

MEMORANDUM



RANCHO PALOS VERDES

TO: RANCHO PALOS VERDES CITY COUNCIL
FROM: CITY MANAGER *CJD*
DATE: MAY 18, 2011
SUBJECT: ADMINISTRATIVE REPORT NO. 11-20

- I. CITY MANAGER AND DEPARTMENT REPORTS (See Attachments)
 - A. City Manager – No report this week
 - B. Finance & IT Department
 - C. Public Works Department
 - D. Community Development Department
 - E. Recreation & Parks Department

- II. CORRESPONDENCE AND INFORMATION RECEIVED (See Attachments)
 - A. Tentative Agendas
 - B. Channel 33 Programming Schedule
 - C. Channel 35 Programming Schedule
 - D. Crime Report
 - E. Correspondence

May 2011

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 <i>10:00 am—12:00 pm— American Diabetes Association Tour de Cure Road Event</i>	2	3 <i>7:00 pm—City Council Meet- ing @ Hesse Park</i>	4	5	6 <i>7:30 am—Mayor's Breakfast @ Terranea(Long/Stern)</i>	7 <i>9:00 am—3:00 pm—HHW/ E- Waste Roundup @ City Hall Maintenance Yard</i>
8	9 <i>7:00 pm — City Council Meeting/Budget Workshop @ Hesse Park—CANCELLED</i>	10 <i>6:00 pm—Hesse Park Ball Field Ribbon Cutting 7:00 pm—Special Council Meeting—Hesse Park— Activity Room 7:00 pm—Planning Commis- sion Meeting @ Hesse Park</i>	11 <i>6:00 pm—9:00 pm—RPV Leadership Academy, Parks & Recreation @ PVIC</i>	12	13	14 <i>5:30 am—3:00 pm (set up—end) - RHE Kiwanis Palos Verdes Marathon</i>
15 <i>10:00 am—11:00 am— Honda Ride for Kids Road Event</i> <div style="border: 1px solid black; padding: 2px;"><i>CCCA Conference— Indian Wells, CA</i></div>	16	17 <i>7:00 pm—City Council Meet- ing @ Hesse Park</i>	18 <i>12:00 pm—Mayor's Lunch @ The Depot (Misetich) 1:30 pm—Sanitation District Meeting (Misetich) 7:00 pm—Finance Advisory Committee—Community Room</i>	19 <i>8:00 am—Regional Law Enforcement Committee Meeting @ RH City Hall (Misetich/Stern) 7:00 pm—Emergency Pre- paredness Committee— Community Room</i>	20	21
22	23 <i>7:00 pm—Traffic Safety Committee Meeting— Community Room</i>	24 <i>7:00 pm—Planning Commis- sion Meeting @ Hesse Park</i>	25 <i>6:00 pm—7:00 pm Pet Vac- cination Clinic @ Hesse Park</i>	26	27	28
29	30 <i>Memorial Day Holiday—City Hall Closed</i>	31				

CCCA Conference—Indian Wells, CA

June 2011

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3 <i>7:30 am—Mayor's Breakfast @ Terranea(Long/Campbell)</i>	4
5	6	7 <i>7:00 pm—City Council Meeting @ Hesse Park</i>	8 <i>6:00 pm—9:00 pm—RPV Leadership Academy, Finance @ PVTC</i>	9	10	11 <i>11:30 am—Docent Appreciation Luncheon @ Simons</i>
12	13	14 <i>7:00 pm—Planning Commission Meeting @ Hesse Park</i>	15 <i>12:00 pm—Mayor's Lunch @ The Depot (Long)</i> <i>1:30 pm—Sanitation District Meeting (Long)</i>	16 <i>7:00 pm—Emergency Preparedness Committee—Community Room</i>	17	18
19	20	21 <i>7:00 pm—City Council Meeting @ Hesse Park</i>	22	23	24	25
26	27 <i>7:00 pm—Traffic Safety Committee Meeting—Community Room</i>	28 <i>7:00 pm—Planning Commission Meeting @ Hesse Park</i>	29	30		

July 2011

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 <i>7:30 am—Mayor's Breakfast @ Terranea (Long/ Wolowicz)</i>	2
3	4 <i>4th of July Holiday— City Hall Closed</i>	5 <i>7:00 pm—City Council Meeting @ Hesse Park</i>	6	7	8	9
10	11	12 <i>7:00 pm—Planning Commi- sion Meeting @ Hesse Park</i>	13 <i>6:00 pm—9:00 pm—RPV Leadership Academy, Legal Issues @ PVIC</i>	14	15	16
17	18	19 <i>7:00 pm—City Council Meeting @ Hesse Park</i>	20 <i>12:00 pm—Mayor's Lunch @ The Depot (Long)</i> <i>1:30 pm—Sanitation Dis- trict Meeting (Long)</i>	21	22	23
24	25 <i>7:00 pm—Traffic Safety Committee Meeting— Community Room</i>	26 <i>7:00 pm—Planning Commi- sion Meeting @ Hesse Park</i>	27	28	29	30

MEMORANDUM



RANCHO PALOS VERDES

TO: CAROLYN LEHR, CITY MANAGER

FROM: DENNIS McLEAN, DIRECTOR OF FINANCE AND INFORMATION TECHNOLOGY

DATE: MAY 18, 2011

SUBJECT: WEEKLY ADMINISTRATIVE REPORT



UNFUNDED PENSION OBLIGATION

Council member Campbell recently asked whether the City's unfunded pension obligation should be presented in the budget and the City's financial statements to improve transparency to the public. Although not required by current reporting standards, Staff agrees with the Council member's goal and is currently exploring the best way to provide this information.

To improve public awareness, Staff is considering the prominent presentation of background information and an estimate of the unfunded pension obligation in the body of the staff report that accompanies the Comprehensive Annual Financial Report (the City's audited financial statements). Because of the complexities, and the significant disparity of the amount of the estimate using market valuation v. actuarial valuations, we will discuss this idea with the City's independent auditors prior to implementation.

The unfunded liability is a calculation based upon the difference between the value of the assets and the actuarial pension liability. Over time, the unfunded liability increases or decreases depending upon many factors, including CalPERS investment performance, changes in actuarial assumptions (i.e. retirees seem to be living longer) and employee turnover.

Current reporting standards promulgated by the Governmental Accounting Standards Board (GASB) do not provide for the inclusion of the amount of the unfunded pension obligation on the City's balance sheet. However, GASB appears to be moving in the direction of issuing an Exposure Draft of a forthcoming pronouncement that will require the inclusion of the unfunded pension liability in the Statement of Net Assets of the City's financial statements. Until the pronouncement establishing the methodology for computing the amount of the obligation is issued, it would be inappropriate for City staff and its independent auditors to speculate how best to do so (i.e. Will the computation of the liability be based upon market or actuarial valuation? Will all assumptions established by CalPERS in its annual actuarial valuation be consistent with the forthcoming GASB?). Staff will also discuss the possibility of disclosing information regarding the unfunded pension obligation in the footnotes to the financial statements in advance of the GASB pronouncement with the City's independent auditors.

FINANCE AND INFORMATION TECHNOLOGY DEPARTMENT WEEKLY REPORT

May 18, 2011

Page 2

The disparity of the estimated liability, as of June 30, 2009, using actuarial v. market valuation is enormous, \$2.7 million v. \$9.8 million. Staff has read local community reports that the amount of the unfunded pension obligation was more than \$9 million, without any further explanation of the disparity. It's important to provide the reader or the listener with background information to ensure a clear message that is not misleading.

The estimate was based upon the annual actuarial valuation performed by CalPERS as of June 30, 2009, nearly two years ago, when the Dow Jones index was below 8,500. The Dow Jones closed higher than 12,500 as of the date of this report, an increase of nearly 50%. We do know that CalPERS experienced a 13% rate of return on its portfolio during the year that ended June 30, 2010. Although speculation regarding the impact that the favorable rebound of the stock market has had on the City's plan assets is unknown, the value of plan assets is likely greater and the unfunded obligation is probably less.

Because the City participates in a risk pool with other cities, the determination of the obligation requires an actuarial valuation of the City's plan, rather than merely an estimate based upon the City's share of the entire pool. It's even possible that GASB may exempt agencies (like the City) that participate in a risk pool with other agencies from including the unfunded pension obligation in the financial statements, due to the complexity of its determination. Again, prior to issuing a pronouncement, it's expected that GASB will issue an Exposure Draft to enable the preparers and users of financial statements to provide technical comments about the proposed methodology that would be used to determine the amount of the obligation. It appears as though the final GASB pronouncement is a year or two away.

If and when the unfunded liability is required to be on the City's balance sheet, there will still be no obligation to make payments, unless the City terminates its CalPERS contract. Therefore, no appropriation in the FY11-12 budget is necessary. Much like the City's infrastructure assets that are on the balance sheet, the plan assets could not be sold and used to pay City operating costs.

TORRANCE AIRPORT HELICOPTER ROUTE UPDATE

Background

We reported to you recently that the Torrance City Council adopted improved helicopter routes and altitude flight minimum levels at its February 1, 2011 meeting. This decision should reduce the impact on the City's residents by modifying the existing South Crenshaw Helicopter route and increasing the minimum height to 2,000 feet mean sea level (msl) along the high elevation points along the route.

The proposed South Crenshaw route change is expected to minimize residential impact by modifying the route so it flew over the eastern segment of the Portuguese Bend Nature Preserve rather than fly near Terranea Resort, Abalone Cove Shoreline Park, adjacent neighborhoods and the western segment of the Preserve. The route previously ended near the intersection of Crenshaw Boulevard and Indian Peak. The modification, including

FINANCE AND INFORMATION TECHNOLOGY DEPARTMENT WEEKLY REPORT

May 18, 2011

Page 3

the extension from Del Cerro Park to the Pacific Ocean was approved by the Helicopter Committee and the Torrance City Council

As you may recall from our previous report, the Operations Support Group Manager for the FAA responded to Torrance Airport's letter on April 15, 2011. The FAA's letter identified a number of steps beyond Torrance's basic requested review and approval that would need to be completed before a test procedure could be implemented. The letter noted the need for an aeronautical analysis of helicopter and fixed wing traffic which would be performed by the FAA and would take approximately four months. Additionally, the letter called for a noise analysis or Integrated Noise Modeling for the proposed route changes, including the South Crenshaw route.

Update

Staff conducted a conference call with Rancho Palos Verdes' aviation consultant, Torrance Airport Facilities Operation Manager Shant Megerdichian, the Chair and Vice-Chair of the Torrance Helicopter Committee and FAA staff to provide additional background about the proposed route changes. Upon concluding the discussion, all parties had a better understanding of the proposed route changes, the FAA's concerns and a way forward.

Staff also attended the meeting of the Torrance Helicopter Committee on May 11th. At the meeting, the Chair gave an oral presentation of the FAA's concerns and several steps the Helicopter Committee and Torrance staff may take to resolution that could lead to approval of publication of the routes. No action was taken by the Committee. Torrance staff has not drafted its reply to the FAA at this time.

While the great majority of Torrance helicopter activity does not encroach upon Peninsula airspace, staff believes it is important to monitor this development and other airspace issues to minimize any potential negative impacts on our residents.



MEMORANDUM

RANCHO PALOS VERDES

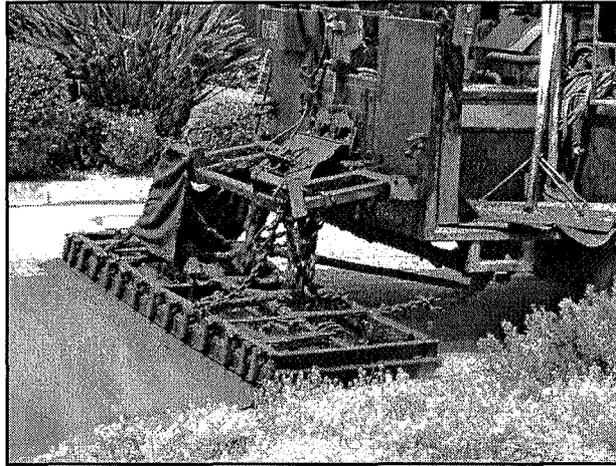
TO: CAROLYN LEHR, CITY MANAGER
FROM: RAY HOLLAND, DIRECTOR OF PUBLIC WORKS
DATE: MAY 18, 2011
SUBJECT: WEEKLY ADMINISTRATIVE REPORT

RESIDENTIAL REHABILITATION PROJECT NOTIFICATION PROTOCOL

Annually, the City implements its residential street resurfacing project which includes roadway slurry seal or overlay treatments. An intricate schedule is created that balances which streets will be resurfaced on which days. A thorough notification process is undertaken which includes a letter from the City several weeks before the work begins, advising the residents that future work will commence and that additional information is available at the Public Works Department or City website. This notification letter is sent on behalf of the City and the addresses are populated from the City's address database, Win2Data. Copies of the address labels are maintained in the project file for confirmation that notification was made. In addition to the mailed notification letter, door hanger notification letters are distributed by the contractor to each affected residence 3-5 days before paving activities. This door hanger describes the type of work that will be performed and provides instructions for access during the construction. Lastly, 72-hours prior to paving, temporary no parking signs are posted in advance so that streets are clear for paving activities. This protocol is employed on every paving project.

UPDATE ON RESIDENTIAL ROADWAY REHAB PROJECT

Slurry seal application was completed this week on most of the scheduled residential streets bordering Palos Verdes Drive East. There are just a few remaining street portions that still need to receive a slurry seal application in this area, which should be completed this Friday. Chip seal application also began on Monday on the streets in the Del Cerro HOA, off of Crenshaw Blvd. However, the rain experienced this week has resulted in some scheduling adjustments, which have been reflected on the City's project website. Written notices were also delivered to the residences affected by any changes made to the schedule to help keep them informed. Temporary no parking signs continue to be posted and updated to reflect the scheduling changes, and trash collection coordinated as well. Staff appreciates the continued patience and cooperation of all of the residents in these areas.



Slurry seal application on Bramante Circle

BRUSH CLEARING EVENT TONNAGE- Continued

EDCO is nearing the end to its Citywide Spring brush clearing event. To-date, four out of the five routes has been completed. So far, the results confirm that Spring season brings higher brush clearing tonnage than the Fall season. Below see the comparison of the tonnage collected during this event and the one last Fall:

Route	Collection Date 2010	GW tons collected 2010	Collection Date 2011	GW tons collected 2011	Change (tons)
Monday	Sat, Oct 16	15.51	Sat, April 16	20.38	+4.87
Tuesday	Sat, Oct 23	13.26	Sat, April 30	15.92	+2.66
Wednesday	Sat, Oct 30	13.09	Sat, May 7	14.14	+2.05
Thursday*	Sat, Nov 6	22.97	Sat, May 14	27.47	+4.50

- The Thursday route typically provides the highest tonnage. The route covers the PVDE area of the City, which includes many canyon properties and larger lots that generate large amounts of brush.



PUBLIC WORKS WEEK

The Department is celebrating National Public Works Week from May 15-21, 2011. The theme for 2011 is "Serving You and Your Community" which draws attention to the importance and contributions of public works infrastructure in community life. Below see a section of U.S. Senate Resolution, S. Res 177:

The Senate resolution, S. Res. 177, recognizes that "the public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States," and acknowledges that "public works infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments," and "the public works professionals who design, build, operate and maintain the transportation systems, water infrastructure, wastewater and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States."

Below is a photo of the Public Works BBQ Celebration.



PUBLIC WORKS PERMIT REPORT

The Public Works Department is responsible for control of work performed within the City Public "Rights of Way". An Encroachment Permit is required to insure that any applicant working in our streets or parkways is properly licensed, insured and in compliance with the NPDES requirements.

The following is the Public Works Permit Activity Report for the month of April 2011.

2011 April

The Gas Company	3
So Calif Edison	5
NextG	2
Calif Water Service	1
Dumpster	2
Miscellaneous	6
TOTAL	19



TO: Carolyn Lehr, City Manager
FROM: Joel Rojas, Community Development Director
DATE: May 18, 2011
SUBJECT: Weekly Administrative Report

PVPLC and RPV Monthly Team Meeting Minutes

Attached, under separate cover, are the action minutes from the May 5, 2011 monthly meeting between the City and the PVPLC.

Planning Commission Draft Agenda

Attached is the draft agenda for the Planning Commission meeting on May 24, 2011.

Applications of Note

Attached is a table with a summary of the applications of note that were submitted to the Department between May 11 and May 17, 2011.

Attachments

P.C. draft agenda for May 24, 2011
May 5, 2011 RPV/PVPLC action minutes (under separate cover)
Applications of Note



AGENDA

**RANCHO PALOS VERDES PLANNING COMMISSION
TUESDAY, MAY 24, 2011
FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BOULEVARD
REGULAR MEETING
7:00 P.M.**

SCHEDULING NOTES

REQUESTS TO SPEAK ON AN ITEM MUST BE SUBMITTED TO THE COMMUNITY DEVELOPMENT DIRECTOR PRIOR TO THE COMPLETION OF THE REMARKS OF THE FIRST SPEAKER ON THE ITEM. NO REQUEST FORMS WILL BE ACCEPTED AFTER THAT TIME.

PURSUANT TO ADOPTED PLANNING COMMISSION PROCEDURE, UNLESS THE PLANNING COMMISSION AGREES TO SUSPEND ITS RULES, NO NEW BUSINESS WILL BE HEARD AFTER 11:00 P.M. AND NO ITEM WILL BE HEARD PAST MIDNIGHT. ANY ITEMS NOT HEARD BECAUSE OF THE TIME LIMITS WILL BE AUTOMATICALLY CONTINUED TO THE NEXT COMMISSION AGENDA.

NEXT P.C. RESOLUTION NO. 2011-22

CALL TO ORDER:

FLAG SALUTE:

ROLL CALL:

APPROVAL OF AGENDA:

COMMUNICATIONS:

City Council Items:

Staff: SPOTLIGHT ON ACHIEVEMENTS 2010-11 – PERFORMANCE INCENTIVE PROGRAM (3-MINUTE VIDEO HIGHLIGHTS).

Commission:

COMMENTS FROM THE AUDIENCE (regarding non-agenda items):

CONSENT CALENDAR:

1. CAPITAL IMPROVEMENT PLAN (CIP) ANNUAL REVIEW & GENERAL PLAN CONSISTENCY FINDING (CASE NO. ZON2011-00103): Citywide / City (ES)

Request: A finding of consistency with the Rancho Palos Verdes General Plan for the City's 2010 Capital Improvement Plan (CIP).

Action Deadline: None

Recommendation: Adopt P.C. Resolution 2011-___, finding the 2011 Five-Year Capital Improvement Plan consistent with the General Plan (Planning Case No. ZON2011-00103).

CONTINUED BUSINESS:

NONE

PUBLIC HEARINGS:

2. SITE PLAN REVIEW (CASE NO. ZON2011-00083): 30800 Palos Verdes Drive East / Marymount College (AM)

Request: A request to install roof mounted ventilation equipment onto the existing Cecilia Hall Classroom Building (academic building) serving the biology and chemistry labs. Specifically, the improvements include the installation of two roof mounted air conditioning units enclosed by an uncovered screening wall at a height of 5'-6" above the existing roof. The roof mounted mechanical equipment screening wall dimensions are proposed at 57'-0" in length by 20'-6" in width and will be finished in a color that resembles the composite roof material. Additionally, two roof mounted fume exhaust vents will be installed at a height of 11'-0" above the existing roof.

Action Deadline: June 20, 2011

Recommendation:

3. CODE AMENDMENT (CASE NO. ZON2010-00293): Citywide / City (SK)

Request: Code amendment to revise the intersection visibility triangle review process and the City's hedge height regulations within the front yard setback area.

Action Deadline: None

Recommendation: Continue the public hearing on the proposed code amendment to the June 14th hearing to allow Staff additional time for analysis.

4. GENERAL PLAN UPDATE – REVIEW PROPOSED CHANGES TO THE EXISTING LAND USE MAP: City (GP)

Request: A request to review, discuss and approve Staff's proposed changes to Areas L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, and Z of the General Plan Land Use Map

Action Deadline: None

Recommendation:

NEW BUSINESS:

NONE

APPROVAL OF MINUTES:

5. MINUTES OF APRIL 12, 2011

6. MINUTES OF APRIL 26, 2011

7. MINUTES OF MAY 10, 2011

ITEMS TO BE PLACED ON FUTURE AGENDAS:

8. PRE-AGENDA FOR THE MEETING ON JUNE 14, 2011

ADJOURNMENT:

The next meeting is scheduled for Tuesday, June 14, 2011, 7:00 P.M. at Hesse Park.

Americans with Disabilities Act: In compliance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Community Development Director at 310 544-5228 at least 48 hours prior to the meeting.

Notes:

1. Staff reports are available for inspection at City Hall, 30940 Hawthorne Boulevard during regular business hours, 7:30 A.M. to 5:30 P.M. Monday – Thursday and 7:30 A.M. to 4:30 P.M. on Friday. The agenda and staff reports can also be viewed at Hesse Community Park, 29301 Hawthorne Boulevard during the Planning Commission meeting.
2. Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection at the front counter of the Planning Division lobby at City Hall, which is located at 30940 Hawthorne Boulevard, Rancho Palos Verdes during normal business hours as stated in the paragraph above.
3. You can also view the agenda and staff reports at the City's website www.palosverdes.com/RPV.
4. Written materials, including emails, submitted to the City are public records and may be posted on the City's website. In addition, City meetings may be televised and may be accessed through the City's website. Accordingly, you may wish to omit personal information from your oral presentation or written materials as they may become part of the public record regarding an agenda item.



Applications of Note as of May 18, 2011

Case No.	Owner	Street Address	Project Description	Submitted
ZON2011-00120	LEE, IN-SOO & HYANG-C	6913 CREST RD	Two new additions totaling 404 SF.	5/16/2011
<i>Site Plan Review Foliage Analysis</i>				
ZON2011-00123	ARMI KUHA	1904 MACARTHUR ST	Multiple new residential additions and new garage addition that encroaches into the required front yard setback.	5/17/2011
<i>Site Plan Review Foliage Analysis Neighborhood Compatibility Analysis Minor Exception Permit Grading Approval</i>				
ZON2011-00124	V H PROPERTY CORP	1 OCEAN TRAILS DR (TRUMP CLUBHOUSE)	Special Use Permit for LAPD memorial golf tournament	5/17/2011
<i>Special Use Permit</i>				

T:\Forms\Applications of Note.rpt



MEMORANDUM

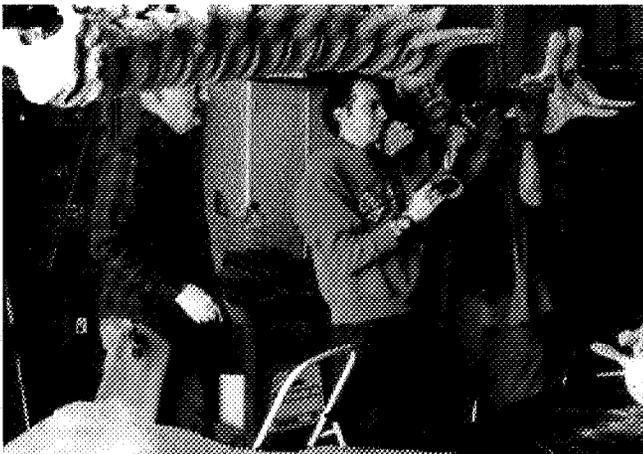
TO: CAROLYN LEHR, CITY MANAGER
FROM: TOM ODOM, DIRECTOR, RECREATION AND PARKS
DATE: MAY 18, 2011
SUBJECT: ADMINISTRATIVE REPORT

ngs for T.O.

Final Whale Count for the 2010-2011 Season

Each year from December through May, the City supports the Los Angeles Chapter of the American Cetacean Society's Census and Behavior Project through the use of the PVIC patio for the daily census takers. The big story for this whale season is the northbound cow/calf pairs, with the sixth largest number of pairs in the last twenty-eight seasons. More northbound and more total whales were seen this season than were recorded in the prior three seasons. Please see the attached article for more detailed information regarding the ACS/LA Census and Behavior Project or visit their website at www.acs-la.org/seewhales2htm.

Point Vicente Interpretive Center / Los Serenos



Los Serenos members Joe Cocke, Bob Barry and Peter Foley continue their efforts to prepare the Gray Whale Skeleton for exhibit at PVIC. The initial assembly is taking place on the City Hall site at the Warhead Assembly Room.

On Monday, staff met with members of the Los Serenos Grants Oversight Committee to discuss grants that have been solicited from the Julius Sumner Miller Foundation, Toyota, Las Candalistas, Kiwanis and various other philanthropies. Also discussed were fundraising efforts to pay for busses for the Palos Verdes school district's fourth grade program, and how best to meet the California Standards for that grade.

At the annual May meeting of Los Serenos de Point Vicente held on Wednesday evening, general election for the new board members took place, followed by staff updates and a guest speaker presentation. This year's presenter spoke about the local San Pedro Lighthouses.

Members of the local chapter of the California Native Plant Society help to maintain the native plant garden at PVIC. On Wednesday morning, they met to do some weeding in the garden.

On Friday, the Sunset Room is rented for an evening wedding ceremony and reception.

On Saturday, staff and docents will attend a dedication for the Ibrahim El Hefni Foundation in San Pedro. Though this event honors the Foundation for its contribution to another organization, Staff and docents will be attending the event to show their support for Suzanne Wright, head of the Ibrahim El Hefni Foundation, whose generous donation granted it naming rights for the amphitheater at Point Vicente several years ago. The Foundation also donated \$20,000 to provide bus services to the various Los Serenos hike and tour sites for disadvantaged school children in Los Angeles.

On Saturday, members of the Jr. Docents will meet with staff, docents and representatives from RPV TV Channel 33 to collaborate on their upcoming production featuring the natural and cultural history of the Palos Verdes Peninsula. This and other Los Serenos activities support the docent organization's mission to assist and support the Point Vicente Interpretive Center and other park sites in RPV.

Docent-led Hikes, Tours and Other Activities at Forrestal Nature Reserve and Abalone Cove

On Sunday, May 15, docents led 30 members of the YMCA Princess Group on a hike to Abalone Cove Shoreline Park, sharing information on the tide pools and pollution.

On Tuesday, students from Pearl Prep School took a tour of Point Vicente Interpretive Center, where docents shared information on the Pacific gray whale and local history.

On Tuesday, staff met with members of a local film school to scout out locations at upper Abalone Cove for a film shoot this Thursday. The shoot is scheduled between 7:00 am and 3:00 pm on the upper park area.

On Thursday, from 7:00 am to 3:00 pm, a student film production will be shooting a segment of their project at upper Abalone Cove. Ten to twelve crew and cast are anticipated. Recreation and Parks staff will be on hand during the shoot to enforce City policies and serve as liaisons between the production company and the public.

On Wednesday, docents led 80 students from Martin Luther King Elementary School on a hike at Forrestal Nature Reserve, focusing on the unique geology of the area and the importance of habitat preservation.

On Saturday, 30 children from the AWANA program at Anza Baptist Church will participate in a docent-led hike at the Forrestal Nature Reserve. Docents will share information on the unique geology of the area and the importance of habitat preservation.

Fred Hesse Jr. Community Park

Election polling took place in the activity room on Tuesday.

Recreation Class Rentals:

- Exercise & Fitness Classes (MPR - Multipurpose Room): Monday, Tuesday, Wednesday
- Parent Participation Preschool Classes (ACT- Activity Room): Monday, Wednesday

- Duplicate Bridge Classes (MPR): Monday, Friday
- Lite Impact Aerobic Dance Classes (MPR): Monday, Wednesday
- Mommy & Me Classes (FSR-Fireside Room, ACT): Tuesday, Thursday
- Bones for Life Class (MPR): Tuesday
- Suika Preschool Class (ACT): Friday
- Tai Chi Chuan Class (MPR): Saturday
- Basics of Fine Arts Class (ACT): Saturday
- Suzuki Method for String Instruments Classes (ACT): Saturday

Community Groups/Private Rentals:

- Girl Scout Meeting (MPR): Monday
- Pony League Practices (Baseball Field): Tuesday, Friday
- Peninsula Seniors Weekly Lecture (FSR): Wednesday
- PV Amateur Radio Club Meeting (ACT): Wednesday
- RPV Seniors Bridge Club Games (MPR): Thursday
- Kaiser Hospice Staff Retreat (FSR): Thursday
- US Youth Volleyball League Practice and Games (Soccer Field): Thursday, Saturday
- Los Hermanos Club Meeting (MPR): Sunday
- Private Rental (FSR): Sunday

Robert E. Ryan Community Park

Recreation Class Rentals:

- Suika Preschool (ACT- Activity Room): Monday, Wednesday, Friday
- Fit N Fun Youth Sports Classes (Field): Monday - Wednesday

Ladera Linda Community Center

Recreation Classes Rentals:

- Youth/Teen Dance Classes (MPR): Monday - Saturday
- Adult Tap Class (Rm. G): Tuesday
- Kids Music N Motion Class (Rm. J): Thursday
- Dog Training Class (Lower Field): Saturday

Community Groups/Private Rentals:

- Election Polling (Room J): Tuesday
- South Bay Archery Club Meeting (Rm. J): Wednesday
- Abalone Cove Landslide Abatement District Meeting (Room J): Thursday
- Delta Theta Sorority Meeting (MPR): Sunday

REACH Program

On Wednesday, REACH participants enjoyed an evening of bowling at Palos Verdes Bowl. For dinner, REACH dined at La Salsa in Torrance.

On Saturday, REACH participants will travel to the California Science Center in Los Angeles to see the spectacular IMAX film, *Born to be Wild*, followed by lunch onsite.

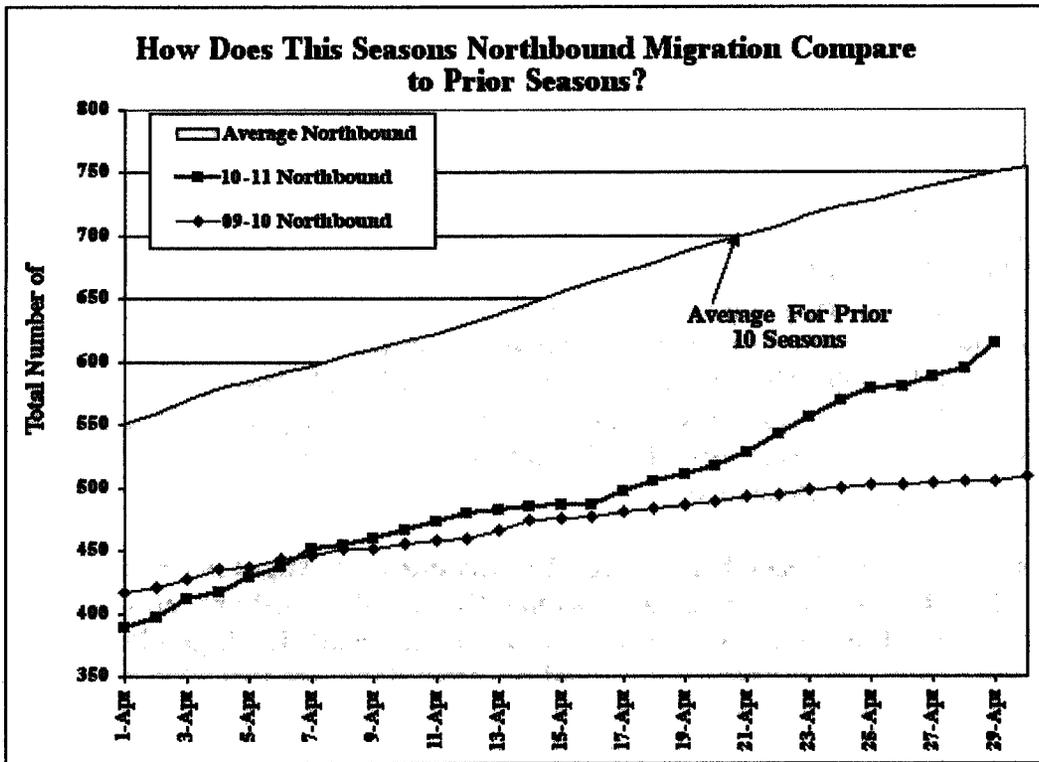
ACS/LA GRAY WHALE CENSUS AND BEHAVIOR PROJECT MAY 15, 2011

By Alisa Schulman-Janiger (email: janiger@bcf.usc.edu), Project Director

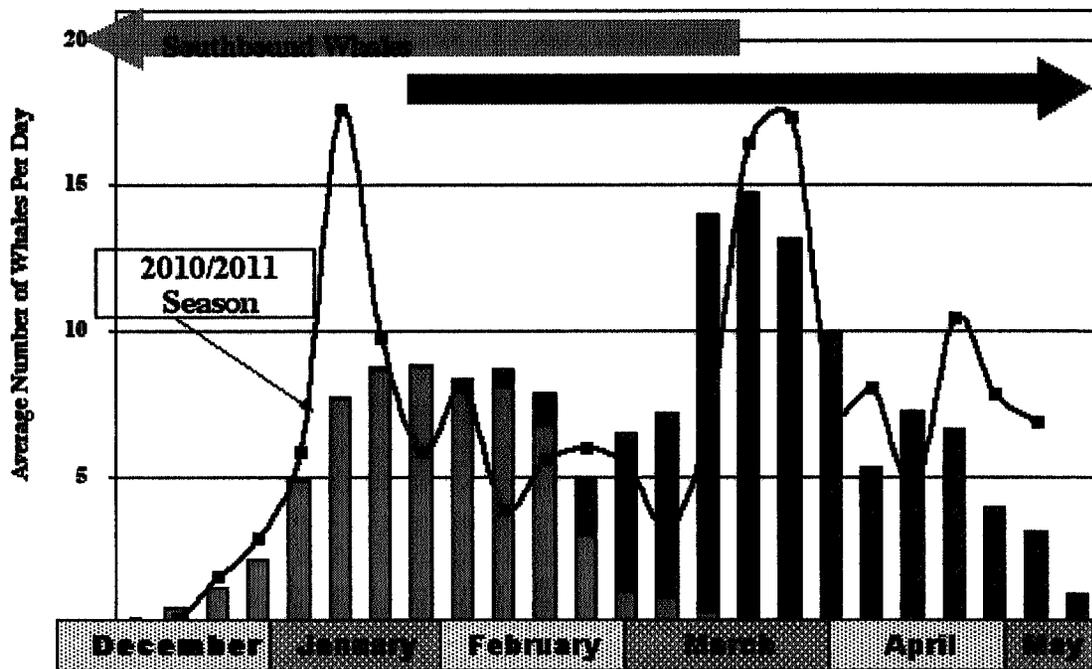
This is a unique long-term shore-based study of the marine mammals that utilize the nearshore waters of the Palos Verdes Peninsula, located approximately 8 miles north of the Los Angeles Harbor, in southern California. It is sponsored by the Los Angeles Chapter of the American Cetacean Society, and is staffed by teams of trained volunteers from the American Cetacean Society, the Cabrillo Whalewatch Program, and the general public. Except for 1981-82 and 1982-83, this project has operated annually since 1979 from Long Point or Point Vicente; during past seasons parallel stations have operated from Santa Catalina Island and Santa Cruz Island. Our primary station since the 1985-86 season has been the patio of the Point Vicente Interpretive Center (PVIC). Though the generosity of PVIC and the City of Rancho Palos Verdes, we are back on the patio of PVIC. We have great views of marine life from our cliffside post 125 feet above sea level, where the water depth abruptly drops off close to shore.

This station runs from 1 December through 15 May during daylight hours, seven days a week. The official project binoculars are Fujinon 7x50, with built-in reticles and compass. All participants use binoculars, and several confirm and detail sightings with spotting scopes. Weather data, including visibility and sea conditions, are recorded at least hourly. Observers identify and record various marine mammals and their behaviors, focusing on gray whales. Because the majority of gray whales use off-shore migratory routes in this area (primarily through the Channel Islands), especially on the southbound migration, we see only a small proportion of the total gray whale population, so our counts cannot be used to determine that population. Instead, our project focuses on ascertaining seasonal usage of the nearshore migratory path, and documents changing trends over time. Variable weather and shifts in migratory path preferences result in annual counts that fluctuate dramatically, which does not necessarily mean the gray whale population is likewise fluctuating. We especially detail calf sighting in both the southbound and northbound migration, which helps track trends in calf recruitment.

Spotters also detail migratory behaviors observed, including breaching, spyhopping, rolling, courtship, apparent nursing, possible feeding, and interaction with kelp and with other marine mammals. Participants also note possible human impacts on gray whales, including boat interactions, possible harassment incidents, and entanglements. In addition, we identify and record behaviors of any other marine mammals that utilize these waters, including common dolphin, Pacific bottlenose dolphin, Pacific white-sided dolphin, Risso's dolphin, northern right whale dolphin, killer whales, false killer whales, pilot whales, Dall's porpoise, sperm whales, minke whales, humpback whales, blue whales, fin whales, California sea lions, harbor seals, northern elephant seals, and southern sea otters. When possible, attempts are made to cross-check and augment notes on individually identifiable cetaceans with photos and behavior data collected from commercial and private whale watching boats.



How Does The 2010/2011 Season Compare to Other Seasons?



TENTATIVE AGENDAS

June 7, 2011

Closed Session: Monks

Mayor's Announcements:

City Manager Report:

New Business:

Consent

Border Issues

Extension of Prof. Serv. Agmt.-FY11-12 Home Improvement Prog. Admin.

Extension of Prof. Serv. Agmt.-FY11-12 Comm. Dev. Block Grant Prog. Admin.

Award Landscape Maintenance Contracts

Amendment to Prof. Serv. Agmt.-Mia Lehrer Skatepark Outreach

Adjustments to Parking Citation Fines

Award PVDS Roadway Maintenance

Revise the City Council Travel Policy & Reimbursement Policy

MOU for PVE Radio Facility at City Hall

Award Contract Water Efficient Landscape Review

Contract Renewal Biological Consulting Services

Adoption of Resolution-Green Hills Memorial Park

Adoption of Resolution-Golden Cove Center

Time Extension Request – 2700½ San Ramon Drive

Contract Service Agmt. – On-Call Photo Simulation Consultant

Regular Business

Draft FY11-12 Budget

Review of Draft 2011 Capital Improvement Plan

Draft 2011 Five-Year Financial Model

Update on Ladera Linda Facility

Subcommittee Report-Consideration of Proposed Contract Ext. by EDCO & UWS

June 21, 2011

Mayor's Announcements:

City Manager Report:

New Business:

Consent

Award San Ramon Sewer Relocation

Ginsburg Statue Approval at Fisherman's Access
Contract Renewal – Animal Control
City Investment Policy
November 8, 2011 General Municipal Election Resolutions

Public Hearings

Citywide LLMD
Abalone Cove Sewer System Engineer's Report
2011-12 Storm Drain User Fee
Adoption of FY11-12 Budget
Rate Adjustment Request for EDCO
Rate Adjustment for UWS
Trump Ficus Hedge

Regular Business

2011 Capital Improvement Plan
2011 Five-Year Financial Model

July 5, 2011

Mayor's Announcements:

City Manager Report:

New Business:

Consent

Public Hearings

Berryhill City Tree Review Permit Appeal
Terranea – 6-month Review

Regular Business

Updated NCCP Preserve Management Agmt. between City and PVPLC
Code Amendment Initiation Request-Development Code Clean-Up
Noise Ordinance

RDA & IA

Investment Policies

July 19, 2011

Mayor's Announcements:

City Manager Report:

New Business:

Consent

Public Hearings

Lien Hearing for 28428 Cayuse Lane

Temporary Banner Sign

Deck Modification - 28105 Golden Meadow

Marymount College Conditions of Approval

Regular Business

August 2, 2011

Mayor's Announcements:

City Manager Report:

New Business:

Consent

Public Hearings

Regular Business

Code Amend. Initiation Request – Foliage in Side Yard

Approval of Final Public Use Master Plan

August 16, 2011

Mayor's Announcements:

City Manager Report:

New Business:

Consent

Public Hearings

Regular Business

September 6, 2011

Mayor's Announcements:

City Manager Report:

New Business:

**Consent
Public Hearings
Regular Business**

September 20, 2011

Mayor's Announcements:

City Manager Report:

New Business:

**Consent
Public Hearings
Regular Business
General Plan Update Presentation**

Future Agenda Items

- 1) Trees in public ROW
- 2) Sheriff Substation within Civic Center
- 3) Permitting of Above-Ground Facilities in the Right-of-Way (Lynch)
- 4) Gifts to City - From Estates and Planned Giving (Long)
- 5) Skate Park
- 6) Naming Policy (Wolowicz)
- 7) Citywide Sewer Fee



RPVTV Channel 33 Programming Schedule Guide

Sign up for the RPV ListServ to get the updated program guide sent right to your Inbox!

Week of 05/23/11 - 05/29/11
Monday through Sunday

6:00 AM - 6:30 AM	Sit and Be Fit - Low Impact Fitness	3:30 PM - 4:00 PM	Sportzilla (continued)
6:30 AM - 7:00 AM	Cardio Strength Stretch - Moderate to Rigorous Exercise Routines	4:00 PM - 4:30 PM	Sportzilla (continued)
7:00 AM - 7:30 AM	Around the Peninsula: The 2010 PV Street Fair & Music Festival	4:30 PM - 5:00 PM	Playing the Field: The Long Beach Grand Prix 2011
7:30 AM - 8:00 AM	Around the Peninsula: Molly Miller and Freedom4U	5:00 PM - 5:30 PM	Sit and Be Fit - Low Impact Fitness
8:00 AM - 8:30 AM	Playing the Field: The Long Beach Grand Prix 2011	5:30 PM - 6:00 PM	Cardio Strength Stretch - Moderate to Rigorous Exercise Routines
8:30 AM - 9:00 AM	Playing the Field: Freedom 4U	6:00 PM - 6:30 PM	Around the Peninsula: The 2010 PV Street Fair & Music Festival
09:00 AM - 9:30 AM	RPV City Talk: Anthony Misetche - Mayor Pro Tem	6:30 PM - 7:00 PM	Around the Peninsula: Molly Miller and Freedom4U
9:30 AM - 10:00 AM	RPV City Talk: RPV City Council Member Brian Campbell explains F.A.R. - (Floor Area Ratio)	7:00 PM - 7:30 PM	Peninsula Seniors: For Love of Life & Country Dean Hunter
10:00 AM - 10:30 AM	Peninsula Symphonic Winds - Shades of Blue Concert 2011	7:30 PM - 8:00 PM	Peninsula Seniors (continued)
10:30 AM - 11:00 AM	Peninsula Symphonic Winds - Shades of Blue Concert 2011	8:00 PM - 8:30 PM	Sportzilla: High School Lacrosse - Palos Verdes vs. Huntington Beach
11:00 AM - 11:30 AM	Peninsula Symphonic Winds - Shades of Blue Concert 2011	8:30 PM - 9:00 PM	Sportzilla (continued)
11:30 AM - 12:00 PM	Peninsula Symphonic Winds - Shades of Blue Concert 2011	9:00 PM - 9:30 PM	Sportzilla (continued)
12:00 PM - 12:30 PM	Peninsula Seniors: Russell Lungerich - Preventing Identity Theft	9:30 PM - 10:00 PM	Playing the Field: The Long Beach Grand Prix 2011
12:30 PM - 1:00 PM	Peninsula Seniors (continued)	10:00 PM - 10:30 PM	Peninsula Symphonic Winds - Shades of Blue Concert 2011
1:00 PM - 1:30 PM	Around the Peninsula: The 2010 PV Street Fair & Music Festival	10:30 PM - 11:00 PM	Peninsula Symphonic Winds - Shades of Blue Concert 2011
1:30 PM - 2:00 PM	Around the Peninsula: Molly Miller and Freedom4U	11:00 PM - 11:30 PM	Peninsula Symphonic Winds - Shades of Blue Concert 2011
2:00 PM - 2:30 PM	Playing the Field: The Long Beach Grand Prix 2011	11:30 PM - 12:00 AM	Peninsula Symphonic Winds - Shades of Blue Concert 2011
2:30 PM - 3:00 PM	Playing the Field: Freedom 4U	12:00 AM - 1:00 AM	Around the Peninsula: The 2010 PV Street Fair & Music Festival
3:00 PM - 3:30 PM	Sportzilla: High School Lacrosse - Palos Verdes vs. Huntington Beach	1:00 AM - 6:00 AM	Community Announcements



PVPTV35 Programming Schedule Guide
Week of 5/23/11 to 5/29/11

Monday, May 23

3:00PM

Palos Verdes Library Dist.

6:00PM

PVP Coordinating Council

7:00PM

PVPUSD Board Meeting

Tuesday, May 24

7:30PM

City of RHE City Council Meeting - Live

Wednesday, May 25

7:30PM

City of PVE Council Meeting 5/24/11

Thursday, May 26

No Programming

Friday, May 27

6:00PM

PVP Land Conserancy Nature Walk

7:30PM

City of RHE City Council Meeting 5/24/11

Saturday, May 28

10AM

City of PVE Planning Commission 5/17/11

7:00PM

City of RPV Planning Commission 5/24/11

Sunday, May 29

7:30PM

City of RHE City Council Meeting 5/24/11

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT- LOMITA STATION
REPORTED CRIMES & ARRESTS BETWEEN 05/8/11 & 05/14/11**

LOMITA:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
BURGLARY (SHOPLIFTING)	11-01667	1714	05/09/11	0021	25800 BLOCK NARBONNE AVE	ENTRY DOOR	MISC. ITEMS (ALL RECOVERED)	SUSPECT ARRESTED
ASSAULT	11-01583	1714	05/09/11	2030-2100	1800 BLOCK W. PACIFIC COAST HIGHWAY	N/A	N/A	S1- MW, 55-60, 509, 210, GRAY HAIR S2- BELIEVED TO WORK AT BAR, MW, 509, 165, 35-40 S3- MW, BRO HAIR VICTIM WAS IN A VERBAL CONFRONTATION WITH S1. S1 AND S2 BEGAN PUNCHING AND KICKING VICTIM. S3 SPRAYED VICTIM WITH PEPPER SPRAY.
ROBBERY	11-01689	1711	05/10/11	2200	2300 BLOCK 249TH ST	N/A	BIKE	S1- MH, 20-25, 507, 150, BALD, BLK SHIRT, BLK SHORTS S2- MH, 20-25, BLK SHIRT VICTIM WAS RIDING HIS BIKE WHEN HE WAS APPROACHED BY S1 AND S2. S1 GRABBED THE HANDLE BARS AND TOLD THE VICTIM TO GET OFF THE BIKE. AS THE VICTIM TRIED TO GET AWAY, S1 THREW AN UNOPENED CAN OF BEER AT THE VICTIMS FACE. S1 AND S2 LEFT WITH THE BIKE.
RESIDENTIAL BURGLARY	11-01634	1751	05/06/11	0200-0700	300 BLOCK HARBOR HILLS	UNKNOWN	DEBIT CARD, MONEY	S- BELIEVED TO BE CARETAKER FOR VICTIM.
GRAND THEFT AUTO	11-01707	1713	05/11/11-05/12/11	1715-0850	25800 BLOCK VIANA AVE	UNKNOWN	91 HON. ACCORD 4DR, BLK	SUSPECT(S) UNKNOWN. LOCATION TYPE- RESIDENTIAL PARKING LOT.
RESIDENTIAL BURGLARY	11-01733	1712	05/14/11-05/15/11	1519-0030	25100 BLOCK EBONY LN	UNLOCKED WINDOW	PLAYSTATION, US COINS	SUSPECT(S) UNKNOWN.
ARRESTS: SHOPLIFTING-1,NARCOTICS-2,DRUNK IN PUBLIC-2								

RANCHO PALOS VERDES:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
GRAND THEFT AUTO	11-01678	1742	05/10/11	0245	32200 BLOCK SEA RAVEN DR	UNKNOWN	07 TOY. CAMRY 4DR	SUSPECT(S) UNKNOWN. LOCATION TYPE- RESIDENTIAL DRIVEWAY.
VEHICLE BURGLARY	11-01679	1742	05/10/11	0240	32200 BLOCK SEA RAVEN DR	UNKNOWN	WALLET, KEY	SUSPECT(S) UNKNOWN. LOCATION TYPE- RESIDENTIAL DRIVEWAY.
VEHICLE BURGLARY	11-01683	1742	05/10/11	2400-0600	32200 BLOCK SEA RAVEN DR	UNKNOWN	UNKNOWN	SUSPECT(S) UNKNOWN. LOCATION TYPE- RESIDENTIAL DRIVEWAY.
VEHICLE BURGLARY	11-01684	1740	05/05/11	0730-2100	32600 BLOCK NANTASKET DR	PASSENGER WINDOW, SMASHED	CD PLAYER, CD'S, MISC US COIN, STETHOSCOPE, PAGER, PREPFINDER, LAB COAT	SUSPECT(S) UNKNOWN. LOCATION TYPE- RESIDENTIAL PARKING LOT.
COMMERCIAL BURGLARY	11-01697	1736	05/11/11	1515	30000 BLOCK HAWTHORNE BL	ENTRY DOOR	MISC BEER (RECOVERED)	SUSPECT ARRESTED
GRAND THEFT AUTO	11-01705	1743	05/11/11-05/12/11	0900-0730	3300 BLOCK CORINNA DR	UNKNOWN	10 APACHE TRAILER, GRY	SUSPECT(S) UNKNOWN. LOCATION TYPE- FRONT YARD

ROBBERY	11-01696	1744	05/11/11	1345	3100 BLOCK DIANORA DR	WINDOW, FORCED	SAFE, PASSPORT, 10 JOURNALS, MISC. JEWELRY,	S- MB, 505, 130, DARK CLOTHING VICTIMS WERE WALKING UP TO THEIR FRONT DOOR WHEN THEY NOTICED THE DOOR WAS WIDE OPEN AND THAT THERE WAS A BLANKET COVERING A LARGE ITEM INSIDE. VICTIM WENT TO GO BACK TO THE CAR WHEN THEY NOTICED THE SUSPECT COMING UP BEHIND THEM WITH A SCREWDRIVER FORCING THEM IN THE HOUSE. THE SUSPECT PUSHED THEM INSIDE AND GRABBED THE LARGE ITEM AND SLAMMED THE DOOR.
BURGLARY (GARAGE)	11-01717	1740	05/13/11	0445-0500	30 BLOCK SWEETBAY RD	UNKNOWN	CELLPHONE	SUSPECT(S) UNKNOWN. ITEM WAS TAKEN FROM UNLOCKED CAR IN GARAGE.
ARRESTS: CRIMINAL THREATS-1,COMMERCIAL BURGLARY-1,NARCOTICS-1,DRUNK IN PUBLIC-1								

ROLLING HILLS:

NO CRIMES OR ARRESTS OCCURRED DURING THIS TIME.

ROLLING HILLS ESTATES:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
BURGLARY (SHOPLIFTING)	11-01662	1724	05/08/11	1440-1510	900 BLOCK SILVER SPUR RD	ENTRY DOOR	4 WOMAN'S FRAGRANCE	S- MB, 45-50, 508, 175-180, SHORT HAIR, UNSHAVEN, MISSING TEETH, YELLOW SHIRT AND YELLOW PANTS.
VEHICLE BURGLARY	11-01721	1724	05/13/11	1230-1410	500 BLOCK DEEP VALLEY	UNKNOWN	CD PLAYER	SUSPECT(S) UNKNOWN. LOCATION TYPE- PARKING STRUCTURE
VEHICLE BURGLARY	11-01720	1724	05/13/11	1130-1300	500 BLOCK DEEP VALLEY	DOOR LOCK, DAMAGED	CD PLAYER, 2 THIRD ROW SEATS	SUSPECT(S) UNKNOWN. LOCATION TYPE- PARKING STRUCTURE
VEHICLE BURGLARY	11-01719	1724	05/13/11	1145-1300	500 BLOCK DEEP VALLEY	UNKNOWN	DVD PLAYER	SUSPECT(S) UNKNOWN. LOCATION TYPE- PARKING STRUCTURE
NO ARRESTS								

SAN PEDRO:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
RESIDENTIAL BURGLARY	11-01653	1750	05/08/11	0900	900 BLOCK 3RD ST	DOOR LOCK, FORCED	N/A	ATTEMPT. SUSPECT ARRESTED
GRAND THEFT (VEHICLE)	11-01654	1750	05/07/11-05/08/11	1700-0800	900 BLOCK W. LA ALAMEDA AVE	UNLOCKED VEHICLE	4 SUNGLASSES, CELLPHONE (ALL RECOVERED)	SUSPECT ARRESTED
GRAND THEFT AUTO	11-01659	1750	05/08/11	1530	900 BLOCK 6TH ST	RUNNING VEHICLE	85 NIS. MAXIMA 4DR	SUSPECT(S) UNKNOWN. LOCATION TYPE- RESIDENTIAL DRIVEWAY.
GRAND THEFT AUTO	11-01685	1750	05/10/11	1130-1200	1300 BLOCK 6TH ST	UNKNOWN	94 CHEV. CAVALIER, 2DR, BLK	SUSPECT(S) UNKNOWN. LOCATION TYPE- PARKING LOT (RECOVERED)
ARRESTS: RESIDENTIAL BURGLARY-1,VEHICLE LAWS-2,INDECENT EXPOSURE-1								

PALOS VERDES PENINSULA:

NO CRIMES OR ARRESTS OCCURRED DURING THIS TIME.

News from TucsonSentinel.com:
http://www.tucson sentinel.com/nationworld/report/050511_conservatives_trump/trumps-history-lawsuits-could-damage-bid-white-house/

Trump's history of lawsuits could damage bid for White House

Conservatives wary of tycoon's record of litigation

Posted May 5, 2011, 11:40 am

Peter H. Stone Center for Public Integrity

As billionaire Donald Trump flirts with a run for the White House, his lengthy history of filing lawsuits — often to protect his image or gain a financial edge — is making conservatives wary of excessive litigation wince.

The real estate tycoon has been a party —as defendant or plaintiff) in about 100 federal lawsuits — according to a review of a legal database. Moreover, five of Trump's major companies have been embroiled in over 200 civil suits in federal courts, according to court records.

A few examples

Trump has filed lawsuits against Palm Beach County, Fla., where he owns a palatial home and private club, called Mar-a-Lago, seeking to block a new runway at a local airport because it could increase the noise levels near his property.

He has sued his former New York law firm, Morrison Cohen, for citing him as an ex-client on its web site and treating him like a “cash cow.”

Trump sued former New York Times journalist Tim O'Brien and his publisher seeking \$5 billion in damages because he was depicted in the journalist's book as worth much less than what Trump claimed was correct.

Trump lost his lawsuit against O'Brien, failed to block Morrison Cohen from using his name as a former client, and so far has been stymied by court rulings in a multi-year battle to halt Palm Beach County's runway expansion.

For decades, Trump has used the courts to punish and pressure adversaries. No cause is too trivial — from a small Georgia company producing business cards called “Trump Cards” to a Mrs. Universe beauty pageant he claimed infringed on his Miss Universe trademark.

Trump's heavy use of litigation against critics or those he's trying to gain a financial edge against could create image and political headaches for him if he chooses to run for the GOP nomination.

“If he's taken seriously as a candidate it's going to be appropriate to look at his record of litigation,” conservative legal scholar Walter Olson of the Cato Institute told iWatch News . He said a big

question will be “how consistent is [Trump’s record] with the Republican idea that litigation should be a last resort and not a weapon for tactical advantage.”

Suing your own law firm is a “sign of something very dysfunctional,” observed Columbia University law professor John Coffee in an interview.

Not excessive?

Some legal analysts said Trump’s heavy use of the courts is fairly commonplace in the real estate business in New York. “I’d say that real estate owners and builders in New York use the courts as a way of buying time when they need it,” New York University law professor Stephen Gillers said. “The courts are an extension of their business plans.”

Curbing excessive litigation — or tort reform — is an issue that business interests and Republicans have pressed for in recent years. Democrats have generally been more sympathetic to trial lawyers, many of whom have been generous financial donors.

Trump spokesman Michael Cohen said Trump has been involved in thousands of business deals and “I’d say the percentage of lawsuits was minimal.”

“There’s a true distinction between a career politician and a successful businessman like Donald Trump. That distinction is that the politician has never been involved in business that at times requires litigation,” Cohen said.

Trump not only sues others with considerable frequency. In recent years, he has been hit with a few class action lawsuits, including one filed last year against his eponymous online business school, Trump University, alleging fraud and other misconduct.

In a long running litigation fight going back to the mid-1990s, Trump has filed several suits against Palm Beach County, where his 18-acre Mar-a-Lago is located. Trump bought the historic property in the mid-1980s and later converted much of it to a private club which now has over 400 members. He still has a personal residence there too.

Trump’s three suits against the county include two about the local airport runway, arguing that an expansion violates his privacy and creates too much noise and emissions, which hurt his property values.

Trump has tried to curb planes flying over Mar-a-Lago. In a suit filed last July in a Florida circuit court, Trump cited the noise harassment from the planes and accused Palm Beach County airport director Bruce Pelly of “intentional battery.”

Pointing to several actions taken by Pelly to expand the runway, the complaint calls Pelly’s actions “deliberate and malicious.” The complaint noted that Trump sued Pelly personally in the mid-1990s and alleges that in retaliation Pelly is “attacking Mar-a-Lago from the air.”

Last December, a local circuit court judge ruled in favor of the county, which had argued that the Federal Aviation Administration controls flight paths, but gave Trump the option of refileing his suit, which he did in much the same language as before, but with some tweaks.

Amy Petrick, an attorney for Palm Beach County, told iWatch News that last year in responding to Trump’s suit the county “pointed out that battery is something done to a person and not to a building.”

Petrick said that in his new complaint, Trump alleges that “Pelly battered him personally by the airplanes that fly over Mar-a-Lago.”

The county has moved to dismiss the new complaint but no action has been taken yet by the court.

Trump v. Morrison Cohen

On a separate legal battlefield, Trump was embroiled in multiple complaints against the law firm of Morrison Cohen, which represented him for several years.

One suit that Trump filed in 2007 charged Morrison Cohen with legal malpractice.

In that suit, Trump accused the firm of treating him as a “cash cow” because of fees it sought from him after it won a case where Trump claimed he’d been overcharged by a contractor for work on a golf course.

A Westchester County Supreme Court judge awarded Trump about \$2 million in damages for breach of an earth moving contract, but only about \$40,000 on another claim he made involving infrastructure charges. And the same judge awarded Trump about \$1.3 million in attorney’s fees.

Trump, who had paid the firm \$1 million for its work, alleged that his lawyers should have advised him not to file his infrastructure claims because they would not be cost effective. Trump reportedly said he had a “Ph.D. in legal fees” as a result of his extensive litigation experience.

The firm countersued Trump, seeking an extra \$470,000 in unpaid legal bills. Ultimately in 2009, Trump settled with the firm for an undisclosed sum.

Then in 2008, Trump sued Morrison Cohen in a New York federal court for invasion of privacy because it used his name on its website after he was no longer a client. This claim too was settled in 2009, without the terms being disclosed, but the law firm was permitted to continue citing Trump as an ex-client.

Claiming a tainted image

Trump’s ego also was badly bruised by estimates of how much he was worth in a book published in 2005 by then- New York Times reporter Tim O’Brien and Time Warner Book Group. “TrumpNation: the Art of Being the Donald” cited three unnamed sources who pegged his worth at between \$150 million and \$250 million. By contrast, Trump claimed he was worth between \$4 billion and \$6 billion, which prompted his \$5 billion defamation suit.

In 2009, New Jersey Superior Court Judge Michele Fox rejected the argument of Trump’s lawyers that he had been the victim of “actual malice” because of what O’Brien wrote.

Trump’s image has been a factor in a lengthy legal battle he’s been waging against Rancho Palos Verdes, a small community on a lovely California peninsula where he developed a golf course in 2002. The town, which has an annual budget of \$20 million, was sued in late 2008 by Trump for \$100 million in damages for allegedly violating his civil rights and defrauding him.

The suit, filed in Los Angeles Superior Court, charges that the town has been delaying plans for adding 20 luxury homes on the grounds of his Trump National Golf Course, while requiring stringent environmental and safety studies since the area is known to have landslides. Trump’s lawsuit charged

that the town has forced him to spend “millions of dollars on unnecessary, repetitive, unreasonable and unlawful geologic surveys.”

Trump also was irked because local officials have balked at renaming a highway Trump National Drive.

In January, Los Angeles Court judge Ann I. Jones ruled against part of Trump’s claims by denying him permission to build another 20 homes on the golf course’s grounds, noting that plans for those homes were never submitted to the city. The judge ruled that since the “plaintiffs never applied for permits, they had no clear, present and beneficial rights to the performance of that duty.” The city has approved plans for 36 other homes.

Trump also has been on the other side in numerous court cases: the billionaire has been the target of several class action suits that allege, among other things, deceptive business practices and fraud.

Last year Trump University, an online business school, was hit with a class action suit charging that students are not given the real estate education that the institution advertises. Tarla Makaeff, a California marketer who filed it, said she spent nearly \$60,000 to “Learn from the Master,” in the words of a Trump University flyer. The lawsuit charged that the main lesson centers around how to max out on credit cards.

Makaeff charged that the course is basically an “infomercial. ... The primary lesson Trump University teaches its students is how to spend more money buying more Trump seminars.” The suit, which is pending in federal court in California, seeks damages for violations of consumer protection laws.

The school promptly countersued, and said it has tapes of Makaeff describing the program as “awesome.”

Trump University has also come under scrutiny from the New York Education Department. Last year it demanded that the online school cease referring to itself as a university because it was a violation of the state’s education law. Trump changed the name of his institution to the Trump Entrepreneur Initiative.

The bankruptcy courts have also seen plenty of Trump action. His casino companies have filed for bankruptcy four times, a practice that Trump has boasted publicly is a smart business tactic. “I do play with the bankruptcy laws — they’re very good for me” as a tool for trimming debt, he recently told Newsweek.

Some legal experts argue that Trump’s extensive use of bankruptcy courts seems at odds with the GOP’s efforts to curb consumer bankruptcies.

“He brags about bankruptcy being a good deal,” Stephen Burbank, a law professor at the University of Pennsylvania told iWatch News. “He looks like a serial debt avoider. The GOP has been behind making consumer bankruptcy more difficult. Those people should have a problem with the notion of using bankruptcy as another tool in the quest for business advantage.”

The criticism doesn’t seem to daunt Trump. Speaking at a tea party rally on April 16 in Boca Raton, Fla., Trump boasted of his business smarts and financial acumen. “We need people that win. We don’t need people that lose all the time,” he told a cheering throng.

Reprinted by permission of The Center for Public Integrity (<http://www.publicintegrity.org/>).

- 30 -
your two cents

Comment on this story

There are no comments yet. Why don't you get the discussion going?



Gage Skidmore/Flickr

Donald Trump