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Summary of Actions

BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

REGULAR MEETING SESSION

Sunday September 22, 2019; 10:00 a.m.

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

1. Call to Order

The Chair called the meeting to order at 9:55 a.m.

2. Roll Call

PRESENT: Chair Karno, Vice Chair Grossman, and Board Member Kuba.

ABSENT: Board Members Needleman and Marine

BBGHAD STAFF ALSO PRESENT: Project Manager Ovrom, Project Counsel Ehrlich, and Clerk/Treasurer Fuchs. Special Counsel Colantuono participated by phone until the end of Closed Session.

3. Adoption of Agenda

The Chair recognized Project Counsel, who reported that the Agenda was posted on Thursday, September 19, 2019 at approximately 9:30 a.m. within the BBGHAD boundaries and concurrently posted on the BBGHAD website. The Chair noted that the meeting Agenda should specify "11:15 a.m." instead of "10:15 a.m." for the post-Closed Session resumption of Regular Session. The Chair recognized Board Member Kuba, who moved to adopt the Agenda with the edit as announced by the Chair. The Vice Chair seconded the Motion, and the Motion passed 3-0.

Closed Session

At 9:55 a.m. the Chair announced, without objection, that the Board would move into Closed Session.

Resumption of Regular Session

The Chair resumed Regular Session at approximately 11:32 a.m. The Chair recognized Project Counsel, who reported that, in Closed Session, the Board authorized an appeal of the trial court's ruling on Opponents' Writ & BBGHAD Validation Action.

7. Consider Summary of Actions from August 25, 2019 Meeting

The Chair recognized Board Member Kuba, who moved to approve Summary of Actions from August 25, 2019. Vice Chair seconded the Motion, and the Motion passed 3-0.

8. Old Business

a. Permitting and Regulatory Process Status

1. Lead Agency Update

A. CCC

i. Prior-to-Issuance Conditions compliance

No Report.

B. Army Corps

No Report.

C. RWQCB

No Report.

D. SLC

The Chair recognized Project Counsel, who reported that staff has scheduled a meeting for October 14, 2019 with the SLC to discuss a potentially multiple year extension of the grace period of the rent charge in association with the SLC lease.

2. Responsible & Consulting Agency update: NMFS, Cal. DFW, CalTrans, etc.

No update.

3. Sand Source Update

A. Proposed Contract with Sespe Consulting Inc. to assist with beneficial truck routes from Ventura quarries to Broad Beach

The Chair asked Project Counsel if there would be a prejudice for the GHAD by delaying the discussion until the subsequent meeting. Project Counsel stated that there would be no prejudice. The Board unanimously agreed to postpone considering Resolution 2019/05 until subsequent meeting.

9. New Business

None.

10. BBGHAD Officer Report

a. Project Manager

1. Budget Update

No update.

b. Treasurer's Report

The Treasurer reported that, as of September 10, 2019 the cash balance was \$1,326,183.03 and the estimated unpaid bills amount to \$10,124.50. The total fees and costs incurred through August 2019 for the Reef Group litigation amounts to \$479,947.10, and \$204,814.93 for the Factor/Arnault litigation, and \$452,198.28 for the Validation Action.

The Treasurer further reported that \$1,000,000 out of the \$3,500,000 monies invested will become due in October 2019.

The Chair recognized Jim Hornstein, a legal representative for the Reef Group, who suggested that, if the BBGHAD rolls significant funds into a one-year CD, and the BBGHAD would be required to issue refunds, that it would incur possible penalties if the available funds are not enough to cover the refund amount.

The Chair directed Treasurer and Project Manager to survey interest rates at federally-insured institutions for Certificates of Deposit not to exceed one year.

11. BBGHAD Board Member Reports

No reports.

12. Public Comment - Non-Agenda Items

The Chair recognized Jim Hornstein, a legal representative for the Reef Group, who asked if the Board intends to inform the homeowners of the outcome of the Validation Action and Writ Action litigation. The Chair recognized Vice Chair, who responded that the Board would inform the community at the appropriate time.

The Chair recognized homeowner Alex Haagen, who opined that the appropriate time would be now. The Chair recognized Vice Chair, who responded that a substantial amount of information will be reported and it will be reported properly and promptly.

13. Future Meeting

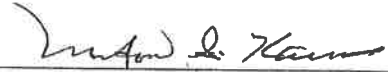
The Chair stated that the next BBGHAD Board meeting is scheduled for October 27, 2019, and the November meeting to be determined at the October 2019 meeting. The October meeting will start at 9:00 a.m. at a location to be determined.

14. Adjournment

The Chair recognized Board Member Kuba, who moved to adjourn Regular Session. Vice Chair seconded the Motion. The Chair called the question, and the Motion passed 3-0. The Chair adjourned Regular Session at 11:42 a.m.

Broad Beach Geologic Hazard Abatement District
Summary of Actions – Regular Session
September 22, 2019
Page 4 of 4

Approved and adopted by the BBGHAD Board of Directors



Norton S. Karno, Chair

Attest:



Heike Fuchs, Clerk