appeals AFTER Marymount notified RPV City Hall of the Initiative intent and that the City of RPV could, if it so desired, continue to "move the goal posts" so it is understandable why Marymount would continue the process.

There are some who apparently do not believe in the Initiative process and that "the people" are not qualified to decide these issues. We believe otherwise and that the voters are the final arbitrager. We understand that the Save our City (SOCIII) group as well as CHOA (Council of Homeowner Associations) will attempt to influence residents to vote against the Marymount Plan Initiative, presumably under the guise that this is a matter best decided by government than citizens. Should there be any doubt as to the PVP Watch position on the Marymount Plan, we totally support Marymount in this effort and remain in opposition to *cronyism* government now being practiced in RPV.

## **RPV**

The continuing saga..... A new City Hall for RPV!!!!!!!

Does not responsible management of the "people's money" demand that a complete assessment of the existing building structure be conducted before charging forth to build a new one? What profit directed organization would replace an existing building without a structural evaluation? A more prudent approach would involve the hiring of an independent structural engineer rather than relying on the wisdom of a few lawyers and bureaucrats. Until factually proven otherwise, PVP Watch disagrees with RPV City Hall's belief that the current City Hall has structural issues and MUST be replaced.

## **RPV Budget / Spending Priorities**

By the way, proposed RPV 2010 / 2011 budget includes **\$1,000,000** in Terranea derived funds for new RPV City Hall planning. Concurrently, Staff is again wailing that RPV has no \$\$\$ and the Storm Drain tax MUST be again collected in FY 2010 / 2011. Oh yes at the May 4th Council meeting staff reported that revenues for 2009 / 2010 were exceeding projections by about **\$3,200,000** which was likely quickly tucked away in one of the many Council restricted funds.

While much has been reported concerning the budget crisis and public pension issues in Sacramento, we have a microcosm of those issues here on the Peninsula with out of control employee salary and benefits. We have not yet surveyed all Peninsula cities but plan to do so in the near future. For reader's reference, there are several reports concerning RPV salaries including the recent May 2010 Salary Survey posted at [www.pvpwatch.com](http://www.pvpwatch.com) / Current Issues page.

The following depicts recent salary treatment for three (3) of the senior staff. Two similar positions, Director of Recreation & Parks is currently vacant and Director of Public Works was recently filled.

The wage data, not including the current 2010 plan is posted at [www.pvpwatch.com](http://www.pvpwatch.com) / Current Issues page and labeled RPV Salaries over \$85 K. The 2007 data was actual wages paid. The 2008 & 2009 data is the maximum salary for those positions. It is unknown if each position is at maximum salary but it is probable that are or very close.

	2007 Wages	June 2008	June 2009	June 2010
Deputy City Manager Petru	\$132,201	\$143,460	\$148,165	\$159,160
Finance Director McLean	\$113,228	\$135,000	\$143,460	\$159,160
Community Dir. Rojas	\$123,011	\$135,000	\$143,460	\$159,160

Salary data for 2007, 2008 & 2009 was provided by RPV City Hall. The 2010 data is from current proposed budget and proposed increase in salary ranges is not yet funded by the RPV Council.

Currently RPV pays employee portion of pension costs. Currently unknown is policy concerning unused sick days, vacation days and "compensating" work time. Also currently unknown is health plan coverages and employee contributions.

A bright spot is that a majority of the RPV Council; Campbell, Long & Misetich supported Councilman Misetich's proposal that going forward employee salary treatment will have performance based metric criteria and that plan is now under development. The recent Salary Report had recommendations that could have increased RPV salary costs, not including benefits over \$300,000 annually. Councilman Stern was in favor of granting the entire package while Mayor Wolowicz supported awarding 75% of the proposed salary increases. Kudo's to Councilmen Campbell & Misetich and especially Tom Long for holding the line in these financially difficult times. As readers are aware, we frequently disagree with Mr. Long but when he is right we will try to make that known as well.

### **RPV – Proposed Nature Education Center**

At the June 1st Council meeting, staff presented a recommendation to build a 8,000 to 10,000 square foot building at Abalone Cove which would house a new Nature Education Center. The report is posted at [www.pvpwatch.com](http://www.pvpwatch.com) / Current Issues page.

The Nature Preserve project is based on applying for bond funds made available by Proposition 84 bond moneys approved by voters. One can read all the reasons why the staff believe this to be another wonderful idea. What was really interesting was that some 12 or 13 residents objected to the proposal to build a nature facility at Abalone Cove as there was virtually no notice as Staff tried

to slip it thru on the Consent Calendar with little public notice. The Council had been briefed previously with tours of one or two Council members at a time.

While the bond funds, if granted, would pay for the construction, RPV residents would have to pick up the ongoing costs which are estimated at \$91,000 annually. More likely, it will be more. The question is why do we need a nature center at Abalone Cove? Why is the Interpretative Center not sufficient? We urge all to read the report and make their opinions known.

RPV has known issues i.e. Tarapaca Canyon and the landslide area that MUST be addressed and funded. While City Hall wails away that we must continue the unneeded Storm Drain tax and we don't have funds for priorities it seems to us that the proposed Abalone Cove nature education project is another nice WANT and not a critical NEED.

And by the way, it is proposed that *"improvements include classroom space for lectures and research.* (Is that not what is proposed at Annenberg?) *Currently school groups from throughout the great Los Angeles are to visit and learn about habitat, geology and marine life"* etc. Why is it RPV residents should pay for venues to educate LA County. Why not give these properties to LA County to finance & maintain?

### **Newsletter Responses**

Reader comments are welcomed and should be sent to [info@pvpwatch.com](mailto:info@pvpwatch.com). Newsletter responses are posted with names removed and no editing other than obvious grammatical changes. These are subscriber thoughts and opinions and PVP Watch does not vouch for those opinions.

We have been reminded that not ALL subscribers are aware of the PVP Watch website; [www.pvpwatch.com](http://www.pvpwatch.com). Lots of good info posted here.

A note accompanying a contribution:

Enjoy your Newsletters very much. Keep up the good work.

Editor: Thank you both for your comment and contribution

### **Responses To May 15th Newsletter**

I'm blown away. Everywhere you look, salaries are being frozen.

To me, the bottled water is symbolic of arrogance of elected officials with our tax money. And a personalized license plate frame???

Also, I've never been to a city hall meeting (I'm busy earning the taxes they spend), but am astounded at what appears to be a lack of logic on the need for a new city hall.

Also, what's this stuff about "engineers"? I'm an engineer, and did not like the tone of the quote. Maybe he's heard too many lawyer jokes.

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My wife and I drink the tap water at home, and are pleased to report that it tastes good, works well in our recipes and coffee, and has not had any noticeable effect on our health.

If there is an issue with the water, I'd recommend that the RPV staff issue a report to the community and a request to the water company to improve the water quality to meet the standards which they have applied.

As a side note, I am amazed that in these rough days, the RPV management is providing perks and pay raises.

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We find your Newsletters most erudite and lucid, plus absolutely factual with very justified opinions and overviews. Thank you for the candor and to providing the information we need.

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Thank you for the explanations and suggestions for the upcoming election. I LOVE your newsletters and read them all from beginning to end. I appreciate all the work that must go into your efforts to "keep them honest."

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### Marymount

You apparently don't take the time to educate yourself on what was approved for Marymount. EVERYTHING BUT THE DORMITORIES were approved by the City Council. Unfortunately you espouse WRONG information again, which makes all your "newsletter" information \*not \*credible. Please try to relay facts and not fiction !!!!!

(Editor: we even print those that disagree)

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## **Memo to PVP Watch**

### **Getting a Traffic Ticket in RPV is a Big Pain**

Ah, the saga of getting a traffic ticket in RPV and getting to watch Officer Chris Knox, our City Council's strict traffic enforcement and moneymaker for the city, in action.

On an early Sunday evening, my wife and I were going down Hawthorne Boulevard. We were stopped by Officer Knox who issued me a citation for doing 60 in a 45 MPH zone, near the RPV

City Hall based on radar. Officer Knox is a no nonsense dedicated professional. No, you can't talk your way out of the ticket and logic has no bearing on the issue. It didn't matter that I was passed by others and was keeping with the flow of traffic. If you have violated the vehicle code in any manner whatsoever, he is out to get you and make money for RPV. I witnessed this in traffic court, more later.

After getting my ticket, I did a little homework and I would like to express a very big thank you to the PVP Watch Newsletter of February 28, 2010. That newsletter addressed Speed Traps and I went to [http://pvpwatch.com/PositionPapers/documents/SpeedTrapDefinations\\_000.pdf](http://pvpwatch.com/PositionPapers/documents/SpeedTrapDefinations_000.pdf) and learned about Speed Traps. I then went to the RPV Public Works Department and got a copy of the page covering Hawthorne Boulevard which indicated that the last survey was 07/02/02 "45 miles per hour on Hawthorne Boulevard from Vallon Drive to Palos Verdes Drive West." I asked the clerk if there had been an updated survey in the past five years. She indicated that she thought the five year speed trap rule had been modified to seven or eight years.

So I went to "<http://www.dmv.ca.gov/pubs/vctop/d17/vc40802.htm>" to see what the DMV had to say about Speed Traps under Vehicle Code 40802. A "Speed Trap" ... "if that prima facie speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects."

I decided to "Request for trial (not-guilty plea)."

At the court, I had the opportunity to see Officer Knox in action for about seven or eight cases before my turn. He is very professional in his demeanor, focus and grasp of the facts. In almost every case he had a picture or pictures to show the judge and the defendant where the citation had occurred geographically (different angles) to include signage. The people who had pled "not-guilty" argued their cases well. Almost every case was a nitpicker type situation .... guy pulls over by Ralph's on Hawthorne near Crest to take a cell phone call and is cited for stopping in a bike lane or another guy pulls in behind the Officer to ask directions of the Officer who was giving a citation to someone and in turn is given a citation for stopping in a no stop zone. Oh well, the things we do to raise money and screw the citizens.

When my turn came, Officer Knox just said he didn't want to prosecute my case and that was that. No explanation or anything. So, I'm "not-guilty" and I assume it was because the ticket issued was due to an illegal speed trap.

Observation(s):

- Don't speed. It's expensive and a real pain to go through the system.

- Know the rules of the road. City Hall and the Sheriff are practicing 'gotcha politics' to get your money. Therefore, take that Senior Driver Education refresher course. It will remind you what you may have forgotten or didn't know and it will save you on your automobile insurance premium.
- Officer Knox is a professional who does what he is told to do. However, I've lost respect for the Los Angeles County Sheriff as an organization who blindly follows the rules.
- The City of Rancho Palos Verdes needs to review their traffic-calming scheme and money-making venture.

Editor: A historical report on traffic citations and accident rates including personal injuries seems appropriate. Data provided to PVP Watch indicates that 5 year speed zone evaluations for radar enforcement are seriously deficient. Perhaps residents would be better served with Deputy Knox being assigned to neighborhood patrol in various crime "hot spots."

### **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](mailto:info@pvpwatch.com). Those who have topics of community interest are encouraged to bring those issues to PVP Watch.

The Editorial Committee