



# City of Hermosa Beach

City Hall  
1315 Valley Drive  
Hermosa Beach, CA  
90254

## Special Meeting Agenda - Final

### City Council

*Mayor*

*Justin Massey*

*Mayor Pro Tem*

*Michael Detoy*

*Councilmembers*

*Stacey Armato*

*Mary Campbell*

*Raymond Jackson*

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Tuesday, June 8, 2021

5:00 PM

Duly Posted on June 7, 2021 at 4:45 p.m. by E.S.

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**NOTICE OF SPECIAL MEETING AND AGENDA**

PLEASE TAKE NOTICE that the Mayor of the City of Hermosa Beach has called a Special Meeting of the City Council to take place at 5:00 p.m. on June 8, 2021, to consider and take action on only those matters set forth on the agenda below.

**I. CALL TO ORDER****II. ROLL CALL****III. PUBLIC PARTICIPATION:****JOIN THE VIRTUAL MEETING AT:**

<https://us02web.zoom.us/j/87032785286?pwd=RGVVZnduNGVIVGJLOFlvaFNuYTBIUT09>

**OR PARTICIPATE BY PHONE:**

- Toll Free: 877-853-5257
- Meeting ID: 870 3278 5286, then #
- Passcode: 513185

**ATTENDEES WILL BE MUTED UNTIL THE PUBLIC PARTICIPATION PERIOD IS OPENED.**

If you are joining by phone, press \* 6 to unmute your line. Comments from the public are limited to 3 minutes per speaker.

Although the City Council values your comments, the Brown Act generally prohibits the Council from taking action on any matter not listed on the posted agenda as a business item. Comments from the public are limited to three minutes per speaker.

**1. [REPORT  
21-0361](#)****RESOLUTION DECLARING THE RESULTS OF THE  
SPECIAL MUNICIPAL ELECTION OF MAY 11, 2021**

(City Clerk Eduardo Sarmiento)

**Recommendation:** The City Clerk recommends City Council adopt a Resolution of the City Council of the City of Hermosa Beach, California reciting the fact of the special municipal election held Tuesday, May 11, 2021, declaring the results and such other matters as provided by law.

**IV. ADJOURNMENT****VIEWING OPTIONS FOR PUBLIC MEETINGS**

Public meetings are broadcast live on Spectrum Channel 8 and Frontier Channel 31 in Hermosa Beach. Additional viewing options are provided as a courtesy.

**ZOOM:** Join the meeting link if available or participate by phone

**YOUTUBE CHANNEL:** [www.youtube.com/channel/UCaiZxw06ue-Tgc8DmXYzh2Q](https://www.youtube.com/channel/UCaiZxw06ue-Tgc8DmXYzh2Q)

**CITY WEBSITE:** [www.hermosabeach.gov](http://www.hermosabeach.gov) and visit the Agendas/Minutes/Videos page

**\*\*\*PLEASE NOTE: IF YOU EXPERIENCE TECHNICAL DIFFICULTIES WHILE VIEWING THE MEETING ON ONE OF THESE PLATFORMS, PLEASE TRY ONE OF THE OTHER VIEWING OPTIONS\*\*\***



## Staff Report

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### Staff Report

REPORT 21-0361

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**Honorable Mayor and Members of the Hermosa Beach City Council  
Special Meeting of June 8, 2021**

**RESOLUTION DECLARING THE RESULTS OF THE  
SPECIAL MUNICIPAL ELECTION OF MAY 11, 2021**  
(City Clerk Eduardo Sarmiento)

**Recommended Action:**

The City Clerk recommends City Council adopt a Resolution of the City Council of the City of Hermosa Beach, California reciting the fact of the special municipal election held Tuesday, May 11, 2021, declaring the results and such other matters as provided by law.

**Summary:**

The certified statement of election results was completed by the Los Angeles County Registrar-Recorder/County Clerk Elections Official on Monday, May 24, 2021. The City Clerk has prepared a City Clerk Certification and Resolution reciting and declaring the election results for City Council adoption at its June 8, 2021 meeting. The newly elected officer was sworn in on May 27, 2021 and will be seated after Council's adoption of the Resolution declaring the certified election results.

### ***Past Council Actions***

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## Staff Report

REPORT 21-0361

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Meeting Date	Description
January 12, 2021	Resolution calling Election to Fill Vacancy
January 12, 2021	Resolution calling for County Support
January 12, 2021	Resolution calling for Election Regulations
January 26, 2021	Resolution calling for B oard of Supervisors Render Specified Services

### **Fiscal Impact:**

There is no fiscal impact associated with this recommended action.

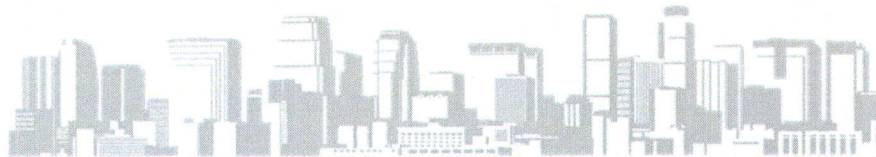
### **Attachments:**

1. Official Election Canvass Certificate from Los Angeles County Registrar-Recorder/County Clerk
2. Official Statement of Votes Cast from Los Angeles County Registrar-Recorder/County Clerk
3. Draft Resolution Certifying May 11, 2021 Special Election Results

**Submitted by:** Eduardo Sarmiento, City Clerk

**Legal Review:** Mike Jenkins, City Attorney

**Approved:** Suja Lowenthal, City Manager



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

May 24, 2021

Mr. Eddie Sarmiento, City Clerk  
City of Hermosa Beach  
1315 Valley Drive  
Hermosa Beach, California 90254

Dear Mr. Sarmiento:

Enclosed are the Official Canvass Certificate and the Official Statement of Votes Cast by precinct for the City of Hermosa Beach Special Municipal Election held on May 11, 2021.

Please call the Election Planning Section at (562) 462-2317, if you have any questions.

Sincerely,

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

LATICIA MCCORKLE, Assistant Division Manager  
Election Information and Preparation Division

Enclosures  
Official Canvass Certificate  
Official Statement of Votes Cast



*Los Angeles County*  
*Registrar-Recorder/County Clerk*

**Certificate of the Canvass of the Election Returns**

*I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I did canvass the returns of the votes cast for each elective office and/or measure(s) for*

*City of Hermosa Beach*

*at the City of Hermosa Beach Special Municipal Election, held on the 11th day of May, 2021.*

*I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction, and that the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.*

*IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 24th day of May, 2021.*



*Dean Logan*  
DEAN C. LOGAN  
Registrar-Recorder/County Clerk  
County of Los Angeles



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## RESOLUTION NO. 21-7283

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD TUESDAY, MAY 11, 2021, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW**

**WHEREAS**, a Special Municipal Election was held and conducted in the City of Hermosa Beach, California, on Tuesday, May 11, 2021, as required by law; and

**WHEREAS**, notice of the election was given in time, form and manner as provided by law; voting precincts were properly established; election officers were appointed; and in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

**WHEREAS**, pursuant to Resolution No. 21-7267 adopted January 12, 2021, the County Election Department canvassed the returns of the election and has certified the results to the City Council, the results are received, attached and made a part hereof as "Exhibit A."

### **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That there was one (1) voting precinct established for the purpose of holding said election.

That the whole number of ballots cast in the precinct (except vote-by-mail and provisional voter ballots) was 3, and the whole number of vote-by-mail cast in the City was 4,476, making a total of 4,479 ballots cast in the City.

**SECTION 2.** That the names of the persons voted for at the election for Member of the City Council were as follows:

Randy Balik

Raymond Jackson

Dean Francois

Tara McNamara Stabile

Daniel Rittenhouse

1       **SECTION 3.** That the number of votes given at each precinct and the number of votes  
2 given in the City to each of the persons above named for the respective office for which the  
3 persons were candidates were as listed in the Exhibit "A" attached.

4       **SECTION 4.** That the City Council does declare and determine that:

5       - **Raymond Jackson** was elected as Member of the City Council to fill the vacancy  
6 created by the resignation of Hany Fangary for the remainder of that term, through  
7 November, 2022.;

8       **SECTION 5.** That the City Clerk shall enter in the records of the City Council of the  
9 City of Hermosa Beach a statement of the result of the election, showing: (a) the whole number  
10 of ballots cast in the City; (b) the names of the persons voted for; (c) what office each person was  
11 voted for; (d) the number of votes given at each precinct to each person.

12       **SECTION 6.** That the City Clerk shall immediately make and present to the person so  
13 elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk  
14 shall also administer to the person elected the Oath of Office prescribed in the Constitution of the  
15 State of California and shall have them subscribe to it and file it in the office of the City Clerk.  
16 The person so elected shall then be inducted into the respective office to which he has been  
17 elected.

18       **SECTION 7.** That the City Clerk shall certify to the passage and adoption of this  
19 resolution and enter it into the book of original Resolutions.

20       **PASSED, APPROVED AND ADOPTED** on the 8th day of June, 2021.

21       \_\_\_\_\_  
22       **PRESIDENT of the City Council and MAYOR of the City of Hermosa Beach**

23       **ATTEST:**

24       **APPROVED AS TO FORM:**

25       \_\_\_\_\_  
26       Eduardo Sarmiento,  
27       City Clerk

28       \_\_\_\_\_  
Michael Jenkins,  
City Attorney

City Clerk's office:

Please add this communication as a Supplemental to  
Item-VI (Approval of the Agenda) of the posted  
6-PM June 8, 2021 Hermosa Beach Regular City Council Meeting Agenda.

Please additionally attach this communication as a Supplemental to the  
Public Comment item of the 5-PM June 8, 2021 Closed Session.

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

**From:** Howard Longacre, Hermosa Beach Resident

June 5, 2021

**Re: The premature/improper swearing in of "Action Jackson":**

**Councilmembers and Others:**

*The comments made herein by me are offered freely, and they are entirely my views  
and opinions on all that I've stated.*

The noted June 8, 2021 Hermosa Beach City Council agenda improperly lists Raymond Jackson as a City Councilmember. This agenda is being presumptive, and furthermore there has been no announced and public swearing-in of Raymond Jackson, having occurred appropriately after the Los Angeles Board of Supervisors officially has received, and accepted - by their vote - the results of the Special May 11, 2021 Hermosa Beach City Council election.

Furthermore, Mr. Jackson has perhaps already been improperly presented with confidential "Closed Session" materials, and is improperly indicated to be participating in a closed session. That should not occur until he is fully and properly publicly sworn in and properly installed as an officer of Hermosa Beach via an agenda item.

That Mr. Jackson seems ready to do things improperly, or loosey goosey, or based on some sloppy precedence, just indicates the city is headed for more of the same sloppy, untrustworthy, "it's no big deal", rotten, filthy government - that City Attorney Michael Jenkins has so-fully instilled into the Hermosa Beach government psyche, during his way-too-long contract.

That Raymond Jackson has evidently stated, "There was nothing nefarious about" the premature swearing-in, indicates an implied admittance he and the city blundered.



Hermosa's government must operate correctly, especially when it comes down to the nitty gritty of those elected and elections. And who in Hell is the very person being prematurely sworn in, to claim "there was nothing nefarious". That's what you would expect to hear of an ignorant insensitive dictator. Mr. Jackson is already displaying incredible insensitivity regarding this matter.

Nonetheless, this is not even Mr. Jackson's call. He's also not likely the problem. It's a problem that's reflecting off of him due once again, unquestionably, because of City Manager Suja Lowenthal and ceremonial Mayor Justin Massey. BOTH NEED TO BE GONE. THE SOONER THE BETTER! 3.5 years more of Massey and Lowenthal is painful to think of.

So, why can't things be done right in Hermosa Beach? Answer: Because the sneaky Hermosa Beach City Council / City Manager operation (they truly are sneaks) is completely broken! In Hermosa Beach we don't have government "*of the people, by the people, for the people*" these days; instead it's apparently '*government of the sneaky dictators, by the sneaky dictators, for the sneaky dictators*'.

After certification of a City Council election there is correctly a period of time (for challenges, etc., to the results) up to the time the "certified" results go to the Los Angeles County Board of Supervisors (for General Law cities), and are then formally accepted and thereby ratified by the Supervisors vote.

Some might say, "What's the big deal", especially since this kind of sloppy 'kart-before-the-horse' thing may have occurred in the past in Hermosa Beach, and under the same Hermosa Beach Contract City Attorney Michael Jenkins' having then also looked the other way.

How then did Hermosa Beach government top bananas so-stupidly again decide, on their own, of how things are to be done with respect to such swearing-in, and after such an expensive (\$100,000), and actually unneeded election?

And then incredibly, with the un-sworn-in resident himself stating to the press that it was his, Raymond Jackson's, idea to be sworn in, clearly before the Board of Supervisors had officially ratified the election. Incredible! Clearly Jackson, as evidently already a Massey pawn, is blindly being led down Massey's self-centered rat hole. Well that's now Jackson's problem. There is no doubt that Massey and City Manager Suja Lowenthal knew well that the Board of Supervisors HAD NOT ratified the election results when Jackson was unnecessarily and prematurely sworn in.

So, where in Hell again is the well compensated contract City Attorney Michael Jenkins while all this sloppy stuff is going on in the city of Hermosa Beach? All understand that Jenkins loves sloppy stuff, however if Jackson, before properly being installed, participates in closed session litigation matters, doesn't that also potentially put the city additionally in jeopardy for improper decision-making, due to having an improper participant voting in a closed session?

The results have not as yet, at this date, June 5, 2021, been accepted/ratified by the L.A. County Board of Supervisors, and who knows, the results might not be accepted at the Board's 9:30 AM, June 8, 2021, meeting.

The Board's agenda for their June 8, meeting was only just posted June 3, 2021. However Raymond Jackson was already sworn in prematurely/improperly on May 28th, from what he himself has admitted.

Hermosa Beach City Manager Suja Lowenthal, and ceremonial Mayor Justin Massey (an attorney) had most-evidently approved/expedited this improper swearing in of Jackson, with Jackson then claiming it was his idea, probably to cover the sloppy decisions of City Manager Suja Lowenthal and the always incredibly-arrogant, essentially self-anointed ceremonial Mayor Justin Massey. It's very evident Jackson was also Massey's preferred election candidate and that Massey is Jackson's mentor.

The PDF agenda of the June 8, 2021 L.A. County Board of Supervisors agenda is at this following link.

<http://bos.lacounty.gov/LinkClick.aspx?fileticket=Blpm1pVAsno%3d&portalid=1>

Go to Item-37 on the above June 8, 2021 Board's agenda which states.

**37. May 11, 2021 City of Hermosa Beach Special Election  
Recommendation: Declare the election results of the May 11, 2021 City of Hermosa Beach Special Election officially concluded.  
(Registrar-Recorder/County Clerk) APPROVE (21-2188)**

**Attachments:**

**Board Letter**

**Public Comment/Correspondence**

Meanwhile, the Future agenda items of the last regular Hermosa Beach City Council meeting, May 25, 2021, stated that at the beginning of the June 8, 2021 Hermosa Beach City Council meeting was to be occurring -

***JUNE 8, 2021 @ 6:00 PM  
-CANVASS OF VOTES AND INSTALLATION OF OFFICER-  
CERTIFIED RESULTS OF THE CANVASS OF VOTES  
FOR THE SPECIAL ELECTION OF MAY 11, 2021  
AND INSTALLATION OF THE ELECTED OFFICER.***

(snag image of above text, from the 5/25/21 'future agenda items' is attached further below)

However the newly posted June 8, 2021 Hermosa Beach Council agenda has no such **"Installation of Elected Officer"** item indicated and instead indicates at the top that Jackson is already a Councilmember. How could that be?

Of all things, the public and the press expect to see and hear Jackson take the oath to the **U.S. Constitution**, and the **California State Constitution** before he is seated as a Hermosa Beach City Councilman.

Jackson is to be one of the five top officials in the City. WHO IS JACKSON, OR ANYONE IN HERMOSA BEACH, TO PULL OFF SUCH ARROGANT CRAP? ARE NOT THESE THE VERY SAME PEOPLE WHO WOULD BE YELLING AND SCREAMING IF SUCH BEHIND THE SCENES CRAP WAS PULLED OFF BY, I.E., DONALD J. TRUMP, AND DESERVEDLY SO?

Was a video made of Jackson taking the oath?

Unfortunately this is just a further indication that the very type of government that caused this special election to be needed in the first place, i.e., the collusion of Councilmembers Justin Massey, Stacey Armato, and Mary Campbell in changing of the policy (their actions being a Brown Act violation) to keep former councilman Hany Fangary from rotating in as ceremonial mayor, is simply to continue unabated.

That was almost two years ago, destroying a decades long honorable tradition that Massey, Armato, and Campbell simply pitched unceremoniously into the garbage can.

And they did so without even announcing a discussion of such change in policy or tradition in advance via an agenda item, prior to their slime-ball, disgusting, sneaky scheme against their elected colleague, former Hermosa Beach Councilman Hany Fangary.

So now there's evidently to be more secrecy and continued despicable sloppy, arrogant slimy government action by the same filthy, rotten council of smug dictators.

Raymond Jackson (also an attorney, Florida State Bar) is also evidently to be quickly morphed into just another one of the Justin Massey ilk. Fortunately, for all except Nanette Barragan, the Hermosa Beach City Council is a complete dead-end politically to those seeking higher office.

Thus with all due respect then, the premature/improper swearing-in of Raymond Jackson absolutely would best be voided entirely by Hermosa's City Clerk vis-à-vis concurrence of the City Attorney, and then at the next agendized meeting desired, Special or Regular, an agenda item should then appear on its agenda to do the item, that was not placed on the August 8 Agenda, to properly swear-in and install as an officer of the city, Raymond Jackson, assuming the Board of Supervisors does ratify his election.

There is no special rush necessary to speed Jackson onto the City Council. His vote is not likely to change anything of significance during the brief 18 months of his term. He's

unfortunately, most-likely, to just be another pawn to be used by Massey, Armato, Lowenthal and their clique of groupies.

**Attachment:**

Easy Reader June 3, 2021 reporting.

June 3, 2021EASY READER13

## Jackson ready for action after private swearing in ceremony

by Dan Blackburn

**R**aymond Jackson, newly elected to the Hermosa Beach City Council, took his oath of office May 28 in a private ceremony he said was "entirely" his idea.

The City Hall event was attended by family and few others, said Jackson. Several longtime city residents said they could not remember a similar ceremony being held without prior public knowledge.

"There was nothing nefarious about it. But with COVID-19 and all... I just wanted to hit the deck running," Jackson explained.

He will participate in his first meeting on June 8.

Jackson bested a field of five candidates for a council seat vacated by Hany Fangary in December, following his family's move to Manhattan Beach.

Jackson, a retired U.S. Army colonel, won a mail-in election concluded May 11. The L.A. County registrar certified the results last week. He will serve until Nov. 30, 2022.

"I said let's just get it done. We'll have a public ceremony once things open up," Jackson said, referencing pandemic closures.

Agreeing that he is walking into a particularly volatile political environment in the community, Jackson said he can "hear both sides of an issue." He also noted that social media has "given voice to many. now," and as a result "we often hear from the vocal minority."

"I get it. I understand it. And I'm ready to get going."

In a prepared statement, Mayor Justin Massey said of Jackson, "His demonstrated commitment to public service and history of leadership will be invaluable assets." **ER**

**Attachment:**

Snag image from the "Tentative Future Agenda" items presented with the May 25 Hermosa Beach City Council Agenda.

<b>JUNE 8, 2021 @ 6:00 PM</b>
<b>CANVASS OF VOTES AND INSTALLTION OF OFFICER</b>
<b>CERTIFIED RESULTS OF THE CANVASS OF VOTES FOR THE SPECIAL ELECTION OF MAY 11, 2021, AND INSTALLATION OF THE ELECTED OFFICER</b>



**From:** [noreply@granicusideas.com](mailto:noreply@granicusideas.com)  
**To:** [Eduardo Sarmiento](#); [Suja Lowenthal](#); [City Council](#); [Angela Crespi](#)  
**Subject:** New eComment for City Council Special Virtual Meeting 5:00 PM  
**Date:** Tuesday, June 8, 2021 11:59:53 AM

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[SpeakUp](#)

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## New eComment for City Council Special Virtual Meeting 5:00 PM

Carolyn Petty submitted a new eComment.

Meeting: City Council Special Virtual Meeting 5:00 PM

Item: 1. REPORT 21-0361 RESOLUTION DECLARING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION OF MAY 11, 2021 (City Clerk Eduardo Sarmiento)

eComment: What is happening with our local government? It is bizarre and disturbing to have an incoming councilmember sworn in prior to the formal ratification of election results. Since when does an incoming councilmember decide on his own terms when/where and how he will be sworn in, regardless of the legalities? There are so many things that have been going wrong with this current City Council, City Manager and City Attorney, and this truly tops the list. Mr. Jackson should not have participated in a closed session discussion. That was inappropriate. What has happened to our City Attorney Mike Jenkins? The Mike Jenkins I knew would have advised the council of the inappropriate nature of that private swearing in ceremony and most likely would have prevented it from happening. It appears that over the last few years he has lost all impartiality. This is yet one more example of every councilmember and staff working together to undermine honest government. We need to be able to trust what you do, and actions such as what happened with Mr. Jackson should make everyone wary of our local government. This is very disappointing.

[View and Analyze eComments](#)

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**From:** [noreply@granicusideas.com](mailto:noreply@granicusideas.com)  
**To:** [Eduardo Sarmiento](#); [Suja Lowenthal](#); [City Council](#); [Angela Crespi](#)  
**Subject:** New eComment for City Council Special Virtual Meeting 5:00 PM  
**Date:** Tuesday, June 8, 2021 1:56:21 PM

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[SpeakUp](#)

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## New eComment for City Council Special Virtual Meeting 5:00 PM

dean francois submitted a new eComment.

Meeting: City Council Special Virtual Meeting 5:00 PM

Item: 1. REPORT 21-0361 RESOLUTION DECLARING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION OF MAY 11, 2021 (City Clerk Eduardo Sarmiento)

eComment: The City Council has a regular meeting scheduled June 8th at 5:00 p.m. ...closed session with regular meeting starting at 6:00. This meeting was duly posted as required. This special meeting has just been scheduled without being duly posted and called in order to certify the recent election at the same time...June 8th at 5:00 p.m. Meetings should be open, and duly posted. Meetings should not be scheduled and issues decided based on a letter the city receives from the public. While public communication is crucial towards open government, it should not be running our government. The apparent undisputed winner of the recent election has not been publicly sworn in. The winner is listed on the agenda as a council member for the special meeting and the regular meeting. This seems highly unusual and presents serious questions about the integrity of the election process and city management. I would hope this body gets the appropriate advice so more taxpayers money is not wasted. It would appear to me that a reasonable course of action would be for the winner of the election to not be considered a councilmember yet and especially not be voting on the certification of the election. And after the election is certified, the winner of the election should then be publicly sworn in before they take on the duties of a council member.

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