

**BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT**

**REGULAR MEETING AGENDA**

**Sunday September 12, 2021; 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](mailto:heikemfuchs@gmail.com). Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on September 10, 2021. Comments received after 5:00 p.m. on September 10, 2021 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.

**REGULAR SESSION**

- 1) Call to Order**
- 2) Roll Call**
- 3) Adoption of Agenda**

**CLOSED SESSION**

- 4) Conference With Legal Counsel; Pending Litigation (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.

**5) Conference With Legal Counsel; Pending Litigation (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).

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

**6) Consider Summary of Actions from June 27, 2021 Meeting.**

**Staff Recommendation:** Board to consider Summary of Actions from June 27, 2021 Meeting. If passed, Chair or Vice Chair to sign Summary of Actions.

**7) 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).

B. CDP Extension Request: CDP extended through October 2021; new application soon.

C. Moffatt & Nichol Contract Modification #47. (Project Counsel) BBGHAD Engineer seeks up to \$45,000 to continue to complete various Project-required services and to coordinate with Russ Boudreau as necessary.

**Staff Recommendation:** Board should adopt Motion approving of Moffatt & Nichol Contract Modification #47.

**9) New Business**

a. BBGHAD Election Cancellation. At June 2021 Meeting, Board enacted Resolution No. 2021/02 calling for an election of two (2) Board seats. By the statutory deadline, only the incumbents submitted papers to run for this election. As a matter of law, election is cancelled and BBGHAD requests County Supervisors to appoint the incumbents. The Board will consider adoption of Resolution No. 2021/03, which would cancel the election and request County Supervisors to appoint the incumbents for new terms.

**Staff Recommendation:** Adopt Resolution No. 2021/03, which will cancel the election and request County Supervisors to appoint the incumbents for new terms.

**10) BBGHAD Officer Report**

Treasurer's Report (BBGHAD Treasurer)

**11) BBGHAD Board Member Reports**

**12) 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.*

**13) Future Meeting**

Next meetings: TBD

**14) Adjournment**