

**REGULAR MEETING #652
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES**

**Tuesday, April 30, 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 6:34 p.m.

2. PLEDGE OF ALLEGIANCE

President Schwartz led attendees in the Pledge of Allegiance.

3. ROLL CALL

Directors Present:

Board Pres. Schwartz, Haack, Muller, Irani, McNulty

Staff:

District Manager Russell, Karen Morris

Absent:

Agents:

Authorized Agent Kellyann Phillips, Compass PMC

Contractors Present:

Securitas Post Commander Robert Stabenow

Guest Speakers:

Susan Brodeur, OC Parks Coastal Engineer, Dave Gutierrez

CLOSED SESSION REPORT OF ACTION

No closed session this month

4. PUBLIC COMMENTS

There were no public comments

5. APPROVAL OF MINUTES

Meeting #651 – regular March meeting held on April 2, 2019

MOTION – A Motion was made by Director Haack, seconded by Director Muller and voted 5-0 to approve the Minutes of Meeting #651 as presented.

6. SECURITY

a. Monthly Securitas Report for March 2019

Securitas Post Commander Robert Stabenow noted a few issues for the month of March, including a firepit too close to a home.

b. Review of Security Proposals

Due to some other agenda items being discussed out of agenda order, this item of business was not addressed before the meeting was adjourned. This will be on the agenda again for the May meeting.

c. Review of Ordinances Related to Speeding

Speeding continues to be an issue. Based on advice from Dana Point PD, security guards cannot perform traffic stops on speeders but can still make a report and talk to the violator once they catch up to them at their home. The two District Ordinances relating in any way to speed are not applicable and do not provide authority for District Security Officers to detain a motorist nor issue a speeding citation. Officers could, however, make a report to the District Manager who could follow up with a phone call and/or letter to the violator and possibly include a request to pay a fine, if a repeat offender.

7. **This item left purposely blank**

8. **FINANCE**

a. Report of Monthly Expenses through through March 2019

Director Muller asked that our counsel provide direction regarding the status of the District User Fee. Manager Russell was directed to follow up with counsel and have a report for the May meeting.

b. Recent Bank Account Changes

Manager Russell reported that the checking account with Wells Fargo Bank has been closed. Also, the Sunwest Bank reserve account was closed and a total of \$1.05M has been moved to the District's main depository account at Farmers & Merchants Bank. President Schwartz will report at the May meeting on what interest-bearing accounts are available in which to place the new funds.

9. **OLD BUSINESS**

a. Undergrounding Utilities – Progress Report

Dave Gutierrez reported that his efforts have been productive and feels that within the next two months enough information should be brought together to enable the District to present the project for a preliminary survey poll of property owners to determine the strength of community support. The results of which would inform the District whether or not to continue with the project.

b. County Proposal for Temporary Use of District Property

Susan Brodeur, Coastal Engineer with OC Parks, spoke of plans for the public bike path and explained that the County's emergency permit application to CCC for shoring up the pathway was denied. As a result, the proposed plans to make temporary use of the District's northgate maintenance yard are off the table for now. There will be a stakeholders meeting towards the end of summer to discuss the future of the Beach Park and bike path. Ms. Brodeur will make sure we are made aware of the date and time.

c. Storm Drain Obstruction at Drain #12 – 35595 Beach Road

This storm drain remains blocked. Efforts to line up a local drilling contractor produced no results. Director Irani has connections in this particular industry and will look for another referral. A review of the language in the walkway quitclaim deed indicate that ALL expenses to open and excavate in the easement must be borne by the District.

10. **NEW BUSINESS**

There was no new business

11. **QUALITY OF LIFE DISCUSSION TOPICS**

The District's liaison for STR's, Jeff Lurner, contacted staff that he would not be present to report. PC Stabenow stated that SeaBreeze is still a problem with misinformation. President Schwartz shared that SeaBreeze may not be operating with the proper license and the company has been reported to the California Department of Real Estate.

12. **WRITTEN COMMUNICATIONS**

There were no written communications

13. **BOARD AND STAFF COMMENTS**

There were no comments. Next Board meeting will be on Tuesday, May 28, 2019, at 6:30 PM

14. ADJOURNMENT

Adjourned the meeting at 8:12 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 #652, held on April 30, 2019.

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

May 16, 2019
DATE