

BLUE FOLDER ITEM

Blue folder items are additional back up material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.

CITY COUNCIL MEETING FEBRUARY 13, 2024

J.1 PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

- **PUBLIC COMMUNICATIONS**

From: [Mark Nelson \(Home Gmail\)](#)
To: [Communications](#); [CityClerk](#); cityclerk@hermosabeach.gov; cityclerk@manhattanbeach.gov; [City Council](#); executiveoffice@bos.lacounty.gov; [info](#); [Vanessa I. Poster](#); [Noel Chun](#); [Martha Koo](#); [Jane Diehl](#); [Michelle Bholat](#); [Holly J. Mitchell](#); [CityClerk](#)
Subject: Public Comment - 1/2 Day Strat Plan and Next BCHD Board Meeting
Date: Friday, February 9, 2024 5:19:17 PM
Attachments: [image.png](#)
[image.png](#)

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PUBLIC COMMENT ALL AGENCIES AND ELECTEDS

BCHD's presentation is biased and fails to provide appropriate choices based on legal filings by the District.

For example - BCHD's mission statement fails to specifically state the "Residents who Reside" in Redondo, Hermosa and Manhattan Beach as its mission. That statement was plainly made to the Superior Court by the District and is the most accurate codification of the view of the voters who established the District, in the absence of the language of the specific ballot measure. BCHD's plan to focus the HLC on 80% to 95% non-residents is a clear sign of the need for BCHD to FOCUS its mission.

BCHD was clearly told by the LALAFCO that BCHD could withhold services from NON-RESIDENTS. Any dollar that BCHD spends on a NON-RESIDENT is a dollar TAKEN FROM A RESIDENT SERVICE.

BCHD's proposed false dichotomy for voting purposes at its strategic 1/2 meeting. This is sadly consistent with BCHD using 95% Board, Executives, Staff, Consultants, Contractors, Vendors, Committee Members and Affiliated Volunteers to pack it's meeting and outvote public input.

Mission Statements

Option A	Option B
To optimize health for all in the beach cities community through innovative and inclusive programs, partnerships and spaces.	To provide innovative programs, collaborative partnerships and cultivated spaces for connection to support optimal health for all in our beach cities community.

Save

100 Emerald Street
Redondo Beach, California
Telephone: FRontier 4-3456

FILED

JUL 3 1 1957

HONORABLE J. COSTLY, County Clerk

DEPUTY

SUMMONS ISSUED

Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

SOUTH BAY HOSPITAL DISTRICT,
a governmental agency,

NO. INGL. C-1594

upon said real property and operating on said real property a
hospital in order to provide hospital facilities for the various
residents who reside within the South Bay Hospital District.

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Subject: Public Comment - BCHD Cannot be Allowed to Spend a Full Year of RESIDENT TAXPAYER PROPERTY TAXES on allcove's 91% non-resident building
Date: Friday, February 9, 2024 4:56:21 PM
Attachments: [image.png](#)

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Public Comment all agencies and electeds

FACT: allcove by contract services SPA8, which is a 91% non-resident service area of the District

BCHD proposes to spend up to \$10.9M on the building, leaving DISTRICT TAXPAYERS funding \$4.6M in costs for a 91% non-resident service area project.

Additionally, BCHD intends to provide FREE USE of a \$5M taxpayer-owned site for 30 years or more

BCHD CANNOT BE ALLOWED TO SPEND A FULL YEAR OF PROPERTY TAX REVENUES FROM RESIDENTS ON THIS NON-RESIDENT PROJECT!

THAT EXPENDITURE WILL DENY SERVICES TO RESIDENTS!

allcove Beach Cities Youth Wellness Center Project Budget

BASE COST - \$7,370,000

PREMIUMS IMPROVEMENTS

Hillside Ramp / Stairs

Custom Roof / Enhanced Architecture

Premiums Site Elements (retaining wall)

HCAI3 – Clinic Licensing

LEED Platinum Elements

TOTAL

TOTAL PREMIUMS IMPROVEMENTS

\$ 900,000

\$ 700,000

\$ 300,000

\$ 900,000

\$10,870,000

BCHD received a grant for \$6.3M from the state for allcove 91% non-resident service area's building

BCHD intends to spend \$10.9M

THAT'S A FULL YEAR OF DISTRICT TAXPAYER'S PROPERTY TAX REVENUES TO BCHD!

DISTRICT TAXPAYERS SHOULD NOT PAY FOR A 91% NON-RESIDENT SERVICE AREA BUILDING!

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Subject: Public Comment - BCHD Misrepresentation of "Healthy Living Campus"
Date: Friday, February 9, 2024 1:46:58 PM

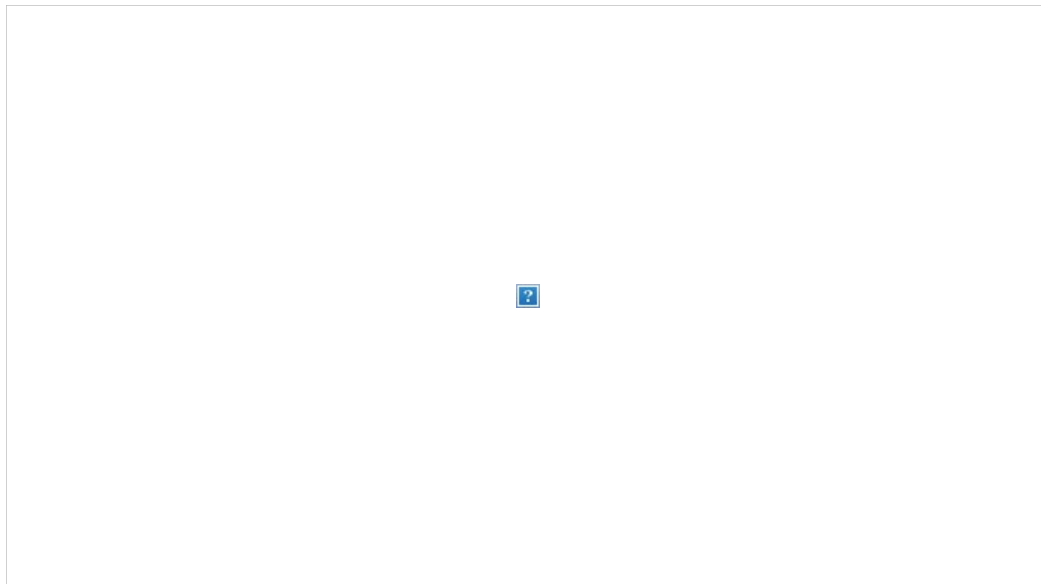
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PUBLIC COMMENT - all agencies and electeds

BCHD was voter established for the benefit of "residents who reside" in the District according to the District's legal filings. BCHD's strategic half day meeting materials fail to disclose that the campus will be developed for 80% to 95% non-resident/non-taxpayer use.

BCHD HLC will be 80% to 95% Non-Resident/Non-Taxpayer Benefit

Public Comment - BCHD Strat Dev 1/2-Day 2/16/24



BCHD avoids any discussion of the allcove Beach Cities service area, RCFE tenants, and PACE enrollees of the proposed HLC. This is a deliberate misrepresentation of known facts by BCHD's Board and Executives.

allcove Beach Cities - 91% Non-Resident Service Area

According to LA County Public Health data, the service area of allcove Beach Cities is 91% non-residents of the District based on SPA8's definition. BCHD is planning to provide free use of District Taxpayer land to site the allcove building that requires a minimum of 30-year operation without funding sources according to the development contract with the State.

RCFE - 80% Non-Resident Service Area

BCHD paid MDS consulting for a market study of assisted living use for the campus, along with 2 paid updates. Exhibit 3-3 of that study clearly shows that the service area market for tenants is 20% District (90254, 90266, 90277, 90278) and 80% OUT OF DISTRICT. BCHD has provided no updates since 2019 as it continues its campaign of operating in the shadows on the HLC.

PACE - 95% Non-Resident Enrollees

According to the National PACE Assoc. only 1 in 1000 seniors 65+ uses PACE. PACE requires a Medicaid finding of the need for nursing home services. 91% of PACE enrollees are Medicaid funded. 99% are both Medicare and Medicaid funded. There are between 16,000 and 17,000 seniors in the District per US Census, so **only 17 of the 400 planned PACE enrollees will be District residents.**

BCHD NEEDS TO RETURN TO ITS LAWFUL MISSION - SERVICING THE RESIDENTS OF THE DISTRICT

email StopBCHD@gmail.com for more info

LEGAL AUTHORIZATION WAS PROVIDED FOR BCHD TO LIMIT SERVICES TO RESIDENTS BY THE LA FORMATION COMMISSION

During BCHD's 2022 Local Area Formation Commission hearing, LAFCO made it clear that BCHD has a 100% right to limit services to the residents that formed and funded the District.

The Service Area of BCHD: "residents who reside" in the District

The District represented to the Superior Court that its purpose was to provide benefits and services (hospital) to the "residents who reside" in the "District". BCHD plan moving forward is 80% to 95% non-resident services.

Fact citation at <https://www.stopbchd.com/.../bchd-rb-mb-hb-public-agency...>

PACE: 95% Non-Resident Enrollees

BCHD's proposed PACE facility for 400 enrollees will be as few as 16 District residents and 384 non-residents according to statistics by the National PACE Assoc. that show only 1 in 1,000 seniors use PACE. The District has approximately 16,000 seniors showing that on average only 17 will participate.

Fact citation at <https://www.stopbchd.com/.../ending-the-bchd-doublespeak...>

allcove: 91% Non-Resident Service Area

allcove Beach Cities is contracted to service LA County SPA8 which is Athens, Avalon, Carson, Catalina Island, El Segundo, Gardena, Harbor City, Hawthorne, Inglewood, Lawndale, Lennox, Long Beach, Hermosa Beach, Manhattan Beach, Palos Verdes Estates, Rancho Dominguez, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, San Pedro, Torrance, Wilmington and others.

allcove's 30-year minimum operation building will sit on District taxpayer land without paying the market-based \$250,000 - \$500,000 annual lease payment.

Fact citation at <https://www.stopbchd.com/.../ending-the-bchd-doublespeak...>

RCFE: 80% Non-Resident Tenancy

BCHD's proposed 100% privately owned RCFE will service 80% District non-residents according to BCHD's consultant MDS's Exhibit 3-3. MDS's work is based on affordability and shows that the majority of tenancy will be from the wealthy PV area.

Further, even though the RCFE will use District taxpayer land, it will be market rate at an average of \$11,311/month.

Fact citation at <https://www.stopbchd.com/.../ending-the-bchd-doublespeak...>

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To: Communications; CityClerk; cityclerk@hermosabeach.gov; cityclerk@manhattanbeach.gov; City Council; executiveoffice@bos.lacounty.gov; info; Vanessa I. Poster; Noel Chun; Martha Koo; Jane Diehl; Michelle Bholat; Holly J. Mitchell; CityClerk
Subject: Public Comment - BCHD use of Taxpayer Funds & Assets for 91% Non-Resident (LA County SPA8) allcove Building and Operations
Date: Friday, February 9, 2024 3:23:16 PM

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PUBLIC COMMENT - all agencies and electeds

BCHD received only \$6.3M to build the allcove building that services a 91% non-resident LA County SPA8 area. BCHD was required to take on the obligation of operating the building for 30 years minimum with no ongoing funding stream. Conservative estimates of 30 years of operation range from \$30M to \$90M. These risks fall on the District Taxpayers.

BCHD has gold plated the proposed building to a cost of more than \$10M.

DISTRICT TAXPAYERS MUST NOT FOOT THE \$4M TAB FOR A 91% NON-RESIDENT FACILITY!

BCHD proposes that allcove pay NO RENT to Taxpayers for 30 years minimum use of the \$5M C-2 zoned lot at Flagler & Beryl

DISTRICT TAXPAYERS MUST BE PAID LAND LEASE PAYMENTS OF \$250,000 to \$500,000 ANNUALLY FOR THE 91% NON-RESIDENT FACILITY!

BCHD took on a 30 year operating requirement (minimum) without a secure payment recovery process.

DISTRICT TAXPAYERS MUST BE HELD HARMLESS FROM THE \$30M to \$90M LIABILITY!

<https://www.stopbchd.com/post/district-taxpayers-must-not-fund-the-91-non-resident-allcove-building-operating-or-rent-costs>

District Taxpayers MUST NOT FUND the 91% Non-Resident allcove Building, Operating, or Rent Costs

BCHD only received \$6.3M in state funds to build the estimated cost \$10M+ allcove building. The allcove service area is required to be LA County SPA8 which is 91% NON-RESIDENTS of the District.

BCHD must operate the building for a minimum of 30 years based on the funding agreement. BCHD received NO ONGOING FUNDING - thereby saddling Taxpayers with the \$30M to \$90M operating cost risk for 30 years.

BCHD Taxpayers MUST NOT PAY any of the cost from \$6.3M to BCHD's estimated \$10M+

BCHD Taxpayers MUST NOT PAY any of the allcove operating costs for 30 years

BCHD Taxpayers MUST BE PAID RENT by allcove for the \$5M Taxpayer owned site

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Cc: [Garth Meyer](#); [Lisa Jacobs](#); tliu@scng.com
Subject: Public Comment #1 for BCHD 1/2-day Strat Plan Meeting: BCHD failed to narrow its benefits focus to the 3-beach cities
Date: Wednesday, February 7, 2024 6:00:58 PM

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PUBLIC COMMENT TO ALL AGENCIES AND ELECTEDS

(1) Based on a review of the BCHD Board January 24 2024 Study Session materials, BCHD Board, Management and Staff fail to focus appropriately on formulating programs that for the residents who reside in the three beach cities of Hermosa, Manhattan and Redondo Beach.

The Hospital Study was Paid For and Sized For ONLY THE THREE BEACH CITIES
Because BCHD has lost (or disposed of) the original ballot measure language that established the District in the 1950s, voters are forced to look at contemporaneous records. The Daily Breeze archive clearly shows that the hospital study the launched the need for the District was based on the needs of Hermosa, Manhattan and Redondo Beach solely. It was not a regional study. As such, the contemporaneous documented Hospital Study demonstrates an intent to service only the three beach cities.

The Land Condemnation Filing for the Taking of Prospect Ave was Predicated on a Beneficial Use for the "Residents who Reside" in the District

The District was clear immediately following the voter approval - it told the Superior Court that it was serving the "residents who resident" in the District in its condemnation pleading. The District was not condemning land for a regional hospital, nor was it seeking regional funding.

(2) BCHD's current programs are spending District resident resources and using District resident assets outside the District.

BCHD Spent \$2.3M of Taxpayer Funds to test 84% Non-Residents for Covid

Recent CEO reports for BCHD indicate that BCHD failed to recover \$2.3M in Covid costs. Public records responses from BCHD also indicate that 84% of Covid testing was for non-residents, based on LA County records. LA County Public Health had the obligation to test for Covid outside the District, not BCHD. As a result, residents inside the District were denied the benefits and use of taxpayer funds and assets.

BCHD's allcove project has a 91% Non-Resident Service Area

BCHD's allcove contract is for service from Avalon to Long Beach and beyond. A specific listing of SPA8 shows that the entire allcove service area is 1.4M population while the beach cities are only 120,000 of that. As such allcove uses taxpayer funds, land, buildings, and staff for a 10-to-1 non-resident service area. (note: the fraction of 12-25 YOs is relatively consistent across all of SPA8).

BCHD's allcove building services the 91% Non-Resident Service Area without Payment to District Resident-Taxpayers

BCHD is providing a \$250,000 to \$500,000 per year lease value parcel to allcove for the construction of the building without lease obligation from allcove. Thus, Non-Residents receive 91% of the benefit and pay 0% of the land cost.

BCHD's allcove Building is a 30-year Resident-Taxpayer Obligation for only 9% of Benefits.

As terms of the funding for building, BCHD obligated taxpayers to a minimum 30 years of building operations for 91% Non-Residents without any revenue stream to Resident-Taxpayers.

(3) BCHD's planned HLC is for the benefit of 80% to 95% Non-Residents of the District.

BCHD's MDS Consultant's Exhibit 3-3 Shows that 80% of RCFE (assisted living) Tenants will be Non-Residents by Zip Code Analysis.

MDS's analysis is clear, the market use of the assisted living building will be 80% non-residents in their thorough zip code level market analysis. That is based on aggregation of the prospective tenants from 90254, 90266, 90277 and 90278 - the cities that voter approved and funded the District and live inside the District. The lease that removes this land from taxpayer use and control is up to 95 years long.

National PACE Association Data Shows 95% of PACE Enrollees will be Non-Residents of the District

The PACE association and Census figures show that only 1 in about 1000 seniors use PACE. As such, with approximately 16,000 seniors on the District, only 16 will use PACE, on average. BCHD is planning a 400 enrollee facility according to its investment bankers. That demonstrates that BCHD will be operating PACE for 95% non-resident benefit.

In short, BCHD needs to return to its lawful, voter-approved mission to service the "residents who reside" in the District. BCHD plans to take one-third of the Prospect land away from Resident-Taxpayers while providing only 5% to 20% benefits of that land.

It is permissible for BCHD to provide excess services to non-residents at a FULLY COMPENSATORY RATE, that includes recovery of land, direct costs, overheads, and any other taxpayer contributions.

It is NOT PERMISSIBLE for BCHD to plan for 80% to 95% non-resident benefits using Resident-Taxpayer land, assets, taxes, staff, etc.