

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

Adopted this Resolution on November 19, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RESOLUTION NO. 2023/09

RESOLUTION CANCELLING THE GENERAL ELECTION SCHEDULED FOR TUESDAY, NOVEMBER 7, 2023 TO ELECT THREE (3) 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 three (3) of the five (5) Board of Directors will expire in November 2023;

WHEREAS, in May 2023, the BBGHAD adopted Resolution No. 2023/03 calling for the conduct of a General Election to be held on November 7, 2023 for the purpose of electing three (3) 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 17 (113 days) – August 11, 2023 (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 three (3) Board of Director seats will expire November 2027.

The BBGHAD BOARD OF DIRECTORS HEREBY RESOLVES THAT:

1. The General Election scheduled to be held on November 7, 2023 for the purpose of electing three (3) 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:

Norton Karno
Shaul Kuba
Jeff Marine

3. The term of office for these qualified incumbents/nominees shall expire November 2027.

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

DATED: November 19, 2023



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 19th day of November 2023 by the following vote:

AYES: *Laruo, Kuba, Stuber*

NOES: *N/A*

ABSENT: *Harue, Needleman*

ABSTAIN: *N/A*


Clerk of the BBGIAD Board