

**Summary of Actions**  
**BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT**  
**REGULAR SESSION MEETING**

**Sunday May 7, 2023; 9:35 a.m.**  
**Via Teleconference**

(Governor Executive Order N-08-21 issued 11, 2021)

**1. Call to Order**

The Chair called the Regular Session to order at 9:40 a.m.

**2. Roll Call**

PRESENT: Chair Karno, Vice Chair Kuba, and Board Member Needleman

ABSENT: Board Members Marine and Antoci

BBGHAD STAFF ALSO PARTICIPATED VIA TELECONFERENCE: BBGHAD Engineer Tonia McMahon, Clerk/Treasurer Fuchs, Ephraim Margolin for Colantuono/Special Counsel, and Project Counsel Ehrlich

Following members of the public were also present: Max Factor, Hanz Laetz, Gregg Angell, Mike Messina, Jason Riddick, Susan Dmerf, Julie/Mark Martin, and Russell Grether.

**3. Adoption of Agenda**

The Chair recognized Board Member Needleman, who moved to adopt the Agenda as posted. The Chair seconded the Motion, and the Motion passed 3-0.

**4. Findings to Hold Virtual Board Meeting Under AB 361**

**MOTION:** The Chair recognized Board Member Needleman, who moved to adopt Resolution No. 2023/01 authorizing remote teleconferencing/virtual meeting in accordance with AB361. Vice Chair Kuba seconded the Motion, and the Motion passed 3-0.

**5. Consider Summary of Actions from December 18, 2022, Meeting.**

The Chair recognized Board Member Needleman, who moved to approve the Summary of Actions from the December 18, 2022 meeting. The Chair seconded the Motion, and the Motion passed 3-0.

**6. New Business**

**a. Moffatt & Nichol's Proposed Contract Amendment #50**

The Chair recognized Project Counsel, who stated that the BBGHAD Engineer Moffatt & Nichol is seeking a supplemental budget for Coastal Frontiers' Spring and Fall 2023 Beach Profile Survey Program and Annual Report in the amount of approximately \$101,820. The Chair recognized BBGHAD Engineer, who briefed the Board on whether the 2023 Spring and Fall Beach Profile survey is required by the SAP and MHMMP per Project Counsel's inquiry. BBGHAD Engineer stated that the Fall 2023 is required by the CCC, but the Spring monitoring (\$30,780) is not a requirement.

The Chair inquired about the Project Engineer's recommendation to conduct the 2023 Spring monitoring if it is not required by the CCC. The Chair recognized Project Engineer, who responded in detail to the Chair's inquiry. The Chair stated that he does not support the authorization of the 2023 Spring survey and further suggested to reduce the proposed Motion, authorizing the 2023 Fall Beach Profile Survey only and to delete the Spring 2023 monitoring. The Board unanimously agreed on the Chair's suggestion.

The Chair opened the Motion for public comment.

- The Chair recognized Max Factor, who concurred with the Board's opinion to authorize the 2023 Fall monitoring only.
- The Chair recognized Hans Laetz, who stated that the 2023 Spring survey would provide useful information regarding the quantity of sand needed to restore the beach and requested to consider including the 2023 Spring Survey.
- The Chair recognized Greg Angell, who asked the Board to approve of the 2023 Spring survey to gather as much information as possible to understand the full scope of the project.

**MOTION:** The Chair recognized Board Member Needleman, who moved to approve Moffatt & Nichol's May 2023 proposed Contract Amendment#50 (Proposal) for the task specified in the Fall 2023 Beach Profile Survey in a total amount not to exceed \$30,360. The Board also directed BBGHAD contractors to ensure that the work is completed timely and efficiently to the appropriate professional standard(s) and any deliverables are timely submitted. Vice Chair Kuba seconded the Motion. The Chair called the question, and the Motion passed 3-0.

b. BBGHAD CPI Assessment Increase

The Chair recognized Project Counsel who reported that, every year, the BBGHAD must submit a new assessment roll to LA County by August 10. Project Counsel further reported that the appropriate CPI increase for the BBGHAD for May 2022 – 2023 will not be available until June 13, 2023, on the Bureau of Labor Statistics website.

**MOTION:** The Chair moved to adopt Resolution No. 2023/02 and to direct staff to complete the Exhibit to Resolution 2023/02, and otherwise effectuate the Resolution such that the appropriate cost of living increase will be added to the BBGHAD assessment for the upcoming property tax year. Vice Chair Kuba seconded the Motion.

**MOTION:** The Chair opened the Motion for public comment. Hearing no further Board and public comments, the Chair called the roll, and the Motion passed 3-0.

c. November 2023 BBGHAD Board of Directors Election

The Chair recognized Project Counsel, who reported that the seats of BBGHAD Board Members Karno, Kuba, and Marine will be up for reelection in November 2023. Project Counsel recommended to approve Resolution 2023/03.

**MOTION:** The Chair moved that the Board adopt Resolution No. 2023/03 to call for and effectuate the November 7, 2023 election of three (3) Board Members, each to a full (4) year term. The Vice Chair seconded the Motion. Hearing no further public and Board comments the Chair called the question, and the Motion passed 3-0.

The Chair recognized Project Counsel, who asked to receive Board directions to meet with residents of Surfside Way and report back to the Board. The Board unanimously agreed and directed Project Counsel to meet with the Surfside Way residents.

Vice Chair Kuba left the meeting at 10:24 a.m. and a quorum was lost.

Project Counsel and the Surfside Way residents agreed to meeting Monday, May 8, 2023 @10:00a to discuss open matters. Project Counsel to circulate dial-in teleconference number.

**7. Old Business**

a. Permitting and Regulatory Status.

No report.

1. CalTrans

No report.

2. CCC Prior-to-Issuance Conditions Compliance (incl. MHMMP/Science Advisory Panel

a) CDP Amendment

No update.

**8. BBGHAD Board Member Reports**

No reports.

9. **BBGHAD Officer Report**

No report.

10. **Public Comment - Non-Agenda Items**

11. **Future Meeting**

To be determined on Board availability and consensus.

**CLOSED SESSION**

12. Conference With Legal Counsel; Potential Litigation (Cal. Gov. Code § 54956.9(d)(4)) Conference with legal counsel and discussion of potential litigation or assertion of remedies against a BBGHAD property owner.



**RESUMPTION OF REGULAR SESSION**

13. **Adjournment**

Meeting was adjourned at 10:24 a.m. as the Vice Chair left the meeting and a quorum was lost.

Approved and adopted by the Broad Beach GHAD Board

Dated: August 13, 2023

  
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Norton S. Karno, Chairman of the Board of Directors  


Attest:

  
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Heike Duchs, Clerk  
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