

**REGULAR MEETING #643**  
**CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS**  
**MINUTES**  
**Thursday, June 28, 2018**  
**CLOSED SESSION 5:45 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**

Director Clark called the Meeting to order at 6:36 p.m.

**2. PLEDGE OF ALLEGIANCE**

Director Clark led attendees in the Pledge of Allegiance.

**3. ROLL CALL**

Directors Present:	Haack, Breeding, Muller, Clark
Staff:	District Manager Russell
Absent:	Board President Schwartz
Agents:	Authorized Agent Eric Parsons, Webb Community Management, Inc.
Contractors Present:	Securitas Post Commander Robert Stabenow
Guest Speakers:	No Guest Speakers were present

**CLOSED SESSION REPORT OF ACTION**

The Board advised attendees of the following discussion during closed session:

- Discussed the terms of the Webb Mgmt. contract and reviewed a proposal by another property management company and took the following action:

MOTION was made by Director Clark, seconded by Director Haack and passed 4-0-1 to approve the termination of Webb Community Management Co. and hire Compass Property Management pending agreement by Board President Schwartz (who was absent) and a contract review by District counsel.

- The District received a *NOTICE OF VIOLATION* from the Coastal Commission regarding CCC concern with some elements of shoreline protection. The matter has been submitted to District Counsel for review and advice with no other action taken at this time.
- At the Budget Workshop held on June 18th, the Board took action to terminate the District's Police operations and use the available funds to pay for additional Securitas officers. There is further discussion about this issue under Agenda Item 8 – Financial Report.

**4. PUBLIC COMMENTS**

There were no public comments.

**5. APPROVAL OF MINUTES**

**Meeting #642 of May 29, 2018**

*MOTION* – A Motion was made by Director Haack, seconded by Director Muller and voted 4-0-1 (Schwartz absent) to approve the Minutes of Meeting #642 as presented.

**6. SECURITY**

**Monthly Securitas Report for June 2018:**

Securitas Post Commander Robert Stabenow reported that they are preparing for the Fourth of July Holiday and reminded everyone to be safe. Additional security personnel will be onsite throughout the day and in the evening. Two officers will be present at the top of our entrance driveway to run interference with traffic and five officers on foot patrol out on the beach will be watchful for fireworks, beach fires, loose dogs, etc. Mr. Stabenow also reminded those in attendance to keep their dogs contained because they get startled when fireworks go off.

District Manager Russell commented on the private property signs/barricades placed by some owners out on the beach and advised that the signs/ barricades bring unwanted attention to the community. The District does not have the authority to stop the practice but encourages owners not to display the signs or use barricades. It was suggested that a less problematic and more visually attractive type of barricade might be several large planter pots and/or placement of patio furniture, etc.

**7. LCP/COASTAL UPDATE**

Homeowner Bob Bancroft stated his concerns and offered his interpretation of what the Coastal Commission is requiring of homeowners in the recent *Notice of Violation* from the CCC. Director Clark updated attendees on the Notice and explained the District is working with legal counsel for a response to the Coastal Commission. Director Clark also requested staff to provide copies of two or three public access easements for the Board's review of the specific language in those documents.

**8. FINANCE**

**Report of Monthly Expenses through May 2018:**

Director Muller gave the financial report and advised that the District is coming to the end of its fiscal year, and right now everything looks very good though May. Next year's budget has been approved, and the final budget will be available at the next meeting.

During the budget review process, the Board looked at Security, and the two District Police Officers who are making 2.5 times as much per hour as Securitas. Therefore, the Board decided to terminate those positions, and implement additional Securitas personnel who can be on duty for more hours per shift than the Police and make a more effective impact on the incidence of speeding.

Director Muller also pointed out the Board is concerned about the potential increase in legal costs due to the shoreline protection issue and has increased this item in our new fiscal year budget.

Director Clark suggested the District create a written policy for establishing certain Reserves for emergency contingencies such as train derailments, mudslides from the Palisades, ocean flooding of the roadway, earthquakes, etc., and to research, maybe with counsel, how to protect our reserves from a taking by the County or the State.

**MOTION** – A Motion was made by Director Haack, seconded by Director Breeding and voted 4-0-1 to approve the F/Y 2018-19 Budget in the amount of \$1,230,391.00.

<u>Current Assets:</u>	\$1,877,108.58
<u>Current Liabilities:</u>	\$52,353.31
<u>Total Equity:</u>	\$3,601,893.41

**9. OLD BUSINESS**

**Undergrounding of Utilities – Progress Report**

There was no report and the item was tabled for discussion at the next Board meeting.

**10. NEW BUSINESS**

There was no new business

**11. QUALITY OF LIFE DISCUSSION TOPICS**

**Summer CBRA general meeting and party set for Saturday, August 18th**

CBRA member Charlotte Bloom reported on plans for improved food and music. Additionally, the CBRA will be renting two six-seater golf carts to shuttle attendees to and from the party.

**12. WRITTEN COMMUNICATIONS**

There were no written communications with the exception of the Coastal Commission Notice of Violation which was discussed in closed session and briefly under Agenda Item 7.

**13. BOARD AND STAFF COMMENTS**

Manager Russell reminded the membership of the registration deadlines for candidacy for election to the Board of Directors, which opens on Monday, July 16<sup>th</sup> and ends on Friday, August 10<sup>th</sup>. The next Board meeting will be held on July 31, 2018 at 6:30 P.M.

**14. ADJOURNMENT**

Director Clark adjourned the meeting at 7:49 PM.

**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 an *APPROVED* copy of the Minutes of Meeting #643, held on June 28, 2018.

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

June 28, 2018  
DATE