

DRAFT

ITEM 5

**REGULAR MEETING #631
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
Tuesday, April 25, 2017
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 6:48 p.m.

2. PLEDGE OF ALLEGIANCE

Board President Masto led attendees in the Pledge of Allegiance.

3. ROLL CALL

Directors Present: Haack, Breeding, Masto & Muller
Directors Absent: Clark
Staff: District Manager Russell, Manager Assistant Karen Morris
Agents: Authorized Agent Jim Parsons, Webb Community Management, Inc.
Contractors Present: Securitas Officers, Jorge Moreno & Brandin Oberlies

Guest Speakers: Mr. Lou Galuppo, attorney for Galuppo & Blake Law Firm

**** CLOSED SESSION REPORT OF ACTION**

Board President Masto reported that the following issues were discussed in Closed Session prior to the Regular Session Meeting:

- Webb Management Contract Review
- Shoreline Protection Legal Matters

The Board took action in the closed session to approve the cost estimate for Phase 2 work:

Motion was made by Director Muller, seconded by Director Breeding and approved 4-0-1 (Director Clark absent) to proceed with Phase 2 work by Galuppo & Blake in the amount of \$56,050.00. Details for Phase 2 work is outlined under Agenda Item 7.

4. PUBLIC COMMENTS

Members commented on the following issue:

- None

5. APPROVAL OF MINUTES

a. Meeting #630 of March 28, 2017

Board President Masto summarized the March 28, 2017, #630 Meeting Minutes.

MOTION – A motion was made by Director Haack and seconded by Director Breeding to approve the Minutes of Meeting #630. The motion was passed by a vote of 4-0-1 (Director Clark absent).

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6. SECURITY

a. **Monthly Securitas Report for March 2017**

Security update presented by Securitas Branch Manager, Jorge Moreno and the current Post Commander, Brandin Oberlies. CPR availability was discussed and will be included as part of the service provided to the community. There are 8 officers assigned to the location and (2) officer changes. The Board was also advised a cell phone number will be made available for all homeowners to make direct calls to the on-duty patrol officer. All calls and activity will be communicated, by the patrol officer, to the guard at the entrance guard house. Lastly, Securitas was directed to begin posting the names, at the beginning of their shifts, of the security officers who are on duty.

7. SHORELINE PROTECTION COMMITTEE

The District's Legal Team consisting of Mr. Lou Galuppo, attorney for Galuppo & Blake Law Firm, was present to provide a progress report.

- **The Shoreline Protection Efforts have Four Phase Process:**

- Gathering Information / Update Governing Documents / Processing Public Entity Approvals / Implement

- **Phase 1 - Gathering Information Completed:** Phase 1 is completed. The cost for legal services through phase (1) was \$21,000.

- **Phase 2 -** Mr. Galuppo briefly discussed the proposed steps for Phase 2:

- Updating governing documents
 - Gathering support from community and nearby stakeholders
 - Review/create new zones, ordinances and regulations
 - Conferences, etc. with outside agency stakeholders and experts
 - Begin CEQA process for environmental impact
 - Begin preparation of Coastal Development Permit application

Phase 2 is expected to be about 4-5 months of work.

8. FINANCE

a. **Report of Monthly Expenses through March 2017**

Board President Masto reviewed the Financials through March 2017 and replied that all looked in order. No action was required.

9. OLD BUSINESS

a. **Undergrounding of Utilities –Options and Cost Estimates.** The Board discussed their ongoing concern about the proposed locations of transformers next to homes. Manager Russell has walked the property to finalize all locations and complete a final schematic for the Phase 1 area (the community north of the turnaround at 35535). The Board agreed that all homeowners should have the same transformer option or benefit if the project is approved. The District will complete the schematics for Phase 1 and obtain additional information for the Phase 2 area (south of the turnaround) to finalize options for the transformer locations. While the consultant has provided cost estimates, there may be revisions in the Phase 2 area if further research results in changes to the proposed schematics. Manager Russell was directed to try to identify additional undergrounding experts familiar with SDGE rules in an effort to obtain a second opinion regarding placement of transformers in underground vaults, and further to discuss this issue with homeowners Steve Reid and Dave Gutierrez. This issue appears to be the obstacle in resolving the transformer placement issue in the Phase 2 area.

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10. NEW BUSINESS

a. Entrance Planting / Landscaping

Lighting, plants and irrigation improvements were all discussed. The drought of the past two seasons and the restrictions and limits on irrigation have resulted in much damage to the plant varieties. Additionally, the problem with burned out landscape lighting bulbs needs to be resolved.

Director Muller volunteered to send his landscape contractor to the District to consult on solutions to irrigation deficiencies, recommendations on correct plant varieties/fertilizers for our area and lighting problems. Manager Russell was directed to coordinate a site meeting as soon as possible and report to the Board with recommended solutions.

11. QUALITY OF LIFE DISCUSSION TOPICS

None to report

12. WEBB MANAGEMENT / CBRA ITEM

No Acton Required

No CBRA Report this month.

13. WRITTEN COMMUNICATIONS

Manager Russell presented an informational letter from the Pacific Legal Foundation

14. BOARD AND STAFF COMMENTS

The Board advised homeowners that there is no approval by the Board of Directors to do any beach work by any contractors. It is up to homeowners to work with the City/Coastal Commission and obtain authorization as required to protect their property from the ocean.

ADJOURNMENT

Board President Masto officially adjourned the Meeting at 8:35 P.M.

ATTEST:

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

I, **Donal S. Russell**, Manager of the Capistrano Bay Community Services District, hereby certify that this is a *DRAFT* copy of the Minutes of Meeting #631, held on April 25, 2017.

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

May 11, 2017
DATE