

# ITEM 6a

**REGULAR MEETING #697**  
**CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS**  
**MINUTES**  
**Tuesday, August 1st, 2023**  
**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, Misher, Jenkins, & Lurner
Staff:	Manager Russell, Karen Morris
Absent:	None
Agents:	City Officials Brenda Wisneski and John Ciampa
Contractors/Consultants:	Robert Stabenow, Allied Universal Security
Guest Speakers:	Toni Nelson and Capo Cares Group

**4. PUBLIC COMMENTS**

Toni Nelson, Capo Beach resident, took a few minutes to alert the Board to the new sand replenishment project underway by OC Parks, building up the beach in the area just upcoast of the County Beach Park, and to stay abreast of the public movement to bring more sand to our depleted beaches.

**5. APPROVAL OF MINUTES**

**a. Meeting #696 of June 28, 2023**

**Motion** was made by Director Ross, seconded by Director Lurner and approved by a vote of 5-0, to accept the minutes of June 28th as presented.

**6. SHORT TERM RENTALS**

Toni Nelson of Capo Cares, was present and discussed an urgency matter before the CCC of an effort by a few concerned property owners in town to request a change to the CDP that currently allows for additional STR's within the Coastal Zone, which includes Beach Road. (*\*Mgr's Note: at this stage of the process with the CCC, an amendment to the current permit requires that the permit be revoked and a new permit with new scope be submitted*). Currently, the community can expect to have at least 20 additional STR's coming soon.

Also present was Brenda Wisneski and John Ciampa from the City of Dana Point, to discuss new STR enforcement policies that the City has implemented as a result of creating a short term rental program that is certified by the CCC. The most significant improvement is the change to the number of violations a rental can accumulate: it is now three over the lifetime of the permit – used to be three each year and then would start over again each year. Now it's three and your permit is revoked permanently.

**7. SECURITY**

**a. Monthly Security/Police Report – June/July 2023**

Security Supervisor Stabenow reported that there were two incidents of renters trying to bring in more vehicles than are permitted. The City Code limits this to two vehicles maximum. On the police side,

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Manager Russell stated that we can expect our Police officer to be back on duty by mid-August as he is currently completing a four week police training program that will enable the District to officially issue speeding citations.

### 8. FINANCE

#### a. **Monthly Expense Report**

The expense report through June 2023 was received and filed with no discussion.

#### b. **FY24 Budget**

While the income budget for FY24 was approved at the June Board meeting, the expense budget was just completed and on short notice, the Directors have not had the time needed to review the material and for that reason, the approval of the expense budget has been postponed to our next Board meeting.

### 9. OLD BUSINESS

#### a. **Advisory Committee Progress Report**

Manager Russell reported that the Committee has selected the property at 35127 Beach Road, Chris Miller residence, as the test-case candidate representing a 'post coastal' scenario that requires shoreline protection. Staff was asked to send direction to the Committee's counsel, Stan Lamport, instructions to proceed with finalizing the Agreement and Conflict Waiver and to commence with the preparation of the CDP submittal process. Additionally, the Committee's consultants for establishing the Special Parcel Tax initiative have been given the approval to begin the process.

The first step in the process is to select the voting method that the consultants will use. The *All-Mail balloting* option allows for the election to be held in the weeks just after Thanksgiving. The alternate option which calls for following the OC Registrar's guidelines, pushes the date of election into the late Spring of 2024. The law allows for the District to select either option, The Board took the following action:

**Motion** was made by Director Misher, seconded by Director Lurner, and approved by a vote of 5-0 to select the *All-Mail balloting* option with the election coming after Thanksgiving, with no date set yet.

### 10. NEW BUSINESS

There was no new business

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

STR report was discussed under agenda item 6 – Short Term Rentals

### 12. WRITTEN COMMUNICATIONS

There were no written communications.

### 13. BOARD AND STAFF COMMENTS

Manager Russell announced that he will be away on vacation for the next two weeks, and back into the office on Monday, August 21st.

**ADJOURNMENT** Manager Russell adjourned the meeting at 10:04 PM.

**NEXT BOARD MEETING:** Tuesday, September 5th, 2023, 6:30 PM

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**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 #697, held on August 1st, 2023.

*Donal S. Russell*

DONAL S. RUSSELL, Manager  
Capistrano Bay Community Services District

*August 1, 2023*

DATE

