

REGULAR MEETING #654
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES

Tuesday, July 2, 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**

Director Haack called the Meeting to order at 6:30 p.m.

2. **PLEDGE OF ALLEGIANCE**

Director Haack led attendees in the Pledge of Allegiance.

3. **ROLL CALL**

Directors Present:	Haack, Muller, Irani and McNulty
Staff:	District Manager Russell, Karen Morris
Absent:	Board President Schwartz
Agents:	Authorized Agent Kellyann Phillips, Compass PMC
Contractors Present:	Securitas Post Commander Robert Stabenow
Guest Speakers:	Sandra Jacobs, LAFCO Candidate

CLOSED SESSION REPORT OF ACTION

No closed session this month

4. **PUBLIC COMMENTS**

No public comments

5. **APPROVAL OF MINUTES**

Meeting #653 of May 30, 2019

MOTION – A Motion was made by Director Muller, seconded by Director Irani and voted 4-0 to approve the Minutes of Meeting #653 as presented.

6. **SECURITY**

Monthly Securitas Report for May 2019:

Securitas Post Commander Robert Stabenow Spoke on issues for May. Noted that homeless people are being escorted out of the community but many times that just walk down the road and jump back over the wall. A complaint was voiced that a late-night patrol officer was caught sleeping while on duty. Manager Russell explained that the officer has already been removed from service at this Post.

7. **ELECTION OF LAFCO REPRESENTATIVE**

Sandra Jacobs Addressed the BOD asking for our District's support in voting for her in the upcoming LAFCO Board of Directors Election. Manager Russell pointed out that the Board's voting at last month's meeting was in error as the District was issued incorrect ballots and must conduct the vote over again prior to July 19th ballot submittal deadline.

MOTION – A Motion was made by Director Haack, seconded by Director Irani and voted 4-0 to repeal the original vote for LAFCO seat, from action taken at Meeting #653 of May 2019.

The vote for LAFCO representative was postponed to July 16th when all directors can be present.

8. FINANCE

Report of Monthly Expenses through thru May 2019:

Director Muller has asked for June financials before approving the budget for the upcoming year. This will be voted on in the special meeting on July 23, 2019. Compass PMC will get the June financials early so that the BOD has them prior to this meeting.

9. OLD BUSINESS

a. Undergrounding Utilities – Progress Report

Dave Gutierrez was not present to report on the undergrounding of utilities. Director Muller noted that only \$50,000 was approved and directed Manager Russell to make sure the project was not going any further in funds until it was brought to a vote in the community.

b. Storm Drain #12 Obstruction

Manager Russell reported that the drain has cleared but still has some obstruction in the pipe and will need further work to pull the material out.

10. NEW BUSINESS

The Board approved the cancellation of the regular August meeting to accommodate summer vacations.

11. QUALITY OF LIFE DISCUSSION TOPICS

Homeowner and District liaison Jeff Lurner reported that he is working with the city regarding short term rentals but also shared his frustrations with regards to how it is handled within the community and with Securitas. The BOD shares the frustrations and has decided to have its attorney answer the direct question of what legal options the District may/may not have in regulating vacation rental activity.

MOTION – A Motion was made by Director Irani, seconded by Director Muller and voted 4-0 to have the attorney draft an agreement for homeowners of short-term rentals to sign indicating they are responsible for the consequences of violations of any rules broken by tenants and the Management company representing them.

12. WRITTEN COMMUNICATIONS

There was no written communication

13. BOARD AND STAFF COMMENTS

Next BOD meeting is tentatively set for July 23, 2019. Place and time TBA

14. ADJOURNMENT

Adjourned the meeting at 8:31.

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 #654, held on July 2, 2019.

Donal S. Russell

DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

July 9, 2019

DATE

DRAFT

**REGULAR MEETING #655
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES**

Tuesday, July 16, 2019

CLOSED SESSION 10:30 AM

REGULAR MEETING 11:30 AM

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 10:28 am

2. PLEDGE OF ALLEGIANCE

President Schwartz led attendees in the Pledge of Allegiance.

3. ROLL CALL

Directors Present: Board President Schwartz Muller, Haack, 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:

CLOSED SESSION REPORT OF ACTION

There was no action to report from the closed session but the Directors crafted a list of questions for Counsel, to help in their understanding of what legal grounds the District may have for regulating STR's.

4. PUBLIC COMMENTS

No public comments

5. Election of LAFCO Representative

MOTION – A Motion was made by Pres. Schwartz, seconded by Director Irani and voted 5-0 to approve the ballot of James Fisler from Mesa Water District

6. SECURITY

Selection of Security Services Contractor:

Much discussion about Securitas and their ability to handle the scope of work required in the contract. Manager Russell reported that the Branch Manager has been removed due to performance concerns. Kelly Becker, Regional Manager for Securitas, assured the Board that a new Branch Manager would be selected and assigned to the Capistrano Bay Post within the next few days.

MOTION – A Motion was made by Director Irani, seconded by Pres. Schwartz and voted 5-0 to renew the contract with Securitas Security Services for another year, pointing out that the contract is month to month and can be cancelled if there is continued unacceptable performance issues.

7. FY20 DRAFT BUDGET

Manager Russell recommended BOD approval of the draft budget with the ability to revise when the Tax Apportionment Schedule is published in mid-August

MOTION – A Motion was made by President Schwartz, seconded by Director Haack and voted 5-0 to approve the budget as presented, with a reduction to \$50,000 for underground utilities and a provision to revise the Tax Revenue line item after receiving/reviewing the County Tax Apportionment Schedule in August.

8. ALLOWABLE WORK HOURS FOR HOUSECLEANING SERVICES

Manager Russell reported that the District’s restrictions for weekend noise refers to landscape service and construction projects but does not specifically address hours for housecleaning. President Schwartz recommended asking counsel to look into the ability of the District to limit such service work on Sundays.

9. COUNTY BIKE PATH/BEACH EROSION

Director Russell pointed out that the erosion under the bike path is worsening and it won’t be too long before the City will want to talk again about relocating the bike path onto District property in the Northgate Emergency Exit Road.

10. BOARD AND STAFF COMMENTS

14. ADJOURNMENT

President Schwartz Adjourned the meeting at 11:36 am

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 #655, held on July 16, 2019.

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

July 23, 2019
DATE