

## PVP Watch Newsletter – March - 24 - 2018

### To Our Friends and Supporters

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### **US Supreme Court**

A matter before the US Supreme Court, Janus v. American Federation of State, County, and Municipal Employees (AFMCME), is a US labor law case, concerning the right of labor unions to collect funds from non-union members that should be of interest to all California residents. This case was heard by the Supreme Court on February 26<sup>th</sup> and a decision is anticipated for June, 2018. A very similar California case was before the Court last year and ended in a 4 / 4 tie after Justice Scalia's death. It is anticipated that Justice Gorsuch will vote in favor of Janus.

The cause for this vote is evident as California and other “blue” states are controlled by public employee unions. In our own 66th AD what enabled Al Muratsuchi to overcome David Hadley in the last election were public union funds. Reducing public union financial support will lead to more balanced elections with the people having more influence in elections. Be ready for the naysayers.

### **PVE – Measure E**

#### **Palos Verdes Estates & Measure E - Election April 10<sup>th</sup>**

The latest Parcel Tax proposal by the City Council to the residents of PVE will be decided April 10th. It is supposedly a tax to fund the private police department of the city. Unfortunately it will not do so and sadly the city leaders have not been forthcoming.

**MEASURE E** - The PVE City Council states this parcel tax of \$5 million/year over 9 years (\$45 million) will “Save the Police.” Unfortunately \$45 M will not and cannot save the PVE police department as the PVE police budget is far beyond such revenue gain vs present and future expenses.

**THE FACTS ARE COMPELLING.** **Measure E** will bring in \$45 m over 9 years which is only about 50% of the current annual \$10 M cost of keeping a local police department which is presently 62% of the entire PVE budget. Additionally the City projects the 9-year costs of funding the police as \$169 million based on PVE historical annual 6% budget increases and increasing annual CalPERS pension contribution costs.

**FUNDING GAP** of \$124 million! Also very concerning to residents is that **Measure E** will lock PVE into a “police union contract” for 9 years without the ability to alter or negotiating terms.

**BANKRUPTCY:** Any reasonable person can calculate that PVE is courting bankruptcy! If **Measure E** passes, unless further more stringent tax measures are passed by the residents the tax and other revenues will not come close to predicted costs. PVP Watch predicts passing such additional tax measures is highly unlikely, probably impossible, as to remain solvent the City will require about another \$5000+/per parcel beyond the approximate \$1500 average tax revenue per parcel from **Measure E**, should it be approved; thus a total needed tax burden per parcel of about \$7000. The residents will not pass such onerous taxes just to have a private PVE only police department.

THE SHERIFF DEPARTMENT that serves the ENTIRE rest of the Peninsula has made two (2) proposals:

PROPOSAL 1 – \$3.3 M yearly – 12% more patrol hours, no pension contributions, and annual increase capped at 3%.

PROPOSAL 2 – \$4.3 M yearly – 50% more patrol hours, no pension contributions, annual increase capped at 3%, and all Peninsula Sheriff deployment shifted to a new headquarters in PVE thus acting as a Force Multiplier for the City.

SAVINGS – PROPOSAL 1 – \$7 M yearly + savings of an additional annual increase of 3% (6% City projected increases less Sheriff max cap of 3%), and no pension contributions.

SAVINGS of about \$12 M: (Annual savings police budget - \$4 M, police pension \$4 M, compound 6 % increases \$2 M)

#### **PVP WATCH:**

- 1) Urges PVE residents to VOTE NO MEASURE E, Save Your City, and engage the Sheriff Department.
- 2) Further and reluctantly makes the predication if **Measure E** passes PVE will be forced to eventually file Bankruptcy.

#### **SHERIFF PROGRAMS INFORMATION**

<http://bluffcove.org/measure-e/>

<http://shq.lasdnews.net/content/uoa/LMT/...>

<https://www.scribd.com/document/37130336...>

#### **RPV – A Charter City**

RPV residents may be hearing “chatter” about RPV becoming a Charter City as Mayor Susan Brooks and City Manager Doug Willmore were at the CHOA (Council of Homeowner Association) recently promoting the Charter City concept. Today RPV is a General Law contract city and in general RPV follows California law and the Council approves Municipal Ordinances that pertain only to RPV. California law permits Charter Cities as well as General Law cities. The differences primarily are that a “Charter City” provides authority for portions of government that are deemed “Municipal Affairs. For example, as a General Law city, the State could decide that TOT (occupancy taxes) being collected by Terranea now going to RPV could be deemed a State affair. If RPV were to become a Charter City, RPV would have legal standing to take the matter to Court. This is but one example of a Charter City. Before anyone gets concerned, a Charter City plan (Constitution) MUST be approved by RPV voters. Many of our surrounding cities are Charter Cities i.e. Torrance, Redondo Beach, Hermosa Beach, Manhattan Beach, Long Beach in fact some 121 cities in California are Charter Cities.

The downside of this is how the "Charter is written. Currently there is a citizens group that has begun an effort of creating a RPV Charter. We need to be careful that we do not trade one problem (Sacramento) for another (RPV City Hall). One of the current issues is the lack of Council oversight of the City Manager. With Susan Brooks as Mayor that matter is not likely to change. We believe there are others in our community who have similar concerns about how the City Manager performs his duties. PVP Watch welcomes resident comments and we will continue to monitor the "Charter" writing process and report to our fellow citizens.

### **RPV – NCCP – (Natural Community Conservation Plan)**

The next City Council Adjourned Regular Meeting (Final Draft 2018 Natural Community Conservation Plan - NCCP) will be held on Thursday, March 29, 2018 at 6 p.m. at Fred Hesse Community Park, 29301 Hawthorne Blvd. See the city website. <http://www.rpvca.gov/772/City-Meeting-Video-and-Agendas>

The NCCP was first written about 2000 / 2004 and was a required California document concerning how the then proposed "Preserve" would be managed. Since that time the NCCP has remained in "Draft" mode although the land has been acquired, city staff has been added and the Preserve is now "operational."

Information found in the 129 page Staff Report for Thursday's (March 28<sup>th</sup> staff report:

\* RPV is the only city on the Peninsula who has opted to have a NCCP. PVE, RHE and RH have declined and opted out. Why?

\* In 2006 the then Council approved NCCP annual expenditures of \$100,000 for general preserve management and \$15,000 for managing Oceanfront Estates habitat with annual increases of inflation. Today that would approximate \$144,300. The \$115,000 annual RPV city expense has grown to FY16-17 \$1,286,209, that is, another million dollar expense, though 2006 draft called out only increases for inflation. Why anyone be concerned after all it is only taxpayer's \$\$\$...

\* Found on page. C-2: "Permittees may also use or establish other local funding measures, including, but not limited to, utility surcharges, special taxes, or assessments, or bonds, to the extent allowed by law." RPV was founded as a 'low tax, contract city' and this funding statement ignores that and any citizen approval of these sources. And since the NCCP bill went from \$115,000 to \$1,286,209 in 12 years do you think that these funding sources will not be employed within the next 12 years?

\* Residents should be aware that the NCCP plan includes ALL private properties in RPV. This NCCP creates developmental impedimenta (hurdles) for any vacant piece of land in RPV. So you want to add a porch, second story, rebuild - what environmental requirements re plantings will you face? Native, non-invasive only? Does that include rose bushes, fruit trees, regular grass?

\* What started out as a questionable land use idea has turned into a 12 year gravy train for RPV to fund PVPLC, environmental consultants, city attorneys, cars, trucks, etc.? The Council needs to reject the proposed NCCP document and reexamine RPV's participation in this monstrosity as most RPV residents get little or no benefit from the Preserve as it is currently configured. Why should RPV residents carry the entire financial load for what has become an attractive nuisance? Think parking on Crenshaw / Del Cerro Park.

At a minimum, the NCCP should be limited to actual Preserve boundaries and not include our private properties? The Portuguese Bend slide area should also be removed from the Preserve area as the City does not need the PVPLC's interference as the City seeks solutions for restraining landslide movement.

Most RPV residents will recognize the "NCCP" as nothing but more than a bureaucratic quagmire. Will the Council follow staff's recommendation to seek approval of the "final" version of the NCCP or will they recognize the travesty they will be perpetuating by approving this monstrosity.

PVP Watch encourages all property owners to make their concerns with the NCCP known to the RPV Council. Comments can be emailed to [cc@rpvca.gov](mailto:cc@rpvca.gov).

### **RPV - Ladera Linda Park**

Tuesday March 20<sup>th</sup> the RPV Council held a three hour meeting concerning the Ladera Linda Park Master Plan. The public hearing revealed a range of opinions with the adjacent neighbors being opposed to the design and those living elsewhere being in favor. The plan proposed by staff is estimated at approximately \$8,000,000. PVP Watch believes \$8,000,000 for this project is excessive and a waste of taxpayer funds. The good news is that Mayor Pro Tem Duhovic quickly announced his disapproval of the proposal and that he would not vote for approval. New Councilmen Eric Alegria and John Cruikshank joined with Duhovic with their concerns. Mayor Brooks and Councilman Dyda wanted to move forward with staff's proposal with no apparent concern for the excessive cost.

As the discussion went on staff did respond that they believed there were "Value Added" design options that could reduce costs. We wonder, why are potential savings opportunities not brought forth early in the design so that taxpayer get the benefit rather than later when contractor gets the benefit such as what occurred in the San Ramon project.

In conclusion, the decision was to select a new architect to create an acceptable design. Also at Mr. Duhovic's insistence, there will be a new traffic study for PV Drive South in the Forrestal area as there are traffic control issues that must be resolved. PVP Watch agrees with Mr. Duhovic that better traffic control is needed in that area.

### **RPV – Purchase Street Lights from SCE**

PVP Watch reported in the last newsletter our concerns about RPV staff's proposal to purchase 1799 LS-1 Street lights from So Cal Edison (SCE). RPV City Manager Willmore responded with data expressing the City's opinion that the proposal was a cost effective deal. Mr. Willmore responded that many other cities are doing similar deals with SCE identifying two cities Long Beach and Rancho Cucamonga. It is understandable that Long Beach a city approximating 600,000 residents could easily assimilate street light maintenance but we questioned Rancho Cucamonga as comparable to RPV. RPV was founded as a low tax contract city and we question the wisdom of RPV engaging in a business venture maintaining street lights. The proposed savings do not, in our opinion, justify the risk. Hopefully the Council will see thru this scheme and deny approval of purchasing the street lights from SCE. PVP Watch will report the Council's actions.

### **PVE - Citizens Committee Attempts to Replace PVE HOA Directors**

**HEARING:** March 15, 2018 there was a hearing with Judge Kwan of the Los Angeles Superior Court to reveal the vote count in the recent PVE Home Owners Association (PVE HOA) Directors Election.

**SECRECY:** The PVE HOA lawyer attempted to keep the results from being released to the public asking the Judge not to read the count into the record. He was forced to show the results to the Judge and thus made them public.

**RESULTS:** While the count by candidate was not disclosed it was revealed in the dialogue that:

- The four ROBE challengers were the top four vote getters
- The five PVE HOA present directors were the bottom five vote getters

It was also learned that Phil Feng's, President of the PVE HOA, received the lowest number of votes.

**CONCLUSION:** Residents were voting **TIME FOR CHANGE** OF PVE HOA BOARD MEMBERS

### **PVP Watch Welcomes Subscriber Comments**

PVP Watch welcomes subscriber Comments. Please send comments to [info@pvpwatch.com](mailto:info@pvpwatch.com).

A current email issue is overactive "spam" detectors and we urge everyone to enter [info@pvpwatch.com](mailto:info@pvpwatch.com) and pvpwatch into their computer address books. This signals your ISP (Internet Service Provider) that you wish to receive PVP Watch newsletters.

Those who have topics of community interest are encouraged to bring those issues to [info@pvpwatch.com](mailto:info@pvpwatch.com) as well.

### **PVP Watch Welcomes Contributions**

PVP Watch appreciates the financial contributions of the many subscribers who have sent checks to PVP Watch as we remain on the financial support of our many subscribers. Those wishing to make a modest contribution, please send checks to PVP Watch / PO Box 2041 / Palos Verdes Peninsula, CA 90274

### **PVP Watch – Newsletter List**

A reminder to ALL PVP Watch subscribers, should you change your email address, don't forget to advise PVP Watch. For those who wished to be removed from the PVP Watch newsletter data base, please notify [info@pvpwatch.com](mailto:info@pvpwatch.com).