

June 22, 2021

To: Hermosa Beach City Council (Mary Campbell-Collins, Justin Massey, Raymond Jackson, Michael Detoy, Stacey Armato), City Clerk Eduardo Sarmiento, City Manager Suja Lowenthal, and Contract City Attorney Michael Jenkins.

From: Howard Longacre, Resident

Re: "Consideration of adding a chapter to Title-8 of the Municipal Code."

City Council and others:

All in the following are of my understanding, views, and suggestions.

First off, I have absolutely no recollection of this problem ever being presented to the City Council or minimally discussed in a council meeting with direction then given to staff to look into the matter.

Further, I know of zero of the complainants (if any) or of the supposed properties causing this apparently severe(?) issue to come before the City Council.

My concern is really how this got this far, and why it's happening at this tight budget money time.

Hermosa Beach government seems to be operating in an ad hoc, nonsensical manner. I doubt the author of the staff report is responsible. Others are no doubt responsible. Who are they?

The staff report gives no actual information of the number of complaints, or of when and who gave direction for such a costly ridiculous ordinance to be accomplished. Note, all ordinances cost in the thousands of dollars to prepare and implement, including amendments to same.

So PLEASE, during your council discussion give the people a clear understanding as to any letters or calls councilmembers, or others have received which thusly caused a costly ordinance to be ordered.

Also please give CLEAR indication of any injuries that have occurred as a result of such particular daylight illumination occurring at night. Note: I have reported trip-hazard sidewalks for years that get little more than lip service response from the city. And the city is paying thousands of dollars to implement this ordinance? Sidewalks in disrepair can bring lawsuits as well as injuries to the people of the city. Yet they are back-burnered, and this ad hoc stuff is put on the front burner?

I note that the public notice only stated the following as to what this public hearing is all about.

Consideration of adding a chapter to Title 8 of the Hermosa Beach Municipal Code to establish standards for outdoor lighting on residential properties.

This is insufficient.

Importantly, as you can see above, there is nothing at all stated in the 10-day EasyReader Public Notice that an actual ordinance is to be “introduced on first reading and adoption”. I.e. the notice should have stated “consideration and adoption of an ordinance to...”. It did not!

Were all the properties, supposedly causing the nuisance, or whatever the issue is, noticed of this impending ordinance. Were fluorescent notice signs placed along The Strand regarding this Public Hearing? There’s nothing in the staff report that I can see re: noticing accomplished, as like that which I see in Planning Commission item staff reports.

Notwithstanding that such an ordinance amendment may not legally need to be presented to the Planning Commission, to then be more thoroughly reviewed and considered, that was not accomplished.

The Planning Commission is where this would better have first appeared. As such it would still be better at this time to be sent to the Planning Commission, if such an overwhelming problem really exists during these days of severe budget issues.

This item has already wasted too much taxpayer money improperly.

If such a vague ordinance (and it is absurdly vague and open for interpretation) is implemented it will have vast unintended consequences, and will be used to pit resident and/or property owner against resident and/or property owner with virtually guaranteed litigation with the city following.

Have not city council cavalier votes brought enough litigation and profits to your City Attorney counsel from i.e. Cross Fit/Hermosa Fitness, Hany Fangary (ceremonial rotation), **now billed by your counsel at approximately \$50,000 per month**, and other ignorant, poorly concocted council decisions, and while your counsel (the City Attorney) was sitting there letting you do such, and with his firm then profiting thereafter. Talk about the fox guarding the chickens and then reaping even more rewards?

I suspect your counsel will profit substantially from the implementation of this poorly concocted ordinance, **and shame on all in city who concurred on this ordinance including the Community Development director, the City Attorney, and of course City Manager Suja Lowenthal.**

Sorry, but just the implementation of this ordinance and any attempt at its use will very likely immediately bring litigation against the city. Your no-bid-contract-counsel-for-life, the City Attorney, is probably already salivating at the thought of another ignorant, cavalier vote by the Hermosa Beach City Council.

Suggestions:

- 1 – Completely table this dumb approach until the underlying issue is first fully presented and understood by all. Avoid slapping on an ordinance when you have not fully detailed what the issue really is.
- 2- Or send to the Planning Commission with a Planner then handling the item.
- 3- Ensure proper noticing including additionally, city-fluorescent placards and with all significant property owners noticed directly.

End-of-communication.