

BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

REGULAR MEETING AGENDA

Sunday May 7, 2023; 9:00 a.m.

Location:

Teleconference

Dial-in: 855/260-5550

User Code: 9303083963, then press #

Board Members and necessary staff will receive a separate dial-in number for Closed Session.

NOVEL CORONAVIRUS & COVID-19 EMERGENCY ADVISORY NOTICE

This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to Government Code § 54953(e) and the County of Los Angeles Public Health Officer's Order (revised September 22, 2022). All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

For purposes of this Regular Meeting, the following public meeting protocols will apply: all members of the BBGHAD Board of Directors, BBGHAD staff, and members of the public will be participating via teleconference with audio capabilities and, potentially, video capabilities as well. As a means to promote social distancing while allowing essential governmental functions to continue, this Regular Meeting will be conducted in compliance with Government Code § 54953.

PUBLIC COMMENT. Members of the public are encouraged to submit public comments on any Agenda item via voicemail at (310) 345-2268 or email to heikemfuchs@gmail.com. Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on May 5, 2023. Comments received after 5:00 p.m. on May 5, 2023 will be addressed during the item and/or at the end of the meeting. The BBGHAD Board of Directors will have the option to modify the action on items based on comments received. Public Comment during this meeting will be subject to the Chair's control, and, unless the Chair determines otherwise, shall be limited to no more than 3 minutes per speaker. No member of the public may "give time" to another speaker.¹

REGULAR SESSION

1) Call to Order

¹ Materials related to items on this Agenda submitted to the BBGHAD after distribution of the Agenda packet are available for public inspection at the BBGHAD's website, www.bbghad.com and at the offices of the BBGHAD's Project Counsel, 10345 W. Olympic Blvd., Los Angeles, CA 90064. The BBGHAD, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the Board meeting due to disability, to please contact the BBGHAD Clerk, (310) 345-2268, at least one business day prior to the scheduled meeting to ensure that we may assist you.

- 2) **Roll Call**
- 3) **Adoption of Agenda**
- 4) **Findings to Hold Virtual Board Meeting Under AB 361**

Staff Recommendation: Affirm Resolution No. 2023/01 authorizing remote teleconferencing/virtual meetings in accordance with AB 361.

- 5) **Consider Summary of Actions from December 18, 2022 Meeting.**

Staff Recommendation: Board to consider Summary of Actions from December 2022 Meeting. If passed, Chair or Vice Chair to sign Summary of Actions.

- 6) **New Business**

a. Moffatt & Nichol's Proposed Contract Amendment #50. BBGHAD Engineer seeks supplemental budget for Coastal Frontiers' Spring and Fall 2023 Beach Profile Survey Program and Annual Report in the amount of approximately \$101,820, which includes a \$10,000 allowance for consulting/advice from Russ Boudreau as needed by the BBGHAD. See attached Staff Report (Project Counsel/Project Engineer).

Staff Recommendation: Approve Moffatt & Nichol's proposed budget supplement as the benefits of obtaining additional spring data lie in future pre-and post-Project comparison of beach conditions and bio-resource health. Conducting a 2023 Spring Survey would assist the BBGHAD in understanding the impact and severity of Winter storms, and document below-water deposition in the nearshore bar, especially rocky habitat at Lechuza Point. The SAP prioritizes physical processes, and this work will greatly assist explaining such physical processes.

b. BBGHAD CPI Assessment Increase. As the yearly August deadline approaches for the BBGHAD to submit its assessment roll to LA County, the Board will consider adjusting the levy on the current BBGHAD assessment. The Board will consider adoption of Resolution No. 2023/02, which would add the 2022-23 CPI adjustment (when it is published) to the current assessment such that the Board-approved assessment shall appear as a line item on the property tax bills of all BBGHAD properties (and a separate invoice issued to Malibu West, which, we understand, does not receive a property tax bill) for the upcoming tax year (Project Counsel/Clerk).

Staff Recommendation: Adopt Resolution No. 2023/02, which will set the process for adding a CPI adjustment to the BBGHAD assessment for the upcoming tax year.

c. November 2023 BBGHAD Board of Directors Election. The seats of BBGHAD Board Members Karno, Kuba, and Marine will be up for reelection in November 2023. Project Counsel will brief the BBGHAD Board on the process for the planned election. In addition, the Board will be asked to provide direction to the BBGHAD's Election Official to complete the required measures to conduct the election, including the initial notification of Los Angeles County (Project Counsel).

7) Old Business

a. Permitting and Regulatory Status. (Project Counsel and Engineer) Report to include Project regulatory update explaining delay to Fall 2024, including:

1. CalTrans. Position on PCH-Guernsey traffic signal, deceleration lane, and storage area.

2. CCC Prior-to-Issuance Conditions Compliance (incl. MHMMP/Science Advisory Panel).

a) CDP Amendment- BBGHAD Staff received direction from CCC on certain issues, but needs added direction to complete application.

8) BBGHAD Board Member Reports

9) BBGHAD Officer Report

Treasurer's Report (BBGHAD Treasurer)

10) Public Comment - Non-Agenda Items

Communications from the public concerning matters not on the agenda but for which the BBGHAD Board has subject matter jurisdiction. The BBGHAD Board may not act on non-agendized matters except to refer the matters to staff or schedule the matters for a future agenda.

11) Future Meeting

Next meetings: TBD

CLOSED SESSION

12) Conference With Legal Counsel; Potential Litigation (Cal. Gov. Code § 54956.9(d)(4))

Conference with legal counsel and discussion of potential litigation or assertion of remedies against a BBGHAD property owner.

RESUMPTION OF REGULAR SESSION

13) Adjournment