

BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

REGULAR MEETING AGENDA

Sunday July 17, 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 Government Code § 54953 and the County of Los Angeles Public Health Officer's Order (revised April 21, 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 Special 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 July 15, 2022. Comments received after 5:00 p.m. on July 15, 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

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. 2022/01 authorizing remote teleconferencing/virtual meetings in accordance with AB 361.

- 5) **Consideration of Filling Board Vice Chair Position.** (Project Counsel). Board to consider and discuss filling Vice Chair position on Board of Directors.

CLOSED SESSION

- 6) **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.

- 7) **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).

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

- 8) **Consider Summary of Actions from June 5, 2022 Meeting.**

Staff Recommendation: Board to consider Summary of Actions from June 2022 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). Board to consider proposed Fall 2022 Monitoring Proposal, which includes Intertidal and Supratidal Habitat Mapping, Subtidal Habitat Mapping, Rocky Intertidal Habitat Monitoring, Sandy Beach Habitat Monitoring, Subtidal Rocky Reef Habitat Monitoring, Eelgrass Habitat Density Monitoring, Surfgrass Habitat Monitoring, Sandy Subtidal Macroinvertebrate Monitoring, and related

reporting for a total cost of approximately \$583,000- all of which are required for the Project's CDP.

Staff Recommendation: Approve proposed Fall 2022 Monitoring Proposal as CDP requires the work.

2. SLC

A. Consider Liability and Umbrella Insurance Renewal. Required by SLC Lease, BBGHAD's insurance is up for renewal. Our current provider, Kinsale (A.M. Best rating: A (excellent), is sole carrier that offered coverage after extensive search by broker. Premium would increase from approximately \$13,800 to \$17,300.

Staff Recommendation: Ratify staff's actions to date to bind coverage, approve Kinsale proposal for 2022-23 liability and umbrella insurance, and direct Staff to take actions necessary to renew the existing insurance.

10) New Business

None.

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