

**REGULAR MEETING #661  
By Teleconference due to COVID-19 Pandemic  
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS  
MINUTES  
Tuesday, April 28, 2020  
REGULAR MEETING 10:00 AM**

**1. CALL TO ORDER**

President Schwartz called the Meeting to order at 10:00 AM

**2. PLEDGE OF ALLEGIANCE**

Board President Schwartz lead attendees in the Pledge of Allegiance

**3. ROLL CALL**

Directors Present:

Staff:

Agents:

Contractors Present:

Guest Speakers:

Board President Schwartz, Directors Muller, Haack, Irani, McNulty  
District Manager Russell, Karen Morris  
Authorized Agent Kellyann Phillips, Ryan Phillips, Compass PMC  
Securitas Post Commander Robert Stabenow  
Mike Medve, Willdan Financial Services

**4. PUBLIC COMMENTS**

No public comments

**5. APPROVAL OF MINUTES**

Meeting #660 of February 25, 2020

***MOTION*** – A Motion was made by Director Haack, seconded by Director McNulty and voted 4-0 to approve the Minutes of Meeting #660 as presented (Director Muller joined the meeting after this item).

**6. SECURITY**

**a. Monthly Security Report**

Securitas Post Commander Robert Stabenow reported it has been a slow month with the community on stay at home orders. Short term rentals are expected to pick up with the coming warm weather.

**b. COVID-19 Discussion**

Board President Schwartz referred to recent City action in declaring a local emergency due to the COVID-19 pandemic, a part of which restricts activity in STR's to only essential pandemic-related workers or those displaced by the pandemic. Staff was asked to post signs at the community entrance giving notice of the City's declaration. Additionally, direction was given to have counsel prepare an indemnification letter that will have to be agreed to and signed by all incoming short term renters before being allowed access during the duration of the pandemic, all being effective starting May 1st. The incoming renter will have to submit a signed copy of the form to the gate officer plus show ID that matches with the name listed in the computer.

Homeowner Felicia Lurner stated that visitors, guests and renters should all be abiding by the Governor's Stay At Home Order and not be allowed access.

Homeowner John Macaluso stated he was choosing to not rent out his home during the pandemic and also expressed concern over whether his family could come to their beach house. President Schwartz made it clear that the restrictive action being taken by the District was specifically for short term renters as per the City's Emergency Declaration.

**c. Security Camera Upgrade**

Security cameras upgrade at the guard shack to start install this week. All six cameras will be the newest digital technology with 5 Megapixel image quality.

**7. This item is left blank**

**8. FINANCE**

**a. Monthly expense report**

The expense report through March was accepted as submitted

**b. District Revenue Analysis/User Fee**

Mike Medve of Willdan Financial Services was present to update the Board on Willdan's progress with reviewing and evaluating the District User Fee Program. Willdan will be issuing a calendar identifying the steps in the process and expects to bring this to a Public Hearing in June, thus paving the way for a resumption of the User Fee assessment by August 2020. It was agreed by the Directors that the annual billing of the User Fee would continue to originate from the District Office and not be issued as a payable item on each owner's property tax bill every year.

Manager Russell inquired as to how a public hearing can be conducted in a remote setting as in a teleconference meeting. Mr. Medve explained that the Governor has issued a temporary emergency guidance relating to Brown Act compliance that permits public meetings by teleconference. He will send a copy of this guidance to the District for reference.

**9. OLD BUSINESS**

**a. Underground Utilities Report**

Dave Gutierrez was not present to provide an update. Manager Russell reported that Dave is currently trying to get SDGE or a reputable engineer to provide an assessment of the condition of the existing power poles and overhead electricity and communications lines and transformers. Some professionals have stated that the existing overhead infrastructure is dangerously deteriorated and should be upgraded. If this is accurate then it might be worth pursuing to have SDGE contribute to our proposed underground project costs. Secondary to this effort would be a presentation to the community of the project cost estimate to determine whether there is strong homeowner support.

**10. NEW BUSINESS**

There was no new business

**11. QUALITY OF LIFE -CBRA**

COVID 19 Community Safety discussed earlier under agenda item 6

**12. WRITTEN COMMUNICATIONS**

There were no written communications

**ADJOURNMENT**

Board President Schwartz adjourned the meeting at 11:10 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 #661, held April 28, 2020.

*Donal S. Russell*

DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

*May 7, 2020*

DATE

