

# ITEM 5

**REGULAR MEETING #687**  
**CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS**  
**MINUTES**  
**Tuesday, August 30, 2022**  
**REGULAR MEETING 6:30 PM**  
***OPEN TO THE PUBLIC***

**1. CALL TO ORDER**

District Manager Russell called the Meeting to order at 6:30 PM

**2. PLEDGE OF ALLEGIANCE**

District Manager Russell led attendees in the Pledge of Allegiance

**3. ROLL CALL**

Directors Present:	McNulty, Wiersig, Jenkins, Lurner and Misher
Staff:	Manager Russell, Admin Assist. Morris
Absent:	None
Agents:	None
Contractors Present:	None
Guest Speakers:	AUS Managers Steve Nsaif, Chris Bailey and Juan Arellano

**4. PUBLIC COMMENTS**

There were no public comments

**5. APPROVAL OF MINUTES**

Meeting #686 of July 26, 2022

**Motion** was made by Director Misher, seconded by Director Lurner and voted 4-0-1 (McNulty had not arrived yet) to approve Minutes #686 of July 26th, 2022, with the following correction: revise the approved FY23 budget amount to \$1,745,470.00 from \$1,752,610.00.

**6. SECURITY**

**a. Monthly Security Report – July/August 2022**

Manager Russell reported that the District Police Officer is having a positive impact on speeding and trash day parking issues. Director Lurner commented that the roadway last Monday was completely open, not a single car was on the street during trash collection.

**b. Road Striping/15 MPH Signage**

Manager Russell reported that striping the road with new lane and 15 MPH markers, bike and ped lane and dotted lines will be coming at the end of the month. The work has been delayed due to work load by the contractor as this is the busy season for paving and road striping. Security has placed portable bright green 15 MPH signs in two locations along the roadway and is instructed to continue moving the signs weekly to different locations.

**c. Allied Universal Security (AUS) Multi-Year Contract**

Upper management from AUS was present to explain the proposed three-year contract amendment and show where the discount was included in the original submittal. The discount for the long term commitment adds up to \$33,305 over the three year period. There was consensus among the Directors in agreeing to the offer and directed AUS to send the contract for signatures.

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7. **This Item is Left Purposely Blank**

8. **FINANCE**

**a. Monthly Expense Report**

The expense report through July 2022 was received and filed. Director Wiersig asked about the Reserve Cash Assets showing as a negative figure. Admin Assistant Karen Morris reported that she has already inquired of the accountant about this and will provide a follow up to the Board as soon as possible.

9. **OLD BUSINESS**

**a. Shoreline Protection/Advisory Committee Report**

Manager Russell reported that the Committee got lucky and was able to engage with Dave Skelly of GeoSoils Inc for coastal engineering consulting services over the next twelve months. Additionally, the Committee engaged with the law firm of Meyers Nave for legal consulting on the authority for the District to engage in fundraising. Once this current budget amount of \$300,000 is spent, the community will need to step in and contribute to keep the Advisory Committee work going. This might come in the form of a community tax or possibly an assessment or possibly as simple as just sending out a letter asking for contributions. The Committee and the District will know more about this over the next month.

10. **NEW BUSINESS**

**a. Request to Reinstate the Homeowners' Landscape Committee**

Past Board member and homeowner Dave Gutierrez has requested reactivation of the homeowners' landscape committee. With District staff being additionally occupied with Advisory Committee work and keeping tabs on City progress with Short Term Rental Regulations, it would be a benefit and Staff would welcome the assistance. Board members agreed with the idea and added that the LS Committee should include reporting issues along the entire road AND out on the beach side. Staff will coordinate with Mr. Gutierrez on bringing together a group of homeowners who have interest in community beautification.

11. **QUALITY OF LIFE - CBRA DISCUSSION ITEMS**

**a. Short Term Rentals/Possible Renter Recovery Fee**

Administrative Assistant Karen Morris reported that today with the legalizing of short term rentals by the City and also the real possibility that more STR's could be coming to Beach Road, the District is in a stronger position to assess a recovery fee, based on the impact of vacation rentals on the District's resources – resources that were never intended to deal with this type of activity.

12. **WRITTEN COMMUNICATIONS**

**a. Late Letter from the Coalition to Protect Capistrano Beach**

Manager Russell stated the office received a letter from the Coalition's counsel, Alex Schwada, today at 4:31 PM – a bit late for circulation but will post the letter on the District's website.

13. **BOARD AND STAFF COMMENTS**

Items requested for discussion next month:

- Director Lurner/Undergrounding of Overhead Utilities
- Board President McNulty/Renter Recovery Fees

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NEXT BOARD MEETING: Tuesday, September 27th, 6:30 PM

**ADJOURNMENT** Manager Russell adjourned the meeting at 8:27 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 an *APPROVED* copy of the Minutes of Meeting #687, held on August 30th, 2022.

Donal S. Russell  
DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

September 27, 2022  
DATE