

BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

REGULAR MEETING AGENDA

Sunday June 5, 2022; 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 the Governor's Executive Order N-08-21 and the County of Los Angeles Public Health Officer's Order (revised June 15, 2021). 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 Special Meeting will be conducted in compliance with the Governor Executive Order N-08-21 issued June 11, 2021.

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 June 3, 2022. Comments received after 5:00 p.m. on June 3, 2022 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

2) Roll Call

3) Adoption of Agenda

¹ 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.

4) Findings to Hold Virtual Board Meeting Under AB 361

Staff Recommendation: Affirm Resolution No. 2022/01 authorizing remote teleconferencing/virtual meetings in accordance with AB 361.

CLOSED SESSION

5) Conference With Legal Counsel; Pending Litigation (Cal. Gov. Code § 54956.9(d)(1))

Conference with legal counsel, report from negotiators, and discussion of Broad Beach Geologic Hazard Abatement District v. All Persons Interested in the Validity of Resolution No.2017/09 of the BBGHAD Board, LASC Case No. BC 684646 (Beckloff); Second District Court of Appeal Case Nos. B304699, B309296.

6) Conference With Legal Counsel; Pending Litigation (Cal. Gov. Code § 54956.9(d)(1))

Conference with legal counsel and discussion of 31506 Victoria Point LLC, a California LLC, 31508 Victoria Point LLC, a California LLC, and E. Jane Arnault, an individual v. Broad Beach Geologic Hazard Abatement District, Los Angeles Superior Court Case No. SC128058 (Ford- Santa Monica).

7) 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.

ANTICIPATED RESUMPTION OF REGULAR SESSION: approx. 10:00 a.m.

8) Consider Summary of Actions from December 12, 2021 Meeting.

Staff Recommendation: Board to consider Summary of Actions from December 12, 2021 Meeting. If passed, Chair or Vice Chair to sign Summary of Actions.

9) Old Business

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

1. CCC (incl. MHMMP/Science Advisory Panel)

A. Prior-to-Issuance Conditions compliance (Project Counsel & Project Engineer).

B. CDP Amendment Status. Board discussion of CDP amendment and anticipated schedule for same (Project Counsel).

C. Proposed Project Schedule. (Project Counsel & Engineer) For discussion only, BBGHAD Project Counsel and Engineer to introduce updated schedule designed to initiate Project in Fall 2023.

D. Sand Status. For discussion only, Board to discuss sand status with local quarries and other jurisdictions. (Project Counsel).

10) New Business

a. Vacancy on BBGHAD Board of Directors. BBGHAD Board Member and Vice Chair Marshall Grossman ceased to be a Board Member as of May 16, 2022. Project Counsel will brief BBGHAD Board on the status of the process to fill the Board position vacated by Board Member Grossman for the remainder of the current term. Provided that the BBGHAD has followed proper procedures, the BBGHAD Board consideration of this item may include consideration of a Board motion and/or resolution to fill the vacant Board Member position. (Project Counsel).

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. 2022/03, which would add the 2021-22 CPI adjustment of 7.9% to the current assessment.

Staff Recommendation: Adopt Resolution No. 2022/03, which will add the current CPI to the BBGHAD assessment.

c. Proposal to Share Beach Monitoring Data with Los Angeles County. In recent months, Westward Beach, east of Zuma, has incurred significant erosion and constructed an emergency shoreline protective device. Through County consultant Russ Boudreau of Coastal Frontiers, County is requested that the BBGHAD share its beach monitoring data (generated since 2009) with County. Board to discuss sharing beach monitoring data with County. (Project Counsel & Russ Boudreau).

11) BBGHAD Officer Report

Treasurer's Report (BBGHAD Treasurer)

12) BBGHAD Board Member Reports

13) 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.

14) Future Meeting

Next meetings: TBD

15) Adjournment