

July 8, 2013

**COMMENTS DELIVERED BY JEFFREY LEWIS TO THE CITY OF
PALOS VERDES ESTATES PARKLANDS COMMITTEE**

Good evening Chairman Peterson:

My name is Jeffrey Lewis and my firm represents the Citizens for Enforcement of Parkland Covenants. I am here to speak on behalf my client alone and I do not represent the views of any other person or entity. Thank you each for your service and congratulations to you, Committee Member Wade, on your swearing in this evening.

This past weekend over one hundred people enjoyed watching fireworks from Via Panorama Parkland.

As some of you may know, my client is in litigation with the City over the parkland located on Via Panorama. The parkland is 1.7 acres of unique undeveloped parkland in Palos Verdes Estates. It offers residents spectacular views of the coast.

As some of you may know, in May 2012, this City entered into a multi-party settlement agreement with the PV Homeowners Association, the PV Unified School District and two of its residents, Robert and Delores Lugliani. As a result of the settlement, the Luglianis made a \$1.5MM donation to the school district and for \$500,000 bought 1.7 acres of public parkland for their private, use to the exclusion of city residents.

I have a few questions for this committee to ponder. By law, because this matter is not on the agenda, you may not respond to me, but you are permitted to ponder and at a later date perhaps you will ask these questions of the city staff and council:

Given that the settlement was going to mean the sale of 1.7 acres of public parkland, why didn't the city council seek advice from this advisory body regarding the wisdom of the sale?

This committee clearly had the jurisdiction in May 2012 to conduct a hearing on the matter. Per municipal code section 2.24.100, B.1. you have the power and duty to advise the council "in all matters pertaining to parklands....including all matters affecting policy, procedures, management and use of such public property."



I submit to you that selling the Via Panorama Parkland to the Luglianis for \$500,000 is a matter affecting policy, management and use of public property and well within your purview.

Question: Each of you were appointed to this committee for your wisdom and integrity. Why did the city council not care to hear your views on the disposition of the Panorama Way parkland?

3. Another question: your committee has broad jurisdiction over parklands as I just read from the city municipal code. How many of you were aware that the city's website recently changed your jurisdiction.

It used to read: that your committee "makes discretionary decisions regarding the maintenance, development and preservation of the City's 500 acres of Parkland and unimproved right-of-way...."

It now reads that your role is limited to consideration of plans to remove trees.

Perhaps you should rename the committee the tree permit committee as the city council plainly is not interested in your views regarding the policy, management and use of parklands.

As the litigation proceeds over the next few months, and should the city takes the position that selling public parkland to the Luglianis is legal and proper, ask yourselves a final question:

For years, the City allowed the illegal encroachment and construction of improvements on the Via Panorama Parkland. Where was the enforcement? Why were the improvements allowed to remain? What would the city's position have been if the Luglianis were not multi-millionaires?

Why didn't the City Council want advice regarding the sale of public parkland to a private party?

I submit the answer is that the city council did not and does not want to hear the public's answer to the question.

Thank you for your time.