

Meeting #685

CAPISTRANO BAY DISTRICT  
AGENDA REPORT  
*June 28, 2022*

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*Old Business*

## **ITEM 9b**

### Shredded Sandcubes on the Beach

The notice that went out last month to the eleven homeowners with damaged sandbags and sandcubes, has resulted in several owners calling in to the District office indicating they have cleaned up the shredded material.

A beach inspection will be conducted and reported on at the Board meeting.

## **ITEM 10a**

### State Mandatory Food Scraps Recycling/Ordinance No. 05-205

The District has conducted a field inventory of existing trash enclosures and determined that approximately 100 locations have enough space to accommodate the state-required food scraps recycling bin (or CART as the trash company calls them). Next step for the District will be a mailed notice to homeowners explaining the new state law and that there is no expense to homeowners for having the small green food scraps bin in their enclosure.

Additionally, the Board must approve a change to our trash ordinance to include language addressing the new state law. Attached is a draft form of new Ordinance No. 22-205. Staff will have the original present at the meeting for signature.



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B. Special collection shall be one (1) additional time per week. This collection shall only be available from June through September, on a fee for service basis. This pickup is primarily for rental units. However, this special collection service may also be offered to non-rental residences. It has been observed that during the summer months rental units tend to create excessive trash requiring the need for the special collection. This collection is to control the environmental hazard and provide owners of rental units the option of acquiring additional containers. All rental units will be automatically required to use and pay for the special collection.

7. FEES

The District pays the trash collection fees for the entire community from the Property Tax Revenue that is apportioned back to the District each year. Therefore there are no trash collection fees billed directly to homeowner with the exception of the special summer collection program.

A. Special summer collection is \$110.00 for the entire 2022 summer service from June through mid-September and is subject to a fee adjustment each year thereafter as per Section B.

B. Capistrano Bay District reserves the right to alter these rates accordingly, based on collection fees charged by the provider of this pickup service. Written notice of fee adjustments shall be sent to owners of all affected units.

8. PENALTY

Any person violating any provision of this Ordinance shall be deemed guilty of an infraction and shall be fined \$100.00 for the first offense, \$150.00 for the second offense and \$200.00 for a third and subsequent offense.

9. TRASH HAULER

Only trash haulers authorized by the District shall be allowed to operate on Beach Road. The sole exception shall be that when an owner or his contractor requires a large container for debris created by work on the property, a debris bin no larger than 10 cubic yards may be rented by the owner or contractor, provided that said bin is not placed within the Beach Road right-of-way at any time.

10. WRITTEN NOTICE

The Capistrano Bay Community Services District shall post a written notice for 30 days on the community entrance bulletin board and a public notice in the legal section of the classified ads of the local Orange County Register newspaper.

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Passed, approved and adopted this 28th day of June, 2022 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Patrick McNulty, President  
Capistrano Bay Community Services District

ATTEST:

STATE OF CALIFORNIA            )  
COUNTY OF ORANGE            )    SS  
CAPISTRANO BAY DISTRICT       )

(DISTRICT SEAL)

I, DONAL S. RUSSELL, hereby certify that the above foregoing is a true and correct copy of Ordinance No. 22-205 adopted by the Board of Directors of the Capistrano Bay District at a regular meeting held on June 28, 2022.

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Donal S. Russell, Manager  
Capistrano Bay Community Services District