

CAPISTRANO BAY DISTRICT
AGENDA REPORT
September 27, 2022

New Business

ITEM 10a

Underground Utilities Discussion

Director Lurner requested that this topic be placed back on the agenda for discussion. To pick up with where we left off over two years ago (July 2020), the Board was discussing the details of a letter to property owners explaining the progress that has been made and where we go next.

At that time it was the consensus of the Directors that before there is further expense of money and time, a questionnaire to homeowners should be sent out to measure their interest to continue pursuing the effort of undergrounding utilities.

The Board never made it to the step of canvassing property owners as the issue of shoreline protection became a higher priority for the community. Paraphrasing previous Board President Steve Schwartz, *“the proposed informational mailer for homeowners still needs comments from Board members but also pointed out that due to community-wide issues with the high tides over the Fourth of July weekend, progress on the undergrounding of utilities has been placed on hold while the Board works with consultants regarding shoreline protection.”*

There has been no further discussion on this matter at the Board level since July 2020.

ITEM 10b

Renter Recovery Fees

Board President McNulty requested further discussion on the possibility of the District assessing a fee on all renters within the Capistrano Bay District. This would be a fee based on the impact of rental activity on our community.

Currently, the Shoreline Advisory Committee has engaged with counsel from Meyers Nave LLP, a law firm that only represents Special Districts. They are researching all the taxing/funding options available to the District for fundraising to keep the Committee moving along. The opinions that will be coming from this special counsel will also help inform the District on its ability to assess a renter-related fee. For the time being, there is no movement that can be made on this matter. The District expects an opinion soon as the Meyers Nave firm has now had this for a month and should be getting close to a response for us.