

**REGULAR MEETING #634
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES**

Tuesday, July 25, 2017

CLOSED SESSION 6:00 PM

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 6:38 p.m.

2. PLEDGE OF ALLEGIANCE

Board President Masto led attendees in the Pledge of Allegiance.

3. ROLL CALL

Directors Present: Haack, Breeding, Muller, Masto
Staff: District Manager Russell, Secretary Morris
Agents: Authorized Agents Sascha Camargo & Jim Parsons, Webb Community Management, Inc.
Directors Absent: Clark
Contractors Present: Securitas Branch Manager, Jorge Moreno & P.C. Brandin Oberlies.
Guest Speakers: Mr. Lou Galuppo, attorney for Galuppo & Blake Law Firm

CLOSED SESSION DISCLOSURE

The Board advised members that the following issues were discussed in Closed Session prior to the Regular Session Meeting:

- Shoreline Protection Legal Matters
- District Manager – Performance Appraisal – Board approved a 1% pay increase

4. PUBLIC COMMENTS

Members commented on the following issue:

- Landscape lighting was reported not completely working at the entrance
- Cell phone and texting usage contributing to an auto accident onsite and potential safety issues. Resident requested Board direct officers to be more watchful of everyone using phones while driving.
- Sharks have been cited in the area almost everyday.

5. APPROVAL OF MINUTES

a. Meeting #633 of June 27, 2017

Board President Masto summarized the June 27, 2017, #633 Meeting Minutes.

MOTION – A motion was made by Director Haack and seconded by Director Breeding to approve the Minutes of Meeting #633. The motion was passed by a vote of 4-0-1 (Director Clark absent).

6. **SECURITY**

a. **Monthly Securitas Report for June 27, 2017:**

Security update presented by Securitas Post Commander. There were 6 incidents and a report has been provided to management. PC Oberlies was directed to be more watchful of the food delivery people who have a habit of speeding.

7. **SHORELINE PROTECTION COMMITTEE**

a. **Shoreline Protection Committee:**

Chris Brown attended to update members on their progress. Mr. Brown recommended that all members come together and support the project. Additional communication with members would be helpful to keep everyone informed.

The Attorney (Lou Galuppo) from the District's Legal Team was present to provide a progress report.

• **The Shoreline Protection Phase Two is still in Process:**

Mr. Lou Galuppo attended to update the Board and Members on the status of Phase Two and the updating of the governing documents. It is estimated that a proposed design and application would be filed by the end of 2017. All options will be explored to identify the best solution. Costs for this fiscal year are estimated to be possibly as much as \$195,000.

8. **FINANCE**

a. **Report of Monthly Expenses through June 2017:**

Board President Masto reviewed the Financials through June 2017. It was reported all looked in order year to date. There have been some higher than anticipated expenses in the areas of Electrical, Plantings and Irrigation.

Current Assets: \$3,244,166.75

Current Liabilities: \$48,526.03

Total Equity: \$3,195,640.72

Mr. Muller commented that the Board / Management needed to review the final payoff requirements of the AD 99-1 Assessment District to find out if the payoff can be accelerated in order to avoid further admin fees. Manager Russell was directed to confer with counsel and the AD 99-1 Fiscal Agent for guidance.

9. **OLD BUSINESS**

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

Possible transformer location options for the south half of the community are being explored with the consultant, Utility Specialists Inc. There is a possibility that with creative effort and willingness by some property owners, above-ground transformers might actually be a real possibility as opposed to leaving the transformers up on the power poles.

b. **Report on City Council action regarding flood control zone changes:**

The Board agrees that the City has incorrectly passed a resolution to expand the high hazard flood zone for Beach Road without proper notification but did not vote to join in a lawsuit against the City.

10. NEW BUSINESS

a. **Proposed New Railroad Parking License Agreement from OCTA:**

The Railroad (OCTA) is requesting a new license agreement estimated at an additional \$74,000 per year on top of the \$38,000 already being paid. The Board does not agree with the figures proposed by OCTA and is currently negotiating with their agents. Director Muller requested a copy of the current License Agreement to review.

11. QUALITY OF LIFE DISCUSSION TOPICS

a. Short-Term Rentals

Secretary Morris presented a report on the Short-Term Rentals. A protocol is being setup for residents / tenants when computer problems occur. Secretary Morris will also check on any rentals that are not currently signed up for the summer trash collection program and monitor their trash usage.

12. WEBB MANAGEMENT / CBRA ITEM

No CBRA Report this month.

13. WRITTEN COMMUNICATIONS

The Board reviewed correspondence from Steve Schwartz regarding elections and procedure. No action was taken.

15. BOARD AND STAFF COMMENTS

The District Manager will be on vacation beginning August 3rd and will return to work on August 21st. No District Meeting is scheduled in August as the Board will be in summer recess.

ADJOURNMENT

Board President Masto officially adjourned the Meeting at 8:37 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 #634, held on July 25, 2017.

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

August 2, 2013
Date