

BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

REGULAR MEETING AGENDA

Sunday June 27, 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-25-20 issued March 12, 2020 and supplemental Executive Order N-29-20 issued March 17, 2020.

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 25, 2021. Comments received after 5:00 p.m. on June 25, 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 Mark Magidson, Trustee of the Magidson Revocable Trust of 1987 (2006 Restatement) et. al v. Broad Beach Geologic Hazard Abatement District; Board of Directors of the Broad Beach Geologic Hazard Abatement District, Los Angeles County Superior Court Case No. BS170769 (Scheper).

5) 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.

6) 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.

7) Consider Summary of Actions from March 21, 2021 Meeting.

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

8) 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)
 - i. Prior-to-Issuance Conditions compliance (Project Counsel).
 - ii. CDP Extension Request: Granted 11/7/20; new application soon.
2. SLC
 - i. Amended and Restated Lease- Approved by SLC (4/21), including year extension on rental "grace" period for \$50,000 BBGHAD payment.
 - ii. Revetment Impact - Separate \$50,000 payment due to SLC in August 2021 for yearly payment. \$500,000 total due over 10 years; \$50,000/year. Payments started in 2016.

9) New Business

a. 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. 2021/01, which would add the 2020-21 CPI adjustment of 3.9% to the current assessment.

Staff Recommendation: Adopt Resolution No. 2021/01, which will add the current CPI to the BBGHAD assessment.

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