

**From:** [tony higgins](#)  
**To:** [Eduardo Sarmiento](#)  
**Cc:** [Mayor Mary Campbell](#)  
**Subject:** Fwd: Valley Park kiddie park  
**Date:** Friday, October 9, 2020 2:36:50 PM

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Dear Mr, Sarmiento

Sadly I have still another written communication to the city council

Thank you

Start:

NOTE: **California** criminal law uses the concept of criminal **negligence**. Under this law, a prosecutor must prove the following to show it existed: the defendant acted so recklessly that he/she created a risk of death or injury, ... a reasonable person in a similar situation would have known that the act could result in harm.

**From:** tony higgins <tony.higgins123@gmail.com>  
**Date:** October 9, 2020 at 2:19:36 PM PDT  
**To:** Suja Lowenthal <suja@hermosabeach.gov>  
**Cc:** City Council <citycouncil@hermosabeach.gov>, Parks Commission <dg\_parksreccommission@hermosabch.org>, Michael Jenkins <Michael.Jenkins@bbklaw.com>, Paul LeBaron <plebaron@hermosabeach.gov>

**Subject: Re: Valley Park kiddie park**

Ms Lowenthal

You need 90%+ mask compliance to achieve A 60-90% reduction in Covid transmission.

You are pushing ahead with reopening the kiddie park even though you know compliance is below 25% and getting worse.

What the heck are you doing reopening the kiddie park before you have achieved ANYTHING CLOSE to a steady-state 90% mask compliance.

I sent you pictures as recently as October 8 showing that large numbers of children and adults were still not wearing masks.

*You think putting up a new sign is going to change that?????*

You need to get mask compliance sustainably up to the 90% level at valley park and stop recklessly endangering our vulnerable populations.

And what is up with our city council?

Are you sanctioning this reckless endangerment too????

Another fucking sign isn't going to fix the root problem and you know it

Ah

Dear City Council:

Ms Lowenthal's reopening of the kiddie park in the face of the continued large scale disregard of mask compliance regulations here in Hermosa Beach and at Valley Park constitutes criminal negligence And reckless endangerment.

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### Playground Re-Opening Protocols

**Post Date:** 10/08/2020

COVID-19 continues to pose a severe risk to communities and requires all people in California to follow necessary precautions to reduce the spread of COVID-19. This guidance provides direction on usage of outdoor playgrounds and outdoor recreational facilities, to support a safe environment for children and families. It applies to outdoor playgrounds located in parks, campgrounds, and other publicly accessible locations.

The playgrounds in Hermosa Beach will re-open for community use on

## Playground Protocols

Friday October 9,  
2020. This includes:

- Valley Park

