

From: [tony](#)
To: [Eduardo Sarmiento](#)
Cc: [Tony Higgins](#); [Paul LeBaron](#); [Landon Phillips](#); [Kelly Orta](#); [City Council](#); [Suja Lowenthal](#); [DG_ParksRecCommission](#)
Subject: Fwd: 100+ people not wearing masks at valley park.
Date: Monday, November 16, 2020 12:44:12 PM

please use this version.

my apologies to Lieutenant Phillips on the quote i attributed to him. the last line of that paragraph included a sentence that was not his... It was the start of my commentary. I've corrected it below.

Begin forwarded message:

From: tony higgins <tony.higgins123@gmail.com>
Subject: Fwd: 100+ people not wearing masks at valley park.
Date: November 16, 2020 at 7:23:35 AM PST
To: Eduardo Sarmiento <esarmiento@hermosabeach.gov>
Cc: jmassey@hermosabeach.gov, City Council <citycouncil@hermosabeach.gov>, Kelly Orta <korta@hermosabeach.gov>, Suja Lowenthal <suja@hermosabeach.gov>

Dear Mr Sarmiento

Please include attached as a written communication to both the city council and the parks commission

START

Dear Mayor Massey,
Dear City Manager Lowenthal
Dear Chief LeBaron

If you take the time to carefully review the attached thread you will see that there is ample evidence to conclude that the city while claiming it is doing all it can to protect its vulnerable populations from Covid, it is not. Not even close.

I do hope Lieutenant Phillips takes the time to respond to my last set of questions in this thread, and if not then the city manager or the Mayor do.

We are in the midst of a Covid tsunami and there is more than ample evidence the city could be doing a better job of protecting our vulnerable populations.

I have made numerous suggestions over and over for months now on how this might be achieved through establishing goals, monitoring and publishing mask compliance trends and using temporary closures of parks and beaches when goals are not met to send a message to mask scofflaws that they will not be allowed to endanger vulnerable populations, health care workers and the general public without consequences.

I've pointed out countless times that masks are not being worn on our beaches and illegal volleyball activities are everywhere.

Yet the volleyball nets are everywhere.

And just this last Friday I reported 100+ people not wearing masks at valley park. The police came. They reported they had done everything the could. And they left. When they left there were still 100+ people not wearing masks.

Neighbors tell me that's just Hermosa Beach. It's always been that way.

I say No.

Not when lives are on the line

-th-

From: tony higgins <tony.higgins123@gmail.com>
Date: November 15, 2020 at 3:09:27 PM PST
To: Landon Phillips <lphillips@hermosabeach.gov>
Cc: Dorothy Scheid <dscheid@hermosabeach.gov>, Paul LeBaron <plebaron@hermosabeach.gov>, Suja Lowenthal <suja@hermosabeach.gov>, jmassey@hermosabeach.gov, DG_ParksRecCommission <dg_parksreccommission@hermosabeach.gov>, City Council <citycouncil@hermosabeach.gov>
Subject: Fwd: 100+ people not wearing masks at valley park.

Lieutenant Phillips

A couple more questions to followup on the earlier response I sent you.

In view of the photos I sent below that provide evidence of so many maskless people throughout valley park and the fact that your officer did respond within 10 minutes of my call on Friday can you please tell me:

1. How many citations were issues?
- 2 How many warnings were issued and were adults and children required to don masks at the time of the warning
- 3 were parents of children told they and their children both pre and post adolescent must wear masks and did the officer see to it that that happened?
4. What areas of the park did the officer actually walk through? As you can see from the date/timestamps of the numerous pictures I sent below I was walking all over the park at that time and never saw an officer walking around talking to people all over the park violating mask laws.

In a nutshell if the answer to questions 1-3 above is none and since I didn't see any corrective action across the park during the time the officer was their and there were so many people still violating the mask laws apparently after the officer left; how is it I'm supposed to believe you and the city are doing everything you can?

Would you please correct that statement for the record?

We are in the midst of an exploding pandemic and if I understand the Covid safety protocols for adults and pre/post adolescent children correctly far to much was left undone for HBPD leadership to claim they are doing everything they can.

Wouldn't you agree?

Thank you

Anthony Higgins

Begin forwarded message:

From: tony <tony.higgins123@gmail.com>
Date: November 15, 2020 at 10:00:39 AM PST
To: Landon Phillips <lphillips@hermosabeach.gov>

Cc: Tony Higgins <Tony.higgins123@gmail.com>, Dorothy Scheid <dscheid@hermosabeach.gov>, Paul LeBaron <plebaron@hermosabeach.gov>, Suja Lowenthal <suja@hermosabeach.gov>, Kelly Orta <korta@hermosabeach.gov>, Mayor Justin Massey <jmassey@hermosabeach.gov>, DG ParksRecCommission <dg_parksrecommission@hermosabeach.gov>, City Council <citycouncil@hermosabeach.gov>

Subject: Re: 100+ people not wearing masks at valley park.

Lieutenant Phillips

Thank you for getting back to me. i think ultimately we all want the same thing and we all recognize that we are in the midst of a huge explosion in covid all across our nation and in LA County.

The Covid statistics I provided in the earlier email attest to that.

Lieutenant Phillips, in your attached email you state:

We did receive a call yesterday at Valley Park at about 2:45pm and the officer arrived at 2:54pm. The officer observed a "meet the teacher" 4th grade drive through and kids playing in the park but he did not observe 100 people. I am not doubting that you observed a lot of people but that is what our officer observed when he arrived.

First there were in fact over 100 people at valley park as i reported and the vast majority were NOT wearing masks.

Here is the photo evidence. You all can draw your own conclusions. I have several other photos.

Looking south about 25 people maybe 2 wearing masks



Looking towards the kiddie park another 25 people



A different view and another 25. Note cluster in background



More....



Another cluster



Still another cluster



Another 2 small clusters looking north. Maybe 15 people



i think the misunderstanding about the number of people your officer reported and my claim that there were 100+ people at the park may be that he/she might have been looking for a single group of 100 people and i was referring to the total number of people in the park. The Subject of the email makes this point also.

Lieutenant Phillips, in your attached email you state:

I can assure you that all permitted classes and day camps are being closely monitored and if there are groups who are not following the proper protocols, they are likely not permitted activities. Our Community Resources Department and Code Enforcement officers frequently contact groups in the parks to provide them information on the permitting process and advise them of the required protocols. If any groups are not cooperative, we are taking progressive enforcement action.

First lets get our facts in alignment.

LA COUNTY DAY CAMP REOPENING PROTOCOLS:

All visitors and campers are required to wear cloth face coverings while at **camp**, except while swimming, napping, eating/drinking, or engaging in outdoor activities that require heavy exertion. (such as jogging). These heavy exertion activities should be done while maintaining at least 8ft of distance from others).

Singles tennis, jumping rope, running, jogging, race walking and aerobic dancing are a few examples of strenuous exercise. Hiking uphill with a loaded backpack or bicycling at least 10 mph are also considered to be strenuous and may seem extremely strenuous if you are ordinarily sedentary. A hint that you are engaging in strenuous exercise is that you'll have to stop and breathe every few words during conversation.

If the cities position is that day camp attendees are wearing masks except when they are eating, napping or engaging in outdoor activities that require HEAVY EXERTION then I'm telling you that is simply not the case.

The LA County Day camp regulations cited above clearly state if masks are not worn then day campers must maintain 8 feet of separation at all times. Thats not happening either.

Moreover if 8 feet of separation (or even 6 ft) is required at all time that pretty much excludes team sports if masks are not worn and if you are telling me that day campers do not engage in group activities and team sports without wearing masks then once again you are wrong.



The park is full of day camp activities and city permitted activities where mask regulation are not being enforced.

And then there is the kiddie park.

If you want to make the case that young kids don't transmit Covid you really need to make that case to LA county who sets the rules and get an exemption to the rule that requires masks; **and not simply disregard the rule.**

Also every nearly weekend for the past 5 or 6 week young men have set up a volleyball court in valley park and played very close contact 6 man volleyball without masks. They are out there for about 3 hours at a time; most recently yesterday. Why hasn't this been noticed? Geeze, if I have my dog off the leash for a few minutes Im likely to be quickly circled by a community service police officer. LA County specifically excluded volleyball at our parks and beached.



Finally In addition to the stunning Covid infection statistics we've seen since November 1st across the nation and in LA County; i read reports just yesterday that Covid hospitalizations are now at the highest levels we've seen so far and it may very well be that the infection rates have entered exponential phase of community spread across broad swaths of our country including LA County; and it may very well be too late to mount an effective defense.

i hope you all understand the significance of that. At ;east 100,000 deaths simply because our nation couldn't get behind wearing masks. And if you doubt masks are effective ask yourself why japan, a nation of 130 million people and an older population than ours has had well under 2,000 deaths and in the US with a population of about 330 million are quickly approaching a quarter of a million deaths. Why is that???!!!

The nation and city leaders all across our country may have squandered their chance to flatten there curve and there may now be very little we can do about these unnecessary deaths, nothing we can do for overwhelmed health care workers and nothing we can do as ICU beds dry up and people are denied lifesaving heath care and are left to a horrible death of drowning alone in their own phlegm

One thing is clear, old ways of doing things haven't worked. And we as a city certainly haven't done everything we could or should of as you suggest

For instance:

Why haven't we established goals for mask compliance at our parks, strands, beaches and downtown areas.

Why haven't we used community services officers and the recently hired Covid crew to capture data on mask compliance, trends and report on mask compliance in these areas?

Why haven't we used this compliance data to inform public policy and use temporary closures of our parks and beaches if compliance goals are not met and send a message to mask scofflaws that this behavior will not be tolerated?

For gods sake, LA County clearly said beach volleyball was a prohibited activity. Its a magnet for maskless close contact both for players and spectators.

Yet all up and down our beaches volleyball nets are everywhere. Why haven't these volleyball been taken down.

Ive brought these suggestions up maybe 20 times in the past 4 months. Never once have i received an answer to any of the above?

Thank You for considering this alternative view of how things are going.

Anthony Higgins

On Nov 14, 2020, at 12:47 PM, Landon Phillips
<lpillips@hermosabeach.gov> wrote:

Good afternoon Mr. Higgins,

We share your concern about the rising cases and the City is continuously doing what we can to reduce the spread of COVID-19. I can assure you that all permitted classes and day camps are being closely monitored and if there are groups who are not following the proper protocols, they are likely not permitted activities. Our Community Resources Department and Code Enforcement officers frequently contact groups in the parks to provide them information on the permitting process and advise them of the required protocols. If any groups are not cooperative, we are taking progressive enforcement action.

We did receive a call yesterday at Valley Park at about 2:45pm and the officer arrived at 2:54pm. The officer observed a "meet the teacher" 4th grade drive through and kids playing in the park but he did not observe 100 people. I am not doubting that you observed a lot of people but that is what our officer observed when he arrived.

We will continue to do what we can to address these issues to help our community get past this pandemic.

Regards,

Lieutenant Landon Phillips
Hermosa Beach Police Department
(310) 318-0336

From: tony higgins <tony.higgins123@gmail.com>
Date: November 14, 2020 at 11:03:26 PST
To: Dorothy Scheid <dscheid@hermosabeach.gov>
Cc: Paul LeBaron <plebaron@hermosabeach.gov>, Suja Lowenthal <suja@hermosabeach.gov>, Kelly Orta <korta@hermosabeach.gov>, Mayor Justin Massey <jmassey@hermosabeach.gov>, DG_ParksRecCommission <dg_parksreccommission@hermosabeach.gov>, City Council <citycouncil@hermosabeach.gov>
Subject: 100+ people not wearing masks at valley park.

Nearly every day M-F this week from 3-4pm we have had well over 100+ people not wearing masks at Valley Park.

Many are associated to city sponsored activities

Little over a week ago Covid daily infections topped 100,000 for the first time. Then it jumped to 120,000 the next day. A few days later it jumped to 150,000 and yesterday it jumped to 170,000.

LA county according to the LATIMES a few days ago reported a surge of 38% in infections in one week.

At a time when everyone needs to step up their game on masks the city seems to be doing the opposite.

It's just mass mask noncompliance at valley park and it's getting worse.

Adults aren't doing it in sufficient numbers.

As it relates to children wearing masks counties day camp rules are clear.

Only when children are engaging in strenuous activities may they forgo masks and then only when they are maintaining 6 ft distancing.

Sadly this obviously precludes team sports and most group activities. But children are going to do what children do and not respect 6 foot distancing.

Ms Kelly Orta promised to ensure these day camp regulations would be strictly monitored & followed and now given the explosive exponential growth in Covid infections it's time the city and the parks dept to account. I will be happy to forward Ms Orta's email to any interested parties.

Yesterday at 245pm I had had enough of what I was seeing at valley park with respect to mass mask noncompliance so as Ms Orta suggested and rather than engage the adults in the park regarding their behavior in the midst of an explosion in Covid cases I

called the police non emergency number.

I waited from 245-4pm. I did not see any enforcement officers.

Did the police respond? If so when? And what action was taken. I have about 10 photos I can send if you doubt my claim that 100+ people in valley park were not wearing masks.

Thank you
-th-