

PVP Watch Newsletter – August 15, 2009

To Our Friends & Supporters.

Election Season

It is now election season 2009 on the Peninsula and both RPV and PVP schools as well as the Peninsula Library District will be conducting elections. Rolling Hills Estates (RHE) had no new candidates so Councilwoman Susie Seamans and Councilman Steve Zuckerman are returned to office and RHE saves the cost of an election.

Subsequent Newsletters will have our assessments of the candidates who, in the opinion of the PVP Watch Editorial Board, will best serve the electorate.

More & more residents are favoring voting at home using Absentee Ballots. Those desiring that option, PVP Watch has the absentee ballot application filed at www.pvpwatch.com / Current Issues. Forms can be downloaded, completed and submitted to the LA County Clerk by US Mail.

Breaking News

Friday August 10th, RPV City Hall sent the following message:

Add a Regular Business item to the City Council Agenda (August 18) to discuss the following:

15. Repeal of Ordinance No. 490 (Lynch) Recommendation: 1) INTRODUCE ORDINANCE NO. ____, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, REPEALING ORDINANCE NO. 490 RELATING TO THE CITY'S TRANSIENT OCCUPANCY TAX REBATE PROGRAM; and, 2) Rescind the City Council's Approval of the Agreement between the City of Rancho Palos Verdes and Long Point Development, LLC.

Some may have read in last Thursday's (Aug. 13) PV News that several of the RPV Councilmen were "irked" that Lowe's has not yet completed the hotel-tax (TOT) "rebate" deal (really a deferral of the TOT payments to the city). At the last RPV Council meeting on August 4th, the issue surfaced that Lowe's was being delayed in completing the TOT (transit occupancy tax) rebate program because agreement from primary lenders (and possibly other factors as well) had not yet been received. Bob Lowe, Chairman of Lowes Enterprises, had been in contact with Mayor Larry Clark and likely updating him on the

situation. During the course of the discussion, Councilman Doug Stern vented his typical nonsensical rhetoric confirming what many already surmised that Stern has no grasp of the business implications of his ranting. So much for a litigation attorney understanding complex business issues. It was reported that Bob Lowe, Larry Clark, Doug Stern & Steve Wolowicz played the opening round of golf at the Terranea golf course several weeks ago. Are we supposed to believe that they did not discuss this matter during the golf outing? Anyone have a bridge for sale? And let's not hear Brown Act.

That rescinding the TOT agreement has now been placed on next Tuesday's RPV Council agenda clearly illustrates that some RPV Councilmen lack critical business experience necessary to play a constructive role in the outcome of Terranea on behalf of the residents. Are these Councilmen trying to drive Terranea into bankruptcy? Since the agreement was negotiated we have had, on a number of occasions, Doug Stern (who helped negotiate it) & Tom Long, both attorneys, flailing away on what a poor deal the TOT rebate agreement was for RPV. In reality the exact opposite is true. Assisting getting Terranea on line as a viable enterprise is a bonanza for RPV & the South Bay Community. Not to mention the 600 new jobs that were created.

One issue is Lowe's reimbursement of the approximate \$130,000 RPV spent on consultants & attorneys in the negotiation of the TOT credit program. According to the Terranea folks the reimbursement is not due until there is a "done deal." If the reimbursement (~\$130,000) is not due until this was a "done deal," what RPV Council should be asking RPV City Attorney Lynch is how did the \$130,000 consultants and City legal expertise (both on Council and outside attorneys) overlook such an important issue? Ire should be directed at RPV staff that negotiated this agreement with a \$130K hole left in it, not at Lowe's people for negotiating a better deal for themselves. This is business 101, folks.

An interesting item is payment to RPV of the TOT fees. It is reported that Terranea has collected approximately \$221,000 in TOT fees for May, June & July. RPV has retained a CPA firm to devise a reporting system for collection of TOT fees. Another consulting fee for a job that seemingly could have been performed by the RPV financial staff. We wonder where the TOT funds are? Are they at RPV City Hall and RPV does not know it?

Other RPV Issues

A current RPV topic is Peter Gardiner's unfilled seat which was discussed at the August 4th Council meeting. Tom Long was on the right side on this one when he advocated that the seat be left open and let the scheduled November election solve the problem. Others perceived a need for action and directed staff to seek potential applicants who would then be interviewed at the August 18th meeting. Ten applicants have now been scheduled, 10 minutes each, prior to the August 18th Council meeting. It seemed that the Council reserved the option to not appoint a replacement should there not be a candidate that they deemed acceptable. Let's see what they do?

The following email was recently forwarded to PVP Watch. We anticipate that Doug Stern will apply his usual rhetoric about local Council positions being non-partisan to his Democrat friends as he does so often when he perceives Republicans may be supporting candidates.

Editor: This message by the President of the PVP Democratic Club is a bit tacky at best. Certainly displays poor judgment. One would preclude that if the Council wanted to maintain a neutral position they would remove Ms Dye from further consideration. PVP Watch suggests that RPV voters make their opinions of political solicitations such as the PVP Democratic Club message known to RPV City Hall / cc@rpv.com

Dear fellow PVP Democratic Club member,

Club member and second vice president Barbara Dye has applied to be appointed to the three-month position on the Rancho Palos Verdes City Council left vacant by Councilman Gardiner's passing. She is not running for a seat in the fall, so it would be strictly an interim position.

Barbara has a great deal of experience with the issues that the council will be facing this fall and I think she'd do a very good job.

She has asked Democratic Club members to e-mail RPV council members at cc@rpv.com supporting her appointment. Words of support should be nonpartisan in nature. She'd appreciate everyone's support, but particularly asks RPV residents to send an e-mail and to identify themselves as RPV residents.

The decision will be made next Tuesday, Aug. 18, so please send your e-mails in the next few days.

I can tell you that in the relatively brief time I have known Barbara and worked with her on the club's board, I have been impressed with her energy level, her knowledge of the issues and our community, and her ability to get things done. As second vice president, she has been responsible for executing the programs at our monthly meetings and she's

done a tremendous job. Our Assemblywoman, Bonnie Lowenthal, was impressed enough with Barbara to name her the 54th Assembly District's Woman of the Year in March.

It is very important to the Democratic Party and to all of us Democrats on the Hill to get as many of us as possible involved in local government. Here's an opportunity to help one of our own.

Thanks in advance,
Kay Cooperman Jue
President, PVP Democratic Club

Editor: In regards to the open Council seat, our first choice is to leave the seat open. However, having looked at the list of those applying from the interim Council position we find the most qualified, respected and trusted person to be Jon Cartwright current president of the RPV Council of Homeowners Associations (CHOA) and 20 year City volunteer.

RPV Salaries for 2009 are posted at www.pvpwatch.com / Current Issues. Read them & weep. Although City Manager Lehr reports there will be no salary increases in conjunction with annual reviews, there is a "bonus pool" of \$186,000 that can (and will likely) be used.

RPV continues to hire new employees with the newest being a "Park Ranger." Apparently RPV has found it necessary to have someone on the trails ready with ticket book to make citations for infractions of Nature Preserve rules & regulations. More revenues for RPV City Hall? What is ironic about this is when Doug Stern & his Land Conservancy supporters were negotiating the purchase of the Hon landslide area property (for ~\$39,000 an acre) some of us brought attention to the fact that the land use plan (NCCP) ignored the need for security and protection. Time is now proving us to be correct.

Outrageous consultant fees seem to be the norm at RPV. At the August 4th meeting the Council approved increasing the consultant fee for evaluating the trash hauling proposals to \$165,000 (Consent Calendar #5). This project was ridiculous when it was initially awarded at \$135,000. Residents need to pay attention to the Council's actions on the trash hauling proposals. We note from an *Easy Reader* article, that Manhattan Beach has also hired a consultant to negotiate their trash contract. Cost: \$70,000.

Oh, and the secret deal with Annenberg for the dog & cat facility is moving along. At the July 7th meeting, # 13 Proposed Annenberg Project at Lower Point Vicente

Recommendation: Authorize the Mayor and the City Clerk to sign a Professional Service Agreement in an amount not to exceed \$116,559 with Rincon Consultants, Inc., to prepare an Environmental Impact Report (EIR) for the proposed Annenberg Project at Lower Point Vicente; and, 2) Authorize the City Attorney to begin discussions with the Annenberg Foundation on the appropriate agreement between the City Council and the Annenberg Foundation for the use of the City's Lower Point Vicente Property for the proposed site improvements and direct that a trust deposit be established by the Annenberg Foundation for that purpose.

We see problems with this proposal. Is this what RPV residents / taxpayers want? Just because Annenberg paid for the so-called *Vision Plan*, does that mean Annenberg gets a "pick of the litter" option? Will there be a lease fee or is the land going to be given to Annenberg free of charge? Is this good land use or could this land be better utilized? For example: youth playing fields.

Is the use of this land consistent with the General Plan as well as the conditions under which this land was given to RPV by the US Government? PVP Watch believes that RPV residents are entitled to full disclosure on what is being planned and implications of Annenberg's proposed dog & cat facility. Lastly, if the dog & cat facility does not go through, will the city be refunded the \$116,559 EIR fee, or do we risk another botched agreement AKA Terranea?

Tom Long's Comments

Just when one perceives that Tom Long cannot possibly top any of his earlier fozzles he rises to the occasion. During the August 4th Council meeting Sheriff's Captain Anda & Deputy Knox made a presentation on traffic problems including the difficulty of getting bicyclist's to observe vehicle codes. At their conclusion, Long went into a diatribe that those over age 75 were too feeble to drive safely and their driver's licenses should be rescinded. And he seemed to be serious! And some wonder why nonsensical actions emanate from RPV City Hall. Hello Seniors, anyone 75 or over care to respond?

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 welcomes modest contributions and appreciates the many contributions received. Those desiring to contribute, please send checks to PVP Watch PO Box 7000-22, Palos Verdes Peninsula, CA 90274. We thank those who have contributed for helping to promote PVP Watch.

Subscribers

The PVP Watch e-mail list continues to grow. For those who wish their addresses removed, please send notice to info@pvpwatch.com.

PVP Watch strives to bring current issues to www.pvpwatch.com. Those who have topics of community interest are encouraged to bring those issues to PVP Watch.

The Editorial Committee