

BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

REGULAR MEETING AGENDA

Sunday December 22, 2019; 9:00 a.m.

Location:

**Juan Cabrillo Elementary School
30237 Morning View Drive
Malibu, CA 90265
Room: Library**

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 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 (Beckloff).

- 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 (Cole).

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

Conference with legal counsel 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).

- 7) **Public Employee Performance Evaluation** (Gov. Code § 54957)

Evaluation of Project Counsel, Project Engineer, GHAD Manager, Project Manager, Clerk/Treasurer, and Election Official

ANTICIPATED RESUMPTION OF REGULAR SESSION: approx. 10:15 a.m.

8) Consider Summary of Actions from November 17, 2019 Meeting.

Staff Recommendation: Board to consider Summary of Actions from November 2019 meeting. If passed, Chair or Vice Chair to sign Summary of Actions.

9) Old Business

- a. Permitting and Regulatory Process Status. (Project Counsel, Manager, and Engineer) Report to include project regulatory status update, including:
 - 1. Lead Agency Update
 - A. CCC (incl. MHMMP/Science Advisory Panel)
 - i. Prior-to-Issuance Conditions compliance (Project Counsel).
 - B. Army Corps
 - C. RWQCB
 - D. SLC
 - 2. Responsible & Consulting Agency update: NMFS, Cal. DFW, CalTrans, etc.
- b. March 2020 Board Election. Election for three (3) seats on the Board of Directors will occur on March 20, 2020. Candidate forms available from Election Official, Donesia Gause-Aldana, donesia4cityclerk@gmail.com and www.bbghad.com. (Project Manager or Project Counsel)

10) New Business

- a. Draft Engineer's Report. Review and consider adoption of resolution declaring intention to order an assessment within the BBGHAD district, receiving Draft Engineer's Report, and setting public comment period of December 22, 2019 – January 13, 2020 for the Draft Engineer's Report (Special Counsel and Project Counsel).

Recommendation: Board Members to review and consider adoption of Resolution No. 2019/07 declaring intention to order an assessment within the BBGHAD district, receiving Draft Engineer's Report, and specifying a 12/22/19-1/13/20 Public Comment period.

- b. Accounting Support Position. As part of implementing Auditor's recommendations, Staff has screened potential candidates for accounting support position (Project Manager).

Recommendation: Staff proposes retention of Lili Kaiser in accordance with terms specified by Board, Chair, or Chair's delegee.

11) BBGHAD Officer Report

- a. Project Manager (Project Manager)
 - 1. 2020 Financial Audit. (Project Manager) Request to retain Lance, Soll & Lunghard to conduct 2019 financial audit and report. Proposed action: Board to consider resolution: a) authorizing 2019 audit, and b) authorizing payment to LSL per the BBGHAD-LSL Agreement (not to exceed \$15,914 plus costs).

b. 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: January 19, 2020; February 9, 2020; and March 15, 2020 (tentative)

Time: 9:00 a.m. Location: TBD

15) Adjournment