

**REGULAR MEETING #627
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES**

**Thursday, December 8, 2016
REGULAR MEETING: 6:30 pm
OPEN TO THE PUBLIC**

**Location: Palisades United Methodist Church
27002 Camino de Estrella, Capistrano Beach, CA**

1. CALL TO ORDER

Board President Masto called the Meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE

Board President Masto led attendees in the Pledge of Allegiance.

3. ROLL CALL

Directors Present: Breeding, Clark, Haack, Masto & Muller
Directors Absent: None
Staff: District Manager Russell
Agents: Authorized Agent Morris, Webb Consulting Services, Inc.
Contractors Present: Securitas Branch Manager, Jorge Moreno

4. PUBLIC COMMENTS

Director Breeding commented on the current opportunistic sand replenishment project underway at North Beach in San Clemente and asked if the District could get involved in the same sort of opportunity. Manager Russell pointed out that the most recent harbor dredging project in the Dana Point Marina yielded three times the volume of sand being dumped at North Beach and that sand lasted for only one summer before disappearing. The North Beach project will be monitored on a regular basis over the winter.

5. APPROVAL OF MINUTES

Meeting #626 of October 25, 2016

Board President Masto summarized the October 25, 2016, #626 Meeting Minutes.

MOTION – A motion was made by Director Breeding and seconded by Director Muller to approve the Minutes of Meeting #626. The motion was passed by a vote of 5-0.

6. SECURITY

a. Monthly Securitas Report for October 2016

Security update presented by Securitas Branch Manager, Jorge Moreno. The newest Securitas Officer is working out well and seems to be a good fit for the community. Concerning procedures for handling Uber Drivers, Securitas has revised their training plan for the security staff.

b. Progress Report on Trash Day Parking Restrictions

By Board meeting time all signs will have been posted throughout the north half of the community. To repeat the prior month report, the Board has taken action to reduce the traffic hazard on Mondays during community trash collection by prohibiting on-street parking in

the first half of the day. This is intended to create safe passing space for motorists who get trapped behind the trash truck.

7. **SHORELINE PROTECTION COMMITTEE**

a. **Shoreline Protection Committee**

No representative was present at the meeting. District Manager Russell will forward over an article that was presented at the meeting concerning the availability of free sand from the Santa Ana River.

8. **FINANCE**

a. **Report of Monthly Expenses through October 2016**

Board President Masto reviewed the Financials through October 2016 and replied that all looked in order.

9. **OLD BUSINESS**

a. **Undergrounding of Utilities – Review of Options and Cost Estimates**

Duane Strooboscher, from Utility Specialist Inc., was at the Board Meeting to answer questions regarding the revised scope of work pursuant to the Board's direction from the last meeting. Their new orders were to provide separate cost estimates which were given to the Board Members at the Board Meeting:

- ***South of the turnaround (from 35545 to 35857)***

In this area (with the exception of a few homes near the very south end) there is no space on the ground to place ground level transformers. This means the power poles and the transformers must remain in their current existing locations. The only option here is to bury the secondary power that runs to the homes and all of the communications cables on the lower section of the power poles. This option will help to clean up the cable mess on the lower half of the power poles. The consultant has been directed to work up a cost for this option that excludes removal of the power lines and power poles.

- ***North of the turnaround (from guard shack to 35537)***

In this area there is space on the ground on the Railroad side of our roadway to place ground level transformers. The consultant has been directed to work up the cost for a complete burial of ALL overhead utilities, removal of all power poles and install of street lights up on new decorative street lamp poles.

MOTION – A motion was made by Board President Masto and seconded by Director Clark authorizing Utility Specialists Inc to proceed with Phase II of their proposal, *Design Management and Coordination*, to prepare actual working schematics of the entire undergrounding project, with special attention given to all possible transformer locations throughout the entire community. The motion was passed by a vote of 5-0.

b. **Short Term Rentals**

- ***Update on Referendum effort***

At the November 15th meeting, the City Council voted 5-0 to rescind/repeal their Short Term Rental Ordinance rather than bring the issue to a vote of the property owners. The Council stated that existing STR's can continue operating for now under the provisions of Zoning Code Section 5.38 but no new permits will be issued.

There was no explanation provided at the council meeting as to whether rental permits will be renewed when they expire and no time-line indicated for creating a new STR ordinance.

- *Report of Rental Counts and Complaints*

Since the board meeting of October 25th, the District received one complaint regarding continued problems with the rental property at 35725 Beach Road. Issues with this rental include drunken adults, over occupancy and excess vehicles parking in neighbors' spaces without permission.

This complaint was sent directly to Ted Harris at City Hall and the acting City Manager, Mike Killebrew. As of Board meeting time, neither Manager Russell nor the neighbor who made the complaint have been replied to.

ACTION – Board President Masto and Director Muller both recommended that the Board do a workshop after the first of the year with all Beach Road Rental Owners. The intent is to identify the issues of concern within the Beach Road community and to come up with solutions, and possibly some new ordinances, to help increase the quality of life for all homeowners on the road. Manager Russell was directed to arrange for one or more key City personnel to be in attendance at this proposed meeting.

c. Progress Report on FEMA Revisions to Flood Insurance Rate Maps

There are no changes from the prior month report.

10. NEW BUSINESS

a. Flat Tire Replacement

A recommendation was made by Director Breeding for the Board to consider establishing a tire replacement policy for homeowners who pick up nails and screws while driving on Beach Road.

Director Breeding has had to replace tires on two of his vehicles over the past few years, the latest being in the last two weeks. The District collects a Development Impact Fee (DIF) on most remodel projects in the community and it would be simple enough to take a small portion of each DIF payment and create a fund and budget for tire repairs/replacements.

ACTION – District Manager Russell will direct Securitas to watch / look over job sites to pick up miscellaneous nails and screws.

ACTION – Director Clark requested that the roadway cement section by 35195 Beach Road be repaired. There is rebar showing and it may cause tire damage.

b. Proposed Landscape Improvements

The planter area along the sidewalk between the drinking fountain and the pedestrian gate is in need of improvements. The existing Xanadu philodendron and liriopie grass has suffered from the drought and rabbit activity. All the smaller plants are struggling.

Scope of Proposal:

1. Along the sidewalk, remove the liriopie grass, the philodendrons and the senecio ice plant and replace all with 21 5-gallon agapanthus, red apple ground cover and mulch.

2. The small planter around the fire hydrant is to be cleared of existing plants and replaced with soil amendments, 2 15-gallon mature healthy xanadu's and red apple ground cover.

3. In the raised planter behind the lava column with the flame bowl the dead flax is to be removed and replaced with six 5 gallon new healthy flax plants and soil amendments.

Cost estimate is \$1200-\$1300
The Board directed Manager Russell to proceed.

11. QUALITY OF LIFE DISCUSSION TOPICS

There are no items for this month.

12. WEBB MANAGEMENT / CBRA ITEM

The November management report was presented by Authorized Agent Morris.

- District Financial Statements for the month of October 2016 were previously provided to the Board.
- Railroad Billing was mailed on November 28, 2016, to all railroad lease holders on Beach Road.

No CBRA Report this month.

13. WRITTEN COMMUNICATIONS

There were no written communications.

14. BOARD AND STAFF COMMENTS

Director Clark requested and was approved to move the next Board Meeting up a week to Tuesday, January 24, 2017.

ADJOURNMENT

Board President Masto officially adjourned the Meeting at 9:30 P.M.

ATTEST:

State of California)
County of Orange)ss
Capistrano Bay District)

I, **Donal S. Russell**, Manager of the Capistrano Bay Community Services District, hereby certify that this is an *APPROVED* copy of the Minutes of Meeting #627, held on December 8, 2016.

Donal S. Russell
DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

January 24, 2017
DATE