

August 11, 2020

Hermosa Beach City Council
City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, California 90254

Dear City Council,

I see in your agenda packet for tonight's meeting a response to my July 21, 2020 letter by the City Attorney. It is disappointing that the City has decided to simply avoid responding in a meaningful way to the issues I raised, but is instead ducking the very serious problems identified behind the assertion that the claims were not raised in time.

First, the fact that the City Council, through the City Attorney, is refusing to respond to blatant and obvious abuses of power to benefit a business in which Mayor Campbell has a financial interest is downright disturbing. The fact that Shockboxx "gallery" was able to openly conduct business without any permits and approvals, serve alcohol without any licenses, hold events that spilled into the street with live, amplified music is truly unbelievable. No other business in the City would have been allowed to break the rules so blatantly, and for so long, without any repercussion.

It speaks volumes that neither Mayor Campbell nor anyone else on the City Council wants to speak to these violations and are content to hide behind the City Attorney's claims that I did not bring this wrongdoing to the public's attention in time for the City Council to correct it.

City Attorney's letter does not address California Code of Regulations section 18707 concerning "Disqualification Requirements." The regulation was designed to address the exact situation presented here. A City Council member, like Mayor Campbell, cannot recuse herself from a vote in which she has an obvious financial interest without disclosing to the public that she has an obvious financial interest. To do otherwise is misleading. Yet this is exactly what she did.

Again, it is easier for Mayor Campbell and the City Council to hide behind the City Attorney's determination that I did not raise the violation of the regulation in time for the City Council to correct it. I think I did, and this is another fig leaf to cover the Mayor's actions.

Additionally, this makes me wonder if there are clear violations of law in which the City Council is engaged. If I don't catch them in time, will they be dismissed and the illegality allowed to stand because City Attorney determines we were too late?

Whatever the City Council and City Attorney think the definition of transparency is this is the opposite. The only thing transparent about this is that the City Council, with the aid of the City Attorney, is retroactively legitimizing something that was plainly and obviously illegal.

The City Council should comply with the Brown Act and Regulations that apply here and be honest with the public about what's happening. Hiding behind the City Attorney's apron is no way for our elected official to act.

Regards,
Ken Hartley