

REGULAR MEETING #667
By Teleconference due to COVID Pandemic
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
Tuesday, October 27, 2020
REGULAR MEETING 10:00 AM

1. CALL TO ORDER

Board President Schwartz called the Meeting to order at 10:03 AM

2. PLEDGE OF ALLEGIANCE

Manager Russell led attendees in the Pledge of Allegiance

3. ROLL CALL

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

4. PUBLIC COMMENTS

There were no public comments

5. APPROVAL OF MINUTES

Meeting #666 of September 27, 2020

MOTION – A Motion was made by President Schwartz, seconded by Director Muller, and voted 5-0 to approve the Minutes of Meeting #666 as presented.

6. SECURITY

a. Monthly Security Report

Security Post Commander Robert Stabenow stated there was minimal activity that was of a safety concern – one illegal beach fire, a parking complaint, a couple of open garage doors and a trespasser who turned out to be someone out on the beach who had to seek safety up on a patio due to high tide that forced him off the beach.

b. Electric Bike Issue (speeding and no helmets)

Security reported on a procedure that has been put into effect to intervene with kids riding ebikes:

- stop speeding kids, get their address or follow to their house and talk to the parents
- same procedure for younger kids with no helmets
- have the gate officers inform parents (renters) when they show up with ebikes in tow and record their address so security can be more watchful at certain homes
- confiscate ebikes when there is no cooperation/return to renter when their week is over

7. BOARD OF DIRECTORS/SELECTION OF NEW PRESIDING OFFICER

President Schwartz requested the opportunity to call for a new Board President at this time, rather than wait for the normal appointment of new officers in January, in order to maintain a better continuity with the Shoreline Protection project that is getting off to a good start right now: *(cont. on next page)*

Motion was made by Director Haack, seconded by Director Muller and passed 5-0 to appoint Director Saeed Irani as the new Board President and to assume that position starting with the next Board meeting. Thank you, Director Irani, for graciously accepting the appointment.

8. **FINANCE**

a. **Monthly Expense Report**

The expense report through September 30, 2020 was accepted as submitted. President Schwartz asked about tracking expenses for the new Shoreline Protection work coming up (see next agenda item).

b. **Revision to Current Budget for Shoreline Protection**

Manager Russell recommended the following budget revisions to account for the new Shoreline Protection work that is coming soon:

- *new expense code #8810 for Shoreline Protection Consulting* \$50,000 allowance
- *new expense code #8815 for Shoreline Protection Engineering* \$75,000 allowance

Manager Russell pointed out these amounts are intended to cover initial expenses to launch the District's efforts in assisting homeowners with current Coastal Act violations/temporary permits and to begin the process that would ultimately result in some kind of permanent shore protection solutions for the Beach Road community, the costs of which could eventually be in the millions of dollars.

9. **OLD BUSINESS**

a. **Shoreline Protection Engineering Proposal**

After thorough discussion and consideration of the TerraCosta Engineering proposal at the last Board meeting, the Directors took the following final action:

Motion was made by Director Irani, seconded by President Schwartz, and voted 5-0 to approve the proposal by Walter Crampton of TerraCosta Engineering at the Time/Material rates indicated in his scope of work description. Director Irani requested staff to double check that the Exhibit B *Hourly Rates* sheet is included as part of the agreement.

b. **Aerial Mapping of the Beach**

The Board approved the cost of \$7800.00 to Guida Surveying for the preparation and delivery of an aerial overview map of the community beach that would show property lines and Mean High Tide Lines overlaid onto the photos – the purpose of which is to clearly show the position of existing shoreline armoring relative to the MHTL. Director Irani requested a final review of this mapping product by the Engineer in case there may be some additional information that could be included on the map.

c. **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. **Review of the Development Impact Fee Program**

Manager Russell indicated that in the years since the DIF program was established there appears to be some inconsistencies with the City when assigning valuation to a building permit for work on homes here in the community. The obvious first concern is with the difference in how the City values a re-roofing project and Manager Russell feels a flat-fee rate on reroofing would be more appropriate since almost all reroofs here on Beach Road require the same amount of work and thus a similar impact to the roadway. Staff was requested to make a recommendation next month on a reasonable flat fee for roofing projects and any other possible projects of similar scope, where a flat fee might be more appropriate.

11. QUALITY OF LIFE - CBRA

There were no comments or discussion

12. WRITTEN COMMUNICATIONS

a. Letter from the Coalition to Protect Capistrano Beach

The Board expressed a thank you to the Coalition for their support letter including their numerous suggestions on proceeding with permits for shoreline protection and working with other local partners/stakeholders in the area. Board members, however, commented that the secrecy of this group in acting under a fictitious name, and not identifying themselves in person, leaves the Directors questioning how to satisfy the Coalition's request that we all work together.

13. BOARD AND STAFF COMMENTS

Manager Russell recommended the date of Tuesday, December 8th for the next Board meeting. The Board typically combines the November and December meetings into one meeting in early December to allow for the Directors and the community to enjoy the holidays.

ADJOURNMENT

Board President Schwartz adjourned the meeting at 10:50 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 #667, held October 27th, 2020.

Donal S. Russell

DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

October 28, 2020

DATE