

BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

REGULAR MEETING AGENDA

Sunday September 27, 2020; 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

On March 19, 2020, the Governor ordered a statewide stay-at-home order directing all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act, and temporarily waived portions of the open meetings laws and rules pertaining to teleconference meetings. For purposes of this Special 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 only. 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 5pm on September 25, 2020. Comments received after 5pm on September 25, 2020 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 teleconference meeting will be subject to the Chair's control, and 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

A copy of the BBGHAD Board agenda packet is available for review at the BBGHAD website, www.bbghad.com, or upon request to the BBGHAD Clerk, 310/345-2268 or heikemfuchs@gmail.com. Materials related to items on this agenda submitted to the BBGHAD Board of Directors after distribution of the agenda packet are available for public inspection on the BBGHAD's website, www.bbghad.com subject to the BBGHAD staff's ability to post the documents before the meeting. 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 BBGHAD Board of Directors meeting due to disability, to please contact the BBGHAD Clerk, 310/345-2268 or heikemfuchs@gmail.com, at least one business day prior to the scheduled meeting to ensure that we may assist you.

3) Adoption of Agenda

4) Consider Summary of Actions from July 12, 2020 Meeting.

Staff Recommendation: Board to consider Summary of Actions from July 2020 meeting. If passed, Chair or Vice Chair to sign Summary of Actions.

5) Old Business

a. Permitting and Regulatory Process Status. (Project Counsel)

1. SLC: Resolution Memorializing July 2020 Approval of Amendment and Restatement of Lease No. PRC 9364.1: Board approved by Motion in July 2020. SLC now requests formal Resolution authorizing Project Counsel to sign Lease on BBGHAD's behalf.

Staff Recommendation: Consider and approve Resolution No. 2020/05 directing Project Counsel to sign SLC Lease on BBGHAD's behalf.

2. CCC: Fall 2020 Beach Profile Survey. Board to consider whether to conduct this survey work, which has been conducted every Fall since 2009. Cost is approximately \$27,000 and, if approved, long-time BBGHAD subcontractor Coastal Frontiers would complete the work.

Staff Recommendation: Consider and approve Fall 2020 beach profile survey. Approval can be by motion.

6) Public Comment on Closed Session items. The Board will hear Public Comment on Closed Session items only, and in accordance with the above rules for Public Comment.

CLOSED SESSION

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

Conference with legal counsel, and designated negotiators Board Members Kuba and Marine, 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).

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

Conference with legal counsel, and designated negotiators Board Members Kuba and Marine, 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 No. B304699.

9) 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).

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

Conference with legal counsel and discussion of Michael Schwab v. Broad Beach Geologic Hazard Abatement District, Los Angeles Superior Court Case No. 19SMCP00559 (Gross- Santa Monica).

11) Future Meeting

Next meeting: TBD; October 25, 2020

12) Adjournment