

**BOARD OF DIRECTORS OF THE
BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on September 12, 2021 by the following vote:

AYES: *Karno, Grosseman, Kuba, Parise, Needleman*

NOES: *N/A*

ABSENT: *N/A*

ABSTAIN: *N/A*

RESOLUTION NO. 2021/03

RESOLUTION CANCELLING THE GENERAL ELECTION SCHEDULED FOR TUESDAY, NOVEMBER 2, 2021 TO ELECT TWO (2) MEMBERS OF THE BOARD OF DIRECTORS AND REQUESTING THE COUNTY BOARD OF SUPERVISORS TO APPOINT THE INCUMBENTS TO THOSE SEATS PURSUANT TO ELECTIONS CODE SECTION 10515

WHEREAS, on September 12, 2011, the Malibu City Council adopted Resolution No. 11-41 approving and ordering the formation of the Broad Beach Geologic Hazard Abatement District ("BBGHAD");

WHEREAS, the BBGHAD is a political subdivision of the State of California, governed by state law (Pub. Res. Code §§ 26500 *et seq.*), and constitutes a legal entity separate and distinct from the City of Malibu, with operations independent of City functions;

WHEREAS, the Uniform District Election Law ("UDEL") governs BBGHAD elections;

WHEREAS, the UDEL requires staggered Board terms so that two or three directors are up for election every two years. (Elec. Code, § 10505, subd. (c));

WHEREAS, the UDEL requires the BBGHAD to hold Board elections on the first Tuesday; after the first Monday in November of odd-numbered years, with Board terms beginning on the first Friday in the following December (Election Code Sections 1003 and 1304);

WHEREAS, the term of office for two (2) of the five (5) Board of Directors will expire in November 2021;

WHEREAS, in June 2021, the BBGHAD adopted Resolution No. 2021/02 calling for the conduct of a General Election to be held on November 2, 2021 for the purpose of electing two (2) Directors;

WHEREAS, the BBGHAD Clerk caused the requisite notice to be published in a local newspaper (here, *The Malibu Times*) and mailed a notice to landowners advising of the filing period (July 12 (113 days) – August 6, 2021 (88-days before election)) for declaration of candidacy submissions;

WHEREAS, at the close of filing period, the number of person(s) who filed completed Declaration of Candidacy forms for Director did not exceed the number of Directors to be voted at-large; and

WHEREAS, the term of office for the two (2) Board of Director seats will expire November 2025.

The BBGHAD BOARD OF DIRECTORS HEREBY RESOLVES THAT:

1 The General Election scheduled to be held on November 2, 2021 for the purpose of electing two (2) Board of Directors shall be cancelled;

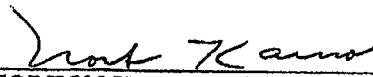
2. The BBGHAD requests the Board of Supervisors to appoint the following qualified incumbents/nominees (nominees who submitted completed Declaration of Candidacy forms prior to the filing deadline) at a Regular or Special Meeting held prior to the Monday before the first Friday in December in which the election was to be held as pursuant to Elections Code Section 10515:

Cathy Needleman
Marshall Grossman

3. The term of office for these qualified incumbents/nominees shall expire November 2025.

4. This Resolution shall become effective immediately upon its passage and adoption.

DATED: September 12, 2021



NORTON KARNO, Chair

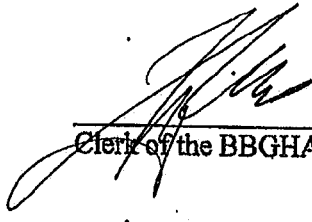
I, Heike Fuchs, Clerk of the Broad Beach Geologic Hazard Abatement District, certify that the foregoing resolution was duly adopted by the Board of Directors of the District at a regular meeting held on the 12 day of September 2021 by the following vote:

AYES: *Karno, Grossman, Needleman, Ueba, Manne*

NOES: *N/A*

ABSENT: *N/A*

ABSTAIN: *N/A*


Clerk of the BBGHAD Board