

**REGULAR MEETING #666**  
**By Teleconference due to COVID Pandemic**  
**CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS**  
**MINUTES**  
**Tuesday, September 29, 2020**  
**REGULAR MEETING 10:00 AM**

**1. CALL TO ORDER**

Board Vice President Haack called the Meeting to order at 10:06 AM

**2. PLEDGE OF ALLEGIANCE**

Manager Russell led attendees in the Pledge of Allegiance

**3. ROLL CALL**

Directors Present:	Directors Haack, Muller, Irani, McNulty
Staff:	District Manager Russell, Karen Morris
Absent:	Board President Schwartz
Agents:	Authorized Agent Kellyann Phillips, Ryan Phillips, Compass PMC
Contractors Present:	Securitas Post Commander Robert Stabenow
Guest Speakers:	None

**4. PUBLIC COMMENTS**

Mr. Michael Villar, candidate for the Dana Point City Council's Fifth District, introduced himself to the Board and those in attendance, asking for Beach Road to support his election to City Council. Mr. Villar pointed out that as of last year, the members on City Council are divided up now and serve as representatives, one each from the five newly formed districts or areas of Dana Point where District Five includes Beach Road and Capistrano Beach.

**5. APPROVAL OF MINUTES**

Meeting #665 of August 25, 2020

***MOTION*** – A Motion was made by Director Haack, seconded by Director Irani and voted 4-0-1 (Schwartz absent) to approve the Minutes of Meeting #665 as presented.

**6. SECURITY**

**a. Monthly Security Report**

Security Post Commander Robert Stabenow reported there were very few incidents of trespassers this month, those that were found were immediately escorted off the property. There were no reports of theft or vandalism but there were some issues at the entrance gate with upset renters who were not listed in the system and thus had to be denied entry. There were no other comments.

**7. INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC) ELECTION**

Manager Russell explained that the President's seat on the ISDOC Board will be vacant in December and open for election. The two candidates for the position are Lucille Kring, Anaheim Councilwoman, and Mark Monin, current President of the El Toro Water District Board of Directors. Mr. Monin also sits on the ISDOC Executive Committee and thus has relevant experience with special districts in OC. The Board took the following action:

**Motion** was made by Director Haack, seconded by Director Muller and passed 4-0-1 (Schwartz absent) to submit the District's one vote for ETWD Board Member Mark Monin for ISDOC President.

## 8. **FINANCE**

### a. **Monthly expense report**

The expense report through August 31, 2020 was accepted as submitted. Manager Russell recommended a revision be made next month to the budget to create two additional expense items for tracking and accounting costs during this fiscal year for activity related to obtaining a Coastal Development Permit for shoreline protection.

## 9. **OLD BUSINESS**

### a. **Underground Utilities Report**

Manager Russell pointed out that as of last month, the Undergrounding of Utilities has been placed on hold while the Board works with consultants regarding shoreline protection.

## 10. **NEW BUSINESS**

### a. **Report/Discussion on Coastal Commission (CCC) meeting and what comes next**

Director Irani reported that the meeting on 9/25 with staff from the Coastal Commission yielded some hopeful results. The CCC wants the existing armoring on the beach to be under a temporary CDP and to that end has requested the community to get moving on submitting a CDP application for an intermediate term temporary permit. It was made clear by CCC staff that while their first priority is public access on the beach, there was agreement that the homes need protection as well. Also discussed at the meeting on 9/25 was the requirement for a permanent CDP for shoreline protection and that the District must get moving on that as soon as possible. CCC staff suggested the possibility of partnering with the County to create a larger solution with more stakeholders involved.

In attendance and offering comment were homeowners Jim Sorenson (35101), Amber Hales (35111), Bob Bancroft (35115), Don Griffith (35737), and Bill Nassour (35777). Homeowners were primarily concerned with what the next step is and when the Board will take action.

The Board agreed that the next step should be for the District to engage with a coastal engineer to assist the community in starting the process and defining a plan of action. Director Irani added that the Board has, over the past month, met with two coastal engineers, Dave Skelly of GeoSoils Inc in Carlsbad and Walter Crampton of TerraCosta Engineering in San Diego; so the Board already has some useful background from both engineers for making a selection. As a result, the Board was ready and prepared to take the following action:

**Motion** was made by Director Irani, seconded by Director Muller and passed by a vote of 4-0-1 to engage with Walter Crampton and the firm of TerraCosta Engineering, and directing Manager Russell to review the TerraCosta proposal, which was submitted to the Board last month, and to contact the firm for a meeting as soon as possible.

*\*\*Manager's Note: This is as close as the District can come at this time to setting a schedule for how long this is going to take. As the process moves forward, the District may be able to establish some timelines, in which case community notification will be made.*

## 11. **QUALITY OF LIFE - CBRA**

Admin Assistant Karen Morris, also representative for the CBRA, reported that the CBRA has mailed out Board of Directors' Candidate information and is hoping to schedule a Zoom meeting to enable property owners to meet the three candidates who are running for the two upcoming vacancies.

## 12. **WRITTEN COMMUNICATIONS**

There were no written communications

**ADJOURNMENT**

Board Vice President Haack adjourned the meeting at 11:03 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 an *APPROVED* copy of the Minutes of Meeting #666, held September 29th, 2020.

*Donal S. Russell*

DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

*October 27, 2020*

DATE