

**REGULAR MEETING #658
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
Tuesday, December 10, 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 6:33 pm

2. PLEDGE OF ALLEGIANCE

President Schwartz led attendees in the Pledge of Allegiance.

3. ROLL CALL

Directors Present:

Board President Schwartz, Haack, Irani, McNulty, Muller

Staff:

District Manager Russell, Karen Morris

Absent:

Agents:

Authorized Agent Kellyann Phillips, Compass PMC

Contractors Present:

Securitas Post Commander Robert Stabenow

Guest Speakers:

Jeff Rosaler, City of Dana Point

4. PUBLIC COMMENTS

No public comments

5. APPROVAL OF MINUTES

Meeting #657 held on October 29, 2019

MOTION – A Motion was made by Director Haack, seconded by Director Irani and voted 5-0 to approve the Minutes of Meeting #657 as presented

6. SECURITY

a. Monthly Securitas Report through December 6, 2019.

Securitas Post Commander Robert Stabenow spoke on the issues for the previous month. Some damage to the block wall from the railroad work. Manager Russell is already taking care of getting the repairs started. Noted an altercation that happened with renter and guard gate. It was suggested by Director Muller to put audio with the visual cameras at the guard gate so that future altercations will have accurate accounting of what exactly happened. It was agreed upon and Manager Russell will look into this additional feature.

7. SEA LEVEL RISE/CITY VULNERABILITY ASSESSMENT

a. Report on City workshop from December 4th

Manager Russell reported that the first phase of the SLR Study, the Vulnerability Assessment, is complete with the Moffat & Nichol Engineering report. The next phase will be taking the information and creating a policy that will eventually become the guide for dealing with existing and future development in the Coastal Zone. The engineer's report can be viewed on the City website by typing the following: *Dana Point Sea Level Rise* into your web browser. Director Muller pointed out there is some very positive shoreline protection recommendations in the report that might prove advantageous for Beach Road.

8. FINANCE

a. Monthly Expense Report and Review of Annual Audit for FY19

Director Muller indicated his approval of the monthly expense report and stated that the draft annual Financial Report is acceptable as well. The Board voiced consent of the financial reports then circled back to last month's discussion about not billing out the User Fee this year. Board President Schwartz reiterated the importance of completing the analysis of District revenue along with recommendations from the District's Reserve Study engineer, Foresight Financial Inc., to determine if a continuation, next year of the User Fee, would be required to meet the District's future financial responsibilities.

9. OLD BUSINESS

a. Underground Utilities Report

Dave Gutierrez will not be present until the January Board meeting to provide a verbal report on his progress. In the meantime, the Board discussed the need for issuing a letter to SDGE pointing out the hazards from the old overhead power lines, essentially putting the utility on notice. It was recommended that Dave Gutierrez discuss this concern with the District's Counsel, Sean Schwertdfeger, for the purpose of drafting a letter to submit to SDGE.

10. NEW BUSINESS

There is no new business for this meeting

11. QUALITY OF LIFE-CBRA DISCUSSION ITEMS – STR ISSUES

a. New District Website

Karen Morris reported that the new website is almost ready for launching. The Board will have an opportunity to fully review the site prior to going public.

b. Update on STR progress by the City

Jeff Rosaler, Community Development Department Manager, was present to discuss Short Term Rentals and to provide a brief history of the involvement over the past five years. The City is still maintaining the STR moratorium, which will have to remain in force until it can craft an ordinance that satisfies both the supporters and those citizens in opposition plus approval by the Coastal Commission. Mr. Rosaler did point out that the Coastal Commission indicated they consider Short Term Rentals to be an excellent coastal access resource for the public and would not likely approve any ordinance that hindered STR access.

12. WRITTEN COMMUNICATIONS

a. Email request from homeowner Tom Reese of 35711 Re: underground Utilities

Manager Russell stated he has already replied to Mr. Reese with an explanation that the existing overhead power is aged and hazardous and needs to be taken underground for the safety of the community.

b. Thank you letter from PLF Counsel was received and filed.

13. ADJOURNMENT

President Schwartz Adjourned the meeting at 7:57 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 #658, held on December 10, 2019.

Donal S. Russell

DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

December 16, 2019

DATE

