



Staff Report

File #: REPORT 20-0333, Version: 1

**Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of May 26, 2020**

**CONSIDERATION OF A MUNICIPAL CODE AMENDMENT
RELATED TO REGULATIONS FOR THE OFFICIAL SEAL AND LOGO
OF THE CITY OF HERMOSA BEACH, AND DETERMINATION THAT
THE AMENDMENT IS EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA)
(City Attorney Michael Jenkins)**

Recommended Action:

It is recommended that the City Council waive full reading and introduce on first reading the attached Ordinance of the City of Hermosa Beach, California Adding Chapter 1.06 (Official Seal and Logo of the City) to Title 1 (General Provisions) of the Hermosa Beach Municipal Code to Regulate the Use of the Official Seal and Logo of the City; and Amending Chapter 2.08 (Elections) in Title 2 (Administration and Personnel) to Repeal Provisions Relating to the Use of the Official Seal of the City.

Background:

The City has had some recent instances of misuse of the City's seal. The City's current municipal code provisions only prohibit a person from making use of the official seal of the City, or any likeness of the seal, on any campaign literature or material (HBMC Section 2.08.030(B)). As a result of not having further regulation in the HBMC, the City relies on other legal authority to control the use of the City's seal and logo. Having specific provisions in the HBMC, however, will make controlling the use of the City's seal and logo easier to enforce.

The attached ordinance adds Chapter 1.06 (Official Seal and Logo of the City) to the HBMC to add further protection of the City's seal and also to protect the City's logo. The ordinance differentiates between the uses of the City's seal and logo. It clarifies that the City's seal will be used upon official documents executed by the City or its duly authorized officials and upon official legislative body materials. For example, the City intends to use the seal on resolutions, proclamations, correspondence, and agendas.

The ordinance further clarifies that the City's logo will be used to identify official City events and programs. For example, the City intends to use the logo to market City-sponsored or endorsed events and programs around the community. Any other use of the City's logo may be approved by the

City Manager. Similarly, a person may request to manufacture and sell non-documentary objects, such as souvenirs or decorative items, with the City's logo so long as it is pursuant to an agreement with the City approved by the City Council.

The ordinance also moves the current provisions prohibiting use of the City's seal on any campaign literature or material to the new chapter regulating the City's seal and logo.

A violation of Chapter 1.06 (Official Seal and Logo of the City) constitutes a misdemeanor.

Environmental Determination:

This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Under Section 15061(b)(3) of the State CEQA Guidelines, this Ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment.

Fiscal Impact:

This action will not have a fiscal impact.

Attachments:

1. Draft Ordinance

Respectfully Submitted by: LeeAnne Singleton, Environmental Analyst

Concur: Nico De Anda-Scaia, Assistant to the City Manager

Legal Review: Michael Jenkins, City Attorney

Approved: Suja Lowenthal, City Manager