

ITEM 5a

REGULAR MEETING #699
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
CLOSED SESSION 6:30 PM
REGULAR MEETING TO FOLLOW
Tuesday, September 26th, 2023
OPEN TO THE PUBLIC

1. CALL TO ORDER

District Manager Russell called the regular meeting to order at 6:47 PM

2. PLEDGE OF ALLEGIANCE

District Manager Russell led attendees in the Pledge of Allegiance

3. ROLL CALL and REPORT OF ACTION IN CLOSED SESSION

Directors Present: McNulty, Wiersig, Jenkins, Lurner and Misher
Staff: Manager Russell, Karen Morris
Absent: None
Agents: None
Contractors/Consultants: Robert Stabenow, Allied Universal Security
Guest Speakers: None

REPORT OF ACTION TAKEN IN CLOSED SESSION:

Director Misher reported that the Board approved the proposed salary for the District Police Officer as follows:

MOTION was made by Director Misher, seconded by Director Lurner and voted 5-0 to approve the salary for the District Police Officer.

Director Misher requested a report for the next meeting on options for a varied work schedule for the officer that includes some Monday/trash day hours and possible later evening hours.

4. PUBLIC COMMENTS

LAFCO Board member Jim Fisler was present to explain the LAFCO organization and to check in with the Board on any issues or concerns the Directors may have. There were no other comments.

5. ADVISORY COMMITTEE

a. Parcel Tax Initiative and After-the-fact (ATF) Permit Update

Parcel Tax Timeline:

- June: *completed property owner survey*
- July: *Board selected the ALL-MAIL balloting option*
**this means ballots are returned by mail – no in-person voting*
- Aug: *Board set date of election for Tuesday, December 19th*
- Sept: *District solicited for OPPOSITION and SUPPORT comments*
- Oct: *Further public outreach and awareness of the tax measure*
- Nov: *Owners can change their voter registration to Beach Road anytime up to Dec. 4th*
- Nov: *First mailing of ballots goes out November 20th*

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- Dec: *Second mailing of ballots goes out December 3rd*
- Dec: *Election day – public hearing to count ballots and report results*

After-the-Fact Permit Progress

The Committee has recently reached an agreement with the selected property owner candidate for the after-the-fact permit process. This scenario is for a 'Post-Coastal' home that is in need of shoreline protection. Post-Coastal is a home built after January 1, 1977 when the Coastal Act passed into law.

First steps in this process will be to have our Coastal Engineer and Planning Consultant provide, in detail, their scope of work to develop an engineering design and an outline of steps to prepare the Coastal Development Permit application for submittal to the City.

6. APPROVAL OF MINUTES

a. Meeting #698 of September 5th, 2023

Motion was made by Director Misher, seconded by Director Jenkins and approved by a vote of 3-0-2, (Directors Lurner and Wiersig were absent for the 9-5-23 meeting) to accept the minutes of meet. #698.

7. SECURITY

a. Monthly Security/Police Report – August/September 2023

Security Supervisor Stabenow reported on a busy month with some difficult and uncooperative service workers, a homeless male walking the road in a fairly nice woman's dress, a boat ran aground in the 300-block, and the typical renter bait and switch with cars.

Manager Russell reported that our police officer has now issued six speeding citations and the feedback from the officer is that since we've changed the speeding handout to indicate the minimum fine, there has been a very noticeable reduction in speeding by parcel deliveries, Uber and UberEats.

9. FINANCE

a. Monthly Expense Report

The expense report through August 2023 was received and filed. Director Lurner reminded staff to look into and report to the Board on possible better-performing deposit accounts available to the District.

b. FY24 Budget

As reported at the beginning of this meeting, the Board completed its review of the Police Officer hours and wages, thus completing the FY24 Budget approval process.

10. NEW BUSINESS

There was no new business

11. QUALITY OF LIFE - CBRA DISCUSSION ITEMS

Karen Morris reported that the City is progressing with its approval process for STR applications for Beach Road owners desiring to rent short term. To date we have 30 STR permits, 10 of which are awaiting final approval by the City.

12. WRITTEN COMMUNICATIONS

There were no written communications.

13. BOARD AND STAFF COMMENTS

Given that the next Board meeting lands on Halloween night, the Board has agreed to move the next Board meeting to Tuesday, November 14th.

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ADJOURNMENT Manager Russell adjourned the meeting at 8:00 PM.

NEXT BOARD MEETING: Tuesday, November 14th, 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 #699, held on September 26th, 2023.

Donal S. Russell

DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

November 14, 2023

DATE