

BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

FINAL REGULAR MEETING AGENDA

Sunday July 19, 2026; 9:00 a.m.

Location:

Malibu City Hall, Multi-Purpose Room, 23825 Stuart Ranch Rd, Malibu, CA 90265

Required BBGHAD staff will receive a separate dial-in number for this Meeting.

ADVISORY NOTICE. For purposes of this Regular Meeting, the following public meeting protocols will apply:

1. The meeting will occur in-person for Board Members and most staff members. Some BBGHAD staff members may participate via remote dial-in and participate by telephone. The BBGHAD anticipates significant technical issues with its dial-in capabilities. It is strongly recommended that those who wish to participate do so in person as dial-in participation is not guaranteed. While the BBGHAD intends to allow dial-in public participation if possible, the meeting will not be cancelled or continued if technical difficulties impact the ability to accept public participation over dial-in. In such case, only in-person participation will be allowed. In order to participate remotely, you must be on the dial-in line during the item that you would like to speak on and respond when the Chair or BBGHAD staff member calls for dial-in speakers on that particular item.

2. HOW TO PARTICIPATE BEFORE THE MEETING: PUBLIC COMMENT. Members of the public are encouraged to submit public comments on any Agenda item via voicemail at (310) 345-2268 or email to heikemfuchs@gmail.com. Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on July 17, 2026. Comments received after 5:00 p.m. on July 17, 2026 will be addressed during the item and/or at the end of the meeting. The BBGHAD Board of Directors will have the option to modify the action on items based on comments received. Public Comment during this meeting will be subject to the Chair's control, and, unless the Chair determines otherwise, shall be limited to no more than 3 minutes per speaker. No member of the public may "give time" to another speaker.¹

3. Role of the Presiding Officer: The presiding officer of the BBGHAD Board of Directors, who shall be the Chair or the Chair's designee, shall be responsible for maintaining the order and decorum of meetings. The presiding officer shall ensure that these rules of

¹ Materials related to items on this Agenda submitted to the BBGHAD after distribution of the Agenda packet are available for public inspection at the BBGHAD's website, www.bbghad.com and at the offices of the BBGHAD's Project Counsel, 10345 W. Olympic Blvd., Los Angeles, CA 90064. The BBGHAD, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the Board meeting due to disability, to please contact the BBGHAD Clerk, (310) 345-2268, at least one business day prior to the scheduled meeting to ensure that we may assist you.

procedure and decorum, coupled with common decency, are followed at all times. The presiding officer shall maintain control of communication between Board Members, between the Board of Directors and the public, and preside over each meeting in a fair and impartial manner. It shall be the duty of each Board Member to support the presiding officer in maintaining the order and decorum of BBGHAD Board meetings.

4. Members of the Audience: Members of the audience shall not engage in disorderly or boisterous conduct, including clapping, whistling, stamping of feet, or other acts which disturb, disrupt, impede or otherwise disturb the orderly conduct of the BBGHAD Board of Directors meeting. Persons addressing the BBGHAD Board of Directors shall not engage in disorderly conduct which disrupts, or otherwise impedes the orderly conduct of BBGHAD meetings. Any person who so disrupts a BBGHAD meeting may, at the discretion of the presiding officer or a majority of the Board of Directors, be subject to ejection from that meeting after an appropriate warning.

REGULAR SESSION

- 1) Call to Order**
- 2) Roll Call**
- 3) Adoption of Agenda**
- 4) Consider Summary of Actions from January 2026 Meeting.**

Staff Recommendation: Board to consider Summary of Actions from January 2026 Meeting. If passed, Chair or Vice Chair to sign Summary of Actions.

5) Old Business

a. Permitting and Regulatory Matters. (Project Counsel and Engineer) Report to include Project regulatory update including:

1. CCC (Prior-to-Issuance Conditions, incl. MHMMP/Science Advisory Panel).
 - a) CDP Amendment- Proposed amendment application submitted to CCC. CCC staff issued incomplete letter #2, to which BBGHAD is responding.
 - b) CDFW Comment on MHMMP- CA Dept of Fish & Wildlife submitted 4/28/26 comment on MHMMP that would place additional conditions on offshore sand deposition. Staff is working with CDFW, CCC, and SAP on the comments. See Staff Report.
 - c) SAP Contract Amendment- BBGHAD pays CCC for costs incurred by SAP in reviewing the Project. Last amendment was May 2025 and expired in October 2025. Amendment seeks unknown total amount from BBGHAD to fund SAP through December 31, 2027. Staff will

seek Board approval or ratification once amount known.

2. Other Agencies.

- a) Status with SLC, RWQCB, CDFW, etc. Discussion regarding SLC Permit application (due by August 1, 2026) and renewal contacts with various agencies. No Board action necessary.
- b. BBGHAD CPI Assessment Increase. (Project Counsel/Clerk). As the yearly August deadline approaches for the BBGHAD to submit its assessment roll to LA County, the Board will consider adjusting the levy on the current BBGHAD assessment. The Board will consider adoption of Resolution No. 2026/02, adding the 2026-27 CPI adjustment to the current assessment allowing the Board-approved assessment to appear as a line item on property tax bills of all BBGHAD properties (and a separate invoice issued to Malibu West, which, we understand, does not receive a property tax bill) for the upcoming tax year.

Staff Recommendation: Adopt Resolution No. 2026/02, which will add the appropriate CPI adjustment to the BBGHAD assessment for the upcoming tax year.

- c. Consider Liability and Umbrella Insurance Renewal. (Project Counsel/Clerk) BBGHAD staff recently renewed insurance with our broker, Gallagher, due to timing of expiration and required renewal. Our current insurers, Kinsale (A.M. Best rating: A and Richmond National Insurance Company (A.M. Best rating: A- (excellent), have offered to renew with an approximate 4% total premium increase, from \$20,823.95 paid in 2025-'26 to \$21,769.70 for 2026-'27.

Staff Recommendation: Approve Motion to ratify staff's actions to date to bind coverage, approve Gallagher proposal for 2026-27 liability and umbrella insurance, and ratify Staff's actions to date in renewing the BBGHAD's insurance.

- d. Consider Resolution Adopting Procedure for Return of Voluntary Property Owner Contributions. (Project Counsel/Clerk) In response to property owner requests, Staff has developed a proposed Resolution authorizing discretionary early repayment of certain voluntary property owner contributions.

Staff Recommendation: Approve Resolution No. 2026/01 implementing a procedure for applicable property owners to submit documentation requesting the repayment (based on economic hardship) of voluntary property owner contributions to the TPOA or the BBGHAD and for the BBGHAD Board to use its discretion in granting each such request.

6) New Business

- a. Moffatt & Nichol Supplemental Budget Request. (Project Counsel/Project Engineer). BBGHAD Engineer seeks Contract Amendment #56 for additional budget to support CDP amendment process, negotiations, and hearing in the proposed amount of \$95,000. See Staff Report.

Staff Recommendation: Approve Motion approving Moffatt & Nichol Contract Amendment #56.

- b. BBGHAD Counsel Rate Adjustment. BBGHAD Special Counsel proposes a \$645 hourly rate. Project Counsel proposes a rate adjustment to cap its hourly rates charged to the BBGHAD at \$845 for Kenneth Ehrlich, 10% hourly rate discount for John Bowman, and 15% hourly rate discount for all other professionals or hourly timekeepers. See Staff Report.

Staff Recommendation: Staff recommends approving a Motion adopting a rate adjustment for the BBGHAD's Special and Project Counsel: a) \$645/hour for Special Counsel; and b) \$845 for Project counsel, 10% hourly rate discount for John Bowman, and 15% hourly rate discount for all other hourly timekeepers working in the office of Project Counsel on BBGHAD matters.

7) BBGHAD Board Member Reports

8) BBGHAD Officer Report

- a. Treasurer's Report (BBGHAD Treasurer)

9) Public Comment - Non-Agenda Items

Communications from the public concerning matters 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.

10) Future Meeting. Next meetings: TBD

11) CLOSED SESSION

- a. **Conference With Legal Counsel; Real Estate Negotiations (Cal. Gov. Code § 54956.8): One matter.**

Conference with legal counsel, instructions to negotiators, and discussion of potentially acquiring a less than fee interest in real property owned by the City of Los Angeles.

BBGHAD Negotiators: Kenneth Ehrlich and, potentially, a designated Board Member.

City of Los Angeles Negotiators: Unknown at present

Real Property: Offshore of Vista del Mar, north of Imperial Highway.

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

Conference with legal counsel and discussion of Malibu West Swimming Club v. Broad Beach Geologic Hazard Abatement District, Los Angeles Superior Court Case No. 25SMCV05337; Court of Appeal Case No. B351680.

RESUMPTION OF REGULAR SESSION

12) Adjournment