

ITEM 5b

REGULAR MEETING #694
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
Tuesday, April 25, 2023
REGULAR MEETING 6:30 PM
OPEN TO THE PUBLIC

1. CALL TO ORDER

District Manager Russell called the Meeting to order at 6:32 PM

2. PLEDGE OF ALLEGIANCE

District Manager Russell led attendees in the Pledge of Allegiance

3. ROLL CALL

Directors Present:	McNulty, Misher, Jenkins, Lurner
Staff:	Manager Russell, Admin Assist. Morris
Absent:	Wiersig
Agents:	None
Contractors Present:	Robert Stabenow, Allied Universal Security
Guest Speakers:	None

4. PUBLIC COMMENTS

Miriam Rupke, real estate agent, asked the Board if she could begin providing a monthly report showing recent sales and homes listed for sale on Beach Road. The Board agreed to have Ms. Rupke send a report sample for consideration.

5. APPROVAL OF MINUTES

Meeting #693 of March 28, 2023

The Board could not approve the Minutes as Director Wiersig was absent and Directors Misher and McNulty were absent from the March meeting and therefore could not vote to accept the Minutes. This item will have to be moved to the May Board meeting.

6. SECURITY

a. Monthly Security Report – April 2023

PC Robert Stabenow reported on a very busy month of security activity due to the improvement in the weather. There were several trespassers, all of whom were escorted from the community, a vehicle was rifled through, fortunately with nothing of value taken (unlocked vehicle) and there was a car stolen as well – this vehicle was left unlocked late at night and with the keys in the car.

The Board gave direction to security to install a locking system to the entrance area pedestrian gate that would be accessible one-way with a passcode and remotely controlled by the gate officer on duty.

b. Police Activity Summary – March/April 2023

Manager Russell reported that the District has received its order of printed traffic cite books and will soon be issuing tickets. As a fair warning, speeding tickets issued by Officer Williams are sent directly to Orange County Superior Court Traffic Division and the bail amounts range up to \$600, and moving violations go on one's driving record.

ITEM 5b

7. TRASH ENCLOSURES/PROPOSED ADDENDUM TO LS REQUIREMENTS

Manager Russell explained that he has taken Dave Gutierrez's square footage information, along with some additional notes he provided and incorporated those guidelines into the current policy by amending line items 48 and 49, with the exception of deleting the tree requirement. Thus, while trees are acceptable they are not being made a requirement.

8. FINANCE

a. **Monthly Expense Report**

The expense report through March 2023 was received and filed. There were no requests for discussion.

9. OLD BUSINESS

a. **State Law/Mandatory Food Scraps Recycling**

Manager Russell reported that the food scraps trash barrels were delivered and distributed to Beach Road this past Saturday. This delivery now completes the District's compliance with the new law that began as Senate Bill 1383 in January 2021.

b. **Advisory Committee Progress Report**

Manager Russell explained that the Committee has now conducted two Zoom meetings with property owners who are registered to vote here on Beach Road. These meetings are to begin the awareness and education effort by the Committee for the benefit of property owners and the need for shoreline protection. The next Zoom meeting, however, will be sent out to the entire community – those registered to vote here on BR plus those registered elsewhere - and will be scheduled for as soon as possible. All owners will be given advance notice.

10. NEW BUSINESS

a. **Request for Lattice on RR Block Wall/35787 Beach Road**

The homeowner at 35787, Miles Rosedale, has requested permission of the District to install white lattice to the block wall, in the same style as the four homes immediately to the north of his property. After viewing the photo samples, the Board gave its consent to the request.

11. QUALITY OF LIFE - CBRA DISCUSSION ITEMS

a. **Dealing with Owners of STR's and Violations**

At a previous meeting, Board President McNulty had suggested a tougher stance by the District in dealing with short-term rental owners who violate the City's rental rules. McNulty had recommended a policy whereby violating owners are requested to appear before the Board and explain themselves and pay a stiff \$1000 fine if they refuse to comply and not show up to discuss the rental violation. Staff was authorized to bring this to legal counsel for an opinion and possible recommendation as to what authority the District has to carry out such a policy and to explore a mechanism for enforcement and collection.

12. WRITTEN COMMUNICATIONS

There were no written communications.

13. BOARD AND STAFF COMMENTS

There were no comments by the Board. However, Manager Russell explained that the punch list Dave Gutierrez had submitted at the previous meeting and was intended to be a part of tonight's agenda for discussion, was completely forgotten. The items were generally regarding miscellaneous maintenance needs around the community entrance, fading signs, weeds, pavement striping, repainting irrigation valve boxes, palapa repairs, etc. This will be agendaized for the next Board meeting.

ITEM 5b

ADJOURNMENT Manager Russell adjourned the meeting at 7:40 PM.

NEXT BOARD MEETING: Tuesday, May 30th, 2023, 6:30 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 #694, held on April 25th, 2023.

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

May 30, 2023
DATE