

# **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 DECEMBER 9, 2025**

### **J.1 PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

- **PUBLIC COMMUNICATION**

**From:** [Stop BCHD](#)  
**To:** [CityClerk](#); [GeneralPlanEIR](#)  
**Subject:** Now that City isn't changing the FAR for its own Sites - THERE SHOULD BE A 0.75 FAR ACROSS ALL OF PUBLIC LAND USE  
**Date:** Monday, December 8, 2025 3:03:30 PM

---

***CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.***

City Council, Planning Commissioners, City Attorney

It's about time to put a fork in BCHD's lust to overdevelop with tall buildings and a couple hundred thousand SQFT of 100% commercial owned buildings for the next 100 years.

**NO NEED TO CHANGE THE FAR FOR PUBLIC. NONE. CHOOSE 0.75**

**ANYTHING ELSE AMOUNTS TO PREFERENTIAL SPOT ZONING FOR BCHD - AND THAT'S A LITIGATION NIGHTMARE UPCOMING IF THE COUNCIL DOES THAT.**

--

StopBCHD.com ([StopBCHD@gmail.com](mailto:StopBCHD@gmail.com)) is a Neighborhood Quality-of-Life Community concerned about the quality-of-life, health, and economic damages that BCHDs 110-foot above the street, 800,000 sqft commercial development will inflict for the next 50-100 years. Our neighborhoods have been burdened since 1960 by the failed South Bay Hospital project and have not received the benefit of the voter-approved acute care public hospital since 1984. Yet we still suffer 100% of the damages and we will suffer 100% of the damages of BCHDs proposal.

**From:** [Mark Nelson \(Home Gmail\)](#)  
**To:** [City Council](#); [cityclerk@hermosabeach.gov](mailto:cityclerk@hermosabeach.gov); [CityClerk](#); [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov); [citycouncil@manhattanbeach.gov](mailto:citycouncil@manhattanbeach.gov); [CityClerk](#); [info](mailto:info@executiveoffice@bos.lacounty.gov); [executiveoffice@bos.lacounty.gov](mailto:executiveoffice@bos.lacounty.gov); [Office of the Board of Trustees](#); [LA District Attorney](#); [Chadwick B. Castle](#); [Brad Waller](#); [Zein Obagi](#); [Paige Kaluderovic](#); [Scott Behrendt](#); [Michelle Bholat](#)  
**Subject:** PUBLIC COMMENT - ALL AGENCIES - ANOTHER BCHD ATTEMPTED MISDIRECTION USING IRRELEVANT, OUTDATED CITATIONS  
**Date:** Tuesday, December 2, 2025 9:14:40 PM

---

**CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.**

See below for yet another BCHD attempted misdirection - caught and stopped.

Interesting, but the January 2019 BCHD private development plan on 3 acres bears NO RELATIONSHIP to the plan that went into the EIR, nor, any relationship to the current 5 acre campus privatization plans. Therefore, the CEO's citation is at best irrelevant and at worst, a deliberate act by BCHD and the CEO to mislead the public.

It's very sad how BCHD cannot stand on facts and must attempt misdirection.

On Tue, Dec 2, 2025 at 5:05 PM PRR <[PRR@bchd.org](mailto:PRR@bchd.org)> wrote:

Dear Mr. Nelson,

Please see below (in red) for the District's response to your public records requests received 11/20/25 that reads:

Provide documents that demonstrate the date and the specific question referred to by Tom Bakaly as a 14-1 vote in the CEOs diatribe in the board meeting.

Please see page 14 on the responsive linked record: [Community Working Group #11 – Summary Report – January 14, 2019](#)

If you believe we have not correctly interpreted your request, please resubmit your request with a description of the identifiable record or records that you are seeking.

Please note that if records you are seeking do not exist, BCHD has no obligation to create new records, or to obtain records from other sources, unless those sources are considered "prepared, owned, used by, or retained by" by the District.

Please note that the District may not respond to questions or comments included with your request that are not themselves requests for identifiable public records under the California Public Records Act. The lack of response by the District to any such questions or comments, including follow-up questions and comments, is not an indication of the District's position on any topic or item, and should not be presented as such to any person.

-----Original Message-----

From: Mark Nelson [REDACTED]  
Sent: Wednesday, November 19, 2025 9:04 PM  
To: PRR <[PRR@bchd.org](mailto:PRR@bchd.org)>  
Subject: Cpra

EXTERNAL EMAIL - CAUTION

Provide documents that demonstrate the date and the specific question referred to by Tom Bakaly as a 14-1 vote in the CEOs diatribe in the board meeting.

Sent from my iPhone

THE PRECEDING E-MAIL, INCLUDING ANY ATTACHMENTS, CONTAINS INFORMATION THAT MAY BE CONFIDENTIAL, BE PROTECTED BY ATTORNEY CLIENT OR OTHER APPLICABLE PRIVILEGES, OR CONSTITUTE NON-PUBLIC INFORMATION. IT IS INTENDED TO BE CONVEYED ONLY TO THE DESIGNATED RECIPIENT. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS MESSAGE, PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE AND THEN DELETE IT FROM YOUR SYSTEM. USE, DISSEMINATION, DISTRIBUTION, OR REPRODUCTION OF THIS MESSAGE BY UNINTENDED RECIPIENTS IS NOT AUTHORIZED AND MAY BE UNLAWFUL. PLEASE NOTE THAT CORRESPONDENCE WITH THE BEACH CITIES HEALTH DISTRICT, ALONG WITH ALL ATTACHMENTS OR OTHER ITEMS, MAY BE SUBJECT TO DISCLOSURE IN ACCORDANCE WITH THE CALIFORNIA PUBLIC RECORDS ACT. THE BEACH CITIES HEALTH DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY CLAIMS, LOSSES OR DAMAGES RESULTING FROM THE DISCLOSURE OR USE OF ANY INFORMATION, DATA OR OTHER ITEMS THAT MAY BE CONTAINED IN ANY CORRESPONDENCE.

**From:** [Mark Nelson \(Home Gmail\)](#)  
**To:** [Communications](#); [Robert W. Lundy](#); [rmiller@hooperlundy.com](mailto:rmiller@hooperlundy.com); [CityClerk](#); [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov); [cityclerk@hermosabeach.gov](mailto:cityclerk@hermosabeach.gov); [info](#); [executiveoffice@bos.lacounty.gov](mailto:executiveoffice@bos.lacounty.gov); [Michelle Bholat](#); [LA District Attorney](#)  
**Subject:** Public Comment - All Agencies - BCHD narrowed its unreimbursed FINAL Covid expenditure to only \$2.2M  
**Date:** Thursday, December 4, 2025 1:33:53 PM

---

***CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.***

COST OF COVID RESPONSE (source: CEO Report): \$5,209,000  
TOTAL, FINAL REIMBURSEMENT (source, private letter from BCHD): \$3,004,122

**RESIDUAL, NON-REIMBURSED COST OF BCHD COVID RESPONSE BORNE BY RESIDENT-TAXPAYERS: (\$5,209,000 - \$3,004,122) = \$2,204,878**

**As BCHD's CEO has noted in public comments, BCHD made no attempt to reduce labor or overheads as did other agencies and private firms.**

**BCHD was negligent in its behavior since 45% of vaccines and 84% of testing were for NON-RESIDENTS and RESIDENT-TAXPAYER were forced to bear the total residual cost.**

**From:** [Mark Nelson \(Home Gmail\)](mailto:Mark.Nelson@gmail.com)  
**To:** [rmiller@hooperlundy.com](mailto:rmiller@hooperlundy.com); [Robert W. Lundy](mailto:Robert.W.Lundy@redondo-beach.gov); [Michelle Bholat](mailto:Michelle.Bholat@redondo-beach.gov)  
**Cc:** [CityClerk](mailto:CityClerk@hermosabeach.gov); [cityclerk@hermosabeach.gov](mailto:cityclerk@hermosabeach.gov); [CityClerk](mailto:CityClerk@manhattanbeach.gov); [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov); [LA District Attorney](mailto:LA.District.Attorney@redondo-beach.gov); [executiveoffice@bos.lacounty.gov](mailto:executiveoffice@bos.lacounty.gov); [info](mailto:info@redondo-beach.gov)  
**Subject:** Public Comment all agencies - Formal Ethics complaint v. BCHD Board Member Poster  
**Date:** Friday, December 5, 2025 12:25:26 PM

---

**CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.**

See the detail and cites below.

Ms. Poster both wrote and verbally made false testimony to the Redondo Beach City Council regarding the Planning Commission and City Attorney. The record as attached, refutes her false claim that the City Attorney, on the record, admonished the Planning Commission. No such action occurred. Further the City Attorney spoke through the Planning Director as the result of BCHD CEO Bakaly speaking during non-agenda time regarding an agenda item of BCHD. Clearly the BCHD caused the need for the comment and it was directed at HIS actions.

**BCHD Board Member Poster clearly provided false testimony and a formal ethics investigation is required.**

#### THE RECORD WITH CITATIONS.

At the October 15, 2024 City Council Meeting, I was refused my right to address the non-Agenda Item of BCHD Board Member Vanessa Poster providing apparently false and misleading public testimony during the October 1, 2024 Council meeting. This can be witnessed at the link of the meeting at: <https://youtu.be/12pjmKfLa6M?t=10342> Through clairvoyance, prejudice or some other method, the Mayor determined that my comment was on an agenda item and never sought to clarify. It was not. It was defending the Planning Commissioners from BCHD Board Member Poster's accusation during the 10/1/24 City Council meeting. I had a full 3-minute comment and it was silenced.

I know Mayor Light in passing, as we both served on the BCHD Community Working Group from early 2017 through the end of 2020. I am concerned that the Mayor might harbor a pro-BCHD bias that will prevent advocates for the surrounding neighborhoods from receiving the input that they are entitled to. If that is shown to be the case, discussions may need to ensue regarding his recusal from BCHD matters.

The Discussion that I intended to have before being denied my time regarded these facts:

#### **Board Member Poster's Under Oath Public Testimony to the City Council 10/1/24**

- BCHD Board Member Poster's false claim in her oral testimony is at the following link on the Official City of Redondo Beach Youtube site: <https://youtu.be/5uxFc9rONWc?t=14695>
- Poster claimed, "your Planning Commission has demonstrated their inexplicable (thank you Dency) abhorrence for BCHD so much so that your own lawyers had to remind

them during a public meeting and on the record to stop targeting BCHD in their remarks"

### **Planning Director Marc Wiener's Guidance to the Audience Member During the 9/19/24 Planning Commission Meeting**

- Immediately following BCHD CEO Bakaly's three minute public comment regarding BCHD, the Planning Director asked to provide the audience guidance from the City counsel as seen on the link: <https://youtu.be/iZJ11jWf4g8?t=6151>
- Wiener stated, "I've been reminded by the City attorney to make statement to the audience just to remind the audience is the purpose of tonight's hearing is about the general Plan update. It's not on Beach Cities Health District so really the focus is more broad on the entire city and this policy document that we're working on so I just would like every everybody to keep that in mind. Thank you."

**Based on transcript searches (transcript provided from Google AI Youtube of 9/19/24 Planning Commission on 10/1/24 and 10/2/24 by email) there is no time during the 9/19/24 Planning Commission meeting when counsel addresses the Planning Commissioners and admonishes them for "targeting" BCHD.**

*Board Member Poster's response to a California Public Records Request stating that she relied on the recording of the 9/19/24 Planning Commission meeting when making her statement. Clearly, if that was the case, Board Member Poster willfully mischaracterized the 9/19/24 meeting in an effort to mislead the Council.*

### **BCHD PRR Response**

Please see below (in red) for the District's response to your public records request received 10/3/24 that reads:

Q. Speaking in her official capacity as an elected board member, Poster stated "your Planning Commission has demonstrated their inexplicable (thank you Dency) abhorrence for BCHD so much so that your own lawyers had to remind them during a public meeting and on the record to stop targeting BCHD in their remarks."

Provide the documents relied upon by Board member Poster to make such an accusation regarding the Planning Commissioners.

A. Please see the September 19, 2024, Redondo Beach Planning Commission meeting video: [Click Her](#)

### **REQUESTED REMEDY FOR DENIAL OF NON-AGENDA COMMENT TIME**

Due to my denied time for input, I was required to make my statement during the

inappropriate time of the 1.25 FAR discussion. As a result, I was denied 3 minutes of valuable public testimony time.

I proposed that I be allowed during non-Agenda comments on 10/29/24 to have two 3-minute periods as a remedy. The first period will be a full, 3-minute presentation of my planned discussion of Poster's actions. The second 3 minute period will be relevant to a non-Agenda item if used.

The City Council meetings are generally very fair and balanced. I have been in Council meetings since the 1990s until 4AM and have presented to the Council in my role as an executive at SCE and a consultant for Sempra, the parent of SoCal Gas. I was an ardent objector to the scale and lack of mitigation of the Heart of the City and had numerous Op-Ed and Letters published in the Copley papers.

This was generally an anomaly in my view, but, it had negative consequences and highlights a potential pro-BCHD implicit bias of the Mayor. We must be vigilant to assure that BCHD is not again treated in a preference manner, nor the public treated in a discriminatory manner.

Mark Nelson  
Retired Executive, EIX Companies  
Retired Executive Consultant, Sempra Companies  
Expert Witness

**From:** [Mark Nelson \(Home Gmail\)](#)  
**To:** [Communications](#); [Robert W. Lundy](#); [rmiller@hooperlundy.com](#); [CityClerk](#); [cityclerk@manhattanbeach.gov](#); [cityclerk@hermosabeach.gov](#); [info](#); [executiveoffice@bos.lacounty.gov](#); [Michelle Bholat](#); [LA District Attorney](#)  
**Subject:** Public Comment all Agencies - Public Ethics Complaint - BCHD Board - Re: Response to Public Complaint  
**Date:** Thursday, December 4, 2025 1:19:51 PM

---

***CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.***

This is nonsense communication. BCHD claimed it was reimbursed for ALL EXPENSES in the meeting. Tom Bakaly claimed his own statement VERBATIM was a lie.

**This is now an ethics complaint against the BOARD in its entirety for allowing the CEO to lie and not forcing a correction.**

Statement by public: "Beach Cities lost \$2.3 million on COVID. That means Beach Cities spent \$2.3 million more than it recovered."

Statement in Bakaly's own CEO report: "...total District COVID-19 emergency response expenditures are \$5,209,000 with estimated total reimbursement of 56% or \$2,900,000..."

Bakaly's Lie: "So, first of all, with COVID, um the the comment you just heard was just a lie. We we were reimbursed by FEMA and the federal government for our COVID expenses. So, I don't know, uh where those numbers are coming from. They're certainly not facts. and we're happy to uh discuss that and show audits that show that our expenses related to COVID were reimbursed by the federal government."

Where's the LIE that Bakaly claimed? There isn't one. The numbers were FROM HIS REPORT. The statement was clear.

Furthermore, the gobbledygook that BCHD published in the CEO report is off point. As all the lawyers know, when it take a \$1M a year Comms department and a page of text to refute your own 16 word quote from a BCHD CEO report - the response is meaningless.

**THE BOARD MUST BE HELD ACCOUNTABLE FOR ALLOWING THE CEO'S LIES.**

On Tue, Dec 2, 2025 at 4:20 PM Communications <[Communications@bchd.org](mailto:Communications@bchd.org)> wrote:

Mr. Nelson,

Please find Beach Cities Health District's policy document regarding public complaints here:

[Policy 1060: Public Complaints](#)

The BCHD Board of Directors was presented with your complaint as part of the Board Packet for their meeting on November 19, 2025. That packet is available in the link below, with the

complaint addressed in the CEO Report on pages 5-6 of the packet.

[Board Packet – November 19, 2025](#)

During the meeting, the CEO informed the Board that they may choose to take action on your complaint. His remarks are transcribed below:

“So, in your packet, in the CEO report, there was a citizen's complaint, that we received related, to comments I made, actually, at the last meeting, and so you see, our response there, up to the board, per our policy. We do have a policy on that. If you'd like to refer any action on that, you, do have that in your, packet tonight.”

[Board Meeting Video Recording](#) – Minutes 34:00

The Board did not direct any further action regarding this complaint. Please see attached PDF labeled: Formal Complaint – Closure Notice.

Thank you,

Dan Smith

Director of Communications

Beach Cities Health District

THE PRECEDING E-MAIL, INCLUDING ANY ATTACHMENTS, CONTAINS INFORMATION THAT MAY BE CONFIDENTIAL, BE PROTECTED BY ATTORNEY CLIENT OR OTHER APPLICABLE PRIVILEGES, OR CONSTITUTE NON-PUBLIC INFORMATION. IT IS INTENDED TO BE CONVEYED ONLY TO THE DESIGNATED RECIPIENT. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS MESSAGE, PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE AND THEN DELETE IT FROM YOUR SYSTEM. USE, DISSEMINATION, DISTRIBUTION, OR REPRODUCTION OF THIS MESSAGE BY UNINTENDED RECIPIENTS IS NOT AUTHORIZED AND MAY BE UNLAWFUL. PLEASE NOTE THAT CORRESPONDENCE WITH THE BEACH CITIES HEALTH DISTRICT, ALONG WITH ALL ATTACHMENTS OR OTHER ITEMS, MAY BE SUBJECT TO DISCLOSURE IN ACCORDANCE WITH THE CALIFORNIA PUBLIC RECORDS ACT. THE BEACH CITIES HEALTH DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY CLAIMS, LOSSES OR DAMAGES RESULTING FROM THE DISCLOSURE OR USE OF ANY INFORMATION, DATA OR OTHER ITEMS THAT MAY BE CONTAINED IN ANY

| CORRESPONDENCE.

**From:** [Mark Nelson \(Home Gmail\)](mailto:Mark Nelson (Home Gmail))  
**To:** [rmiller@hooperlundy.com](mailto:rmiller@hooperlundy.com); [Robert W. Lundy](mailto:Robert W. Lundy); [Michelle Bholat](mailto:Michelle Bholat)  
**Cc:** [CityClerk](mailto:CityClerk); [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov); [cityclerk@hermosabeach.gov](mailto:cityclerk@hermosabeach.gov); [CityClerk](mailto:CityClerk); [info: executiveoffice@bos.lacounty.gov](mailto:info:executiveoffice@bos.lacounty.gov); [LA District Attorney](mailto:LA District Attorney)  
**Subject:** Public Comment All Agencies - Public Ethics Complaint v BCHD CEO Bakaly  
**Date:** Friday, December 5, 2025 8:22:54 PM

---

**CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.**

During the September 19, 2024 Redondo Beach Planning Commission meeting, CEO Bakaly spoke during item J1, specifically the time to comment on the general plan, not on BCHD issues. CEO Bakaly violated the agenda by speaking on specifically BCHD issues and as a 30+ public sector employee, CEO Bakaly new fully well he needed to limit his comments. At the end of Mr. Bakaly's comment, the City Planning Director related a message from the City Attorney's office that the discussion is not about BCHD (as CEO Bakaly spoke, violating the agenda), but was about the broad general plan. **As a taxpayer of the District, I expect executives, and especially the CEO, to adhere to the rules of the Brown Act and other agencies. CEO Bakaly chose not to do that,** and further, the City Attorney's office was forced to counsel the audience not to follow in CEO Bakaly's pattern.

A full ethics investigation is warranted. Since Board member Poster is also implicated in her subsequent "lie" (lie is a word used by CEO Bakaly) to the City Council in her testimony, it is entirely possible that the BCHD Board cannot adjudicate this issue and legal counsel of the District, LALAFCO or the District Attorney should be finders of fact and adjudication.

<https://youtu.be/iZJ11jWf4g8?t=5941>

**TRANSCRIPT OF 9-19-24 RB Planning Commission Meeting**

1:39:03

Tom Bakaly CEO of the beach cities health district I find myself uh being a little

1:39:10

nostalgic here tonight as you all are starting to wrap up the general plan process I was involved with that early

1:39:15

on I came to a gpac meeting one of the first meetings and talked about our experience from Hermosa Beach uh and

1:39:22

shared that with gpac um and so I commend you on the work you've done um I'm here tonight to

1:39:28

express concern uh about a non-uniform floor area ratio for public institutional use uh that is a concern

1:39:35

we have you're not going to see our lawyer tonight we obviously have legal concerns about that but we have policy

1:39:41

concerns which basically the major concern is that it is not uniform let's be clear it's uniform now everybody's in

1:39:48

agreement with that I hope there is there is no floor area ratio for public institutional use now

uh and so to treat

1:39:56

uh one entity uh different uh than others is uh targeting and we have legal

1:40:02

concerns about that um as far as gpac goes just um I think we can all agree

1:40:08

there was no healthy debate or exchange of ideas about uh the floor area ratio for institutional use that did not

1:40:15

happen I think everybody uh is clear on that that there was not a debate about it uh during gpac there were comments

1:40:21

from gpac members uh expressing uh concern and support of our position as

1:40:26

well as written comments uh including a gpac member who is now the mayor uh

1:40:32

about concerns uh for the tack that is currently be taking so I guess my major

1:40:39

concern and um and sort of advice is let's not U plan out of fear I think

1:40:44

we've heard a little fear tonight uh we have completed an e just like you are doing one now we have completed an eir

1:40:52

it had no significance permanent impacts it was certified and unchallenged and so

1:40:57

when people bring up concerns U about impacts U they've been addressed for the

1:41:04

plan that we have in place again I would also emphasize that it's a plan uh there has been some discussion about

1:41:11

compatibility compatibility is a is a is a real subjective discussion I think the

1:41:16

best explanation I've ever heard about compatibility in the planning world is that hot dogs and ketchup are compatible

1:41:23

doesn't have to be the same and some people might disagree about that and so I think that kind of opens up this

1:41:29

discussion when you look at compatibility you often look uh at a shared lot line what's our shared lot

1:41:35

line a strip mall so I think people need to be careful when they're talking about compatibility I would just urge you uh

1:41:42

to be careful of unintended consequences of hardcoding U planning into uh a vote

1:41:49

of the people I think you're experiencing uh the unintended consequences of that by having to go back to the people uh related to your

1:41:56

housing element and so in conclusion would just uh urge you uh to keep a

1:42:02

uniform floor area ratio of 1.25 for public institutional use thank

1:42:11

you

okay Dr

1:42:16

Lori did well this is more specifically on the general plan I believe you spoke

1:42:22

on the just on the beach City Health District itself okay thank you chair can I make a

1:42:29

comment

City Planning Director Wiener: before we continue um I've been reminded by the City attorney to um make

1:42:36

a statement to the audience just to remind the audience is the purpose of tonight's hearing is about the general

1:42:41

Plan update it's not on beach City's health district um so really the focus is more broad on the entire city and

1:42:49

this policy document that we're working on so I just would like every everybody to keep that in mind thank

1:42:56

you okay

**From:** [Mark Nelson \(Home Gmail\)](#)  
**To:** [Communications](#); [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov); [cityclerk@hermosabeach.gov](mailto:cityclerk@hermosabeach.gov); [CityClerk](#); [City Council](#); [citycouncil@manhattanbeach.gov](mailto:citycouncil@manhattanbeach.gov); [executiveoffice@bos.lacounty.gov](mailto:executiveoffice@bos.lacounty.gov); [info](#); [Office of the Board of Trustees](#)  
**Subject:** Public Comment All Agencies - Why did BCHD lie to the public regarding the updated September 25 2025 HLC Proposals to privatize 5 acres of the Campus?  
**Date:** Tuesday, December 2, 2025 5:32:57 PM

---

***CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.***

At the BCHD half day meeting on Halloween morning in Manhattan Beach from 8-noon, BCHD and its latest resident-taxpayer paid consultants represented that only MarVentures provided a full list of public amenities and that the other two bidders provided sparse lists. In fact, we had a real time discussion at that meeting that the other 2 wannabe-vendors had not seen the Mar Ventures proposal, nor updated their own to add amenities. Subsequently, in the following weeks, BCHD claimed that the other bidders had updated and provided rich sets of amenities.

However, when a CPRA request was asked of and answered by BCHD to provide the update proposals that would include the information disclosed at the November Properties Committee meeting, BCHD claimed that the last update from the bidders was September 25, 2025.

**If so, then BCHD withheld that September 25 information from the half day meeting participants on October 31.**

**WHY MUST THE PUBLIC ALWAYS HAVE TO DRILL AND DRILL AND DRILL through the CAP OF BROWN CRUST on BCHD communications to get to truthful information?**

**From:** [Mark Nelson \(Home Gmail\)](mailto:Mark.Nelson@home.com)  
**To:** [rmiller@hooperlundy.com](mailto:rmiller@hooperlundy.com); [Robert W. Lundy](mailto:Robert.W.Lundy@hooperlundy.com)  
**Cc:** [Michelle Bholat](mailto:Michelle.Bholat@cityclerk.com); [CityClerk](mailto:CityClerk@hermosabeach.gov); [cityclerk@hermosabeach.gov](mailto:cityclerk@hermosabeach.gov); [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov); [CityClerk; executiveoffice@bos.lacounty.gov](mailto:CityClerk@executiveoffice@bos.lacounty.gov); [info](mailto:info@ladistrictattorney.com); [LA District Attorney](mailto:LA District Attorney)  
**Subject:** Public Comment and BCHD Ethics Complaint v. BCHD Board and Board Members Individually  
**Date:** Thursday, December 4, 2025 8:39:56 PM

---

***CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.***

At the November 2025 BCHD Board meeting, BCHD Board-approved Committee member Mary Drummer falsely claimed that BCHD was reimbursed the full amount of \$2.3M of COVID expenditures that constituted the 44% of BCHD COVID service expenditures that CEO Bakaly's January 2023 Board Report called **non-reimbursed**. Mr. Bakaly's November CEO report reiterated that the costs were not recovered as reimbursement.

At the conclusion of BCHD Committee member Drummer's statement, all 5 present Board members elected not to engage CEO Bakaly to correct the clear false statement by Drummer, thereby implying it was truthful. It was not. The Board frequently engages the CEO on public comments, and at the Board's direction CEO Bakaly declared public comments to be "LIES". They were extracted directly from the CEO report. All 5 Board members were provided from January 2023 to the current November 2025 CEO report with data demonstrating that between \$2.9M and \$3.0M of the \$5.2M in COVID expenditures were reimbursed and the remaining \$2.2M to \$2.3M of Covid program costs were paid by resident-taxpayers. Therefore, the BCHD Board was 100% aware that BCHD Committee member Drummer made a false statement and Board members neither corrected the error themselves, nor directed CEO Bakaly to correct it.

- 1) BCHD Board allowed known false statement to be made to the public by BCHD Board Committee member Drummer;
- 2) BCHD Board demonstrated bias against other members of the public by allowing CEO Bakaly to refer to a truthful comment as "LIES" (verbatim from the CEO) while actively choosing to ignore the false statement of Board-approved Committee member Drummer.

Both 1 and 2 above are ethical violations by the Board (all 5 individually and the Board collectively) and I file this formal complaint for an ethics review of Board conduct at the November 2025 Board meeting with Committee member Drummer's false public comment.

Clearly the Board cannot adjudicate this matter of their own ethics violation. Therefore, this communication is provided to Mr. Miller and Mr. Lundy as legal counsel for the District. LALAFCO, LA Board of Supervisors, and the LA District Attorney are other possible adjudicators in this case.

Unless the Board can demonstrate that Board Committee member Drummer's claim that 100% of the \$2.3M shortfall of total program expenses was reimbursed, the Board must be found in violation of its own ethics code and for Brown Act discrimination against the public in public commenting by deliberately favoring its own Committee members to allow false statements..

**From:** [Mark Nelson \(Home Gmail\)](#)  
**To:** [CityClerk](#); [James Light](#); [Paige Kaluderovic](#)  
**Subject:** Public Comment and Complaint - Latest illegal wrong-way driver on 500-600 N Prospect is the RBPD Parking Enforcement Vehicle  
**Date:** Friday, December 5, 2025 11:41:44 AM  
**Attachments:** [RBPD Parking Enforcement Illegal U-turn on One-Way 500 block N Prospect.mp4](#)

---

***CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.***

The video is time and date stamped. For no service reason, the RBPD parking enforcement vehicle flipped an illegal U-turn in front of 507 N Prospect and proceeded to drive illegally, south down the frontage and exit illegally onto Diamond without even a stop.

This is the type of illegal activity that is 100% inside the control of the City. Furthermore, it sets a terrible example for other drivers that one-way signs are suggestions, not laws. We have a dozen of these a day and don't need the City setting the example.

The RBPD vehicle was pointed north and 100 feet from the legal exit at the BCHD light. Why is it that agencies believe that the rules don't apply to them? The City can identify and counsel the driver - and notify all departments that street signs are to be obeyed, except during situations with a specific emergency need.

From an ethics perspective, it will be interesting to see if the City acknowledges the error or attempts to fabricate some business reason for an illegal, mid-block U-turn on a one-way street.

**From:** [Mark Nelson \(Home Gmail\)](#)  
**To:** [rmiller@hooperlundy.com](mailto:rmiller@hooperlundy.com); [Robert W. Lundy](#); [Michelle Bholat](#)  
**Cc:** [CityClerk](#); [cityclerk@hermosabeach.gov](mailto:cityclerk@hermosabeach.gov); [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov); [CityClerk](#); [executiveoffice@bos.lacounty.gov](mailto:executiveoffice@bos.lacounty.gov); [info](#); [LA District Attorney](#)  
**Subject:** Public Comment and Ethics Complaint v. BCHD CEO Bakaly  
**Date:** Thursday, December 4, 2025 8:14:35 PM

---

**CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.**

At the November 2025 BCHD Board meeting, BCHD Board-approved Committee member Mary Drummer falsely claimed that BCHD was reimbursed the full amount of \$2.3M of COVID expenditures that constituted the 44% of BCHD COVID service expenditures that CEO Bakaly's January 2023 Board Report called **non-reimbursed**. Mr. Bakaly's November CEO report reiterated that the costs were not recovered as reimbursement.

At the conclusion of BCHD Committee member Drummer's statement, CEO Bakaly ignored the false statement by Drummer, thereby implying it was truthful. It was not. Further, CEO Bakaly has a penchant for declaring public comments to be "LIES" when he is not even in command of his own data supplied to the Board. In any event, CEO Bakaly was 100% aware that BCHD Committee member Drummer made a false statement and CEO Bakaly did not correct it.

- 1) CEO Bakaly allowed known false statement to be made to the public by BCHD Board Committee member Drummer;
- 2) CEO Balaky demonstrated bias against other members of the public by referring to their truthful comment as "LIES" (verbatim from the CEO) while actively choosing to ignore the false statement of Board-approved Committee member Drummer.

Both 1 and 2 above are ethical violations by CEO Bakaly and file this formal complaint for an ethics review of his conduct at the November 2025 Board meeting with Committee member Drummer's false public comment. Unless CEO Bakaly and demonstrate \$2.3M (approximately) of reimbursements, then Committee member Drummer's statement was knowingly false.

**From:** [Mark Nelson \(Home Gmail\)](mailto:Mark.Nelson@gmail.com)  
**To:** [rmiller@hooperlundy.com](mailto:rmiller@hooperlundy.com); [Robert W. Lundy](mailto:Robert.W.Lundy@manhattanbeach.gov); [Michelle Bholat](mailto:Michelle.Bholat@manhattanbeach.gov)  
**Cc:** [CityClerk](mailto:CityClerk@hermosabeach.gov); [cityclerk@hermosabeach.gov](mailto:cityclerk@hermosabeach.gov); [CityClerk](mailto:CityClerk@manhattanbeach.gov); [cityclerk@manhattanbeach.gov](mailto:cityclerk@manhattanbeach.gov); [LA District Attorney](mailto:LA.District.Attorney@losangeles.gov); [executiveoffice@bos.lacounty.gov](mailto:executiveoffice@bos.lacounty.gov); [info](mailto:info@manhattanbeach.gov); [Kevin Cody](mailto:Kevin.Cody@manhattanbeach.gov)  
**Subject:** Public Comment all agencies - Formal Ethics complaint v. BCHD Committee Member Drummer  
**Date:** Tuesday, December 9, 2025 1:04:39 PM

---

**CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.**

In the BCHD November 2025 Board meeting, BCHD Board appointed and approved Committee member Drummer stated the following (see video transcript at <https://youtu.be/3UepqPeAKmM?t=2700>) :

45:00

ready. While I am loathed to give the opposition to BCHD any oxygen, I will

45:07

not let their disinformation campaign go unchallenged. BCHD did not cause

45:13

taxpayers to quote eat \$2.3 million. They were eventually fully reimbursed.

As a BCHD Committee member with Board approval, Committee member Drummer made a false statement that taxpayers did not fund the \$2.3M shortfall in total expenses for BCHD's Covid response. As has been demonstrated irrefutably from BCHD CEO Report of January 2023 and subsequent CEO reports, the total expenditure on the Covid response for 45% to 84% non-residents by BCHD was \$5.2M. BCHD has waffled on the reimbursement level with the initial CEO Report stating up to \$2.9M and a recent letter stating \$3M.

In any event, BCHD Committee member Drummer clearly misled the public and the Board with her false statement "BCHD did not cause taxpayers to quote eat \$2.3 million. They were eventually fully reimbursed."

There is ample evidence that the \$2.3M (or \$2.2M as BCHD now claims) was PAID by Taxpayers and was NOT reimbursed.

A full ethics investigation is required.