

**REGULAR MEETING #648
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES**

**Tuesday, January 29, 2019
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

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

2. PLEDGE OF ALLEGIANCE

President Schwartz led attendees in the Pledge of Allegiance.

3. ROLL CALL & SWEARING IN OF NEW DIRECTORS

Directors Present:	Muller, Haack, McNulty, Irani, Board President Schwartz
Staff:	District Manager Russell, Karen Morris
Absent:	
Agents:	Authorized Agent Kellyann Phillips, Compass PMC
Contractors Present:	Securitas Post Commander Robert Stabenow
Guest Speakers:	Jeff Lurner, Dave Gutierrez

Manager Russell administered the Oath of Office to new Directors Saeed Irani and Patrick McNulty

CLOSED SESSION REPORT OF ACTION

No closed session this month

4. PUBLIC COMMENTS

Homeowner Carter Clark stated he has photos of a new concrete seawall that is being built in Malibu for a beachfront residence and suggested the District look into the permitting of this project.

Homeowner Chris Miller pointed out that the two small trash barrels at the District office should be placed in an appropriate trash enclosure, and likewise, the convenience trash barrels on the two vacant lots should be in some kind of attractive enclosure.

Staff was directed to look into this and make appropriate plans to handle the issue.

5. APPROVAL OF MINUTES

Meeting #648 of December 6, 2018

MOTION – A Motion was made by Director Haack, seconded by Director Muller, and voted 3-0-2 (Irani and McNulty abstained as they were not present at the Jan meeting) to approve the Minutes of Meeting #648 as presented.

6. SECURITY

a. Monthly Securitas Report for December 2018

Securitas Post Commander Robert Stabenow reported that the new extra patrol officer is doing a better job at intervening with speeders and reminded the Board and the audience of the posted 15 MPH speed limit on Beach Road.

The Board brought up the issue of security staff turnover which seems to be increasing. Citing their frustration with this 'revolving door' condition, staff was directed to seek proposals from other security service providers and try to have a presentation in time for the March meeting.

b. Nails and Screws in the Roadway

The Board noted that Securitas is doing a great job picking up nails/screws in road.

7. THIS ITEM LEFT BLANK

8. FINANCE

a. Report of Monthly Expenses through thru December 2018

The Board had no questions or comments. The report was received and filed.

b. FY18 Financial Report/Annual Audit

Director Muller was pleased with the annual audit and suggested that the surplus reserve money be earmarked for specific line items, with appropriately-referenced footnotes within the Financial Statement. Approval of the Financial Report is on hold until Staff can arrange a teleconference for Director Muller to discuss the reserves with the Auditor. It was also recommended that beginning with next year's audit, a representative of the firm should be in attendance to present the Financial Statement, explain the material and answer questions.

9. OLD BUSINESS

a. Undergrounding Utilities – Progress Report

Dave Gutierrez updated the work he has been doing to see if undergrounding the utilities is feasible. He has made progress and stated the south end looks better than expected as far as being able to make the project work. Director Irani added that his business does work with the Railroad at times and will provide his RR contact info to Staff for passing on to Dave. Mr. Gutierrez should have more solid answers by next meeting.

b. Ten Percent Rule – Progress Report

Dave Gutierrez explained how the changes in the ten percent rule will have a positive effect on homeowners and pointed out that while this is not an official amendment to the Zoning Code, it represents a change in how the City is interpreting the Rule and that homeowners should take advantage of this before the City decides to change its mind.

10. NEW BUSINESS

The trash enclosure for 35631 Beach Road was approved as submitted by the architect.

11. QUALITY OF LIFE DISCUSSION TOPICS

a. Lurner Report on STR's

Jeff Lurner, the District's liaison with the City, reported he is working with Ted Harris of the City of Dana Point to clarify interpretations and establish enforcement policy on the issues of over-occupancy and the permitted number of vehicles. Any complaints should be presented to District Staff, who will then forward any complaints/concerns to Mr. Lurner who will compile the info and send on to Ted Harris for documenting violations. After three violations the STR permit is revoked. President Schwartz asked that Jeff find out which addresses do have violations at this time.

12. WRITTEN COMMUNICATIONS

There were no written communications

13. BOARD AND STAFF COMMENTS

The next Board meeting will be on Tuesday, February 26th.

14. ADJOURNMENT

Adjourned the meeting at 9:05 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 a *DRAFT* copy of the Minutes of Meeting #649, held on January 29, 2019.

Donal S. Russell

DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

January 29, 2019

DATE