

## PVP Watch Newsletter – September 19, 2009

### To Our Friends & Supporters:

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](http://www.pvpwatch.com) / Current Issues. Forms can be downloaded, completed and submitted to the LA County Clerk by US Mail.

Well..... here we go again. Another RPV land acquisition to accommodate the land conservancy folks. This time it is the Upper Filiorum Property owned by Jim York Associates. Total price for 161 acres is \$6,500,000 with the California State Coastal Conservancy providing \$5,500,000, RPV \$650,000 & the PVP Land Conservancy \$400,000. It is puzzling that with the current financial mess in Sacramento that there are \$\$\$ sitting there for questionable projects such as purchasing the Upper Filiorum Property. RPV residents might also question the use of their \$650,000 for this purpose as well. Undoubtedly, there will be a forthcoming smokescreen from RPV City Hall that there are limited uses for the \$650,000. It would seem logical that other recreation activities (like girls softball fields) would qualify. Of course all should remember the Councils / Land Conservancy relationship and the Land Conservancy's priorities. Oh, by the way, \$419,087 is from Council reserves and could likely be used for storm drain repairs as well.

And then there is the Annenberg dog & cat facility at Lower Point Vicente (PVIC). At the July 7th RPV Council meeting RPV City Attorney Carol Lynch was authorized to begin negotiations with Annenberg for the Dog & Cat facility undoubtedly including the PVIC at Lower Point Vicente. Several days ago many received a *puff* piece "The Annenberg Project at Lower Point Vicente" via US Mail. The *mailer* seems to indicate that this is a done deal.

*From the mailer "The center will dovetail with the natural environment at Lower Point Vicente, enhance the Point Vicente interpretative Center (PVIC) and celebrate our relationships with companion animals and other living things. This project is a gift to the Peninsula community, funded by a grant from the Foundation."*

August 29th RPV conducted a Candidates Ethics / City Council Team Building Workshop that included RPV's favorite ethics & team building guru; Dr. Tom Shanks. Cost including lunch for all, approximately \$2,000. How many times has the good Doctor done these sessions and they don't seem to work?

An example: As some will recall, at the August 18th Council meeting prospective candidates for completing Peter Gardiner's term (Nov. 2009) were interviewed. During the interview of Jon Cartwright for the open Council position Councilman Doug Stern accused Mr. Cartwright of solici-

iting a "quid pro quo" deal for trading votes several years ago. Mr. Cartwright responded to these serious and unfounded allegations by Stern with the following letter that was published in the September 10th edition of the PV News. PVP Watch believes Mr. Cartwright's response newsworthy and it is posted below:

*"On August 18, 2009, at the Rancho Palos Verdes City Council meeting, during the interview of candidates to fill the remainder of Peter Gardiner's term, Councilman Doug Stern accused me of asking him two years ago to trade votes. I was stunned and had no idea what Councilman Stern was referring to at the time.*

*Over the past week, I have given Stern's accusation considerable thought. I do remember a conversation several years ago where to the best of my recollection I told Doug that people were concerned that the Council was coming apart over several issues, and as Mayor (Editor: a minor correction – reportedly at that time Stern was the Mayor Pro Tem), it was his responsibility to keep the Council together. I suggested he might consider Peter's request to get an outsourcing estimate for the City's information technology and if he did, I thought Peter might support the management audit and the second storm drain initiative.*

*To me, this was a simple suggestion to put the City first over petty matters and find a compromise. It never occurred to me that Doug misunderstood what I suggested. If he would have expressed concern over trading votes during our conversation, I would have known then that he misunderstood what I was saying.*

*In closing, I want to make it clear that I did not and would not ever suggest a quid pro quo: it is patently false to say that I did. Furthermore, I did not have a vote to trade nor did anyone ask me to discuss a trade. I hope we have not gotten to the point where suggesting a compromise is considered a dirty deed."*

*Jon Cartwright*

Clearly Stern's comments were "over the top" but unfortunately typical from the protection of the Dais. At the Ethics workshop Tom Long distributed the following legal instructions which have been used on a number of occasions by Doug Stern.

*"I am hopeful that all candidates will adhere to both the letter and spirit of the California Constitution, Article II, Section 6 which declares:*

*(a) All judicial, school, county, and city offices shall be nonpartisan.*

*(b) No political party or party central committee may endorse, support, or oppose a candidate for nonpartisan office."*

PVP Watch obtained a legal clarification that clearly demonstrates that our two attorney Councilmen apparently do not understand the applicable law:

*California Democratic Party v. Lungren, 860 F.Supp. 718 (N.D. Cal. 1994) invalidated the Article II, Section 6 prohibition on political party endorsements of candidates for non-partisan offices.*

We suggested to City Manager Lehr that she inform those that attended the August 29th workshop that the instructions provided by Tom Long were erroneous. To our knowledge, that correction has not been issued.

Unfortunately this gives rise to another issue of RPV's \$1,000,000 annual legal costs and we can only speculate as to how much Doug Stern & Tom Long have cost RPV taxpayers in pursuing questionable lawsuits. These people operate in closed sessions with no transparency to RPV residents.

In so far as the current RPV Council election is concerned, we believe the two best qualified candidates are **Brian Campbell** and **Anthony Misetich** as both have the management experience that the Council so desperately needs. Future Newsletters will contain further information on the RPV Council race as well as PVPUSD Trustees and Peninsula Library Board. There are a number of forthcoming candidate forums and we encourage all to attend and evaluate the candidates themselves.

### **PVP Schools**

During the September 10th PVPUSD board meeting, teacher's union president Kathy Santarosa used the speaker's podium to rant about the Board accepting PVPUSD health benefits. Our inquiries found that offering health benefits to Board members is specified by government code. Each Board member can accept or refuse such coverage and pays the exact same amount out of pocket as any other employee. The Board of Education is also allowed a \$400 per month remuneration however we understand there is a tradition of declining such payments.

It is now election season and the teachers union will likely support school board candidates they believe most favorable to union causes. PVP Watch disagrees with the teacher's union's primary focus of increasing pay for those with greatest seniority and ignoring the newer teachers with less seniority. In fact this recent contract, the union refused to accept a freeze on built-in pay increases and opted to force larger class sizes in all schools. As a result some teachers, in these economic times, now have a significant salary increase over last year. What is even more disgusting is that after Peninsula taxpayers stepped up to do an increased Parcel Tax, teacher's have contributed nothing to Peninsula schools current budget problems.

The rabid unionist's proclaim "they are for the children" when in reality they are focused on their paychecks while making life uncomfortable for those who would prefer not have to join the union. PVP Watch believes that teachers should have working conditions that provide choice for union

membership. The time has come to change education and the union mentality that permeates our school system.

## **Marymount**

The RPV Planning Commission recently approved the Marymount plan for upgrading / modifying the Marymount campus on PV Dr East. There has been a small opposing faction who have appealed the Planning Commission decision and the appeal was on the August 18th RPV Council agenda. After an abbreviated hearing the meeting was continued to September 12th.

Several days prior to the September 12th meeting Marymount announced, in a letter to RPV, that the school was seeking accreditation to offer 4 year Baccalaureate degrees in several disciplines. Marymount would not exceed the current RPV imposed cap of 750 students. As might be anticipated, the September 12th meeting focused solely on this new development and provided the Council an opportunity to do nothing until sometime in the future. As we understand the current situation the modernization plans appeal is shelved until the new curriculum proposal is decided.

Other than City Attorney Lynch's reaction to the likelihood of more billable hours, why would any logical person see an issue that required City Hall involvement in Marymount decisions concerning courses and curriculum? Whether a class is for Freshman English or Senior Business classes, what is so distinguishable that requires City Hall involvement? What does seem obvious is that there is too much City Hall interdiction in matters that are not within the purview of City Hall authority. We urge the RPV Council to get back to the matter at hand and that is the ludicrous appeal of the Planning Commissions approval of the Marymount modernization plans. The Planning Commission conducted numerous hearings on this matter and for the Council to decide that they would start from the beginning (de novo) is absolute nonsense. Of course not of any consequence is that fact that the opponents were very vigorous supporters of several Councilmen in their past Council campaigns. Continued harassment of Marymount is likely to cause another unneeded legal action.

## **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](mailto:info@pvpwatch.com).

PVP Watch strives to bring current issues to [www.pvpwatch.com](http://www.pvpwatch.com). Those who have topics of community interest are encouraged to bring those issues to PVP Watch.

The Editorial Committee