

CAPISTRANO BAY DISTRICT  
AGENDA REPORT  
April 24, 2018

---

Shoreline Protection Committee

## ITEM 7

### Shoreline Committee Status Report – Recap of Past Two Board Meetings

At the February meeting, the Board had directed the Committee and their legal team to temporarily delay further progress and legal expenses until the Board of Directors has had an opportunity to conduct an in-depth review and accounting of all related Committee expenses to date. The Board did, however, request the following to continue:

- complete the community survey and submit the draft to the board for approval in March
- follow the City's progress with LCP Amendment relating to Sea Level Rise and report
- monitor the progress relating to the *Bertha vs City of Dana Point* action and report

To recap the March meeting, the Board took the following action:

**MOTION** was made by Board President Schwartz and seconded by Director Haack, to place the Shoreline Committee legal team on hold and begin soliciting for a legal firm to represent the District against the recent action by the City of Dana Point regarding the new deed restrictions set on new home permits. The Directors voted 4-1, with Director Clark opposed to halting the legal team's work but in favor of dealing with the City and the new deed restrictions.

Regarding the community survey, the Board felt that due to the new issue regarding deed language in CDP's, this may not be the appropriate time to send out the survey and that it may be more effective and useful to mail out an informative letter, at such time as when the Board has engaged with a litigation firm.