

# **BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT**

## **REGULAR MEETING AGENDA**

**Sunday March 11, 2018; 9:00 a.m.**

**Private Residence: 31030 Broad Beach Road, Malibu, CA 90265**

### **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), and Malibu-Broad Beach S-1, LLC a California Limited Liability Company through its Manager Mark Magidson; Alexander Haagen III, as Managing Member of 30956 BB, LLC and BB Malibu Place LLC; Mike Schwab; Cheryl Schwab; Andrew Leigh; Barbara Leigh 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 (Hogue).

- 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 (Michael Linfield).

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

Conference with legal counsel and discussion of County of Ventura and City of Fillmore v. City of Moorpark and Broad Beach Geologic Hazard Abatement District, Santa Barbara County Superior Court Case No. VENC100479937.

**Resumption of Regular Session: approximately 10:15 a.m.**

**8) Approve Summary of Actions from February 11, 2018 Meeting**

**Staff Recommendation:** Chair to conduct vote on approving Summary of Actions from February 2018 meeting. If passed, Chair or Vice Chair to sign Summary of Actions.

**9) Old Business**

- a. Permitting and Regulatory Process Status. (Project Counsel and Engineer) Report to include project regulatory status update, including:
  - (i) Lead Agency Update
    - (A) CCC (incl. MHMMP/Science Advisory Panel)
      - 1. Prior-to-Issuance Conditions compliance (Project Counsel).
    - (B) Army Corps
    - (C) RWQCB
    - (D) SLC
  - (ii) Responsible & Consulting Agency update: RWQCB, NMFS, Cal. DFW, CalTrans, etc.
- b. Permitting Outreach & Strategy Update. Report to include status update on agency advocacy and stakeholder outreach.

**10) New Business**

None.

**11) BBGHAD Officer Report**

- a. Project Manager (Project Manager)
- b. Treasurer's Report (BBGHAD Treasurer)

**12) BBGHAD Board Member Reports**

**13) Public Comment - Non-Agenda Items**

*Communications from the public concerning matters that are 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: April 22, 2018 and May 20, 2018 (tentative)  
Time: 9:00 a.m.  
Location: TBD

**15) Adjournment**

# **ITEM 8**

## **Summary of Actions**

## Summary of Actions

### BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

#### REGULAR SESSION MEETING

Sunday February 11, 2018; 9:00 a.m.  
31030 Broad Beach Road, Malibu, CA 90265

#### 1. Call to Order

The Chair called the meeting to order at 9:16 a.m.

#### 2. Roll Call

PRESENT: Chair Karno, Vice Chair Grossman, Board Members Needleman, and Kuba.

ABSENT: Board Member Marine

BBGHAD STAFF ALSO PRESENT: Project Manager Ovrom, , Project Engineer Boudreau, Project Counsel Ehrlich, and Special Counsel Colantuono (participated by phone).

#### 3. Adoption of Agenda

The Chair recognized Project Counsel, who reported that the Agenda was posted on February 7, 2018, at approximately 6:00 p.m. within the BBGHAD boundaries and concurrently posted on the BBGHAD website. The Chair recognized Vice Chair, who moved to adopt the Agenda as posted. Board Member Needleman seconded the Motion, and the Motion passed 4-0.

#### Closed Session

At 9:17 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 10:23 a.m. The Chair recognized Project Counsel, who reported on the agenda items discussed in Closed Session. Special Counsel Colantuono left the meeting at 10:23 a.m.

#### 8. Approve Summary of Actions from January 7, 2018 Meeting

The Chair recognized Vice Chair, who moved to approve the Summary of Actions from January 7, 2018, with minor edits announced by Project Counsel. Board Member Needleman seconded the Motion, and the Motion passed 4-0.

#### 9. Old Business

a. Sand Source Update

The Chair recognized Project Counsel, who updated the Board on the Board-created Sand Source Committee's technical and economical findings of the Polaris proposal. Project Counsel stated that, based on the staff and sub-committee's analysis of the new technical challenges and higher costs for the Project, that BBGHAD cannot recommend a sand source at this time.

The Chair recognized Jim Hornstein, a legal representative for homeowners Alex Haagen and Mark Magidson. Mr. Hornstein stated that Polaris shared their frustration with the sand source process at a meeting with the Reef Group last week. Mr. Hornstein outlined Polaris' frustration, citing communications between BBGHAD staff and Polaris. Mr. Hornstein stated that Polaris disagrees with the BBGHAD's technical demands opining that it would not be the most efficient way to place the sand on the beach. The Chair recognized Project Counsel, who responded that he and Project Manager had a more recent, extensive conference call with the Polaris team and stated BBHAD staff's position in relation to the Polaris updated proposal. Project Counsel assured Mr. Hornstein that staff has not demanded anything from Polaris, but rather is open to further discussions and continues to work with Polaris to locate an area for the sand placement on the beach to avoid significant losses of sand. Project Counsel reiterated that it remains in the BBGHAD's best interest to pursue ocean delivered sand.

The Chair recognized Project Engineer, who responded to technical questions from the public regarding sand placement, drying the ocean delivered sand, and potential losses of placing ocean delivered sand directly on the beach.

The Chair offered his perspective on the viable sand sources, stating that he has confidence in BBGHAD staff, Project Engineer, and the Sand Source Committee to source and recommend the most efficient and economic sand source for the Project. The Chair assured Mr. Hornstein that the Board has not yet finalized a sand source and still considers Polaris as a potential candidate.

The Chair recognized Mr. Hornstein, who reiterated Polaris' frustration with the process and asked the Board to direct the Sand Source Committee members to communicate directly with Polaris Senior staff.

b. Permitting and Regulatory Process Status

The Chair recognized Project Counsel, who updated the Board on:

(i) Lead Agency Update

(A) CCC

1. Prior-to-Issuance Conditions compliance

Staff has submitted all Prior-to-Issuance reports to the CCC and has received assurance from CCC Executive Director that staff will get back to BBGHAD soon.

BBGHAD staff met with CCC to discuss the scope and breadth of the Project’s dune footprint. Staff awaits the CCC staff’s position on this issue.

(B) Army Corps

(1) Resolution No. 2018/01

Due to further input received from the USACE, that the BBGHAD does not need to enter into the agreement, pay for the mitigation for the revetment at this time, and the first installment for the overall Project at this time, Project Counsel rescinded his recommendation to the Board to effectuate the permit.

A discussion ensued regarding the pros and cons of effectuating the Army Corps permit.

**MOTION:** Vice Chair moved, and Board Member Kuba seconded, to adopt Resolution No. 2018/01, excluding the 2 paragraphs regarding the requirements for payment until further authorized by the Board. Hearing no further comments, the Chair called the question, and the Motion passed 4-0.

The Chair recognized Project Counsel, who reported that lobbyist Vectis Strategies has a plan to lobby Congress to assist with public funding of the Project.

(C) RWQCB

BBGHAD received the revised, final 401 certification in December 2017.

(D) SLC

No separate report.

(ii) Responsible & Consulting Agency update:

The Chair recognized Project Engineer, who reported that he is in the process of finalizing the details for PCH-Guernsey signal with Caltrans staff.

c. Permitting Outreach & Strategy Update

No update.

**10. New Business**

None.

**11. BBGHAD Officer Report**

a. Project Manager

(i) Financial Audit

The Chair recognized Project Manager, who recommended entering into an agreement with Vasquez & Company to perform a normal and customary annual financial audit for an annual rate of \$15,000.00, increasing by \$500.00 for each subsequent year.

The Chair recognized Vice Chair, who asked for more information about the company. The Chair recognized Project Manager, who responded that he solicited multiple proposals and Vasquez & Company submitted the most competitive proposal and has been one of the largest providers of auditing services to governmental agencies in Los Angeles County.

A discussion ensued regarding the pros and cons of retaining Vasquez & Company.

**MOTION:** The Vice Chair moved, and Board Member Needleman seconded, to retain Vasquez & Company to perform an annual financial audit. Hearing no further questions, the Chair called the question, and the Motion carried 3-0-1 (Chair abstained).

b. Treasurer's Report

The Treasurer reported that, as of February 5, 2018, the cash balance was \$2,282,494.92 and the estimated unpaid bills amounted to \$469,921.64.

**12. BBGHAD Board Member Reports**

No Reports.

Board Member Kuba left the meeting at 11:35 a.m.

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

The Chair recognized Jim Hornstein, a legal representative for homeowners Alex Haagen and Mark Magidson, who stated that the Reef Group's expert disagrees with Moffat & Nichol's evaluation of the Reef Ball Feasibility Study and the report will be submitted to BBGHAD staff for review. Mr. Hornstein further stated that the Reef Group supports expediting the Validation Action's litigation process.

The Chair recognized homeowner Danny Klein, who asked how many Springing License agreements have been signed? The Chair recognized Project Manager, who responded that 36 Springing License agreements have been signed so far.

The Board and Project Counsel received and responded to all the questions from various homeowners regarding status of the Moorpark litigation, questions regarding CDP compliance, Conflict of Interest Code, revetment relocation questions, as well as a question regarding expediting the resolution of the West End challenge to the 2017 assessment.

**14. Future Meeting**

The Chair stated that the next meetings are scheduled for March 11, 2018, and tentatively April 22, 2018. Both meetings to start at 9:00 a.m., locations to be determined.

**15. Adjournment**

The Chair recognized Vice Chair, who moved to adjourn Regular Session. Board Member Needleman seconded the Motion. The Chair called the Roll, and the Motion passed 3-0. Regular Session adjourned 12:02 p.m.

Approved and adopted by the Broad Beach GHAD

Board on \_\_\_\_\_

Norton S. Karno, Chair

ATTEST:

\_\_\_\_\_

Heike Fuchs, Clerk



# **ITEM 9**

## **Old Business**

## 9a – Project Status Report

## BROAD BEACH RESTORATION PROJECT STATUS REPORT – March 11, 2018

### CALIFORNIA COASTAL COMMISSION (CCC)

- *Jurisdiction: Coastal Development Permit (CDP)*
- 10/9/15: **CDP with condition modifications approved at CCC hearing.**
  - BBGHAD proposed revetment alignment (Alt 4C) accepted.
  - Public access compromise identified.
  - Notice of Intent and Final Condition language dated 1/11/16 and received 1/29/16
- 8/25/17: BBGHAD staff submits proposed Final MHMMP. Anticipated formal approval within 2-3 weeks.
- 8/25/17: Final License Agreement packets circulated to revetment owners.
- 10/4/17: All Prior to Issuance conditions and reports (other than completed License Agreements) submitted to CCC staff.
- 11/9/17: CCC granted CDP extension to 10/5/18.

### CALIFORNIA STATE LANDS COMMISSION (CSLC)

- *Jurisdiction: Lease and certification of APTR*
- September 11, 2015: CSLC issued letter deeming the BBGHAD application (in support of updated project Alt 4C) incomplete.
- 2/9/16: BBGHAD response to SLC lease letter sent.
- 5/20/16: Mtg with SLC staff
- August 9, 2016: **SLC approved Project and Lease**
- BBGHAD Board to ratify Lease through Resolution and sign Lease before implementing Project.

### US ARMY CORPS OF ENGINEERS (USACE)

- *Jurisdiction: National Environmental Policy Act (NEPA) Compliance and certification; Section 10 and 404 permits*
- 11/14/16: Final Biological Opinion issued
- 11/22/16: BBGHAD submitted supp. revetment alternative (4B) analysis requested by USACE
- 1/24/17: BBGHAD submitted Compensatory Mitigation Plan as requested by USACE staff.
- 5/17: Revised Compensatory Mitigation Plan submitted to USACE; BBGHAD informs USACE of final 2 potential sand sources: quarries or upper Calleguas Creek.
- 8/25/17: BBGHAD submitted Final MHMMP. USACE approved 9/14/17.
- 10/3/17: EFH consultation completed
- 10/23/17: Army Corps staff starts producing sections of NEPA and 404 decision documents/permits for BBGHAD review; BBGHAD produces final MHMMP and Bay Fndtn MOU
- 1/05/18: Army Corps issued NEPA and 404 decision documents/permits

### REGIONAL WATER QUALITY CONTROL BOARD (RWQCB)

- *Jurisdiction: 401 certification and, potentially, waste discharge requirements (WDRs)*
- Jan. 2016: BBGHAD submitted draft Water Quality Certification. RWQCB staff review in progress.
- July 2016: BBGHAD contacted EO to expedite review and processing.
- 7/17/17: EO requests annual Septic Reports; BBGHAD to submit 7/24-25.

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- 8/15/17: BBGHAD submits Septic Report to RWQCB
- 10/3/17: RWQCB issued 401 certification decision documents/permits
- 11/6/17: BBGHAD files Petition for Reconsideration of septic and mitigation sections
- 11/29/17: BBGHAD and RWQCB staff to meet in attempt to resolve septic and mitigation issues.
- 12/13/17: RWQCB issued revised 401 certification.

#### CALTRANS

- *Jurisdiction: Encroachment permit for temporary traffic signal on PCH*
- Requires full engineering of the signal, a deceleration lane, an access to the west Zuma lot, and an egress point out of the west Zuma lot.
- 11/14/14: Permit package issued. Permit to be revised based on latest traffic plan.
- 2/23/17: Conceptual approval from CalTrans subject to BBGHAD re-submittal with minor modifications.
- 4/17: BBGHAD re-submittal and additional comments received. Project Manager intervening.
- 6/20/17: BBGHAD submits final comments; approval expected shortly.
- 7/25/17: Final Caltrans comments received; concurrence sought from Malibu.
- 8/23/17: Minor Malibu comments received.
- 3/1/18: BBGHAD staff met with CalTrans staff to expedite temp. signal permitting. Anticipate CalTrans response by 3/26/18.

#### LA COUNTY DEPT OF BEACHES AND HARBORS

- *Jurisdiction: Owner of Zuma Parking Lot 12 (Project Staging Area); BBGHAD needs Right of Entry Permit to use parking lot; LACDBH also coordinates with Caltrans and City of Malibu on traffic issues.*
- Right of Entry Permit Application to be submitted. GHAD Counsel advised holding off on submitting LA County permit application until dates of construction are better defined (dependent on timing of all other permits).
- Permit pending progress w/ USACE.

#### CITY OF MALIBU

- Coordination with CalTrans re traffic permits etc.

#### CONSULTING AND COORDINATING AGENCIES

National Marine Fisheries Service (NMFS), California Department of Fish and Wildlife (CDFW), & SM Bay Restoration Commission (SMBRC)

- *Jurisdiction: No discretionary permits, but consult with and provide input to permitting agencies.*
- NMFS: Essential Fish Habitat consultation pending; BBGHAD response submitted 9/2/16. USACE final proposal shared w/NMFS 6/22/17; supplemented 7/18/17.
- CDFW: Responsible for Marine Protective Areas (MPAs), including that off Broad Beach. Rep. part of SAP group. Concerned with Project effects on MPA - subtidal, intertidal, and turbidity. .
- Table below shows primary concerns with selected agencies:

Agency	Next Action	Concern
USACE	Formal consultation by NMFS and CDFW.	NEPA : Concerns handled and eliminated. Permit issued 1/18.

CCC	Submittal of final design reports prior to permit issuance.	Substantial liaison with Science Advisory Panel (SAP) required to finalize monitoring and dune plans prior to permit issuance.
SLC	Review of final Project (Alt 4C) items	Approved 8/9/16.
RWQCB	APTR review	Potential for RWQCB-specific conditions.

**PERMIT SCHEDULE STATUS AS OF 3/11/18**

AGENCY	ACTION	DURATION ESTIMATE	COMPLETION DATE (earliest possible)
CCC	Commission consideration	1 day	October 5, 2018. CDP approved and extended. PTI conditions remain.
	Review/Negotiation of Permit Conditions/SAP	5-6 months	Fall 2016/Early 2017
	BBGHAD completion of "Prior to Issuance" Conditions	5-6 months	Winter 2018, dependent on finalizing sand source & License Agreements
	Permit Issue	1-2 months	2Q-3Q 2018
SLC	Lease App. Completeness Notice	1 month	November 13, 2015
	Lease Negotiations	3 months - ongoing	N/A
	Commission consideration	1 day	Approved: 8/9/16
	Issue Final Lease	1 month	Fall 2016
USACE	Lease Signature	1 week	Fall 2016
	Submit 404b(1) alternatives analysis	2 months	August 5, 2015; supp 1/16/16 & 11/16 <b>SUBMITTED &amp; COMPLETE</b>
	End formal biological consultations with CDFW re snowy plover	120 days (legal maximum)	Final Biological Opinion issued 11/14/16
	Finalize EA	2 months	1/10/18
	Issue Draft Permit	1 week	10/23/17
	Review/Negotiation of Draft Permit Conditions	4 weeks	12/8/17
RWQCB	Issue Final Permit	1 week	1/10/18
	Submit draft 401 Certification	3 weeks	January 2016
	Negotiate 404/WDRs	2 month	3Q2017
	RWQCB approval of 404/WDRs	1-2 months	December 2017
CALTRANS	Encroachment Permit	4.5 months	March 2018
LA COUNTY	Parking Lot Permit	1 month	August 2018
CITY MALIBU	Traffic/signal approvals	Unknown	2Q2018

## 9a – Project Permitting Update

# MEMORANDUM

## ATTORNEY WORK PRODUCT

TO: BBGHAD Board

FROM: Project Counsel

DATE: March 8, 2018

RE: BBGHAD: March 11, 2018 Board Meeting; Agenda Item #9a  
Project Permitting Update

FILE NO.: 11402-0001

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### **Project Scheduling & Deadlines**

See attached overall Project compliance schedule.

### **California Coastal Commission**

1. CDP extension granted 11/9/17. PTI conditions to be completed by 10/5/18. BBGHAD staff has completed coordination with Polaris, but has not moved forward on additional work (such as preparation of CDP amendment) until pricing more certain. In the interim, Polaris updated proposal received and evaluation ongoing. It makes no sense to continue preparing a CDP amendment unless and until the BBGHAD believes that the Polaris pricing will be at or below quarry sand pricing. So, if the pricing is favorable, we anticipate compiling materials for a CDP amendment within the 10 days after favorable direction received submission to the CCC staff.

2. BBGHAD awaits input from CCC staff on latest drafts of PTI reports and plans—submitted by BBGHAD in and before October 2017. Staff following up in person on 3/9/18 and will report at meeting.

### **Army Corps**

1. Final Permit issued January 2018.
2. BBGHAD signed Permit, but has not paid \$ other than to comply with pre-construction deadlines in Permit (such as 15 day Notice to Proceed etc.). Note the expiration date of the permit will remain the same (2028), so the date BBGHAD signs the Permit does not affect the expiration date.

### **RWQCB**

1. BBGHAD received revised, final 401 certification on 12/13/17. BBGHAD under no immediate obligation to sign the permit other than to comply with pre-construction deadlines in Permit.

### **CALTRANS**

1. BBGHAD Engineer finalizing details for PCH-Guernsey signal with CalTrans staff. Additional Caltrans input, potentially permit itself, anticipated 3/25/18.



# **ITEM 11**

## **BBGHAD Officer Report**

## 11b – Treasurer's Report

Broad Beach GHAD  
 Cash Flow  
 Board Meeting March 11, 2018

**Cash in Bank February 5, 2018** **\$ 2,282,494.92**

Sources of Cash: **\$ 763,838.74**

**Disbursements February 12 thru March 2, 2018**

<u>Date</u>	<u>Check#</u>	<u>Description</u>	
2/12/18	3838	Moffat & Nichol	\$ 33,329.69
2/12/18	3840	Project Manager Ovrom	\$ 10,000.00
2/12/18	3845	Moffat & Nichol	\$ 26,044.83
2/12/18	3848	H. Fuchs	\$ 3,777.02
2/13/18	3843	Elkins Kalt	\$ 47,626.05
2/13/18	3849	Elkins Kalt	\$ 9,823.31
2/13/18	3850	Elkins Kalt	\$ 5,185.50
2/13/18	3851	Elkins Kalt	\$ 30,014.25
2/13/18	3852	Elkins Kalt	\$ 856.40
2/13/18	3853	Elkins Kalt	\$ 21,120.00
2/13/18	3854	Elkins Kalt	\$ 33,454.60
2/13/18	3855	Elkins Kalt	\$ 1,432.50
2/13/18	3857	Elkins Kalt	\$ 83,347.51
2/15/18	3833	Rincon Consultants	\$ 29,935.96
2/16/18	3834	Colantuono Highsmith	\$ 15,957.50
2/16/18	3842	Colantuono Highsmith	\$ 41,367.51
2/16/18	3846	Colantuono Highsmith	\$ 1,968.00
2/20/18	3841	M. Baker Intl	\$ 11,052.00
2/22/18	3835	CA GHADs	\$ 130.25
2/22/18	3836	City of Moorpark	\$ 31,063.18
2/22/18	3847	City of Moorpark	\$ 279.70

Total invoices paid **\$ 437,765.76**

**Cash Ending Balance as of March 2, 2018** **\$ 2,608,567.90**

**UNPAID BILLS**

<u>Date</u>			
<u>Received</u>	<u>Invoice#</u>	<u>Vendor Name</u>	<u>Amount</u>
2/1/18		Rincon Consultants	\$ 7,396.48
		Rincon Consultants	\$ 88,028.97
2/1/18		Elkins Kalt Weintraub	\$ 6,227.50
		Elkins Kalt Weintraub	\$ 8,659.91
		Engeo	\$ 187.50
		M. Baker Intl	\$ 30,792.00
		<u>Estimated Unpaid Bills</u>	<u>\$ 141,292.36</u>

Broad Beach GHAD  
Disbursements  
2011 through March 2, 2018

	Expenses transferred from Fair Share account 2011	Actuals Paid 2011 (Chase)	Actuals Paid 2012 (Chase/City)	Actuals Paid 2013 (Chase/City)	Actuals Paid 2014	Actuals Paid 2015	Actuals Paid 2016	Actuals Paid 2017	Actuals Paid January thru March 2, 2018	Totals
<b>Sources of cash:</b>										
L.A. County/GHAD Assessment/Malibu West Swim Club/M. Magidson funding Reef Feasibility Study				\$ 3,294,658.64	\$ 2,614,517.02	\$ 3,818,816.06	\$ 3,091,324.06	\$ 3,275,577.38	\$ 1,082,073.83	\$ 17,176,966.99
Advances from homeowners/TPOA fund/	\$ 2,391,857.00	\$ 266,250.00	\$ 1,378,637.00							\$ 4,036,744.00
Revetment Acct/Transfer to Revetment Acct					\$ 195,530.47	\$ (195,530.47)				\$ -
West End Refunds							\$ (26,821.44)			\$ (26,821.44)
<b>Income Total:</b>	<b>\$ 2,391,857.00</b>	<b>\$ 266,250.00</b>	<b>\$ 1,378,637.00</b>	<b>\$ 3,294,658.64</b>	<b>\$ 2,810,047.49</b>	<b>\$ 3,623,285.59</b>	<b>\$ 3,091,324.06</b>	<b>\$ 3,248,755.94</b>	<b>\$ 1,082,073.83</b>	<b>\$ 21,186,889.55</b>
Loan Advances 2012/Repayment 2013			\$ 1,216,000.00	\$ (1,216,000.00)						
<b>Administration/Accounting &amp; Insurance</b>										
Project Manager				\$ 18,984.38	\$ 133,471.39	\$ 149,753.08	\$ 97,329.91		\$ 20,000.00	\$ 419,538.76
Clerk/Treasurer			\$ 11,822.68	\$ 3,489.11	\$ 7,968.27	\$ 21,218.35	\$ 22,616.73	\$ 26,476.26	\$ 5,557.50	\$ 99,148.90
D & O Insurance/Election Official/Court Reporter	\$ 6,286.00		\$ 7,509.00	\$ 7,947.00	\$ 7,947.00	\$ 7,947.00	\$ 8,283.00	\$ 17,842.50	\$ 1,342.80	\$ 65,104.30
L.A. County fees/Bank fees/Interest/subscriptions			\$ 2,644.09	\$ 2,529.24	\$ 84.00	\$ 171.74	\$ 175.25		\$ 130.25	\$ 5,734.57
Print/Office/Phone/Room Rental/Internet			\$ 3,648.11	\$ 1,122.01	\$ 1,953.58	\$ 454.28		\$ 397.45	\$ 736.27	\$ 8,311.70
Moorpark Litigation								\$ 201,665.17	\$ 88,465.71	\$ 290,130.88
TTL Administration & Accounting	\$ 6,286.00		\$ 25,623.88	\$ 34,071.74	\$ 151,424.24	\$ 179,544.45	\$ 128,404.89	\$ 246,381.38	\$ 116,232.53	\$ 887,969.11
<b>Annual Monitoring</b>										
SAP/California Marine Sanctuary Foundation - Managing fees							\$ 177,902.00	\$ 168,731.00		\$ 346,633.00
SAP/California Marine Sanctuary Foundation - Monitoring Fees										
Total SAP							\$ 177,902.00	\$ 168,731.00		\$ 346,633.00
<b>Permitting Fees</b>										
Lobbyist Fees: Neish Inc. - CCC/Kindel Kagan/AMEC EIR	\$ 190,324.00			\$ 6,500.00	\$ 171,068.81	\$ 152,533.96	\$ 9,070.26			\$ 529,497.03
Vectis Strategies-U.S. Army Corps lobbyist					\$ 10,736.95		\$ 120,000.00	\$ 110,000.00	\$ 10,000.00	\$ 250,736.95
Legal Fees:Jeffer Mangels/Elkins Kalt	\$ 346,060.00	\$ 75,000.00	\$ 720,357.41	\$ 526,454.59	\$ 570,230.93	\$ 673,062.10	\$ 686,053.55	\$ 716,206.12	\$ 232,860.12	\$ 4,546,284.82
Other Legal Fees: Morgan, Miller/Colantuono										
Highsmith & Whately/Linscott Law/Judge Reiner	\$ 55,284.00		\$ 24,400.88	\$ 41,206.98	\$ 82,187.52	\$ 79,081.50	\$ 10,427.75	\$ 141,157.97	\$ 92,754.83	\$ 526,501.43
Engineering Fees: Moffat & Nichol	\$ 1,569,530.00	\$ 104,063.25	\$ 1,197,181.99	\$ 882,222.16	\$ 828,513.78	\$ 753,623.45	\$ 1,255,162.53	\$ 1,060,405.90	\$ 102,936.38	\$ 7,753,639.44
ENGE0	\$ 49,867.00	\$ 16,076.92	\$ 42,177.06	\$ 5,638.15	\$ 1,102.50	\$ 40,567.50	\$ 13,607.50	\$ 35,046.50	\$ 3,376.25	\$ 207,459.38
RINCON/M. Baker Intl								\$ 412,305.12	\$ 165,611.39	\$ 577,916.51
Commonwealth Title/Crain & Ass./McCabe								\$ 39,000.00	\$ 15,686.87	\$ 54,686.87
Quality Mapping/Topanga Underground/Ramboll Envir	\$ 17,934.00		\$ 16,313.00	\$ 84,191.10	\$ 30,943.03	\$ 2,050.00	\$ 12,860.66			\$ 164,291.79
U.S. Army Corps Mitigation: The Bay Foundation										
CA State Lands Commission (Back Rent)	\$ 79,343.00	\$ 10,066.67	\$ 344,217.54	\$ 321,038.98	\$ 233,253.34		\$ 51,693.48	\$ 50,000.00		\$ 1,089,613.01
CA State Lands Commission Financial Sec. deposit							\$ 1,350,000.00			\$ 1,350,000.00
California Coastal Commission	\$ 17,584.00		\$ 40,000.00	\$ 37,472.00		\$ 78,912.00				\$ 173,968.00
State Water Control Board			\$ 58,340.00							\$ 58,340.00
<b>Total Permitting Fees</b>	<b>\$ 2,325,926.00</b>	<b>\$ 205,206.84</b>	<b>\$ 2,442,987.88</b>	<b>\$ 1,904,723.96</b>	<b>\$ 1,928,036.86</b>	<b>\$ 1,779,830.51</b>	<b>\$ 3,508,875.73</b>	<b>\$ 2,564,121.61</b>	<b>\$ 623,225.84</b>	<b>\$ 17,282,935.23</b>
<b>Expense Total:</b>	<b>\$ 2,332,212.00</b>	<b>\$ 205,206.84</b>	<b>\$ 2,468,611.76</b>	<b>\$ 1,938,795.70</b>	<b>\$ 2,079,461.10</b>	<b>\$ 1,959,374.96</b>	<b>\$ 3,815,182.62</b>	<b>\$ 2,979,233.99</b>	<b>\$ 739,458.37</b>	<b>\$ 18,517,537.34</b>

Fair Share Contributions:		Actual	(diff. unknown)
Advances from Individual Homeowners	\$ 3,017,028.00	\$ 3,021,130.96	\$ (4,102.96)
Advances from TPOA General Fund	\$ 750,000.00	\$ 750,000.00	
Revetment Credit applied to FS	\$ 261,579.00	\$ 244,821.00	\$ 16,758.00
<b>Total</b>	<b>\$ 4,028,607.00</b>	<b>\$ 4,015,951.96</b>	

Sources of Fair Share Contrib. transferred from TPOA (Union Bank) to BBGHAD in 2011: **\$2,391,857.00** = FS \$ 1,580,278.00 + Revetment Credit applied to FS \$261,579.00 + General TPOA fund \$550,000.00  
Sources of Fair Share Contr./TPOA General Fund (Chase) 2011/ **\$266,250.00** = General TPOA fund (Dec. 2011)\$200,000.00 +Fair Share Contributions **\$ 66,250.00**  
Sources of Fair Share Contributions in 2012 (Chase acct.) **\$1,378,637.00** Fair Share contributions January 2012 thru June 2012

#	Address	Name	Fair Share	Donation	Total FS & Donation	Revelment Credit to Fair Share
<b>30708 /30760 BBR</b>		Klein	\$ 90,000.00	\$ 10,000.00	\$ 100,000.00	
<b>30712 BBR</b>		Lotman	\$ 30,250.00		\$ 30,250.00	
<b>30718 BBR</b>		Coastline Properties	\$ 16,000.00		\$ 16,000.00	
<b>30724 PCH</b>		Ross Family Trust	\$ 36,250.00		\$ 36,250.00	
<b>30756 PCH</b>		Malibu West	\$ 40,000.00		\$ 40,000.00	
<b>30800 BBR</b>		Finegood	\$ 37,000.00	\$ 10,000.00	\$ 47,000.00	
<b>30810 BBR</b>		Leigh				\$ 4,643.00
<b>30826 BBR</b>		O'Connor				\$ 4,643.00
<b>30830 BBR</b>		Koenig	\$ 20,000.00		\$ 20,000.00	
<b>30838 BBR</b>		Lowell	\$ 8,000.00		\$ 8,000.00	
<b>30842 BBR</b>		Thompson	\$ 12,000.00		\$ 12,000.00	
<b>30846 BBR</b>		Ressler/Gertz	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	
<b>30852/30856/30860</b>		Rosenbloom	\$ 102,000.00	\$ 13,500.00	\$ 115,500.00	\$ 21,361.00
<b>30866 BBR</b>		Sherman	\$ 32,077.00	\$ 10,000.00	\$ 42,077.00	\$ 7,923.00
<b>30870 BBR</b>		Lemmon	\$ 8,000.00	\$ 10,000.00	\$ 18,000.00	
<b>30874 BBR</b>		Needleman	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 7,923.00
<b>30900 BBR</b>		Kelton	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 6,719.00
<b>30904 BBR</b>		Ray Romano	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 7,923.00
<b>30908 BBR</b>		Themba Partners	\$ 39,500.00		\$ 39,500.00	\$ 7,923.00
<b>30916 BBR</b>		Nathanson	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	
<b>30918 BBR</b>		Zaillian	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 7,923.00
<b>30924/30928/30930</b>		Hess	\$ 110,999.97	\$ 17,500.00	\$ 128,499.97	\$ 18,953.00
<b>30936 BBR</b>		West	\$ 4,000.00	\$ 10,000.00	\$ 14,000.00	
<b>30940 BBR</b>		E. Glazer	\$ 16,000.00		\$ 16,000.00	
<b>30940 BBR</b>		Mellon	\$ 24,000.00	\$ 10,000.00	\$ 34,000.00	
<b>30944 /30948BBR</b>		Arad	\$ 70,500.00		\$ 70,500.00	\$ 7,923.00
<b>30952 BBR</b>		30952 Broad Beach	\$ 16,000.00		\$ 16,000.00	
<b>30956 BBR</b>		Maynard	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 2,706.00
<b>30962 BBR</b>		Sitrick	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	
<b>30966 BBR</b>		Sinatra	\$ 8,000.00		\$ 8,000.00	\$ 2,706.00
<b>30970 BBR</b>		Sheinberg	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	
<b>30974/30978/30980</b>		Ovitz	\$ 96,000.00		\$ 96,000.00	\$ 13,712.00
<b>31000 BBR</b>		Haft	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 2,706.00
<b>31008/31520</b>		Mark	\$ 11,000.00	\$ 5,000.00	\$ 16,000.00	\$ 2,706.00
<b>31012 BBR</b>		Brown/Sholem Trust	\$ 16,000.00		\$ 16,000.00	
<b>31016 BBR</b>		Baron/Oakmont	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 2,706.00
<b>31020 /31022BBR</b>		Pearlman/De Vito	\$ 77,000.00	\$ 17,500.00	\$ 94,500.00	
<b>31026 BBR</b>		Martin	\$ 24,000.00	\$ 10,000.00	\$ 34,000.00	
<b>31030 BBR</b>		Grossman	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 2,706.00
<b>31034 BBR</b>		Meeham/Goldberg	\$ 40,000.00		\$ 40,000.00	\$ 4,706.00
<b>31038 BBR</b>		Mendoza/Fred Sanc	\$ 16,000.00		\$ 16,000.00	
<b>31042 BBR</b>		Hill/Gottlieb	\$ 50,000.00	\$ 10,000.00	\$ 60,000.00	\$ 2,706.00
<b>31048 BBR</b>		Lawrence	\$ 12,000.00		\$ 12,000.00	
<b>31052 BBR</b>		Stoneburner	\$ 8,000.00	\$ 10,000.00	\$ 18,000.00	\$ 2,706.00
<b>31054 BBR</b>		Hoffman	\$ 24,000.00	\$ 10,000.00	\$ 34,000.00	\$ 2,706.00
<b>31058 BBR</b>		Novograder	\$ 28,000.00	\$ 10,000.00	\$ 38,000.00	\$ 2,706.00
<b>31064 BBR</b>		Smidt	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 4,194.00
<b>31100/31070 BBR</b>		S.A.M Trust	\$ 48,000.00		\$ 48,000.00	
<b>31108 BBR</b>		Jill Grey	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 4,058.00
<b>31112/31118 BBR</b>		Brosnan/Middleton	\$ 7,000.00		\$ 7,000.00	\$ 8,117.00
<b>31130 &amp;31134BBR</b>		Broad Beach LLC	\$ 34,500.00		\$ 34,500.00	
<b>31138 BBR</b>		Roski	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 367.00
<b>31202/31206 BBR</b>		Attanasio	\$ 74,000.00	\$ 25,000.00	\$ 99,000.00	\$ 5,156.00
<b>31212 BBR</b>		Kauffman/Skloff	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 2,706.00

#	Address	Name	Fair Share	Donation	Total FS & Donation	Revelment Credit to Fair Share
31214	BBR	N. Karno	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 2,706.00
31220	BBR	P.J. Dejoria	\$ 40,000.00	\$ 10,000.00	\$ 50,000.00	\$ 2,706.00
31224	BBR	31224BBR Trust	\$ 3,000.00		\$ 3,000.00	
31228	BBR	Arnold				\$ 2,706.00
31232 /31236	BBR	Pepperdine	\$ 79,500.00	\$ 17,500.00	\$ 97,000.00	\$ 5,412.00
31240	BBR	Douglas	\$ 26,000.00	\$ 10,000.00	\$ 36,000.00	\$ 2,706.00
31250	BBR	Borman	\$ 33,000.00	\$ 17,000.00	\$ 50,000.00	\$ 11,822.00
31260	BBR	Marine	\$ 16,000.00		\$ 16,000.00	\$ 3,044.00
31272	BBR	Spears	\$ 75,000.00		\$ 75,000.00	\$ 8,117.00
31280 /31284	BBR	Luanne Wells	\$ 117,500.00	\$ 17,500.00	\$ 135,000.00	
31302	BBR	Kaplan Living Trust	\$ 6,000.00		\$ 6,000.00	\$ 11,115.00
31310	BBR	Marquis	\$ 16,000.00		\$ 16,000.00	
31316	BBR	Douglas Kevin&Mict	\$ 44,000.00	\$ 10,000.00	\$ 54,000.00	
31322	BBR	Reisbord	\$ 24,000.00		\$ 24,000.00	\$ 614.00
31324	BBR	Gottlieb	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 12,350.00
31330	BBR	Wini Lumsden	\$ 33,000.00		\$ 33,000.00	\$ 5,735.00
31336	BBR	Chubak	\$ 50,000.00		\$ 50,000.00	\$ 518.00
31340	BBR	Bauer	\$ 26,000.00		\$ 26,000.00	\$ 682.00
31346	BBR	Friedman	\$ 46,000.00		\$ 46,000.00	\$ 655.00
31350	BBR	Fenton	\$ 12,000.00		\$ 12,000.00	
31356/31364/31365		Bright	\$ 113,999.99	\$ 25,000.00	\$ 138,999.99	
31368	BBR	Platt	\$ 50,000.00		\$ 50,000.00	
31368	BBR	Mutchnik	\$ 8,054.00		\$ 8,054.00	
31376	BBR	Glaser	\$ 50,000.00		\$ 50,000.00	
31380	BBR	Kurland	\$ 34,000.00		\$ 34,000.00	
31418/31430	BBR	2XMD Partners	\$ 100,000.00		\$ 100,000.00	
31444	BBR	Levitani	\$ 18,000.00	\$ 14,000.00	\$ 32,000.00	
31454	BBR	Curtis	\$ 8,000.00	\$ 10,000.00	\$ 18,000.00	
31528	VP	Gary Wilson	\$ 16,000.00	\$ 10,000.00	\$ 26,000.00	
			<b>\$ 3,021,130.96</b>	<b>\$ 509,500.00</b>		<b>\$ 244,821.00</b>

COUNTY OF LOS ANGELES - AUDITOR/CONTROLLER, TAX DIVISION  
 CITY REMITTANCE ADVICE SUMMARY

FY 2017-2018

DATE OF REMITTANCE: February 20, 2018

ACCT.#	DESCRIPTION	TYPE	2017-18 PROPERTY TAX REVENUE	2017-18 SECURED 1ST PAID
97.21	MALIBU BBGHAD	1%	0.00	0.00
		D/S	763,838.74	763,838.74
		TL	763,838.74	763,838.74

	TOTAL 09721	1%	0.00	0.00
		D/S	763,838.74	763,838.74
		TL	763,838.74	763,838.74

TOTAL COLL  
 PREVIOUS PENDING  
 NET PAID

763,838.74
0.00
<u>763,838.74</u>